

Minnesota Board of Water and Soil Resources. Minutes.

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Version 3
August 20, 2018

Minnesota Board of Water & Soil Resources

DATE: August 20, 2013

TO: BWSR Board Members

FROM: Mary Jo Anderson, Executive Assistant

SUBJECT: FY2014 Clean Water Fund and Competitive Grants Program

The attached FY2014 Clean Water Fund Competitive Grants Policy was inadvertently omitted from the meeting notice that was sent yesterday. In addition, the Resolution was modified from the version included in the original packet.

We apologize for the inconvenience.

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Minnesota Board of Water & Soil Resources

Board Resolution # 13-

FY 2014 CLEAN WATER FUND AND COMPETITIVE GRANTS PROGRAM: POLICY AND REQUEST FOR PROPOSALS

WHEREAS, the Clean Water Fund (CWF) is established in M.S. 114D.50; and,

WHEREAS, Clean Water Funds have been appropriated to BWSR in Laws of Minnesota 2013, Chapter 137; and,

WHEREAS, the Minnesota Department of Agriculture will be contributing Agricultural Best Management Practices Loan Program funds; and,

WHEREAS, the Minnesota Department of Health will be contributing Well Sealing Cost Share funds; 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, practice or activity implements a county water plan, watershed management plan, or county groundwater plan; and

WHEREAS, BWSR implementation of appropriated CWF funds is based on the Minnesota Constitution, Article XI, Section 15 which provides that funds may be "spent only to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation", and that "dedicated money under this section must supplement traditional sources of funding for these purposes and may not be used as a substitute"; and,

WHEREAS, the Board has previously endorsed an inter-agency granting strategy that included the MN Department of Agriculture (MDA), the Department of Natural Resources (DNR), the Pollution Control Agency (MPCA), the Department of Health (MDH), and the BWSR with the goal of effectively coordinating water quality projects or practices funded by the CWF, and

WHEREAS, the CWF implementation strategy incorporates the purpose of M.S. 114D.20 which directs the implementation of Clean Water Funds to be coordinated with existing authorities and program infrastructure; and,

WHEREAS, applications for funds appropriated in Laws of Minnesota 2013, Chapter 137, Section 7(b) will be evaluated by an interagency team consisting of staff from the MDA, the DNR, the MPCA, the MDH, and the BWSR based on the following criteria:

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Ranking Criteria	Maximum Points Possible
Proposal Description: The proposal description succinctly describes what results the applicant is trying to achieve and how they intend to achieve those results.	5
Relationship to the Plan: The proposal is based on priority protection or restoration actions listed in or derived from an approved local water management plan.	15
Targeting: The proposal addresses identified critical pollution sources impacting the water resource identified in the application.	30
Measurable Outcomes: The project or practice has a quantifiable reduction in pollution and directly addresses the water quality concern identified in the application.	35
Project or Practice Readiness: The proposal has a set of specific initiatives that can be implemented soon after grant award.	10
Biennial Budget Request (BBR): A BBR was submitted by the applicant organization in 2012.	5
Total Points Available	**100**

WHEREAS, applications for funds appropriated in Laws of Minnesota 2013, Chapter 137, Section 7(c) will be evaluated by an interagency team consisting of staff from the MDA, the DNR, the MPCA, the MDH, and the BWSR based on the following criteria:

Ranking Criteria	Maximum Points Possible
Clarity of the proposal's goals, standards addressed and projected impact on land and water management and enhanced effectiveness of future implementation projects or practices.	40
Relationship to Plan: The proposal is based on priority protection or restoration actions listed in or derived from an approved local water management plan.	25
Means and measures for assessing performance, milestones for success, and capacity to measure outcomes.	20
Timeline for implementation.	15
Total Points Available	**100**

WHEREAS applications for a shared services or local capacity component established with funds appropriated in Laws of Minnesota 2013, Chapter 137, Section 7(c) will be evaluated based on the following criteria:

Ranking Criteria	Maximum Points Possible
Clarity of proposed activities and their effect on enhanced delivery of current or future implementation projects or practices, targeting activities or other essential conservation delivery services.	25
Relationship of proposed activities to identified needs from the BBR and/or identified priorities associated with local water management plans or other strategic water quality assessments.	30
Means and measures for assessing performance, milestones for success, and capacity to measure outcomes.	25
Clarity of application activities to implement projects from other fund sources or from new partnerships within the Technical Service Area.	20
Total Points Available	**100**

WHEREAS, applications for funds appropriated in Laws of Minnesota 2013, Chapter 137, Section 7(h) will be evaluated by an interagency team consisting of staff from the MDA, the DNR, the MPCA, the MDH, and the BWSR based on the following criteria:

Ranking Criteria	Maximum Points Possible
Clarity of the application's goals, projected impact, and involvement with community partners.	40
Relationship to Plan: The proposal is based on priority protection or restoration actions listed in or derived from an approved local water management plan.	30
Plan for assessing the proposal's impact and capacity to measure project or practice outcomes.	20
LGU capacity to implement local grant program processes and protocols.	10
Total Points Available	**100**

WHEREAS, applications for Well Sealing Funds appropriated to the Minnesota Department of Health and transferred to BWSR will be evaluated by an interagency team consisting of staff from the MDA, the DNR, the MPCA, the MDH, and the BWSR based on the following criteria:

Ranking Criteria	Maximum Points Possible
Specific wells included in the application	25
Relationship to Plan: The proposal is based on priority protection or restoration actions listed in or derived from an approved local water management plan.	40
Priority areas for well sealing identified.	20
Overall proposal quality and completeness	15
Total Points Available	**100**

WHEREAS, the Grants Program and Policy Committee reviewed the Clean Water Fund and Competitive Grants Program Policy developed by staff on August 9, 2013.

NOW THEREFORE BE IT RESOLVED, the Board hereby:

1. Authorizes staff to finalize, distribute and promote a Request For Proposals (RFP) for the FY2014 Clean Water Fund Competitive Grants Program consistent with the provisions of appropriations enacted in 2013, Minn. Stat. 103B.3369 and this Board resolution; and,

2. Adopts the attached FY2014 Clean Water Fund Competitive Grants Policy.

_____ Date: _____

Brian Napstad, Chair
Board of Water and Soil Resources

Attachment: FY2014 Clean Water Fund Competitive Grants Policy

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FY 2014 Clean Water Fund Competitive Grants Policy

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 and to protect groundwater and drinking water sources from degradation. The purpose of this policy is to provide expectations for implementation activities conducted via the Board of Water and Soil Resources (BWSR) Clean Water Fund (CWF) grants.

BWSR will use grant agreements 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 or future sanctions on the grant recipient.

The FY 2014 Clean Water Fund Competitive Grants Request for Proposals (RPF) may identify more specific requirements or criteria when specified by statute, rule or appropriation language.

1.0 Applicant Eligibility Requirements

Eligible applicants include local governments (counties, watershed districts, watershed management organizations, soil and water conservation districts, and cities) or local government joint power boards working under a current state approved and locally adopted local water management plan or soil and water conservation district (SWCD) comprehensive plan. Counties in the seven county metropolitan area are eligible if they have adopted a county groundwater plan or county comprehensive plan that has been approved by the Metropolitan Council under Minn. Stat. Chapter 473. Cities in the seven-county metropolitan area are eligible if they have a water plan that has been approved by a watershed district or a watershed management organization as provided under Minn. Stat. 103B.235. Cities, including those outside of the seven-county metropolitan area, without such plans are encouraged to work with another eligible local government if interested in receiving grant funds. Plans must be current as of October 1st, 2013 for an

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applicant to be eligible to apply.[1] Applicants must also be in compliance with all applicable federal, state, and local laws, policies, ordinances, rules, and regulations.

2.0 Match Requirements

A non-state match equal to at least 25% of the amount of Clean Water Funds requested and/or received is required, unless specified otherwise by Board action and included in the RFP. Matching cash or in-kind cash value provided by a landowner, land occupier, local government or other non-state source may be used to match CWF grants.

3.0 Eligible Activities

The primary purpose of activities funded with grants associated with the Clean Water Fund is the control, reduction, or prevention of chemical or nutrient runoff, soil erosion, sedimentation, or materials that affect human or aquatic system health. Eligible activities must be consistent with a watershed management plan, county comprehensive local water management plan, soil and water conservation district comprehensive plan, metropolitan local water plan or metropolitan groundwater plan, that has been state approved and locally adopted or an approved total maximum daily load study (TMDL), watershed restoration and protection strategy (WRAPs) document, surface water intake plan, or well head protection plan. Local governments may include programs and projects in their grant application that are derived from an eligible plan of another local government. BWSR may request documentation outlining the cooperation between the local government submitting the grant application and the local government that has adopted the plan.

Eligible activities can consist of structural practices and projects, non-structural practices and measures, project support, and grant management and reporting. Technical and engineering assistance necessary to implement these activities are considered essential and are to be included in the total project or practice cost.

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[1] For the purposes of this policy watershed management organizations and metro watershed districts are not eligible if the management plan is more than 10 years beyond the BWSR plan approval date unless the plan states a lesser period of time; non-metro watershed districts are not eligible if the plan is more than 11 years 3 months beyond the BWSR approval date; and counties are not eligible if the management plan is more than 10 years beyond the BWSR approval date unless properly extended.

3.1 Structural Practices and Projects:

3.1.1 Best Management Practices

a. Practices must be designed and maintained for a minimum effective life of ten years.
b. An operation and maintenance plan for the life of the practice shall be included with the design standards.
c. An inspection schedule, procedure, and assured access to the practice site shall be included as a component of maintaining the effectiveness of the practice.
d. The grant recipient must provide assurances that the landowner or land occupier will keep the practice in place for its intended use for the expected lifespan of the practice. Such assurances may include easements, deed recordings, enforceable contracts, performance bonds, letters of credit, and termination or performance penalties. BWSR may allow replacement of a practice or project that does not comply with expected lifespan requirements with a practice or project that provides equivalent water quality benefits.

3.1.2 Capital Improvement Projects

a. Projects must be designed and maintained for a minimum effective life of 25 years.
b. An operation and maintenance plan for the life of the project shall be included with the design standards.
c. An inspection schedule, procedure, and assured access to the project site for maintenance shall be included as a component of maintaining the effectiveness of the project.
d. The grant recipient must provide assurances that the landowner or land occupier will keep the project in place for its intended use for the expected lifespan of the project. Such assurances may include easements, deed recordings, enforceable contracts, performance bonds, letters of credit and termination or performance penalties. BWSR may allow replacement of a practice or project that does not comply with expected lifespan requirements with a practice or project that provides equivalent water quality benefits.

3.1.3 Livestock Waste Management Practices

a. The application of conservation practice components to improve water quality associated with livestock management systems that were constructed before **October 23, 2000** are eligible for funding.
b. Eligible practices and project components must meet all applicable local, State, and Federal standards and permitting requirements. Funded projects must be in compliance with standards upon completion.

c. Eligible practices are limited to best management practices listed by the MN USDA-NRCS. (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/mn/programs/financial/eqip/?cid=nrcs142p2_023513).
d. Funding is limited to livestock operations that are not classified as a Concentrated Animal Feeding Operation (CAFO) and have less than 500 animal units (AUs), in accordance with MN Rule Chapter 7020.
e. Only livestock operations registered with the Minnesota Pollution Control Agency in the Delta Database are eligible for funding.
f. BWSR reserves the right to deny, postpone or cancel funding where financial penalties related to livestock waste management violations have been imposed on the operator.
g. Feedlot Roof Structure is an eligible practice with the following condition:
    1) Flat rate payment: The maximum grant for a feedlot roof structure is the NRCS EQIP Rate or $100,000, whichever is the lesser amount. Funding is not eligible for projects already receiving flat rate payment equaling or exceeding this amount from the NRCS or other State grant funds.
h. Feedlot relocation is an eligible practice, with the following conditions:
    1) The existing eligible feedlot must be permanently closed in accordance with the local and State requirements and, thereafter, is no longer eligible for Clean Water Funding. Closure activities at the existing feedlot include fence removal, waste storage facility closure and seeding, but funding is not authorized for removal or land application of manure from an open lot or waste storage facility.
    2) The relocated feedlot must be in compliance with all environmental requirements.
    3) Maximum grant for feedlot relocation is the NRCS EQIP Rate, or $100,000, whichever is the lesser amount.
    4) The existing and relocated livestock waste management systems sites are considered one project for grant funding.

3.1.4 Subsurface Sewage Treatment Systems

a. Only identified imminent threat to public health systems (ITPHS) are eligible for grants funds, except as provided under b.
b. Proposed community wastewater treatment systems involving multiple landowners are eligible for funding, but must be listed on the MPCA's Project Priority List (PPL) and have a Community Assessment Report (CAR) or facilities plan [Minn. Rule 7077.0272] developed prior to the application deadline. For community wastewater system applications that include ITPHs, systems that fail to protect groundwater are also eligible.

c. In an unsewered area that is connecting into a sewer line to a municipal waste water treatment plant (WWTP), the costs associated with connecting the home to the sewer line is eligible for funding if the criteria in a. and b. above are met.

3.2 Non-Structural Practices And Measures

3.2.1 Non-structural practices and activities that complement, supplement, or exceed current minimum state standards or procedures for protection, enhancement, and restoration of water quality in lakes, rivers, and streams or that protect groundwater from degradation are eligible.

3.2.2 Incentives may be used to encourage landowners to install or adopt land management practices that improve or protect water quality. Incentive payments and enhanced protection measures should be reasonable and justifiable, supported by grant recipient policy, consistent with prevailing local conditions, and must be accomplished using established standards. All incentivized practices or procedures must have a minimum duration of at least 3 years with a goal of ongoing landowner adoption.

3.3 Project Support

Community engagement, outreach, equipment and other activities, which directly support or supplement the goals and outcomes expected with the implementation of items identified in 3.1 and 3.2 above.

3.4 Grant Management and Reporting

3.4.1 All grant recipients are required to report on the outcomes, activities, and accomplishments of Clean Water Fund grants. The grant funds may be used for local grant management and reporting that are directly related to and necessary for implementing the project or activity.

3.4.2 Applicants, who have previously received a grant from BWSR, must be in compliance with BWSR requirements for grantee website and eLINK reporting before grant execution and payment.

4.0 Ineligible Activities

Projects or practices that address the following will not be considered:

a. Stormwater conveyances that collect and move runoff, but do not provide water quality treatment;
b. Municipal wastewater treatment or drinking water supply facilities;

c. Routine maintenance activities within the effective life of existing practices or projects;
d. Activities having the primary purpose of water quality monitoring or assessment.
e. Livestock Waste Management Systems:
    1) Projects that provide partial compliance with standards when the project is completed;
    2) Buildings;
    3) Feed storage facilities;
    4) Feeding facilities and equipment;
    5) Manure application equipment;
    6) Barn cleaners and flush systems;
    7) Building foundation costs not associated with a manure storage facility; and
    8) Animal buyouts.
f. Subsurface Sewage Treatment Systems (SSTS):
    1) Small community wastewater treatment systems serving over 10,000 gallons per day with a soil treatment system, and
    2) A small community wastewater treatment system that discharges treated sewage effluent directly to surface waters without land treatment.

5.0 Structural Practice and Project Requirements

In order to ensure long-term public benefit of structural practices and projects, the following requirements must be met by all grant recipients.

5.1 Technical and Engineering Components

Technical and/or engineering expertise is required to develop, install, and inspect projects. Grant recipients will be required to submit documentation in their work plan outlining:

a. Who will provide technical and engineering assistance for each of the practices or projects to be implemented, their required credentials for providing this assistance, or the method for selecting appropriate technical providers; and
b. Approved design, construction, operation, and maintenance standards for the practices or projects to be implemented.

BWSR reserves the right to review the qualifications of all persons providing technical assistance.

5.2 Practice or Project Construction and Sign-Off

Grant recipients shall verify that the practice or project was properly installed and completed according to the plans and specifications, including technically approved modifications, prior to authorization for payment.

5.3 Post Construction and Follow-Up Activities

To ensure that a practice or project is functioning properly, an operation and maintenance plan tailored to fit the site shall be developed. The operation and maintenance plan should identify all of the maintenance activities that are needed and specify how they will be accomplished. The plan shall be reviewed with the land owner or occupier before installation of the practices or projects.

The grant recipient shall assure that the operation and maintenance plan is being followed and that the practices or projects are functioning as designed by conducting periodic site inspections.

6.0 Grantee Administration of Clean Water Fund Grants

Grant Recipients have the responsibility to approve the expenditure of funds within their organization. The LGU administering the grant must approve or deny expenditure of funds and the action taken must be documented in the governing body's meeting minutes prior to beginning the funded activity.

All grant recipient expenditure of funds providing financial assistance to landowners requires a contract with the landowner or land occupier. The contract must adequately address all the lifespan and operation and maintenance requirements of the practice or project as provided by this policy including access for inspections and/or operation and maintenance. The contract must specify enforcement provisions, up to and including repayment of funds at a rate up to 150% of the original agreement amount. BWSR recommends all contracts be reviewed by the grant recipient's legal counsel.

Grant reporting, fiscal management, and administration requirements are the responsibility of the grant recipient.

7.0 BWSR Grant Reporting, Reconciliation, and Verification Requirements

BWSR staff is authorized to develop grant agreements, including requirements and processes for project outcomes reporting, closeouts, fiscal reconciliations, and grant verifications.

7.1 BWSR Grant Reconciliation and Verification Procedures

a. BWSR staff will review grant recipient compliance with contractual requirements in a manner which is consistent with the policies established by the Office of Grants Management and adopted by the BWSR Board.
b. Elements described in the project work plan will be reviewed during grant reconciliation.

c. Project files for CWF expenditures including landowner contact information, contracts, bills and invoices, inspection schedule, structural practice and project operation and maintenance information, design plans, and miscellaneous communication must be retained by the grant recipient pursuant to MS 138.17 and consistent with ongoing record retention schedules.
d. In the event there is a violation of the terms of the grant agreement, BWSR will enforce the grant agreement and evaluate appropriate actions including repayment of grant funds at a rate up to 150% of the grant agreement.

For additional information, see the BWSR grants manual at:
http://www.bwsr.state.mn.us/grants/manual/index.php#/Purpose%20&%20Scope/7/top

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FOR YOUR INFORMATION

August 29, 2013

- ☐ Updated Board Member Listing and Map
- ☐ BWSR Committees, August 2013
- ☐ Updated BWSR Staff Listing
- ☐ 2013 DR-4131: Preliminary Damage Estimate
- ☐ BWSR Snapshots, September 2013
- ☐ "Preparing Minnesota for Climate Change: A Conference on Climate Adaptation" presented by the U of M/Water Resources Center

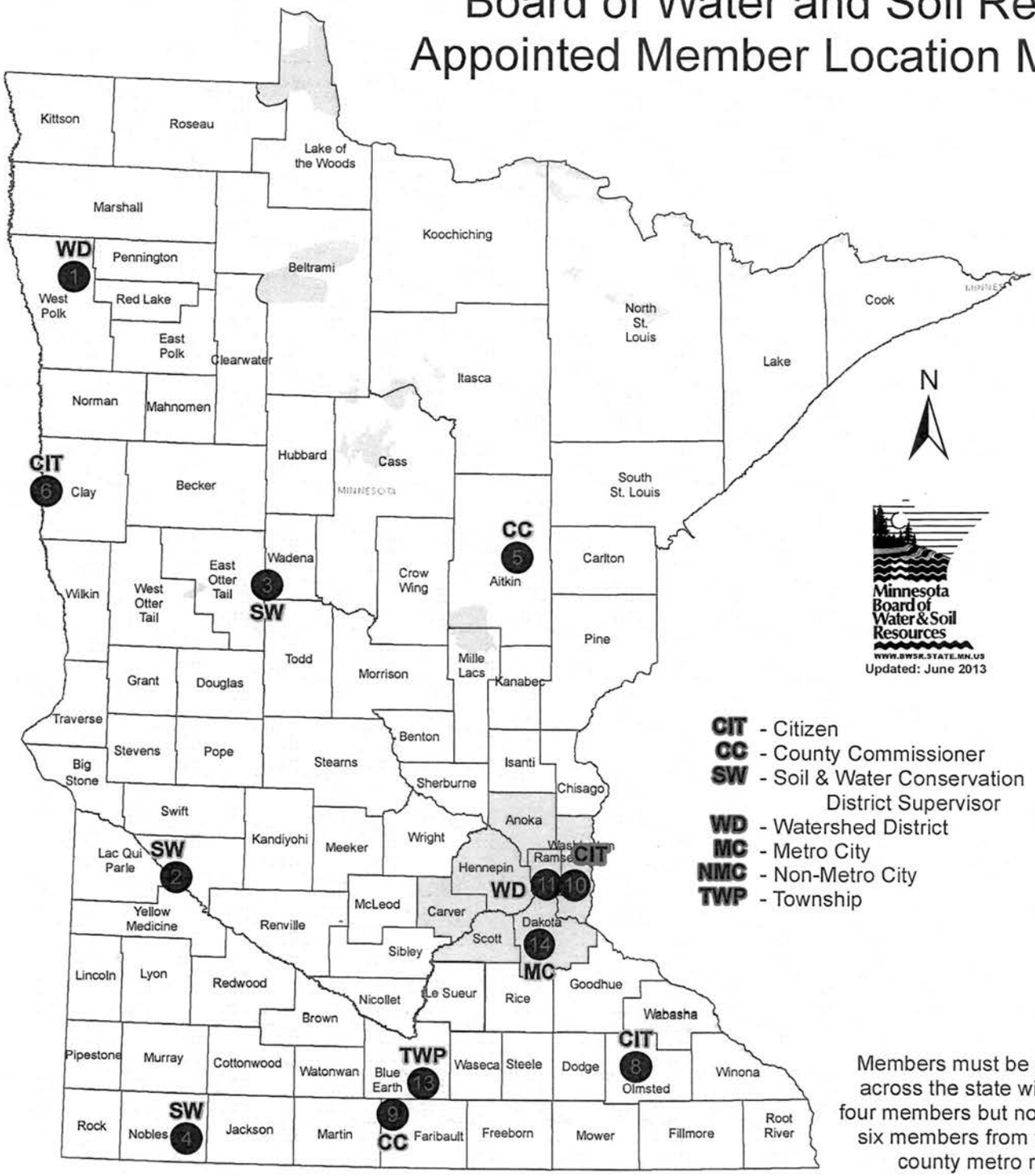
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ST. PAUL, MINNESOTA 55155
Phone: 651-296-3767 Fax: 651-297-5615

Appointed Members	*Appointment Designation*	*Term*	*Telephone/Fax/Cell*
Brian Napstad, Chair 51227 Long Point Place, McGregor, MN 55760	**Co. Commissioner** bnapstad@yahoo.com	**2/03/10 - 1/06/14**	218-426-3008 *Home*
Tom Loveall 39290 200th St., Winnebago, MN 56098	**Co. Commissioner** tomcat56098@yahoo.com	**5/11/09 - 1/02/17**	507-854-3572 *Home*
Vacant	**Co. Commissioner**	**1/05/15**	
Jack Ditmore 61 Flandrau Place, St. Paul, MN 55106	**Citizen** ditjc9999@msn.com	**3/29/12 – 1/04/16**	651-774-7239 *Home*
Judy Ohly 5823 River Ridge Court NE, Rochester, MN 55906	**Citizen** johly@charter.net	**5/23/13 – 1/02/17**	507-261-2223 *Home*
Gerald Van Amburg 4518 5th Street S., Moorhead, MN 56560	**Citizen** vanambur@cord.edu	**6/30/11 - 1/05/15**	218-236-7659 *Home* 218-790-2502 *Cell*
Thomas Schulz 27027 County Road 23, Sebeka, MN 56477	**SWCD** tschulz@wcta.net	**5/23/13 – 1/02/17**	218-837-5728 *Home*
Paul Langseth 35505 280th St., Worthington, MN 56187	**SWCD** paul.langseth@gmail.com	**2/03/10 - 1/06/14**	507-360-5844 *Cell*
Steve Sunderland 2030 20th Ave., SE, Montevideo, MN 56265	**SWCD** sunderland@mvtvwireless.com	**3/29/12 – 1/04/16**	320-226-3550 *Home*
Gene Tiedemann 13099 310th Ave., SW, Euclid, MN 56722	**Watershed** gtiedemann@rrv.net	**2/03/10 - 1/06/14**	218-281-6723 *Home*
Joseph Collins 534 West Orange Ave., St. Paul, MN 55117	**Watershed** jpcollins534@msn.com	**3/29/12 – 1/04/16**	651-488-5108 *Home*
Vacant	**Watershed**	**1/05/15**	
Sandra Hooker 14418 618th Avenue, Mapleton, MN 56065	**Townships** sandy.hooker@mntownships.org	**3/29/12 – 1/04/16**	507-869-3114 *Home*
Christy Jo Fogarty 18946 Excalibur Trail, Farmington, MN 55024	**Metro City** cfogarty@charter.net	**9/21/09 – 1/02/17**	651-867-8875 *Cell*
Vacant	**Non-Metro City**	**1/05/15**	

State Agency Members:

Matthew Wohlman Freeman Office Bldg., 625 Robert St. N., St. Paul, MN 55155 Matthew.Wohlman@state.mn.us	**Department of Agriculture**	651-201-6551 *Office* 651-201-6120 *Fax*
Chris Elvrum P.O. Box 64975, St. Paul, MN 55164-0975 chris.elvrum@state.mn.us	**Department of Health**	651-201-4598 *Office* 651-201-4986 *Fax*
Tom Landwehr 500 Lafayette Road, St. Paul, MN 55155 Tom.Landwehr@state.mn.us	**Department of Natural Resources**	651-259-5555 *Office* 651-296-4799 *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*
Faye Sleeper 173 McNeal Hall, 1985 Buford Ave., St. Paul, MN 55108 fsleeper@umn.edu	**University of Minnesota/Extension**	612-624-3738 *Office* 612-625-1263 *Fax*

Board of Water and Soil Resources
Appointed Member Location Map (2013)



CIT - Citizen
CC - County Commissioner
SW - Soil & Water Conservation District Supervisor
WD - Watershed District
MC - Metro City
NMC - Non-Metro City
TWP - Township

Board Members

ID, Member, Yr. Appt. Ends

- 1, Gene Tiedmann, 2014
- 2, Steve Sunderland, 2016
- 3, Tom Shultz, 2017
- 4, Paul Langseth, 2014
- 5, Brian Napstad, Chair, 2014
- 6, Gerald Van Amburg, Vice Chair, 2015
- 7, Vacant, 2015
- 8, Judy Ohly, 2017
- 9, Tom Loveall, 2013
- 10, Jack Ditmore, 2016
- 11, Joseph Collins, 2016
- 12, Vacant, 2015
- 13, Sandra Hooker, 2016
- 14, Christy Jo Fogarty, 2017
- 15, Vacant, 2015
- Seven County Metro Area

Members must be distributed across the state with at least four members but not more than six members from the seven county metro region.

Agency Seats

16, Matthew Wohlman, MDA
17, Chris Elvrum, MDH
18, Tom Landwehr, DNR
19, Faye Sleeper, UME
20, Rebecca Flood, MPCA

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BOARD OF WATER AND SOIL RESOURCES
COMMITTEES
August 2013

ADMINISTRATIVE ADVISORY COMMITTEE (AAC)

Membership:	Brian Napstad, chair	county commissioner
	Gerald Van Amburg, vice-chair	citizen
	Paul Langseth	soil & water conservation district
	Gene Tiedemann	watershed district/WMO
	Jack Ditmore	citizen
	John Jaschke	staff
	Mary Jo Anderson	staff

Responsibility: *The AAC consists of the Board's chair and vice-chair and the chairs of the Board's standing committees. The AAC will make evaluations and recommendations to the Board on various Board issues including ethics; expenses/per diem; bylaws; and legislation and budgets. The AAC 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.*

AUDIT COMMITTEE (AUD)

Membership:	Brian Napstad, chair	county commissioner
	Gerald Van Amburg, vice-chair	citizen
	Jack Ditmore	citizen
	Tom Schulz	soil & water conservation district
	Steve Sunderland	soil & water conservation district
	Tim Dykstal	staff

Responsibility:

The Committee consists of the Board's chair, vice-chair, and three at-large members. It appraises the effectiveness of the agency's internal controls and risk assessment, and provides an avenue of communication between BWSR's internal audit function and external auditors, management, and the Board. In addition, the AUD receives reports on BWSR's fiscal compliance.

Meetings:

The Committee will meet at least once during the year or at the call of the chair or a majority of the members.

DISPUTE RESOLUTION COMMITTEE (DRC)

Membership:	Gerald Van Amburg, chair	citizen
	Joe Collins	watershed district/WMO
	Tom Loveall	county commissioner
	Steve Sunderland	soil & water conservation district
	Jack Ditmore	citizen
	Travis Germundson	staff

Responsibility: *The DRC is responsible for appeals relating to the Wetland Conservation Act 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.*

Per M.S. 103B.101, Subd.10, the committee is appointed by the board chair.

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

GRANTS PROGRAM AND POLICY COMMITTEE (GP&PC)

Membership:	Paul Langseth, chair	soil & water conservation district
	Tom Schulz	soil & water conservation district
	Steve Sunderland	soil & water conservation district
	Judy Ohly	citizen
	Vacant	watershed district/WMO
	Gene Tiedemann	watershed district/WMO
	Christy Jo Fogarty	metro cities
	Vacant	non-metro cities
	Rebecca Flood	Pollution Control Agency
	Faye Sleeper	University of Minnesota Extension
	Wayne Zellmer	staff
	Marcey Westrick	staff
	Dave Weirens	SMT staff

Responsibility: *The Committee is responsible for reviewing cost-share, non-point engineering, clean water, natural resources block grants, local water management grants and related grant allocations, policies, and rules and making recommendations to the Board.*

Meetings: *The Committee will meet at least two times a year or as needed to review allocations or policies for base grants, competitive grants and special grants.*

PUBLIC RELATIONS, OVERSIGHT & STRATEGIC PLANNING COMMITTEE (PROSPC)

Membership:	Jack Ditmore, chair	citizen
	Vacant	non-metro cities
	Tom Loveall **	county committee
	Steve Sunderland	soil & water conservation district
	Joe Collins	watershed district/WMO
	Sandy Hooker	townships
	Christy Jo Fogarty	metro cities
	Chris Elvrum	Department of Health
	Faye Sleeper	University of Minnesota Extension
	Don Buckhout	staff
	Jen Maleitzke	staff
	Doug Thomas	SMT staff
	Angie Becker Kudelka	SMT staff

Responsibility: *The PROSPC is responsible for the development of strategic and outreach strategies and plans for the Board including identification of key outcomes, partnerships and opportunities. The PROSPC is also responsible for the Performance Review and Assistance Program (PRAP) oversight.*

Meetings: *The Committee will meet as called by the BWSR chair or the Committee chair in consultation with staff.*

** temporary appointment

RIM RESERVE MANAGEMENT PLANNING COMMITTEE (RRMPC)

Membership:	Gene Tiedemann, chair	watershed district/WMO
	Gerald Van Amburg	citizen
	Tom Loveall	county commissioner
	Tom Schulz	soil & water conservation district
	Paul Langseth	soil & water conservation district
	Chris Elvrum	Department of Health
	Matthew Wohlman	Department of Agriculture
	Tom Landwehr	Department of Natural Resources
	Bill Penning	SMT staff

Responsibility: *The RRMPC is responsible for overseeing all aspects of the Reinvest in Minnesota (RIM) Reserve conservation easement program; for reviewing RIM Reserve Program statutes, rules, policies, guidelines, payment rates and projects; for developing strategic plans, operational partnerships, and opportunities to enhance the agency's conservation easements and related programs; and for making the resulting recommendations to the Board.*

Meetings: *The Committee will meet as called by the BWSR chair or the Committee chair in consultation with staff.*

WETLANDS COMMITTEE

Membership:	Gerald Van Amburg, chair	citizen
	Jack Ditmore	citizen
	Tom Loveall	county commissioner
	Brian Napstad	county commissioner
	Vacant	county commissioner
	Sandy Hooker	townships
	Tom Landwehr	Department of Natural Resources
	Matthew Wohlman	Department of Agriculture
	Rebecca Flood	Pollution Control Agency
	Les Lemm	staff
	Ken Powell	staff
	Dave Weirens	SMT staff

Responsibility: *The Wetlands Committee is responsible for reviewing Wetland Conservation Act (WCA) and wetland banking rules, policies, guidelines and projects.*

Meetings: *The Committee will meet as called by the BWSR chair or the Committee chair in consultation with staff.*

REGIONAL COMMITTEES:

Membership: ** Acting Chair

Northern

Vacant – CC, WD, or NMC
Gerald Van Amburg – CIT
**Brian Napstad - CC
Gene Tiedemann - WD
Tom Schulz – SWCD
Matthew Wohlman - MDA
Lori Dowling - DNR
Ron Shelito, SMT staff

Southern

**Paul Langseth - SWCD
Tom Loveall – CC
Judy Ohly – CIT
Vacant – WD, CC, or NMC
Sandy Hooker - TWP
Matthew Wohlman – MDA
Chris Elvrum - MDH
Steve Sunderland - SWCD
Jeff Nielsen, SMT staff

Metro

Vacant – WD or CC
**Joe Collins - WD
Faye Sleeper – UM/Extension
Jack Ditmore - CIT
Christy Jo Fogarty - MC
Rebecca Flood - PCA
Jim Haertel, SMT staff

Responsibility: *Each Committee has the responsibility to review county water plans, water management organization plans, watershed district plans, comprehensive wetland plans, and amendments to same and to advise the Board on the adequacy of the plans. The Committees also hold hearings and make recommendations on establishment, dissolution, boundary changes and other specific local government plans and governance matters.*

Meetings: *The Committees will meet as necessary to review local waters plans and amendments and hold hearings as ordered by the Board. 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

NOTE: *Committee membership and proceedings are included in the Board Bylaws.*

PHONE NUMBERS FOR BWSR STAFF

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Revised 08/26/13

Minnesota Board of Water & Soil Resources

2013 DR-4131: Preliminary Damage Estimates

August 26, 2013

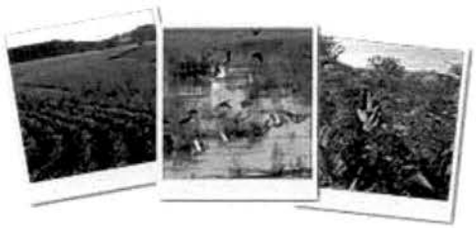
Erosion, Sediment, and Water Quality Control Cost-Share Program and RIM Program Needs

	Percent (%) of flood damaged area assessed:	Estimated damage to existing conservation practices:	Estimated costs for *new* practices on flood damaged areas:	(General Fund) Rough Total projection based on evaluated area:	Estimated riparian floodplain damage and RIM funds needed:	(Bonding – RIM) Rough total projection based on assessed area:
County:						
Benton	100%					
Big Stone	100%					
Douglas	25%	$50,000	$400,000	$1,800,000	$0	$0
Faribault	100%					
Fillmore	100%	$57,000	$1,858,000	$1,915,000		
Freeborn	20%	$3,000	$30,000	$165,000	$0	$0
Grant	100%					
Hennepin	100%		$344,600	$344,600		
McCloud	100%					
Morrison	50%	$75,000	$200,000	$550,000	$30,000	$60,000
Pope	25%	$37,500	$250,000	$1,150,000	$350,000	$1,400,000
Houston	35%	$750,000	$500,000	$3,571,429	$1,000,000	$2,857,143
Sibley	50%	$0	$237,388	$474,776	$0	$0
Stearns	100%	$0	$200,000	$200,000	$0	$0
Stevens	100%					
Swift	100%					
Traverse	100%	$0	$60,000	$60,000	$0	$0
Wilkin	100%		$556,250	$556,250	$2,800,000	$2,800,000
Mower*	80%	$125,000	$250,000	$468,000	$200,000	$250,000
Totals:		**$972,500**	**$4,636,238**	**$10,787,055**	**$4,180,000**	**$7,117,143**
Estimated State Need:		**$486,250**	**$2,318,119**	**$5,393,527**	**$4,180,000**	**$7,117,143**

*Mower County is not included in DR-4131. Amounts listed are information and not included in DR-4131 and totals.

Maleitzke, Jen (BWSR)

From: Minnesota Board of Water and Soil Resources <mnbwsr@public.govdelivery.com>
Sent: Monday, August 26, 2013 4:44 PM
To: Maleitzke, Jen (BWSR)
Subject: BWSR Snapshots: September 2013: TEST



BWSR Snapshots

September 2013

As part of an effort to better communicate with our local partners, BWSR will be sending its monthly newsletter, Snapshots, electronically each month as it is published to share conservation stories from around the state. If desired, you can 'unsubscribe' at the bottom of this email.



Another summer in the books - Conservation apprentices wrap up 2013 internships

After a three-month internship at the Scott County Soil and Water Conservation District (SWCD), Kris Larson

feels like he has a better idea of what is involved in working in environmental conservation. Larson, one of 35 Conservation Apprentices working at SWCDs this summer, said his co-workers made him feel like a part of the office. Read the story here.

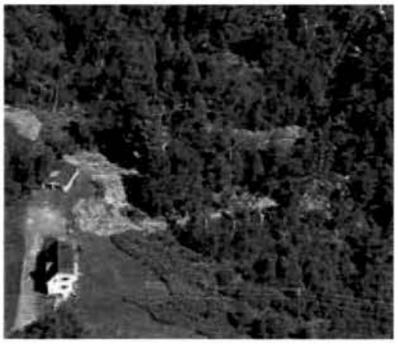
Forest City community wastewater solution protects Crow River



Through the dedication of four Forest City residents and lots of partners, the North Fork of the Crow River and nearby groundwater is now being protected through a community wastewater system.

Forest City, located a few miles north of Litchfield, Minn., is a small unincorporated village that is situated on the Crow River. Like many small communities in rural Minnesota, residents were dealing with significant issues related to treatment of wastewater and were in need of a local, cost-effective solution.

Read the story here.



Flood relief project protects Keene Creek and Superior Hiking Trail

Tim Beaster knows that steep slopes, saturated soils and heaving rains don't mix. Beaster, South St. Louis Soil and Water Conservation District (SWCD) technician, has been working on flood relief projects since Duluth and the surrounding areas were hammered by 10.10 inches of rain on June 19-20, 2012.Read the story here.

Clean Water Funded basins keep soil in place, holds back water



After strong storms blew across parts of northwestern Minnesota in June 2013, Aaron Larsen took the opportunity to check out how recently-installed conservation practices held up to the weather. He was pleased. Larsen, the West Otter Tail Soil and Water Conservation District (SWCD) Farm Bill Technician, surveyed nine water and sediment control basins shortly after the storm. He found the basins did exactly what they were supposed to – they held the water back and kept the soil in place. Read the story here.



From design to construction, engineers do it all at BWSR

At the Minnesota Board of Water and Soil Resources (BWSR), engineering section staff members who provide technical support to wetland restoration efforts believe their jobs are the most creative and diverse in the agency. Whether through the Reinvest in Minnesota Reserve Program, the state's Wetland Banking Program, or various other programs, engineering staff are involved with projects from inception through completion. Read the story here.

Minnesota Board of Water & Soil Resources

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Another summer in the books – Conservation apprentices wrap up 2013 internships

September 2013 Snapshots



Kris Larson, 2013 Conservation Apprentice.

After a three-month internship at the Scott County Soil and Water Conservation District (SWCD), Kris Larson feels like he has a better idea of what is involved in working in environmental conservation.

Larson, one of 35 Conservation Apprentices working at SWCDs this summer, said his co-workers made him feel like a part of the office. "I now know what kinds of positions are available at SWCDs, and I better understand the qualifications needed for these positions," Larson said.

Managed by the Conservation Corps of Minnesota and Iowa (CCMI) and funded through the Minnesota Environment and Natural Resources Trust Fund, the Conservation Apprentice Academy partners youth and mentors to build a solid foundation for future management of the state's natural resources.

Eric Antonson, CCMI program director, said that the program benefits both students and conservation districts. "Apprentices gain hands-on experience and SWCD managers increase the number of conservation practices delivered. It's a win-win," Antonson said.

This summer, Larson worked on a variety of projects, noting the most valuable skill he learned is how to better communicate with landowners. "Landowners want to take part in conservation practices for many different reasons and you have to understand the angle they are coming from. I've learned how powerful communication is," Larson said. "Depending on how you communicate, doors stay shut or swing right open."

A recent graduate of Westminster College in Salt Lake City, he hopes to use the skills he learned during his apprenticeship while he pursues a career with an SWCD near the Twin Cities.

Ryan Holzer, Resource Conservationist at Scott County SWCD, supervised Larson over the summer and said his work has allowed the SWCD to further strengthen relationships with residents of Scott County to improve water quality by implementing projects that otherwise would not have been possible.

"Kris and his predecessors have worked with 16 different landowners to stabilize nearly 4,300 feet of eroding streambanks since 2011. These streambank projects consisted of low-cost bio-engineered practices including cedar tree revetments and live staking. The Corps provided the labor, and the only out-of-pocket expense for the landowner was for materials used to anchor the cedar trees," Holzer said. "This offered an alternative to residents who wanted to implement conservation but couldn't afford more conventional methods and/or wouldn't qualify under traditional cost share programs."

Forest City community wastewater solution protects Crow River

September 2013 Snapshots

Through the dedication of four Forest City residents and lots of partners, the North Fork of the Crow River and nearby groundwater is now being protected through a community wastewater system.

Forest City, located a few miles north of Litchfield, Minn., is a small unincorporated village that is situated on the Crow River. Like many small communities in rural Minnesota, residents were dealing with significant issues related to treatment of wastewater and were in need of a local, cost-effective solution.

Resident Phil Valiant was one of the four residents who worked with Meeker County, and a number of state agencies to make this project happen. Valiant said the process began when a local subordinate service district was established.

"We all knew there were sewer systems in Forest City that were in desperate need of upgrading," Valiant said. "We knew some sewers were straight-piped directly to the Crow River without any treatment. Because there is no place in the township to install a conventional sewer system, we decided to look into a community system."



Twenty-one Forest City homes were connected through individual septics to the community system.

Valiant said the town board and the subordinate service district initially started out trying to find out how much a community system would cost and "the project just started rolling forward from that point."

Forest City contracted with Wenck Associates to complete planning, design, and construction oversight, including a summary of the problem, consequences of potential solutions, and cost estimates for a community system.

Peter Miller, Wenck Associates Project Manager, said Forest City is similar to a lot of small communities in Minnesota.

"There are mature properties, paved streets, utilities, and water supply wells to work around and avoid. The success of the Forest City project can be attributed to the cooperation and flexibility of the homeowners around significant construction that occurred in their yards and on their streets," Miller said. "The project could not have been completed without the cooperation of Meeker County and the Forest City Township Board for the financial management of the project."

The project connected 21 individual septic systems that were either failing to protect groundwater or were imminent threats to public health. The system is estimated to reduce pollution to the Crow River by more than 3,700 pounds of nutrients per year.

Project dollars came from the Clean, Water, Land and Legacy Amendment through the Board of Water and Soil Resources ($340,000 Clean Water Fund grant), Public Facilities Authority ($135,000 loan and grant funds), and though Meeker County ($75,000), which helped to offset the Forest City resident cost of constructing the system.

Valiant said the project was a success because of all of the partners involved. "I can't believe all the help that we had with this project -- not just financial help, but professional and knowledgeable support to develop the system. Everyone is extremely satisfied, even the residents who were skeptical in the beginning," Valiant said.

Flood relief project protects Keene Creek and Superior Hiking Trail

September 2013 Snapshots

Tim Beaster knows that steep slopes, saturated soils and heaving rains don't mix.

Beaster, South St. Louis Soil and Water Conservation District (SWCD) technician, has been working on flood relief projects since Duluth and the surrounding areas were hammered by 10.10 inches of rain on June 19-20, 2012.

"We've been working feverishly with landowners to restore damages following last year's storm events," Beaster said.

Paul Fleckenstein was one of the landowners who contacted the South St. Louis SWCD regarding a serious erosion issue adjacent to his home and garage.

"Following the storms, Mr. Fleckenstein had severe erosion issues that were threatening structures on his property," Beaster said. "We completed a site visit of the property and determined it was a high priority project to protect nearby Keene Creek."

Keene Creek is a designated trout stream with a 6.1 square mile watershed located within the City of Duluth and City of Hermantown. The average slope of Keene Creek is 5.8 percent with an approximate maximum slope of 12 percent, similar to approximate slope of Lake Avenue in Duluth.

Beaster said past land use practices contributed to many of the problems resulting from the flood. "Development in close proximity to stream banks, including clearing, grading and disposal of garbage in stream bank ravines in the past contributed to stream bank failures," Beaster said.





Top: Tires, iron poles, concrete and other debris and sediment from Paul Fleckenstein's property threated to erode into the Keene Creek, following June 2012 storm events. Bottom: Aerial view of Fleckenstein's property shows proximity to Keene Creek and the Superior Hiking Trail.

The Fleckenstein project includes a slope stabilization using clean fill materials and planting of native grasses and bushes. Retaining walls and a small drainage ditch will be built and the existing sanitary line and waterline will be relocated to accommodate slope restoration and new garage placement.

"We are interested in protecting Keene Creek and serving the landowner," Beaster said. "This project will protect not only the structures located at the top of the hill, but also the Superior Hiking Trail and trout-designated Keene Creek at the bottom."

Clean Water Funded basins keep soil in place, holds back water

September 2013 Snapshots



(Picture 1) Farm in West Otter Tail County suffered erosion problems following June 2013 storm event. (Picture 2) Water and sediment control basins on neighboring farm prevent erosion and keep soil in place. (Picture 3) LiDAR identifies areas of high sediment contributions.

After strong storms blew across parts of northwestern Minnesota in June 2013, Aaron Larsen took the opportunity to check out how recently-installed conservation practices held up to the weather. He was pleased.

Larsen, the West Otter Tail Soil and Water Conservation District (SWCD) Farm Bill Technician, surveyed nine water and sediment control basins shortly after the storm. He found the basins did exactly what they were supposed to – they held the water back and kept the soil in place.

"I compared two properties after the storm – one where we worked with the landowner, John Boen, to install the basins last year, and a neighboring property that did not have any basins. Mr. Boen's property didn't have any erosion issues following the storm – the other landowner wasn't so lucky," Larsen said.

The nine basins were installed in 2012 as part of a Clean Water Fund grant from the Board of Water and Soil Resources (BWSR) to the Buffalo-Red River Watershed District. As part of an effort to target and reduce pollution sources to the South branch of the Buffalo River, tools like LiDAR terrain analysis and stream power index were used throughout the entire watershed to identify existing and potential areas of high sediment contributions.

Using these tools, SWCD staff contacted landowners where analysis targeted the best locations for high priority areas for installation of soil conservation practices, like water and sediment control basins and side inlet structures.

Boen, who started farming in 1945, said erosion has been a long-term problem on his property. "When SWCD staff contacted me with the basin idea, I thought it was a good one," Boen said. "Anyone with crops on hilly ground would benefit from basins. The entire project went well – staff did a great job and the basins have been a good investment."

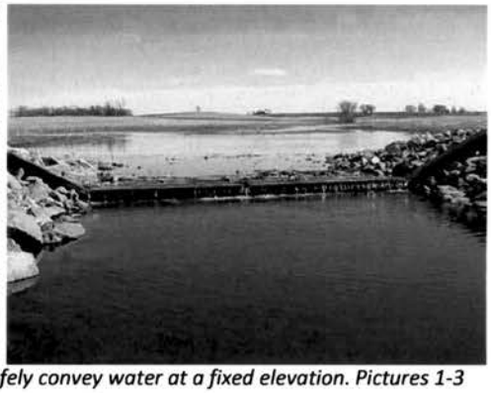
Bruce Albright, Buffalo-Red River Watershed District Administrator, said this project gave landowners in the area the first look at this kind of practice. "The aftermath of the storm clearly points out there's a right way and a wrong way to address erosion," Albright said. "These basins improve water quality and save costs for landowners. We hope to work with many more landowners in the future to install more of these practices."

Seventeen side inlet sediment controls were installed in Wilkin County as part of the same grant. Albright estimates that the project saves 358 tons of soil and reduces 400 pounds of phosphorus from reaching the Buffalo River every year.

From design to construction, engineers do it all at BWSR

September 2013 Snapshots





In a recent project, BWSR engineering staff designed a weir at a wetland restoration site to safely convey water at a fixed elevation. Pictures 1-3 include site prior to construction, weir installation and completed project.

At the Minnesota Board of Water and Soil Resources (BWSR), engineering section staff members who provide technical support to wetland restoration efforts believe their jobs are the most creative and diverse in the agency.

Whether through the Reinvest in Minnesota Reserve Program, the state's Wetland Banking Program, or various other programs, engineering staff are involved with projects from inception through completion.

Jesse Preston, BWSR Conservation Engineering Technician, said engineering staff uses a "technical eye" to evaluate applications and determine if wetland restoration potential exists.

"Engineering staff are equipped with the tools to assess and visualize historical conditions of a site and utilize this knowledge to return most drained or altered wetlands to their "pre-drained" condition," Preston said.

Engineering staff members work with any number of agency partners (NRCS, SWCD, USFWS, DNR, etc.) throughout a wetland restoration. From detailed site investigations, through design and construction, engineering staff does it all.

"We collect information on site topography, soils, drainage and watershed and property boundaries to determine restoration feasibility and to develop comprehensive concept plans. We design projects and we oversee construction," Preston said. "Every wetland is unique and each engineering staff member is trained to assess the challenges and develop the most efficient, sustainable design."

BWSR engineering staff members say their jobs are anything but boring and many times, they need to be very creative and quick on their feet, like when they're stuck in the mud or being sprayed by a skunk.

Karen Bonde, long-time member of BWSR's engineering team said you never know what you are going to see in the field. "I've seen sites with quicksand; I've seen a moose in Polk County; and I've even seen a big black bear running away from being hunted," Bonde said.

Individual BWSR engineering staff members work on between 2-4 wetland restoration projects at a time, ranging in size from 20 to 1,500 acre sites. Projects span from only months to complete, to years, depending on complexity and size.

"BWSR engineering staff work to make the land as suitable for wildlife habitat, water quality, and flood storage as it was before human alterations," Preston said. "It's an incredibly rewarding job."


Preparing Minnesota for Climate Change:
A Conference on Climate Adaptation
November 7, 2013
Science Museum of Minnesota
120 Kellogg Blvd
St. Paul, MN
9:00-5:30pm
Reception to follow
Come to Minnesota's first conference on climate adaptation and learn about strategies for implementing adaptive plans for cities, transportation, natural resources, human health and agriculture.
Register at: wrc.umn.edu

Water Resources Center
University of Minnesota
Driven to Discover℠

173 McNeal Hall
1985 Buford Avenue
St. Paul, MN 55108

Conference sponsors include:

Freshwater Society
The McKnight Foundation
Minnesota Department of Agriculture
Minnesota Department of Health
Minnesota Pollution Control Agency
Minnesota Sea Grant
Science Museum of Minnesota
University of Minnesota Extension
University of Minnesota Water Resources Center

June 2012's torrential rains devastated landscapes and wiped out the Highway 210 approach to the Thomson Bridge in Jay Cooke State Park.

Photo courtesy of Minnesota Department of Transportation

Minnesota Board of Water & Soil Resources

DATE: August 19, 2013

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

FROM: John Jaschke, Executive Director

SUBJECT: August 28-29, 2013 – BWSR Board Tour Details and Meeting Notice

The Board of Water and Soil Resources (BWSR) will tour Lake County, Minnesota, on Wednesday, August 28, 2013. *See attached tour itinerary.* The Lake County Soil and Water Conservation District is the local host, the tour will highlight their conservation efforts. The accommodations for the Board Tour and Meeting will be at Superior Shores Resort & Conference Center in Two Harbors.

Tuesday, August 27th

A van will depart from the BWSR office in St. Paul on Tuesday, August 27th about 2:00 PM. If you are interested in riding in the van to/from Two Harbors, please contact Mary Jo Anderson at 651-297-4290 or mary.jo.anderson@state.mn.us to reserve a seat in the van.

The van will arrive at Superior Shores Resort & Conference Center, 1521 Superior Shores Drive, in Two Harbors, about 5:00 PM on Tuesday. Directions to Superior Shores: http://www.superiorshores.com/contact-superior-shores-resort.html

Sleeping rooms have been reserved at Superior Shores in Two Harbors for Tuesday and Wednesday evenings, August 27 and 28. *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 contact Mary Jo Anderson immediately if you will not need a sleeping room.

Optional: Tuesday evening: *(Must let Mary Jo know if you plan to attend)*
6:00 PM Dinner reservations at Superior Shores, Kamloops Restaurant; the menu is a Mediterranean buffet, casual atmosphere. Dinner has been direct billed (you do not pay).

7:30 – 8:30 PM "Seasons of the North Shore" at Superior Shores, Gooseberry Conference Room:
Presentation by Paul Sundberg, retired manager of Gooseberry Falls State Park, has been delighting North Shore residents with his photographs of the scenic vistas and creatures of this area for many years. His program "Seasons of the North Shore" reminds us of the innate beauty of the region. Along with the photos, Paul also shares the sometimes humorous stories on how he was able to capture wildlife behaviors that not many people get to witness. Here are some of Paul's stunning photos:
Summer In Grand Marais Moose Lake State Park Moose and Lady's-Slippers

Bemidji	Brainerd	Duluth	Fergus Falls	Mankato	Marshall	New Ulm	*Rochester*
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 828-2383	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	1004 Frontier Drive Fergus Falls, MN 56537 (218) 736-5445	12 Civic Center Plaza Suite 3000B Mankato, MN 56001 (507) 344-2821	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	261 Highway 15 South New Ulm, MN 56073 (507) 359-6074	3555 9th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889

Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

www.bwsr.state.mn.us TTY: (800) 627-3529 An equal opportunity employer

Wednesday, August 28th

A breakfast buffet (direct billed, you do not pay) will be served in the Gooseberry Conference Room from 7:00 AM – 8:00 AM for guests staying at the hotel, and those attending the BWSR Board Tour.

Registration, introductions, and a brief overview of the day will be held at Superior Shores, Gooseberry Conference Room. A coach bus will promptly depart from Superior Shores at 8:30 AM.

The tour will consist of a few stops that we will be walking a short distance, wear your comfortable walking shoes, and casual attire. 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 Superior Shores, please contact Mary Jo Anderson immediately, as we need to know the number of people attending. If you have special food needs, please contact Mary Jo Anderson as soon as possible.

The narrated coach bus will travel through Lake County. We will see lakeshore stabilization, flood control and road retention projects; have a break at 10:00 AM at a streambank stabilization site hosted by the Lake County SWCD. We will arrive in Two Harbors at noon for lunch at the Blackwoods Grill (direct billed, you do not pay).

After lunch we will board the coach bus and depart from Two Harbors at 12:45 PM, tour a wetland bank site, a bridge flood relief project and lakeshore stabilization project. The coach bus will arrive back at Superior Shores in Two Harbors about 3:15 PM, there will be an issues forum/panel discussion on the natural resource challenges in Lake County from 3:30 – 5:00 PM.

We have dinner reservations at Superior Shores, Kamloops Restaurant at 6:00 PM. Dinner is direct billed (you do not pay).

Thursday, August 29th

The Board of Water and Soil Resources (BWSR) will meet on Thursday, August 29th beginning at 8:30 AM. The meeting will be held at Superior Shores, Gooseberry Conference Room, in Two Harbors. Parking is available in front of the building. The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Metro Planning Committee –

1. **Bassett Creek WMO Plan Amendment** - A final draft Amendment to the Bassett Creek WMO Watershed Management Plan was filed with the Board on June 27, 2013. The draft Order contains a summary of the changes and the reviewing agencies' comments. All comments received during the review process and public hearing were addressed and resulted in no revisions to the draft Amendment. The Metro Region Committee met on August 12, 2013, and after review of the information recommends approval of the Plan Amendment by the Board per the attached draft Order. ***DECISION ITEM***

2. **Scott WMO 2013 Plan Amendment** - A final draft Amendment to the Scott WMO Watershed Management Plan was filed with the Board on July 5, 2013. The draft Order contains a summary of the changes and the reviewing agencies' comments. No comments were received during the public hearing. The Metro Region Committee met on August 12, 2013, and after review of the information recommends approval of the Plan Amendment by the Board per the attached draft Order. ***DECISION ITEM***

3. **Prior Lake-Spring Lake WD Plan Amendment** - A final draft Amendment to the Prior Lake-Spring Lake WD Watershed Management Plan was filed with the Board on June 18, 2013. The draft Order contains a summary of the changes and the reviewing agencies' and cities' comments. Numerous comments were received during the review process and at the public hearings which were addressed and resulted in revisions to the draft Amendment. The Metro Region Committee met on August 12, 2013, and after review of the information recommends approval of the Plan Amendment per the attached draft Order. ***DECISION ITEM***

4. **North Cannon River WMO Watershed Management Plan 2013 – 2023** - The North Cannon River WMO is a government unit formed through a joint powers agreement signed by eight townships and three small cities in southern Dakota County. The WMO was established in 1983. The Plan Revision (2013-2023) is the 3rd Generation Watershed Management Plan for the WMO. The Plan includes a profile of the watershed's existing environmental conditions, discusses water resource management issues, identifies strategies and policies for each goal, and defines the course of action the organization will follow to address them. The Metro Region Committee met with BWSR staff and local representatives on August 12, 2013, to review and discuss the Plan. The Committee unanimously voted to recommend approval of the Plan by the Board per the attached draft Order. ***DECISION ITEM***

5. **Chisago County Local Water Management Plan Update** - Chisago County has updated their Local Water Management Plan as authorized under Minnesota Statutes, section 103B.301. The Priority Concerns Scoping Document (PCSD) was completed and no changes were recommended. The Plan Update focuses on the priority concerns identified in the PCSD; assesses the priority concerns and sets forth appropriate goals and objectives; and provides an implementation program with targeted and measurable actions, timeline and budget. The Metro Region Committee met on August 12, 2013, and after review of the information recommends approval of the Chisago County Plan Update by the full Board per the attached draft Order. ***DECISION ITEM***

6. **Coon Creek WD Watershed Management Plan** - The Coon Creek Watershed District (CCWD) was established in 1959 and is located exclusively in Anoka County in the north-central portion of the Minneapolis – St. Paul seven county metropolitan areas. The Plan is the third generation plan required by the Metropolitan Surface Water Management Act (M.S. 103B) and the fourth required under the Watershed Act (M.S. 103D). The Plan defines water and water-related problems within the District's boundaries, has measurable resource goals, objectives and strategies, and has an implementation program with priorities that focus on mission goals, includes targeted management areas, and has effective timelines and budget for achieving the implementation activities identified. The Metro Region Committee met with BWSR staff and local representatives on August 12, 2013 to review and discuss the Plan. The Committee unanimously voted to recommend approval of the Plan to the full Board. ***DECISION ITEM***

Grants Program & Policy Committee

1. **Erosion Control and Water Management Program Policy Amendments** - Following several rounds of discussion by staff and the Grants Program and Policy Committee; amendments to the Erosion Control and Water Management Program Policy are presented for Board consideration. The proposed changes are the result of Board discussion when the Policy was originally adopted on October 24, 2012, and to reflect appropriation and statutory changes enacted following the 2013 legislative session. ***DECISION ITEM***

2. **FY2014 Clean Water Fund and Competitive Grants Program Policy and Request for Proposals** - BWSR has been appropriated Clean Water Funds to make grants to local governments to address water quality needs. The Minnesota Departments of Agriculture and Health are contributing funds to this grant program. BWSR staff are proposing to package these funds into a single request for proposals that will allow local governments to apply for funds to address water quality priorities that are identified in their local water management plan. ***DECISION ITEM***

3. **Cooperative Weed Management Area Program Authorization** - Approval of the FY2014 and FY2015 Cooperative Weed Management Area (CWMA) Program is requested. The Board was appropriated $100,000 in each year of the biennium of cost share grant funds for "cooperative weed management grants and to restore native plants in selected invasive management sites by providing local native seeds to landowners for implementation. Staff have developed a proposal to make these funds available to qualified cooperative weed management groups. ***DECISION ITEM***

4. **Feedlot Water Quality Cost Share Grants Program Authorization** - BWSR was appropriated $260,000 in each year of the FY2014-15 biennium for "feedlot water quality grants for feedlots under 300 animal units in areas where there are impaired waters". Staff have developed a proposal to make these funds available for projects proposed during the FY2013 Clean Water Fund Competitive Grants application period. ***DECISION ITEM***

5. **Disaster Recovery Assistance Program Policy (DRAP)** – Disasters and emergency legislative funding occur frequently and usually unpredictably. Policy (and guidance) will provide BWSR staff and LGUs the needed implementation information and related recovery processes, of BWSR and other state and federal assistance providers. The Grants Program & Policy Committee forwards their recommendation of approval of the Disaster Recovery Assistance Program Policy. ***DECISION ITEM***

Wetland Committee

1. 2013 Local Road Wetland Replacement Program Project Selection Process – BWSR staff and the BWSR Wetland Committee recommend approval to pursue projects selected and identified through the 2013 easement sign-up and request for proposal solicitation process. ***DECISION ITEM***

RIM Reserve Management Planning Committee

1. RIM/WRP Payment Rate Adjustment 2010-2012 – The Board is requested to approve the recommendation of the RIM Reserve Management Planning Committee (RRMPC) to authorize the 2013 RIM-WRP Partnership easement payment rates to be applied to RIM-WRP projects from 2010-2012 that have not closed. The RRMPC is meeting within the next week and will have a recommendation for the August 29th Board meeting. ***DECISION ITEM***

2. Easement Tax Valuation Fact Sheet – Sarah Strommen – ***INFORMATION ITEM***

If you have any questions regarding the agenda, please feel free to call me at 651-296-0878. The meeting will adjourn about noon. I look forward to seeing you in Two Harbors!

If you are riding the van from Two Harbors to St. Paul, it will depart from Superior Shores immediately following the Board meeting; arriving in St. Paul late afternoon.

BWSR Board Tour Itinerary

Superior Shores Resort & Conference Center
1521 Superior Shores Drive
Two Harbors, MN 55616
Wednesday, August 28, 2013

Hosted by Lake County SWCD

7:00 – 8:00 AM	Continental Breakfast
7:30	Check-in at registration table
8:00	Welcome - Brian Napstad and John Jaschke, BWSR Introductions Brief overview of tour – Jennifer Thiemann and Dan Schutte, Lake County SWCD
8:20	Board coach bus
8:30	Coach bus promptly departs from Superior Shores
	Narrated Tour of Two Harbors Storm Water Planning – Wayne Seidel, Lake County SWCD / U of M Extension (retired) • Campground Shoreline Stabilization • **Cemetery Detention Basin** • 19th Street Storm Water Detention Basin • Battaglia Parkway Detention Basin & Erosion Control Projects • **Skunk Creek Stream Bank Stabilization Project**
10:30	**Break at Uppgaard Site - Knife River 2010 CWF Stream Bank Stabilization** Two Harbors Waterfront, Lighthouse at Agate Bay
Noon – 12:45	**Lunch** at Blackwoods Grill, Two Harbors
1:00 PM	**Dan Ziemet Wetland Bank**
2:00	**Jamie & Penny Juenemann Bridge Flood Relief**
2:30	**Ron & Louise Thureen Lakeshore Stabilization**
3:15	**Break** at Superior Shores, Gooseberry Conference Room
3:30 – 5:00	**Issues Forum – "Natural Resource Challenges in Lake County"** *Panel*: Rich Sve, Lake County Commissioner Jo Kovach, White Iron Chain of Lakes Association Tom Gelineau, Former Lake SWCD Supervisor Leo Babeau, Knife River Advocates
6:00	**Dinner** at Superior Shores, Kamloops Restaurant *Everyone on the tour is invited to stay for dinner*

The **six bolded** sites are tour stops that we will be getting off of the bus. The remaining sites will be a brief stop or drive by with an explanation.

Superior Shores, Two Harbors **1-800-242-1988**

Rooming List for Board of Water and Soil Resources

Tuesday, August 27, 2013

1. Mary Jo Anderson
2. LeAnn Buck ***
3. Joe Collins
4. Jack Ditmore
5. Chris Elvrum ***
6. Rebecca Flood ***
7. Christy Jo Fogarty
8. Annalee Garletz***
9. Sandy Hooker
10. John Jaschke
11. Al Kean
12. Tom Landwehr ***
13. Paul Langseth
14. Tom Loveall
15. Jen Maleitzke
16. Brian Napstad
17. Judy Ohly
18. Mary Peterson
19. Tom Schulz
20. Ron Shelito
21. Rob Sip ***
    ~~Sarah Strommen~~
22. Steve Sunderland
23. Doug Thomas
24. Gene Tiedemann
25. Matt Wohlman ***
26. Gerald Van Amburg
27. Dave Weirens
28. Steve Woods
29. Wayne Zellmer

Wednesday, August 28, 2013

1. Mary Jo Anderson
2. LeAnn Buck***
3. Joe Collins
4. Jack Ditmore
5. Chris Elvrum ***
6. Rebecca Flood ***
7. Christy Jo Fogarty
8. Annalee Garletz***
9. Sandy Hooker
10. John Jaschke
11. Al Kean
12. Tom Landwehr ***
13. Paul Langseth
14. Tom Loveall
15. Jen Maleitzke
16. Brian Napstad
17. Judy Ohly
18. Mary Peterson
19. Tom Schulz
20. Ron Shelito
21. Rob Sip***
22. Sarah Strommen
23. Steve Sunderland
24. Doug Thomas
25. Gene Tiedemann
26. Matt Wohlman ***
27. Gerald Van Amburg
28. Dave Weirens
29. Steve Woods
30. Wayne Zellmer
31. Ken Powell

*** will pay for room upon arrival

August 19, 2013

BOARD OF WATER AND SOIL RESOURCES
SUPERIOR SHORES RESORT & CONFERENCE CENTER
1521 SUPERIOR SHORES DRIVE
TWO HARBORS, MN 55616
THURSDAY, AUGUST 29, 2013

PRELIMINARY AGENDA

8:30 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF JUNE 26, 2013 BOARD MEETING

PUBLIC ACCESS FORUM (10-minute agenda time, two-minute limit/person)

CONFLICT OF INTEREST DECLARATION

LAKE SWCD TO ADDRESS THE BOARD
- **RECOGNITION OF WAYNE SEIDEL, LAKE COUNTY SWCD**

REPORTS
- Chair – Brian Napstad
- Administrative Advisory Committee – Brian Napstad
- Executive Director – John Jaschke
- Dispute Resolution Committee – Gerald Van Amburg
- Wetlands Committee – Gerald Van Amburg
- Grants Program & Policy Committee – Paul Langseth
- Public Relations, Oversight & Strategic Planning Committee – Jack Ditmore
- RIM Reserve Management Planning Committee – Gene Tiedemann
- Drainage Work Group – Tom Loveall/Al Kean

COMMITTEE RECOMMENDATIONS
Metro Region Committee
1. Bassett Creek WMO Plan Amendment – Mary Peterson – ***DECISION ITEM***
2. Scott WMO 2013 Plan Amendment – Mary Peterson – ***DECISION ITEM***
3. Prior Lake-Spring Lake WD Plan Amendment – Mary Peterson – ***DECISION ITEM***
4. North Cannon River WMO Watershed Management Plan 2013–2023 – Mary Peterson – ***DECISION ITEM***
5. Chisago County Local Water Management Plan Update – Mary Peterson – ***DECISION ITEM***
6. Coon Creek WD Watershed Management Plan – Mary Peterson – ***DECISION ITEM***

Grants Program & Policy Committee

1. Erosion Control and Water Management Program Policy Amendments – Dave Weirens – ***DECISION ITEM***

2. FY2014 Clean Water Fund and Competitive Grants Program: Policy and Request for Proposals – Dave Weirens - ***DECISION ITEM***

3. Cooperative Weed Management Area Program Authorization – Wayne Zellmer – ***DECISION ITEM***

4. Feedlot Water Quality Cost-Share Grants Program Authorization – Dave Weirens – ***DECISION ITEM***

5. Disaster Response Assistance Program Policy – Wayne Zellmer – ***DECISION ITEM***

Wetland Committee

1. 2013 Local Road Wetland Replacement Program Project Selection Process – Ken Powell - ***DECISION ITEM***

RIM Reserve Management Planning Committee

1. RIM/WRP Payment Rate Adjustment 2010-2012 – Bill Penning/Sarah Strommen – ***DECISION ITEM***

2. Easement Tax Valuation Fact Sheet – Sarah Strommen – ***INFORMATION ITEM***

AGENCY REPORTS

- Minnesota Department of Agriculture – Rob Sip
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Tom Landwehr
- Minnesota Extension Service – Faye Sleeper
- Minnesota Pollution Control Agency – Rebecca Flood

ADVISORY COMMENTS

- Association of Minnesota Counties – Annalee Garlets
- Minnesota Association of Conservation District Employees – Matt Solemsaas
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Natural Resources Conservation Service – Don Baloun

UPCOMING MEETINGS

- Wetlands Committee – August 29, 7:30 AM, Superior Shores, Two Harbors
- Next BWSR Board Meeting – September 25, St. Paul

Noon **ADJOURN** (estimated time)

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, JUNE 26, 2013

BOARD MEMBERS PRESENT:
Jack Ditmore, Chris Elvrum, MDH; Christy Jo Fogarty, Sandy Hooker, Paul Langseth, Tom Loveall, Keith Mykleseth, Brian Napstad, Judy Ohly, Tom Schulz, Faye Sleeper, UME; Steve Sunderland, Gene Tiedemann, Gerald Van Amburg, Doug Wetzstein, MPCA; Matt Wohlman, MDA

BOARD MEMBERS ABSENT:
Joe Collins
Tom Landwehr, DNR

STAFF PRESENT:
Mary Jo Anderson, Angie Becker Kudelka, Brian Dwight, Bill Eisele, Tim Fredbo, Travis Germundson, Barbie Hogan, John Jaschke, Al Kean, Tim Koehler, Les Lemm, Kristi Mack, Polly Remick, Ron Shelito, Gwen Steel, Sarah Strommen, Doug Thomas, Dave Weirens, Marcey Westrick, Wayne Zellmer

OTHERS:
Sheila Vanney and Ian Cunningham, MASWCD
Rob Sip, MDA
Don Baloun, NRCS
Julie Westerlund, DNR
Ray Bohn, MAWD

DRAFT

CALL MEETING TO ORDER – Chair Napstad called the meeting to order at 9:05 a.m.

PLEDGE OF ALLEGIANCE

** 13-38 **ADOPTION OF AGENDA** – Chair Napstad noted the addition of Conflict of Interest Declaration on the agenda. Moved by Paul Langseth, seconded by Sandy Hooker, to adopt the amended agenda as presented. ***Motion passed on a voice vote.***

** 13-39 **MINUTES OF MAY 22, 2013 BOARD MEETING** – Paul Langseth noted his attendance at the May 22, 2013 Board meeting. Moved by Paul Langseth, seconded by Matt Wohlman, to approve the amended minutes of May 22, 2013 as circulated. ***Motion passed on a voice vote.***

RECOGNITION OF BOARD MEMBER – John Jaschke acknowledged Keith Mykleseth's state service as a BWSR board member for four years as a non-metro city representative. John and Chair Napstad presented Keith with a Distinguished Service Award plaque for his dedicated service to Minnesota's water and soil resources from 2009- 2013. Keith is now DNR Ecological & Water Resources Assistant Manager in Bemidji. Keith stated that he enjoyed serving on the Board. Chair Napstad thanked Keith for his service and membership on the Board.

INTRODUCTION OF NEW BOARD MEMBERS
Judy Ohly, citizen member, term 5/23/13 – 1/02/17
Tom Schulz, SWCD member, term 5/23/13 – 1/02/17

INTRODUCTION OF NEW BWSR EMPLOYEES
Brian Dwight, Clean Water Specialist, previously board conservationist
Barbie Hogan, Office & Administrative Specialist
Kristi Mack, Easement Acquisition Specialist Senior, previously easement processor
Polly Remick, Easement Section Program Analyst, previously realty specialist
Gwen Steel, Land & Water Specialist
Marcey Westrick, Clean Water Coordinator, previously clean water specialist

CONFLICT OF INTEREST DECLARATION - Chair Napstad explained that the conflict of interest declaration process is being used today on the FY'14 Natural Resources Block Grant Allocations; the FY'14 SWCD Program & Operations Grant Allocations; and the Farm Bill Assistance Program Authorization. The Conflict of Interest Declaration forms need to be submitted.

REPORTS
Chair's Report – Brian Napstad attended the EQB meeting last week. Discussion included an update on the silica sand activities. Chair Napstad reported that the Governor's Institute on Community Design (GICD) held a follow-up session last week; nine policies developed to improve environmental plans. BWSR was well represented, Travis Germundson attended the GICD session.

Administrative Advisory Committee (AAC) – Brian Napstad reported that the Administrative Advisory Committee met this morning, items discussed included the Ag Wetland Banking

Memorandum of Understanding. John Jaschke stated the NRCS legal staff in Washington, D.C. requested additional review of the MOU. John explained that the state portion of the MOU is good to go and will be on the agenda later today. The AAC also discussed the emergency haying and grazing on conservation lands; BWSR committee appointments; and the BWSR Board tour in August.

Executive Director's Report – John Jaschke reported that MPCA is conducting a media event at 10:30 this morning regarding the nitrogen study in Minnesota. John will attend; Sarah Strommen will attend the Board meeting on John's behalf. The One Watershed One Plan (1W1P) workshop will be held immediately following adjournment of the Board meeting today.

John attended the MAWD summer tour June 21 in New Ulm and the RRBC tour in Fargo on June 5. John informed board members that BWSR received a petition from Polk County regarding redistribution of managers of the Middle-Snake-Tamarac Rivers Watershed District. John reviewed information in board members' packets.

Dispute Resolution Committee (DRC) – Travis Germundson reported that the DRC Committee report is current as distributed. Travis stated that a training session with the Attorney General's office will be held when new board member appointments are complete and committee assignments have been made. Travis stated that Brian Dwight has been instrumental in bringing the affected counties together to discuss the Polk County petition for redistribution of watershed managers. Chair Napstad reported that according to statute, a county commissioner is required on the DRC; Tom Loveall accepted the appointment to the Dispute Resolution Committee.

Wetlands Committee – Gerald Van Amburg reported that the Wetlands Committee has not met. Dave Weirens stated that the Wetlands Committee will likely meet prior to the August Board meeting.

Grants Program & Policy Committee – Paul Langseth reported that the Grants Program & Policy Committee met and has recommendations on the agenda later today.

Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth reported that the Committee met last night; the Committee will meet again in October. Chair Napstad thanked Keith for serving as Chair of the Committee. Jack Ditmore has accepted the appointment as chair of the Public Relations, Outreach & Strategic Planning Committee.

Drainage Work Group – Al Kean distributed the Drainage Work Group Report and summarized the topics of discussion from the meeting on June 13, 2013. The next meeting of the Drainage Work Group is August 8, 2013.

COMMITTEE RECOMMENDATIONS

Northern Water Planning Committee

Crow Wing County Water Plan Update – Brian Napstad reported that Crow Wing County submitted their revised Local Water Management Plan for state review and comment. Crow Wing County has taken a leadership role and has done an outstanding effort in the water

management plan. Chair asked that the Crow Wing County bring their water management plan before the Board. The Northern Water Planning Committee met on June 12, 2013; reviewed
** the Plan and recommends approval. Moved by Brian Napstad, seconded by Sandy Hooker, to approve the Crow Wing County Local Water Management Plan June 26, 2013 – June 26, 2023 with a required update of the Implementation section to be completed by December 31, 2018.

Matt Wohlman stated that the Findings of Fact, section 6, item C., Department of Agriculture is listed twice; Chris Elvrum stated that the Department of Health is not listed. Discussion followed.
** It was decided to delete C. and re-letter the list. Moved by Tom Loveall, seconded by Gerald Van Amburg, to amend the Order with the deletion of C. and re-letter the list. ***Amendment***
13-40 ***passed on a voice vote***.

13-41 ***Motion to approve the Crow Wing County Local Water Management Plan passed on a voice vote.***

Kanabec County Comprehensive Local Water Management Plan Amendment – Gerald Van Amburg reported that the Northern Water Planning Committee met on June 12, 2013, reviewed the plan amendment and recommends approval of the update through August 2017.
** Moved by Gerald Van Amburg, seconded by Matt Wohlman, to approve the Kanabec County
13-42 Comprehensive Local Water Management Plan Amendment. ***Motion passed on a voice vote***.

Koochiching County Local Water Management Plan Amendment – Gene Tiedemann reported that the Northern Water Planning Committee met on June 12, reviewed the plan amendment and recommends approval of the five-year plan amendment through December 31,
** 2017. Moved by Gene Tiedemann, seconded by Sandy Hooker, to approve the Koochiching
13-43 County Local Water Management Plan Amendment. ***Motion passed on a voice vote***.

Pope County Local Water Management Plan Amendment – Gene Tiedemann reported that the Northern Water Planning Committee met on June 12, 2013, reviewed the plan amendment and recommends approval of the Pope County Local Water Management Plan Update. Moved by
** Gene seconded by Gerald Van Amburg, to approve the Pope County Local Water Management
13-44 Plan Amendment. ***Motion passed on a voice vote***.

Southern Water Planning Committee
Renville County Comprehensive Water Plan Update – Paul Langseth reported that the Southern Water Planning Committee met on June 12, 2013, reviewed the Renville County Local Water
** Management Plan Update and recommends approval. Moved by Paul Langseth, seconded by Keith Mykleseth, to approve the Renville County Local Water Management Plan Update. Paul reported that the Department of Health provided comments, a recommendation of approval, after the deadline.

** Moved by Sandy Hooker, seconded by Faye Sleeper, to amend the Renville County Local
13-45 Water Management Plan Update to include the Department of Health's recommendation of approval. Discussion followed. ***Amendment passed on a voice vote***.

13-46 ***Motion to approve the Renville County Local Water Management Plan Update passed on a voice vote.***

John Jaschke left the meeting; Sarah Strommen served as acting executive director.

Wetland Committee

BWSR-NRCS Agricultural Wetland Banking Memorandum of Understanding (MOU) – Les Lemm reported that BWSR and NRCS have been working together on enhancing coordination of the Wetland Conservation Act (WCA) and Swampbuster under an agreement for more than two years. Les presented information and stated that one of the of the key accomplishments has been the implementation of the Agricultural Wetland Bank. This memorandum of understanding is being proposed to establish details of the operations of this Bank including the use of the Bank under the WCA agricultural exemption. Les thanked Don Baloun and Mark Oja, NRCS, for their assistance and partnership on the MOU. Don thanked John Jaschke, Les Lemm, and Paul Flynn for their efforts in making the joint effort happen.

** 13-47 Moved by Matt Wohlman, seconded by Paul Langseth, to authorize Chair Napstad to make any minor edits that may be needed and sign the interagency Agricultural Wetland Banking MOU with NRCS. Jack Ditmore made note of an edit on page 3. ***Motion passed on a voice vote.*** Chair Napstad and Don Baloun signed the interagency Memorandum of Understanding.

Administrative Advisory Committee

Emergency Haying & Grazing on Conservation Lands – Sarah Strommen explained that Governor Dayton sent a letter to USDA Secretary Vilsack on June 14th requesting Federal action to support the livestock forage and feed shortage due to inclement spring weather in Minnesota. Authorization for emergency haying and grazing on state conservation lands may be considered pending related action. Matt Wohlman noted that the Department of Agriculture is waiting additional information from USDA. Moved by Matt Wohlman, seconded by Chris

** 13-48 Elvrum, that the Board hereby authorizes staff to inform and educate easement holders and local SWCD staff on the provisions for vegetative management for conservation management purposes as stated in RIM Policy dated December 17, 2008, and to coordinate actions with local, state and federal partners on specific guidelines and provisions related to emergency haying and grazing. Discussion followed. ***Motion passed on a voice vote.***

CONFLICT OF INTEREST DECLARATION - Chair Napstad explained that the conflict of interest declaration process is being used today on the FY'14 Natural Resources Block Grant Allocations; the FY'14 SWCD Program & Operations Grant Allocations; and the Farm Bill Assistance Program Authorization. The Conflict of Interest Declaration forms need to be submitted.

Chair Napstad read the statement:
"A conflict of interest whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today's business."

Chair Napstad asked board members to submit their completed Conflict of Interest Declaration forms to Sarah Strommen. The Conflict of Interest Declaration documents will be filed for the grant decision item. All board members are eligible to vote.

Grants Program & Policy Committee

FY'14 Natural Resources Block Grant Allocations – Wayne Zellmer reported that the Natural Resources Block Grant (NRBG) provides assistance to local governments to implement state natural resource programs. These programs are: Comprehensive Local Water Management, the Wetland Conservation Act, the DNR Shoreland Management, the MPCA County Feedlot, and the MPCA Subsurface Sewage Treatment Systems. The Grants Program & Policy Committee recommends Board approval of the Proposed FY '14 Natural Resources Block Grant allocations.

Wayne presented the allocations:

LWM	$1,139,152
WCA	$1,906,485
DNR Shoreland	$377,369
MPCA Feedlot Base	$(to be determined by MPCA)
MPCA SSTS	$1,599,600

And, for Local Water Management, Wetland Conservation Act, and DNR Shoreland Programs, Local Governmental Units will have the flexibility of determining the amount of the total of these three BWSR Programs, to allocate to each of their programs locally.

** 13-49 Moved by Paul Langseth, seconded by Faye Sleeper, to approve the FY'14 Natural Resources Block Grant Allocations as presented. Discussion followed. ***Motion passed on a voice vote.***

SWCD Program & Operations Grant Allocations – Wayne Zellmer reported that the Grants Program & Policy Committee recommends approval of the FY'14 allocation recommendations for the Conservation Delivery, Easement Delivery, Non-Point Engineering Assistance, and Cost-Share Base Grant Programs. Wayne presented the allocations:

1. Staff to allocate grant funds to individual SWCDs up to the amounts listed below and as provided on the attached allocation spreadsheet, *Proposed FY '14 SWCD Programs and Operations Grants*:

State Cost Share Base Grants	$1,199,999
Conservation Delivery Grants	$1,765,001
Easement Delivery Grants	$ 290,989

2. Allocate the Non Point Engineering Assistance Grants to joint powers boards, up to $1,060,000, as listed below:

NPEA Area	Base Grant	Host/Fiscal Agent SWCD	Equipment	Total Grant
1	$120,000	$10,000	$0	**$130,000**
2	$120,000	$ 5,000	$0	**$125,000**
3	$120,000	$10,000	$0	**$130,000**
4	$120,000	$ 5,000	$20,000	**$145,000**
5	$120,000	$10,000	$0	**$130,000**
6	$120,000	$ 5,000	$0	**$125,000**
7	$120,000	$10,000	$20,000	**$150,000**
8	$120,000	$ 5,000	$0	**$125,000**

3. Authorize SWCDs, to use all or part of their State Cost Share Base Grant allocation for technical assistance, when the following conditions exist:
   i. Other non-state funds will be leveraged and they couldn't do the project otherwise; Or,
   ii. Funds are used on a project(s) that is State Cost Share Program or EQIP eligible and their 2012 Financial Report indicates less than an 18-month fund balance; and
   iii. Board Conservationist approval.

** 13-50 Moved by Gene Tiedemann, seconded by Tom Schulz, to approve the recommended allocations as presented and authorize staff to allocate grants funds to SWCDs. ***Motion passed on a voice vote.***

Farm Bill Assistance Program Authorization – Dave Weirens reported that the Board is requested to authorize grants to selected SWCDs to continue the Farm Bill Assistance partnership between BWSR, DNR, Pheasants Forever, and SWCDs. Dave distributed additional information on the Farm Bill Assistance Partnership July 1, 2013 – June 30, 2014 and also a map showing the Farm Bill Assistance positions.

** 13-51 Moved by Tom Loveall, seconded by Gerald Van Amburg, to approve the Farm Bill Assistance Program authorization as presented. Jack Ditmore noted the editorial change needed on the resolution. The resolution will be corrected and ready Chair Napstad's signature. Discussion followed. ***Motion passed on a voice vote***.

AGENCY REPORTS

Minnesota Extension Service – Faye Sleeper reported that Extension is in the process of hiring nutrient faculty; plan to be in place August 1.

Minnesota Pollution Control Agency – Doug Wetzstein reported that the nitrogen study is being released today with lots of press coverage.

ADVISORY COMMENTS

Minnesota Association of Soil & Water Conservation Districts – Ian Cunningham looks forward to attending the One Watershed One Plan workshop today. Ian reported that the MASWCD Leadership Institute will begin in August. An SWCD Governance 101 training session will be held September 4-5. Ian reported that he will be going to Washington, D.C. to attend the NACD Legislative Conference in July.

Minnesota Association of Watershed Districts – Ray Bohn reported that MAWD had a good summer tour.

UPCOMING MEETINGS

BWSR Board Tour/Meeting – August 28-29, 2013, Two Harbors

** 13-52 Moved by Judy Ohly, seconded by Christy Jo Fogarty, to adjourn the meeting at 11:25 a.m. ***Motion passed on a voice vote.***

Respectfully submitted,

Mary Jo Anderson
Recorder

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BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report

Meeting Date: August 29, 2013

Agenda Category: ☐ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region: Land and Water Section

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Gerald Van Amburg

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
None

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Dispute Resolution Committee Report. The report provides a monthly update on the number of appeals filed with the BWSR.

Dispute Resolution Report
August 16, 2013
By: Travis Germundson

There are presently **11** appeals pending. All of the appeals involve WCA except File 10-10. There have been no new appeals filed since the last report dated July 17, 2013.

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 13-5 (6-11-13) This is an appeal of a replacement plan decision in Stearns County. The appeal regards the approval of a wetland replacement plan application. A pervious appeal (File 12-19) was remanded for further technical work and administrative proceedings, and now that new decision is being appealed. At issue is the adequacy of the TEP's Report to address partial drainage. *The appeal has been remanded for further technical work directing the TEP to produce a revised written report adequately addressing partial drainage.*

~~File 13-4 (5-15-13) This is an appeal of an exemption decision in Swift County. The appeal regards the denial of an agricultural exemption application. At issue is the annually seeded/crop rotation eligibility requirements for the exemption~~. *Appeal finalized upon new decision made under remand (July 23, 2013).*

File 13-3 (3-19-13) This is an appeal of a restoration order in Big Stone County. The appeal regards impacts to DNR Public Waters and WCA wetlands on state property associated with an agricultural drainage project. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application.

File 13-1 (1-9-13) This is an appeal of a restoration order in Swift County. The appeal regards drainage impacts to multiple wetlands associated with an agricultural drain tile project. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the fact wetland application.

File 12-16 (11-16-12). This is an appeal of a wetland banking credit deposit request in Stearns County. The appeal regards the approval of a wetland banking plan request to deposit 9.9 acres of credit. A previous appeal (File 12-13) was remanded for the LGU to develop an adequate record, and now that new decision is being appealed. At issue are the eligibility requirements for banking credits. The appeal has been accepted and the briefing and hearing schedule stayed by mutual agreement to allow informal settlement discussions to continue.

File 12-12 (7-16-12) This is an appeal of an exemption determination in Renville County. The appeal regards the denial of an agricultural drainage exemption associated with a 1.5 acre wetland. At issue is the wetland type determination. A previous appeal (File 12-5) was remanded for further technical evaluation and administrative proceedings, and now the current approval is being appealed. A verbal settlement agreement has since been reached that includes submittal of a replacement plan application. The appeal has been placed in abeyance by mutual agreement to determine the viability of a wetland replacement plan application.

File 11-1 (1-20-11) This is an appeal of a restoration order in Hennepin County. The appeal regards the filling of approximately 1.77 acres of wetland and 0.69 acres of excavation. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application and confirmation of required mitigation.

File 10-10 (6-10-10) This is an appeal filed under Minn. Stat. 103D.535 regarding an order of the managers of the Wild Rice Watershed District not to proceed with the Upper Becker Dam Enhancement Project as proposed. Appeals filed under 103D.535 require that the Board follow the Administrative Procedures Act. The Act requires that the hearing be conducted by an Administrative Laws Judge through the Office of Administrative Hearings. A mediated settlement agreement was reached with the condition that if the watershed district fails to carry out Option D the appeal shall go forward. The appeal has been placed in abeyance.

File 10-7 (2-19-10) This is an appeal of a restoration order in Stearns County. The appeal regards draining and filling impacts to approximately 18.44 acres of Type2/3 wetland and 3.06 acres of Type 2 wetland. The appeal has been placed in abeyance and the restoration order stayed for submittal of "as built" or project information pertaining to a public drainage system. A portion of the site has been restored and it appears the landowner is committed to restoring the remaining areas.

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 pre-hearing conferences convened on October 13 and 30, and December 14, 2009. Settlement discussions are on hold while the appellant addresses permitting issues with the Corps of Engineers. The appeal has been placed in abeyance by mutual agreement on determining the viability of a new wetland banking plan application.

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 disposition with the U.S. Dept of Justice.

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 are 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 new wetland delineation and for submission on an updated, complete replacement plan application. On 12-9-09 the District made a new wetland delineation decision. The applicant has not yet submitted an updated replacement plan application.

Summary Table

Type of Decision	Total for Calendar Year 2012	Total for Calendar Year 2013
Order in favor of appellant	1	
Order not in favor of appellant	5	1
Order Modified		
Order Remanded	4	2
Order Place Appeal in Abeyance	1	1
Negotiated Settlement		
Withdrawn/Dismissed	4	

COMMITTEE RECOMMENDATIONS

Metro Region Committee

1. Bassett Creek WMO Plan Amendment – Mary Peterson – ***DECISION ITEM***

2. Scott WMO 2013 Plan Amendment – Mary Peterson – ***DECISION ITEM***

3. Prior Lake-Spring Lake WD Plan Amendment – Mary Peterson – ***DECISION ITEM***

4. North Cannon River WMO Watershed Management Plan 2013–2023 – Mary Peterson – ***DECISION ITEM***

5. Chisago County Local Water Management Plan Update – Mary Peterson – ***DECISION ITEM***

6. Coon Creek WD Watershed Management Plan – Mary Peterson – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Bassett Creek WMO Plan Amendment**

Meeting Date: 08/29/2013

Agenda Category: X Committee Recommendation ☐ New Business ☐ Old Business

Item Type: X Decision ☐ Discussion ☐ Information

Section/Region: Metro

Contact: Brad Wozney, Board Conservationist

Prepared by: Brad Wozney, Board Conservationist

Reviewed by: Metro Region Committee(s)

Presented by: Mary Peterson, Board Conservationist

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ Resolution X Order X Map ☐ Other Supporting Information

Fiscal/Policy Impact

X None
☐ Amended Policy Requested
☐ New Policy Requested
☐ Other:

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

ACTION REQUESTED

Approval of Plan Amendment to the Bassett Creek Watershed Management Organization Watershed Management Plan

LINKS TO ADDITIONAL INFORMATION

http://bassettcreekwmo.org/PlanAmendments/PlanAmendmentHome.htm

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

WMO Background

The Bassett Creek WMO (Commission) is located in the heart of Hennepin County. It is bound by the Mississippi River WMO to the east, on the south and west by the Minnehaha Creek Watershed District, on the northwest by the Elm Creek WMO, and on the north by Shingle Creek WMO. The watershed encompasses all or part of the following nine cities: Plymouth, Medicine Lake, Golden Valley, Robbinsdale, Crystal, New Hope, Minnetonka, St. Louis Park, and Minneapolis. Bassett Creek discharges into the Mississippi River in downtown Minneapolis below St. Anthony Falls. The watershed contains five major lakes and three creek branches. The Bassett Creek watershed covers 39.6 square miles and is

predominantly fully developed (>90%). Scattered areas of redevelopment throughout the watershed are proposed.

The Bassett Creek Flood Control Commission was formed in 1968, primarily to study the flooding issues in the watershed, and later adopted a watershed management plan in 1972. In 1984 the Commission was created after revising the Flood Control Commission's joint powers agreement. The Commission prepared its first generation watershed management plan that BWSR approved in July 1989. The second generation plan was approved by BWSR in August 2004. Subsequently, the Commission completed two major and four minor plan amendments between years 2005 and 2012.

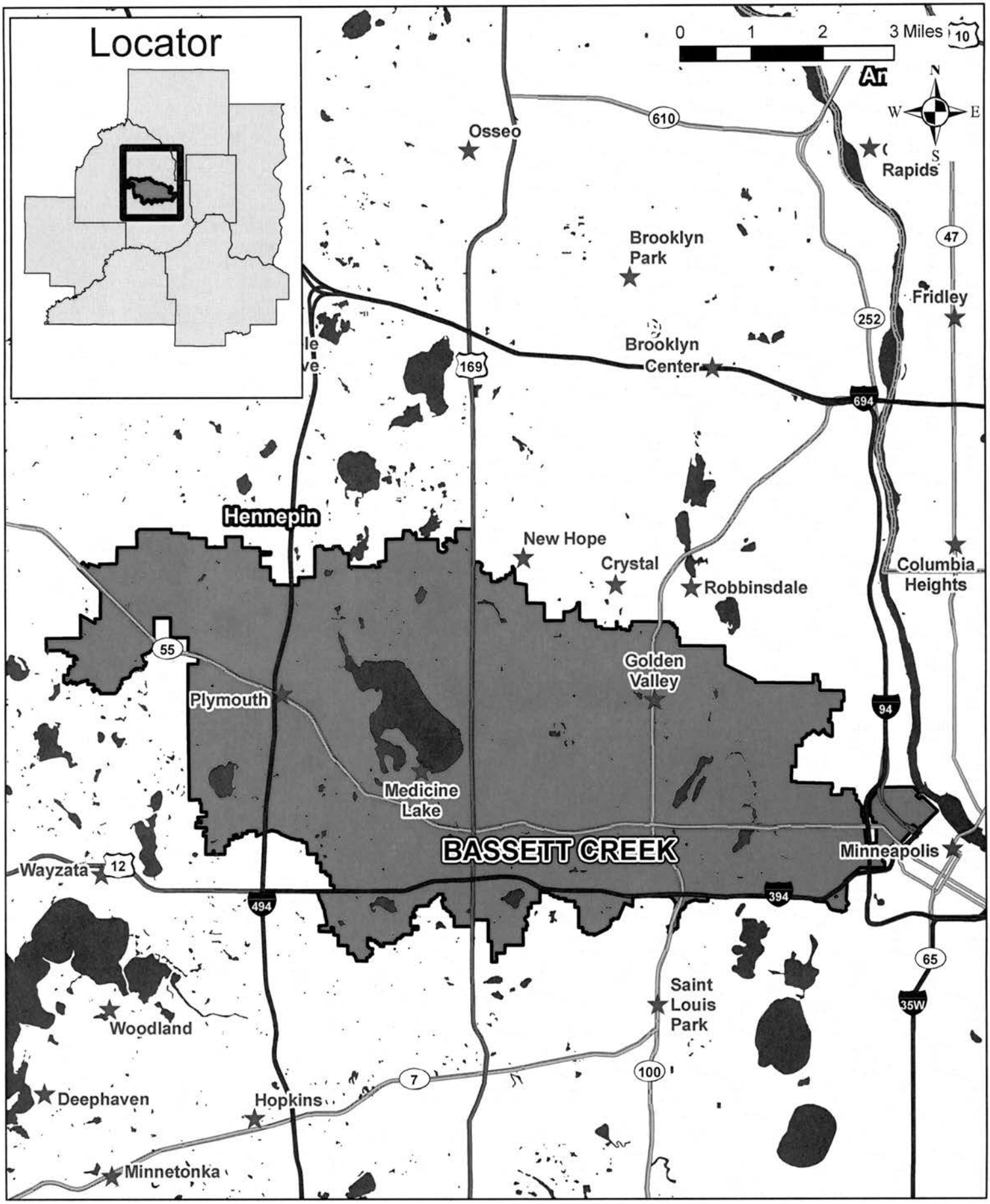
Amendment Summary

The Amendment proposes to add three capital projects to the capital improvement program (Table 12-2): Schaper Pond improvements, Briarwood-Dawnview water quality improvement project, and Twin Lake alum treatment for a total cost of $898,000. DNR comments were received during the formal comment period and were fully addressed by the Commission. The Commission has regularly reviewed their implementation program and has amended their Plan on numerous occasions as studies are completed.

Recommendation

The Metro Region Committee met on August 12, 2013. After review of the information, BWSR staff was in favor of and the Committee unanimously voted to recommend approval of the Plan Amendment dated June 2013 to the full Board per the attached draft Order.

Bassett Creek
Watershed Management Organization



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 **Bassett Creek Watershed Management Organization**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 11.

ORDER APPROVING AMENDMENT TO WATERSHED MANAGEMENT PLAN

Whereas, the Board of Commissioners of the Bassett Creek Watershed Management Organization (Commission) submitted a Watershed Management Plan Amendment dated June 2013 (Amendment), 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.** The Bassett Creek Flood Control Commission was formed in 1968 primarily to study flooding issues in the watershed and adopted a watershed management plan in 1972. In 1984, the Bassett Creek Watershed Management Commission (Commission) was created after revising the Flood Control Commission's joint powers agreement. The Commission prepared its first generation watershed management plan that the Board approved in July 1989.

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. The second generation plan was approved by the Board in August 2004. Subsequently, the Commission completed two major and four minor amendments between 2005 and 2012.

3. **Nature of the Watershed.** The Commission is located in the heart of Hennepin County. It is bound by the Mississippi River WMO to the east, on the south and west by the Minnehaha Creek Watershed District, on the northwest by the Elm Creek WMO, and on the north by Shingle Creek WMO. The watershed encompasses all or part of the following nine cities: Plymouth, Medicine Lake, Golden Valley, Robbinsdale, Crystal, New Hope, Minnetonka, St. Louis Park, and Minneapolis. Bassett Creek discharges into

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the Mississippi River in downtown Minneapolis below St. Anthony Falls. The watershed contains five major lakes and three creek branches. The Bassett Creek watershed covers 39.6 square miles and is predominantly fully developed. Scattered areas of redevelopment throughout the watershed are proposed.

4. **Amendment Development and Review.** The Amendment proposes to add three capital projects to the capital improvement program. The draft Amendment was submitted to the Board, other state agencies, and local governments for the required 60-day review on February 28, 2013. The Commission received comment letters from the Metropolitan Council, MN Department of Agriculture, MN DNR, MPCA, and the Board. All comments during the formal comment period were addressed and did not result in plan changes. The Commission held public hearings on May 16 and June 20, 2013, with no comments that resulted in plan changes. The Hennepin County Board approved the proposed amendment in accordance with MN Stat §103B.231 Subd. 7(c). The final draft Amendment was submitted to the Board and plan review agencies on June 27, 2013, for final review and approval.

5. **Metropolitan Council Review.** 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 have any comments on the Amendment.

7. **Department of Health Review.** The MDH did not comment on the Amendment.

8. **Department of Natural Resources Review.** The DNR had significant permitting concerns regarding the Schaper Pond Diversion Project and had recommendations on completing systematic subwatershed assessments in the WMO, reviewing its standards to address infiltration and abstraction, and incorporating outcomes of the MIDS process. The Commission fully addressed the concerns such that the DNR had no further comments.

9. **Pollution Control Agency Review.** The PCA did not have any comments on the Amendment.

10. **Department of Transportation Review.** The DOT did not comment on the Amendment.

11. **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. No comments were received.

12. **Board of Water and Soil Resources Review.** Board staff commended the Commissions for maintaining a current Plan and had no other comments.

13. **Amendment Summary.** The Amendment proposes to add three capital improvement projects to the capital improvement program (Table 12-2): Schaper Pond improvements,

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Briarwood-Dawnview water quality improvement project, and Twin Lake alum treatment.

14. **Metro Region Committee Meeting.** The Board's Metro Regiion Committee met on August 12, 2013, to review and discuss the Amendment. Those in attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Jack Ditmore, and Joe Collins, chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationists Brad Wozney and Mary Peterson. 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 Bassett Creek Watershed Management Organization pursuant to Minnesota Statutes Section 103B.231, Subd. 11.

3. The Bassett Creek Watershed Management Organization's 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 June 2013 to the Bassett Creek Watershed Management Organization Watershed Management Plan.

Dated at Two Harbors, Minnesota this 29th day of August 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

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BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Scott WMO Plan Amendment**

Meeting Date: 08/29/2013

Agenda Category: X Committee Recommendation ☐ New Business ☐ Old Business

Item Type: X Decision ☐ Discussion ☐ Information

Section/Region: Metro

Contact: Brad Wozney, Board Conservationist

Prepared by: Brad Wozney, Board Conservationist

Reviewed by: Metro Region Committee(s)

Presented by: Mary Peterson, Board Conservationist

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ Resolution X Order X Map ☐ Other Supporting Information

Fiscal/Policy Impact

X None
☐ Amended Policy Requested
☐ New Policy Requested
☐ Other:

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

ACTION REQUESTED

Approval of Plan Amendment to the Scott Watershed Management Organization Watershed Management Plan

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

WMO Background

The Scott WMO (SWMO) extends over 287 square miles of Scott County. The remaining portions of Scott County are addressed by the Lower Minnesota River WD, Prior Lake-Spring Lake WD, Vermillion River Watershed JPO, and Black Dog WMO. There are also approximately two square miles tributary to the Cannon River in the southeast corner of the county that is subject to the Metropolitan Surface Water Management Act and is considered part of the SWMO area. Drainage of Scott County is predominantly toward the Minnesota River which forms the northern border of the County.

The SWMO became necessary after the failure of four WMO's in 1996 which had originally been established under the Metropolitan Surface Water Management Act. Scott County resolved to take over

water planning activities in the areas previously addressed by the Sand Creek, Shakopee Basin, Southwest Scott, Credit River, and portions of Prior Lake-Spring Lake watershed management organizations in July 2000. The current plan was approved by BWSR in May 2009. Their second plan amendment was BWSR approved in 2012.

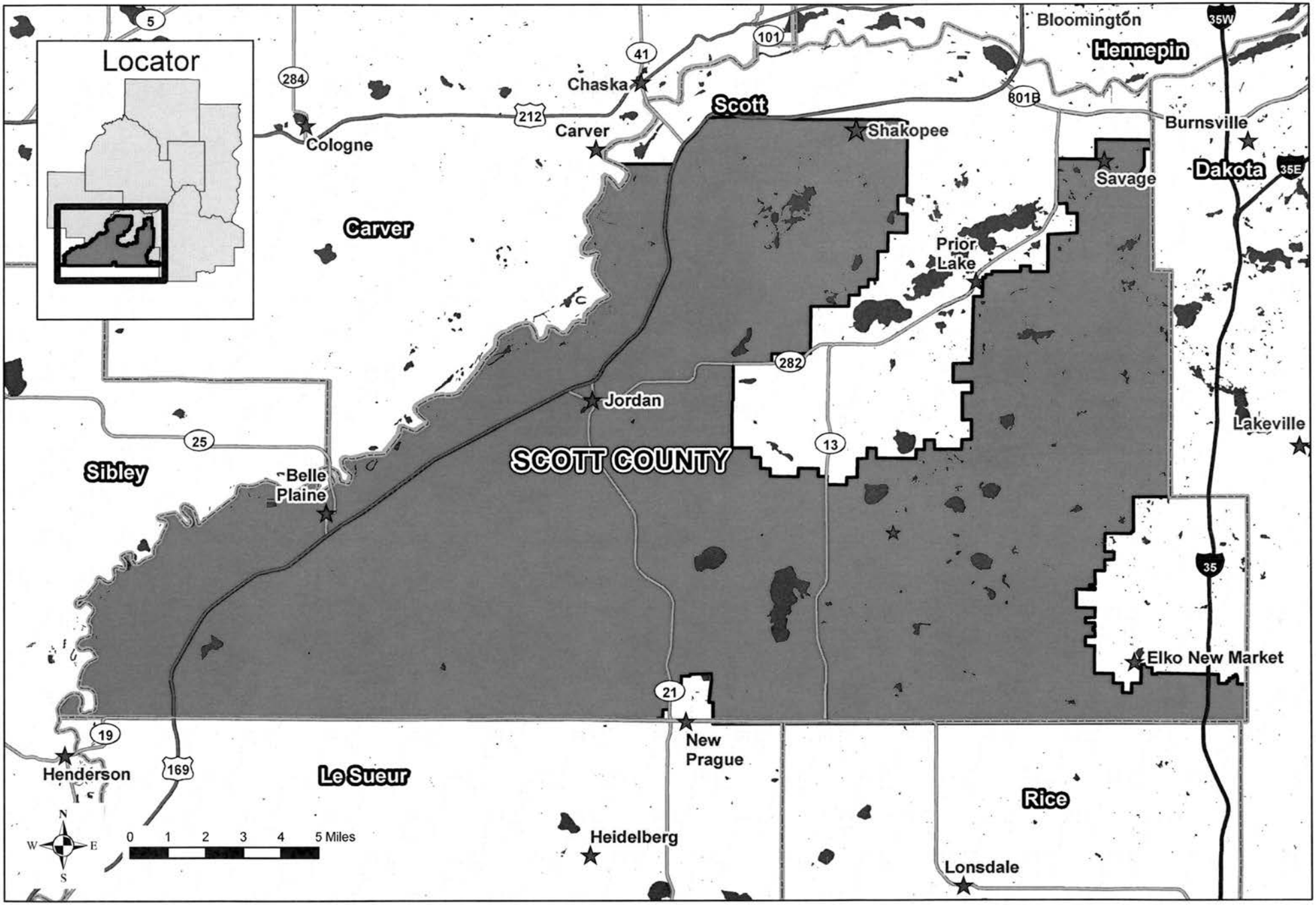
Amendment Summary

This Amendment proposes to revise three sections in the Plan as well as add and update several appendices. Revisions to Section 3 (Goals/Policies/Strategies) involve modification of several strategies and the addition of several new ones in response to completed studies and other new sources of information, such as nitrate management demonstrations, small acreage outreach, and Cedar Lake watershed projects. Section 4 (Administration) was revised primarily to update funding sources for new and existing strategies. Revisions to Section 5 (Implementation) include 1) the addition of three capital improvement projects which will be implemented based on availability of state grant funds, and 2) an overall budget reduction due to a drop in net tax capacity in the WMO since 2009 and due to lower than projected administrative costs in recent years. This amendment reflects SWMO's willingness to regularly review their implementation program and to amend the Plan as studies are completed and projects are identified. A few comments were received during the formal comment periods and were fully addressed. There were no comments at the public hearing.

Recommendation

The Metro Region Committee met on August 12, 2013. After review of the information, BWSR staff was in favor of and the Committee unanimously voted to recommend approval of the Plan Amendment dated April 2013 to the full Board per the attached draft Order.

Scott County
Watershed Management Organization



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 **Scott Watershed Management Organization**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 11.

ORDER APPROVING AMENDMENT TO WATERSHED MANAGEMENT PLAN

Whereas, the Board of Commissioners of the Scott Watershed Management Organization (SWMO) submitted a Watershed Management Plan Amendment dated April 2013 (Amendment), 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.** The SWMO became necessary after the failure of four Joint Powers Agreement WMOs in 1996 which had originally been established under the Metropolitan Surface Water Management Act. Scott County resolved to take over water planning activities in the areas previously addressed by the Sand Creek, Shakopee Basin, Southwest Scott, Credit River, and portions of Prior Lake-Spring Lake watershed management organizations in July 2000.

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. This is the third plan amendment for the SWMO.

3. **Nature of the Watershed.** The SWMO extends over 287 square miles of Scott County. The remaining portions of Scott County are addressed by the Lower Minnesota River Watershed District, Prior Lake-Spring Lake Watershed District, the Vermillion River Watershed Joint Powers Organization, and Black Dog WMO. There are also approximately two square miles tributary to the Cannon River in the southeast corner of the county that is subject to the Metropolitan Surface Water Management Act and is considered part of the SWMO area. Drainage of Scott County is predominantly toward the Minnesota River which forms the northern border of the county. Agricultural land

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use dominates the landscape; however urbanization is occurring in the northern portions of the county.

4. **Amendment Development and Review.** The Amendment revises Section 3 – Goals/Policies/Strategies, Section 4 – Administration, Section 5 – Implementation, and informational updates to four appendices. A technical advisory committee meeting was held by SWMO prior to release of the formal draft to address any stakeholder and state agencies' concerns. The draft Amendment was submitted to the Board, other state agencies, and local governments for the required 60-day review on April 10, 2013. The SWMO received a comment letter from Metropolitan Council, MN Department of Health, MNDOT, MPCA, and the Board. All comments during the formal comment period were addressed and did not result in plan changes. The SWMO held a public hearing on July 2, 2013, with no comments. The final draft Amendment was submitted to the Board and plan review agencies on July 5, 2013, for final review and approval.

5. **Metropolitan Council Review.** Met Council was supportive of the amendment stating it is consistent with the Council's *Water Resources Management Policy Plan*. The Council recommended the Plan reference the MN Stormwater Manual and consider including filtration practices where infiltration is not practicable. These comments were addressed by SWMO.

6. **Department of Agriculture Review.** The MDA did not comment on the Amendment.

7. **Department of Health Review.** The MDH commended SWMO for acknowledging the importance of protecting groundwater quality and quantity.

8. **Department of Natural Resources Review.** The DNR did not comment on the Amendment.

9. **Pollution Control Agency Review.** The PCA did not have any comments on the Amendment.

10. **Department of Transportation Review.** The DOT questioned the pending nitrate standard. SWMO responded that the standard originates from the Clean Water Act and will be enforced by MPCA. The SWMO will begin cost sharing on appropriate practices in known high nitrate areas ahead of the regulation.

11. **Local Review.** The Commissioners circulated a copy of the draft Amendment to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7. No comments were received.

12. **Board of Water and Soil Resources Review.** Board staff commended the Commissioners for maintaining a current Plan and requested clarification on the total amount of funding the WMO is willing to contribute to capital projects. The SWMO responded by adding specific dollar amounts to the capital projects in Table 3-2.

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13. **Amendment Summary.** The Amendment proposes to revise three sections in the Plan as well as add and update several appendices. Revisions to Section 3 (Goals/Policies/Strategies) involve modification of several strategies and the addition of several new ones in response to completed studies and other new sources of information. Section 4 (Administration) was revised primarily to update funding sources for new and existing strategies. Revisions to Section 5 (Implementation) include the addition of three capital improvement projects which will be implemented based on availability of state grant funds, as well as an overall budget reduction due to a drop of the net tax capacity in the WMO since 2009 and to lower than projected administrative costs in recent years.

14. **Metro Region Committee Meeting.** The Board's Metro Region Committee met on August 12, 2013, to review and discuss the Amendment. Those in attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Jack Ditmore, and Joe Collins, chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationists Brad Wozney and Mary Peterson. 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 Scott Watershed Management Organization pursuant to Minnesota Statutes Section 103B.231, Subd. 11.

3. The Scott Watershed Management Organization's 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.

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ORDER

The Board hereby approves the attached Amendment dated April 2013 to the Scott Watershed Management Organization Watershed Management Plan.

Dated at Two Harbors, Minnesota this 29th day of August 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

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BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Prior Lake-Spring Lake WD Plan Amendment**

Meeting Date: 08/29/2013

Agenda Category: X Committee Recommendation ☐ New Business ☐ Old Business

Item Type: X Decision ☐ Discussion ☐ Information

Section/Region: Metro

Contact: Brad Wozney, Board Conservationist

Prepared by: Brad Wozney, Board Conservationist

Reviewed by: Metro Region Committee(s)

Presented by: Mary Peterson, Board Conservationist

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ Resolution X Order X Map ☐ Other Supporting Information

Fiscal/Policy Impact

X None
☐ Amended Policy Requested
☐ New Policy Requested
☐ Other:

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

ACTION REQUESTED

Approval of Plan Amendment to the Prior Lake-Spring Lake Watershed District Watershed Management Plan

LINKS TO ADDITIONAL INFORMATION

Redlined version:
http://www.plslwd.org/documents/PLSLWD%20Third%20Generation%20Plan%20Major%20Update%202013%202013-06-12%20Redline.pdf
Clean version:
http://www.plslwd.org/documents/PLSLWD%20Third%20Generation%20Plan%20Major%20Update%202013-06-12.pdf

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

WMO Background

The District was established on March 4, 1970 by order of the Minnesota Water Resources Board under the authority of the Minnesota Watershed Act, Minnesota Statutes, Chapter 112. The order was in response to a petition filed by residents within the watershed on June 24, 1969 for the general

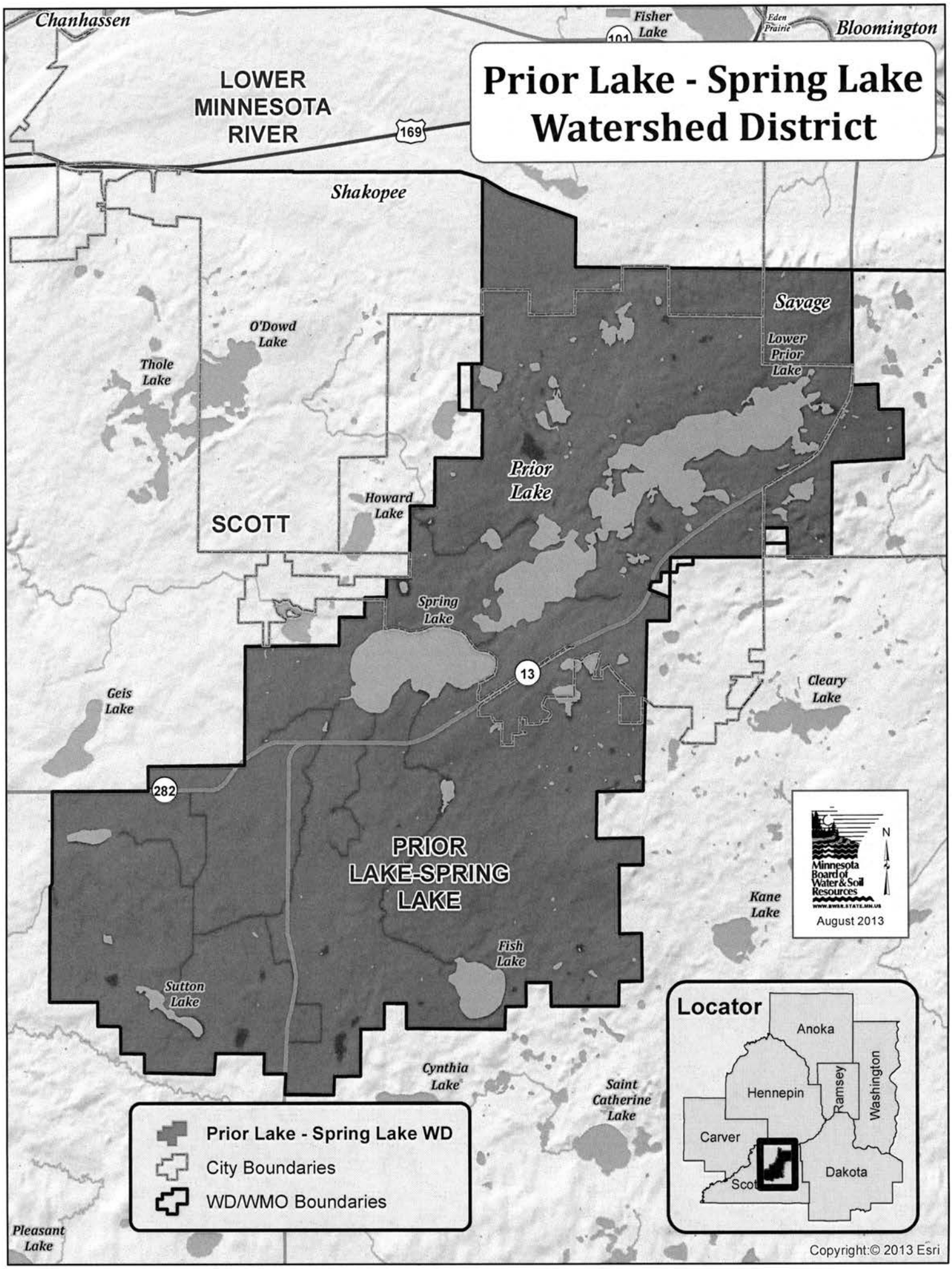
purposes of conserving the waters and natural resources of the watershed.
The District is approximately 42 square miles in size and located in north central Scott County, within the Minnesota River basin. The lower one-half of the District particularly around the lakes is largely developed with a predominantly residential land use. The upper one-half of the watershed is rural land use comprising small to medium size farms. Development pressure and changes in land uses within the watershed will likely increase through the life of the Plan. The major water resource features of the District are Spring Lake, Upper Prior Lake, and Lower Prior Lake. There are a total of 12 lakes and one county ditch system in the District. There was no outflow from the watershed until 1983. An outlet channel was constructed commencing at the southwest shore of Lower Prior Lake draining north through three lakes before outletting into the Minnesota River. The following communities lie partially or entirely within the District: the cities of Prior Lake, Savage, and Shakopee, and Sand Creek and Spring Lake Townships. A portion of the Shakopee Mdewakanton Sioux Community Tribal Lands is also located within the District. The District is bound by the Lower Minnesota River Watershed District to the north, and the Scott WMO, containing the subwatersheds of Credit River, Sand Creek, and Shakopee Basin, to the east, south, and west respectively.

Amendment Summary

The Amendment proposes to revise three sections of the Plan. The primary aim of the amendment is to reorganize the Plan into a common framework that the District can use to track policies, capital projects, and expenditures, and document accomplishments. Revisions to "Section 2" (Goals and Policies) involve modifying, merging and reducing the number of goals from 13 to 5 with additional clarification provided for each goal. Policies were also revised and reorganized into eight categories that better align with budget categories. "Section 3" (Management Plan) contains minor revisions primarily to update strategies and activities that were recently completed. Revisions to "Section 4" (Implementation Plan) include 1) the addition of details to numerous capital improvement projects, 2) reorganization of the strategies to align with the eight programmatic budget categories rather than grouped by subwatershed, 3) changing the implementation timing of several projects, 4) addition and removal (un-funding) of capital projects, and 5) fixing funding discrepancies between the implementation table and the funding boxes for each implementation item. Major new and significantly revised projects include the Spring Lake Alum Treatment (major increase in funding), Buck Lake Channel Chemical Treatment, County Ditch 13 In-line or Parallel Treatment, Upper Watershed Lake Outlet Modification, Buck Lake Channel and Lake Restoration, and a number of others.
The District received substantial comments from agencies, the county, and municipalities during the formal comment periods resulting in a number of changes to the Plan. At the public hearing county staff requested clarification on the responses to the initial comments. All comments were fully addressed, although county staff remain concerned about proposed levy increases in 2-4 years that are a result of the robust Capital Improvement Program of the plan amendment. Also, county staff are concerned with the use of a 20+ year-old watershed volume study as the justification for implementing certain volume reduction projects. The District intends to update that study and more regularly utilize the Technical Advisory Committee to discuss project prioritization and implementation.

Recommendation

The Metro Region Committee met on August 12, 2013. After review of the information, BWSR staff was in favor of and the Committee unanimously voted to recommend approval of the Plan Amendment dated May 2013 to the full Board per the attached draft Order.


Chanhassen
Fisher Lake
Eden Prairie
Bloomington
101
LOWER MINNESOTA RIVER
169
Prior Lake - Spring Lake Watershed District
Shakopee
Savage
O'Dowd Lake
Lower Prior Lake
Thole Lake
Prior Lake
Howard Lake
SCOTT
Spring Lake
13
Geis Lake
Cleary Lake
282
PRIOR LAKE-SPRING LAKE
Kane Lake
Minnesota Board of Water & Soil Resources
WWW.BWSR.STATE.MN.US
N
August 2013
Fish Lake
Sutton Lake
Locator
Anoka
Hennepin
Ramsey
Washington
Carver
Dakota
Scott
Cynthia Lake
Saint Catherine Lake
Prior Lake - Spring Lake WD
City Boundaries
WD/WMO Boundaries
Pleasant Lake
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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 **Prior Lake–Spring Lake 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 Prior Lake-Spring Lake Watershed District (District) submitted a Watershed Management Plan Amendment dated May 2013 (Amendment), 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.** The District was established on March 4, 1970 by order of the Minnesota Water Resources Board under the authority of the Minnesota Watershed Act, Minnesota Statutes, Chapter 112. The order was in response to a petition filed by residents within the watershed on June 24, 1969 for the general purposes of conserving the waters and natural resources of the watershed. The first water resources management plan for the District was prepared and adopted in 1971, shortly after the District's inception, in accordance with Minnesota Statutes, Chapter 103D. The plan was then revised in accordance with the Metropolitan Surface Water Management Act of 1982, Minnesota Statutes Chapter 103B, and adopted by the District in 1991.

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. The current, third generation watershed management plan was approved by the Board on January 27, 2010. The District completed one minor amendment in 2012.

3. **Nature of the Watershed.** The District is approximately 42 square miles in size and located in north central Scott County, within the Minnesota River basin. The lower one-half of the District particularly around the lakes is largely developed with a

predominantly residential land use. The upper one-half of the watershed is rural land use comprising small to medium farms. Development pressure and changes in land uses within the watershed will likely increase through the life of this Plan. The major water resource features of the District are Spring Lake, Upper Prior Lake, and Lower Prior Lake. There are a total of 12 lakes and one county ditch system in the District. There was no outflow from the watershed until 1983. An outlet channel was constructed commencing at the southwest shore of Lower Prior Lake draining north through three lakes before outletting into the Minnesota River. The following communities lie partially or entirely within the District: the cities of Prior Lake, Savage, and Shakopee, and Sand Creek and Spring Lake Townships. A portion of the Shakopee Mdewakanton Sioux Community Tribal Lands is also located within the District. The District is bound by the Lower Minnesota River Watershed District to the north, and the Scott WMO, containing the subwatersheds of Credit River, Sand Creek, and Shakopee Basin, to the east, south, and west respectively.

4. **Amendment Development and Review.** The Amendment proposes to significantly revise and reorganize Sections 2 and 4 with minor edits to Section 3 of the Plan. The draft Amendment was submitted to the Board, other state agencies, and local governments for the required 60-day review on March 1, 2013. The District received a comment letter from DNR, MN Department of Agriculture, Metropolitan Council, MNDOT, MPCA, and the Board. All comments during the formal comment period were addressed and resulted in plan changes. The District held public hearings on May 30 and June 11, 2013, with substantive comments from the county and Spring Lake Township that the District addressed. The final draft Amendment was submitted to the Board and plan review agencies on June 18, 2013, for final review and approval.

5. **Metropolitan Council Review.** Met Council was supportive of the amendment stating it is consistent with the Council's *Water Resources Management Policy Plan*. The Council commended the District for producing an excellent plan amendment.

6. **Department of Agriculture Review.** The MDA had several recommendations regarding cost-share programs and other incentives for agriculture landowners, outreach to the agricultural sector, and development of local project and drainage management teams. The District mentioned that a farmer-led council is being organized and will advise the District on many of the recommendations made.

7. **Department of Health Review.** The MDH did not comment on the Amendment.

8. **Department of Natural Resources Review.** The DNR expressed concern regarding proposed in-lake treatments such as alum and curly-leaf pondweed control as well as modification of lake outlets. The District fully addressed the concerns such that the DNR had no further comments.

9. **Pollution Control Agency Review.** The PCA requested various clarifications in the Plan amendment and the District addressed them.

10. **Department of Transportation Review.** The DOT requested that the Plan indicate that MNDOT is the WCA LGU on its' right-of-way, which the District corrected.

11. **Local Review.** 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. Comments were received from Scott County, City of Prior Lake, Spring Lake Township, City of Savage, and City of Shakopee. The Shakopee Mdewakanton Sioux Community was also provided an opportunity to review and did provide comments. Some of the comments centered around the apparent un-prioritized nature of the capital projects, policies that are too action based, the lack of Technical Advisory Committee (TAC) involvement in the development of the amendment, the apparent premature nature of proposed projects that are based on dated information or incorrect technical interpretations, the fact that the Plan may be proposing levy increases if grant funds are not secured, and details regarding specific projects and activities. The District responded by stating: the policies are largely recycled from the Plan approved and adopted in 2010, feasibility studies will always be completed prior to implementing a capital project, the TAC will be more regularly engaged, and the volume study will be updated in 2014.

12. **Board of Water and Soil Resources Review.** Board staff requested assurance that the dollar amounts listed for grant dependent projects be the minimum 25% required match amount for Clean Water Fund grants. Board staff commended the District for maintaining a current Plan.

13. **Amendment Summary.** The Amendment revises and reorganizes three sections of the Plan to better align with annual budget categories and to allow the District to better track policies and overall progress. Revisions to "Section 2" (Goals and Policies) involve modifying, merging and reducing the number of goals from 13 to 5 with additional clarification provided for each goal. Policies were also revised and reorganized into eight categories that better align with budget categories. "Section 3" (Management Plan) contains minor revisions primarily to update strategies and activities that were recently completed. Revisions to "Section 4" (Implementation Plan) include 1) the addition of details to numerous capital improvement projects, 2) reorganization of the strategies to align with the eight programmatic and budget categories rather than grouped by subwatershed, 3) changing the implementation timing of several projects, 4) addition and removal (un-funding) of capital projects, and 5) fixing funding discrepancies between the implementation table and the funding boxes of each implementation item.

14. **Metro Region Committee Meeting.** The Board's Metro Region Committee met on August 12, 2013, to review and discuss the Amendment. Those in attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Jack Ditmore, and Joe Collins, chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationists Brad Wozney and Mary Peterson. District staff in attendance was

District Planner Nat Kale. 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 Prior Lake-Spring Lake Watershed District pursuant to Minnesota Statutes Section 103B.231, Subd. 11.

3. The Prior Lake-Spring Lake Watershed District's 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 May 2013 to the Prior Lake-Spring Lake Watershed District Watershed Management Plan.

Dated at Two Harbors, Minnesota this 29th day of August 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

DRAFT

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **North Cannon River WMO Watershed Management Plan 2013 - 2023**

Meeting Date: August 29, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: Metro Region
Contact: Mary Peterson
Prepared by: Mary Peterson
Reviewed by: Metro Region Committee(s)
Presented by: Mary Peterson

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of North Cannon River Watershed Management Organization Watershed Management Plan 2013-2013.

LINKS TO ADDITIONAL INFORMATION

The entire final draft Plan may be found at:
http://www.dakotacountyswcd.org/watersheds/ncrwmo/advisory.html

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The North Cannon River WMO (NCRWMO) is a government unit formed through a joint powers agreement signed by eight townships and three small cities in southern Dakota County.The WMO was established in 1983. The current Plan expires in October 2013. The Plan Revision is the 3rd Generation Watershed Management Plan for the NCRWMO. Although Dakota County lies at the southern edge of the Twin Cities metropolitan area and considered a metropolitan county, the WMO is south of the Metropolitan Urban Service Area (MUSA) and is rural and agriculture in nature with 10% being developed. The WMO has an approximate population of 5,000 (in 2011) and its jurisdiction covers approximately 150 square miles including all or part of the following towns: Castle Rock, Douglas, Eureka, Greenvale, Hampton, Randolph, Sciota, Waterford, and the cities of Miesville, New Trier and Randolph. (See attached map for location)

The development of the Plan included five meetings of a 23-member Project Advisory Committee (PAC) made up of stakeholders, partners and agency staff, and five meetings with the WMO Board of Managers to review goals, policies, set priorities and develop the implementation plan. The Plan was prepared in accordance with Minnesota Rules Chapter 8410 and Minnesota Statutes Chapter 103B. The draft revised Plan was submitted to BWSR, other state agencies, and local governments for the 60-day review on February 18, 2013. A PAC meeting and WMO board meeting were held to consider comments, incorporate suggested changes and

respond to the entities providing comments. A public hearing was held on May 23, 2013. The final 90-day review draft of the revised Plan was received by the Board on June 7, 2013.

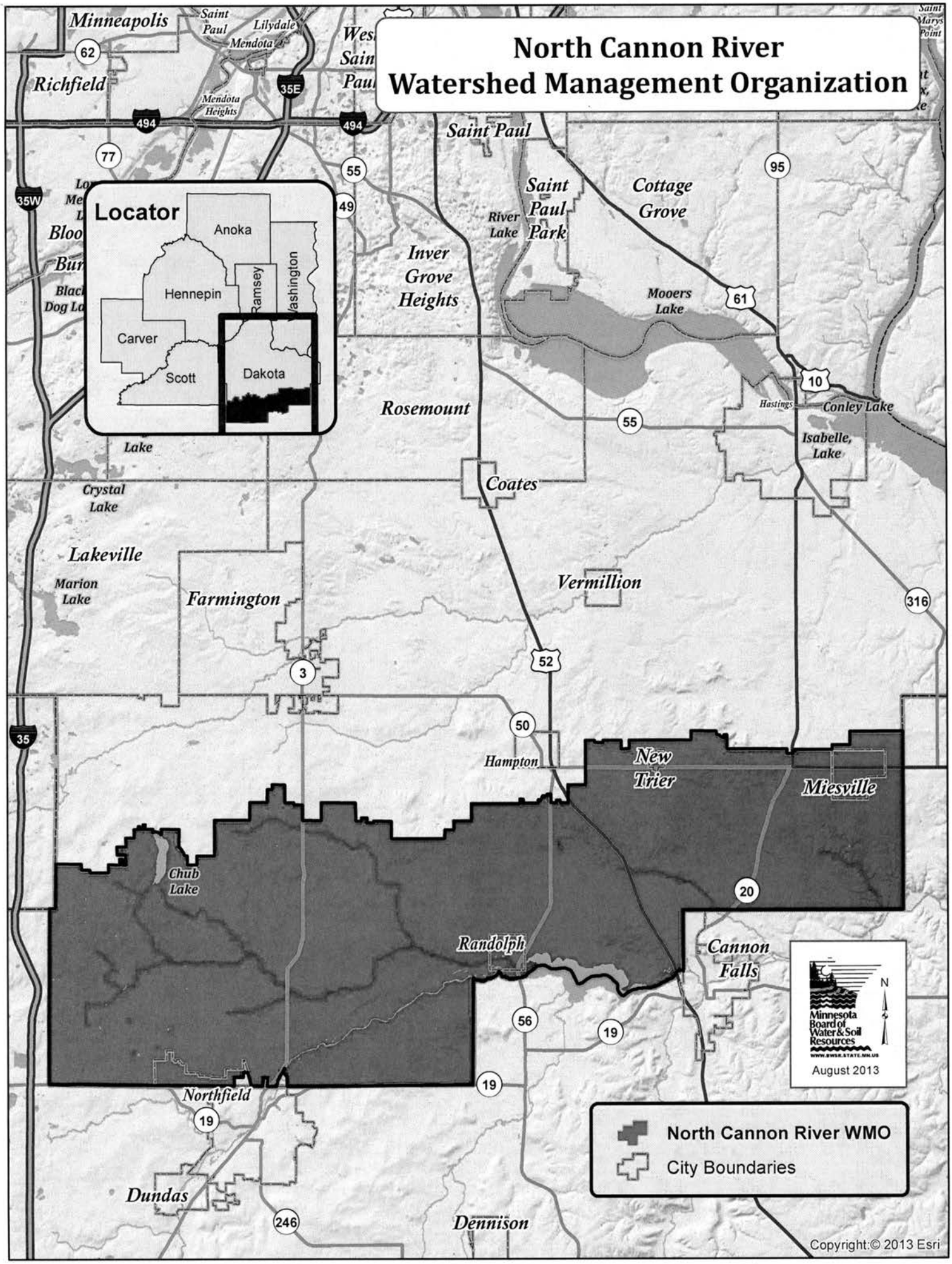
The Plan includes a profile of the watershed's existing environmental conditions, discusses water resource management issues, identifies strategies for each issue, and defines the course of action the organization will follow to address each issue. The NCRWMO is not a permitting authority but will require enforcement of ordinances by member communities. It is clearly specified in section 5.0 of the Plan that the strategies are core activities performed by the WMO and the policies are requirements for specific action by member communities. These core activities include: 1) monitoring water quality and quantity, 2) providing cost share funding and grant match funding to install best management practices in targeted areas, 3) providing information and education to landowners and agricultural producers on best management practices, and 4) evaluating the implementation of best management practices and enforcement of related ordinances throughout the watershed.

PCA, DNR, Met Council and BWSR agency representatives participated in PAC meetings held from May, 2012 through April, 2013 and provided comments during the 60-day review. MDA provide comments during the 60-day review. The NCRWMO provided a written response to each commenting entity and incorporated many into the final draft Plan that was submitted to BWSR. General concerns relating to the limited WMO financial resources directed to the implementation plan, organizational capacity to oversee and track compliance of member regulatory responsibilities, recognizing wetland management strategies in place, and more specific information on partner collaboration lead the WMO to develop helpful resource tools and tables in the draft plan to explain the specifics of the implementation plan.

The Plan Implementation Section 6.0 is targeted and measurable. The Plan integrates common interests of collaborating partners and agencies to meet the overall watershed goals laid out in the Plan. Table 6.2 "Opportunities for collaboration: existing activities of other organizations in the NCRWMO", illustrates how partner programs and activities tie into the specific goals and strategies and depicts how the NCRWMO is leading, coordinating, collaborating or just the beneficiary of the implementation work being done in the watershed. It is a quick reference for everyone involved. Table 6.3 is a transparent summary of the accomplishments of the WMO from the previous 2nd Generation Plan covering 2003-2013 and Table 6.4, Implementation Program, sets forth the activities, proposed budget, potential funding sources and likely partners.

Agency comments were received from the Met Council, MnDOT and PCA during the 90-day review period. The WMO responded in writing to these comments. BWSR staff concurred that these comments were adequately addressed.

The Metro Region Committee met with BWSR staff and local representatives on August 12, 2013, to review and discuss the Plan. The Committee unanimously voted to recommend approval of the Plan to the full Board per the attached draft Order.


North Cannon River
Watershed Management Organization
Locator
Anoka
Hennepin
Ramsey
Washington
Carver
Scott
Dakota
Minneapolis
Saint Paul
Lilydale
Mendota
Richfield
Mendota Heights
Saint Paul
Saint Paul Park
River Lake
Cottage Grove
Inver Grove Heights
Mooers Lake
Hastings
Conley Lake
Isabelle, Lake
Rosemount
Coates
Crystal Lake
Lakeville
Marion Lake
Farmington
Vermillion
Hampton
New Trier
Miesville
Chub Lake
Randolph
Cannon Falls
Northfield
Dundas
Dennison
Minnesota Board of Water & Soil Resources
August 2013
North Cannon River WMO
City Boundaries
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Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, Minnesota 55155

In the Matter of the review of the Watershed Management Plan for the **North Cannon River Watershed Management Organization**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.	**ORDER APPROVING WATERSHED MANAGEMENT PLAN**

Whereas, the Board of Managers of the North Cannon River Watershed Management Organization (WMO) submitted a Watershed Management Plan (Plan) dated June 2013, to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

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

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

FINDINGS OF FACT

1. **Watershed Management Organization Establishment.** The WMO was established in 1983. In the process of developing the 3rd Generation Watershed Management Plan, the WMO adopted the following Mission Statement:

   "*Managing groundwater and surface water to prevent property damage, maintain hydrologic balance, and protect water quality for the safety and enjoyment of citizens and the preservation and enhancement of wildlife habitat through collaboration among member communities." (Adopted July 18, 2012)*

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 previous WMO plan was approved by Board Order on October 22, 2003. The plan may be revised *according to Minnesota Statutes Section 103B.231, Subd. 9.*

3. **Nature of the Watershed.** The WMO is a government unit formed through a joint powers agreement signed by eight townships and three small cities in southern Dakota County. Although Dakota County lies at the southern edge of the Twin Cities metropolitan area and considered a metropolitan county, the WMO is south of the Metropolitan Urban Service Area (MUSA) and is rural and agriculture in nature with 10% being developed. The WMO has an approximate population of 5,000 (in 2011) and its jurisdiction covers approximately 150 square miles including all or part of the following townships: Castle Rock, Douglas, Eureka, Greenvale, Hampton, Randolph, Sciota, Waterford, and the cities of Miesville, New Trier and Randolph. It is bound by Rice County to the west, the Cannon River and Goodhue County to the south and east, and the Vermillion River Watershed Management Organization to the north.

4. **Plan Development and Review.** The Plan was prepared in accordance with Minnesota Rules Chapter 8410 and Minnesota Statutes, Section 103B. The Plan's development included five meetings of a 23-member Planning Advisory Committee (PAC) made up of stakeholders, partners and agency staff, and five meetings with the WMO Board of Managers to review goals, policies, set priorities and develop the implementation plan. The draft revised Plan was submitted to the Board, other state agencies, and local governments for the 60-day review on February 18, 2013. Upon conclusion of the 60-day review period the WMO held a PAC meeting and WMO board meeting to consider and respond to comments received. The Plan was revised to incorporate suggested changes and additions from the partners and state agency reviewers including the MDA, MPCA, MDNR, Met Council and the BWSR. A public hearing was held on May 23, 2013. The final draft of the revised Plan was received by the Board on June 7, 2013 for the 90 day final review.

5. **Local Review Period.** The WMO distributed copies of the draft Plan to local units of government and agencies for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7. The WMO received comments, held a PAC meeting and convened a WMO board meeting to discuss, consider and incorporate these comments into the final draft. Comments and responses were sent to those required. In addition, this information was posted to the WMO website.

6. **Metropolitan Council Review.** The Council staff participated and attended PAC meetings during the development of the Plan. The 90-day review draft Plan addresses many of the Council's concerns raised in the 60-day review document. The Council staff wanted to reiterate comments on two concerns; 1) high pollution loadings from the Cannon River and the significant investments in the Lake Byllesby and Miesville Ravine regional parks that need water resource protection, and 2) that the WMO relies heavily on

partnerships for action and implementation and that implementation of projects to address all of the issues raised in the Plan is critical to the success of the WMO in the future. The WMO responded in writing on July 30, 2013 acknowledging that watershed management inherently depends on partnerships and collaboration for action and implementation. The WMO reiterated that the Plan acknowledges and addresses the water quality impairments in the WMO, including those resources in the regional parks, and includes strategies and policies to address these impairments.

7. **Department of Agriculture Review.** MDA provided various resources, information and comments to the WMO during the 60-day review. The WMO provided a written response to the comments and incorporated many into the 90-day review draft Plan. No 90-day comments were received.

8. **Department of Health Review.** The MDH did not comment on the Plan.

9. **Department of Natural Resources Review.** The DNR did not provide written comments to the WMO on the Plan; however, regional resource staffs were active participants in the Planning Advisory Committee meetings throughout the planning process. No 90-day comments were received.

10. **Pollution Control Agency Review.** The PCA provided various resources, information and comments to the WMO during the 60-day review and participated in PAC meetings. The WMO provided a written response to the comments and incorporated many into the 90-day review draft Plan. Additional comments were received during the 90-day review period. The WMO responded to the comments, incorporated some of the comments and offered to update the Plan if the PCA submitted revised language for some of their general comments.

11. **Department of Transportation Review**. MnDOT submitted a comment during the 90-day review to add them as the WCA LGU on MnDOT right-of-way within the watershed area. The WMO made this minor change to the Plan.

12. **Board of Water and Soil Resources Review.** Board staff attended PAC meetings and participated in discussions of WMO resource issues, overall goals, strategies, policy development and implementation activities that were targeted and achievable by collaborating with partners. Various comments were submitted during the 60-day review relating to planning requirements, organization format and implementation activities. This resulted in additional PAC and WMO meetings to encourage transparency by fine

tuning the resource tools and tables to help clarify roles and responsibilities among partners and member communities in the WMO. Limited financial resources available for implementation of core activities required all partners and agencies to be well informed about their role and responsibility for addressing and meeting the goals of the Watershed Plan. All comments submitted were thoughtfully considered and responded to by the WMO.

13. **Plan Summary and Highlights.** The Plan includes a profile of the watershed's existing environmental conditions, discusses water resource management issues, identifies strategies and policies for each goal, and defines the course of action the organization will follow to address them. The goals, strategies and policies section is laid out by topic to address the issues identified by the WMO Board of Managers and the PAC: 1) Water Quantity and Flooding, 2) Water Quality, 3) Erosion, 4) Wetlands, 5) Ditches, 6) Groundwater and Mining, 7) Fish and Wildlife Habitat and Recreation, 8) Education and Outreach, and 9) Administration.

    The NCRWMO is not a permitting authority but will require enforcement of ordinances by member communities. It is clearly specified in section 5.0 of the Plan that the strategies are core activities performed by the WMO and the policies are requirements for specific action by member communities. The communities report these actions annually to the WMO for compliance.

    The core activities of the WMO include: 1) monitoring water quality and quantity, 2) providing cost share funding and grant match funding to install best management practices in targeted areas, 3) providing information and education to landowners and agricultural producers on best management practices, and 4) evaluating the implementation of best management practices and enforcement of related ordinances throughout the watershed.

    The Implementation Section 6.0 includes good resources to understand how the WMO Plan integrates common interests of collaborating partners and agencies to meet the overall watershed goals laid out in this Plan.

14. **Metro Region Committee Meeting.** On August 12, 2013, the Board's Metro Region Committee and staff met with representatives from the WMO to review and discuss the Plan. Those in attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Jack Ditmore and Joe Collins, chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationists Mary Peterson and Brad Wozney. The representatives from the WMO were Laura Jester, Dakota SWCD Watershed Conservationist, Brad Becker, WMO Administrator , WMO Board Members Duane Ness, Mike Rademacher, and Greg Langer, and Brian Watson, Dakota SWCD

Manager. Board staff recommended approval of the Plan. After discussion, the Committee unanimously voted to recommend approval of the 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 North Cannon River Watershed Management Organization pursuant to Minnesota Statutes Section 103B.231, Subd. 9.

3. The North Cannon River Watershed Management Organization Watershed Management Plan attached to this Order defines water and water-related problems within the District's boundaries, possible solutions thereto, and an implementation program.

4. The attached Watershed Management Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Plan dated June 2013 as the North Cannon River Watershed Management Organization Watershed Management Plan.

Dated at Two Harbors, Minnesota this 29th day of August, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

1.0 ~~Introduction and Summary~~Executive Summary

1.1 Watershed Management Vision and Framework

In the process of developing this 3rd Generation Watershed Management Plan, the North Cannon River Watershed Management Organization (NCRWMO) Board of Managers adopted the following mission statement in order to help guide the formation of its goals and policies:

NCRWMO Mission Statement:
"Managing groundwater and surface water to prevent property damage, maintain hydrologic balance, and protect water quality for the safety and enjoyment of citizens and the preservation and enhancement of wildlife habitat through collaboration among member communities." (Adopted July 18, 2012)

Although this mission statement was only recently adopted, the NCRWMO has been working on these tasks since its inception, often in cooperation and collaboration with others (Table 6.3). It should be noted that this Watershed Management Plan is an adaptive plan and one that is part of an on-going campaign to improve water resources in the watershed. It is not a static document aimed at fixing all water quality issues within the next 10 years. Rather, this Plan is a framework for continuing the advancement of improvements in landuse and conservation practices for the restoration and protection of water resources.

1.2 Location and History

The NCRWMO is a government unit formed through a joint powers agreement (Appendix A) signed by eight townships and three small cities in southern Dakota County. Dakota County lies at the southern edge of the Twin Cities metropolitan area and is considered a metropolitan county, although the NCRWMO is south of the Metropolitan Urban Service Area (MUSA) and is rural in nature. The NCRWMO has an approximate population of 5,000 (in 2011) and its jurisdiction covers approximately 150 square miles including all or part of the following communities (Figure 2.1).

Castle Rock Township
Douglas Township
Eureka Township
Greenvale Township
Hampton Township
Randolph Township
Sciota Township
Waterford Township
City of Miesville
City of New Trier
City of Randolph

The NCRWMO does not include a small portion of the City of Northfield that extends into southern Dakota County because a formal exemption contained in the Metropolitan Surface Water Management Act; Minnesota Statute 473.121, subdivision 2 excludes the City of Northfield.

The NCRWMO includes the sub-watersheds of Chub Creek, Trout Brook, and Pine Creek, and the Cannon River from Northfield to Lake Byllesby. The NCRWMO is predominantly rural in nature with agriculture as its primary landuse.

The NCRWMO was created in 1983 as a result of the State of Minnesota's Surface Water Management Act. Minnesota Statute 103B.201 states that the purposes of a NCRWMO shall be to:

1. Protect, preserve, and use natural surface and groundwater storage and retention systems.
2. Minimize public capital expenditures needed to correct flooding and water quality problems.
3. Identify and plan for means to effectively protect and improve surface and groundwater quality.
4. Establish more uniform local policies and official controls for surface and groundwater management.
5. Prevent erosion of soil into surface water systems.
6. Promote groundwater recharge.
7. Protect and enhance fish and wildlife habitat and water recreational facilities.
8. Secure the other benefits associated with the proper management of surface and groundwater.

The NCRWMO's Board of Managers is comprised of one representative appointed from each of the eleven communities in the joint powers agreement.

In the past ten years, the NCRWMO participated in or accomplished the following tasks (see Table 6.3 for more detail on these projects):

- ✓ Collected annual dues from member communities (This practice began in 2004, before which dues were only collected twice since NCRWMO inception in 1988.)
- ✓ Monitored water quality and flow in all major creeks
- ✓ Established and maintained the Chub Creek Permanent Monitoring Station
- ✓ Cooperated on TMDLs by lending monitoring equipment and providing data
- ✓ Received $180,000 in grant funding to install BMPs
- ✓ Implemented cost share program to install BMPs
- ✓ Partnered with Dakota County on SSTS Upgrade Program
- ✓ Developed and adopted an ordinance establishing erosion control and storm water management requirements for land disturbances and sponsored workshops for townships
- ✓ Performed education and outreach activities including hosting tours of projects and practices, developing newsletters, sponsoring Sewer Man shows, providing grants to the Cannon River Watershed Partnership and schools, and participating in the Cannon River Festival with an informational display and booth
- ✓ Partnered with the Dakota County SWCD on a Wetland and Watercourse Inventory
- ✓ Studied various options for wetland management ordinances

1.3 Concerns in the Watershed

Concerns in the watershed are primarily centered on poor water quality in its creeks and lakes, and increased water quantity from drainage ~~tiles~~activities. High nitrates in Trout Brook and Pine Creek, high bacteria levels in Chub Creek, high sediment levels in Trout Brook, and high nutrients in Lake Byllesby impact the quality of fish and wildlife habitat, aesthetics, and aquatic recreation. Additionally, the balance between landowners' rights and needed buffers along watercourses concerns many residents of the watershed. See Section 4.0 for a complete discussion of issues identified within the watershed.

1.4 Watershed Management Goals, Strategies and Policies

The following goals are included in Section 5.0 of this Plan. While these goals are broad, the NCRWMO feels strongly that each of these areas requires their attention. Specific and measureable strategies and policies are summarized here and detailed ~~laid out~~ in Section 5.0 ~~that make strides towards realizing these goals~~.

Surface Water Quality Goal: To protect and improve the waters quality of streams, rivers, and lakes such that each waterbody is "fully supporting" for its use designations according to MN State Standards. Strategies include water quality monitoring; dissolved oxygen assessments; investigation of nitrate levels in Trout Brook; participation with local partners on monitoring or studies; providing cost share for best management practices; advocating for buffers along watercourses, installation of community wastewater treatment in city of Randolph, investigation of pollution of old dump on Chub Creek, and participation in Discovery Farms. A policy requires member communities to adopt and enforce appropriate ordinances controlling installation and maintenance of subsurface sewage treatment systems.

Surface Water Quantity Goal: To decrease the rates and volume of water that may contribute to flooding or non-point source pollution from overland runoff and subsurface drainage and dewatering activities. Strategies include water quantity monitoring; providing cost share for best management practices; gathering and disseminating information on latest technologies to reduce impacts of tile drainage; and investigating ways to inventory existing tile lines or collect data on new tile lines. A policy requires member communities to report on the implementation of their ordinance requiring stormwater management.

Soil Erosion and Sedimentation Goal: To reduce soil erosion and sedimentation throughout the watershed. Strategies include providing cost share to install best management practices; developing a model ordinance to provide guidance on how to enforce erosion control standards for new and renewing tax relief program participants and road right-of-way setbacks; and receiving data on estimated sediment load reductions from installation of best management practices. Policies require member communities to report all erosion control enforcement activities to the NCRWMO.

Groundwater Goal: To protect groundwater quality and quantity. Strategies include providing cost share to install best management practices; and cooperating with and receiving groundwater

information and data from other entities. A policy requires communities to review mining ordinances with regards to protection of groundwater resources.

Wetlands Goal: To protect wetlands from destruction or deterioration and to restore wetlands where possible. Strategies include providing cost share to restore or protect wetlands with priority in the Chub Creek subwatershed; and continuing to review Wetland Conservation Act (WCA) applications. Policies require member communities to post maps of the completed Wetland and Watercourse Inventory and Assessment in their town halls and to continue working with the Dakota SWCD for WCA coordination.

Wildlife, Habitat and Recreation Goal: To promote the protection and restoration of high quality natural areas throughout the watershed including wetlands, woodlands, prairies, and riparian corridors for improvement of water-based recreation, fish and wildlife habitat, and water quality. Strategies include providing cost share to install best management practices to protect or restore lakeshores and streambanks; advocating and working with various entities to promote conservation easements, wildlife management plans, improved cooperation among stakeholders, research on effects of Lake Byllesby dam on wildlife, and implementation of Lake Byllesby Total Maximum Daily Load Study.

Education and Outreach Goal: To increase the awareness of water resources and practices needed for their improvement or protection among all sectors of the community. Strategies include providing education on water resources and best management practices to residents and agricultural producers in cooperation with other entities; promoting volunteer water monitoring, the installation of stream crossing signs on major roads, the installation of interpretive signs at Dakota County Parks; and maintaining a NCRWMO website with meeting notices, annual report, and directory of water resource jurisdictions and contacts.

Administration Goal: To fulfill statutory requirements and effectively and efficiently perform the strategies of this Watershed Management Plan. Strategies include cultivating and maintaining partnerships with agencies and organizations for collaboration; fulfilling the requirements of a watershed management organization; and evaluating implementation of strategies and policies identified in this Plan.

1.5 Implementation Program Costs

Table 6.4 in Section 6.8 includes the estimated costs of each strategy included in the Plan. Many of the strategies require minimal financial resources as they rely on the continued collaboration with other groups. The average annual cost of implementing the strategies through member dues is $26,561. However, the NCRWMO and/or their partners (e.g. the Dakota County SWCD) will continue to apply for grants to provide cost share to install best management practices. Grant funding may also be sought for education programs and additional water quality monitoring and studies. Continued and strengthened partnerships and collaboration with other groups will further augment the implementation of the goals and strategies (as indicated in Table 6.2).

1.~~6~~5 Plan Development Process

This Watershed Management Plan was developed with input from various groups and individuals. The Dakota County Soil and Water Conservation District (SWCD) was contracted to coordinate the Plan development process, gather input from the NCRWMO Board of Managers and a Planning Advisory Committee (PAC), write the plan, respond to comments, and produce a final document.

The PAC consisted of representatives from agencies and organizations (recruited by the SWCD), residents of the member communities (recruited by those communities), and liaisons from the NCRWMO Board of Managers. PAC meetings were facilitated by Laura Jester, SWCD.

Active Planning Advisory Committee Members:

Allene Moesler, Lake Byllesby Improvement Association
Bernie Pistner, Hampton Township
Beth Kallestad, Cannon River Watershed Partnership
Brad Becker, Dakota County Soil and Water Conservation District
Carol Cooper, Eureka Township
Duane Ness, Sciota Township and NCRWMO Board of Managers
Greg Langer, Greenvale Township
Guenther Moesler, Randolph Township and NCRWMO Board of Managers
Jeff Berg, MN Department of Natural Resources
Jessica Van Der Werff, Cannon River Watershed Partnership
Justin Watkins, MN Pollution Control Agency
Karen Jensen, Metropolitan Council
Kenny Betzold, Castle Rock Township
Mark Henry, Pheasants Forever
Mary Jackson, Dakota County
Mary Peterson, MN Board of Water and Soil Resources
Melissa Lewis, MN Board of Water and Soil Resources
Mike Rademacher, Castle Rock Township and NCRWMO Board of Managers
Nancy Braker, Carleton Arboretum
Nancy Sauber, Eureka Township
Peggy Varien, Douglas Township
Randy Binder, MN Department of Natural Resources, Fisheries
Tony Nelson, Trout Unlimited

Others invited and kept informed via email:

Art Persons, MN Department of Health
Johnny Forrest, Dakota County Parks Department
Mark Zabel, Dakota County Water Resources Department
Tara Carson, MN Department of Transportation
Rob Sip, MN Department of Agriculture

The process of Plan development and review by the NCRWMO Board of Managers and the Planning Advisory Committee (PAC) is outlined below and included 5 meetings with the Managers and 5 meetings of the PAC. A public hearing to receive comments on the draft plan was held on May 23, 2013, 7:00 p.m. at the Eureka Town Hall.

February 28, 2012 – Kick-off meeting with NCRWMO Board; reviewed activities and timeline, began issues identification
April 9, 2012 – NCRWMO Board meeting; continued issues identification
May 1, 2012 – First meeting of the Planning Advisory Committee; began issues identification
June 5, 2012 – Second meeting of the Planning Advisory Committee; continued issues identification
July 18, 2012 – NCRWMO Board meeting; developed a mission statement; finalized issues identification
August 15, 2012 – Third meeting of the Planning Advisory Committee; began development of goals and strategies
October 10, 2012 – Fourth meeting of the Planning Advisory Committee; finalized development of goals and strategies
October 22, 2012 – Draft of Plan Section 5 (Goals, Strategies and Policies) distributed to PAC for review and comment
November 14, 2012 – Draft of Plan Sections 2 – 5 distributed to Board and PAC for review and comment
November 28, 2012 – NCRWMO Board meeting; discussed entire Section 5 (Goals, Strategies and Policies)
December 10, 2012 – Draft of revised Sections 2 – 5 distributed to PAC for review
January 16, 2013 – Fifth Planning Advisory Committee meeting to discuss Implementation Program
January 30, 2013 – NCRWMO Board meeting to discuss Implementation Program and take action to submit draft Plan for 60-day review

The NCRWMO would like to acknowledge and thank the following groups:

The Planning Advisory Committee comprised of watershed residents and representatives from agencies and organizations for their interest and input on this plan's development and for attending numerous meetings over the course of the year.

The Dakota County Soil and Water Conservation District for drafting this plan and facilitating the Advisory Committee

1.~~7~~6 Acronyms

BMP	Best Management Practices
BWSR	(Minnesota) Board of Water and Soil Resources
CFS	Cubic Feet per Second
EPA	U.S. Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FNAP	Farmland and Natural Areas Program
GIS	Geographic Information System
HEL	Highly Erodible Land
IBI	Index of Biotic Integrity
LBIA	Lake Byllesby Improvement Association
LGU	Local Government Unit
MDH	Minnesota Department of Health
MDNR	Minnesota Department of Natural Resources
MPCA	Minnesota Pollution Control Agency
MSHA	Minnesota Stream Habitat Assessment
MUSA	Metropolitan Urban Service Area
NPDES	National Pollution Discharge Elimination System
NRCS	Natural Resources Conservation Service
NWS	National Weather Service
OHWL	Ordinary High Water Level
PAC	Planning Advisory Committee
SSTS	Subsurface Sewage Treatment System
SWCD	Soil and Water Conservation District
TMDL	Total Maximum Daily Load
USDA	U.S. Department of Agriculture
WCA	Wetland Conservation Act
WMA	Wildlife Management Area
WOMP	Watershed Outlet Monitoring Program
WRAPP	Watershed Restoration and Protection Plan

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Chisago County Local Water Management Plan Update**

Meeting Date: August 29, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Metro Region

Contact: Mary Peterson

Prepared by: Mary Peterson

Reviewed by: Metro Region Committee(s)

Presented by: Mary Peterson

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of Chisago County Local Water Management Plan Update 2013-2023

LINKS TO ADDITIONAL INFORMATION

http://www.co.chisago.mn.us/Departments/environmental-services/water-plan/

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

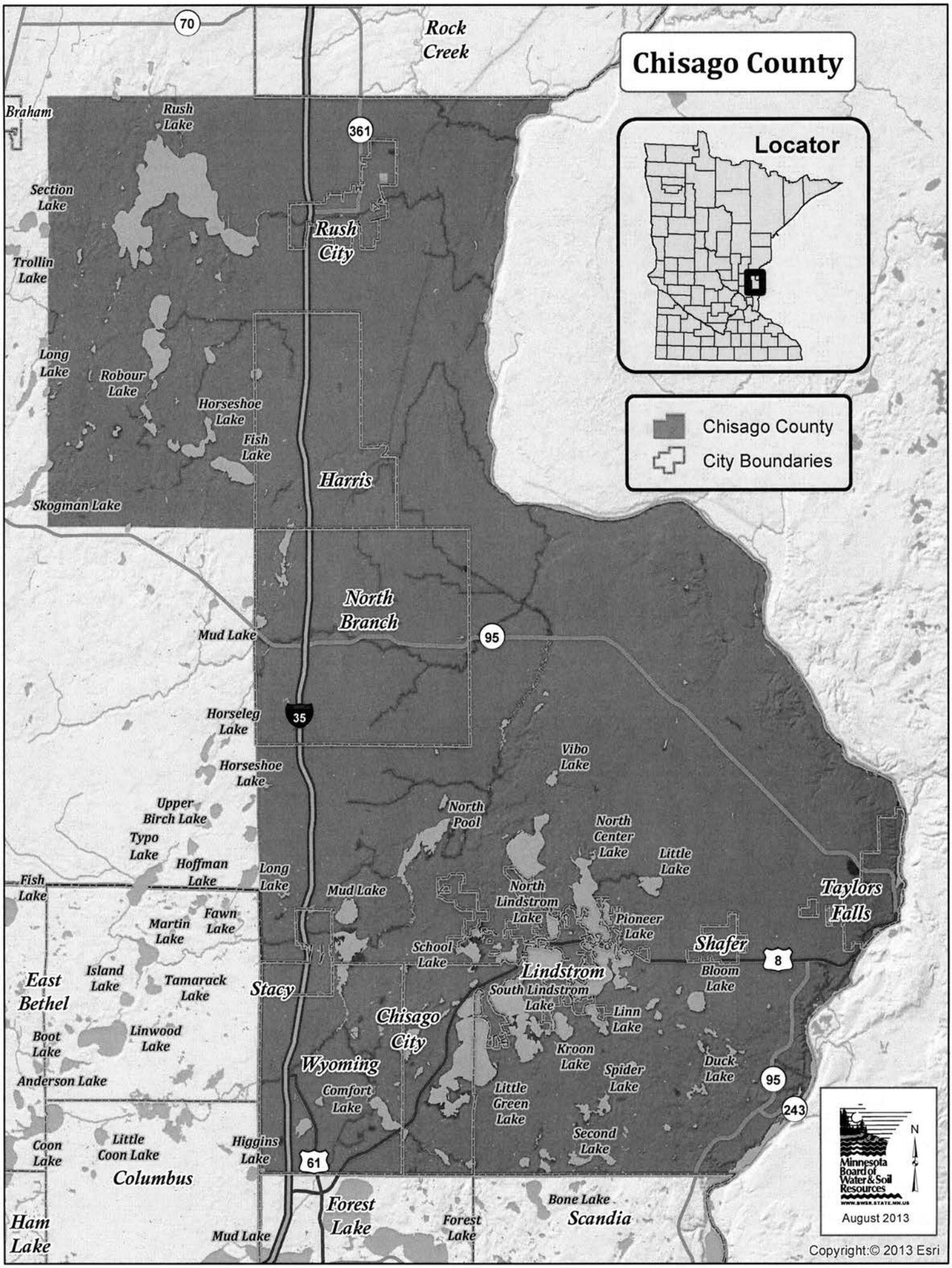
Chisago County (County) has updated their Local Water Management Plan (Plan Update) as authorized under Minnesota Statutes, section 103B.301, Comprehensive Local Water Management Act. Two of the nine BWSR Metro Region counties are covered by this process that includes a two-phase review; Priority Concerns Scoping Document (PCSD) review and Plan Update review. The first review phase has been completed and in a letter to Chisago County dated October 24, 2012, the BWSR communicated the State's official comments. The priority concerns to be addressed in the final Plan were deemed to be appropriate and no changes to the PSCD was recommended or required. These priority concerns included the following: 1) Protect quality and quantity of groundwater used for drinking water; 2) Introduction or spread of aquatic invasive species and their negative effect on water quality, navigation, recreation, or fisheries; 3) Septic systems that are failing, noncompliant, or an Imminent Threat to Public Health; 4) Influence of agricultural, rural and urban land use practices on water quality; 5) That citizens and elected officials receive accurate and understandable information to make informed decisions; and 6) Obtain sufficient resources to achieve goals established in the Plan Update. The County actively engaged citizens, partners and agency representatives in the development of the Plan Update and included measurable and targeted goals and strategies in their implementation program.

On June 11, 2013, the BWSR received the Chisago County Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final state review pursuant to Minnesota Statutes, section 103B.315, subd. 5. State agency representatives provided input and attended Technical Advisory Committee (TAC) meetings during the development of the Plan Update. State agency review comments were received from MDA, MDNR, and MPCA during the 90-day review process. The County has responded to all comments received and incorporated appropriate revisions to the final draft. The state agencies recommended that BWSR approve the entire Plan Update as submitted.

BWSR staff completed its review and found that it meets the requirements of Minnesota Statutes, section 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 measureable actions, timeline and budget; and
- includes all required sections.

On August 12, 2012, the Metro Water Planning Committee met with Chisago County representatives and BWSR staff to review and discuss the Plan Update. The Committee's decision was to recommend approval of the Chisago County Plan Update to the full Board per the attached draft Order.


Chisago County
Locator
Chisago County
City Boundaries
Rock Creek
Braham
Rush Lake
Section Lake
Rush City
Trollin Lake
Long Lake
Robour Lake
Horseshoe Lake
Fish Lake
Harris
Skogman Lake
North Branch
Mud Lake
Horseleg Lake
Horseshoe Lake
Upper Birch Lake
Typo Lake
Hoffman Lake
Long Lake
Fish Lake
Mud Lake
Martin Lake
Fawn Lake
East Bethel
Island Lake
Tamarack Lake
Stacy
Boot Lake
Linwood Lake
Anderson Lake
Chisago City
Wyoming
Comfort Lake
Coon Lake
Little Coon Lake
Higgins Lake
Columbus
Ham Lake
Mud Lake
Forest Lake
Forest Lake
Bone Lake
Scandia
Vibo Lake
North Pool
North Center Lake
Little Lake
North Lindstrom Lake
Pioneer Lake
School Lake
Lindstrom
South Lindstrom Lake
Linn Lake
Kroon Lake
Spider Lake
Little Green Lake
Second Lake
Duck Lake
Shafer
Bloom Lake
Taylors Falls
70
361
95
35
8
95
243
61
Minnesota Board of Water & Soil Resources
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August 2013
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Minnesota Board of Water and Soil Resources
520 Lafayette Road North
Saint Paul, Minnesota 55155

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

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN UPDATE

Whereas, the Chisago County Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) 2013-2023 to the Board of Water and Soil Resources (Board) on June 11, 2013 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 August 10, 2012**,** the Minnesota Board of Water and Soil Resources received a Priority Concerns Scoping Document from Chisago County pursuant to M.S. Section 103B.312.

2) On October 24, 2012, the Board of Water and Soil Resources approved official comments on the Chisago County Priority Concerns Scoping Document, which were mailed to the county on October 24, 2012.

3) The Plan Update focuses limited resources on following six priority concerns through 2023:

- Protect quality and quantity of groundwater used for drinking water.
- Introduction or spread of aquatic invasive species and their negative effect on water quality, navigation, recreation, or fisheries.
- Septic systems that are failing, noncompliant, or an Imminent Threat to Public Health.
- Influence of agricultural, rural and urban land use practices on water quality.
- That citizens and elected officials received accurate and understandable information to make informed decisions
- Obtain sufficient resources to achieve goals established in the Plan Update.

4) On June 11, 2013, the BWSR received the Chisago County Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review pursuant to M.S. Section 103B.315, Subd. 5. State agency representatives provided input and attended Technical Advisory Committee (TAC) meetings during the development of the Plan Update.

DRAFT

The following state review comments were received during the 90-day comment period.

- Minnesota Department of Agriculture: Recommends approval of the Plan Update as submitted.
- Minnesota Department of Health: No comments received.
- Minnesota Department of Natural Resources: Recommends approval of the Plan Update as submitted. MDNR provided a few comments for the Board to consider during the review. The county responded and has incorporated these comments into the final Plan Update.
- Minnesota Pollution Control Agency: Recommends approval of the Plan as submitted. MPCA provided several suggestions and comments for the Board to consider during review. The county has incorporated 10 of 13 suggested language changes into the final Plan Update and two of the suggestions will be considered by the Water Plan Policy Team in future amendments or updates. The county responded to the remaining comment that the suggested language would be added, more research was needed on the effectiveness of using iron to control phosphorus in sediment, and using iron to control Curly Leaf Pondweed will not be pursued as that would require federal registration of iron as a pesticide.
- Minnesota Environmental Quality Board: No comments received.
- Minnesota Board of Water and Soil Resources Metro region staff: The Plan meets the requirements of Minnesota Statutes, section 103B.314 and recommends approval of the Plan Update.

5) **Metro Region Committee Meeting.** On August 12, 2013, the Board's Metro Region Committee and staff met with County representatives to review and discuss the Plan Update. Those in attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Jack Ditmore and Joe Collins, chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationists Mary Peterson and Brad Wozney. The representatives from the County were Jerry Spetzman, Water Resources Manager, and Craig Mell, Chisago SWCD Manager. After discussion, the Committee's decision was to present a recommendation of approval of the Plan Update to the Board at the Board August 29, 2013 meeting.

6) On August 29, 2013, the Metro Region Committee of the Board presented its recommendation of approval of the Chisago County Plan Update to the Board. The Board adopted the Committee's recommendation.

7) This Plan Update will be in effect for a ten-year period until December 30, 2023, with the Goals, Objectives and Implementation Plan amended by December 30, 2018.

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 Chisago County pursuant to Minnesota Statutes, Section 103B.315, Subd. 5.

2. The Chisago County Plan Update attached to this Order states water and water-related problems within the county; priority resources issues and possible solutions; specific goals, objectives, and

actions of the county; and a targeted implementation program. The attached Plan Update is in conformance with the requirements of Minnesota Statutes, Section 103B.301.

ORDER

The Board hereby approves the attached update of the Chisago County Local Water Management Plan – 2013-2023, with a required update of the implementation section (Goals, Objectives, and Actions) to be completed by December 30, 2018.

Dated at Two Harbors, Minnesota, this twenty-ninth day of August 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chairman

DRAFT

CHISAGO COUNTY LOCAL WATER MANAGEMENT PLAN

2013-2023

April 9, 2013

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ACKNOWLEDGEMENTS

Chisago County Board of Commissioners

District 1	Lora Walker
District 2	Rick Green
District 3	George McMahon
District 4	Ben Montzka
District 5	Mike Robinson

Water Plan Policy Team

John Eret	Citizen at Large
Diane Larkin	Citizen at Large
Joyce Marienfeld	Citizen at Large
Tom McKenzie	Citizen at Large (Chairman)
Craig Mold	Chisago Soil and Water Conservation District
Ann Norgaard	Chisago County Public Health
Mike Robinson	County Board
Kurt Schneider	Chisago County Zoning/Environmental Services
Frank Storm	Citizen at Large

Technical Advisory Committee

John Freitag	Minnesota Department of Health
Christopher Klucas	Minnesota Pollution Control Agency
Lynne Kolze	Minnesota Pollution Control Agency
Craig Mell	Chisago Soil and Water Conservation District
Mary Peterson	Minnesota Board of Water and Soil Resources
Robert Sip	Minnesota Department of Agriculture
Doug Thomas	Comfort Lake Forest Lake Watershed District
Craig Wills	Minnesota Department of Natural Resources

Staff to Water Plan Policy Team

Jerry Spetzman

EXECUTIVE SUMMARY

INTRODUCTION

Chisago County, located in east central Minnesota, approximately 35 minutes north of the Twin Cities metropolitan area, was established in 1851, seven years before Minnesota became a state. Chisago, the county name, comes from the Chippewa Indian word, Ki-Chi-Saga, which means Fair and Lovely Waters. Chisago County borders the St. Croix River to the east, and shares borders with Pine, Isanti, Anoka, and Washington Counties. The county seat, first at Taylors Falls, moved to Chisago City in 1865 and then to Center City in 1875, where it remains today.

Table 1: Population trends (US Census Bureau)

Year	Population	Percent Increase
1960	13,419	
1970	17,492	30.4
1980	25,717	47.0
1990	30,521	18.7
2000	41,101	34.7
2010	53,887	31.1

The Minnesota Planning State Demographic Center projects that by 2030, the population of Chisago County will be 69,540. This represents a 29% increase over 2010. This will accelerate development pressures.

A great majority of the land in Chisago County remains largely undeveloped, primarily in agricultural use, woodlands, or wetlands. The majority of development in the County has occurred in the southwest, along I-35 on the western side of the county, along Highway 8, and the Northern (Rush City) Lakes area.

Recently there has been a downturn in the housing market. It is anticipated that it will be several years before the housing market recovers.

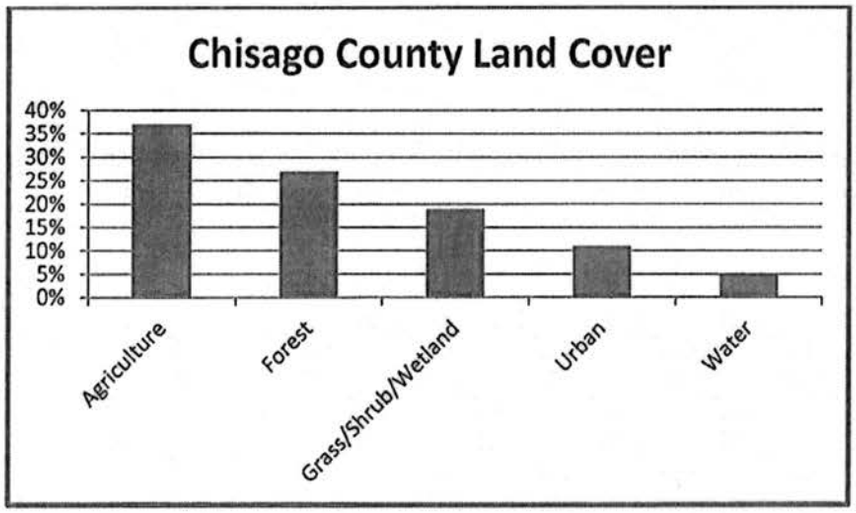
Minnesota Department of Natural Resources (DNR) owned land accounts for a large part of the County; Carlos Avery Wildlife Management Area, Wild River State Park, Interstate Park, and Chengwatana State Forest total over 15,500 acres, or 6%, of the total land area.

Chisago County (University of Minnesota 2000 Chisago County Land Cover and Impervious Surface Area) had the following percentages of land use:

Table 2: Chisago County Land Cover

Chisago County Land Cover	Acres	Percent
Agriculture	105,500	37%
Forest	77,100	27%
Grass/Shrub/Wetland	54,200	19%
Water	14,500	5%
Urban	31,800	11%
Total	**283,100**	**100%**

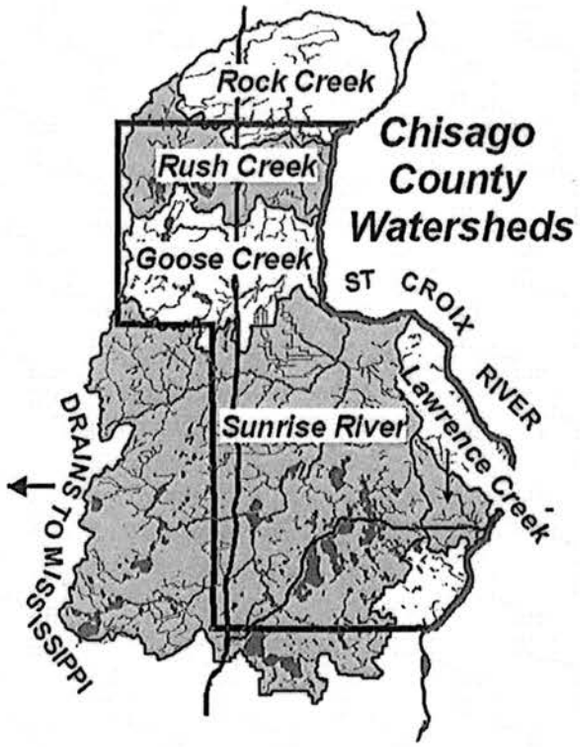
Figure 1: Chisago County Land Cover



Chisago County has abundant water resources. The DNR designates public waters to indicate which lakes, wetlands, and watercourses over which DNR Ecological and Water Resources has regulatory jurisdiction. The statutory definition of public waters includes public waters and public waters wetlands. Public waters are all waterbasins and watercourses that meet criteria set forth in Minnesota Statutes that are identified on Public Water Inventory maps authorized by Minnesota Statutes. Public water wetlands include all type 3, type 4, and type 5 wetlands (as defined in U.S. Fish and Wildlife Service Circular No. 39, 1971 edition) that are 10 acres or more in size in unincorporated areas or 2.5 acres or more in size in incorporated areas. Currently, DNR Waters utilizes scanned mylar county-scale maps printed on paper to show the general location of the public waters and public waters wetlands (lakes, wetlands, and watercourses) under its regulatory jurisdiction. These maps are commonly known as Public Waters Inventory maps. The DNR sets the regulatory "boundary" of these waters and wetlands as the ordinary high water level.

Chisago County is almost entirely in the St. Croix River watershed. Chisago County has been divided into multiple subwatersheds – Rock Creek, Rush Creek, Goose Creek, Sunrise River, Lawrence Creek, and direct drainage.

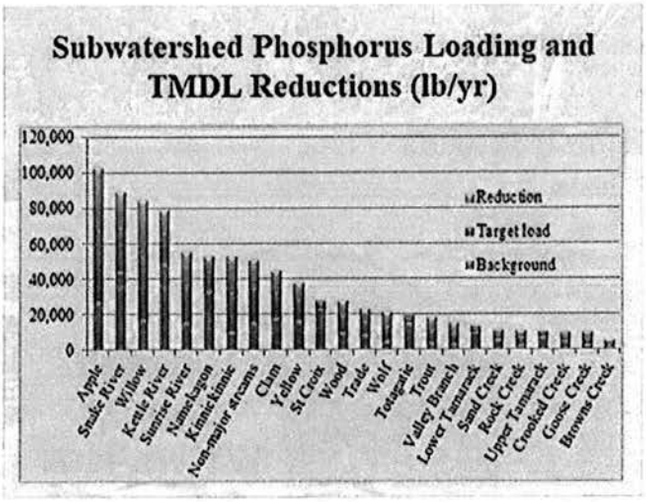
Figure 2: Chisago County Watersheds



Water runoff from Chisago County lands contribute to nutrient and sediment water quality concerns in the St. Croix River. A Total Maximum Daily Load study (TMDL) and Implementation Plan has been completed for Lake St. Croix. The TMDL allows for 46,000 pounds per year of phosphorus to be loaded to the St. Croix River from Chisago County. This requires 21,000 pounds per year of reduction from the estimated TMDL baseline load of 68,200 pounds per year in the early 1900s. Chisago County's required reduction ranks 3rd largest among the 19 counties in the St. Croix basin.

To achieve the St. Croix Basin Partners' goal of 20% reduction of phosphorus by 2020, Chisago County needs to reduce loadings by 16,200 pounds per year. To attain this goal, activities must be implemented that achieve an average annual rate of phosphorus reduction of 500 pounds per year over 30 years, or 1,600 pounds per year over 10 years.

Figure 3: Subwatershed Phosphorus Loading



Quantifying changes in phosphorus loadings to the St. Croix River since the TMDL baseline conditions of the early 1990s is difficult. With respect to agricultural practices, there have been several in Chisago County that have had a significant impact on phosphorus loading. The amount of animal agriculture has decreased dramatically. Farming practices have changed. In the 1990s it was common to see tillage practices that retained minimal residue on the field after harvest. Since then there have been significant improvements to tillage equipment, herbicides, and seed genetics that have resulted in an increase in residue retained on fields post-harvest which in turn lessens the amount of phosphorus in runoff.

Chisago County also has implemented a program to eliminate nearly 100% of septic systems characterized as "Imminent Threat to Public Health Septic Systems". However, many failing systems still exist throughout the county.

The State of Minnesota has passed legislation restricting the use of phosphorus in lawn fertilizer. This legislation has resulted in substantial reductions of phosphorus application to turf grass in Chisago County.

The Sunrise River in east-central Minnesota is a watershed and river system that has many impairments that affect water quality and aquatic biota. While the majority of the watershed is in Chisago County, portions of the watershed are in Isanti, Anoka, and Washington Counties. Within the St. Croix Basin, the Sunrise River (with approximately 5% of the land area) is one of the larger contributors of phosphorus and sediment to the St. Croix River. In fall 2007, a joint multi-agency effort was initiated to perform a detailed watershed study of aquatic resources of the Sunrise River Basin. The primary partners of this study include the US Army Corps of Engineers, Minnesota Pollution Control Agency, and Chisago County.

The objective of the Sunrise River Watershed Study is to prepare a plan for watershed management that provides the technical basis for future management of aquatic resources including wetlands. Key issues the group is evaluating include water quality, nutrient and sediment loading, stream stability and erosion, aquatic habitat conditions, and management of wetland resources. The study includes evaluation of how land use and projected future population growth influences these key resource issues, how future land use might be better managed, and the potential economic cost for such management actions. The results will be used by water managers to guide management decisions that will benefit the Sunrise River and the downstream St. Croix River.

Background of Water Plan Process

Responsible Local Unit of Government

The Chisago County Board of Commissioners adopted Resolution No. 11/1019-1 – **Authorization to revise and update the Chisago County Comprehensive Water Management Plan** on October 19, 2011. This resolution is authorized under Minnesota Statutes, Chapter 103B.301, the Comprehensive Local Water Management Act.

The resolution states that the Chisago County Board of Commissioners delegates to the Chisago County Environmental Services/Zoning Department the responsibility of coordinating, assembling, writing, and implementing the revised local water management plan pursuant to M.S. 103B.301 as implemented through the Water Plan Policy Team (Policy Team).

The Policy Team consists of five citizen members (appointed by the Chisago County Board of Commissioners), one supervisor from the Chisago Soil & Water Conservation District, one County Commissioner, and the Director of Chisago County Zoning/Environmental Services. In addition, the Policy Team is supported by the Technical Advisory Team, which is made up of representatives from Chisago County Public Health, Chisago Soil & Water Conservation District, Comfort Lake Forest Lake Watershed District, Minnesota Board of Water & Soil Resources, Minnesota Department of Natural Resources, and the Natural Resources Conservation Service.

Water Plan administration and Policy Team coordination is overseen by the Chisago County Water Resource Manager.

The adopted resolution states that the Policy Team shall coordinate its effort in the revision and update of the Water Plan with all local units of government within Chisago County along with the state review agencies.

The resolution also states that the Policy Team shall incorporate into the water plan, where appropriate, any existing plans and rules that have been developed and adopted by watershed districts having jurisdiction wholly or partly within Chisago County.

Local Water Management Plan Adoption and Updates

First Chisago County Water Plan Adopted – January 19, 1993
First Update 1998 – 2002
Second Update 2006 - 2011
Amendment – August 27, 2009
Amendment 2010 to 2013 – March 4, 2010

Expiration Date of Current Plan

September 27, 2013

PURPOSE OF THE LOCAL WATER MANAGEMENT PLAN

Purpose

The purpose of the Chisago County Local Water Management Plan is to set County watershed priorities. The County will use these priorities to obtain and use resources to protect, improve, and conserve water resources in Chisago County including lakes, rivers, wetlands, and groundwater.

The Local Water Management Act of Minnesota (Minn. Stat. 103B.301 to 103B.355) states that the following guidelines will be met in this document.

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 principles 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 groundwater system.
5. The plan must cover a five or ten year period. Chisago County has decided to develop a plan which will address the concerns of Chisago County for the next 10 years (2013-2023). The Implementation Plan will focus on 2013-2018.

Vision

Surface and groundwater quality and quantity in Chisago County is preserved, protected, restored, and enhanced for current and future generations.

Mission

Develop, update, and oversee implementation of the Chisago County Water Plan.

PAST ACCOMPLISHMENTS AND ONGOING ACTIVITIES

Chisago County has been very successful in competing and obtaining multiple state and federal grants for projects and practices to improve water quality. Many Clean Water Act Section 319, Clean Water Legacy, and US Department of Agriculture grants have been secured. In addition to local funding, these dollars have allowed Chisago County to complete many action items identified in the previous Water Plan.

Among other highlights, Chisago County leads the state in identifying and upgrading Imminent Threat to Public Health Septic Systems, completing watershed assessments, and installing water protection practices.

Below is a summary of accomplishments and ongoing activities under the previous Water Plan. These are organized by priority concerns.

Priority Concern: Reduce phosphorus loading from Chisago County to the St. Croix River to help meet 20% basin wide goal.

- In partnership with the St. Croix Basin Team, a point and non-point source nutrient loading study has been completed.
  Lead local agency – St. Croix Science Museum Research Station

- Staff participates in the St. Croix Basin Team.
  Lead local agency – Chisago County

- A Soil and Water Assessment Tool for the Sunrise River watershed has been developed.
  Lead local agency – St. Croix Science Museum Research Station

- A partnership has been formed between Chisago County, US Army Corps of Engineers, and Minnesota Pollution Control Agency to develop and implement a watershed based plan and strategies for water quality and aquatic ecosystem management, restoration, and protection. The Plan is anticipated to be complete spring 2013.
  Lead local agency – Chisago County

- An inventory of the St. Croix River escarpment for gully erosion concerns from Wild River State Park south to the Chisago/Washington County line has been completed. In fiscal year 2012 the Soil and Water Conservation District has secured Clean Water Funds to install Best Management Practices to correct gully erosion concerns in this region.
  Lead local agency – Chisago Soil & Water Conservation District

• In Fiscal Year 2011, Clean Water Funds were used to incorporate water smart Best Management Practices at the Chisago Lakes Middle School, Rush City High School, and the Wyoming Public Library. Additional best management practice projects have been completed throughout the Chisago Lakes Chain of Lakes watershed at Linden Street in Lindstrom and the Chisago County Government Center.

Lead local agency – Chisago Soil & Water Conservation District

• Each year, 20-30 agricultural related water quality improvement projects are completed utilizing Federal Funds.

Lead local agency – Chisago Soil & Water Conservation District & Natural Resources Conservation Service

• A partnership has been formed with the Minnesota Agricultural Water Resources Coalition to install a Discovery Farm site in Chisago County. The Discovery Farm is an innovative watershed project designed to engage agriculture and other members of the watershed community in improving and protecting water quality.

Lead local agency – Chisago Soil & Water Conservation District

• The Kost Dam road impairment project was completed in 2012 which reduced stormwater runoff into the Sunrise River.

Lead local agency – Chisago Soil & Water Conservation District

Priority Concern: Implement projects and practices recommended in the North Branch Sunrise River Restoration and Protection Plan.

• Imminent Threat to Public Health Septic Systems have been identified and upgraded within the Shoreland Zone in Isanti County, in the City of North Branch, and the Chisago County portion of the watershed.

Lead local agency – Chisago County

• Livestock producers in the County are being contacted by Soil and Water Conservation District staff and best management practices are being installed to reduce runoff from livestock production into water resources.

Lead local agency – Chisago Soil & Water Conservation District

Priority Concern: Implement projects and practices recommended in additional Restoration and Protection plans.

- The following Total Maximum Daily Load Watershed Restoration and Protection Plans have been completed or are in progress:

  Comfort Lake Forest Lake Watershed District 6 Lakes (Completed)
  Lead local agency – Comfort Lake Forest Lake Watershed District
  Chisago Lakes Chain of Lakes (Completed)
  Lead local agency – Chisago Soil & Water Conservation District
  Chisago Lakes Lake Improvement District
  North Branch Sunrise River (Completed)
  Lead local agency – Chisago County
  Sunrise River (Scheduled to be completed 2014)
  Lead local agency – Chisago Soil & Water Conservation District

- The Rock/Rush/Goose Creeks Restoration and Protection Plan is scheduled for completion in 2014.
  Lead local agency – Chisago Soil & Water Conservation District

- A County wide lake water quality monitoring program is in place.
  Lead local agency – Chisago County

- A Regional Stormwater Management Facility in a ditch leading to the Sunrise River downstream of the City of Forest Lake is being developed. The Facility will help correct problems related to excess nutrient and sediment loads to the Sunrise River and Comfort Lake.
  Lead local agency – Comfort Lake Forest Lake Watershed District

- County, township, and city public works departments are working to maximize the efficiency of the use of road maintenance products while protecting public safety and minimizing harmful effects to water quality.
  Lead local agency – Local Public Works Departments

- The Rush Lake Improvement Association is researching the use of iron concentrate to bind phosphorus in lake sediment.
  Lead local agency – Rush Lake Improvement Association

- A partnership is being formed to work within the Carlos Avery Wildlife Management Area to better understand the impacts pool draw-downs have on the Sunrise River.
  Lead local agency – Chisago Soil & Water Conservation District

Priority Concern: Expand obligations of the Chisago County Subsurface Sewage Treatment System Pilot Program.

- The Chisago Lakes Joint Sewage Treatment Plan is accepting and treating holding tank waste and septage as alternatives to land application.
  Lead local agency – Chisago Lakes Joint Sewage Treatment Commission

- As a result of the Pilot Program:
  - 4,752 septic system evaluations were conducted by County inspectors
  - 429 systems determined to be imminent threat to public health (9%)
  - All known imminent threat to public health systems are now compliant
  - Financial assistance is provided to low income property owners that install or update systems
  - 175,050 gallons of untreated sewage is prevented from impacting the environment every day
    = 29 milk trucks carrying 6,000 gallons EACH DAY or
    = an Olympic sized swimming pool every 3.4 DAYS

  Lead local agency – Chisago County

- Community Wastewater Treatment Systems are being developed for unsewered Rural Village Centers in Almelund, Sunrise, Palmdale, Rush Point, and Stark.
  Lead local agency – Chisago County

- Voluntary septic system inspections by County staff are offered to residents within shoreland areas throughout Chisago County.
  Lead local agency – Chisago County

Priority Concern: Continue the Abandoned Well Sealing Program for protection of groundwater resources.

- The Chisago County Geologic Atlas has been completed. The County Hydrogeologic Atlas is expected to be completed in 2013.
  Lead local agency – Chisago County

- Wellhead Protection Plans have been completed for Rush City, Harris, Lindstrom, Center City, Taylors Falls, and Hazelden Foundation in Center City.
  Lead local agency – Local Communities, Minnesota Department of Health

- Nitrate Testing Clinics are held annually in different locations in Chisago County.
  Lead local agency – Chisago County

- Drinking Water Test Kits are available to citizens.
  Lead local agency – Chisago County Public Health
  Chisago Soil & Water Conservation District

Priority Concern: Implement Stormwater Management Standards and erosion control projects in developing areas, especially the Chisago Lakes Lake Improvement District.

- Center City, Chisago City, and Lindstrom have been selected as pilot communities to develop and implement Minimal Impact Design Standards in land use ordinances.
  Lead local agency – Local Communitie
  Chisago Lakes Lake Improvement District

- Stormwater Retrofit Assessments have been completed for the communities of Center City, Chisago City, and Lindstrom. As a result of the Assessments, numerous stormwater Best Management Practices are being installed.
  Lead local agency – Chisago Soil & Water Conservation District

- Shoreland Best Management Practices and lakeshore restorations are being installed within the Chisago Chain of Lakes.
  Lead local agency – Chisago Soil & Water Conservation District

- Prior to and during construction, inspections and assessments take place to ensure that conditions placed on plats are fulfilled, especially relating to erosion control, stormwater protection, and wetland compliance.
  Lead local agency – Chisago County

- The Chisago Lakes ditch and weir system is properly maintained to control water levels during high water events.
  Lead local agency – Chisago Lakes Lake Improvement District

Priority Concern: Provide information, education, and training on water quality concerns.

- The county wide Chisago Children's Water Festival takes place on an annual basis. Over 7,000 5th grade students have attended the festival over the past 10 years.
  Lead local agency – Chisago County
  Chisago Soil & Water Conservation District

- Each year, approximately 400 Septic System Owners Guides are mailed to owners of new homes or replacement systems.
  Lead local agency – Chisago County

- Twice each year, the Environmental Connections Newsletter is distributed to property owners throughout the county. Each issue has articles on water quality and environmental stewardship.
  Lead local agency – Chisago County

• At least once each year, Chisago Soil & Water Conservation District distributes a newsletter on natural resources throughout the county.
Lead local agency – Chisago Soil & Water Conservation District

• Frequently, Conservation Notes articles are submitted to local newspapers.
Lead local agency – Chisago Soil & Water Conservation District

• Chisago County is an active participant in the PICKM (Pine, Isanti, Chisago, Kanabec, Mille Lacs) Alliance of Lake and River Associations.
Lead local agency – Chisago County

• The PICKM Alliance of Lake & River Associations sponsors semi-annual education opportunities for lakeshore residents.
Lead local agency – PICKM Alliance of Lake & River Associations

• Non Point Education for Municipal Officials (NEMO) training events are offered to municipal officials within the Chisago Lakes watershed.
Lead local agency – Chisago Lakes Lake Improvement District

• In partnership with the Minnesota Department of Natural Resources, watercraft inspections and education on aquatic invasive species take place at public water accesses throughout the County.
Lead local agency – Chisago Lakes Lake Improvement District
Comfort Lake Forest Lake Watershed District

Priority Concerns to be Addressed

The following Priority Concerns have been adopted by the Chisago County Water Plan Policy Team and are addressed in this plan.

A Priority Concern is to protect the quality and quantity of groundwater used for drinking water.

A Priority Concern is the introduction or spread of aquatic invasive species and their negative effect on water quality, navigation, recreation, or fisheries.

A Priority Concern is septic systems that are failing, noncompliant, or an Imminent Threat to Public Health.

A Priority Concern is the influence of agricultural, rural, and urban land use practices on water quality.

A Priority Concern is that citizens and elected officials receive accurate and understandable information to make informed decisions.

A Priority Concern is to obtain sufficient resources to achieve goals established in the Water Plan.

Summary of Goals and Objectives

The table below is a summary of the estimated timeline and potential resources needed to fully implement the Water Plan. These estimates are for planning purposes only and are not intended to be a commitment by Chisago County or partner resource agencies. Detailed information on specific goals and objectives can be found in the appendix.

Table 3: Summary of Goals and Objectives Costs in dollars

	2014	2015	2016	2017	2018	Totals
Protect Quality & Quantity of Groundwater	20,500	45,500	45,500	60,500	60,500	**232,500**
Aquatic Invasive Species	70,000	85,000	85,000	85,000	85,000	**41,0000**
Non-compliant Septic Systems	196,000	196,000	176,000	176,000	176,000	**920,000**
Land Use Practices	1,960,500	1,963,000	1,863,000	1,853,000	1,823,000	**9,462,500**
Make Informed Decisions	110,000	130,000	160,000	140,000	140,000	**680,000**
Sufficient Resources	140,000	140,000	140,000	140,000	135,000	**695,000**
Totals	**2,497,000**	**2,559,500**	**2,469,500**	**2,454,500**	**2,419,500**	**12,400,000**

Figure 4: Summary of Five Year Estimated Cost of Goals and Objectives in Dollars

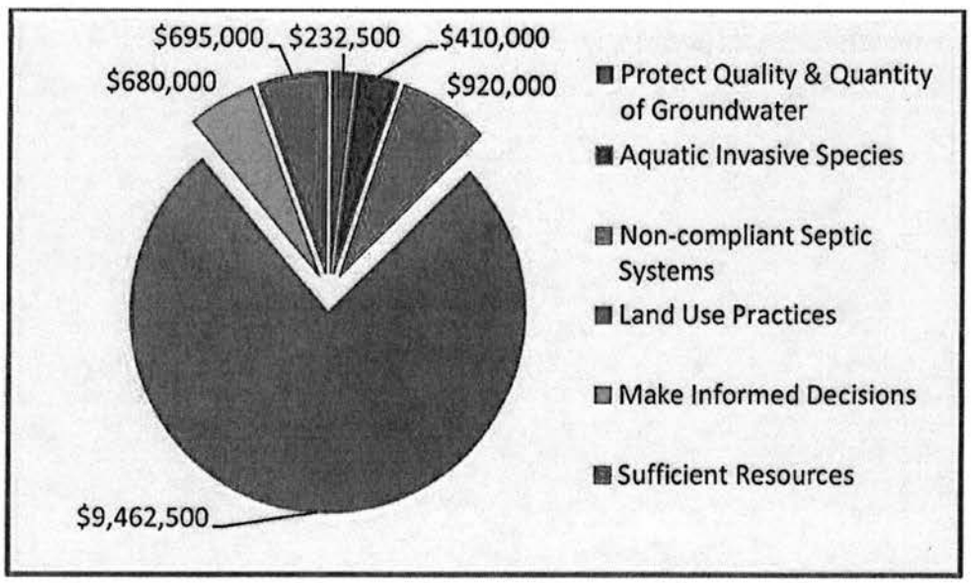
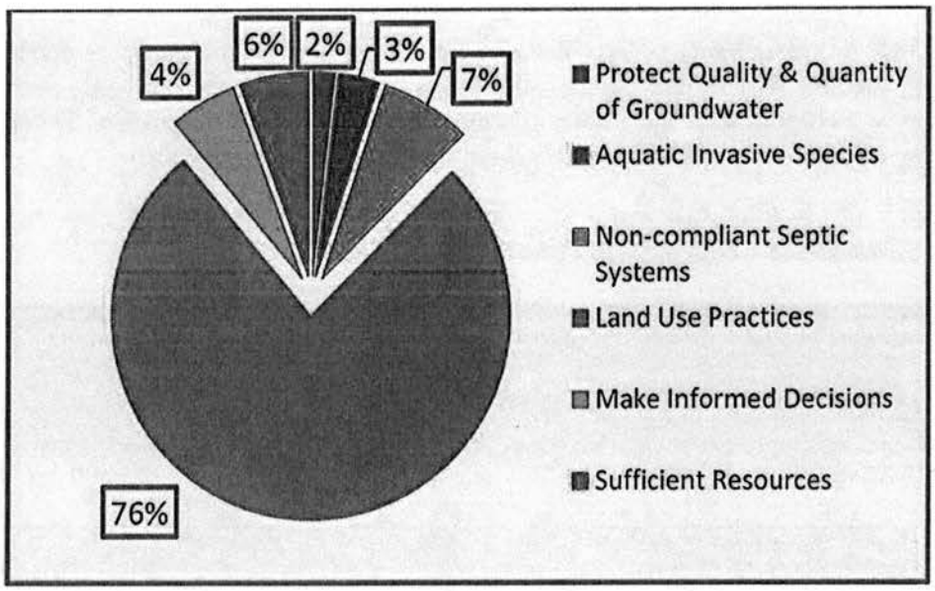


Figure 5: Summary of Five Year Estimated Cost of Goals and Objectives by Percentage



Participants in previous Water Plan activities have been very successful in obtaining state and federal resources for plan implementation. It is anticipated that this success will continue into the future.

Consistency of the Plan

The Chisago County Local Water Management Plan is consistent with other pertinent state, county, regional, and other local plans. There are no recommended amendments or potential conflicts with official controls at this time.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Coon Creek WD Watershed Management Plan

Meeting Date: August 29, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Metro Region

Contact: Mary Peterson

Prepared by: Mary Peterson

Reviewed by: Metro Region Committee(s)

Presented by: Metro Committee Member or Mary Peterson

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of the Coon Creek Watershed District Watershed Management Plan 2013-2023

LINKS TO ADDITIONAL INFORMATION

http://www.cooncreekwd.org/index.asp?Type=B_BASIC&SEC={1AFFF127-2A5C-42E3-A1C8-C2EF5E142016}&DE={47593761-F262-4ECB-B206-0385E1541A71}

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The Coon Creek Watershed District (CCWD) was established in 1959. This Watershed Management Plan (Plan) is the third generation plan required by the Metropolitan Surface Water Management Act (M.S. 103B) and the fourth required under the Watershed Act (M.S. 103D). The CCWD is located exclusively in Anoka County in the north-central portion of the Minneapolis – St. Paul seven county metropolitan areas. Six boundary amendments have occurred since the current Plan was approved in 2004. The CCWD now includes parts of seven cities; Andover, Blaine, Columbus, Coon Rapids, Fridley, Ham Lake and Spring Lake Park and covers approximately 107 square miles. It lies within the Anoka Lake Plain portion of the Anoka Sand Plain. The soils are primarily fine sands and the regional water table is very shallow. Population grew by 22% since 2010 and is projected to grow another 10% by 2020 to total approximately 180,000. Most of the land use changes have and will involve a conversion of agricultural and vacant land to development.

The CCWD conducted an open and meaningful public participation process in the development of the Plan. Public involvement entailed more than 25 meetings with partners and a spectrum of activities ranging from notifying the public about the planning process to working collaboratively and cooperatively to share ideas and develop plan components. In 2010 the District formed a Planning Advisory Committee (PAC). The CCWD boundary was amended to include part of the dissolved Six Cities WMO in December 2011 which led to a

major delay in the completion of the Plan. Because the merger occurred late in the planning process a revised involvement process was required which involved personal briefings and individual meetings to identify issues and concerns and review goals and objectives. The adjusted process relied heavily on the District's Technical Advisory Committee (TAC) and Citizen Advisory Committee member input and review through several meetings in 2012 and individual contacts.

The Plan is very comprehensive and includes resource goals, objectives and strategies. The Plan includes an Executive Summary and a Plan Summary that are useful information items that highlight the Plan. The mission goals are the primary focus of the District programs and activities and are drawn from their mission statement. For the period of 2013-2023, the District's focus will be on: 1. Preventing flooding; 2. Improving water quality in impaired or impacted waters; and 3. Maintaining and enhancing water quality in waters that are not impaired.

The issue goals are growing in importance as a result of current economic and demographic trends and in response to more recent legislative actions and mandates. During this Plan these issue goals will be: 1. aquatic invasive species (AIS); 2. changes in precipitation; and 3. the decline in surficial Groundwater and the effect on Groundwater dependent resources.

To pursue the specific goals and objectives, the CCWD has set in place strategies (program/cost-centers) in the areas of: administration, development regulation and issue management; operations and maintenance; planning, programing and budgeting; public and governmental relations; and research and monitoring.

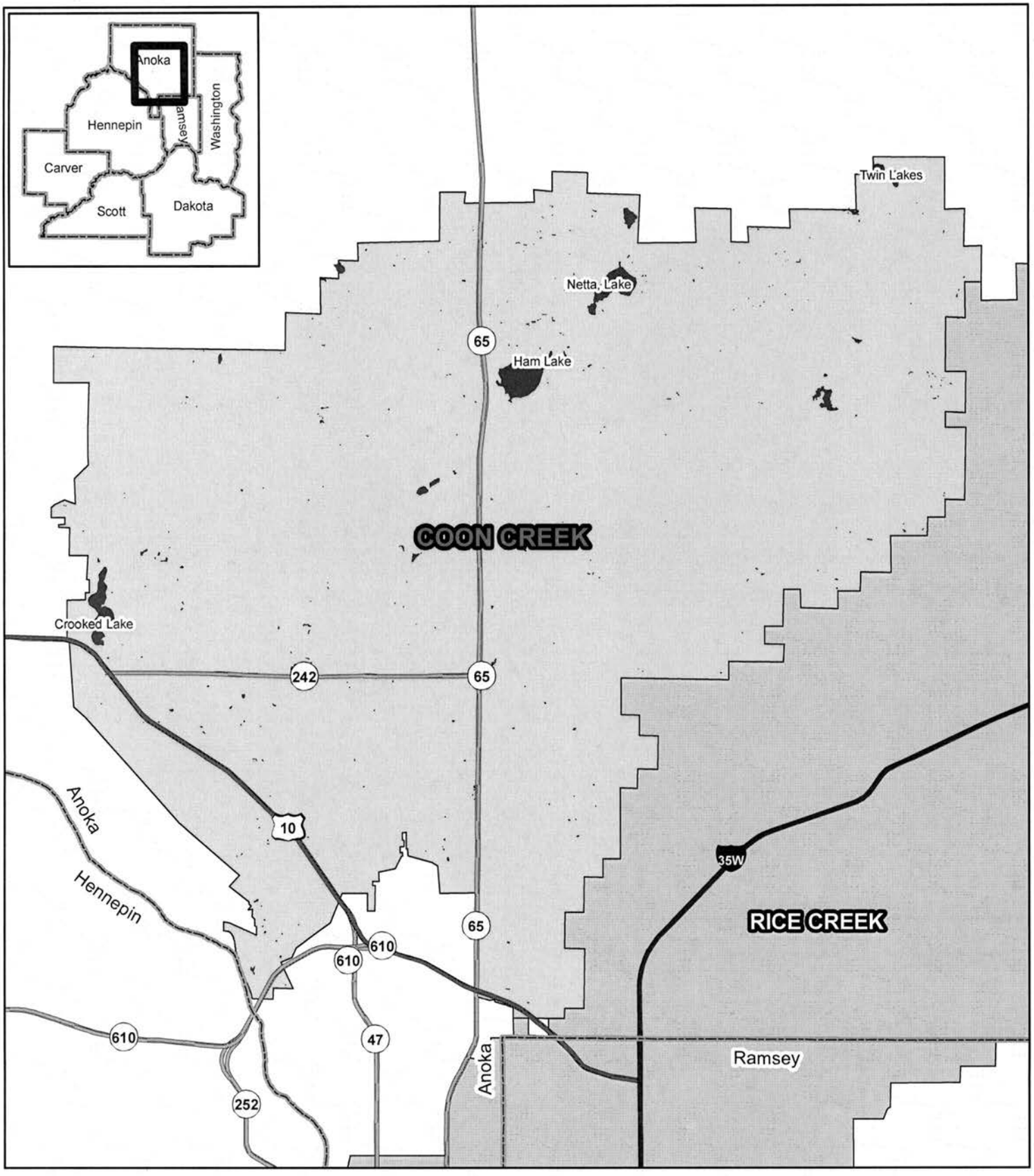
The implementation program includes priorities that focus on mission goals, includes targeted subwatershed/special management areas, has effective timelines and a budget of $13.2 million, and are organized around the categories of funding, programs (cost centers), policies and procedures, partnerships and collaboration, and capital projects with over $10 million proposed for new drainage/storm water, ditch/stream bank repair, retrofits, and studies/special management area plans.

The Plan lays out an evaluation process to measure performance based on an adaptive management process that is a refinement to the annual strategic planning done as part of the budget process. A one-page summary of the top ten highlights of the plan is attached for your information.

On June 4, 2013, the BWSR received the CCWD Plan Update and supporting information for final 90-day state review. State agency review comments were received from Met Council, DNR, and PCA during the 90-day review process. The CCWD responded to all comments received and incorporated appropriate revisions to the final draft. BWSR staff completed its review and found that it meets the requirements of the Metropolitan Surface Water Management Act (M.S. 103B) and the Watershed Act (M.S. 103D).

On August 12, 2012, the Metro Region Committee met with CCWD representatives and BWSR staff to review and discuss the Plan Revision. The Committee unanimously voted to recommend approval of the CCWD Plan Revision to the full Board per the attached draft Order.

Coon Creek Watershed District



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

In the Matter of the review of the Watershed Management Plan for the **Coon Creek Watershed District**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.	**ORDER APPROVING WATERSHED MANAGEMENT PLAN**

Whereas, the Board of Managers of the Coon Creek Watershed District (CCWD) submitted a Watershed Management Plan (Plan) on June 4, 2013 to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

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

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

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FINDINGS OF FACT

1. **Watershed District Establishment.** The CCWD was established in 1959. The Plan is the third generation plan required by the Metropolitan Surface Water Management Act, Minnesota Statutes Chapter 103B and the fourth required under the Watershed Act, Minnesota Statutes Chapter 103D.
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 27, 2004. The watershed management plan may be revised according to Minnesota Statutes Section 103B.231, Subd. 9.
3. **Nature of the Watershed.** The CCWD is located exclusively in Anoka County in the north-central portion of the Minneapolis – St. Paul seven county metropolitan area. The Sunrise, Upper Rum, and Lower Rum River Watershed Management Organizations border it to the north, the Mississippi River to the southwest and the Rice Creek

Watershed District to the south and east. Six boundary amendments have occurred since the current Plan was approved in 2004. The CCWD now includes parts of seven cities; Andover, Blaine, Columbus, Coon Rapids, Fridley, Ham Lake and Spring Lake Park covering approximately 107 square miles. It lies within the Anoka Lake Plain portion of the Anoka Sand Plain. The soils are primarily fine sands and the regional water table is very shallow. Population grew by 22% since 2010 and is projected to grow another 10% by 2020 to total approximately 180,000. Most of the land use changes have and will involve a conversion of agricultural and vacant land to development.

4. **Plan Development and Review.** The Plan was prepared in accordance with Minnesota Rules Chapter 8410 and Minnesota Statutes Chapter 103B. The CCWD conducted an open and meaningful public participation process in the development of the Plan. On October 22, 2012, the CCWD released a rough draft of the Plan for review. Over 240 comments were received. The Planning Advisory Committee and the Technical Advisory Committee (TAC) reconvened to review the plan and comments. In December 2012, the CCWD approved the draft Plan for review and comment as required under Minnesota Statutes Section 103B.231, Subd. 7. The draft Plan was distributed to 27 individuals and agencies on January 16, 2013 for the 60-day review and comment period. A public hearing was held on April 22, 2013. The Plan was revised to incorporate suggested changes and additions from the partners and state agency reviewers. The CCWD provided a written response to all comments. The draft Plan was submitted to the Board of Water and Soil Resources (BWSR) on June 4, 2012 for the official 90-day final review.

5. **Local Review.** The CCWD distributed copies of the draft Plan to local units of government for their 60-day review. Comments were received from the City of Coon Rapids (41 comments), RFC Engineering, Inc. (107), City of Spring Lake Park (9), Anoka Conservation District (27), Anoka County (5), City of Andover (3), and a citizen advisory member (3). The CCWD convened a TAC meeting to present, discuss, and incorporate these comments into the final draft. Written responses were sent to all those commenting during the 60-day review. A public hearing was convened on April 22, 2013 for the comments made on the draft Plan. The final draft Plan was submitted to BWSR on June 4, 2013 for the 90-day review and shows strikeouts and additions to the Plan as a result of the comments received.

6. **Metropolitan Council Review.** The Council commented on the CCWD's draft Plan during the 60-day comment period in a letter dated March 14, 2013, and stated they had no further comments on the Plan for the 90-day comment period. The Plan is consistent with Council policies, is detailed and comprehensive and should be an excellent framework to manage the water resources in the watershed.

7. **Department of Agriculture Review.** The MDA did not comment on the Plan.

8. **Department of Health Review.** The MDH stated that they did not have any comments for this plan revision.

9. **Department of Natural Resources Review.** The DNR provided comments during the 60-day review and the CCWD responded in writing to all comments. The MDNR provided comments during the 90-day review and the CCWD provided a written response. MDNR commented on placing more emphasis on conservation drainage approaches and natural channel design principals rather than just dredging and stabilizing with rip-rap. The CCWD agreed and will consider and facilitate construction of ditches where such design approaches facilitate the hydrologic performance for that segment of ditch, provided the cost can be adequately addressed. MDNR recommended including wetland restoration as a strategy to meet its goals. The CCWD is very interested in wetland restoration and will support as well as conduct wetland restoration where these is a reasonable chance of the restoration succeeding and able to be sustained.

10. **Pollution Control Agency Review.** The PCA did not provide comments during the 60-day review period. The MPCA provided comments during the 90-day review. Most of the comments were related to updating or correcting information. The MPCA stated that overall it was a very thorough report. MPCA suggested the CCWD consider monitoring lakes and wetlands for Chloride. The CCWD will review and begin the process to monitor for Chloride on the lakes within the District. MPCA also suggested a discussion on the status of septic systems in the watershed. The CCWD responded that there is a discussion of the occurrence of the MUSA line within the District in the assessment. If the request is an inventory of the condition of the drainage fields the CCWD will not be doing that at this time. This issue was never raised at any point during the planning process. However, the CCWD will consider septic systems in the 2013-2015 study of the effects of declining surficial ground water on ground water driven surface water resources.

11. **Department of Transportation Review**. The MDOT did not comment on the Plan.

12. **Board of Water and Soil Resources Review.** BWSR staff provided written comments during the 60-day review. Staff found the Plan to be very comprehensive and includes resources goals, objectives and strategies. The comments focused on plan structure to provide useful implementation and to allow clarity and focus for partnering cities, agencies and the general public. BWSR staff met with CCWD staff to review comments and discuss Plan highlights, priorities and edit revisions. Staff also attend attended the TAC meeting where the CCWD staff presented all the comments for partner discussion and input. All comments submitted were thoughtfully considered and responded to by the CCWD.

13. **Plan Summary and Highlights.** The Plan is a very comprehensive and includes resource goals, objectives and strategies. The Plan includes an Executive Summary that contains highlights from the Plan. It also includes a Plan Summary that is a more concise information piece of the larger Plan to better inform the public and help guide local policy makers, LGUs and agency resource partners during the implementation of the Plan.

The Mission Goals are the primary focus of the District programs and activities and are drawn from their mission statement. For the period of 2013-2023, the District's focus will be on:

1. Preventing flooding
2. Improving water quality in impaired or impacted waters
3. Maintaining and enhancing water quality in waters that are not impaired.

The Issue Goals are growing in importance as a result of current economic and demographic trends and in response to more recent legislative actions and mandates. During this Plan these issues will be:

1. Aquatic Invasive Species (AIS)
2. Changes in Precipitation
3. The decline in surficial Ground water and the effect on Ground water dependent resources.

The implementation priorities are the focused mission goals, include targeted subwatershed and special management areas, and are organized around these categories:

1. Funding
2. Programs (Cost Centers),
3. Policies and Procedures
4. Partnerships and collaboration
5. Capital Projects – Propose over $10M CIP for new drainage and storm water projects, ditch and streambank repair, retrofits, and studies and special management area plans.

The Plan lays out an evaluation process to measure performance based on an adaptive management process that is a refinement to the annual strategic planning done as part of the budget process.

14. **Metro Region Committee Meeting.** On August 12, 2013, the Board's Metro Region Committee and staff met with representatives from the CCWD to review and discuss the Plan. Those in attendance from the Board's Committee were Rebecca Flood, Faye Sleeper, Jack Ditmore and Joe Collins, chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationists Mary Peterson and Brad Wozney. The representatives from the CCWD were Tim Kelly, Administrator, Dawn Doering, Information and Education Coordinator, and Michelle Ulrich, Attorney. Board

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staff recommended approval of the Plan. After discussion, the Committee unanimously voted to recommend approval of the 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 Coon Creek Watershed District pursuant to Minnesota Statutes Section 103B.231, Subd. 9.
3. The Coon Creek Watershed District Watershed Management Plan attached to this Order defines water and water-related problems within the District's boundaries, possible solutions thereto, and an implementation program.
4. The attached Watershed Management Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Plan, dated 2013-2023, as the Coon Creek Watershed District Watershed Management Plan.

Dated at Two Harbors, Minnesota this 29th day of August, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

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Executive Summary

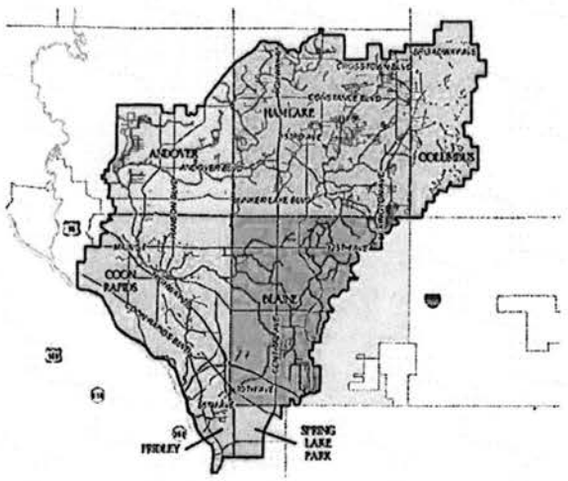
Coon Creek Watershed District 2013 to 2023 Comprehensive Watershed Management Plan

Background

The Coon Creek Watershed District is a special purpose unit of government created in 1959 pursuant to the Watershed Law (Minnesota Statutes 103D). This Comprehensive Watershed Management Plan is the third generation plan required by the Metropolitan Surface Water Management Act (M.S. 103B) and the 4th fourth required under the Watershed Act (M.S. 103D). The plan is the product of more than 25 meetings with citizens, elected and appointed officials and water resource professionals over a 24 month period.

The Coon Creek Watershed District (District) is 107 square miles in size and is located on the northern edge of the Twin Cities Metropolitan Area. The District is located entirely within Anoka County and includes parts of seven cities:

City	Square Miles	% of District	% of City in CCWD
Andover	15	14%	43%
Blaine	22	21%	64%
Columbus	11	10%	23%
Coon Rapids	22	21%	99%
Fridley	2	2%	21%
Ham Lake	33	30%	90%
Spring Lake Park	2	2%	68%
Total	107	100%	



District Mission

To manage groundwater and the surface water drainage system to prevent property damage, maintain hydrologic balance, protect water quality for the safety and enjoyment of citizens, and the preservation and enhancement of wildlife habitat.

Mission Goals

Mission Goals are the primary focus of District programs and activities. They distill the various legislative mandates as they apply to the watershed. These goals, as drawn from the mission statement are:

1. To prevent property damage from flooding, erosion or degraded water quality.
2. To ensure balance between inflow, outflow and storage of water.

3. To ensure that water is protected from contamination.
4. To provide for a variety of beneficial uses including the safety and enjoyment of the watershed's residents.
5. To preserve and enhance wildlife.

Immediate Concerns

At this time, the District's focus will be on:

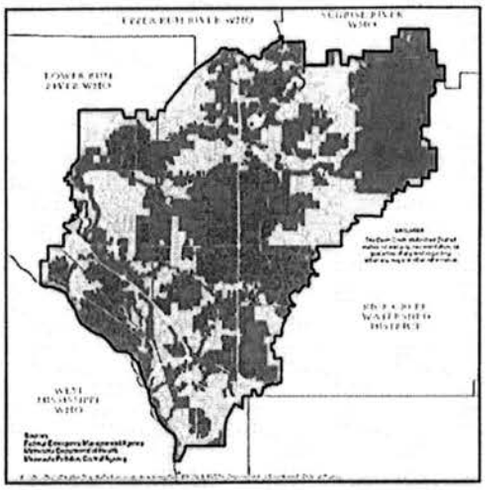
1. Preventing flooding
2. Improving water quality in impaired or impacted waters
3. Maintaining and enhancing water quality in waters that are not impaired.

Goal 1: To prevent property damage from flooding, erosion or degraded water quality

Three types of property damage are of concern to the District:

1. Damage to life and safety
2. Structural Damage
3. Functional or Operational Damage

In 2010 the watershed contained 21,943 acres of flood-prone land with a market value of $3.6 to 2.7 billion dollars. In addition, the District includes approximately 1,000 parcels valued at $283 million where the quality of the adjacent lake waters is critical to property values.



Goal 2: To ensure balance between inflow, outflow and the storage of water ~~and encourage a productive landscape~~

Hydrologic balance involves accounting for the inflow to, outflow from, and storage in a hydrologic unit such as a drainage basin, aquifer, soil zone, lake or reservoir, the relationship between evaporation, precipitation, runoff, and the change in water storage. Water balance is used to help manage water supply and predict where there may be water shortages or flooding.

Within the Coon Creek Watershed emphasis has been placed on the components and characteristics of streamflow. This is because sources, quantity and distribution of streamflow and any changes that may result from future development have direct impacts on downstream water quality and quantity.

Nine variables influence the water balance of the watershed:

1. Drainage area
2. Disposition of land uses
3. Total precipitation
4. Total loss to evaporation
5. Total streamflow

6. Changes in soil moisture storage
7. Changes in groundwater storage
8. Changes in depression storage
9. Groundwater flux

Goal 3: To ensure that water is protected from contamination

Runoff from various land uses and construction sites can carry sediment and other pollutants to water bodies within the District. Sediment and pollution can clog sewers and ditches and pollute creeks, streams and lakes. Pollutants can limit the use of water and waterways for beneficial purposes, promote the growth of undesirable aquatic life, and are difficult to remove.

Water quality goals and standards apply to a variety of water resources. Within the Coon Creek Watershed those resources and the amount within the watershed are:

Resource	Amount	Unit
Streams and Ditches	250	Miles
Deep Lakes (>12 Ft)	347	Acres
Shallow Lakes & Wetlands (<12 Ft)	15,508	Acres
Trout Lakes	29	Acres

In 2006 the Minnesota Pollution Control Agency (MPCA) listed Coon Creek, Sand Creek, Pleasure Creek and Springbrook Creek as biologically impaired and reported to the U.S. Environmental Protection Agency as required. In 2011, the MPCA ~~M~~monitored Coon Creek for bacteria and found that the creek exceeded the State standard of 126 organisms/100 ml. The sampling was conducted as part of the Upper Mississippi River Bacteria TMDL study.



GOAL 4: To provide for a variety of beneficial uses including the safety and enjoyment of the watershed's residents

"Beneficial uses" are the uses that water and related land resources provide for people. The U.S. Environmental Protection Agency (EPA), which administers the Clean Water Act, uses a related term "designated uses." Five 'Beneficial Uses' occur within the Coon Creek Watershed.

1. Drinking Water
2. Aquatic Life and Recreation
3. Industrial Consumption
4. Agriculture and Wildlife
5. Aesthetic Enjoyment And Navigation

The ability to provide a variety of beneficial uses depends on the quality and health of the watershed. Watershed health is the capacity of the landscape to sustain plant and animal productivity, maintain or enhance water quality and support human health and habitation.

The District approaches watershed health on a performance basis by seeking to ensure that changes in runoff rates and volumes and water quality do not interfere with established land uses or other beneficial uses

by ~~either~~ exceeding the capacity of the system to convey water or assimilate pollutants ~~or channel to convey water or the design capacity of the ditch to remove soil water to ensure agricultural drainage~~.

Goal 5: To preserve and enhance wildlife

The District efforts to preserve and enhance wildlife will focus on wildlife habitat, endangered and threatened species, riparian lands and the control of animal damage.

Sustaining plant and animal habitat will focus on active management of vegetation. Preserving endangered and threatened species will involve coordination with the MDNR and the state rules governing those species.

Control of animal damage, primarily beaver and dam removal will remain an ongoing activity.

Issue Goals

There are three major issues facing water resource management in the Coon Creek Watershed:

1. Aquatic Invasive Species (AIS)
2. Changes in Precipitation
3. The decline in surficial Groundwater and the effect on Groundwater dependent resources

ISSUE: Aquatic Invasive Species

Issue Statement: There are many introduced species that can wreak havoc on the ~~District's~~ Watershed's environment and economy. ~~Those species that cause harm and spread quickly from their point of introduction are often called "invasive." For these species, a single individual may produce thousands of seeds, masses of larvae or reproduce from nothing bigger than bits of stems, roots or leaves. Those that live in or near the water—aquatic invasive species—can be easily dispersed to distant water bodies or new ecosystems by currents, river flows, streams, floods and other water flows.~~

~~Invasive species arrived in Coon Creek via 'vectors'. Vectors are the pathways (the means or agents of transport from one place to the next) They~~ Vectors can include boats fishing and ~~gear,~~ diving gear, bait, aquariums, wildlife, pets and water gardens.

~~Plants can produce thousands of seeds, which may be carried by wind, water, animals or human activities. Some aquatic plants can reproduce vegetatively, with small bits of leaves, stems or roots resulting in new plants.~~

Management efforts have begun to focus on vectors, rather than species. On a general level, invasive species management involves five basic strategies, often in combination:

1. Prevention
2. Early Detection & Monitoring
3. Rapid Response & Eradication
4. Long-Term Control & Management
5. Education & Outreach

~~Choosing management approaches within this framework depends on the nature of the invader. Some invaders such as the Asian carp, specifically bighead carp and silver carp, are increasing their range up the Mississippi River. A management response focused on monitoring, education and early detection would be the most appropriate.~~

~~Other invaders such as curly leaf pond weed (Potomogeton crispus) and Eurasian watermilfoil (Myriophyllum spicatun) are so well established, that eradication may be~~

~~infeasible and ongoing chemical or mechanical removal is selected to minimize the harmful effects of the infestations.~~

~~Still others, such as Zebra mussels (Dreissena polymorpha), may present no management option whatsoever since there appears to be no environmentally acceptable way to treat or remove widespread benthic invertebrates in open waters at this time.~~

There are currently eight aquatic invasive species in the watershed. Some of these species are considered aquatic because they exist in wetlands.

Invasive Plant Species:

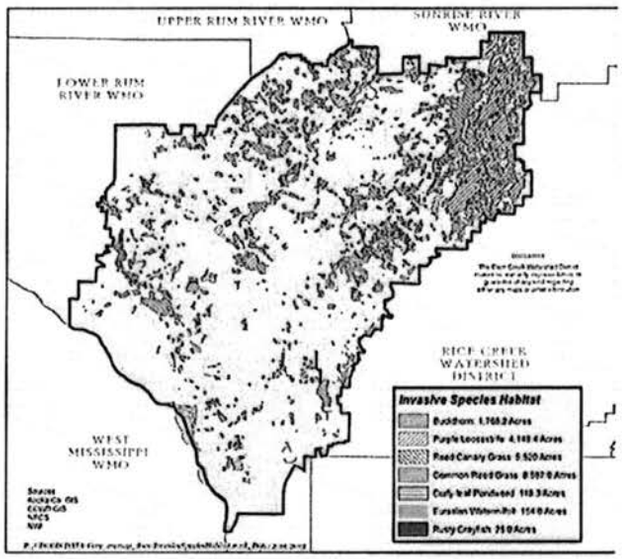
1. Eurasian watermilfoil (Myriophyllum spicatum)
2. Curly-leaf pondweed (Potamogeton crispus)
3. Flowering rush (Butomus umbellatus)
4. Reed Canary Grass (Phalaris arundinacea)
5. Purple loosestrife (Lythrum salicaria)
6. Buckthorn (Rhamnus frangula)
7. Common Reed grass (Phragmites australis subsp. australis)

Invasive Animal Species:

8. Rusty crayfish (*Orconectes rusticus*)

Invading Species of Concern

- Zebra Mussels (Dreissena polymorpha)



~~Species of concern include Zebra Mussels~~

GOALS:

1. **To minimize the harmful ecological, economic and human health impacts of aquatic invasive species (AIS).**

2. **To be proactive in aquatic invasive species management through education and projects that improves lake and stream water quality and/or reduces the risk of entry of invasive species.**

3. **Control the spread of AIS and minimize their impacts on native habitats and species.**

ISSUE: ~~Climate~~Changes in Precipitation

Issue Statement: Weather extremes pose a challenge to water and related land management. Recent episodic events such as drought, high intensity mini-storms, and weather variations can damage soil, water, and lead to a general scarcity of water.

There are ~~three~~ four critical issues regarding ~~climate~~ changes in precipitation:

1. How increasing hydrologic variability may affect water supply and demand and stormwater collection and treatment.
2. How changes in climatic patterns potentially may impact the watershed in the coming century.
3. How increasing hydrologic variability (e.g., wetter wet seasons and drier dry seasons) will pose challenges to the ~~District~~ watershed.
4. How changes in precipitation frequency and/or intensity will affect local floodplain management programs and the operation, maintenance and performance of the stormwater treatment systems and best management practices.

GOALS:

1. **To gather and disseminate weather data and climatic information, and provide meteorological expertise in support of Watershed ~~District~~ water and related resource management decisions and weather related management activities.**

2. **To ensure validity, integrity, and utility of weather information provided for Watershed ~~District~~ use.**

3. **To provide precipitation frequency estimates for the Coon Creek Watershed**

ISSUE: Declining Regional Surficial Groundwater and the Effect on Groundwater Dependent Resources

Issue Statement: Groundwater ~~within the Watershed~~ is a major contributor to base flow in the watershed and it strongly influences plant and animal species in riparian areas, lakes, and wetlands. It also provides drinking water to individuals and communities within the watershed.

GOALS:

1. **To manage Watershed ~~District~~ water resources for multiple-uses by balancing present and future resource use with domestic water supply needs.**

2. **Manage Groundwater dependent ecosystems under the principles of multiple use and sustainability, while emphasizing protection and improvement of soil, water and vegetation, particularly because of effects upon aquatic and wildlife resources.**

Implementation

Implementation priorities are:

1. Preventing flooding
2. Improving water quality in impaired or impacted waters
3. Maintaining and enhancing water quality in waters that are not impaired.

Implementation will use the adaptive management process. The process is a refinement to the annual strategic planning done as part of the budget process.



Implementation will involve five factors:

1. Funding
2. Means and Methods
3. Programs (Cost Centers)
4. Policies and Procedures ~~Principles and Standards~~
5. Partnerships and Collaboration

FUNDING

Implementation will rely on property taxes as the primary source of revenue. Revenues will be augmented through special assessments and grants where available and appropriate.

The direct financial burden on watershed residents has been moderated by securing grant or cost-share funds. The participation of volunteers in the District's programs and projects also helps to reduce the levied costs.

Revenue sources will be evaluated according to the principles of:

1. Administrative efficiency,
2. Equity,
3. Fiscal balance.

MEANS AND METHODS

The district mission and operation is complex and requires a variety of knowledge, skills and abilities. The District will consider alternative ways of doing business using:

1. District Staff
2. Consultants
3. Volunteers
4. Contracts
5. Grants
6. Cooperative Agreements
7. New Equipment & Technology
8. Work Standards

PROGRAMS

The District operates six programs as ~~These programs are~~ the primary delivery mechanism ~~and are used~~ for both allocating personnel and forecasting the knowledge skills and abilities of District staff and professional services. These programs are also the context within which the District evaluates its work methods and use of technology. The programs are:

1. **Administration**: implements the approved policies of the Board of Managers, administers the financial affairs of the Coon Creek Watershed District, ensures the accountability of public funds, and serves the District financial needs.
2. **Development Regulation and Issue Management**: evaluates, permits, and monitors plans and programs affecting the water and related land resources of the District in an orderly and informed fashion
3. **Operations and Maintenance**: plans, designs, constructs and maintains the public ditch system and water control structures, and preserves the location, character, and extent of the District ditch and conveyance system.
4. **Planning, Programming and Budgeting**: coordinates the planning, prioritizing, and financing of District programs and activities.
5. **Public and Governmental Relations**: ensures that the continuing planning and management of the Coon Creek watershed is responsive to the needs and concerns of an informed public and to coordinate policies and programs of the local, state, and federal government agencies to achieve consistency with the plan.
6. **Research and Monitoring**: gathers and analyzes data that will result in increased efficiency and effectiveness of

watershed management and District programs.

POLICIES AND PROCEDURES

Implementation will emphasize the functioning of natural systems and landscape (biogeochemical) processes, especially the hydrologic system.

Management means preserving the capacity to function, yet allowing use compatible with that functioning.

Policies and Procedures have been developed for:

1. Ditches and Water Courses
2. Floodplains
3. Groundwater
4. Soils
5. Stormwater and Hydraulics
6. Water Quality, Soils & Erosion Control
7. Wetlands and Water Bodies
8. Wildlife – Areas of endangered/ threatened/ special concern plants and animals

Between 2013 and 2023, the District will evaluate policies and procedures for:

1. Aquatic Invasive Species
2. Climate and Precipitation Change
3. Groundwater dependent resources
4. Nuisance wildlife and animal damage such as beaver
5. Fishery Management
6. Aquatic Life
7. Bacteria
8. Total Suspended Solids
9. Storm Water Volume Management
10. Aesthetics
11. Irrigation

PARTNERSHIPS AND COLLABORATION

All ~~of these~~ projects and activities in this plan occur within one or more of the cities in the watershed. Efficiently and effectively accomplishing projects depends on partnerships and collaboration with the cities and Anoka County.

To integrate water resource management with other resource management in the Watershed, the District will:

- Actively coordinate its water resource protection, development, and improvement programs with other similar programs of local, state and Federal agencies.
- Seek to assess the effectiveness of water management efforts within the watershed in meeting legislative mandates, such as those pertaining to pollution control.
- Plan and execute a coordinated program of water resource development to maximize public benefits within the Watershed.

CAPITAL PROJECTS

The Comprehensive Plan proposes $10.4 million in capital projects between 2013 and 2023. The Capital Improvement Program (CIP) follows the following policies:

1. A Capital Improvement Plan (CIP) will be developed for a period of ten (10) years
2. The most current year of the CIP will be incorporated into the current year operating budget
3. The CIP will be reviewed and updated annually. Years two through ten are for planning purposes only.
4. The District will seek to maintain physical assets to protect the District's capital investment and to minimize

future maintenance and replacement costs.
5. The District will provide maintenance and replacement from current revenues where possible.

CIP adoption involves a collaborative review by the Cities, Anoka County, the Citizen Advisory Committee and all interested citizens.

The major expenditure categories identified in the CIP include, but are not limited to:

1. New drainage, stormwater or water quality facilities
2. Ditch and Streambank Repair, Maintenance or Reconstruction
3. Capital Improvement or Retrofits to Existing Facilities
4. Capital Equipment (To be determined through normal budgetary process)
5. Studies and Special Area Management Plans

Plan Evaluation

Evaluation of plan implementation will be accomplished through

1. Daily control over operations,
2. Monthly (Staff) Activity Reports
3. Water Monitoring & Atlas System (WMAS)
4. Asset Knowledge/ Infrastructure Database
5. Annual Reporting to BWSR and MPCA on activities
6. Annual audit of financial affairs

Conflict of Interest Disclosure Form
for Board Members

Grant Program: **Feedlot Water Quality Cost Share Grants Program Authorization**

Name of Review Group: **Grants Program & Policy Committee**

Before any review of grant applications, the chair of the meeting shall make this statement about conflict of interest:

Chair Statement: *"A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today's business."*

This form gives grant application reviewers an opportunity to disclose any actual, potential or perceived conflicts of interest that may exist during a grant review process. It is the grant reviewer's obligation to be familiar with the Office of Grants Management (OGM) Policy 08-01, Conflict of Interest Policy for State Grant-Making, and to disclose any conflicts of interest accordingly. All grant reviewers *must* complete and sign a conflict of interest disclosure form. On the form, the grant reviewer must identify any grant applicant with which they have an actual, potential or perceived conflict, although they do not need to provide the reason for the conflict on the disclosure form.

A disclosure does not automatically result in the grant application reviewer being removed from the review process.

Please read the definitions of conflict of interest below and mark the appropriate boxes that pertain to you and your status as a reviewer of applications for this grant program.

Conflicts of interest may be actual, potential, or perceived:

ACTUAL CONFLICT OF INTEREST:
An actual conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.

POTENTIAL CONFLICT OF INTEREST:
A potential conflict of interest may exist if a grant reviewer has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests.

PERCEIVED CONFLICT OF INTEREST:
A perceived conflict of interest is any situation in which a reasonable third party would conclude that conflicting duties or loyalties exist.

At a minimum, all internal parties who are involved in the grant review or grant management process must be made aware that an actual, potential, or perceived conflict has been disclosed and evaluated, even if it is not serious enough to remove or reassign the employee or grant reviewer. After reviewers have signed the conflict of interest form, therefore, the conflicts--if any--that have been disclosed shall be announced to the reviewing body as a whole. Disclosed conflicts and their resolution will also be noted in the meeting minutes, and the forms will be kept as documentation of the grant review.

As a grant reviewer, I certify that I have read and understand the descriptions of conflict of interest explained above and in OGM Policy 08-01. Check either box 1a or 1b **and** either box 2a or 2b.

☐ 1a. I have reviewed the list of applicants, and I do not have any conflicts of interest relating to this program's grant applicants or proposed projects.

☐ 1b. I have an ACTUAL, POTENTIAL, or PERCEIVED conflict of interest with the applicant(s) listed below. (Note: If you disclose a conflict, you must identify the applicant on this form, but a description is discretionary. Under Minnesota Statute 13.599, this form is considered public data.)

Applicant	Type of Conflict (ACTUAL, POTENTIAL, or PERCEIVED)	Description of Conflict (optional)

☐ 2a. After reviewing this form and OGM Policy 08-01, I CHOOSE to participate in this review process.

☐ 2b. After reviewing this form and OGM Policy 08-01, I CHOOSE NOT to participate in this review process. I will avoid discussing the applicant and/or applications from organizations with which I have disclosed a conflict of interest with other reviewers.

Reviewer's printed name: _____

Reviewer's signature: _____

Date: _____

Reviewer's Organization/Agency: _____

Revised, 5/13

COMMITTEE RECOMMENDATIONS
Grants Program & Policy Committee

1. Erosion Control and Water Management Program Policy Amendments – Dave Weirens – ***DECISION ITEM***

2. FY2014 Clean Water Fund and Competitive Grants Program: Policy and Request for Proposals – Dave Weirens - ***DECISION ITEM***

3. Cooperative Weed Management Area Program Authorization – Wayne Zellmer – ***DECISION ITEM***

4. Feedlot Water Quality Cost-Share Grants Program Authorization – Dave Weirens – ***DECISION ITEM***

5. Disaster Response Assistance Program Policy – Wayne Zellmer – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Approval of Amendments to the Erosion Control and Water Management Policy**

Meeting Date: August 29, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☒ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Land and Water

Contact: Dave Weirens

Prepared by: Dave Weirens

Reviewed by: Grant Program and Policy Committee(s)

Presented by: Dave Weirens

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Adopt the recommendation of the Grant Program and Policy Committees to adopt amendments to the Erosion Control and Water Management Program Policy adopted on October 24, 2012.

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The Board adopted the Erosion Control and Water Management Program Policy on October 24, 2012 effective for FY2014 Cost Share grants. At this meeting staff were directed to further evaluate the policy provisions related to practices that address water quantity problems due to altered hydrology. During this work staff recommended additional changes. In addition, appropriations and changes to 103C.501 were enacted that required development of additional changes to the Policy.

Minnesota Board of Water & Soil Resources

Resolution # _____

Amend the Erosion Control and Water Management Program Policy

WHEREAS, the Board of Water and Soil Resources is authorized by Minnesota Statutes 103C.501 to adopt rules and policies to implement the Erosion Control and Water Management Program (Cost Share); and

WHEREAS, the Board adopted the Erosion Control and Water Management Program Policy on October 24, 2012, during this deliberation staff were directed to address concerns regarding how the policy provides direction on the implementation of "activities that address water quantity problems due to altered hydrology"; and

WHEREAS, appropriations for the Cost Share Program and amendments to 103C.501 were enacted as a result of the 2013 Legislative session; and

WHEREAS, comments were invited from soil and water conservation districts on the proposed policy changes on April 30, 2013 and June 19, 2013; and,

WHEREAS, the Board's Grants Program and Policy Committee met on April 24, 2013, May 22, 2013 and August 9, 2013 to review potential changes to the draft policy; and

NOW THEREFORE BE IT RESOLVED, the Board of Water and Soil Resources hereby adopts amendments to the Erosion Control and Water Management Program Policy as identified on the attachment.

_____ _____

Brian Napstad, Chair Date

Attachments:

- Draft Erosion Control and Water Management Program Policy

Erosion Control and Water Management Program Policy

(commonly known as the State Cost Share Program)

Table of Contents

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3.0 Technical and Administrative Components 2

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7.0 Practice Sign-off and Payment 5

8.0 Post-Construction and Follow-Up Activities 6

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10.0 BWSR Program Monitoring, Closeout, and Penalty Procedures 7

11.0 Conservation District Cost-share Program Policy 8

1.0 Purpose

The Erosion Control and Water Management Program, commonly known as the State Cost Share Program, was created through Minnesota Statutes, §103C.501 to provide funds to Soil and Water Conservation Districts (Districts) to share the cost, with the land occupier, of conservation practices for erosion control, sedimentation control, or water quality improvements that are designed to protect and improve soil and water resources. The purpose of this policy is to provide clear expectations for the implementation of funds appropriated to BWSR associated with the Erosion Control and Water Management Program.

District boards and staff are responsible for the administration and decisions concerning the local use of these funds in accordance with: Minnesota Statutes, chapter 103C.501; Minnesota Administrative Rules, chapter 8400; BWSR policies; and all other applicable laws. BWSR will use grant agreements as contracts for assurance of deliverables and compliance. Willful disregard of relevant statutes, rules, and policies may lead to imposition of financial penalties on the grant recipient.

Funds are allocated by BWSR based on the following minimum criteria to districts that have fully complied with all program rules and policies:

- Extent of high priority erosion or water quality problems in the district, as indicated in the district comprehensive and annual plans or their equivalent.
- Priorities for the control of soil erosion or water quality problems as established by BWSR.
- Historic success of the district in applying conservation practices.

- Ability of the district to expend the funds in a timely manner.
- Legislative appropriation.

BWSR will allocate ~~at least 70 percent of~~ the cost-sharing funds available to districts in the form of grants for conservation practices addressing high priority erosion, sedimentation, or water quality problems. ~~The remaining cost-share funds may be allocated by the board to districts for conservation practices for lower priority erosion, sedimentation, or water quality problems and for technical and administrative assistance or to carry out special projects or programs, except not more than 20 percent of the total funds may be allocated for technical and administrative services.~~ The limitation on the use of cost-sharing funds for technical and ~~administration~~ and administrative expenses ~~services may be modified~~ is governed as provided in 3.1 of this policy.

2.0 Eligible Activities

The primary purpose of activities funded with Erosion Control and Water Management funds is to assist with structural or vegetative practices to correct existing problems. Specific preventative practices may also be allowed through policy or appropriation.

2.1 Practice Standards. All practices must be consistent with the NRCS Field Office Technical Guide (FOTG) or professionally accepted engineering or ecological practices. Design standards for all practices must include specifications for operation and maintenance for the life of the given practice, including an inspection schedule and procedure. Practices where runoff or sediment from the contributing watershed prevents the practice from achieving the intended purpose with normal operation and maintenance are ineligible. Vegetative practices must follow the BWSR Native Vegetation Guidelines.

2.2 Effective Life. All practices must be designed and maintained for a minimum effective life of ten years. The beginning date for a practice's effective life is the same date final payment is approved and the project is considered complete.

2.3 Repair of Damaged Practices. Repair of damage to a conservation practice is eligible if the practice was installed using approved standards, damage was caused by reasons beyond the control of the land occupier, and damage or failure of the practice was not due to improper maintenance or removal of the practice within the effective life.

2.4 Practices that Address Water Quantity Problems Due to Altered Hydrology. The primary purposes of these types of practices is to apply conservation practices on drainage or conveyance systems to (a) improve water quality, and (b) reduce surface and/or subsurface peak flows and volumes that contribute to water quality problems. Practices that do not have water quality as a primary purpose are *ineligible.*

2.5 Ineligible Practices. Incentive payments for ongoing maintenance, writing of conservation plans, payments to adopt land management practices such as tillage or residue management, payments ~~to cover~~ for crop damage during construction, payments to repair or install septic systems, payments for easements, practices installed for energy conservation and snow protection and/or feedlot expansions are not allowable practices with these funds. See 2.4 for ineligible practices that address water quantity problems due to altered hydrology.

3.0 Technical and Administrative Components

Erosion Control and Water Management funds may be used for technical and administrative expenses.

3.1 Technical and Administrative (TA) Expense. The BWSR Board has established the ~~maximum~~ amount allowed for TA expenses to be twenty percent (20%) of the total grant as provided in 1.0 of this policy. Amounts used for TA must be documented as an actual expense. Remaining funds must be provided as cost share to achieve the purpose of these funds, unless otherwise indicated in specific appropriation language. Districts may use ~~up to 100%~~ more than 20% of the grant for TA if a request for such use is approved by the Board Conservationist based on a) or b) below:

a) ~~Federal funds~~ Other nonstate funds, will be leveraged and the district couldn't do the project otherwise, or
b) Funds are used on a project that is State Cost Share Program or EQIP eligible and the district's most recent Financial Report indicates less than an 18-month fund balance.

3.2 TA Activities. Activities eligible for TA include the following: grant administration, staff training to maintain appropriate technical approval authorities or licenses, site investigations and assessments, design and cost estimates, construction supervision, and inspections.

4.0 Cost Share Rates

Cost share rates represent the percent of the installation cost of a practice that may be provided to a land occupier for materials and labor necessary to install the practice. The BWSR Board establishes cost share rates through policy and implements these rates through grant agreements with Districts.

4.1 Maximum Rates. For the Erosion Control and Water Management Program, the BWSR Board has established the maximum cost share rate to a land occupier for installation of a practice at seventy-five percent (75%) of the installation cost, except for unused well sealing ~~and practices installed for energy conservation and snow protection~~ which ~~are~~ is established at fifty percent (50%).

4.2 Match and In-Kind. A land occupier may provide the remainder of the installation cost through services, in-kind, or non-state or non-federal funds. The District board shall determine whether charges for in-kind services and materials are practical and reasonable. Standard rates for in-kind services should be identified in the district's cost share program policy.

4.3 Local Rates. Prior to receiving any applications from land occupiers, district boards may set different cost share rates up to the maximum identified in BWSR policy. These rates should be identified in the District's cost share program policy.

5.0 Technical Expertise

The District Board and staff have the responsibility to ensure that the designated technical staff have the appropriate technical expertise, skills and training for their assigned role(s). Appropriate technical expertise may include, but is not limited to, the following: conservation partnership Technical Approval Authority, professional licensure, reputable vendor with applicable expertise and liability coverage, or other applicable credentials, training and/or expertise.

5.1 Staff Skills. A description of staff skills, training, or credentials; or a description of other means the District will use to insure projects meet the requirements of this policy and are installed and maintained according to the standards and specifications of the practice(s) must be included in the District's cost-share program policy.

5.2 BWSR Review. BWSR reserves the right to review the licensure and credentials of all technical staff selected by the District where appropriate.

6.0 Expenditure of Funds on Practices and Contracts

BWSR finds that the District Board of Supervisors has the authority and responsibility to approve expenditure of funds within their own organization.

6.1 Cost Share Contract. A contract between the District and land occupier(s) receiving state funds is required to provide a legal standing to insure practices are installed and maintained according to approved standards and specifications. The required contract can be found on the BWSR website. Land occupier means a person, corporation, or legal entity that holds title to or is in possession of land as an owner, lessee, tenant, or otherwise. If the land occupier is not the landowner, the application must also bear the landowner's signature.

a) **Contract Modifications.** Modifications to the contract may be made prior to execution and with prior approval from the District legal counsel and BWSR.

b) **Contract Amendments.** Changes to an executed contract are considered an amendment to the contract and subject to review and approval by the District Board. The required amendment form can be found on the BWSR website. Prior to approving an amendment, technical staff must attest that the amendment has merit. Amendments shall not be considered or approved after the end of the contract or after approval to issue final payment on the original contract has been made. Amendments are limited to changes in practice specifications, installation dates, land occupier information, practice components, or cost share rates and amounts.

c) **Group Projects.** Where the cooperation of several land occupiers is required for implementation of a project; and the land occupiers have agreed to the project, division of payments for the project, and signed a group project addendum to the cost-share contract; the District may enter into a contract with only the group spokesperson of the contract. A group project addendum form can be found on the BWSR website.

d) **Projects that Cross a District Boundary.** If a project involves land in more than one District, application for the entire project must be made to the District containing the majority of the project lands.

e) **Pooling cost-share allocation for joint projects.** District Boards may enter into an agreement to pool portions or all of their collective cost-share allocations to implement joint projects. Cooperative and joint projects may be undertaken to accomplish watershed-based resource management goals or other goals of mutual benefit as identified in the county's comprehensive local water plan or the District's comprehensive plan.

6.2 Contract Approval. District Boards must approve or deny the contract. The action taken must be documented in the District Board's meeting minutes. Approval of a contract is considered approval for expenditure of funds.

6.3 Projects where construction has begun prior to District Boards approval are ineligible for financial assistance.

6.4 ~~Project~~ Contract Timeframe. District Boards have the authority to adopt timely starting and completion dates. ~~Entering into~~ Execution and completion of a contract with a land occupier must ~~occur~~ be within the grant period. ~~Completion dates can be no longer than two years after approval of the District Board~~. ~~Projects~~ Contracts not completed within the period of the grant agreement ~~this timeframe~~

must be cancelled unless the grant agreement with the District has been extended and the contract has been extended such that the contract timeframe is within the amended grant period ~~prior written approval of the State board has been received~~. Under all circumstances, grant funds must be expended within the period of a valid grant agreement.

6.5 Canceled Projects. Funds from canceled projects or remaining from completed projects where the final cost was less than the estimated amount may be re-encumbered to a new contract as provided in the grant agreement. Funds that are unexpended must be returned as provided in the grant agreement ~~as long as District Board approval occurs prior to the end of the grant period~~.

6.6 Removal of Practices. District Boards may authorize the removal of a practice installed under this program provided the land occupier can show good cause for removal of the practice and the purpose of the original practice has been achieved.

6.7 Delegation. District Boards may delegate signing contracts and supporting program documents to District staff. This delegation must be identified in the District's cost share program policy.

6.8 Recording Practices. The size, location, and effective life of the soil and water conservation practices that have received cost-share payments under this program equal to or in excess of $50,000 shall be recorded by the district on the property title. Instructions and forms for recording practices can be found on the BWSR website.

7.0 Practice Sign-off and Payment

Prior to payment, technical staff must attest that the practice was properly installed and completed according to the plans and specifications, including technically-approved modifications, and that vouchers and receipts are accurate. Project costs for the purposes of determining cost share amounts include the materials and labor necessary to complete the project.

7.1 Reimbursement. Land occupiers must incur all expenses for project implementation and provide vouchers and invoices or copies of paid receipts to verify all expenses prior to requesting reimbursement. A payment voucher form is available on the BWSR website.

a) **Partial Payments.** Partial payments are allowed. Prior to authorization for partial payment, technical staff must attest to the District Board that the request for partial payment has merit, the payment request is equal to or less than the percent of construction that is complete, and that the project will still be completed within the contract timeline. Land occupiers not completing partially paid projects shall be considered as violating MN Rule, part 8400.1700 and shall be directed, unless otherwise authorized by the state board as provided elsewhere in this part, to return to the district up to one hundred fifty percent (150%) of the amount of financial assistance received. All expenses incurred to correct damage caused by the land occupier's failure to expeditiously complete the project must be borne by the land occupier.

b) **Service Charges.** District or Technical Service Area charges for services such as administration, field investigations, design, and monitoring to establish the practice shall not be included in calculating the project cost for purposes of determining cost-share payment amounts to the land occupier. Service charges such as tree planting or mechanical weed control are eligible to be included.

c) **Actual Cost Different Than Estimated Cost.** In cases where the actual cost of the practice exceeds the estimated cost, the district may only share the additional amount when an amendment to the cost share contract has been approved per policy 6.1. Where the actual

cost is less than the estimated cost, the district shall only share the approved percentage of the actual cost of the practice.

7.2 Project Review. After receiving a request for final reimbursement, technical staff must review for each project; the as-built plan, vouchers, and invoices or copies of paid receipts submitted by the land occupier for completion and technical approval.

7.3 Combining Funding Sources. Payment amounts from combined state and federal sources shall not exceed the maximum cost share rate set by the BWSR Board in Section 4.0 of this policy. Calculation of payment amounts does not include incentive payments.

7.4 Final Plans. One copy of the final approved plan must be given to the land occupier and one copy retained with the project file located in the district office.

8.0 Post-Construction and Follow-Up Activities

Identifying operation and maintenance activities specific to the installed practices is critical to ongoing performance of installed practices as well as to planning and scheduling those activities. Scheduled site inspections by qualified staff are necessary to ensuring operation and maintenance has been taking place.

8.1 Operation and Maintenance Plan. Qualified technical staff must prepare an operation and maintenance plan specific to the practice and the site where it is located. The operation and maintenance plan must detail the maintenance activities that are likely to be needed for the practice and contributing watershed, specify how and when to accomplish them, and identify the inspection schedule. The plan should be prepared and reviewed with the land occupier before installation of the conservation practices begins.

8.2 Inspections. Qualified technical staff shall ensure that the operation and maintenance plan is being followed and the practices have not been altered or removed by conducting periodic site inspections. Inspections are to:

a) Verify that all components of the practice remain in place and are in good repair, and/or
b) Identify repairs necessary in accordance with the operation and maintenance plan; and/or
c) Identify further assessment or action necessary if necessary repairs are beyond the scope of the operation and maintenance plan ~~(need cross-reference to non-compliance policy)~~.

8.3 Failure to Maintain Practices. Should the land occupier fail to maintain the practices during their effective life according to the operation and maintenance plan, the land occupier is liable to the district for up to one hundred fifty percent (150%) of the financial assistance received to install and establish the practice as per MN Rule, part 8400.1700 as determined by the district board. Funds received by a district from a landowner who has failed to maintain a practice, must be used according to this policy and Minnesota Rules 8400.0050 to 8400.1900, less the administrative cost.

9.0 District Reporting Requirements

To ensure the continued success of the Erosion Control and Water Management Program, regular reporting of accomplishments and benefits is required. This reporting is accomplished through entries and documentation in eLINK. Guidance for reporting in eLINK is available on the BWSR website.

9.1 Annual Reporting. Districts must annually enter information on activities accomplished with the grant funding in eLINK. Reporting is required for grant fund expenditures from the prior calendar year and is to be completed by BWSR established reporting deadlines.

9.2 Grant Closeout Reporting. Within thirty (30) calendar days of the conclusion of each grant agreement or expenditure of all grant funds, whichever occurs first, Districts are required to provide the following to BWSR:

a) Entry of information on all projects completed with the grant funding in eLINK;
b) Signed Final Financial Report from eLINK;
c) Documentation of District Board approval of the Final Financial Report; and
d) Return any unspent or unencumbered funds, if applicable, as instructed on the Returned Check Form, found on the BWSR website.

9.3 Unencumbered Funds. Grant funds unencumbered by the District board after the grant period must be returned to the state board within thirty (30) calendar days. Unencumbered funds are those funds remaining from cancelled projects or completed projects where the final cost was less than the estimated amount.

9.4 Records Retention. Project files must be retained by the District pursuant to Minnesota Statutes, §138.17 and consistent with ongoing records retention schedules.

9.5 Non-compliance with Reporting Requirements. Any District that does not complete these requirements will not be eligible to receive funds from this program until all past reporting has been completed. Financial penalties on the grant recipient may be applied.

10.0 BWSR Program Monitoring, Reconciliation, Verification and Penalty Procedures

10.1 Monitoring, Reconciliation, and Verification. BWSR will annually monitor all Districts reporting for compliance with reporting requirements of the Erosion Control and Water Management Program Policy above and will reconcile and verify ~~all~~ grants according to the current Grants Monitoring, Reconciliation, and Verification policy.

10.2 Penalties. Grant penalties can be applied when it has been determined the district is not in compliance with relevant statutes, rules, and state policies. Noncompliance is ranked by the degree of departure from recommended administrative procedures to violations of rules, statutes, or grant agreements. Penalties may include the district requiring a land occupier to return the cost-share funds received, the district repaying the State with non-state funds, and/or the district taking a yearly reduction in cost-share grant payments(s) until the violation amount is satisfied. Minnesota Statutes, §103C.401 establishes BWSR's obligation to assure program compliance.

a) All state base grants (State Cost Share, Easement Services, and General Services) for which funding is requested may be reduced by five percent if satisfactory comprehensive or annual plans are not received by the annual deadline, with an additional five percent reduction for each month late. No base grant funds will be allocated until a satisfactory plan is received.

b) If the state becomes aware of cases where a district knowingly participates in accepting fraudulent receipts or invoices to calculate cost-share claims, the state may deny future cost-share funds for the district.

11.0 District Cost Share Program Policies

The following items are recommended to be identified in local cost share program policies, either on a project-by-project or annual basis:

a) Identify or describe available staff skills, training, credentials, or other means the District will use to insure projects are installed and maintained according to standards and specifications (see ~~policy~~ 5.0.)
b) Set District cost share rates to be less than or equal to rates set by the State Board (see ~~policy~~ 4.0.)
c) Establish maximum flat rates for in-kind services and materials provided by land occupiers (see ~~policy~~ 4.0.)
d) Identify practice standards to be used for design, construction, operation, and maintenance (see ~~policy~~ 2.0.)
e) Set criteria for project selection, i.e. priority watershed or location, priority practices, recording practices, consideration of other activities in the area, etc. (see ~~policy~~ 6.0)
f) Establish a process and local policy for addressing cost-share contract noncompliance (see ~~policy~~ 6.0).
g) State if the District is delegating authority to sign contracts and supporting program documents to District staff. (see 6.7)
h) Other policies as necessary and applicable to the program.

For additional guidance see the BWSR Grants Manual at:
http://www.bwsr.state.mn.us/grants/manual/index.php#/Purpose%20&%20Scope/7/top

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Authorizing the FY14 Clean Water Competitive Grants Program**

Meeting Date: August 29, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Land and Water Section

Contact: Dave Weirens

Prepared by: Dave Weirens

Reviewed by: Grants Program and Policy Committee Committee(s)

Presented by: Dave Weirens and Marcey Westrick

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☒ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☒ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

,

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The FY14 grants program includes four BWSR grants programs and Minnesota Department of Health Well Sealing Grant fund.

The Competitive Grants Program is proposed to have an application period from September 3 to October 4. The application scoring process will be conducted by staff from the DNR, MDA, MDH, PCA and BWSR staff as has been the case in past years. Changes to the Policy have been made to update this policy from the FY2013 Policy to ensure it is consistent with the proposed FY2014 appropriations. The Grants Program and Policy Committee met on August 9, 2013 and reviewed the draft Policy and Request for Proposals.

Minnesota Board of Water & Soil Resources

Board Resolution # 13-

FY 2014 CLEAN WATER FUND AND COMPETITIVE GRANTS PROGRAM: POLICY AND REQUEST FOR PROPOSALS

WHEREAS, the Clean Water Fund (CWF) is established in M.S. 114D.50; and,

WHEREAS, Clean Water Funds have been appropriated to BWSR in Laws of Minnesota 2013, Chapter 137; and,

WHEREAS, the Minnesota Department of Agriculture will be contributing Agricultural Best Management Practices Loan Program funds; and,

WHEREAS, the Minnesota Department of Health will be contributing Well Sealing Cost Share funds; 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, practice or activity implements a county water plan, watershed management plan, or county groundwater plan; and

WHEREAS, BWSR implementation of appropriated CWF funds is based on the Minnesota Constitution, Article XI, Section 15 which provides that funds may be "spent only to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation", and that "dedicated money under this section must supplement traditional sources of funding for these purposes and may not be used as a substitute"; and,

WHEREAS, the Board has previously endorsed an inter-agency granting strategy that included the MN Department of Agriculture (MDA), the Department of Natural Resources (DNR), the Pollution Control Agency (MPCA), the Department of Health (MDH), and the BWSR with the goal of effectively coordinating water quality projects or practices funded by the CWF, and

WHEREAS, the CWF implementation strategy incorporates the purpose of M.S. 114D.20 which directs the implementation of Clean Water Funds to be coordinated with existing authorities and program infrastructure; and,

WHEREAS, applications for funds appropriated in Laws of Minnesota 2013, Chapter 137, Section 7(b) will be evaluated by an interagency team consisting of staff from the MDA, the DNR, the MPCA, the MDH, and the BWSR based on the following criteria:

DRAFT

Ranking Criteria	Maximum Points Possible
Proposal Description: The proposal description succinctly describes what results the applicant is trying to achieve and how they intend to achieve those results.	5
Relationship to the Plan: The proposal is based on priority protection or restoration actions listed in or derived from an approved local water management plan.	15
Targeting: The proposal addresses identified critical pollution sources impacting the water resource identified in the application.	30
Measurable Outcomes: The project or practice has a quantifiable reduction in pollution and directly addresses the water quality concern identified in the application.	35
Project or Practice Readiness: The proposal has a set of specific initiatives that can be implemented soon after grant award.	10
Biennial Budget Request (BBR): A BBR was submitted by the applicant organization in 2012.	5
Total Points Available	**100**

WHEREAS, applications for funds appropriated in Laws of Minnesota 2013, Chapter 137, Section 7(c) will be evaluated by an interagency team consisting of staff from the MDA, the DNR, the MPCA, the MDH, and the BWSR based on the following criteria:

Ranking Criteria	Maximum Points Possible
Clarity of the proposal's goals, standards addressed and projected impact on land and water management and enhanced effectiveness of future implementation projects or practices.	40
Relationship to Plan: The proposal is based on priority protection or restoration actions listed in or derived from an approved local water management plan.	25
Means and measures for assessing performance, milestones for success, and capacity to measure outcomes.	20
Timeline for implementation.	15
Total Points Available	**100**

WHEREAS applications for a shared services or local capacity component established with funds appropriated in Laws of Minnesota 2013, Chapter 137, Section 7(c) will be evaluated based on the following criteria:

Ranking Criteria	Maximum Points Possible
Relationship of proposed activities to identified needs from the BBR and/or identified priorities associated with local water management plans or other strategic water quality assessments.	35
Clarity of proposed activities and their effect on enhanced delivery of current or future implementation projects or practices, targeting activities or other essential conservation delivery services.	40
Means and measures for assessing performance, milestones for success, and capacity to measure outcomes.	25
Total Points Available	**100**

WHEREAS, applications for funds appropriated in Laws of Minnesota 2013, Chapter 137, Section 7(h) will be evaluated by an interagency team consisting of staff from the MDA, the DNR, the MPCA, the MDH, and the BWSR based on the following criteria:

Ranking Criteria	Maximum Points Possible
Clarity of the application's goals, projected impact, and involvement with community partners.	40
Relationship to Plan: The proposal is based on priority protection or restoration actions listed in or derived from an approved local water management plan.	30
Plan for assessing the proposal's impact and capacity to measure project or practice outcomes.	20
LGU capacity to implement local grant program processes and protocols.	10
Total Points Available	**100**

WHEREAS, applications for Well Sealing Funds appropriated to the Minnesota Department of Health and transferred to BWSR will be evaluated by an interagency team consisting of staff from the MDA, the DNR, the MPCA, the MDH, and the BWSR based on the following criteria:

Ranking Criteria	Maximum Points Possible
Specific wells included in the application	25
Relationship to Plan: The proposal is based on priority protection or restoration actions listed in or derived from an approved local water management plan.	40
Priority areas for well sealing identified.	20
Overall proposal quality and completeness	15
Total Points Available	**100**

WHEREAS, the Grants Program and Policy Committee reviewed the Clean Water Fund and Competitive Grants Program Policy developed by staff on August 9, 2013.

NOW THEREFORE BE IT RESOLVED, the Board hereby:

1. Authorizes staff to finalize, distribute and promote a Request For Proposals (RFP) for the FY2014 Clean Water Fund Competitive Grants Program consistent with the provisions of appropriations enacted in 2013, Minn. Stat. 103B.3369 and this Board resolution; and,

2. Adopts the attached FY2014 Clean Water Fund Competitive Grants Policy.

_____ Date: _____

Brian Napstad, Chair
Board of Water and Soil Resources

Attachment: FY2014 Clean Water Fund Competitive Grants Policy

DRAFT

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Cooperative Weed Management Area Program Grant Request For Proposal**

Meeting Date: August 29, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region:

Contact: Dan Shaw

Prepared by: Dan Shaw

Reviewed by: Grants Program and Policy Committee Committee(s)

Presented by: Wayne Zellmer

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested
☐ Other:

☒ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

ACTION REQUESTED

Approval of FY2014 and FY2015 Cooperative Weed Management Area (CWMA) Program Grants.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The Board was appropriated $100,000 in each year of the FY2014-15 biennium of cost share grant funds for "cooperative weed management grants and to restore native plants in selected invasive management sites by providing local native seeds to landowners for implementation". Staff have developed a proposal to make these funds available to qualifying cooperative weed management groups. The Grants Program and Policy Committee reviewed the proposal on August 9, 2013 and is recommending Board approval.

Minnesota Board of Water & Soil Resources

Board Resolution #____

Cooperative Weed Management Area Program Authorization

WHEREAS, the Board of Water and Soil Resources is authorized by Minnesota Statutes 103C.501 to implement the Erosion Control and Water Management Program (Cost Share); and

WHEREAS, the Minnesota Legislature, by Chapter 114 Minn. Session Laws 2013 has appropriated cost share funding to BWSR, including funding specifically for the Cooperative Weed Management Area (CWMA) Program; and,

WHEREAS, the CWMA Grant Program administered by the Board of Water and Soil Resources (BWSR), provides financial assistance to soil and water conservation districts (SWCD) to develop and sustain Cooperative Weed Management Areas, to control emerging weed threats, and manage natural areas and conservation lands through an integrated pest management and ecosystem approach; and

WHEREAS, the BWSR staff are proposing the following grant allocation policies:

- SWCDs are the eligible grant applicants for this program. Other groups may apply in partnership with SWCDs to develop and operate CWMA projects. Existing CWMAs or new terrestrial weed management groups partnering with SWCDs in Minnesota are eligible applicants.
- $200,000 is available for the program for FY2014 and FY2015 combined. Eligible applicants may receive up to $15,000.
- This grant can be used for a wide variety of activities related to setting up a CWMA, conducting outreach and education, weed mapping, managing invasive species and monitoring.
- Applicants may propose using more than 20% technical and administrative costs as provided in 3.1 of the Erosion Control and Water Management Program Policy, August 2013.
- To the extent possible, projects must plant vegetation following BWSR's Native Vegetation Establishment and Enhancement Guidelines.
- Proposals will be reviewed and scored by both BWSR staff members and members of the Project Advisory Team using the program ranking criteria. The Advisory Team is an interagency group established to assist in the development of this grant program. Proposals will be scored to determine which projects can be funded, based on available dollars. Once projects are selected for funding, the project manager will be notified.

- CWMA program requirements for payment schedules, incomplete applications, reporting, prevailing wage, conflict of interest, and minimum software requirements are consistent with other BWSR grant programs.

WHEREAS, the Grant Program and Policy Committee met on August 9, 2013 and is recommending the Board authorize the FY2014-15 CWMA Grant Program based on the policies contained in this resolution.

NOW THEREFORE, the BWSR hereby authorizes staff to authorizes staff to finalize, distribute and promote a Request for Proposals (RFP) for the Cooperative Weed Management Area Grant Program consistent with the appropriations enacted in 2013 and this Board resolution.

_____ Date: _____

Brian Napstad, Chair
Board of Water and Soil Resources

Cooperative Weed Management Area (CWMA) Grant Program 2-4-13

Program Purpose: To establish strong and sustainable CWMAs across Minnesota for the effective control of invasive species and protection of conservation lands and natural areas.

What is a CWMA? ...a local organization that provides a mechanism for sharing invasive species management resources across jurisdictional boundaries in order to achieve widespread invasive species prevention and control.

Reasons CWMAs are Needed Across Minnesota

1) They provide effective weed mapping, education, outreach and management leading to the control of emerging and established invasive species.
2) They work effectively across geographic and ownership boundaries.
3) They develop strong partnerships to leverage expertise and funding
4) They help prevent significant ecological and economic losses from invasive species
5) They protect the diversity and resiliency of natural areas and conservation lands.



Roseau CWMA working with County Commissioners

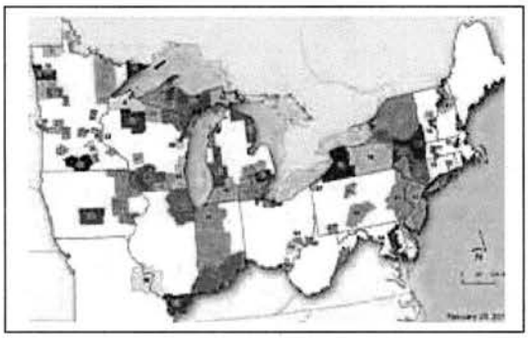
CWMA and Program Funding History:

CWMAs started in western states to manage grazing lands. Clay County had the first Minnesota CWMA, acting as a model for the BWSR program that started in 2008.

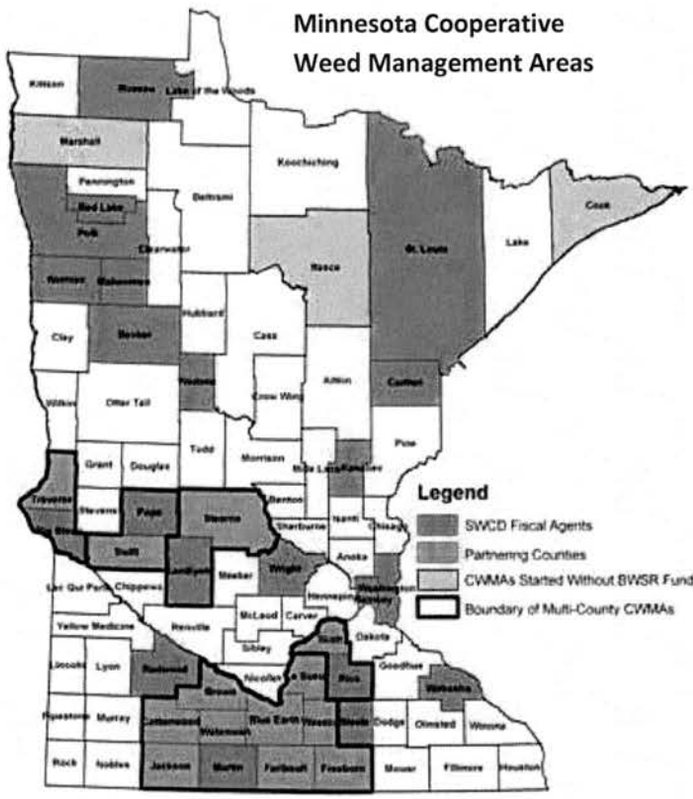
-FY 2008/2009 - $400,000 (legislative appropriation)
-FY 2010/2011 - $200,000 (legislative appropriation)
-FY 2012 - $232,470 (funded with cost-share roll-over funds)
-FY2013 – No funding available

Current Status of Program

There are 23 existing groups in MN and 3 new groups (Marshall, Itasca, Cook) forming covering 33 counties. The extent of CWMAs in Minnesota is now on-par with surrounding states (see map below). It does not have a stable/predictable funding source. BWSR staff and members of the interagency advisory group have been discussing funding options



CWMAs across the Midwest



CWMA Models: Of the 23 groups in the state the following are three examples of how CWMAs are tackling weed issues across Minnesota:



Marsha Watland of Becker CWMA meeting with landowners

Becker CWMA

Focus: Emerging weed threats- crown vetch, common tansy, spotted knapweed, leafy spurge, wild parsnip.

Started: 2006 with a National Fish and Wildlife Foundation Grant (NFWF).

Mapping: Conducted baseline GIS mapping of all invasive weeds in the county.

Management Action: Combined manual, biological and cultural treatments for target species across the county.

Strength of Program: Through mapping, partnering with the County Hwy. Dept., establishment of a gravel pit certification program and developing a landowner cost-share program they have achieved effective control of weeds in the county.



Wild Parsnip

Wright CWMA

Focus: Wild Parsnip control (a significant agricultural, ecological, and human health threat to the county), now adding other species.

Started: 2008 with BWSR Funding.

Mapping: GIS Mapping of parsnip locations across county.

Management Action: Worked with over 100 landowners and treated 11,000 acres.

Strength of Program: Partnership with County Hwy. Dept., Townships and Landowners to halt the spread of an emerging weed threat.



Terri Peters of Wabasha CWMA monitoring invasive species

Wabasha CWMA

Focus: Addressing emerging weed threats from Japanese knotweed and Japanese barberry, as well as common buckthorn and invasive honeysuckle shrubs.

Started: 2008 with BWSR Funding, developed own cost-share program.

Mapping: GIS Mapping of 1000 acres of invasive species populations.

Management Action: Over 150 acres have been treated for removal of invasive species in important habitat areas.

Strength of Program: Effective control of emerging weed threats. Focus on protecting intact plant communities and re-seeding native vegetation after removal.

Minnesota Board of Water & Soil Resources

FY 2014-15 Cooperative Weed Management Area Program
Request for Proposal (RFP)

The Cooperative Weed Management Area (CWMA) Program was developed in 2008 to promote the cooperative control of invasive species across geographic boundaries to manage and protect natural areas and conservation lands. $200,000 is available for FY2014 and 2015 for existing Minnesota CWMAs/terrestrial weed management partnerships through this request for proposal.

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CWMA Program Goals

1. Develop and sustain strong partnerships between landowners, government units and other interested partners to manage invasive species across geographic boundaries
2. Control emerging weed threats and manage invasive species that threaten natural areas and conservation lands
3. Facilitate the removal of invasive plant species through an integrated pest management approach, and the restoration/reconstruction of native plant communities through an ecosystem approach.

Key Considerations for BWSR Grants

1. Applicants, who have previously received a grant from BWSR, must be in compliance with BWSR requirements for grantee website and eLINK reporting before grant execution and payment.
2. The payment schedule has been changed from previous CWMA Grant offerings.
3. Match may be provided from any non-state source.
4. Minimum software requirements are established.
5. Documentation of Conflict of Interest procedures is required for awardees.
6. Applicants may propose using more than 20% of the grant funds for technical and administrative costs as provided in 3.1 of the Erosion Control and Management Policy, August 2013.

BWSR Assistance

BWSR Board Conservationists are available to help applicants with grant application development and questions. A map showing the Board Conservationist work areas is available at: http://www.bwsr.state.mn.us/contact/BC_areas.pdf. Questions can also be directed to the Dan Shaw, the Program Manager at dan.shaw@state.mn.us, 651-296-0644.

Applicant Eligibility

- As the CWMA Program is a State Cost-share Program SWCDs are the only eligible applicants. Other organizations may apply in partnership with SWCDs to help develop and operate the Cooperative Weed Management Area project.
- Existing CWMAs or new terrestrial weed management groups partnering with SWCDs in Minnesota are eligible applicants for this RFP.

Project Period

The project period starts when the grant agreement is "executed," meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds, and cannot be used as match. All grants must be completed by December 31, 2016.

Payment Schedule
Grant payments will be distributed in three installments to the grantee. The first payment of 50% of the grant amount will be paid after execution of the grant agreement. However, initial grant payments will be retained until applicants are in compliance with all BWSR website and eLINK reporting requirements for previously awarded BWSR grants. The grantee will provide notification to BWSR when a minimum of 50% of the awarded grant funds have been expended. The second payment of 40% of the grant amount will be paid once the grantee has expended the first 50% of the grant and has provided BWSR with reconciliation of these expenditures. The last 10% will be paid after all final reporting requirements are met by the established reporting timelines and grantee has provided BWSR with reconciliation of these expenditures.

Native Vegetation
To the extent possible, applicable projects must have vegetation planted or seed sown only of ecotypes native to Minnesota, and preferably of the local ecotype, using a high diversity of species originating from as close to the project site as possible, and protect existing native prairies from genetic contamination. See guidance at:
http://www.bwsr.state.mn.us/native_vegetation/seeding_guidelines.pdf .

Application Deadline and Timeline for FY 2014 CWMA Funding
No late submissions or incomplete applications will be considered for funding.

- October 7, 2013 — Application period begins
- **November 8, 2013** — **Application deadline at 4:30 PM***
- January 22, 2014 — BWSR Board authorizes grant awards
- February 2014 — BWSR grant agreements sent out to recipients
- March 17, 2014 — Work plan approval deadline
- April 1, 2014 — Grant execution deadline

Incomplete Applications:
Applications that do not comply with all application requirements will not be considered for funding, as provided below.

- Components of the application are incomplete, missing, or exceeds narrative page length requirements;
- Any required documentation is missing; and
- The match amount does not meet grant requirements.

CWMA Program Reporting Requirements

- All grant recipients are required to report on the outcomes, activities, and accomplishments of CWMA grants. The grant funds may be used for local grant management and reporting that are directly related to and necessary for implementing the activity.
- BWSR CWMA Funds will be administered via a standard grant agreement. 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.
- All BWSR funded projects will be required to develop a work plan including detail relating to the outcome(s) of the proposed project. All activities will be reported via the eLINK reporting system. For more information on eLINK go to: http://www.bwsr.state.mn.us/outreach/eLINK/index.html.
- Grant recipients must display on their website the previous calendar year's detailed information on the expenditure of grant funds and measurable outcomes as a result of the expenditure of funds according to the format specified by the BWSR, by March 15th 2015 and 2016.

Grants and Public Information

Under Minnesota Statute 13.599, responses to an RFP are nonpublic until the application deadline is reached. At that time, the name and address of the applicant, and the amount requested becomes public. All other data is nonpublic until the negotiation of the grant agreement with the selected applicant are completed. After the application evaluation process is completed, all data (except trade secret data) becomes public. Data created during the evaluation process are nonpublic until the negotiation of the grant agreement with the selected applicant(s) is completed.

Prevailing Wage

It is the responsibility of the grant recipient or contractor to pay prevailing wages on construction projects to which state prevailing wage laws apply (Minn. Stat. 177.42 – 177.44). All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with state funds included in this RFP shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality. Additional information on prevailing wage requirements is available on the Department of Labor and Industry (DOLI) website: http://www.dli.mn.gov/LS/PrevWage.asp. Questions about the application of prevailing wage rates should be directed to DOLI at 651-284-5091. The Grant recipient is solely responsible for payment of all required prevailing wage rates.

Conflict of Interest

State Grant Policy 08-01, (see http://www.admin.state.mn.us/ogm_policies_and_statute.html) Conflict of Interest for State Grant-Making, also applies to BWSR grantees. Grantees' conflicts of interest are generally considered organizational conflicts of interest. Organizational conflicts of interest occur when:

1) A grantee is unable or potentially unable to render impartial assistance or advice due to competing duties or loyalties,
2) A grantee's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties, or
3) A grantee or potential grantee has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

Minimum Software Requirements

The applicant must use Microsoft (MS) Office 2007 or newer software in order to utilize the applications MS Excel and MS Word documents.

Questions

This RFP and the Erosion Control and Water Management Policy, August 2013 adopted by the BWSR (http://www.bwsr.state.mn.us/grants/index.html) provide the framework for funding and administration of the CWMA Program. Questions regarding grant applications should be directed to your area Board Conservationist or Clean Water Specialist (http://www.bwsr.state.mn.us/contact/index.html) or the Program Manager, Dan Shaw.

Application Guidelines

- Proposals should demonstrate significant, measureable project outputs and outcomes[1]. As appropriate, outputs should include scientifically credible estimates of both short-term and long term benefits as well as other measures such as: acres of invasive species treated, increases in diversity levels, etc.
- Proposals must have plans for long-term maintenance and inspection monitoring for the duration of the project's effective life.
- Proposals should demonstrate that, when appropriate, a sufficient partnership exists to implement the project.
- $200,000 is available for the program for FY2014 and FY2015 combined. Up to $15,000 can be requested by CWMAs/terrestrial weed management partnerships in Minnesota.
- The CWMA program requires a minimum match of 25% (non-state) or in-kind cash value that can be directly attributed to project accomplishments.
- Applicants are required to fill out a project budget summarizing proposed activities and expenditures including proposed actual technical and administrative costs. Applicants may propose using more than 20% of the grant funds for technical and administrative costs as provided in 3.1 of the Erosion Control and Management Policy, August 2013.

[1] The term "outcome" means the result, effect or consequence that will occur from carrying out the environmental program or activity associated with the application. Outcomes may be environmental, behavioral, health related or programmatic in nature but must be quantitative. They may not necessarily be achievable within the grant agreement timeline.
The term "output" or "intermediate outcome" means an environmental activity, effort and/or associated work product related to an environmental goal and objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during the grant agreement timeline.

- The program application (to be posted on the BWSR website on 10-22-13) consisting of a narrative and budget form must be electronically submitted to BWSR at the following address: BWSR.grants@state.mn.us by 11:59 PM on November 14, 2013.

Table 1: Cooperative Weed Management Area Program Ranking Criteria	
Ranking Criteria	**Maximum Points Possible**
Anticipated Outcomes: The outcomes expected upon completion of the project initiatives are identified, as well as how these outcomes will be attained.	45
Relationship to CWMA and Conservation Plans: The proposal and species of focus are based on priority actions listed in or derived from CWMA plans, and other local, state and federal conservation and invasive species plans.	25
Species Focus and Management Approach: An approach is defined to manage invasive species using integrated pest management and ecosystem restoration.	30
Total Points Available	**100**

Minnesota Board of Water & Soil Resources

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Feedlot Water Quality Cost Share Grants

Meeting Date: August 29, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region:

Contact: Matt Drewitz

Prepared by: Matt Drewitz and Dave Weirens

Reviewed by: Grants Program and Policy Committee Committee(s)

Presented by: Dave Weirens

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested
☐ Other:

☒ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

ACTION REQUESTED

Approval of FY2014 and FY2015 Feedlot Water Quality Cost Share Grants.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The Board was appropriated $260,000 in each year of the FY2014-15 biennium of cost share grant funds for "feedlot water quality grants for feedlots under 300 animal units in areas where there are impaired waters;". Staff have developed a proposal to make these funds available to projects proposed in FY2013 that were not funded with Clean Water Funds. The Grants Program and Policy Committee reviewed the proposal on August 9, 2013 and is recommending Board approval.

Minnesota Board of Water & Soil Resources

Board Resolution #____

Feedlot Water Quality Cost Share Grants Program Authorization

WHEREAS, the Board of Water and Soil Resources is authorized by Minnesota Statutes 103C.501 to implement the Erosion Control and Water Management Program (Cost Share); and

WHEREAS, the Minnesota Legislature, by Chapter 114 Minn. Session Laws 2013 has appropriated cost share funding to BWSR, including funding specifically for Feedlot Water Quality Cost Share Grants; and,

WHEREAS, the CWMA Grant Program administered by the Board of Water and Soil Resources (BWSR), provides financial assistance to soil and water conservation districts (SWCD) to develop and sustain Cooperative Weed Management Areas, to control emerging weed threats, and manage natural areas and conservation lands through an integrated pest management and ecosystem approach; and

WHEREAS, the BWSR staff are proposing the following grant allocation policies:

1. Utilize the entire biennial appropriation of funds $520,000 in FY 2014 to fund 4-6 feedlot projects. Grant agreements will be funded in the fall of 2013 to enable fall construction.
2. Projects will be selected from the FY 2013 CWF list of unfunded livestock waste management projects.
3. Projects will be funded based on their scores and pollution loading potential.
4. Of the projects on the FY2013 application list; 2 projects that were ineligible last year due to incomplete applications will be considered for funding as they scored very high. Eligibility issues have now been resolved.
5. Additional projects will be funded that are riparian in nature or have a direct hydrologic connection to surface or ground water.
6. Several of these projects are expected to have a Federal NRCS EQIP funding component. The BWSR State Cost Share funds will be vital to leveraging these Federal funds and ensuring these projects will be completed.
7. If a project from the BWSR funding list is canceled or has cost under runs that results in funding being returned to BWSR, BWSR will continue to fund additional livestock projects in priority order from the FY 2013 Clean Water Fund list.

WHEREAS, the Grant Program and Policy Committee met on August 9, 2013 and is recommending the Board authorize the FY2014-15 Feedlot Water Quality Grants based on the policies contained in this resolution.

NOW THEREFORE, the BWSR hereby authorizes staff to award Feedlot Water Quality Cost Share funds to projects consistent with the appropriations enacted in 2013 and this Board resolution.

_____ Date: _____

Brian Napstad, Chair
Board of Water and Soil Resources

State Cost Share Program Implementation of FY 2014-15
Livestock Waste Management Provisions

Figure 1: Proposed List of Eligible Livestock Projects from the FY 2013 CWF Application Un-funded List

Funding Priority Rank	SWCD	Livestock Producer	FY 2013 CWF Score	$ Amount Requested for FY 2014 State Cost Share	$ FY 2014 State Cost Share Award Amounts
1	Rock SWCD	Wayne Brands	95	$112,000	$112,000
2	Pipestone SWCD	Craig Hawes	75	$55,000	$55,000
3	Fillmore SWCD	Bob Biel	65*	$170,083	$170,083
4	Root River SWCD	Mark Gerrard	70	$32,000	$32,000
5	Dodge SWCD**	Countryside Dairy	70	$165,940	$150,917
6, 7, 8	Todd SWCD	3 Additional projects from Todd SWCD tied for 60 points	60	$55,050	$0
Totals					
*This project would have scored 100 points if we applied the newly revised riparian definition. This project was just outside of the 300 foot riparian corridor, but this project has direct hydrologic connection to a nearby stream. The riparian score was worth 35 points.					
**Dodge County was the original applicant and Dodge SWCD would need to be willing to administer the grant. This project would only be eligible for partial funding.					

Minnesota Board of Water & Soil Resources

MEMORANDOM

Date: August 15, 2013

To: BWSR Board

From: Matt Drewitz, BWSR Clean Water Specialist

RE: **State Cost Share Program Implementation of FY 2014-15 Livestock Waste Management Provisions**

Background

The legislature appropriated $260,000 in FY2014 and $260,000 in FY2015 from the State Cost Share program appropriation for livestock water quality management grants to SWCDs. Eligible livestock facilities need to be less than 300 animal units (AUs) in size and located in an impaired watershed. The amount of funding dedicated for this grant program is relatively small compared to Clean Water Fund and other competitive grant allocations that BWSR works with. BWSR staff believes that running a separate competitive grants process would not be an efficient use of BWSR and SWCD staff time. In addition, BWSR staff believes mixing the State Costs Share funds with FY 2014 Clean Water Fund (CWF) competitive RFP could be confusing to applicants.

In FY 2013, BWSR received over $7M in competitive grant applications for livestock water quality management grants for approximately $2M in available funds. This was the most competitive grant cycle for livestock projects that we have seen with CWFs and BWSR funded all eligible projects that received 75 points or more. BWSR staff recently reviewed the list of unfunded applications and believes there are projects that would solve high priority water quality problems and also meet the criteria for the State Cost Share funds.

Proposal

1. Utilize the entire biennial appropriation of funds $520,000 in FY 2014 to fund 4-6 feedlot projects from the FY 2013 CWF list of unfunded livestock waste management projects. Grant agreements would be executed in the fall of 2013 to enable fall construction.
2. Projects will be selected from the FY 2013 CWF list of unfunded livestock waste management projects.
3. Projects will be funded in the priority to their scores and pollution loading potential.
4. Of the projects on the FY2013 application list; 2 projects that were ineligible last year due to incomplete applications will be considered for funding as they scored very high. Eligibility issues have now been resolved.
5. Fund 2-4 additional projects that are riparian in nature or have a direct hydrologic connection to surface or ground water. In particular, one project that would be funded with these funds had very high pollution loading and was just outside of the 300 foot riparian zone. Further investigation has shown a direct connection of the feedlot runoff to a nearby stream.
6. Most of these projects will have a Federal NRCS EQIP funding component. The BWSR State Cost Share funds will be vital to leveraging these Federal funds and ensuring these projects will be completed.
7. If a project from the BWSR funding list is canceled or has cost under runs that results in funding being returned to BWSR, BWSR will continue to fund additional livestock projects in priority order from the FY 2013 Clean Water Fund list.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Disaster Recovery Assistance Program

Meeting Date: August 29, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Land & Water

Contact: Wayne Zellmer

Prepared by: Wayne Zellmer

Reviewed by: Grant Program & Policy Committee(s)

Presented by: Wayne Zellmer

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☒ New Policy Requested
☐ Other: _____

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

ACTION REQUESTED

Approval of proposed resolution adopting policy

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Disasters and emergency legislative funding occur frequently and usually unpredictably (10 times in the last 13 years). In the event of a disaster, program policy and consistent guidelines will provide BWSR staff and LGUs the needed BWSR implementation information and related processes of other state and federal assistance providers. The Grants Program & Policy Committee forwards their recommendation for approval from their May 22, 2013 Meeting.

Minnesota Board of Water & Soil Resources

Board Resolution #_____

Disaster Recovery Assistance Program Policy

WHEREAS, disasters and emergency legislative funding occur frequently and usually unpredictably; and,

WHEREAS, program policy (and guidance) will provide BWSR staff and LGUs the needed implementation information and related recovery processes, of BWSR and other state and federal assistance providers; and,

WHEREAS, the Disaster Recovery Assistance Program (DRAP) is authorized by Minnesota Statutes §12A.05 to address critical conservation problems resulting from a natural disaster; and,

WHEREAS, the Grants Program & Policy Committee at their May 22, 2013 Meeting reviewed and recommended approval of the DRAP Policy.

NOW THEREFORE BE IT RESOLVED, the BWSR hereby adopts the DRAP Policy; and,

BE IT FURTHER RESOLVED, authorizes the Executive Director to activate the DRAP Policy in the event of a disaster.

_____ Date: _____

Brian Napstad, Chair
Board of Water and Soil Resources

Attachment: Disaster Recovery Assistance Program Policy

H:DRAPPBR

August 29, 2013

Minnesota Board of Water & Soil Resources

- POLICY -

Disaster Recovery Assistance Program

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Overview

Disasters and emergency legislative funding occur frequently and usually unpredictably. These characteristics require a standard operating procedure for BWSR staff and LGUs to follow to optimize efficiencies, responsiveness, and legislative appropriations. In the event of a disaster, program policy (and guidance) will provide BWSR staff and LGUs the needed implementation information and related processes, of BWSR and other state and federal assistance providers.

Purpose

The Disaster Recovery Assistance Program provides designated appropriated funds and other BWSR designated funds to Local Governmental Units (LGUs) to install, repair, or rehabilitate erosion and sediment control and water quality and watershed protection projects in the disaster area. This Program will utilize appropriations for **Erosion and Sediment Control, and Water Quality and Watershed Protection Projects;** and, acquisition of **Reinvest in Minnesota (RIM) Reserve Conservation Easements.** The purpose of this policy is to provide clear expectations for the implementation of funds and programs, appropriated to or implemented by BWSR, that are associated with the DRAP.

Activation

The Board of Water and Soil Resources (BWSR) may activate the Disaster Recovery Assistance Program (DRAP) in the event of a natural disaster or extreme environmental impact. The DRAP is authorized by Minnesota Statutes §12A.05 to address critical conservation problems resulting from a natural disaster. This Policy is activated by BWSR resolution or by authority delegated to the Executive Director.

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LGUs are responsible for the administration and decisions concerning the local use of these funds in accordance with Minnesota Statutes, Minnesota Rules, BWSR policies; and all other applicable laws. BWSR will use grant agreements and contracts for assurance of deliverables and compliance, with applicable laws, rules and policies. Non-compliance with relevant statutes, rules, and policies may lead to imposition of financial penalties on the LGU.

1.0 Project Allocation Priorities (in priority order)

1. Conservation practices where imminent human safety or health is a concern.
2. Conservation practices that address erosion and water quality problems associated with imminent threats to private or public improvements (infrastructure).
3. Projects that repair, rehabilitate, or replace, existing conservation practices on private lands.
4. New conservation practices that address other erosion, water quality, and watershed protection problems created by the disaster.
5. New practices that will help prevent flood damages in the future.

These allocation priorities may consider other project specific factors including long-term solutions, relative benefits, cost/benefits, and the amount of federal contributions.

2.0 Funding Source Priorities

2.1 Landowners and Local Government Units must first pursue insurance assistance, and eligible federal program funding to repair damages on their properties, respectively, in accordance with M.S. 12A.03.

2.2 State funds appropriated for a disaster response should be used when possible to partner with federal funding for applicable disaster assistance on private lands as non-federal match for federal programs including, but not limited to:

2.2.1 Emergency Watershed Protection Program (EWP) (NRCS)

2.2.2 Emergency Conservation Program (ECP) (FSA)

2.2.3 Environmental Quality Incentives Program (EQIP) (NRCS)

2.2.4 Wetlands Reserve Program (WRP) (NRCS)

2.2.5 Conservation Reserve Program (CRP) (FSA)

2.2.6 Individual Assistance (IA) - FEMA

2.3 State disaster appropriated funds with no match

2.4 Other state or local funds

3.0 Local Governmental Unit Eligibility Criteria

Funds are allocated to LGUs based on the following minimum criteria:

3.1 Location within the applicable defined disaster area; and,

3.2 A Board Conservationist approved LGU damage assessment; and,

3.3 A MN Recovers Task Force Natural Resources Subcommittee or Board Conservationist review and approval of requests for funds; and,

3.4 BWSR Policy.

4.0 Eligible Activities

The primary purpose of activities funded with Disaster Recovery and Assistance funds is to apply structural or vegetative conservation practices to address problems associated with the disaster. Specific preventative practices may also be allowed through policy or appropriation.

4.1 **Practice Standards.** All practices must be consistent with the NRCS Field Office Technical Guide (FOTG), MN Stormwater Manual, or be professionally accepted engineering or ecological practices. Design standards for all practices must include specifications for operation and maintenance for the effective life of the given practice, including an inspection schedule and procedure. Practices where runoff or sediment from the contributing watershed prevents the practice from achieving the intended purpose with normal operation and maintenance are ineligible. Vegetative practices must follow the BWSR Native Vegetation Establishment and Enhancement Guidelines, to the extent practicable.

4.2 **Effective Life.** All structural practices must be designed and maintained for a minimum effective life of ten years unless a longer term is specified in the design. The beginning date for a practice's effective life is the same date final payment is approved and the project is considered complete.

The grant recipient must provide assurances that the landowner or land occupier will keep the practice in place for its intended use for the expected lifespan of the practice. Such assurances may include easements, deed recordings, enforceable contracts, performance bonds, letters of credit, and termination or performance penalties.

4.3 **Repair or Replacement of Damaged Practices.** Repair of damage to a conservation practice is eligible if the practice was installed using approved standards, damage was caused by reasons beyond the control of the land occupier, and damage or failure of the

practice was not due to improper maintenance of the practice within the effective life. BWSR may allow replacement of a damaged practice or project that does not comply with expected lifespan requirements with a practice or project that provides equivalent water quality benefits.

5.0 Technical and Administrative Expenses

Disaster Recovery and Assistance Program funds may be used for reasonable technical and administrative (TA) expenses. Eligible TA expenses include the following activities: grant administration, site investigations and assessments, design and cost estimates, construction supervision, and construction inspections. These expenditures must be appropriately documented according to the Grants Manual.

6.0 Cost Share Rates

Cost share rates represent the percent of the installation cost of a practice that may be provided to a land occupier for materials and labor necessary to install the practice.

6.1 **Maximum Rates.** Projects are eligible for up to 100% state and/or federal cost share on disaster impacted sites. (See also 2.0.)

6.2 **Local Rates.** The LGU may set cost share rates less than 100% to help manage project costs and provide consistency for conservation programs. Prior to entering into any contracts with land occupiers, the LGU shall set cost share rates for activities.

6.3 **Match and In-Kind.** A land occupier may provide the remainder of the installation cost through in-kind services or materials, or non-state funds. The LGU shall determine whether charges for in-kind services and materials are practical and reasonable. Standard rates for in-kind services shall be identified in the LGU's cost share program policy or governing body resolution.

7.0 Technical Expertise

The LGU Board and staff have the responsibility to ensure that the designated technical staff have the appropriate technical expertise, skills and training for their assigned role(s). Appropriate expertise may include, but is not limited to, the following: conservation partnership Technical Approval Authority, professional licensure, reputable vendor with applicable expertise and liability coverage, or other applicable credentials, training and/or expertise.

7.1 **Technical Provider Skills.** The LGU's cost-share policy must contain a description of staff skills, training, or credentials; or a description of other means the LGU will use to insure projects meet the requirements of this policy. This requirement is to demonstrate LGU capacity to design and install practices according to appropriate standards and specifications of the practice(s).

7.2 **BWSR Review.** BWSR reserves the right to review the licensure and credentials of all technical provider staff selected by the LGU, where appropriate.

8.0 Expenditure of Funds on Practices and Contracts

The LGU Governing Body or delegated entity has the authority and responsibility to encumber and approve expenditure of funds within their own organization. The action taken must be documented in the LGU official records. Grant reporting, fiscal management, and administration requirements are the responsibility of the grant recipient (See also 11.0.). BWSR recommends contracts be reviewed by the LGU's legal counsel.

8.1 **Cost Share Contract.** All LGU expenditures of funds providing financial assistance to landowners require a contract with the land occupier. A contract between the LGU and land occupier receiving state funds is required to provide a legal standing to ensure practices are installed according to approved standards and specifications, and maintained according to operations and maintenance plans. The contract must specify LGU enforcement provisions, including repayment of cost share funds and costs to recover and enforce the contract at a rate up to 150% of the original landowner agreement (See also 10.3.). The required contract can be found on the BWSR website. Land occupier means a person, corporation, or legal entity that holds title to or is in possession of land as an owner, lessee, tenant, or otherwise. If the land occupier is not the landowner, the contract must also bear the landowner's signature.

8.1.1 **Contract Modifications.** Modifications to the contract may be made prior to execution.

8.1.2 **Contract Amendments.** Changes to an executed contract are considered an amendment to the contract and subject to review and approval by the LGU Board. Prior to approving an amendment, technical staff must attest that the amendment has merit. Amendments shall not be considered or approved after the end of the contract or after approval to issue final payment on the original contract has been made.

8.1.3 **Group Projects.** Where the cooperation of several land occupiers is required for implementation of a project; and the land occupiers have agreed to the project, division of payments for the project, and signed a group project addendum to the cost-share contract; the LGU may enter into a contract with only the group spokesperson of the contract.

8.2 **Contract Approval.** LGU Boards must approve or deny the contract. The action taken must be documented in the LGU's meeting minutes. Approval of a contract is considered approval for expenditure of funds.

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8.3 **Emergency Work.** Projects where emergency work began prior to LGU or BWSR approval may be eligible for financial assistance with adequate documentation as detailed in DRAP Guidance.

8.4 **Contract and Grant Agreement Timeframe.** LGUs have the authority to adopt timely starting and completion dates. Execution and completion of a contract with a land occupier must be within the grant period unless the project is deemed an emergency (see 8.3). Contracts not completed within the period of the grant agreement must be cancelled unless the contract has been extended and the grant agreement with the LGU has been extended such that the contract timeframe is within the amended grant period.

8.5 **Canceled Projects.** Funds from canceled projects or remaining from completed projects where the final cost was less than the estimated amount may be re-encumbered to a new contract, or unspent funds must be returned, as provided in the grant agreement.

8.6 **Removal of Practices.** LGUs may authorize the removal of a practice installed under this program provided the land occupier can show good cause for removal of the practice and the purpose of the original practice has been achieved.

8.7 **Delegation.** LGUs may delegate signing contracts and supporting program documents to staff. This delegation must be identified in the LGU's policies or by resolution.

8.8 **Grant Agreement Extensions.** Any other existing BWSR grant agreement may be extended up to two additional years. This extension must be by executed amendment. Grant agreement periods, with extensions, may not exceed five years.

9.0 Practice Sign-off and Payment

Prior to payment, technical staff must attest that the practice was properly installed and completed according to the plans and specifications, including technically-approved modifications, and that vouchers and receipts are accurate. Project costs for the purposes of determining cost share amounts include the materials and labor necessary to complete the project.

9.1 **Reimbursement.** Land occupiers must incur all expenses for project implementation and provide vouchers and invoices or copies of paid receipts to verify all expenses prior to requesting reimbursement. An example payment voucher form is available on the BWSR website.

9.2 **Actual Cost Different Than Estimated Cost.** In cases where the actual cost of the practice exceeds the estimated cost, the LGU may only share the additional amount when an amendment to the contract has been approved per policy 8.1.2. Where the actual cost is less than the estimated cost, the LGU shall only share the approved percentage of the actual cost of the practice (per policy 6.1).

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9.3 Project Review. After receiving a request for final reimbursement, technical staff must review for each project; the as-built plan, vouchers, and invoices or copies of paid receipts submitted by the land occupier for completion and technical approval.

9.4 Combining Funding Sources. Payment amounts from combined state and federal sources shall not exceed the 100% cost share rate.

9.5 Final Plans. One copy of the final as-built plan must be given to the land occupier and one copy retained with the project file located in the LGU office.

10.0 Post-Construction and Follow-Up Activities

Identifying operation and maintenance activities specific to the installed practices is critical to ongoing performance of installed practices as well as to planning and scheduling those activities. Scheduled site inspections by designated technical staff (per 7.0) are necessary to ensuring operation and maintenance has been taking place.

10.1 Operation and Maintenance Plan. Designated technical staff must prepare an operation and maintenance plan specific to the practice and the site where it is located. The operation and maintenance plan must detail the maintenance activities that are likely to be needed for practice and contributing watershed, specify how and when to accomplish them, and identify the inspection schedule. The plan should be prepared and reviewed with the land occupier before installation of the conservation practices begins.

10.2 Inspections. Designated technical staff shall ensure that the operation and maintenance plan is being followed and the practices have not been altered or removed by conducting periodic site inspections. Inspections are to:

- **10.2.1** Verify that all components of the practice remain in place and are in good repair and providing designed environmental benefits and outcomes.
- **10.2.2** Identify repairs necessary in accordance with the operation and maintenance plan.
- **10.2.3** Identify further assessment or action necessary if repairs are beyond the scope of the operation and maintenance plan.

10.3 Failure to Maintain Practices. Should the land occupier fail to maintain the practices during their effective life according to the operation and maintenance plan, the land occupier is liable for repayment of cost share funds and costs to recover and enforce contract, at a rate up to 150% of the original landowner agreement as determined by the LGU board. The LGU shall provide the basis for repayment.

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11.0 LGU Reporting Requirements

To ensure the continued success of the DRAP, regular reporting of accomplishments and benefits is required. This reporting is accomplished through entries and documentation in eLINK. Guidance for reporting in eLINK is available on the BWSR website.

11.1 Reporting. LGUs must enter information on activities accomplished with the grant funding in eLINK. Reporting is required for grant fund expenditures and is to be completed by BWSR established reporting deadlines.

11.2 Grant Closeout Reporting. Within thirty (30) calendar days of the conclusion of each grant agreement or expenditure of all grant funds, LGUs are required to provide the following to BWSR:

- **11.2.1** Entry of information on all projects completed with the grant funding in eLINK
- **11.2.2** Signed Final Financial Report from eLINK
- **11.2.3** Return any unspent funds as instructed on the Returned Check Form, found on the BWSR website.

11.3 Records Retention. Project files must be retained by the LGU pursuant to Minnesota Statutes, §138.17 and consistent with ongoing records retention schedules.

11.4 Non-compliance with Reporting Requirements. Any LGU that does not satisfactorily complete these requirements may be ineligible to receive funds from BWSR programs until all required past reporting has been completed.

12.0 BWSR Program Monitoring, Closeout, and Penalty Procedures

BWSR staff is authorized to develop grant agreements, including requirements and processes for fiscal closeouts, and project outcomes reporting. BWSR staff will review grant recipient compliance with contractual requirements in a manner which is consistent with the policies established by the Office of Grants Management and adopted by the BWSR Board.

Reinvest in Minnesota (RIM) Reserve Conservation Easements

In responding to flood disasters the BWSR seeks to acquire permanent conservation easements from willing landowners on damaged lands in declared disaster counties to provide flood attenuation, restore and protect soil and water resources, and to support and restore related fish and wildlife habitat. Easements will be acquired via the RIM Reserve program, MS 103F.501.

13.0 Eligible Activities and Priorities

13.1 Eligible lands

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13.1.1 Flood damaged lands, both cropland and non-cropland areas. All eligible land types under MS 103F.515, Subd. 2 that have been damaged by flooding are eligible.

13.1.2 Riparian lands with a history of flooding within and beyond the 100 year floodplain, where an easement will help mitigate future flood impacts.

13.1.3 Wetland restorations where storage will help reduce future flood impacts.

13.2 **Priorities.** Cropland areas are the priority for funding consideration. Removing cropland from flood-prone areas will have positive water quality impacts, reduce runoff, and lessen negative economic impacts due to flooding for landowners and governments. Non-cropland areas are a lower priority.

13.3 **Conservation Plans.** All lands placed under easement will have an approved conservation plan developed to establish and maintain permanent vegetative cover and required structural practices consistent with the *Practice Specifications* section of the RIM handbook.

14.0 Administrative and Technical Components

14.1 Easement sign-up procedures

14.1.1 BWSR easement staff have the authority to develop specific procedures required to conduct landowner sign-up with SWCDs in response to disasters. This includes a complete list of what is needed to be submitted with each landowner application package.

14.1.2 SWCDs will take applications from landowners during the BWSR prescribed sign-up period, and prioritize their applications based on their effectiveness in addressing flood impacts in their county prior to submitting them to their BWSR Board Conservationist (BC) by the sign-up deadline.

14.1.3 BWSR BCs will rank and prioritize applications from all of their respective SWCDs prior to submittal to BWSR Easement staff for final funding decisions.

14.1.4 BWSR Engineering staff will review all applications where wetlands are proposed for restoration, or existing drainage infrastructure may be impacted.

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14.1.5 All easement program procedures contained in the *RIM Reserve Conservation Easement Handbook* found on the BWSR website will be used to secure easements and pay for practice establishment.

14.2 SWCD Payment for Services. SWCDs will be compensated for their services associated with the acquisition of easements and installation of required practices via the current BWSR approved payment process.

15.0 Easement Payment Rates and Conservation Practice Cost-Share Rates

15.1 Easement and Practice Payments.

15.1.1 The most recent BWSR approved conservation easement payment rates will be used to compute payment for enrolled lands.

15.1.2 The current practice rate limits as prescribed by the BWSR will be used to reimburse landowners for their cost of establishing required vegetative and/or structural conservation practices.

15.1.3 The only structural practices eligible for cost-share are those required to restore wetlands via the RIM Reserve program. Other desired structural practices on lands under RIM easements will NOT be eligible for RIM cost-share.

16.0 Post Easement Conveyance Monitoring and Management

16.1 Monitoring/Site Inspections. All easements acquired will be inspected by SWCD staff on an annual basis for the first 5 years after an easement is recorded, and every 3rd year thereafter. BWSR will provide a list of easements for inspections to the SWCD.

16.2 Management and Maintenance. SWCDs will assist landowners or authorized agent with on-going management activities on their easements. Weed control, boundary issues, activities on the easement, and maintenance of water control structures are the main activities that landowners will need assistance with.

17.0 Drought Emergencies and Emergency Haying and Grazing

(If appropriation language permits emergency haying and grazing, then the following section applies.)

As authorized in MS 103F.501, subd. 4, (2) BWSR has developed policy for its RIM easement lands that is responsive to livestock producers needs while still protecting the wildlife habitat and other environmental concerns on these lands.

17.1 Federal Partnership Easements, CREP and RIM-WRP. Many RIM easements are enrolled jointly with a federal program, such as the Conservation Reserve Program (CRP), or the Wetlands Reserve Program (WRP). For these joint easements BWSR defers

to federal guidelines, requiring landowners to comply with federal provisions for haying and grazing.

17.2 Stand Alone RIM Reserve Easements. For lands with RIM easements only, the BWSR has established the following policy:

17.2.1 Landowners or designee sign-up for emergency haying and grazing provisions with the local SWCD.

17.2.2 At least 50% of the easement acreage will remain undisturbed for wildlife.

17.2.3 Tree plantings, food plots, water control structures, wetland basins and stream banks shall be excluded.

17.2.4 Where practical, mowing will begin in the center of the area to be harvested and commence inside out to allow wildlife to escape.

17.2.5 Haying/grazing will be limited to August 2 to September 30 to protect ground nesting wildlife.

17.2.6 Haying/grazing grasses should be harvested no shorter than 6" in height to ensure regrowth.

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COMMITTEE RECOMMENDATIONS

Wetland Committee

1. 2013 Local Road Wetland Replacement Program Project Selection Process – Ken Powell - ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **2013 Local Road Wetland Replacement Program Project Selection Process**

Meeting Date: August 29, 2013

Agenda Category: ☐ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Land & Water

Contact: Ken Powell, Wetland Bank Coordinator

Prepared by: Ken Powell

Reviewed by: Wetland Committee(s)

Presented by: Ken Powell

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☒ Other: Bond Funds

ACTION REQUESTED

Adopt the resolution authorizing staff to pursue projects that were selected for obtaining wetland bank credits for the Local Road Wetland Replacement Program through the request for proposal and easement sign-up process conducted March to July 2013.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
BWSR has been charged by the legislature to generate wetland replacement credits for use by local public transportation authorities to satisfy wetland replacement requirements of the Wetland Conservation Act (WCA) and Section 404 of the Clean Water Act. The Local Road Wetland Replacement Program (LRWRP) provides wetland credits for local public transportation authorities that follow specified notification procedures and have qualifying projects. To generate wetland replacement credits, BWSR typically receives a bonding appropriation to restore wetlands the will generate wetland replacement credits. Six million dollars in bond funds were appropriated to BWSR in 2012 for the LRWRP. On December 12, 2012 the BWSR Board authorized staff to implement a project selection process. Completion of this process has resulted in the selection of seven potential projects to be pursued for obtaining wetland bank credits. This resolution provides authorization for staff to actively pursue and procure contracts and agreements with landowners, project proposers, and local partners for wetland restoration projects that will result in wetland bank credits for the LRWRP.

Minnesota Board of Water & Soil Resources

Board Resolution # 13-

Local Road Wetland Replacement Program
2013 Project Selection

WHEREAS, the Legislature appropriated $6 million to the Board of Water and Soil Resources (BWSR) in 2012 for the Local Road Wetland Replacement Program (road program); and

WHEREAS, the BWSR has been charged with generating wetland replacement credits to satisfy wetland replacement requirements of the Wetland Conservation Act (WCA) under Minnesota Rules 8420.0544 by local public transportation authorities ; and

WHEREAS, the BWSR has effectively utilized bonding money in the past to fund the road program and produce sufficient credits to fulfill its statutory obligation; and

WHEREAS, the BWSR has effectively used two approaches for generating credits for the road program: an easement program sign-up and a request for proposals (RFP) process; and

WHEREAS, the BWSR has completed an easement program sign-up and RFP process that has identified seven projects with potential to provide wetland replacement credits for the road program; and

WHEREAS, the Wetland Committee reviewed the staff recommendation on August 29, 2013.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to pursue and procure contracts and agreements with landowners, project proposers, and local partners for the projects resulting from the easement sign-up and RFP process conducted in 2013.

_____ Date: _____

Brian Napstad, Chair
Board of Water and Soil Resources

DRAFT

Minnesota Board of Water & Soil Resources

2013 Local Road Wetland Replacement Program Project Selection Results

8/29/13 by Ken Powell, BWSR Wetland Banking Coordinator

On December 12, 2012 the BWSR Board authorized staff to implement a project identification and selection process for obtaining wetland bank credits to offset wetland impacts by local transportation authorities (commonly referred to as the Road Program). Obtaining and generating wetland bank credits for the Road program is a statutory obligation of BWSR, primarily funded by bonding appropriation dollars. The 2013 project identification and selection process follows a 2012 bonding appropriation of 6 million dollars.

The selection process involved both easement sign-up and request for proposal (RFP) components. Only projects and sites within the following four wetland bank service areas were considered:

1. Seven County Metro
2. 4 (Red River South)
3. 7 (Upper Mississippi South)
4. 9 (Minnesota River)



Minnesota Board of Water & Soil Resources

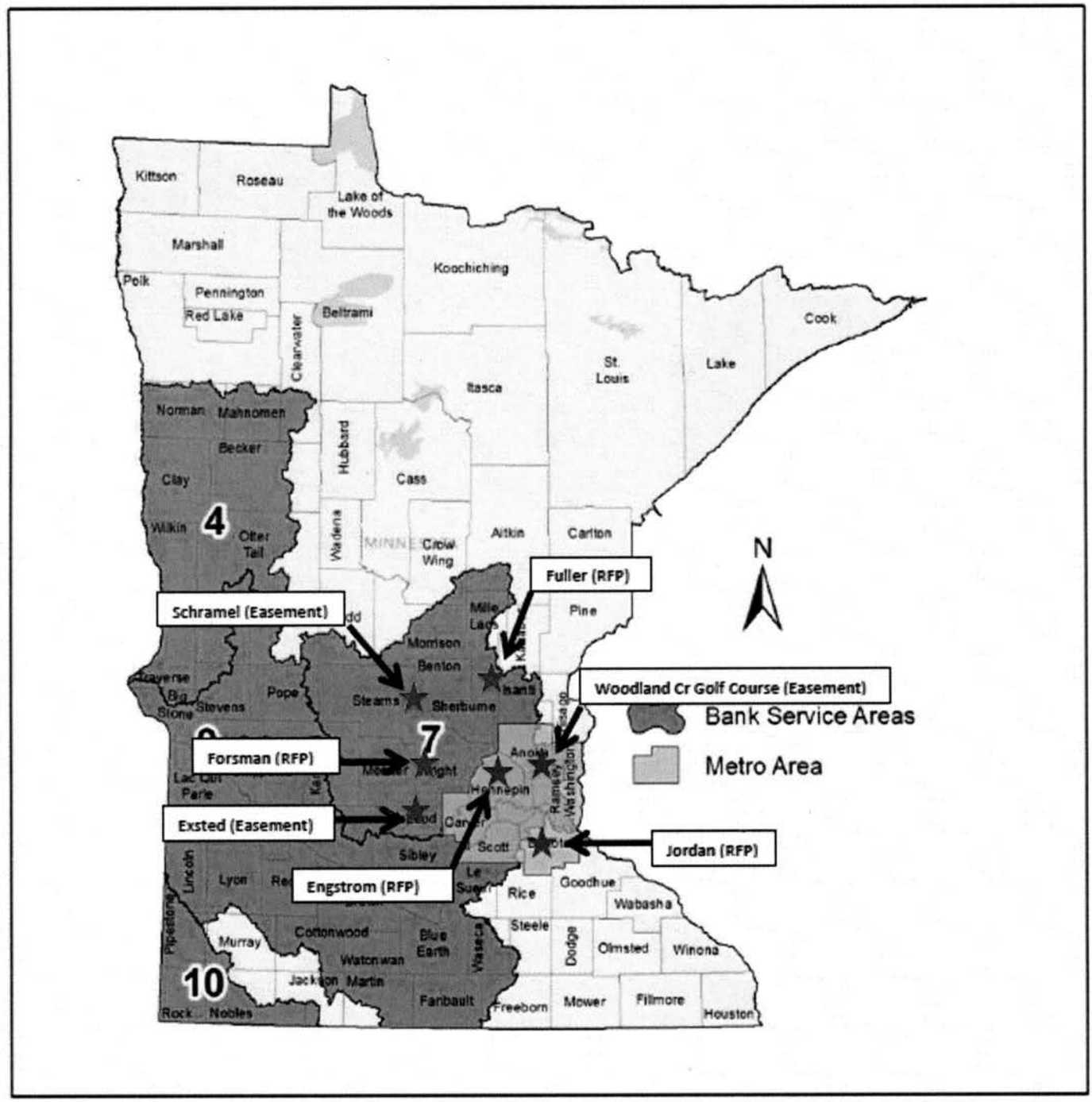
Implementation of the easement sign-up program and RFP solicitation resulted in the submission of nine easement program sites totaling approximately 4.7 million dollars in easement acquisition costs and ten RFP projects totaling approximately 10.5 million dollars in credit costs (see detailed summary at end of document). Through both an internal BWSR staff review and an external Federal Interagency Review Team (IRT) review as specified in the approved selection process, three easement sites and four RFP projects were identified as viable for the program. The following is a summary of the selected sites and projects along with a location map.

Easement Sites

Applicant	BSA	County	Easement Acres	Total Easement Cost
Schramel Sod Farm LLC	7	Stearns	251.6	$ 1,412,939.00
Willard Exsted	7	McLeod	248	$ 1,689,162.56
Olvan properties	7	Anoka	68	$ 381,340.57
			567.6	**$ 3,483,442.13**

RFP Projects

Project Name	BSA	County	Credits	Total Cost
Engstrom	7 (metro)	Hennepin	10	$ 400,000.00
Forsman	7	Wright	20	$ 461,736.00
Fuller	7	Mille Lacs	20	$ 435,600.00
Jordan	8 (Metro)	Dakota	15	$ 450,000.00
Totals			**65**	**$ 1,747,336.00**



Upon authorization from the BWSR Board, staff will pursue contracts with the project proposers and easement applicants. In addition, staff will further investigate easement sites and assess feasibility and crediting. All projects will need to complete the wetland bank application process where the final decision on wetland banking eligibility and crediting will be made.

Minnesota Board of Water & Soil Resources

Detailed Information on Project Submittals

Easement Applications:

Project Name	BSA	County	Easement Acres	Total Easement Cost
Woodland Creek Golf Course	7 (metro)	Anoka	68.31	$ 381,340.00
Stewart Bank	7	Meeker	16	$ 81,800.00
Weckman Bank	9 (metro)	Scott	28	$ 130,520.00
Middleville Bank	7	Wright	37.4	$ 270,957.00
Schramel Sod Farm	7	Stearns	251.6	$ 1,412,939.00
Farmington ISD	8 (metro)	Dakota	94.3	$ 677,395.00
Selstad	7 (metro)	Hennepin	5	$ 46,625.00
Wahpeton Golf Course	4	Wilkin	19.5	$ 46,333.00
Exsted	7	McLeod	248	$ 1,689,162.00
Totals			**768.11**	**$ 4,737,071.00**

RFP Project Submittals:

Project Name	BSA	County	Easement Acres	Credits	Total Cost
Butler Bank	4	Ottertail	60	42	$ 327,800.00
Weertz Bank	9	Blue Earth	215	181.68	$ 3,270,240.00
SHOP Farms	4	Norman	60	50	$ 650,000.00
Engstrom	7 (metro)	Hennepin	24.35	16.84	$ 673,600.00
Forsman	7	Wright	52.2	38.92	$ 898,538.00
Carlson	7	Wright	68.9	30	$ 537,000.00
Fuller	7	Mille Lacs	37.53	20	$ 435,600.00
Dakota	8 (Metro)	Dakota	76.2	63.85	$ 1,915,800.00
Andover	7 (Metro)	Anoka	30	25.65	$ 974,000.00
Middleville	7	Wright	37	36.7	$ 823,107.00
Totals			**661.18**	**505.64**	**$ 10,505,685.00**

COMMITTEE RECOMMENDATIONS

RIM Reserve Management Planning Committee

1. RIM/WRP Payment Rate Adjustment 2010-2012 – Bill Penning/Sarah Strommen – ***DECISION ITEM***

2. Easement Tax Valuation Fact Sheet – Sarah Strommen – ***INFORMATION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: RIM-WRP Rate Adjustment 2010-2012[1]

Meeting Date: August 29, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Conservation Easements

Contact: Bill Penning

Prepared by: Bill Penning

Reviewed by: RIM Reserve Management Planning Committee(s)

Presented by: Bill Penning

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☒ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☒ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to authorize the 2013 RIM-WRP Partnership easement payment rates to be applied to RIM-WRP projects from 2010-2012 that have not closed.

The RIM-WRP Partnership, the premier private lands wetland restoration program in the nation, is a state-federal partnership delivered locally by the Natural Resources Conservation Service (NRCS), Soil and Water Conservation Districts (SWCDs), the Board of Water and Soil Resources and numerous other partners.

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Due to a staffing shortage, personnel changes and a more intricate Federal process, NRCS has been having difficulty closing easements in a timely fashion, which has created a backlog of roughly 185 projects. Although steps are being taken to address the backlog and speed up easement acqusition times, a number of landowners have been dropping out of the program as land values have skyrocked in the last three years. Given that both NRCS and BWSR already have a significant investment of staff time and professional services costs into these projects, it is reasonable to increase payment rates for these backlog projects to current rates as an incentive to landowners to continue working with us through the acqusition process. Due to Federal constraints, NRCS is unable to contribute to the proposed increase, thus BWSR will pick up the full cost of the difference between the old and new rates. The total Federal contribution will remain at half or more for the collective group of projects.

Minnesota Board of Water & Soil Resources

Board Resolution #_____

Reinvest in Minnesota (RIM) Reserve - Wetlands Reserve Program (RIM-WRP) Rate Adjustment 2010-2012

WHEREAS the Minnesota State Legislature appropriated Outdoor Heritage Funds (OHF) and Capital Investment funds to the Board of Water and Soil Resources (BWSR) for the Reinvest in Minnesota – Wetlands Reserve Program Partnership to acquire permanent conservation easements and restore wetlands and associated upland habitat, in cooperation with the Unites States Department of Agriculture's (USDA) Wetlands Reserve Program; and

WHEREAS the RIM-WRP Partnership, the premier private lands wetland restoration program in the nation, is a local-state-federal partnership delivered locally by the Natural Resources Conservation Service (NRCS) the Soil and Water Conservation Districts (SWCDs) and the Board of Water and Soil Resources (BWSR); and

WHEREAS the RIM-WRP Partnership is enhanced via collaboration with other partners including Ducks Unlimited, (DU), the Minnesota Waterfowl Association (MWA), Pheasants Forever (PF), the Minnesota Department of National Resources (MN DNR), and the United States Fish and Wildlife Service (USFWS); and

WHERAS the RIM-WRP Partnership permanently protects and restores previously drained wetland and adjacent native grasslands to achieve the greatest wetland functions and values, while optimizing wildlife habitat on private lands enrolled in the Partnership; and

WHEREAS the RIM Reserve Conservation Easement Program is administered by the BWSR in cooperation with local Soil and Water Conservation Districts (SWCDs); and

WHEREAS NRCS National Headquarters has requested Minnesota NRCS to develop a process which allows for continuous enrollment of RIM-WRP Partnership easement applications and the necessary obligation of federal WRP funds with eligible Minnesota landowners; and

WHEREAS RIM-WRP has been popular with landowners to the point where the increasing workload has created a substantial backlog of up to three years in easement closings; and

WHEREAS crop prices, cash rental rates and land prices have increased significantly during this time in which easement applications have been backlogged and some landowners on the backlog list are awaiting payment; and

DRAFT

WHEREAS both BWSR and NRCS already have investments in surveys, title work and staff time in these projects and without action to retain participation landowners will seek to withdraw their applications; and

WHEREAS the Board authorized staff via Resolution 13-36, dated May 22nd, 2013, to establish RIM-WRP Partnership payment rates that best approximate 90% of land value for permanent easements on land with cropping history and 60% of land value for permanent easements on lands without cropping history, subject to the following factors; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on August [redacted], 2013 and recommend the following payment rate provisions to successfully address the RIM-WRP Partnership backlog.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

Apply RIM-WRP Partnership payment rates authorized via Resolution 13-36 to currently funded 2010-2012 RIM-WRP applications that have not closed, subject to the following factors:

1. Staff will develop and implement ineligibility criteria for applications where the delayed easement closing has not been primarily caused by NRCS or BWSR;

2. The payment rates set in this resolution are supplemental to Resolutions 10-27, 11-19 and 11-79.

Dated at Saint Paul, Minnesota this 28th day of August, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

DRAFT

Minnesota Board of Water & Soil Resources

RIM easements and property tax valuation

August 2013

Conservation easements are an important conservation tool that provides a variety of significant public benefits, including clean water, wildlife habitat and flood mitigation. Conservation easements also keep lands in private ownership and on the tax rolls. According to a recent report by the Office of the Legislative Auditor (OLA), there are currently about 600,000 acres of land protected by state-funded conservation easements in Minnesota. Approximately half these acres are enrolled in BWSR's RIM programs.

The effect of a conservation easement on a parcel's property value depends on a variety of factors, including the location of the property and the restrictions on use and development of the property put in place by the easement. Until a recent change in law, local assessors were allowed to determine the effects of a conservation easement, if any, on the property tax assessment on a case-by-case basis.

A change in law

In 2013, the Minnesota Legislature included a provision in the Tax Bill affecting the way in which local assessors must treat conservation easement when valuing property for tax purposes. This change *prohibits* a reduction of property value based on a conservation easement unless the easement falls into one or more of the following categories:

1. Easements covering riparian buffers along lakes, rivers, and streams that are used for water quantity or quality control
2. Easements in a county that has adopted, by referendum, a program to protect farmland and natural areas since 1999
3. Easements entered into prior to May 23, 2013

Exceptions to the new law

Given the new law and its exceptions, landowners considering a RIM easement should talk with the local tax assessor to better understand how the easement will affect taxes on their individual parcel. The following information is intended to assist SWCD staff and landowners.

Riparian easements

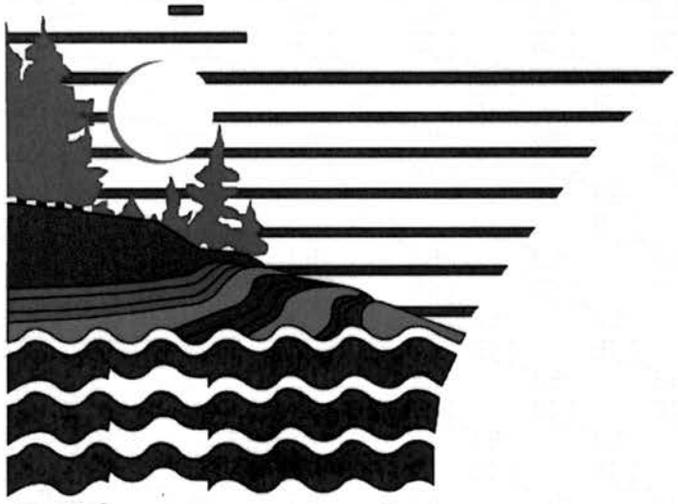
The Reinvest in Minnesota (RIM) easement program is authorized in Minnesota Statute, and the Statute (103F.511) provides a definition of "riparian land" that applies to RIM easements. Under this definition, "riparian land" defines lands adjacent to public waters, drainage systems, wetlands or locally designated priority waters.

County program to protect farmland and natural areas

The only county that has adopted (by referendum) a program to protect farmland and natural areas since 1999 is Dakota County.

Easements entered into prior to May 23, 2013

All RIM easements are signed and dated by the landowner prior to being recorded. To determine whether an easement was entered prior to May 23, 2013, landowners should check the date on which the easement was signed.



Minnesota Board of Water & Soil Resources

BWSR Tour and Meeting

Lake County

Two Harbors, MN

August 28-29, 2013

Minnesota Board of Water & Soil Resources

News Release

For release: Monday, Aug. 26, 2013 Contact: Jennifer Maleitzke, 651-215-9008 (office); 651-315-5082 (cell)

BWSR Board to tour northeastern Minnesota on annual tour

Two Harbors, Minn.— Storm water projects, flood relief and wetland restoration sites are just a few of the stops along the way for a public tour in northeastern Minnesota on Wednesday.

Members of the Minnesota Board of Water and Soil Resources (BWSR) will embark on its annual tour in Lake County, which will highlight the installation of conservation practices through dynamic partnerships between private landowners and federal, state and local governments. The Lake County Soil and Water Conservation District (SWCD) is the local host.

Dan Schutte, Lake SWCD Outreach Coordinator, said he's excited to host this year's tour and is looking forward to showcasing the important work underway in Lake County. "We are working hard with landowners in our area to implement conservation practices to protect our soil and water resources," Schutte said. "This tour is an opportunity to show off this good work to policy makers and to let them know we are dedicated to protecting and improving the environment in northeastern Minnesota."

The Board will begin its tour at 8:00 a.m. on Wed., Aug. 28, at Superior Shores, 1521 Superior Shores Drive in Two Harbors. Some stops along the way include:

• Cemetery detention basin: On July 4, 1999, the "BWCA Blowdown" was a near 100-year storm that blew 100-mile per hour straight-line winds and dropped approximately five inches of rain. This storm event prompted the City of Two Harbors to develop a systematic process to address stormwater issues.

• Skunk Creek stream bank stabilization: Caused partly by the flashiness of the stream and the orientation of the culvert, the 170-foot site contributed approximately 108 tons of sediment into the creek per year. In 2006, the Lake SWCD partnered with the City of Two Harbors, CN Railroad, Lake County Hwy. Dept., and Extension to correct this stream bank erosion problem.

• Knife River stream bank stabilization: The Knife River is a trout stream and listed as an impaired water body for turbidity. In 2011, The Lake County SWCD used natural channel design to stabilize a section of eroding stream bank on private property. Less than one year after installation, the project was tested during the 2012 flood and successfully protected the streambank with no slumping or major erosion.

• Dan Ziemet wetland bank: This wetland bank site was a gravel pit that had the majority of usable granular material removed from within its boundaries. Site improvement activities included excavation in areas down to native clay soils that encourage ponding, installation of a riprap channel and emergency spillway and shaping of berms to prevent erosion and to create stable sideslopes for the mitigation area.

• Jamie and Penny Juenemann bridge flood relief: After bailing out water from his basement and watching a waterfall form in his backyard, Jamie Juenemann thought he'd seen the worst of the 2012 June storms. That was until he and his family attempted to drive into Two Harbors, only to find out that half-way down their one mile driveway, their bridge over the Little Stewart River was in disrepair and virtually impassable. This project involved replacing the privately-owned bridge to protect water quality over the Little Stewart River, a trout stream tributary to Lake Superior.

• Ron and Louise Thureen lakeshore stabilization: During the June 2012 flood, a large slump opened up along the forested shoreline of Lake Superior, dumping an estimated 7,000 cubic yards of rock and sediment into the lake, and taking the Thureen's septic drainfield with it. In 2012, Lake SWCD provided financial assistance for critical area stabilization of the slump using hydraulic seeding/mulching and for replacement of the drainfield away from the slump. The new drainfield was installed within two months of the flood and incorporated peat filter technology, better suited to poor soils and limited space.

Following the tour, an issues form will be held at Superior Shores to discuss "natural resource challenges in Lake County." Moderated by Ron Shelito, BWSR Regional Manager, speakers will discuss challenges, barriers and success stories around conservation management in northeastern Minnesota. Panelists include Rich Sve (Lake County Commissioner), Jo Kovach (White Iron Chain of Lakes Association), Tom Gelineau (Retired Lake SWCD Supervisor) and Leo Babeu (Advocates for the Knife River Watershed).

For a full itinerary of the BWSR Board tour and the regularly-scheduled BWSR Board meeting on Thurs., Aug. 29, visit the BWSR website at: www.bwsr.state.mn.us.

The BWSR Board consists of 20 members, state agencies, and citizens, including local government representatives that deliver BWSR programs. The board sets a policy agenda designed to enhance service delivery through the use of local government. Board members, including the board chair, are appointed by the governor to four-year terms.

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Minnesota Board of Water & Soil Resources

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"Natural resource challenges in Lake County" – Issues Forum

August 28, 2013 – 3:30 – 5:00 p.m.
Superior Shores Resort and Conference Center
1521 Superior Shores Drive, Two Harbors, MN 55616

Purpose
The issues forum will provide an opportunity to share a variety of local natural resource, economic, and political perspectives with BWSR board members and staff and to discuss how BWSR might support local organizations more effectively.

Goal
A dialogue between BWSR board members, staff and local representatives will better inform all participants about issues that face local governments and organizations. Panelists may offer suggestions to BWSR board members and staff on how the agency can better provide assistance. This will be a casual yet informative session for all.

Panelists
Rich Sve, Lake County Commissioner
Jo Kovach, White Iron Chain of Lakes Association
Tom Gelineau, Retired Lake SWCD Supervisor
Leo Babeu, Advocates for the Knife River Watershed

Moderator
Ron Shelito, BWSR North Region Supervisor

Process
Each speaker will have time to address the BWSR Board starting with Commissioner Sve. Panelists will share their thoughts on what the key natural resource issues in northeastern Minnesota. The discussion will include challenges, barriers and success stories.

Panel Forum Bio information

Rich Sve bio:
Rich Sve is a life-long resident of Lake County and lives with his wife, Rhonda, in Split Rock. He has owned a painting contracting business that has served the area for 28 years. Rich was elected to the Lake County Board of Commissioners in 2008, represents the 5th District, and he is the current Chairman of the Board. Previously, Commissioner Sve served as a township supervisor for the Town of Silver Creek.

He serves on over twenty committees, many of which deal with land use, natural resources, energy, and environment. Rich has been on the North Shore Management Board for the past seven years, six years as an officer. He is vice-chair of the Northern Counties Land Use Coordinating Board, which represents eight northern counties.

Rich is Chair of the Environment and Natural Resources Policy Committee for the Association of Minnesota Counties (AMC). He also is a member of the AMC Board of Directors, as well as vice-chair for AMC District 1 which represents seven northeastern counties. He was appointed to the AMC Water Round Table and chaired the Finance sub-committee. Rich was one of four county commissioners, state wide, appointed to the Payment in Lieu of Taxes (PILT) Advisory Group. This group was charged by the State legislature to evaluate PILT and to make recommendations to the Legislature. Commissioner Sve is also involved at the national level as a member of the Energy, Environment and Land Use policy committee for the National Association of Counties.

Tom Gelineau bio:
Mr. Gelineau served on the Lake County Soil and Water Conservation District Board of Supervisors for nine years and was heavily involved in the development of the Lake County Local Water Management Plan. Tom has recently retired after working over 31 years for the Two Harbors Public Works Department. His final seven years he served as the Public Works Director. During his tenure with the City of Two Harbors, Tom worked closely with Mike Kohn on the storm water mitigation projects in the Skunk Creek watershed, and helped initiate many other storm water projects in the city of Two Harbors. Mr. Gelineau served for 20 years on the Two Harbors Tree and Trail commission, and during this time initiated the Sonju Trail project and built the lighthouse link. Tom also helped develop the Two Harbors Urban Forest Management Plan.

White Iron Chain of Lakes (WICOLA) - Representative: Jo Kovach

The White iron Chain of Lakes Association (WICOLA) is a group of homeowners and lake users who began monitoring waters of the White Iron Chain in 1993. Members treasured the beautiful lake region and wanted to insure that its waters remained clean and pure forever.

Working with the Minnesota Pollution Control Agency, WICOLA soon realized that an accurate study of the White Iron Chain depended on the state of water in the rivers and streams in the Kawishiwi Watershed feeding the lakes. WICOLA applied for and received grants from the MPCA in 2010 which allow expanded stewardship throughout the Kawishiwi Watershed. The result was the Kawishiwi Watershed Protection Project, a true partnership between government agencies, the MPCA, Lake County, and citizenry.

Jo Kovach bio:
Jo grew up on Farm Lake and in a big old heavy rowboat explored every nook and cranny of the chain - so she remembers what the water was like from the 40's and the 50's. After a career (professor and publishing) and family I jumped at the opportunity to come back. Jo currently owns the Blue Heron Bed and Breakfast on Farm Lake – or, probably more accurately, the Bed and Breakfast owns her. Jo recalls the day, some 19 years ago, a fishing boat drew up to her dock and the jovial guys invited me to join the WICOLA, but she did not get seriously involved until they needed a president some 3 ½ years ago. Little did she know what she was about to be immersed in…

Advocates of the Knife River Watershed (AKRW) - Representative: Leo Babeu

The Advocates (AKRW) began as neighbors and friends coming together in the winter of 2010-11 to protect the Knife River watershed when a large timber harvest was being planned. The group was originally facilitated by Andrew Slade of the Minnesota Environmental Partnership. The organization incorporated as a non-profit in 2011-12 and elected its first Board of Directors in February 2013. AKRW held three educational forums open to the public in spring 2013 and is planning a similar slate of presentations for fall 2013 and spring 2014.

The AKRW mission is to be a citizen voice for the private and public land use decisions that affect the watershed ecosystem. The group has agreed on four key purposes to guides us in our organization's activities:

- To conduct educational and outreach activities that increase public awareness of policies and practices that affect the Knife River watershed,
- To promote and engage in activities that can improve water quality in the Knife River watershed,
- To serve as a forum for citizens voices in private and public land use decisions that affect the watershed ecosystem, and
- To provide pertinent facts to agencies, elected officials and the public regarding land use decisions that affect the ecosystem in the Knife River watershed.

Leo Babeu bio:
Leo is a long-time resident of the area and currently lives in Clover Valley between Two Harbors and Duluth with his wife. Leo holds both a B.S. and an M.S. in Environmental Science from Rutgers University. Over the years, Leo has worked for the Center for Lake Superior Environmental Studies, the University of Minnesota Duluth Medical School, the EPA, the Oregon State Marine Sciences Center, the Great Lakes Environmental Center, and as a self-employed laborer, builder, and stay-at-home dad. Mr. Babeu has published several peer-reviewed articles on the biodegradability of industrial chemicals and others in the areas of environmental toxicology and neural physiology. In addition to his work in the sciences, Mr. Babeu has served 6 ½ years on the Lake Superior School District Board of Education, including three years as the Board Chair. Leo served two years on the founding board of the publicly chartered North Shore Community School, and is a past youth soccer and basketball coach and long-running volunteer in local schools. Leo currently works as a market gardener and is the vice-president of the start-up Two Harbors Community Radio non-profit. Mr. Babeu is also currently serving as the first Board Chair for the Advocates for the Knife River Watershed.

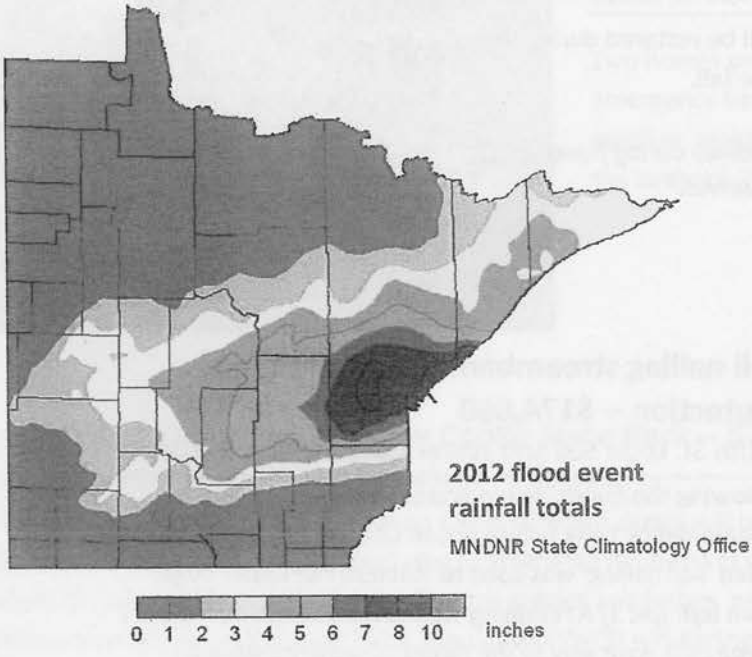
Minnesota Board of Water & Soil Resources

June 2012 flood recovery effort

Progress to date in Northeast Minnesota

March 2013

During the time period of June 14-21, 2012, severe storms and flooding caused damage to infrastructure, private/public property and natural environments in several Minnesota counties. A Presidential Major Disaster was declared (FEMA, DR-4069) on July 6, 2012. Counties and tribal lands included in the declaration were: Aitkin, Carlton, Cass, Cook, Crow Wing, Dakota, Goodhue, Itasca, Kandiyohi, Lake, Meeker, Pine, Rice, Sibley, St. Louis, and the Fond du Lac Band of Lake Superior Chippewa, Grand Portage Band of Lake Superior Chippewa, and the Mille Lacs Band of Ojibwe.



2012 flood event rainfall totals
MNDNR State Climatology Office

"The most damaging flood in Duluth's history" began when heavy rains fell over already saturated ground, making the situation worse. The main event occurred from June 19-20, 2012, when the Duluth National Weather Service reported total rainfall of 7.24 inches. Just northeast of Duluth, the National Weather Service reported 10.10 total inches; Two Harbors received 9.93 inches of rain.

Substantial flooding was reported in many areas around Duluth, including the Lake Superior Zoo. I-35 was closed for a time in Duluth. Highway 61 was closed through June 21 between Duluth and Two Harbors. Road closures were also commonplace in Itasca, Aitkin, Carlton, Southern Lake, and Southern St. Louis counties.

The state's response

On Friday, Aug. 24, 2012, Governor Mark Dayton signed a $167 million disaster relief bill passed earlier in the day by a Special Session of the Minnesota State Legislature. To assist in flood recovery efforts, the Board of Water and Soil Resources (BWSR) received $11 million to implement erosion, sediment control and water quality protection projects and $1.5 million to purchase Reinvest in Minnesota (RIM) conservation easements.

Within two weeks of the appropriation, BWSR executed grant agreements and allocated more than $1 million to eleven soil and water conservation districts (SWCDs) to address emergency flood situations for erosion, sediment and water quality control projects based on preliminary damage assessments and requests from SWCDs. Three projects examples from this emergency funding are highlighted on the next page of this fact sheet.

Phase I: Tackling emergency flood situations

Total phase I allocations to 11 SWCDs: $1,111,769

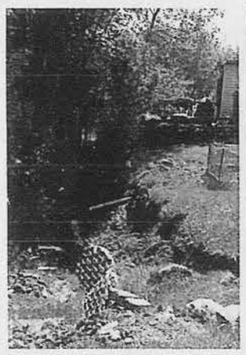
Little Stewart River Bridge -- $119,672
Lake County Soil and Water Conservation District

This project involved replacing a privately-owned bridge over the Little Stewart River, a trout stream tributary to Lake Superior, near Two Harbors, Minnesota. The previous timber bridge was damaged beyond repair and the bed of the stream was severely altered during the flood. Unfortunately, the bridge was the only way to access the family's home, and they had to hike or bike ½ mile each way to get home after the flood. The cost estimate to replace the bridge was well beyond their budget. Because of the added strain for flood-related costs, the family dealt with possibly not being able to send their eldest daughter, a senior in high school, to college. With funding support from Lake SWCD, the new bridge was completed on December 31, 2012; vegetation will be restored during the 2013 growing season, and the daughter will be off to college come fall.





From top: (pic 1) More than three feet of rock and gravel washed away during flood, (pic 2) landowners saved on project costs by working on the bridge themselves.





Soil nailing streambank and shoreline protection -- $174,860
South St. Louis Soil and Water Conservation District

Following the floods, two private homes were severely threatened by bank failure above Chester Creek. A technique called 'soil nailing' was used to stabilize the upper edge.
From left: (pic 1) A retaining wall could do little but hold its shape as it gave way to the forces of gravity and super-saturation, (pic 2) The bench below the wall has been 'hydro-seeded', to begin the re-vegetation process.

Anderson Dairy Farm manure pit -- $6,504
Carlton County Soil and Water Conservation District

As Moose Lake residents experienced 30 inches of rain in 30 days, the Anderson Dairy Farm two-million gallon manure pit filled up months before schedule, to within one-foot of the top *(pictured at right)*. Filled beyond capacity, the pit threatened to overflow into a nearby ditch that drains to the Kettle River. Flood relief funds helped to pay for pumping out the pit and spreading the manure on 80 acres of crop fields, according to the Natural Resources Conservation Service crop nutrient management plan.



Phase II: Repairing private and public property

Total phase II allocations to 7 SWCDs and City of Duluth: $6,865,892

Following BWSR's emergency allocations, local government units applied through the Minnesota Recovers Task Force (MRTF) process for additional flood response project funds and RIM funds. The Minnesota Recovers Task Force ensures applicants meet the eligibility criteria to receive state assistance funds and coordinate eligible funding sources. After assessing need, determining eligible projects, and working with partners on funding sources, phase II funding will tackle ready-to-go projects to help landowners fix their properties. Allocations in phase II will provide grants for more than 175 projects, all managed by local governments. Three project examples are highlighted below.



Lake Superior shoreline repair -- $500,000
South St. Louis Soil and Water Conservation District

Two homes overlooking Lake Superior are facing an emergency bank erosion situation. Engineers are designing a solution, which could include a retaining wall that is pinned to the bedrock. The project will begin spring 2013

Landslide stabilization near Jay Cooke State Park -- $7,644
Carlton County Soil and Water Conservation District

Eleven landslides totaling three acres on steep, forested slopes will be addressed in this stabilization project east of Wrenshall *(pictured at right)*. The project includes planting 225 pounds of native grasses and forbes, and 1600 native tree seedlings in spring of 2013. The Carlton SWCD will partner with the Conservation Corps of Minnesota and Iowa to carry out the project.



City of Silver Bay municipal golf course streambank stabilization -- $20,000
Lake County Soil and Water Conservation District



The Silver Bay Golf Course had damage to several bridged river crossings for golf cart and maintenance vehicles and extensive debris accumulation following the storms *(pictured at left)*. While the City repaired these issues immediately, much of the damage could be attributed to an eroding streambank. The streambank is forested, but the undercutting erosion caused several trees and a large sediment load to damage downstream infrastructure. This project will stabilize approximately 100 feet of this streambank to minimize erosion and prevent future flood damage.

Conservation that works: projects outlast floods

In most circumstances, conservation planning and design is not done for the most extreme weather conditions possible. However, many recent conservation projects that were installed withstood the 2012 floods, which was considered a 500-year event.

Knife River streambank stabilization

Lake and South St. Louis Soil and Water Conservation Districts

The Knife River is a trout stream and listed as impaired with a total maximum daily load (TMDL) for turbidity. This project used natural channel design to stabilize a section of eroding streambank on private property. The design used all natural materials—tree trunks, root wads, brush, clay, fine soil, and sod mats of willow, dogwood, and alder. Less than one year after installation, the project was tested during the June 2012 flood (a "500-year storm"), and successfully protected the streambank with no slumping or major erosion. Based on the proven success of this $18,000 project, Lake SWCD will use natural channel stabilization methods at other sites along the Knife River to continue to address the TMDL for turbidity.

From left: (pic 1) Bank failure on Knife River prior to project, (pic 2) project construction, (pic 3) project withstands 2012 floods.







Skunk Creek Flood Mitigation Project

Lake Soil and Water Conservation District





From top: Before and after pictures at Skunk Creek.

Skunk Creek is the main waterway through Two Harbors, Minnesota, travelling almost three miles through upland forests and urban development before emptying into Lake Superior. In 2010, Skunk Creek was listed as an impaired water for turbidity. Skunk Creek has a history of flooding dating back to the early 1900s after the area was transformed by the railroad and logging industry. Stormwater problems have included water pollution, flooding, public roadway damage, property damage, stream bank erosion, and public safety. Following the "4th of July Storm" in 1999, the community of Two Harbors developed and implemented a strategic Storm Water Management Plan with the assistance of the Lake SWCD and numerous additional partners and funding sources. The project included construction of three stormwater detention basins designed to accommodate the 500-year storm event, construction of a rain garden at the Lake County Courthouse and stabilization of several hundred feet of streambank. Flood mitigation practices installed through this project proved successful during the June 19-20, 2012 flood. Despite the extensive damage in nearby Duluth, damage to public infrastructure and private property in Two Harbors was minimal. The initial investment of $350,000 has been estimated to have saved the city "millions" in potential flood damages in 2012.

John Jaschke, Executive Director
Minnesota Board of Water and Soil Resources
John.jaschke@state.mn.us
651-296-0878
www.bwsr.state.mn.us

BWSR Board Tour Itinerary

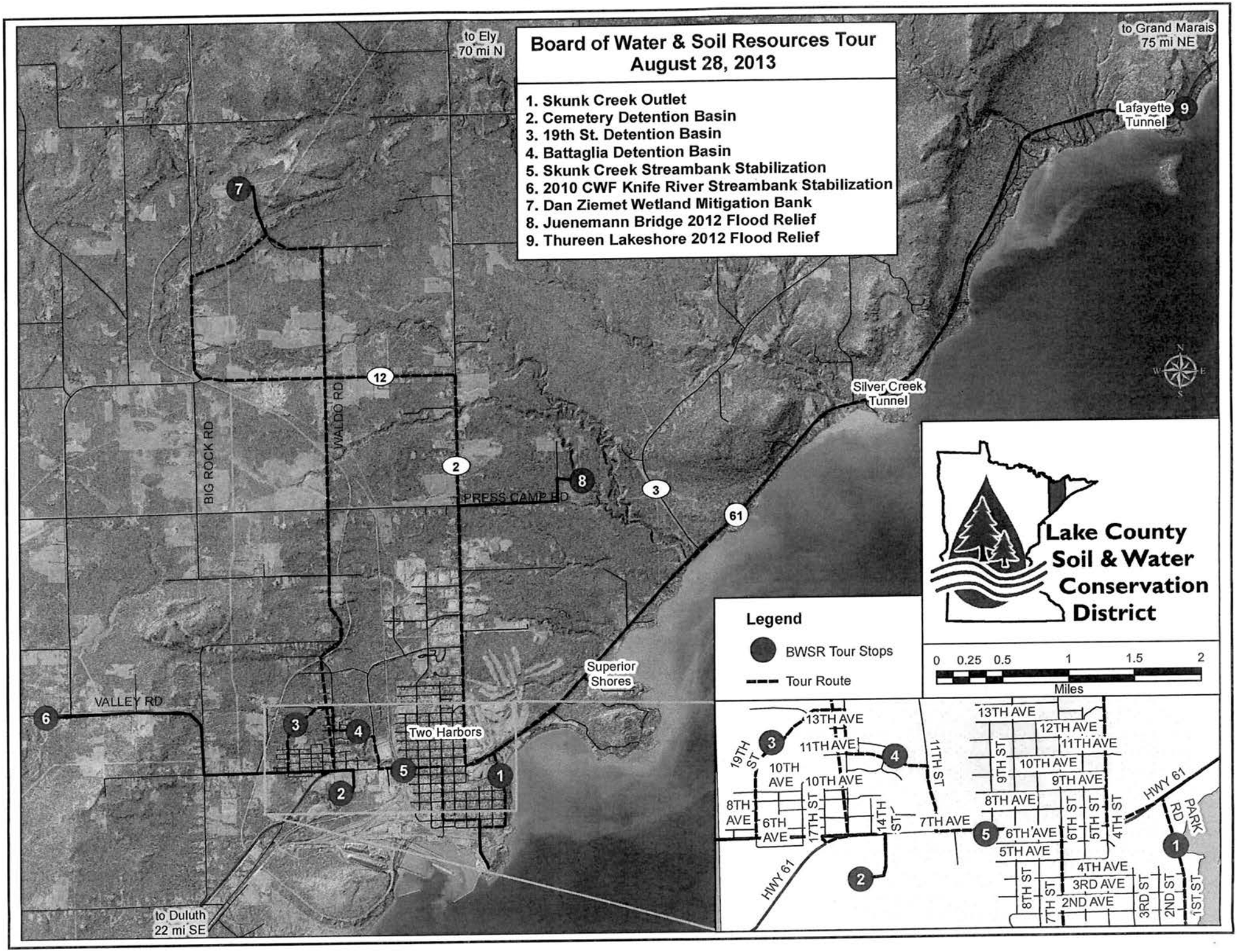
Hosted by the Lake County Soil and Water Conservation District

August 28, 2013

Superior Shores Resort and Conference Center
1521 Superior Shores Drive, Two Harbors, MN 55616

7:30	Check-in at registration table
8:00	Welcome & introductions - Brian Napstad and John Jaschke, BWSR Brief overview of tour – Jennifer Thiemann and Dan Schutte, Lake County SWCD
8:20	Board coach bus
8:30	Coach bus promptly departs from Superior Shores. Narrated tour of Two Harbors storm water planning – Wayne Seidel, Lake County SWCD / U of M Extension (retired) • Campground Shoreline Stabilization • **Cemetery Detention Basin** • 19th Street Storm Water Detention Basin • Battaglia Parkway Detention Basin & Erosion Control Projects • **Skunk Creek Stream Bank Stabilization Project**
10:30	**Break at Uppgaard Site - Knife River 2010 CWF Stream Bank Stabilization** Two Harbors Waterfront, Lighthouse at Agate Bay
Noon – 12:45	**Lunch** at Blackwoods Grill, Two Harbors
1:00 PM	**Dan Ziemet Wetland Bank**
2:00	**Jamie & Penny Juenemann Bridge Flood Relief**
2:30	**Ron & Louise Thureen Lakeshore Stabilization**
3:15	**Break** at Superior Shores, Gooseberry Conference Room
3:30 – 5:00	**Issues Forum – "Natural Resource Challenges in Lake County"** *Panel*: Rich Sve, Lake County Commissioner Jo Kovach, White Iron Chain of Lakes Association Tom Gelineau, Retired Lake SWCD Supervisor Leo Babeu, Advocates for the Knife River Watershed
6:00	Dinner at Superior Shores, Kamloops Restaurant *Everyone on the tour is invited to stay for dinner*

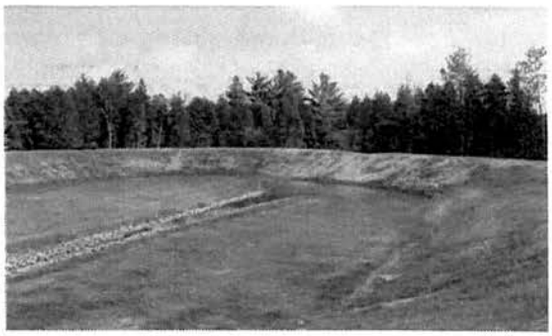
Participants will exit the bus for a tour stop at the **six bolded** sites.


Board of Water & Soil Resources Tour
August 28, 2013
1. Skunk Creek Outlet
2. Cemetery Detention Basin
3. 19th St. Detention Basin
4. Battaglia Detention Basin
5. Skunk Creek Streambank Stabilization
6. 2010 CWF Knife River Streambank Stabilization
7. Dan Ziemet Wetland Mitigation Bank
8. Juenemann Bridge 2012 Flood Relief
9. Thureen Lakeshore 2012 Flood Relief
to Ely
70 mi N
to Grand Marais
75 mi NE
Lafayette
Tunnel
Silver Creek
Tunnel
BIG ROCK RD
WALDO RD
PRESS CAMP RD
12
2
8
3
61
7
6
VALLEY RD
Two Harbors
Superior
Shores
to Duluth
22 mi SE
Lake County
Soil & Water
Conservation
District
Legend
BWSR Tour Stops
Tour Route
0 0.25 0.5 1 1.5 2
Miles
13TH AVE
11TH AVE
10TH AVE
9TH AVE
8TH AVE
6TH AVE
5TH AVE
4TH AVE
3RD AVE
2ND AVE
19TH ST
17TH ST
14TH ST
11TH ST
9TH ST
7TH ST
6TH ST
5TH ST
4TH ST
3RD ST
2ND ST
1ST ST
7TH AVE
HWY 61
PARK RD

Tour stops

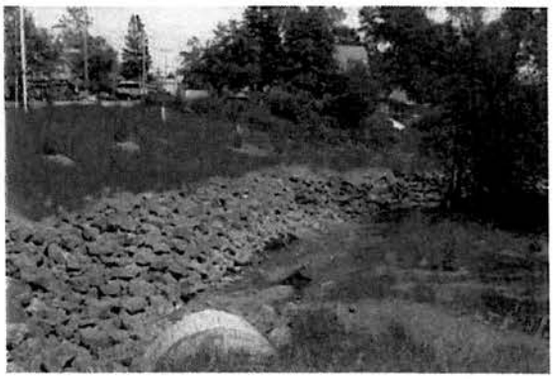
Cemetery detention basin

On July 4, 1999, the "BWCA Blowdown" was a near 100-year storm that blew 100-mile per hour straight-line winds and dropped approximately five inches of rain. This storm event prompted the City of Two Harbors to develop a systematic process to address stormwater issues. After multiple grants from the Lake Superior Coastal Program, detention basins were constructed to store water and meter it off slowly following a storm event. The project was completed in 2004.



Skunk Creek stream bank stabilization project

Caused partly by the flashiness of the stream and the orientation of the culvert, the 170-foot site contributed approximately 108 tons of sediment into the creek per year. In addition to the water quality problems, the eroding bank also exposed a pressurized gas line and a 12-inch water main. Public safety was also an issue as this was an approximate 16-foot vertical drop from the alley to the stream – with no guard rail. In 2006, the Lake SWCD partnered with the City of Two Harbors, CN Railroad, Lake County Hwy. Dept., and Extension to correct this stream bank erosion problem.



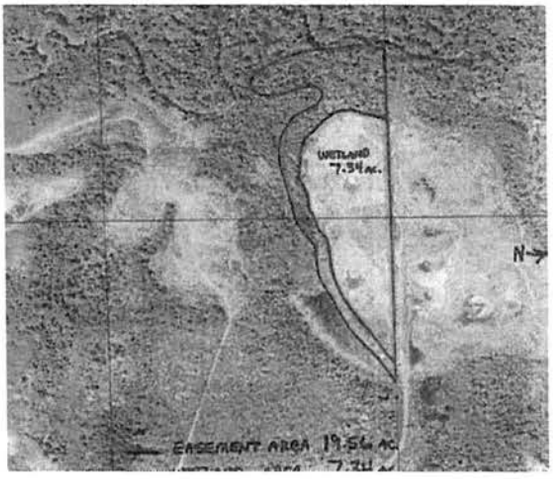
Knife River 2010 CWF stream bank stabilization

The Knife River is a trout stream and listed as impaired for turbidity. In 2011, The Lake County SWCD used natural channel design to stabilize a section of eroding stream bank on private property. The project used all natural materials – tree trunks, root wads, brush, clay, fine soil and sod mats of willow, dogwood and alder. Less than one year after installation, the project was tested during the 2012 flood and successfully protected the streambank with no slumping or major erosion.



Dan Ziemet wetland bank

This wetland bank site was a gravel pit that had the majority of usable granular material removed from within its boundaries. Site improvement activities included excavation in areas down to native clay soils that encourage ponding, installation of a riprap channel and emergency spillway and shaping of berms to prevent erosion and to create stable sideslopes for the mitigation area.



Jamie & Penny Juenemann bridge flood relief



After bailing out water from his basement and watching a waterfall form in his backyard, Jamie Juenemann thought he'd seen the worst of the 2012 June storms. That was until he and his family attempted to drive into Two Harbors, only to find out that half-way down their one mile driveway, their bridge over the Little Stewart River was in disrepair and virtually impassable. This project involved replacing the privately-owned bridge to protect water quality over the Little Stewart River, a trout stream tributary to Lake Superior.

Ron & Louise Thureen lakeshore stabilization



During the June 2012 flood, a large slump opened up along the forested shoreline of Lake Superior, dumping an estimated 7,000 cubic yards of rock and sediment into the lake, and taking the Thureen's septic drainfield with it. In 2012, Lake SWCD provided financial assistance for critical area stabilization of the slump using hydraulic seeding/mulching and for replacement of the drainfield away from the slump. The new drainfield was installed within two months of the flood and incorporated peat filter technology, better suited to poor soils and limited space. In 2013, a forested buffer will be planted above the slump to help stabilize the shoreline.

Issues forum: "Natural resource challenges in Lake County"

Following the tour, please join us for an issues forum at Superior Shores. Panelists include:

Rich Sve, Lake County Commissioner:
Sve is a lifelong resident of Lake County and lives with his wife, Rhonda, in Split Rock. He has owned a painting contracting business that has served the area for 28 years. Sve was elected to the Lake County Board of Commissioners in 2008, represents the 5th District, and he is the current Chairman of the Board. Previously, Commissioner Sve served as a township supervisor for the Town of Silver Creek.

Jo Kovach, White Iron Chain of Lakes Association
Kovach grew up on Farm Lake and currently owns the Blue Heron Bed and Breakfast on Farm Lake. She is active in the White iron Chain of Lakes Association (WICOLA), a group of homeowners and lake users who began monitoring waters of the White Iron Chain in 1993.

Tom Gelineau, Retired Lake SWCD Supervisor
Gelineau served on the Lake County Soil and Water Conservation District Board of Supervisors for nine years and was heavily involved in the development of the Lake County Local Water Management Plan. He recently retired after working over 31 years for the Two Harbors Public Works Department.

Leo Babeu, Advocates for the Knife River Watershed
Babeu is a long-time resident of the area and currently lives in Clover Valley between Two Harbors and Duluth with his wife. He holds both a B.S. and an M.S. in Environmental Science from Rutgers University. Over the years, Babeu has worked for the Center for Lake Superior Environmental Studies, the University of Minnesota Duluth Medical School, the EPA, the Oregon State Marine Sciences Center, the Great Lakes Environmental Center, and as a self-employed laborer, builder, and stay-at-home dad.

LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT

SKUNK CREEK FLOOD MITIGATION PROJECT, 2001-2010

The mission of Lake SWCD is to provide technical assistance to help property owners and local units of government implement sound land management planning to protect the natural resources of Lake County.

Funding:

- *Minnesota's Lake Superior Coastal Program*
- *MN Board of Water & Soil Resources*
- *Great Lakes Commission*
- *Two Harbors Area Fund of DSACF*

SWCD Funding Amount: $116,706
Total Project Value: ~$350,000

Project Partners: *Skunk Creek Watershed Committee, Lake County, City of Two Harbors, University of Minnesota Extension, Minnesota Conservation Corps, Lake County Master Gardeners, Louisiana Pacific Corporation, Minnesota Department of Transportation, CN Railroad, Technical Services Area #3, ICECOR, Maple Ridge Landscape Contractors, Mecklin Contracting*



Skunk Creek is the main waterway through Two Harbors, Minnesota (pop. 3,745), travelling almost 3 miles through upland forests and urban development before emptying into Lake Superior. In 2010, Skunk Creek was listed as an impaired water for turbidity. Skunk Creek has a history of flooding dating back to the early 1900s after the area was transformed by the railroad and logging industry. Stormwater problems have included water pollution, flooding, public roadway damage, property damage, stream bank erosion, and public safety.

Following the "4th of July Storm" in 1999, the community of Two Harbors developed and implemented a strategic Storm Water Management Plan with the assistance of the Lake SWCD and numerous additional partners and funding sources. Flood mitigation practices installed through this project proved successful during a June 19-20, 2012 flood, declared "the most damaging flood in Duluth's history". Despite the extensive damage in nearby Duluth, damage to public infrastructure and private property in Two Harbors was minimal.







Project Highlights:

- Constructed three stormwater detention basins designed to accommodate the 500-year storm event.
- Constructed a rain garden at the Lake County Courthouse.
- Stabilized several hundred feet of streambank.
- Before and after storms (1999 vs. 2012) demonstrated success.
- Approximately $350,000 initial investment has been estimated to have saved the City "millions" in potential flood damages in 2012.
- Projects help address Skunk Creek's turbidity impairment.

LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT

KNIFE RIVER STREAMBANK STABILIZATION, 2011

The mission of Lake SWCD is to provide technical assistance to help property owners and local units of government implement sound land management planning to protect the natural resources of Lake County.

Funding:

Minnesota Board of Water & Soil Resources

CLEAN WATER LAND & LEGACY AMENDMENT

SWCD Funding Amount: $18,313
Total Project Value: $18,313

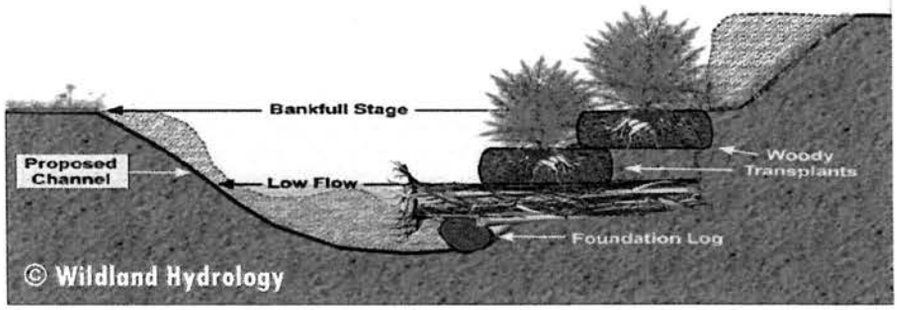
Project Partners: *Two private landowners, South St. Louis SWCD, Technical Services Area #3, Superior Construction*



The Knife River is a trout stream and listed as impaired with a total maximum daily load (TMDL) for turbidity. This project used natural channel design to stabilize a section of eroding streambank on private property. The design, based on methods pioneered by renown Hydrologist Dave Rosgen, used all natural materials—tree trunks, root wads, brush, clay, fine soil, and sod mats of willow, dogwood, and alder. Less than one year after installation, the project was tested during the June 2012 flood (a "500-year storm"), and successfully protected the streambank with no slumping or major erosion. Based on the proven success of this project, Lake SWCD will use natural channel stabilization methods at other sites along the Knife River to continue to address the TMDL for turbidity.

This project was funded through a Clean Water Fund grant administered by South St. Louis Soil & Water Conservation District.

Woody Transplant Option







Project Highlights:

- Used natural channel design and all natural materials.
- Within 1 year, the project withstood a 500-year storm event.
- Project helps address Knife River's turbidity impairment.

Lake SWCD ▪ 616 Third Ave ▪ Two Harbors, MN ▪ 55616 ▪ (218) 834-8372 ▪ www.co.lake.mn.us/swcd

Lake County Soil & Water Conservation District

Little Stewart River Bridge Flood Relief, 2012-2013

The mission of Lake SWCD is to provide technical assistance to help property owners and local units of government implement sound land management planning to protect the natural resources of Lake County.

Funding:

Minnesota Board of Water & Soil Resources

Minnesota RECOVERS

SWCD Funding Amount: $105,672
Total Project Value: $119,672

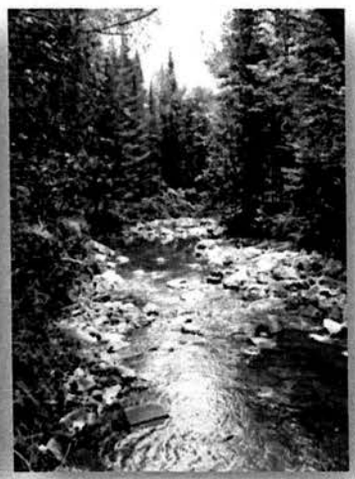
Project Partners: *The Juenemann Family, Isak Hansen Construction, LHB Corporation, US Small Business Administration*



Record rainfall on June 19-20, 2012 resulted in widespread flooding in northeastern Minnesota. Two Harbors experienced 9.93 inches of rain, resulting in an estimated "500-year storm event". Although the flood was declared a federal disaster, the Federal Emergency Management Agency (FEMA) only provided flood relief for replacement of public infrastructure, and private landowners relied on state flood relief funding for help.

This project involved replacing a privately-owned bridge over the Little Stewart River, a trout stream tributary to Lake Superior, near Two Harbors, Minnesota. The previous timber bridge was damaged beyond repair and the bed of the stream was severely altered during the flood. Unfortunately, the bridge was the only way to access the family's home, and they had to hike or bike ½ mile each way to get home. The cost estimate to replace the bridge was steep and well beyond their budget. While trying to secure funding, the family dealt with possibly not being able to send their eldest daughter, a senior in high school, to the college of her choice, and with helping their younger daughter make the ½-mile trek with a broken leg from a soccer game. With funding support from Lake SWCD, the new bridge was completed on December 31, 2012. Vegetation will be restored during the 2013 growing season.





Project Highlights:

- Designed and constructed a new bridge to accommodate stream hydrology and natural channel design, including bankfull benches.
- Salvaged timbers from the old bridge for reuse.
- Landowners provided labor to help offset costs.

Lake SWCD ▪ 616 Third Ave ▪ Two Harbors, MN ▪ 55616 ▪ (218) 834-8372 ▪ www.co.lake.mn.us/swcd

Lake County Soil & Water Conservation District

Lake Superior Shoreline Flood Relief, 2012-2013

Ron & Louise Thureen

The mission of Lake SWCD is to provide technical assistance to help property owners and local units of government implement sound land management planning to protect the natural resources of Lake County.

Funding:

Minnesota Board of Water & Soil Resources

SWCD Funding Amount: $24,941
Total Project Value: $30,461

Project Partners: *Thureen Family, Technical Service Area III, AJ's Landscaping, Haugan Construction*



Record rainfall on June 19-20, 2012 resulted in widespread flooding in northeastern Minnesota. Two Harbors experienced 9.93 inches of rain, resulting in an estimated "500-year storm event". Although the flood was declared a federal disaster, the Federal Emergency Management Agency (FEMA) only provided flood relief for replacement of public infrastructure, and private landowners relied on state flood relief funding for help.

This project involved assisting a retired couple in regaining the full use of their home after the flood. During the flood, a large slump opened up along the forested shoreline of Lake Superior, dumping an estimated 7,000 cubic yards of rock and sediment into the lake, and taking the landowners' septic drainfield with it. Without a drainfield, the landowners could not use their indoor plumbing and had to travel to town for laundry and other services. In 2012, Lake SWCD provided financial assistance for critical area stabilization of the slump using hydraulic seeding/mulching and for replacement of the drainfield away from the slump. The new drainfield was installed within two months of the flood and incorporated peat filter technology, better suited to poor soils and limited space. In 2013, a forested buffer will be planted above the slump to help stabilize the shoreline.





Project Highlights:

- Repaired flood-related damage to private infrastructure.
- Relocated and replaced septic drainfield away from erosion hazard.
- Planned for 2013: Design and install forested riparian buffer to provide erosion control.

Two Harbors Storm Water Planning – One Step at a Time

Prepared by: Wayne Seidel, Lake County SWCD / U of MN Extension
Tom Gelineau, City of Two Harbors



July 4th Storm – 1999

Project Summary: The City of Two Harbors, located along the north shore of Lake Superior, is undergoing increased development pressure and has experienced many negative impacts from storm water runoff in the Skunk Creek watershed. Problems have included water pollution, flooding, public roadway safety concerns, property damage, streambank erosion, and public safety. Following a massive 4th of July storm in 1999, the community of Two Harbors developed and implemented a strategic storm water management plan with the assistance of the Lake County SWCD and numerous additional partners. Completed projects have included three storm water detention basins, two stream bank restoration projects, one rain garden, and the Two Harbors Urban Forest Management Plan. Participants will learn about the process, partnerships, and funding that allowed the projects to be completed.

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Lake County Highway Department
City of Two Harbors
Lake County Master Gardeners
Maple Ridge Landscape Contractors
Minnesota Department of Transportation
Minnesota's Lake Superior Coastal Program
Minnesota Board of Water & Soil Resources
Great Lakes Commission
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Background: Skunk Creek was identified as a high priority watershed in 1997 by the Lake County Water Management Plan. The two-square mile watershed is moderately sloping and is underlain by heavy red clay soils. Combined with an increase in impervious surfaces, this watershed is extremely flashy – it has a large flow rate after storm events and then can dry down to almost no flow during summer. Incidentally, Skunk Creek flows into Lake Superior within one-half mile from the public water intake for the City of Two Harbors.

Cemetery Detention Basin



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19th Street Storm Water Detention Basin



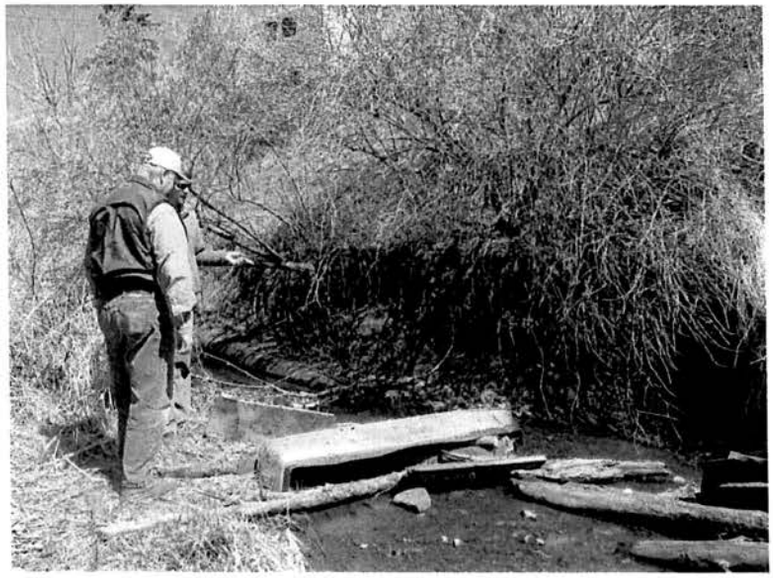
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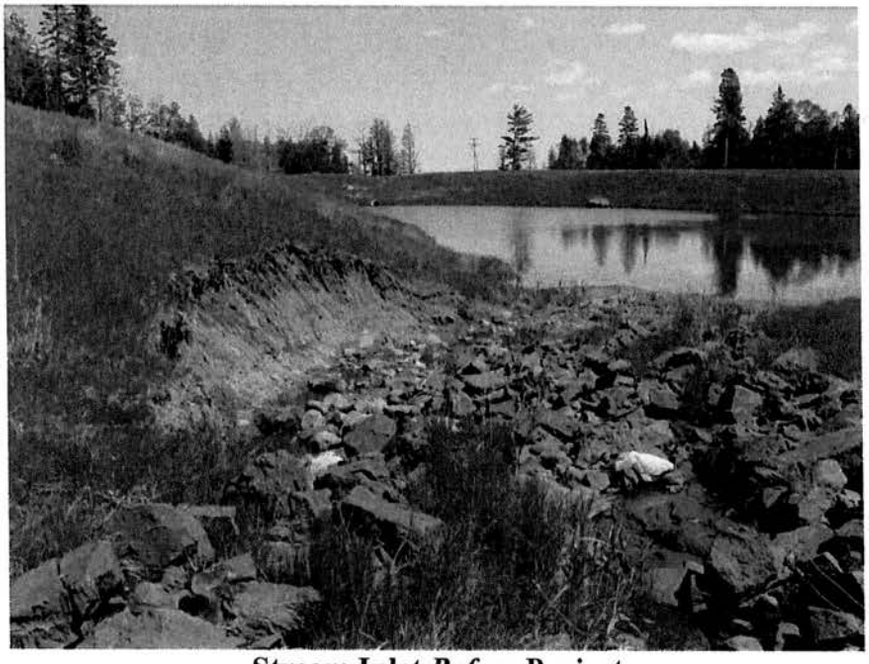
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Appendix:

Two Harbors Campground – The Lake County SWCD provided technical and financial assistance to stabilize 1,476 feet of shoreline in 1995. The rock rip-rap was secured from the Silver Cliff Tunnel Project and provided to the City of Two Harbors at no cost. The SWCD provided $76,206 in cost share assistance which was matched by the City of Two Harbors.



Two Harbors Storm Water Planning – One Step at a Time

Prepared by: Wayne Seidel, Lake County SWCD / U of MN Extension
Tom Gelineau, City of Two Harbors



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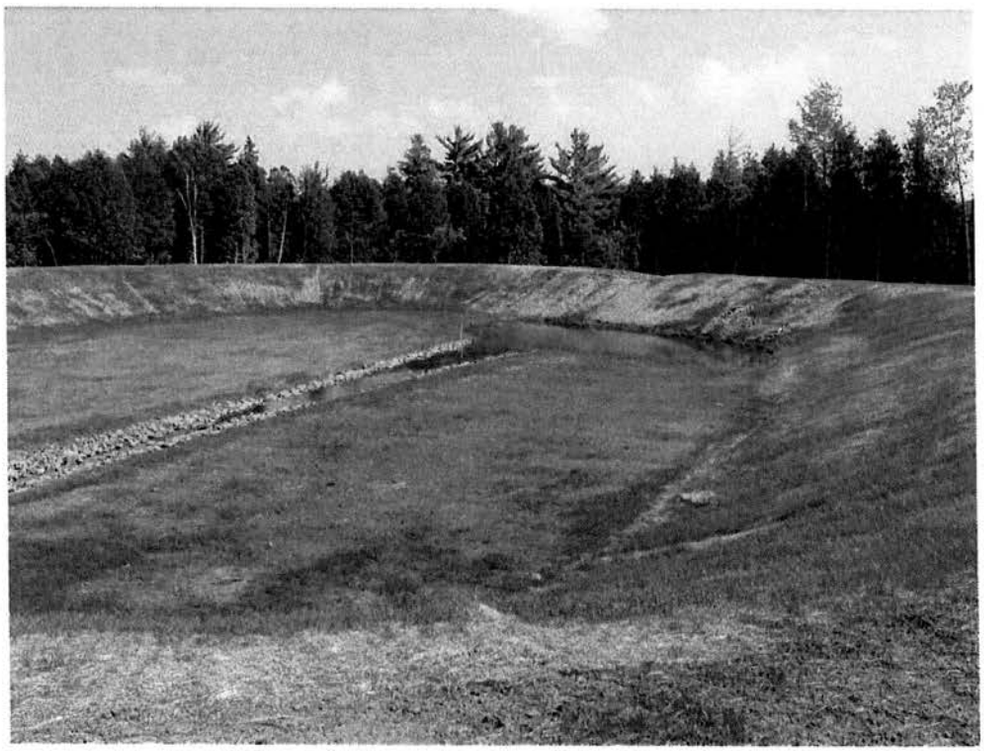
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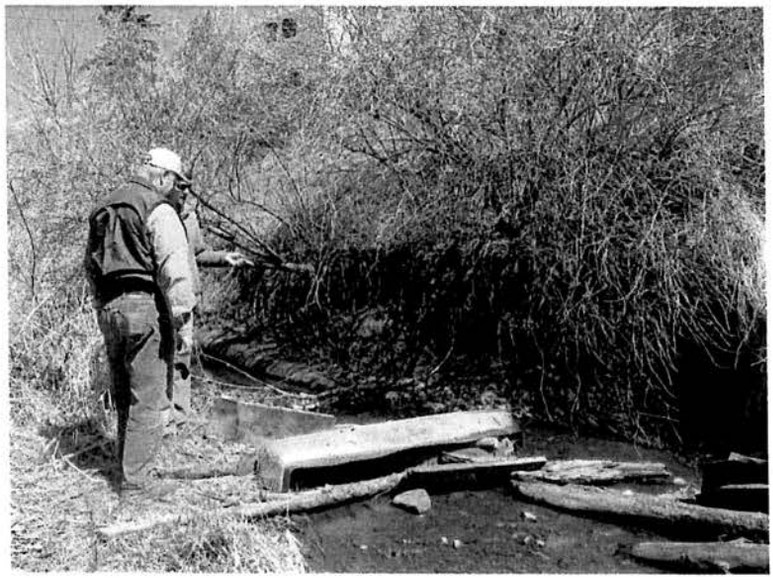
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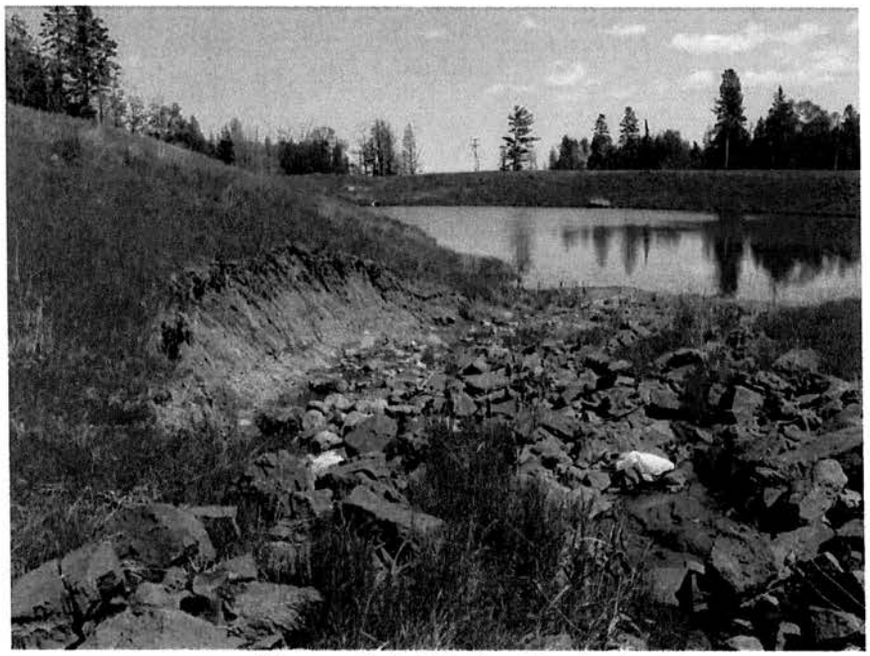
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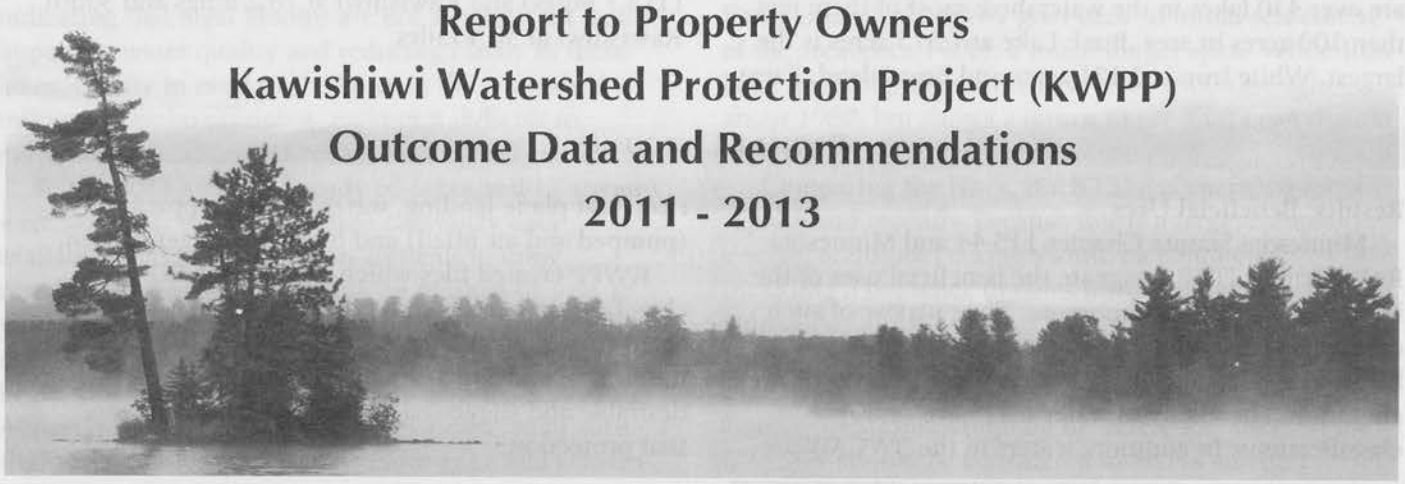




WICOLA NEWS

White Iron Chain of Lakes Association, Inc.

Volume XX Book II
Summer 2013



Report to Property Owners
Kawishiwi Watershed Protection Project (KWPP)
Outcome Data and Recommendations
2011 - 2013

Executive Summary

A partnership of the White Iron Chain of Lakes Association (WICOLA) and Lake County received a Clean Water Partnership Grant in 2011 for a 30 month study of water resources in the watershed. The Kawishiwi Watershed Protection Project (KWPP) is a joint effort of WICOLA, Lake County Soil and Water Conservation District (SWCD), and the Minnesota Pollution Control Agency (MPCA) to collect data which will help these partners create a comprehensive management plan to restore and maintain a healthy watershed.

This document is a recap of the results and the primary recommended Implementation actions that are an outcome of the KWPP. Implementation actions will be coordinated through a newly established Joint Powers agreement between Lake County SWCD and MPCA. This agreement will build upon relationships and volunteer capacity developed in the KWPP to provide uninterrupted data on those sites included in KWPP. Further, the Implementation plan identifies specific action steps and suggests roles, responsibilities, estimated schedule and possible costs as well as suggested messages to be conveyed as part of a public education program.

Background

The White Iron Chain of Lakes Association (WICOLA) was formed in 1993 to promote good management of the lake system and to protect and preserve the interests of the property owners. The association was formed in response to a perceived decline in water quality, and the association immediately became involved in monitoring water quality on a voluntary basis.

The Kawishiwi River Watershed is located in the Rainy River Basin of northern Minnesota. The watershed is 1,230 square miles in area and drains portions of Cook, Lake, and St. Louis Counties. About 1,168 square miles, or 95 percent, of the watershed is located within the Superior National Forest, and 404 square miles, or one-third of the watershed, is within the Boundary Waters Canoe Area Wilderness (BWCAW). The Kawishiwi River originates in the BWCAW and flows through the White Iron chain of lakes back into the BWCAW. There are over 430 lakes in the watershed. The White Iron Chain of Lakes on the west edge of the watershed, a popular recreational chain, includes White Iron, Garden, Farm and South Farm Lakes .



Only one and a half percent of the watershed land area is developed. Mixed forest comprises 49.4%; another 33.1% is comprised of woody wetlands. There are over 430 lakes in the watershed; most of them less than 100 acres in area. Birch Lake at 7,315 acres is the largest, White Iron is 3,151 acres and Bear Island, Farm and Fall Lakes are each just over 2,000 acres. Numerous rivers and streams drain the watershed; Stony is the longest at 127 miles, followed by Isabella (115.7 miles) and Kawishiwi at 78.2 miles and South Kawishiwi at 50.4 miles.

Project Outcomes

Results: Beneficial Uses

Minnesota Statute Chapter 115.44 and Minnesota Rule Chapter 7050 designate the beneficial uses of the lakes and streams in Minnesota. The purpose of such designation is that by law these water bodies must be protected from degradation from pollution and alteration. Each body of water may have multiple classifications. In addition, waters in the BWCAW are



further designated as Outstanding Resource Value Waters (ORVW) in Minnesota Rules 7050.0180. These ORVW regulations mandate that the waters and all contributory waters be maintained in the unimpaired condition in which they are presently classified; discharges that threaten these classifications are prohibited. Classification 2B and 3C, which was found to apply to the majority of the lakes, specifies that the lake water is appropriate for aquatic recreation including swimming, fishing and associated aquatic life and habitats, industrial use, agriculture and wildlife, aesthetic enjoyment and boating. Additional beneficial uses identified by KWPP included the growth of wild rice, float plane landing, water for fire suppression (pumped and air lifted) and hydropower generation.

KWPP created files which identify the BU classification of all lakes in the watershed. Staff then listed existing regulations which protect these waters for each use any additional protection considered desirable and suggested actions to further enhance that protection.

Results: Impaired Waters.

There are 73 waterbodies in the Kawishiwi River Watershed listed on the MPCA's 2012 303(d) Impaired Waters List. A waterbody is determined to be Impaired if monitoring data shows that it does not meet state water quality standards. Seventy-two lakes in the watershed and the Kawishiwi River are impaired for mercury accumulation in fish tissue. It is estimated that 99.5 percent of mercury in fish comes from atmospheric sources, most of which originated from sources outside of Minnesota. No other chemical, physical, or biological impairments have been found for the waterbodies in this watershed.

Results from water testing in 1996, 2000-2009 and 2011, 2012 were compared. The 1996 data revealed Total Phosphorus (TP) readings that, while still lower than the state standard for the Northern Lakes and Forests ecoregion, were at the high end of the ecoregion range. These readings were also higher than predicted readings for the area. Secchi depth, (the depth at which a standardized white disk is no longer visible and therefore a measure of transparency) was lower than the standard and the ecoregion mean. The report also identified that amounts of phosphorus in the water may be greater than estimated. Potential sources may include leachate from septic systems; runoff from streets and yards; or pesticide and fertilizer use.

More recent data (2000-2009) shows that while the ecoregion range of Secchi readings is 2.4 m to 4.6 m the readings on Birch, Bearhead, Bear Island, White Iron, Farm and Garden are all lower e.g. less clear. Only Bearhead meets the even lower State Standard. Total Phosphorus (TP) concentration in the monitored lakes

during 2000-2009 has improved slightly over the 1996 values, but there appears to have been little change in chlorophyll-a (chl-a) and transparency since that time. The chl-concentrations are low and below the standard, indicating that algal blooms are not a significant factor impairing water quality and reducing clarity in these lakes. Clarity in most of the lakes in the watershed is influenced by bog staining, making it difficult to evaluate the relationship between chl-a and clarity.

In the 2011 and 2012 study 65 lakes and 12 streams were sampled. With the limited chemistry data available for these lakes it was difficult to draw conclusions because trends can be masked by year to year changes due to precipitation and weather effects. A period of record of at least ten years is desirable to begin to separate trends from annual variation. Although data is limited, two lakes appear to be on a slight trend of reduced clarity: Farm Lake and Garden Lake. Farm Lake also appears to be on a slight trend of increased TP and chl-a concentration. Additional years of data and more analysis would be required to determine if this observed trend is statistically significant. The water chemistry trend for Garden Lake is less clear and would benefit from additional data.

Results: Metals and other Parameters

Data from a study in 1977 thru 1981 may not be directly comparable to the 2012 data due to changes in field protocols and laboratory methods. However, copper, mercury and nickel show an increase and most others a decrease since 1977-81.

Results: Paleolimnology Results

Paleolimnology is the reconstruction of lake water quality history through the study of artifacts embedded in the lake sediments. Grains of pollen and fossils of diatoms, a type of algae with a silica structure, are used to reconstruct conditions over time. Each species of diatom has its own characteristic requirements, and can thus be used to infer the lake conditions when that layer was deposited. This technique is useful to show generally how a lake's condition may have changed over a long period of time, for example, since European settlement of the Americas, since logging operations began, etc.

Sediment cores from five lakes in the watershed were collected and analyzed: Fall, Farm, Garden, Birch and White Iron. These cores represent approximately the last 200 years of lake history. The preliminary results revealed evidence that an increase in organic material accumulation has occurred since settlement of the region. Although there are similarities in histories of the five lakes, they exhibited variations in their paleoecology. Birch Lake's diatom accumulation shows an increase in algal load only in the last few decades. In Farm Lake algal activity goes back to initial settlement of the area(circa 1900); a much longer span. White Iron Lake had a significant increase from 1900 through about 1980, but shows a return to pre-European diatom abundances in recent decades.

Comparing the lakes, Birch Lake is changing most rapidly and recently. Because this is a large, complex system, additional coring should be conducted, including a sequence of cores from Kramer Bay through Dunka Bay and Klobuchar Bay. In addition, additional Fall Lake sampling should be considered to better understand the history of this complex lake system. Finally, additional sampling of "reference" lakes in the BWCAW should be considered to assess whether changes seen in the sediment record are a result of human activities or are climate or precipitation driven.



Results: Survey of Subsurface Sewage Treatment Systems

The majority of residents within the watershed boundary do not have municipal sewer or water treatment systems. Instead, dwellings use Subsurface Sewage Treatment Systems (SSTS) and private wells. As part of this study the existing condition of the SSTS within the watershed was assessed, including an evaluation of the susceptibility of shallow groundwater and surface water from the existing SSTS. Using historic septic system permitting information from St. Louis and Lake Counties, interviews with local personnel, and

parcel size and type, the potential water quality impacts from SSTS was estimated and areas identified where impacts to water quality from SSTS are most likely to take place. Of the 1,909 wastewater-generating parcels in the watershed, it was estimated that 1,173 contain septic systems that are noncompliant or fail to protect the groundwater (Wenck, 2012). Compliance was determined as follows: Generally, the system was counted as compliant if the county data indicated that the system was a mound, at-grade or system with pretreatment, a drain field installed within the past 10 years, or a holding tank. If systems did not meet the above criteria they were generally considered non-compliant with Minnesota Rules Chapter 7080, unless county file review or visual evidence suggested otherwise. County-reviewed information also documented some existing non-compliant SSTS. Dwellings that could not be easily viewed from the road had a determination of compliance status based solely on county records and known information about local soils.







Of the four lakes evaluated by the MPCA for annual phosphorus loading (Bear Island, Birch, White Iron, and Garden Lake), the assessment found that Bear Island Lake is the most susceptible to phosphorus impacts from septic systems. Nine Service Areas on six lakes were found to be at high risk from threats from septic system impacts: Dunka Bay, Birch Lake, Middle McDougal Lake, Southwest Bear Island Lake; North White Iron Lake; Southwest White Iron Lake; Finn Bay, Birch Lake; Sand Lake; Kawishiwi Trail, Farm Lake; Sunset Road, White Iron Lake. The assessment recommended applying for funding from the MPCA to complete Community Assessment Reports (CAR) for each of these nine areas. CARs will provide a more thorough on-site assessment of SSTS compliance, and will identify options for and feasibility of infrastructure improvments.

Results: Aquatic Invasive Species Inventory

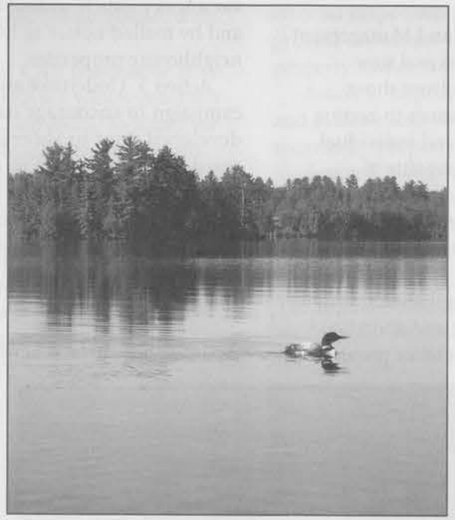
Currently rusty crayfish is the only known only aquatic invasive species found in the watershed while spiny water fleas, mystery snails, zebra mussels and Eurasian water milfoil have been found in nearby lakes. Actions have been taken to both mitigate and test for invasive species. WICOLA and Sea Grant have also been very active in distributing AIS information and trying to determine the best way bring about AIS awareness. In summer 2012, a survey mailed to 2,210 parcel holders within the watershed revealed that 34% considered AIS as a major problem. Respondents identified additional species they considered important to take action against: zebra mussels, Eurasian Milfoil Asian Carp, rusty crayfish, purple loosestrife, spiny water fleas, VHS (viral hemorrhagic septicemia), and curly pondweed. Preventive actions regularly taken by respondents include draining water from bilge, bait and live wells, inspecting and removing aquatic plants, disposing of unwanted live bait in the trash, drying everything for at least 5 days. Fewer respondents rinsed watercraft with either a garden hose or hot water under high-pressure. Other significant survey findings: 92.7% agreed that it was their desire to keep AIS out of local lakes and rivers; 91.1% felt it was their personal responsibility and that their actions make a difference.

Results: Survey for Sensitive Areas

Particularly sensitive parcels are those areas most susceptible to erosion. They include land that is highly sloped, and those areas with existing campsites and other points of interest located on land that is highly sloped. Each sensitive parcel was visited, photographed, GPS location recorded, and assessed for potential impacts to water quality. The survey of points of interest found that most impacts to water quality are human caused, e.g. erosion, septic systems, and runoff from the land, especially turf grass lawns. It was noted that unmanaged and illicit campsites in Superior National Forest have more shoreline erosion and septic impacts than do BWCAW campsites.

Implementation Plan Actions

The purpose of this study was to design an Implementation Plan that would specify actions to protect and improve the water rsources within the watershed. These actions would be accomplished by a partnership of federal, state, county, local, and individual stakeholders. The Implementation Phase will be managed by a Project Coordinator employed by the Lake County SWCD. Many of the agencies and other local governments and groups that participated in the Kawishiwi Watershed Protection Project (KWPP) will be invited to continue to participate as a part of a Technical Advisory Team (TAT). It is envisioned that the Team would meet annually to review progress and provide updates, supplemented by quarterly teleconferences focused on specific topics. It is anticipated that ongoing updates and information generated by and about Implementation Plan activities will be available on a project website for public information.





The Project Coordinator will be advised by a number of agencies, local governments and organizations. Other interested parties may be tapped to advise the TAT based on their special experience, such as: Minnesota Sea Grant, Vermillion Community College, Friends of the BWCA, Lake Country Power Company, Twin Metals, NRRI, St. Cloud State University, etc. The Implementation plan specifies stakeholder roles and responsibilities, specific education messages by each stakeholder group and estimated cost for the specific actions and a suggested schedule of implementation. Specific roles and actions have been suggested for MPCA, DNR, US Forest Service, WICOLA, other Lake Associations, Townships, SWCD's 1854 Treaty Authority, BWSR and both Lake and St. Louis Counties. Actions listed are both short and long term and include both structural (capitol and maintenance projects) and nonstructural (education, regulations, incentives) actions. Timelines for completion range between 2014 and 2018, with testing for heavy metals every five years, and in one case every year for five years.

Actions: Land Use Regulation

Counties have a powerful tool available to manage land use adjacent to public waters: Shoreland Management ordinances. All three counties have promulgated shoreland management ordinances that specify lot dimensional standards such as lot sizes, widths, and setbacks from waters, bluff lines, and steep slopes and setbacks for new SSTS. The ordinances also regulate removal of existing vegetation, provide standards for erosion control and vegetation reestablishment, and for certain types of development

require stormwater management.

Stakeholders identified inconsistent application and enforcement of Shoreland Management ordinances as an issue of concern in the watershed. Stakeholders also noted that variances or deviations from the Shoreland Management requirements were sometimes allowed if a developer provided other features of equal or better public benefit, and those trade-offs were not known or understood by the public. Consistent application and enforcement of Shoreland Management standards is key to protecting lakes and streams from future impacts due to development.

Action 1. Consistently apply Shoreland Management ordinance requirements to lot divisions and new development, and minimize variances from those standards. Provide education and outreach to zoning officials, elected officials, developers, and individual property owners on the purpose and benefits of Shoreland Management regulations.

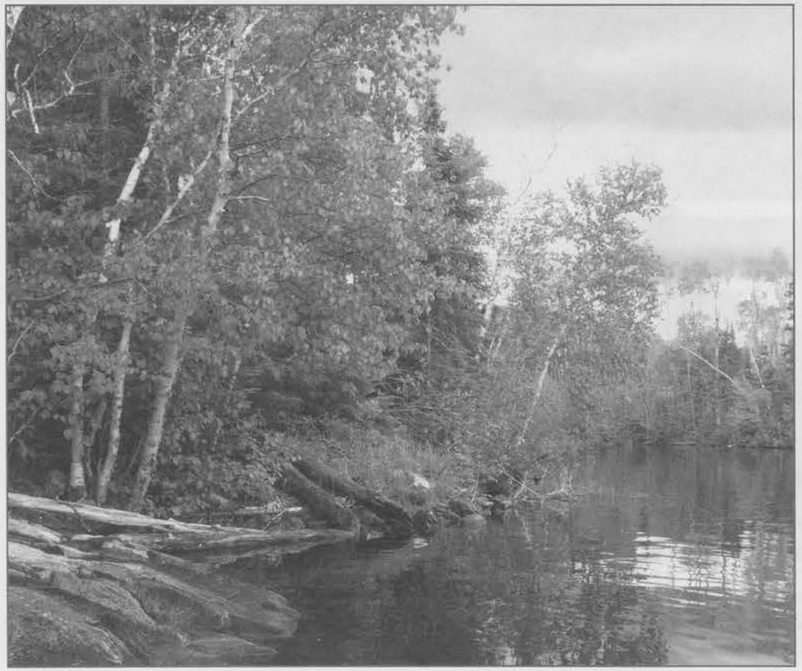
Action 2. Increase civil penalties for violations of the Shoreland Management ordinances, and issue compliance and restoration orders.

Action 3. Encourage voluntary compliance through incentives for Shoreland Management and shoreline restoration, such as the property tax rebates provided by Burnette County, Wisconsin for property owners who restore their shoreline and keep it in a natural state. Other incentives might include technical assistance to evaluate and plan improvements, cost-share grants or forgivable loans, or loans that are repaid at the time of property sale.

Action 4. Establish local variance advisory groups. Often the perception of inconsistency results from a lack of information about the reasons for variances, and potential other public benefits provided as a trade-off. Make information about the tangible outcomes of variances publicly available on the counties' websites and by mailed notice to lake associations and neighboring properties.

Action 5. Undertake an education and outreach campaign to encourage owners of properties that developed prior to Shoreland Management Standards to consider taking action to mitigate some of the impacts that may have occurred due to development.

Action 6. Undertake demonstration projects to restore native vegetation on public and private property to buffer and filter runoff prior to discharge into lakes and streams.



Actions: Subsurface Sewage Treatment System (SSTS) Compliance

The SSTS Inventory and Analysis completed for this Project estimated that over 1,100 SSTS in the watershed may not be compliant or were likely failing to protect groundwater. Nine areas on six lakes were determined to pose the greatest threat of water quality impacts from SSTS.

An additional important component of SSTS compliance assessment is to perform water quality monitoring for fecal coliform bacteria to determine if non-compliance poses a threat to water quality, human health, and recreational use of the lakes in the watershed. As part of KWPP St. Cloud State University conducted some fecal coliform sampling and DNA fingerprinting to determine if the source was human or animal, but the results are not yet available.

Action 1. Complete Unsewered Area Needs Documentations and Project Priority List Applications for each of the nine identified Service Areas to apply for funding to do a Community Assessment Report (CAR). Much of the background work necessary to complete the applications was completed as part of the SSTS Inventory for this project. The CAR will include a more rigorous onsite evaluation of soils and assessment of SSTS compliance status for each property in the Service Area, and evaluate the feasibility and costs of various wastewater infrastructure solutions for properties with non-compliant SSTS.

Funding of up to $40,000 per CAR is available from the MPCA to undertake these analyses which generally is sufficient to evaluate about 50-60 SSTS. To apply for this funding, Unsewered Area Needs Documentation and Project Priority List Applications must be completed and submitted to the MPCA for scoring. These applications are typically due in March each year. It is recommended that one Service Area be selected to move forward, with consideration given to selecting an area that drains to an ORVW; is relatively dense with small lots with little room to site a new system; not exclusively seasonal; and with a high probability of actually implementing a project.

Action 2. Complete upgrades to wastewater treatment infrastructure in each of the Service Areas based on CAR findings to protect water quality. Apply for grant funding to help reduce/eliminate costs to residents for wastewater treatment.

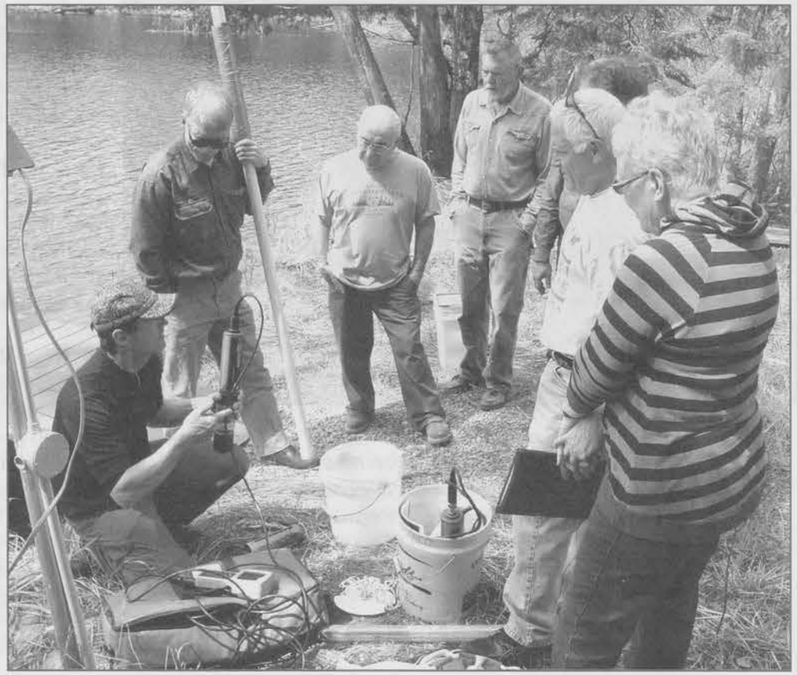
Action 3. Sample the six lakes associated with the nine targeted Service Areas identified in the SSTS Inventory and known public beaches for fecal coliform.

Action 4. In order to increase the number of SSTS that are properly operated and maintained it is recommended that homeowner education such as a manual prepared by Lake County and other resources be provided to new and existing property owners.

Action 5. Encourage voluntary upgrades to non-compliant septic systems. While continuing to require point-of-sale septic inspections and inspections at the time of building permit issue, undertake a series of actions to encourage voluntary compliance with SSTS standards. These include: educate property owners on what makes an SSTS noncompliant and the effects of noncompliance on public health and the environment, encourage inspections at the time of maintenance and encourage local system maintenance contractors to offer an inspection package with tank pumping, and provide cost share or revolving loan assistance to property owners to upgrade their systems.

Action 6. Improve record keeping by computerizing and maintaining county SSTS inventory and inspection records by property and not by ownership.

Action 7. For lakes that have a high density of SSTS per surface area of the lake, monitor lake water quality more closely for phosphorus and bacteria/pathogen impacts from SSTS. Perform baseline monitoring and repeat that work periodically as systems are improved. The top five lakes to monitor include: Middle McDougal, Gunsten, Farm, One Pine, Garden



Actions: Aquatic Invasive Species (AIS) Management

Action 1. Maintain a partnership between state and local agencies, WICOLA, other lake associations, and other interested parties to develop a comprehensive education and outreach plan and deliver information about AIS and AIS management actions.

Action 2. Train volunteer water quality monitors to identify and report observations of AIS as part of their routine lake and stream monitoring. Coordinate periodic boat and trailer inspection events at points along the four corridors leading into the watershed, and provide convenient decontamination stations. Offer information about AIS and their impacts, the purpose of the inspection and decontamination, and information about other actions that can be taken to halt or minimize the spread of AIS.

Action 3. Encourage fishing tournament operators to provide AIS education and require inspections and decontamination of necessary prior to tournament participation. This would apply to both permitted tournaments and smaller events that do not require a permit; provide targeted education to resort owners, outfitters, and bait shops, and offer an "AIS trained" certification or other recognition; raise awareness by hosting Stop Aquatic Hitchhikers! booths at events such as Blueberry Festival, Harvest Moon Festival, art and water festivals, county fair, boat and sport shows, fishing tournaments, 4th of July, and other celebrations; encourage the Chamber of Commerce, visitor centers, faith communities, and service and civic organizations to join the campaign.



Action 4. Coordinate with state agencies and educational institutions to perform research exploring and establishing the characteristics of water resources that may make them more vulnerable to AIS. Use this research to help identify the resources that may be at most risk, increase monitoring, and target the users of those resources with more intensive education and inspection.

Action 5. Coordinate with state agencies, education institutions, and other interested parties such as the 1854 Treaty Authority to conduct field research of experimental management actions such as Rusty Crayfish wild rice exclosures.

Actions: Shoreline Best Management Practices (BMPs)

A healthy shoreline provides many ecosystem benefits. It provides physical habitat, contributes organic matter to the lake; stabilizes the shoreline from the eroding effects of wind, waves and ice; provides shady near-shore zones and is aesthetically pleasing as well as limits sediment and nutrients from running off in the lake. KWPP identified a number of shoreline locations as sensitive areas with steep slopes and thin or no ground covers. Stabilizing and revegetating eroded shoreline and establishing buffers are priority actions to protect water quality and improve lakeshore habitat.

Action 1. The need for a change in shoreland management practices can be assessed using a standardized tool such as Score Your Shore, developed by the DNR Division of Ecological and Water Resources. It is recommended that volunteers be trained and available to evaluate the quality of shorelines at the request of the parcel holder. This activity is a good way to get lake associations organized.

Action 2. Mitigate erosion on campsites, picnic areas, and boat landings and encourage private property owners to complete restoration projects on their properties. The cost of shoreline restoration ranges from $10 per linear foot for sites simply requiring minor site preparation and native seeding to $50 per linear foot for sites requiring some grading and shoreline biorestoration, and $100 per linear foot for sites experiencing more severe erosion requiring hardscaping such as boulder toes or riprap.

Action 3. Encourage voluntary shoreline restoration by providing incentives such as technical assistance and cost-share assistance to property owners who agree to maintain their shoreline in a native condition in perpetuity.



Action 4. Educate shoreline property owners and lake associations regarding the water quality and habitat benefits and values of naturally-maintained shorelines. Numerous organizations including the DNR and Minnesota Sea Grant offer informational brochures, booklets, online materials, workshops, and other resources regarding shoreline management that can be made available to individual property owners, lake associations, local governments, youth and service groups, and other interested stakeholders.

Action 5. Minimize opportunity for future erosion. Remove unused or inappropriate campsites, picnic areas and boat landings and restore native vegetation.

Action 6. A goal will be developed that is appropriate for each lake – for example, to raise the condition of all sites by 10 points, or to restore all sites scoring less than a target threshold. Follow-up surveys will be periodically conducted to document improvement at restored sites and to monitor conditions at other sites.



Actions: Lake and Well Water Quality Monitoring

Water quality and biologic monitoring is essential to evaluate not only the current conditions of lakes and streams in the watershed but also trends. Most of the lakes in the watershed have limited water chemistry data. This limited data set suggests that a few of the lakes in the WICOL chain – Farm and, to a lesser extent, Birch – may be on a declining trend in water quality. A paleolimnology study of selected lake sediments was completed to supplement the surface water data, and showed increased algal productivity in the lakes since development, with Birch in particular showing an increase in algal load in the past few decades. This trend data is important to bear in mind when making land use decisions such as evaluating the impacts of potential future development. Lakes on a declining trend may require larger lot sizes to provide adequate SSTS setback and separation and to create less impervious building, driveway, and roadway surfaces.

A long-term monitoring plan that includes both clarity and chemistry/condition monitoring should be developed for the watershed. Not every lake needs to be monitored every year, but certain high-priority lakes – those that appear to be on a declining trend and those at pressure for additional development – should be targeted for routine monitoring. Of equal importance is the need to compile, assess, and publish the results. This could take the form of annual "report cards" that display data in a way that is easily understood by lay persons. Biological data such as DNR fish survey results can be included on such a report card to provide a broader picture of the chemical and biological health of the lake. Vermillion Community College students may be an ongoing resource, both in conducting some monitoring and in annually updating the report cards.

Action 1. Develop and implement a monitoring plan that continues to build a water quality period of record and which is sufficient to evaluate trends. Not all lakes

need to be monitored every year; such a plan could establish a priority system of lakes and establish a schedule based on that system. This plan could be developed in partnership with the MPCA and DNR as part of the Rainy River Headwaters Watershed Restoration and Protection Program.

Action 2. Maintain a database of water quality data, and use that database to evaluate current conditions and trends. Develop and publish an annual report of water quality, including easy-to-understand summaries such as lake report cards.

Action 3. Conduct baseline and follow up monitoring after implementation of SSTS upgrades.

Action 4. Partner with research institutions to conduct follow up monitoring suggested by the paleolimnology and metals sampling study results.

Action 5. Additional potential monitoring should focus on dense development areas to identify potential water quality impacts to wells: Dunka Bay, Birch Lake; North White Iron Lake; Southwest Bear Island Lake; Finn Bay, Birch Lake, Sand Lake, and Middle McDougal Lake.





Actions: Education and Outreach

Education and outreach are activities that are integral to all of the priority management areas. Many of the objectives identified in this plan rely on voluntary participation or compliance by individual users or property owners. Many different organizations can provide education and outreach on a variety of topics. The primary need in the Kawishiwi Watershed is to identify the key messages and ensure those messages are being delivered to the right audiences at the right time. As a part of this Plan process the Technical Advisory Team identified key messages and delivery mechanisms.

Action 1. Coordinate an education and outreach plan. The Implementation Plan identifies key stakeholder groups and potential messages and delivery mechanisms. The Technical Advisory Team will periodically review education and outreach needs and messages and coordinate the delivery of that information by the appropriate partner.

Action 2. Use existing education and outreach material where possible to assure consistency of message and avoid duplication of effort and expense.

Action 3. Inform the public about the Kawishiwi Watershed Protection Project results through presentations at public events, conferences, service group meetings, etc. and by displays at events and public places.

Summary

Based on information gathered as a part of the Kawishiwi Watershed Protection Project (KWPP) this plan identifies specific goals and actions to maintain and improve the water quality in this critical watershed; which is part of and flows into two federally designated Outstanding Resource Value Waters. They are the BWCAW and Voyageurs National Park, both of which have a prohibited discharge status under their ORVW designations.

A new team of multiple agencies, coordinated by Lake County Soil and Water Conservation Board, will carry on the work of the KWPP and target the actions recommended in the report. Their work will focus on the following elements:

❖ Further assessment of SSTS conditions and implementation of structural improvement projects identified in a series of Community Assessment Reports;

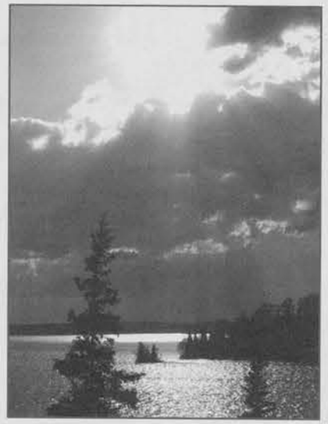
❖Identification of Shoreland Best management projects, acquisition of funding and completion of shoreline restoration and stabilization projects;

❖ Coordination of ongoing research, monitoring, analysis of conditions in the lakes and streams of the watershed, dissemination of findings.

❖ Participation in education and awareness programs about Aquatic Invasive Species (AIS), future research projects and monitoring.

❖ Further ongoing partnerships and information sharing by regular meetings of the Technical Advisory Team.

Phase one of KWPP is complete; we now know where the incipient problems lie. Let's all work together to address them in the coming years and preserve the water quality of this magical area.



CLEAN WATER LAND & LEGACY AMENDMENT

Minnesota Pollution Control Agency

LAKE COUNTY SOIL AND WATER CONSERVATION DISTRICT

Please join WICOLA! If you can volunteer to help out with various project needs, or if you can donate funds, you'll earn our appreciation! JOIN or NENEW now.
Send your check to WICOLA at PO Box 493, Ely 55731 - make Dolores Delaney's day! (She's our treasurer...)
Annual Dues_____ $25.00 (January 1st to December 31st)
Donation_____ ❒ WICOLA or ❒ KWPP
Total Enclosed_____

Name(s)_____
Address (1) _____
City_____ State _____ Zip _____
Email_____ Phone _____
Cell phone _____ Lake _____
Seasonal address (2) _____
City _____ State _____ Zip _____
May we save money and send your Newsletter via Email? Please circle one: Yes No
If not, which address should we use? Please circle one: Spring edition: Address 1 Address 2
Summer Edition: Address 1 Address 2 Autumn Edition: Address 1 Address 2

WICOLA is a 501(c)3 organization and any dues and donations may be tax deductible. Please consult with your tax preparer.

WHITE IRON CHAIN OF LAKES ASSOCIATION, INC.

WICOLA NEWS



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Ely, MN 55731

OR CURRENT RESIDENT

We're on the Web!
www.wicola.org

The White Iron Chain of Lakes Association (WICOLA) enhances, promotes and protects the interest of property owners on White Iron, Farm, South Farm and Garden Lakes, the contiguous waterways and surrounding watershed. WICOLA promotes good lake management through testing, education and support.

White Iron Chain of Lakes Association board members:

Jo Kovach	827 Kawishiwi Trail	365-4720	jo@blueheronbnb.com	President, editor
Ken Wichmann	1667 Saari road	365-9963	kwichman@yahoo.com	Interim Vice Pres
Teresa Sagan	13667 Deer Road	365-6461	tksagen@frontiernet.net	Secretary
Dolores Delaney	618 Voyageur Road	365-7863	delaneyfarmlake@frontiernet.net	Treasurer
Nancy Powers	PO Box 787	365-4021	ndpowers99@gmail.com	Membership
Roger Powell	PO Box 918	235-8808	newf@ncsu.edu	Farm Lake Rep
Peter Davis	435 Sunset Road	365-7755	wrightpeter@frontiernet.net	E.White Iron Rep
Rob Erickson	349 Sunset Road	365-4907	bertwood@frontiernet.net	W.White Iron Rep
Helmut Buettner	13655 Deer Road	365-2829	HBuett7790@aol.com	Garden Lake Rep

Positions open: Vice President, Publicity. Please consider volunteering!

Non-Board Positions open: Coordinate Water Monitoring Teams, Coordinate AIS Work, Coordinate Website Committee

Please feel free to contact any board member at the addresses above or at the Association address. We welcome and encourage your comments and suggestions. Our Association is dedicated to continuing and improving the quality environment of our chain of lakes. Please join us in this endeavor, and VOLUNTEER!

WICOLA NEWS is published three times a year and mailed to members of
WHITE IRON CHAIN OF LAKES ASSOCIATION, INC.

If you are interested in improving the water quality, fishing, and recreational opportunities on White Iron, Farm, Garden and South Farm Lakes, join WICOLA today. Annual Membership is $25 per year. Please send a check to our address above for all the benefits of membership.

STATE OF MINNESOTA
REQUEST FOR APPROVAL OF SPECIAL EXPENSES

Minnesota Management & Budget
400 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Name of Requestor: Mary Jo Anderson		Title: Executive Assistant to BWSR
Phone: 651-297-4290	Date of request: 7/30/13	Requesting agency: Board of Water and Soil Resources

Expenses for which approval is requested (see Instructions on page 2)

The following may be approved by the appointing authority or designee:

- ☐ 1. Full cost of meal that is part of conference, etc.
- ☐ 2. Registration/tuition for conference, seminar, etc.
- ☐ 3. Refreshments for agency meeting where majority are not state employees
- ☒ 4. Refreshments, meals and other costs for agency sponsored conference
- ☒ 5. Refreshments/meals for agency meeting where majority are state employees
- ☒ 6. Refreshments/meals for meeting of board, council, etc.
- ☐ 7. Lodging for employee not in travel status
- ☐ 8. Expenses for employee's attendant
- ☐ 9. Expenses for State Fair work assignment
- ☐ 10. Employee award/recognition event

The following require approval of the appointing authority and the Commissioner of Minnesota Management & Budget:

- ☐ 1. International travel
- ☐ 2. Employee award/recognition event beyond those in Provision A 10
- ☐ 3. Other (describe in space provided on page 2)

Full title of the event sponsor (do not use acronyms or initials):
Board of Water and Soil Resources (BWSR)

Full title of the conference, workshop, seminar, meeting or other event:
BWSR Board Tour and Meeting

Event location (title and address of host facility):	Date(s) and time(s) of event:
Superior Shores Resort & Conference Center 1521 Superior Shores Drive Two Harbors, MN 55616	August 27-29, 2013 Tour: August 28, 8:00 AM - 4:30 PM Meeting: August 29, 9:00 - Noon

Individuals for whom special expense approval is requested (check all that apply):

- ☐ Requestor only
- ☒ Additional state employees. List names and titles:

John Jaschke, Executive Director
Steve Woods, Assistant Director
Sarah Strommen, Assistant Director
Bill Eisele, Administrative Services Director
Angie Becker Kudelka, Organizational Effectiveness Director
Ron Shelito, Regional Supervisor
Jen Maleitzke, Communications Director
Joan Weyandt, Wetland Specialist
Jim Haertel, Metro Region Supervisor
Wayne Zellmer, Grants Specialist
Travis Germundson, Water Management Specialist

- ☒ Other participants. List names, titles and organizations:

18 Board Members
5 Advisors
5 Legislators
5 County Commissioners
5 SWCD officials
5 county staff
5 media, local officials

Description of Expense	Quantity	Unit Cost	Total
See attached			

TOTAL REQUESTED: $10,100.00

Explain why the State should pay these expenses:
Informative, educational tour of Lake County - conservation practices, flood restoration, and an opportunity to see coordinated efforts of local, state, federal agencies and partnerships.

Requestor's Signature: Mary Jo Anderson Date: 7/30/13 Org # to bill: _____

AGENCY APPROVAL

☐ Approved for an amount not to exceed: $ 12,000 ☐ Not approved because:

Signature: _____ Date: 8/5/13

Special Expense Request
BWSR Tour and Meeting
August 27-29, 2013

Tuesday, August 27		
Rental of mini-van St. Paul to Two Harbors & Return (Enterprise Car Rental)		$ 300.00
Dinner (Superior Shores)	25 @ $ 20	500.00
Meeting room charge		200.00
Lodging – Superior Shores	25 @ $100	2,500.00
Presentation by Paul Sundberg		100.00
Wednesday, August 22		
Coach Bus (LCS Coach)		600.00
Breakfast (welcome/tour itinerary/introductions)	60 @ $10	600.00
Morning Break		
Bottled water/ice	100 @ $ 1	100.00
Lunch (Blackwoods Grill)	60 @ $12	720.00
Afternoon Break	60 @ $ 3	180.00
Dinner (Superior Shores)	40 @ $ 20	800.00
Lodging – Superior Shores	30 @ $100	3,000.00
Presentation by Jo Kovach		100.00
Presentation by Tom Gelineau		75.00
Thursday, August 23		
Breakfast (Superior Shores)	30 @ $10	300.00
Coffee for BWSR Board Meeting		50.00
TOTAL		**$10,085.00**

(Per diem and mileage expenses not included)

Contacts:

Dan Schutte

- (218) 834-8378 office
- (218) 341-5286 cell

Jen Thiemann

- (218) 834-8372 office

Wayne Seidel

- (218) 834-4196 home
- (218)830-9555 cell

Ron Shelito

- (218) 828-2604 office
- (218) 820-3794 cell

Ryan Hughes

- (218) 723-4923 office
- (218) 525-4939 cell

BWSR Board Tour Itinerary

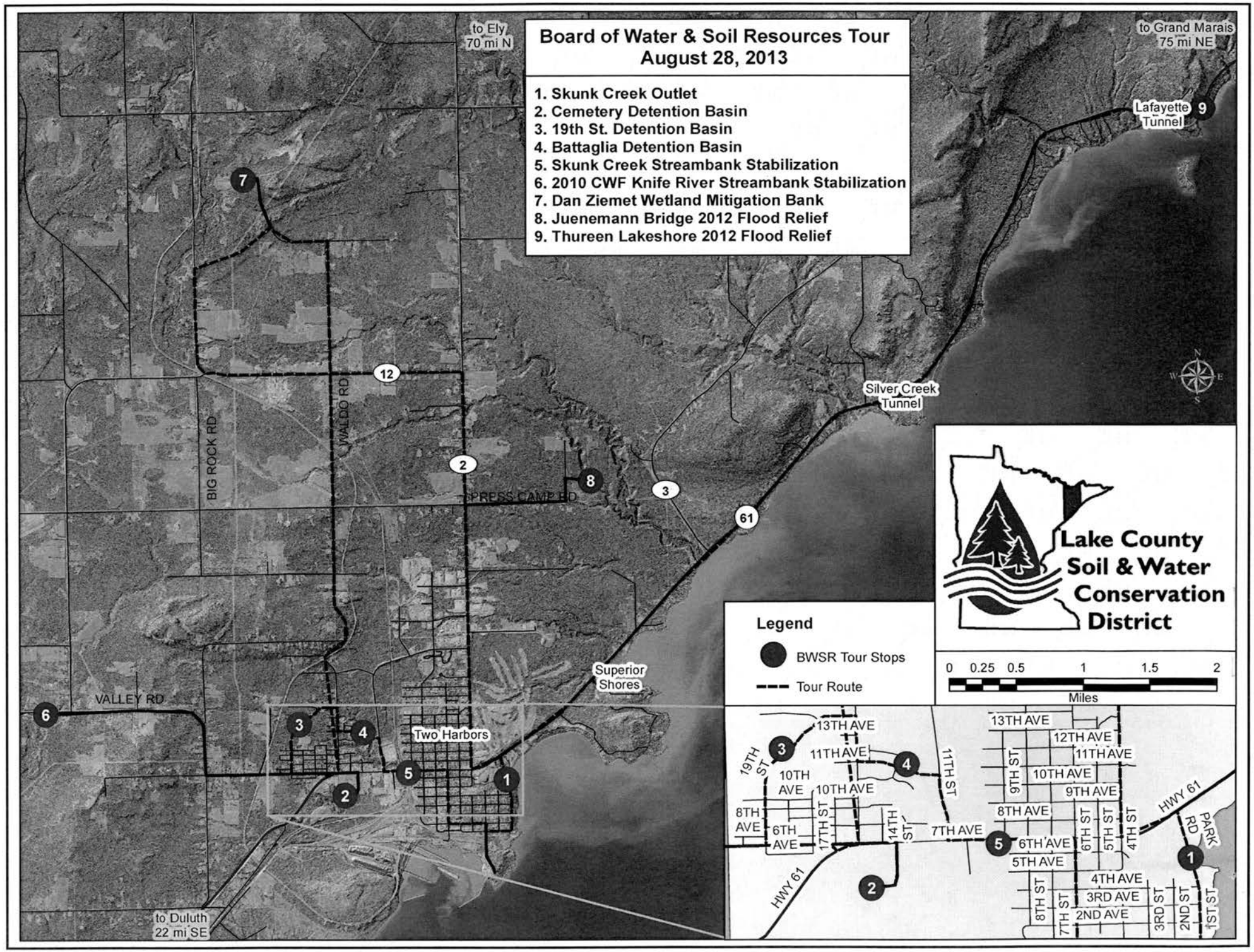
Hosted by the Lake County Soil and Water Conservation District

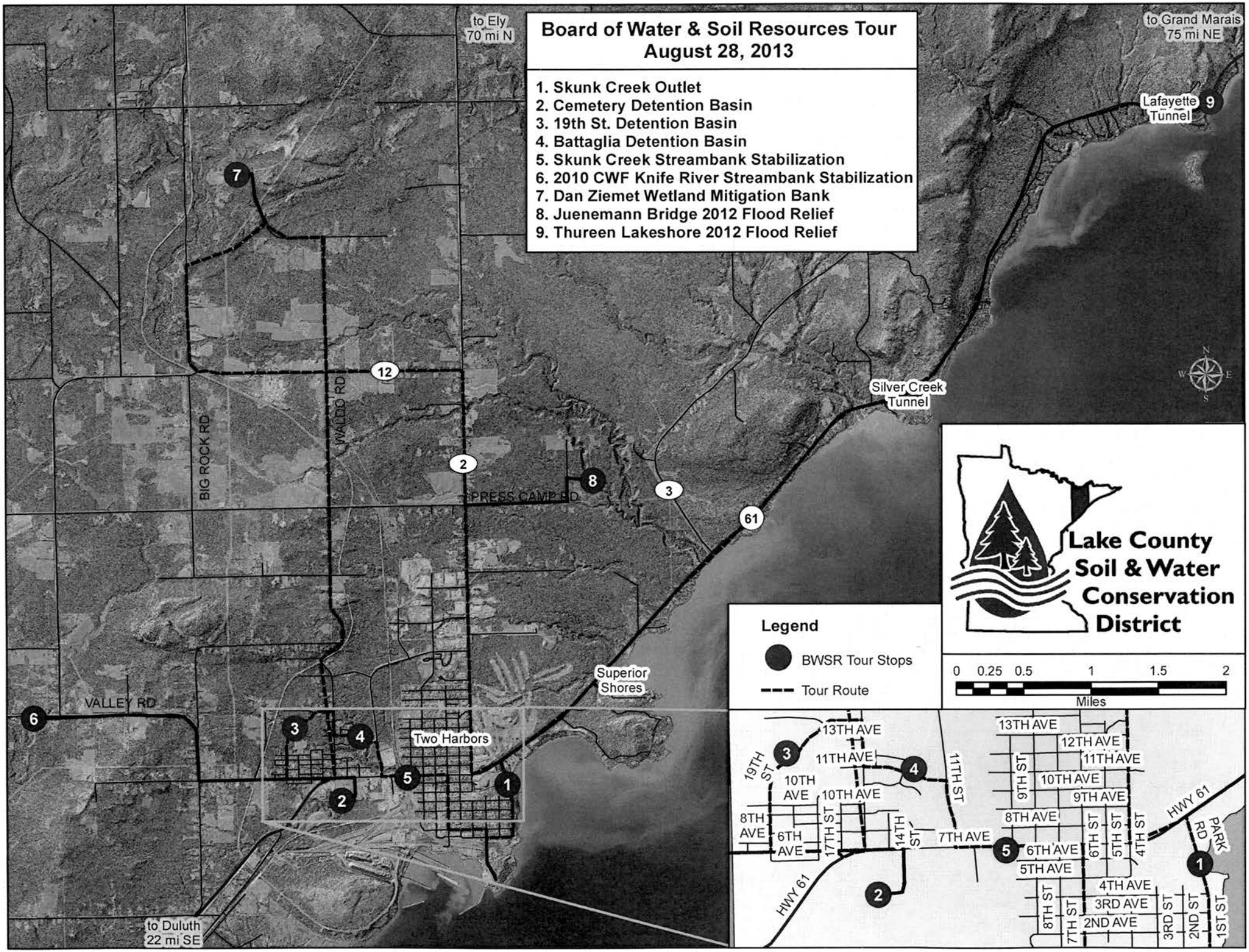
August 28, 2013

Superior Shores Resort and Conference Center
1521 Superior Shores Drive, Two Harbors, MN 55616

7:30	Check-in at registration table
8:00	Welcome & introductions - Brian Napstad and John Jaschke, BWSR Brief overview of tour – Jennifer Thiemann and Dan Schutte, Lake County SWCD
8:20	Board coach bus
8:30	Coach bus promptly departs from Superior Shores. Narrated tour of Two Harbors storm water planning – Wayne Seidel, Lake County SWCD / U of M Extension (retired) • Campground Shoreline Stabilization • **Cemetery Detention Basin** • 19th Street Storm Water Detention Basin • Battaglia Parkway Detention Basin & Erosion Control Projects • **Skunk Creek Stream Bank Stabilization Project**
10:30	**Break at Uppgaard Site - Knife River 2010 CWF Stream Bank Stabilization** Two Harbors Waterfront, Lighthouse at Agate Bay
Noon – 12:45	**Lunch** at Blackwoods Grill, Two Harbors
1:00 PM	**Dan Ziemet Wetland Bank**
2:00	**Jamie & Penny Juenemann Bridge Flood Relief**
2:30	**Ron & Louise Thureen Lakeshore Stabilization**
3:15	**Break** at Superior Shores, Gooseberry Conference Room
3:30 – 5:00	**Issues Forum – "Natural Resource Challenges in Lake County"** *Panel*: Rich Sve, Lake County Commissioner Jo Kovach, White Iron Chain of Lakes Association Tom Gelineau, Retired Lake SWCD Supervisor Leo Babeu, Advocates for the Knife River Watershed
6:00	Dinner at Superior Shores, Kamloops Restaurant *Everyone on the tour is invited to stay for dinner*

Participants will exit the bus for a tour stop at the **six bolded** sites.

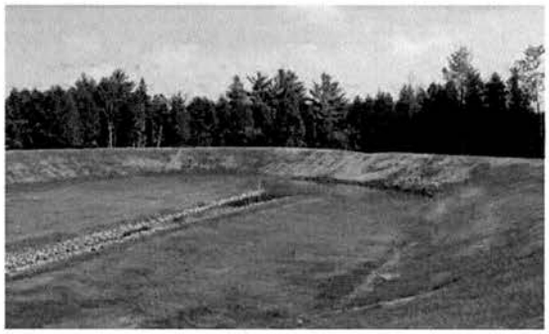

Board of Water & Soil Resources Tour
August 28, 2013
1. Skunk Creek Outlet
2. Cemetery Detention Basin
3. 19th St. Detention Basin
4. Battaglia Detention Basin
5. Skunk Creek Streambank Stabilization
6. 2010 CWF Knife River Streambank Stabilization
7. Dan Ziemet Wetland Mitigation Bank
8. Juenemann Bridge 2012 Flood Relief
9. Thureen Lakeshore 2012 Flood Relief
to Ely
70 mi N
to Grand Marais
75 mi NE
Lafayette
Tunnel
Silver Creek
Tunnel
BIG ROCK RD
WALDO RD
PRESS CAMP RD
12
2
8
3
61
Superior
Shores
VALLEY RD
Two Harbors
to Duluth
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Lake County
Soil & Water
Conservation
District
Legend
BWSR Tour Stops
Tour Route
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10TH AVE
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7TH AVE
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4TH AVE
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14TH ST
11TH ST
9TH ST
8TH ST
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6TH ST
5TH ST
4TH ST
3RD ST
2ND ST
1ST ST
HWY 61
PARK RD


Board of Water & Soil Resources Tour
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to Ely
70 mi N
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WALDO RD
PRESS CAMP RD
VALLEY RD
Two Harbors
Superior
Shores
to Duluth
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Lake County
Soil & Water
Conservation
District
Legend
BWSR Tour Stops
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6TH ST
5TH ST
4TH ST
3RD ST
2ND ST
1ST ST
HWY 61
PARK RD

Tour stops

Cemetery detention basin

On July 4, 1999, the "BWCA Blowdown" was a near 100-year storm that blew 100-mile per hour straight-line winds and dropped approximately five inches of rain. This storm event prompted the City of Two Harbors to develop a systematic process to address stormwater issues. After multiple grants from the Lake Superior Coastal Program, detention basins were constructed to store water and meter it off slowly following a storm event. The project was completed in 2004.



Skunk Creek stream bank stabilization project

Caused partly by the flashiness of the stream and the orientation of the culvert, the 170-foot site contributed approximately 108 tons of sediment into the creek per year. In addition to the water quality problems, the eroding bank also exposed a pressurized gas line and a 12-inch water main. Public safety was also an issue as this was an approximate 16-foot vertical drop from the alley to the stream – with no guard rail. In 2006, the Lake SWCD partnered with the City of Two Harbors, CN Railroad, Lake County Hwy. Dept., and Extension to correct this stream bank erosion problem.



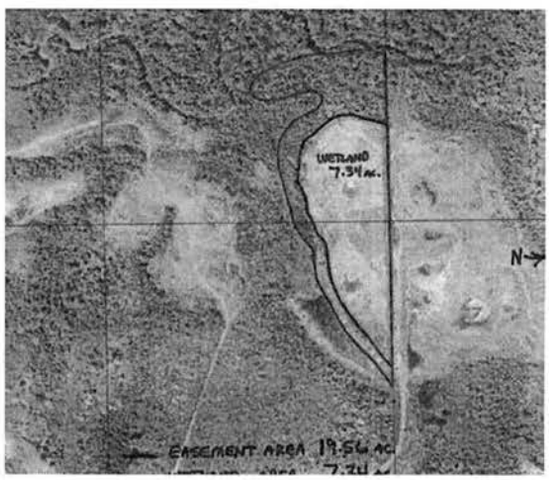
Knife River 2010 CWF stream bank stabilization

The Knife River is a trout stream and listed as impaired for turbidity. In 2011, The Lake County SWCD used natural channel design to stabilize a section of eroding stream bank on private property. The project used all natural materials – tree trunks, root wads, brush, clay, fine soil and sod mats of willow, dogwood and alder. Less than one year after installation, the project was tested during the 2012 flood and successfully protected the streambank with no slumping or major erosion.



Dan Ziemet wetland bank

This wetland bank site was a gravel pit that had the majority of usable granular material removed from within its boundaries. Site improvement activities included excavation in areas down to native clay soils that encourage ponding, installation of a riprap channel and emergency spillway and shaping of berms to prevent erosion and to create stable sideslopes for the mitigation area.



Jamie & Penny Juenemann bridge flood relief



After bailing out water from his basement and watching a waterfall form in his backyard, Jamie Juenemann thought he'd seen the worst of the 2012 June storms. That was until he and his family attempted to drive into Two Harbors, only to find out that half-way down their one mile driveway, their bridge over the Little Stewart River was in disrepair and virtually impassable. This project involved replacing the privately-owned bridge to protect water quality over the Little Stewart River, a trout stream tributary to Lake Superior.

Ron & Louise Thureen lakeshore stabilization



During the June 2012 flood, a large slump opened up along the forested shoreline of Lake Superior, dumping an estimated 7,000 cubic yards of rock and sediment into the lake, and taking the Thureen's septic drainfield with it. In 2012, Lake SWCD provided financial assistance for critical area stabilization of the slump using hydraulic seeding/mulching and for replacement of the drainfield away from the slump. The new drainfield was installed within two months of the flood and incorporated peat filter technology, better suited to poor soils and limited space. In 2013, a forested buffer will be planted above the slump to help stabilize the shoreline.

Issues forum: "Natural resource challenges in Lake County"

Following the tour, please join us for an issues forum at Superior Shores. Panelists include:

Rich Sve, Lake County Commissioner:
Sve is a lifelong resident of Lake County and lives with his wife, Rhonda, in Split Rock. He has owned a painting contracting business that has served the area for 28 years. Sve was elected to the Lake County Board of Commissioners in 2008, represents the 5th District, and he is the current Chairman of the Board. Previously, Commissioner Sve served as a township supervisor for the Town of Silver Creek.

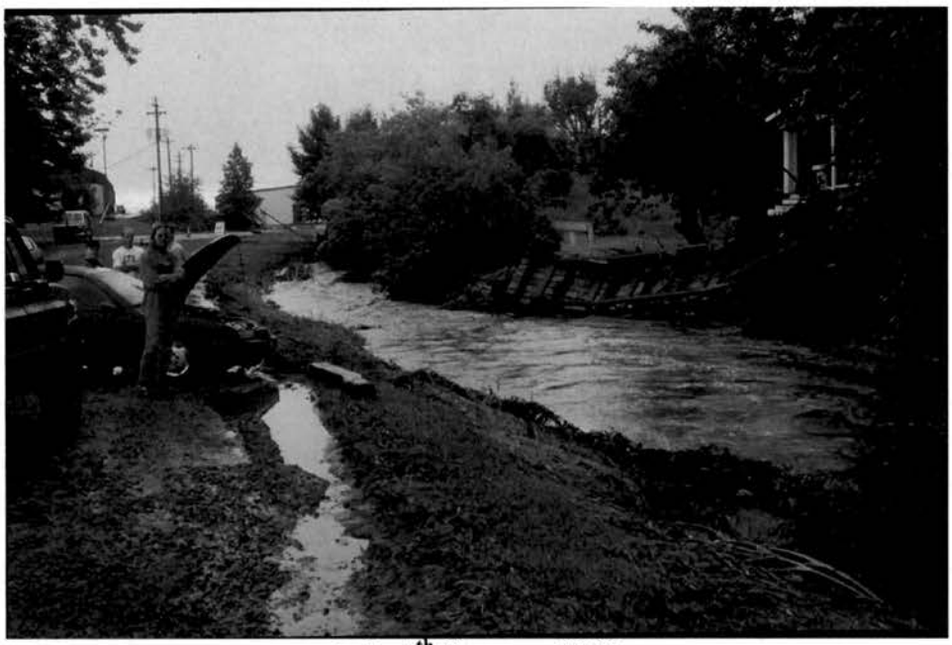
Jo Kovach, White Iron Chain of Lakes Association
Kovach grew up on Farm Lake and currently owns the Blue Heron Bed and Breakfast on Farm Lake. She is active in the White iron Chain of Lakes Association (WICOLA), a group of homeowners and lake users who began monitoring waters of the White Iron Chain in 1993.

Tom Gelineau, Retired Lake SWCD Supervisor
Gelineau served on the Lake County Soil and Water Conservation District Board of Supervisors for nine years and was heavily involved in the development of the Lake County Local Water Management Plan. He recently retired after working over 31 years for the Two Harbors Public Works Department.

Leo Babeu, Advocates for the Knife River Watershed
Babeu is a long-time resident of the area and currently lives in Clover Valley between Two Harbors and Duluth with his wife. He holds both a B.S. and an M.S. in Environmental Science from Rutgers University. Over the years, Babeu has worked for the Center for Lake Superior Environmental Studies, the University of Minnesota Duluth Medical School, the EPA, the Oregon State Marine Sciences Center, the Great Lakes Environmental Center, and as a self-employed laborer, builder, and stay-at-home dad.

Two Harbors Storm Water Planning – One Step at a Time

Prepared by: Wayne Seidel, Lake County SWCD / U of Mn Extension
Tom Gelineau, City of Two Harbors



July 4th Storm – 1999

Project Summary: The City of Two Harbors, located along the north shore of Lake Superior, is undergoing increased development pressure and has experienced many negative impacts from storm water runoff in the Skunk Creek watershed. Problems have included water pollution, flooding, public roadway safety concerns, property damage, streambank erosion, and public safety. Following a massive 4th of July storm in 1999, the community of Two Harbors developed and implemented a strategic storm water management plan with the assistance of the Lake County SWCD and numerous additional partners. Completed projects have included three storm water detention basins, two stream bank restoration projects, one rain garden, and the Two Harbors Urban Forest Management Plan. Participants will learn about the process, partnerships, and funding that allowed the projects to be completed.

Key Partners:

Lake County Soil & Water Conservation District
Lake County Highway Department
City of Two Harbors
Lake County Master Gardeners
Maple Ridge Landscape Contracters
Minnesota Department of Transportation
Minnesota's Lake Superior Coastal Program
Minnesota Board of Water & Soil Resources
Great Lakes Commission
University of Minnesota Extension
Lake County Commissioners
Conservation Corps Minnesota
Louisiana Pacific Corporation
CN Railroad
Two Harbors Area Fund of DSACF
Mecklin Contracting
Technical Services Area #3 Engineer
ICECOR

Background: Skunk Creek was identified as a high priority watershed in 1997 by the Lake County Water Management Plan. The two-square mile watershed is moderately sloping and is underlain by heavy red clay soils. Combined with an increase in impervious surfaces, this watershed is extremely flashy – it has a large flow rate after storm events and then can dry down to almost no flow during summer. Incidentally, Skunk Creek flows into Lake Superior within one-half mile from the public water intake for the City of Two Harbors.

Cemetery Detention Basin



How many of you remember the 4th of July storm in 1999? The BWCA Blowdown, 100-mile per hour straightline winds? Well, Two Harbors received close to a 100-year storm event that caused havoc throughout the town…approximately 5 inches of rain. Though we had done some groundwork on stormwater issues, this storm event convinced the City of Two Harbors to begin a systematic process to address the overall stormwater problem.

We applied for and received Lake Superior Coastal Program dollars to develop a Stormwater Management Plan ($22,000). One of the outcomes of the plan was to construct detention basins to store water and meter it off slowly following a storm event. So we applied for and received a second Coastal Program Grant to complete the design and specifications for three stormwater detention basins. Our third Coastal Program application was to construct this project - $144,000 from the Coastal Program, $10,000 from the Lake County Water Management Plan, and $38,000 from the City of Two Harbors. Key partners in this effort were the City of Two Harbors, MNDOT, Extension, Lake SWCD, and IC Environmental. The project was completed in 2004.

19th Street Storm Water Detention Basin



This basin was part of the overall design to reduce flows in Skunk Creek with the goal to reduce peak flows and thus minimize streambank erosion. With the prospect of opening this area north of Segog to future development, a roadway was proposed. Knowing storm water detention basins function best in the upper reaches of a watershed, we pursued the option of designing a basin at this location. We incorporated a stormwater detention basin on the upstream side of the road, with the roadbed acting as the "dam". A series of four conveyance pipes were installed to meter off the water at different flow rates so that high flows would never over-top the road. The project was designed by IC Environmental and constructed by the Lake County Highway Department in 2006.

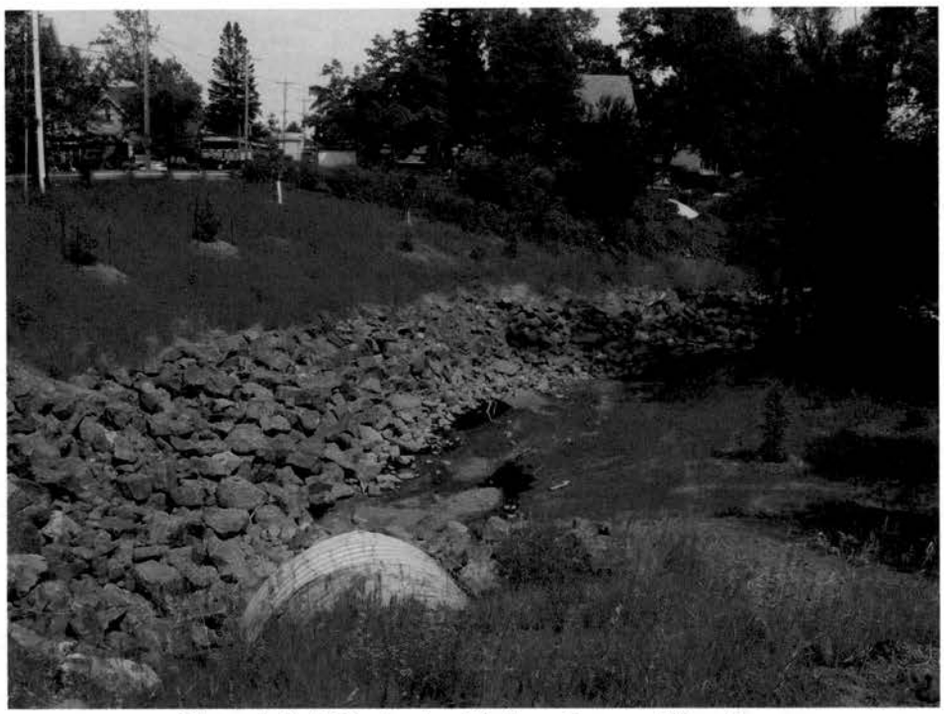


Skunk Creek Stream Bank Stabilization Project



Caused partly by the flashiness of the stream and the orientation of the culvert, this was the site of a massive amount of soil erosion. We estimated that this 170 foot-long site contributed approximately 108 tons of sediment per year. In addition to the water quality problems this site contributed to, the eroding bank also exposed a pressurized gas line and a 12 inch water main. Public safety was also an issue as this was an approximate 16 foot vertical drop from the alley to the stream – with no guard rail.





Completed Project with Landscape Plantings

In 2006, the Lake SWCD partnered with the City of Two Harbors, CN Railroad, Lake County Hwy. Dept., and Extension to correct this streambank erosion problem. We applied for and received a $75,000 grant from the Great Lakes Commission. This project was made possible by an in-kind project match of $63,700 from the Lake County Highway Dept. on a project located immediately downstream - streambank erosion control surrounding a new inlet. Al Goodman, Lake County Hwy Engineer, offered up this match project and it made the entire project possible.

*Note: The cost savings from this streambank project resulted in three additional projects being completed in the Skunk Creek Watershed – inlet and gully stabilization at Battaglia Parkway Detention Basin; rock outfall at the Cemetery Detention Basin.



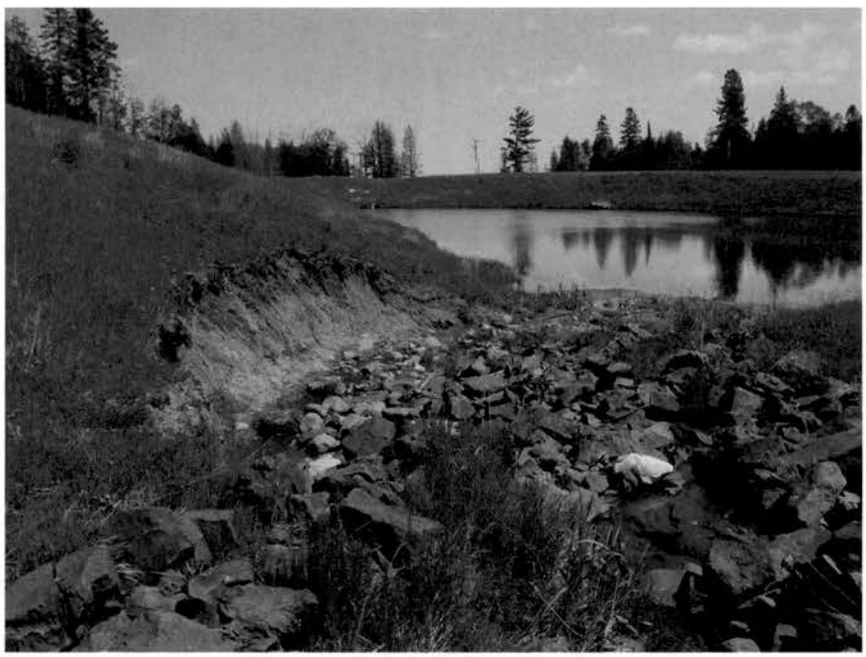
Lake County Highway Department In-Kind Project Match (downstream)

Battaglia Parkway Detention Basin & Erosion Control Projects



Completed Project

This large storm water detention basin was constructed by a developer to provide "enhanced storm water management" as a trade-off for wetlands credits being secured out of the watershed rather than building a created wetland on-site. The rock-lined flume and inlet stream were both armored with rock rip-rap to minimize erosion courtesy of cost-savings from the Skunk Creek Stream Bank Stabilization Project.



Stream Inlet *Before* Project

Urban Forest Management Plan



The Two Harbors Tree Commission secured a $57,000 grant from the Lake Superior Coastal Program in 2002 entitled, "Two Harbors Urban Forest Restoration". The project included developing an Urban Forest Management Plan, purchasing a commercial-grade tree chipper, hiring a seasonal youth crew for tree maintenance, and hosting a Tree Maintenance Workshop. The completed project resulted in the following:

1. Urban Forest Management Plan – The plan includes a tree inventory (GIS data base), hazardous tree identification, management recommendations, 10-year plan of work for forest management activities (pruning, hazard trees, planting, etc.)
2. Draft Tree Ordinance
3. Tree Maintenance Workshop conducted in May 2003 by Dr. Gary Johnson, University of Minnesota.
4. Morbark Tree Chipper – Purchased to eliminate the disposal and burning of large woody debris while creating a valuable product for mulching and trail resurfacing.
5. Minnesota Conservation Corps work crew conducted maintenance pruning, hazardous tree removal and tree planting.

Lake County Courthouse Rain Garden



The Courthouse Rain Garden was constructed to improve water quality by collecting and filtering storm water runoff from a newly paved parking lot. It was designed to filter out contaminants from smaller rainfalls and the first 20-30 minutes of larger rainfalls – also known as the "first flush". Contaminants may include motor oil, anti-freeze, litter, sand, and other debris and pollutants. The two-foot thick mixture of sand and compost in the basin of the rain garden, traps and bio-degrades contaminants and allows water to percolate through to the under-drain pipe below. The flood-tolerant native plants help by absorbing nutrients and water. The plants provide aesthetic appeal and also offer habitat for wildlife such as birds and butterflies. The treated storm water discharges into the Two Harbors storm drain system that, in turn, outlets directly into Lake Superior.

The project was coordinated by the Lake County Soil & Water Conservation District with funding ($18,000), construction, design and technical expertise provided from the following partners:

Lake County Commissioners
Two Harbors Area Fund of DSACF
City of Two Harbors
Lake County Master Gardeners
Maple Ridge Landscape Contractors
Lake County Highway Department
Minnesota's Lake Superior Coastal Program
Conservation Corps Minnesota
Louisiana Pacific Corporation

Appendix:

Two Harbors Campground – The Lake County SWCD provided technical and financial assistance to stabilize 1,476 feet of shoreline in 1995. The rock rip-rap was secured from the Silver Cliff Tunnel Project and provided to the City of Two Harbors at no cost. The SWCD provided $76,206 in cost share assistance which was matched by the City of Two Harbors.



Lake County Soil & Water Conservation District

Skunk Creek Flood Mitigation Project, 2001-2010

The mission of Lake SWCD is to provide technical assistance to help property owners and local units of government implement sound land management planning to protect the natural resources of Lake County.

Funding:

- *Minnesota's Lake Superior Coastal Program*
- *MN Board of Water & Soil Resources*
- *Great Lakes Commission*
- *Two Harbors Area Fund of DSACF*

SWCD Funding Amount: $116,706
Total Project Value: ~$350,000

Project Partners: *Skunk Creek Watershed Committee, Lake County, City of Two Harbors, University of Minnesota Extension, Minnesota Conservation Corps, Lake County Master Gardeners, Louisiana Pacific Corporation, Minnesota Department of Transportation, CN Railroad, Technical Services Area #3, ICECOR, Maple Ridge Landscape Contractors, Mecklin Contracting*



Skunk Creek is the main waterway through Two Harbors, Minnesota (pop. 3,745), travelling almost 3 miles through upland forests and urban development before emptying into Lake Superior. In 2010, Skunk Creek was listed as an impaired water for turbidity. Skunk Creek has a history of flooding dating back to the early 1900s after the area was transformed by the railroad and logging industry. Stormwater problems have included water pollution, flooding, public roadway damage, property damage, stream bank erosion, and public safety.

Following the "4th of July Storm" in 1999, the community of Two Harbors developed and implemented a strategic Storm Water Management Plan with the assistance of the Lake SWCD and numerous additional partners and funding sources. Flood mitigation practices installed through this project proved successful during a June 19-20, 2012 flood, declared "the most damaging flood in Duluth's history". Despite the extensive damage in nearby Duluth, damage to public infrastructure and private property in Two Harbors was minimal.







Project Highlights:

- Constructed three stormwater detention basins designed to accommodate the 500-year storm event.
- Constructed a rain garden at the Lake County Courthouse.
- Stabilized several hundred feet of streambank.
- Before and after storms (1999 vs. 2012) demonstrated success.
- Approximately $350,000 initial investment has been estimated to have saved the City "millions" in potential flood damages in 2012.
- Projects help address Skunk Creek's turbidity impairment.

Lake County Soil & Water Conservation District

Knife River Streambank Stabilization, 2011

The mission of Lake SWCD is to provide technical assistance to help property owners and local units of government implement sound land management planning to protect the natural resources of Lake County.

Funding:

Minnesota Board of Water & Soil Resources

Clean Water Land & Legacy Amendment

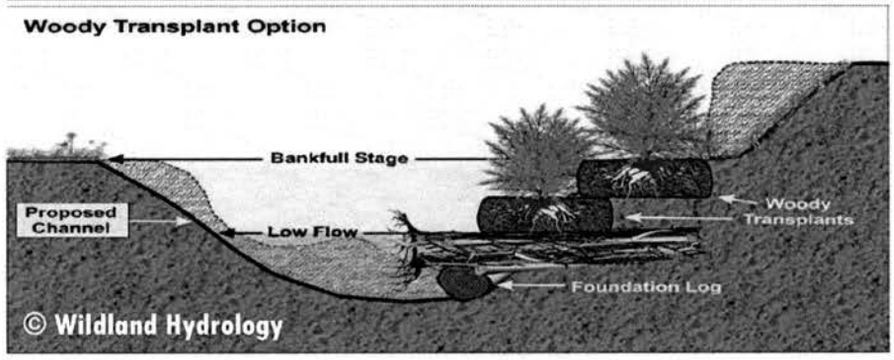
SWCD Funding Amount: $18,313
Total Project Value: $18,313

Project Partners: *Two private landowners, South St. Louis SWCD, Technical Services Area #3, Superior Construction*



The Knife River is a trout stream and listed as impaired with a total maximum daily load (TMDL) for turbidity. This project used natural channel design to stabilize a section of eroding streambank on private property. The design, based on methods pioneered by renown Hydrologist Dave Rosgen, used all natural materials—tree trunks, root wads, brush, clay, fine soil, and sod mats of willow, dogwood, and alder. Less than one year after installation, the project was tested during the June 2012 flood (a "500-year storm"), and successfully protected the streambank with no slumping or major erosion. Based on the proven success of this project, Lake SWCD will use natural channel stabilization methods at other sites along the Knife River to continue to address the TMDL for turbidity.

This project was funded through a Clean Water Fund grant administered by South St. Louis Soil & Water Conservation District.







Project Highlights:

- Used natural channel design and all natural materials.
- Within 1 year, the project withstood a 500-year storm event.
- Project helps address Knife River's turbidity impairment.

Lake SWCD ▪ 616 Third Ave ▪ Two Harbors, MN ▪ 55616 ▪ (218) 834-8372 ▪ www.co.lake.mn.us/swcd

Lake County Soil & Water Conservation District

Little Stewart River Bridge Flood Relief, 2012-2013

The mission of Lake SWCD is to provide technical assistance to help property owners and local units of government implement sound land management planning to protect the natural resources of Lake County.

Funding:

Minnesota Board of Water & Soil Resources

Minnesota RECOVERS

SWCD Funding Amount: $105,672
Total Project Value: $119,672

Project Partners: *The Juenemann Family, Isak Hansen Construction, LHB Corporation, US Small Business Administration*



Record rainfall on June 19-20, 2012 resulted in widespread flooding in northeastern Minnesota. Two Harbors experienced 9.93 inches of rain, resulting in an estimated "500-year storm event". Although the flood was declared a federal disaster, the Federal Emergency Management Agency (FEMA) only provided flood relief for replacement of public infrastructure, and private landowners relied on state flood relief funding for help.

This project involved replacing a privately-owned bridge over the Little Stewart River, a trout stream tributary to Lake Superior, near Two Harbors, Minnesota. The previous timber bridge was damaged beyond repair and the bed of the stream was severely altered during the flood. Unfortunately, the bridge was the only way to access the family's home, and they had to hike or bike ½ mile each way to get home. The cost estimate to replace the bridge was steep and well beyond their budget. While trying to secure funding, the family dealt with possibly not being able to send their eldest daughter, a senior in high school, to the college of her choice, and with helping their younger daughter make the ½-mile trek with a broken leg from a soccer game. With funding support from Lake SWCD, the new bridge was completed on December 31, 2012. Vegetation will be restored during the 2013 growing season.





Project Highlights:

- Designed and constructed a new bridge to accommodate stream hydrology and natural channel design, including bankfull benches.
- Salvaged timbers from the old bridge for reuse.
- Landowners provided labor to help offset costs.

Lake SWCD ▪ 616 Third Ave ▪ Two Harbors, MN ▪ 55616 ▪ (218) 834-8372 ▪ www.co.lake.mn.us/swcd

Lake County Soil & Water Conservation District

Lake Superior Shoreline Flood Relief, 2012-2013

Ron & Louise Thureen

The mission of Lake SWCD is to provide technical assistance to help property owners and local units of government implement sound land management planning to protect the natural resources of Lake County.

Funding:

Minnesota Board of Water & Soil Resources

SWCD Funding Amount: $24,941
Total Project Value: $30,461

Project Partners: *Thureen Family, Technical Service Area III, AJ's Landscaping, Haugan Construction*



Record rainfall on June 19-20, 2012 resulted in widespread flooding in northeastern Minnesota. Two Harbors experienced 9.93 inches of rain, resulting in an estimated "500-year storm event". Although the flood was declared a federal disaster, the Federal Emergency Management Agency (FEMA) only provided flood relief for replacement of public infrastructure, and private landowners relied on state flood relief funding for help.

This project involved assisting a retired couple in regaining the full use of their home after the flood. During the flood, a large slump opened up along the forested shoreline of Lake Superior, dumping an estimated 7,000 cubic yards of rock and sediment into the lake, and taking the landowners' septic drainfield with it. Without a drainfield, the landowners could not use their indoor plumbing and had to travel to town for laundry and other services. In 2012, Lake SWCD provided financial assistance for critical area stabilization of the slump using hydraulic seeding/mulching and for replacement of the drainfield away from the slump. The new drainfield was installed within two months of the flood and incorporated peat filter technology, better suited to poor soils and limited space. In 2013, a forested buffer will be planted above the slump to help stabilize the shoreline.





Project Highlights:

- Repaired flood-related damage to private infrastructure.
- Relocated and replaced septic drainfield away from erosion hazard.
- Planned for 2013: Design and install forested riparian buffer to provide erosion control.

Panel Forum Bio information

Rich Sve bio:
Rich Sve is a life-long resident of Lake County and lives with his wife, Rhonda, in Split Rock. He has owned a painting contracting business that has served the area for 28 years. Rich was elected to the Lake County Board of Commissioners in 2008, represents the 5th District, and he is the current Chairman of the Board. Previously, Commissioner Sve served as a township supervisor for the Town of Silver Creek.

He serves on over twenty committees, many of which deal with land use, natural resources, energy, and environment. Rich has been on the North Shore Management Board for the past seven years, six years as an officer. He is vice-chair of the Northern Counties Land Use Coordinating Board, which represents eight northern counties.

Rich is Chair of the Environment and Natural Resources Policy Committee for the Association of Minnesota Counties (AMC). He also is a member of the AMC Board of Directors, as well as vice-chair for AMC District 1 which represents seven northeastern counties. He was appointed to the AMC Water Round Table and chaired the Finance sub-committee. Rich was one of four county commissioners, state wide, appointed to the Payment in Lieu of Taxes (PILT) Advisory Group. This group was charged by the State legislature to evaluate PILT and to make recommendations to the Legislature. Commissioner Sve is also involved at the national level as a member of the Energy, Environment and Land Use policy committee for the National Association of Counties.

Tom Gelineau bio:
Mr. Gelineau served on the Lake County Soil and Water Conservation District Board of Supervisors for nine years and was heavily involved in the development of the Lake County Local Water Management Plan. Tom has recently retired after working over 31 years for the Two Harbors Public Works Department. His final seven years he served as the Public Works Director. During his tenure with the City of Two Harbors, Tom worked closely with Mike Kohn on the storm water mitigation projects in the Skunk Creek watershed, and helped initiate many other storm water projects in the city of Two Harbors. Mr. Gelineau served for 20 years on the Two Harbors Tree and Trail commission, and during this time initiated the Sonju Trail project and built the lighthouse link. Tom also helped develop the Two Harbors Urban Forest Management Plan.

White Iron Chain of Lakes (WICOLA) - Representative: Jo Kovach

The White iron Chain of Lakes Association (WICOLA) is a group of homeowners and lake users who began monitoring waters of the White Iron Chain in 1993. Members treasured the beautiful lake region and wanted to insure that its waters remained clean and pure forever.

Working with the Minnesota Pollution Control Agency, WICOLA soon realized that an accurate study of the White Iron Chain depended on the state of water in the rivers and streams in the Kawishiwi Watershed feeding the lakes. WICOLA applied for and received grants from the MPCA in 2010 which allow expanded stewardship throughout the Kawishiwi Watershed. The result was the Kawishiwi Watershed Protection Project, a true partnership between government agencies, the MPCA, Lake County, and citizenry.

Jo Kovach bio:
Jo grew up on Farm Lake and in a big old heavy rowboat explored every nook and cranny of the chain - so she remembers what the water was like from the 40's and the 50's. After a career (professor and publishing) and family I jumped at the opportunity to come back. Jo currently owns the Blue Heron Bed and Breakfast on Farm Lake – or, probably more accurately, the Bed and Breakfast owns her. Jo recalls the day, some 19 years ago, a fishing boat drew up to her dock and the jovial guys invited me to join the WICOLA, but she did not get seriously involved until they needed a president some 3 ½ years ago. Little did she know what she was about to be immersed in…

Advocates of the Knife River Watershed (AKRW) - Representative: Leo Babeu

The Advocates (AKRW) began as neighbors and friends coming together in the winter of 2010-11 to protect the Knife River watershed when a large timber harvest was being planned. The group was originally facilitated by Andrew Slade of the Minnesota Environmental Partnership. The organization incorporated as a non-profit in 2011-12 and elected its first Board of Directors in February 2013. AKRW held three educational forums open to the public in spring 2013 and is planning a similar slate of presentations for fall 2013 and spring 2014.

The AKRW mission is to be a citizen voice for the private and public land use decisions that affect the watershed ecosystem. The group has agreed on four key purposes to guides us in our organization's activities:

- To conduct educational and outreach activities that increase public awareness of policies and practices that affect the Knife River watershed,
- To promote and engage in activities that can improve water quality in the Knife River watershed,
- To serve as a forum for citizens voices in private and public land use decisions that affect the watershed ecosystem, and
- To provide pertinent facts to agencies, elected officials and the public regarding land use decisions that affect the ecosystem in the Knife River watershed.

Leo Babeu bio:
Leo is a long-time resident of the area and currently lives in Clover Valley between Two Harbors and Duluth with his wife. Leo holds both a B.S. and an M.S. in Environmental Science from Rutgers University. Over the years, Leo has worked for the Center for Lake Superior Environmental Studies, the University of Minnesota Duluth Medical School, the EPA, the Oregon State Marine Sciences Center, the Great Lakes Environmental Center, and as a self-employed laborer, builder, and stay-at-home dad. Mr. Babeu has published several peer-reviewed articles on the biodegradability of industrial chemicals and others in the areas of environmental toxicology and neural physiology. In addition to his work in the sciences, Mr. Babeu has served 6 ½ years on the Lake Superior School District Board of Education, including three years as the Board Chair. Leo served two years on the founding board of the publicly chartered North Shore Community School, and is a past youth soccer and basketball coach and long-running volunteer in local schools. Leo currently works as a market gardener and is the vice-president of the start-up Two Harbors Community Radio non-profit. Mr. Babeu is also currently serving as the first Board Chair for the Advocates for the Knife River Watershed.

"Natural resource challenges in Lake County" – Issues Forum

August 28, 2013 – 3:30 – 5:00 p.m.
Superior Shores Resort and Conference Center
1521 Superior Shores Drive, Two Harbors, MN 55616

Purpose
The issues forum will provide an opportunity to share a variety of local natural resource, economic, and political perspectives with BWSR board members and staff and to discuss how BWSR might support local organizations more effectively.

Goal
A dialogue between BWSR board members, staff and local representatives will better inform all participants about issues that face local governments and organizations. Panelists may offer suggestions to BWSR board members and staff on how the agency can better provide assistance. This will be a casual yet informative session for all.

Panelists
Rich Sve, Lake County Commissioner
Jo Kovach, White Iron Chain of Lakes Association
Tom Gelineau, Retired Lake SWCD Supervisor
Leo Babeu, Advocates for the Knife River Watershed

Moderator
Ron Shelito, BWSR North Region Supervisor

Process
Each speaker will have time to address the BWSR Board starting with Commissioner Sve. Panelists will share their thoughts on what the key natural resource issues in northeastern Minnesota. The discussion will include challenges, barriers and success stories.

8/27/13	BWSR Board Members and Alternates	Board Tour Dinner/no
1.	Joe Collins	x
2.	Jack Ditmore	x
3.	Chris Elvrum, MDH	x
4.	Rebecca Flood, MPCA	x
5.	Christy Jo Fogarty	x/+2
6.	Sandy Hooker	x
7.	Paul Langseth	x
8.	Tom Landwehr, DNR	x
9.	Brian Napstad	x
10.	Judy Ohly	x
11.	Tom Schulz	x
12.	Rob Sip, MDA	x
13.	Steve Sunderland	x
14.	Gene Tiedemann	x
15.	Gerald VanAmburg	x
	BWSR Staff	
16.	Mary Jo Anderson	x
17.	Mary Jo Flemming	x
18.	Ryan Hughes	x
19.	John Jaschke	x
20.	Al Kean	x
21.	Jen Maleitzke	x
22.	Mary Peterson	x
23.	Ron Shelito	x
24.	Dave Weirens	x
25.	Joan Weyandt	x
26.	Wayne Zellmer	x
	BWSR Advisors & Others	
27.	LeAnn Buck, MASWCD	x
28.	Andrew Slade, MEP	x
29.	Annalee Garletz, AMC	x
	Legislators	
30.	Mark Privratsky,	x
31.	Jerry Fallos	x
32.	Tammy Francois, media	x

	Lake SWCD/County	
33.	Keith Anderson	x
34.	Leo Babeu, *panel*	x
35.	Ilena Berg	x
36.	Ron Brodigan	x
37.	Tom Gelineau, *panel*	x
38.	Phil Goutermont	x
39.	Jamie Juenemann	x
40.	Jo Kovach, *panel*	no/yes
41.	Kate Kubiak	x
42.	Eric Mead	x
43.	Theresa Oberg	x
44.	Derrick Passe	x
45.	Todd Ronning	x
46.	Wayne Seidel	x
47.	Dan Schutte	x
48.	Paul Sundberg, *presenter*	
49.	Rich Sve, *panel*	
50.	Jen Thiemann	x/**no**
51.	Ann Thompson	x
52.	Patricia Thums	x
53.	Louise Thureen	x
54.	Karen Tucker	x
55.	Peter Walsh	x
56.	Walt VanDenHeuve	x
		~~55/54~~ 53

Jenny Ramsdell
Todd Estabrooks

8/27/13	BWSR Board Members and Alternates	Ride mini-van	Tues. Dinner @ Superior Shores	Room @ Superior Shores 8/27	BWSR Board Tour and Dinner/no	Room @ Superior Shores 8/28	BWSR Board Meeting
1.	Joe Collins			x	x	x	x
2.	Jack Ditmore			x	x	x	x
3.	Chris Elvrum, MDH	x	x	x	x	x	x
4.	Rebecca Flood, MPCA	x	x	x	x	x	x
5.	Christy Jo Fogarty			x	x/+2	x	x
6.	Sandy Hooker			x	x	x	x
7.	Paul Langseth		X	x	x	x	x
8.	Tom Landwehr, DNR				x	x	x
9.	Tom Loveall			~~x~~ no	x	x	x
10.	Brian Napstad			x	x	x	x
11.	Judy Ohly	x	x	x	x	x	x
12.	Tom Schulz		x	x	x	x	x
13.	Rob Sip, MDA		x	x	x	x	x
14.	Steve Sunderland		x	x	x	x	x
15.	Gene Tiedemann			x	x	x	x
16.	Gerald VanAmburg			x	x	x	x
	BWSR Staff						
17.	Mary Jo Anderson		x	x	x	x	x
18.	Mary Jo Flemming		x	x	x	x	x
19.	Ryan Hughes				x		x
20.	John Jaschke	x	x	x	x	x	x
21.	Al Kean		x	x	x	x	x
22.	Jen Maleitzke	x	x	x	x	x	x
23.	Mary Peterson			x	x	x	x
24.	Ron Shelito			x	x	x	x
25.	Dave Weirens		x	x	x	x	x
26.	Joan Weyandt				x		x
27.	Wayne Zellmer		x	x	x	x	x
	BWSR Advisors & Others						
28.	LeAnn Buck, MASWCD	x	x	x	x	x	x
29.	Andrew Slade, MEP				x		
30.	Annalee Garletz, AMC		x	x	x	x	x
	Legislators						
31.	Mark Privratsky, Congressman Nolan's office				x		
32.	Jerry Fallos Staff of Sen. Amy Klobuchar				x		
33.	Tom Albright Staff of Sen. Al Franken				x		
35.	Tammy Francois, media				x		
	Bill Penning, Ken Powell					x	x

	BWSR Board Members and Alternates	Ride mini-van	Tues. Dinner @ Superior Shores	Room @ Superior Shores 8/27	BWSR Board Tour and Dinner/no	Room @ Superior Shores 8/28	BWSR Board Meeting
	Lake SWCD/County						
36.	Keith Anderson				x		
37.	Leo Babeu, *panel*				x		
38.	Ilena Berg				x		
39.	Ron Brodigan				x		
40.	Tom Gelineau, *panel*				x		
41.	Phil Goutermont				x		
42.	Jamie Juenemann				x		
43.	Jo Kovach, *panel*				x		
44.	Kate Kubiak				x		
45.	Eric Mead				x		
46.	Theresa Oberg				x		
47.	Derrick Passe		x		x		x
48.	Todd Ronning				x		
49.	Wayne Seidel		x		x		x
50.	Dan Schutte		x		x		x
51.	Paul Sundberg, *presenter*		x				
52.	Rich Sve, *panel*						
53.	Jen Thiemann				x/**no**		x
54.	Ann Thompson		x		x		x
55.	Patricia Thums				x		
56.	Louise Thureen				x		
57.	Karen Tucker		x		x		x
58.	Peter Walsh				x		
59.	Walt VanDenHeuve				x		
	GRAND TOTAL	**6**	**22**	**26**	**56**	**28**	

Superior Shores Resort

DepartmentOfSoil

Folio #	161532
Arrival	Tuesday Aug 27, 2013
Departure	Thursday Sep 26, 2013
Nights	30
People	2 0 0 0
Room Type	Non-Rental Room
Room #	LEADER
Group	DepartmentOfSoil

Charge Summary

Total Charges	$6,988.88
Taxes	$-13.38
Payments	$0.00
Total Due	$6,975.50

Folio Transaction Detail

Date	Description	Price	Qty	Extended Cost	Tax 1	Civic Assesment	Total Charge	Balance	
Wed 8/28/13	Kamloops Charge Tkt #5900	803.57	1	803.57	0.00	0.00	803.57	803.57	I
Wed 8/28/13	Kamloops Charge Tkt #197	887.17	1	887.17	0.00	0.00	887.17	1,690.74	I
Wed 8/28/13	Kamloops Charge Tkt #249	812.78	1	812.78	0.00	0.00	812.78	2,503.52	I
Thu 8/29/13	From Collins/Joe Res#161540	197.84	1	197.84	0.00	0.00	197.84	2,701.36	I
Thu 8/29/13	From Anderson/Mar Res#166905	197.84	1	197.84	0.00	0.00	197.84	2,899.20	I
Thu 8/29/13	From Fogarty/Chri Res#161551	197.84	1	197.84	0.00	0.00	197.84	3,097.04	I
Thu 8/29/13	From Flemming/Mar Res#161539	197.84	1	197.84	0.00	0.00	197.84	3,294.88	I
Thu 8/29/13	From Zellmer/Wayn Res#166896	331.22	1	331.22	0.00	0.00	331.22	3,626.10	I
Thu 8/29/13	From Kean/Al Res#161550	197.84	1	197.84	0.00	0.00	197.84	3,823.94	I
Thu 8/29/13	From Ohly/Judy Res#161557	197.84	1	197.84	0.00	0.00	197.84	4,021.78	I
Thu 8/29/13	From Shelito/Ron Res#166897	197.84	1	197.84	0.00	0.00	197.84	4,219.62	I
Thu 8/29/13	From Weirens/Dave Res#166894	197.84	1	197.84	0.00	0.00	197.84	4,417.46	I
Thu 8/29/13	From Ditmore/Jack Res#161547	197.84	1	197.84	0.00	0.00	197.84	4,615.30	I
Thu 8/29/13	From Loveall/Tom Res#161552	98.92	1	98.92	0.00	0.00	98.92	4,714.22	I
Thu 8/29/13	From VanAmburg/Ge Res#166903	197.84	1	197.84	0.00	0.00	197.84	4,912.06	I
Thu 8/29/13	From Jaschke/John Res#161535	197.84	1	197.84	0.00	0.00	197.84	5,109.90	I
Thu 8/29/13	From Schulz/Tom Res#161544	197.84	1	197.84	0.00	0.00	197.84	5,307.74	I
Thu 8/29/13	From Powell/Ken Res#161553	98.92	1	98.92	0.00	0.00	98.92	5,406.66	I
Thu 8/29/13	From Tiedemann/Ge Res#166901	197.84	1	197.84	0.00	0.00	197.84	5,604.50	I
Thu 8/29/13	From Napstad/Bria Res#161542	197.84	1	197.84	0.00	0.00	197.84	5,802.34	I
Thu 8/29/13	From Langseth/Pau Res#161555	197.84	1	197.84	0.00	0.00	197.84	6,000.18	I
Thu 8/29/13	Kamloops Charge Tkt #271	515.18	1	515.18	0.00	0.00	515.18	6,515.36	I
Thu 8/29/13	From Peterson/Mar Res#161543	197.84	1	197.84	0.00	0.00	197.84	6,713.20	I

Superior Shores Resort
Blue Waters Development Corp.
1521 Superior Shores Drive
Two Harbors, MN 55616
(218) 834-5671

Guest Folio (Individual)

DepartmentOfSoil Reservation Number 161532 Room Number LEADER

Charge Summary	
Total Charges	$6,988.88
Taxes	$-13.38
Payments	$0.00
Total Due	$6,975.50

Folio Transaction Detail

Date	Description	Price	Qty	Extended Cost	Tax 1	Civic Assesment	Total Charge	Balance	
Thu 8/29/13	From Maleitzke/Je Res#161556	197.84	1	197.84	0.00	0.00	197.84	6,911.04	I
Thu 8/29/13	From Sunderland/S Res#166899	197.84	1	197.84	0.00	0.00	197.84	7,108.88	I
Mon 9/9/13	* Room Charge Adjustment	-120.00	1	-120.00	-8.58	-4.80	-133.38	6,975.50	I

(this is the credit that goes toward Wayne Zellmer's room. I apologize I did not catch that.

Superior Shores Resort
Blue Waters Development Corp.
1521 Superior Shores Drive
Two Harbors, MN 55616
(218) 834-5671

BOARD OF WATER AND SOIL RESOURCES
INTERNAL REQUEST FOR GOODS OR SERVICES

VENDOR	**NAME** Superior Shores	SHIPTO	**NAME** MN Board of Water and Soil Resources
	ADDRESS 1521 Superior Shores Drive		**ADDRESS** 520 Lafayette Road North
	CITY, STATE, ZIP Two Harbors, MN 55616		**CITY, STATE, ZIP** St. Paul, MN 55155
REMI TTO	**NAME**	BI LLTO	**NAME** MN Board of Water and Soil Resources
	ADDRESS		**ADDRESS** 520 Lafayette Road North
	CITY, STATE, ZIP		**CITY, STATE, ZIP** St. Paul, MN 55155

CONTRACT NO.

LINE NO.	COMMODITY CODE	UNIT(S) ORDERED	DESCRIPTION	UNIT	UNIT PRICE $	DISCOUNT $	TOTAL PRICE
1		23	Sleeping Rooms Tues., Aug. 27, 2013	EA	89.00		$ 2,047.00
2	28	~~23~~	Dinner on Tues. evening, Aug. 27	EA	16.00		$ 368.00
3		50	Breakfast Buffet Wed. AM	EA	10.00		$ 500.00
4		50	Afternoon Break on Wed. AM	EA	3.00		$ 150.00
5	39	~~50~~	Dinner on Wed. evening, Aug. 28	EA	18.00		$ 900.00
6		25	Sleeping Rooms Wed., Aug. 28	EA	89.00		$ 2,225.00
7		32	Breakfast Buffet Wed. AM	EA	11.00		$ 352.00
8		1	Meeting room charge	RM	200.00		$ 200.00
9			Coffee for Board Meeting on Thurs., Aug. 29	EA	60.00		$ 60.00
			CONFIRMING ORDER FOR BWSR TOUR/MEETING				
			SUBTOTAL				$ 6,802.00
			Service Charge	17%			$ 1,156.34
			Sales tax	7%			$ 467.63
						TOTAL:	$ 8,425.97

ORDERED BY:
Mary Jo Anderson

DATE:
8/21/2013

PHONE NUMBER:
651-297-4290

SUPERVISOR APPROVAL:

DATE:
8/22/13

BOARD OF WATER AND SOIL RESOURCES
INTERNAL REQUEST FOR GOODS OR SERVICES

VENDOR	**NAME** LCS Coach Bus ATTN: Jeff Lane	SHIPTO	**NAME** MN Board of Water and Soil Resources
	ADDRESS 1203 Avenue B		**ADDRESS** 520 Lafayette Road North
	CITY, STATE, ZIP Cloquet, MN 55720		**CITY, STATE, ZIP** St. Paul, MN 55155
REMI TTO	**NAME**	BI LLTO	**NAME** MN Board of Water and Soil Resources
	ADDRESS		**ADDRESS** 520 Lafayette Road North
	CITY, STATE, ZIP		**CITY, STATE, ZIP** St. Paul, MN 55155

CONTRACT NO.

LINE NO.	COMMODITY CODE	UNIT(S) ORDERED	DESCRIPTION	UNIT	UNIT PRICE $	DISCOUNT $	TOTAL PRICE
1		1	55-passenger coach bus for BWSR Tour	EA	605.00		$ 605.00
			Wed., August 28, 2013 - departure/return to				
			Superior Shores Resort & Conference Center in				
			Two Harbors				
			8:00 AM - 3:30 PM				
			CONFIRMATION #46954				
			SUBTOTAL				$ 605.00
			SALES TAX (only for catering or lodging)	7%			
			Administrative fee	21%			

ORDERED BY: Mary Jo Anderson	**DATE:** 8/9/2013	**SUPERVISOR APPROVAL:**	**DATE:** 8/29/13	**TOTAL:** $ 605.00
PHONE NUMBER: 651-297-4290				

Quote from LCS Coach Bus, Cloquet

Jeff Lane 218-879-3391

$605 (9 Hours) 8:00 – 5:00 = $55/hr. after

CONFIRMATION RESERVATION FOR ONE BUS, ADDITONAL BUS ON HOLD

Bus 1. Reservation #46954

Bus 2. Reservation #46955

Gravel roads = "roads rated commercial, county maintained roads"

BLACKWOODS - TWO HARBORS
Table Sales

Check	Tab	Server	Time	Date
527893	8999	214	12:29:25 PM	8/2/2013

Person: 1 Covers: 1

60	TOUR GROUP LUNCH		780.00
	Food Sub-Total		780.00
Large Party Gratui	527893	1	140.40
SUB TOTAL			894.40
Coupon	527893	1	-26.00
	Discounts Sub-Total		-26.00
	Sales Tax		65.97

TOTAL **960.37**

Please pay
your server

THANK YOU
BRYN

BOARD OF WATER AND SOIL RESOURCES
INTERNAL REQUEST FOR GOODS OR SERVICES

VENDOR	**NAME** Blackwoods Grill	SHIPTO	**NAME** MN Board of Water and Soil Resources
	ADDRESS 612 7th Avenue		**ADDRESS** 520 Lafayette Road North
	CITY, STATE, ZIP Two Harbors, MN 55616		**CITY, STATE, ZIP** St. Paul, MN 55155
REMIT TO	**NAME**	BILL TO	**NAME** MN Board of Water and Soil Resources
	ADDRESS		**ADDRESS** 520 Lafayette Road North
	CITY, STATE, ZIP		**CITY, STATE, ZIP** St. Paul, MN 55155

CONTRACT NO.

LINE NO.	COMMODITY CODE	UNIT(S) ORDERED	DESCRIPTION	UNIT	UNIT PRICE $	DISCOUNT $	TOTAL PRICE
1		60	Lunch for the BWSR Tour on Wed., August 28, 2013	EA	13.00		$ 780.00
			includes beverage + dessert				
			SUBTOTAL				$ 780.00
			Gratuity	18%			$ 140.40
			Sales tax	7%			$ 57.52
						TOTAL:	$ 977.92

ORDERED BY: Mary Jo Anderson
DATE:
PHONE NUMBER: 651-297-4290

SUPERVISOR APPROVAL:
DATE: 8/21/13

Minnesota Board of Water & Soil Resources

June 5, 2013

"INVITATION TO ATTEND"

You are invited to Attend the Board of Water and Soil Resources (BWSR) Conservation Projects Tour August 28, 2013 in Two Harbors, Minnesota

Dear Invitee,

The Board of Water and Soil Resources (BWSR) invites you to attend a tour of conservation projects in northeastern Minnesota on August 28, 2013, in conjunction with the Board meeting on Thursday, August 29, 2013.

The Board tour will begin at 8:00 a.m. on Wednesday, August 28, at the Superior Shores Conference Center, 1521 Superior Shore Drive, Two Harbors, phone: 1-800-242-1988; hotel directions: http://superiorshores.com/contact-superior-shores-resort.html.

The coach bus will promptly depart from Superior Shores Conference Center at 8:30 a.m. The tour will highlight conservation projects in Lake County. The Lake Soil and Water Conservation District (SWCD) is the local host and the tour will feature their conservation efforts.

Please RSVP by August 12th to Mary Jo Anderson at: mary.jo.anderson@state.mn.us.
If you have any logistical questions, feel free to call Mary Jo directly at 651-297-4290.

As always, let me know if you have any questions or need additional information. I can be reached by phone: 651-296-0878; cell: 612-202-3815; email: john.jaschke@state.mn.us.
BWSR is hopeful you're available to join us for the informational tour on August 28, 2013.

Sincerely,

John Jaschke
Executive Director

cc: BWSR Board Members & Alternates

Bemidji	Brainerd	Duluth	Fergus Falls	Mankato	Marshall	New Ulm	Rochester
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 828-2383	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	1004 Frontier Drive Fergus Falls, MN 56537 (218) 736-5445	12 Civic Center Plaza Suite 3000B Mankato, MN 56001 (507) 344-2821	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	261 Highway 15 South New Ulm, MN 56073 (507) 359-6074	3555 9th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889

Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

www.bwsr.state.mn.us TTY: (800) 627-3529 An equal opportunity employer

Minnesota Board of Water & Soil Resources

DATE: June 5, 2013

TO: Representative Mary Murphy
Senator Tom Bakk
U.S. Congressman Rick Nolan
U.S. Senator Amy Klobuchar
U.S. Senator Al Franken

FROM: John Jaschke, Executive Director

SUBJECT: Board of Water and Soil Resources (BWSR)
August 28, 2013 NORTHEAST MINNESOTA TOUR

The Board of Water and Soil Resources (BWSR) will be conducting a tour in northeastern Minnesota (Lake County) on Wednesday, August 28, 2013, in conjunction with our Board meeting on Thursday, August 29, 2013.

BWSR invites you and your staff to attend this tour of conservation practices and flood restoration in Lake County. The tour will highlight conservation projects with private landowners using state and federal funds with local implementation via the Lake Soil and Water Conservation District. The tour will begin at 8:00 a.m. on Wednesday, August 28th at the Superior Shores Conference Center in Two Harbors. The logistical details of the tour are in the planning stages. Look for a personal invitation with final details from the Lake SWCD.

Ryan Hughes, BWSR Board Conservationist, can be reached in our Duluth office at: ryan.hughes@state.mn.us or (218) 723-4923, if you have any questions regarding northeastern Minnesota.

As always, let me know if you have any questions or need more information. I can be reached by phone: 651-296-0878; cell: 612-202-3815, e-mail: john.jaschke@state.mn.us. We are hopeful that you can join us for the tour on August 28, 2013.

cc: Brian Napstad, BWSR Board Chairman
BWSR Board Members & Alternates

Bemidji	Brainerd	Duluth	Fergus Falls	Mankato	Marshall	New Ulm	Rochester
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 828-2383	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	1004 Frontier Drive Fergus Falls, MN 56537 (218) 736-5445	12 Civic Center Plaza Suite 3000B Mankato, MN 56001 (507) 344-2821	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	261 Highway 15 South New Ulm, MN 56073 (507) 359-6074	3555 9th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889

Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

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Minnesota Board of Water & Soil Resources

June 5, 2013

"INVITATION TO ATTEND"

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If you have any logistical questions, feel free to call Mary Jo directly at 651-297-4290.

As always, let me know if you have any questions or need additional information. I can be reached by phone: 651-296-0878; cell: 612-202-3815; email: john.jaschke@state.mn.us.
BWSR is hopeful you're available to join us for the informational tour on August 28, 2013.

Sincerely,

John Jaschke
Executive Director

cc: BWSR Board Members & Alternates

Bemidji	Brainerd	Duluth	Fergus Falls	Mankato	Marshall	New Ulm	Rochester
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 828-2383	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	1004 Frontier Drive Fergus Falls, MN 56537 (218) 736-5445	12 Civic Center Plaza Suite 3000B Mankato, MN 56001 (507) 344-2821	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	261 Highway 15 South New Ulm, MN 56073 (507) 359-6074	3555 9th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889

Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

www.bwsr.state.mn.us TTY: (800) 627-3529 An equal opportunity employer

RECEIVED
MAR 20 2013
Bd. of Water & Soil Resources
St. Paul

LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT
616 THIRD AVENUE, TWO HARBORS, MN 55616
P: (218) 834-8372 F: (218) 834-8545
WWW.CO.LAKE.MN.US/SWCD

RECEIVED
MAR 19 2013
BD OF WATER & SOIL
RESOURCES DULUTH

SUPERVISORS

DISTRICT 1
FINLAND
JENNIFER RAMSDELL

DISTRICT 2
SILVER BAY
DON WARNER

DISTRICT 3
CITY OF TWO HARBORS
TODD RONNING

DISTRICT 4
LARSMONT & KNIFE RIVER
DAVID FALK

DISTRICT 5
SILVER CREEK
PHILLIP GOUTERMONT

March 14, 2013

Ryan Hughes
Board Conservationist, BWSR
394 South Lake Avenue, Room
Duluth, MN 55802

Jen
218-
834-8372
*left message
4/5/13

Re: BWSR Board Tour Host District 2013

Dear Ryan,

Lake County Soil & Water Conservation District is dedicated to providing technical and financial assistance to landowners for conservation practices throughout Lake County. We are very grateful for our working relationship with the Board of Water and Soil Resources. BWSR's administrative, financial, and technical assistance are essential to our success implementing a variety of erosion control, water quality, land use, and flood relief programs. As such, we would like to offer to serve as a Host District for BWSR delegates in 2013. As host, we will present an overview of our recent initiatives and demonstrate our success through field visits to BWSR-funded projects. We can also coordinate meetings with local elected officials and citizens if desired. We have ideal lodging and meeting space available in Two Harbors, or can coordinate with St. Louis and Cook SWCDs if the Board would prefer to stay in Duluth or Grand Marais. If you are interested in having us host, please contact Jennifer Thiemann, District Manager, at (218) 834-8372 or jennifer.thiemann@co.lake.mn.us.

Sincerely,

Lake SWCD Board of Supervisors

Phillip Goutermont
Todd Ronning
Jennifer Ramsdell
David W. Falk
Don Warner

RECEIVED
MAR 20 2013
Bd. of Water & Soil Resources
St. Paul

LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT
616 THIRD AVENUE, TWO HARBORS, MN 55616
P: (218) 834-8372 F: (218) 834-8545
WWW.CO.LAKE.MN.US/SWCD

RECEIVED
MAR 18 2013
BD OF WATER & SOIL
RESOURCES DULUTH

SUPERVISORS

DISTRICT 1
FINLAND
JENNIFER RAMSDELL

DISTRICT 2
SILVER BAY
DON WARNER

DISTRICT 3
CITY OF TWO HARBORS
TODD RONNING

DISTRICT 4
LARSMONT & KNIFE RIVER
DAVID FALK

DISTRICT 5
SILVER CREEK
PHILLIP GOUTERMONT

March 14, 2013

Ryan Hughes
Board Conservationist, BWSR
394 South Lake Avenue, Room 403
Duluth, MN 55802

Re: BWSR Board Tour Host District 2013

Dear Ryan,

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Sincerely,

Lake SWCD Board of Supervisors

Phillip Goutermont
Todd Ronning
Jennifer Ramsdell
David W. Falk
Don Warner

Anderson, Mary Jo M (BWSR)

From: Anderson, Mary Jo M (BWSR)
Sent: Thursday, June 06, 2013 10:34 AM
To: Shelito, Ron (BWSR); Hughes, Ryan (BWSR); Weyandt, Joan (BWSR); Flemming, MaryJo (BWSR); jennifer.thiemann@co.lake.mn.us
Subject: BWSR Tour
Attachments: Invitation to legislators.docx; Tour Invitation.docx; Tour - Labels - BWSR Tour Invitees.docx; 2013 BWSR Board Tour Itinerary.docx

Hello All,

Thanks for meeting last week, we had a very productive day! We are in good shape at this point. I met with John Jaschke on Monday and he agreed with the possible tour sites (see my notes – tour itinerary, attached). John liked the idea of an issues forum, although he did not select a topic.

FYI – The tour invitations are in the mail today! Attached is the invitation sent to legislators, and also the invitation sent to those on the invitee list.

We are confirmed at Superior Shores. I also contacted the Rustic Inn and spoke with the owner Beth Sullivan. They have another group coming in on Aug. 28, 11:30 – 1:00. Unfortunately, Rustic Inn isn't available for lunch/issues forum. I appreciated her honesty in letting me know that it would be too crowded for us. I asked about possible dinner on Tues. evening, about 25 people; or Wed. evening about 50 people max would work. We need to find another location for lunch/issues forum. Beth at the Rustic Inn suggested the Clearwater Grill (formerly Lakeview Castle) or Dixie's Bar & Grill (old burger joint). I need your ideas/suggestions – do you know about these two establishments??? I Googled both and they seem to be okay, but I need your input before I contact them for availability.

My notes indicate many items to be determined (TBD). No worries, these things will fall into place soon. We will look at tour/project sites and make decisions when we meet on June 20.

Let me know if you have any questions, or what I have missed. I truly appreciate your time and assistance in planning a successful tour! Look forward to seeing you on June 20!

Mary Jo Anderson
Board of Water and Soil Resources
520 Lafayette Road N.
St. Paul, MN 55155
Phone: 651-297-4290
mary.jo.anderson@state.mn.us

Minnesota Board of Water & Soil Resources

DATE: June 18, 2013

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

FROM: John Jaschke, Executive Director

SUBJECT: BWSR Board Meeting Notice – June 26, 2013

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, June 26, 2013, 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 (see hooded parking area).

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Northern Water Planning Committee

1. **Crow Wing County Local Water Management Plan** – Crow Wing County submitted their revised Local Water Management Plan for state review and comment. The Northern Water Planning Committee met on June 12, 2013; reviewed the Plan and recommends approval. ***DECISION ITEM***

2. **Kanabec County Comprehensive Local Water Plan Amendment** - On August 23, 2007, the Board of Water and Soil Resources approved Kanabec County's Comprehensive Local Water Management Plan for a ten year period from 2007-2017 with a required amendment by 2012. On May 23, 2012, Kanabec County passed a resolution to begin the amendment process. The amended plan was submitted to BWSR on May 2, 2013. The Northern Water Planning Committee met on June 12, 2013, reviewed the plan amendment and recommends approval of the update through August 2017. ***DECISION ITEM***

3. **Koochiching County Five Year Plan Amendment** - On August 23, 2007, the Board of Water and Soil Resources approved Koochiching County's Comprehensive Local Water Management Plan for a ten year period from August 23, 2007 to December 31, 2017 with a required amendment by December 31, 2012. On May 8, 2012, Koochiching County passed a resolution to begin the amendment process. The amended plan was submitted to BWSR on May 2, 2013. The Northern Water Planning Committee met on June 12, reviewed the plan amendment and recommends approval of the five-year plan amendment through December 31, 2017. ***DECISION ITEM***

4. **Pope County Local Water Management Plan Update** – On April 15, 2013, the Board of Water and Soil Resources received the Pope County Local Water Management Plan Update for final state review. On June 12, 2013, the Northern Water Planning Committee met with representatives of Pope County to discuss recommendations of the state review agencies; the Committee recommends approval of the Pope County Local Water Management Plan Update. ***DECISION ITEM***

Bemidji	Brainerd	Duluth	Fergus Falls	Mankato	Marshall	New Ulm	Rochester
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 828-2383	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	1004 Frontier Drive Fergus Falls, MN 56537 (218) 736-5445	12 Civic Center Plaza Suite 3000B Mankato, MN 56001 (507) 344-2821	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	261 Highway 15 South New Ulm, MN 56073 (507) 359-6074	3555 9th Street I Suite 350 Rochester, MN (507) 206-2889

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Southern Water Planning Committee

1. **Renville County Local Water Management Plan Update** - Renville 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 April 22, 2013. On June 12, 2013, the Board's Southern Water Planning Committee reviewed the recommendation of the state review agencies regarding final approval of the Renville County Local Water Management Plan Update. The Committee recommends approval. ***DECISION ITEM***

Grants Program & Policy Committee

1. **Proposed FY 2014 SWCD Programs and Operations Grant Allocations** – The Grants Program & Policy Committee is forwarding their FY'14 allocation recommendations for the Conservation Delivery, Easement Delivery, Non-Point Engineering Assistance, and Cost-Share Base Grant Programs. ***DECISION ITEM***

2. **Proposed FY 2014 Natural Resources Block Grant** - The Natural Resources Block Grant (NRBG) provides assistance to local governments to implement state natural resource programs. These programs are: Comprehensive Local Water Management, the Wetland Conservation Act, the DNR Shoreland Management, the MPCA County Feedlot, and the MPCA Subsurface Sewage Treatment Systems. The Grants Program & Policy Committee recommends Board approval of the Proposed FY '14 Natural Resources Block Grant allocations. ***DECISION ITEM***

3. **Farm Bill Assistance Program Authorization** - The Board is requested to authorize grants to selected SWCDs to continue the Farm Bill Assistance partnership between BWSR, DNR, Pheasants Forever, and SWCDs. ***DECISION ITEM***

Wetland Committee

1. **BWSR-NRCS Agricultural Wetland Banking MOU** - BWSR and NRCS have been working together on enhancing coordination of the Wetland Conservation Act (WCA) and Swampbuster under an agreement for more than two years. One of the key accomplishments has been the implementation of the Agricultural Wetland Bank. This memorandum of understanding is being proposed to establish details of the operations of this Bank including the use of the Bank under the WCA agricultural exemption. ***DECISION ITEM***

Administrative Advisory Committee

** **Tentative**** **Emergency Haying and Grazing on Conservation Lands** – Governor Dayton sent a letter to USDA Secretary Vilsack on June 14th requesting Federal action to support the livestock forage and feed shortage due to inclement spring weather in Minnesota. Authorization for emergency haying and grazing on state conservation lands may be considered pending related action.

If you have any questions regarding the agenda, please feel free to give me a call at 651-296-0878. The Board meeting is expected to adjourn about 10:30. The One Watershed One Plan (1W1P) Initiative Workshop will begin immediately following adjournment of the Board Meeting. Lunch will be provided. I look forward to seeing you on June 26th!

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, June 26, 2013

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF MAY 22, 2013 BOARD MEETING

PUBLIC ACCESS FORUM (10-minute agenda time, two-minute limit/person)

RECOGNITION OF BOARD MEMBER
- Keith Mykleseth

INTRODUCTION OF NEW BOARD MEMBERS
- Judy Ohly, citizen member
- Tom Schulz, SWCD member

INTRODUCTION OF NEW BWSR EMPLOYEES
- Brian Dwight, Clean Water Specialist
- Barbie Hogan, Office & Administrative Specialist
- Sherri Johnson, Fiscal Services
- Kristi Mack, Easement Acquisition Specialist Senior
- Polly Remick, Easement Section Program Analyst
- Gwen Steel, Land & Water Specialist
- Marcey Westrick, Clean Water Coordinator

REPORTS
- Chair – Brian Napstad
- Administrative Advisory Committee – Brian Napstad
- Executive Director – John Jaschke
- Dispute Resolution Committee – Gerald Van Amburg
- Wetlands Committee – Gerald Van Amburg
- Grants Program & Policy Committee – Paul Langseth
- Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth
- RIM Reserve Management Planning Committee – Gene Tiedemann
- Drainage Work Group – Tom Loveall

COMMITTEE RECOMMENDATIONS
Northern Water Planning Committee
1. Crow Wing County Water Plan Update – Brian Napstad – ***DECISION ITEM***

2. Kanabec County Comprehensive Local Water Management Plan Amendment – Gerald Van Amburg – ***DECISION ITEM***

3. Koochiching County Local Water Management Plan Amendment – Gene Tiedemann – ***DECISION ITEM***

4. Pope County Local Water Management Plan Amendment – Gene Tiedemann – ***DECISION ITEM***

Southern Water Planning Committee

1. Renville County Comprehensive Water Plan Update – Paul Langseth – ***DECISION ITEM***

Grants Program & Policy Committee

1. FY'14 Natural Resources Block Grant Allocations – Wayne Zellmer – ***DECISION ITEM***

2. FY'14 SWCD Program & Operations Grant Allocations – Wayne Zellmer – ***DECISION ITEM***

3. Farm Bill Assistance Program Authorization – Dave Weirens – ***DECISION ITEM***

Wetland Committee

1. BWSR-NRCS Agricultural Wetland Banking Memorandum of Understanding – Les Lemm – ***DECISION ITEM***

Administrative Advisory Committee

1. **Tentative** Emergency Haying & Grazing on Conservation Lands – John Jaschke and Bill Penning – ***DECISION ITEM***

AGENCY REPORTS

- Minnesota Department of Agriculture – Matthew Wohlman
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Tom Landwehr
- 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 – Matt Solemsaas
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Don Baloun

UPCOMING MEETINGS

- BWSR Board Tour/Meeting – August 28-29, 2013, Two Harbors

10:30 AM ADJOURN (estimated time)

One Watershed One Plan Initiative Workshop *(10:30 – 2:30)*

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, MAY 22, 2013

BOARD MEMBERS PRESENT:
Bob Burandt, Joe Collins, Jack Ditmore, Chris Elvrum, MDH; Rebecca Flood, MPCA; Sandy Hooker, Tom Landwehr, DNR; Tom Loveall, Keith Mykleseth, Brian Napstad, Faye Sleeper, UME; Steve Sunderland, Gene Tiedemann, Gerald Van Amburg, Matt Wohlman, MDA

BOARD MEMBERS ABSENT:
Christy Jo Fogarty

STAFF PRESENT:
Mary Jo Anderson, Jim Haertel, John Jaschke, Tim Koehler, Bill Penning, Polly Remick, Jared Schmitz, Doug Thomas, Tom Wenzel, Brad Wozney, Elizabeth Zuehlke

OTHERS:
Bob Patton and Jeff Smyser, EQB
Ray Bohn, MAWD
Myron Taylor, NRCS

DRAFT

CALL MEETING TO ORDER - Chair Napstad called the meeting to order at 9:02 a.m.

PLEDGE OF ALLEGIANCE

** 13-27 **ADOPTION OF AGENDA** – Moved by Paul Langseth, seconded by Chris Elvrum, to adopt the agenda as presented. ***Motion passed on a voice vote.***

MINUTES OF MARCH 27, 2013 BOARD MEETING – Jack Ditmore requested the minutes of March 27, 2013 reflect his opposition to the Big Stone County Comprehensive Local Water Management Plan Extension, Resolution #13-19; his opposition to Blue Earth County Comprehensive Local Water Management Plan Extension, Resolution #13-20; his opposition to Chippewa County Comprehensive Local Water Management Plan Extension, Resolution #13-21; his opposition to Lac qui Parle County Comprehensive Local Water Management Plan Extension, Resolution #13-22; and his opposition to Swift County Comprehensive Local Water Management Plan Extension, Resolution #13-23.

** 13-28 Moved by Keith Mykleseth, seconded by Sandy Hooker, to approve the minutes of March 27, 2013 as amended. ***Motion passed on a voice vote.***

INTRODUCTION OF NEW BWSR EMPLOYEES
Chair Napstad welcomed new BWSR staff.

- Doug Thomas, Senior Policy & Program Advisor, was introduced by John Jaschke.
- Bill Penning, Conservation Easement Section Manager, was introduced by John Jaschke.
- Elizabeth Zuehlke, Accounting Officer, was introduced by John Jaschke.
- Jared Schmitz, Engineering Technician, was introduced by Tom Wenzel.

REPORTS
Chair's Report – Brian Napstad reported that he and Vice-Chair Gerald Van Amburg conducted the executive director's performance evaluation. Chair Napstad reported that John Jaschke requested a more advanced appraisal using a 360 review process which included evaluations by various BWSR staff, LGUs, and clientele. Chair Napstad reported that John's performance evaluation was positive, ranging from very good to outstanding. The 360 review assessment valued John's exceptional skills in leadership, and the agency is proud to have a strong leader at BWSR.

Chair Napstad reported that he attended the RIM Reserve Management Planning Committee meeting on May 21st, and was impressed with the level of thoroughness, procedures, policies, and great committee structure at BWSR. Chair Napstad reported

that Kevin Lines attended the Committee meeting as a citizen; he's cancer free and is doing well.

Chair Napstad attended the EQB meeting. EQB has enlisted staff from the Governor's Institute on Community Design (GICD) to facilitate future meetings to develop policy as an outcome of the Minnesota Environment and Energy Report Card. Tom Landwehr stated that the GICD will meet with the EQB in June to discuss recommendations on environment, land, water, air, and energy.

Chair Napstad reported that EQB discussed the challenges faced by the U.S. Army Corps of Engineers navigating the river bend in the Hastings area due to silt and sedimentation problems. Dakota County and DNR are discussing dredge, drainage, and channelization concerns and may involve BWSR in the future regarding watershed issues.

Chair Napstad commented on the great information that GIS can provide at a local level, projects funded by BWSR through the challenge grant process. The Northern Water Planning Committee meets next month to review the Crow Wing County Water Plan.

Administrative Advisory Committee (AAC) – Brian Napstad reported that the AAC did not meet this month.

Executive Director's Report – John Jaschke reported that Governor Dayton made appointments to BWSR. Tom Loveall and Christy Jo Fogarty were reappointed to terms expiring January 2017. Two new appointments were announced, effective May 23, 2013: Tom Schulz will replace Bob Burandt, representing SWCDs; and Judy Ohly will replace John Meyer as a citizen member. John Jaschke will provide an orientation for new board members. Chair Napstad stated that he and John will review BWSR committees; he asked board members having specific interest on a committee to let him know.

Keith Mykleseth reported that he has been hired as the DNR Ecological & Water Resources Assistant Manager in Bemidji. Keith will be moving from Crookston to Bemidji and will no longer be a non-metro city representative on the BWSR Board. Keith stated that he has enjoyed serving on the Board, his last official BWSR Board meeting is June 26. John Jaschke congratulated Keith on his new position at DNR.

John reported that the One Watershed One Plan (1W1P) is being developed. A Board workshop will be held to assist in shaping the plan into the future; if board members have suggestions let him know.

DRAFT

John reviewed information in board members' packets. John stated that BWSR will be sending its monthly newsletter "BWSR Snapshots" electronically to local partners publishing conservation stories from around the state. John briefly reported on the PRAP assistance grant. John stated that the newly revised 'Conflict of Interest Disclosure Form' for board members will be utilized at the June Board meeting.

Dispute Resolution Committee – Travis Germundson provided a brief status report on appeals. Travis stated that a training session will be held when new board member appointments are completed and committee assignments have been made.

Wetlands Committee – Gerald Van Amburg reported that the Wetlands Committee met last night;, four issues will be brought before the Board in the future: 1) Memo of Understanding with BWSR and NRCS will come before the Board in June; 2) meetings will be held regarding wetland mitigation in northeast Minnesota, replacement credits for wetlands; 3) report on mitigation in lieu fee, and; 4) report on Executive Order 12-04 implementation work plan.

Grants Program & Policy Committee – Paul Langseth reported that the Grants Program & Policy Committee will meet today immediately following the Board meeting.

Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth reported that the Committee has not met; their next meeting will be June 23.

RIM Reserve Management Planning Committee – Gene Tiedemann reported that the RIM Reserve Management Planning Committee met yesterday, the Committee has a recommendation on the agenda later today.

Drainage Work Group – Tom Loveall reported that the Drainage Work Group met on April 5, 2013. Tom distributed a written report and provided an overview of issues discussed at the Drainage Work Group meeting. John stated that a policy presentation will be provided to board members in the near future. Discussion followed. John reported that the Drainage Work Group recommended a number of updates to the drainage law, House File 66 (HF66). The bill passed both the Senate and the House unanimously and was signed by Governor Dayton. John stated that a summary will be provided to board members; the bill summary, now law is on the BWSR website.

COMMITTEE RECOMMENDATIONS
Metro Water Planning Committee
Mississippi WMO Plan 2013 Amendment – Bob Burandt reported that the final draft 2013 amendment to the Mississippi WMO Watershed Management Plan was filed with the Board on March 13, 2013. The draft Order contains a summary of the changes and

the reviewing agencies' comments. No comments were received during the public hearing. The Metro Water Planning Committee recommends approval of the Plan
** amendment. Moved by Faye Sleeper, seconded by Joe Collins, to approve the
13-29 Mississippi WMO Watershed Management Plan. ***Motion passed on a voice vote.***

Northern Water Planning Committee

Beltrami County Comprehensive Local Water Plan (CLWP) Extension Request – Gerald Van Amburg reported that Beltrami County has a Comprehensive Local Water Management Plan that will expire May 28, 2013. On March 19, 2013, the Board received a request for an extension of the Plan from Beltrami County. On March 27, 2013, the Northern Water Planning Committee met to discuss the extension request. The Committee recommends approval of the Beltrami County extension request.
** Moved by Gerald Van Amburg, seconded by Keith Mykleseth, to approve the Beltrami
13-30 County Comprehensive Local Water Plan. ***Motion passed on a voice vote, with at least one dissenting vote (Jack Ditmore).***

Lake of the Woods County SWCD Supervisor Nomination Districts Boundary Change – Keith Mykleseth reported that the Lake of the Woods County SWCD approved a Nomination Districts Resolution on March 14, 2013, which proposed to change nomination districts for the Lake of the Woods County SWCD supervisor seats. The proposed Nomination Districts will align the Districts with the recently revised County Commissioner Districts. The Northern Water Planning Committee met on March 27, 2013, and unanimously recommends approval of the Lake of the Woods County
** SWCD Nomination Districts Resolution. Moved by Keith Mykleseth, seconded by Gerald
13-31 Van Amburg to approve the Lake of the Woods County SWCD Supervisor Nomination Districts Boundary Change. ***Motion passed on a voice vote.***

Marshall County SWCD Supervisor Nomination Districts Boundary Change – Gene Tiedemann reported that the Marshall County SWCD approved a Nomination Districts Resolution on December 20, 2012, which proposed to change nomination districts for the Marshall County SWCD supervisor seats. The proposed Nomination Districts will provide consistent and equal distribution of township representation in the County. The Northern Water Planning Committee met on March 27, 2013, and unanimously recommends approval of the Marshall County SWCD Nomination Districts
** Resolution. Moved by Gene Tiedemann, seconded by Sandy Hooker, to approve the
13-32 Marshall County SWCD Supervisor Nomination Districts Boundary Change. ***Motion passed on a voice vote.***

Southern Water Planning Committee

Kandiyohi County Local Water Management Plan Update – Paul Langseth reported that on January 22, 2013, the Board received the Kandiyohi County Local Water

Management Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review. On March 7, 2013, the Southern Water Planning Committee met with representatives of Kandiyohi County to discuss recommendations of the state review agencies regarding final approval as well as the Board's concern for the Plan Update not fully complying with language in MN Statutes 103B314. Subd. 3, which speaks to measureable goals, objectives and actions. The Plan Update was sent back to Kandiyohi County to address the concern. On May 2, 2013, the Committee met to review the revised Plan Update
** submitted by Kandiyohi County. The Committee recommends approval. Moved by Paul
13-33 Langseth, seconded by Chris Elvrum, to approve the Kandiyohi County Local Water Management Plan 2013-2023. Discussion followed. ***Motion passed on a voice vote.***

McLeod County Local Water Management Plan Update – Paul Langseth reported that on December 28, 2012, the Board received the McLeod County Local Water Management Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review. On March 7, 2013, the Southern Water Planning Committee met with representatives of McLeod County to discuss recommendations of the state review agencies regarding final approval as well as the Board's concern for the Plan Update not fully complying with language in MN Statutes 103B314. Subd. 3. The Plan Update was sent back to McLeod County to address the concern. On May 2, 2013, the Committee met to review the revised Plan
** Update submitted by McLeod County. The Committee recommends approval. Moved
13-34 by Paul Langseth, seconded by Steve Sunderland, to approve the McLeod County Local Water Management Plan 2013-2023. Discussion followed. ***Motion passed on a voice vote.***

Meeker County Local Water Management Plan Update – Paul Langseth reported that on January 7, 2013, the Board received the Meeker County Local Water Management Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review. On March 7, 2013, the Southern Water Planning Committee met with representatives of Meeker County to discuss recommendations of the state review agencies regarding final approval as well as the Board's concern for the Plan Update not fully complying with language in MN Statutes 103B314. Subd. 3. The Plan Update was sent back to Meeker County to address the concern. On May 2, 2013, the Committee met to review the revised Plan
** Update submitted by Meeker County. The Committee recommends approval. Moved
13-35 by Paul Langseth, seconded by Tom Loveall, to approve the Meeker County Local Water Management Plan 2013-2023. ***Motion passed on a voice vote.***

Chair Napstad called for a break in the meeting at 10:40 a.m. The meeting reconvened at 10:52 a.m.

RIM Reserve Management Planning Committee

2013 RIM-WRP Partnership Rates – Bill Penning introduced Myron Taylor, newly appointed Assistant State Conservationist for Programs at NRCS. Bill reported that the RIM Reserve Management Planning Committee (RRMPC) recommends approval to authorize the 2013 RIM-WRP Partnership easement payment rates. Board Resolution 13-25, approved March 27, 2013, directed staff to develop RIM-WRP Partnership eligibility and sign-up procedures. Myron provided an update on NRCS WRP appropriation acres, training scheduled in June; NRCS looks forward to continued partnership with BWSR. Bill reported that 2013 RIM-WRP payment rate determination is based on a 15% annual average increase for tillable land over the most recent two year period available via the MN Land Economics website. Bill stated that there are three rates: the rate date; the publication date; and the sales year date. Discussion followed.

** 13-36 Moved by Gene Tiedemann, seconded by Matt Wohlman, to authorize staff to:

Establish RIM-WRP Partnership payment rates that best approximate 90% of land value for permanent easements on land with cropping history and 60% of land value for permanent easements on lands without cropping history, subject to the following factors:

1. The township land values as established by the Department of Revenue and posted on the University of Minnesota land Economics website shall be used as the basis for determining the 2013 payment rates;
2. The payment rate maximum in Hennepin and Ramsey Counties will not exceed the highest average township rate from any of the other surrounding seven metro counties due to a limited number of tillable land acres, and values that are influenced by development potential;
3. The payment rate maximum for the other five Twin Cities metro counties (Anoka, Carver, Dakota, Scott and Washington) will not exceed the average Scott County rate to more accurately reflect tillable values.

Motion passed on a voice vote.

NEW BUSINESS

Legislative Update – John Jaschke and agency members Matt Wohlman, MDA; Tom Landwehr, DNR; Faye Sleeper, UME; Chris Elvrum, MDH; and Rebecca Flood, PCA; provided a summary of legislative decisions affecting their programs and responsibilities. Discussion followed.

Environmental Quality Board (EQB) Frac Sand Summary and Status – Bob Patton, EQB Executive Director, explained the roles of the EQB and the agencies involvement. Jeff Smyser, EQB staff, provided an overview of past and future actions related to frac sand mining and the Report on Silica Sand in Minnesota. Discussion followed. Chair Napstad thanked Bob and Jeff for their report.

AGENCY REPORTS

University of Minnesota Extension – Faye Sleeper reported on the University of Minnesota Extensions' new partnership with SWCDs. Staff and supervisors are able to sign-on to webinars at over 50 locations, meeting on various topics; an effective education tool through local models and the University of Minnesota.

ADVISORY COMMENTS

Minnesota Association of Townships – Sandy Hooker reported that the 2013 Legislative Session was good to townships.

Minnesota Association of Watershed Districts – Ray Bohn complimented BWSR, DNR, MDA, MDH, and PCA on their effectiveness of working together during the legislative session. MAWD legislative key issues included: drainage; conservation easements; sales tax exemption for cities and counties. MAWD looks forward to working with Doug Thomas on 1W1P. MAWD is working with the Drainage Work Group. MAWD Summer tour will be held June 20-21 in New Ulm, focus on MN River Basin; Ray encouraged board member attendance.

UPCOMING MEETINGS

- Grants Program and Policy Committee meeting today immediately following Board meeting
- Next BWSR Board Meeting – June 26, 2013

** 13-37 Moved by Rebecca Flood, seconded by Sandy Hooker, to adjourn the meeting at 1:00 PM. ***Motion passed on a voice vote.***

Respectfully submitted,

Mary Jo Anderson
Recorder

DRAFT

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report[1]

Meeting Date: June 26, 2013

Agenda Category: ☐ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region: Land and Water Section

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Gerald Van Amburg/Travis Germundson

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
None

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Dispute Resolution Committee Report. The report provides a monthly update on the number of appeals filed with the BWSR.

Dispute Resolution Report
June 12, 2013
By: Travis Germundson

There are presently **12** appeals pending. All of the appeals involve WCA except File 10-10. There has been **1** new appeal filed since the last report dated May 22, 2013.

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 13-5 (6-11-13) This is an appeal of a replacement plan decision in Stearns County. The appeal regards the approval of a wetland replacement plan application. A pervious appeal (File 12-19) was remanded for further technical work and administrative proceedings, and now that new decision is being appealed. At issue is the adequacy of the TEP's Report to address partial drainage. *No decision has been made on the appeal.*

File 13-4 (5-15-13) This is an appeal of an exemption decision in Swift County. The appeal regards the denial of an agricultural exemption application. At issue is the annually seeded/crop rotation eligibility requirements for the exemption. *The appeal has been remanded for further technical work.*

File 13-3 (3-19-13) This is an appeal of a restoration order in Big Stone County. The appeal regards impacts to DNR Public Waters and WCA wetlands on state property associated with an agricultural drainage project. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application.

File 13-1 (1-9-13) This is an appeal of a restoration order in Swift County. The appeal regards drainage impacts to multiple wetlands associated with an agricultural drain tile project. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the fact wetland application.

~~File 12-19 (12-27-12) This is an appeal of a wetland replacement plan decision in Stearns County. The appeal regards the approval of a wetland replacement plan application for a tenth of an acre of impact to a Type 3 wetland. A previous appeal of a restoration order involving the same wetland impacts (File 12-10) was dismissed. The appeal has been remanded for further technical work.~~ *Appeal finalized upon new decision made under remand (May 23, 2013).*

File 12-16 (11-16-12). This is an appeal of a wetland banking credit deposit request in Stearns County. The appeal regards the approval of a wetland banking plan request to deposit 9.9 acres of credit. A previous appeal (File 12-13) was remanded for the LGU to develop an adequate record, and now that new decision is being appealed. At issue are the eligibility requirements for banking credits. The appeal has been accepted and the briefing and hearing schedule stayed by mutual agreement to allow time for settlement discussions to continue.

File 12-12 (7-16-12) This is an appeal of an exemption determination in Renville County. The appeal regards the denial of an agricultural drainage exemption associated with a 1.5 acre wetland. At issue is the wetland type determination. A previous appeal (File 12-5) was remanded for further technical evaluation and administrative proceedings, and now the current approval is being appealed. A verbal settlement agreement has since been reached that includes submittal of a replacement plan application. The appeal has been placed in abeyance by mutual agreement to determine the viability of a wetland replacement plan application.

File 11-1 (1-20-11) This is an appeal of a restoration order in Hennepin County. The appeal regards the filling of approximately 1.77 acres of wetland and 0.69 acres of excavation. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application and confirmation of required mitigation.

File 10-10 (6-10-10) This is an appeal filed under Minn. Stat. 103D.535 regarding an order of the managers of the Wild Rice Watershed District not to go forward with the Upper Becker Dam Enhancement Project as proposed. Appeals filed under 103D.535 require that the Board follow the Administrative Procedures Act. The Act requires that the hearing be conducted by an Administrative Laws Judge through the Office of Administrative Hearings. A mediated settlement agreement was reached with the condition that if the watershed district fails to carry out Option D the appeal shall go forward. The appeal has been placed in abeyance.

File 10-7 (2-19-10) This is an appeal of a restoration order in Stearns County. The appeal regards draining and filling impacts to approximately 18.44 acres of Type2/3 wetland and 3.06 acres of Type 2 wetland. The appeal has been placed in abeyance and the restoration order stayed for submittal of "as built" or project information pertaining to a public drainage system. The landowner has committed to restoring the site and the TEP plans to conduct a site visit in the spring of 2013 to verify that restoration has occurred.

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 pre-hearing conferences convened on October 13 and 30, and December 14, 2009. Settlement discussions are on hold while the appellant addresses permitting issues with the Corps of Engineers. The appeal has been placed in abeyance by mutual agreement on determining the viability of a new wetland banking plan application.

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 disposition with the U.S. Dept of Justice.

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 are 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 new wetland delineation and for submission on an updated, complete replacement plan application. On 12-9-09 the District made a new wetland delineation decision. The applicant has not yet submitted an updated replacement plan application.

Summary Table

Type of Decision	Total for Calendar Year 2012	Total for Calendar Year 2013
Order in favor of appellant	1	
Order not in favor of appellant	5	1
Order Modified		
Order Remanded	4	1
Order Place Appeal in Abeyance	1	1
Negotiated Settlement		
Withdrawn/Dismissed	4	

COMMITTEE RECOMMENDATIONS
Northern Water Planning Committee

1. Crow Wing County Water Plan Update – Brian Napstad – ***DECISION ITEM***

2. Kanabec County Comprehensive Local Water Management Plan Amendment – Gerald Van Amburg – ***DECISION ITEM***

3. Koochiching County Local Water Management Plan Amendment – Gene Tiedemann – ***DECISION ITEM***

4. Pope County Local Water Management Plan Amendment – Gene Tiedemann – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Crow Wing County Water Plan Update

Meeting Date: June 26, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Northern

Contact: Dan Steward

Prepared by: Dan Steward

Reviewed by: Northern Water Planning Committee Committee(s)

Presented by: Brian Napstad

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
Decision

LINKS TO ADDITIONAL INFORMATION

http://crowwing.us/index.aspx?nid=241

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
By Board Order, the Minnesota Board of Water and Soil Resources (Board) approved the Crow Wing County Comprehensive Local Water Management Plan (Plan) on August 27, 2008. The Northern Water Planning Committee reviewed the plan on June 12, 2013; and recommends approval.

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 Crow Wing County (Minnesota Statutes, Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN UPDATE

Whereas, the Crow Wing County Board of Commissioners submitted a Local Water Management Plan Update to the Board on May 1, 2013, 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 November 6, 2012, the Minnesota Board of Water and Soil Resources received a Priority Concerns Scoping Document from Crow Wing County, pursuant to M.S. Section 103B.312.

2) On January 9, 2013, the BWSR North Region Water Plan Review Committee met with representatives of Crow Wing County to review the Priority Concerns Scoping Document.

3) On January 23, 2013, the Board of Water and Soil Resources approved official comments on the Crow Wing County Priority Concerns Scoping Document, which were mailed to the county on January 23, 2013.

4) The priority concerns, in no particular order of importance, the local water management plan addresses include:

- Aquatic Invasive Species
- Surface Water
- Ground Water

5) On May 1, 2013, the BWSR received the Crow Wing County Plan Update, for final State review pursuant to M.S. Section 103B.315, Subd. 5.

6) On June 12, 2013, the North Region Water Planning Committee of the board reviewed the recommendations of the state review agencies regarding final approval of the Crow Wing County Plan Update. Recommendations of the state review agencies were:

A) Minnesota Department of Natural Resources: recommended approval;

B) Minnesota Department of Agriculture: recommended approval;
C) Minnesota Department of Agriculture: No comments received;
D) Minnesota Pollution Control Agency; No comments received;
E) 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 ten year period until June 26, 2023, with the Goals, objectives and Action Items amended by June 26, 2018.

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 Crow Wing County pursuant to Minnesota Statutes, 103B.315, Subd. 5.

2. The Crow Wing 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 Crow Wing County Local Water Management Plan –June 26, 2013 to June 26, 2023 with a required update of the Implementation section (Goals, Objectives and Action Items) to be completed by December 31, 2018.

Dated at St. Paul, Minnesota, this twenty-sixth day of June, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

EXECUTIVE SUMMARY

Water planning is identifying what works best to protect and enhance Crow Wing County's water resources. As the LGU responsible for the development and implementation of the Local Comprehensive Water Management Plan, the Crow Wing County Land Services Department is committed to protecting, preserving & improving water resources in Crow Wing County by being proactive, efficient, customer focused, organized, and innovative while being good stewards of the county's resources. The Land Services Department is committed to providing excellent customer service while helping landowners make wise choices that protect Crow Wing County's extraordinary natural resources. In administration of the water plan, Crow Wing County is committed to the following principals of action:

- Providing exceptional customer service that empowers landowners to manage and protect their land and water resources
- Coordinating funding, staff, & grass roots efforts to maximize effectiveness of public investment
- Managing, enhancing, and expanding the availability of educational materials and a network of resources and contacts
- Identifying existing and potential threats to surface and ground water resources with action plans to minimize them

This plan has identified surface water, ground water, and aquatic invasive species as the priority concerns. Objectives and action steps have been identified for each and are included on page 8. This plan takes a watershed protection approach and was developed in consultation with the Minnesota Pollution Control Agency and 30 Lakes Watershed District, who also conduct watershed-based planning. Implementation strategies were developed from these priority concerns and tailored specifically for each of the 125 minor watersheds in the County. Analysis of existing, readily available data has revealed the uniqueness of these minor watersheds while showing where data-driven strategies can be implemented in a more targeted and efficient manner. This 10-year plan is unique from past versions for the following reasons:

- Identifies local priority concerns, objectives, and actions related to surface and ground water resources
- Focuses on Aquatic Invasive Species for the first time in plan history
- Targets specific surface and ground water resources to focus implementation efforts
- Includes an implementation plan for the Mississippi River
- Uses a watershed-based, land protection model
- Includes analysis and maps of all 125 minor watersheds in the county

Incorporated by reference into this plan are the most current versions of the: Crow Wing County Land Use Ordinance, Wellhead Protection Plans for Baxter, Brainerd, Cuyuna, Ironton, and Pequot Lakes. Crow Wing County Stormwater Packet, Crow Wing County Solid Waste Plan, Minnesota Stormwater Manual, Crow Wing County Geologic Atlas, and NRCS Soil Survey.

Water Plan Committee (Board of Commissioners): Rosemary Franzen, Doug Houge, Paul Koering, Rachel Nystrom, Paul Theide

BWSR Board Conservationist: Dan Steward
County Administrator: Tim Houle
Land Services Director: Mark Liedl
Land Services Supervisor: Chris Pence
Water Protection Specialist: Mitch Brinks

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Kanabec County CLWMP 5 Year Amendment

Meeting Date: June 26, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Northern

Contact: Jason Weinerman

Prepared by: Jason Weinerman

Reviewed by: Northern Water Planning Committee(s)

Presented by: Gerald Van Amburg

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of the Five Year Amendment of the Kanabec County Comprehensive Local Water Management Plan

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

On August 23, 2007, the Board of Water and Soil Resources approved the Kanabec County Comprehensive Local Water Management Plan with a date range from 2007 to 2017. The Board required a five year update of the plan by 2012.

The County passed a resolution to amend the plan on May 23rd, 2012 and submitted the updated plan to the Brainerd field office on May 2, 2013. Additions to the amendment include an updated county resource description, amended action items to reflect changes over the past five years, and an updated calendar and budget summary. As part of the submission, the Kanabec County Water Planner included documentation of the required public hearing. Agency comments and recommendations for approval were received from the Department of Health and the Department of Agriculture.

The five year plan update was presented to the Northern Water Planning Committee on June 11, 2013. As the plan update met state statutes, was recommended for approval by state agency partners, and is non-controversial, the Committee recommended forwarding the plan to the full Board for approval.

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 **Kanabec County** (Minnesota Statutes , Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN AMENDMENT

Whereas, the **Kanabec** County Board of Commissioners submitted a Local Water Management Plan Amendment (Plan Amendment) to the Board on **May 2, 2013** pursuant to M.S. Section 103B.315, Subd. 5, 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 **August 23, 2007**, the Board of Water and Soil Resources approved the Kanabec County Comprehensive Local Water Management Plan from 2007 to 2017 with a requirement for an update by 2012.

2) On **May 23, 2012,** the Kanabec County Commissioners passed a resolution to begin the Five Year Amendment of their Comprehensive Local Water Management Plan.

3) The priority concerns of the local water management plan remained the same and include:

   A. The protection of shore lands and tributaries from erosion, sedimentation and nutrient loading
   B. Drainage ditch maintenance
   C. Ground water concerns
   D. Ground and surface water

4) On **May 2, 2013,** the BWSR received the **Kanabec** County Plan Amendment, 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 **June 11, 2013,** the Northern Plan Review Committee of the board reviewed the recommendations of the state review agencies regarding the five year update of the **Kanabec** County Plan Amendment. The Northern Plan Review Committee forwarded the plan to board with a recommendation for approval with the following recommendations for additional action items:

   - Regarding the comments on Page 78 of the draft plan, the MDA recommends the following language replace the yellow highlighted text in the fourth paragraph.

"Global needs for agricultural products and market pressures have resulted in high commodity demand. The result is that farmers need to increase production to meet these demands. Marginal lands can be used to increase crop production via drain tile, which removes excess water during the growing season. However, controlled/managed drainage is recommended to conserve moisture for critical times during the summer months. These marginal lands may also need other BMPs installed such as grassed waterways, buffers, cover crops, proper residue management, field windbreaks, side inlet controls, etc."

Kanabec County may also want to reference the Ag BMP Handbook that was released in the Fall of 2012, which can be found at this website:

http://www.eorinc.com/documents/AG-BMPHandbookforMN_09_2012.pdf

- Add an action item to the Ground and Surface Water priority concern indicated the county will partner will the MN Department of Natural Resources on aquatic invasive species management and to consider the development of a County Aquatic Invasive Species Management Plan.

6) This update will be in effect until **August 31, 2017.**

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 **Kanabec** County Local Water Management Plan pursuant to Minnesota Statutes , 103B.315, Subd. 5.

2. The **Kanabec** County Plan Amendment 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 Amendment is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached five year amendment of the **Kanabec County** Local Water Management Plan **August 8, 2007 to August 31, 2017.**

Dated at **St. Paul,** Minnesota, this **twenty sixth day of June, 2013.**

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

EXECUTION SUMMARY

The Kanabec County Comprehensive Local Water Plan update was coordinated with the assistance of the Water Plan Committee. Information obtained through a survey and committee meetings along with information provided from various agencies was used to update the plan for 2012.
Multiple TMDL's within the watershed that are completed or are ongoing will be used to prioritize and address issues within the watersheds.
Snake River TMDL-March 2010 to June 2013
Ann River TMDL-October 2010 to February 2013
Groundhouse River TMDL-October 2009- August 2014- This TMDL is in the implementation stage with a 319 Grant.

Lake St. Croix Implementation Plan - Kanabec County Section:
The TMDL allows for 39,500 lbs/yr of phosphorus to be loaded to the St. Croix River from Kanabec County. This requires 10,800 lbs/yr of reduction from the estimated TMDL baseline load of 50,300 lbs/yr in the early 1990s. Kanabec County's required reduction ranks 7th largest among the 19 counties in the basin.
To achieve the St. Croix Basin Partners' goal of 20% Reduction by 2020, Kanabec County needs to reduce loadings by 8,000 lbs/yr by the year 2020. To attain this goal, activities must be implemented that achieve an average annual rate of phosphorus reduction of 270 lbs/yr over 30 yrs, or 800 lbs/yr over 10 yrs.

The Snake River Watershed Management Board Water Quality Monitoring Program-1998 to 2008- was completed and a report was generated to show the results. This is being used to also address areas of needed BMP projects.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Koochiching County Local Water Management Plan Amendment**

Meeting Date: June 26, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Northern

Contact: Chad Severts

Prepared by: Chad Severts

Reviewed by: Northern Water Planning Committee(s)

Presented by: Gene Tiedemann

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of the Five Year Amendment of the Koochiching County Comprehensive Local Water Management Plan

LINKS TO ADDITIONAL INFORMATION

http://www.co.koochiching.mn.us/dept/esd/Koochiching%20County%20Amended%20Water%20Plan%202012-2017%20Draft.pdf

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

On August 23rd, 2007, the Board of Water and Soil Resources approved the Koochiching County Comprehensive Local Water Management Plan with a date range from 2007 to 2017. The Board required a five year amendment of the plan by December 31, 2012.

The County passed a resolution to amend the plan on May 8, 2012 and submitted the updated plan and the public hearing documentation to the Bemidji field office on May 2nd, 2013. As part of the process, Koochiching County solicited input from the state review agencies, local units of government and the Water Management Plan Advisory Committee.

The five year plan amendment was presented to the Northern Water Planning Committtee on June 12, 2013. Koochiching County followed the amendment process guidelines established by the Board and the Committee recommends approval of the amendment with the comments provided by MDH, DNR and the BWSR. The comments will be incorporated into the plan prior to the BWSR Board meeting.

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 **Koochiching County** (Minnesota Statutes , Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN AMENDMENT

Whereas, the **Koochiching** County Board of Commissioners submitted a Local Water Management Plan Amendment (Plan Amendment) to the Board on **May 2, 2013** pursuant to M.S. Section 103B.315, Subd. 5, 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 **August 23, 2007**, the Board of Water and Soil Resources approved the **Koochiching** County Comprehensive Local Water Management Plan from December 31, 2007 to December 31, 2017 with a requirement for an update by December 31, 2012.

2) On May 8, 2012, the **Koochiching** County Commissioners passed a resolution to begin the Five Year Amendment of their Comprehensive Local Water Management Plan.

3) The priority concerns of the local water management plan remained the same and include:

   A. Erosion
   B. Subsurface Sewage Treatment Systems
   C. Education/Collaboration
   D. Monitoring
   E. Protection of Water Quality
   F. Forestry

4) On May 2, 2013, the BWSR received the Koochiching 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 June 12, 2013, the Northern Water Planning Committee of the Board reviewed the recommendations of the state review agencies regarding the five year amendment of the **Koochiching** County Plan.

6) This amendment will be in effect until **December 31, 2017**.

7) 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 Koochiching County pursuant to Minnesota Statutes , 103B.315, Subd. 5.

2. The **Koochiching** County Plan Amendment 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 Amendment is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached five year amendment of the **Koochiching County** Local Water Management Plan **August 23, 2007 to December 31, 2017.**

Dated at **St. Paul,** Minnesota, this **twenty-sixth day of June, 2013.**

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

Koochiching County

Local Water Management Plan

December 2012 Update

Duration: 2007 – 2017

Prepared by:

Richard Lehtinen

Koochiching County Environmental Services

with assistance from

Koochiching County Water Management Plan Advisory Committee

Kevin Adee, Commissioner
Nolan Baratono, MPCA
Ryan Heinen, SWCD Staff
Al Linder, SWCD Board
Marie Mettler, KCHD
Troy Promersberger, SWCD Board
Pam Tomevi, SWCD Staff
Marc Windsnes, Citizen
Justin Berg, SWCD Staff
Chad Severts, BWSR
Robert Anderson, Citizen
Jack (Jake) Blake, Citizen
Jeff Hrubes, BWSR
Wayne Merrell, Citizen
Kevin Peterson, DNR
Jana Toman, Citizen
Kelly Elijio, NRCS
Andrew Wright, Citizen
Dale Olson, ESD

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KOOCHICHING COUNTY WATER MANAGEMENT PLAN

Introduction

This is an update to the 2007 KCWMP. That Plan was developed by the Water Management Plan Advisory Committee (WMPAC) in concert with ESD staff. The WMPAC had six citizen members and eleven agency and county representatives, two from SWCD staff and board, ESD, NRCS, DNR, MPCA, County Health Department, one County Commissioner and expert counsel from BWSR staff. This Committee worked hard, long and cooperatively with ESD staff to produce a Water Plan that fits the needs of Koochiching County.

The WMPAC and Koochiching County understand that the majority of surface waters in Koochiching County that have been sampled, meet or exceed current water quality standards for conventional pollutants, with the exception of the documented impairment for turbidity of the Little Fork River. Mercury impairments have been identified in streams, rivers and lakes within the county as they have across Minnesota. The Environmental Protection Agency (EPA) approved the Minnesota Pollution Control Agency's state-wide Mercury Total Maximum Daily Load (TMDL) and reduction plan.

The mercury TMDL identifies that atmospheric mercury deposition is uniform across the state and is responsible for over 99% of the mercury that finds its way into fish through the process of bioaccumulation. The reduction plan identifies a role for the State and Federal governments to control emissions from various sources. Comprehensive Local Water Management Plans play little to no role in the reduction of mercury pollution.

Comprehensive Local Water Management Plans can address conventional pollutants, including but not limited to nutrients, sediments, bacteria and other generally recognized constituents of non-point source (NPS) pollution. Broad categories of activities that can address NPS include information and education, technical assistance, conservation practices and administration and enforcement of laws, rules, statutes and ordinances that can protect water quality. Increasing the knowledge base by additional monitoring of water resources, inventories of land use activities and assessment of the effects that those land use activities have on water resources will help shape future water quality protection discussion and actions.

Minnesota Statutes Chapter 114D, the 2006 Clean Water Legacy Act defines water quality restoration as: actions, including effectiveness monitoring, that are taken to achieve and maintain water quality standards for impaired waters in accordance with a TMDL that has been approved by the United States EPA under federal TMDL requirements.

Chapter 114D.20 Subd. (6) identifies five priorities for addressing water quality restoration as follows:

1) coordinate with and utilize existing local authorities and infrastructure for implementation;

2) Can be implemented in whole or in part by providing support for existing or ongoing restoration efforts;

3) Most effectively leverage other sources of restoration funding, including federal, state, local and private sources of funds;

4) Show a high potential for early restoration and delisting based upon scientific data developed through public agency or citizen monitoring or other means;

5) Show a high potential for long term water quality and related conservation benefits.

The statute also addresses water quality protection activities by as far as practicable, employing the priorities listed above to prevent waters from becoming impaired and to improve the quality of waters that are listed as impaired but do not have an approved TMDL.

The 2007 update of the Koochiching County Comprehensive Local Water Management Plan has identified six priority concerns that have relevance to both protecting water resources and addressing the Little Fork River's turbidity impairment. There may be differences in the degree of emphasis of particular activities or specific priority locations, but until the TMDL study of the Little Fork is completed and a specific implementation plan is developed, the suite of actions identified in the CLWMP is generally accepted as having a beneficial impact on water quality. The objectives and actions of the LWMP may also be adapted to any additional water quality impairments that may be identified through monitoring and assessment activities.

EXECUTIVE SUMMARY

In 2007 the Koochiching County Local Water Management Plan was updated by a sixteen-member Water Management Plan Advisory Committee led by Richard Lehtinen, Koochiching County Environmental Services Director. The purpose of the planning process was to develop a plan of work that would protect and enhance surface water, groundwater and related land resources within Koochiching County. The Advisory Committee developed a process designed to incorporate input from citizens, local, state, federal and Canadian units of government, and to develop a plan that was consistent with local, state and federal plans and controls. This document is a 5 year update of the 2007 plan. Requests for comments were mailed to more than 20 local, state and federal agencies. Only 3 comments were received.

The Committee used as a starting point the Rainy River Basin Plan, prepared by MPCA, and the second generation County Water Management Plan. By deriving the new Plan from these existing plans, the Committee was assured the new plan would address issues relevant to both the county and the state. The Committee identified issues it believed ought to be included in the new plan. These issues were then compressed into general categories. From these general categories the Committee proceeded to develop goals, objectives and action plans.

The Committee, after sifting through the Basin Plan, the Local Water Plan and the results of a survey conducted for this project, developed a set of priority concerns which the Plan would address. These priority concerns are:

1. Erosion
2. Subsurface Sewage Treatment Systems
3. Education/Collaboration
4. Monitoring
5. Protection of Water Quality
6. Forestry

With these priority concerns, the Committee developed a total of fourteen goals, three for Erosion, one for SSTS, one for Education, three for Monitoring, four for Water Quality and two for Forestry. It also created forty-six objectives and seventeen action plans. All these elements included ongoing activities of SWCD, ESD and state agencies and activities that were either new or given higher emphasis which qualified them as High Priority Concerns.

The 2007 Plan was reviewed by local, state, federal, Canadian and cities in Koochiching County as well as adjacent counties. This level of review assured the Committee that the Plan is consistent with the plans of other pertinent local, state and regional plans. Other plans do not have to be amended in order for this Plan to be adopted and implemented.

CONTINUATION OF THE PRIORITY CONCERNS FOR THE 2007 – 2017 PLAN

All priority concerns point in one direction: water quality. Maintaining or enhancing existing water quality is the overriding goal of all priority concerns. The six priority concerns identified in this report attempts to segregate the concern for water quality into logical and discrete categories. Even though some of the priorities overlap they do offer a focus from which to derive goals, strategies and implementation measures. The six priority concerns are:

1. Erosion
2. Individual Sewage Treatment Systems
3. Education/Collaboration
4. Monitoring
5. Protection of Water Quality
6. Forestry

These concerns were developed by the WMPAC.

Erosion

Erosion is one of the key contributors to poor water quality. It is a concern for Rainy Lake and for the three major rivers in the county, Rainy, Big Fork and Little Fork. It is also a concern for some of the smaller rivers and lakes.

Water levels in some of the lakes and streams in Koochiching can fluctuate by several feet. Ice movement and high water levels in the spring can damage shoreline vegetation. After the water recedes, vegetation doesn't always have time to reestablish before spring rains occur. Constantly changing water levels, wave action and water current all work on eroding the shoreline. In areas where the banks are high and steep this can contribute significantly to turbidity and sedimentation. Erosion in slightly sloped shoreline areas is more easily addressed than when it occurs on tall, steep banks.

This Plan will support:

- Cost share for erosion control on private land
- Technical assistance to property owners is provided by the Soil and Water Conservation District (SWCD), the Natural Resources Conservation Service (NRCS), the Department of Natural Resources (DNR), and the Minnesota Pollution Control Agency (MPCA)
- Best Management Practices for agricultural operations
- Forest Resources Council Guidelines for forestry management
- Study of the Little Fork River "impaired water" due to turbidity
- The Little Fork River / Big Fork River impaired river study
- Increased emphasis on shoreland protection by encouraging native vegetation and discouraging lawns up to the shoreline
- Implementation of National Pollution Discharge Elimination Standards (NPDES)
- Consider use of NEMO (Nonpoint Education for Municipal Officials) to determine cumulative impacts of runoff due to development
- Best Management Practices for residential and commercial construction, stormwater management, road construction and hydrologic modification contributing to bank instability.

- Take erosion control measures on the Rat Root River where the removal of beaver dams and other obstructions has increase the water flow and wave action due to boat traffic.

Subsurface Sewage Treatment Systems (SSTS)

SSTS makes up a category of its own because there are several grant programs and major activities that fit into this area. It is generally acknowledged that faulty septic systems constitute the greatest manmade threat to water quality in the Rainy River Basin. Point sources of pollution were a major problem several decades ago but are now under strict permit requirements. Nonpoint sources, such as SSTS, now constitute the greatest threat.

- The Jackfish Bay Sewer Project has been completed so the county is currently putting its attention to the rest of Rainy Lake from Tilson Bay to Dove Island, and also Rainy Lake's islands
- The county is also researching the idea of extending sewer and creating a sewer district that would include areas south of Int'l Falls such as Papermakers Colony, Meadowview and other areas.
- The county adopted an SSTS ordinance in 2008. Updates to the ordinance will be made as needed
- Implementation of a Water Quality Cooperative, or other administrative structure, to be responsible for maintenance, repair and construction of new SSTS is still under consideration
- Support the development of Performance Standards for SSTS which would be used for a wide range of types SSTS and have a wider range of effluent quality standards to apply depending on a property's size, soil type and remoteness from surface water
- Combine effort with St. Louis County in finding solutions to SSTS problems in and around VNP

The Board of Commissioners has passed a resolution making the extension of centralized sewer east to Dove Island its top priority.

Education/Collaboration

Education is a key component of any Water Management Plan. We all need to be educated about water. It is well known that Minnesotans cherish their water. They want to know how to maintain or enhance their water fronts, their surface water and their groundwater. Education efforts will be made in a variety of ways.
LBF High School currently does water monitoring on the Big Fork River. This is a great educational tool that may be expanded to other rivers in the county. There has been discussion regarding creation of a Water Resources Center (WRC) where information could be stored, shared, etc. If created, the WRC will be an international center absorbing information from both Minnesota and Canadian sources. It is important to note that 65 percent of the Rainy River Watershed is in Ontario. Collaboration between Minnesota and Ontario is fundamentally important to protection of the Rainy Basin's water quality.

- Seek funding for the WRC to further its principal objectives to
  a) Monitor the Basin's water quality,
  b) Manage collected data,
  c) Disseminate collected data in informational reports,
  d) Support citizen-based water quality programs such as River Watch
- Emphasize education over regulation (e.g., voluntary use of alternative standards for shoreline development
- Prepare informational brochures on groundwater, water quality monitoring, shoreland vegetation and others
- Encourage MN DNR, MPCA, BWSR, Dept. of Health, Voyageurs National Park, Ontario Ministry of Natural Resources and Ontario Office of the Environment, Department of Fisheries and Oceans, Rainy River First Nations to disseminate informational reports, brochures and other educational materials
- Convene the Water Management Plan Advisory Committee at least one time each year to review progress on implementing the WMP 2007 – 2017.
- Promote natural vegetation for shoreland and alternative standards for shoreland development
- Provide information about the hazards of using surface water for drinking and promote safe treatment options and alternatives.

Monitoring

Monitoring is important because it requires the active pursuit of information to develop a deeper understanding of the water resource. Generally, water quality in the Rainy Basin is considered "good" as compared to nationally accepted water quality measurement standards and to other geographic areas in Minnesota. There is information, enough to draw conclusions about the general quality of Koochiching County waters. But no body of water, except for the Big Fork River, has been systematically studied to the point where a baseline has been established. The Big Fork River has been systematically monitored by the Big Fork and Littlefork High Schools and guided by volunteer expert, Richard Lacher. The WMP will seek to expand water quality monitoring efforts.

- Continue water quality monitoring of the Big Fork River
- Create systematic water quality monitoring programs for Rainy River, Little Fork River, Rapid River, Rat Root River and Rainy Lake in cooperation with the Water Resources Center
- Encourage citizen water quality efforts
- Support funding of a Volunteer Water Monitoring Coordinator position at Rainy River Community College
- Seek funding for surface water studies
- Do inventories, as a form of monitoring, of wells in Koochiching County and of unused, unsealed wells
- Encourage high schools to commit to doing long term water quality monitoring consistent with MPCA requirements, in cooperation with the Water Resources Center
- Establish water quality baselines for Rainy Lake, Rainy River and the Little Fork River

- Utilize and build from the comprehensive Rainy Lake characterization study, organized by Voyageurs National Park, done in 2004
- Support studies of exotic species on Rainy Lake and other bodies of water as appropriate
- Support studies of cyno-bacteria (blue green algae) toxicity in Rainy Lake
- Rely on Rainy Lake's status as an Outstanding Resource Value Water (ORVW) to justify funding of studies and programs designed to enhance Rainy Lake's water quality
- Encourage the conduct of nutrient loading studies of Koochiching County's lakes and rivers.

Protection of Water Quality

Due to the amount of wetlands in Koochiching County, nearly all new construction projects have the potential to affect water quality. Wetlands are more thoroughly addressed in the Koochiching County Wetland Flexibility Plan. The WMP will address Priority Concerns that are particularly related to impacts associated with man-made development projects.

- Promote planned, environmentally sensitive development in Koochiching County, designed to ensure good water quality
- Preserve and enhance native vegetation on shoreland
- Seek funding for wetland restoration where appropriate
- Promote use of alternative standards for shoreline development
- Follow local zoning and shoreland ordinances (e.g., setbacks, vegetation removal, etc.) in riparian areas to protect the shore impact zone
- Require site constraints analysis prior to designing residential or commercial/industrial projects
- Seek continued State support of Koochiching County's Wetland Flexibility Plan
- Insist that one size fits all is not appropriate to wetland mitigation in Minnesota
- Achieve flexibility in sitting wetland replacement by allowing replacement for Koochiching County projects anywhere in Minnesota
- Do not require wetland mitigation be the same type of wetland as the type being affected
- Avoid adverse impacts on water quality from aggregate mining and quarrying
- Assist farmers in manure management and proper grazing practices
- Encourage frequent use of the Technical Evaluation Panel to evaluate projects that will affect wetlands
- Continue to have the SWCD provide technical assistance to Koochiching County cities and property owners
- Consider setting local thresholds for water quality that are stricter than national or state standards.
- Work with cities, landowners and other county departments to initiate or continue stormwater management projects.

Forestry

Forestry is an important component of the Water Management Plan. SWCD will work with state and county governments to assure that this plan is part of their overall program.

This Plan will support:

- Preparation of Forest Stewardship Plans for private property owners
- Distribution of trees throughout the county in SWCD's tree sales program
- Collaboration with federal and state agencies and the private sector in helping to assure Koochiching County has healthy, productive and sustainable forests
- Promotion of forestry practices that protect water quality
- Promotion of the use of Voluntary Site-Level Forest Management Guidelines on private lands to protect water quality (e.g., riparian buffers, roads and culverts, stream crossings, etc.)
- Provide forest management education to non-industrial private forest landowners

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Pope County Local Water Management Plan Update**

Meeting Date: June 26, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: Northern Region
Contact: Pete Waller
Prepared by: Pete Waller
Reviewed by: Northern Water Planning Committee(s)
Presented by: Gene Tiedemann

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
Decision

LINKS TO ADDITIONAL INFORMATION

http://www.popeswcd.org/downloads/1304planWaterPope.pdf

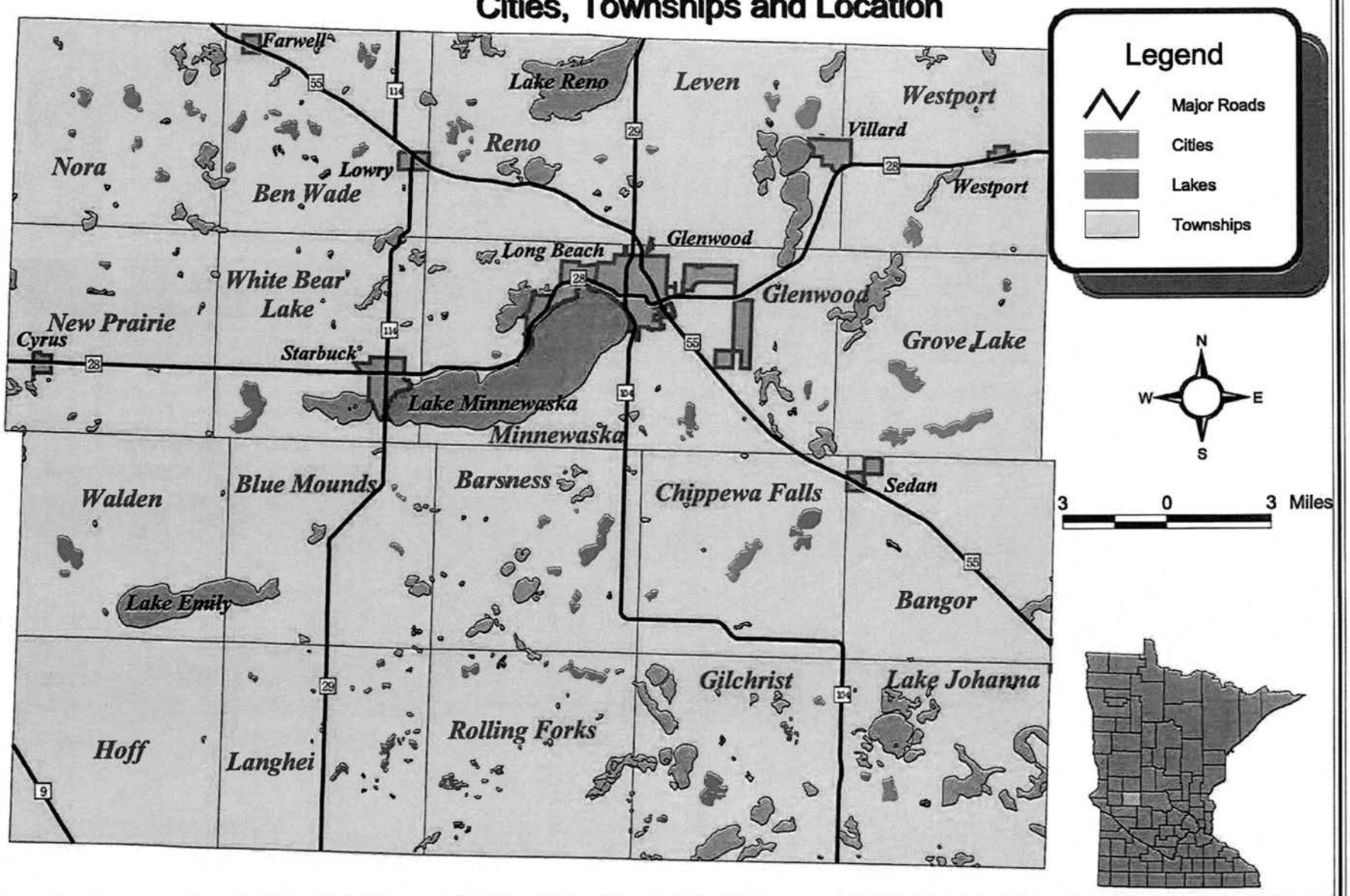
http://www.popeswcd.org/downloads/1304planPopeWaterAppendix.pdf

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
On January 30, 2013, the Board of Water and Soil Resources (Board) provided official State comments pertaining to the priority concerns identified in the Pope County Priority Concerns Scoping Document.

On April 15, 2013, the Pope County Local Water Management Plan Update (Plan Update) was submitted for review by the state agencies.

On June 12, 2013, the Northern Water Planning Committee of the Board met with representatives of Pope County and Pope Soil and Water Conservation District (SWCD) to review state agency comments and recommendations; the required Public Hearing record of April 2, 2013; and the Pope County Plan Update. The Committee recommends approval of the Pope County Plan Update.

Map 1A:
Pope County's
Cities, Townships and Location



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 Pope County (Minnesota Statutes , Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN UPDATE

Whereas, the Pope County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on April 15, 2013, 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 December 3, 2012, the Board received a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.

2. On January 30, 2013, the Board approved official comments on the County PCSD, which were mailed to the County on January 30, 2013. The priority concerns the PCSD and Plan Update addresses include:
   - Reducing Priority Pollutants ~Surface Water Quality;
   - Erosion and Sediment Control;
   - Surface Water Management;
   - Groundwater Quality and Quantity;
   - Plan Administration

3. On April 15, 2013, the Board received the 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.

4. On June 12, 2013, the North Region Water Plan Review Committee of the Board met with representatives of the County to review the following state agency comments, commendations and approval recommendations regarding the final approval of the County Plan Update were:
   - Minnesota Department of Agriculture (MDA): stated the Plan Update does not violate any statutory or rule requirement administered by the MDA and recommended several editorial changes and recommends approval after the suggested changes are made.
   - Minnesota Department of Health (MDH) provided no comments.
   - Minnesota Department of Natural Resources (MDNR) noted the Plan Update does not violate any statutory or rule requirements administered by MDNR, commended the Plan Update for being very comprehensive and well done and recommends approval of the entire Plan Update.
   - Minnesota Pollution Control Agency (MPCA) provided no comments.
   - Minnesota Environmental Quality Board (EQB) provided no comments.
   - Board regional staff recommends approval.

- North Region Water Plan Review Committee of the Board recommends approval.

5. This update will be in effect for a ten-year period until December 31, 2023; with the Goals, Objectives and Action Items amended by December 31, 2018.

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 Pope County pursuant to Minnesota Statutes, 103B.315, Subd. 5.

2. The Pope County Plan Update states water and water-related problems within the County; possible solutions; goals, objectives, and actions of the county; and an implementation program. The Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the update of the Pope County Local Water Management Plan 2013-2023 through December 31, 2023 with a required update of the Implementation section (Goals, Objectives and Action Items) to be completed by December 31, 2018.

Dated at St Paul, Minnesota, this twenty-sixth day of June 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

Pope County
Comprehensive Local Water Management Plan:
Executive Summary

The Pope County Water Plan follows the provisions set forth in Minnesota State Statutes 103B.314 - Contents of Water Plan.

A. Purpose of the Local Water Plan

According to Minnesota Statute 103B, each county is encouraged to develop and implement a local water management plan with the authority to:

- Prepare and adopt a local water management plan that meets the requirements of this section and section 103B.315;
- Review water and related land resources plans and official controls submitted by local units of government to assure consistency with the local water management plan; and
- Exercise any and all powers necessary to assure implementation of local water management plans.

Pursuant to the requirements of the law, the Pope County Water Plan:

- Covers the entire area of Pope County;
- Addresses water problems in the context of watershed units and groundwater systems;
- Is based upon principles of sound hydrologic management of water, effective environmental protection and efficient management;
- Is consistent with comprehensive water plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or groundwater system; and
- Will serve as a 10-year water plan (2013-2023), with a 5-year implementation plan (2013-2018). In 2018, the implementation plan will be updated.

In addition, the Water Plan will also serve as the Pope County Soil and Water Conservation District's (SWCD) Comprehensive District Plan. This will need to be passed by the SWCD's Board of Supervisors by Resolution.

B. A Description of Pope County's Priority Concerns

Chapter Two provides a detailed assessment of the priority concerns. Based upon the Pope County Water Plan Survey, and comments received by the various water plan stakeholders, the Water Plan Task Force identified the following priority water planning issues **(note: these issues are not ranked):**

1. Reducing Priority Pollutants ~ Surface Water Quality
    a. TMDL Implementation
    b. Feedlot/Livestock Management
    c. Subsurface Sewage Treatment Systems
    d. Aquatic Invasive Species

2. Erosion and Sediment Control

3. Surface Water Management
    a. Agricultural Drainage
    b. Stormwater Management
    c. Wetlands and Water Storage/Retention
    d. Shoreland Management

4. Groundwater Quality & Quantity
    a. Wellhead Protection Areas
    b. Drinking Water Quality
    c. Irrigation Management

5. Plan Administration
    a. Watershed Focus
    b. Stakeholder Cooperation
    c. Raising Public Awareness

C. Summary of Goals, Objectives, Action Steps, and Estimated Costs

To address the priority concerns identified in the scoping process, the Pope County Water Plan Task Force held meetings to develop the five goal areas. These five goal areas are further broken down into interrelated objectives that address each of the priority concerns. Most importantly, each objective has a series of action steps designed to help achieve implementation of the identified goal.

A summary of the County's Water Plan Goals, Objectives and Action Steps is provided below. Collectively they form the Implementation Plan for the County. In addition, a summary of annual estimated costs is provided. These estimated expenses are separated into Overall Costs and Local Costs. Overall Costs include all monies spent by water plan stakeholders, including the County, watershed districts, state agencies, and landowners. The Local Costs include funds spent and activities performed by Pope County (including items such as the County's 103E administrative costs) and the Pope County SWCD. The Water Plan Task Force recognizes that not all of the identified Action Items will be accomplished over the course of the Water Plan's time-frame, however, the intent is to accomplish as many implementation activities as feasible. **Also keep in mind the costs identified are only estimates, and actual direct and/or indirect costs may be more or less than indicated.** Finally, many of the Action Items will be dependent upon receiving grants. Chapter Three contains the Water Plan's complete Goals, Objectives, and Action Steps, and Chapter Four provides additional details on administering the Water Plan.

Surface Water Quality Initiatives

The first goal area focuses on addressing surface water quality issues. Objectives were developed for TMDL implementation, feedlots, failing Subsurface Sewage Treatment Systems (SSTS), and Aquatic Invasive Species (AIS). In addition, Objective A was written to "Protect Pope County's surface waters from being listed on MPCA's 303d List of Impaired Waters." It was discussed throughout the planning process that it is both easier and more cost-effective to protect water quality than it is to restore waterbodies once they become impaired. Implementation steps under the first goal area include a wide range of the following surface water quality Best Management Practices (BMPs):

- Complete a full inventory of the ravines along the south shore of Lake Minnewaska. Survey and develop preliminary plans to repair and enhance the ravines. Target and implement twenty water quality BMPs.
- Reduce total phosphorus levels in the lakes identified in the Pope 8 Lake TMDL Plan by implementing water quality BMPs, including restoring wetlands, developing enhanced manure management plans, cost-sharing feedlot upgrades, and establishing vegetative buffers. Project-specific implementation activities were identified for each impaired subwatershed.

- Enroll 50% of cropland within impaired subwatersheds into nutrient management plans.
- Inspecting all SSTS in impaired subwatersheds and securing financial assistance programs to provide assistance for homeowners to upgrade 10 noncompliant SSTSs annually.
- Identify sites where cattle exclusions are needed and cost-share five (5) BMP projects.
- Partnering with the Chippewa River Watershed Project on implementing the Chippewa River TMDL Plan.
- Conducting core samples to pursue dredging the Mill Pond.
- Creating a local Aquatic Invasive Species (AIS) Task Force.

The various action steps identified to address the first goal area of surface water quality improvements in Pope County are estimated to have an overall 5-year cost of $3,840,000. Of this amount, $832,000 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs. These amounts reflect the high costs associated with removing waters from the 303d List of Impaired Waters. Many of these implementation activities will be eligible for grant funding.

Erosion and Sedimentation Control Initiatives

The second goal area is aimed at reducing erosion and controlling sedimentation. The specific objective is to "Work with landowner to identify priority sites to implement erosion and sediment control Best Management Practices." Implementation steps include the following BMPs:

- Install 100 acres of vegetative buffer filter strips annually.
- Install three (2) water and sediment control structures annually.
- Install five (5) alternative tile intakes.
- Install 500 feet of living snow fences annually.
- Install five (5) streambank stabilization projects annually.
- Install five (5) water and sediment control basins annually in the Little Chippewa River subwatershed.
- Install five (5) water and sediment control basins annually in the Main Branch Chippewa River subwatershed.
- Implement twenty (20) BMP projects in the south shore Lake Minnewaska subwatershed.

- Secure funding to properly implement a grade stabilization project in Hoff Township less than one mile from the Chippewa River.
- Install one mile of vegetative filter buffer strips per year along Ashley Creek.

The various action steps identified to address the second goal area of erosion and sediment control improvements in Pope County are estimated to have an overall 5-year cost of $969,000. Of this amount, $151,000 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs.

Surface Water Management Initiatives

The third goal area is aimed at reducing managing surface water quantity issues, including separate objectives for agricultural drainage, stormwater management, wetlands/surface water retention, and shoreline restorations. Implementation steps include the following:

- Identify public and private tile lines that flow into the open ditch system.
- Install five (5) buffers and/or side inlets annually to control erosion and sedimentation and to maintain efficiency.
- Cost-share two (2) controlled drainage projects.
- Design and install a minimum of three (3) rain gardens annually.
- Promote the use of semi-permeable surfaces by creating two (2) demonstration sites.
- Assist with creating four (4) stormwater holding ponds.
- Apply for funds to develop a Stormwater Management Plan for the City of Starbuck.
- Partner with the City of Glenwood on implementing its Stormwater Management Plan.
- Restore two (2) wetlands annually.
- Target the impaired subwatersheds for wetland restorations.
- Increase the number of Wetland Reserve Program easements by two (2) each year by targeting marginal farmland.
- Examine alternatives to using rip-rap during shoreland restorations.
- Cost-share two (2) shoreland restorations annually.

The various action steps identified to address the third goal area of erosion surface water management issues in Pope County are estimated to have an overall 5-year cost of $1,375,000. Of this amount, $241,000 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs.

Groundwater Quantity and Quality Initiatives

The fourth goal area focuses on addressing groundwater quality and quantity issues. Objectives were developed for wellhead protection, drinking water quality, and groundwater quantity BMPs. Implementation steps include a wide range of the following groundwater Best Management Practices (BMPs):

- Target groundwater BMP Programs in Wellhead Protection Areas, such as RIM and CRP.
- Work with cities on mutually agreed upon ordinance language for Wellhead Protection Areas.
- Target sealing all abandoned wells in Wellhead Protection Area. Implement two (2) annually.
- Incorporate the County's sensitive groundwater recharge areas map into to the local land use decision making process.
- Implement two (2) groundwater BMP projects annually.
- Seal four (4) abandoned wells annually.
- Cost-share converting conventional irrigation systems to conservation systems. Implement two (2) projects annually.
- Increase acres in Irrigation Management Program by 5,000 acres.

The various action steps identified to address the fourth goal area of groundwater quality and, quantity BMPs in Pope County are estimated to have an overall 5-year cost of $418,500. Of this amount, $95,500 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs.

Plan Administration Initiatives

The fifth goal area is aimed at effectively implementing the County's Water Plan. The specific objective is to "Engage the Citizens and Stakeholders on key water planning issues and implementation opportunities." Implementation steps include the following:

- Quarterly publish newsletters.
- Promote BMP programs in the newspaper a minimum of two times annually.
- Establish BMP demonstration/test sites.
- Annually host workshops on priority water planning issues.

- Annually promote BMP practices and available funding at the Pope County Fair.
- Annually apply for Clean Water Funds and similar funding mechanisms to implement Action Steps.
- Ensure the County is prepared to provide matching funds in order to qualify for BMP grants.

The various action steps identified to address the fifty goal area of effectively administering the Water Plan in Pope County are estimated to have an overall 5-year cost of $85,000. Of this amount, $60,000 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs.

Summary of Estimated Costs

The five water plan goal areas and their corresponding estimated costs are summarized below in Table 1. The initiatives identified in Chapter Three are estimated to cost approximately $1,337,500 annually overall, with approximately $276,000 coming from local/county funds.

Table 1:
Summary of Pope County's Water Plan
Estimated Overall and Local Costs

	Overall	*Local/County*
Goal Area One: Surface Water Quality	**$3,840,000**	**$832,000**
Goal Area Two: Erosion & Sedimentation Control	**$969,000**	**$151,500**
Goal Area Three: Surface Water Management	**$1,375,000**	**$241,000**
Goal Area Four: Groundwater Quality & Quantity	**$418,500**	**$95,500**
Goal Area Five: Plan Administration	**$85,000**	**$60,000**
5-Year Estimated Costs	**$6,687,500**	**$1,380,000**
Average Annual Estimated Costs	**$1,337,500**	**$276,000**

These estimated expenses are separated into Overall Costs and Local Costs. The Local costs include funds spent and activities performed (i.e., in-kind expenses) by Pope County and the Pope County SWCD.

**Note:* Please refer to Chapters Three and Four for a more detailed description of the estimated overall costs and the estimated total local costs to Pope County and the Pope County SWCD. Expenses may seem exaggerated, but actually represent the numerous stakeholders involved and a collaboration of their corresponding activities and budgets.

D. Relationship to other Plans

The Pope County Water Plan Task Force includes a diverse group of people representing a number of key water plan stakeholders. Assistance from the Task Force in the planning process, along with information requested from Local Governmental Units, helped to ensure the Water Plan, and its corresponding Goals, Objectives and Action Steps, were developed to be consistent with existing plans and official land use controls. As a result, the updated Pope County Water Plan is believed to be consistent with the plans and official controls of the other pertinent local, State and regional plans and controls. In conclusion, there are no recommended amendments to other plans and official controls to achieve consistency with this Water Plan.

COMMITTEE RECOMMENDATIONS
Southern Water Planning Committee

1. Renville County Comprehensive Water Plan Update – Paul Langseth – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Renville County Comprehensive Water Plan Update

Meeting Date: June 26, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Southern Region

Contact: Jeff Nielsen

Prepared by: Carla Swanson-Cullen

Reviewed by: Southern Water Planning Committee(s)

Presented by: Paul Langseth

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested
☐ Clean Water Fund Budget
☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Other: _____

ACTION REQUESTED
Decision

LINKS TO ADDITIONAL INFORMATION

http://www.bwsr.state.mn.us/boardpackets/water_plans_for_bd_packet/Renville_2013-2023.pdf

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
On December 12, 2012, the Board of Water and Soil Resources (BWSR) provided official comments pertaining to the State Review of the Renville County Priority Concerns Scoping Document. On December 12, 2012, the BWSR officially approved Renville County's written request to extend the current Local Water Management Plan (Plan), which would expire on December 31, 2012. The extended end date of the current Plan is May 30, 2013.

On April 22, 2013, the BWSR received the final draft Renville County Comprehensive Local Water Plan 2013-2023 as required for final review by state agencies. I have completed my final review of the Plan and find that it does meet the requirements of Minnesota Statute 103B.314. The Plan:

- focuses on the priority concerns identified in the Priority Concerns Scoping Document;
- assess 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.

Renville County contracted with Mid-Minnesota Development Commission, located in Willmar, Minnesota, to facilitate the process and develop the Plan. More specifically, Renville County Water Plan Coordinator Diane Mitchell and Renville Soil and Water Conservation District Technician Tara Latozke worked diligently on Chapter Three of the Plan (Goals Objectives and Action Steps (2013 – 2018)) to strengthen the action steps making many of them measurable. A total of ninety (90) action steps are identified in the Plan. The reader can easily determine that sixty seven (67) action steps are measurable. There are another ten (10) action steps that are somewhat measurable depending on the reader's interpretation.

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 Renville County (Minnesota Statutes, Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN UPDATE

Whereas, the Renville County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on April 22, 2013 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 August 30, 2012, the Board received a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.

2. On October 11, 2012, the Board received a written request (resolution) from the County for an extension of their current local water management plan.

3. On December 12, 2012, the Board approved official comments on the County PCSD, which were mailed to the county on December 12, 2012. The priority concerns the PCSD and Plan Update addresses include:

   - Reduce Priority Pollutants – Surface Water Quality
   - Erosion and Sediment
   - Surface Water Management
   - Groundwater Quality & Quantity
   - Recreation and Biodiversity
   - Plan Administration

4. On December 12, 2012, the Board approved the extension request made by the County. The end date of the current local water management plan was extended to May 30, 2013. This approval was mailed to the County on December 12, 2012.

5. On April 22, 2013, the Board received the County Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review pursuant to M.S. Section 103B.315, Subd. 5.

6. On June 12, 2013, the Southern Region Water Planning Committee of the Board met to review the following state agency comments, commendations and approval recommendations regarding the final approval of the County Plan Update:

   - Minnesota Pollution Control Agency (MPCA) provided no comments.
   - Minnesota Department of Health (MDH) provided no comments.
   - Minnesota Department of Natural Resources (DNR) noted Plan Update does not violate any statutory or rule requirement administered by DNR and recommends approval of the entire Plan Update.
   - Minnesota Department of Agriculture (MDA) noted Plan Update does not violate any statutory or rule requirement administered by the MDA and recommends approval of the entire Plan Update. MDA also offered comments for Board's consideration to make a recommended language change to the last paragraph on page 2-22.
   - Minnesota Environmental Quality Board provided no comments.

   The Committee's decision was to present a recommendation of approval of the Plan Update to the Board at the Board's June 26, 2013 meeting.

7. On June 26, 2013, the Southern Region Water Planning Committee of the Board presented its recommendation of approval of the Renville County Local Water Management Plan Update to the Board. The Board adopted the Committee's recommendation.

8. This Plan Update will be in effect for a ten-year period until June 26, 2023, with the Goals, Objectives and Action items amended by June 26, 2018.

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 Renville County pursuant to Minnesota Statutes, 103B.315, Subd. 5.

2. The Renville County Plan Update states water and water-related problems within the county; possible solutions; goals, objectives, and actions of the county; and an implementation program. The Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the update of the Renville County Local Water Management Plan 2013-2023 with a required update of the Implementation section (Goals, Objectives, and Action) to be completed by June 26, 2018.

Dated at St Paul, Minnesota this June 26, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

Renville County Comprehensive Local Water Management Plan 2013-2023

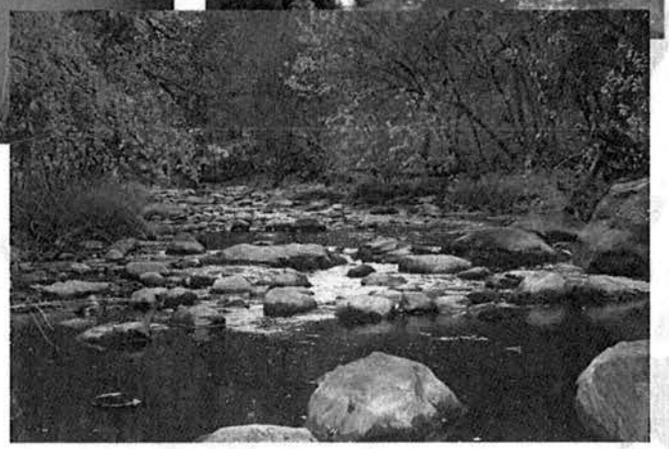
~ With 2013-2018 Implementation Plan ~



Mack Lake

Birch Coulee





Beaver Falls

~ Draft Date: April 16, 2013 ~

Prepared by:

Renville County Water Management Task Force

Mid-Minnesota Development Commission

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"Conservation is a state of harmony between men and land."
~Aldo Leopold

Renville County
Comprehensive Local Water Management Plan
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Renville County
Comprehensive Local Water Management Plan:
Executive Summary

The Renville County Water Plan follows the provisions set forth in Minnesota State Statutes 103B.314 - Contents of Water Plan.

A. Purpose of the Local Water Management Plan

According to Minnesota Statute 103B, each county is encouraged to develop and implement a local water management plan with the authority to:

- Prepare and adopt a local water management plan that meets the requirements of this section and section 103B.315;
- Review water and related land resources plans and official controls submitted by local units of government to assure consistency with the local water management plan; and
- Exercise any and all powers necessary to assure implementation of local water management plans.

Pursuant to the requirements of the law, the Renville County Water Plan:

- Covers the entire area of Renville County;
- Addresses water problems in the context of watershed units and groundwater systems;
- Is based upon principles of sound hydrologic management of water, effective environmental protection and efficient management;
- Is consistent with comprehensive water plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or groundwater system; and
- Will serve as a 10-year water plan (2013-2023), with a 5-year implementation plan (2013-2018). In 2018, the implementation plan will be updated.

In addition, the Water Plan will also serve as the Renville County Soil and Water Conservation District (SWCD) Comprehensive District Plan.

B. A Description of Renville County's Priority Concerns

Chapter Two provides a detailed assessment of the priority concerns. Based upon the Renville County Water Plan Survey, and comments received by the various water plan stakeholders, the Water Management Task Force identified the following priority water planning issues **(note: these issues are not ranked):**

1. Reducing Priority Pollutants ~ Surface Water Quality
    a. TMDL Implementation
    b. Feedlot/Livestock Management
    c. Subsurface Sewage Treatment Systems
    d. Aquatic Invasive Species
2. Erosion and Sediment
3. Surface Water Management
    a. Agricultural Drainage
    b. Stormwater Management
    c. Wetlands and Water Storage/Retention
    d. Shoreland Management
4. Groundwater Quality & Quantity
    a. Wellhead Protection Areas
    b. Drinking Water Quality
5. Recreation and Biodiversity
6. Plan Administration
    a. Watershed Focus
    b. Stakeholder Cooperation
    c. Raising Public Awareness

C. Summary of Goals, Objectives, Action Steps, and Estimated Costs

To address the priority concerns identified in the scoping process, the Renville County Water Management Task Force met and developed six goal areas. These six goal areas are further broken down into interrelated objectives that address each of the priority concerns. Most importantly, each objective has a series of action steps designed to help achieve implementation of the identified goal.

A summary of the County's Water Plan Goals, Objectives and Action Steps are provided below. Collectively they form the Renville County Water Implementation Plan. In addition, a summary of annual estimated costs is provided. These estimated expenses are separated into Overall Costs and Local Costs. The Local Costs include funds spent and activities performed by Renville County and the Renville County SWCD. The Water Management Task Force recognizes that not all of the identified Action Items will be accomplished over the course of the Water Plan's time-frame, however, the intent is to accomplish as many implementation activities as feasible. Also keep in mind the costs identified are only estimates, and actual direct and/or indirect costs may be more or less than indicated. A more detailed description of Renville County's Goals, Objectives, and Action Steps is presented in Chapter Three, whereas Chapter Four provides more detail on administering the Water Plan.

GOAL 1: PROTECT AND IMPROVE SURFACE WATER QUALITY

Objective A: Continue efforts to reduce failing Subsurface Soil Treatment Systems (SSTS) and improve wastewater treatment discharges.

- SSTS Program. Two County staff members will continue to provide oversight and assistance of State and County regulations and inspection services as part of the County's SSTS Program.
- Noncompliant SSTSs. Provide educational, technical, and financial assistance, as available, to homeowners to upgrade noncompliant SSTSs. Investigate and initiate corrective measures for improperly discharging SSTSs. Identify approximately 2 failing systems each year.
- SSTS Education. Provide information and assistance to homeowners on proper SSTS design, installation, operation, and maintenance through annual newsletters, mailings, and website resources.

- SSTS Funding. Secure and administer financial assistance programs to provide assistance for homeowners to upgrade noncompliant SSTSs. Promote cost-share incentive payments available through the watershed districts to encourage voluntary septic system upgrades. Work with 50 homeowners each year.
- Wastewater Treatment. Cooperatively work with partners to properly address community and industrial wastewater issues. Encourage industrial development to be located where municipal treatment services are available.

Objective A Estimated Average Annual Overall Costs = $691,500; Local Costs = $96,500

Objective B: Proactively work to improve and remove water bodies from the MPCA's 303d list of Impaired Waters (TMDLs) while continuing to protect non-impaired water bodies.

- Water Quality Monitoring. Cooperatively work with partners to continue current efforts and to expand surface water quality monitoring efforts. To obtain baseline and storm event data during the growing season, approximately 40 samples will be annually collected at 11 sites, depending on seasonal precipitation.
- Watershed Approach. Cooperatively work with the MPCA and partners to further the "watershed approach" process of assessment, restoration, and protection strategies for impaired waters.
- Intensive Watershed Monitoring. Assist the MPCA with identifying water quality impairments and sources of impairments within each watershed. Each of the four watersheds will be monitored once every ten-years, as determined by the MPCA. Approximately 50 sites, prioritized by the MPCA, will be tested for biological integrity within the four watersheds.
- Stressor Identification. Assist the MPCA's efforts in the development of stressor identification in aquatic ecosystems. Survey 12 waterbodies, as determined by MPCA, to target priority BMP locations.
- Flow/Level Monitoring Gauges. Assist water plan stakeholders with installing and monitoring flow and level gauges on major rivers and lakes in the County. Flow: Monitor flow on 3 waterbodies. Level gauges: Monitor water level gauges on 9

waterbodies. Approximately 40 measurements will be collected annually on 9 waterbodies, depending on seasonal precipitation. The water bodies include Hawk Creek, Sacred Heart Creek, West Fork Beaver Creek, Beaver Creek (main stream), Birch Coulee Creek, Fort Ridgley Creek, Buffalo Creek, Lake Allie, and Lake Preston.

- Priority BMP Locations. Evaluate and annually update land use data including GIS layers and LiDAR to identify and inventory high priority practice locations within watersheds (Initially evaluate in 2016-2018).
- BMP Collaboration. Coordinate efforts with local, state, and federal agencies and Watershed Management Organizations to collaborate resources for effective BMP implementation.
- BMP Program*. Provide educational, technical, and financial assistance, as available, to landowners for the implementation of water quality-related BMPs that will address specific water bodies impairment. For example, excessive nutrients as a result of non-point source pollutants would be treated through filtering and holding water in the field with bioreactors (2), saturated buffers (5), filter strips (50 sites), sediment basins (5), grade stabilizations (2), rock intakes (10), and wetland restorations (5 sites). *(Approximately 16 projects/sites per year).

Objective B Estimated Average Annual Overall Costs = $295,500; Local Costs = $19,000

Objective C: Enhance shoreland management and protection efforts.

- Shoreland Regulation. Two County staff members will continue to enforce public waters shoreland regulation, including requiring landowners to maintain the mandatory set-backs on public waters.
- Shoreland Conservation Easement Programs. Target marginal and sensitive land for enrollment in conservation easement programs adjacent to public waters, such as CRP, RIM, GRE, GRP, and WRP. Provide assistance to landowners for the management and enhancement of existing easements. Establish 2,000 acres within 100 easements by 2018.

- BMP Program*. Provide educational, technical, and financial assistance, as available, to landowners for the restoration of shoreland. For example, stream bank stabilization structures: (5) two specific locations are Fort Ridgely Creek along the Mayflower Golf Course and on Hawk Creek located in Section 16 of Hawk Creek Township; bank stabliziation and vegetation plantings: (5) examples include lakescaping, biological structures, and plantings on Lake Allie and Preston Lake; buffers (300 acres); and grazing exclusion fencing (2). *(Approximately 5 per year).

Objective C Estimated Average Annual Overall Costs = $453,000; Local Costs = $8,000

Objective D: Provide programs and regulations to protect surface water resources from livestock and manure contamination.

- Feedlot Program. Two staff members will locally administer the County Feedlot Program to assist feedlot operators in obtaining and maintaining compliance with State and County regulations. Approximately 70 sites, or 20% of the County's feedlots, will be inspected annually.
- Noncompliant Feedlots. Provide educational, technical, and financial assistance, as available, to livestock producers to upgrade noncompliant feedlots. Work with approximately 5 noncompliant livestock producers each year.
- Manure and Nutrient Management Plans. Provide educational and technical assistance, as available, to agricultural and livestock producers on proper manure and nutrient management (Complete approximately 10 plans per year).
- BMP Program*. Provide educational, technical, and financial assistance, as available, to livestock producers for the implementation of water quality-related BMPs that will reduce impacts from feedlots and manure management issues. For example, point source pollutants can be addressed on noncompliant feedlots by installing agricultural waste storage facility (2), bark beds (3), filter strips, roof structures (2), and animal mortality facilities (3). Non-point source pollutants could be addressed through exclusion fencing (3 systems) and by installing animal watering facilities (2) outside of natural water courses. *(Approximately 3 projects/sites per year).

Objective D Estimated Average Annual Overall Costs = $385,000; Local Costs = $72,000

Objective E: Ensure the proper handling and disposal of hazardous materials, solid waste, and other problem materials and environmental contaminants.

- Solid Waste Management. Continue Renville County's Solid Waste programs. Educate residents and provide disposal options to discourage the illegal burning and burying of solid waste (Provide 2 educational events/projects per year). Investigate and remediate illegal dumping activities.
- Household Hazardous Waste. Continue to provide on-going opportunities for the proper disposal of hazardous waste through the utilization of the Renville County Household Hazardous Waste Facility and other regional collection facilities. Continue educational efforts to promote the proper use and disposal of household hazardous waste (i.e. school visits, newsletters, brochures, and events). Provide approximately 5 events/projects per year.
- VSQG Business Waste. Educate businesses on the Very Small Quantity Generators (VSQG) program for the proper disposal of hazardous waste (Assist 2 businesses/year).
- Business Waste. Provide information, as requested, to industries and businesses as to where they can obtain technical assistance for proper disposal and reduction of waste.
- Waste Pesticide. Continue to participate in the MDA's annual waste pesticide collection program.
- Pesticide Container Collection. Continue to provide an empty pesticide container collection program (Organize 1 collection event each year).
- Problem Material Collection. Continue to provide collection opportunities for residents and businesses to properly dispose of problem materials, such as pharmaceuticals/prescription drugs, electronics, tires, appliances, fluorescent bulbs, and rechargeable batteries (Organize 1 collection event each year and provide on-going collection opportunities at the Renville County Landfill & HHW Facility).
- Recycling. Increase recycling rates by continuing to explore alternative waste disposal practices and through cooperative efforts with townships, cities, and surrounding counties. Annually educate residents, students, and businesses on waste reduction, recycling, and composting through school visits, newsletters, brochures, events, etc.

Objective E Estimated Average Annual Overall Costs = $219,000; Local Costs = $196,500

GOAL 2: REDUCE EROSION AND SEDIMENT LOADINGS TO SURFACE WATERS RESOURCES

Objective F: Prioritize and implement BMPs to reduce erosion and sediment loading to surface water resources.

- BMP Program.* Provide educational, technical, and financial assistance, as available, to landowners and communities for the implementation of water quality-related BMPs, such as conservation tillage (5 sites), vegetative buffer strips (50 sites), sediment basins (5), grade stabilization structures (2), bank stabilization structures (3), shore land restoration (3), and rock intakes (10). *(Approximately 16 projects/sites per year).
- Conservation Easement Programs. Target marginal and sensitive land for enrollment in conservation easement programs, such as CRP, RIM, GRE, GRP, and WRP (Establish approximately 100 easements totaling 2,000 acres will be completed by 2018). Provide assistance to landowners for the management and enhancement of existing easements.
- BMP Forage Programs. Provide educational, technical, and financial assistance, as available, to landowners for the conversion of marginal row crop agricultural land to forage production pasture and hay land (Establish 3 easements totaling 200 acres will be completed by 2018). Promote retaining land currently in forage production from being converted to agricultural row crop production. Assist with implementing state or federal grazing plan on private lands.
- BMP Funding. Annually seek additional funding in the form of state cost-share, Federal EQIP, and Clean Water Funds for the implementation of priority BMPs.

Objective F Estimated Average Annual Overall Costs = $2,320,000; Local Costs = $75,000

GOAL 3: PROTECT AND IMPROVE SURFACE WATER MANAGEMENT

Objective G: Encourage efforts to maintain the public drainage system while improving water quality and managing water quantity.

- Public Drainage Systems. Renville County will ensure that public drainage systems are maintained in accordance with Minnesota Statutes Chapter 103E.
- Redetermination of Benefits. Support the redetermination of benefits on drainage systems as needed or requested.

- Public Drainage Systems BMPs. Cooperatively work with the Drainage Authority to incorporate water quality/quantity-related BMPs into the operation of public drainage systems.
- Drainage BMP Program.* Provide technical and financial assistance, as available, to landowners for the installation of alternative drainage practices. Examples include: rock intakes (10), intake risers (3), controlled drainage (2 sites), bark beds (2), bio retention ponds (2), saturated buffer projects (5), and moist soil management (2). *(Approximately 5 projects/sites per year).
- Controlled Drainage Inventory. Inventory potential sites for controlled drainage projects in underperforming stretches of the public tile systems. (Project will be initiated between 2015-2018).
- Educational Programs. Coordinate annual educational activities, such as newsletters and Field Day's, to promote the benefits of BMPs.
- Drainage Systems/Wetland Restorations. Work with the County Drainage Authority on abandoning or relocating public drainage systems in conjunction with wetland restorations. Target priority wetland restoration and saturated buffer projects for future funding. (Establish 3 locations beginning in 2014 and complete by 2018).
- Comprehensive Drainage Management Plan. Pursue the development of a comprehensive drainage management plan for public drainage systems and inventory sites for potential controlled drainage implementation. (Complete by 2018).
- Drainage Studies. Conduct, support, and utilize studies that address impacts of drainage on water quantity and quality, such as studying the water quality benefits of wetlands on Limbo Creek. (Beginning in 2014 and completed by 2018).

Objective G Estimated Average Annual Overall Costs = $225,500; Local Costs = $37,500

Objective H: Manage surface waters to minimize storm water pollution and runoff.

- Stormwater Storage. Work with municipalities to utilize storage basins and holding ponds for runoff retention and water quality treatment.
- NPDES Stormwater Permit Requirements. Provide educational assistance to landowners and contractors on NPDES stormwater permit requirements for construction activity. (Work with approximately 1 landowner/contractor each year).

- Stormwater Education. Provide educational opportunities, technical assistance, and financial assistance, as available, to create awareness of the effect of stormwater on water quality (i.e. storm drain decals, lawn care/fertilizer management. (Provide approximately 3 events/projects per year).
- BMP Program.* Provide educational, technical, and financial assistance, as available, for the implementation of water quality-related BMPs that will increase the infiltration of storm water. Example BMPs include rain barrels (50), rain gardens (5), retention basins (3), and pervious surface (2 sites). *(Approximately 12 projects/sites per year to be completed by 2018).

Objective H Estimated Average Annual Overall Costs = $97,000; Local Costs = $8,800

Objective I: Protect floodplain areas from encroachment and minimize flood damage through land use controls.

- Floodplain Regulations. Enforce State approved floodplain zoning regulation.
- Floodplain BMPs. Encourage the enrollment of flood prone areas into land retirement programs (Establish 2 easements totaling 300 acres, beginning in 2014 and completed by 2018).

Objective I Estimated Average Annual Overall Costs = $600,000; Local Costs = $6,000

Objective J: Preserve and restore wetlands and shallow lakes, and promote other water retention opportunities.

- WCA Administration. One SWCD employee will continue to administer the Minnesota Wetland Conservation Act (WCA). One Renville County staff member will continue to serve on the Technical Evaluation Panel (TEP). Renville County shall continue to be identified as a high priority area for administration of the WCA.
- Preservation and Restoration Programs. Provide educational, technical, and financial assistance to landowners to preserve and restore wetlands and grassland complexes. (Establish 500 acres to be completed by 2018).

- Wetland Easements. Pursue grants or easement opportunities to assist landowners in protecting remnant mesic wetlands not protected under State and Federal laws. (Establish 200 acres to be completed by 2018).
- WCA BMP Program.* Promote the preservation and restoration of upland storage areas (wetlands [5 sites], water and sediment basins [5 sites], and other BMPs which will slow surface runoff, reduce peak flows, stabilize stream hydrographs, prevent stream bank erosion, and reduce downstream flooding. *(Approximately 2 projects/sites per year to be completed by 2018).
- Education. Annually implement educational efforts to encourage opportunities to reduce the effects of accelerated runoff from urban, industrial and agricultural areas.
- Priority Sites. Inventory potential for priority wetland restoration sites using ARC GIS LiDAR, hydric soils layers, GIS Data layers, and other tools available. (Beginning in 2014 and completed by 2018).
- Manage Water Levels in Shallow Lakes. Pursue grants to install water control structures to manage the level of water within shallow lakes to improve nutrient filtration by increasing aquatic vegetation and invertebrates populations within these waterbodies and improve waterfowl habitat. Priority lakes in Renville County are Mud Lake, Hodgson Lake, Phare Lake, Long Lake, and Boon Lake that outlet into the County drainage systems. (Beginning in 2014 and completed by 2018).

Objective J Estimated Average Annual Overall Costs = $1,523,000; Local Costs = $62,000

GOAL 4: ENSURE A SAFE AND ADEQUATE SUPPLY OF GROUNDWATER

Objective K: Protect groundwater and drinking water sources from contamination.

- Wellhead Protection. Assist the MDH and the ten municipalities within Renville County with the preparation and implementation of wellhead protection plans for public water suppliers.
- Groundwater Monitoring. Continue to use groundwater monitoring data to support land use decisions and to prioritize educational efforts. Utilize data from the approximately 5 established sites.

- BMP Program. Provide educational, technical and financial assistance, as available, to communities and landowners for the implementation of groundwater protection BMPs, including promoting livestock manure management plans (10 plans), SSTS upgrades (100 systems), abandoned well sealings (50 well sealings), proper decommissioning of storage tanks, wellhead protection conservation easements (2 easements totaling 300 acres), CRP contracts (2 contracts totaling 300 acres), and the proper application and disposal of pesticides and other chemicals. Projects will be completed by 2018.
- Abandoned Wells. Continue to provide information to the public on how to identify, locate and properly seal abandoned wells. Provide cost-share assistance, as available, to seal approximately 10 abandoned wells each year. Develop a Countywide inventory of abandoned wells (To be initiated by 2015 and completed by 2018).

Objective K Estimated Average Annual Overall Costs = $144,000; Local Costs = $36,500

Objective L: Ensure adequate groundwater supplies for multiple uses.

- Precipitation Monitoring. Continue the volunteer rain gauge monitoring program, which provides monitoring reports to the state Climatology Office. Increase the number of volunteer rain gauge readers from 9 townships to 27 townships.
- Groundwater Monitoring. Cooperatively work with partners to continue and expand groundwater permitting and monitoring efforts.
- Groundwater BMPs. Promote groundwater conservation BMPs such as bio-retention basins (5), rain barrels (50), and rain gardens (5) in urban areas including cities and lakeshore areas. In rural areas, BMPs would include conservation irrigation (1), wetland restorations (5), controlled drainage (2), and saturated buffers (5 sites including the Minnesota River and tributaries focusing on RIM easements). Approximately 14 projects/sites will be completed each year.
- Education. Annually provide groundwater protection and water conservation-related educational materials to industry, homeowners, and schools through newsletters, mailings, website resources, and presentations.
- Hydrogeologic Atlas. Complete, educate, and utilize the Renville County hydrogeologic atlas to evaluate the impact of land use activities on ground water supplies (Complete by

2014). Provide at least 2 educational training by 2014 on the use of the hydrogeologic atlas.

Objective L Estimated Average Annual Overall Costs = $376,000; Local Costs = $21,750

GOAL 5: PROTECT AND IMPROVE BIODIVERSITY AND RECREATIONAL OPPORTUNITIES

Objective M: Manage natural resources to increase biodiversity and recreational opportunities.

- Preservation and Restoration of Wildlife Habitat. Utilize conservation easements and other tools to preserve and restore wildlife habitat. (Establish 100 easements totaling 2,000 acres by 2018).
- Prescribed Burning. Annually provide educational and technical assistance to landowners on the use of prescribed burning as a tool to manage invasive species.
- Land Use Regulations. Cooperatively work with the DNR and other stakeholders annually to develop land use regulations that are receptive to protecting rare, threatened, and endangered features and species. Utilize the DNR County Biological Survey to protect rare, threatened, endangered and special concern species during land use decision making.
- Rare and Declining Habitat. Pursue grants to protect granite rock outcrop, remnant mesic native prairie, remnant dry hillside prairie, and wetlands under easement on private lands or public acquisition targeting the Minnesota River habitat corridor.
- Natural Habitat Corridors. Pursue grants to protect existing habitat and to expand natural corridors through easements on private lands or public acquisition, targeting the Minnesota River corridor and non-channelized reaches of its tributaries. Support Federal, State, and local agencies efforts to increase and improve fish and wildlife habitat areas. Encourage converting remaining agricultural land under Renville County ownership to natural habitat.
- Habitat BMP Program.* Promote the planting of buffer strips (50 sites), windbreaks (2), living snow fences (3), native grasses (10 sites) and food plots (10 plots) to

increase wildlife habitat, while improving water quality. *(Approximately 15 projects/sites per year).

- Maintain and Protect Natural Waterways. Maintain and protect high quality reaches of natural waterways, such as Limbo Creek. Support the study of the biological condition on these reaches and pursue grants to protect through permanent easements (5 easements), if possible, on private lands or public acquisition. (Initiate by 2014 and complete by 2018).
- Aquatic Invasive Species Management. Annually educate the public and provide technical assistance, as available, on prevention methods to protect Renville County water bodies from the spread of invasive species. For example, water craft inspections, pressure washing boats with hot water, and proper disposal of bait and live well water.
- Aquatic Invasive Species Management BMP. Provide educational, technical and financial assistance, as available, to identify breaches, install fish barriers at breaches to prevent spread of Asian Carp in the Minnesota River and tributaries. (Initiate if a reach is discovered and complete by 2018).
- Management of Native Ecosystems. Pursue grants to protect native ecosystems through woody invasive species control (5 sites) and utilizing managed haying and grazing to improve habitat quality and plant communities on remnant prairie and conservation easements targeting the Minnesota River and its tributaries. (Initiate by 2016 and complete by 2018).
- Minnesota Scenic River. Protect the Minnesota River shoreland through land use and shoreland regulations, to prevent development that would degrade the River's natural scenic and recreational opportunities.
- Recreational Opportunities. Promote, maintain, and enhance environmentally appropriate recreational opportunities throughout Renville County, such as the Renville County Park System, public water access (including canoe and fishing), and trails. (Initiate grants and projects by 2015).

- Water-based Recreational Opportunities. 1) Identify locations that have the potential for providing additional water-based recreation, prioritizing locations on scenic reaches of lakes and rivers. 2) Pursue grants and assistance for funding water-related recreation. 3) Support a cooperative effort between the State, County, SWCD, cities and local citizens to promote water-based recreation in the County. (Initiate by 2014 and complete by 2018).

Objective M Estimated Average Annual Overall Costs = $2,731,000; Local Costs = $117,700

Objective N: Provide and participate in educational and outreach opportunities to engage citizens and stakeholders in the implementation of the Water Plan (i.e. civic engagement).

- Public Meetings. Annually hold public meetings, as necessary, to keep the public informed of current water resource-related issues.
- Outreach and Education. Disseminate information to the public regarding water resource management activities and issues through newsletters (2 annually), brochures, websites, and media sources (on-going activities). Provide, as available, water quality-related educational materials to industry, homeowners, civic organizations, and schools.
- Educational Events and Workshops. Sponsor and facilitate educational events and workshops with partnering agencies. Complete 2-4 educational events, tours, or workshops annually.
- Funding Sources. Provide information to landowners, communities, and private interest groups regarding funding sources available for water resource management activities and projects.
- Partner Meetings. Hold and/or attend meetings with partners to discuss water resource management issues and potential partnership opportunities.

Objective N Estimated Average Annual Overall Costs = $57,500; Local Costs = $30,300

Objective O: Continue local administration and coordination of water resource programs for the effective implementation of the Water Plan.

- Water Management Coordinator. Maintain the Renville County Water Management Coordinator position and explore opportunities to expand the position to full time.
- Technical Coordinator. Continue utilizing the Soil and Water Conservation District (SWCD) to provide technical assistance to Renville County for Water Plan Implementation activities.
- Water Planning Taskforce Meetings. Hold quarterly Water Planning Taskforce meetings to discuss issues and review funding requests. Annually review progress in achieving Water Plan initiatives and identify emerging issues that should be incorporated into the Water Plan through the amendment process.
- Funding Sources. Actively pursue additional funding sources and grants to fund the implementation of Water Plan initiatives. Seek partnerships and cooperative agreements to finance initiatives, when appropriate.
- Grant Reporting. Annually report and manage grant funds once obtained from funding sources.
- Water Plan Revision. Review emerging issues that should be incorporated into the Water Plan through the amendment process and coordinate revisions to the Water Plan prior to its expiration.
- Joint Powers Board Membership. Support current and future membership in Joint Powers Boards. Attend meetings, as scheduled.
- GIS Datasets. Invest in the acquisition, development, and maintenance of GIS datasets, including LiDAR, digital soil survey, land use layers, US FWS restorable wetland inventory layers, USFWS nation wetland inventory, GIS generated storm maps, local inventory layers, and DNR data deli layers. Utilize these datasets to make informed decisions to prioritize implementation of conservation practices, land use planning, and water resource management.
- Consistency with the Water Plan. Work with local agencies, organizations, communities, and County departments to coordinate the consistency of plans, such as

the Comprehensive Land Use Plan, Solid Waste Plan, and Wellhead Protection Plans, with the goals and objectives of the Water Plan.

- Water Plan Revision. Review emerging issues that should be incorporated into the Water Plan through the amendment process and coordinate revisions to the Water Plan prior to its expiration The Water Plan will need to be amended by 2018.

Objective O Estimated Average Annual Overall Costs = $233,000; Local Costs = $118,000

****Approximate Total Estimated Overall Annual Costs = $10,351,000***

****Approximate Total Estimated Local Annual Costs = $905,550***

These estimated expenses are separated into Overall Costs and Local Costs. The Local costs include funds spent and activities performed by Renville County and the Renville County SWCD.

***Note:** Please refer to Chapters Three and Four for a more detailed description of the estimated Overall Costs and the estimated total Local Costs to Renville County and the Renville County SWCD. Expenses represent the numerous stakeholders involved and a collaboration of their corresponding activities and budgets.

COMMITTEE RECOMMENDATIONS
Grants Program & Policy Committee

1. FY'14 Natural Resources Block Grant Allocations – Wayne Zellmer – ***DECISION ITEM***

2. FY'14 SWCD Program & Operations Grant Allocations – Wayne Zellmer – ***DECISION ITEM***

3. Farm Bill Assistance Program Authorization – Dave Weirens – ***DECISION ITEM***

Conflict of Interest Disclosure Form
for Board Members

Grant Program: Natural Resources Block Grant Allocations

Name of Review Group: Grants Program & Policy Committee

Before any review of grant applications, the chair of the meeting shall make this statement about conflict of interest:

Chair Statement: *"A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today's business."*

This form gives grant application reviewers an opportunity to disclose any actual, potential or perceived conflicts of interest that may exist during a grant review process. It is the grant reviewer's obligation to be familiar with the Office of Grants Management (OGM) Policy 08-01, Conflict of Interest Policy for State Grant-Making, and to disclose any conflicts of interest accordingly. All grant reviewers *must* complete and sign a conflict of interest disclosure form. On the form, the grant reviewer must identify any grant applicant with which they have an actual, potential or perceived conflict, although they do not need to provide the reason for the conflict on the disclosure form.

A disclosure does not automatically result in the grant application reviewer being removed from the review process.

Please read the definitions of conflict of interest below and mark the appropriate boxes that pertain to you and your status as a reviewer of applications for this grant program.

Conflicts of interest may be actual, potential, or perceived:

ACTUAL CONFLICT OF INTEREST:
An actual conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.

POTENTIAL CONFLICT OF INTEREST:
A potential conflict of interest may exist if a grant reviewer has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests.

PERCEIVED CONFLICT OF INTEREST:
A perceived conflict of interest is any situation in which a reasonable third party would conclude that conflicting duties or loyalties exist.

At a minimum, all internal parties who are involved in the grant review or grant management process must be made aware that an actual, potential, or perceived conflict has been disclosed and evaluated, even if it is not serious enough to remove or reassign the employee or grant reviewer. After reviewers have signed the conflict of interest form, therefore, the conflicts--if any--that have been disclosed shall be announced to the reviewing body as a whole. Disclosed conflicts and their resolution will also be noted in the meeting minutes, and the forms will be kept as documentation of the grant review.

As a grant reviewer, I certify that I have read and understand the descriptions of conflict of interest explained above and in OGM Policy 08-01. Check either box 1a or 1b **and** either box 2a or 2b.

☐ 1a. I have reviewed the list of applicants, and I do not have any conflicts of interest relating to this program's grant applicants or proposed projects.

☐ 1b. I have an ACTUAL, POTENTIAL, or PERCEIVED conflict of interest with the applicant(s) listed below. (Note: If you disclose a conflict, you must identify the applicant on this form, but a description is discretionary. Under Minnesota Statute 13.599, this form is considered public data.)

Applicant	Type of Conflict (ACTUAL, POTENTIAL, or PERCEIVED)	Description of Conflict (optional)

☐ 2a. After reviewing this form and OGM Policy 08-01, I CHOOSE to participate in this review process.

☐ 2b. After reviewing this form and OGM Policy 08-01, I CHOOSE NOT to participate in this review process. I will avoid discussing the applicant and/or applications from organizations with which I have disclosed a conflict of interest with other reviewers.

Reviewer's printed name: _____

Reviewer's signature: _____

Date: _____

Reviewer's Organization/Agency: _____

Revised, 5/13

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Fy '14 Natural Resources Block Grant

Meeting Date: June 26, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Land & Water

Contact: Wayne Zellmer

Prepared by: Wayne Zellmer

Reviewed by: Grants Program & Policy Committee(s)

Presented by: Wayne Zellmer

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested

☒ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of proposed '14 NRBG allocations

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The 2013 Legislature has appropriated funding for the FY '14 Natural Resources Block Grant (NRBG) to provide assistance to local governments to implement state natural resource programs. These programs are: Comprehensive Local Water Management, the Wetland Conservation Act, DNR Shoreland Management, MPCA County Feedlot, and MPCA Subsurface Sewage Treatment Systems. The Grants Program & Policy Committee review the staff proposal on May 22, 2013 and forwards this recommendation.

Minnesota Board of Water & Soil Resources

Board Resolution #_____

FY '14 Natural Resources Block Grant Authorization

WHEREAS, the Natural Resources Block Grant (NRBG), administered by the Board of Water and Soil Resources (BWSR), provides 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; and,

WHEREAS, the Laws of Minnesota for 2013 in Chapter 114--H.F. No. 976, Article 3, Sec. 5, appropriated, (LWM, WCA, DNR Shoreland), Section 3, Subd. 2 (MPCA-SSTS, MPCA-Feedlot), and Chapter 137—H.F. No. 1183, Article 2, Section 5, (j),(MPCA-SSTS) appropriated FY '14 Natural Resources Block Grant funds to BWSR and MPCA; and,

WHEREAS, the Grants Program & Policy Committee reviewed the proposed NRBG allocations on May 22, 2013.

NOW THEREFORE BE IT RESOLVED, the BWSR hereby authorizes staff to allocate appropriate individual grant amounts to counties meeting the NRBG Program requirements, as determined by the BWSR, MPCA, and DNR, and indicated on the attached spreadsheet *PROPOSED FY'14 NATURAL RESOURCES BLOCK GRANTS;* totaling:

LWM	$1,139,152
WCA	$1,906,485
DNR Shoreland	$377,369
MPCA Feedlot Base	$(to be determined by MPCA)
MPCA SSTS	$1,599,600

AND, for Local Water Management, Wetland Conservation Act, and DNR Shoreland Programs, Local Governmental Units will have the flexibility of determining the amount of the total of these three BWSR Programs, to allocate to each of their programs locally.

_____ Date: _____

Brian Napstad, Chair
Board of Water and Soil Resources

Attachment: *PROPOSED FY'14 NATURAL RESOURCES BLOCK GRANTS*

H:14NRBGBR

PROPOSED FY 2014 NATURAL RESOURCES BLOCK GRANT

The Natural Resources Block Grant (NRBG) provides assistance to local governments to implement state natural resource programs. These programs are: Comprehensive Local Water Management, the Wetland Conservation Act, DNR Shoreland Management, MPCA County Feedlot, and MPCA Subsurface Sewage Treatment Systems.

The NRBG is a composite base grant generally formulated to reflect need/activity of these programs in all counties. This grant is not competitive and all counties are eligible for any or all of the five grant program components.

FUNDING

The 2013 Legislature in Chapter 114--H.F. No. 976, Article 3, Sec. 5, appropriated:

> $3,423,000 the first year and $3,423,000 the second year are for natural resources block grants to local governments.

$3.423 M (General Fund)

1. **Local Water Management** $1.139 M
2. **Wetland Conservation Act** $1.906 M
3. **DNR Shoreland** $.377 M

Local Governmental Units will have the flexibility of determining the amount of the total of these three Programs, to allocate to each of their programs locally. The basis for determining match will not change.

4. **MPCA County Feedlot Program**

Funding for this Program is appropriated directly to the MPCA and then transferred to BWSR. Allocations for this Program are determined by MPCA and have not yet been finalized.

5. **MPCA Subsurface Sewage Treatment Systems (SSTS)**

(Funding for this Program is appropriated directly to the MPCA and then transferred to BWSR.)

$1.600 M

The 2013 Legislature in Chapter 114--H.F. No. 976, Article 3, Section 3, Subd. 2, appropriated:

> $129,000 each year is for assistance to counties through grants for SSTS program administration.

$.129 M (Environmental Fund)

The 2013 Legislature in Chapter 137—H.F. No. 1183, Article 2, Section 5, (j), appropriated:

> $3,250,000 the first year and $3,650,000 the second year are for enhancing the

county-level delivery systems for subsurface sewage treatment systems (SSTS) activities necessary to implement Minnesota Statutes, sections 115.55 and 115.56, for protection of groundwater, including base grants for all counties with SSTS programs

$1.471 M (Clean Water Fund)

SELECTED PROGRAM HIGHLIGHTS

1. *Local Water Management* - ***$1,139,152***

This component is for implementing comprehensive local water plans. For FY '14, the Board is requiring a local levy match or cash equivalent that will generate $1.5 M on a statewide basis. This individual county amount is determined from a county's equalized taxable net tax capacity, as determined by the Dept. of Revenue. Counties must have a BWSR approved locally adopted comprehensive local water plan.

2. ***Wetland Conservation Act - $1,906,485***

This component is for the local administration of the WCA. A local 1:1 match is required. The grant amount is formula derived from a base amount of county WCA activity. This formula was approved by BWSR at their April 2003 Meeting. The formula includes the following factors:

- Number of landowner contacts resulting in mitigation or replacement
- Number of cease and desist orders & restoration orders issued
- Change in population
- Amount of wetlands on non-public lands
- Amount of poorly drained soils on non-public lands
- Amount of shoreland on non-public lands

Of this amount, SWCDs are entitled to receive at least 15% or $5,000, whichever is greater, for performing mandated WCA activities.

3. ***DNR Shoreland - $377,369***

This component is for the administration of state approved Shoreland management programs. It is administered at the state level by the DNR. A local 1:1 match is required. The grant amount is derived from a base estimated amount of county Shoreland activity based on:

- Shoreline miles of lakes and rivers
- Amount of private lands
- Population

4. ***MPCA County Feedlot Program –***

This component is for county administration of the MPCA Feedlot Program. All counties that have received delegation from MPCA to administer this Program are eligible to apply. A local .7:1 match is required. Grant amounts are based on the grant formula that includes the following highlights:

- Grants are based on the number of feedlots with 10 or more animal units (AU) in shoreland areas or 50 or more AUs in non-shoreland areas, and that are currently registered.

- The base grant funding rate for FY 2014 is approximately $XX.XX/feedlot.

- Registration Update Data, as recorded on eLINK, has been used as the number of feedlots eligible for funding.

- In addition to the projected grant amounts shown, counties will be eligible to earn an incentive award. The incentive is based on the amount of work performed by the county during the program year. A minimum of ten percent of the legislative appropriation is reserved for performance credit awards. These awards are based on County Feedlot Program Performance, represented as Performance Credits. Performance Credits are determined from the County Feedlot Officer and Performance Credit Report.

5. ***MPCA County Subsurface Sewage Treatment Systems Program – $1,599,600***

All counties are required to pass ordinances regulating SSTS countywide. All counties that have enacted countywide ordinances and have a BWSR approved locally adopted comprehensive local water plan are eligible to receive this grant. No local match is required. Grant amount of $18,600 is determined by equal county allocations.

RECOMMENDATION

The Grants Program & Policy Committee recommends approval of the Proposed FY '14 Natural Resources Block Grant allocations as listed on the attached spreadsheet *PROPOSED FY '14 NATURAL RESOURCES BLOCK GRANTS.*

NOTE: Individual county allocation amounts for MPCA's County Feedlot Program will be provided to the Board as an informational item when finalized.

PROPOSED FY'14 NATURAL RESOURCES BLOCK GRANTS

	$1.139 M	$1.906 M	$.377 M	$1.600 M	$X.XXX M
		$3.422 M			
COUNTY	CLWM BASE GRANT	WCA BASE GRANT	SHORELAND BASE GRANT	SSTS BASE GRANT	**FEEDLOT BASE GRANT
AITKIN	$13,888	$33,241	$10,786	$18,600	TBD
ANOKA	$8,094	$63,192	$2,615	$18,600	TBD
BECKER	$13,071	$24,238	$10,739	$18,600	TBD
BELTRAMI	$13,688	$64,601	$5,505	$18,600	TBD
BENTON	$13,271	$31,599	$3,286	$18,600	TBD
BIG STONE	$15,711	$8,778	$2,690	$18,600	TBD
BLUE EARTH	$10,023	$18,178	$3,243	$18,600	TBD
BROWN	$13,633	$8,778	$2,675	$18,600	TBD
CARLTON	$13,349	$22,507	$3,927	$18,600	TBD
CARVER	$8,094	$31,599	$2,615	$18,600	TBD
CASS	$10,502	$44,766	$10,699	$18,600	TBD
CHIPPEWA	$14,881	$8,778	$2,625	$18,600	TBD
CHISAGO	$11,243	$27,700	$4,943	$18,600	TBD
CLAY	$12,673	$16,447	$2,944	$18,600	TBD
CLEARWATER	$15,256	$19,909	$3,163	$18,600	TBD
COOK	$14,832	$12,985	$4,196	$18,600	TBD
COTTONWOOD	$14,844	$8,778	$2,772	$18,600	TBD
CROW WING	$8,094	$38,088	$19,128	$18,600	TBD
DAKOTA	$8,094	$52,804	$2,615	$18,600	TBD
DODGE	$14,484	$16,444	$2,675	$18,600	TBD
DOUGLAS	$12,077	$21,641	$8,544	$18,600	TBD
FARIBAULT	$14,550	$8,778	$2,735	$18,600	TBD
FILLMORE	$14,278	$8,778	$2,692	$18,600	TBD
FREEBORN	$13,120	$8,778	$3,139	$18,600	TBD
GOODHUE	$9,433	$16,447	$2,772	$18,600	TBD
GRANT	$15,503	$13,850	$3,056	$18,600	TBD
HENNEPIN	$8,094	$57,133	$0	$18,600	TBD
HOUSTON	$14,699	$12,985	$2,725	$18,600	TBD
HUBBARD	$13,245	$25,103	$8,434	$18,600	TBD
ISANTI	$13,251	$25,103	$4,004	$18,600	TBD
ITASCA	$10,447	$44,148	$10,107	$18,600	TBD
JACKSON	$14,717	$8,778	$3,011	$18,600	TBD
KANABEC	$15,071	$25,103	$4,090	$18,600	TBD
KANDIYOHI	$12,023	$21,641	$6,753	$18,600	TBD
KITTSON	$15,279	$16,447	$2,647	$18,600	TBD
KOOCHICHING	$15,025	$28,913	$2,722	$18,600	TBD
LAC QUI PARLE	$15,453	$8,778	$2,629	$18,600	TBD
LAKE	$14,736	$16,447	$4,614	$18,600	TBD
LAKE OF THE WOODS	$15,809	$33,760	$3,492	$18,600	TBD
LE SUEUR	$13,501	$16,447	$4,918	$18,600	TBD
LINCOLN	$15,488	$8,778	$2,768	$18,600	TBD
LYON	$13,689	$8,778	$2,738	$18,600	TBD
MCLEOD	$12,642	$16,447	$2,988	$18,600	TBD
MAHNOMEN	$15,838	$12,985	$3,360	$18,600	TBD
MARSHALL	$14,993	$20,308	$2,615	$18,600	TBD
MARTIN	$13,697	$8,778	$3,024	$18,600	TBD
MEEKER	$13,990	$19,044	$4,735	$18,600	TBD
MILLE LACS	$14,361	$22,507	$4,808	$18,600	TBD

PROPOSED FY'14 NATURAL RESOURCES BLOCK GRANTS

	$1.139 M	$1.906 M	$.377 M	$1.600 M	$X.XXX M
		$3.422 M			
COUNTY	CLWM BASE GRANT	WCA BASE GRANT	SHORELAND BASE GRANT	SSTS BASE GRANT	**FEEDLOT BASE GRANT
MORRISON	$13,609	$30,298	$3,945	$18,600	TBD
MOWER	$13,047	$12,985	$3,264	$18,600	TBD
MURRAY	$15,050	$8,778	$3,221	$18,600	TBD
NICOLLET	$13,156	$16,447	$2,682	$18,600	TBD
NOBLES	$14,402	$8,778	$2,661	$18,600	TBD
NORMAN	$15,541	$12,985	$2,624	$18,600	TBD
OLMSTED	$8,094	$25,103	$3,149	$18,600	TBD
OTTER TAIL	$9,824	$59,729	$17,747	$18,600	TBD
PENNINGTON	$15,341	$16,447	$2,833	$18,600	TBD
PINE	$13,855	$34,626	$5,899	$18,600	TBD
PIPESTONE	$15,247	$8,778	$2,615	$18,600	TBD
POLK	$13,468	$21,641	$3,457	$18,600	TBD
POPE	$15,095	$15,581	$4,250	$18,600	TBD
RAMSEY	$8,094	$16,677	$0	$0	TBD
RED LAKE	$15,857	$12,985	$2,873	$18,600	TBD
REDWOOD	$14,472	$10,387	$2,615	$18,600	TBD
RENVILLE	$14,047	$8,778	$2,662	$18,600	TBD
RICE	$10,457	$24,238	$4,189	$18,600	TBD
ROCK	$15,175	$8,778	$2,615	$18,600	TBD
ROSEAU	$15,131	$24,238	$2,697	$18,600	TBD
ST. LOUIS	$8,094	$75,657	$19,936	$18,600	TBD
SCOTT	$8,094	$41,551	$2,615	$18,600	TBD
SHERBURNE	$8,094	$31,599	$4,872	$18,600	TBD
SIBLEY	$14,615	$13,452	$2,700	$18,600	TBD
STEARNS	$8,094	$45,879	$9,003	$18,600	TBD
STEELE	$12,460	$12,118	$2,867	$18,600	TBD
STEVENS	$15,305	$8,778	$2,728	$18,600	TBD
SWIFT	$15,051	$12,118	$2,744	$18,600	TBD
TODD	$14,676	$21,641	$4,933	$18,600	TBD
TRAVERSE	$15,585	$8,778	$2,804	$18,600	TBD
WABASHA	$14,177	$12,118	$3,518	$18,600	TBD
WADENA	$15,390	$19,909	$3,084	$18,600	TBD
WASECA	$14,271	$12,118	$3,006	$18,600	TBD
WASHINGTON	$8,094	$41,551	$2,615	$18,600	TBD
WATONWAN	$15,108	$8,778	$2,733	$18,600	TBD
WILKIN	$15,232	$8,778	$2,632	$18,600	TBD
WINONA	$11,847	$12,118	$2,652	$18,600	TBD
WRIGHT	$8,094	$42,416	$9,339	$18,600	TBD
YELLOW MEDICINE	$15,175	$8,778	$2,629	$18,600	TBD
TOTALS	**$1,139,152**	**$1,906,485**	**$377,369**	**$1,599,600**	

** TBD - MPCA FEEDLOT BASE GRANT ALLOCATIONS ARE DETERMINED BY MPCA AND HAVE NOT YET BEEN FINALIZED.

Conflict of Interest Disclosure Form
for Board Members

Grant Program: **SWCD Grant Allocations**

Name of Review Group: **Grants Program & Policy Committee**

Before any review of grant applications, the chair of the meeting shall make this statement about conflict of interest:

Chair Statement: *"A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today's business."*

This form gives grant application reviewers an opportunity to disclose any actual, potential or perceived conflicts of interest that may exist during a grant review process. It is the grant reviewer's obligation to be familiar with the Office of Grants Management (OGM) Policy 08-01, Conflict of Interest Policy for State Grant-Making, and to disclose any conflicts of interest accordingly. All grant reviewers *must* complete and sign a conflict of interest disclosure form. On the form, the grant reviewer must identify any grant applicant with which they have an actual, potential or perceived conflict, although they do not need to provide the reason for the conflict on the disclosure form.

A disclosure does not automatically result in the grant application reviewer being removed from the review process.

Please read the definitions of conflict of interest below and mark the appropriate boxes that pertain to you and your status as a reviewer of applications for this grant program.

Conflicts of interest may be actual, potential, or perceived:

ACTUAL CONFLICT OF INTEREST:
An actual conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.

POTENTIAL CONFLICT OF INTEREST:
A potential conflict of interest may exist if a grant reviewer has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests.

PERCEIVED CONFLICT OF INTEREST:
A perceived conflict of interest is any situation in which a reasonable third party would conclude that conflicting duties or loyalties exist.

At a minimum, all internal parties who are involved in the grant review or grant management process must be made aware that an actual, potential, or perceived conflict has been disclosed and evaluated, even if it is not serious enough to remove or reassign the employee or grant reviewer. After reviewers have signed the conflict of interest form, therefore, the conflicts--if any--that have been disclosed shall be announced to the reviewing body as a whole. Disclosed conflicts and their resolution will also be noted in the meeting minutes, and the forms will be kept as documentation of the grant review.

As a grant reviewer, I certify that I have read and understand the descriptions of conflict of interest explained above and in OGM Policy 08-01. Check either box 1a or 1b **and** either box 2a or 2b.

☐ 1a. I have reviewed the list of applicants, and I do not have any conflicts of interest relating to this program's grant applicants or proposed projects.

☐ 1b. I have an ACTUAL, POTENTIAL, or PERCEIVED conflict of interest with the applicant(s) listed below. (Note: If you disclose a conflict, you must identify the applicant on this form, but a description is discretionary. Under Minnesota Statute 13.599, this form is considered public data.)

Applicant	Type of Conflict (ACTUAL, POTENTIAL, or PERCEIVED)	Description of Conflict (optional)

☐ 2a. After reviewing this form and OGM Policy 08-01, I CHOOSE to participate in this review process.

☐ 2b. After reviewing this form and OGM Policy 08-01, I CHOOSE NOT to participate in this review process. I will avoid discussing the applicant and/or applications from organizations with which I have disclosed a conflict of interest with other reviewers.

Reviewer's printed name: _____

Reviewer's signature: _____

Date: _____

Reviewer's Organization/Agency: _____

Revised, 5/13

Minnesota Board of Water & Soil Resources

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: FY'14 SWCD Program & Operations Grant Allocations

Meeting Date: June 26, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: LAND & WATER

Contact: Wayne Zellmer

Prepared by: Wayne Zellmer

Reviewed by: GRANTS PROGRAM & POLICY Committee(s)

Presented by: Wayne Zellmer

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested

☒ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of proposed FY '14 SWCD Program and Operations Grants Allocations.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The 2013 Legislature has appropriated funding for the FY '14 SWCD Program and Operations Grants: Conservation Delivery, Easement Delivery, Non Point Engineering Assistance, and Cost Share. The Grants Program & Policy Committee met on May 22, 2013 and is recommending the Board adopt the attached resolution and authorize staff to allocate grant funds to SWCDs.

Minnesota Board of Water & Soil Resources

Board Resolution # _____

FISCAL YEAR '14 SWCD PROGRAMS AND OPERATIONS GRANTS ALLOCATIONS

WHEREAS, Fiscal Year '14 Soil and Water Conservation District (SWCD) Programs and Operations Grants, administered by the Board of Water and Soil Resources (BWSR), provide cost share and conservation delivery grants allocations to SWCDs through its State Cost Share Grants, Conservation Delivery Grants, Easement Delivery Grants, and Non Point Engineering Assistance Grant Programs, and;

WHEREAS, Laws of Minnesota 2013, in Chapter 114--H.F. No. 976, Article 3, Sec. 5, appropriated cost share and conservation delivery grant funds to BWSR, and;

WHEREAS, as required by the appropriation, all SWCDs that have BWSR approved plans and reports are eligible to receive these grants, and;

WHEREAS, the Grants Program & Policy Committee reviewed the proposed SWCD grants allocations on May 22, 2013.

NOW THEREFORE BE IT RESOLVED, the Board authorizes:

1. Staff to allocate grant funds to individual SWCDs up to the amounts listed below and as provided on the attached allocation spreadsheet, *Proposed FY '14 SWCD Programs and Operations Grants*:

State Cost Share Base Grants	$1,199,999
Conservation Delivery Grants	$1,765,001
Easement Delivery Grants	$290,989

2. Allocate the Non Point Engineering Assistance Grants to joint powers boards, up to $1,060,000, as listed below:

NPEA Area	Base Grant	Host/Fiscal Agent SWCD	Equipment	Total Grant
1	$120,000	$10,000	$0	**$130,000**
2	$120,000	$5,000	$0	**$125,000**
3	$120,000	$10,000	$0	**$130,000**
4	$120,000	$5,000	$20,000	**$145,000**
5	$120,000	$10,000	$0	**$130,000**
6	$120,000	$5,000	$0	**$125,000**
7	$120,000	$10,000	$20,000	**$150,000**
8	$120,000	$5,000	$0	**$125,000**

3. Authorize SWCDs, to use all or part of their State Cost Share Base Grant allocation for technical assistance, when the following conditions exist:

i. Other non-state funds will be leveraged and they couldn't do the project otherwise; Or,

ii. Funds are used on a project(s) that is State Cost Share Program or EQIP eligible and their 2012 Financial Report indicates less than an 18-month fund balance; and

iii. Board Conservationist approval.

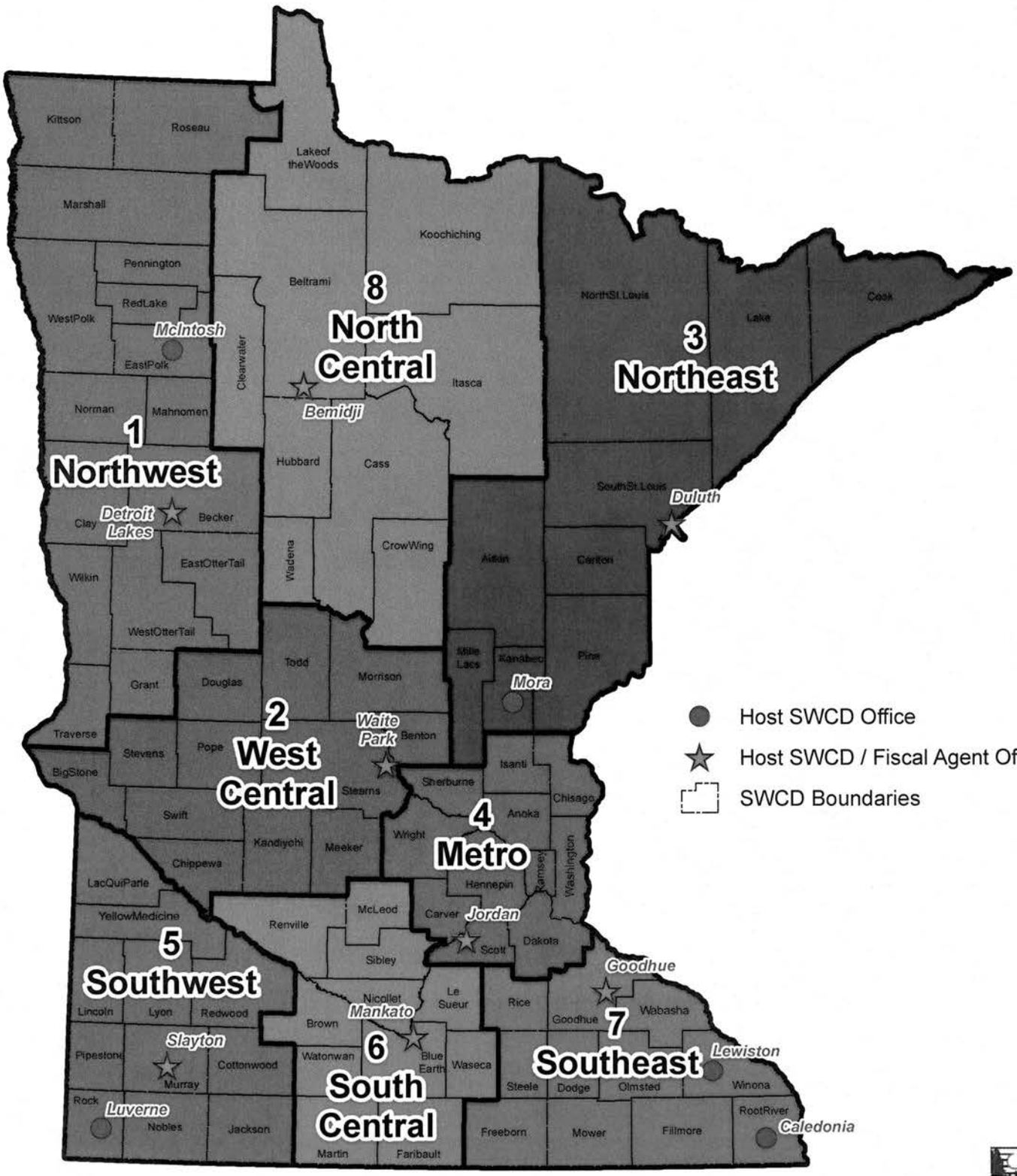
_____ Date: _____

Brian Napstad, Chair
Board of Water and Soil Resources

Attachments: *Proposed FY '14 SWCD Programs and Operations Grants*

H:14SWCDBR

Minnesota Association of Soil & Water Conservation Districts & SWCD Technical Service Areas



April 2012

PROPOSED FY '14 SWCD PROGRAMS and OPERATIONS GRANTS, NPEA ALLOCATIONS

Conservation Delivery	$1.765 M
Easement Delivery	$.291 M
Non Point Engineering Assistance	$1.060 M
	$3.116 M

The 2013 Legislature in Chapter 114--H.F. No. 976, Article 3, Sec. 5, appropriated:

> $3,116,000 the first year and $3,116,000 the second year are for grants requested by soil and water conservation districts for general purposes, nonpoint engineering, and implementation of the reinvest in Minnesota reserve program.

Conservation Delivery Grants - $1,764,033

Conservation Delivery Grants provide each Soil and Water Conservation District with funds for the general administration and operation of the district. These administrative and operational costs include paying for the costs of: employing staff, office space, transportation, postage and utilities, and supervisors' compensation and expenses.

Grant amounts are identical to FY '13 allocations, and are listed on the attachment *PROPOSED FY '14 SWCD PROGRAMS and OPERATIONS GRANTS*.

Easement Delivery Grants - $290,989

This grant amount is to assist each SWCD with their site inspection costs and other miscellaneous management activities associated with the easements in their county. These activities include ownership changes, staking boundaries, conservation plan revisions, and assisting landowners with ongoing maintenance of installed conservation practices.

The BWSR currently holds 5,531 conservation easements on 215,786 acres throughout the state. SWCDs range from a low of 0 easements in 12 SWCDs, to a high of 409 easements in Redwood SWCD. The grant amount for FY '14 is based on $52.61 per easement.

Non Point Engineering Assistance - $1,060,000

The Non Point Engineering Assistance (NPEA) Grants are allocated annually to the NPEA (TSA) Joint Powers Boards for the purpose of providing technical assistance to landowners to apply conservation practices.

This Grant Program is proposed be implemented according to the August 2008 BWSR adopted *CTAC Short-Term Consensus Recommendation to Address Structure and Financial Challenges of the NPEA Program Proposed Clarifications by Recommendations Work Group*

The following policy from this Recommendation directs the FY '14 allocations as follows:

1. $70,000 per 1 FTE engineer (TSA staff or contracted)
2. $50,000 per 1 FTE technician (TSA staff or contracted)
3. Maximum annual grant amount for staff or contracted engineering services = $120,000 per TSA. If less than the maximum is requested by one or more TSAs, the difference is split equally among all TSAs.
4. Additional $5,000 per Host and/or Fiscal Agent SWCD (up to 2 Host SWCDs per TSA). The TSA decides how to distribute between Host and Fiscal Agent SWCD and Host-only SWCD.
5. 1 Fiscal Agent SWCD per TSA must be a Host SWCD, if the TSA has staff.
6. In order to help develop and maintain consistency across TSAs, the remaining state funding (estimate $40,000/year, depending on number of Host SWCDs statewide) is used for NPEA staff training, computer hardware, software, and survey equipment and associated costs. This is based on an annual plan developed by NPEA staff and BWSR and coordinated with TSAs prior to grant allocations for current fiscal year.
7. Minimum 10% cash local share, from other than NPEA grant $, for engineering assistance in the TSA.

Local share does not include in-kind services, but can include local, other state and federal funding for shared technical assistance to and through the TSA SWCDs, such as:

- Fees for services (from landowners, or other sources)
- Member SWCD cash contributions
- Federal TSP funding
- Federal grant funds
- Other state programs
- Gifts and donations

FY '14 NPEA Grants are proposed to be allocated according to the Board adopted policy as follows:

NPEAP Area	Base Grant	Host/Fiscal Agent SWCD	Equipment	Total Grant
1	$120,000	$10,000	$0	**$130,000**
2	$120,000	$5,000	$0	**$125,000**
3	$120,000	$10,000	$0	**$130,000**
4	$120,000	$5,000	$20,000	**$145,000**
5	$120,000	$10,000	$0	**$130,000**
6	$120,000	$5,000	$0	**$125,000**
7	$120,000	$10,000	$20,000	**$150,000**
8	$120,000	$5,000	$0	**$125,000**
			TOTAL	**$1,060,000**

The legislature requires that any SWCD receiving these funds shall maintain a Web page that publishes, at a minimum, its annual report, audit, annual budget, and meeting notices and minutes.

PROPOSED FY'14 SWCD STATE COST BASE SHARE GRANTS - $1.200 M

The 2013 Legislature in Chapter 114--H.F. No. 976, Article 3, Sec. 5, appropriated:

> (2) $1,200,000 each year is for soil and water conservation district cost-sharing contracts for erosion control, nutrient and manure management, vegetative buffers, and water quality management;

This appropriation is a 23.1% or $360,000 reduction from FY '13 ($360,000 is designated by the legislature for feedlot water quality and cooperative weed management). The purpose of this program is to provide grants to SWCDs so they can help local landowners or land occupiers offset the costs of installing conservation practices that protect and improve water quality by controlling soil erosion and reducing sedimentation. As in the previous biennium, accompanying legislation;

> Notwithstanding Minnesota Statutes, section 103C.501, the board may shift cost-share funds in this section and may adjust the technical and administrative assistance portion of the grant funds to leverage federal or other nonstate funds or to address high-priority needs identified in local water management plans or comprehensive water management plans.

also allows SWCDs, to use all or part of their allocation for technical assistance, when the following proposed conditions exist:

1. Other non-state funds will be leveraged and they 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 2012 Financial Report indicates less than an 18-month fund balance.
   And,
3. Board Conservationist approval.

Recommendation

The Grants Program & Policy Committee is requesting Board approval of these FY '14 allocations for the:

Conservation Delivery Grants
Easement Delivery Grants,
Non-Point Engineering Assistance Grants
State Cost Share Base Grants

PROPOSED FY '14 SWCD PROGRAMS and OPERATIONS GRANTS

SWCD	$1.765 M CONSERVATION DELIVERY	$1.200 M COST SHARE	$.291 M EASEMENT DELIVERY
AITKIN	$20,212	$4,141	$53
ANOKA	$20,765	$11,107	$0
BECKER	$19,026	$26,044	$1,000
BELTRAMI	$26,376	$10,122	$368
BENTON	$19,224	$11,169	$1,210
BIG STONE	$18,037	$6,550	$1,894
BLUE EARTH	$18,868	$17,309	$11,364
BROWN	$18,947	$14,757	$8,786
CARLTON	$18,670	$8,001	$0
CARVER	$19,698	$16,673	$2,683
CASS	$18,275	$8,347	$53
CHIPPEWA	$18,947	$11,213	$8,891
CHISAGO	$19,737	$8,844	$421
CLAY	$19,263	$16,468	$3,841
CLEARWATER	$18,750	$7,506	$158
COOK	$18,196	$10,142	$0
COTTONWOOD	$18,947	$14,091	$9,943
CROW WING	$18,354	$9,607	$0
DAKOTA	$21,240	$22,054	$263
DODGE	$19,343	$9,908	$684
DOUGLAS	$20,172	$16,410	$5,419
FARIBAULT	$19,343	$12,651	$9,628
FILLMORE	$20,133	$24,289	$2,104
FREEBORN	$19,145	$16,482	$5,524
GOODHUE	$20,054	$25,855	$3,525
GRANT	$19,026	$11,332	$1,894
HENNEPIN	$25,930	$13,392	$1,368
HUBBARD	$18,157	$7,761	$53
ISANTI	$20,172	$6,050	$316
ITASCA	$18,828	$6,931	$0
JACKSON	$18,314	$11,769	$5,945
KANABEC	$18,710	$9,607	$368
KANDIYOHI	$19,501	$14,294	$9,102
KITTSON	$19,184	$9,607	$368
KOOCHICHING	$18,472	$10,142	$0
LAC QUI PARLE	$18,750	$20,521	$9,365
LAKE	$18,314	$10,142	$0
LAKE OF THE WOODS	$18,037	$10,142	$0

PROPOSED FY '14 SWCD PROGRAMS and OPERATIONS GRANTS

SWCD	$1.765 M CONSERVATION DELIVERY	$1.200 M COST SHARE	$.291 M EASEMENT DELIVERY
LE SUEUR	$19,619	$19,479	$4,682
LINCOLN	$19,896	$15,527	$5,366
LYON	$19,224	$14,141	$7,628
MAHNOMEN	$18,117	$10,799	$263
MARSHALL	$29,596	$9,491	$1,210
MARTIN	$18,908	$17,945	$10,838
MC LEOD	$18,789	$10,987	$4,630
MEEKER	$18,552	$14,977	$4,051
MILLE LACS	$18,868	$6,944	$631
MORRISON	$20,252	$22,808	$1,526
MOWER	$20,805	$10,819	$4,419
MURRAY	$18,235	$10,884	$6,155
NICOLLET	$19,224	$12,862	$3,841
NOBLES	$18,512	$17,383	$1,368
NORMAN	$18,986	$9,605	$2,683
OLMSTED	$21,754	$30,642	$1,263
OTTER TAIL EAST	$18,986	$15,954	$579
OTTER TAIL WEST	$18,986	$20,932	$2,999
PENNINGTON	$18,710	$11,038	$210
PINE	$18,986	$13,045	$53
PIPESTONE	$18,670	$15,873	$1,210
POLK EAST	$18,828	$10,293	$158
POLK WEST	$18,828	$13,414	$894
POPE	$18,592	$19,927	$9,365
RAMSEY	$19,343	$10,163	$0
RED LAKE	$18,077	$5,632	$210
REDWOOD	$19,343	$13,576	$21,517
RENVILLE	$19,501	$10,460	$21,412
RICE	$22,940	$14,891	$3,209
ROCK	$19,343	$15,923	$1,157
ROOT RIVER	$22,505	$20,901	$3,367
ROSEAU	$18,750	$10,525	$53
SCOTT	$19,935	$18,366	$2,894
SHERBURNE	$21,635	$7,493	$0
SIBLEY	$18,868	$9,005	$5,051
ST. LOUIS NORTH	$18,789	$8,550	$0
ST. LOUIS SOUTH	$18,789	$7,119	$0
STEARNS	$22,030	$36,814	$894

PROPOSED FY '14 SWCD PROGRAMS and OPERATIONS GRANTS

SWCD	$1.765 M CONSERVATION DELIVERY	$1.200 M COST SHARE	$.291 M EASEMENT DELIVERY
STEELE	$20,014	$10,609	$2,683
STEVENS	$19,184	$15,309	$4,209
SWIFT	$18,592	$10,055	$8,944
TODD	$20,054	$16,595	$210
TRAVERSE	$19,145	$5,376	$1,368
WABASHA	$19,619	$15,401	$1,368
WADENA	$18,710	$10,142	$105
WASECA	$18,986	$10,552	$5,682
WASHINGTON	$20,568	$11,736	$105
WATONWAN	$18,394	$9,694	$5,366
WILKIN	$19,263	$13,427	$2,736
WINONA	$20,963	$11,629	$3,946
WRIGHT	$21,358	$15,797	$2,157
YELLOW MEDICINE	$19,263	$17,060	$9,733
ALLOCATED TOTALS	$1,765,001	$1,199,999	$290,989

Conflict of Interest Disclosure Form
for Board Members

Grant Program: **Farm Bill Assistance Program Authorization**

Name of Review Group: **Grants Program & Policy Committee**

Before any review of grant applications, the chair of the meeting shall make this statement about conflict of interest:

Chair Statement: *"A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today's business."*

This form gives grant application reviewers an opportunity to disclose any actual, potential or perceived conflicts of interest that may exist during a grant review process. It is the grant reviewer's obligation to be familiar with the Office of Grants Management (OGM) Policy 08-01, Conflict of Interest Policy for State Grant-Making, and to disclose any conflicts of interest accordingly. All grant reviewers *must* complete and sign a conflict of interest disclosure form. On the form, the grant reviewer must identify any grant applicant with which they have an actual, potential or perceived conflict, although they do not need to provide the reason for the conflict on the disclosure form.

A disclosure does not automatically result in the grant application reviewer being removed from the review process.

Please read the definitions of conflict of interest below and mark the appropriate boxes that pertain to you and your status as a reviewer of applications for this grant program.

Conflicts of interest may be actual, potential, or perceived:

ACTUAL CONFLICT OF INTEREST:
An actual conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.

POTENTIAL CONFLICT OF INTEREST:
A potential conflict of interest may exist if a grant reviewer has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests.

PERCEIVED CONFLICT OF INTEREST:
A perceived conflict of interest is any situation in which a reasonable third party would conclude that conflicting duties or loyalties exist.

At a minimum, all internal parties who are involved in the grant review or grant management process must be made aware that an actual, potential, or perceived conflict has been disclosed and evaluated, even if it is not serious enough to remove or reassign the employee or grant reviewer. After reviewers have signed the conflict of interest form, therefore, the conflicts--if any--that have been disclosed shall be announced to the reviewing body as a whole. Disclosed conflicts and their resolution will also be noted in the meeting minutes, and the forms will be kept as documentation of the grant review.

As a grant reviewer, I certify that I have read and understand the descriptions of conflict of interest explained above and in OGM Policy 08-01. Check either box 1a or 1b **and** either box 2a or 2b.

☐ 1a. I have reviewed the list of applicants, and I do not have any conflicts of interest relating to this program's grant applicants or proposed projects.

☐ 1b. I have an ACTUAL, POTENTIAL, or PERCEIVED conflict of interest with the applicant(s) listed below. (Note: If you disclose a conflict, you must identify the applicant on this form, but a description is discretionary. Under Minnesota Statute 13.599, this form is considered public data.)

Applicant	Type of Conflict (ACTUAL, POTENTIAL, or PERCEIVED)	Description of Conflict (optional)

☐ 2a. After reviewing this form and OGM Policy 08-01, I CHOOSE to participate in this review process.

☐ 2b. After reviewing this form and OGM Policy 08-01, I CHOOSE NOT to participate in this review process. I will avoid discussing the applicant and/or applications from organizations with which I have disclosed a conflict of interest with other reviewers.

Reviewer's printed name: _____

Reviewer's signature: _____

Date: _____

Reviewer's Organization/Agency: _____

Revised, 5/13

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Farm Bill Assistance Program Authorization

Meeting Date: June 26, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Land and Water Section

Contact: Dave Weirens

Prepared by: Dave Weirens

Reviewed by: Grants Program and Policy Committee(s)

Presented by: Dave Weirens

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☒ Clean Water Fund Budget

☒ Other: LCCMR and DNR Funds

ACTION REQUESTED
The Board is requested to authorize the staff to allocate FY2014 Farm Bill Assistance Grants.

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The Farm Bill Assistance Program provides funds to SWCDs to hire staff to accelerate implementation of the Farm Bill as well as other state and federal conservation programs that involve grasslands and wetlands conservation. The FY14 Farm Bill Assistance Program is being funded from several revenue sources, chief among them, the Environment and Natural Resources Trust Fund via the Legislative-Citizens Commission on Minnesota Resources. The Board is being requested to authorize these grants in order to minimize delay in getting funds to SWCDs.

The Grants Program and Policy Committee met on April 24, 2013 to review the proposed FY2014 Farm Bill Assistance Program and is recommending the Board adopt the attached resolution.

Minnesota Board of Water & Soil Resources

Board Resolution #_____

FY '14 Farm Bill Assistance Program Authorization

WHEREAS, the MN Board of Water and Soil Resources (BWSR), in partnership with the MN Department of Natural Resources (DNR), Soil and Water Conservation Districts (SWCD), Natural Resources Conservation Service (NRCS) and Pheasants Forever (PF), have been implementing a program called the MN Farm Bill Assistance Project to accelerate staffing efforts at the local level for implementation of the Federal Farm Bill programs and other water quality, grassland and wetland programs; and,

WHEREAS, BWSR acting as fiscal agent for the program, has been appropriated funding from the MN Legislative Citizen Commission on Minnesota Resources (LCCMR) through the Environmental Natural Resources Trust Fund (ENRTF), and DNR to provide grants to SWCD's or their authorized agents for employing staff; and,

WHEREAS, BWSR, DNR and PF have conducted a Solicitation of Interest from SWCD's for funding under this program; and,

WHEREAS, BWSR staff have worked with our Program partners and are recommending the following allocation policy:

Eligible SWCD's will be competitively selected to receive a 90% state funded contribution towards employment of a staff position. The staff budget is established at $50,000/full time equivalent position. The SWCD will provide 10% cash match to the position budget; and

WHEREAS, the Grants Program and Policy Committee reviewed staff recommendations regarding the Farm Bill Assistance Program on April 24, 2013 and is recommending the Board adopt the Program policies and authorize staff to allocate available funds.

NOW THEREFORE, the BWSR hereby authorizes staff to allocate up to $3.0 million ENRTF, up to $250,000 DNR, and any rollover or slippage from this program according to the following policy:

Eligible SWCD's or their authorized agent will be competitively selected to receive a 90% state funded contribution towards employment of a staff position. The staff budget is established at $50,000/full time equivalent position. The SWCD will provide 10% cash match to the position budget; and

_____ Date: _____

Brian Napstad, Chair
Board of Water and Soil Resources

COMMITTEE RECOMMENDATIONS
Wetland Committee

1. BWSR-NRCS Agricultural Wetland Banking Memorandum of Understanding – Les Lemm – ***DECISION ITEM***

Minnesota Board of Water & Soil Resources

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: BWSR-NRCS Agricultural Wetland Banking MOU

Meeting Date: June 26, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Land & Water

Contact: Les Lemm

Prepared by: Les Lemm

Reviewed by: Wetland Committee Committee(s)

Presented by: Les Lemm

☒ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☒ Other: WCA Exemption

ACTION REQUESTED

Adopt resolution authorizing the Board Chair to sign the interagency MOU with NRCS.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
BWSR has state oversight and implementation responsibilities for the Wetland Conservation Act (WCA) and its corresponding rules (Chapter 8420) which include the administration and operation of a wetland banking system. The USDA Natural Resources Conservation Service (NRCS) is responsible for administering the wetland conservation provisions of the federal farm program (Sampbuster). BWSR and NRCS have entered into previous agreements regarding WCA and Swampbuster coordination, including an MOU effective 12-23-09 and a contribution agreement effective 9-21-12. The agricultural wetland bank was established consistent with those agency agreements. This MOU outlines the standards for use of the agricultural wetland bank for both WCA and Swampbuster purposes. The partnership established by the MOU also utilizes current statutory authority to reduce administrative redundancies through implementation of a WCA exemption for NRCS approved use of the wetland bank.

Minnesota Board of Water & Soil Resources

Board Resolution #_____

ADMINISTRATION AND USE OF THE MINNESOTA AGRICULTURAL WETLAND BANK

Including Implementation of MN Stat. § 103G.2241, Subdivision 1(7)

WHEREAS the Board of Water and Soil Resources (BWSR) and the USDA Natural Resources Conservation Service (NRCS) have developed a memorandum of understanding (MOU) for the administration and use of the Minnesota Agricultural Wetland Bank, including implementation of MN Stat. § 103G.2241, Subdivision 1(7); and

WHEREAS the BWSR Wetland Committee has reviewed and endorsed the draft MOU on May 25, 2013; and

WHEREAS the basis and rationale for the MOU is contained within the MOU itself, as attached.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes the Board Chair to sign the interagency agricultural wetland banking MOU with NRCS.

Dated at Saint Paul, Minnesota this 26th day of July, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

INTERAGENCY MEMORANDUM OF UNDERSTANDING

ADMINISTRATION AND USE OF THE MINNESOTA AGRICULTURAL WETLAND BANK
Including Implementation of MN Stat. § 103G.2241, Subdivision 1(7)

This Memorandum of Understanding (MOU) is made and entered into by the Minnesota Board of Water and Soil Resources (BWSR) and the USDA Natural Resources Conservation Service (NRCS).

WHEREAS, BWSR has state oversight and implementation responsibilities for the Wetland Conservation Act (WCA) and its corresponding rules (Chapter 8420) which include the administration and operation of a wetland banking system; and

WHEREAS, NRCS is responsible for administering the wetland conservation provisions of the federal farm program (Sampbuster); and

WHEREAS, MN Stat. § 103G.2241, Subdivision 1(7) allows the establishment of a WCA agricultural exemption for agricultural activities on agricultural land that is subject to the Swampbuster provisions of the federal farm program restrictions consistent with a memorandum of understanding and related agreements between the board and NRCS; and

WHEREAS, BWSR and NRCS have entered into previous agreements regarding WCA and Swampbuster coordination, including an MOU effective 12-23-09 and a contribution agreement effective 9-21-12;

WHEREAS, the agricultural wetland bank was established consistent with the aforementioned agency agreements; and

WHEREAS, the coordinated implementation of an agricultural wetland banking program is in the mutual interest of BWSR and NRCS to the benefit of the landowners and natural resources of Minnesota.

NOW THEREFORE BE IT RESOLVED, the undersigned agencies agree to implement the agricultural wetland bank, to the extent allowed under state and federal law, as follows:

The agencies agree on the following:

I. Responsibilities.

A. BWSR will administer the Minnesota Agricultural Wetland Bank for WCA and Swampbuster mitigation purposes in accordance with the rules, guidance, and procedures developed by BWSR. BWSR responsibilities include overseeing the establishment of agricultural bank sites, the allocation, deposit, and use/withdrawal of credits for specific projects approved by either program, account tracking and maintenance, and other duties as defined in WCA or jointly agreed upon by the agencies. BWSR agrees to notify the appropriate NRCS staff of credit withdrawals completed for projects subject to federal farm program restrictions.

B. NRCS responsibilities include the promotion of agricultural wetland banking and the coordination and sharing of information to the extent allowable under federal law. NRCS agrees to provide verification to BWSR of NRCS authorizations to withdraw credits from the Minnesota Wetland Bank using the "Application for Replacement of Agricultural Wetland Impacts Using the Minnesota Wetland Bank" as amended.

II. Use of the Agricultural Wetland Bank.

A. For farm program participants, the Agricultural Wetland Bank can be used to replace impacts to the following wetlands identified according to a certified wetland determination completed by NRCS:

1) Farmed Wetland (FW);
2) Farmed Wetland Pasture (FWP);
3) a Wetland (W) impacted by an activity for which the landowner can provide evidence (i.e. Local Government Unit determination) of qualification for a WCA exemption under MN Rule 8420.0420, Subp. 2, Item A or Subp. 3, Item C(1);
4) a Wetland (W) less than five acres in size that is predominantly bordered by land that has been cropped 8 of the last 10 years when the wetland is degraded according to the BWSR Agricultural Wetland Evaluation Tool, as amended (the tool assesses vegetative diversity, downstream water quality protection, floodwater attenuation, and wildlife habitat - a wetland qualifies as degraded when the tool results in a ranking of low for vegetation and one or more other functions, and no higher than medium for any function); or
5) Converted Wetland (CW) that, prior to conversion, qualifies under items one through four above as determined by NRCS staff.

B. For non-farm program participants, the Agricultural Wetland Bank can be used to replace impacts to the following wetlands identified according to a wetland determination completed or approved by the WCA Local Government Unit:

1) Wetlands designated as FW or FWP on a certified wetland determination completed by NRCS during a period of prior farm-program enrollment when the landowner can provide adequate documentation of the certified determination and FW/FWP designation;
2) a wetland on agricultural land that has been hydrologically modified and cropped prior to January 1, 1992; or
3) a wetland less than 5 acres in size on a cultivated field (see MN Rule 8420.0111, Subp. 73) when the wetland is degraded according to the BWSR Agricultural Wetland Evaluation Tool, as amended (the tool assesses vegetative diversity, downstream water quality protection, floodwater attenuation, and wildlife habitat - a wetland qualifies as degraded when the tool results in a ranking of low for vegetation and one or more other functions, and no higher than medium for any function).

C. Wetland size is determined according to the entire basin, regardless of property ownership or mapping extent. When wetlands extend across property boundaries, size can be determined based on off-site delineation methods.

D. Wetlands not listed in paragraphs A or B do not qualify for use of the Agricultural Wetland Bank.

E. Wetland areas impacted for use as agricultural land, and that use the Agricultural Wetland Bank for replacement in accordance with this memorandum, must remain in agricultural use for a minimum or 10 years (in accordance with MN Rule 8420.0522, Subp. 4, Item E) or until participation in the federal farm program ends, whichever is longer.

III. Bank Service Areas and Replacement Ratios.

A. Mitigation of agricultural wetland impacts through banking will occur according to wetland bank service areas (BSAs).

B. The minimum replacement ratio of Agricultural Wetland Bank credits to each acre of wetland impacted on agricultural land shall be the following:

Location of Ag Bank Relative to Impact	Replacement Ratio
Same BSA	1:1
Adjacent BSA*	2:1
Non-Adjacent BSA	Not Allowed

*When replacement occurs outside of the BSA, impacts in a <80% area may not be replaced in a >80% BSA.

This item does not apply to credits withdrawn from bank accounts resulting from agricultural wetland bank sites that were approved prior to the effective date of this MOU. Such accounts may continue to operate according the policies existing at the date of this MOU until all credits associated with the prior bank site approval are withdrawn or transferred, or until this provision is superseded by a subsequent statute, rule, or MOU stipulation. BWSR will determine which accounts qualify for this provision and will maintain a list of such accounts.

C. Wetland impacts in BSA 10 that are replaced in BSA 9 or the Des Moines River Basin in BSA 8 count as replacement in the same BSA for the purpose of determining replacement ratios.

D. A BSA map and information about banking credits is available on the BWSR website at: www.bwsr.state.mn/wetlands.

IV. WCA Exemption for NRCS-Approved Mitigation.

In accordance with MN Stat. § 103G.2241, Subdivision 1(7), a WCA wetland replacement plan is not required for the mitigation of wetland impacts resulting from agricultural activities when:

A. the activity impacts a wetland identified in Section II, Paragraph A of this memorandum that is subject to Swampbuster;

B. wetland mitigation is required under Swampbuster and consists of the withdrawal of credits from the Minnesota Agricultural Wetland Bank in accordance with Section III of this memorandum;

C. the activity and associated wetland credit withdrawal is authorized by NRCS using the "Application for Replacement of Agricultural Wetland Impacts Using the Minnesota Wetland Bank" (form) available on the BWSR website, as amended;

D. the landowner agrees by signing the form to allow USDA to share information relating to the proposed activity and associated wetland bank credit withdrawal, and a copy of the completed and fully executed form with required attachments is provided to the BWSR Bank Coordinator; and

E. the approved credits are withdrawn from the wetland bank and the landowner has received confirmation from BWSR of the withdrawal.

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 do 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.

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. Sections I through III of this MOU will take effect on the day after 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. Section IV of this MOU will take effect 30 days after publication in the State Register and remain in effect unless superseded by subsequent statute, rule, or notice in the State Register.

6. 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.

Don Baloun
State Conservationist
Natural Resources Conservation Service
Unites States Department of Agriculture

Date

Brian Napstad
Chair
Minnesota Board of Water and Soil Resources

Date

COMMITTEE RECOMMENDATIONS
Administrative Advisory Committee

1. **Tentative** Emergency Haying & Grazing on Conservation Lands – John Jaschke and Bill Penning – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Tentative - Emergency Haying & Grazing On Conservation Lands**

Meeting Date: June 26, 2013

Agenda Category: ☐ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Easements/Executive

Contact: John Jaschke

Prepared by: John Jaschke

Reviewed by: _____ Committee(s)

Presented by: John Jaschke/Bill Penning

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☒ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
** Tentative** Emergency haying and grazing on conservation lands – Governor Dayton sent a letter to USDA Secretary Vilsack on June 14th requesting Federal action to support the livestock forage and feed shortage due to inclement spring weather in Minnesota. Authorization for emergency haying and grazing on state conservation lands may be considered pending related action.

STATE OF MINNESOTA

Office of Governor Mark Dayton

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

June 14, 2012

The Honorable Tom Vilsack
Secretary
United States Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20251

Dear Mr. Secretary,

I am writing to urge you to take swift action to assist Minnesota livestock producers who are experiencing serious difficulty in sourcing feedstuffs due to the widespread winter kill of our alfalfa crop and the persistent wet conditions that have prevented many Minnesota farmers from planting a crop in a timely fashion.

This situation compounds a serious shortage of forage due to severe drought conditions in Minnesota last year. These events have contributed to record high forage prices and a lack of availability.

Minnesota's livestock industry is critically important to our economy. In 2010 Minnesota ranked fifth in the nation in overall agricultural production with sales of $15.14 billion and sixth in animal agriculture with receipts of $6.18 billion. Needless to say, our livestock industry is the foundation for thousands of Minnesota jobs.

I have heard from livestock producers across Minnesota who are very concerned about how they will source feedstuffs and the future of their industry if swift action is not taken. To that end, I have asked my administration to consider options to open state conservation lands to emergency haying and grazing. For all conservation lands – state and federal- we should identify opportunities to address this urgent forage need while ensuring we maintain the intended long-term conservation benefits. I also ask you to consider the following actions that USDA could take to provide immediate assistance to livestock producers in Minnesota:

1. **Waive the November 1st deadline that prohibits haying or grazing of cover crops on prevented plant acres.** The waiver would remove the penalty currently facing livestock producers within the crop insurance program. The waiver, along with the actions suggested below, would allow temporary relief to Minnesota's livestock producers facing a forage shortage.

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2. **Emergency Haying and Grazing of Conservation Reserve Program (CRP) and Wetland Reserve Program (WRP) Lands:** USDA allowed emergency haying and grazing of Minnesota CRP lands in 2012 to confront the drought conditions in many parts of the country. I request that you again issue emergency orders to allow Minnesota producers to hay and graze CRP and WRP lands.

3. **Additional Funding for Cover Crops in Minnesota:** Due to the persistent wet conditions, many Minnesota farmers have been forced to take prevented plant on their crop insurance. This has resulted in many acres of unplanted crop land. I request that you provide cost share funding for Minnesota farmers to establish cover crops to grow additional forage for feed and protect the health of our soil.

4. **Waive Environmental Quality Incentive Program (EQIP) Rules to Allow Emergency Harvest of Minnesota Cover Crops:** The current EQIP contract rules do not allow the harvesting of cover crops. I request that you waive the EQIP rules on an emergency basis to allow Minnesota farmers to harvest these cover crops to help alleviate the shortage of feedstuffs in Minnesota.

I appreciate your consideration of this request and your dedication to maintaining the competitiveness of America's agricultural producers.

Sincerely,

Mark Dayton
Governor

FOR YOUR INFORMATION

June 26, 2013

- ☐ Updated BWSR Staff Listing
- ☐ New Expense Reimbursement Form and information
- ☐ "BWSR Snapshots"

PHONE NUMBERS FOR BWSR STAFF

Main Line: 651-296-3767 - Fax: 651-297-5615 - BWSR Conference Room: 651-297-8025

Metro Office

Haertel, Jim 297-2906
Peterson, Lynda Cell (612) 201-9806
Peterson, Mary 296-0874
Rodacker, Dennis 296-6736
Westrick, Marcey 284-4153
Cell (651) 276-5976
Wozney Brad 296-6068
Cell (651) 233-6673

Central Office

Anderson, Mary Jo 297-4290
Bonde, Karen 297-3998
Engineering Cell (651) 485-8466
Buckhout, Don 296-0768
Cabak, Mitchell 296-1243
DeVoe, Natasha 205-4664
Donnelly, Conor 282-3815
Cell (612) 568-4677
Dykstal, Tim 296-1287
Eisele, Bill 282-2929
Fredbo, Tim 296-0880
Germundson, Travis 297-4958
Gillette, Tim 297-8287
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Jaschke, John 296-0878
Cell (612) 202-3815
Johnson, Sherri 215-6347
Kean, Al 297-2907
Cell (651) 245-6531
Keating, Kari 297-8029
Koehler, Tim 296-6745
Larson, Greg 297-7029
Cell (612) 751-3060
Lemm, Les 296-6057
Cell (651) 341-4208
Lennon, Megan 296-1285
Lewis, Melissa 297-4735
Luniewski, Jim 297-2622
Mack, Kristie 215-9420
Maleitzke, Jen 215-9008
Cell (651) 315-5082
Mohring, Eric 297-7360
Cell (612) 309-1173
Ogg, Tim 297-8024
Cell (651) 295-5737
Penning, Bill 297-1894
Cell (651) 262-6403
Powell, Ken 215-1703
Cell (763) 291-9078
Preston, Jesse 215-6339
Cell (507) 273-4678
Ragan, Terry 215-6337
Cell (507) 450-3644
Remick, Polly 297-4365
Rickert, Dave 296-0884
Schmitz, Jared 215-6346
Shaw, Dan 296-0644
Cell (6112) 236-6291
Sokatch, Char 297-4016
Spence, Aaron 296-0660
Steel, Gwen 296-2428
Straumanis, Sarma 297-7965
Strojny, Carol 297-1893
Cell (612) 518-5545
Strommen, Sarah 297-5617
Cell (651) 308-8647
Thomas, Doug 215-6338
Cell (612) 655-2082
Tyma, Karli Cell (612) 807-0445
Weeks, Seth 296-1466
Weirens, Dave 297-3432
Cell (763) 229-4308
Wenzel, Tom 296-0883
Cell (612) 720-1412
Woods, Steve 297-7748
Cell (651) 402-6997
Zellmer, Wayne 297-7361
Zuehlke, Elizabeth 296-0873

Northern Regional Offices

Bemidji

Fax Number (218) 755-2672
Dwight, Brian (218) 755-2679
Cell (218) 820-2335
Heinen, Ryan Cell (218) 239-0222
Krystosek, Dale (218) 755-2603
Cell (218) 820-9381
Moore, Kathy (218) 755-2600
Severts, Chad (218) 755-2671
Cell (218) 766-7657
Stensing, Jerry Cell (218) 647-9476

Brainerd

Fax Number (218) 828-6036
Conference Room (218) 833-8607
Caughey, Donna (218) 828-2383
Grow, Keith (218) 828-6035
Hrubes, Jeff (218) 833-8608
Cell (218) 368-7683
Overland, John (218) 825-6807
Shelito, Ron (218) 828-2604
Cell (218) 820-3794
Steward, Dan (218) 828-2598
Cell (218) 820-1679
Weinerman, Jason (218) 828-6045
Cell (218) 330-2527

Duluth

Fax Number (218) 723-4794
Flemming, Mary Jo (218) 723-4752
Hughes, Ryan (218) 723-4923
Cell (218) 525-4939
Weyandt, Joan (218) 723-4607
Cell (218) 349-1834

Detroit Lakes

Wilken, Bruce (218) 329-0774

Fergus Falls

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Hofstad, Steve (218) 736-5445 x119
Cell (218) 770-2767
Waller, Pete (218) 736-5445 x104
Cell (218) 770-3802

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Gieseke, Jenny Cell (507) 381-3131
Hughes, Chris (507) 344-2821
Cell (507) 381-5040

Marshall

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Hoek, Tabor (507) 537-7260
Radel, Kane (507) 537-7069
Cell (507) 430-6211
Santjer, Scott (507) 537-6097
Cell (612) 723-0298
Serreyn, Roxie (507) 537-6060
Sill, Dave (507) 537-6374

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Hedtke, Jeff (507) 359-6092
Cell (651) 485-8470
Hiles, Mark (507) 359-6077
Maul, Jeremy (507) 359-6090
Cell (507) 272-5061
Nielsen, Jeff (507) 359-6075
Cell (507) 276-5386
Swanson-Cullen, Carla (507) 359-6074

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Erickson, Dorothy (507) 206-2889
Lawler, Steve (507) 206-2891
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Steele, Amber (507) 206-2890
Cell (507) 273-7338

Revised 06/24/13

☐ IN-STATE ☐ OUT-OF-STATE ☐ SHORT TERM ADVANCE ☐ RECURRING ADVANCE

SEMA4 EMPLOYEE EXPENSE REPORT

☐ Check if advance was issued for these expenses
☐ FINAL EXPENSE(S) FOR THIS TRIP?

oloyee Name	Home Address (Include City and State)	Permanent Work Station (Include City and State)	Agency	1-Way Commute Miles	Job Title

ployee ID	Rcd #	Trip Start Date	Trip End Date	Reason for Travel/Advance (30 Char. Max) [example: XYZ Conference, Dallas, TX]	Barg. Unit	Expense Group ID (Agency Use)

String(s)		Accounting Date	Fund	Fin DeptID	ApproplD	SW Cost	Sub Acct	Agncy Cost 1	Agncy Cost 2	PC BU	Project	Activity	Srce Type	Category	Sub-Cat	Distrib ?
	A															
	B															

A. Description:

B. Description:

Date	Daily Description	Itinerary Time	Itinerary Location	Trip Miles	Total Trip & Local Miles	Mileage Rate	Meals ✓ B	Meals ✓ L	Meals ✓ D	Total Meals (overnight stay)	Total Meals (no overnight stay) taxable	Lodging	Personal Telephone	Parking	Total
			Depart				☐	☐	☐						
			Arrive												
			Depart				☐	☐	☐						
			Arrive												
			Depart				☐	☐	☐						
			Arrive												
			Depart				☐	☐	☐						
			Arrive												
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			Depart				☐	☐	☐						
			Arrive												
			Depart				☐	☐	☐						
			Arrive												
			Depart				☐	☐	☐						
			Arrive												
			VEHICLE CONTROL #		Total Miles					Total MWI/MWO	Total MEI/MEO	Total LGI/LGO	Total PHI/PHO	Total PKI/PKO	Subtotal (A

Figure mileage reimbursement below

MILEAGE REIMBURSEMENT CALCULATION

ter the rates, miles, and total amounts for the mileage listed above. Get the IRS rate from your agency business expense contact.	Rate	Total Miles	Total Mileage Amt.
Enter rate, miles, and amount being claimed at **equal to the IRS rate.**			
Enter rate, miles, and amount being claimed at **less than the IRS rate.**			
Enter rate, miles, and amount being claimed at **greater than the IRS rate.**			
Add the total mileage amounts from lines 1 through 3.			
Enter IRS mileage rate in place at the time of travel.			
Subtract line 5 from line 3.			
Enter total miles from line 3.			
Multiply line 6 by line 7. This is **taxable** mileage.			(Copy to Box C)
Subtract line 8 from line 4. If line 8 is zero, enter mileage amount from line 4. This is non-taxable mileage.			(Copy to Box D)

OTHER EXPENSES – See reverse for list of Earn Codes.

Date	Earn Code	Comments	Total
		Subtotal Other Expenses: (B)	
		Total taxable mileage greater than IRS rate to be reimbursed: (C)	MIT or MI
		Total nontaxable mileage less than or equal to IRS rate to be reimbursed: (D)	MLI or MI
		Grand Total (A + B + C + D)	
		Less Advance issued for this trip:	
		Total amount to be reimbursed to the employee:	
		Amount of Advance to be returned by the employee by deduction from paycheck:	

ing private vehicle for out-of-state travel: What is the lowest airfare to the destination? Total Expenses for this trip must not exceed this amount.

clare, under penalty of perjury, that this claim is just, correct and that no part of it has been paid or reimbursed by the state of Minnesota or by another party except with respect to advance amount paid for this trip. I AUTHORIZE PAYROLL DEDUCTION OF ANY SUCH ADVANCE. I have not accepted personal travel benefits.

ployee Signature _____ Date _____ Work Phone _____

roved: Based on knowledge of necessity for travel and expense and on compliance with all provisions of applicable travel regulations.

ervisor Signature _____ Date _____ Work Phone _____

Appointing Authority Designee (Needed for Recurring Advance and Special Expenses)

Signature _____ Date _____

I-00529-07 (12/22/2011)

☐ IN-STATE ☐ OUT-OF-STATE ☐ SHORT TERM ADVANCE ☐ RECURRING ADVANCE

SEMA4 EMPLOYEE EXPENSE REPORT

☐ Check if advance was issued for these expenses
☐ FINAL EXPENSE(S) FOR THIS TRIP?

)loyee Name	Home Address (Include City and State)	Permanent Work Station (Include City and State)	Agency	1-Way Commute Miles	Job Title

ployee ID	Rcd #	Trip Start Date	Trip End Date	Reason for Travel/Advance (30 Char. Max) [example: XYZ Conference, Dallas, TX]	Barg. Unit	Expense Group ID (Agency Use)

String(s)		Accounting Date	Fund	Fin DeptID	ApproplD	SW Cost	Sub Acct	Agncy Cost 1	Agncy Cost 2	PC BU	Project	Activity	Srce Type	Category	Sub-Cat	Distrib 9
	A															
	B															

A. Description: B. Description:

Date	Daily Description	Itinerary Time	Itinerary Location		Trip Miles	Total Trip & Local Miles	Mileage Rate		Meals ✓ B	L	D	Total Meals (overnight stay)	Total Meals (no overnight stay) taxable	Lodging	Personal Telephone	Parking	Total
			Depart					Figure mileage reimbursement below	☐	☐	☐						
			Arrive														
			Depart						☐	☐	☐						
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			Arrive														
			Depart						☐	☐	☐						
			Arrive														
		VEHICLE CONTROL #				Total Miles						Total MWI/MWO	Total MEI/MEO	Total LGI/LGO	Total PHI/PHO	Total PKI/PKO	Subtotal (A

MILEAGE REIMBURSEMENT CALCULATION

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Enter rate, miles, and amount being claimed at **equal to the IRS rate.**			
Enter rate, miles, and amount being claimed at **less than the IRS rate.**			
Enter rate, miles, and amount being claimed at **greater than the IRS rate.**			
Add the total mileage amounts from lines 1 through 3.			
Enter IRS mileage rate in place at the time of travel.			
Subtract line 5 from line 3.			
Enter total miles from line 3.			
Multiply line 6 by line 7. This is **taxable** mileage.			(Copy to Box C) →
Subtract line 8 from line 4. If line 8 is zero, enter mileage amount from line 4. This is non-taxable mileage.			(Copy to Box D) →

OTHER EXPENSES – See reverse for list of Earn Codes.

Date	Earn Code	Comments	Total
		Subtotal Other Expenses: (B)	
		Total taxable mileage greater than IRS rate to be reimbursed: (C)	MIT or MO
		Total nontaxable mileage less than or equal to IRS rate to be reimbursed: (D)	MLI or MI
		Grand Total (A + B + C + D)	
		Less Advance issued for this trip:	
		Total amount to be reimbursed to the employee:	
		Amount of Advance to be returned by the employee by deduction from paycheck:	

)ing private vehicle for out-of-state travel: What is the lowest airfare to the destination? Total Expenses for this trip must not exceed this amount.

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ployee Signature _____ Date _____ Work Phone _____

)roved: Based on knowledge of necessity for travel and expense and on compliance with all provisions of applicable travel regulations.

)ervisor Signature _____ Date _____ Work Phone _____

Appointing Authority Designee (Needed for Recurring Advance and Special Expenses)

Signature _____ Date _____

:I-00529-07 (12/22/2011)

MINNESOTA Management & Budget

Office Memorandum

Date: November 30, 2012

To: Agency Payroll, HR and Accounting Staff

From: Mary Muellner, Director
Statewide Payroll Services

Subject: IRS Mileage Rate Effective January 1, 2013

The standard IRS mileage rate for the business use of an employee's personal automobile will increase on January 1, 2013, to **56.5 cents per mile**.

The state bargaining agreements and compensation plans base mileage reimbursement rates on the standard IRS mileage rate that's in place at the time of travel. As a reminder, two options are provided for determining the mileage reimbursement rate for any given trip:

- If the employee travels in his or her own vehicle because no state vehicle is available, the reimbursement rate is the current IRS rate (56.5 cents per mile for miles driven in 2013).
- If a state vehicle is offered but the employee declines and travels in his or her own vehicle, the reimbursement rate is 7¢ less than the current IRS rate (49.5 cents per mile for miles driven in 2013).

Note: "State vehicle" is defined as any vehicle owned or leased by the state or loaned to the state.

Please refer to the bargaining agreements and compensation plans regarding mileage reimbursement rates for the business use of an employee's specially equipped vehicle, motorcycle or personal aircraft.

SEMA4 users can use the Business Expense Mileage Rates page to view previous and current IRS mileage rates. Select Payroll > Business Expense > Business Expense Mileage Rates.

REMINDER:
During the 2011 special session, there was an item added, which restricts the mileage rate for reimbursements to no more than 51 cents per mile for expenses funded by the law in which the language was included. Included in the Laws of 2011, 1st Special Session, Chapt. 1, Art. 1, Sec. 18 is the following:

> Sec. 18. **CAPPING MILEAGE REIMBURSEMENT.**
> For entities funded by an appropriation in sections 3 to 10 and 16, no official or employee may be reimbursed for mileage expenses at a rate that exceeds 51 cents per mile.

The cap for mileage reimbursements includes Sentencing Guidelines (P9E) and other Judicial agencies, as well as expenditures with funding sources originating in those agencies. Agencies covered by the bill are responsible for monitoring and enforcing the 51 cents per mile maximum within their own agency. (For information on the agencies covered, refer to https://www.revisor.mn.gov/laws/?id=1&doctype=Chapter&year=2011&type=1.)

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15 Expense Reimbursement

General. The Appointing Authority may authorize payment of travel and other expenses and reimbursement of special expenses for employees and interns in accord with the provisions of this Chapter, Chapter 8, and Administrative Procedure 4.4 for the effective conduct of the State's business. Such authorization must be granted prior to incurring the actual expenses. Administrative Procedure 4.4 Section E provides an exception which allows an agency to submit a request for approval after special expenses have occurred.

Privately-Owned Vehicles and Aircraft. An employee shall be reimbursed for the use of privately-owned vehicles and aircraft under the situations and at the rates specified below. In all cases, mileage must be on the most direct route according to Department of Transportation records.

Situation	Rate Per Mile
• Use of personal automobile when a State-owned vehicle is not available.	Federal IRS mileage reimbursement rate
• Use of personal automobile when a State-owned vehicle is available and declined by the employee.	Federal IRS mileage reimbursement rate less $0.07
• Use of personal van or van-type vehicle specially equipped with a ramp, lift, or other level-changing device designed to provide wheelchair access.	Federal IRS mileage reimbursement rate plus $0.09
• Use of personal aircraft provided that the employee demonstrates adequate liability coverage under the requirements of M.S. 360.59, subdivision 10, and the Appointing Authority has granted approval for the use of the aircraft.	Federal IRS mileage reimbursement rate

In addition to mileage, actual parking fees and toll charges shall be reimbursed. At the sole discretion of the Appointing Authority, employees who normally are not required to travel on state business may be reimbursed for parking at their work location on an incidental basis when they are required to use their personal or a state vehicle for state business and no free parking is provided.

Employees shall not receive mileage reimbursement for commuting between a permanent work location and their home. For each position, the Appointing Authority may designate no more than two (2) permanent work locations, which must be within thirty-five (35) miles of each other. For purposes of expense reimbursement for trips to temporary work locations, the Appointing Authority shall designate one (1) of the two (2) permanent work locations as the primary location. The Appointing Authority must provide advance written notice of the two (2) locations and the primary location to anyone being appointed to such a position.

When an employee does not report to the permanent work location during the day or makes business calls before or after reporting to the permanent work location, the allowable mileage is: (1) the lesser of the mileage from the employee's residence to the first stop or from his/her permanent work location to the first stop, (2) all mileage between points visited on State business during the day, and (3) the lesser of the mileage from the last stop to the employee's residence or from the last stop to his/her permanent work location.

Employees accepting mobility assignments, as defined in Administrative Procedure 1.1, are not eligible for mileage reimbursement for the trip between their home and the mobility assignment.

Other Travel Expenses. Upon approval of the Appointing Authority, employees in travel status may be reimbursed for expenses described below in the amounts actually incurred not to exceed any maximum amounts specified below.

Where anticipated expenses total at least fifty dollars ($50.00), the Appointing Authority shall advance the employee the amount of the anticipated expenses upon the employee's request made a reasonable period of time prior to the travel date. If the amount advanced exceeds the actual expenses, the employee shall return the excess within two (2) weeks of return from travel. The Appointing Authority may issue the employee a State-owned credit card in lieu of a travel advance.

Reimbursable expenses may include, but are not limited to, the following:

- Commercial transportation (air, taxi, rental car, etc.) provided that no air transportation shall be by first class unless authorized by an Appointing Authority; and that reimbursement for travel which includes more than one destination visited for State purposes and non-State purposes shall be in an amount equal to the cost of the air fare only to those destinations visited for State purposes.

- Meals including tax and a reasonable gratuity. Employees shall be reimbursed for meals under the following conditions:

  1. **Breakfast**. Breakfast reimbursements may be claimed if the employee leaves home before 6:00 a.m. or is away from home overnight.

  2. **Lunch**. Lunch reimbursements may be claimed if the employee is in travel status more than thirty-five (35) miles away from his/her normal office or is away from home overnight.

  3. **Dinner**. Dinner reimbursements may be claimed if the employee cannot return home until after 7:00 p.m. or is away from home overnight.

  4. **Reimbursement Amount**. Except for the metropolitan areas listed below, the maximum reimbursement for meals including tax and gratuity shall be:

Breakfast	$ 7.00
Lunch	9.00
Dinner	15.00

     For the following metropolitan areas and any location outside the forty-eight (48) contiguous United States, the maximum reimbursement shall be:

Breakfast	$ 8.00
Lunch	10.00
Dinner	17.00

The metropolitan areas are:

Atlanta	Baltimore
Boston	Chicago
Cleveland	Dallas
Denver	Detroit
Hartford	Houston
Kansas City	Los Angeles
Miami	New Orleans
New York City	Philadelphia
Portland, Oregon	St. Louis
San Diego	San Francisco
Seattle	Washington, D.C.

See Appendix H for details related to the boundaries of the above-mentioned metropolitan areas. The higher meal reimbursement rates also include any location outside the forty-eight (48) contiguous United States.

Employees who are in travel status for two (2) or more consecutive meals shall be reimbursed for the actual costs of the meals including tax and a reasonable gratuity, up to the combined maximum amount for the reimbursable meals.

- Hotel and motel accommodations provided that employees exercise good judgment in incurring lodging costs and that charges are reasonable and consistent with the facilities available.

- All work-related long distance telephone calls provided that the employee does not have a State telephone credit card or is unable to bill the call to the office telephone number.

- Actual personal telephone call charges. The maximum reimbursement for each trip shall be the result of multiplying the number of nights away from home up to three dollars ($3.00).

- Reasonable costs of dry cleaning and laundry services, not to exceed sixteen dollars ($16.00), each week after the first week an employee is in continued travel status.

- Reasonable costs and gratuities for baggage handling.

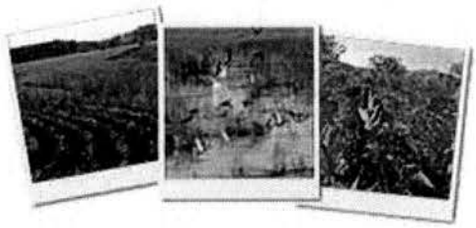
- Parking fees and toll charges.

Receipts. The Appointing Authority may require receipts for any reimbursement requested by an employee under the provisions of this or any other chapter in this Plan.

Uniforms. If an Appointing Authority requires an employee to wear a uniform, the Appointing Authority shall supply the initial uniform and the employee shall be responsible for the maintenance of the uniform.

Maleitzke, Jen (BWSR)

From: Minnesota Board of Water and Soil Resources <mnbwsr@public.govdelivery.com>
Sent: Tuesday, June 25, 2013 1:20 PM
To: Maleitzke, Jen (BWSR)
Subject: BWSR Snapshots: July 2013: TEST



BWSR Snapshots

July 2013

As part of an effort to better communicate with our local partners, BWSR will be sending its monthly newsletter, Snapshots, electronically each month as it is published to share conservation stories from around the state. If desired, you can 'unsubscribe' at the bottom of this email.

Final delineation completes wetland restoration



On a peaceful June day, Dave MacNeill pulls into the Robert Jacobson Memorial Unit - Janet Johnson Memorial Wildlife Management Area (JJWMA) to scout birds and other wildlife with his dogs.

Five years ago, MacNeill wouldn't have had this opportunity. Previously a privately-owned farm, the Board of Water and Soil Resources (BWSR) partnered with the Department of Natural Resources to purchase the land and began restoring the site to its pre-settlement condition, a tamarack wetland. Read the story here.

The state's first SWCD, Winona County, celebrates 75th year of service

Established in 1938 around three Winona County watersheds, the Burns–Homer–Pleasant Soil Conservation District became the first conservation district in the State, and was eventually renamed the Winona County SWCD in 1986 after a series of consolidations.

In 2013, that SWCD is celebrating its 75th birthday, the first in the state to do so. Read the story here.



Multiple ways to drain, conserve



Originally published by *The Farmer Magazine* in June 2013, this article explains that drainage isn't a bad word -- it's necessary in both agricultural and urban landscapes and needs to be managed appropriately.

Read this article to learn about multipurpose drainage techniques to address excess sediment and nutrients, by BWSR Chief Engineer Al Kean.

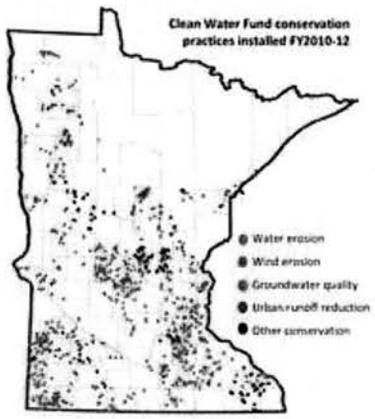
Clean Water Funds solve long-time problem in Pomme de Terre River

Every year, more than 115 tons of soil was washing away from the banks of the Pomme de Terre River, adding that much sediment to the stream.

Finally, with Clean Water Funds, a project was completed in 2012 to solve the erosion problems below the south side of the dam at Pomme de Terre Park in Morris, Minn. Read the story here.



New eLINK system debuts in June 2013



Tracking progress in protecting and restoring Minnesota's water resources just got a lot easier.

Launched in June 2013, the Board of Water and Soil Resources (BWSR) upgraded its conservation tracking software, eLINK. The new web-based system will track statewide conservation projects and activities, through improved efficiency and increased transparency for general public access. Read the story here.

Minnesota Board of Water & Soil Resources

Questions for the Minnesota Board of Water and Soil Resources?
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STAY CONNECTED:

Final delineation completes wetland restoration

July 2013 Snapshots



MacNeill, a resident of North Branch, and his Jack Russell terriers may be the most frequent users of the site, visiting "twice a day, 360 days a year." He is one of many local residents who use the JJWMA for bird watching, cross-country skiing, hiking and hunting.



BWSR staff Megan Lennon, Eric Mohring and Greg Larson describes soil characteristics during final delineation on June 18.

On a peaceful June day, Dave MacNeill pulls into the Robert Jacobson Memorial Unit - Janet Johnson Memorial Wildlife Management Area (JJWMA) to scout birds and other wildlife with his dogs.

Five years ago, MacNeill wouldn't have had this opportunity. Previously a privately-owned farm, the Board of Water and Soil Resources (BWSR) partnered with the Department of Natural Resources to purchase the land and began restoring the site to its pre-settlement condition, a tamarack wetland.

Dan Shaw, BWSR Vegetation Specialist and Landscape Ecologist, said the restoration work included filling drainage ditches, restoring the flow to the natural outlet, and seeding with wetland and upland mixes.

"Today, the site consists of more than 600 acres of wetland, prairie, and forest. It has a wide variety of plant and animal life that make it an exceptionally diverse area," Shaw said.

Funding for the restoration came from state bonding dollars. This site is enrolled in the Local Government Roads Wetland Replacement Program, using the acres to offset degradation or other impacts to wetlands affected by road improvements. Wetland bank sites typically have an establishment period of five years before final wetland delineation can occur, marking the end of the establishment phase.

On the same day that MacNeill and his dogs frolicked around the WMA, BWSR staff carried out the delineation process – the final determination of the location and size of the wetland through the evaluation of the soil, water levels and plant life.

John Jaschke, BWSR Executive Director, said completion of this site is a great accomplishment and that the public will enjoy its many benefits. "This restored wetland will protect and improve water quality and provide fish and wildlife habitat," Jaschke said. "A WMA so close to the metro is a jewel for outdoorspeople who want to get away for the day to hunt, bird-watch or get some exercise."

Upon wetland completion, the MNDNR will maintain custodial oversight and BWSR will monitor the site every few years. The JJWMA is open and free to the public. More information is available at the DNR website.

The state's first SWCD, Winona County, celebrates 75th year of service

July 2013 Snapshots





Top: Clint Dabelstein was the Burns-Homer-Pleasant SWCD supervisor from 1938 until 1985, photo courtesy of Winona Daily News. Bottom: The Winona County SWCD staff in 2013.

Minnesota's first soil and water conservation district is celebrating its 75th birthday in 2013, the first in the state to do so.

Established in 1938 around three Winona County watersheds, the Burns–Homer–Pleasant Soil Conservation District became the first conservation district in the State, and was eventually renamed the Winona County SWCD in 1986 after a series of consolidations.

The establishment of a conservation district in Winona County began in 1934 and 1935 with construction of demonstration sites by the Soil Erosion Service (now the NRCS). Federal money and manpower went into experimental practices such as terracing, strip cropping, grade stabilization structures and re-forestation, creating dramatic results. The surrounding landscape changed from heavily eroded, worn-out soils, to some of the most productive areas in the county.

During this time, the Soil Erosion Service recognized the value and importance of having locally-led conservation groups liaise between the federal government and landowners. This was also recognized by the Minnesota legislature, who passed the Enabling Act in 1937, allowing the formation of soil and water conservation districts.

So what's changed in 75 years? Daryl Buck, Winona SWCD District Manager, said historically, the Winona County SWCD has been known for providing technical assistance to individual landowners.

"Today, we also provide technical assistance to the county, cities, townships, watershed districts, schools, and even state agencies. To be effective within our county, our services and collaboration must go beyond watershed and even county boundaries," Buck said. "Our goal is to help both landowners and LGUs know and understand some of the concerns and options related to erosion, sedimentation and water quality when making decisions."

Though the clientele has expanded, Buck said some of the issues are similar. "The extreme weather conditions, flooding and erosion back in the 1930s and 1940s led to the formation of the original soil conservation districts. In recent years, we've experienced similar extremes -- the 2007 and 2010 flood events, the 2012 drought and now one of the wettest springs on record," Buck said. "We're also seeing a drastic decline in crop diversity, fewer perennial crops, fewer contour strips, increased corn and beans, and an increase in erosion, sedimentation and flooding."

The Minnesota Board of Water and Soil Resources recognized Winona County SWCD's milestone in May. For more information, visit the Winona County SWCD website: http://www.winonaswcd.org/index.htm.

Conservation

Multiple ways to drain, conserve

***Editor's note:** In the March 2013 issue of* The Farmer, *a Viewpoint article written by Larry Gunderson with the Minnesota Pollution Control Agency explained various sources of excess sediment in the Minnesota River Basin. Al Kean with the Minnesota Board of Water and Soil Resources offered this article to discuss ways to address excess sediment and nutrients through multipurpose drainage management.*

Key Points

- Drainage is needed in rural and urban areas.
- Traditional, new conservation practices aid drainage.
- Cover crops are making a comeback.

By **AL KEAN**

DRAINAGE isn't a bad word. Drainage is necessary in both agricultural and urban landscapes.

However, how we manage drainage can make a big difference for achieving multiple goals on the field, on the farm, in urban areas and downstream.

Historically, agricultural drainage focused on crop production, road protection and insect reduction for public health, while urban drainage focused primarily on flood control. At present and into the future, we need to manage drainage systems for multiple purposes.

"Multipurpose drainage management" is a key approach to address multiple goals. For rural and agricultural landscapes, these goals can include:

- agricultural production, including erosion reduction for topsoil sustainability
- runoff volume and peak flow reduction to reduce field, streambank, bluff and ravine erosion, as well as to reduce flood damages to crops and infrastructure
- water quality protection and improvement
- aquatic and adjacent terrestrial habitat protection and improvement

For urban landscapes, these multiple goals are the same or similar, short of agricultural production.

Ways to conserve

There are many traditional on-field and on-farm conservation practices that can help reduce runoff concentration, erosion and peak flows, such as residue management, grassed waterways, terraces, water and sediment control basins, grade stabilization structures (including side inlet controls along ditches), ponds, and wetland restorations. Similar urban practices include stormwater ponds, grade stabilization structures and, more recently, raingardens and infiltration basins. Reducing runoff concentration and peak flows helps reduce erosion from the field or urban lot downstream through drainage ditches, streams and rivers.

In recent years, a number of new conservation practices with a focus on tile drainage and water quality have been developed, including controlled subsurface drainage, denitrifying bioreactor, constructed wetland for surface and subsurface drainage water treatment and, most recently, vegetated subsurface drain outlet (aka saturated buffer).



KEAN

These conservation practices, as well as nutrient management planning, have been included in recent federal and state Drainage Water Management Initiatives. Both the federal Environmental Quality Incentive Program, administered by the USDA-Natural Resources Conservation Service, and the state Conservation Drainage Management Program, administered by the Minnesota Board of Water and Soil Resources in partnership with local government units, provide financial and technical assistance for these practices.

A not-so-new conservation practice regaining interest is cover crops. This practice is included in a current Soil Health Initiative by state and federal agencies. The connection to multipurpose drainage management is that cover crops and their roots can substantially reduce erosion, reduce soil compaction and increase infiltration.

Additionally, cover crops increase soil organic matter, which in turn can reduce runoff volume by increasing the water-holding capacity of the soil profile. More roots more of the time increases soil organic matter and water-holding capacity. Historic prairie grass roots were the key source of the typically high soil organic matter in Midwest Corn Belt soils.

Based on the methodology of B.D. Hudson (*Journal of Soil and Water Conservation*, 1994), a 1% increase in soil organic matter in the top 30 inches of typical Minnesota agricultural soils can increase the water-holding capacity by ¾ inch to 1 inch. This soil profile water is plant available water that is not drainable (i.e., it can be "banked" in the soil organic matter).

Cover crops and soil organic matter can also sequester and help process nutrients for primary crop use. Therefore, cover crops appear to have substantial potential to both improve runoff quantity and quality management, as well as improve the farmer's bottom line through more plant available water into dry periods and reduced nutrient input needs. Although use of cover crops with grain row crops in northern latitudes has not yet become mainstream, there is a growing base of research, demonstration and successes.

Excess sediment and nutrients are substantial problems for Minnesota lakes, streams and rivers. The surface and subsurface runoff that picks up and transports sediment and nutrients are some of the variables than can be managed.

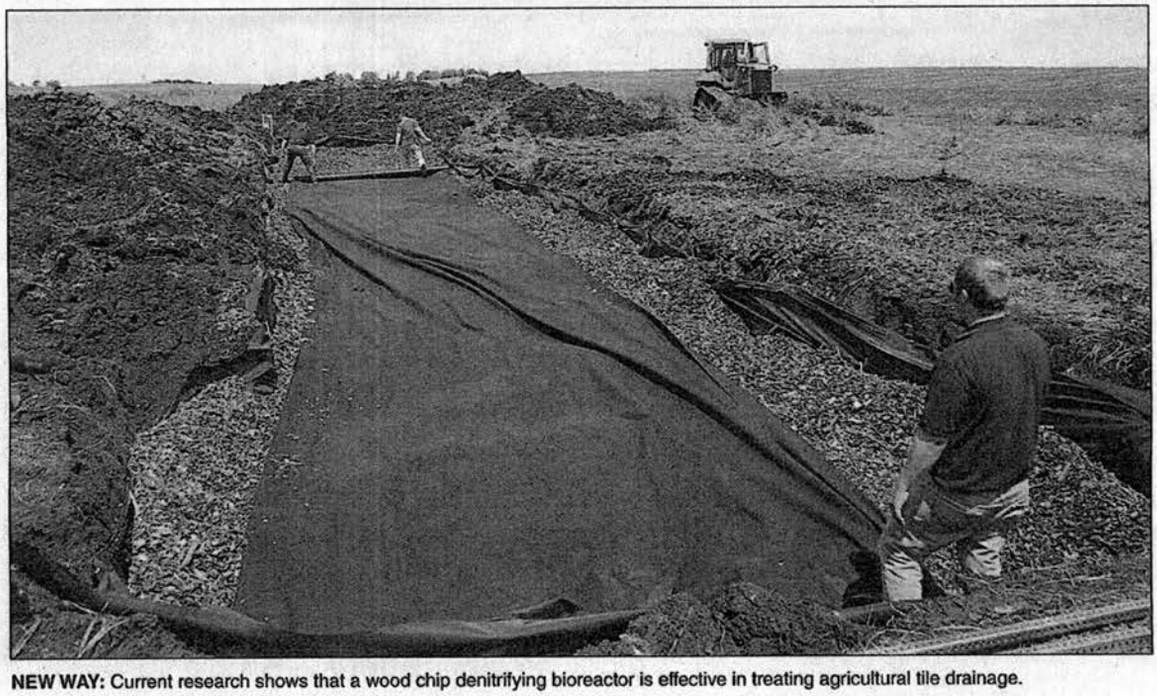
Multipurpose drainage management can be a remedy for these problems, while also achieving key agricultural and urban purposes for drainage. In a future article, BWSR will provide some examples of farmers who are utilizing multipurpose drainage management practices.

Kean is the chief engineer at the Minnesota Board of Water and Soil Resources.



COURTESY OF RED LAKE SWCD

TRADITIONAL WAY: A side inlet grade stabilization structure into a drainage ditch helps reduce erosion and runoff concentration.



NEW WAY: Current research shows that a wood chip denitrifying bioreactor is effective in treating agricultural tile drainage.

Clean Water Funds solve long-time problem in Pomme de Terre River

July 2013 Snapshots









Every year, more than 115 tons of soil was washing away from the banks of the Pomme de Terre River, adding that much sediment to the stream.

Finally, with Clean Water Funds, a project was completed in 2012 to solve the erosion problems below the south side of the dam at Pomme de Terre Park in Morris, Minn.

"The streambank erosion has been a problem for a long time, but we've never had the funding to address it," said Brett Arne, Watershed Project Coordinator for the Pomme de Terre River Association. "Clean Water Funding is making projects like this one become a reality."

A collaborative effort between several partners– City of Morris, Stevens Soil and Water Conservation District, Pomme de Terre River Association, Minnesota DNR, West Central TSA2 Engineers and the Board of Water and Soil Resources, the project involved the construction of four stream barbs (rock structures) that redirect water back into the middle of the river, instead of allowing it to run along the edge of the bank.

Arne said after installation of the stream barbs, the bank is stable and the barbs are catching sediment coming down the river from other sources. "It's a win-win situation," he said.

The project's $15,458 price tag included construction, materials, engineering and seed. The construction on the project was done in a day and a half, the banks were seeded and people were back to fishing this popular spot the very next week.

"You can visibly see how the water reroutes itself to the middle of the stream, rather than to the bank as a result of this project," Arne said. "It's really neat to see. We are getting very good results for a project that was reasonably priced."

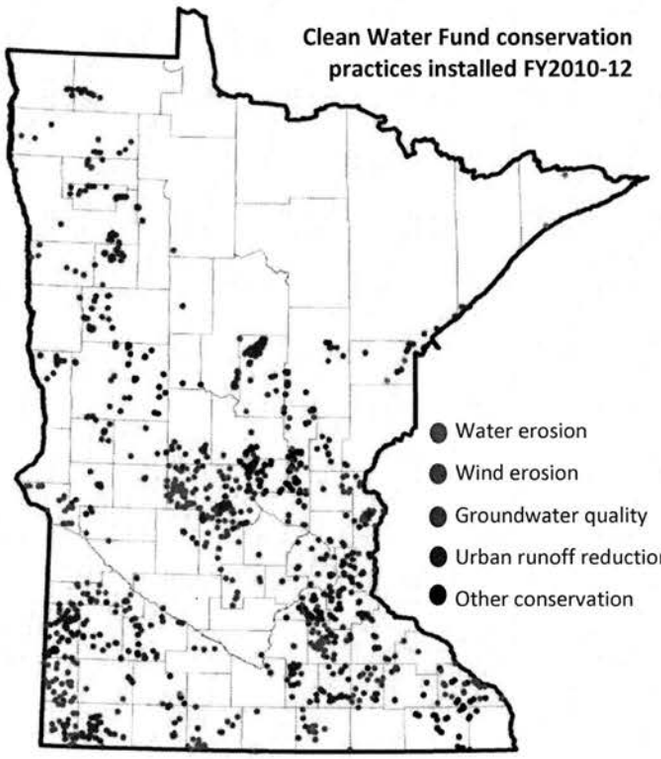
From top: (Picture 1) Erosion has been a long-term problem below the south side of the dam at Pomme de Terre Park in Morris. (Picture 2) Four stream barbs were constructed along the Pomme de Terre River bank to divert flow into the center of the stream and prevent erosion on the banks. (Picture 3) The shoreline below the south side of the Mill Dam after stream barbs were installed and banks seeded. (Picture 4) Sign at site noting partners.

For more information, visit: www.stevensswcd.org/index.shtml

Project dollars provided by the Clean Water Fund (from the Clean Water, Land and Legacy Amendment).

New eLINK system debuts in June 2013

July 2013 Snapshots



Maps like this one will be produced in the new eLINK, depicting pollution reductions across the state from on-the-ground conservation projects.

The new eLINK system includes technology upgrades for speed and data entry, is accessible from multiple browsers, uses the latest mapping technology, and incorporates features such as password resets and messaging; all while ensuring the latest appropriate security protocols are followed.

Tracking progress in protecting and restoring Minnesota's water resources just got a lot easier.

Launched in June 2013, the Board of Water and Soil Resources (BWSR) upgraded its conservation tracking software, eLINK. The new web-based system will track statewide conservation projects and activities, through improved efficiency and increased transparency for general public access.

Melissa Lewis, project coordinator, said the new system will not only show users how on-the-ground conservation projects reduce pollutants in Minnesota's water resources, but will also serve as the system for local units of government to apply for funding and to report on their progress.

"The new system will integrate and streamline current grant processes such as applications, work plans, and reports and will reduce data entry, bringing efficiencies to state and local governments," Lewis said. "But most importantly, the new eLINK will continue to tell the story of conservation successes in Minnesota."

Funded through Clean Water Fund dollars (through the Clean Water, Land and Legacy Amendment), the project started in the summer of 2012 and "finished" in June, though Lewis says the software will continually be updated as appropriate.

Introductory training sessions were provided to users throughout June, and additional training will be available throughout the year. Users can start reporting progress now and will get their first chance to utilize the new application feature of the software when the Clean Water Fund request for proposal process opens later this summer.

"As with any software project, we anticipate finding some glitches along the way – but the new system will also have much more flexibility," Lewis said. "We heard from attendees at training sessions that the new program is very user friendly and simple to use, so we are encouraged the new system will work well."

For more information, visit http://www.bwsr.state.mn.us/outreach/eLINK/index.html

Project dollars provided by the Clean Water Fund (from the Clean Water, Land and Legacy Amendment).

FOR YOUR INFORMATION

May 22, 2013

- ☐ Updated Board Member Listing, May 2013
- ☐ Updated BWSR Staff Listing
- ☐ BWSR Snapshots, June 2013
- ☐ PRAP Assistance Grants Status Report
- ☐ Newly Revised Conflict of Interest Declaration Form for Board Members

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Revised 05/21/13



BWSR Snapshots

June 2013

As part of an effort to better communicate with our local partners, BWSR will be sending its monthly newsletter, Snapshots, electronically each month as it is published to share conservation stories from around the state. If desired, you can 'unsubscribe' at the bottom of this email.







Wetland monitoring season gets underway

From getting vehicles stuck in tire-high mud in the most remote locations in Minnesota, to invitations for beer, food and even taking a swim in a landowner's pool, BWSR monitoring staff members have seen it all. Since 2005, Karli Tyma, Carol Strojny and Eric Mohring have logged thousands of miles and have monitored countless wetland restoration sites as part of the Board of Water and Soil Resources' (BWSR) monitoring efforts.This year, the BWSR staff trio expects to visit nearly 100 wetland sites throughout monitoring season. Read the story here.

Dodge County improving water quality by fixing one septic system at a time

While most people don't give any thought to the toilet water that is flushed away with each trip to the bathroom, Sandy Schaefer does.

Schafer, an environmental services staff member at Dodge County, is paid to think about wastewater and how it affects Minnesota's lakes and rivers. Read her story here.

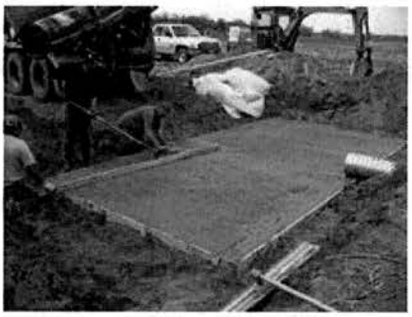




Bio-engineered project reduces erosion of Hawk Creek

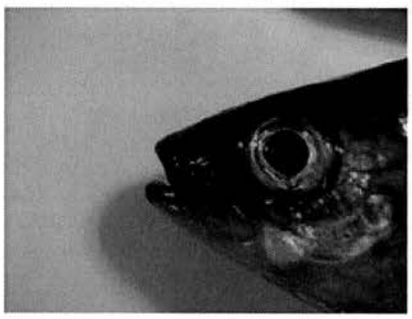
In the lower reaches of the Hawk Creek's main stem, the water meanders so much that five road miles equals nearly 14 river miles. This natural meandering often causes stream bank erosion that carries sediment into the river. In order to help alleviate the problem, HCWP staff designed a sizable bio-engineered stream bank stabilization project. Read the story here.

Utilizing SWCD experience to improve a family farm



Since high school, Tim Nolte has known that grass and water are two very important aspects of a beef and dairy operation.

Today, with wife Rita and four children, Louise, Jacob, Eric and Eva, Nolte's family is constantly driven to find better methods to provide for their livestock while exercising caution about the operation's impacts to the environment. Read Tim's story and learn how he worked with the Wadena SWCD to improve his farm.



DNR and BWSR partner to protect private forests within Tullibee Lake watershed

For the first time ever, state and local governments are partnering to protect water quality through a private forest land management initiative. Through a $710,000 appropriation from the Clean Water Fund, the Department of Natural Resources (DNR), the Board of Water and Soil Resources (BWSR) and local Soil and Water Conservation Districts are targeting seven counties in northern Minnesota for the Tullibee Lake Watershed Forest Stewardship Project. Read the story here.

Minnesota Board of Water & Soil Resources

Questions for the Minnesota Board of Water and Soil Resources?
Contact Us

STAY CONNECTED:

Wetland monitoring season gets underway

BWSR set to visit nearly 100 sites

June 2013 Snapshots







From left: Eric Mohring installing a shallow monitoring well at a wetland bank site in Lake of the Woods County (2010), Karli Tyma monitoring newly established wetland bank site (2013) and Carol Strojny conducting routine monitoring (2012).

From getting vehicles stuck in tire-high mud in the most remote locations in Minnesota, to invitations for beer, food and even taking a swim in a landowner's pool, BWSR monitoring staff members have seen it all. Since 2005, Karli Tyma, Carol Strojny and Eric Mohring have logged thousands of miles and have monitored countless wetland restoration sites as part of the Board of Water and Soil Resources' (BWSR) monitoring efforts.

Wetland monitoring season typically begins in April, though this year started in May due to the late winter. The BWSR staff trio expects to visit nearly 100 wetland sites throughout monitoring season. This year, their efforts will include monitoring in two programs: Approximately 26 Reinvest in Minnesota (RIM) – Wetland Reserve Program (WRP) sites and the approximately 71 Wetland Bank Program sites.

According to Strojny, Tyma, and Mohring, monitoring provides information to direct compliance, maintenance, and design and implementation activities necessary to achieve program goals.

"Site visits allow us to evaluate the overall restoration of the wetland, including easement compliance, general condition and vegetation and hydrologic restoration successes," Strojny said. "Monitoring ensures the state's investment is maintained into the future."

Strojny and Tyma conduct monitoring activities for vegetation, management and compliance issues, while Mohring monitors for hydrology. Sites that are being established may be visited multiple times throughout the summer.

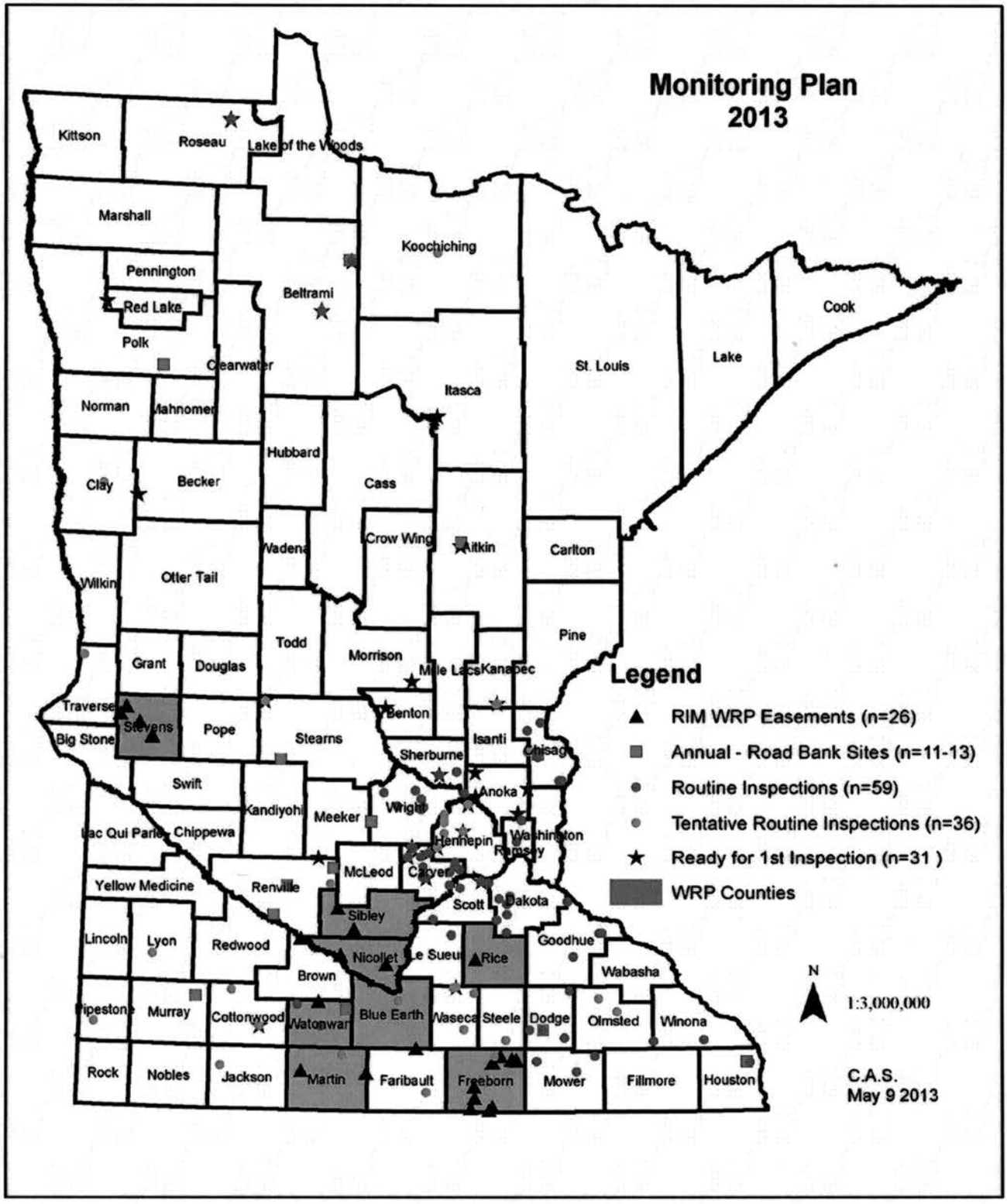
The majority of monitoring takes place on privately-owned lands and BWSR staff said that landowners are generally cooperative and interested in monitoring activities. "Landowners profit from these easements and they really enjoy the benefits that wetland restorations provide, including bird-watching and habitat development," said Mohring.

So what's their favorite part of monitoring? Strojny and Mohring agreed that it is fun to watch the same piece of real estate change over a period of time, though they watch for different reasons. For Strojny, she enjoys seeing the vegetation and habitat grow over the years, while Mohring likes to see water levels re-emerge.

Tyma said she loves getting to see parts of Minnesota that have not been at all altered among those that have been restored. "There are some RIM-WRP sites near the Iowa border that have native prairie remnants that will be perpetually protected," Tyma said. "It's rewarding to feel like we are playing an important role in protecting some of Minnesota's most important resources, and to see thousands of acres of monoculture cropland being returned to native wetland and prairie ecosystems."

For more information, visit http://www.bwsr.state.mn.us/wetlands/index.html.

2013 monitoring plan



Dodge County improving water quality by fixing one septic system at a time

June 2013 Snapshots



Installation of a new septic system in rural Dodge County.

While most people don't give any thought to the toilet water that is flushed away with each trip to the bathroom, Sandy Schaefer does.

Schafer, an environmental services staff member at Dodge County, is paid to think about wastewater and how it affects Minnesota's lakes and rivers.

"There are 3,328 septic systems in Dodge County," Schaefer said. "Out of those, approximately 65 percent are noncompliant or failing."

Noncompliant or failing systems have less than two feet of soil between the bottom or the drain field and the saturated soil or bedrock.

Septic systems are considered a threat to health and public safety if it discharges to the ground surface or surface water, or if it causes sewage to backup into a house or other establishment. Once a system is considered an imminent threat by the county, landowners have 10 months to fix it.

When septic systems fail, or are noncompliant, untreated wastewater eventually flows into rivers or streams. These systems, especially imminent threat systems, have been found to be a major contributor of fecal coliform pollution to both surface and groundwater in Dodge County.

To address non-compliant septic systems that are impacting local water resources, Schaefer has applied to the Board of Water and Soil Resources' Clean Water Fund grant program. The County has received three grants since 2010, totaling $180,000.

Utilizing these Clean Water Funds, Dodge County has been able to target grants to fix septic systems for low income landowners who do not have the financial capabilities to fix their systems in a timely manner. In most cases, the landowners who receive a grant through this program would not be eligible to receive other types of financial assistance, including loans.

In order to be eligible for the program, landowners in Dodge County must live in a single-family home and meet certain income qualifications. On average, it costs roughly $12,500 to fix or replace a septic system.

"Dodge County has helped 15 homeowners replace failing and imminent health threat systems. This has diverted 7,950 gallons of wastewater a day from polluting the environment," Schaefer said. "That's pretty impressive and a big step toward clean water."

For more information, visit http://www.co.dodge.mn.us/eq_septicsystems.html

Project dollars provided by the Clean Water Fund (from the Clean Water, Land and Legacy

Bio-engineered project reduces erosion of Hawk Creek

June 2013 Snapshots

In the lower reaches of the Hawk Creek's main stem, the water meanders so much that five road miles equals nearly 14 river miles.

This natural meandering often causes stream bank erosion that carries sediment into the river. In one specific reach, the erosion was so severe that it was threatening a landowner's building and a bridge downstream.

"A significant runoff event will usually cause excessive scouring of many of the bends," Dean Dambroten, HCWP Field Technician, said.

In order to help alleviate the problem, the Hawk Creek Watershed Project (HCWP) was awarded a Board of Water and Soil Resources Technical Assistance Clean Water Fund grant. With that funding, HCWP staff designed a sizable bio-engineered stream bank stabilization project that took two days to construct. Clean Water Partnership funds were also used to cost-share on the project.

"We decided to use natural materials, rather than the traditional rip-rap," Dambroten said. "The project consisted of 14 mature tree root wads with six to eight feet of trunk pushed horizontally into the eroded bank by an excavator. Linear logs were placed at the base of the bank below the root wads and held in place by vertical logs that were driven into the stream bank."

Other logs, rocks, and natural debris from the area were placed behind and between the root wads, creating a natural-looking armor for the bank. Rock veins were also installed in the creek bed to divert flow away from the project area. This is HCWP's second and largest bio-engineered project to date.

"Using this natural concept, we are typically able to save money by finding the materials right on site," Dambroten said. "This project created aquatic habitat and will reduce erosion by eliminating approximately 12.25 tons of sediment per year and 14.09 pounds of phosphorus per year from entering the stream."

-Excerpts of this article originally published by HCWP.



Hawk Creek main stem before project.



Linear log with root wad being inserted.



Final view of project from water's edge.



Final view from nearby bridge with rock veins installed.

For more information, visit
http://www.hawkcreekwatershed.org/index.htm
Project dollars provided by the Clean Water Fund (from the Clean Water, Land and Legacy Amendment).

Utilizing SWCD expertise to improve family farm

June 2013 Snapshots

Since high school, Tim Nolte has known that grass and water are two very important aspects of a beef and dairy operation.

Though he started with sheep and cattle, Nolte Livestock, near Sebeka in Wadena County, has grown over the years to more than 2,000 acres and 500 head.

Today, with wife Rita and four children, Louise, Jacob, Eric and Eva, Nolte's family is constantly driven to find better methods to provide for their livestock while exercising caution about the operation's impacts to the environment.



The Nolte family farm is upgraded with expertise of Wadena SWCD and NRCS.

Tim first contacted the Wadena Soil and Water Conservation District (SWCD) and the Natural Resources Conservation Service (NRCS) to determine if a rotational grazing system and associated watering system could work to improve a permanent pasture that spans one thousand acres.

Working with Nolte, NRCS technicians created a design that called for a new well and water system, with 11,400 feet of buried and surface pipeline, one frost free waterer and five large tanks protected by earthmover tires with concrete bottoms to stand up to livestock abuse. This design allows the operation to make better use of the cows' foraging area by providing water in close proximity, as well as providing an additional location to winter the livestock for watering.

Nolte Livestock also faces an environmental challenge as their dairy operation is situated very close to a river. To address this issue, Wadena SWCD secured a cost-share grant to help defray some of the costs of moving existing fences, installing clean water diversions, adding concrete paving to control feedlot runoff and installing a treatment practice to filter the runoff coming from the feedlot, livestock corral and sorting area.

Similar to many design projects, this one required an adaptation. Upon reviewing the initial engineering plan, the Nolte family questioned if the absorption area was large enough to accommodate the volume of runoff that might occur. A quick spring thaw proved the absorption area was inadequate, and an additional controlled surface intake with a remote outlet was installed.

Reflecting on this project, Nolte said, "Be sure the engineering plans for any practice are consistent with your knowledge of the landscape and its historic rainfall/snow events. The plans and the lay of the land need to be compatible, so ask lots of *what if* questions." Today, the system handles whatever nature may bring.

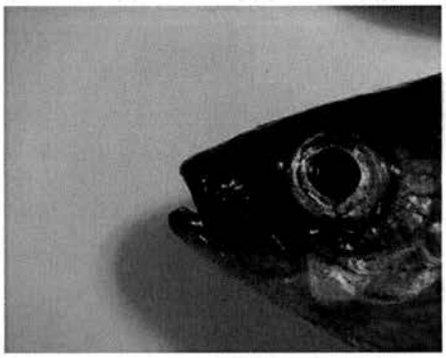
SWCDs encourage landowners to come to local offices for cost-share grants, technical assistance, or both. "SWCD staff work with landowners to design systems that will work for their operations," said Aimee Zimmerman, Wadena SWCD technician and delegated county feedlot officer. "We want to ensure landowners' needs are met and effectively protect the environment at the same time."

Article originally published in the Northern Country Beef Producer Magazine.
For more information, visit www.wadenaswcd.org.

DNR and BWSR partner to protect private forests within Tullibee Lake Watershed

June 2013 Snapshots

For the first time ever, state and local governments are partnering to protect water quality through a private forest land management initiative.



Tullibee (also referred to as cisco) is an important prey species for lake trout, pike, muskie and walleye. Tullibee are found in northern Minnesota. Photo courtesy of DNR.

Through a $710,000 appropriation from the Clean Water Fund, the Department of Natural Resources (DNR), the Board of Water and Soil Resources (BWSR) and local Soil and Water Conservation Districts are targeting seven counties in northern Minnesota for the Tullibee Lake Watershed Forest Stewardship Project.

The program will provide landowners with property tax relief and financial assistance for forestry projects that provide clean water protection.

"Well-managed forest lands around lakes protect water quality by keeping soil in place," said Dan Steward, BWSR Board Conservationist. "Lakes that have good water quality provide recreation for Minnesotans – fishing, swimming and boating – and that recreation is of great value to the northern region of the state."

In this first-time partnership, the DNR Private Forest Management Program is providing the funding, the funding is being delivered through the BWSR cost-share program to SWCDs, and those SWCDs are contacting landowners to sign-up for the program.

Eligible applicants include private forest landowners who own between 20 and 1,000 acres of land. Applicants will receive financial assistance to develop a forest stewardship plan, according to Gary Michael, DNR Forestry.

"Individual forest plans lay out goals, and when the plans are completed and registered, landowners are then eligible for cost share assistance for projects like tree planting, invasive species control, forest improvements and erosion control," Michael said.

Additionally, after a forest plan is completed, landowners are offered the ability to sign-up for the Sustainable Forestry Incentive Act, where landowners receive an annual payment (from $7-10/acre) as an incentive to invest their forestry acres into an easement, practicing long-term sustainable forest management.

Working in partnership with the Minnesota Forest Resource Council, the DNR targeted counties where lakes are surrounded by forest lands. A program goal is to achieve 75 percent permanent forest cover around lakes with tullibee populations. Targeted counties include Aitkin, Becker, Cass, Carleton, Crow Wing, Hubbard and Otter Tail. Project proposals will be accepted until the funding is exhausted.

"Watersheds that have at least 75 percent permanent forest cover have really good water quality," Steward said.

For more information, visit http://www.dnr.state.mn.us/tullibeelake.html

Project dollars provided by the Clean Water Fund (from the Clean Water, Land and Legacy

John,
For inclusion in your executive director's report to the Board next week.
There is only one active PRAP Assistance Grant. (See summary in table below.) It is with the Pope SWCD and they have contracted for the services of a neighboring district manager, Darren Newville, to conduct organizational review, including staff workload analysis, position description review, and analysis of expanded partnership opportunities. This task was recommended in the PRAP review of the Pope SWCD completed last December.
Darren has completed his work with the Pope SWCD and has submitted a final report and recommendations. I expect to receive a request for reimbursement from the grantee soon, and this grant will be completed this month.
There are no other PRAP Assistance Grants or grant applications pending.

No.	Grantee	Purpose	Assmnt./ Justification	Total Amt. of Services	Grant Amt.	App. Date	GA Exec. Date	End Date	Results/ Amt. spent
12-04	Pope SWCD	Organizational strategic planning, staff realignment, partnerships	PRAP Review Recomm'd.	2000	1000 (50:50 CS)	10/16/2012	1/22/2013	6/30/2013	awaiting reimbursement request from grantee

Don Buckhout
PRAP Coordinator
Board of Water and Soil Resources
Don.Buckhout@state.mn.us
651-296-0768

Conflict of Interest Disclosure Form
for Board Members

Minnesota Board of Water & Soil Resources

Grant Program: _____

Name of Review Group: _____

Before any review of grant applications, the chair of the meeting shall make this statement about conflict of interest:

Chair Statement: *"A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today's business."*

This form gives grant application reviewers an opportunity to disclose any actual, potential or perceived conflicts of interest that may exist during a grant review process. It is the grant reviewer's obligation to be familiar with the Office of Grants Management (OGM) Policy 08-01, Conflict of Interest Policy for State Grant-Making, and to disclose any conflicts of interest accordingly. All grant reviewers *must* complete and sign a conflict of interest disclosure form. On the form, the grant reviewer must identify any grant applicant with which they have an actual, potential or perceived conflict, although they do not need to provide the reason for the conflict on the disclosure form.

A disclosure does not automatically result in the grant application reviewer being removed from the review process.

Please read the definitions of conflict of interest below and mark the appropriate boxes that pertain to you and your status as a reviewer of applications for this grant program.

Conflicts of interest may be actual, potential, or perceived:

ACTUAL CONFLICT OF INTEREST:
An actual conflict of interest occurs when a decision or action would compromise a duty to a party without taking immediate appropriate action to eliminate the conflict.

POTENTIAL CONFLICT OF INTEREST:
A potential conflict of interest may exist if a grant reviewer has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests.

PERCEIVED CONFLICT OF INTEREST:
A perceived conflict of interest is any situation in which a reasonable third party would conclude that conflicting duties or loyalties exist.

At a minimum, all internal parties who are involved in the grant review or grant management process must be made aware that an actual, potential, or perceived conflict has been disclosed and evaluated, even if it is not serious enough to remove or reassign the employee or grant reviewer. After reviewers have signed the conflict of interest form, therefore, the conflicts--if any--that have been disclosed shall be announced to the reviewing body as a whole. Disclosed conflicts and their resolution will also be noted in the meeting minutes, and the forms will be kept as documentation of the grant review.

As a grant reviewer, I certify that I have read and understand the descriptions of conflict of interest explained above and in OGM Policy 08-01. Check either box 1a or 1b **and** either box 2a or 2b.

☐ 1a. I have reviewed the list of applicants, and I do not have any conflicts of interest relating to this program's grant applicants or proposed projects.

☐ 1b. I have an ACTUAL, POTENTIAL, or PERCEIVED conflict of interest with the applicant(s) listed below. (Note: If you disclose a conflict, you must identify the applicant on this form, but a description is discretionary. Under Minnesota Statute 13.599, this form is considered public data.)

Applicant	Type of Conflict (ACTUAL, POTENTIAL, or PERCEIVED)	Description of Conflict (optional)

☐ 2a. After reviewing this form and OGM Policy 08-01, I CHOOSE to participate in this review process.

☐ 2b. After reviewing this form and OGM Policy 08-01, I CHOOSE NOT to participate in this review process. I will avoid discussing the applicant and/or applications from organizations with which I have disclosed a conflict of interest with other reviewers.

Reviewer's printed name: _____

Reviewer's signature: _____

Date: _____

Reviewer's Organization/Agency: _____

Revised, 5/13

Minnesota Board of Water & Soil Resources

DATE: May 13, 2013

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

FROM: John Jaschke, Executive Director

SUBJECT: BWSR Board Meeting Notice – May 22, 2013

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, May 22, 2013, 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 (see hooded parking area).

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. **Mississippi WMO Plan 2013 Amendment -** The final draft 2013 Amendment to the Mississippi WMO Watershed Management Plan was filed with the Board on March 13, 2013. The draft Order contains a summary of the changes and the reviewing agencies' comments. No comments were received during the public hearing. The Metro Water Planning Committee recommends approval of the Plan Amendment per the attached draft Order. ***DECISION ITEM***

Northern Water Planning Committee

1. **Beltrami County Comprehensive Local Water Plan (CLWP) Extension Request** – Beltrami County has a Comprehensive Local Water Management Plan (Plan) that will expire May 28, 2013. On March 19, 2013, the Board of Water and Soil Resources (Board) received a request for an extension of the Plan from Beltrami County. On March 27, 2013, the Board's Northern Water Planning Committee, chaired by Brian Napstad, met to discuss the extension request. The Committee's recommendation will be presented to the full Board for review and action. The state's expectations for the extension request must be sent to Beltrami County. ***DECISION ITEM***

2. **Lake of the Woods County Soil and Water Conservation District (SWCD) Nomination District Boundary Change -** The Lake of the Woods County SWCD approved a Nomination Districts Resolution on March 14, 2013, which proposed to change nomination districts for the Lake of the Woods County SWCD supervisor seats. The proposed Nomination Districts will align the districts with the recently revised County Commissioner Districts. The Northern Water Planning Committee met on March 27, 2013, and unanimously recommends approval of the Lake of the Woods County SWCD Nomination Districts Resolution. ***DECISION ITEM***

3. **Marshall County Soil and Water Conservation District (SWCD) Nomination District Boundary Change -** The Marshall County SWCD approved a Nomination Districts Resolution on December 20, 2012, which proposed to change nomination districts for the Marshall County SWCD supervisor

seats. The proposed Nomination Districts will provide consistent and equal distribution of township representation in the County. The Northern Water Planning Committee met on March 27, 2013, and unanimously recommends approval of the Marshall County SWCD Nomination Districts Resolution. ***DECISION ITEM***

Southern Water Planning Committee

1. **Kandiyohi County Local Water Management Plan Update** - On January 22, 2013, the Board of Water and Soil Resources (Board) received the Kandiyohi County Local Water Management Plan Update (Plan Update), a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review. On March 7, 2013, the Board's Southern Water Planning Committee (Committee) met with representatives of Kandiyohi County to discuss recommendations of the state review agencies regarding final approval as well as the Board's concern for the Plan Update not fully complying with language in MN Statutes 103B314. Subd. 3, which speaks to measureable goals, objectives and actions. The Plan Update was sent back to Kandiyohi County to address the concern. On May 2, 2013, the Committee met to review the revised Plan Update submitted by Kandiyohi County. The Committee recommends approval. The Findings of Fact, Conclusions and Order are drafted for the Board's review and action. ***DECISION ITEM***

2. **McLeod County Local Water Management Plan Update** - On December 28, 2012, the Board of Water and Soil Resources (Board) received the McLeod County Local Water Management Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review. On March 7, 2013, the Board's Southern Water Planning Committee (Committee) met with representatives of McLeod County to discuss recommendations of the state review agencies regarding final approval as well as the Board's concern for the Plan Update not fully complying with language in MN Statutes 103B314. Subd. 3, which speaks to measureable goals, objectives and actions. The Plan Update was sent back to McLeod County to address the concern. On May 2, 2013, the Committee met to review the revised Plan Update submitted by McLeod County. The Committee recommends approval. The Findings of Fact, Conclusions and Order are drafted for the Board's review and action. ***DECISION ITEM***

3. **Meeker County Local Water Management Plan Update** - On January 7, 2013, the Board of Water and Soil Resources (Board) received the Meeker County Local Water Management Plan Update (Plan Update), a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review. On March 7, 2013, the Board's Southern Water Planning Committee (Committee) met with representatives of Meeker County to discuss recommendations of the state review agencies regarding final approval as well as the Board's concern for the Plan Update not fully complying with language in MN Statutes 103B314. Subd. 3, which speaks to measureable goals, objectives and actions. The Plan Update was sent back to Meeker County to address the concern. On May 2, 2013, the Committee met to review the revised Plan Update submitted by Meeker County. The Committee recommends approval. The Findings of Fact, Conclusions and Order are drafted for the Board's review and action. ***DECISION ITEM***

RIM Reserve Management Planning Committee

1. **2013 RIM-WRP Partnership Rates** – The RIM Reserve Management Planning Committee (RRMPC) recommends approval to authorize the 2013 RIM-WRP Partnership easement payment rates. Board Resolution 13-25, approved March 27, 2013, directed staff to develop RIM-WRP Partnership eligibility and sign-up procedures. ***DECISION ITEM***

NEW BUSINESS

1. **Legislative Update** – John Jaschke will present a legislative update prepared by Sarah Strommen. The agency members of the Board will provide a summary of legislative decisions affecting their programs and responsibilities. ***INFORMATION ITEM***

2. **Environmental Quality Board (EQB) Frac Sand Summary and Status** – EQB staff will provide an overview of past and future actions related to frac sand mining in Minnesota. ***INFORMATION ITEM***

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

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, MAY 22, 2013

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF MARCH 27, 2013 BOARD MEETING

PUBLIC ACCESS FORUM (10-minute agenda time, two-minute limit/person)

INTRODUCTION OF NEW BWSR EMPLOYEES

- Doug Thomas, Senior Policy & Program Advisor
- Bill Penning, Conservation Easement Section Manager
- Barbie Hogan, Office & Administrative Specialist
- Elizabeth Zuehlke, Accounting Officer

REPORTS

- Chair – Brian Napstad
- Administrative Advisory Committee – Brian Napstad
- Executive Director – John Jaschke
- Dispute Resolution Committee – Gerald Van Amburg
- Wetlands Committee – Gerald Van Amburg
- Grants Program & Policy Committee – Paul Langseth
- Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth
- RIM Reserve Management Planning Committee – Gene Tiedemann
- Drainage Work Group – Tom Loveall

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Mississippi WMO Plan 2013 Amendment – Bob Burandt – ***DECISION ITEM***

Northern Water Planning Committee

1. Beltrami County Comprehensive Local Water Plan (CLWP) Extension Request – Gerald Van Amburg – ***DECISION ITEM***

2. Lake of the Woods County SWCD Supervisor Nomination Districts Boundary Change – Keith Mykleseth – ***DECISION ITEM***

3. Marshall County SWCD Supervisor Nomination Districts Boundary Change – Gene Tiedemann – ***DECISION ITEM***

Southern Water Planning Committee

1. Kandiyohi County Local Water Management Plan Update – Paul Langseth – ***DECISION ITEM***

2. McLeod County Local Water Management Plan Update – Paul Langseth – ***DECISION ITEM***

3. Meeker County Local Water Management Plan Update – Paul Langseth – ***DECISION ITEM***

RIM Reserve Management Planning Committee

1. 2013 RIM-WRP Partnership Rates – Tim Koehler and Bill Penning – ***DECISION ITEM***

NEW BUSINESS

1. Legislative Update – Sarah Strommen/John Jaschke - ***INFORMATION ITEM***

2. Environmental Quality Board (EQB) Frac Sand Summary and Status – Bob Patton, EQB Staff – ***INFORMATION ITEM***

AGENCY REPORTS

- Minnesota Department of Agriculture – Matthew Wohlman
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Tom Landwehr
- 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 – Ed Lenz
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Joel Curran

UPCOMING MEETINGS

- Next BWSR Board Meeting – June 26, 2013

Noon **ADJOURN**

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, MARCH 27, 2013

BOARD MEMBERS PRESENT:
Bob Burandt, Joe Collins, Jack Ditmore, Chris Elvrum, MDH; Rebecca Flood, MPCA; Christy Jo Fogarty, Sandy Hooker, Tom Landwehr, DNR; Paul Langseth, Tom Loveall, Keith Mykleseth, Brian Napstad, Steve Sunderland, Gene Tiedemann, Gerald Van Amburg, Matt Wohlman, MDA

BOARD MEMBERS ABSENT:
Faye Sleeper, MES

STAFF PRESENT:
Mary Jo Anderson, Donna Caughey, Jim Haertel, John Jaschke, Al Kean, Tim Koehler, Ron Shelito, Sarah Strommen, Steve Weirens, Marcey Westrick, Steve Woods

OTHERS:
LeAnn Buck, MASWCD
Gaylen Reetz, MPCA
Doug Wetzstein, MPCA
Joel Curran, NRCS

DRAFT

CALL MEETING TO ORDER - Chair Napstad called the meeting to order at 9:05 a.m.

PLEDGE OF ALLEGIANCE

** 13-10 **ADOPTION OF AGENDA** – Moved by Paul Langseth, seconded by Sandy Hooker to adopt the agenda as presented. *Motion passed on a voice vote.*

** 13-11 **MINUTES OF JANUARY 27, 2013 BOARD MEETING** – Moved by Matt Wohlman, seconded by Jack Ditmore, to approve the minutes of January 27, 2013, as circulated. *Motion passed on a voice vote.*

REPORTS

Chair's Report – Brian Napstad reported on the Environmental Congress hosted by the Environmental Quality Board (EQB) on March 15 at the Ramada Inn in Bloomington. Chair Napstad reported that Governor Dayton welcomed nearly 400 participants with great participation from BWSR staff and board members. Featured speakers included Will Steger, Senator Amy Klobuchar, and young college students presented their perspectives on the environment. The Environmental Congress focused on Minnesota's Environment and Energy Report Card. EQB will compile and prioritize guidance topics from the Environmental Congress to assist the Governor in setting environmental goals for the State. Chair Napstad stated that this is a continued work in progress, he will keep the Board updated.

Chair Napstad reported that he attended the EQB meeting on February 21, discussion included the request for a bible camp in Itasca County. The EQB declined to re-designate the RGU and orders Itasca County complete the environmental review.

Chair Napstad reported that the EQB has a whitepaper regarding the silica sand report, more information is available on EQB's website. EQB received a request by Freeborn County in conjunction with Houston and Fillmore Counties, regarding silica sand mines, requesting re-designation of Responsible Governmental Unit (RGU) for environmental review. EQB data and information for EIS is beyond the county level, to be designated to state agency level, RGU re-designated to EQB to do EIS. Chair Napstad reported that he attended a legislative hearing on silica sand mining. Discussion followed.

Chair Napstad reported that he attended the AMC legislative conference on March 21, in St. Paul, he appreciated all those in attendance including John Jaschke and Sarah Strommen.

Chair Napstad reported that the Administrative Advisory Committee (AAC) met this morning. The AAC decided to cancel the April 24th BWSR Board meeting as agenda items will be covered at the March and May meetings.

Administrative Advisory Committee – Chair Napstad thanked board members for reviewing John's performance evaluation. In addition to board members review, a 360 evaluation process is being conducted by 45 people (staff, LGUs), soliciting feedback to supplement John's performance review. Chair Napstad expects to report on the executive director's performance review at the May Board meeting. Chair Napstad reported that the Governor's Appointments Office has not yet made new board members appointments. Chair Napstad reported that the BWSR Board tour will be in Two Harbors, August 28, hosted by Lake County.

Executive Director's Report – John Jaschke reported that the Legislature is in recess for Easter break this week, they will reconvene on April 2. John reported that MAWD held their Legislative Day at the Capitol on March 14; and MASWCD held their Legislative Day at the Capitol on February 26.

John reported that the Red River Valley anticipates flooding this spring. John reported that BWSR, DNR, and the City of Duluth held a joint news conference in Duluth on March 26 regarding BWSR's $3.2 million flood relief grants to the City of Duluth and South St. Louis SWCD. Landowners and local communities still have great needs to fix damages caused by last year's storms. In addition to BWSR funding, DNR will award $650,000 grant to the City of Duluth for debris and sediment removal projects in fourteen trout streams.

John distributed a summary report of the June 2012 flood recovery effort progress to date in northeast Minnesota. John stated that federal funding is needed before allocations can be made on the highest level priority projects. John stated that it's good to see conservation projects in Lake County and St. Louis County that withstood the 2012 floods.

John reviewed information in board members' packets. John provided a brief report on the only active PRAP assistance grant to Pope SWCD, for contracting services for organizational strategic planning, staff realignment, and partnerships.

Dispute Resolution Committee – John Jaschke reported that Travis Germundson is on vacation this week; John provided a brief status report on the appeals.

Wetlands Committee – Gerald Van Amburg reported that the Wetlands Committee has not met; a meeting is tentatively scheduled for April 24.

Grants Program & Policy Committee – Paul Langseth reported that the Grants Program & Policy Committee meeting is tentatively scheduled for April 24 – notice of date will be sent next week.

Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth reported that the Public Relations, Outreach & Strategic Planning Committee has a meeting tentatively scheduled for April 24; topics of discussion will be communications and outreach.

RIM Reserve Management Planning Committee – Gene Tiedemann reported that the RIM Reserve Management Planning Committee met yesterday, the Committee has a recommendation on the agenda later today.

Drainage Work Group – Tom Loveall reported that the Drainage Work Group has not met since December. Al Kean reported that several bills were introduced this legislative session. HF66/SF113, which carried the 2012 DWG consensus recommendations to further update Chapter 103E Drainage Law, passed the House and Senate unanimously, the bill was signed by Governor Dayton, the statute revisions become effective August 1, 2013. Al provided a brief update on HF1021, which proposes to exempt minor ditch repairs from the MN Environmental Rights Act (Chapter 116B); HF949/SF1496 which proposes to require DNR to participate in drainage projects involving Consolidated Conservation lands; and HF971/SF1244, which proposes

to appropriate $235,000 of Clean Water Funds to BWSR to update the Minnesota Public Drainage Manual. The next meeting of the Drainage Work Group is April 5, 2013. Commissioner Tom Landwehr stated that DNR requests time to be on the DWG agenda to discuss the controversial issue of concon lands. Discussion followed. Chair Napstad thanked Al and Tom for their report.

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

Shingle Creek & West Mississippi Watershed Management Commissions' Plan Revision - Jim Haertel reported that this is a unique Watershed Management Plan compared to others in the metro area because two separate, politically distinct organizations share the same plan, yet have unique implementation programs tailored to each. The Shingle Creek and West Mississippi Watershed Management Organizations were formally established via joint powers agreements in 1984 under the Metropolitan Surface Water Management Act of 1982. The Watershed Management Plan final draft was filed with the Board on January 17, 2013. The attached draft Order contains a summary of the plan, planning process, and the reviewing agencies' comments. The Commissions offered stakeholders and state agencies ample opportunities to provide input via an effective Technical Advisory Committee input process, city advisory committee meetings, an online survey, and releasing an informal draft for review. Few comments were received during the formal review process and at the public hearings resulting in relatively minor changes to the Plan. The Metro Water Planning Committee met on March 7, 2013, and was presented a history of the District, the planning process, and highlights of the implementation section of the revised Plan. After review of the information, the Committee
** unanimously voted to recommend approval of the Plan. Moved by Bob Burandt, seconded by
13-12 Sandy Hooker, to approve the Shingle Creek & West Mississippi Watershed Management Commissions' Plan Revision. *Motion passed on a voice vote.*

Southern Water Planning Committee

Jackson County Local Water Management Plan Amendment – Paul Langseth reported that BWSR approved the Jackson County 2008 - 2018 Comprehensive Local Water Management Plan (Plan) on March 26, 2008. The Board Order required Jackson County to update the Plan's implementation section by March 26, 2013. Jackson County followed the amendment process guidelines established by the Board and submitted their 2013 - 2018 Local Water Management Plan Amendment on February 6, 2013. The Southern Water Planning Committee met on March 7, 2013 and recommends approval of the Jackson County 2013 - 2018 Local
** Water Management Plan Amendment. Moved by Paul Langseth, seconded by Sandy Hooker, to
13-13 approve the Jackson County Local Water Management Plan Amendment. *Motion passed on a voice vote.*

Big Stone County Priority Concerns Scoping Document – Paul Langseth reported that Big Stone County submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee met with Big Stone County on March 7, 2013, to discuss the content of the PCSD; state agency review comments on the
** PCSD; and recommends approval of the Big Stone County PCSD. Moved by Paul Langseth,
13-14 seconded by Chris Elvrum, to approve the Big Stone County Priority Concerns Scoping Document. *Motion passed on a voice vote.*

Chippewa County Priority Concerns Scoping Document – Paul Langseth reported that Chippewa County submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee met with Chippewa County on March 7, 2013, and recommends approval of the Chippewa County PCSD. The state's
** expectations for the final plan must be sent to Chippewa County. Moved by Paul Langseth,
13-15 seconded by Matt Wohlman, to approve the Chippewa County Priority Concerns Scoping Document. *Motion passed on a voice vote.*

Lac qui Parle County Priority Concerns Scoping Document – Paul Langseth reported that Lac qui Parle County submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee met with Lac qui Parle County on March 7, 2013, and recommends approval of the Lac qui Parle County PCSD.
** Moved by Paul Langseth, seconded by Sandy Hooker, to approve the Lac qui Parle County
13-16 Priority Concerns Scoping Document. *Motion passed on a voice vote.*

Swift County Priority Concerns Scoping Document - Swift County submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee met with Swift County on March 7, 2013 and recommends approval
** of the Swift County PCSD. Moved by Paul Langseth, seconded by Matt Wohlman, to approve
13-17 the Swift County Priority Concerns Scoping Document. *Motion passed on a voice vote.*

Paul Langseth reported that three county water plan extension requests were rejected by the Southern Water Planning Committee (not on the agenda today). Those extension requests were returned to the county to complete their plans. Counties are ineligible for grants if comprehensive local water plans are not approved by BWSR. It is in the best interest for counties to complete a good plan. Discussion followed. The start date of each plan will be included in future Orders.

** Moved by Paul Langseth, seconded by Bob Burandt, to approve the Comprehensive Local Water Management Plan extension requests for Big Stone County, Blue Earth County, Chippewa County, Lac qui Parle County, and Swift County; the extension requests will be approved with one resolution, Chair Napstad will sign individual Orders for each county.
** Discussion followed. Jack Ditmore made a motion to vote on each county plan individually. Paul Langseth and Bob Burandt withdrew the motion for one resolution approving the extension
13-18 requests, and agreed to vote on each individual extension request. *Motion passed on a voice vote.*

Big Stone County Comprehensive Local Water Management Plan Extension Request – Paul Langseth reported that Big Stone County's Comprehensive Local Water Management Plan (Plan) will expire May 28, 2013. On March 7, 2013, the Southern Water Planning Committee met with Big Stone County and recommends approval of the Big Stone County Comprehensive
** Local Water Management Plan Extension. Moved by Paul Langseth, seconded by Bob Burandt,
13-19 to approve the Big Stone County Comprehensive Local Water Management Plan Extension Request. *Motion passed on a voice vote.*

Blue Earth County Comprehensive Local Water Management Plan Extension Request – Paul Langseth reported that Blue Earth County's five-year Comprehensive Local Water Management Plan will expire June 30, 2013. On March 7, 2013, the Southern Water Planning Committee met and recommends approval of the Blue Earth County Comprehensive Local

** 13-20 Water Management Plan Extension. Blue Earth County is working on incorporating a green print. Moved by Paul Langseth, seconded by Sandy Hooker, to approve the Blue Earth County Comprehensive Local Water Management Plan extension request. *Motion passed on a voice vote.* Joe Collins commends the county for including mining in their plan.

Chippewa County Comprehensive Local Water Management Plan Extension Request – Paul Langseth reported that Chippewa County's Comprehensive Local Water Management Plan (Plan) will expire May 28, 2013. On March 7, 2013, the Southern Water Planning Committee met with Chippewa County and recommends approval of the Chippewa County Comprehensive

** 13-21 Local Water Management Plan Extension. Moved by Paul Langseth, seconded by Sandy Hooker, to approve the Chippewa County Comprehensive Local Water Management Plan extension request. Discussion followed. Keith Mykleseth stated that the water plans are an evolving process statewide. Tom Loveall stated that more details on the plans leads to accountability. Jack Ditmore stated that the message is being sent to complete a plan. *Motion passed on a voice vote.*

Lac qui Parle County Comprehensive Local Water Management Plan Extension Request – Paul Langseth reported that Lac qui Parle County's Comprehensive Local Water Management Plan will expire May 28, 2013. On March 7, 2013, the Southern Water Planning Committee met with Lac qui Parle County and recommends approval of the Lac qui Parle County

** 13-22 Comprehensive Local Water Management Plan Extension. Moved by Paul Langseth, seconded by Chris Elvrum, to approve Lac qui Parle County Comprehensive Local Water Plan extension request. *Motion passed on a voice vote.*

Swift County Comprehensive Local Water Management Plan Extension Request – Paul Langseth reported that Swift County's Comprehensive Local Water Management Plan will expire May 28, 2013. On March 7, 2013, the Southern Water Planning Committee met with Swift County and recommends approval of the Swift County Comprehensive Local Water

** 13-23 Management Plan Extension. Moved by Paul Langseth, seconded by Sandy Hooker, to approve the Swift County Comprehensive Local Water Management Plan extension request. *Motion passed on a voice vote.*

Chair Napstad called for a break in the meeting at 11:00 a.m. The meeting reconvened at 11:13 a.m.

NEW BUSINESS

Reinvest In Minnesota (RIM) Reserve –Wetlands Reserve Program (WRP) 2013 – Gene Tiedemann reported that the RIM Committee met yesterday, no quorum present, the Committee's consensus was to move this forward. Tim Koehler reported that the RIM-WRP Partnership has received recommendations from the Lessard Sams Outdoor Heritage Council and legislative appropriations from the Outdoor Heritage Fund in 2009, 2010, 2011 and 2012 totaling $42.76 million to leverage federal WRP funds totaling over $68 million. In addition, a fifth year of funding is currently being considered by the MN Legislature for $13.39 million from the

Outdoor Heritage Fund which will leverage $21.5 million of federal WRP funds. Tim reported that the Committee's consensus authorizes staff to:

1. Utilize existing and anticipated Outdoor Heritage Funds for the 2013 RIM-WRP Partnership; and
2. Target expiring CRP contracts with critical wetland restoration practices for enrollment in the RIM-WRP Partnership; and

3. Work with MN NRCS to develop RIM-WRP Partnership eligibility and sign-up procedures for the 2013 RIM-WRP Partnership.

Tim introduced Joel Curran, NRCS. Joel reported that $7M is allocated to WRP; request for 8,000 acres to enroll in WRP; awaiting an answer from Washington within a month.

Tom Landwehr stated that RIM-WRP is a critical component in the Prairie Plan. Tom proposed adding new language to the resolution as follows:

#3. Prioritize projects consistent with the priorities in the MN Conservation Prairie Plan and subsequent conservation implementation guidance.
#4. Work with MN NRCS to develop RIM-WRP Partnership eligibility and sign-up procedures for the 2013 RIM-WRP Partnership.

** Moved by Tom Landwehr, seconded by Paul Langseth, to amend the resolution to include the proposed new language.

Matt Wohlman recommends scoring based on multiple benefits of prairies and wetlands. Tim Koehler explained that scoring points could also be consistent with other prairie pothole plans. Paul stated that his second to the motion would add a target to the partnership. Keith stated that it's good to work together; accountability is important. Matt stated that MDA has not signed off on the Plan, there were no agriculture stakeholders involved in the plan. Tom Landwehr stated that the key is to target outcomes consistent with WRP with a focus on specific outcomes. Gene Tiedemann suggests this going through the Committee to allow time to review. Discussion followed. Gerry Van Amburg supports the amendment as he's for more grassland preservation and restoration.

Tim Koeheler stated that the Prairie Plan areas have been identified to focus on working lands, grazing, water quality, CRP, grasslands, and prairie. LeAnn Buck stated that LGUs don't know what the prairie plan details are, it would be helpful to have good conversation at the local level so they understand. Bob Burandt stated that naming the area looks like RIM is singled-out, he doesn't support the amendment, the Committee will review this. Chair Napstad clarified that the Board is voting on the amendment at this time, not the Resolution. The proposed amendment adds: **#3. Prioritize projects consistent with the priorities in the MN Conservation Prairie Plan and subsequent conservation implementation guidance; with #3 now #4.** Chair Napstad called for a roll call vote. Affirmative: Joe Collins, Jack Ditmore, Christy Jo Fogarty, Tom Landwehr, Paul Langseth, Tom Loveall, Keith Mykleseth, Gerald Van Amburg, Brian Napstad. Opposed: Bob Burandt, Chris Elvrum, Rebecca Flood, Sandy Hooker, Steve Sunderland, Gene
13-24 Tiedemann, Matt Wohlman. *The amendment to the Resolution was approved.*

** Moved by Gene Tiedeman, seconded by Jack Ditmore, to approve the Resolution as amended. – authorizing staff to move forward on the voluntary sign-up application process. Tim Koehler explained that the current process is in place, using last years payment rates and scoring rates; work with landowners to explain the basics to landowners; the Committee will bring this voluntary
13-25 program before the Board in May. Discussion followed. *Motion passed on a voice vote.*

Watershed Protection & Restoration Strategies –Gaylen Reetz, MPCA, presented background information on the Clean Water Act. Steve Woods explained that the Clean Water Land and Legacy Amendment funding has allowed the executive branch agencies to systematically re-think how to best produce cleaner water. Input from the Clean Water Council, listening sessions around the state,

and inter-agency teams resulted in a system that meshes a predictable 10-year water monitoring cycle with local water planning processes. Throughout 2013, BWSR will sponsor a stakeholder process that aligns local water plan expectations with the Board's approval process. Steve stated that Doug Thomas, newly hired Policy Advisor, starts with BWSR on April 15, he will work on the "One Watershed" policy. Chair Napstad stated that this looks to be a driver for incentives. John Jaschke stated that BWSR will work with MPCA to get information out. Discussion followed. Matt Wohlman thanked Steve and Gaylen for their informative presentation, asked about parcel levels. Gaylen stated that the intent is so local resource managers can utilize this information. LeAnn Buck appreciated the presentation, need to coordinate allocation. Tom Landwehr stated this is a great piece of information, need to think about implementation, a challenge for entities, BWSR's key role is to implement soon; promote the message, need coordination of agencies to get this on the ground. Chair Napstad thanked Steve and Gaylen for the informative presentation. John acknowledged MPCA for developing a more useful, better, cheaper, and faster process.

Legislative Update – Sarah Strommen presented a brief legislative overview and update for the Board's information. Chair Napstad thanked Sarah for her update.

AGENCY REPORTS

Minnesota Department of Agriculture (MDA) – Matt Wohlman reported that last month MDA Commissioner Frederickson proposed the MDA Advisory Committee score pilot areas for MAWD. Matt reported that MDA hired RESPECT Consulting Company (former BWSR employee Julie Blackburn) to help develop a measurement tool for certifiable determinations.

ADVISORY COMMENTS

Minnesota Association of Townships (MAT) – Sandy Hooker reported that MAT staff are concluding a three-week-training for nearly 7,000 township officers. MAT will be going to Washington, D.C. in April to lobby.

UPCOMING MEETINGS

- Next BWSR Board Meeting - May 22, 2013
- Grants Program & Policy Committee will meet April 24

** 13-26 Moved by Keith Mykleseth, seconded by Sandy Hooker, to adjourn the meeting at 1:05 p.m. *Motion passed on a voice vote.*

Respectfully submitted,

Mary Jo Anderson
Recorder

DRAFT

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report[1]

Meeting Date: May 22, 2013

Agenda Category: ☐ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region: Land and Water Section

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Gerald Van Amburg/Travis Germundson

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
None

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Dispute Resolution Committee Report. The report provides a monthly update on the number of appeals filed with the BWSR.

Dispute Resolution Report
May 10, 2013
By: Travis Germundson

There are presently **12** appeals pending. All of the appeals involve WCA except File 10-10. There have been **no** new appeals filed since the last report (March 27, 2013 Board Meeting).

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 13-3 (3-19-13) This is an appeal of a restoration order in Big Stone County. The appeal regards impacts to DNR Public Waters and WCA wetlands on state property associated with an agricultural drainage project. *The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application.*

File 13-1 (1-9-13) This is an appeal of a restoration order in Swift County. The appeal regards drainage impacts to multiple wetlands associated with an agricultural drain tile project. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the fact wetland application.

File 12-19 (12-27-12) This is an appeal of a wetland replacement plan decision in Stearns County. The appeal regards the approval of a wetland replacement plan application for a tenth of an acre of impact to a Type 3 wetland. A previous appeal of a restoration order involving the same wetland impacts (File 12-10) was dismissed. The appeal has been remanded for further technical work.

File 12-16 (11-16-12). This is an appeal of a wetland banking credit deposit request in Stearns County. The appeal regards the approval of a wetland banking plan request to deposit 9.9 acres of credit. A previous appeal (File 12-13) was remanded for the LGU to develop an adequate record, and now that new decision is being appealed. At issue are the eligibility requirements for banking credits. The appeal has been accepted and the briefing and hearing schedule stayed by mutual agreement to allow time for settlement discussions to continue.

File 12-12 (7-16-12) This is an appeal of an exemption determination in Renville County. The appeal regards the denial of an agricultural drainage exemption associated with a 1.5 acre wetland. At issue is the wetland type determination. A previous appeal (File 12-5) was remanded for further technical evaluation and administrative proceedings, and now the current approval is being appealed. A verbal settlement agreement has since been reached that includes submittal of a replacement plan application. The appeal has been placed in abeyance by mutual agreement to determine the viability of a wetland replacement plan application.

File 11-1 (1-20-11) This is an appeal of a restoration order in Hennepin County. The appeal regards the filling of approximately 1.77 acres of wetland and 0.69 acres of excavation. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application and confirmation of required mitigation.

File 10-10 (6-10-10) This is an appeal filed under Minn. Stat. 103D.535 regarding an order of the managers of the Wild Rice Watershed District not to go forward with the Upper Becker Dam Enhancement Project as proposed. Appeals filed under 103D.535 require that the Board follow the Administrative Procedures Act. The Act requires that the hearing be conducted by an Administrative Laws Judge through the Office of Administrative Hearings. A mediated settlement agreement was reached with the condition that if the watershed district fails to carry out Option D the appeal shall go forward. The appeal has been placed in abeyance.

File 10-7 (2-19-10) This is an appeal of a restoration order in Stearns County. The appeal regards draining and filling impacts to approximately 18.44 acres of Type2/3 wetland and 3.06 acres of Type 2 wetland. The appeal has been placed in abeyance and the restoration order stayed for submittal of "as built" or project information pertaining to a public drainage system. The landowner has committed to restoring the site and the TEP plans to conduct a site visit in the spring of 2013 to verify that restoration has occurred.

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 pre-hearing conferences convened on October 13 and 30, and December 14, 2009. Settlement discussions are on hold while the appellant addresses permitting issues with the Corps of Engineers. The appeal has been placed in abeyance by mutual agreement on determining the viability of a new wetland banking plan application.

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 disposition with the U.S. Dept of Justice.

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.

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 are 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 new wetland delineation and for submission on an updated, complete replacement plan application. On 12-9-09 the District made a new wetland delineation decision. The applicant has not yet submitted an updated replacement plan application.

Summary Table

Type of Decision	Total for Calendar Year 2012	Total for Calendar Year 2013
Order in favor of appellant	1	
Order not in favor of appellant	5	1
Order Modified		
Order Remanded	4	
Order Place Appeal in Abeyance	1	
Negotiated Settlement		
Withdrawn/Dismissed	4	

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Mississippi WMO Plan 2013 Amendment – Bob Burandt – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Mississippi WMO Plan Amendment

Meeting Date: May 22, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Metro

Contact: Brad Wozney, Board Conservationist

Prepared by: Brad Wozney, Board Conservationist

Reviewed by: Metro Water Planning Committee(s)

Presented by: Bob Burandt

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of Plan Amendment to the Mississippi Watershed Management Organization's Watershed Management Plan

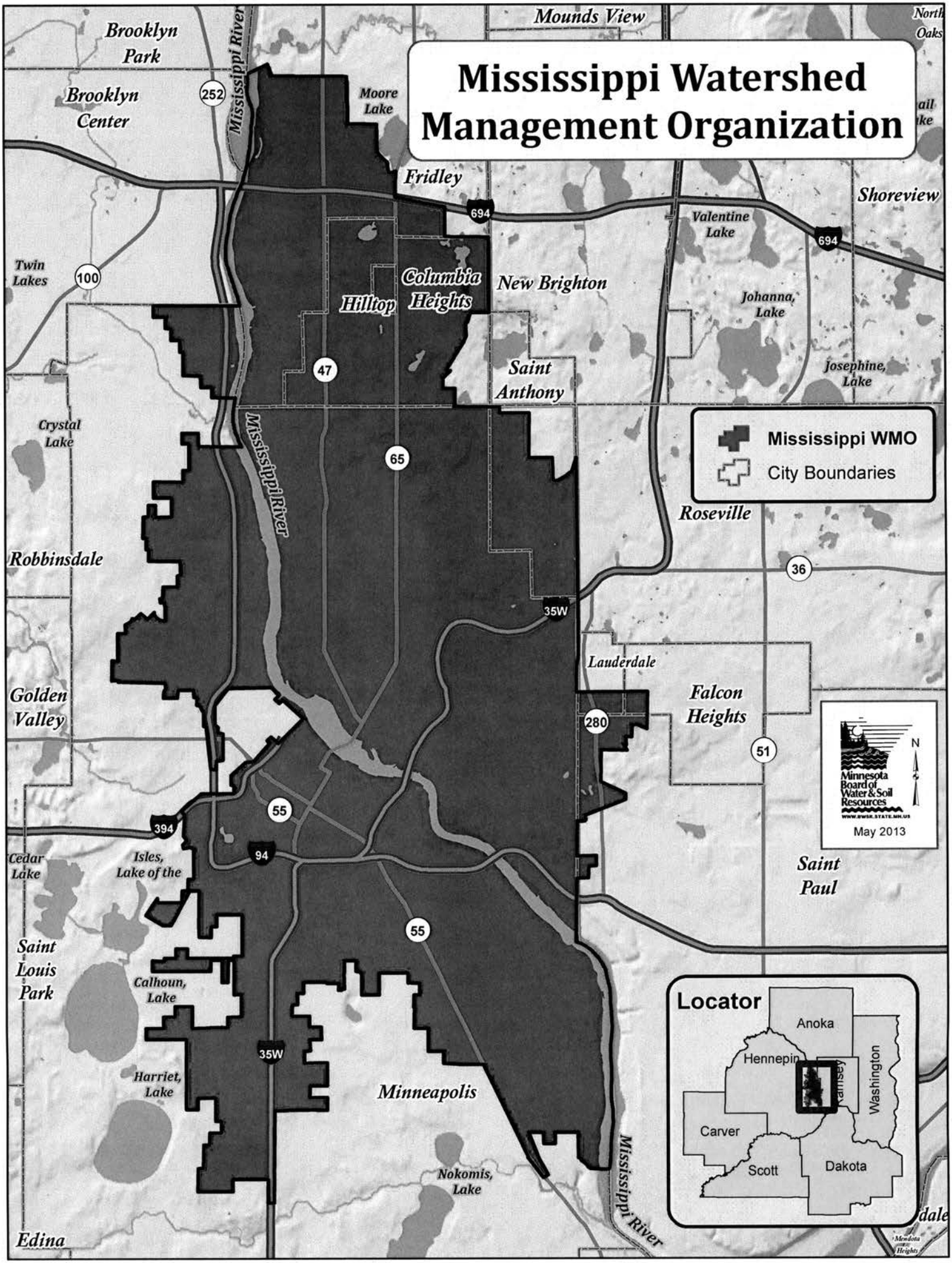
SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The Middle Mississippi WMO was established in 1985 and included the University of Minnesota. The first Watershed Management Plan was published in December 1986. In 1997, a Joint and Cooperative Agreement, more commonly entitled "Joint Powers Agreement" across the metro region, was entered into by the Cities of Minneapolis, St. Paul, Lauderdale, Falcon Heights, St. Anthony, and the Minneapolis Park and Recreation Board. The agreement changed the name to Mississippi WMO (MWMO) and replaced the agreement executed in 1985 that created the original organization. In 1999, the MWMO's legal boundary was redrawn to exclude the city of Falcon Heights, which is now a part of the Capitol Region Watershed District. The second Watershed Management Plan was approved by the Board in 2000. In 2001 the legislature granted MWMO the authority as a "special purpose taxing district" under MN Statutes § 275.066. Their current plan was approved by the Board in April 2011.

The MWMO is located in Hennepin and Ramsey Counties in the heart of the Minneapolis – St. Paul seven county metropolitan area. It is bound by the recently dissolved Six Cities Watershed Management Organization to the north, on the west by the West Mississippi / Shingle Creek Watershed Management Organizations and Bassett Creek Watershed Management Organization, on the south by Minnehaha Creek Watershed District, and on the east by the Capitol Region and Rice Creek Watershed Districts. The MWMO encompasses 13,602 acres (31.5 square miles) of fully developed urban lands (90%), parks and open space (7%), and open water (3.6%). It is important to note that 95% of the watershed is within the City of Minneapolis. The Mississippi River is the primary water resource in the MWMO, but other water resources include Loring Park Pond – an eight acre, annually stocked recreational fishing lake, and Mallard Marsh and Kasota Ponds. There are three dams with navigation locks on the Mississippi River within the MWMO. Subwatersheds in the region that were historically defined by topography are now defined by extensive networks of stormwater tunnels and pipes. Bassett Creek flows by way of a tunnel through the MWMO.

The MWMO 2013 Amendment proposes to revise the implementation program by clarifying the schedule for two existing capital improvement projects, addressing the newly added areas of Fridley, Hilltop, and Columbia Heights to the MWMO that were in the former Six Cities WMO, and adding seven new capital improvement projects.

The Metro Water Planning Committee met on May 8, 2013. After review of the information, BWSR staff was in favor of, and the Committee unanimously voted to, recommend approval of the Plan Amendment dated March 13, 2013, to the full Board per the attached draft Order.


Mississippi Watershed Management Organization
Mounds View
North Oaks
Brooklyn Park
Brooklyn Center
252
Mississippi River
Moore Lake
Fridley
694
Shoreview
Valentine Lake
694
Twin Lakes
100
Columbia Heights
Hilltop
New Brighton
Johanna, Lake
47
Saint Anthony
Josephine, Lake
Crystal Lake
65
Mississippi River
Mississippi WMO
City Boundaries
Roseville
Robbinsdale
36
35W
Lauderdale
Golden Valley
Falcon Heights
280
51
Minnesota Board of Water & Soil Resources
WWW.BWSR.STATE.MN.US
N
May 2013
55
394
94
Cedar Lake
Isles, Lake of the
Saint Paul
55
Saint Louis Park
Calhoun, Lake
35W
Harriet, Lake
Minneapolis
Nokomis, Lake
Mississippi River
Edina
Locator
Anoka
Hennepin
Ramsey
Washington
Carver
Scott
Dakota

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 **Mississippi Watershed Management Organization**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 11.

ORDER APPROVING AMENDMENT TO WATERSHED MANAGEMENT PLAN

Whereas, the Board of Commissioners of the Mississippi Watershed Management Organization (MWMO) submitted an Amendment to the Watershed Management Plan (Amendment) dated March 13, 2013, 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 Management Organization Establishment.** The Middle Mississippi WMO was established in 1985 and included the University of Minnesota. The first watershed management plan was published in December 1986. In 1997, a Joint and Cooperative Agreement, more commonly entitled "Joint Powers Agreement" across the metropolitan area, was entered into by the Cities of Minneapolis, St. Paul, Lauderdale, Falcon Heights, St. Anthony, and the Minneapolis Park and Recreation Board. The agreement changed the name to Mississippi WMO and replaced the agreement executed in 1985 that created the original organization. In 1999, the MWMO's legal boundary was redrawn to exclude the city of Falcon Heights, which is now a part of the Capitol Region Watershed District. The second watershed management plan was approved by the Board in 2000. In 2001 the legislature granted MWMO the authority as a "special purpose taxing district" under MN Statutes § 275.066.

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 MWMO is located in Hennepin and Ramsey Counties in the heart of the Minneapolis – St. Paul seven county metropolitan area. It is bound by

the recently dissolved Six Cities Watershed Management Organization to the north, on the west by the West Mississippi / Shingle Creek Watershed Management Organizations and Bassett Creek Watershed Management Organization, on the south by Minnehaha Creek Watershed District, and on the east by the Capitol Region and Rice Creek Watershed Districts. The MWMO encompasses 13,602 acres (31.5 square miles) of fully developed urban lands (90%), parks and open space (7%), and open water (3.6%). The MWMO consists of portions of the Cities of Lauderdale, St. Paul, St. Anthony, and Minneapolis including property owned by the Minneapolis Park and Recreation Board. It is important to note that 95% of the watershed is within the City of Minneapolis. As of 2010 the population within MWMO was over 236,000 and projected to be over 248,000 by 2020. Over the course of the next ten years Minneapolis is proposing significant redevelopment around "growth centers" which are characterized by a concentration of employment-generating development. The Mississippi River is the primary water resource in the MWMO, but other water resources include Loring Park Pond – an eight acre, annually stocked recreational fishing lake, and Mallard Marsh and Kasota Ponds. There are three dams with navigational locks on the Mississippi River within the MWMO. Subwatersheds in the region that were historically defined by topography are now defined by extensive networks of stormwater tunnels and pipes. Bassett Creek flows by way of a tunnel through the MWMO.

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 December 17, 2012. The Amendment proposes to add capital improvement projects, add detail to two existing capital projects, and address the newly added areas to the MWMO from the dissolved Six Cities WMO. The MWMO held a public hearing on March 12, 2013. No revisions to the Amendment were made as a result of comments received at the hearing. The final draft Amendment was submitted to the Board and plan review agencies on March 13, 2013, for final review and approval.

5. **Local Review.** The MWMO circulated a copy of the draft Amendment to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7, and received comments from the Anoka Conservation District. All comments were fully addressed.

6. **Metropolitan Council Review.** The Metropolitan Council was supportive of the amendment stating it is consistent with the Council's *Water Resources Management Policy Plan*.

7. **Department of Agriculture Review.** The MDA did not comment on the Amendment.

8. **Department of Health Review.** The MDH did not comment on the Amendment.

9. **Department of Natural Resources Review.** The DNR did not comment on the Amendment.

10. **Pollution Control Agency Review.** The PCA stated they had no comments.

11. **Department of Transportation Review.** The DOT did not comment on the Amendment.

12. **Board Review.** Board staff commended the MWMO for maintaining a current capital improvement program and had no other comments on the Amendment. The Joint and Cooperative Agreement is compliant and fully executed to reflect the newly added member cities.

13. **Amendment Summary.** The Amendment proposes to revise the implementation program by adding seven new capital improvement projects, clarifying details to two existing capital improvement projects, and addressing the newly added areas in Fridley, Hilltop, and Columbia Heights to the MWMO that were formerly in the Six Cities WMO.

14. **Metro Water Planning Committee Meeting.** On May 8, 2013, the Board's Metro Water Planning Committee and staff met in St. Paul to review and discuss the Amendment. Those in attendance from the Board's Committee were Joe Collins, Jack Ditmore, Rebecca Flood, Faye Sleeper, and Robert Burandt as chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationist Brad Wozney. 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 Mississippi Watershed Management Organization 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.

DRAFT

ORDER

The Board hereby approves the attached Amendment dated March 13, 2013, to the Mississippi Watershed Management Organization Watershed Management Plan.

Dated at Saint Paul, Minnesota this 22nd day of May 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

DRAFT

1.0 Introduction

The Mississippi Watershed Management Organization (MWMO) is committed to protecting, managing, and improving the water resources within its boundaries. The MWMO Board of Commissioners has directed staff to lead efforts to accomplish the mission by assisting, educating, supporting, and cooperating with its member organizations, other units of government, nonprofit agencies, and a variety of community groups to achieve a diverse, functional urban river ecosystem.

Mission Statement **articulates why the organization exists:**

To lead, and to foster stewardship of the watershed and its waters with actions that promote civic ownership and responsibility and through measures that achieve diverse and functional ecosystems.

Vision statement **describes what the organization hopes to achieve by 2020:**

To lead, to inspire, to act, to educate, and to create a shared vision for a river system with ecological integrity.

2.0 Executive Summary

2.1 History

Today's organization began as the Middle Mississippi River Watershed Management Organization in 1985 with a joint powers agreement executed by the Cities of Minneapolis, Saint Paul, Lauderdale, Falcon Heights, Saint Anthony Village, the Minneapolis Park and Recreation Board, and the University of Minnesota. For business purposes, the organization shortened its name to the Mississippi Watershed Management Organization. The current joint cooperative agreement, bylaws and legal description are included in Appendix A.

The First Generation Watershed Management Plan (Plan), published in December of 1986, was never officially approved, resulting in no projects being implemented. In January 1997, the University of Minnesota left the organization and a Second Generation planning effort was initiated. In 1998 the Capitol Region Watershed District was formed adjacent to the MWMO. A geographically small community, Falcon Heights chose to remove itself and its accompanying land area from the MWMO, thus stewarding its watershed solely within the Capitol Region Watershed District. In 2000, the Bassett Creek Watershed Management Commission, MWMO, and the City of Minneapolis entered into a joint and cooperative agreement, which resulted in a boundary change that transferred 1,002 acres from the Bassett Creek Watershed Management Commission to the MWMO to address the completion of the new Bassett Creek tunnel (Appendix M).

In 2000, the MWMO Second Generation Plan was approved. In 2006, the Plan was amended to add the Greening Program and clarify existing programmatic efforts. The MWMO's Third Generation Plan was adopted by the MWMO Board of Commissioners on May 10, 2011. An amendment to the Plan's Capital Improvement Schedule to add additional member projects was adopted by the MWMO Board of Commissioners on May 8, 2012.

In 2011 the Six Cities WMO was dissolved, by August 21, 2012 the cities of Columbia Heights, Fridley and Hilltop past members of Six Cities WMO became members of the MWMO. Projects in the cities of Columbia Heights, Fridley and Hilltop related to stormwater management were identified and added to the MWMO Plan's Capital Improvement Schedule via a 2013 plan amendment.

2.2 Accomplishments

When the 2000 Watershed Management Plan (Plan) was adopted, the MWMO consisted of a five-member Board with staffing provided by the City of Minneapolis Environmental Services. In the fall of 2002, the MWMO Board hired an administrator and program manager to build an organization capable of

implementing the goals and activities outlined in the 2000 Plan. Since then, the MWMO has established its own offices and added new staff members to develop the programmatic areas needed to successfully implement goals and activities found in the 2000 Plan. A few of these successes include: the Heritage Park Capitol Improvement Project, the Stewardship Grant Fund, the Hmong Community Project, a study on the Historic Waters of the MWMO and the establishment of a monitoring network for the Watershed.

In the Heritage Park Capitol Improvement Project, the MWMO worked with the City of Minneapolis to incorporate new and innovative stormwater management systems into a city-led neighborhood redevelopment project. This is the first effort within the Watershed to demonstrate the benefits that an integrated stormwater management effort can make in a land use redevelopment project, providing water quality and quantity improvement and quality of life enhancement.

The Stewardship Fund Program awards grants and provides technical assistance and information to community organizations within the Watershed. Since 2003, the Stewardship Fund Program has supported the installation of stormwater management practices to improve water quality as well as the implementation of water quality education and outreach activities.

The MWMO's Education and Outreach Program, in partnership with the City of Minneapolis, is leading the way to a better understanding of the cultural connections the Hmong community has with water resources. This allows the MWMO to provide relevant information using appropriate, meaningful methods.

The MWMO study, Historic Waters of the MWMO (MWMO, 2011) is exemplary of the scientific approach the MWMO is taking to better understand historic and present day water, land, and geological characteristics that influence water resources.

The MWMO also partnered with its member organizations to initiate a monitoring network. The MWMO currently monitors several parameters of water quality and river stage at six locations in the Mississippi River as well as the quality and amount of water that flows from five stormwater outfalls draining into the river. This is the beginning of a comprehensive monitoring network that will provide the MWMO the data needed to evaluate its progress in managing the water resources within the Watershed.

Through these and other accomplishments, the MWMO has proven to be an effective and motivated organization. Through this Third Generation Plan the MWMO lays out an implementation schedule which requires the continued growth and leadership of the organization to achieve its stated goals. In 2008, the organization allocated funds necessary to develop a site and facility that will meet future organizational needs.

2.3 Statutory Background

The 1972 Federal Clean Water Act authorized the US Environmental Protection Agency (EPA) to "protect . . . rights of States to prevent, reduce, and eliminate pollution of . . . land and water resources" (Sec 101, b). The EPA transferred portions of this authority to state legislative bodies. In 1982, the legislature approved the Metropolitan Surface Water Management Act. It was later recodified as M.S. 103B (See Minnesota Statutes Chapter 103B).

Since passage of the act, all local units of government in the seven-county metropolitan area have been involved in the preparation and implementation of comprehensive surface water management plans through membership in a watershed management organization based on natural watershed boundaries.

These first plans resulted in two key advances in comprehensive surface water resource management. First, the plans required the adoption, amendment, or update of a variety of local controls to reduce erosion and sedimentation, establish stormwater design standards, and protect wetlands. Second, during the planning and implementation of the plans, communities within the watersheds developed stronger working relationships.

In 1992, the Board of Water and Soil Resources developed rules (Minnesota Rules Chapter 8410) for plan content. WMOs used these rules in plan revisions, which are required every 5 to 10 years. The rules require, among other items, more specificity in citizen participation, control of erosion and sedimentation, wetland assessment, and the design of new stormwater conveyance and treatment systems.

The Metropolitan Surface Water Management Act lists a number of responsibilities watershed management organizations can elect to accept and carry out (see Appendix D). The MWMO has the authority to protect, to preserve, and to improve surface and groundwater systems; to establish more uniform local policies and official controls for surface and groundwater management; to prevent erosion of soil; and to protect and enhance fish and wildlife habitat and water recreational facilities. These responsibilities affect more than just water resource management; they impact land use, habitat and ecosystem planning, and management connected to water resources.

Additionally, in 2001 the legislature granted the authority of a Special Purpose Taxing District under Minnesota Statute Section 275.066 to the MWMO. This authority continues to be vital to implementing plans and goals of the MWMO.

2.4 Present Day Jurisdictional Area

The MWMO's jurisdictional area includes portions of the Cities of Columbia Heights, Fridley, Hilltop, Lauderdale, Minneapolis, Saint Anthony Village, and Saint Paul, as well as, lands owned by the Minneapolis Park and Recreation Board. The MWMO's legal boundary is shown in Figure 1.

Table 1. Percent coverage of member organizations within the MWMO

Municipality	Percent Area of MWMO	Acres within MWMO	Square Miles
Columbia Heights	7.92%	2025.04	3.16
Fridley	9.51%	2431.89	3.80
Hilltop	0.32%	81.57	0.13
Lauderdale	0.16%	40.46	0.06
Minneapolis	73.26%	18729.70	29.27
MPRB	5.42%	1386.50	2.17
Saint Anthony Village	2.55%	653.13	1.02
Saint Paul	0.85%	217.34	0.34
Totals	100.00%	25565.63	39.95

2.5 Board of Commissioners

The MWMOs governing Board of Commissioners consists of seven commissioners. There is one commissioner appointed by each member organization with the exception of a shared seat for the cities of Columbia Heights and Hilltop.

Table 2. 2012 Board of Commissioners of the MWMO*

Member	Position	Member Community
Kevin Reich	Chair	City of Minneapolis
Scott Vreeland	Vice-chair	Minneapolis Park and Recreation Board
Karen Gill-Gerbig	Treasurer	City of Lauderdale
Jerry Faust	Commissioner	City of Saint Anthony Village
Matt Hass	Commissioner	City of Saint Paul
James Saefke	Commissioner	City of Fridley
Donna Schmitt	Commissioner	City of Columbia Heights / Hilltop

* Note: see www.mwmo.org for a current list of commissioners and alternates

COMMITTEE RECOMMENDATIONS

Northern Water Planning Committee

1. Beltrami County Comprehensive Local Water Plan (CLWP) Extension Request – Gerald VanAmburg – ***DECISION ITEM***

2. Lake of the Woods County SWCD Supervisor Nomination Districts Boundary Change – Keith Mykleseth – ***DECISION ITEM***

3. Marshall County SWCD Supervisor Nomination Districts Boundary Change – Gene Tiedemann – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Beltrami County Comprehensive Local Water Management Plan Extension Approval**

Meeting Date: May 22, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: North Region
Contact: Ron Shelito
Prepared by: Chad Severts
Reviewed by: Northern Water Planning Committee(s)
Presented by: Gerald Van Amburg

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☒ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested
☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget
☐ Other: _____

ACTION REQUESTED
Approval of the Beltrami County Comprehensive Local Water Management Plan extension request.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
Beltrami County has a Comprehensive Local Water Management Plan (Plan) that will expire May 28, 2013. On March 19, 2013, the Board of Water and Soil Resources (Board) received a request for an extension of the Plan from Beltrami County. BWSR staff has reviewed and recommend approval of the request.

On March 27, 2013, the Board's Northern Water Planning Committee, chaired by Brian Napstad, met to discuss the extension request. After discussion, the Committee decided with a unanimous vote to recommend approval of the Beltrami County extension request and bring this recommendation forward to the full BWSR Board for review and action. The state's expectations for the extension request must be sent to Beltrami County.

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 Beltrami County (Minnesota Statutes , Section 103B.311, Subdivision 4, authorizing BWSR to grant extensions.)

ORDER EXTENDING LOCAL WATER MANAGEMENT PLAN

Whereas, Beltrami County has a state approved Comprehensive Local Water Plan (CLWP) that is effective until May 28, 2013, pursuant to M.S. Section 103B.301, and

Whereas, Beltrami County has submitted a resolution requesting an extension of its Plan; and

Whereas, the Board of Water and Soil Resources (Board) has the authorization to grant extensions with or without conditions pursuant to Minnesota Statutes 103B.3367.

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

FINDINGS OF FACT

1. On March 19, 2013, Beltrami County Board of Commissioners passed a resolution requesting an extension of their Comprehensive Local Water Plan to May 28, 2015.

2. On March 27, 2013, Board of Water and Soil Resources Northern Water Planning Committee reviewed and recommended approval of the extension request by Beltrami County.

CONCLUSIONS

1. All relevant requirements of law and rule have been fulfilled. The Board of Water and Soil Resources has proper jurisdiction in the matter of extending the Comprehensive Local Water Plan of Beltrami County pursuant to M.S. Section 103B.311, Subd. 4.

ORDER

The Board of Water and Soil resources hereby approves the extension of the Beltrami County Comprehensive Local Water Plan until May 28, 2015. Dated at St. Paul, Minnesota, this 22th day of May 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

DRAFT

RECEIVED
APR 02 2013
BD OF WATER & SOIL
RESOURCES-BEMIDJI

BOARD OF COUNTY COMMISSIONERS
BELTRAMI COUNTY, MINNESOTA

DATE: 03-19-2013

RESOLUTION #13-03-15

MOTION OF COMMISSIONER: Frost SECONDED BY COMMISSIONER: Lucachick

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THE BOARD, BY ADOPTION OF ITS REGULAR AGENDA, APPROVED THE TAX COMPREHENSIVE WATER MANAGEMENT PLAN EXTENSION RESOLUTION, AS SUBMITTED

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, and
WHEREAS, Beltrami County currently has an approved Comprehensive Local Water Management Plan (the Plan) which is due to expire on May 13, 2013, and

WHEREAS, 1995 amendments to the Comprehensive Local Water Planning Act, M.S. 103B.301 gave the Minnesota Board of Water and Soil Resources (BWSR) authority to extend the ending date of local water plans for a period of not to exceed two (2) 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 an official control of other local governmental units be consistent with the local water management plan, and

NOW, THEREFORE BE IT RESOLVED, the Beltrami Board of Commissioners requests an extension, in accordance with the BWSR Local Water Management Plan Update Guidance, for a period of two (2) years. This extension would allow the county adequate time to be spent on each of the phases of the update process. Specifically, the reasons for the county's extension request are: 1). on-going update of SSTS, Shoreland Management, & WCA ordinances; 2). collection of additional water quality sampling data to determine which county lakes are impaired; and 3). changes to ESD/SWCD staffing during the past year.

	YES	NO
Frost	X	
Vene	X	
Anderson	X	
Sumner	X	
Lucachick	X	

STATE OF MINNESOTA)
) ss.
COUNTY OF BELTRAMI)

I, Kay Mack, County Administrator, Beltrami County, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Beltrami County, Minnesota, at their regular session held on March 19, 2013, now on file in my office and have found the same to be a true and correct copy thereof.

Kay Mack, County Administrator

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Lake Of The Woods County SWCD Supervisor Nomination District Boundary Change**

Meeting Date: May 22, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: Northern Region
Contact: Chad Severts
Prepared by: Chad Severts
Reviewed by: Northern Water Planning Committee(s)
Presented by: Keith Mykleseth

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
Decision on Lake of the Woods County SWCD Nomination Districts Boundary Change

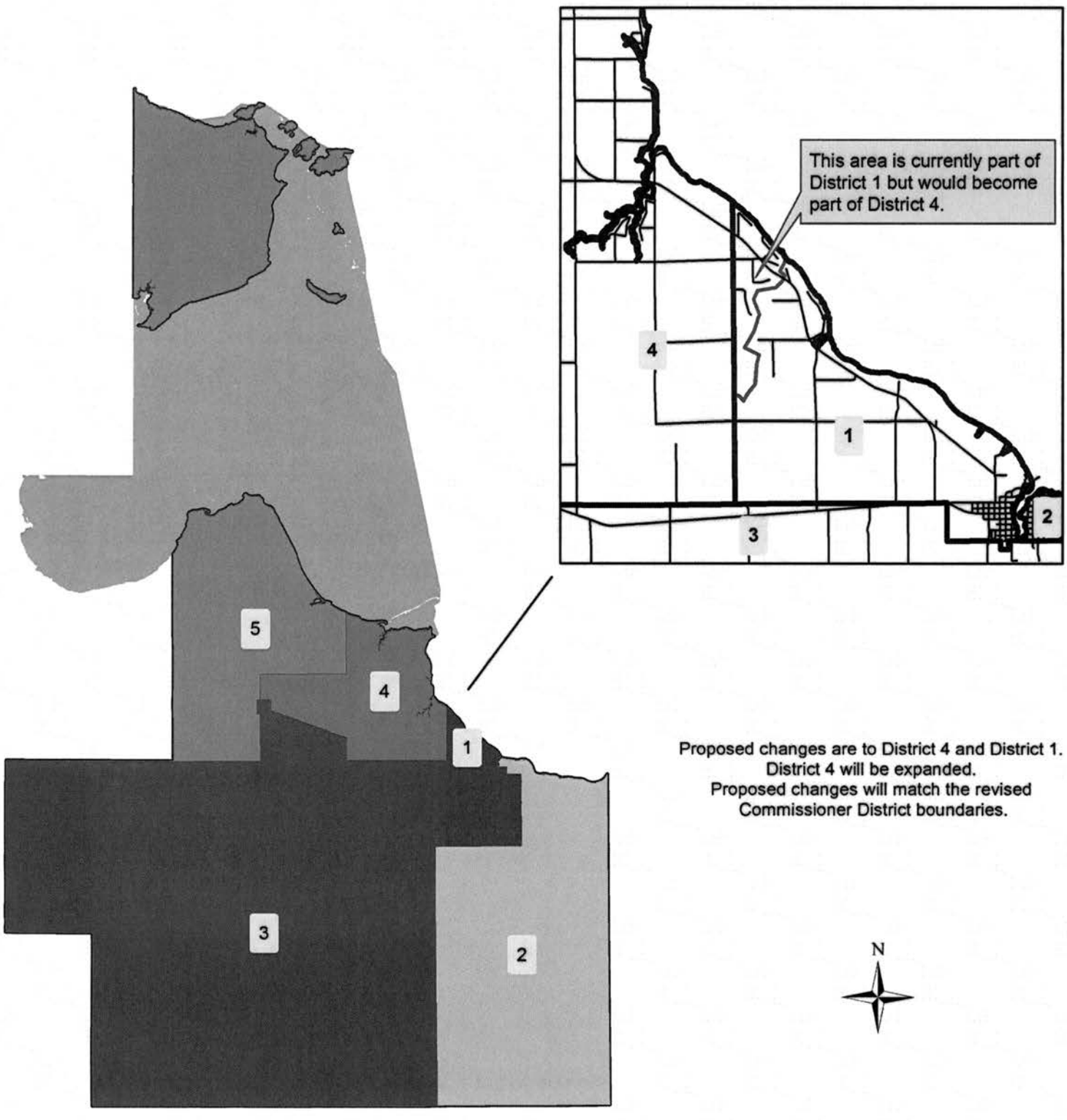
LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The Lake of the Woods County Soil and Water Conservation District (SWCD) approved a Nomination Districts Resolution on March 14, 2013. The reason for this resolution is to align the SWCD Nomination Districts with the County Commissioner District Boundaries. The County Commissioner Districts were recently redistricted following the results of the 2010 Census. The revised boundaries will not change the representation for the current SWCD supervisors.

On March 27, 2013, the BWSR Northern Water Planning Committee met to discuss the resolution. After discussion, the Committee decided with a unanimous vote to recommend approval of the nomination boundary changes as listed in the SWCD resolution to the full BWSR Board.

Lake of the Woods
Soil and Water Supervisor Districts

Proposed Revisions - 2013



Proposed changes are to District 4 and District 1.
District 4 will be expanded.
Proposed changes will match the revised Commissioner District boundaries.

Lake of the Woods
Soil and Water
Conservation District
P.O. Box 217
Baudette, Minnesota 56623
Telephone: (218) 634-2757

To: Board of Water and Soil Resources
From: Lake of the Woods Soil and Water Conservation District
Date: March 14th, 2013
Re: Revised supervisor nomination district boundaries

To whom it may concern:

The Lake of the Woods Soil and Water Conservation District has passed a resolution to revise the Nomination Districts for SWCD supervisors in Lake of the Woods County.

Lake of the Woods County recently underwent redistricting for Commissioner Districts following the 2010 Census. To reduce confusion and maintain consistency with the County Board, the SWCD would like to change current boundaries to match the new Commissioner District boundaries. This will not create any changes in representation for the current SWCD supervisors. We have discussed the proposed changes with our BWSR Board Conservationist, Chad Severts.

Please see the attached resolution for revised boundary descriptions. If you have any questions, please contact Josh Stromlund at 218-634-4536.

Sincerely,

Russel Hansen

Russel Hansen
Secretary

Nomination Districts Resolution - Revised

Be it resolved by the Lake of the Woods Soil and Water Conservation District Supervisors that pursuant to M.S. 103C.311, the district be divided into five areas for nominating candidates for the positions of Soil and Water Conservation District Supervisors to be elected at large as follows:

District 1 – West Baudette and that portion of Baudette Township lying East of Winter Road River and East of County Road 75, south of where it intersects with the Winter Road River;

District 2 – East Baudette, Gudrid Township, Rapid River Township, Unorganized Township 157-30, Unorganized Township 158-30, Boone Township, Swiftwater Township, Kiel Township

District 3 – Walhalla Township, Potamo Township, Rulien Township, Victory Township, Forest Area, Spooner Township and that portion of McDougald Township lying South of State Trunk Highway #11

District 4 – Wheeler Township, Wabanica Township, that portion of McDougald Township lying North of State Trunk Highway #11 and that portion of Baudette Township lying West of County Road #75 and west of the Winter Road River;

District 5 – Lakewood Township, Prosper Township, Zippel Township, Myhre Township, Chilgren Township, Northwest Angle and Islands, City of Roosevelt

I, Russel Hansen, Secretary of the Soil and Water Conservation District, do hereby certify that the above resolution relating to the division of the Lake of the Woods Soil and Water Conservation District into five nominating areas was adopted by the said District Supervisors at a regular meeting held on March 14, 20 13, that I have compared the above copy with the original resolution as set forth in the minutes of said meeting, and it 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 members of said Board was present thereat, and that said resolution was duly adopted thereat by a vote of 3 to 3 of the members present.

Signed: Russel Hansen
Secretary
Lake of the Woods Soil and Water Conservation District

Be it resolved by the Board of Water and Soil Resources that the division of the Lake of the Woods Soil and Water Conservation District into five nominating areas as set forth in the above resolution adopted by the supervisors of said district on _____, 20_____, is hereby approved.

I, _____, Executive Director of the Board of Water and Soil Resources, do hereby certify that I have compared the above copy of resolution relating to the division of the Lake of the Woods Soil and Water Conservation District into five nominating areas adopted by said Board at a regular meeting held on _____, 20_____, with the original as set forth in the minutes of 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 said Board was duly called and held, that a quorum of members of said Board was present thereat, and that said resolution was duly adopted thereat by a vote of _____ to _____ of the members present.

Signed: _____
Executive Director
Board of Water and Soil Resources

Filed _____ day of _____, 20_____.

Signed: _____
County Auditor
Lake of the Woods County

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Marshall County SWCD Supervisor Nomination Districts Boundary Change**

Meeting Date: May 22, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: North Region

Contact: Chad Severts

Prepared by: Chad Severts

Reviewed by: Northern Water Planning Committee(s)

Presented by: Gene Teidemann

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☒ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

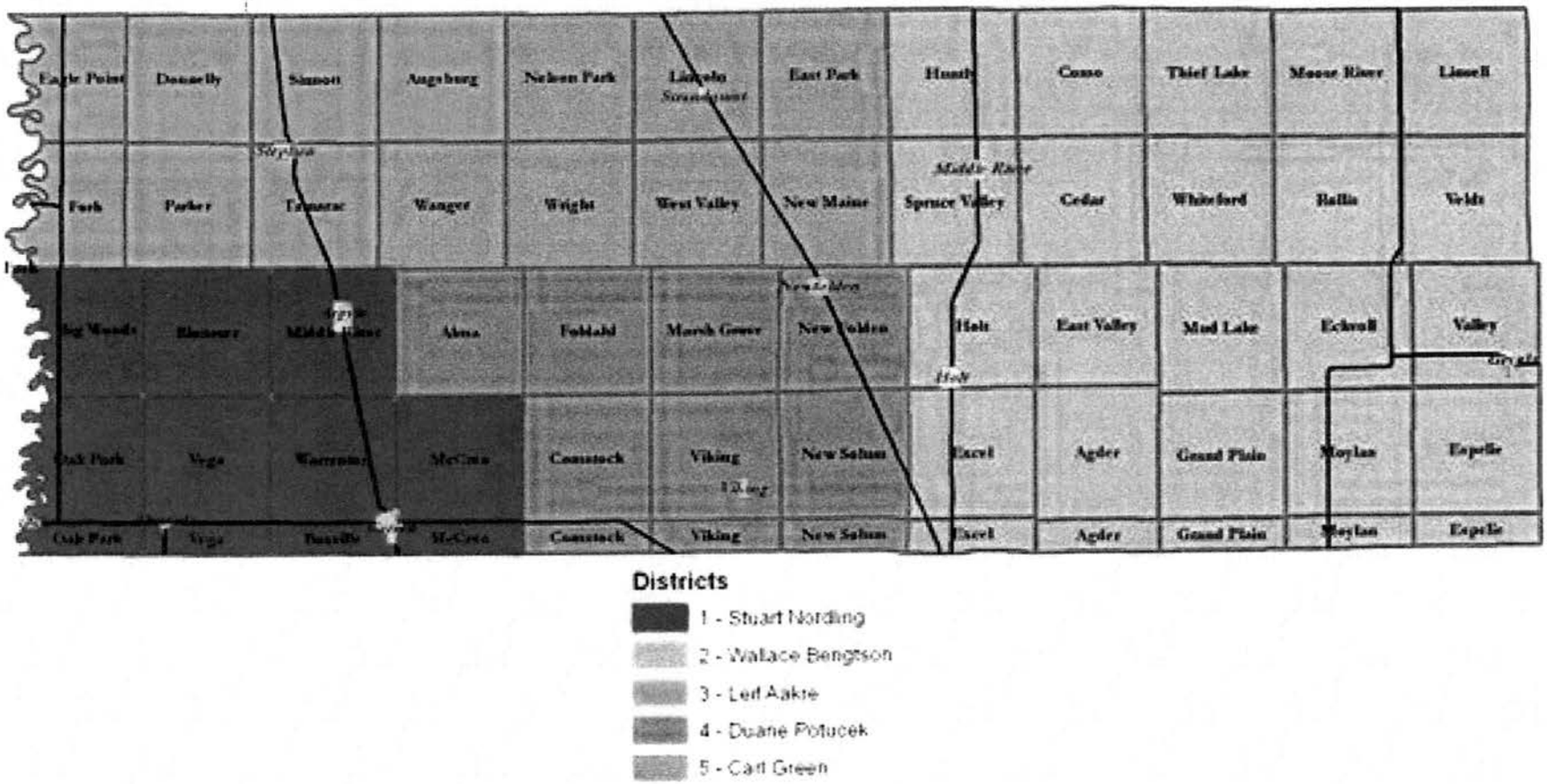
☐ Other: _____

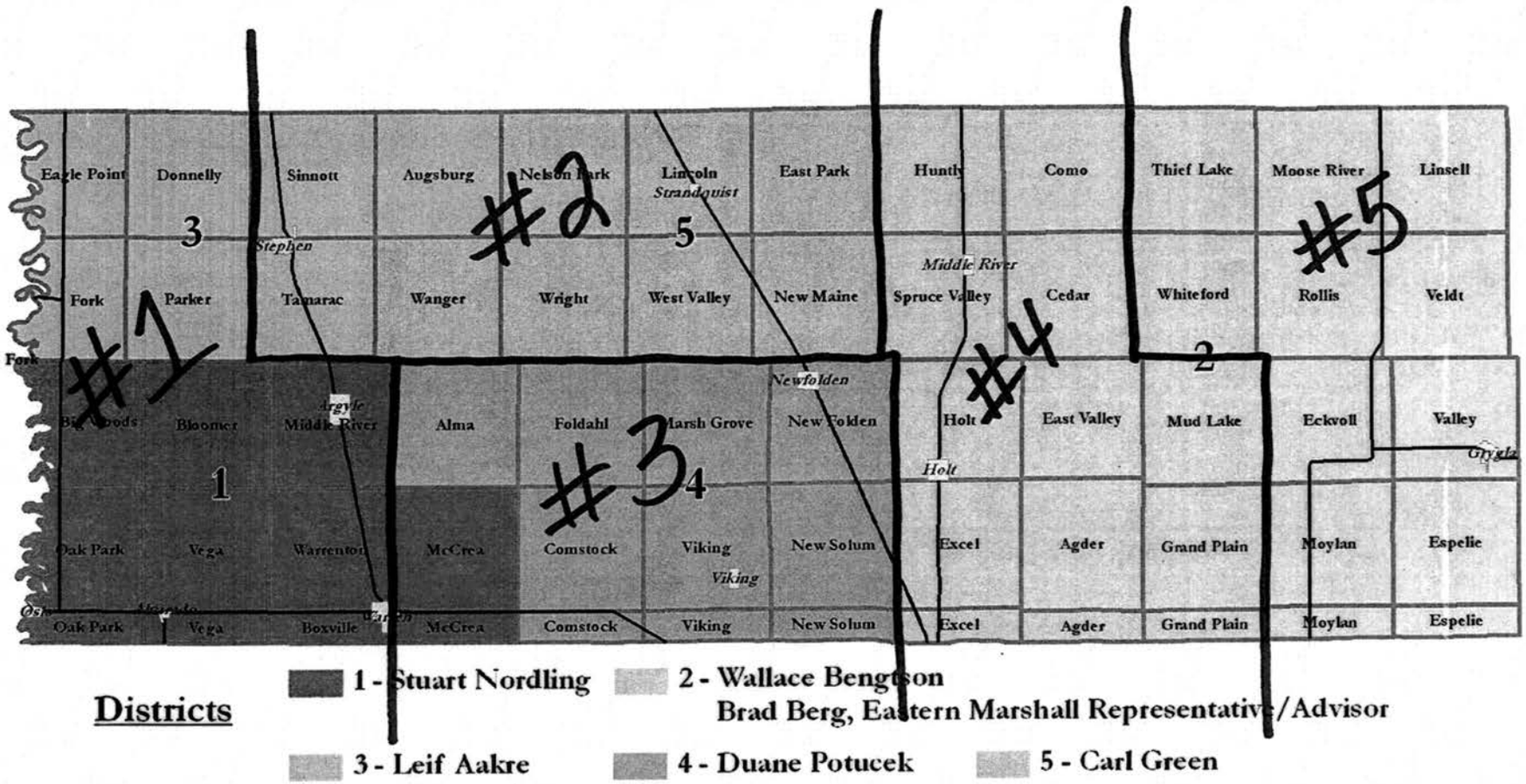
ACTION REQUESTED
Decision on Marshall SWCD Nomination Districts Changes

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The Marshall County Soil and Water Conservation District (SWCD) approved a Nomination Districts Resolution on December 20, 2012. The reason for this resolution is to more equally distribute the areas represented by the Nomination District boundaries in Marshall County. In March of 2010, the BWSR dissolved the Marshall-Beltrami SWCD and consolidated the ten townships what were contained within Marshall County with the Marshall SWCD. The process added those townships to the Supervisor District #2 for a total of 20 townships. The proposed Nomination Districts will provide more equal distribution of township representation in the County.

On March 27, 2013, the BWSR Northern Water Planning Committee met to discuss the resolution. After discussion, the Committee decided with a unanimous vote to recommend approval of the nomination boundary changes as listed in the SWCD resolution to the full BWSR Board.


Districts
1 - Stuart Nordling
2 - Wallace Bengtson
3 - Leif Aakre
4 - Duane Potucek
5 - Carl Green



Districts

1 - Stuart Nordling

2 - Wallace Bengtson

Brad Berg, Eastern Marshall Representative/Advisor

3 - Leif Aakre

4 - Duane Potucek

5 - Carl Green

MARSHALL COUNTY SOIL AND WATER
CONSERVATION DISTRICT

105 S. Division
P.O. Box 74
Warren, Minnesota 56762
Telephone (218) 745-5010

MINNESOTA
SOIL AND WATER CONSERVATION DISTRICTS

March 25, 2013

John Jaschke
Executive Director
Board of Water and Soil Resources
520 Lafayette Road North
St. Paul MN 55155

Dear Mr. Jaschke:

In March of 2010, the BWSR dissolved the Marshall-Beltrami SWCD and consolidated the ten townships that were contained within Marshall County with the Marshall SWCD. During that process, the Board added the townships to the Supervisor District #2 for a total of 20 townships. The Board also required the SWCD to examine the supervisor nominating districts to ensure equitable representation for all areas of the District.

The Marshall County SWCD Board approved a Nomination Districts Resolution on December 20, 2012. The resolution will revise the supervisor district boundaries to represent the County on a geographic basis. The supervisors have determined that this will provide the best representation to the landowners of Marshall County.

The supervisors will serve out their elected terms. The new boundaries for District 1 include two current supervisors, Stuart Nordling and Leif Aakre. The District 5 supervisor position will remain represented by the two supervisors in District 1. If a vacancy occurs in District 1, the appropriate appointment process will then fill the District 5 position; otherwise all positions will be filled on the regular general election schedule.

District	Expires Election Year
1	2016
2	2016
3	2014
4	2014
5	2014

Please consider approving this Nomination Districts Resolution (enclosed) to provide the Marshall County landowners with a more consistent and equal distribution of township representation in our County.

Sincerely,

Stuart Nordling

Stuart Nordling
Secretary
Marshall SWCD Board of Supervisors

Enclosure

NOMINATION DISTRICTS RESOLUTION
REVISED

Be it resolved by the Marshall Soil and Water Conservation District Supervisors that pursuant to M.S. 103C.311, the district be divided into five areas for nominating candidates for the positions of Soil and Water Conservation District Supervisors to be elected at large as follows:

District	Description of Boundaries
I	Eagle Point, Donnelly, Fork, Parker, BigWoods, Bloomer, Middle River, Warrenton, Vega and Vega Strip, Oak Park and Oak Park Strip, Boxville
II	Sinnott, Augsburg, Nelson Park, Lincoln, East Park, Tamarac, Wanger, Wright, West Valley and New Maine
III	Alma, Foldahl, Marsh Grove, New Folden, McCrea and McCrea Strip, Comstock and Comstock Strip, Viking and Viking Strip, New Solum and New Solum Strip
IV	Huntly, Como, Spruce Valley, Cedar, Holt, East Valley, Mud Lake, Excel and Excel Strip, Agder and Agder Strip, Grand Plain and Grand Plain Strip
V	Thief Lake, Moose River, Linsell, Whiteford, Rollis, Veldt, Eckvoll, Valley, Moylan and Moylan Strip, Espelie and Espelie Strip

I, Stuart Nordling, Secretary of the Marshall Soil and Water Conservation District, do hereby certify that the above resolution relating to the division of the Marshall Soil and Water Conservation District into five nominating areas was adopted by the said District Supervisors at a regular meeting held on December 20, 20 12, that I have compared the above copy with the original resolution as set forth in the minutes of said meeting, and it 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 members of said Board was present thereat, and that said resolution was duly adopted thereat by a vote of 5 to 0 of the members present.

Signed: _____
Secretary

Marshall Co. Soil and Water Conservation District

Be it resolved by the Board of Water and Soil Resources that the division of the Marshall Soil and Water Conservation District into five nominating areas as set forth in the above resolution adopted by the supervisors of said district on _____, 20____, is hereby approved.

I, _____, Executive Director of the Board of Water and Soil Resources, do hereby certify that I have compared the above copy of resolution relating to the division of the Marshall Soil and Water Conservation District into five nominating areas adopted by said Board at a regular meeting held on _____, 20____, with the original as set forth in the minutes of said meeting, and that said copy is a true and correct coy of and transcript from said original and the whole thereof. I further certify that said meeting of said Board was duly called and held, that a quorum of members of said Board was present thereat, and that said resolution was duly adopted thereat by a vote of _____ to _____ of the members present.

Signed: _____
Executive Director
Board of Water and Soil Resources

Filed this _____ day of _____, 20 ____.

Signed: _____
County Auditor
_____ County

COMMITTEE RECOMMENDATIONS

Southern Water Planning Committee

1. Kandiyohi County Local Water Management Plan Update – Paul Langseth – ***DECISION ITEM***

2. McLeod County Local Water Management Plan Update – Paul Langseth – ***DECISION ITEM***

3. Meeker County Local Water Management Plan Update – Paul Langseth – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Kandiyohi County Local Water Management Plan Update**

Meeting Date: May 22, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: Southern Region
Contact: Jeff Nielsen, Regional Supervisor
Prepared by: Thomas Fischer, Board Conservationist
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
Decision

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

On December 12, 2012, the Board of Water and Soil Resources (Board) provided official State comments pertaining to the priority concerns identified in the Kandiyohi County Priority Concerns Scoping Document.

On December 12, 2012, the Board officially approved Kandiyohi County's request for an extension of the end date of their current local water management plan, which would have expired on December 31, 2012. The end date was extended to May 30, 2013.

On January 22, 2013, the Board received the Kandiyohi County Local Water Management Plan Update (Plan Update), a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review.

On March 7, 2013, the Southern Water Planning Committee (Committee) of the Board met with representatives of Kandiyohi County to review state agencies review recommendations and comments. At this meeting, the Committee discussed its concern for the Plan Update not fully meeting MN Statutes 103B.314, Subd. 3, which speaks to specific measurable goals and objectives. The Committee's decision was to send back the Plan Update to Kandiyohi County to revise the goals, objectives and actions section in order to comply with the Statute.

On May 2, 2013, the Committee met to review the revisions submitted by Kandiyohi County. The Committee recommends approval of the Kandiyohi County Plan Update.

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 Kandiyohi County (Minnesota Statutes, Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN UPDATE

Whereas, the Kandiyohi County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on January 22, 2013 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 4, 2012, the Board received a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.

2. On October 5, 2012, the Board received a written request (resolution) from the County for an extension of their current local water management plan.

3. On December 12, 2012, the Board approved official comments on the County PCSD, which were mailed to the county on December 12, 2012. The priority concerns the PCSD and Plan Update addresses include:

   - Protect and Improve Surface Water Quality – Reduce Priority Pollutants
   - Surface Water Management
   - Groundwater Quality & Quantity
   - Plan Administration and Coordination

4. On December 12, 2012, the Board approved the extension request made by the County. The end date of the current local water management plan was extended to May 30, 2013. This approval was mailed to the County on December 12, 2012.

5. On January 22, 2013, the Board received the County Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review pursuant to M.S. Section 103B.315, Subd. 5.

DRAFT

6. On March 7, 2013, the Southern Region Water Planning Committee of the Board met with representatives of the County to review the following state agency comments, commendations and approval recommendations regarding the final approval of the County Plan Update:

   - Minnesota Pollution Control Agency (MPCA) noted Plan Update does not violate any statutory or rule requirement administered by the MPCA and recommends approval of the entire Plan Update.
   - Minnesota Department of Health (MDH) noted Plan Update does not violate any statutory or rule requirement administered by the MDH and recommends approval of the entire Plan Update.
   - Minnesota Department of Natural Resources (MDNR) noted Plan Update does not violate any statutory or rule requirement administered by MDNR and recommends approval of the entire Plan Update.
   - Minnesota Department of Agriculture provided no comments.
   - Minnesota Environmental Quality Board provided no comments.
   - Board regional staff recommends requiring Kandiyohi County to revisit and improve their plan Update's Chapter Three: Goals, Objectives and Action Steps in order to meet M.S 103B.314, Subd. 3.

   After review and discussion, the decision of the Southern Region Water Planning Committee of the Board was to send the Plan Update back to the County for revision, adding more specific measurable objectives and actions to Chapter Three, and have the revisions returned to Board staff by April 10, 2013.

7. On April 5, 2013, the Board received the revised Chapter Three from the County.

8. On May 2, 2013, the Southern Region Water Planning Committee of the Board met to review the revisions submitted by the County. The Committee's decision was to present a recommendation of approval of the Plan Update to the Board at the Board's May 22, 2013 meeting.

9. On May 22, 2013, the Southern Region Water Planning Committee of the Board presented its recommendation of approval of the Kandiyohi County Local Water Management Plan Update to the Board. The Board adopted the Committee's recommendation.

10. This Plan Update will be in effect for a ten-year period until May 22, 2023, with the Goals, Objectives and Action items amended by May 22, 2018.

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 Kandiyohi County pursuant to Minnesota Statutes, 103B.315, Subd. 5.

2. The Kandiyohi County Plan Update states water and water-related problems within the county; possible solutions; goals, objectives, and actions of the county; and an implementation program. The Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the update of the Kandiyohi County Local Water Management Plan 2013-2023 with a required update of the Implementation section (Goals, Objectives, and Action) to be completed by May 22, 2018.

Dated at St Paul, Minnesota this May 22, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

DRAFT

Kandiyohi County
Comprehensive Local Water Management Plan:
Executive Summary

This Kandiyohi County Water Plan follows the provisions set forth in Minnesota State Statutes 103B.314 - Contents of [Water] Plan.

A. Purpose of the Local Water Management Plan

According to Minnesota Statute 103B, each county is encouraged to develop and implement a local water management plan with the authority to:

- Prepare and adopt a local water management plan that meets the requirements of this section and section 103B.315;
- Review water and related land resources plans and official controls submitted by local units of government to assure consistency with the local water management plan; and
- Exercise any and all powers necessary to assure implementation of local water management plans.

Pursuant to the requirements of the law, this Kandiyohi County Water Plan:

- Covers the entire area of Kandiyohi County;
- Addresses water problems in the context of watershed units and groundwater systems;
- Is based upon principles of sound hydrologic management of water, effective environmental protection and efficient management;
- Is consistent with comprehensive water plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or groundwater system; and
- Will serve as a 10-year water plan (2013-2023), with a 5-year implementation plan (2013-2018). In 2018, the implementation plan will be updated.

In addition, this Water Plan will also serve as the Kandiyohi County Soil and Water Conservation District's overall plan.

B. A Description of Kandiyohi County's Priority Concerns

Chapter Two provides a detailed assessment of the priority concerns. Based upon the Kandiyohi County Water Plan Survey, comments received during the water plan public informational meeting, and the comments received by the various water plan stakeholders, the Water Plan Task Force identified the following Kandiyohi County priority water planning issues **(note: these issues are not ranked):**

1. Protect and Improve Surface Water Quality ~ Reducing Priority Pollutants
    A. Soil Erosion and Sedimentation
    B. Proactively work to get waters off the MPCA's 303(d) List of Impaired Waters (TMDLs)
    C. Feedlots and Nutrient Management
    D. Subsurface Sewage Treatment Systems (SSTS)
    E. Aquatic Invasive Species and Lake Management
    F. Land and Wastewater Management

2. Surface Water Management
    A. Agricultural Drainage
    B. Stormwater Management
    C. Wetlands and Water Storage/Retention

3. Groundwater Quality & Quantity
    A. Wellhead Protection Areas
    B. Drinking Water Quality
    C. Groundwater Monitoring

4. Plan Administration and Coordination
    A. Watershed Focus
    B. Stakeholder Cooperation
    C. Raising Public Awareness

C. Summary of Goals, Objectives, Action Steps, and Estimated Costs

To address the priority concerns identified in the scoping process, the Kandiyohi County Water Plan Task Force met and developed four goal areas. These four goal areas are further broken down into interrelated objectives that deal with each of the priority concerns. Most importantly, each objective has a series of action steps identified which are designed to help achieve the goal area if implemented properly.

A summary of the County's Water Plan Goals, Objectives and Action Steps are provided below. Collectively they form the County's Water Implementation Plan. In addition, a summary of their annual estimated costs is provided. These are separated into Overall Costs and County Only Costs. The County Only costs include funds spent and activities performed by the Kandiyohi County SWCD. Please keep in mind that not all of the identified Action Items will be accomplished over the course of the Water Plan. It is, however, the intent of this Water Plan to accomplish as many implementation activities as both money and time allows. **Also keep in mind the cost identified are only estimates, and the actual direct and/or indirect costs may be more or less than indicated.** A better detailed description of the County's Goals, Objectives, and Action Steps is contained in Chapter Three of this Water Plan. Likewise, Chapter Four provides more details on administering the Water Plan.

GOAL 1: PROTECT AND IMPROVE SURFACE WATER QUALITY

Objective A: Implement BMPs to reduce erosion and sediment loading of surface water resources.

- Erodible Land. Target 200 acres annually of highly erodible land for enrollment in conservation easement programs, such as CRP and RIM.
- BMP Cost-Share. Pursue funding to provide technical and financial assistance to landowners, such as CRP, EQIP, and similar BMP programs. Establish a minimum of $100,000 annually to implement.
- BMP Program. Provide educational, technical, and financial assistance, as available, to landowners for the implementation of water quality-related BMPs, such as stormwater retention practices, lake-scaping, vegetative buffer strips, grassed waterways, windbreaks, and living snow fences. Implement 25 projects annually.
- Conservation Tillage. Increase educational, technical and financial assistance to landowners for conservation tillage. Increase by 500 acres annually.

- Control Standards. Biannually review erosion control and storm water control standards to ensure water quality is protected during and after development (2014, 2016).
- Hawk Creek Alternative Intakes. The Hawk Creek Watershed Project will cost-share up to 75% (not to exceed $500) for alternative tile intakes, including rock or blind intakes, hickenbottom intakes, and replacing open intakes with pattern tile. Implement 5 projects annually.
- Chippewa River Alternative Intakes. The Chippewa River Watershed Project will cost-share up to 75% of the cost on eligible alternative tile intakes. Implement 5 sites annually.
- Middle Fork Crow River Watershed District Alternative Intakes. The MFCRWD will cost-share up to 75% (not to exceed $500) for alternative tile intakes, including rock or blind intakes, hickenbottom intakes, and replacing open intakes with pattern tile. Implement 5 projects annually.
- Hawk Creek Buffer Strips. The Hawk Creek Watershed Project will provide $100/acre for 10-year contract and $150/acre for 15-year contract for the establishment of Buffer Strips. If using a perpetual conservation easement, and additional $500/acre incentive will be paid. Implement 5 sites annually.
- Chippewa River Watershed Ag BMPs. Reduce sediment by promoting and providing cost-share, when available, for terraces, contour farming, grassed waterways, conservation tillage, buffer strips, and streambank restorations. Prioritize the Shakopee Creek Sub-Watershed and implement 2 sites annually.
- NFCRWD Ag Drainage BMPs. Promote the use of Ag Drainage BMPS to reduce nutrients, sediment, and water volume being transported by field tile into the North Fork of the Crow River. Implement 1 site annually.

Objective A estimated Overall Costs = $407,500; County Only Costs = $87,000

Objective B: Proactively work to delist all of Kandiyohi County's water bodies off the MPCA's 303d List of Impaired Waters

- TMDL Studies. Cooperatively work with partners to coordinate the preparation and implementation of TMDL studies for impaired waters. Target and implement 20 BMP projects in impaired waters.
- SWCD TMDL. Provide education, technical, and financial assistance to landowners and stakeholders on BMPs to protect water resources. Priority areas include impaired waters. Implement 5 projects annually.
- Clean Water Funds. Prioritize local projects and needs and apply for clean water legacy funding to implement projects to protect and improve surface water quality. Create applications for each funding cycle.
- Watershed Approach. Participate in the watershed approach to identify and address issues and help prevent future impairment designations.
- Hawk Creek Watershed Project. Partner with the Hawk Creek Watershed Project on securing proper funding to implement TMDL BMPs on Long and Ringo Lakes. Implement five (5) projects annually.

Objective B estimated Overall Costs = $256,000; County Only Costs = $38,500

Objective C: Reduce or minimize the negative impacts of animal manure and fertilizers

- Feedlot Program. Continue to locally administer the County Feedlot Program to assist feedlot operators in obtaining and maintaining compliance with State regulations. Target impaired waters and inspect a minimum of 7% annually.
- Feedlot Operator Meeting. Sponsor an annual educational meeting with feedlot operators focusing on pertinent topics, including regulations and manure management.
- Cost-Share. Provide implementing funding through EQIP & State Cost Share for Ag waste systems & nutrient management. Implement 5 projects annually.
- Nutrient Management Guidelines. Educate landowners to follow the University of Minnesota's nutrient management guidelines. Target impaired waters and annually include information in newsletters.

- Lake Wakanda. Continue with the Gorans nutrient reduction project on Lake Wakanda.
- Low Interest Loans. Provide low interest loans to repair non complying feedlots. Implement two (2) feedlot upgrades annually.
- Feedlot BMPS. Promote BMPs around feedlots and provide technical and financial assistance, when available. Target impaired waters and implement 2 projects annually.
- Lawn Fertilizers. Promote the use of lawn BMPs, including the proper use of fertilizers and disposal of lawn clippings. Include annually in newsletters and informational meetings.
- Hawk Creek Feedlot BMPs. The Watershed Project can provide cost-share on eligible ag-waste feedlot upgrades and certain livestock exclusions. Implement 2 projects annually.
- Chippewa River Watershed Feedlot BMPs. Manage viable livestock operations with: Fencing and alternative water sources for pastures (2); Rotational Grazing (2); Agricultural Waste System Upgrades (1); and Nutrient and Manure Management Planning for Economic and Environmental Goals (3) annually (# of projects).

Objective C estimated Overall Costs = $310,000; County Only Costs = $92,000

Objective D: Work with landowners on properly implementing the County's Subsurface Sewage Treatment System Ordinance and other wastewater initiatives.

- SSTS Program. Continue to provide compliance services as part of the County's SSTS Program.
- SSTS Training Program. Continue ongoing training programs for SSTS installers and septage haulers. Host a regular meeting annually.
- Noncompliant SSTSs. Provide educational and financial assistance, as available, to homeowners to upgrade noncompliant SSTSs. Target impaired waters and upgrade a minimum of 20 systems annually.
- SSTS Loans. Administer low interest loans for septic improvements. Provide assistance to 20 homeowners annually.

- SSTS BMPs. Provide SSTS education and outreach on to inspectors, contractors, and landowners. Target 2,500 households annually.

Objective D estimated Overall Costs = $903,200; County Only Costs = $143,000

Objective E: Enhance shoreland and lake management efforts

- In-Lake Management. Conduct and/or provide technical and financial assistance for the implementation of in-lake management efforts, when feasible. Target impaired waters and implement 2 projects annually.
- Aquatic Invasive Species (AIS) Management. Conduct and/or provide technical and financial assistance, as available, to lake associations and other groups/organizations for the implementation of invasive aquatic species prevention and/or control efforts. Assist with signage on accesses (in 2013) and annual enforcement, as feasible.
- Land Use Controls. Biannually review land use plans and ordinances to ensure minimal development impacts on surface waters.
- Shoreland Restoration. Promote natural shorelands by providing education, technical, and financial assistance to landowners for shoreland restoration. Implement 5 projects annually.
- Grants. Annually seek grants for shoreland restoration.
    - The SWCD will apply for grants for shoreland restoration in the SFCRW.
    - The MFCRWD will apply for grants for shoreland restoration for the MFCRW.
- Lake Levels. Assist as needed with lake level control structures and outlet structure improvement.
    - The MFCRWD will continue to seek funding and work with Ducks Unlimited and landowners on the Hubbard-Shultz-Wheeler Chain of Lakes drawdown project, which is anticipated to take two years to complete (by 2015).
- Chippewa River Watershed Shoreline Restorations. Keep lakes usable by promoting and providing cost-share, when available, to naturalize shorelines. Implement 2 projects annually.

- Middle Fork Crow River Watershed. Promote Best Management Practices (BMPs) and provide cost-share, when available, to naturalize shorelines. Implement 5 projects annually.

Objective E estimated Overall Costs = $172,500; County Only Costs = $68,500

Objective F: Administer initiatives that will enhance sustainable land management activities

- Wastewater Treatment. Cooperatively work with partners to address wastewater treatment issues associated with unsewered communities, including riparian developments.
- Hazardous Waste Program. Continue the County's Hazardous Waste Program. Annually review the program and make changes accordingly.
- Habitat Corridors Partnership. Support efforts to conserve, enhance and restore wildlife habitat, when feasible. Implement 1 project annually.
- GIS Datasets. Annually Iinvest in the acquisition, development, and maintenance of GIS datasets, including the digital soil survey and parcel map. Utilize these datasets to make informed decisions regarding land use planning and water resource management. Use LiDAR to identify target areas.
- Land Use Management. Continue to implement the County's adopted land use controls, including the floodplain, SSTS, shoreland, and solid waste ordinances. Annually review/revise language.

Objective F estimated Overall Costs = $450,000; County Only Costs = $372,500

GOAL 2: ENHANCE SURFACE WATER MANAGEMENT

Objective G: Ensure long-term agricultural production by maintaining and improving the public drainage system.

- Public Drainage Systems. Ensure that public drainage systems are operated and maintained in accordance with the State Drainage Law (M.S. Chapter 103E) and other applicable regulations.

- Alternative Drainage Practices. Provide educational, technical, and financial assistance, as available, to landowners for the demonstration of alternative drainage practices. Implement 2 projects annually.
- Redetermination of Benefits. Continue the redetermination of benefits on all public ditches, as requested. Implement 2 systems annually.
- Drainage Buffers. Promote CRP & RIM for drainage buffers and promote the use of native prairie seeding. Target 100 acres annually.
- Conservation Drainage. Promote conservation drainage practices and provide technical and financial assistance, when available. Establish 2 demonstration sites.
    - The SWCD will target the SFCRW.
    - The MFCRWD will target the MFCRW.
- Flow Restoration. Assist with restoring proper flows where needed. Identify needed projects on an annual basis.

Objective G estimated Overall Costs = $355,000; County Only Costs = $147,500

Objective H: Manage surface waters to minimize Stormwater pollution and runoff.

- Stormwater Management Plans. Participate in the development and implementation of Comprehensive Stormwater Management Plans. These Plans should prescribe BMPs, including potential retrofit opportunities, provide recommendations for coordinating stormwater management among local units of government, and identify potential funding options. Implement 2 plans.
- Rain Gardens. Promote the use of rain gardens as storm water management. Provide grants and technical support. Design and install a minimum of 5 rain gardens per year.
- Semi-Permeable Surfaces. Encourage and implement the use of semi permeable surfaces in urban areas. Target impaired waters and implement 3 projects.
- Stormwater Basins. Encourage the use of storm water retention areas. Target projects to assist with the Grass Lake project and implement 3 projects.
- Stormwater Education. Annually provide education which emphasizes Urban Best Management practices though informational booths at the Kandiyohi County Fair, the

West Central Ag Sale Farm Show, and the Prairie Woods Environmental Learning Center.

Objective H estimated Overall Costs = $211,000; County Only Costs = $93,000

Objective I: Preserve and Restore Wetlands and other Water Retention Opportunities

- Lake Level Conflicts. Work with the DNR and other stakeholders to resolve lake level conflicts. Annually review concerns.
- Halvorson Dam. Cooperatively work with partners to resolve issues related to the maintenance and operation of the Halvorson Dam.
- WCA Administration. Continue to locally administer the Minnesota Wetland Conservation Act, with the entire County being designated for high priority restorations.
- Wetland Restorations. Actively pursue preserving and restoring wetlands, where appropriate. Target impaired waters and implement 5 projects.
- Preservation and Restoration Programs. Provide educational and technical assistance to landowners regarding State and Federal programs to preserve and restore wetlands, including drained lakebeds. Implement two (2) projects annually.
- Wetland Banking. Provide information to landowners who inquire about the State wetland-banking program. Annually include in newsletters and informational meetings.
- Grass Lake Project. Cooperatively work with partners to complete the Grass Lake wetland restoration project.
- Ag Wetland Banking. Provide information to landowners who inquire about the state agriculture banking program. Annually include in newsletters and informational meetings.

Objective I estimated Overall Costs = $250,000; County Only Costs = $100,000

GOAL 3: PROTECT GROUNDWATER SUPPLIES

Objective J: Protect and Improve Groundwater Quality and Quantity

- BMP Program. Provide educational, technical and financial assistance, as available, to landowners for the implementation of groundwater protection BMPs. Prioritize sensitive groundwater recharge areas and implement 2 projects annually.
- Wellhead Protection. Participate in the preparation and implementation of wellhead protection plans for public water suppliers. Prioritize BMPs in Wellhead Protection Areas.
- Pesticide Container Collection. Continue an empty pesticide container collection day, contingent upon the availability of funding.
- Solid Waste Management. Provide educational assistance to landowners to discourage the burning and burying of solid waste. Target 2,000 households annually.
- Groundwater Monitoring. Assist with groundwater monitoring efforts, and proactively enact measures to protect and study water supplies, when appropriate. Annually review data and prioritize BMPs accordingly.
- Well Sealing. Provide technical and financial assistance when available, to assist with properly sealing abandoned wells. Target 5 abandoned wells annually.

Objective J estimated Overall Costs = $308,500; County Only Costs = $210,500

GOAL 4: EFFECTIVELY ADMINISTER THE WATER PLAN WITH CIVIC ENGAGEMENT AND STRONG STAKEHOLDER COORDINATION

Objective K: Expand our knowledge and partnerships on identifying and addressing key water planning issues.

- Water Quality Monitoring. Cooperatively work with partners and provide funding assistance, when available, to continue and expand surface and ground water quality monitoring efforts. Annually review data and prioritize BMPs accordingly.
- Surface Water Flow Monitoring. Cooperatively work with partners to continue surface water flow monitoring efforts. Annually review data and prioritize BMPs accordingly.

- Water Quality Studies. Conduct and/or provide technical and financial assistance, as available, to partners for the completion of water quality studies. Annually review data and prioritize BMPs accordingly.

Objective K estimated Overall Costs = $85,000; County Only Costs = $18,000

Objective L: Engage the public on key water planning issues and implementation activities.

- Funding Sources. Provide information to landowners and stakeholders on available funding sources for water resource management activities and projects. Annually review available information and programs.
- Environmental Education. Promote environmental and conservation education at local schools and help fund Earth Day activities. Publish newsletters and keep websites updated with current information.
- Prairie Woods Environmental Learning Center. Annually provide financial assistance, as available, to the Prairie Woods Environmental Learning Center for agricultural and environmental education.
- Outreach. Utilize available outreach tools, including the Internet and newsletters, to disseminate information to the public regarding water resource management activities and issues. Annually review materials and priorities.
- Recreation. Protect and improve the public's water-based recreational opportunities, when feasible. Implement 2 projects annually, such as improving public accesses, enhancing fishing piers, etc.

Objective L estimated Overall Costs = $242,000; County Only Costs = $190,000

Objective M: Coordinate implementation efforts with key water plan stakeholders.

- Grant Assistance. Work with stakeholders to continue to secure grant money to implement water plan initiatives (i.e., Clean Water Funds, 319 Funds, etc.). Annually prioritize projects and seek funds accordingly.

- Watershed Cooperation. Continue the participation with watershed management projects & groups to pool financial and technical resources. Attend watershed meetings and participate in key activities.
- Partner Meetings. Annually hold and/or attend meetings with partners to discuss water resource management issues and potential partnership opportunities.
- Joint Powers Board Membership. Continue membership in water plan stakeholder's Joint Powers Boards.
- Local Water Management Coordinator. Maintain the County Local Water Management Coordinator position.
- Water Planning Taskforce Meetings. Hold quarterly Water Planning Taskforce meetings to discuss issues and review funding requests. Annually review the Water Plan.
- Water Plan Update. Update the Goals, Objectives, and action Steps prior to 2018 when the County's five-year implementation plan expires (in 2018).

Objective M estimated Overall Costs = $35,500; County Only Costs = $21,000

Approximate Total Estimated Overall Annual Costs = $3,986,000*

Approximate Total Estimated County Only Annual Costs = $1,582,000*

***Note:** Please refer to Chapters Three and Four of this Water Plan for a more detailed description of the estimated costs overall and to Kandiyohi County. Although these costs may seem exaggerated at first, there are numerous stakeholders involved with their corresponding activities and budgets. For example, the County's estimated costs also includes the SWCD's budget and programs. In addition, many of the Action Steps identified overlap with other Action Steps with their scope and functionality. Furthermore, this Water Plan is intended to set high water resource planning goals, with the realization that it may not be feasible to accomplish everything that has been identified.

D. Relationship to other Plans

The Kandiyohi County Water Plan Task Force represents a diverse group of people representing a number of key water plan stakeholders (the members are listed on the inside cover page). This helped to ensure the Water Plan, and its corresponding Goals, Objectives and Action Steps, was developed to be consistent with existing plans and official land use controls. In addition, many of the identified Action Items were simply revised from previous versions of the Kandiyohi County Water Plan. **As a result, this updated Kandiyohi County Water Plan is believed to be consistent with the plans and official controls of the other pertinent local, State and regional plans and controls.** This should be confirmed by the vast amount of stakeholders who participated throughout the planning process. **In conclusion, there are no recommended amendments to other plans and official controls to achieve consistency with this Water Plan**.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **McLeod County Local Water Management Plan Update**

Meeting Date: May 22, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Southern Region

Contact: Jeff Nielsen, Regional Supervisor

Prepared by: Thomas Fischer, Board Conservationist

Reviewed by: Southern Water Planning Committee(s)

Presented by: Paul Langseth

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
Decision

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

On December 12, 2012, the Board of Water and Soil Resources (Board) provided official State comments pertaining to the priority concerns identified in the McLeod County Priority Concerns Scoping Document.

On December 12, 2012, the Board officially approved McLeod County's request for an extension of the end date of their current local water management plan, which would have expired on December 31, 2012. The end date was extended to May 30, 2013.

On December 28, 2012, the Board received the McLeod County Local Water Management Plan Update (Plan Update), a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review.

On March 7, 2013, the Southern Water Planning Committee (Committee) of the Board met with representatives of McLeod County to review state agencies review recommendations and comments. At this meeting, the Committee discussed its concern for the Plan Update not fully meeting MN Statutes 103B.314, Subd. 3, which speaks to specific measurable goals and objectives. The Committee's decision was to send back the Plan Update to McLeod County to revise the goals, objectives and actions section in order to comply with the Statute.

On May 2, 2013, the Committee met to review the revisions submitted by McLeod County. The Committee recommends approval of the McLeod County Plan Update.

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 McLeod County (Minnesota Statutes, Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN UPDATE

Whereas, the McLeod County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on December 28, 2012 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 August 20, 2012, the Board received a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.

2. On September 24, 2012, the Board received a written request (resolution) from the County for an extension of their current local water management plan.

3. On December 12, 2012, the Board approved official comments on the County PCSD, which were mailed to the county on December 12, 2012. The priority concerns the PCSD and Plan Update addresses include:

   - Surface Water Quantity – Management
   - Surface Water Quality – Reduce Priority Pollutants
   - Groundwater Quality & Quantity
   - Plan Administration and Coordination

4. On December 12, 2012, the Board approved the extension request made by the County. The end date of the current local water management plan was extended to May 30, 2013. This approval was mailed to the County on December 12, 2012.

5. On December 28, 2012, the Board received the County Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review pursuant to M.S. Section 103B.315, Subd. 5.

DRAFT

6. On March 7, 2013, the Southern Region Water Planning Committee of the Board met with representatives of the County to review the following state agency comments, commendations and approval recommendations regarding the final approval of the County Plan Update:

   - Minnesota Pollution Control Agency (MPCA) noted Plan Update does not violate any statutory or rule requirement administered by the MPCA and recommends approval of the entire Plan Update.
   - Minnesota Department of Agriculture (MDA) noted Plan Update does not violate any statutory or rule requirement administered by the MDA and recommends approval of the entire Plan Update.
   - Minnesota Department of Health (MDH) noted Plan Update does not violate any statutory or rule requirement administered by the MDH and recommends approval of the entire Plan Update.
   - Minnesota Department of Natural Resources (MDNR) noted Plan Update does not violate any statutory or rule requirement administered by MDNR and recommends approval of the entire Plan Update.
   - Minnesota Environmental Quality Board provided no comments.
   - Board regional staff recommends requiring McLeod County to revisit and improve their plan Update's Chapter Three: Goals, Objectives and Action Steps in order to meet M.S 103B.314, Subd. 3.

   After review and discussion, the decision of the Southern Region Water Planning Committee of the Board was to send the Plan Update back to the County for revision, adding more specific measurable objectives and actions to Chapter Three, and have the revisions returned to Board staff by April 10, 2013.

7. On April 5, 2013, the Board received the revised Chapter Three from the County.

8. On May 2, 2013, the Southern Region Water Planning Committee of the Board met to review the revisions submitted by the County. The Committee's decision was to present a recommendation of approval of the Plan Update to the Board at the Board's May 22, 2013 meeting.

9. On May 22, 2013, the Southern Region Water Planning Committee of the Board presented its recommendation of approval of the McLeod County Local Water Management Plan Update to the Board. The Board adopted the Committee's recommendation.

10. This Plan Update will be in effect for a ten-year period until May 22, 2023, with the Goals, Objectives and Action items amended by May 22, 2018.

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 McLeod County pursuant to Minnesota Statutes, 103B.315, Subd. 5.

2. The McLeod County Plan Update states water and water-related problems within the county; possible solutions; goals, objectives, and actions of the county; and an implementation program. The Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the update of the McLeod County Local Water Management Plan 2013-2023 with a required update of the Implementation section (Goals, Objectives, and Action) to be completed by May 22, 2018.

Dated at St Paul, Minnesota this May 22, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

DRAFT

McLeod County
Comprehensive Local Water Management Plan:
Executive Summary

This McLeod County Water Plan follows the provisions set forth in Minnesota State Statutes 103B.314 - Contents of [Water] Plan.

A. Purpose of the Local Water Management Plan

According to Minnesota Statute 103B, each county is encouraged to develop and implement a local water management plan with the authority to:

- Prepare and adopt a local water management plan that meets the requirements of this section and section 103B.315;
- Review water and related land resources plans and official controls submitted by local units of government to assure consistency with the local water management plan; and
- Exercise any and all powers necessary to assure implementation of local water management plans.

Pursuant to the requirements of the law, this McLeod County Water Plan:

- Covers the entire area of McLeod County;
- Addresses water problems in the context of watershed units and groundwater systems;
- Is based upon principles of sound hydrologic management of water, effective environmental protection and efficient management;
- Is consistent with comprehensive water plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or groundwater system; and
- Will serve as a 10-year water plan (2013-2023), with a 5-year implementation plan (2013-2018). In 2018, the implementation plan will be updated.

B. A Description of McLeod County's Priority Concerns

Chapter Two provides a detailed assessment of the priority concerns. Based upon the McLeod County Water Plan Survey, comments received during the water plan public informational meeting, and the comments received by the various water plan stakeholders, the Water Plan Task Force identified the following McLeod County priority water planning issues **(note: these issues are not ranked)**:

1. Surface Water Quality ~ Reducing Priority Pollutants
    a. Erosion & Sediment Control
    b. TMDL Implementation
    c. Feedlot/Livestock Management
    d. Subsurface Sewage Treatment Systems
    e. Aquatic Invasive Species

2. Surface Water Quantity ~ Management
    a. Agricultural Drainage
    b. Stormwater Management
    c. Wetland Restorations

3. Groundwater Quality & Quantity
    a. Wellhead Protection Areas
    b. Drinking Water Quality

4. Plan Administration
    a. Watershed Focus
    b. Raising Public Awareness

C. Summary of Goals, Objectives, Action Steps, and Estimated Costs

To address the priority concerns identified in the scoping process, the McLeod County Water Plan Task Force met and developed four goal areas. These four goal areas are further broken down into interrelated objectives that deal with each of the priority concerns. Most importantly, each objective has a series of action steps identified which are designed to help achieve the goal area if implemented properly. A summary of the County's Water Plan Goals, Objectives and Action Steps are provided is this section. Collectively they form the County's Water Implementation Plan. **In addition, a summary of their annual estimated costs is provided** separated into Overall Costs and County Only Costs (the later includes funds spent by both

McLeod County and the McLeod County SWCD). To Be Determined (TBD) amounts and one-time cost estimates (versus ongoing annual cost estimates) ***are not included in the estimated overall costs, since the numbers presented in the summary represent potential estimated annual expenditures.*** The intent of this section of the Executive Summary is merely to provide a brief summary of the initiatives and their estimated costs, not a comprehensive description. A full description of the Goals, Objectives, and Action Steps is contained in Chapter Three of this Water Plan. Likewise, Chapter Four provides details on administering the Water Plan. Please keep in mind that not all of the identified Action Items will be accomplished over the duration of the Water Plan. **The Action Steps are estimates of potential implementation activities that can change due to work loads, available project funding, or a re-determination of priorities in the water plan. Furthermore, many of the Action Steps represent commitments on behalf of the various water plan stakeholders and can only be accomplished if funding is available.**

GOAL 1: PROTECT AND IMPROVE SURFACE WATER QUALITY

Objective A: ***Implement BMPs to reduce erosion and sediment loading of surface water resources.***

- Erodible Land. Annually target 500 acres of highly erodible land for enrollment in conservation easement programs, such as CRP and RIM.
- BMP Program. Provide educational, technical, and financial assistance, as available, to landowners for the implementation of water quality-related BMPs. Implement a minimum of five projects annually.
- Cost-Share. Seek financial aid in the form of State cost-share, Federal EQIP, and Clean Water Funds for the installation of BMPs. Establish a minimum of $100,000 in cost-share funds annually.
- Site Inspections. Conduct site inspections and provide technical assistance to interested landowners. Target 25 inspections annually.
- SWCD Wind Erosion. Establish 1 mile of field windbreaks and five acres of shelterbelts annually.
- SWCD Water Erosion. Reduce sediment loading and erosion into surface waters by installing BMPs. Implement five projects annually.

Objective A Estimated Overall Costs = $500,000; County Only Costs = $160,000

Objective B: Proactively work to delist all of McLeod County's water bodies off the MPCA's 303d List of Impaired Waters.

- Water Quality Monitoring. Cooperatively work with partners to continue water quality monitoring efforts. Annually review the data and adjust BMP programs accordingly. Continue to weekly monitor the Crow River and High Island Creek for water clarity using a turbidity tube (except when frozen).
- TMDL Studies. Cooperatively work with partners to coordinate the preparation and implementation of TMDL studies and plans for Impaired Waters. Biannually review and target the impaired waters for BMP implementation (2014 & 2016).
- Watershed Approach. Partner in MPCA's watershed approach to identifying and addressing water quality problems. Annually review and target key subwatersheds for BMP implementation and Civic Engagement Activities with stakeholders.
- Stressor IDs. Assist with the U.S. Environmental Protection Agency's (EPA) efforts in the development of stressor identification in aquatic ecosystems. Once the stressors are identified, target BMPs accordingly.

Objective B Estimated Overall Costs = $170,000; County Only Costs = $17,000

Objective C: Reduce or minimize the negative impacts of animal manure/ lawn fertilizers.

- Feedlot Program. Continue to locally administer the County Feedlot Program to assist feedlot operators in obtaining and maintaining compliance with State regulations. Annually inspect 10% of the feedlots in the County.
- Noncompliant Feedlots. Provide educational, technical, and financial assistance, as available, to landowners/producers to upgrade noncompliant feedlots. Implement one feedlot upgrade annually.
- SWCD Feedlot Assistance. Assist the County with Feedlot site evaluations, planning, design, and overall general technical assistance. Complete MINNFARM evaluations for potential pollution problems and assist with fixing problems, when necessary. Target impaired waters and implement 5 projects annually.
- Nutrient Management Meeting. Sponsor an annual meeting to provide information on proper nutrient management.

- Manure and Nutrient Management. Provide educational and technical assistance, as available, to landowners/producers on proper manure and nutrient management. Target impaired waters.
- High Island Creek Watershed Initiative. Work with High Island Watershed to reduce Fecal coliform and E. coli levels through the implementation of manure management and feedlot BMPS.

Objective C Estimated Overall Costs = $292,500; County Only Costs = $137,500

Objective D: Work with landowners on properly implementing the County's Subsurface Sewage Treatment System Ordinance and other wastewater initiatives.

- SSTS Program. Continue to provide compliance and inspection services as part of the County's SSTS Program. Permit and inspect 100 new septic systems annually.
- Noncompliant SSTSs. Provide educational and financial assistance, as available, to homeowners to upgrade noncompliant SSTSs. Target impaired waters and upgrade 10 systems annually.
- Improper SSTS Discharge. Investigate and initiate corrective measures for SSTS improperly discharging into drainage ditches, lakes, and rivers when reported.
- Industrial Development. Encourage industrial development to be located where appropriate public services are located, such as municipal sewer service. Biannually review development ordinances to ensure proper language (2013, 2015, 2017).
- Shoreland Development. Provide technical and financial assistance, when available, to assist lake associations and shoreland residents with the installation of cluster sewer systems.
- BCWD SSTS Incentive. Provide $500 incentive to replace 5 failing septic systems, according to BCWD criteria.
- HICWD SSTS Incentive. Provide $500 incentive to replace 5 failing septic systems, according to HICWD criteria.
- Wastewater Treatment. Cooperatively work with partners to address wastewater treatment issues. Assist with securing funds with one project annually or as needed.

- City of Biscay. Complete work on Biscay in upgrading their septic system with the construction of the cluster system in 2013 and finish construction of sewer lines and tank installation in 2014.

Objective D Estimated Overall Costs = $466,000; County Only Costs = $67,500

Objective E: Enhance shoreland and lake management efforts.

- Lake Management. Conduct and/or provide technical and financial assistance, as available, to partners for the implementation of lake management efforts, when appropriate. Target impaired waters and implement two projects annually.
- Aquatic Invasive Species Management. Conduct and/or provide technical and financial assistance, as available, to lake associations and other groups/organizations for the implementation of invasive aquatic species prevention and/or control efforts. Host one meeting annually.
- Lake Level Conflicts. Work with the DNR and other stakeholders to resolve lake level conflicts.
- Watercourse Management. Proactively cleanout debris from water resources. Implement one project annually.
- Shoreland Ordinance. Continue to implement the County's Shoreland zoning standards. Biannually review (2014, 2016).
- City of Lester Prairie. Support the City of Lester Prairie's efforts to obtain Clean Water Funding for shoreland restorations along the Crow River.

Objective E Estimated Overall Costs = $115,000; County Only Costs = $20,000

Objective F: Administer initiatives that will enhance sustainable land management activities.

- Hazardous Waste Program. Continue the County's Hazardous Waste Program. Biannually review the program.
- Habitat Corridors. Support efforts to conserve, enhance and restore fish and wildlife habitat, when feasible. Implement one or more projects annually.
- GIS Datasets. Annually invest in the acquisition, development, and maintenance of GIS datasets, including the digital soil survey and parcel map. Utilize these datasets

to make informed decisions regarding land use planning and water resource management.

- Land Use Management. Continue to implement the County's adopted land use controls, including the Comprehensive Plan, floodplain, SSTS, shoreland, and solid waste ordinances. Biannually review language.
- Land Use Decisions and Ordinance Amendments. Work with the Planning Commission and Board of Commissioners to ensure that land use decisions and ordinances are consistent with the Water Plan. Identify inconsistencies and update documents accordingly.

Objective F Estimated Overall Costs = $1,060,000; County Only Costs = $670,000

GOAL 2: ENHANCE SURFACE WATER MANAGEMENT

Objective G: Ensure long-term agricultural production by maintaining and improving the public drainage system.

- Public Drainage Systems. Ensure that public drainage systems are operated and maintained in accordance with the State Drainage Law (M.S. Chapter 103E) and other applicable regulations, such as WCA. Continue to inspect and perform brush control on ditches once every three years.
- Comprehensive Drainage Management Plan. Pursue the development of a comprehensive drainage management plan for public drainage systems.
- Redetermination of Benefits. Redetermine the benefits on drainage systems as requested.
- Agricultural Studies. Support studies related to agricultural impacts on water quantity and quality. Establish two local test sites.
- Drainage Systems. Work with the County Drainage Authority on abandoning or relocating public drainage systems in conjunction with wetland restorations. Target impaired waters.
- Drainage BMPs. Cooperatively work with the Drainage Authority to incorporate water quantity/quality-related BMPs into the operation of public drainage systems. For example, work to establish/enhance five side inlets annually.

- Alternative Drainage Practices. Provide educational, technical, and financial assistance, as available, to landowners for the demonstration of alternative drainage practices, such as blind intakes, that replace conventional open tile intakes. Establish two demonstration sites.
- Pattern Tiling. Better understand the effects of pattern tiling on surface water management. Work to establish a research/demonstration site.
- BCWD Filtering Inlet Incentive. Provide financial assistance, as available, for establishing filtering inlets. Implement five sites.

Objective G Estimated Overall Costs = $523,000; County Only Costs = $118,500

Objective H: Manage surface waters to minimize Stormwater pollution and runoff.

- Stormwater Management Plans. Participate in the development and implementation of Comprehensive Stormwater Management Plans, identifying BMPs, potential retrofit opportunities, providing recommendations for coordination among LGUs, and identifying potential funding options.
- NPDES Stormwater Permit Requirements. Provide educational assistance to landowners and contractors on NPDES stormwater permit requirements for construction activity. Update educational materials as they become available.
- SWCD Stormwater Initiatives. Provide technical and financial assistance to citizens on stormwater BMPs (i.e., rain gardens, bio-retention, etc.), and assist with proper implementation. Implement five projects annually.
- Stormwater Storage. Work with municipalities to utilize storage basins and holding ponds for runoff retention and water quality treatment.
- Marsh Water Project. Work with the City of Glencoe and the Buffalo Creek Watershed District to implement the Marsh Water Project to mitigate stormwater flooding.
- City of Lester Prairie. Support the City of Lester Prairie's efforts to obtain Clean Water Funding for stormwater treatment and/or surface water management projects.

Objective H Estimated Overall Costs = $480,000; County Only Costs = $43,500

Objective I: Preserve and Restore Wetlands and other Water Retention Opportunities.

- WCA Administration. Continue to locally administer the Minnesota Wetland Conservation Act. The entire County shall be identified as a high priority area for wetland restorations.
- Wetland Restorations. Assess the potential for wetland restoration. Pursue installation with voluntary landowners, target impaired waters, and implement one project annually.
- Preservation and Restoration Programs. Provide educational and technical assistance to landowners regarding State and Federal programs to preserve and restore wetlands, including drained lakebeds. Target landowners near impaired waters.
- Wetland Banking. Provide information to landowners who inquire about the State wetland-banking program. Annually review the State's requirements.
- SWCD Wetland Initiative. Assist the USDA with the wetland provisions within the Farm Bill, including Swampbuster and 1026 drainage requests.

Objective I Estimated Overall Costs = $117,000; County Only Costs = $51,000

GOAL 3: PROTECT GROUNDWATER SUPPLIES

Objective J: Protect Groundwater from Contamination by implementing Best Management Practices.

- BMP Program. Provide educational, technical and financial assistance, as available, to landowners for the implementation of groundwater protection BMPs, including the proper decommissioning of wells and storage tanks and correct application of pesticides and other chemicals. Implement two projects annually.
- Wellhead Protection. Participate in the preparation and implementation of wellhead protection plans for public water suppliers.
- Pesticide Container Collection. Continue an empty pesticide container collection day, contingent upon the availability of funding.
- Solid Waste Management. Provide educational assistance to landowners to discourage the burning and burying of solid waste. Review educational materials annually and target 5,000 households.

- Abandoned Wells. Continue to provide information to the public on how to identify, locate and seal abandoned wells. Provide financial assistance and create an abandoned well inventory, as funds are available. Target sealing five abandoned wells annually.

Objective J Estimated Overall Costs = $160,000; County Only Costs = $23,000

Objective K: Ensure Adequate Groundwater Supplies for Multiple Uses.

- Precipitation Monitoring. Continue monitoring and increase the number of volunteer rain gauge readers that report to the State Climatology Office to one per township.
- Ground Water Level Monitoring. Cooperatively work with partners on groundwater permitting and monitoring efforts. Annually review data and adjust BMP programs accordingly.
- Hydrogeologic Atlas. Learn how to best use hydrogeologic information for the County to evaluate the impact of land use activities on ground water supplies. Biannually host a workshop (2014, 2016).
- Water Conservation Program. Apply for funds to assist with creating a Water Conservation Program, with low-flow conservation kits and establishing a county-wide Drought Contingency Plan (by 2015).

Objective K Estimated Overall Costs = $18,500; County Only Costs = $6,000

GOAL 4: EFFECTIVE PLAN ADMINISTRATION & COORDINATION

Objective L: Expand our knowledge and partnerships on identifying and addressing key water planning issues.

- Water Quality Monitoring/Studies. Cooperatively work with partners to continue and expand surface and ground water quality monitoring and studies. Annually review the data and adjust BMP programs accordingly.
- Surface Water Flow Monitoring. Cooperatively work with partners to continue and expand surface water flow monitoring efforts. Annually review the data and adjust BMP programs accordingly.

- CROW BMP Implementation and Education Initiatives. Cooperatively work with the Crow River Organization of Waters (CROW) to implement BMP implementation and education initiatives to reduce Fecal coliform, E.coli, turbidity, dissolved oxygen and chloride in North and South Fork Crow River Watersheds. Projects include: Lakeshore/Streambank Stabilization, Wetland Restorations, Rain Gardens, Lakeshore Naturalizations, Filterstrip/Grass/Riparian Buffers, Windbreaks, Sediment Basins, Grass Waterways, CRP/RIM Incentive Payments, Social Media, Newsletters and workshops – Implement six projects annually, create quarterly electronic newsletters, update website/facebook page weekly and provide annual workshop.

Objective L Estimated Overall Costs = $225,000; County Only Costs = $7,000

Objective M: Provide and participate in Outreach and Educational efforts on key water planning issues.

- Partner Meetings. Hold and/or attend meetings with partners to discuss water resource management issues and potential partnership opportunities. Annually invite key stakeholders to a water plan meeting.
- Joint Powers Board Membership. Continue membership in water plan stakeholder's Joint Powers Boards.
- Runoff Education. Implement educational efforts to control or reduce the effects of accelerated runoff from urban, industrial and agricultural areas. Include in newsletters twice a year.
- SSTS Education. Provide information to the public on proper SSTS design, installation, operation, and maintenance. Include information in annual workshops, news articles, and stakeholder mailings.
- SWCD Outreach Initiatives. Assist the County with providing the educational components of the Water Plan by providing one-on-one education, developing E-newsletters, and coordinating the 4th Grade Nature Field Day event.
- Water Conservation. Locate and provide water conservation-related educational materials to industry, homeowners and schools. Target one topic and media source annually.
- High Island Creek Watershed Education. Create quarterly newsletters, assist with manure management workshops and host manure management field days.

Objective M Estimated Overall Costs = $124,000; County Only Costs = $78,250

Objective N: Properly Administer the Water Plan to help ensure it achieves success.

- Local Water Management Coordinator. Maintain the County Local Water Management Coordinator position.
- Additional Funding Sources. Pursue additional funding sources, such as grants, in order to fund the implementation of initiatives. Seek partnerships and cooperative agreements to finance initiatives, when appropriate. Annually review projects and funding needs.
- Funding Opportunities. Provide information to landowners on available funding sources for water resource management activities and projects. Include on website, news articles, and newsletters.
- Water Planning Taskforce Meetings. Hold semi-annual Water Planning Taskforce meetings to discuss issues, review funding requests, and implement the Water Plan.
- SWCD Administration. Continue to be fiscally responsible while providing quality service to McLeod County's citizens; work with the County to ensure the County's General Levy adequately supports conservation needs; seek grants, partnerships, and provide adequate staffing. Quarterly review efforts and make adjustments accordingly.
- Water Plan Update. Update the County's water plan action steps prior to the County's water plan expiring in 2018.

Objective N Estimated Overall Costs = $68,500; County Only Costs = $60,000

Summary of Estimated Annual Overall and County Only Costs

Objective A Estimated Overall Costs = $500,000; County Only Costs = $160,000
Objective B Estimated Overall Costs = $170,000; County Only Costs = $17,000
Objective C Estimated Overall Costs = $292,500; County Only Costs = $137,500
Objective D Estimated Overall Costs = $466,000; County Only Costs = $67,500
Objective E Estimated Overall Costs = $115,000; County Only Costs = $20,000
Objective F Estimated Overall Costs = $1,060,000; County Only Costs = $670,000
Objective G Estimated Overall Costs = $523,000; County Only Costs = $118,500
Objective H Estimated Overall Costs = $480,000; County Only Costs = $43,500
Objective I Estimated Overall Costs = $117,000; County Only Costs = $51,000
Objective J Estimated Overall Costs = $160,000; County Only Costs = $23,000

Objective K Estimated Overall Costs = $18,500; County Only Costs = $6,000
Objective L Estimated Overall Costs = $225,000; County Only Costs = $7,000
Objective M Estimated Overall Costs = $124,000; County Only Costs = $78,250
Objective N Estimated Overall Costs = $68,500; County Only Costs = $60,000

Total Estimated Overall Costs = $4,379,500*

Estimated County Only Costs = $1,459,250*

***Note:** Please refer to Chapters Three and Four of this Water Plan for a more detailed description of the estimated costs overall and to McLeod County. Although these costs may seem exaggerated at first, there are numerous stakeholders involved with their corresponding activities and budgets. In addition, many of the Action Steps identified overlap with multiple other Action Steps with their scope and functionality. Furthermore, this Water Plan is intended to set high water resource planning goals, with the realization that it may not be feasible to accomplish everything that has been identified.

D. Relationship to other Plans

The McLeod County Water Plan Task Force represents a diverse group of people representing a number of key water plan stakeholders (the members are listed on the inside cover page). This helped to ensure the Water Plan, and its corresponding Goals, Objectives and Action Steps, was developed to be consistent with existing plans and official land use controls. In addition, many of the identified Action Items were simply revised from previous versions of the McLeod County Water Plan. **As a result, this updated McLeod County Water Plan is believed to be consistent with the plans and official controls of the other pertinent local, State and regional plans and controls. In conclusion, there are no recommended amendments to other plans and official controls to achieve consistency with this Water Plan.**

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Meeker County Local Water Management Plan Update**

Meeting Date: May 22, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: Southern Region
Contact: Jeff Nielsen, Regional Supervisor
Prepared by: Thomas Fischer, Board Conservationist
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested
☐ Other: _____

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

ACTION REQUESTED
Decision

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

On December 12, 2012, the Board of Water and Soil Resources (Board) provided official State comments pertaining to the priority concerns identified in the Meeker County Priority Concerns Scoping Document.

On December 12, 2012, the Board officially approved Meeker County's request for an extension of the end date of their current local water management plan, which would have expired on December 31, 2012. The end date was extended to May 30, 2013.

On January 7, 2013, the Board received the Meeker County Local Water Management Plan Update (Plan Update), a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review.

On March 7, 2013, the Southern Water Planning Committee (Committee) of the Board met with representatives of Meeker County to review state agencies review recommendations and comments. At this meeting, the Committee discussed its concern for the Plan Update not fully meeting MN Statutes 103B.314, Subd. 3, which speaks to specific measurable goals and objectives. The Committee's decision was to send back the Plan Update to Meeker County to revise the goals, objectives and actions section in order to comply with the Statute.

On May 2, 2013, the Committee met to review the revisions submitted by Meeker County. The Committee recommends approval of the Meeker County Plan Update.

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 Meeker County (Minnesota Statutes, Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN UPDATE

Whereas, the Meeker County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on January 7, 2013 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 10, 2012, the Board received a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.

2. On October 9, 2012, the Board received a written request (resolution) from the County for an extension of their current local water management plan.

3. On December 12, 2012, the Board approved official comments on the County PCSD, which were mailed to the county on December 12, 2012. The priority concerns the PCSD and Plan Update addresses include:

   - Protect and Improve Surface Water Quality – Reduce Priority Pollutants
   - Erosion and Sediment Control
   - Surface Water Management
   - Groundwater Quality & Quantity
   - Plan Administration and Coordination

4. On December 12, 2012, the Board approved the extension request made by the County. The end date of the current local water management plan was extended to May 30, 2013. This approval was mailed to the County on December 12, 2012.

5. On January 7, 2013, the Board received the County Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Plan Update for final State review pursuant to M.S. Section 103B.315, Subd. 5.

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   - Minnesota Pollution Control Agency (MPCA) noted Plan Update does not violate any statutory or rule requirement administered by the MPCA and recommends approval of the entire Plan Update.
   - Minnesota Department of Agriculture (MDA) noted Plan Update does not violate any statutory or rule requirement administered by the MDA and recommends approval of the entire Plan Update.
   - Minnesota Department of Health (MDH) noted Plan Update does not violate any statutory or rule requirement administered by the MDH and recommends approval of the entire Plan Update.
   - Minnesota Department of Natural Resources (MDNR) noted Plan Update does not violate any statutory or rule requirement administered by MDNR and recommends approval of the entire Plan Update.
   - Minnesota Environmental Quality Board provided no comments.
   - Board regional staff recommends requiring Meeker County to revisit and improve their plan Update's Chapter Three: Goals, Objectives and Action Steps in order to meet M.S 103B.314, Subd. 3.

   After review and discussion, the decision of the Southern Region Water Planning Committee of the Board was to send the Plan Update back to the County for revision, adding more specific measurable objectives and actions to Chapter Three, and have the revisions returned to Board staff by April 10, 2013.

7. On April 8, 2013, the Board received the revised Chapter Three from the County.

8. On May 2, 2013, the Southern Region Water Planning Committee of the Board met to review the revisions submitted by the County. The Committee's decision was to present a recommendation of approval of the Plan Update to the Board at the Board's May 22, 2013 meeting.

9. On May 22, 2013, the Southern Region Water Planning Committee of the Board presented its recommendation of approval of the Meeker County Local Water Management Plan Update to the Board. The Board adopted the Committee's recommendation.

10. This Plan Update will be in effect for a ten-year period until May 22, 2023, with the Goals, Objectives and Action items amended by May 22, 2018.

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 Meeker County pursuant to Minnesota Statutes, 103B.315, Subd. 5.

2. The Meeker County Plan Update states water and water-related problems within the county; possible solutions; goals, objectives, and actions of the county; and an implementation program. The Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the update of the Meeker County Local Water Management Plan 2013-2023 with a required update of the Implementation section (Goals, Objectives, and Action) to be completed by May 22, 2018.

Dated at St Paul, Minnesota this May 22, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

DRAFT

Meeker County
Comprehensive Local Water Management Plan:
Executive Summary

This Meeker County Water Plan follows the provisions set forth in Minnesota State Statutes 103B.314 - Contents of Plan.

A. Purpose of the Local Water Management Plan

According to Minnesota Statute 103B, each county is encouraged to develop and implement a local water management plan with the authority to:

- Prepare and adopt a local water management plan that meets the requirements of this section and section 103B.315;
- Review water and related land resources plans and official controls submitted by local units of government to assure consistency with the local water management plan; and
- Exercise any and all powers necessary to assure implementation of local water management plans.

Pursuant to the requirements of the law, this Meeker County Water Plan:

- Covers the entire area of Meeker County;
- Addresses water problems in the context of watershed units and groundwater systems;
- Is based upon principles of sound hydrologic management of water, effective environmental protection and efficient management;
- Is consistent with comprehensive water plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or groundwater system; and
- Will serve as a 10-year water plan (2013-2023), with a 5-year implementation plan (2013-2018). In 2018, the implementation plan will be updated.

B. A Description of Meeker County's Priority Concerns

Chapter Two provides a detailed assessment of the priority concerns. Based upon the Meeker County Water Plan Survey, comments received during the water plan public informational meeting, and the comments received by the various water plan stakeholders, the Water Plan Task Force identified the following Meeker County priority water planning issues (**note: these issues are not ranked**):

1. Protect and Improve Surface Water Quality ~ Reducing Priority Pollutants
    a. Proactively work to get waters off the MPCA's 303(d) list of Impaired Waters (TMDLs)
    b. Feedlots and Nutrient Management
    c. Subsurface Sewage Treatment Systems (SSTS) & Wastewater Management
    d. Shoreland and Lake Management
    e. Land Management

2. Erosion and Sediment Control

3. Surface Water Management
    a. Agricultural Drainage
    b. Stormwater Management
    c. Wetlands and Water Storage/Retention

4. Groundwater Quality & Quantity
    a. Wellhead Protection Areas
    b. Drinking Water Quality
    c. Groundwater Monitoring

5. Plan Administration and Coordination
    a. Watershed Focus
    b. Stakeholder Cooperation
    c. Raising Public Awareness

C. Summary of Goals, Objectives, Action Steps, and Estimated Costs

To address the priority concerns identified in the scoping process, the Meeker County Water Plan Task Force met and developed four goal areas. These four goal areas are further broken down into interrelated objectives that deal with each of the priority concerns. Most importantly, each objective has a series of action steps identified which are designed to help achieve the goal area if implemented properly.

A summary of the County's Water Plan Goals, Objectives and Action Steps are provided below. Collectively they form the County's Water Implementation Plan. In addition, a summary of their annual estimated costs is provided (separated into Overall Costs and County Only Costs, which includes funds spent by the Meeker County SWCD). Please keep in mind that not all of the identified Action Items will be accomplished over the course of the Water Plan, but it is the intent to attempt to accomplish as much as money and time allows. A better detailed description of the County's Goals, Objectives, and Action Steps is contained in Chapter Three of this Water Plan. Likewise, Chapter Four provides more details on administering the Water Plan.

GOAL 1: PROTECT AND IMPROVE SURFACE WATER QUALITY

Objective A: Proactively work to delist all of Meeker County's water bodies off the MPCA's 303d List of Impaired Waters (TMDLs).

- Water Quality Monitoring. Cooperatively work with partners to continue water quality monitoring efforts. Annually review data and prioritize BMPs accordingly.
- TMDL Studies. Cooperatively work with partners to coordinate the preparation and implementation of TMDL studies and plans for impaired waters. Target impaired waters with BMP program implementation.
- Watershed Approach. Partner in MPCA's watershed approach to identifying and addressing water quality problems. Annually target BMP programs and Civic Engagement Activities with stakeholders on priority subwatersheds.
- Stressor IDs. Assist with the U.S. Environmental Protection Agency's (EPA) efforts in the development of stressor identification in aquatic ecosystems. Target BMP programs to properly mitigate the identified stressors.
- TMDL/Watershed Approach Outreach. Cooperatively work with stakeholders through educational meetings, events and social media to update citizens on the TMDL process and Watershed Approach initiatives. Target subwatersheds annually.

Objective A estimated annual Overall Costs = $140,000; County Only Costs = $10,000

Objective B: Work with the farming community on manure and nutrient management Best Management Practices.

- Feedlot Program. Continue to locally administer the County Feedlot Program to assist feedlot operators in obtaining and maintaining compliance with State regulations. Assist with Feedlot site evaluations, planning, design, and overall general technical assistance. Annually inspect a minimum 7% of feedlots.
- Noncompliant Feedlots. Provide educational, technical, and financial assistance, as available, to landowners/producers to upgrade noncompliant feedlots. Target impaired waters and implement one (1) priority upgrades annually.
- Manure/Nutrient Management Meeting. Sponsor annual educational meetings with the farming community, focusing on pertinent topics, including regulations and manure/nutrient management Best Management Practices (BMPs).
- Manure and Nutrient Management. Provide educational and technical assistance, as available, to landowners and producers on proper manure and nutrient management. Target impaired waters and implement two (2) projects annually.

Objective B estimated annual Overall Costs = $167,500; County Only Costs = $61,000

Objective C: Work with landowners on properly implementing the County's Subsurface Sewage Treatment System Ordinance and other wastewater initiatives.

- SSTS Program. Continue to provide compliance and inspection services as part of the County's SSTS Program. Target inspections in impaired waters.
- SSTS Training Program. Continue annual training for SSTS installers and septage haulers.
- Maintenance and Noncompliant SSTSs. Provide educational and financial assistance, as available, to homeowners to properly maintain and upgrade noncompliant SSTSs. Target 15 system upgrades annually.
- SSTS Database. Maintain the database of inspected and/or installed SSTSs.
- Upgrading SSTSs. Apply for and administer the MDA State Revolving Fund program and other related programs for upgrading SSTSs. Target 11 systems annually.

Objective C estimated annual Overall Costs = $179,500; County Only Costs = $63,500

Objective D: Enhance shoreland and lake management efforts.

- Lake Management. Conduct and/or provide technical and financial assistance, as available, to partners for the implementation of lake management efforts. Prioritize impaired waters and implement two (2) BMP projects annually.
- Aquatic Invasive Species Management. Conduct and/or provide technical and financial assistance, as available, to lake associations and other groups/organizations for the implementation of invasive aquatic species prevention and/or control efforts. Invite the DNR to host an AIS meeting annually.
- BMP Program. Provide technical and financial assistance, as available, to landowners for the implementation of shoreland BMPs, including lakescaping and the proper usage of pesticides and other chemicals. Implement two (2) projects annually.
- Shoreland Ordinance. Revise the County Shoreland Ordinance, as necessary, to ensure consistent and sustainable development. Review all Shoreland alteration projects requiring County and/or DNR approval.
- CRWD Shoreline Buffer Incentive. Provide a one-time incentive of 20% of the total cost (up to $750) for buffering shorelines. Implement one (1) project annually.

Objective D estimated annual Overall Costs = $130,000; County Only Costs = $41,750

Objective E: Properly Manage Land/Wastewater Activities.

- Wastewater Treatment. Cooperatively work with partners to address wastewater treatment issues associated with unsewered communities, including lakeshore residents. Prioritize impaired waters and assist with securing funds for implementation when requested.
- Hazardous Waste Program. Hold annual Household Hazardous Waste (HHW) collection days for residents of Meeker County.
- Habitat Corridors. Support efforts to conserve, enhance and restore wildlife habitat. Secure funding to implement two (2) projects annually.
- GIS Datasets. Annually invest in the acquisition, development, and maintenance of GIS datasets, including the digital soil survey and parcel map. Utilize these datasets to make informed decisions regarding land use planning and water resource management.

- Land Use Management. Continue to implement the County's adopted land use controls, including the floodplain, SSTS, shoreland, solid waste, and zoning ordinances. Annually review the language and make revisions accordingly.

Objective E estimated annual Overall Costs = $325,000; County Only Costs = $152,000

GOAL 2: PROMOTE EROSION AND SEDIMENT CONTROL ACTIVITIES

Objective F: Implement BMPs to reduce erosion and sediment loading of surface waters.

- ✓ Erodible Land. Target 75 acres of highly erodible land annually for enrollment in conservation easement programs, such as CRP, and easements as part of upland buffers under RIM and USFWS programs.
- ✓ BMP Program. Provide educational, technical, and financial assistance, as available, to landowners for the implementation of water quality-related BMPs. Target impaired subwatersheds and implement five (5) projects annually.
- ✓ Cost-Share. Seek funding in the form of State cost-share, Federal EQIP, and Clean Water Funds for the installation of BMPs. Prioritize impaired subwatersheds.
- ✓ BMP Site Evaluations. Conduct site inspections and provide technical assistance to interested landowners. Target 25 evaluations annually.
- ✓ Clearwater River Watershed District (CRWD) CRP Incentive. Provide a one-time incentive of $200/acre on new CRP enrollments. Implement 80 acres annually.
- ✓ CRWD Seeded Buffer. Provide a one-time payment of $350/acre for the establishment of a buffer that can be harvested for hay along rivers, streams, and county ditches. Implement 40 acres annually.
- ✓ CRWD Tile Intakes. Provide an incentive to establish a grass buffer around tile intakes, or replace open intakes with underground rock inlets. Assist with identifying two (2) projects annually.
- ✓ Sauk River Watershed District (SRWD) BMP Incentive. Promote the use of BMPs through SRWD's incentive program. Implement one (1) project annually.
- ✓ CROW BMP Implementation and Education Initiatives. Cooperatively work with CROW to implement BMP implementation and education initiatives to reduce Fecal coliform, E.coli, turbidity, dissolved oxygen and chloride.

Objective F estimated annual Overall Costs = $310,000; County Only Costs = $64,500

GOAL 3: ENHANCE SURFACE WATER MANAGEMENT

Objective G: Ensure long-term agricultural production by maintaining and improving the public drainage system.

- Public Drainage Systems. Ensure that public drainage systems are operated and maintained in accordance with the State Drainage Law (M.S. Chapter 103E) and other applicable regulations, such as WCA.
- Comprehensive Drainage Management Plan. Pursue funding to develop a comprehensive drainage management plan for two (2) public drainage systems (2015).
- Redetermination of Benefits. Redetermine the benefits on drainage systems as requested.
- Conservation Drainage Practices. Provide educational, technical, and financial assistance, as available, to landowners for the demonstration of conservation drainage practices. Establish two (2) demonstrations sites.
- Drainage Workshop. Host a workshop to proactively educate stakeholders on drainage management issues and regulations (2015).
- Two-Stage Ditch Systems. Examine the use of two-stage ditch systems. Apply for funding to assist with problem areas. Establish a research/demonstration site (2014).

Objective G estimated annual Overall Costs = $302,500; County Only Costs = $42,500

Objective H: Manage surface waters to minimize Stormwater pollution and runoff.

- Stormwater Management Plans. Participate in the development and implementation of Comprehensive Stormwater Management Plans. Target 2 plans annually.
- Stormwater/Wastewater Discharges. Regulate stormwater and wastewater discharges into water resources. Annually review ordinance language.
- Stormwater BMPs. Provide technical assistance to citizens on stormwater BMPs (i.e., rain gardens, bio-retention, etc.), and assist with proper implementation. Implement five (5) projects annually.
- Stormwater Storage. Work with municipalities to utilize storage basins and holding ponds for runoff retention and water quality treatment. Implement two (2) projects annually.

- Drainage Plans. Continue to require surface water drainage plans on development in rural areas (i.e., feedlots, gravel pits, etc.). Annually review ordinance provisions.
- CRWD Rain Gardens. Provide a one-time $2.50 per square foot incentive for installation and maintenance of a rain garden on private property where installation will provide a benefit to cleaner water. Assist with identifying two (2) project sites annually.

Objective H estimated annual Overall Costs = $215,000; County Only Costs = $15,250

Objective I: Preserve and Restore Wetlands and other Water Retention Opportunities.

- WCA Administration. Continue to locally administer the Minnesota Wetland Conservation Act.
- Public Drainage Systems. In conjunction with wetland restorations, examine opportunities to abandon or relocate public drainage systems.
- Preservation and Restoration Programs. Provide educational, financial, and technical assistance to landowners regarding State and Federal programs to preserve and restore wetlands, including drained lakebeds. The entire County shall be identified as a high priority area for wetland restorations. Pursue funding to implement one wetland restoration annually.
- Wetland Banking. Provide information to landowners who inquire about the State wetland-banking program.
- Lake Level Conflicts. Work with the DNR and other stakeholders to resolve lake level conflicts. Annually review concerns.

Objective I estimated annual Overall Costs = $134,500; County Only Costs = $36,500

GOAL 4: PROTECT GROUNDWATER SUPPLIES

Objective J: Protect Groundwater from Contamination by implementing Best Management Practices.

- BMP Program. Provide educational, technical and financial assistance, as available, to landowners for the implementation of groundwater protection BMPs, including the

proper decommissioning of wells and storage tanks and correct application of pesticides and other chemicals. Prioritize sensitive recharge areas and pursue funds to implement two (2) projects annually.

- Wellhead Protection. Participate in the preparation and implementation of wellhead protection plans for public water suppliers. Prioritize BMPs in Wellhead Protection Areas.
- Solid Waste Management. Provide educational assistance to landowners to discourage the burning and burying of solid waste. Annually publish information in local newspapers.
- Abandoned Wells. Provide educational, technical, and financial assistance, as available, to landowners on the importance of properly sealing abandoned wells. Assist with sealing three (3) abandoned wells annually.

Objective J estimated annual Overall Costs = $50,500; County Only Costs = $7,000

Objective K: Ensure Adequate Groundwater Supplies for Multiple Uses.

- Ground Water Level Monitoring. Cooperatively work with partners on groundwater permitting, monitoring, and testing efforts. Annually review data and prioritize BMPs accordingly.
- Hydrogeologic Atlas. Learn how to best use hydrogeologic information for the County to evaluate the impact of land use activities on ground water supplies. Host a groundwater workshop with key stakeholders (2015).
- Water Conservation Program. Consider creating a Water Conservation Program, with low-flow conservation kits and a Drought Contingency Plan. Pursue funding to establish the program (2016).
- Conservation Irrigation. Promote the use of conservation irrigation practices and provide cost-share incentives, when feasible. Convert one conventional system annually.

Objective K estimated annual Overall Costs = $85,000; County Only Costs = $11,500

GOAL 4: EFFECTIVE PLAN ADMINISTRATION & COORDINATION

Objective L: Expand our knowledge and partnerships on identifying and addressing key water planning issues.

- Water Quality Monitoring. Cooperatively work with partners to continue and expand surface and ground water quality monitoring efforts. Annually review data and prioritize BMPs accordingly.
- Surface Water Flow Monitoring. Cooperatively work with partners to continue and expand surface water flow monitoring efforts. Annually review data and prioritize BMPs accordingly.
- Water Quality Studies. Conduct and/or provide technical and financial assistance, as available, to partners for the completion of water quality studies. Annually review data and prioritize subwatersheds and BMPs accordingly.

Objective L estimated annual Overall Costs = $205,000; County Only Costs = $11,000

Objective M: Provide and participate in Outreach and Educational efforts on key water planning issues.

- Stakeholder Meetings. Hold and/or attend annual meetings with stakeholders to discuss water resource management issues and potential partnership opportunities.
- Meeker County Water Plan Stakeholder Workshop. Organize and host a workshop for the County's key water plan stakeholders. Discuss local issues, current activities, and potential projects (years 2014, 2016).
- Outreach. Use available outreach tools, including the Internet, to disseminate information to the public regarding water resource management activities and issues. Annually publish information in local newspapers.
- Runoff Education. Implement educational efforts to control or reduce the effects of accelerated runoff from urban, industrial and agricultural areas. Establish two (2) demonstration sites.
- Greenleaf Recreation Area. Support the Greenleaf Recreation Area and Greenleaf, Cedar, and Sioux Lakes Recreation Complex and similar recreational opportunities.

- Aquatic Invasive Species. Work with State and local efforts to raise awareness aquatic invasive species. Invite the DNR to host an AIS public meeting (2014).
- Funding Opportunities. Provide information to landowners on available funding sources for water resource management activities and projects. Annually review funding sources and educational materials.

Objective M estimated annual Overall Costs = $74,900; County Only Costs = $20,900

Objective N: Properly Administer the Water Plan to help ensure it achieves success.

- Plan Administration. Continue to administer the County's Water Plan initiatives. Annually review and prioritize projects.
- Funding Sources. Pursue additional funding sources, such as the Clean Water Legacy Act, in order to fund the implementation of initiatives. Seek partnerships and cooperative agreements to finance initiatives, when appropriate. Annually prioritize projects and apply for available funds.
- Joint Powers Board Membership. Continue active membership in water plan stakeholder's Joint Powers Boards.
- Water Planning Taskforce Meetings. Hold annual Water Planning Taskforce meetings to discuss issues, review funding requests, and implement the Water Plan.
- Update Water Plan Action Steps. This Chapter of the Water Plan identifies Action Steps for the years 2013-2018. In 2018, the Water Plan Task Force will identify new Action Steps for the years 2018-2023.

Objective N estimated annual Overall Costs = $17,300; County Only Costs = $14,800

Total Estimated annual Overall Costs = $2,336,700*

Estimated County Only Costs = $552,200*

***Note:** Please refer to Chapters Three and Four of this Water Plan for a more detailed description of the estimated costs overall and to Meeker County. Although these costs may seem exaggerated at first, there are numerous stakeholders involved with their corresponding activities and budgets. In addition, many of the Action Steps identified overlap with multiple other Action Steps with their scope and functionality. Furthermore, this Water Plan is intended to set high water resource planning goals, with the realization that it may not be feasible to accomplish everything that has been identified.

D. Relationship to other Plans

The Meeker County Water Plan Task Force represents a diverse group of people representing a number of key water plan stakeholders (the members are listed on the inside cover page). This helped to ensure the Water Plan, and its corresponding Goals, Objectives and Action Steps, was developed to be consistent with existing plans and official land use controls. In addition, many of the identified Action Items were simply revised from previous versions of the Meeker County Water Plan. **As a result, this updated Meeker County Water Plan is believed to be consistent with the plans and official controls of the other pertinent local, State and regional plans and controls.** This should be confirmed by the vast amount of stakeholders who participated throughout the planning process. **In conclusion, there are no recommended amendments to other plans and official controls to achieve consistency with this Water Plan.**

COMMITTEE RECOMMENDATIONS

RIM Reserve Management Planning Committee

1. 2013 RIM-WRP Partnership Rates – Tim Koehler and Bill Penning – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2013 RIM-WRP Partnership Rates[1]

Meeting Date: May 22, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Conservation Easements

Contact: Bill Penning

Prepared by: Tim Koehler

Reviewed by: RIM Reserve Management Planning Committee(s)

Presented by: Bill Penning and Tim Koehler

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☒ New Policy Requested

☐ General Fund Budget
☒ Capital Budget
☒ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to authorize the 2013 RIM-WRP Partnership easement payment rates. Board Resolution 13-25, approved March 27, 2013, directed staff to develop RIM-WRP Partnership eligiblity and sign-up procedures.

The RIM-WRP Partnership, the premier private lands wetland restoration program in the nation, is a state-federal partnership delivered locally by the Natural Resources Conservation Service (NRCS), Soil and Water Conservation Districts (SWCDs), the Board of Water and Soil Resources and numerous other partners.

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

BWSR staff have worked with Dr. Steve Taff, U of M, and NRCS to develop easement payment rates to be used for the RIM-WRP Partnership. The rates utilize data collected by Dr. Taff and will be adjusted to ensure payment rates that are approximately 90% of the land value for cropland and 60% of the land value for non-cropland.

Board Resolution #_____

Reinvest in Minnesota (RIM) Reserve - Wetlands Reserve Program (RIM-WRP) Partnership Program
FY13 Easement Payment Rates

WHEREAS the Minnesota State Legislature appropriated Outdoor Heritage Funds (OHF) and Capital Investment funds to the Board of Water and Soil Resources (BWSR) for the Reinvest in Minnesota – Wetlands Reserve Program Partnership to acquire permanent conservation easements and restore wetlands and associated upland habitat, in cooperation with the Unites States Department of Agriculture's (USDA) Wetlands Reserve Program; and

WHEREAS the RIM-WRP Partnership, the premier private lands wetland restoration program in the nation, is a local-state-federal partnership delivered locally by the Natural Resources Conservation Service (NRCS) the Soil and Water Conservation Districts (SWCDs) and the Board of Water and Soil Resources (BWSR); and

WHEREAS the RIM-WRP Partnership is enhanced via collaboration with other partners including Ducks Unlimited, (DU), the Minnesota Waterfowl Association (MWA), Pheasants Forever (PF), the Minnesota Department of National Resources (MN DNR), and the United States Fish and Wildlife Service (USFWS); and

WHERAS the RIM-WRP Partnership permanently protects and restores previously drained wetland and adjacent native grasslands to achieve the greatest wetland functions and values, while optimizing wildlife habitat on private lands enrolled in the Partnership; and

WHEREAS the RIM Reserve Conservation Easement Program is administered by the BWSR in cooperation with local Soil and Water Conservation Districts (SWCDs); and

WHEREAS SWCDs will be reimbursed for their services using the current RIM Reserve services rate; and

WHEREAS NRCS National Headquarters has requested Minnesota NRCS to develop a process which allows for continuous enrollment of RIM-WRP Partnership easement applications and the necessary obligation of federal WRP funds with eligible Minnesota landowners; and

WHEREAS the Board authorized staff via Resolution 13-25, dated March 27, 2013, to work with Minnesota NRCS to develop RIM-WRP Partnership eligibility and sign-up procedures for the RIM-WRP Partnership; and

WHEREAS the Board, BWSR staff and NRCS staff, in consultation with the University of Minnesota Applied Economics Department, have determined that the most recent Township Land Values as

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established by the Department of Revenue and posted on the Minnesota Land Economics Website is the most relevant, consistent and available land value data to use as a basis for easement payment rates; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on May 21, 2013 and unanimously recommend the following payment rate provisions to successfully implement the RIM-WRP Partnership.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

Establish RIM-WRP Partnership payment rates that best approximate 90% of land value for permanent easements on land with cropping history and 60% of land value for permanent easements on lands without cropping history, subject to the following factors:

1. The township land values as established by the Department of Revenue and posted on the University of Minnesota Land Economics website shall be used as the basis;

2. The payment rate maximum in Hennepin and Ramsey Counties will not exceed the highest average township rate from any of the other surrounding seven metro counties due to a limited number of tillable land acres, and values that are influenced by development potential;

3. The payment rate maximum for the other five Twin Cities metro counties (Anoka, Carver, Dakota, Scott and Washington) will not exceed the average Scott County rate to more accurately reflect tillable values.

Dated at Saint Paul, Minnesota this 22th day of May, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

DRAFT

NEW BUSINESS

1. Legislative Update – Sarah Strommen/John Jaschke - ***INFORMATION ITEM***

2. Environmental Quality Board (EQB) Frac Sand Summary and Status – Bob Patton, EQB Staff – ***INFORMATION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Legislative Update

Meeting Date: May 22, 2013

Agenda Category: ☐ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☐ Decision ☐ Discussion ☒ Information
Section/Region:
Contact:
Prepared by: Sarah Strommen
Reviewed by: Sarah Strommen/John Jaschke Committee(s)
Presented by: Sarah Strommen/John Jaschke

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other:

ACTION REQUESTED
Information Item

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The agency members of the Board will provide a summary of legislative decisions affecting their programs and responsibilities.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Environmental Quality Board Frac Sand Summary And Status**

Meeting Date: May 22, 2013

Agenda Category: ☐ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region:

Contact: John Jaschke

Prepared by:

Reviewed by: John Jaschke Committee(s)

Presented by: Bob Patton, EQB Staff

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other:

ACTION REQUESTED
Information Item

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
EQB staff will provide an overview of past and future actions related to frac sand mining in Minnesota.

Minnesota Board of Water & Soil Resources

DATE: March 18, 2013

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

FROM: John Jaschke, Executive Director

SUBJECT: BWSR Board Meeting Notice – March 27, 2013

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, March 27, 2013, 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 (see hooded parking area).

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. **Shingle Creek & West Mississippi Watershed Management Commissions' Plan Revision** -This is a unique Watershed Management Plan compared to all others in the metro area because two separate, politically distinct organizations share the same plan, yet have unique implementation programs tailored to each. The Shingle Creek and West Mississippi Watershed Management Organizations were formally established via joint powers agreements in 1984 under the Metropolitan Surface Water Management Act of 1982. The Watershed Management Plan final draft was filed with the Board on January 17, 2013. The attached draft Order contains a summary of the plan, planning process, and the reviewing agencies' comments. The Commissions offered stakeholders and state agencies ample opportunities to provide input via an effective Technical Advisory Committee input process, city advisory committee meetings, an online survey, and releasing an informal draft for review. Few comments were received during the formal review process and at the public hearings resulting in relatively minor changes to the Plan. The Metro Water Planning Committee met on March 7, 2013, and was presented a history of the District, the planning process, and highlights of the implementation section of the revised Plan. After review of the information, the Committee unanimously voted to recommend approval of the Plan by the Board per the attached draft Order. ***DECISION ITEM***

Southern Water Planning Committee

1. **Jackson County Local Water Management Plan Amendment** - By Board Order, the Board of Water and Soil Resources (Board) approved the Jackson County 2008 - 2018 Comprehensive Local Water Management Plan (Plan) on March 26, 2008. This Plan contains an implementation section with goals, objectives and actions to address the County's priority concerns. The Board Order required Jackson County to update the Plan's implementation section by March 26, 2013. Jackson County followed the amendment

process guidelines established by the Board and submitted their 2013 - 2018 Local Water Management Plan Amendment on February 6, 2013. The Board's Southern Water Planning Committee (Committee) met on March 7, 2013 to review the Jackson County Plan Amendment. The Committee recommends approval of the Jackson County 2013 - 2018 Local Water Management Plan Amendment. ***DECISION ITEM***

2. **Big Stone County Priority Concerns Scoping Document -** Big Stone County, as part of updating their Comprehensive Local Water Management Plan, submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee, chaired by Paul Langseth, met with Big Stone County on March 7, 2013, to discuss the content of the PCSD; state agency review comments on the PCSD; and recommendations for the content of the final Comprehensive Local Water Management Plan. The Committee recommends approval of the Big Stone County PCSD. The state's expectations for the final plan must be sent to Big Stone County. ***DECISION ITEM***

3. **Chippewa County Priority Concerns Scoping Document -** Chippewa County, as part of updating their Comprehensive Local Water Management Plan, submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee, chaired by Paul Langseth, met with Chippewa County on March 7, 2013, to discuss the content of the PCSD; state agency review comments on the PCSD; and recommendations for the content of the final Comprehensive Local Water Management Plan. The Committee recommends approval of the Chippewa County PCSD. The state's expectations for the final plan must be sent to Chippewa County. ***DECISION ITEM***

4. **Lac qui Parle County Priority Concerns Scoping Document** - Lac qui Parle County, as part of updating their Comprehensive Local Water Management Plan, submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee, chaired by Paul Langseth, met with Lac qui Parle County on March 7, 2013, to discuss the content of the PCSD; state agency review comments on the PCSD; and recommendations for the content of the final Comprehensive Local Water Management Plan. The Committee recommends approval of the Lac qui Parle County PCSD. The state's expectations for the final plan must be sent to Lac qui Parle County. ***DECISION ITEM***

5. **Swift County Priority Concerns Scoping Document -** Swift County, as part of updating their Comprehensive Local Water Management Plan, submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee, chaired by Paul Langseth, met with Swift County on March 7, 2013, to discuss the content of the PCSD; state agency review comments on the PCSD; and recommendations for the content of the final Comprehensive Local Water Management Plan. The Committee recommends approval of the Swift County PCSD. The state's expectations for the final plan must be sent to Swift County. ***DECISION ITEM***

6. **Big Stone County Comprehensive Local Water Management Plan Extension Request -** Big Stone County has a Comprehensive Local Water Management Plan (Plan) that will expire May 28, 2013. On January 25, 2013, the Board of Water and Soil Resources (Board) received a request for an extension of the Plan from Big Stone County. On March 7, 2013, the Board's Southern Water Planning Committee, chaired by Paul Langseth, met with Big Stone County to discuss the extension request. The Committee recommends approval of the Big Stone County Comprehensive Local Water Management Plan Extension. The state's expectations for the extension request must be sent to Big Stone County. ***DECISION ITEM***

7. **Blue Earth County Comprehensive Local Water Management Plan Extension Request** - Blue Earth County has a Comprehensive Local Water Management Plan (Plan) that will expire June 30, 2013. On February 12, 2013, the Board of Water and Soil Resources (Board) received a request for an extension of the Plan from Blue Earth County. On March 7, 2013, the Board's Southern Water Planning Committee, chaired by Paul Langseth, met to discuss the extension request. The Committee recommends approval of the Blue Earth County Comprehensive Local Water Management Plan Extension. The state's expectations for the extension request must be sent to Blue Earth County. ***DECISION ITEM***

8. **Chippewa County Comprehensive Local Water Management Plan Extension Request -** Chippewa County has a Comprehensive Local Water Management Plan (Plan) that will expire May 28, 2013. On January 24, 2013, the Board of Water and Soil Resources (Board) received a request for an extension of the Plan from Chippewa County. On March 7, 2013, the Board's Southern Water Planning Committee, chaired by Paul Langseth, met with Chippewa County to discuss the extension request. The Committee recommends approval of the Chippewa County Comprehensive Local Water Management Plan Extension. The state's expectations for the extension request must be sent to Chippewa County. ***DECISION ITEM***

9. **Lac qui Parle County Comprehensive Local Water Management Plan Extension Request -** Lac qui Parle County has a Comprehensive Local Water Management Plan (Plan) that will expire May 28, 2013. On February 7, 2013, the Board of Water and Soil Resources (Board) received a request for an extension of the Plan from Lac qui Parle County. On March 7, 2013, the Board's Southern Water Planning Committee, chaired by Paul Langseth, met with Lac qui Parle County to discuss the extension request. The Committee recommends approval of the Lac qui Parle County Comprehensive Local Water Management Plan Extension. The state's expectations for the extension request must be sent to Lac qui Parle County. ***DECISION ITEM***

10. **Swift County Comprehensive Local Water Management Plan Extension Request** - Swift County has a Comprehensive Local Water Management Plan (Plan) that will expire May 28, 2013. On February 6, 2013, the Board of Water and Soil Resources (Board) received a request for an extension of the Plan from Swift County. On March 7, 2013, the Board's Southern Water Planning Committee, chaired by Paul Langseth, met with Swift County to discuss the extension request. The Committee recommends approval of the Swift County Comprehensive Local Water Management Plan Extension. The state's expectations for the extension request must be sent to Swift County. ***DECISION ITEM***

NEW BUSINESS

1. **Reinvest In Minnesota (RIM) Reserve** – Wetlands Reserve Program (WRP) 2013 – The RIM-WRP Partnership has received recommendations from the Lessard Sams Outdoor Heritage Council and legislative appropriations from the Outdoor Heritage Fund in 2009, 2010, 2011 and 2012 totaling $42.76 million to leverage federal WRP funds totaling over $68 million. In addition, a fifth year of funding is currently being considered by the MN Legislature for $13.39 million from the Outdoor Heritage Fund which will leverage $21.5 million of federal WRP funds. ***DECISION ITEM***

2. **Legislative Update** – Sarah Strommen will present a legislative update. ***INFORMATION ITEM***

3. **Watershed Protection & Restoration Strategies** – Clean Water Land and Legacy Amendment funding has allowed the executive branch agencies to systematically re-think how to best produce cleaner water. Input from the Clean Water Council, listening sessions around the state, and inter-agency teams resulted in a system that meshes a predictable 10-year water monitoring cycle with local water planning processes. Throughout 2013, the BWSR Board will sponsor a stakeholder process that aligns local water plan expectations with the Board's approval process. We expect that the so-called "One Watershed" policy will makes its way to the Board in early 2014. ***INFORMATION ITEM***

If you have any questions regarding the agenda, please feel free to give me a call at 651-296-0878. The Board meeting is expected to adjourn about noon. I look forward to seeing you on March 27th!

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, MARCH 27, 2013

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF JANUARY 27, 2013 BOARD MEETING

PUBLIC ACCESS FORUM (10-minute agenda time, two-minute limit/person)

REPORTS

- Chair – Brian Napstad
- Administrative Advisory Committee – Brian Napstad
- Executive Director – John Jaschke
- Dispute Resolution Committee – Gerald Van Amburg
- Wetlands Committee – Gerald Van Amburg
- Grants Program & Policy Committee – Paul Langseth
- Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth
- RIM Reserve Management Planning Committee – Gene Tiedemann
- Drainage Work Group – Tom Loveall

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Shingle Creek & West Mississippi Watershed Management Commissions' Plan Revision – Jim Haertel – ***DECISION ITEM***

Southern Water Planning Committee

1. Jackson County Local Water Management Plan Amendment – Paul Langseth - ***DECISION ITEM***

2. Big Stone County Priority Concerns Scoping Document – Paul Langseth -***DECISION ITEM***

3. Chippewa County Priority Concerns Scoping Document – Paul Langseth - ***DECISION ITEM***

4. Lac qui Parle County Priority Concerns Scoping Document – Paul Langseth – ***DECISION ITEM***

5. Swift County Priority Concerns Scoping Document – Paul Langseth – ***DECISION ITEM***

6. Big Stone County Comprehensive Local Water Management Plan Extension Request – Paul Langseth – ***DECISION ITEM***

7. Blue Earth County Comprehensive Local Water Management Plan Extension Request – Paul Langseth – ***DECISION ITEM***

8. Chippewa County Comprehensive Local Water Management Plan Extension Request – Paul Langseth – ***DECISION ITEM***

9. Lac qui Parle County Comprehensive Local Water Management Plan Extension Request - Paul Langseth – ***DECISION ITEM***

10. Swift County Comprehensive Local Water Management Plan Extension Request – Paul Langseth - ***DECISION ITEM***

NEW BUSINESS

1. Reinvest In Minnesota (RIM) Reserve – Wetlands Reserve Program (WRP) 2013 – Tim Koehler (BWSR) and Joel Curran (NRCS) – ***DECISION ITEM***

2. Legislative Update – Sarah Strommen - ***INFORMATION ITEM***

3. Watershed Protection & Restoration Strategies – Steve Woods (BWSR) and Gaylen Reetz (MPCA) – ***INFORMATION ITEM***

AGENCY REPORTS

- Minnesota Department of Agriculture – Matthew Wohlman
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Tom Landwehr
- 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 – Matt Solemsaas
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Joel Curran

UPCOMING MEETINGS

- Next BWSR Board Meeting – *April 24, 2013 meeting may be cancelled*
  - May 22, 2013

Noon **ADJOURN**

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report[1]

Meeting Date: March 27, 2013

Agenda Category: ☐ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region: Land and Water Section

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Gerald Van Amburg/Travis Germundson

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
None

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Dispute Resolution Committee Report. The report provides a monthly update on the number of appeals filed with the BWSR.

Dispute Resolution Report
March 15, 2013
By: Travis Germundson

There are presently **12** appeals pending. All of the appeals involve WCA except File 10-10. There has been **1** new appeal filed since the last report dated January 23, 2013.

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 13-2 (2-4-13) This is an appeal of a restoration order in Watonwan County. The appeal regards the filling of approximately 11,878 sq. ft. of wetland. No decision has been made on the appeal.

File 13-1 (1-9-13) This is an appeal of a restoration order in Swift County. The appeal regards drainage impacts to multiple wetlands associated with an agricultural drain tile project. *The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the fact wetland application.*

File 12-19 (12-27-12) This is an appeal of a wetland replacement plan decision in Stearns County. The appeal regards the approval of a wetland replacement plan application for a tenth of an acre of impact to a Type 3 wetland. A previous appeal of a restoration order involving the same wetland impacts (File 12-10) was dismissed. The appeal has been remanded for further technical work.

~~File 12-18 (12-20-12) This is an appeal of agricultural wetland banking decision in Kittson County. The appeal regards the denial of an agricultural wetland banking application for approximately 16 acres of wetland credit. No decision has been made on the appeal. The appeal was remanded for the LGU to develop an adequate record that considers the written Technical Evaluation Panel Report.~~ *Under remand, the LGU reversed their previous decision and approved the agricultural wetland banking application.*

File 12-16 (11-16-12). This is an appeal of a wetland banking credit deposit request in Stearns County. The appeal regards the approval of a wetland banking plan request to deposit 9.9 acres of credit. A previous appeal (File 12-13) was remanded for the LGU to develop an adequate record, and now that new decision is being appealed. At issue are the eligibility requirements for banking credits. *The appeal has been accepted and the briefing and hearing schedule stayed by mutual agreement to allow time for settlement discussions to continue.*

File 12-12 (7-16-12) This is an appeal of an exemption determination in Renville County. The appeal regards the denial of an agricultural drainage exemption associated with a 1.5 acre wetland. At issue is the wetland type determination. A previous appeal (File 12-5) was remanded for further technical evaluation and administrative proceedings, and now the current approval is being appealed. A verbal settlement agreement has since been reached that includes submittal of a replacement plan application. The appeal has been placed in abeyance by mutual agreement to determine the viability of a wetland replacement plan application.

File 11-1 (1-20-11) This is an appeal of a restoration order in Hennepin County. The appeal regards the filling of approximately 1.77 acres of wetland and 0.69 acres of excavation. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application and confirmation of required mitigation.

File 10-10 (6-10-10) This is an appeal filed under Minn. Stat. 103D.535 regarding an order of the managers of the Wild Rice Watershed District not to go forward with the Upper Becker Dam Enhancement Project as proposed. Appeals filed under 103D.535 require that the Board follow the Administrative Procedures Act. The Act requires that the hearing be conducted by an Administrative Laws Judge through the Office of Administrative Hearings. A mediated settlement agreement was reached with the condition that if the watershed district fails to carry out Option D the appeal shall go forward. The appeal has been placed in abeyance.

File 10-7 (2-19-10) This is an appeal of a restoration order in Stearns County. The appeal regards draining and filling impacts to approximately 18.44 acres of Type2/3 wetland and 3.06 acres of Type 2 wetland. The appeal has been placed in abeyance and the restoration order stayed for submittal of "as built" or project information pertaining to a public drainage system. The landowner has committed to restoring the site and the TEP plans to conduct a site visit in the spring of 2013 to verify that restoration has occurred.

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 pre-hearing conferences convened on October 13 and 30, and December 14, 2009. Settlement discussions are on hold while the appellant addresses permitting issues with the Corps of Engineers. The appeal has been placed in abeyance by mutual agreement on determining the viability of a new wetland banking plan application.

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 disposition with the U.S. Dept of Justice.

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.

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 are 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 new wetland delineation and for submission on an updated, complete replacement plan application. On 12-9-09 the District made a new wetland delineation decision. The applicant has not yet submitted an updated replacement plan application.

Summary Table

Type of Decision	Total for Calendar Year 2012	Total for Calendar Year 2013
Order in favor of appellant	1	
Order not in favor of appellant	5	
Order Modified		
Order Remanded	4	
Order Place Appeal in Abeyance	1	
Negotiated Settlement		
Withdrawn/Dismissed	4	

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

1. Shingle Creek & West Mississippi Watershed Management Commissions' Plan Revision – Jim Haertel – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Shingle Creek & West Mississippi Watershed Management Commissions' Plan Revision**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Metro

Contact: Brad Wozney, Board Conservationist

Prepared by: Brad Wozney, Board Conservationist

Reviewed by: Metro Water Planning Committee(s)

Presented by: Jim Haertel, Metro Region Supervisor

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of the Shingle Creek & West Mississippi Watershed Management Organizations Revised Watershed Management Plan

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Background

This is a unique Watershed Management Plan compared to all others in the metro area because two separate, politically distinct organizations share the same plan, yet have unique implementation programs tailored to each. During the development process of the previous plan, both Organizations agreed to merge the plan preparation, operating policies, and administration for efficiency purposes. Another reason is that four of the five cities in the West Mississippi Watershed Management Commission (WMC) are also in the Shingle Creek WMC.

The Shingle Creek and West Mississippi WMCs were formally established via joint powers agreements in 1984 under the Metropolitan Surface Water Management Act of 1982. However, prior to that date seven of the communities jointly funded the 1974 Shingle Creek Basin Management Plan in response to the National Flood Insurance Program. The first water resources management plan for the Commissions was prepared and adopted separately by each Commission in 1990. Four out of the five member cities of West Mississippi WMC are also members of Shingle Creek WMC. The second generation watershed management plan was approved by BWSR in April 2004. The second generation plan was amended six times primarily to add new capital projects to the Capital Improvement Program as the projects were identified.

The watersheds 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 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. The combined watersheds have approximately 21 miles of streams. Both watersheds are predominantly fully developed, with the remaining land rapidly developing. Some redevelopment is occurring.

The Commissions hold monthly, joint meetings and jointly discuss business applicable to both. Their currently compliant Joint Powers Agreement expires in 2015, however the Commissions' attorney has begun the revision process with the cities and Commissioners. The operating expenses are funded by city dues apportioned based 50% on land area and 50% on taxable value within the watershed. Capital projects can be funded up to 25% of the cost by the Commissions, not to exceed $250,000, via several financial mechanism options as identified in the JPA.

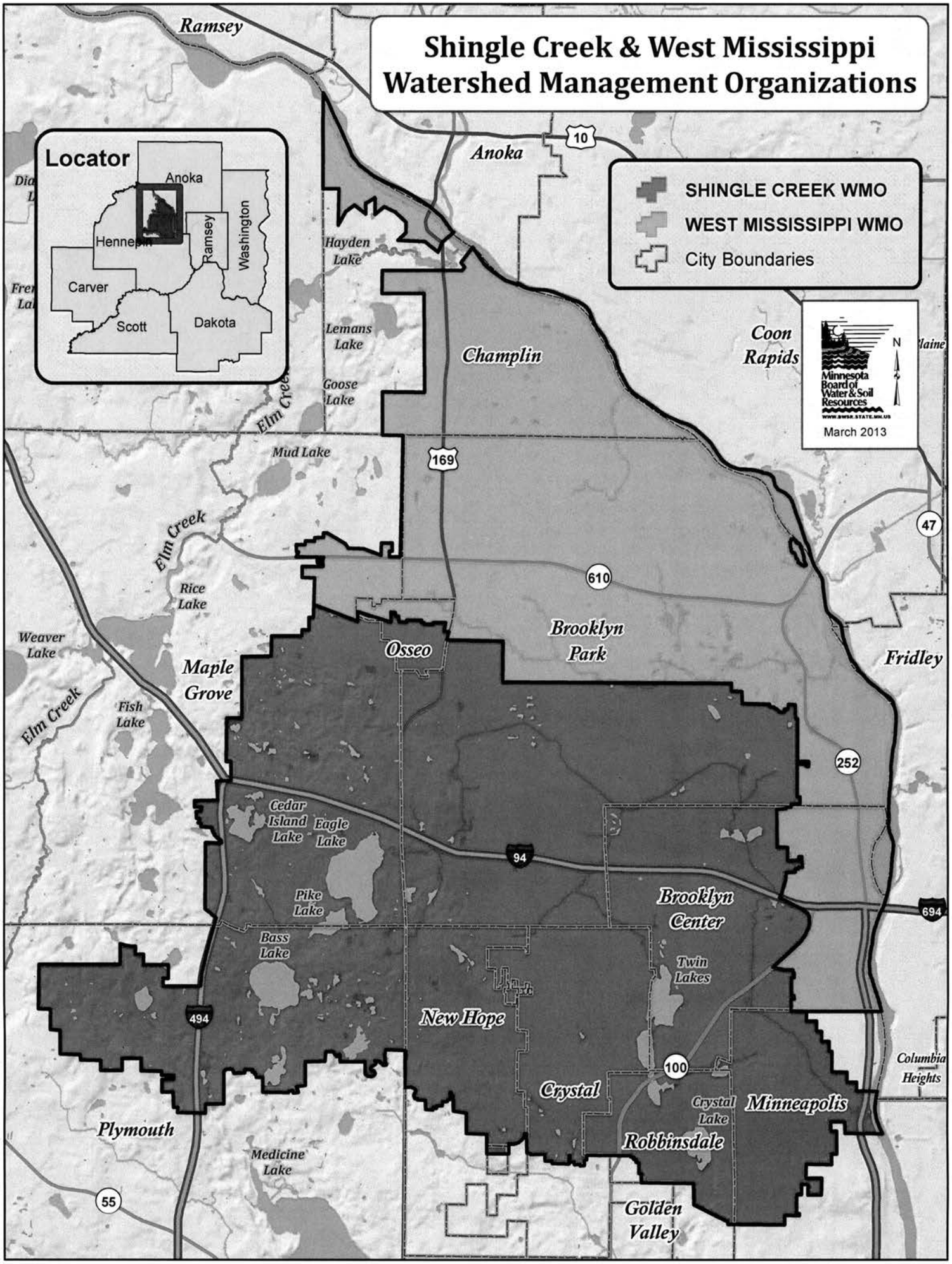
Revised Plan Process and Summary

BWSR staff have been involved with the Plan process since the beginning stages. Early in the planning process, BWSR attended Technical Advisory Committee (TAC) meetings providing upfront input and plan expectations. All stakeholders and agencies were given ample opportunities to provide upfront input and preliminary draft plan comments, while the cities' citizen advisory committees provided guidance on priority resource concerns. The Commissions received relatively few comments from local partners, municipalities, and stakeholders during the formal comment period partially because of their inclusive planning process.

The Plan outlines an excellent framework for protecting the water resources of the Commissions, is well organized, and is an appropriate mix of structural, non-structural, and programmatic solutions. An extensive self assessment document was incorporated into the revised Plan as an appendix that lists accomplishments and assessed how well the Commissions implemented the previous plan. The priority issues to be addressed in the plan are: 1) Work aggressively toward achieving TMDL lake and stream goals, 2) Revise the Rules and Standards to achieve more load and runoff volume reduction, 3) Expand the public education and outreach program to reach more stakeholders, 4) Retrofit BMPs in developed areas in the most cost-effective way, and 5) Develop a whole-watershed sustainable water budget.

The projected average annual budget for Shingle Creek WMC is approximately $732,700 over the first five years of the Plan and for West Mississippi WMC is approximately $255,600.

Local and state comments received in regards to the revised Plan have been sufficiently addressed. The Metro Water Planning Committee met on March 7, 2013. BWSR staff recommended approval. After review of the information, the Committee unanimously voted to recommend approval of the Revised Plan per the attached draft Order.


Shingle Creek & West Mississippi Watershed Management Organizations
Locator
Anoka
Hennepin
Ramsey
Washington
Carver
Scott
Dakota
SHINGLE CREEK WMO
WEST MISSISSIPPI WMO
City Boundaries
Minnesota Board of Water & Soil Resources
WWW.BWSR.STATE.MN.US
March 2013
N
Ramsey
Anoka
Champlin
Coon Rapids
Hayden Lake
Lemans Lake
Goose Lake
Elm Creek
Mud Lake
Rice Lake
Weaver Lake
Maple Grove
Fish Lake
Osseo
Brooklyn Park
Fridley
Cedar Island Lake
Eagle Lake
Pike Lake
Bass Lake
Brooklyn Center
Twin Lakes
New Hope
Crystal
Crystal Lake
Minneapolis
Robbinsdale
Columbia Heights
Plymouth
Medicine Lake
Golden Valley
10
169
610
47
252
94
694
494
100
55

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

In the Matter of the review of the Watershed Management Plan for the **Shingle Creek and West Mississippi Watershed Management Organizations**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

ORDER APPROVING WATERSHED MANAGEMENT PLAN

Whereas, the Boards of Commissioners of the Shingle Creek and West Mississippi Watershed Management Commissions (Commissions) submitted a Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

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

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

FINDINGS OF FACT

1. **Watershed Commissions Establishment.** The Shingle Creek and West Mississippi Watershed Management Commissions were formally established via joint powers agreements in 1984 under the Metropolitan Surface Water Management Act of 1982. However, prior to that date seven of the communities jointly funded the 1974 Shingle Creek Basin Management Plan in response to the National Flood Insurance Program. The first water resources management plan for the Commissions was prepared and adopted separately by each Commission in 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 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. The second generation watershed management plan was approved by the Board in April 2004. The second generation plan was amended six times primarily to add new capital projects to the Capital Improvement Program as they were identified.

2. **Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed areas which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

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3. **Nature of the Watershed.** The Shingle Creek and West Mississippi Watershed Management Commissions 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 Watershed Management Organization, on the south by Bassett Creek Watershed Management Organization, and on the west by the Elm Creek Watershed Management Organization. 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. The combined watersheds have approximately 21 miles of streams. Both watersheds are predominantly fully developed, with the remaining land rapidly developing. Some redevelopment is occurring.

4. **Plan Development and Review.** In 2010 the Commissions began an extensive TAC involvement process to identify watershed problems, priority issues, goals, and solicit projects. The TAC process involved local and state agencies and stakeholders and allowed opportunities to provide upfront input. In lieu of utilizing a traditional Citizen Advisory Committee for public input, the Commissions asked each of the 10 member cities to designate an existing city advisory committee to serve that role. The groups met twice individually then jointly to discuss watershed priorities and employed online surveys for input. A preliminary, informal draft plan was released in August 2012 for stakeholders and state agencies to provide written comments. Responses to comments were provided and changes to the Plan were made. The draft revised Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on October 20, 2012. A public hearing was held on January 10, 2013, resulting in a few minor changes to the Plan. The final draft of the revised Plan was received by the Board on January 17, 2013.

5. **Local Review.** The Commissions distributed copies of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, Subd. 7. The Commissions received comments from the cities of Brooklyn Center, New Hope, and Plymouth. The Commissions responded in writing to all stakeholders who commented, addressing each concern.

6. **Metropolitan Council Review.** Met Council was very supportive of the plan revision stating it is consistent with the Council's policies and the *Water Resources Management Policy Plan*.

7. **Department of Agriculture Review.** The MDA had no comments on the Plan.

8. **Department of Health Review.** The MDH did not comment on the Plan.

9. **Department of Natural Resources Review.** The DNR commented that the overall Plan was well done. Other comments included recommended use of DNR technical references, plan clarifications, and investigation of ecological low-flows. All comments were satisfactorily addressed with changes made to the Plan.

10. **Pollution Control Agency Review.** The PCA requested several clarifications on TMDL references, waterbody impairments, and monitoring for chlorides. PCA felt that the Plan was well written and could be used as a model for other watersheds. The Commissions largely revised the Plan as requested.

11. **Department of Transportation Review.** MNDOT did not comment during the first review period. MNDOT submitted comments during the final review period that centered on detailed components of the stormwater rules and standards.

12. **Board Review.** Board staff commended the Commissions for a well-organized and comprehensive Plan. Board staff recommended several clarifications related to tables within the Plan, technical and citizen advisory committee roles in implementation, the need for a future amendment prior to undertaking certain capital improvement projects, identification of Wetland Conservation Act Local Government Units, and a list of parts of the Plan that could be adopted by reference for local water plans. It was strongly recommended that the Plan state the need for a plan amendment prior to year 2018 to detail action items and costs for years 2018-2022. Additional detail was also requested for a "Commission Fund for Retrofit Projects". The Commissions satisfactorily addressed the comments resulting in revisions to the Plan.

13. **Plan Summary and Highlights.** The Plan outlines an excellent framework for protecting the water resources of the Commissions, is well organized, and is an appropriate mix of structural, non-structural, and programmatic solutions to water resource issues. An extensive self assessment document was incorporated into the revised Plan as an appendix that lists accomplishments and assesses how well the Commissions implemented the previous plan. The priority issues to be addressed in the plan are: 1) Work aggressively toward achieving Total Maximum Daily Load (TMDL) lake and stream goals, 2) Revise the Rules and Standards to achieve more load and runoff volume reduction, 3) Expand the public education and outreach program to reach more stakeholders, 4) Retrofit BMPs in developed areas in the most cost-effective way, and 5) Develop a whole-watershed sustainable water budget. The highlights of the revised Plan include:

- The Commissions offered opportunities to provide upfront comments on the Plan prior to submitting the formal draft through an exemplary TAC and cities' citizen advisory committee involvement process along with the release of a preliminary draft. This led to a smooth formal review process.
- A comprehensive monitoring, education/outreach, and intensive catchment-level Best Management Practice (BMP) assessment programs.

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- Funding for a sustainable groundwater study for both watersheds.
- Commissions remain on the cutting edge of addressing chloride impairments.
- An aggressive implementation plan with the goal of de-listing seven of the 13 impaired lakes by 2022.

14. **Metro Water Planning Committee Meeting.** On March 7, 2013, the Board's Metro Water Planning Committee and staff met with a representative from the Commissions in St. Paul to review and discuss the Plan. Those in attendance from the Board's Committee were Doug Wetzstein, Jack Ditmore, Joe Collins, and Robert Burandt as chair. Board staff in attendance was Metro Board Conservationist Brad Wozney. The representative from the Commissions was Diane Spector of Wenck Associates. Board staff recommended approval of the Plan.

    After discussion, the Committee voted unanimously to recommend approval of the Plan to the full Board.

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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 Shingle Creek and West Mississippi Watershed Management Commissions pursuant to Minnesota Statutes Section 103B.231, Subd. 9.

3. The Watershed Management Plan for the Shingle Creek and West Mississippi Watershed Management Commissions attached to this Order defines water and water-related problems within the Commissions' boundaries, possible solutions thereto, and an implementation program.

4. The attached Watershed Management Plan is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Watershed Management Plan dated January 2013 as the Watershed Management Plan for the Shingle Creek and West Mississippi Watershed Management Commissions.

Dated at Saint Paul, Minnesota this 27th day of March, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

DRAFT

Executive Summary

This watershed management plan describes how the Shingle Creek and West Mississippi Watershed Management Commissions (SCWM WMC) will manage activities in the two watersheds in the ten year period 2013-2022.

The Shingle Creek Watershed Management Commission and the West Mississippi Watershed Management Commission are Watershed Management Organizations (WMOs) formed in 1984 using Joint Powers Agreements developed under authority conferred to the member communities by Minnesota Statutes 471.59 and 103B.201 through 103B.251. The watersheds are located in the northwest portion of the Minneapolis-St. Paul seven county Metropolitan Area and are comprised of all or part of the following ten cities in Hennepin County:

Shingle Creek Watershed		West Mississippi Watershed		Combined
Cities	Area (sq mi)	Cities	Area (sq mi)	Area (sq mi)
Brooklyn Center	5.89	Brooklyn Center	2.47	8.36
Brooklyn Park	11.15	Brooklyn Park	14.20	25.35
		Champlin	5.12	5.12
Crystal	3.92			3.92
Maple Grove	7.73	Maple Grove	0.82	8.55
Minneapolis	3.15			3.15
New Hope	3.32			3.32
Osseo	0.45	Osseo	0.33	0.78
Plymouth	6.56			6.56
Robbinsdale	2.39			2.39
Total	44.56	Total	22.94	67.50

Each Commission is governed by a Board of Commissioners that is comprised of one member appointed from each community by their respective City Councils.

The Commissions' purpose is to preserve and use natural water storage and retention in the Shingle Creek and West Mississippi watersheds to meet Surface Water Management Act goals. Because many of the communities that are members of the Shingle Creek WMO are also members of the West Mississippi WMO the Commissions often work jointly on issues of interest to both, including this Third Generation Plan, and have adopted similar standards.

Third Generation Watershed Management Plan

The Shingle Creek and West Mississippi Watershed Management Commissions initiated work on the Third Generation Plan in February 2011. The Plan includes information required in Minnesota Administrative Rules Chapter 8410, Local Water Management: an updated land and

water resources inventory, goals and policies; an assessment of problems and identification of corrective actions; an implementation program; and a process for amending the Plan.

The Commission and Citizen and Technical Advisory Committees identified the following issues and issue areas during the planning process:

Funding and Financial Stability. During the Second Generation Plan period the Shingle Creek Commission completed 13 lake nutrient TMDLs; a chloride and dissolved oxygen TMDL on Shingle Creek; and impaired biota TMDLs on Shingle and Bass Creeks. All require very significant load reductions and stream improvements to meet the state water quality standards, which will be financially challenging.

Regulatory Rules and Standards. Issues include conflicting rules for cities with land in two or more watersheds; application of stormwater management rules to redevelopment projects; keeping rules and standards current with TMDL implementation needs, both local and regional; and the need to stay abreast of changing climate conditions.

Data Availability. TMDL implementation will require an expanded monitoring program to provide the data necessary to evaluate progress toward achieving water quality goals. Other data needs include a better understanding of the whole-watershed sustainable water budget to explore the most effective ways to restore base flow in Shingle Creek and in wetlands that have lost hydrology.

Other Issues. A component of the TMDL implementation is retrofitting areas that developed with no or minimal water quality treatment with Best Management Practices. Given limited resources it is important that this be completed in a systematic, cost-effective manner. In addition, technology and practices continue to advance, and there is a need to evaluate the effectiveness of new or innovative BMPs prior to implementation. Education and awareness is another component of TMDL implementation, and expansion of those efforts should be considered to increase public awareness and to change behaviors.

Management Plan Priorities and Goals

Through the identification of issues in the watersheds, the SCWM WMC developed five priorities and six goal areas to guide their water resources planning and management functions:

Priorities:

1. Work aggressively toward achieving TMDL lake and stream goals.
2. Revise the Rules and Standards to achieve more load and runoff volume reduction.

Executive Summary (Cont.)

3. Expand the public education and outreach program to reach more stakeholders.
4. Retrofit BMPs in developed areas in the most cost-effective way.
5. Develop a whole-watershed sustainable water budget.

Goals:

Goal Area A. Water Quantity
- Goal A. 1. Maintain the existing 100-year flood profile throughout the watersheds.
- Goal A. 2. Determine ecological low flows for Shingle and Bass Creeks

Goal Area B. Water Quality
- Goal B. 1. As lake water quality improves and lakes are removed from the State's Impaired Waters list, implement management strategies to protect lake water quality. It is anticipated that Schmidt, Lower Twin, and Ryan Lakes will be removed in 2014.
- Goal B. 2. Implement phosphorus and sediment load reduction actions sufficient to achieve de-listing from the Impaired Waters list for Bass, Eagle, Crystal, and Middle Twin Lakes.
- Goal B. 3. Improve water clarity in the balance of the lakes by 10% over the average of the previous ten years.
- Goal B. 4. Improve at least 30% of the length of Shingle Creek to meet Corridor Study and TMDL design standards.
- Goal B. 5. Maintain nondegradation of all waterbodies compared to 1985 conditions.

Goal Area C. Groundwater
- Goal C. 1. Infiltrate stormwater runoff from new impervious surface.
- Goal C. 2. Identify opportunities for and implement projects to infiltrate runoff from existing impervious surface.
- Goal C. 3. Work with the appropriate state agencies to incorporate groundwater assessment into the sustainable water budget analysis for each watershed.

Goal Area D. Wetlands
- Goal D. 1. Maintain the existing functions and values of wetlands identified in the Commissions' Water Quality Plan as high-priority.
- Goal D. 2. Informed by the sustainable water budget study, improve functions and values of wetlands.

Goal Area E. Drainage Systems
- Goal F. 1. Continue current Hennepin County jurisdiction over County Ditch #13

Executive Summary (Cont.)

Goal Area F. Commission Operations and Programming

- Goal F. 2. Identify and operate within a sustainable funding level that is affordable to member cities.
- Goal F. 3. Foster implementation of TMDL and other implementation projects by sharing in their cost and proactively seeking grant funds.
- Goal F. 4. Operate a public education and outreach program that meets the NPDES Phase II education requirements for the member cities.
- Goal F. 5. Operate a monitoring program sufficient to characterize water quantity, water quality, and biotic integrity in the watersheds and to evaluate progress toward meeting TMDL goals.
- Goal F. 6. Maintain rules and standards for development and redevelopment that are consistent with local and regional TMDLs, federal guidelines, source water and wellhead protection requirements, sustainable water yields, nondegradation, and ecosystem management goals.
- Goal F. 7. Serve as a technical resource for member cities.

Implementation

This Third Generation Watershed Management Plan continues a number of activities that have been successful in the past and introduces some new activities, including modified development rules and standards and TMDL implementation.

The Commissions will continue to undertake routine monitoring in lakes and streams; provide education and outreach opportunities, helping member cities to address their NPDES education requirements; review development and redevelopment for conformance with rules and standards; and implement a Capital Improvement Program that provides for Commission 25 percent cost share for certain types of water quality improvement projects.

Rules and Standards Revision. The Rules and Standards for development and redevelopment projects have been revised and are proposed to take effect January 1, 2013. These revisions are intended to maximize pollutant load and runoff volume reduction from projects creating new impervious surface. These revisions are part of the TMDL Implementation Plans for the 13 lake and 3 stream TMDLs in the Shingle Creek watershed, and the upcoming regional TMDLs affecting the Mississippi River.

- The abstraction/infiltration requirement is raised from 0.5" from new impervious surface to 1" from new impervious surface. Applicants may now use decompacted and amended soil as a BMP toward the infiltration requirement.
- The Commission Rules and Standards will now apply to projects down to 1 acre in size:

  - Detached single-family residential projects between 1 acre and 15 acres in size will be reviewed by the member city, while projects over 15 acres in size will continue to be reviewed by the respective Commission.
  - Projects for all other land uses between 1 and 5 acres in size will be reviewed by the member city, while projects over 5 acres in size will continue to be reviewed by the Commission.
  - It is now clearly stated that redevelopment projects that disturb less than 50 percent of a site must meet all Commission requirements for the disturbed area.
  - New non-single family residential detached projects between 0.5 acres and 1 acre in size will be required to meet the infiltration/abstraction requirement but not the other standards, while redevelopment projects of that size will be required to incorporate permanent water quality BMPs with no specific requirement for what those might be.
- A new category is created for linear projects. Such projects that create more than one acre of new impervious surface will be required to meet the Commission rules and standards.

Monitoring Program. The revised monitoring program, which was put into place in 2012, includes both routine monitoring and monitoring to support the required five-year review of progress on TMDLs. On the lakes, approximately every five years the Shingle Creek Commission will conduct more intensive monitoring, including aquatic vegetation sampling. Shingle Creek will also add more dissolved oxygen monitoring, and more routine macroinvertebrate and fish sampling in the Creek. West Mississippi will now routinely monitor Mattson Brook (the outlet of Century/Edinbrook Channels) and will rotate through the Mississippi River outfalls, monitoring 2-3 outfalls each year.

TMDL Implementation. In the Shingle Creek watershed, eight TMDL reports have been completed that address 16 impairments in 13 lakes and two streams The Plan includes additional monitoring, education, and modeling activities to implement the Shingle Creek Commission's assigned responsibilities for the TMDLs. In addition, the Plan includes a schedule for performing the five-year review of progress for each TMDL.

Other Activities. Both Commissions will begin undertaking intensive BMP assessments for subwatershed areas systematically across the watersheds. Each year the CIP will include a $50,000 capital levy to provide member cities with match funds to implement projects identified in the intensive assessments. Finally, both Commissions propose to undertake whole-watershed sustainable water budget studies, but no funding has been identified for those projects.

Local and Watershed Plan Amendments

On final approval of the Plan, cities will have 2 years to update their Local Stormwater Management Plan (LWMP). These updates will be expected to include:

Executive Summary (Cont.)

- Updated land use, hydrologic, and hydraulic data, and existing or potential water resource related problems that may have changed since the last LWMP.
- An explanation of how the member city will help to implement the actions set forth in the Commissions' Plan.
- Show how the member city will take action to achieve the load reductions and other actions identified in and agreed to in TMDL Implementation Plans.
- Explain how the City will implement the City Review project review requirements of the revised Rules and Standards.
- Updated Implementation Plan identifying the specific structural, nonstructural, and programmatic solutions to the problems and issues identified in the LWMP.
- Set forth an implementation program including a description of adoption or amendment of official controls and local policies necessary to implement the Rules and Standards; programs; policies; a capital improvement plan; and estimates of cost and funding mechanisms.

This watershed management plan provides direction for SCWM WMC activities through the year 2022. The Commissioners intend the Plan to provide a flexible framework for managing the watersheds and, as such, may initiate amendments to this plan at any time. The Commissions will annually review the Capital Improvement Program and may adopt plan amendments adding or revising proposed capital improvement projects.

1.0 Introduction

1.1 INTRODUCTION AND PURPOSE

The Shingle Creek and West Mississippi Watershed Management Commissions (SCWM WMC) were formed in 1984 using Joint Powers Agreements developed under authority conferred to the member communities by Minnesota Statutes 471.59 and 103B.201 through 103B.251. The Joint Powers Agreements are included in Appendix A. The watersheds are located in the northwest portion of the Minneapolis-St. Paul seven county metropolitan area (Figure 1.1). The Commissions' purpose is to preserve and use natural water storage and retention in the Shingle Creek and West Mississippi watersheds to meet Surface Water Management Act goals. Because many of the communities that are members of the Shingle Creek WMO (watershed management organization) are also members of the West Mississippi WMO, the Commissions often work jointly on issues of interest to both and have adopted similar standards.

1.1.1 First and Second Generation Plans

The Commissions adopted their initial or First Generation Management Plans in 1990. Each Commission adopted a separate plan, although many policies and actions were similar. For the Second Generation Plan, adopted in May 2004, the two Commissions elected to develop a joint management plan. The Second Generation Management Plan was amended six times between 2005 and 2010. Most of those revisions made changes or additions to the Capital Improvement Program, but two significant policy revisions were made by Major Plan Amendment in 2007. The Commissions adopted a Cost Share Policy to contribute 25 percent of the cost of qualifying projects by requesting Hennepin County to levy an ad valorem tax on all property in the watershed. In addition, the Commissions adopted a Water Quality Plan that set forth goals and actions to address the water quality in the lakes, streams, and wetlands in the two watersheds.

Table 1.1. Record of revisions to the Second Generation Watershed Management Plan.

Number	Type	Date of Adoption	Summary of Revisions
1	Minor	9/8/2005	Increase cost share for Brooklyn Park Stream Restoration Project, and refine project description
2	Major	5/10/2007	Adopt Cost Share Policy, revise amendment procedure, adopt Water Quality Plan
3	Major	9/11/2008	Add Crystal Twin Oak Pond project to CIP
4	Minor	10/9/2008	Adopting revised rules and standards
5	Major	9/10/2009	Add Shingle Creek Restoration project to CIP
6	Major	9/10/2010	Add five projects to CIP and make other revisions

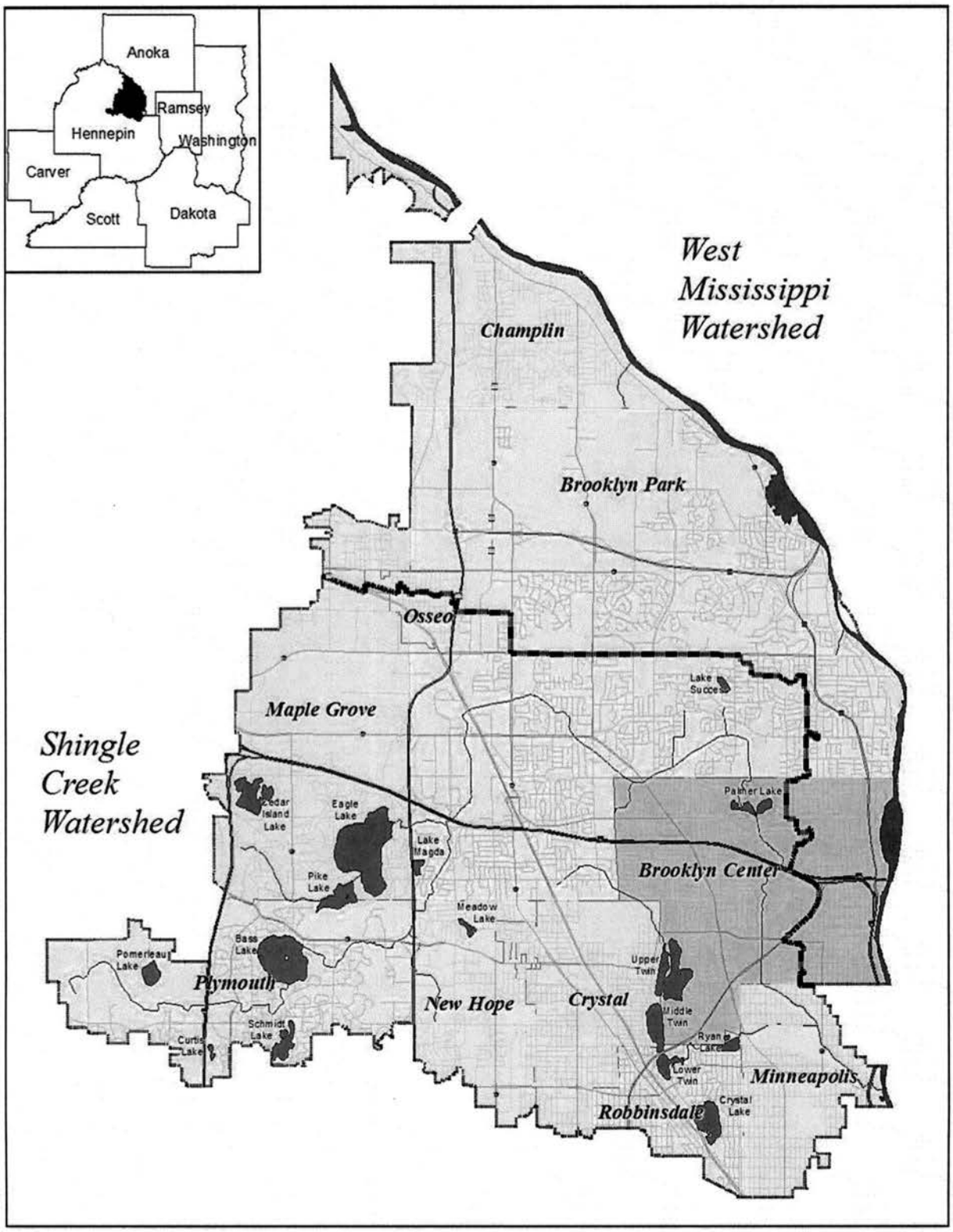


Figure 1.1. The Shingle Creek and West Mississippi watersheds in Hennepin County, Minnesota.

1.1.2 Plan Requirements

The Metropolitan Surface Water Management Act (Chapter 509, Laws of 1982, Minnesota Statute Section 473.875 to 473.883 as amended) establishes requirements for preparing watershed management plans within the Twin Cities Metropolitan Area. The law requires the plan to focus on preserving and using natural water storage and retention systems to:

- Improve water quality.
- Prevent flooding and erosion from surface flows.
- Promote groundwater recharge.
- Protect and enhance fish and wildlife habitat and water recreation facilities.
- Reduce, to the greatest practical extent, the public capital expenditures necessary to control excessive volumes and rate of runoff and to improve water quality.
- Secure other benefits associated with proper management of surface water.

To ensure these objectives are realized the Metropolitan Surface Water Management Act further specified the basic content of the watershed management plan. The plan must:

- Describe the existing physical environment and land use in the area, as well as the proposed environment, land use, and development outlined in existing local and metropolitan comprehensive plans.
- Present information on the hydrologic system and its components and potential problems related thereto.
- State objectives and policies including management principles, alternatives and modifications, water quality, and protection of natural characteristics.
- Set forth a management plan including the desired hydrologic and water quality conditions and significant opportunities for improvement.
- Describe the effect of the plan on existing drainage systems.
- Identify high priority areas for wetland preservation, enhancement, restoration, and establishment and describe conflicts with wetlands and land use in those areas.
- Describe conflicts between the watershed plan and existing plans of Local Governmental Units (LGUs).
- Set forth an implementation program consistent with the management plan that includes a capital improvement program, standards, and schedules for amending the comprehensive plan and official controls of LGUs in the watershed to bring conformance with the plan.
- Set out procedures and timelines for amending the plan.

1.2 PLAN ORGANIZATION

This plan is divided into four sections:

1 – Introduction and Purpose: Describes the authority and composition of the SCWM WMC, the purpose of the Surface Water Management Act and the components of this watershed management plan.

2 – Inventory and Condition Assessment: A physical inventory for the watersheds, it includes a profile of the watersheds' existing environmental conditions. This profile contains descriptions of the area's geology, topography, soils, biological and human environment, and current land use and projected land use to the year 2020. This section also contains information on the lakes, streams, and wetlands in the watersheds.

Inventory and condition data are presented both on a watershed basis and on a subwatershed basis. Shingle Creek has been subdivided into eight subwatersheds, which are seven lakesheds and the area of the watershed that drains directly to Shingle Creek. West Mississippi is subdivided into four subwatersheds.

3 – Watershed Organization and Operations: This section provides information about the Commissions, how they are organized, their history, and their responsibilities, and discusses ongoing operations. This section also provides an evaluation of the successes of the Second Generation Plan and the areas where the Commissions may have fallen short of their goals for the 2003-2012 period.

4 – Implementation Plan: This section sets forth the goals the Commissions will work to achieve in the ten-year period covered by this Plan, and descriptions of the Commissions' proposed operating programs, the Capital Implementation Program, and a discussion of implementation costs and financing. It also discusses the methods by which the Commissions will evaluate progress towards achieving the goals set forth in the Plan, the process that will be followed should this Plan need to be Amended, and the requirements for Local Surface Water Management Plans prepared by the member cities in the two watersheds.

COMMITTEE RECOMMENDATIONS

Southern Water Planning Committee

1. Jackson County Local Water Management Plan Amendment – Paul Langseth - ***DECISION ITEM***

2. Big Stone County Priority Concerns Scoping Document – Paul Langseth - ***DECISION ITEM***

3. Chippewa County Priority Concerns Scoping Document – Paul Langseth - ***DECISION ITEM***

4. Lac qui Parle County Priority Concerns Scoping Document – Paul Langseth – ***DECISION ITEM***

5. Swift County Priority Concerns Scoping Document – Paul Langseth – ***DECISION ITEM***

6. Big Stone County Comprehensive Local Water Management Plan Extension Request – Paul Langseth – ***DECISION ITEM***

7. Blue Earth County Comprehensive Local Water Management Plan Extension Request – Paul Langseth – ***DECISION ITEM***

8. Chippewa County Comprehensive Local Water Management Plan Extension Request – Paul Langseth – ***DECISION ITEM***

9. Lac qui Parle County Comprehensive Local Water Management Plan Extension Request - Paul Langseth – ***DECISION ITEM***

10. Swift County Comprehensive Local Water Management Plan Extension Request - Paul Langseth - ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Jackson County Local Water Management Plan Amendment**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: Southern Region
Contact: Jeff Nielsen, Regional Supervisor
Prepared by: Mark Hiles, Board Conservationist
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED: Decision

LINK TO ADDITIONAL INFORMATION: Jackson County Local Water Management Plan Amendment – click on link: http://www.co.jackson.mn.us/vertical/sites/%7BB0F922B1-7818-45FB-908B-8C049D8AA643%7D/uploads/JCLWMP_Ammendment.pdf

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
On March 26, 2008, the Board of Water and Soil Resources (BWSR), by board order, approved the Jackson County 2008 – 2018 ten-year Comprehensive Local Water Plan Update. The Plan contained an implementation section with goals, objectives, and action steps covering a five-year period of 2008 - 2013. The Board Order stipulated that Jackson County was required to revise / update this implementation section by March 26, 2013.

On June 12, 2012 the Jackson County Board of Commissioners resolved to amend its five-year implementation section as directed by BWSR. The County followed the process for amending as described within the Comprehensive Local Water Management guidance document developed by BWSR.

On February 6, 2013 the BWSR regional staff received the required documentation and 2013 Amendment to the Jackson County Comprehensive Local Water Plan. The 2013 Amendment contains an Executive Summary and a new 2013 - 2018 implementation section. The amendment has prioritized action items in the implementation section of the plan on a major watershed scale. The implementation section addresses the following priority concerns:

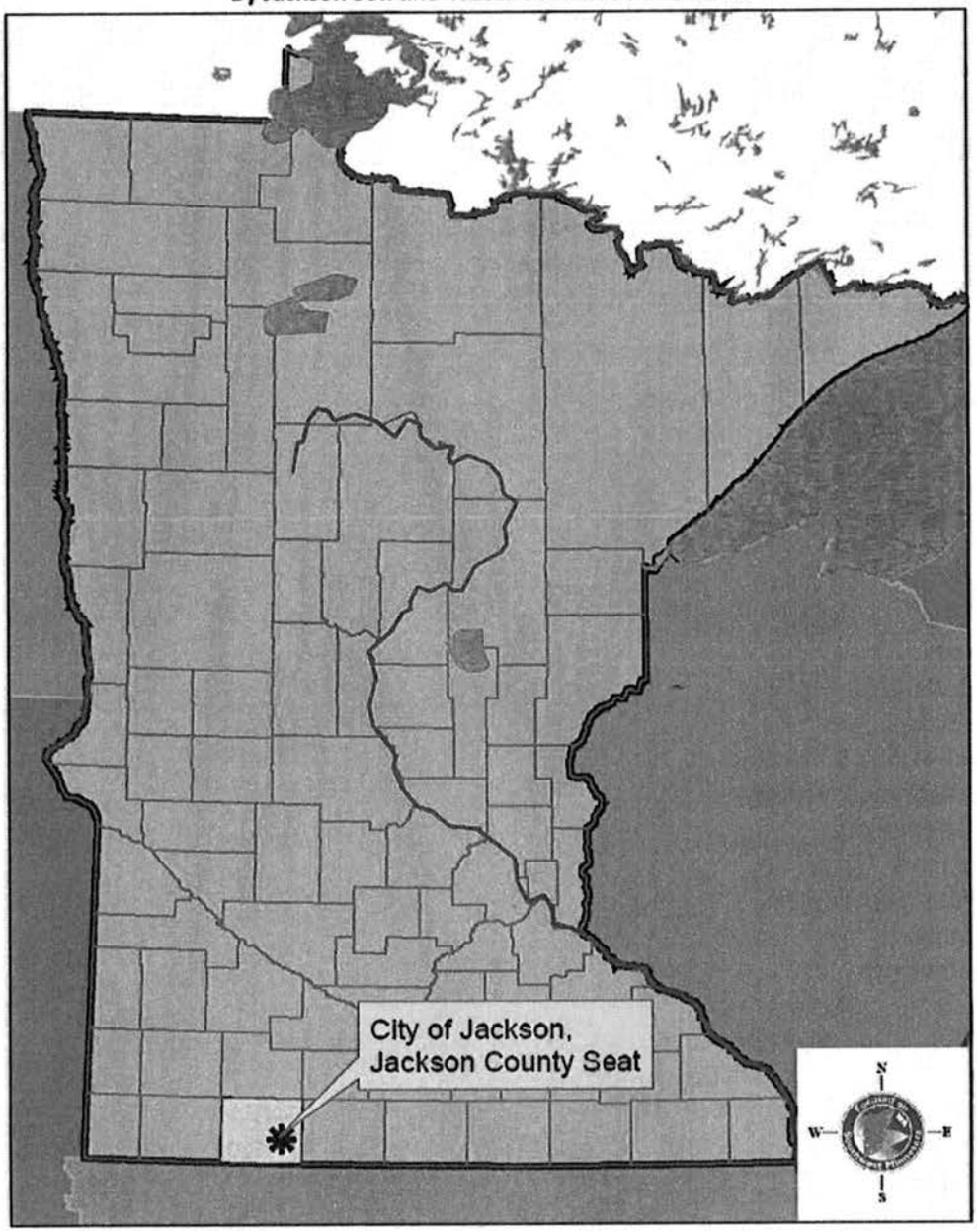
- Improve Surface Water Quality
- Feedlots and SSTS (Subsurface Sewage Treatment Systems)
- Drainage Management
- Protect Ground Water

BWSR staff have actively participated with and provided guidance and recommendations to Jackson County and the task force throughout this amendment process. BWSR staff believes the new five-year implementation section is in conformance with the requirements of Minnesota Statute 103B and guidance developed by BWSR and recommend approval of the Jackson County 2013 - 2018 Implementation Program Amendment.

JACKSON COUNTY
LOCAL WATER MANAGEMENT PLAN

A 10-year plan with a 5-year implementation schedule 2008-2018
2013 Amendment

Prepared for the Jackson County Local Water Management Task Force
By Jackson Soil and Water Conservation District



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 **Jackson County** (Minnesota Statutes, Section 103B.314, Subdivision 6)

ORDER APPROVING LOCAL WATER MANAGEMENT PLAN AMENDMENT

Whereas, on March 26, 2008, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Jackson County 2008 – 2018 Comprehensive Local Water Plan Update (Plan), which contained a 2008 – 2013 five-year Implementation section; and

Whereas, this Board Order stipulated that Jackson County was required to update the implementation section by March 26, 2013; and

Whereas, the Jackson County Board of Commissioners submitted the Jackson County Plan 2013 Amendment to the Board on February 6, 2013; and

Whereas, this 2013 Amendment contains the updated five-year implementation section as ordered by the Board; and

Whereas, the Board has completed its review of the 2013 Amendment.

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

FINDINGS OF FACT

1. On June 12, 2012, Jackson County passed and submitted a resolution 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 June 19, 2012, Board staff provided information on the amendment process to Jackson County.

3. On September 4, 2012, Jackson 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 September 14, 2012, Jackson County conducted an open house to initiate the five-year implementation section update. Jackson County convened its water plan task force to develop the five-year update through meetings held in September 2012, November 2012, and January 2013.

5. Jackson County received written comments from the Minnesota Department of Agriculture and the Minnesota Board of Water and Soil Resources. The Minnesota Board of Water and Soil Resources, attended the water plan task force meeting(s) and provided comments.

6. No other state agency or local government unit provided written comments to Jackson County.

7. The final document developed by Jackson County, which includes the revised five-year implementation section March 2013 – March 2018 is entitled the Jackson County Local Water Management Plan, A 10-year plan with a 5-year implementation schedule 2008-2018, 2013 Amendment.

8. On February 26, 2013, after providing for proper public notice, Jackson County conducted a public hearing on the proposed 2013 Amendment. No additional comments were submitted at the hearing.

9. On February 6, 2013, the BWSR received the Jackson County 2013 Amendment. On March 12, 2013 the BWSR received a record of the public hearing, and copies of all written comments pertaining to the 2013 Amendment, pursuant to M.S. Section 103B.314, Subd. 6.

10. On March 7, 2013, the Board's Southern Water Planning Committee (Committee) reviewed the Jackson County 2013 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 2013 Amendment will be in effect until **March 26, 2018.**

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 Jackson County pursuant to Minnesota Statutes, 103B.314, Subd. 6.

2. The Jackson County 2013 Amendment attached to this Order states goals, objectives, and actions the County will address in the five-year implementation section March 2013 – March 2018. The 2013 Amendment, as well as the previously approved Jackson County 2008 – 2018 Comprehensive Local Water Plan Update, is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached 2013 Amendment of the Jackson County Water Management Plan for March 2013 – March 2018. Jackson County will be required to provide for a complete update of its Water Management Plan prior to March 26, 2018.

Dated at St. Paul, Minnesota, this **27th day of March 2013**.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

A. Executive Summary

Jackson County is located in the southwestern corner of Minnesota, adjacent to Martin, Watonwan, Cottonwood, Murray, and Nobles counties. The City of Jackson is the county seat. Jackson County's population in 2010 was 10,266. This is a decrease of 1,002 or 9.8% from the 2000 U.S. Census which was 11,268. The City of Jackson's population was 3,501 in 2000. The population in 2010 was 3,299 or a 6.1% decrease.

The West Fork of the Des Moines River (WFDMR) bisects Jackson County. Six major watershed areas cover the County: the Watonwan and Blue Earth flowing easterly to the Minnesota River; the East Fork Des Moines, and Upper and Lower portions of the (WFDMR)(including the Heron Lake system) flows through Iowa to the Mississippi River; and the Little Sioux River flows through northwestern Iowa to the Missouri River.

A.1 Purpose & Introduction

The Jackson County Local Water Management Plan is intended to identify existing and potential water issues in the context of watershed units and groundwater systems, informing specific implementation actions to achieve goals for sound hydrological management of water and related resources.

Requirements of a local water plan are set forth in current state statute (Minnesota Statute 103B.311, Subd. 4.). The plan must address management of water, effective environmental protection, and efficient resource management, and 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 systems. This Water Plan is a ten-year management plan with a five-year implementation schedule.

In August of 1987, the Jackson County Board of Commissioners passed a resolution to enter into a Joint Powers Agreement with 12 other Counties in the Greater Blue Earth Watershed to develop a comprehensive water plan. After much work, the plan was adopted by the County Board on December 10, 1990.

The second edition of Jackson County's water plan, was approved by the Board of Water and Soil Resources (BWSR) on January 7, 1998, and adopted by the County Board on March 9, 1998. That plan expired on December 31, 2007. The Jackson County Board of Commissioners adopted a resolution on September 26, 2006 to revise the current plan, according to Minnesota Statutes in effect at the time.

This is the third edition of a local water management plan for Jackson County. The current version was approved by the BWSR Board on March 26, 2008 and is in effect until March 26, 2018. The Jackson County Commissioners then adopted the plan on May 13, 2008. A resolution to update the Comprehensive Water Management Plan was passed by the Jackson County Commissioners on June 12, 2012.

Major accomplishments to date under the current Comprehensive Water Management Plan include:

- Minnesota Clean Water Fund Application for Fish Lake in cooperation with the Cottonwood SWCD and resulted in the installation of nine woodchip bioreactors and four sediment control structures.
- Minnesota Clean Water Fund in cooperation with Cottonwood SWCD and Murray County for projects in the Des Moines River Watershed which included a large sediment basin on the Rural Electric Association property south of Jackson.

- Reinvest in Minnesota/Wetland Reserve Program (RIM/WRP) easements have been funded at a cost of $1,548,216.41 on 351.7 acres. Restoration work was completed on our first signup in 2012. As a result of the 2010 flooding, bonding dollars were appropriated for floodplain projects. Eligible landowners were notified resulting in 10 RIM/WRP Floodplain easements on 250.5 acres in 2011.
- Two MPCA Surface Water Assessment Grants have been successfully completed in the Little Sioux River Watershed. The first being in 2008 and 2009. The second which monitored the Loon Lake Outlet, Little Sioux River and West Fork of the Little Sioux River were sampled May through September in 2011 and 2012 for a wide range of pollutants including ammonia, Turbidity, Total Suspended Solids (TSS), E. Coli, Temperature, pH, and Transparency.
- Base line water quality data has been collected in Jackson County Lakes. Clear Lake, Loon Lake, Round Lake, Little Spirit Lake and Fish Lake were sampled for phosphorus, turbidity, nitrogen, chlorophyll A and turbidity.
- Successfully implemented the Wetland Conservation Act, protecting Jackson County wetlands from drainage.
- Ground water monitoring of depth in cooperation with Minnesota Department of Natural Resources (MN DNR).
- Promoted the replacement of non-compliant septic systems, upgraded 198 systems since 2008.
- Partnership with the City of Jackson resulted in a Memorandum of Agreement (MOA) between the City, County and MPCA to update all non-compliant septic systems within the City limits.
- Promoted sealing of abandoned wells with cost share program; provided 50% cost share to seal 97 wells since 2008.
- Provided Ag Best Management Loan Program for Conservation Tillage Equipment and Ag Waste improvements, Septic System Upgrades in partnership with the MN Department of Ag and local banks.

Ag BMP Loans - New and Revolving Funds

	Tillage Equipment		Ag Waste		Septic Systems	
2007	22	$ 350,376.00	4	$ 55,608.00	1	$ 5,300.00
2008	10	$ 189,341.00	4	$118,194.00	1	$ 7,145.00
2009	6	$ 257,227.00	0		0	
2010	6	$ 196,745.00	4	$173,000.00	1	$13,277.00
2011	4	$ 129,126.00	1	$ 29,551.00	1	$44,000.00
2012	0		0		3	$24,807.65
	48	$1,122,815.00	13	$376,353.00	7	$94,529.65

Source-P&Z/SWCD

- Worked with Minnesota Pollution Control Agency (MPCA) as a Delegated County for the Feedlot Program, and maintained the feedlot data base.
- Worked with county livestock producers in registering their feedlots and completing their Manure Management Plans.
- Fish Lake Community Sanitary Sewer System is now installed and providing service to 72 users.
- Continue to coordinate with the Loon Lake Community Sanitary Sewer System.
- Provided technical assistance to the HLWD in developing the WFDMR and Heron Lake Total Maximum Daily Load (TMDL) Implementation Plan which was approved in September of 2009.
- Entered into a MOA with Nobles, Jackson, Murray, Cottonwood, Martin, Pipestone, and Lyon Counties and SWCDs and the HLWD in October 2009 to leverage funds and resources by solidifying our commitment to the WFDMR watershed. This MOA allows those involved to maximize resources more effectively, provide new opportunities, and establish a diverse, unique commitment. Coordination among local government units is needed to maximize the benefits of the efforts and available resources, while providing the best possible avenues to address the environmental, educational, economic, and agricultural needs of the watershed, its communities, and its residents.

- Partnered with the HLWD on the implementation of an Environmental Protection Agency (EPA) 319 grant in 2008, 2009, and 2010 for conservation tillage incentives in Alba Township resulting in 8,041.90 acres. Provided technical assistance to the HLWD for a CWP grant from 2007 to 2011 that resulted in the implementation of 1,180.9 acres of filter strips, riparian buffers, and wildlife habitat; 2.2 acres of grassed waterways, 18.4 acres of windbreak/shelterbelt establishment, 49.8 acres of wetland restoration, seven acres of sediment basins/wildlife ponds, 78 conserving use acres, 20 acres of flood control, 30 terraces, and six rain gardens in the Heron Lake watershed.
- Offered cost-share for the installation of alternative tile intakes to replace open tile intakes through a CWP grant awarded to the HLWD. The grant runs until June 2013. Fourteen alternative tile intakes have been replaced in Jackson County.
- Partnered with county feedlot officers and SWCD staff in Nobles, Jackson, Murray, and Cottonwood Counties, and HLWD staff to complete an intensive, onsite inventory and inspection (Level III Feedlot inventory) of eighty percent of the feedlots (592) in the WFDMR watershed through inkind contributions. The inventory is instrumental in order to gage the need for funds to address the feedlots and ultimately decrease the bacteria concentrations in the streams and rivers. A staff person dedicated to the project was hired to promote the project and seek additional funding for implementation and education. Project partners will host a one-day manure management workshop for feedlot owners and operators, develop a project brochure and website, and conduct committee meetings.
- The RIM Buffers Easement program has resulted in 5 new easements on 46.2 acres at a cost of $174,631.66
- In partnership with EQIP ($73,000), the State Feedlot Water Quality grant ($33,000) and the landowner ($32,000) a feedlot runoff system was installed in Sioux Valley Township.
- As part of a road reconstruction project through the rural community of Alpha, six rain gardens were installed with three different landowners at a cost of only $851. The Jackson County Highway Department provided inkind labor and materials.
- The Working Lands Initiative (WLI) secured three grants totaling nearly $300,000 to establishing grasses on the landscape in the targeted areas. Nearly 1.4 million in Federal and State dollars were leveraged as a result of this program.
- In 2010 a 3600 square foot rain garden was established on property owned by the Jackson Housing and Redevelopment Authority.
- From 2008-2012 the State Cost Share Program assisted Jackson County Landowners install 19 grassed waterways, four water and sediment control basins, and one stream bank stabilization.
- GBERBA grant funds were used to install five grassed waterways, and one large water and sediment control basin during the period of 2008-2012.
- From 2008-2012 EQIP invested $1,021,000 into 77 contracts. Total acres treated were 21,542 with 14 grassed waterways, nine terraces, three water and sediment control basins, two stream bank restorations, six cover crop practices, one high tunnel and 42 nutrient/pest management and residue management.
- The September of 2010 flood event resulted in multiple projects and partners. The SWCD received $100,000 from BWSR in response. This was partnered with $83,000 in EQIP funds and 15 projects were installed. The projects included repairs and new grassed waterways, water and sediment control basins and a side inlet control structure.
- A permeable paver demonstration was established at the Jackson County Fairgrounds. Partners included the USDA RC&D, Lakefield Landscapes, Federated REA, Knights of Columbus, Bill Phillips Foundation, and the Heron Landers 4H Club.

- CREP II projects wrapped up with easements being finalized and wetland restoration work being completed in 2008 and 2009. The effort resulted in 27 total easements on 744.3 Acres of which 210 acres of wetlands were restored.
- Partnered with the Prairie Ecology Bus Center to educate up to 600 students per year over the past 5 years.
- Partnered with SWMACDE Environmental Fair which is attended by 6th grade classes of Jackson County.
- Provided funding for the 5th Grade Conservation Day, which is jointly coordinated by the Jackson and Cottonwood SWCD
- Annual Local Water Management Task Force Meetings to report and discuss accomplishments with partners. The task force also participates in setting annual priorities and discussing the annual budget.

Jackson SWCD is responsible for local water management in Jackson County, including facilitation of public input and convening the Jackson County Local Water Management Task Force. Task Force membership included:

Local Water Management Task Force Members (Adopted on 9/11/12)

- Gary Willink, Jackson County Commissioner
- Dave Henkels, Jackson County Commissioner
- Jim Westensee, Jackson County Planning Commission
- Dave Hargen, Jackson County Planning Commission
- Larry G. Hansen, Board Member, Jackson County SWCD
- Paul Nelson, Board Member, Jackson County SWCD
- Kelly Rasche, City Administrator, City of Lakefield
- Steve Beckel, City of Jackson, Water Superintendent
- Albert Henning, Jackson County Conservation League
- Jason Espenson, Co-Chair, Fish Lake Association
- Larry Liepold, Jackson County Pork Producers
- Jan Voit, Administrator, (HLWD)
- John Wills, Clean Water Alliance Coordinator
- Karen Boysen, Jackson County Natural Resources Conservaiton Service (NRCS)
- Brian Nyborg, Water Planner, Jackson SWCD
- Chris Bauer, District Technician, Jackson SWCD
- Jake Grages, Water Resources Technician, Jackson SWCD
- Andy Geiger, Planning and Zoning Administrator
- Mark Hiles, BWSR Board Conservationist
- Randy Markl, MN DNR

Technical Committee (Adopted on 9/11/12)

- Brian Nyborg, Water Planner, Jackson SWCD
- Chris Bauer, District Technician, Jackson SWCD
- Jake Grages, Water Resources Technician, Jackson SWCD
- Andy Geiger, Planning and Zoning Administrator
- Mark Hiles, BWSR Board Conservationist
- Randy Markl, MN DNR
- Karen Boysen, Jackson County NRCS
- Jan Voit, HLWD Administrator

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Big Stone County Priority Concerns Scoping Document Approval**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: South Region
Contact: Jeff Nielsen
Prepared by: David Sill
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth, chair

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
Approval of the Big Stone County Comprehensive Local Water Management Plan Priority Concerns Scoping Document (PCSD).

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The current Big Stone County Comprehensive Local Water Management Plan will expire on May 28, 2013. Big Stone County passed a resolution to begin the updating process on June 5, 2012. The Big Stone County Priority Concerns Scoping Document (PCSD) was distributed to state agencies for review on January 7, 2013. Comments were received from the Minnesota Department of Agriculture, Minnesota Pollution Control Agency, and Minnesota Department of Natural Resources. These comments were reviewed by BWSR.

On March 7, 2013, the BWSR Southern Water Planning Committee met with Big Stone County to review the PCSD. All required components of the PCSD have been covered and the priority concerns selected are deemed appropriate. After review and discussion, the Committee decided with a unanimous vote to recommend approval of the Big Stone County PCSD and bring it forward to the full BWSR Board. BWSR's official state comment letter pertaining to the review of the Big Stone County PCSD will need to be sent to Big Stone County.

Minnesota Board of Water & Soil Resources

March 27, 2013

Big Stone County Commissioners
c/o Darren Wilke, Water Plan Coordinator / County Environmental Services
20 Second Street S.E.
Ortonville, MN 56278

Dear Big Stone County Commissioners:

RE: Official Comments Pertaining to the State Review of the Big Stone County Priority Concerns Scoping Document

Pursuant to Minnesota Statutes 103B.313, subdivision 5, this letter communicates the State's official comments pertaining to the priority concerns Big Stone County has chosen to address in the update of their Comprehensive Local Water Management Plan (CLWM Plan). The Board of Water and Soil Resources (BWSR), along with the state review agencies, received the Big Stone County Priority Concerns Scoping Document (PCSD) on January 7, 2013. The PCSD shows that Big Stone County reviewed the identified concerns raised during the public input process and selected the following priority concerns for inclusion in the update of the CLWM Plan.

- Reducing Priority Pollutants ~ Surface Water Quality
  - TMDL Implementation
  - Feedlot / Livestock Management
  - Subsurface Sewage Treatment Systems
  - Erosion and Sediment Control
- Surface Water Management
  - Agricultural Drainage
  - Stormwater Management
  - Wetlands and Water Storage / Retention
- Groundwater Quality & Quantity
  - Wellhead Protection Areas
  - Irrigation
  - Drinking Water Quality
- Plan Administration
  - Watershed Focus – Stakeholder Cooperation
  - Raising Public Awareness - Education

The BWSR received comments from the Minnesota Department of Agriculture (MDA), Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Natural Resources (DNR) on the Big Stone County PCSD during the official review period.

MDA concurred with the priority concerns identified and felt the priority concern identification process was adequate. In addition it encouraged the county to consider development of a local drainage management and technical team to further inform local policy decisions regarding: technical drainage issues, permitting processes and procedures, drainage education and outreach initiatives and activities, and general drainage issues; and recommends consideration of developing a drainage management plan for the county.

MPCA concurs with the priority concerns identified and felt the priority concern identification process was commendable. The agency encourages the county to visit and use the water quality monitoring data available on MPCA's Environmental Data Access System (web site given).

DNR concurs with the priority concerns identified; and felt the priority concern identification process was adequate. Note: DNR's priority concerns were submitted at this time (late) and also sent to the county.

The BWSR Southern Water Planning Committee (Committee) met with Big Stone County on March 7, 2013, to discuss the content of the PCSD, state review agency comments on the PCSD, and recommendations for the content of the final LWM Plan. The Committee's findings were presented to the BWSR Board at its meeting on March 27, 2013.

The Committee commends Big Stone County for the process they used to select the priority concerns – including soliciting input from local government, citizens, and state agencies – and incorporating that information into the identified priority concern areas. The priority concerns to be addressed in the LWM Plan are deemed to be appropriate; the BWSR does not recommend or require any changes to the PCSD as drafted.

Please proceed with the development of your next LWM Plan. Remember your final plan will require well written Assessment and Implementation sections and must build on the input received from the Priority Concerns selected. Specific and measurable goals, actions and outcomes are expected using a watershed approach (including sub and minor watershed identification when appropriate). To have a useful plan targeting and prioritization will be required. Linking plan actions to available TMDL monitoring and impaired waters information and other available resource trend data will be important. Good luck!

Sincerely,

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

cc: Rob Sip, MDA
Kate Frantz, EQB
Art Persons, MDH
Cathi Fouchi, DNR
Juline Holleran, MPCA
Big Stone Soil & Water Conservation District
Jeff Nielsen, BWSR Southern Region Supervisor
David Sill, Board Conservationist

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Chippewa County Priority Concerns Scoping Document Approval**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: South Region
Contact: Jeff Nielsen
Prepared by: David Sill
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth, chair

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of the Chippewa County Comprehensive Local Water Management Plan Priority Concerns Scoping Document (PCSD).

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The current Chippewa County Comprehensive Local Water Management Plan will expire on May 28, 2013. Chippewa County passed a resolution to begin the updating process on May 1, 2012. The Chippewa County Priority Concerns Scoping Document (PCSD) was distributed to state agencies for review on December 7, 2012. Comments were received from the Minnesota Department of Agriculture, Minnesota Pollution Control Agency, Minnesota Department of Health, and Minnesota Department of Natural Resources. These comments were reviewed by BWSR.

On March 7, 2013, the BWSR Southern Water Planning Committee met with Chippewa County to review the PCSD. All required components of the PCSD have been covered and the priority concerns selected are deemed appropriate. After review and discussion, the Committee decided with a unanimous vote to recommend approval of the Chippewa County PCSD and bring it forward to the full BWSR Board. BWSR's official state comment letter pertaining to the review of the Chippewa County PCSD will need to be sent to Chippewa County.

Minnesota Board of Water & Soil Resources

March 27, 2013

Chippewa County Commissioners
c/o JoAnn Blomme, Water Plan Coordinator
629 North 11th Street
Montevideo, MN 56265

Dear Chippewa County Commissioners:

RE: Official Comments Pertaining to the State Review of the Chippewa County Priority Concerns Scoping Document

Pursuant to Minnesota Statutes 103B.313, subdivision 5, this letter communicates the State's official comments pertaining to the priority concerns Chippewa County has chosen to address in the update of their Comprehensive Local Water Management Plan (CLWM Plan). The Board of Water and Soil Resources (BWSR), along with the state review agencies, received the Chippewa County Priority Concerns Scoping Document (PCSD) on December 7, 2012. The PCSD shows that Chippewa County reviewed the identified concerns raised during the public input process and selected the following priority concerns for inclusion in the update of the CLWM Plan.

- Reducing Priority Pollutants ~ Surface Water Quality
  - TMDL Implementation
  - Feedlot/Livestock Management
  - Subsurface Sewage Treatment Systems (SSTS)
  - Erosion and Sediment
- Surface Water Management
  - Agricultural/Conservation Drainage
  - Stormwater Management
  - Wetlands and Water Storage/Retention
  - Shoreland Management
- Groundwater Quality & Quantity
  - Wellhead Protection Areas
  - Drinking Water Quality
  - Groundwater Quantity/Recharge Areas
- Recreation and Biodiversity
- Plan Administration
  - Watershed Focus
  - Stakeholder Cooperation
  - Raising Public Awareness/Education

The BWSR received comments from the Minnesota Department of Agriculture (MDA), Minnesota Department of Health (MDH), Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Natural Resources (DNR) on the Chippewa County PCSD during the official review period.

MDA concurred with the priority concerns identified; felt the priority concern identification process was adequate; encourages the county to consider development of a local drainage management and technical team to further inform local policy decisions regarding: technical drainage issues, permitting processes and procedures, drainage education and outreach initiatives and activities, and general drainage issues; and recommends consideration of developing a drainage management plan for the county.

MDH concurs with the priority concerns identified; felt the priority concern identification process was commendable; encourages the county to support public water suppliers in the county that are developing or implementing wellhead protection plans; encourages the support of public water suppliers with inventory and management of potential contamination sources and providing regulatory assistance within Drinking Water Supply Management Areas that may be outside the jurisdiction of the municipality.

MPCA concurs with the priority concerns identified; felt the priority concern identification process was adequate; the agency encourages the county to visit and use the water quality monitoring data available on MPCA's Environmental Data Access System (web site given).

DNR concurs with the priority concerns identified; and felt the priority concern identification process was adequate. Note: DNR's priority concerns were submitted at this time (late) and also sent to the county.

The BWSR Southern Water Planning Committee (Committee) met with Chippewa County on March 7, 2013, to discuss the content of the PCSD, state review agency comments on the PCSD, and recommendations for the content of the final LWM Plan. The Committee's findings were presented to the BWSR board at its meeting on March 27, 2013.

The Committee commends Chippewa County for the process they used to select the priority concerns – including soliciting input from local government, citizens, and state agencies – and incorporating that information into the identified priority concern areas. The priority concerns to be addressed in the LWM Plan are deemed to be appropriate; the BWSR does not recommend or require any changes to the PCSD as drafted.

Please proceed with the development of your next LWM Plan. Remember your final plan will require well written Assessment and Implementation sections and must build on the input received from the Priority Concerns selected. Specific and measurable goals, actions and outcomes are expected using a watershed approach (including sub and minor watershed identification when appropriate). To have a useful plan targeting and prioritization will be required. Linking plan actions to available TMDL monitoring and impaired waters information and other available resource trend data will be important. Good luck!

Sincerely,

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

c: Rob Sip, MDA
Kate Frantz, EQB
Art Persons, MDH
Cathi Fouchi, DNR
Juline Holleran, MPCA
Chippewa Soil & Water Conservation District
Jeff Nielsen, BWSR Southern Region Supervisor
David Sill, Board Conservationist

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Lac Qui Parle County Priority Concerns Scoping Document Approval**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: South Region
Contact: Jeff Nielsen
Prepared by: David Sill
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth, chair

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of the Lac qui Parle County Comprehensive Local Water Management Plan Priority Concerns Scoping Document (PCSD).

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The current Lac qui Parle County Comprehensive Local Water Management Plan will expire on May 28, 2013. Lac qui Parle County passed a resolution to begin the updating process on May 15, 2012. The Lac qui Parle County Priority Concerns Scoping Document (PCSD) was distributed to state agencies for review on December 7, 2012. Comments were received from the Minnesota Department of Agriculture, Minnesota Pollution Control Agency, Minnesota Department of Health, and Minnesota Department of Natural Resources. These comments were reviewed by BWSR.

On March 7, 2013, the BWSR Southern Water Planning Committee met with Lac qui Parle County to review the PCSD. All required components of the PCSD have been covered and the priority concerns selected are deemed appropriate. After review and discussion, the Committee decided with a unanimous vote to recommend approval of the Lac qui Parle County PCSD and bring it forward to the full BWSR Board. BWSR's official state comment letter pertaining to the review of the Lac qui Parle County PCSD will need to be sent to Lac qui Parle County.

Minnesota Board of Water & Soil Resources

March 27, 2013

Lac qui Parle County Commissioners
c/o Terry Wittnebel, Water Plan Coordinator
122 8th Avenue South #1
Madison, MN 56256

Dear Lac qui Parle County Commissioners:

RE: Official Comments Pertaining to the State Review of the Lac qui Parle County Priority Concerns Scoping Document

Pursuant to Minnesota Statutes 103B.313, subdivision 5, this letter communicates the State's official comments pertaining to the priority concerns Lac qui Parle County has chosen to address in the update of their Comprehensive Local Water Management Plan (CLWM Plan). The Board of Water and Soil Resources (BWSR), along with the state review agencies, received the Lac qui Parle County Priority Concerns Scoping Document (PCSD) on December 7, 2012. The PCSD shows that Lac qui Parle County reviewed the identified concerns raised during the public input process and selected the following priority concerns for inclusion in the update of the CLWM Plan.

- Surface Water Management
  - Agricultural Drainage
  - Stormwater Management
  - Wetlands and Water Storage/Retention
  - Flooding
- Reducing Priority Pollutants ~ Surface Water Quality
  - TMDL Implementation
  - Feedlot/Livestock Management
  - Subsurface Sewage Treatment Systems
  - Erosion and Sediment Control
- Groundwater Quality & Quantity
  - Wellhead Protection Areas
  - Irrigation
  - Drinking Water Quality
- Plan Administration
  - Watershed Focus
  - Stakeholder Cooperation
  - Raising Public Awareness

The BWSR received comments from the Minnesota Department of Agriculture (MDA), Minnesota Department of Health (MDH), Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Natural Resources (DNR) on the Lac qui Parle County PCSD during the official review period.

MDA concurred with the priority concerns identified and felt the priority concern identification process was adequate. In addition the agency encourages the county to consider development of a local drainage management and technical team to further inform local policy decisions regarding: technical drainage issues, permitting processes and procedures, drainage education and outreach initiatives and activities, and general drainage issues; and recommends consideration of developing a drainage management plan for the county.

MDH concurs with the priority concerns identified and felt the priority concern identification process was commendable. In addition the agency encouraged the continued support to seal unused or abandoned wells with a particular emphasis on assisting those public water suppliers currently implementing a well head protection plan. By 2017 additional municipalities will be phased into the wellhead protection program and can benefit from the county during the planning process and implementation stage.

MPCA concurs with the priority concerns identified; felt the priority concern identification process was commendable; the agency encourages the county to visit and use the water quality monitoring data available on MPCA's Environmental Data Access System (web site given).

DNR concurs with the priority concerns identified and felt the priority concern identification process was adequate. The agency notes that Drainage Management was the only concern that received support from all participants. Wetland restoration is always listed as a way to improve water quality yet rarely is part of the real world plan as agencies and citizens deal with water management. Regarding water quantity – the agency encourages the plan to take an active role in assisting the city of Madison in deciding on whether or not to join the rural water system by selling water to Lincoln Pipestone Rural Water.

The BWSR Southern Water Planning Committee (Committee) met with Lac qui Parle County on March 7, 2013, to discuss the content of the PCSD, state review agency comments on the PCSD, and recommendations for the content of the final LWM Plan. The Committee's findings were presented to the BWSR board at its meeting on March 27, 2013.

The Committee commends Lac qui Parle County for the process they used to select the priority concerns – including soliciting input from local government, citizens, and state agencies – and incorporating that information into the identified priority concern areas. The priority concerns to be addressed in the LWM Plan are deemed to be appropriate; the BWSR does not require any changes to the PCSD as drafted but does recommend additional emphasis be placed on groundwater sustainability/supply.

Please proceed with the development of your next LWM Plan. Remember your final plan will require well written Assessment and Implementation sections and must build on the input received from the Priority Concerns selected. Specific and measurable goals, actions and outcomes are expected using a watershed approach (including sub and minor watershed identification when appropriate). To have a useful plan targeting and prioritization will be required. Linking plan actions to available TMDL monitoring and impaired waters information and other available resource trend data will be important. Good luck!

Sincerely,

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

c: Rob Sip, MDA
Kate Frantz, EQB
Art Persons, MDH
Cathi Fouchi, DNR
Juline Holleran, MPCA
Lac qui Parle Soil & Water Conservation District
Jeff Nielsen, BWSR Southern Region Supervisor
David Sill, Board Conservationist

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Swift County Priority Concerns Scoping Document Approval**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: South Region
Contact: Jeff Nielsen
Prepared by: David Sill
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth, chair

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of the Swift County Comprehensive Local Water Management Plan Priority Concerns Scoping Document (PCSD).

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The current Swift County Comprehensive Local Water Management Plan will expire on May 28, 2013. Swift County passed a resolution to begin the updating process on June 5, 2012. The Swift County Priority Concerns Scoping Document (PCSD) was distributed to state agencies for review on January 7, 2013. Comments were received from the Minnesota Department of Agriculture, Minnesota Pollution Control Agency, and Minnesota Department of Natural Resources. These comments were reviewed by BWSR.

On March 7, 2013, the BWSR Southern Water Planning Committee met with Swift County to review the PCSD. All required components of the PCSD have been covered and the priority concerns selected are deemed appropriate. After review and discussion, the Committee decided with a unanimous vote to recommend approval of the Swift County PCSD and bring it forward to the full BWSR Board. BWSR's official state comment letter pertaining to the review of the Swift County PCSD will need to be sent to Swift County.

Minnesota Board of Water & Soil Resources

March 27, 2013

Swift County Commissioners
c/o Scott Collins, Water Plan Coordinator
1000 Industrial Drive, P.O. Box 288
Benson, MN 56215

Dear Swift County Commissioners:

RE: Official Comments Pertaining to the State Review of the Swift County Priority Concerns Scoping Document

Pursuant to Minnesota Statutes 103B.313, subdivision 5, this letter communicates the State's official comments pertaining to the priority concerns Swift County has chosen to address in the update of their Comprehensive Local Water Management Plan (CLWM Plan). The Board of Water and Soil Resources (BWSR), along with the state review agencies, received the Swift County Priority Concerns Scoping Document (PCSD) on January 7, 2013. The PCSD shows that Swift County reviewed the identified concerns raised during the public input process and selected the following priority concerns for inclusion in the update of the CLWM Plan.

- Surface Water Management
  - Agricultural Drainage
  - Stormwater Management
  - Wetlands and Water Storage / Retention
- Reducing Priority Pollutants ~ Surface Water Quality
  - TMDL Implementation
  - Feedlot / Livestock Management
  - Subsurface Sewage Treatment Systems
  - Erosion and Sediment Control
- Groundwater Quality & Quantity
- Plan Administration
  - Watershed Focus – Stakeholder Cooperation
  - Raising Public Awareness - Education

The BWSR received comments from the Minnesota Department of Agriculture (MDA), Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Natural Resources (DNR) on the Swift County PCSD during the official review period.

MDA concurred with the priority concerns identified; felt the priority concern identification process was adequate; encouraged the county to consider development of a local drainage management and technical team to further inform local policy decisions regarding: technical drainage issues, permitting processes and procedures, drainage education and outreach initiatives and activities, and general drainage issues; and recommends consideration of developing a drainage management plan for the county.

MPCA concurs with the priority concerns identified and felt the priority concern identification process was commendable. The agency encourages the county to visit and use the water quality monitoring data available on MPCA's Environmental Data Access System (web site given).

DNR concurs with the priority concerns identified; and felt the priority concern identification process was adequate. Note: DNR's priority concerns were submitted at this time (late) and also sent to the county.

The BWSR Southern Water Planning Committee (Committee) met with Swift County on March 7, 2013, to discuss the content of the PCSD, state review agency comments on the PCSD, and recommendations for the content of the final LWM Plan. The Committee's findings were presented to the BWSR Board at its meeting on March 27, 2013.

The Committee commends Swift County for the process they used to select the priority concerns – including soliciting input from local government, citizens, and state agencies – and incorporating that information into the identified priority concern areas. The priority concerns to be addressed in the LWM Plan are deemed to be appropriate; the BWSR does not require any changes to the PCSD as drafted though encouraged additional detail be added to the ground water priority concern – including wellhead protection areas, drinking water quality and ground water sustainability/supply.

Please proceed with the development of your next LWM Plan. Remember your final plan will require well written Assessment and Implementation sections and must build on the input received from the Priority Concerns selected. Specific and measurable goals, actions and outcomes are expected using a watershed approach (including sub and minor watershed identification when appropriate). To have a useful plan targeting and prioritization will be required. Linking plan actions to available TMDL monitoring and impaired waters information and other available resource trend data will be important. Good luck!

Sincerely,

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

c: Rob Sip, MDA
Kate Frantz, EQB
Art Persons, MDH
Cathi Fouchi, DNR
Juline Holleran, MPCA
Swift Soil & Water Conservation District
Jeff Nielsen, BWSR Southern Region Supervisor
David Sill, Board Conservationist

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Big Stone County Comprehensive Local Water Management Plan Extension Approval**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: South Region
Contact: Jeff Nielsen
Prepared by: David Sill
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth, chair

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
Approval of the Big Stone County Comprehensive Local Water Management Plan extension request.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The Big Stone County Comprehensive Local Water Management Plan (CLWMP) will expire on May 28, 2013. On January 25, 2013, the Board of Water and Soil Resources (BWSR) received a resolution from Big Stone County requesting an extension of their CLWMP. BWSR staff have reviewed and recommend approval of the request.

On March 7, 2013, the BWSR Southern Water Planning Committee met with Big Stone County to discuss the extension request. After discussion, the Committee decided with a unanimous vote to recommend approval of the Big Stone County extension request and bring this recommendation forward to the full BWSR Board for review and action. BWSR's official state comment letter pertaining to the extension will need to be sent to Big Stone County.

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

In the Matter of Extending the
Comprehensive Local Water Management Plan
for Big Stone County

ORDER
EXTENDING
WATER MANAGEMENT
PLAN

Whereas, the Big Stone County Board of Commissioners has a state-approved Comprehensive Local Water Management Plan (Plan) that is effective until May 28, 2013, pursuant to Minnesota Statutes 103B.301; and

Whereas, Big Stone County has submitted a resolution requesting an extension of its Plan; and

Whereas, the Minnesota Board of Water and Soil Resources (Board) has authorization to grant extensions with or without conditions pursuant to Minnesota Statutes 103B.3367.

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

FINDINGS OF FACT

On January 25, 2013, the Board received a resolution from Big Stone County requesting an extension of their Plan. The request is based on: the Priority Concerns Scoping Document (PCSD) has been submitted to the Board for state agency review; Big Stone County met with the Board on March 7, 2013 to review and discuss the PCSD; Big Stone County assures continued effort toward completion of the Plan update with an anticipated date for submission to the Board for final review by September 1, 2013; extension of the effective date until December 31, 2013, in order to complete the update process.

On February 11, 2013, Board staff reviewed and recommended approval of the extension request made by Big Stone County. Board staff recommendation was for a seven-month extension.

On March 7, 2013, the Board's southern region water planning committee (Committee) met with representatives of Big Stone County to discuss the extension request. The Committee deemed the extension request to be appropriate. The Committee's decision was to present to the Board a recommendation of approval of the Big Stone County extension; effective until December 31, 2013.

On March 27, 2013, the Committee presented its recommendation of approval of the Big Stone County extension request to the Board. The Board adopted the Committee's recommendation.

CONCLUSIONS

All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of extending the Comprehensive Local Water Management Plan of Big Stone County pursuant to Minnesota Statutes 103B.3367.

ORDER

The Board hereby approves the extension of the Big Stone County Comprehensive Local Water Management Plan until December 31, 2013. Big Stone County shall strive to complete the updating of their Comprehensive Local Water Management Plan in a timely manner.

Dated at St. Paul, Minnesota this 27th day of March 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

RESOLUTION NUMBER 2013-08
BIG STONE COUNTY BOARD OF COMMISSIONERS

Date: January 22, 2013
Motion made by Commissioner Sandberg and seconded by Commissioner Athey.

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 current Big Stone County Comprehensive Local Water Management Plan is effective until May 28, 2013; and

WHEREAS, Big Stone County is currently updating the Local Water Management Plan in accordance with Minnesota Statutes Chapter 103B.301; and

WHEREAS, Big Stone County has completed the following items:

1) The County resolution to update the water plan, and
2) Notices sent to state and local groups inviting input on the plan update, and
3) The priority concerns scoping document has been developed and submitted to BWSR for the State Agency review; and

WHEREAS, Big Stone County needs to complete the following:

1) The BWSR southern region review committee needs to schedule and meet with the county to review the priority concerns scoping document and then make its recommendation to the full BWSR Board, and
2) Develop the water plan based on inputs received from partners addressing priority concerns identified, and
3) Conduct a public hearing to solicit final review comments, make adjustments as necessary, and then submit the water plan to BWSR for State agency review and final approval by the BWSR Board; and

WHEREAS, Big Stone County is hereby requesting an extension to:

1) Provide for sufficient time to complete the water plan, and
2) Provide for sufficient time for all to review the final water plan, and
3) Ensure that the updated water plan meets the state's standards and the goals of the county; and

WHEREAS, Big Stone County assures continued effort toward completion of the Comprehensive Local Water Management Plan update; and

WHEREAS, the Act gives the Minnesota Board of Water and Soil Resources the authority to extend the ending date of a current local water management plan for a period of up to one year.

NOW, THEREFORE, BE IT RESOLVED, the Big Stone County Board of Commissioners requests from the Minnesota Board of Water and Soil Resources an extension of the effective date of the current County Comprehensive Local Water Management Plan until December 31, 2013, in order to complete the update process in accordance with Minnesota Statutes Chapter 103B.301.

VOTING AYE COMMISSIONERS	X WULFF	X ATHEY	X OLSON	X SANDBERG	X BERNING
VOTING NAY COMMISSIONERS	WULFF	ATHEY	OLSON	SANDBERG	BERNING

STATE OF MINNESOTA, COUNTY OF BIG STONE

I, Michelle R. Knutson, Auditor of the County of Big Stone, State of Minnesota, do hereby certify that the foregoing resolution is a true and correct copy of a resolution duly passed at a meeting of the Big Stone County Board of Commissioners held on the 22nd day of January, 2013.

Witness by hand and official seal at Ortonville this 22nd day of January, 2013.

Michelle R. Knutson

SEAL

Michelle R. Knutson, Auditor

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Blue Earth County Comprehensive Local Water Management Plan Extension Approval**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: South Region

Contact: Jeff Nielsen

Prepared by: Chris Hughes

Reviewed by: Southern Water Planning Committee(s)

Presented by: Paul Langseth, chair

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of the Blue Earth County Comprehensive Local Water Management Plan extension request.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The Blue Earth County Comprehensive Local Water Management Plan (CLWMP) will expire on June 30, 2013. On February 12, 2013, the Board of Water and Soil Resources (BWSR) received a resolution from Blue Earth County requesting an extension of their CLWMP. BWSR staff have reviewed and recommend approval of the request.

On March 7, 2013, the BWSR Southern Water Planning Committee met to discuss the extension request. After discussion, the Committee decided with a unanimous vote to recommend approval of the Blue Earth County extension request and bring this recommendation forward to the full BWSR Board for review and action. BWSR's official state comment letter pertaining to the extension will need to be sent to Blue Earth County.

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

In the Matter of Extending the Comprehensive Local Water Management Plan for Blue Earth County

ORDER EXTENDING WATER MANAGEMENT PLAN

Whereas, the Blue Earth County Board of Commissioners has a state-approved Comprehensive Local Water Management Plan (Plan) that is effective until June 30, 2013, pursuant to Minnesota Statutes 103B.301; and

Whereas, Blue Earth County has submitted a resolution requesting an extension of its Plan; and

Whereas, the Minnesota Board of Water and Soil Resources (Board) has authorization to grant extensions with or without conditions pursuant to Minnesota Statutes 103B.3367.

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

FINDINGS OF FACT

On February 12, 2013, the Board received a resolution from Blue Earth County requesting an extension of their Plan. The request is based on: Blue Earth County's proactive water planning process including Greenprint planning that addresses wetland protection and mining reclamation to be used in the official update to the county water plan; the southern plan review committee met on March 7, 2013 to review and discuss the Blue Earth County request; Blue Earth County assures continued effort toward completion of the Plan update with an anticipated date for submission to the Board for final review by September 1, 2015; extension of the effective date until December 31, 2015, in order to complete the update process.

On February 12, 2013, Board staff reviewed and recommended approval of the extension request made by Blue Earth County. Board staff recommendation was for a two and one-half year extension.

On March 7, 2013, the Board's southern region water planning committee (Committee) met to discuss the Blue Earth County extension request. The Committee deemed the extension request to be appropriate. The Committee's decision was to present to the Board a recommendation of approval of the Blue Earth County extension; effective until December 31, 2015.

On March 27, 2013, the Committee presented its recommendation of approval of the Blue Earth County extension request to the Board. The Board adopted the Committee's recommendation.

CONCLUSIONS

All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of extending the Comprehensive Local Water Management Plan of Blue Earth County pursuant to Minnesota Statutes 103B.3367.

ORDER

The Board hereby approves the extension of the Blue Earth County Comprehensive Local Water Management Plan until December 31, 2015. Blue Earth County shall strive to complete the updating of their Comprehensive Local Water Management Plan in a timely manner.

Dated at St. Paul, Minnesota this 27th day of March 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

BLUE EARTH COUNTY BOARD OF COMMISSIONERS RESOLUTION REQUESTING MINNESOTA BOARD OF WATER RESOURCES EXTEND COMPREHENSIVE LOCAL WATER MANAGEMENT PLAN EXPIRATION DATE

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, Blue Earth County has a Minnesota Board of Water and Soil Resources approved and locally adopted Water Management Plan, effective for five years from 2008 to June 30, 2013; and

Whereas, Minnesota Statutes, 103B.311, requires the period covered by the local water management plan extend at least five years but no more than ten years from the date the board approves the local water management plan; and

Whereas, Minnesota Statute 103B.3367, allows the Board of Water and Soil Resources to grant extensions with or without conditions of the revision date of a comprehensive local water management plan; and

Whereas, Blue Earth County is currently working on a three year, Greenprint planning project for wetland management and mining reclamation as identified as a priority concern in the current Comprehensive Water Plan; and

Whereas, Blue Earth County received a Minnesota Board of Water and Soil Resources, Fiscal Year 2012, Clean Water Accelerated Implementation grant which requires the Greenprint project results be incorporated in the Comprehensive Water Management Plan revision; and

Whereas, Minnesota Statutes, Chapter 103B.101, was amended in 2012 allowing the Board of Water and Soil Resources to adopt resolutions, policies, or orders that suggest a watershed framework for development, approval, adoption and coordination of plans and to allow approved comprehensive plans, local water management plans, or watershed management plans to serve as substitutes for one another or be replaced with a comprehensive watershed management plan; and

Whereas, Blue Earth County lies within four major watersheds of the Minnesota River Basin, where the Minnesota Pollution Control Agency is working on intensive Total Maximum Daily Load Allocations (TMDLs) monitoring studies in three of four major watersheds; an

Now, Therefore, Be It Resolved, the Blue Earth County Board of Commissioners requests from the Minnesota Board of Water and Soil Resources an extension of the effective date of the current County Comprehensive Water Plan from five years to seven and one half years, until December 30, 2015, in order to complete the Greenprint planning project for wetland management and mining reclamation and to maximize the County's opportunities to incorporate the work of other state TMDL s plans and

watershed plans in the Comprehensive Water Management Plan consistent with Minnesota Board of Water and Soil Resources rules and Minnesota Statutes, Chapter 103B.

Approved this 05 day of February, 2013.

Signed: Drew R. Campbell
Drew Campbell, County Board Chair

I hereby certify that the above is a true and correct copy of a resolution presented to and adopted by the County of Blue Earth, State of Minnesota, at a regular meeting of the Blue Earth County Board of Commissioners on the 5th day of February, 2013.

County of Blue Earth

Robert W. Meyer
Robert W. Meyer, County Administrator

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Chippewa County Comprehensive Local Water Management Plan Extension Approval**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: South Region
Contact: Jeff Nielsen
Prepared by: David Sill
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth, chair

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Approval of the Chippewa County Comprehensive Local Water Management Plan extension request.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The Chippewa County Comprehensive Local Water Management Plan (CLWMP) will expire on May 28, 2013. On January 24, 2013, the Board of Water and Soil Resources (BWSR) received a resolution from Chippewa County requesting an extension of their CLWMP. BWSR staff have reviewed and recommend approval of the request.

On March 7, 2013, the BWSR Southern Water Planning Committee met with Chippewa County to discuss the extension request. After discussion, the Committee decided with a unanimous vote to recommend approval of the Chippewa County extension request and bring this recommendation forward to the full BWSR Board for review and action. BWSR's official state comment letter pertaining to the extension will need to be sent to Chippewa County.

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

In the Matter of Extending the
Comprehensive Local Water Management Plan
for Chippewa County

ORDER
EXTENDING
WATER MANAGEMENT
PLAN

Whereas, the Chippewa County Board of Commissioners has a state-approved Comprehensive Local Water Management Plan (Plan) that is effective until May 28, 2013, pursuant to Minnesota Statutes 103B.301; and

Whereas, Chippewa County has submitted a resolution requesting an extension of its Plan; and

Whereas, the Minnesota Board of Water and Soil Resources (Board) has authorization to grant extensions with or without conditions pursuant to Minnesota Statutes 103B.3367.

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

FINDINGS OF FACT

On January 24, 2013, the Board received a resolution from Chippewa County requesting an extension of their Plan. The request is based on: the Priority Concerns Scoping Document (PCSD) has been submitted to the Board for state agency review; Chippewa County met with the Board on March 7, 2013 to review and discuss the PCSD; Chippewa County assures continued effort toward completion of the Plan update with an anticipated date for submission to the Board for final review by September 1, 2013; extension of the effective date until December 31, 2013, in order to complete the update process.

On February 11, 2013, Board staff reviewed and recommended approval of the extension request made by Chippewa County. Board staff recommendation was for a seven-month extension.

On March 7, 2013, the Board's southern region water planning committee (Committee) met with representatives of Chippewa County to discuss the extension request. The Committee deemed the extension request to be appropriate. The Committee's decision was to present to the Board a recommendation of approval of the Chippewa County extension; effective until December 31, 2013.

On March 27, 2013, the Committee presented its recommendation of approval of the Chippewa County extension request to the Board. The Board adopted the Committee's recommendation.

CONCLUSIONS

All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of extending the Comprehensive Local Water Management Plan of Chippewa County pursuant to Minnesota Statutes 103B.3367.

ORDER

The Board hereby approves the extension of the Chippewa County Comprehensive Local Water Management Plan until December 31, 2013. Chippewa County shall strive to complete the updating of their Comprehensive Local Water Management Plan in a timely manner.

Dated at St. Paul, Minnesota this 27th day of March 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

Resolution Request for Chippewa County Comprehensive Water Management Plan Extension

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 current Chippewa county Comprehensive Local Water management Plan is effective until May 31, 2013, and

WHEREAS, Chippewa County is currently updating the Local Water Management Plan in accordance with Minnesota Statutes Chapter 103B.301, and

WHEREAS, Chippewa County has completed the following items:

1) The County resolution to update the water plan, and
2) Notices sent to state and local groups inviting input on the plan update, and
3) The priority concerns scoping document has been developed and submitted to BWSR for the State Agency review which will be held on March 7, 2013, and
4) We are currently working on the assessments and trends, and

WHEREAS, Chippewa County needs to complete the following items from the guidance updating instructions set by the Board of Water & Soil Resources:

1) Phase 3: Plan Development, and
2) Phase 4: Public Hearing and Final Plan Approval, and
3) Phase 5: Adopting the Plan, and

WHEREAS, Chippewa County is hereby requesting an extension to:

1) Provide for sufficient time to complete an accurate and usable water plan, and
2) Provide for sufficient time for all to review the final draft of the plan, and
3) Ensure that the updated water plan meets the states standards and the goals of the county, and

WHEREAS, Chippewa County assures continued effort toward completion of the Comprehensive Local Water management Plan update, and

WHEREAS, the Act gives the Minnesota Board of Water and Soil Resources the authority to extend the ending date of a current local water management plan for a period of up to one year.

NOW, THERERFORE, BE IT RESOLVED, The Chippewa County Board of Commissioners requests from the Minnesota Board of Water and Soil Resources an extension of the effective date of the current County Comprehensive Local Water management Plan until December 31, 2013 in order to complete the update process in accordance with Minnesota Statutes Chapter 103B.301.

CERTIFICATION

STATE OF MINNESOTA
COUNTY OF CHIPPEWA

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Chippewa at a duly authorized meeting thereof held on the 22nd day of January 2013.

Chairman of County Board

Attest: _____
County Auditor/Treasurer

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Lac Qui Parle County Comprehensive Local Water Management Plan Extension Approval**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: South Region
Contact: Jeff Nielsen
Prepared by: David Sill
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth, chair

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested
☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget
☐ Other:

ACTION REQUESTED
Approval of the Lac qui Parle County Comprehensive Local Water Management Plan extension request.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The Lac qui Parle County Comprehensive Local Water Management Plan (CLWMP) will expire on May 28, 2013. On February 7, 2013, the Board of Water and Soil Resources (BWSR) received a resolution from Lac qui Parle County requesting an extension of their CLWMP. BWSR staff have reviewed and recommend approval of the request.

On March 7, 2013, the BWSR Southern Water Planning Committee met with Lac qui Parle County to discuss the extension request. After discussion, the Committee decided with a unanimous vote to recommend approval of the Lac qui Parle County extension request and bring this recommendation forward to the full BWSR Board for review and action. BWSR's official state comment letter pertaining to the extension will need to be sent to Lac qui Parle County.

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

In the Matter of Extending the
Comprehensive Local Water Management Plan
for Lac qui Parle County

ORDER
EXTENDING
WATER MANAGEMENT
PLAN

Whereas, the Lac qui Parle County Board of Commissioners has a state-approved Comprehensive Local Water Management Plan (Plan) that is effective until May 28, 2013, pursuant to Minnesota Statutes 103B.301; and

Whereas, Lac qui Parle County has submitted a resolution requesting an extension of its Plan; and

Whereas, the Minnesota Board of Water and Soil Resources (Board) has authorization to grant extensions with or without conditions pursuant to Minnesota Statutes 103B.3367.

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

FINDINGS OF FACT

On February 7, 2013, the Board received a resolution from Lac qui Parle County requesting an extension of their Plan. The request is based on: the Priority Concerns Scoping Document (PCSD) has been submitted to the Board for state agency review; Lac qui Parle County met with the Board on March 7, 2013 to review and discuss the PCSD; Lac qui Parle County assures continued effort toward completion of the Plan update with an anticipated date for submission to the Board for final review by September 1, 2013; extension of the effective date until December 31, 2013, in order to complete the update process.

On February 11, 2013, Board staff reviewed and recommended approval of the extension request made by Lac qui Parle County. Board staff recommendation was for a seven-month extension.

On March 7, 2013, the Board's southern region water planning committee (Committee) met with representatives of Lac qui Parle County to discuss the extension request. The Committee deemed the extension request to be appropriate. The Committee's decision was to present to the Board a recommendation of approval of the Lac qui Parle County extension; effective until December 31, 2013.

On March 27, 2013, the Committee presented its recommendation of approval of the Lac qui Parle County extension request to the Board. The Board adopted the Committee's recommendation.

CONCLUSIONS

All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of extending the Comprehensive Local Water Management Plan of Lac qui Parle County pursuant to Minnesota Statutes 103B.3367.

ORDER

The Board hereby approves the extension of the Lac qui Parle County Comprehensive Local Water Management Plan until December 31, 2013. Lac qui Parle County shall strive to complete the updating of their Comprehensive Local Water Management Plan in a timely manner.

Dated at St. Paul, Minnesota this 27th day of March 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair



Lac qui Parle County Auditor-Treasurer

600 6th Street
Madison, MN 56256

Email: jake.sieg@lqpco.com
Phone: 320-598-7444
Fax: 320-598-3125

Jacob Sieg
Auditor-Treasurer

RESOLUTION REQUESTING COMPREHENSIVE WATER MANAGEMENT PLAN EXTENSION

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 current Lac qui Parle County Comprehensive Local Water Management Plan is effective until May 31, 2013, and

WHEREAS, Lac qui Parle County is currently updating the Local Water Management Plan in accordance with Minnesota Statutes Chapter 103B.301, and

WHEREAS, Lac qui Parle County has completed the following items:

1) The county resolution to update the water plan, and
2) Notices sent to state and local groups inviting input on the plan updated, and
3) The priority concerns scoping document is completed and submitted to BWSR for the State Agency review, and

WHEREAS, Lac qui Parle County needs to complete the following:

1) LqP County Water Plan Coordinator and Resource Commission representatives schedule and meet with the BWSR southern region review committee to review the priority concerns scoping document who will then make recommendation to the full BWSR Board, and
2) Fully develop the water plan based on inputs received from partners addressing priority concerns identified, and
3) Conduct a public hearing to solicit final review comments, make adjustments as necessary, and then submit the water plan to BWSR for State agency review and final approval by the BWSR board, and

WHEREAS, Lac qui Parle County assures continued effort toward completion of the Comprehensive Local Water Management Plan update, and

WHEREAS, the Act gives the Minnesota Board of Water and Soil Resources the authority to extend the ending date of a current local water management plan for a period of up to one year.

NOW, THEREFORE, BE IT RESOLVED, that the Lac qui Parle County Board of Commissioners requests from the Minnesota Board of Water and Soil Resources an extension of the effective date of the current County Comprehensive Local Water Management Plan until December 31, 2013, in order to complete the update process in accordance with Minnesota Statutes Chapter 103B.301.

CERTIFICATION

I hereby certify that the above is a true and correct copy of Board action duly passed, adopted and approved by the County Board of said County on February 5, 2013

Jacob Sieg, County Auditor-Treasurer

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Swift County Comprehensive Local Water Management Plan Extension Approval**

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: South Region
Contact: Jeff Nielsen
Prepared by: David Sill
Reviewed by: Southern Water Planning Committee(s)
Presented by: Paul Langseth, chair

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☒ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
Approval of the Swift County Comprehensive Local Water Management Plan extension request.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The Swift County Comprehensive Local Water Management Plan (CLWMP) will expire on May 28, 2013. On February 6, 2013, the Board of Water and Soil Resources (BWSR) received a resolution from Swift County requesting an extension of their CLWMP. BWSR staff have reviewed and recommend approval of the request.

On March 7, 2013, the BWSR Southern Water Planning Committee met with Swift County to discuss the extension request. After discussion, the Committee decided with a unanimous vote to recommend approval of the Swift County extension request and bring this recommendation forward to the full BWSR Board for review and action. BWSR's official state comment letter pertaining to the extension will need to be sent to Swift County.

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

In the Matter of Extending the Comprehensive Local Water Management Plan for Swift County

ORDER EXTENDING WATER MANAGEMENT PLAN

Whereas, the Swift County Board of Commissioners has a state-approved Comprehensive Local Water Management Plan (Plan) that is effective until May 28, 2013, pursuant to Minnesota Statutes 103B.301; and

Whereas, Swift County has submitted a resolution requesting an extension of its Plan; and

Whereas, the Minnesota Board of Water and Soil Resources (Board) has authorization to grant extensions with or without conditions pursuant to Minnesota Statutes 103B.3367.

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

FINDINGS OF FACT

On February 6, 2013, the Board received a resolution from Swift County requesting an extension of their Plan. The request is based on: the Priority Concerns Scoping Document (PCSD) has been submitted to the Board for state agency review; Swift County met with the Board on March 7, 2013 to review and discuss the PCSD; Swift County assures continued effort toward completion of the Plan update with an anticipated date for submission to the Board for final review by September 1, 2013; extension of the effective date until December 31, 2013, in order to complete the update process.

On February 11, 2013, Board staff reviewed and recommended approval of the extension request made by Swift County. Board staff recommendation was for a seven-month extension.

On March 7, 2013, the Board's southern region water planning committee (Committee) met with representatives of Swift County to discuss the extension request. The Committee deemed the extension request to be appropriate. The Committee's decision was to present to the Board a recommendation of approval of the Swift County extension; effective until December 31, 2013.

On March 27, 2013, the Committee presented its recommendation of approval of the Swift County extension request to the Board. The Board adopted the Committee's recommendation.

CONCLUSIONS

All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of extending the Comprehensive Local Water Management Plan of Swift County pursuant to Minnesota Statutes 103B.3367.

ORDER

The Board hereby approves the extension of the Swift County Comprehensive Local Water Management Plan until December 31, 2013. Swift County shall strive to complete the updating of their Comprehensive Local Water Management Plan in a timely manner.

Dated at St. Paul, Minnesota this 27th day of March 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair

SWIFT COUNTY BOARD OF COMMISSIONERS
RESOLUTION
Request for Comprehensive
Water Management Plan Extension
February 5, 2013

FEB 0 6 2013

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 current Swift County Comprehensive Local Water Management Plan is effective until May 28, 2013, and

WHEREAS, Swift County is currently updating the Local Water Management Plan in accordance with Minnesota Statutes Chapter 103B.301, and

WHEREAS, Swift County has completed the following items:

1) The county resolution to update the water plan, and
2) Notices sent to state and local groups inviting input on the plan update, and
3) The priority concerns scoping document has been developed and submitted to BWSR for the State Agency review, and

WHEREAS, Swift County needs to complete the following:

1) The BWSR southern region review committee needs to schedule and meet with the county to review the priority concerns scoping document and then make its recommendation to the full BWSR Board, and
2) Develop the water plan based on inputs received from partners addressing priority concerns identified, and
3) Conduct a public hearing to solicit final review comments, make adjustments as necessary, and then submit the water plan to BWSR for State agency review and final approval by the BWSR Board, and

WHEREAS, Swift County is hereby requesting an extension to:

1) Provide for sufficient time to complete the water plan, and
2) Provide for sufficient time for all to review the final water plan, and
3) Ensure that the updated water plan meets the state's standards and the goals of the county, and

WHEREAS, Swift County assures continued effort toward completion of the Comprehensive Local Water Management Plan update, and

WHEREAS, the Act gives the Minnesota Board of Water and Soil Resources the authority to extend the ending date of a current local water management plan for a period of up to one year.

NOW, THEREFORE, BE IT RESOLVED, the Swift County Board of Commissioners requests from the Minnesota Board of Water and Soil Resources and extension of the effective date of the current County Comprehensive Local Water Management Plan until December 31, 2013, in order to complete the update process in accordance with Minnesota Statutes Chapter 103B.301.

Adopted Feb 5, 2013

Joe Fap
Chairman of County Board

Attest: Byron L Nicas
County Auditor

NEW BUSINESS

1. Reinvest In Minnesota (RIM) Reserve – Wetlands Reserve Program (WRP) 2013 – Tim Koehler (BWSR) and Joel Curran (NRCS) – ***DECISION ITEM***

2. Legislative Update – Sarah Strommen - ***INFORMATION ITEM***

3. Watershed Protection & Restoration Strategies – Steve Woods (BWSR) and Gaylen Reetz (MPCA) – ***INFORMATION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2013 RIM-WRP Partnership[1]

Meeting Date: March 27, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Conservation Easements

Contact: Tim Koehler

Prepared by: Tim Koehler

Reviewed by: RIM Reserve Management Planning Committee(s)

Presented by: Tim Koehler

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☒ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☒ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to authorize the 2013 RIM-WRP Partnership utilizing Outdoor Heritage Funds. The RIM-WRP Partnership, the premier private lands wetland restoration program in the nation, is a state-federal partnership delivered locally by the Natural Resources Conservation Service (NRCS), Soil and Water Conservation Districts (SWCDs), the Board of Water and Soil Resources and numerous other partners.

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The RIM-WRP Partnership has received recommendations from the Lessard Sams Outdoor Heritage Council and legislative appropriations from the Outdoor Heritage Fund in 2009, 2010, 2011 and 2012 totalling $42.76 million to leverage federal WRP funds totalling over $68 million. In addition, a fifth year of funding is currently being considered by the MN Legislature for $13.39 million from the Outdoor Heritage Fund which will leverage $21.5 million of federal WRP funds.

Board Resolution #_____

2013 Reinvest in Minnesota (RIM) Reserve - Wetlands Reserve Program (RIM-WRP) Partnership Program

WHEREAS the Minnesota State Legislature has appropriated $13.810 million in Outdoor Heritage Funds (OHF) to the Board of Water and Soil Resources (BWSR) in Minnesota Laws 2012, Chapter 264, Article 1, Section 2, Subd 4(a), Reinvest in Minnesota – Wetlands Reserve Program Partnership, Phase IV, and is currently considering a Phase V appropriation to acquire permanent conservation easements and restore wetlands and associated upland habitat, in cooperation with the Unites States Department of Agriculture's (USDA) Wetlands Reserve Program; and

WHEREAS the RIM-WRP Partnership, the premier private lands wetland restoration program in the nation, is a local-state-federal partnership delivered locally by the Natural Resources Conservation Service (NRCS) the Soil and Water Conservation Districts (SWCDs) and the Board of Water and Soil Resources (BWSR); and

WHEREAS the RIM-WRP Partnership is possible through the collaboration of many local, state, and federal partners including Ducks Unlimited, (DU), the Minnesota Waterfowl Association (MWA), Pheasants Forever (PF), the Minnesota Department of National Resources (MN DNR), and the United States Fish and Wildlife Service (USFWS); and

WHERAS the RIM-WRP Partnership permanently protects and restores previously drained wetland and adjacent native grasslands to achieve the greatest wetland functions and values, while optimizing wildlife habitat on private lands enrolled in the Partnership; and

WHEREAS the RIM Reserve Conservation Easement Program is administered by the BWSR in cooperation with local Soil and Water Conservation Districts (SWCDs); and

WHEREAS SWCDs will be reimbursed for their services using the most current RIM Reserve services rate; and

WHEREAS RIM Reserve LSOHC funding is intended to leverage federal WRP funds appropriated to the NRCS whenever feasible; and

WHEREAS NRCS National Headquarters has requested Minnesota NRCS to develop a process which allows for continuous enrollment of RIM-WRP Partnership easement applications and the necessary obligation of federal WRP funds with eligible Minnesota landowners; and

WHEREAS a Minnesota Wetlands Restoration Evaluation Worksheet will be used to score and rank applications for the RIM-WRP Partnership; and

DRAFT

WHEREAS over the last 25 years, the United States Department of Agriculture (USDA) Conservation Reserve Program (CRP) has been the largest and most significant private lands conservation program in Minnesota's history. An entire generation of Minnesotans have benefitted from improved water quality and enhanced wildlife habitat; and

WHEREAS in the five year period - 2012 to 2016, the aforementioned benefits are now in jeopardy as nearly 823,000 acres (60%) of Minnesota's conservation lands enrolled in the USDA CRP will expire; and

WHEREAS the Board has established the RIM-WRP Partnership payment rates and RIM Reserve payment rates; and

WHEREAS the RIM-WRP Partnership will establish scoring periods in which eligible RIM-WRP applications that have been scored ≥ 70 will be approved for selection for immediate funding by NRCS-WRP; and

WHEREAS other applications will be considered during future scoring periods prior to the NRCS obligation deadline; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on March 26, 2013 and unanimously recommends the continuation of the RIM-WRP Partnership and the allocation of Phase V RIM-WRP funds if approved.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

1. Utilize existing and anticipated Outdoor Heritage Funds for the 2013 RIM-WRP Partnership; and
2. Target expiring CRP contracts with critical wetland restoration practices for enrollment in the RIM-WRP Partnership; and
3. Work with MN NRCS to develop RIM-WRP Partnership eligibility and sign-up procedures for the 2013 RIM-WRP Partnership.

Dated at Saint Paul, Minnesota this 27th day of March, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

DRAFT

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Watershed Protection & Restoration Strategies

Meeting Date: March 27, 2013

Agenda Category: ☐ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region: statewide

Contact:

Prepared by: Steve Woods

Reviewed by: Committee(s)

Presented by: Gaylen Reetz (MPCA), Steve Woods (BWSR)

☒ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other:

ACTION REQUESTED
Information item only.

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
Clean Water Land and Legacy Amendment funding has allowed the executive branch agencies to systematically re-think how to best produce cleaner water. Input from the Clean Water Council, listening sessions around the state, and inter-agency teams has resulted in a system that meshes a predictable 10-year water monitoring cycle with local water planning processes.

Throughout 2013 BWSR will sponsor a stakeholder process that better aligns water planning policy and expectations with the Board's approval process. We expect that the so-called "One Watershed" policy will make its way through a process to the Board in early 2014.

FOR YOUR INFORMATION

March 27, 2013

- Updated Board Member Listing, March 2013
- News Release, "BWSR issues another $3.2 million in flood relief grants to City of Duluth and South St. Louis SWCD"
- PRAP 2013 Report to the Minnesota Legislature
- BWSR Snapshots, March 2013

MINNESOTA BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MINNESOTA 55155
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Appointed Members	***Appointment Designation***	***Term***	***Telephone/Fax/Cell***	
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Tom Loveall 39290 200th St., Winnebago, MN 56098	**Co. Commissioner** tomcat56098@yahoo.com	**5/11/09 - 1/07/13**	507-854-3572	*Home*
Jack Ditmore 61 Flandrau Place, St. Paul, MN 55106	**Citizen** ditjc9999@msn.com	**3/29/12 – 1/04/16**	651-774-7239	*Home*
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Vacant	**Citizen**			
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Steve Sunderland 2030 20th Ave., SE, Montevideo, MN 56265	**SWCD** sunderland@mvtvwireless.com	**3/29/12 – 1/04/16**	320-226-3550	*Home*
Vacant	**Watershed**			
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Sandra Hooker 14418 618th Avenue, Mapleton, MN 56065	**Townships** sandy.hooker@mntownships.org	**3/29/12 – 1/04/16**	507-869-3114	*Home*
Christy Jo Fogarty 18946 Excalibur Trail, Farmington, MN 55024	**Metro City** cfogarty@charter.net	**9/21/09 - 1/07/13**	651-867-8875	*Cell*
Keith Mykleseth 532 Summit Avenue, Crookston, MN 56716	**Non-Metro City** -keith243@ymail.com	**6/30/11 - 1/05/15**	218-281-1801	*Home*

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Tom Landwehr 500 Lafayette Road, St. Paul, MN 55155 Tom.Landwehr@state.mn.us	**Department of Natural Resources**	651-259-5555 651-296-4799	*Office* *Fax*
Faye Sleeper Room 173 McNeal Hall, 1985 Buford Avenue, St. Paul, MN 55108 fsleeper@umn.edu	**U of M/Extension**	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*

Minnesota Board of Water & Soil Resources

For Release: Mar. 25, 2013
Contact: Jennifer Maleitzke, 651-215-9008 (office); 651-315-5082 (cell)

BWSR issues another $3.2 million in flood relief grants to City of Duluth and South St. Louis SWCD

NOTE TO THE EDITOR: *The City of Duluth, BWSR and DNR will hold a joint news conference on Tuesday, Mar. 26 at 1:30 p.m. at Duluth City Hall, 4th floor Mayor's Reception Room, to provide additional details.*

St. Paul, Minn.—Less than one month after issuing $2 million in grants to northeast Minnesota for natural resource projects, the Minnesota Board of Water and Soil Resources (BWSR) announced today it will issue an additional $1.7 million to the City of Duluth and $1.5 million to the South St. Louis Soil and Water Conservation District (SWCD).

"Landowners and local communities still have great needs to fix damages caused by last year's storms," John Jaschke, BWSR Executive Director said. "With construction season on the horizon, we want to ensure these projects can start right away this spring to repair properties, to restore damages to the region's rivers and streams and to prevent pollution from entering Lake Superior."

These projects will protect human safety, property and infrastructure, and will also stabilize and protect areas that have already been repaired with city funds or Federal Emergency Management Agency (FEMA) funds.

Some specific projects include:

- Replacing or repairing culverts around Prairie Lake, Artichoke River, Morgan Park, Tischer Creek, Coffee Creek, Miller Creek and Amity Creek
- Replacing or repairing retaining walls around Chester and Tischer Creeks and Lake Superior
- Stabilizing slopes, gullies and shoreline around Lake Superior
- Stabilizing severe bank erosion around Chester Creek and the Chester Park hiking trails
- Stabilizing exposed banks around Coffee and Miller Creeks near Enger Park Public Golf Course, Miller Creek Disc Golf Course and Western Lake Superior Sanitary District sewer line

In addition to the BWSR funding, the Minnesota Department of Natural Resources (DNR) will award an initial $650,000 grant to the City of Duluth for debris and sediment removal projects in fourteen trout streams. It is anticipated that additional DNR funding for these purposes will be provided to the city as other projects develop.

Previously, the City of Duluth received a grant from the DNR totaling $2.4 million for acquisition and removal of 21 flood-damaged structures and property. Another $555,000 was awarded by DNR to three other communities affected by flooding for acquiring an additional ten flood damaged structures.

Recommendations for this funding was provided by the MN Recovers Task Force, a team of federal, state and local agencies working together to prioritize and coordinate disaster recovery efforts by its member agencies.

###

Performance Review and Assistance Program (PRAP)

2013 Report to the Minnesota Legislature

Program Highlights

Board Amends PRAP Guiding Principles (Page 1)	**Watershed-based PRAP Pilot Project in central MN** (Page 5)	**New PRAP Assistance Grants Available** (Page 7)

Minnesota Board of Water & Soil Resources

For more information contact: Don Buckhout PRAP Coordinator
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Information contained in this report is available in an alternative format upon request.
Approximate cost for the production of this report was $4075.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES
Performance Review and Assistance Program (PRAP)
Executive Summary

Since 2007, BWSR's PRAP has been methodically assessing the performance of the local units of government that constitute Minnesota's delivery system for conservation of water and related land resources. The goal is to help these local government partners to be the best they can be in their management of these critical resources.

PRAP focuses on four aspects of Local Governmental Unit (LGU) performance in the delivery of conservation services:

- Administration—financial reporting and accountability
- Planning—keeping plans current and focused
- Execution—implementing planned objectives and tracking progress
- Communication and Coordination—working with partners and stakeholders.

Levels I-IV of performance review and assistance are described on page ii.

2012 Program Accomplishments

- Tested a new approach to performance review by assessing the performance and collaboration of all LGUs with jurisdiction in the same major watershed.
- Tracked report and plan compliance (Level I) for 242 counties, soil and water conservation districts, watershed districts, and watershed management organizations.
- Conducted in-depth (Level II) performance reviews of four LGUs. BWSR has conducted 35 Level II performance reviews since 2008.
- Started a new PRAP Assistance Grants program and awarded four grants to three different LGUs for improved organizational function and effectiveness.
- BWSR Board amended the PRAP Guiding Principles.

2012 LGU Delivery System Performance

Long-range Plan Status: 68% reduction in overdue plans since 2009.

- Soil & Water Conservation Districts: All plans or resolutions are current.
- Counties: three plan revisions overdue.
- Watershed Districts: three plan revisions overdue; all are in progress.
- Watershed Management Organizations: one revision overdue, in progress.

LGUs in Full Compliance with Level I Performance Standards 72%

- Soil & Water Conservation Districts: 94% compliance (85/90).
- Watershed Management Organizations: 74% compliance (14/19).
- County Water Management: 61% compliance (53/87).
- Watershed Districts: 50% compliance (23/46).

2013 PRAP Objectives

- Conduct a second watershed-based performance review of multiple LGUs.
- Monitor and support LGUs' implementation of previous PRAP recommendations.
- Monitor LGUs for opportunities to help with operational change.

Minnesota Board of Water and Soil Resources
Performance Review and Assistance Program Overview

PRAP Program Level	Program Elements			
	Frequency	Performance Review	Assistance	Accomplishments
Level I Routine Monitoring and Tabulation	Annual	Tabulation of required reports, plans, audits, etc.	Statewide training opportunities; BWSR Academy	**242** LGUs tracked annually on selected performance standards. **1800** # of hits to BWSR website database of LGU Level I performance since 2010.
Level II Routine performance review and targeted assistance	Once every 5yrs./LGU 50 LGUs/yr	Assessment using performance standards checklist, progress on plan objectives/actions, board/staff interview.	Assess training needs; eligible for PRAP Assistance Grants; set performance goals in an PIA[1], if needed;	**35 Level II performance reviews** **13 - SWCDs** **9 - Counties** **9 - Watershed Districts** **4 - Watershed Management Orgs.**
Level III Prescriptive assistance	As needed	Monitor progress toward PIA[1] goals	BWSR self-assessment; Benchmarking; Mediation; Assistance Grants	**2 Level III assessments conducted**. **5** # of PRAP Assistance Grants issued to support LGU implementation of recommendations from PRAP assessments.
Level IV Penalties applied	As needed	Monitor progress toward PIA[1] goals	Continue Level III Assistance; Notice of Deficiencies; Restriction of funds	No Level IV actions have been required.
Watershed PRAP (pilot project)	Annual	Assess collaboration and implementation of plan objectives applicable to the watershed; survey LGUs regarding watershed focus.	Assistance Grants available to help with implementation; broker consultants for facilitation and collaboration.	**10** # of LGUs in first pilot project. 1 WD 5 counties 4 SWCDs

[1]PIA=Performance Improvement Agreement

About this Report

This report has been prepared for the Minnesota State Legislature by the Minnesota Board of Water and Soil Resources (BWSR) in partial fulfillment of the requirements of Minnesota Statutes Chapter 103B.102, subdivision 3. This statute requires BWSR to provide designated legislative committees with "an analysis of local water management entity performance" each year. This report covers the activities of the Performance Review and Assistance Program (PRAP) during the 2012 calendar year. This is the sixth annual report prepared by BWSR for this program.

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What is PRAP?

Supporting Local Delivery of Conservation Services

PRAP focuses on the local governmental units (LGUs) that deliver BWSR's water and land conservation programs, and in particular, how well they are implementing their long-range plans. The LGUs reviewed are soil and water conservation districts (SWCDs), watershed districts (WDs), water management organizations (WMOs), and the water management function of counties—a total of 242 distinct organizations. PRAP, authorized by the state legislature in 2007 (see Appendix A), is coordinated by one BWSR central office staff member. He receives assistance from BWSR's 13 Board Conservationists, who routinely work with LGUs across the state.

Amended Guiding Principles

PRAP operates on the following principles first adopted by the Board in 2007 and then amended in 2013.

- Pre-emptive
- Systematic
- Constructive
- Includes consequences
- Provides recognition for high performance
- Transparent
- Retains local ownership and autonomy
- Maintains proportionate expectations
- Preserves the state/local partnership
- Results in effective on-the-ground conservation

Guiding Principles

At the program's start in 2007 the BWSR board adopted principles to guide the implementation of this program. In 2013 the board re-visited and refreshed the principles with two minor changes (see box). The principles still set the program's goal of providing reliable, comprehensive information in a way that encourages LGUs to act in their own best interests.

Multi-level Process

PRAP has three operational components:

- **performance review**
- **assistance**
- **reporting.**

The **performance review** component is applied at four levels.

Level I is a tabulation of required LGU plans and reports with website posting of the results. Level I is accomplished with current program funding and does not require additional effort by LGUs.

Level II is a routine, interactive review originally envisioned to cover all LGUs at least once every five years to evaluate operational effectiveness and progress on plan implementation. Program funding so far has allowed an average of only 7 Level II reviews per year. (See map on page 2.) BWSR's Level I and II performance standards for each type of LGU can be viewed at www.bwsr.state.mn.us/PRAP/index.html.

Level III is an in-depth assessment of an LGU's performance problems and issues initiated by BWSR or the LGU and usually involving targeted assistance to address specific performance needs. BWSR has conducted Level III review and assistance for several LGUs and regularly monitors all LGUs for additional opportunities.

Level IV is for those LGUs that have significant performance deficiencies, requiring extensive assessment, monitoring and possible penalties as authorized by statute. So far there have not been any Level IV cases.

LGU Performance Review Results

2012 Objectives

The 2012 objectives for the PRAP performance review component were to continue the Level I compliance tracking for all LGUs, to start a pilot project to test a new joint performance review process for all LGUs working in the same watershed, to conduct a number of routine Level II reviews, and to monitor the activities of LGUs undergoing significant change for opportunities to initiate Level III review or assistance.

Level I Results

Level I performance review monitors and tabulates the LGUs' long-range plan revision due dates and the timely submittal to BWSR of annual activity, including ditch buffer strip, reports and financial reports and audits. LGU-specific results are listed in Appendices C (long-range plans), D (annual activity reports), and E (annual financial reports) and are searchable through the BWSR website (www.bwsr.state.mn.us/PRAP/index.html).

On a statewide basis, the 2012 Level I performance review shows the SWCDs doing the best at meeting basic program accountability requirements.

LGUs Meeting All 2012 Level I Performance Standards

All LGUs 72%

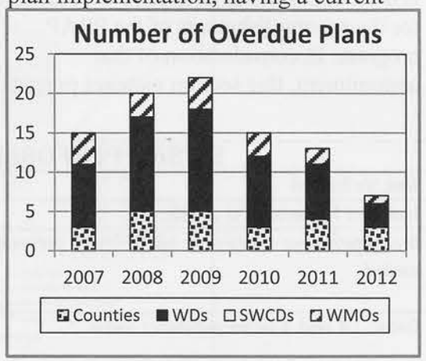
SWCDs 94% (85/90)

WMOs 74% (14/19)

Counties 61% (53/87)

WDs 50% (23/46)

Long-range plans. The improvement in the number of overdue long-range plan revisions is continuing, meaning more plans are up-to-date and addressing current resource issues. With PRAP's emphasis on evaluating plan implementation, having a current



plan is essential. Most notable is the improvement for watershed districts, going from 13 overdue plans in 2009 to only 3 in 2012. The persistent numbers of overdue county plan revisions are the 3 metro county groundwater plans. These are expensive to update and, because they are optional to begin with and funding is tight, counties are apparently willing to let the 10-year revision deadline pass.

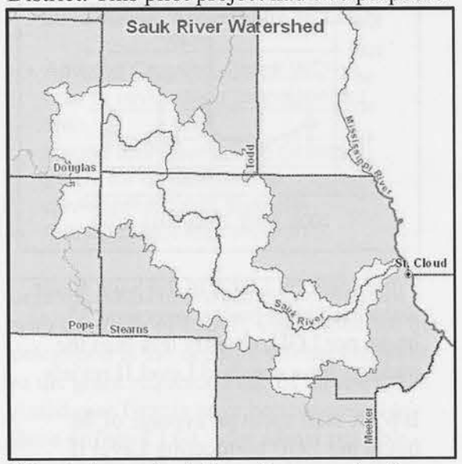
Annual activity reports. The Level I review tracks both missing and late reports. LGU reports are an important means of providing citizens with timely information about LGU plans and performance.

WDs in greater Minnesota continue to have difficulty complying with the annual activity report requirement. Local drainage authorities, 94 counties and watershed districts, struggle to meet the February 1 due date for their annual buffer strip reports, with 36 percent arriving late. One county was penalized by having their BWSR grant withheld until the report was submitted.

Annual financial reports and audits. Level I tracking of financial information includes both whether the report or audit was completed and whether it was submitted on time. SWCDs submit annual financial reports to BWSR, and in 2012 all of the reports were submitted on time. Most LGUs are required to prepare annual audits of their financial records. Level I tracking showed that 97 percent of LGUs met this performance standard in 2012.

Watershed-based PRAP Pilot Project

In 2012 BWSR conducted a pilot project of a new type of performance review of the 10 local water management entities operating in the Sauk River watershed in central Minnesota (see map). These LGUs are the county environmental services departments and the soil and water conservation districts of Pope, Douglas, Todd, Meeker and Stearns counties, and the Sauk River Watershed District. This pilot project had two purposes:



1) to test a methodology for assessing the extent to which LGUs are collaborating in execution of their plans and their delivery of programs and services on a watershed basis, and 2) to examine barriers to cross-jurisdictional collaboration and suggest remedies to improve collaboration.

The process included development of new performance standards focused on collaboration among LGUs, a survey of LGU lead staff and board members to assess their awareness of the issues of other LGUs in the watershed and the potential for more collaboration, and final reports that address both watershed-wide and individual LGU issues and needs. BWSR conducted three joint meetings with lead staff and a few board members from each LGU to discuss the process and methodology and the findings from the review.

Results from the review show that the LGUs collaborate well on programs that have had a stable funding source and clear guidelines, such as feedlot improvement projects. The participants identified barriers to collaboration, including the reluctance of boards to allow staff to work outside of jurisdictional boundaries, the competition for funds, and the lack of time. LGUs suggested improving awareness of watershed efforts and collaboration by means of regular information sharing meetings and by jointly determining watershed problems and priorities. Appendix G and the PRAP website contain a summary of the joint report and the individual LGU report summaries. Full reports are available from the PRAP Coordinator.

The LGUs that participated in the pilot project have completed the equivalent of a Level II performance review. BWSR is assisting the LGUs with implementation of recommendations in the joint and individual reports. BWSR plans to conduct a second pilot of this approach in 2013 in another watershed.

Level II Results

The Level II review process examines the LGU's progress in implementing their plan's goals and objectives and compliance with BWSR's operational performance standards.

BWSR conducted four Level II reviews in 2012: **Houston County** (Environmental Services), **Root River SWCD**, and the **Crooked Creek Watershed District**, all in Houston County, and the **Traverse SWCD**.

Appendix F contains summaries of the four reviews. Full reports are available from BWSR by request. In general, the reviews showed that all the LGUs are implementing their plans. However, the Crooked Creek WD is still using their original 1962 plan, which needs updating in order for the WD to be eligible for funding for new programs. The Root River and Houston County staffs work well in close partnership to deliver programs to the county's landowners. In order to address staffing or workload changes BWSR recommended a staff capacity assessment for both the Root River and Traverse SWCDs. At the request of the LGUs, BWSR staff presented the results of the performance reviews to both the Houston and Traverse county boards.

Level III Results

There were no formal Level III performance reviews in 2012. BWSR staff provided assistance to the Crooked Creek Watershed District with their watershed plan revision process after their Level II assessment. A county commissioner contacted BWSR to request a PRAP Level III review of a SWCD. BWSR is awaiting a formal request from the county board before conducting any further assessment.

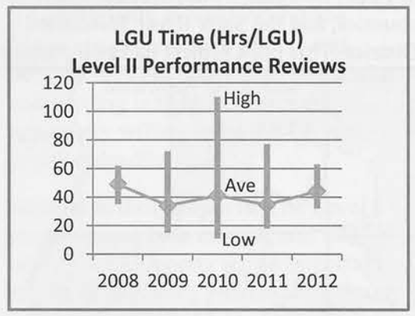
BWSR regional supervisors regularly monitor the performance of LGUs experiencing change in order to assess the need for Level III review. Also, LGUs can request these detailed performance assessments to determine the need for organizational improvements.

Level IV Results

No Level IV actions were needed in 2012.

PRAP Program Costs

BWSR tracks the time spent by LGUs in a performance review as a substitute for actual program costs. Factors affecting an LGU's time include the number of action items in their long-range plan, the number of staff persons who help with data collection, and the ready availability of performance data. In 2012 LGUs spent an average of 44 hours each on their Level II review, slightly above the 5-year average of 40 hours.



Time spent by LGUs in the Sauk River watershed pilot project averaged 35 hours per LGU, slightly less than the average for a standard Level II review.

BWSR staff spent an average of 46 hours per LGU conducting Level II reviews in 2012, compared with 47 hours in 2011 and 41 hours in 2010.

Assistance Services to Local Governments

Focus on Assistance

The term "assistance" is in the PRAP program title in part because it is listed as an activity in the authorizing legislation and also because it is a logical next step after performance review. Prior to PRAP, BWSR field staff regularly provided LGUs with assistance to support and enhance their operational effectiveness. While that essential service continues, PRAP has systematically expanded BWSR's capability to assist LGUs.

PRAP Assistance Grants

In 2012 the BWSR Board delegated authority to the Executive Director to award grants or contracts for the purpose of assisting LGUs in making organizational improvements consistent with the goals of PRAP. The reason for the delegation is the need for a timely response to the grant requests. Four of these PRAP Assistance Grants have been awarded to three different LGUs for a total possible award of $6300. The availability of the grants has been marketed to LGUs via the BWSR website and through the PRAP review process.

2012 PRAP Assistance to LGUs

- Advised Crooked Creek WD on how to revise their management plan.
- Issued four Assistance Grants to LGUs for organizational development and financial management improvements.

LGUs that undergo a formal BWSR performance review are automatically eligible for PRAP Assistance Grants to help with the implementation of organizational improvements recommended by BWSR in the Level II final report. For other LGU grant applicants, BWSR staff conduct an assessment to determine the need for the grant. The BWSR Executive Director regularly informs Board members of the status of assistance grant awards.

Assessing the Needs

PRAP provides an opportunity for LGUs to identify the types of assistance they think would be most helpful. Each Level II performance review includes an opportunity for LGU board members and staff to list assistance needs in the context of their perceived barriers to program and project implementation. In 2012 the four LGUs requested assistance with:

- training in watershed law,
- providing information to county boards regarding the result of the performance review,
- analysis of staff capacity and reallocation of staff workload, and
- finding consultants to assist with revision of a watershed management plan.

Each year LGUs request training related to various operational needs, as was the case this year. BWSR held its fifth annual Training Academy for LGU staff in October. BWSR's Training Program Coordinator identified for the 2012 Level II LGUs the Academy offerings that met the training needs they requested during their performance reviews.

Reporting

Purpose of Reporting

The purposes of reporting about LGU performance are:

- to provide a perspective on the progress in meeting statewide soil and water conservation goals through the efforts of local government-based activities and programs,
- to give stakeholders access to information about the effectiveness of their local water management entities, and
- to provide both information and incentives that will encourage LGUs to learn from one another about methods and programs that produce the most effective results.

Report Types

PRAP either relies on or generates different types of reports to achieve the purposes listed above.

LGU-Generated

These include information posted on the LGU websites and the required or voluntary reports submitted to BWSR, other units of government, and the public about fiscal status, plans, programs and activities. These all serve as a means of communicating what each LGU is achieving and allow stakeholders to make their own evaluations of LGU performance. PRAP tracks submittal of required, self-generated LGU reports in the Level I review process.

BWSR Website

The BWSR website contains a webpage devoted to PRAP information. The site gives users access to a searchable database of basic Level I performance information that BWSR has collected for each LGU.

No. of Website Hits to PRAP Level I Performance Database
(by calendar year)

2010- 1437
2011- 695
2012- 213

www.bwsr.state.mn.us/PRAP/reporting/index.php

The number of user visits to that database has dropped significantly since 2010, the year the database came on-line. The BWSR website also includes regularly updated maps of long-range plan status by LGU type. Visitors to the PRAP webpage can find general program information, tables of current performance standards by LGU type, summaries of Level II performance review reports, and copies of annual legislative reports.

Performance Review Reports

BWSR prepares a report containing findings, conclusions, and recommendations for each LGU that is the subject of a Level II performance review. The LGU lead staff and board or task force members receive a draft of the report to which they are invited to submit comments or corrections. BWSR then prepares both a final report that is sent to the LGU and a one-page summary that is included in this legislative report (see Appendices F and G) and added to the PRAP webpage.

Annual Legislative Report

As required by statute, BWSR prepares an annual report for the legislature containing the results of the previous year's program activities and a general assessment of the performance of the local delivery system for land and water conservation services

and programs. These reports are reviewed and approved by the BWSR board and then sent to the chairpersons of the senate and house environmental policy committees, to statewide LGU associations and the office of the legislative auditor. This document is the sixth such report that BWSR has prepared.

Rewards and Recognition

The PRAP Guiding Principles require that the program also recognize exemplary LGU performance. Each year this legislative report highlights those LGUs that are recognized by their peers or other organizations for their contribution to Minnesota's resource management and protection, as well as service to their local clientele. (See Appendix H.)

In addition, for those LGUs that receive a routine Level II performance review, their report highlights compliance with each high performance standard with a "commendation" for practices over and above basic requirements. All 2012 Level II LGUs received such commendations.



Steve Hirsch (l.), MnDNR Division of Ecological and Water Resources Director, presents the 2012 Watershed District of the Year award to **Cedar River Watershed District** Administrator Bev Nordby and Manager Mike Jones

Program Conclusions and Future Direction

Conclusions

Based on five years of PRAP implementation, including Level II reviews of 35 LGUs throughout the state, BWSR finds:

- Significant improvement in the number of up-to-date long-range management plans.
- The majority of LGUs are meeting basic Level I performance standards, however there are some that persistently miss required reporting deadlines.
- SWCDs in particular have a high rate of compliance with basic operational performance standards.
- LGUs are pursuing the objectives in their long-range plans.
- LGUs are open to improvements in their operational effectiveness. The PRAP Assistance Grants provide an incentive for LGUs to address those issues.
- On average, LGUs spend approximately 40 hours of staff and board time completing the Level II performance review process.

PRAP in 2013

During 2013 BWSR will add some program elements, modify some, and continue others.

NEW PRAP Elements

- Incorporate a survey of LGU board and staff during the Level II review process to identify additional performance issues.
- Evaluate and assist LGU implementation of PRAP-recommended changes.

MODIFIED PRAP Elements

- Change the Pilot Project schedule to begin later in the calendar year.
- Redesign the PRAP webpage.

CONTINUED PRAP Elements

- Reduce the number of Level II Performance Reviews to continue Pilot Project implementation.
- Continue monitoring of LGUs experiencing change for assistance opportunities.
- Monitor and report Level I performance of all 242 LGUs.
- Notify PRAP LGUs of BWSR Academy training classes that address their expressed needs.
- Continue to promote the PRAP Assistance Grants.

Challenges Long-Term

While local governments are increasingly reporting on their standard social service and emergency service delivery to their citizens, measurement of conservation service delivery and effectiveness is still mostly not addressed. Some of the challenges the PRAP approach will seek to address include:

- How to find the best indicators and the appropriate scale for measuring the performance of the local government conservation services delivery system.
- How to find a balance between time spent in performance review and in engaging LGUs in the organizational development activities that will result in real changes in their effectiveness.
- How to promote cross-jurisdictional collaboration between LGUs, and address board members' concerns about spending money and staff time outside of their boundaries.

Appendices

A. PRAP Authorizing Legislation (Minn. Statutes Chapter 103B.102)

B. PRAP Advisory Team Members

C. Level I: 2012 Long-range Plan Status

D. Level I: Status of Annual Reports for 2011

E. Level I: Status of Audits and Financial Reports for 2011

F. Level II: Summaries of 2012 LGU Performance Review Reports

G. Watershed-based PRAP Pilot Project Summaries

H. 2012 LGU Performance Awards and Recognition

Appendix A

PRAP AUTHORIZING LEGISLATION

103B.102, Minnesota Statutes 2007

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103B.102 LOCAL WATER MANAGEMENT ACCOUNTABILITY AND OVERSIGHT.

Subdivision 1. **Findings; improving accountability and oversight.** The legislature finds that a process is needed to monitor the performance and activities of local water management entities. The process should be preemptive so that problems can be identified early and systematically. Underperforming entities should be provided assistance and direction for improving performance in a reasonable time frame.

Subd. 2. **Definitions.** For the purposes of this section, "local water management entities" means watershed districts, soil and water conservation districts, metropolitan water management organizations, and counties operating separately or jointly in their role as local water management authorities under chapter 103B, 103C, 103D, or 103G and chapter 114D.

Subd. 3. **Evaluation and report.** The Board of Water and Soil Resources shall evaluate performance, financial, and activity information for each local water management entity. The board shall evaluate the entities' progress in accomplishing their adopted plans on a regular basis, but not less than once every five years. The board shall maintain a summary of local water management entity performance on the board's Web site. Beginning February 1, 2008, and annually thereafter, the board shall provide an analysis of local water management entity performance to the chairs of the house and senate committees having jurisdiction over environment and natural resources policy.

Subd. 4. **Corrective actions.** (a) In addition to other authorities, the Board of Water and Soil Resources may, based on its evaluation in subdivision 3, reduce, withhold, or redirect grants and other funding if the local water management entity has not corrected deficiencies as prescribed in a notice from the board within one year from the date of the notice.

(b) The board may defer a decision on a termination petition filed under section 103B.221, 103C.225, or 103D.271 for up to one year to conduct or update the evaluation under subdivision 3 or to communicate the results of the evaluation to petitioners or to local and state government agencies.

History: *2007 c 57 art 1 s 104*

Appendix B

PERFORMANCE REVIEW AND ASSISTANCE PROGRAM ADVISORY TEAM MEMBERS

NAME	ORGANIZATION	REPRESENTING
Kevin Bigalke	Nine-Mile Creek WD	Metro WDs
Ray Bohn	MN Assoc. of Watershed Districts	WD statewide association
Brian Dwight	BWSR	BWSR-No. Region
Vacant		Greater MN WD managers
Annalee Garletz	Assoc. of Minnesota Counties	County government
Barbara Haake	Rice Creek WD	Metro area WD managers
Todd Olson	Assoc. of Metropolitan Municipalities	Watershed Management Organizations
Kathryn Kelly	Renville SWCD	SWCD supervisors
Vacant	USDA-Natural Resource Conservation Service	Federal partner
Kevin Ostermann	MACDE / Nicollet SWCD	MN Assoc. of Conservation District Employees
Sheila Vanney	MN Assoc. of Soil &Water Cons. Districts	SWCD statewide association
Steve Woods	BWSR-St. Paul	BWSR management

Appendix C

Level I: 2012 LGU Long-Range Plan Status
as of December 31, 2012

Soil and Water Conservation Districts
(Districts have a choice of option A or B)

A. Current Resolution Adopting County Local Water Management Plan
All resolutions are current.

B. Current District Comprehensive Plan
All comprehensive plans are current.

Counties
Local Water Management Plan Revision Overdue
All local water management plans are current.

Metro County Groundwater Plan Revision Overdue
Carver
Ramsey
Scott
(Anoka and Hennepin Counties have chosen not to participate in this optional program.)

Watershed Districts
10-Year Watershed Management Plan Revision Overdue:

Plan Revision in Progress
Coon Creek
Crooked Creek
Upper Minnesota River

Watershed Management Organizations
10-Year Management Plan Revision Overdue:

Plan Revision in Progress
Gun Club Lake

Appendix D

Level I: Status of Annual Reports for 2011
as of December 31, 2012

Soil and Water Conservation Districts
eLINK Reports of Grant Expenditures: Reports submitted late
Carlton
North St. Louis

Website Content: Missing Content Elements
Beltrami
Waseca

Counties
Drainage Authority Buffer Strip Report
36% submitted late (27 of 74)
Otter Tail (grant temporarily withheld)

eLINK Reports of Grant Expenditures: Reports submitted late
Cook
Lake

Watershed Districts
Drainage Authority Buffer Strip Report
All reports submitted. 25 % submitted late (5 of 20).

Annual Activity Reports Not Submitted
Belle Creek
Buffalo-Red River
Joe River
Sand Hill River

Annual Activity Reports Submitted Late
Bear Valley
Brown's Creek
Cormorant Lakes
Pelican River
Ramsey Washington Metro
Red Lake
Roseau River
Turtle Creek
Upper Minnesota River
Warroad

Metro Watershed Management Organizations
Annual Activity Reports Not Submitted
Mississippi River

Annual Activity Reports Submitted Late
Carver
Black Dog

Appendix E

Level I: Status of Audits and Financial Reports for 2011
as of December 31, 2012

Soil and Water Conservation Districts
Annual Financial Reports (all 90 Districts)
All reports submitted on time.

Annual Audits (58 required)
Morrison (late)

Watershed Districts
Annual Audits Not Completed
Bear Valley
High Island Creek
Joe River
Stockton-Rollingstone-Minnesota City
Turtle Creek

Annual Audits Submitted Late
Brown's Creek
Capitol Region
Carnelian-Marine

Metro Watershed Management Organizations
Annual Audits Not Submitted
Mississippi River

Annual Audits Submitted Late
Black Dog
Middle St. Croix

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP
Performance Review and Assistance Program
2012 Level II Review:
Crooked Creek Watershed District *(Houston County)*

Why BWSR did this review
BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2012 BWSR conducted Level II performance reviews of four different local water management entities.

BWSR has conducted a routine Level II performance review of the Crooked Creek WD because they are one of three local water management entities in Houston County, which is one area of focus for BWSR's PRAP review this year.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the watershed district. The board of managers is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Crooked Creek Watershed District
Summary of Performance Review Results



What BWSR Found
The Crooked Creek WD board of managers has persevered in the original district purpose of constructing and maintaining water retention structures in the Crooked Creek watershed, including extensive sinkhole repair projects in 2008 and 2011. In place for 50-years, all of the district's structures have provided flood relief for downstream residents and landowners. The managers believe that there are other objectives to be achieved in the watershed, but so far, they have been unable to get those projects underway.

A key to the future of this watershed district is the completion of their watershed management plan revision. They have taken several positive steps to that end in recent years. However, the completion of the task seems just out of reach. In recent months, BWSR has invested considerable resources to encourage the district to complete the management plan rewrite, without success. An updated management plan will open some doors to potential new projects and additional funding.

The district has administrative staff support provided through a contract with the Root River Soil and Water Conservation District. It is not clear whether the SWCD has the capability to adequately serve the watershed district's needs. The upcoming review of the SWCD staffing and operational relationships with the county and watershed district will provide an opportunity for the managers to find out if the SWCD will be in a position to meet their needs for administrative support in the future.

Action Items (need immediate attention)
- Data practices policy needed
- Manager appointments: need to be reported
- Watershed management plan: out-of-date
- Website needs additional content.

Commendations (show exemplary performance)
The district meets six of BWSR's benchmark standards for watershed districts in greater Minnesota.

BWSR has offered **four recommendations** for district performance improvements.

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2012 Level II Review:

Houston County Local Water Management

(Houston County)

Why BWSR did this review

BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2012 BWSR has conducted Level II performance reviews of 4 different local water management entities.

BWSR has conducted a routine Level II performance review of Houston County's local water management because they are near the midpoint in implementing their 10-year local water management plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the county. The local water plan committee and county board is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Houston County Local Water Management Summary of Performance Review Results



What BWSR Found

Houston County clearly benefits from a close working partnership with the Root River Soil and Water Conservation District. There is evidence of good coordination between the various county department staff, most notably those in the Planning and Zoning office; and the SWCD staff. The county and SWCD staff have done a good job coordinating and communicating with their local partners and members of the water plan advisory committee. This committee meets regularly, has ownership of local water management issues, and takes an active role in the development and implementation of the water plan.

Commendations (show exemplary performance)

- ★ State $ leveraged at least 1.5 times in non-state $.
- ★ Partnerships: liaison with SWCDs/WDs and cooperative projects/tasks done.
- ★ Report to water plan advisory committee on plan progress.
- ★ County local water plan on county website.
- ★ Water management ordinances on county website.

BWSR offered three recommendations to the county for possible enhancement of their operational effectiveness.

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2012 Level II Review:

Root River SWCD *(Houston County)*

Why BWSR did this review

BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2012 BWSR has conducted Level II performance reviews of 4 different local water management entities.

BWSR has conducted a routine Level II performance review of the Root River SWCD because they are near the midpoint in implementing their local water management plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the district. The board of supervisors is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Root River Soil and Water Conservation District Summary of Performance Review Results



What BWSR Found

The Root River SWCD has demonstrated good progress in implementing the action items laid out in the 2007 Houston County Comprehensive Water Plan. This progress has been in addition to their excellent flood recovery work during the past five years. Following the adoption of the 2007 water plan, three major floods–August 2007, June 2008 and September 2010–caused major damages to Houston County's landscape. The demand for flood damage and erosion repair projects after these events resulted in a much greater than normal workload at both the policy and technical service delivery levels. The district set ambitious goals for flood recovery efforts and has met most of them.

The district's focus on providing technical assistance to landowners has meant that other operational areas, such as organizational infrastructure and capacity, have not been emphasized. Prior to and during the flood recovery efforts, the district had begun discussions with the county regarding collaborative services. With the recent retirement of the District Manager and the board's intent to improve organizational capacity and effectiveness, there is an opportunity to revisit those discussions and reassess their operational needs, which the district is starting to address.

In all these activities the Root River SWCD shows evidence of its standing as one of the pioneering soil conservation districts in Minnesota.

Commendations (show exemplary performance)

- ★ State $ leverage at least 1.5 times in non-state $.
- ★ Website contains additional content beyond minimum required.
- ★ Partnerships: cooperative projects/tasks done with neighboring districts, counties, watershed districts, non-governmental organizations.
- ★ Coordination with County Board by supervisors or staff.

BWSR issued four recommendations for the district's consideration to potentially enhance their organizational effectiveness.

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP
Performance Review and Assistance Program
2012 Level II Review:
Traverse SWCD *(Traverse County)*

Why BWSR did this review
BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2012 BWSR conducted Level II performance reviews of four different local water management entities.

BWSR has conducted a routine Level II performance review of the **Traverse SWCD** because they are past the midpoint in implementing their 10-year comprehensive plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the district. The board of supervisors is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Traverse Soil and Water Conservation District Summary of Performance Review Results

What BWSR Found
One of the defining characteristics of the Traverse SWCD is the high level of trust and strong working relationship between the supervisors and staff. The supervisors and residents of the district are well-served by staff who are personable and have good technical competency.



Administratively, the staff provide strong leadership in their partnership with the Bois de Sioux Watershed District and four other districts involved with the Mustinka River Clean Water Fund projects. This working relationship is aided by consistency between the SWCD and watershed district plans. The district's assumption of responsibilities for most of the county environmental services functions also speaks well of the range of expertise of the district manager and board's willingness to take on these important programs. Finally, the district has an impressive record of CRP and CCRP enrollment in partnership with their USDA partners in Traverse County.

This performance assessment has also revealed that, in addition to the district's impressive list of accomplishments, they have likely reached the limit of their staff's capacity to accomplish work. Two recommendations are offered to address that issue.

Action Items (need immediate attention)
None

Commendations (show exemplary performance)
The Traverse SWCD is commended for meeting these benchmark performance standards.
- ★ State $ leverage at least 1.5 times in non-state $
- ★ Website contains additional content beyond minimum required
- ★ Obtained stakeholder input within last 5 yrs
- ★ Annual report communicates progress on plan goals
- ★ Partnerships: cooperative projects/tasks done with neighboring districts, counties, watershed districts, non-governmental organizations
- ★ Coordination with County Board by supervisors or staff.

Appendix G

WATERSHED BASED PRAP FINAL REPORT SUMMARY

PRAP Pilot Project
Performance Review and Assistance Program
Watershed-based PRAP
Sauk River Watershed *(Pope, Douglas, Todd, Meeker and Stearns Counties & SWCDs; Sauk River Watershed District)*

Why BWSR did this review
Starting in 2008 BWSR has conducted individual Level II performance reviews of 35 different LGUs. This pilot project is designed to test a methodology that will assess the extent to which LGUs that operate within the same watershed have a watershed focus and work together to address resource needs on a watershed basis. This is the first such pilot project.

BWSR selected the LGUs working in the Sauk River watershed because this is a well-defined major watershed covered by a watershed district. The LGUs are all recognized as strong performers in delivering their projects and programs. None of them have previously been the subject of a Level II performance review.

This document includes findings and recommendations to promote collaborative local water management among the LGUs in the Sauk River watershed.

Sauk River Watershed – All LGUs Summary of Performance Review Results

What BWSR Found
This review revealed many instances where local government units (LGUs) within the same jurisdictional boundary, a county and SWCD, exhibit strong working relationships and good collaboration. Because of these cases the review suggests a more positive picture of collaboration than occurs across county boundaries. With the exception of the Sauk River Watershed District, county boundaries and the political implications of those boundaries are significant barriers to collaboration. In general, collaboration among LGUs on a watershed basis could be stronger. The majority of LGU board and staff members who responded to the PRAP survey indicated that more collaboration would be good for their organization and for the watershed's resources. They suggested ideas for making such improvements.



This review identified three specific issues for LGU action: identifying strengths (feedlot management), communication and coordination, and lack of trust/competition for funds. Practical action steps are recommended to address each of these issues and an implementation schedule is proposed.

In addition, the report includes suggestions for a BWSR role in assisting LGUs in the implementation of the recommended actions. BWSR has assistance grants to support implementation.

The next steps in this process include meetings with each contributing LGU board to present recommendations specific to that LGU to improve their potential for collaboration with each other.

PRAP Pilot Project Performance Review and Assistance Program Watershed-based PRAP Sauk River Watershed
(Pope, Douglas, Todd, Meeker and Stearns Counties & SWCDs; Sauk River Watershed District)

Why BWSR did this review
Since 2008 BWSR has conducted individual Level II performance reviews of 35 different LGUs. This pilot project is designed to test a new methodology that will assess the extent to which LGUs that operate within the same watershed have a watershed focus and work together to address resource needs on a watershed basis. This is the first such pilot project.

BWSR selected the LGUs working in the Sauk River watershed because this is a well-defined major watershed covered by a watershed district. The LGUs are all recognized as strong performers in delivering their projects and programs. None of them have previously been the subject of a Level II performance review.

Pope County & Pope Soil and Water Conservation District
Summary of Performance Review Results
Watershed-based PRAP



What BWSR Found
The Pope County portion of the Sauk River Watershed covers only 7 percent of the county in the northeast corner. This is a headwater area to two Sauk River tributaries. Two Pope County LGUs, the county Land and Resource Management Department (LRM) and the Soil and Water Conservation District (SWCD), provide local resource management services throughout the county using the same comprehensive local water management plan. Both LGUs have partnered with the Sauk River Watershed District on a few programs. The Pope LGUs have not found opportunities to collaborate on program delivery with neighboring counties that share portions of the Sauk River watershed.

Regarding organizational development, the Pope SWCD has taken some positive steps toward enhanced organizational effectiveness in the past few years. Since July, however, both LGUs have faced a significant organizational challenge. The loss of key staff people in the county Land and Resource Management Department has resulted in a systematic reexamination of services by the county and, potentially, a greater role for the SWCD in program areas previously conducted by county staff.

This review identified two specific issues and associated recommendations for action by these LGUs. The first deals with the need to complete the on-going planning of organizational and service delivery realignment. The second addresses the local water management plan revision that is currently underway and the need to expand the role of the local water plan task force.

With respect to the collaboration among all 10 LGUs working in the Sauk River watershed, this review found that, while there are some areas of success, there is also potential for improvement. Four issues and recommendations are presented to address that potential. However in the case of Pope County LGUs, any discussion of collaboration with the other contributing LGUs in the Sauk River watershed should be postponed until the reorganization process is completed.

Summaries of PRAP Watershed-based Pilot Project Reports for the eight other LGUs--
Sauk River Watershed District
Douglas County and SWCD
Todd County
Stearns County
Stearns SWCD
Meeker County and SWCD—
were not finalized at the time this report was published. Summaries will be published on the BWSR website as they become available. (www.BWSR.state.mn.us/PRAP/index.html)

Appendix H

2012 Local Government Performance Awards and Recognition

(Awarding agency listed in parentheses.)

County Conservation Award
(Association of Minnesota Counties and Board of Water and Soil Resources)
Landfill Reclamation Initiative, Olmsted County

Outstanding SWCD Employee
(Board of Water and Soil Resources)
Greg Ostrowski, Todd SWCD

Outstanding Supervisor Award
(Minnesota Association of Soil and Water Conservation Districts)
Roland Cleveland, Chisago SWCD

Appreciation Award
(Department of Natural Resources)
Blue Earth SWCD

Outstanding WD Employee
(Board of Water and Soil Resources)
Anna Eleria, Capitol Region WD

Watershed District of the Year
(Department of Natural Resources)
Cedar River WD

Program of the Year
(Minnesota Association of Watershed Districts)
East Metro Water Resource Education Program,
Brown's Creek, Carnelian Marine-St. Croix, Ramsey Washington Metro,
Rice Creek, South Washington and Valley Branch WDs

Project of the Year
(Minnesota Association of Watershed Districts)
Maplewood Mall Runoff Reduction Retrofit Project,
Ramsey Washington Metro WD

Minnesota Board of Water & Soil Resources

BWSR Snapshots

March 2013

Northeast Minnesota flood recovery: Helping one family at a time

By Jen Maleitzke, Communications Director

After bailing out water from his basement and watching a waterfall form in his backyard, Jamie Juenemann thought he'd seen the worst of the 2012 June storms in northeast Minnesota. That was until he and his family attempted to drive into Two Harbors, only to find out that half-way down their one mile driveway, their bridge over the Little Stewart River was in disrepair and virtually impassable.

"There was water about four feet below the bridge's beams and we lost about three feet of rock and gravel under the bridge," Juenemann said. "It took two days to realize the full extent of the damage and we quickly knew it was not safe to drive over the bridge."

Since the bridge provides the sole access the home, the Juenemann family had to hike or bike a half mile each way to get home after the flood.



More than three feet of rock and gravel washed away during flood.

Juenemann learned that the cost estimates to replace the bridge was well beyond their budget. The family dealt with the possibility of not being able to send their eldest daughter, a senior in high school, to college.

"The situation put a tremendous amount of stress on us," Juenemann said. "It took a while for the funding to fall into place."

With a project cost of nearly $120,000, the Juenemanns secured a loan from the U.S. Small Business Administration (SBA), but still needed additional financial support. They reached out to the Lake County Soil and Water Conservation District (SWCD).

"Everyone we worked with at the Lake County SWCD was great," Juenemann said. "They were really reassuring and provided the support and resources we needed to get the project going and completed before winter."



The Juenemanns saved on project costs by working on the bridge themselves.

Starting the project the first week of November, it took two full months until completion. The new bridge was designed and constructed to accommodate stream hydrology and natural channel design, including bankfull benches.

"We finished the project on December 31 and celebrated with a champagne toast," Juenemann said. "Jennifer [Thiemann, Lake SWCD District Manager] and the Lake SWCD Board made everything so much easier and we are grateful for the support."

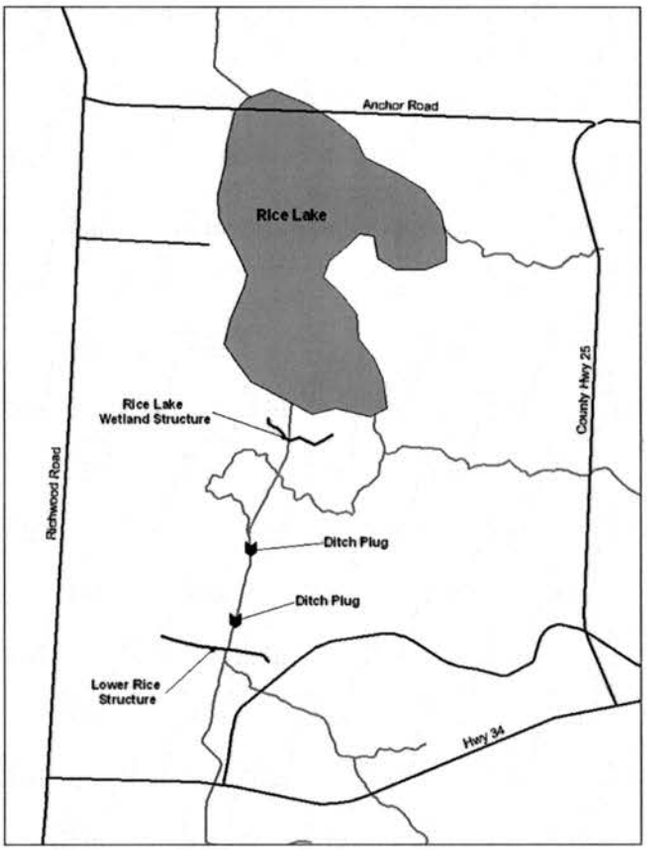
In addition to destroying the bridge, the storms created changes in the stream channel, ruining a highly-prized steelhead habitat. The Lake SWCD will conduct a stream channel restoration project over the new two years to rebuild the habitat. Vegetation around the bridge will be restored during the 2013 growing season, and come fall, Juenemann's daughter will be off to college.

Rice Lake nutrient reduction and habitat improvement

By Chad Severts, Board Conservationist

The Pelican River Watershed District (PRWD) initiated the *Nutrient Reductions to Detroit Lake Project* in 2003. From its monitoring program, the District identified the upstream ditched Rice Lake wetland as the highest source of phosphorous entering Detroit Lake. The water quality flowing out of the wetland was worse than untreated urban stormwater runoff. The physical and chemical mechanisms which cause the release of nutrients from drained wetlands are complex and had

been studied for more than 10 years in the Rice Lake Area.



Map of project area

The District is jointly working on this project with the Natural Resource Conservation Service (NRCS). The NRCS Small Watershed Assistance Group conducted an in-depth assessment study on the Rice Lake Wetland. From that study, it was determined that restoring the wetland was the most technically feasibly option to improve the water quality of Detroit Lake. Restoring the wetland will increase its size from 434 acres to the pre-ditched size of 896 acres. This project will reduce the total phosphorous (TP) loading to downstream recreational water bodies including Detroit, Sallie and Melissa Lakes by 1,200-1600 kg/yr.

This project is an excellent example of a local watershed district utilizing all the partners and programs needed for a successful project, including:

- The NRCS technical and engineering assistance provided is valued at more than $500,000.
- The BWSR Clean Water Funds grant of $250,000 is assisting with additional engineering costs and the purchase of flowage easements.
- The Lessard-Sams Outdoor Heritage Council (LSOHC) contributed $125,000 to assist with project implementation.
- The NRCS Wetland Reserve Program has utilized $345,000 of funding to help purchase flowage easements.
- The MPCA Clean Water Partnership loan program was also used by the PRWD to obtain flowage easements on property that was not eligible for the Wetland Reserve Program.

At this time, the total project costs have been $2,776,000. NRCS has committed to paying the project construction costs which are estimated to be an additional $1.2 to $2.0 million. The project components include:

- Raise Anchor Road and installation of new culverts,
- Installation of a structure at the outlet of Rice Lake Wetland,
- Installation of 2 ditch plugs between the Rice Lake Wetland Structure and Lower Rice Lake Structure,
- Installation of a structure on Pelican River, north of Sucker Creek (Lower Rice Structure), and
- Replacement of historic outlet's culvert.

The project is expected to be constructed in the upcoming construction season. By reducing the major pollution from the Rice Lake wetland by 50 percent, the PRWD hopes to stabilize or possibly improve the long term water quality trend of Detroit Lake.

From novice to professional: Conservation Corps apprenticeship leads to career position

By Jen Maleitzke, Communications Director

The summer of 2011 was one that Neva Widner will never forget.

As a conservation apprentice at the Carlton County Soil and Water Conservation District (SWCD), Widner performed water quality monitoring and surveyed wetlands, streams and runoff on farms. One of her biggest challenges occurred when a torrential rainstorm in the Nemadji Watershed required immediate response.



Widner takes water quality samples during her summer apprenticeship at Carlton SWCD.

"The rain event really tested my monitoring skills," Widner said. "Within a matter of hours, 5.5 inches of rain fell, and rivers were the highest recorded in the 37 years of historical flow records. I could truly take inventory of my knowledge and skills."

Her apprentice experience at Carlton SWCD directly led to her to a full-time job as a Water Resources Technician in 2012.

As the most experienced conservation leaders are nearing retirement age and walking out the door with the knowledge and experience they've built over decades, university graduates are subsequently walking in the door, knowledgeable in theory, research methods and emerging technologies, but lacking practical on-the-job skills important for success. The Minnesota Conservation Apprentice Academy allows youth and mentors to work side by side to build a solid foundation for the future management of the state's natural resources.

Applications for 2013 Conservation Apprentice Academy are being accepted now through March 29. Apprentices will be placed with SWCDs to conduct water quality monitoring, install conservation practices, conduct site inspections, recruit landowners for conservation projects, assist landowners and SWCD staff with management plans, and much more.

Applicants must be ages 18-25 and be available to work full-time from May 20 – August 23. Statewide positions are available. Detailed program information can be found at the **Conservation Corps website.**

Reflecting on her apprenticeship, Widner said, "The Apprenticeship Academy provided me the opportunity to develop a set of professional skills and network to become competitive in my pursuit of acquiring a conservation position. I view the Apprenticeship Academy as a vital component to the long-term effectiveness of Minnesota SWCD functionality, by providing the apprentice the means to transition from the classroom to the field, and the SWCD the additional affordable staff support."

The Board of Water and Soil Resources manages the Minnesota Conservation Apprentice Academy project with funds appropriated through the Minnesota Environment and Natural Resources Trust Fund. The Conservation Corps serves as the employer and uses these funds to match apprentices with mentor SWCDs, provide a monthly apprentice stipend, check in with mentors and apprentices throughout the summer, and track long-term results.

ENVIRONMENT AND NATURAL RESOURCES TRUST FUND

conservation corps MINNESOTA & IOWA

Wetland Conservation Act enforcement summary
By Dennis Rodacker, Metro Senior Wetland Specialist

The Wetland Conservation Act (WCA) enforcement provision is a challenging, yet important tool necessary to maintain Minnesota's No Net-Loss policy, and to protect wetland functions and values. While these challenges are many, the most difficult are land-use regulation vs. property rights, and the complexities of effective communication.

In a routine WCA enforcement case after a violation becomes noticed, the DNR, the WCA enforcement authority, issues a Cease and Desist Order (CDO). This legal document instructs the landowner to stop working on their project and contact their Local Government Unit (LGU), or Soil and Water Conservation District (SWCD). These people then meet with the landowner and figure out a way to get the project into compliance with the WCA. This can be carried out by restoring the wetland, replacing the lost functions and values, or after the fact permitting. After the project comes into compliance, the SWCD issues a Satisfactory Completion form to the landowner and copies the DNR who then closes the case.

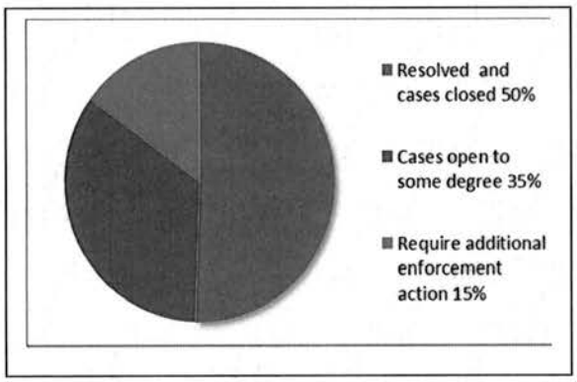
A recent example is a landowner who wanted to put up a new building on their property, but there was a low wet depression in the preferred location. In the process of what the landowner considered improving their property, a large extent of wetland was filled. A DNR Conservation Officer was notified and visited the site.

The officer discovered the project violated the WCA and issued a CDO to the landowner. Subsequently, the LGU and SWCD visited the landowner to figure out a way to do the project while still conforming to the WCA. The solution in this case was to locate the building to a secondary location on the property and remove the fill from the wetland. After this was done, a Satisfactory Completion form was given to the landowner and copied to the DNR who officially closed the case file.

Effective communication is vital to the WCA enforcement process and breakdowns can happen for a number of reasons, which leads to cases staying open far too long. It was because of these breakdowns in communications that there were nearly 300 open WCA violation cases statewide as of late 2012. To remedy this situation in the fall of 2012, BWSR and DNR coordinated a communication project between the DNR, LGUs, and SWCDs to define the status of every open WCA violation case within the state. The goal was to determine what cases were open, and what cases had been resolved so they could be officially closed. It also provided a reminder to LGUs and SWCDs to check in on cases that have stagnated.

With the DNR's assistance, BWSR provided each LGU and SWCD a list of open cases in their respective regions that were issued CDOs but not officially closed. Initial conversations with LGUs and SWCDs resulted in 50 percent of the cases being resolved, just not officially closed. The remaining 50 percent were open to some degree, with 15 percent of those requiring additional enforcement actions to bring resolution, while the remaining 35 percent are working towards resolution in the near future.

As new violations occur, it is imperative that to maintain communication to help partners and landowners through these processes.



BWSR staff, board members participate in Environmental Congress

By Jen Maleitzke, Communications Director

BWSR board members Brian Napstad, Jack Ditmore, Paul Langseth, Keith Mykleseth, Steve Sunderland, agency leadership, and staff John Jaschke and Travis Germundson were among the 350 people who participated in the Environmental Congress on March 15.



Deb Swackhammer and BWSR board member Rebecca Flood talk at the Environmental Congress.

Hosted by the Minnesota Environmental Quality Board, a 14-member committee of citizens and state commissioners, the event focused on Minnesota's Environment and Energy Report Card, a document outlining water, land, air, energy and climate issues. Citizens were invited to participate in choosing the issues within these categories that they found most pressing. Featured speakers included Gov. Mark Dayton, Will Steger and Sen. Amy Klobuchar.

BWSR board members provided some insight about their overall impressions from the event:

- Board members Langseth and Mykleseth agree groundwater is going to be a big issue in the coming years, including the need for data and understanding the relationship between surface and groundwater interactions.
- Board member Ditmore believes it is important for BWSR is the importance of factoring climate change into agency decisions.
- Board member Sunderland sees the need for increased publicity about the state's achievements and programs that are available to the general citizenry.

All of the board members agreed the event was a well-organized meeting with a wide range of groups represented.

Topics from the congress will be compiled into a report to help the Environmental Quality Board and Gov. Mark Dayton set environmental goals for the state.

Minnesota Board of Water & Soil Resources

DATE: January 14, 2013

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

FROM: John Jaschke, Executive Director

SUBJECT: BWSR Board Meeting Notice – January 23, 2013

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, January 23, 2013, 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 (see hooded parking area).

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Northern Water Planning Committee

1. **Crow Wing County Priority Concerns Scoping Document** – Crow Wing 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 met January 9, 2013, after the state agencies comment period ended. The Committee's recommendations or requirements for the content of the final plan are drafted for the Board's review and decision. The state's expectations of the final plan must be sent to Crow Wing County. ***DECISION ITEM***

2. **Pope County Priority Concerns Scoping Document** - Pope County, as part of updating their Comprehensive Local Water Management Plan, submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Northern Water Planning Committee, chaired by Brian Napstad, met with Pope County on January 9, 2013, to discuss the content of the PCSD; state agency review comments on the PCSD; and recommendations for the content of the final Comprehensive Local Water Management Plan. The Committee's recommendation for the PCSD will be provided to the full Board for review and action. The state's expectations for the final plan must be sent to Pope County. ***DECISION ITEM***

Public Relations, Outreach & Strategic Planning Committee

1. **2013 PRAP Report to the Legislature** - The agenda item is the revision of the PRAP Guiding Principles and the approval of the 2013 PRAP Legislative Report. Both of these items are coming to the Board through the Public Relations, Outreach and Strategic Planning Committee. The Committee has acted on the revisions to the Guiding Principles. This is the first time the Guiding Principles have been addressed since they were adopted in 2007. The Committee will be meeting on January 22, 2013, to recommend approval of the 2013 PRAP Report. ***DECISION ITEM***

NEW BUSINESS

1. **Amending Resolution – FY2013 Competitive Grant Program Allocations** - On December 12, 2012, the Board adopted Resolution #12-113 which allocated funds to projects under the FY2013 Clean Water Fund Competitive Grants Program. Shortly after the Board adopted this resolution, it was brought to the attention of staff that a Livestock Waste Management Project proposed by Benton SWCD had been incorrectly scored as not being riparian. This error occurred due to the operation of the software used to facilitate application processing. If this project had been scored as riparian, it would have been recommended for funding. The Board is requested to amend Resolution #12-113 to increase funding to project CWF13-51 with returned grant funds in the amount of $80,235. ***DECISION ITEM***

2. **Principal Place of Business Change in Location for Comfort Lake-Forest Lake Watershed District** - The Comfort Lake-Forest Lake Watershed District office and meetings are currently in the Forest Lake City Hall. The City of Forest Lake is building a new city hall and the old one will be demolished. The old city hall is within the watershed district, however the new city hall is about one-quarter mile outside of the watershed district. There are no other public facilities available within the watershed district. Statute requires BWSR designate the nearest suitable public facility as a watershed district's principal place of business when no public facilities are available within the watershed district. Staff recommends Board approval of the attached resolution to designate the new Forest Lake City Hall as the principal place of business for the watershed district. ***DECISION ITEM***

3. **Washington Conservation District Change of Location of Principal Office** - The Washington Conservation District proposes to change the location of their office from Stillwater to Oakdale. Both locations are within Washington County. MS Section 103C.221, Change of Location of Principal Office, requires the District Board of Supervisors to adopt a resolution stating the new location and receive approval from the BWSR Board before filing the change in location with the Secretary of State. A copy of the adopted District resolution is attached. BWSR staff recommend the attached draft resolution be approved. ***DECISION ITEM***

4. **Conflict of Interest Training and Disclosure** – Tim Dykstal, Fiscal Compliance Director, will present a training session on conflict of interest in grant reviewing. Tim will explain why it is a concern for the BWSR Board, and discuss three categories of conflict as the Office of Grants Management defines them: potential, perceived, and actual. Board members will be asked to disclose any potential and perceived conflicts. ***INFORMATION ITEM***

5. **Current Groundwater Topics/Issues in Minnesota** – Eric Mohring, Hydrogeologist, and other agency staff (TBD) will present an overview of current aspects of groundwater management priorities. ***INFORMATION ITEM***

If you have any questions regarding the agenda, please feel free to give me a call at 651-296-0878. The Board meeting is expected to adjourn about noon. I look forward to seeing you on January 23rd!

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, JANUARY 23, 2013

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF DECEMBER 12, 2012 BOARD MEETING

PUBLIC ACCESS FORUM (10-minute agenda time, two-minute limit/person)

CONFLICT OF INTEREST DECLARATION

RECOGNITION OF RETIRING BOARD MEMBER

REPORTS

- Chair – Brian Napstad
- Administrative Advisory Committee – Brian Napstad
- Executive Director – John Jaschke
- Dispute Resolution Committee – Gerald Van Amburg
- Wetlands Committee – Gerald Van Amburg
- Grants Program & Policy Committee – Paul Langseth
- Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth
- RIM Reserve Management Planning Committee – Gene Tiedemann
- Drainage Work Group – Tom Loveall

COMMITTEE RECOMMENDATIONS
Northern Water Planning Committee

1. Crow Wing County Priority Concerns Scoping Document – Keith Mykleseth – ***DECISION ITEM***

2. Pope County Priority Concerns Scoping Document – Gerald Van Amburg – ***DECISION ITEM***

Public Relations, Outreach & Strategic Planning Committee

1. 2013 PRAP Report to the Legislature – Don Buckhout – ***DECISION ITEM***

NEW BUSINESS

1. Amending Resolution – FY2013 Competitive Grant Program Allocations – Dave Weirens – ***DECISION ITEM***

2. Principal Place of Business Change in Location for Comfort Lake-Forest Lake Watershed District – Jim Haertel - ***DECISION ITEM***

3. Washington Conservation District Change of Location of Principal Office – Jim Haertel – ***DECISION ITEM***

4. Conflict of Interest Presentation – Tim Dykstal – ***INFORMATION ITEM***

5. Current Groundwater Topics/Issues in MN – Eric Mohring – ***INFORMATION ITEM***

AGENCY REPORTS

- Minnesota Department of Agriculture – Matthew Wohlman
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Tom Landwehr
- 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 – Matt Solemsaas
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Krista Olson

UPCOMING MEETINGS

- Next BWSR Board Meeting – March 27, 2013

Noon **ADJOURN**

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, DECEMBER 12, 2012

BOARD MEMBERS PRESENT:
Linda Bruemmer, MDH; Bob Burandt, Joe Collins, Jack Ditmore, Quentin Fairbanks, Rebecca Flood, MPCA; Sandy Hooker, Tom Landwehr, DNR; Tom Loveall, Keith Mykleseth, Brian Napstad, Brad Redlin, MDA; Faye Sleeper, MES; Steve Sunderland, Gene Tiedemann, Gerald Van Amburg

BOARD MEMBERS ABSENT:
Paul Langseth
John Meyer
Christy Jo Fogarty

STAFF PRESENT:
Mary Jo Anderson, Travis Germundson, Tim Gillette, Jim Haertel, John Jaschke, Al Kean, Tim Koehler, Les Lemm, Melissa Lewis, Jeff Nielsen, Ken Powell, Ron Shelito, Amber Steele, Sarah Strommen, Dave Weirens, Steve Woods, Brad Wozney

OTHERS PRESENT:
LeAnn Buck and Sheila Vanney, MASWCD
John Linc Stine, MPCA Commissioner
Suzanne Rhees, MPCA/DNR
Tom Peterson, Hennepin Conservation District
Joel Settles and Rosemary Lavin, Hennepin County Environmental Services
Richard Strong, Hennepin CD Supervisor

DRAFT

Chair Napstad called the meeting to order 9:05 a.m.

PLEDGE OF ALLEGIANCE

** 12-100 **ADOPTION OF AGENDA** – Chair Napstad made an adjustment to the agenda: a Second Public Access Forum will be added before the Metro Water Planning Committee Recommendation. Also, MPCA Commissioner Stine's presentation on Water Governance Study Recommendations will be on the agenda at 10:00 a.m. Moved by Sandy Hooker, seconded by Tom Landwehr, to adopt the agenda as presented. Motion passed on a voice vote.

** 12-101 **MINUTES OF OCTOBER 24, 2012 BOARD MEETING** – Moved by Quentin Fairbanks, seconded by Gerald Van Amburg, to approve the minutes of October 24, 2012 as circulated. Motion passed on a voice vote.

CONFLICT OF INTEREST DECLARATION – Chair Napstad explained there are two items on the agenda today that need the Conflict of Interest Declaration form submitted. The declaration process is being used on the following decisions:

- FY2013 CWF Competitive Grants
- Reallocation of Targeted Drainage Water Management Grant

Chair Napstad read the statement:
"A conflict of interest whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today's business."

Chair Napstad asked board members to submit their completed Conflict of Interest Declaration forms to John Jaschke. John explained BWSR's conflict of interest policy for grant authorizations. The Conflict of Interest Declaration documents will be filed for the grant decision items.

RECOGNITION OF QUENTIN FAIRBANKS – John Jaschke acknowledged Quentin Fairbank's state service as a state trooper, and as a BWSR board member for nine years. John and Chair Napstad presented Quentin with a Distinguished Service Award plaque for his dedicated service to Minnesota's water and soil resources. Chair Napstad thanked Quentin for his service and membership on the Board. Quentin stated that he traveled 600 miles a month to attend BWSR board meetings; he will miss BWSR and wished the best to everyone.

INTRODUCTION OF NEW BWSR STAFF

- Amber Steele, wetland specialist in Rochester was introduced by Jeff Nielsen. Chair Napstad, welcomed Amber to BWSR.

REPORTS

Chair's Report – Brian Napstad stated that it's a busy time of year! Chair Napstad reported that the EQB approved recommendations for improving environmental review, improving

governance and coordination. The MAWD, MASWCD, and AMC annual meetings were well represented by BWSR. Chair Napstad reported that he has been attending the Environmental Congress Citizens Forums, six sessions being held statewide for public input. The sessions have been very popular and well attended.

Administrative Advisory Committee (AAC) – Chair Napstad reported that the AAC met this morning, discussion included BWSR board member appointments process, Committee updates; and staffing plan.

Executive Director's Report – John Jaschke reported that he attended the MAWD, MASWCD, and AMC annual meetings; many excellent training sessions were available for participants. On behalf of BWSR, John presented the Outstanding Watershed District Employee Award to Anna Eleria, Capitol Region WD. The Outstanding SWCD Employee Award recipient is Greg Ostrowski, Todd SWCD.

John stated that BWSR has submitted legislative budget and policy proposals and await the Governor's budget recommendation in January.

John reviewed information in Board Members' packets and provided status of PRAP Assistance Grants.

John asked that Conflict of Interest Declaration forms be submitted.

Dispute Resolution Committee (DRC) – Travis Germundson reported that there are currently 10 appeals pending; he provided a brief status report on the appeals. Travis acknowledged Quentin's membership on the DRC, and appreciated his leadership. Travis stated that the DRC training session will be delayed until the appointment is made of Quentin's vacancy .

Wetlands Committee – Gerald Van Amburg reported that the Wetlands Committee has items on the agenda later today. Gerald commended staff for their work on Executive Order 12-04. Dave Weirens and Les Lemm; and Mark Lindquist, DNR, traveled the state taking stakeholders input on Executive Order 12-04: Supporting and Strengthening Implementation of the State's Wetland Policy.

Grants Program & Policy Committee – Chair Napstad stated that Paul Langseth is on vacation; the Grants Program & Policy Committee have recommendations on the agenda later today.

Chair Napstad introduced Brad Redlin, representing MDA today; Brad has voting rights.

Public Relations, Outreach & Strategic Planning (PROSP) Committee – Keith Mykleseth reported that the PROSP Committee will meet on January 22. Keith stated that Don Buckhout has a draft Annual Legislative Report available to board members, contact Don if interested in receiving a copy of the draft report.

DRAFT

RIM Reserve Management Planning Committee (RRMPC) – Gene Tiedemann reported that the RRMP Committee met on November 28. The Committee recommendation is on the agenda later today.

Drainage Work Group – Tom Loveall reported that Drainage Work Group met on November 15. Topics of discussion included: adding a provision in the drainage law transferring drainage systems records from a county to a watershed district; and draft statute revisions to enable multi-stage ditch repair.

COMMITTEE RECOMMENDATIONS

Southern Water Planning Committee

Olmsted County Local Water Management Plan Update – Steve Sunderland reported that the Southern Water Planning Committee met on November 1, 2012; reviewed the recommendation of the state review agencies regarding final approval of the Olmsted County Local Water Management

** Plan Update; the Committee recommends approval. Moved by Steve Sunderland, seconded by
12-102 Bob Burandt, to approve the Olmsted County Local Water Management Plan Update, in effect until December 31, 2022. Motion passed on a voice vote.

Kandiyohi County Priority Concerns Scoping Document – Steve Sunderland reported that Kandiyohi County, as part of updating their Comprehensive Local Water Management Plan, submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee, chaired by Paul Langseth, met with Kandiyohi County on November 1, 2012, to review the content of the PCSD, state agency review comments; and recommends approval. The state's expectations for the final plan must be sent to Kandiyohi

** County. Moved by Steve Sunderland, seconded by Keith Mykleseth, to approve the Kandiyohi
12-103 County Priority Concerns Scoping Document. Motion passed on a voice vote.

McLeod County Priority Concerns Scoping Document – Steve Sunderland reported that McLeod County, as part of updating their Comprehensive Local Water Management Plan, submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee, chaired by Paul Langseth, met with McLeod County on November 1, 2012, to review the content of the PCSD, state agency review comments on the PCSD; and recommends approval. The state's expectations for the final plan must be sent to

** McLeod County. Moved by Steve Sunderland, seconded by Tom Loveall, to approve the McLeod
12-104 County Priority Concerns Scoping Document. Motion passed on a voice vote.

Meeker County Priority Concerns Scoping Document - Steve Sunderland reported that Meeker County, as part of updating their Comprehensive Local Water Management Plan, submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee, chaired by Paul Langseth, met with Meeker County on November 1, 2012, to review the content of the PCSD, state agency review comments on the PCSD; and recommends approval. The state's expectations for the final plan must be sent to Meeker County.

** Moved by Steve Sunderland, seconded by Sandy Hooker, to approve the Meeker County Priority
12-105 Concerns Scoping Document. Motion passed on a voice vote.

DRAFT

Renville County Priority Concerns Scoping Document – Steve Sunderland reported that Renville County, as part of updating their Comprehensive Local Water Management Plan, submitted the Priority Concerns Scoping Document (PCSD) for state agency review and comment. The Southern Water Planning Committee, chaired by Paul Langseth, met with Renville County on November 1, 2012, to review the content of the PCSD, state agency review comments on the PCSD; and recommends approval. The state's expectations for the final plan must be sent to
** Renville County. Moved by Steve Sunderland, seconded by Bob Burandt, to approve the Renville
12-106 County Priority Concerns Scoping Document. Motion passed on a voice vote.

Kandiyohi County Comprehensive Local Water Management Plan Extension Request – Steve Sunderland reported that the Kandiyohi County Comprehensive Local Water Management Plan will expire December 31, 2012. On October 5, 2012, BWSR received a request for an extension of the Plan from Kandiyohi County. On November 1, 2012, the Southern Water Planning Committee, chaired by Paul Langseth, met with Kandiyohi County to discuss the extension request. The Committee recommends approval of the extension. The state's expectations for the extension
** request must be sent to Kandiyohi County. Moved by Steve Sunderland, seconded by
12-107 Joe Collins, to approve the Kandiyohi County Comprehensive Local Water Management Plan Extension until May 30, 2013. Motion passed on a voice vote.

McLeod County Comprehensive Local Water Management Plan Extension Request – Steve Sunderland reported that the McLeod County Comprehensive Local Water Management Plan will expire December 31, 2012. On September 24, 2012, BWSR received a request for an extension of the Plan from McLeod County. On November 1, 2012, the Southern Water Planning Committee, chaired by Paul Langseth, met with McLeod County to discuss the extension request, and recommends approval. The state's expectations for the extension request must be sent to McLeod
** County. Moved by Steve Sunderland, seconded by Sandy Hooker, to approve the McLeod County
12-108 Extension until May 30, 2013. Motion passed on a voice vote.

Meeker County Comprehensive Local Water Management Plan Extension Request – Steve Sunderland reported that the Meeker County Comprehensive Local Water Management Plan will expire December 31, 2012. On October 9, 2012, the BWSR received a request for an extension of the Plan from Meeker County. On November 1, 2012, the Southern Water Planning Committee, chaired by Paul Langseth, met with Meeker County to discuss the extension request, and recommends approval. The state's expectations for the extension request must be sent to Meeker
** County. Moved by Steve Sunderland, seconded by Tom Loveall, to approve the Meeker County
12-109 Comprehensive Local Water Management Plan Extension until May 30, 2013. Motion passed on a voice vote.

Renville County Comprehensive Local Water Management Plan Extension Request – Steve Sunderland reported that the Renville County Comprehensive Local Water Management Plan will expire December 31, 2012. On October 11, 2012, the BWSR received a request for an extension of the Plan from Renville County. On November 1, 2012, the Southern Water Planning Committee, chaired by Paul Langseth, met with Renville County to discuss the extension request, and recommends approval. The state's expectations for the extension request must be sent to

** 12-110 Renville County. Moved by Steve Sunderland, seconded by Keith Mykleseth, to approve the Renville County Comprehensive Local Water Management Plan Extension until May 30, 2013. Motion passed on a voice vote.

NEW BUSINESS

Water Governance Study Recommendations – John Linc Stine, MPCA Commissioner, introduced Suzanne Rhees, MPCA/DNR. Commissioner Stine presented the draft "Water Governance Evaluation, *recommendations to streamline, strengthen, and improve sustainable water management*". Commissioner Stine thanked the University of Minnesota for their assistance with the Water Governance Study. The statutory requirement for this report is found in Minnesota Session Laws, 1st Special Session, Chapter 2, Article 4, Section 33, which reads: EVALUATION REQUIRED (a) The Pollution Control Agency, in conjunction with other water agencies and the University of Minnesota, shall evaluate water-related statutes, rules, and governing structures to streamline, strengthen, and improve sustainable water management. (b) The Pollution Control Agency must submit the study results and make recommendations to agencies listed under paragraph (a) and to the chairs and ranking minority party members of the senate and house of representatives committees having primary jurisdiction over environment and natural resources policy and finance no later than January 15, 2013. Discussion followed. Commissioner Stine stated that this is a long-term work plan; this report is compatible to the Governor's Executive Order 12-04, regarding wetlands, which he appreciates BWSR's staff effort toward. Joe Collins commended the land-use and water management efforts. Chair Napstad asked how to get to watershed incentives utilizing a leadership role by the state in this effort. John Jaschke stated that BWSR will establish a framework and work with agencies to make this happen. Chair Napstad thanked Commissioner Stine for his presentation.

Chair Napstad called for a break in the meeting at 10:46 am. The meeting reconvened at 11:05 a.m.

Faye Sleeper left the meeting at 11:00 a.m.

SECOND PUBLIC ACCESS FORUM (10-minute agenda time, two-minute limit/person)

- Richard Strong, Hennepin Conservation District (HCD) Supervisor, commented on the uniqueness of the Hennepin Conservation District. Mr. Strong stated that HCD can look at other funding sources; HCD no longer has a district management deficit; looking for civic engagement; propose 18-month probationary period; delivery services of HCD will not be curtailed due to HCD no longer contracting with the Hennepin County Environmental Services; reformed the district so WCA is being delivered. Metro Conservation District supports HCD. Citizens of HCD have a right to have an elected Board. HCD is a coordinating board at the local level. HCD would like to have input. Chair Napstad thanked Mr. Strong for his comments.

- Rosemary Lavin, Hennepin County Environmental Services. Since 2003, Hennepin County Environmental Services has been providing services for the HCD. Hennepin County would like a different way to deliver services. HCD does not have the means to sustain its future, but Hennepin County does with their track record. Hennepin County

can deliver conservation services more efficiently without the HCD Board. Chair Napstad thanked her for her comments.

Metro Water Planning Committee

Delivery of Conservation Services in Hennepin County – Jim Haertel reported that the Metro Water Planning Committee met on November 16 to consider this matter. Jims message to the Board follows.

> The item is before you today because of the findings contained in the November 13th report included in your materials and because Hennepin County will be proposing legislation that would directly dissolve the Hennepin Conservation District through legislative action. This will be the third consecutive year that Hennepin County will be proposing the legislation. I have been informed by the Chair of the Hennepin County Board that they plan to aggressively pursue the legislation this next session.
>
> BWSR staff and County staff have outlined draft compromise legislative language that would allow Hennepin County to file a dissolution petition with BWSR and would have BWSR make a decision on the petition without a referendum. Under the compromise language, Chapter 103C, the section of statute pertaining to SWCDs, would not change. The legislation would be limited to Hennepin County and accomplished via a change to a section of statute dedicated solely to Hennepin County. The County would be responsible for carrying out the duties of a SWCD and there would be options for BWSR to take action to assure the duties are carried out, even re-establishing the SWCD if necessary. The compromise language would have the administrative process go through BWSR to dissolve the District and/or transfer the District's duties to the County, which is consistent with Chapter 103C.
>
> In your board packet is the staff report covering the delivery of conservation services in Hennepin County over the past ten years by the Hennepin Conservation District and the Hennepin County Department of Environmental Services. Attachment A of the report is the draft compromise language that staff have worked on. Also in your board packet are two draft resolutions. Version 1 is basically what was before the Metro Water Planning Committee. Version 1 mainly relies on the contents of the staff report. Version 1a has been modified based on the Committee meeting and Committee member comments. Version 1a adds some important basis to the WHEREAS findings and allows the resolution to stand apart from the report with a more complete understanding of the important limits and unique circumstances. Version 1a also adds the "transfer of duties" option to the "discontinuance" option. Please note in Version 1a there is one minor edit: in the last WHEREAS, first line, the word "Committee" should be added after "Metropolitan Water Planning" to read "Metropolitan Water Planning Committee".
>
> A Resolution from the Board is necessary to give the County an expectation of the direction of the Board if the legislation were enacted.

At the Metro Committee meeting, representatives of the Hennepin Conservation District, Hennepin County and the MN Association of Soil and Water Conservation Districts spoke and

responded to questions from Committee members. The Committee discussed the matter at length, did not make a decision on the draft Resolution, Version 1 and unanimously recommended the matter come before the full Board. Staff recommend Version 1a be adopted.

John Jaschke reported that he attended the MASWCD Board of Directors meeting on December 2, and addressed the issue, no decision or recommendation was made, he provided MASWCD with information.

John stated that the Resolution – Version 1a, directs BWSR staff to work with the County on legislation to meet the intent of the statute and when/if legislation is in place – there would be a two-step process; the resolution is intended to shape the process for BWSR to move forward. Chapter 383B specific to Hennepin County, is the section of statute to move this forward.

John stated that if the resolution is not passed, no change would be pursued by staff, the county would pursue legislation; BWSR would be reactive rather than proactive. Petition by citizens to dissolve HCD are not practical or desired.

Steve Sunderland asked if the County Board and HCD met to discuss this face-to-face? BWSR staff have done a lot. Steve stated that steps are in place in statute to dissolve an SWCD, he finds it hard to support new legislation when statute is in place and staff have findings in place.

John stated that proposed Version 1a would address this, after ten years of findings, this is what we have, the results are what we are looking at. Joe Collins made a point of clarification, the Metro Committee wanted the full BWSR Board's viewpoint. It's important to hear the out-state impact, without a recommendation made by the Metro Committee. John Jaschke stated the uniqueness of the HCD is addressed as the draft legislation is not applicable to anywhere else in the State other than Hennepin County.

Keith Mykleseth stated that this didn't happen overnight, it's been ten years. BWSR is taking steps – he supports the 1a resolution.

Bob Burandt doesn't think that HCD should be treated any different than others. Jack Ditmore stated that Hennepin County will force the two bodies to address this directly; there is some form of precedent. BWSR will need to provide the feasibility and achieve outcomes asked for in statute when this comes back to BWSR in the second step of the process.

Jim Haertel stated that the Version 2 of the Resolution referred to in the Board Action form has been replaced by Version 1a - allows for dissolution of HCD and for the transfer of duties.

** Moved by Jack Ditmore, seconded by Tom Landwehr, to approve the Resolution, Version 1a.

Steve Sunderland asked the question of setting precedent for legislation. John Jaschke stated that this is only for Hennepin County.

** Moved by Steve Sunderland, seconded by Keith Mykleseth, to amend Resolution, Version 1a, in the sixth WHEREAS, insert <u>BWSR Board staff</u> and Hennepin County staff – the WHEREAS

would read: "WHEREAS, BWSR Board staff and Hennepin County staff have outlined draft compromise legislative language that would allow Hennepin County to file a dissolution petition with the Board and would have the Board make a decision on the petition without a referendum; and,"

It was noted that the seventh WHEREAS, the word Committee was added to the Metropolitan
12-111 Water Planning Committee. The amendment to the Motion passed as amended.

Tom Loveall stated that BWSR can take care of this issue and he supports the Resolution, Version 1a.

Sandy Hooker stated that a referendum has been done by citizens, she does not support 1a.

Joe Collins stated that locally, citizens would call the county if they had a question.

Gerald Van Amburg stated that the average citizen doesn't know the details, this HCD issue has been happening for a long time and the county has been taking care of things He supports Version 1a.

Jack Ditmore clarified that the referendum was in 2002.

12-112 Chair Napstad called for the vote. Motion passed on a voice vote.

John Jaschke stated that SWCDs are alive and well statewide. We have SWCDs doing a lot of great work.

John Jaschke stated that the Conflict of Interest Declaration forms have been submitted; Tom Loveall stated he will abstain from voting on both grant items.

Grants Program and Policy Committee
FY2013 CWF Competitive Grants Program Funding Recommendation – Dave Weirens distributed the Grants Program & Policy Committee's recommendations for the FY2013 Clean Water Fund Competitive Grants. Dave provided a brief overview of each of the grants. Dave reported that the Board authorized staff to proceed with a Request for Proposals for the FY2013 Clean Water Fund Competitive Grants on June 27, 2012. Applications were accepted from August 1, 2012 through September 14, 2012. Total applications received were 286 requesting nearly $68 million across six grant programs. These applications were reviewed by BWSR staff and all were scored either by or with the input of staff from our partner State agencies.

The Grants Program & Policy Committee recommends approval of the following Grant Program and allocated funds:

Clean Water Assistance Grants	$10,500,000
Livestock Waste Management Grants	$ 2,000,000
SSTS Abatement Grants	$ 1,500,000
Accelerated Implementation Grants	$ 2,000,000
Conservation Drainage Grants	$ 942,362

DRAFT

Community Partners Conservation Programs Grants	$ 1,400,000
MDA Ag BMP Loans	$ 4,500,000

Steve Sunderland stated that he has received questions due to the rankings, asking how to write a better grant. Dave stated that many good applications were received without enough funding for all the good projects. Dave clarified that the loan funds need to be repaid; in many cases, that is the match. Tom Landwehr stated that he would like to see the Ag BMP funds used, not sitting in a pot unused. Tom would like John Jaschke, MDA Commissioner Dave Frederickson, and MPCA to meet to discuss the funding issue. Rebecca Flood will bring this up at the next meeting of CWF Coordination Team.

** Moved by Gerald Van Amburg, seconded by Quentin Fairbanks, to approve the allocations to implement the FY2013 CWF Competitive Grant Program, scoring results and funding recommendations by the Grants Program & Policy Committee. An agreed to amendment on page five, C., adding 'partially fund'. The sentence would read, "C. assign funds, noted in (1) that may become available, to partially funded then unfunded projects, in rank order, …"
12-113 Motion passed on a voice vote. Chair thanked Dave and staff, and the Grants Program and Policy Committee for all the work on this effort.

Chair Napstad called for a lunch break at 12:20 PM. The meeting reconvened at 1:00 PM.

Reallocation of a Targeted Drainage Water Management Grant – Tim Gillette reported that the Board authorized seven Targeted Drainage Water Management Grants on June 27, 2012. Since that time the Bois de Sioux Watershed District has declined the grant. However, the two SWCDs in the area have agreed to accept the grant. The Grants Program & Policy Committee
** recommends reallocation of funds to Wilkin and Traverse SWCDs. Moved by Jack Ditmore,
12-114 seconded by Steve Sunderland, to approve amending the list of BWSR Targeted Drainage Water Management Grant recipients to remove the Bois de Sioux WD and include the Wilkin and Traverse SWCDs as indicated. Motion passed on a voice vote.

Wetlands Committee
Executive Order 12-04: Supporting and Strengthening Implementation of the State's Wetland Policy – Dave Weirens provided an overeview of the Governor Dayton issued Executive Order 12-04 on May 3, 2012. This Order directed BWSR, in cooperation with our partner State agencies and invited stakeholders, to evaluate a series of wetland policies. Staff implemented a process to receive input from stakeholders on the issues included in the Order, as well as other issues that were identified by stakeholders. BWSR staff, in consultation with our partner State agencies developed recommendations based on stakeholder derived input as requested by the Governor. The Wetland Committee reviewed the draft report on November 28 and again on December 11. Dave appreciated the assistance of Mark Lindquist at DNR to help with the process. This report must be delivered to the Governor by December 15, 2012.

Dave explained that the implementation of these recommendations will require a combination of interagency agreements between state and federal agencies, statutory, rule, policy, and guidance changes. This effort requires significant staff time by participating agencies. A first

step in the process to implement is to generate priorities based on the recommendation. Prioritization will be developed in consultation with the Governor's Office and agency leaders. John Jaschke stated that this is the Governor's Executive Order; BWSR controls a portion of this, but there is the need to persuade other partners when going forward, specifically with federal agencies.

** 12-115 Moved by Gerald Van Amburg, seconded by Quentin Fairbanks, to accept the draft report and authorize staff to forward it to Governor Dayton; and BWSR will work with partner agencies to prioritize the Report's recommendations and authorizes staff to pursue implementation strategies for the prioritized recommendations. Motion passed on a voice vote. Chair Napstad commended Dave, Les Lemm, and others for their good work on this. Chair Napstad thanked Gerry Van Amburg for his great leadership on the Wetland Committee.

Wetland Banking Fee Policy Update – Dave Weirens reported that BWSR collects fees for the management of the wetland banking program. Some of the fees are based on the value of the wetland credits that have been deposited into the Bank. The Board annually updates the calculated wetland values that account holders may use to pay the required fees. Dave reviewed the proposed 2013 Calculated Values for Wetland Bank Fee Determination. The Wetland Committee and staff recommend that BWSR update the wetland credit values by using:

- the 2012 tillable land values, or
- rural/vacant land values when the ratio of tillable acres to rural/vacant acres is less than 20%, or
- the average of the before and after deferral green acres values.

These values are multiplied by the wetland credit value coefficient of 6.0, with a maximum increase of 75% over the values established in Board action 11-98 as indicated on the fee schedule. ** 12-116 Moved by Keith Mykleseth, seconded by Steve Sunderland, to approve the wetland banking fee policy update; the revised policy is effective on January 1, 2013 and applies to wetland bank credit sales made after this date. Motion passed on a voice vote.

2013 Local Road Wetland Replacement Program Project Selection Process — Ken Powell reported that the Wetlands Committee recommends directing BWSR staff to develop a project selection process for utilizing $6M in bonding money to generate wetland credits for the Local Road Wetland Replacement Program (LRWRP). BWSR is responsible for generating wetland replacement credits for use by local public transportation authorities to satisfy wetland replacement requirements of the Wetland Conservation Act (WCA) and Section 404 of the Clean Water Act. To generate wetland replacement credits, BWSR restores wetlands on private lands by obtaining easements and implementing projects as well by agreeing to purchase credits from projects conducted by private landowners through agreements with the state.

Ken reported that the Wetlands Committee recommends authorizing BWSR staff to:

1. Develop and implement an easement sign-up program and a request for proposal (RFP) process to obtain projects to generate needed wetland credits.

2. Establish an easement payment rate consistent with current Reinvest in Minnesota (RIM) rates with the flexibility to increase it by up to 25% on a case-by-case basis if it is justified based on the program's credit needs and criteria.
3. Establish project evaluation criteria including cost, credit yield, location, restoration feasibility, success potential, and functional benefit, and public value.
4. Establish a view team of BWSR staff and members of the wetland banking Interagency Review Team to evaluate and rank projects.

Keith Mykleseth recommends partnership conservation efforts. Ken stated that opportunities are there for credits. Moved by Gerald Van Amburg, seconded by Sandy Hooker, to approve the Wetlands Committee recommendation authorizing staff to develop a project selection process to utilize the bonding money to meet the program purpose. Motion passed on a voice vote.

** 12-117

NEW BUSINESS

Clean Water Fund RIM Reserve Edge Area Eligibility and Sign-Up Procedures – Gene Tiedemann reported that the RIM Reserve Management Planning (RRMP) Committee met on November 28, 2012, and recommends authorization of staff to work with Goodhue, Olmsted, Wabasha, and Winona SWCDs to implement the acquisition of RIM Reserve Wellhead Protection and Edge Area easements in the targeted areas with highest priority being on Decorah Bedrock Edge Areas. Moved by Gene Tiedemann, seconded by Rebecca Flood, to approve the RRMP Committee's recommendation authorizing staff to implement the additional $1M for the RIM Reserve Wellhead Protection Conservation Easement Program. Motion passed on a voice vote.

** 12-118

AGENCY REPORTS

Minnesota Department of Agriculture (MDA) – Brad Redlin reported that he is the new program manager for the Minnesota Ag Water Quality Certification Program (MAWQCP). Brad thanked John Jaschke and BWSR staff; DNR Commissioner Tom Landwehr; and Rebecca Flood, MPCA; for the tremendous value they add to the MAWQCP partnership effort. Chair Napstad thanked Brad for attending the Board meeting today.

Minnesota Department of Natural Resources (DNR) – Tom Landwehr distributed copies of the "Minnesota Environment and Energy Report Card" developed by the EQB, for board members' information. Tom briefly commented on water quality and groundwater issues in Worthington. DNR is currently involved in a lawsuit regarding White Bear Lake. Tom expressed the need for and importance of groundwater governance. Tom suggested DNR staff present information on this at an upcoming Board meeting.

Tom reported that he and John Jaschke attended the Cattleman's Association meeting; discussions included grassland conservation acres, a good opportunity for private grazing and a valuable public relations tool for local communities. DNR is trying to move forward in support of the grass fed beef industry; and the need for monitoring groundwater. Chair Napstad thanked Tom for his comments.

Minnesota Pollution Control Agency (MPCA) – Rebecca Flood reported that she and Matt Wohlman, MDA, are on a panel discussion tomorrow at the Humphrey Institute speaking about water quality threats to the Red River. Rebecca reported that MPCA is working on MS4 permitting; construction stormwater permit will be out for public comment soon, then before the MPCA Board in the spring, and in place by August. Chair Napstad thanked Rebecca for her comments.

ADVISORY COMMENTS

Minnesota Association of Soil & Water Conservation Districts (MASWCD) – LeAnn Buck briefly commented on the One Watershed One Plan (1w1p) role of state/local government; the Local Government Roundtable continues to meet and the need to move forward on finalizing a whitepaper. LeAnn thanked agencies for their attendance at the MASWCD annual meeting. LeAnn announced that Mark Zabel is the newly elected President of MASWCD. LeAnn stated that MASWCD appreciates BWSR's efforts on the HCD issue.

Minnesota Association of Townships (MAT) – Sandy Hooker reported that the MAT annual conference held in October was successful; and MAT appreciated BWSR's attendance.

UPCOMING MEETINGS

- Northern Water Planning Committee Meeting, January 9, 2013; Wadena
- Public Relations, Outreach & Strategic Planning Committee Meeting, January 22
- Next BWSR Board Meeting, January 23, 2013

** 12-119 Moved by Quentin Fairbanks, seconded by Sandy Hooker, to adjourn the meeting at 2:10 pm. Motion passed on a voice vote.

Respectfully submitted,

Mary Jo Anderson
Recorder

DRAFT

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report[1]

Meeting Date: January 23, 2013

Agenda Category: ☐ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region: Land and Water Section

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Gerald Van Amburg/Travis Germundson

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
None

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Dispute Resolution Committee Report. The report provides a monthly update on the number of appeals filed with the BWSR.

Dispute Resolution Report
January 11, 2013
By: Travis Germundson

There are presently **13** appeals pending. All of the appeals involve WCA except File 10-10. There has been **3** new appeal filed since the last report dated December 12, 2012.

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 13-1 (1-9-13) This is an appeal of a restoration order in Swift County. The appeal regards drainage impacts to multiple wetlands associated with an agricultural drain tile project. No decision has been made on the appeal.

File 12-19 (12-27-12) This is an appeal of a wetland replacement plan decision in Stearns County. The appeal regards the approval of a wetland replacement plan application for a .10 acre of impact to a Type 3 wetland. A previous appeal of a restoration order involving the same wetland impacts (File 12-10) was dismissed No decision has been made on the appeal.

File 12-18 (12-20-12) This is an appeal of agricultural wetland banking decision in Kittson County. The appeal regards the denial of an agricultural wetland banking application for approximately 16 acres of wetland credit. No decision has been made on the appeal.

File 12-17 (12-6-12). This is an appeal of a restoration order in Hennepin County. The appeal regards the filling of approximately 9,896 square feet of wetland associated with the construction of a private driveway. No decision has been made on the appeal.

File 12-16 (11-16-12). This is an appeal of a wetland banking credit deposit request in Stearns County. The appeal regards the approval of a wetland banking plan request to deposit 9.9 acres of credit. A previous appeal (File 12-13) was remanded for the LGU to develop an adequate record, and now that new decision is being appealed. At issue are the eligibility requirements for banking credits. The appeal has been granted.

File 12-12 (7-16-12) This is an appeal of an exemption determination in Renville County. The appeal regards the denial of an agricultural drainage exemption associated with a 1.5 acre wetland. At issue is the wetland type determination. A previous appeal (File 12-5) was remanded for further technical evaluation and administrative proceedings, and now the current approval is being appealed. A verbal settlement agreement has since been reached that includes submittal of a replacement plan application. The appeal has been placed in abeyance by mutual agreement to determine the viability of a wetland replacement plan application.

File 11-1 (1-20-11) This is an appeal of a restoration order in Hennepin County. The appeal regards the filling of approximately 1.77 acres of wetland and 0.69 acres of excavation. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application and confirmation of required mitigation.

File 10-10 (6-10-10) This is an appeal filed under Minn. Stat. 103D.535 regarding an order of the managers of the Wild Rice Watershed District not to go forward with the Upper Becker Dam Enhancement Project as proposed. Appeals filed under 103D.535 require that the Board follow the Administrative Procedures Act. The Act requires that the hearing be conducted by an Administrative Laws Judge through the Office of Administrative Hearings. A mediated settlement agreement was reached with the condition that if the watershed district fails to carry out Option D the appeal shall go forward. The appeal has been placed in abeyance.

File 10-7 (2-19-10) This is an appeal of a restoration order in Stearns County. The appeal regards draining and filling impacts to approximately 18.44 acres of Type2/3 wetland and 3.06 acres of Type 2 wetland. The appeal has been placed in abeyance and the restoration order stayed for submittal of "as built" or project information pertaining to a public drainage system. The landowner has committed to restoring the site and the TEP plans to conduct a site visit in the spring of 2013 to verify that restoration has occurred.

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 pre-hearing conferences convened on October 13 and 30, and December 14, 2009. Settlement discussions are on hold while the appellant addresses permitting issues with the Corps of Engineers. The appeal has been placed in abeyance by mutual agreement on determining the viability of a new wetland banking plan application.

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 disposition with the U.S. Dept of Justice.

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.

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 are 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 new wetland delineation and for submission on an updated, complete replacement plan application. On 12-9-09 the District made a new wetland delineation decision. The applicant has not yet submitted an updated replacement plan application.

Summary Table

Type of Decision	Total for Calendar Year 2012	Total for Calendar Year 2013
Order in favor of appellant	1	
Order not in favor of appellant	4	
Order Modified		
Order Remanded	2	
Order Place Appeal in Abeyance	1	
Negotiated Settlement		
Withdrawn/Dismissed	4	

COMMITTEE RECOMMENDATIONS

Northern Water Planning Committee

1. Crow Wing County Priority Concerns Scoping Document – Keith Mykleseth – ***DECISION ITEM***

2. Pope County Priority Concerns Scoping Document – Gerald Van Amburg – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Crow Wing County Priority Concerns Scoping Document Approval**

Meeting Date: January 23, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Northern Region

Contact: Dan Steward

Prepared by: Dan Steward

Reviewed by: North Region Water Plan Committee(s)

Presented by:

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other:

ACTION REQUESTED

Approval of Crow Wing County Comprehensiv e Local Water Management Plan Priority Concerns Scoping Document

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
The current Crow Wing County Comprehensive Local Water Plan will expire on August 27, 2013. Crow Wing County passed a resolution to begin the updating process on October 23, 2012. The Crow Wing County Priority Concerns Scoping Document (PCSD) was distributed to state agencies for review on November 6, 2012. Comments were received from the Minnesota Pollution Control Agency, the Minnesota Department of Agriculture and the Minnesota Department of Health. These comments were reviewed by BWSR.

On January 9, 2013, the BWSR North Region Water Plan Committee met with Crow Wing County to review the PCSD. All required components of the PCSD have been covered and the priority concerns selected are deemed appropriate. After review and discussion, the Committee recommends approval of the Crow Wing County PCSD. The Committee's recommendation will be brought to the full BWSR Board on January 23, 2013. BWSR's official state comment letter pertaining to the review of the Crow Wing County PCSD will need to be sent to Crow Wing County.

Minnesota Board of Water & Soil Resources

1601 Minnesota Drive, Brainerd, MN 56401

January 23, 2013

Crow Wing County Commissioners
C/O Mitch Brinks, Land Services Department
Land Services Building
322 Laurel Street, Suite 14
Brainerd, MN 56401

RE: Official Comments Pertaining to the State Review of the Crow Wing County Priority Concerns Scoping Document

Dear Crow Wing County Commissioners:

Pursuant to M.S. section 103B.313, subdivision 5, this letter communicates the State's official comments pertaining to the priority concerns Crow Wing 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 Crow Wing County Priority Concerns Scoping Document (PCSD) on November 6, 2012, and asked comments be sent by December 6, to Ron Shelito, BWSR Regional Supervisor.

Several water resources concerns were submitted to the Crow Wing 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. For each priority concern identified, the PCSD listed several sub catagories.

1. Aquatic Invasive Species
2. Surface Water
3. Ground Water

The Minnesota Department of Agriculture concurred with the priority concerns identified. The MPCA also concurred with the priority concerns identified, as did the Minnesota Department of Health.

On January 9, 2013, the Northern Regional Water Resources Subcommittee (hereinafter referred to as the committee) met with the Crow Wing County representatives to discuss local water management activities within Crow Wing 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.

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Saint Paul
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Based on the committee's recommendations, the Board of Water and Soil Resources commends Crow Wing County for the outstanding 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 Crow Wing County to continue to take advantage of opportunities to play the coordination role that is often key to improved local water management.

Sincerely,

Brian Napstad, Chair
Board of Water and Soil Resources

cc: Dan Steward, BWSR
Ron Shelito, BWSR
Jack Olson, DNR
David Johnson, PCA
Kate Frantz, EQB
Robert Sip, MDA
Art Persons, MDH

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BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Pope County Priority Concerns Scoping Document Approval**

Meeting Date: January 23, 2013

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information
Section/Region: Northern Region
Contact: Pete Waller
Prepared by: Pete Waller
Reviewed by: North Region Water Plan Committee(s)
Presented by:

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested
☐ Other:

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

ACTION REQUESTED

Approval of Pope County Comprehensive Local Water Management Plan Priority Concerns Scoping Document (PCSD).

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The current Pope County Comprehensive Local Water Plan will expire on May 28, 2013. Pope County passed a resolution to begin the updating process on June 5, 2012. The Pope County Priority Concerns Scoping Document (PCSD) was distributed to state agencies for review on Decemeber 3, 2012. Comments were received from the Minnesota Pollution Control Agency, Enviromental Quality Board, Minnesota Department of Agriculture, and the Minnesota Department of Natural Resources. These comments were reviewed by BWSR.

On January 9, 2013, The BWSR North Region Water Plan Committee met with Pope County to review the PCSD. All required components of the PCSD have been covered and the priority concerns selected are deemed appropriate. After review and discussion, the Committee decided with a unanimous vote to recommend approval of the Pope County PCSD and bring it forward to the full BWSR Board. BWSR's official state comment letter pertaining to the review of the Pope County PCSD will need to be sent to Pope County.

Minnesota Board of Water & Soil Resources

January 24, 2013

Paul Gerde, Chairperson
Pope County Commissioners
Pope County Courthouse
130 E. Minnesota Avenue
Glenwood, MN 56334

RE: Official Comments pertaining to the State Review of the Pope County Priority Concerns Scoping Document.

Dear Mr. Gerde:

Pursuant to M.S. section 103B.313, subdivision 5, this letter communicates the State's official comments pertaining to the priority concerns Pope County has chosen to address in the update of their Local Water Management Plan. The Board of Water and Soil Resources (BWSR), along with the state review agencies, received Pope County's Priority Concerns Scoping Document (PCSD) on December 3, 2012.

The Pope County Water Plan Task Force reviewed concerns raised during the data collection process and selected the following priority concerns for the water plan update:

- Reducing Priority Pollutants ~ Surface Water Quality
  - TMDL Implementation
  - Feedlot/Livestock Management
  - Subsurface Sewage Treatment Systems
  - Aquatic Invasive Species
- Erosion and Sediment Control
- Surface Water Management
  - Agricultural Drainage
  - Stormwater Management
  - Wetlands and Water Storage/Retention
  - Shoreland Management
- Groundwater Quality & Quantity
  - Wellhead Protection Areas
  - Drinking Water Quality
  - Groundwater Quality
- Plan Administration
  - Watershed Focus
  - Stakeholder Cooperation
  - Raising Public Awareness

The BWSR received comments from the Minnesota Department of Agriculture (MDA), Minnesota Pollution Control Agency (MPCA), Minnesota Department of Natural Resources (DNR) and Minnesota Environmental Quality Board (EQB) on the Pope County PCSD during the official review period.

MDA concurs with the priority concerns identified and feels the process to identify the priority concerns was adequate. MDA asked Pope County to consider when drafting the LWP the development of a local drainage management and technical team and also develop a drainage management plan for the county or update any existing plan.

MPCA concurs with the priority concerns identified and feels the process to identify the priority concerns was adequate. MPCA encourages Pope County to use the water quality monitoring data within their Environmental Data Access System in future water management efforts.

EQB concurs with the priority concerns identified and feels the process to identify the priority concerns was adequate.

DNR concurs with the priority concerns identified and feels the process to identify the priority concerns was adequate. DNR recommends Watershed Resource & Protection Strategy Plans (WRAPS) and Total Maximum Daily Loads (TMDLs) be used by Pope County in potential project development.

The BWSR North Region Water Plan Committee (Committee) met with Pope County on January 9, 2013 to discuss the content of the PCSD, state review agency comments on the PCSD, and recommendations for the content of the final LWP. The Committee presented its finding to the BWSR board at its meeting on January 30, 2013.

The Committee commends Pope County for the process used to select the priority concerns. The priority concerns to be addressed in the plan were deemed to be appropriate; the BWSR does not recommend or require any changes to the PCSD as drafted. Please proceed with the development of your next LWP.

Sincerely,

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

cc: Luan Johnsrud, Pope SWCD
Ron Shelito & Pete Waller, BWSR
Molly MacGregor, DNR
Art Persons, MDH
Rob Sip, MDA
Rebecca J. Flood, MPCA
Kate Frantz, EQB

COMMITTEE RECOMMENDATIONS

Public Relations, Outreach & Strategic Planning Committee

1. 2013 PRAP Report to the Legislature – Don Buckhout – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2013 PRAP Report to the Legislature

Meeting Date: January 23, 2013

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Regional Operations-PRAP

Contact: Don Buckhout

Prepared by: Don Buckhout

Reviewed by: Public Relations, Outreach & Strategic Planning Committee(s)

Presented by: Don Buckhout

☒ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested
☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget
☒ Other: Program Guidelines revisions

ACTION REQUESTED

Approval of revisions to the PRAP Program Guidelines and of the 2013 PRAP Report to the Legislature

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Two part action contained in one resolution.

Part 1: Amend PRAP Guidelines

In 2007 the Board adopted 9 general guidelines for the newly mandated LGU oversight program. Later that year the Performance Review and Assistance Program (PRAP) was developed consistent with those guidelines. After five years both PROSP Committee members and program staff sought a re-examination of those guidelines for continued relevance, based on program experience. The PROSP Committee took up the matter in October 2012 and recommends minor revisions to the PRAP Guidelines for Board approval. These are detailed in the accompanying resolution, showing deletions and additions approved by the Committee.

Part 2: 2013 Performance Review and Assistance Program (PRAP) Legislative Report-

The sixth annual PRAP Report to the Legislature contains a summary of BWSR's review of LGU performance during the past year. The report presents the 2012 program accomplishments compared to objectives set in last year's report. It highlights two new program elements: PRAP Assistance Grants and a watershed-based pilot project to assess collaboration on a watershed basis among 10 LGUs. As in past reports, it summarizes performance results from a basic review (Level I) of all 242 LGUs and contains summaries of the in-depth reviews (Level II) of four LGUs. There is a list of program objectives for 2013. A draft of this report has been reviewed by the Board's Public Relations, Outreach and Strategic Planning Committee. The recommendation for Board approval comes from that Committee and is timed to meet a February 1 due date for report submittal to legislative environmental policy committees, as required by M.S. 103B.102, subd. 3.

Minnesota Board of Water & Soil Resources

Board Resolution # _____

Performance Review and Assistance Program

Guiding Principles Revisions and
2013 Report to the Minnesota Legislature

WHEREAS, the 2007 Legislature authorized the Board of Water and Soil Resources (Board) to develop and implement a program to evaluate and report on the performance of each local water management entity, and

WHEREAS, in July 2007, the Board of Water and Soil Resources adopted a set of principles to guide the development of the program, and

WHEREAS, in October 2012 the Public Relations, Outreach and Strategic Planning committee of the Board recommended revisions to the guiding principles as detailed in the attached document, and

WHEREAS, since 2007, the Board developed and implemented a program for reviewing performance, offering assistance, and reporting results, now called the Performance Review and Assistance Program (PRAP), in consultation with stakeholders and consistent with the guiding principles, and

WHEREAS, according to Minnesota Statutes Chapter 103B.102, Subdivision 3, beginning February 1, 2008, and annually thereafter, the Board shall provide a report of local water management entity performance to the chairs of the House and Senate committees having jurisdiction over environment and natural resources policy, and

WHEREAS, the sixth annual PRAP report to the legislature contains a summary of the local water management entity performance review conducted by BWSR staff in 2012 and a summary of findings regarding the performance of local water management entities, and

WHEREAS, the sixth annual PRAP report to the legislature was reviewed by the Public Relations, Outreach and Strategic Planning committee in December 2012 and was recommended for Board approval by that committee on January 22, 2013.

NOW THEREFORE BE IT RESOLVED, that the Board of Water and Soil Resources amends the PRAP Guiding Principles as recommended, and

THEREFORE BE IT FURTHER RESOLVED, that the Board of Water and Soil Resources approves the attached Performance Review and Assistance Program 2013 Report to the Minnesota Legislature for transmittal to the Legislature and publication on the Board's website, with allowance for any minor editing modifications necessary for publication.

_____ Date: _____

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

Recommended by PROSP Committee
October 23, 2012

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

PERFORMANCE REVIEW AND ASSISTANCE PROGRAM

Guiding Principles

- **Pre-emptive** -- so that problems are identified and diagnosed early.
- **Systematic** -- thorough, consistent and expected so that local governments can be prepared.
- **Constructive** -- recognizes uniqueness, charts a path for those needing help to improve, and showcases successes.
- **Includes consequences** - that are proportional to the uncorrected deficiencies ~~and rewards that acknowledge recognition of high performance~~.
- **Provides recognition** – for high performance.
- **Transparent** - allows for greater public awareness and participation.
- **Retains local ownership and autonomy**.--even when the State does not fully agree with decisions.
- **Maintains proportionate expectations** – comparisons are inevitable but need to acknowledge the wide diversity of capacity and budget.
- **Preserves the state/local partnership** -- the State provides review, training and resources as a partnership package.
- **Results in ~~"more better"~~ effective on-the-ground conservation** – must add value to conservation and clean water outcomes, not become an outcome unto itself.

January 11, 2013

[BOARD REVIEW DRAFT]

Performance Review and Assistance Program (PRAP)

2013 Report to the Minnesota Legislature

Program Highlights

Board Amends PRAP Guiding Principles (Page 1)	**Watershed-based PRAP Pilot Project in central MN** (Page 5)	**New PRAP Assistance Grants Available** (Page 7)



BOARD REVIEW DRAFT

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Information contained in this report is available in an alternative format upon request.
Approximate cost for the production of this report was $4075.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES
Performance Review and Assistance Program (PRAP)
Executive Summary

Since 2007, BWSR's PRAP has been methodically assessing the performance of the local units of government that constitute Minnesota's delivery system for conservation of water and related land resources. The goal is to help these local government partners to be the best they can be in their management of these critical resources.

PRAP focuses on four aspects of Local Governmental Unit (LGU) performance in the delivery of conservation services:

- Administration—financial reporting and accountability
- Planning—keeping plans current and focused
- Execution—implementing planned objectives and tracking progress
- Communication and Coordination—working with partners and stakeholders.

Levels I-IV of performance review and assistance are described on page ii.

2012 Program Accomplishments

- Tested a new approach to performance review by assessing the performance and collaboration of all LGUs with jurisdiction in the same major watershed.
- Tracked report and plan compliance (Level I) for 242 counties, soil and water conservation districts, watershed districts, and watershed management organizations.
- Conducted in-depth (Level II) performance reviews of four LGUs. BWSR has conducted 35 Level II performance reviews since 2008.
- Started a new PRAP Assistance Grants program and awarded four grants to three different LGUs for improved organizational function and effectiveness.
- BWSR Board amended the PRAP Guiding Principles.

2012 LGU Delivery System Performance

Long-range Plan Status: 68% reduction in overdue plans since 2009.

- Soil & Water Conservation Districts: All plans or resolutions are current.
- Counties: three plan revisions overdue.
- Watershed Districts: three plan revisions overdue; all are in progress.
- Watershed Management Organizations: one revision overdue, in progress.

LGUs in Full Compliance with Level I Performance Standards 72%

- Soil & Water Conservation Districts: 94% compliance (85/90).
- Watershed Management Organizations 74% compliance (14/19).
- County Water Management: 61% compliance (53/87).
- Watershed Districts: 50% compliance (23/46).

2013 PRAP Objectives

- Conduct a second watershed-based performance review of multiple LGUs.
- Monitor and support LGUs' implementation of previous PRAP recommendations.
- Monitor LGUs for opportunities to help with operational change.

Minnesota Board of Water and Soil Resources
Performance Review and Assistance Program Overview

PRAP Program Level	Program Elements			Accomplishments
	Frequency	Performance Review	Assistance	
Level I Routine Monitoring and Tabulation	Annual	Tabulation of required reports, plans, audits, etc.	Statewide training opportunities; BWSR Academy	**242** LGUs tracked annually on selected performance standards. **1800** # of hits to BWSR website database of LGU Level I performance since 2010.
Level II Routine performance review and targeted assistance	Once every 5yrs./LGU 50 LGUs/yr	Assessment using performance standards checklist, progress on plan objectives/actions, board/staff interview.	Assess training needs; eligible for PRAP Assistance Grants; set performance goals in an PIA[1], if needed;	**35 Level II performance reviews** **13 - SWCDs** **9 - Counties** **9 - Watershed Districts** **4 - Watershed Management Orgs.**
Level III Prescriptive assistance	As needed	Monitor progress toward PIA[1] goals	BWSR self-assessment; Benchmarking; Mediation; Assistance Grants	**2 Level III assessments conducted**. **5** # of PRAP Assistance Grants issued to support LGU implementation of recommendations from PRAP assessments.
Level IV Penalties applied	As needed	Monitor progress toward PIA[1] goals	Continue Level III Assistance; Notice of Deficiencies; Restriction of funds	No Level IV actions have been required.
Watershed PRAP (pilot project)	Annual	Assess collaboration and implementation of plan objectives applicable to the watershed; survey LGUs regarding watershed focus.	Assistance Grants available to help with implementation; broker consultants for facilitation and collaboration.	**10** # of LGUs in first pilot project. 1 WD 5 counties 4 SWCDs

[1]PIA=Performance Improvement Agreement

About this Report

This report has been prepared for the Minnesota State Legislature by the Minnesota Board of Water and Soil Resources (BWSR) in partial fulfillment of the requirements of Minnesota Statutes Chapter 103B.102, subdivision 3. This statute requires BWSR to provide designated legislative committees with "an analysis of local water management entity performance" each year. This report covers the activities of the Performance Review and Assistance Program (PRAP) during the 2012 calendar year. This is the sixth annual report prepared by BWSR for this program.

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What is PRAP?

Supporting Local Delivery of Conservation Services

PRAP focuses on the local governmental units (LGUs) that deliver BWSR's water and land conservation programs, and in particular, how well they are implementing their long-range plans. The LGUs reviewed are soil and water conservation districts (SWCDs), watershed districts (WDs), water management organizations (WMOs), and the water management function of counties—a total of 242 distinct organizations. PRAP, authorized by the state legislature in 2007 (see Appendix A), is coordinated by one BWSR central office staff member. He receives assistance from BWSR's 13 Board Conservationists, who routinely work with LGUs across the state.

Amended Guiding Principles

PRAP operates on the following principles first adopted by the Board in 2007 and then amended in 2013.

- Pre-emptive
- Systematic
- Constructive
- Includes consequences
- Provides recognition for high performance
- Transparent
- Retains local ownership and autonomy
- Maintains proportionate expectations
- Preserves the state/local partnership
- Results in effective on-the-ground conservation

Guiding Principles

At the program's start in 2007 the BWSR board adopted principles to guide the implementation of this program. In 2013 the board re-visited and refreshed the principles with two minor changes (see box). The principles still set the program's goal of providing reliable, comprehensive information in a way that encourages LGUs to act in their own best interests.

Multi-level Process

PRAP has three operational components:

- **performance review**
- **assistance**
- **reporting.**

The **performance review** component is applied at four levels.

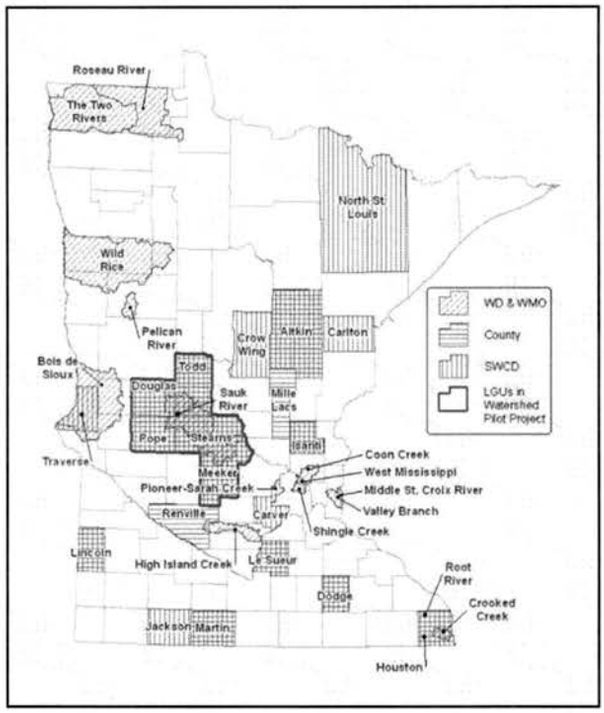
Level I is a tabulation of required LGU plans and reports with website posting of the results. Level I is accomplished with current program funding and does not require additional effort by LGUs.

Level II is a routine, interactive review originally envisioned to cover all LGUs at least once every five years to evaluate operational effectiveness and progress on plan implementation. Program funding so far has allowed an average of only 7 Level II reviews per year. (See map on page 2.) BWSR's Level I and II performance standards for each type of LGU can be viewed at www.bwsr.state.mn.us/PRAP/index.html.

Level III is an in-depth assessment of an LGU's performance problems and issues initiated by BWSR or the LGU and usually involving targeted assistance to address specific performance needs. BWSR has conducted Level III review and assistance for several LGUs and regularly monitors all LGUs for additional opportunities.

Level IV is for those LGUs that have significant performance deficiencies, requiring extensive assessment, monitoring and possible penalties as authorized by statute. So far there have not been any Level IV cases.

Level II PRAP LGUs 2008-2012



Assistance varies with the needs of the LGU. Level I assistance is largely routine training for LGUs. BWSR presents this type of training primarily through the annual BWSR Academy and board member training sessions. At Levels II-IV assistance is targeted to the specific needs of the LGUs and can be provided by BWSR staff or consultants, depending on availability and the skills needed. In 2012 BWSR authorized PRAP Assistance Grants for LGUs to both incentivize and support specialized assistance identified by LGUs or recommended by the program.

Reporting makes information about LGU performance accessible to the LGUs' stakeholders and constituents. Reporting venues include the PRAP page on BWSR's website, this annual report, and the LGUs' own websites and annual activity reports.

Accountability: From Measuring Effort to Tracking Results

Administration of government programs demands and deserves a high degree of accountability. PRAP was developed, in part, to deliver on that demand by providing systematic local government performance review and then reporting publically accessible results. The challenge in reporting results is to move from measuring effort (e.g., how much money was spent on buffers?) to detecting effects of those efforts on targeted resources (e.g., have buffers improved downstream habitat and water quality?). PRAP addresses LGUs' functions of administration, program execution, communication, and collaboration that all contribute to successful resource outcomes.

Performance Review of PRAP

BWSR's Accountability

BWSR continues to hold itself accountable for the accomplishments of the PRAP program. In consideration of that commitment, this section matches program objectives from last year's PRAP legislative report with corresponding program activities during 2012.

BWSR's PERFORMANCE REVIEW ACTIVITIES	
What We Proposed	**What We Did**
Track Level I performance of all LGUs.	BWSR tracked the required plan and report status of 242 LGUs.
Develop performance thresholds for selected Level II performance standards.	BWSR developed a set of new performance standards that address the extent of collaboration among LGUs within the same watershed.
Conduct 7-8 Level II routine performance reviews.	BWSR conducted 4 Level II performance reviews and 10 watershed-based performance reviews.

BWSR's ASSISTANCE to LGUs	
What We Proposed	**What We Did**
Continue Level III assistance.	Assisted one watershed district with process for revision of their outdated management plan. Routine field staff assistance for LGUs experiencing change.
Continue monitoring of LGUs experiencing change for assistance opportunities.	BWSR managers monitored LGUs experiencing change in staffing and board membership, finances, organization, etc.
In collaboration with the BWSR Training Team provide LGUs with guidance for basic board and staff skill sets.	Notified 2012 Level II LGUs of BWSR Academy training sessions that addressed their requested training-related assistance. In consultation with Training Coordinator, began development of training materials for board member and staff skill sets.

BWSR's PRAP REPORTING	
What We Proposed	**What We Did**
Report Level I performance of all LGUs.	BWSR website includes a searchable database of compliance with Level I performance standards for SWCDs, WDs, counties, and WMOs. Appendices C, D and E summarize the Level I results.

PRAP Advisory Team

The purpose of the Advisory Team is to advise BWSR on program implementation and help BWSR maintain a balance between the need for accountability and the need to minimize the program's administrative burden on LGUs. The Team has not met for several years. BWSR provide the members with periodic program updates. BWSR will consult with the team only in the event of substantial program modifications.

LGU Performance Review Results

2012 Objectives

The 2012 objectives for the PRAP performance review component were to continue the Level I compliance tracking for all LGUs, to start a pilot project to test a new joint performance review process for all LGUs working in the same watershed, to conduct a number of routine Level II reviews, and to monitor the activities of LGUs undergoing significant change for opportunities to initiate Level III review or assistance.

Level I Results

Level I performance review monitors and tabulates the LGUs' long-range plan revision due dates and the timely submittal to BWSR of annual activity, including ditch buffer strip, reports and financial reports and audits. LGU-specific results are listed in Appendices C (long-range plans), D (annual activity reports), and E (annual financial reports) and are searchable through the BWSR website (www.bwsr.state.mn.us/PRAP/index.html).

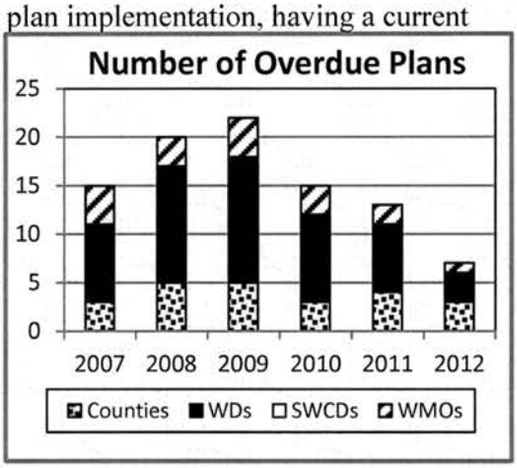
On a statewide basis, the 2012 Level I performance review shows the SWCDs doing the best at meeting basic program accountability requirements.

LGUs Meeting All 2012 Level I Performance Standards

All LGUs	**72%**
SWCDs	94% (85/90)
WMOs	74% (14/19)
Counties	61% (53/87)
WDs	50% (23/46)

Long-range plans. The improvement in the number of overdue long-range plan revisions is continuing, meaning more plans are up-to-date and addressing current resource issues.

With PRAP's emphasis on evaluating plan implementation, having a current



plan is essential. Most notable is the improvement for watershed districts, going from 13 overdue plans in 2009 to only 3 in 2012. The persistent numbers of overdue county plan revisions are the 3 metro county groundwater plans. These are expensive to update and, because they are optional to begin with and funding is tight, counties are apparently willing to let the 10-year revision deadline pass.

Annual activity reports. The Level I review tracks both missing and late reports. LGU reports are an important means of providing citizens with timely information about LGU plans and performance.

WDs in greater Minnesota continue to have difficulty complying with the annual activity report requirement. Local drainage authorities, 94 counties and watershed districts, struggle to meet the February 1 due date for their annual buffer strip reports, with 36 percent arriving late. One county was penalized by having their BWSR grant withheld until the report was submitted.

Annual financial reports and audits. Level I tracking of financial information includes both whether the report or audit was completed and whether it was submitted on time. SWCDs submit annual financial reports to BWSR, and in 2012 all of the reports were submitted on time. Most LGUs are required to prepare annual audits of their financial records. Level I tracking showed that 97 percent of LGUs met this performance standard in 2012.

Watershed-based PRAP Pilot Project

In 2012 BWSR conducted a pilot project of a new type of performance review of the 10 local water management entities operating in the Sauk River watershed in central Minnesota (see map). These LGUs are the county environmental services departments and the soil and water conservation districts of Pope, Douglas, Todd, Meeker and Stearns counties, and the Sauk River Watershed District. This pilot project had two purposes:



1) to test a methodology for assessing the extent to which LGUs are collaborating in execution of their plans and their delivery of programs and services on a watershed basis, and 2) to examine barriers to cross-jurisdictional collaboration and suggest remedies to improve collaboration.

The process included development of new performance standards focused on collaboration among LGUs, a survey of LGU lead staff and board members to assess their awareness of the issues of other LGUs in the watershed and the potential for more collaboration, and final reports that address both watershed-wide and individual LGU issues and needs. BWSR conducted three joint meetings with lead staff and a few board members from each LGU to discuss the process and methodology and the findings from the review.

Results from the review show that the LGUs collaborate well on programs that have had a stable funding source and clear guidelines, such as feedlot improvement projects. The participants identified barriers to collaboration, including the reluctance of boards to allow staff to work outside of jurisdictional boundaries, the competition for funds, and the lack of time. LGUs suggested improving awareness of watershed efforts and collaboration by means of regular information sharing meetings and by jointly determining watershed problems and priorities. Appendix G and the PRAP website contain a summary of the joint report and the individual LGU report summaries. Full reports are available from the PRAP Coordinator.

The LGUs that participated in the pilot project have completed the equivalent of a Level II performance review. BWSR is assisting the LGUs with implementation of recommendations in the joint and individual reports. BWSR plans to conduct a second pilot of this approach in 2013 in another watershed.

Level II Results

The Level II review process examines the LGU's progress in implementing their plan's goals and objectives and compliance with BWSR's operational performance standards.

BWSR conducted four Level II reviews in 2012: **Houston County** (Environmental Services), **Root River SWCD**, and the **Crooked Creek Watershed District**, all in Houston County, and the **Traverse SWCD**.

Appendix F contains summaries of the four reviews. Full reports are available from BWSR by request. In general, the reviews showed that all the LGUs are implementing their plans. However, the Crooked Creek WD is still using their original 1962 plan, which needs updating in order for the WD to be eligible for funding for new programs. The Root River and Houston County staffs work well in close partnership to deliver programs to the county's landowners. In order to address staffing or workload changes BWSR recommended a staff capacity assessment for both the Root River and Traverse SWCDs. At the request of the LGUs, BWSR staff presented the results of the performance reviews to both the Houston and Traverse county boards.

Level III Results

There were no formal Level III performance reviews in 2012. BWSR staff provided assistance to the Crooked Creek Watershed District with their watershed plan revision process after their Level II assessment. A county commissioner contacted BWSR to request a PRAP Level III review of a SWCD. BWSR is awaiting a formal request from the county board before conducting any further assessment.

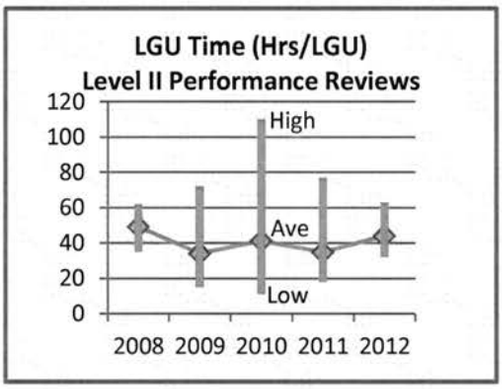
BWSR regional supervisors regularly monitor the performance of LGUs experiencing change in order to assess the need for Level III review. Also, LGUs can request these detailed performance assessments to determine the need for organizational improvements.

Level IV Results

No Level IV actions were needed in 2012.

PRAP Program Costs

BWSR tracks the time spent by LGUs in a performance review as a substitute for actual program costs. Factors affecting an LGU's time include the number of action items in their long-range plan, the number of staff persons who help with data collection, and the ready availability of performance data. In 2012 LGUs spent an average of 44 hours each on their Level II review, slightly above the 5-year average of 40 hours.



Time spent by LGUs in the Sauk River watershed pilot project averaged 35 hours per LGU, slightly less than the average for a standard Level II review.

BWSR staff spent an average of 46 hours per LGU conducting Level II reviews in 2012, compared with 47 hours in 2011 and 41 hours in 2010.

Assistance Services to Local Governments

Focus on Assistance

The term "assistance" is in the PRAP program title in part because it is listed as an activity in the authorizing legislation and also because it is a logical next step after performance review. Prior to PRAP, BWSR field staff regularly provided LGUs with assistance to support and enhance their operational effectiveness. While that essential service continues, PRAP has systematically expanded BWSR's capability to assist LGUs.

PRAP Assistance Grants

In 2012 the BWSR Board delegated authority to the Executive Director to award grants or contracts for the purpose of assisting LGUs in making organizational improvements consistent with the goals of PRAP. The reason for the delegation is the need for a timely response to the grant requests. Four of these PRAP Assistance Grants have been awarded to three different LGUs for a total possible award of $6300. The availability of the grants has been marketed to LGUs via the BWSR website and through the PRAP review process.

2012 PRAP Assistance to LGUs

- Advised Crooked Creek WD on how to revise their management plan.
- Issued four Assistance Grants to LGUs for organizational development and financial management improvements.

LGUs that undergo a formal BWSR performance review are automatically eligible for PRAP Assistance Grants to help with the implementation of organizational improvements recommended by BWSR in the Level II final report. For other LGU grant applicants, BWSR staff conduct an assessment to determine the need for the grant. The BWSR Executive Director regularly informs Board members of the status of assistance grant awards.

Assessing the Needs

PRAP provides an opportunity for LGUs to identify the types of assistance they think would be most helpful. Each Level II performance review includes an opportunity for LGU board members and staff to list assistance needs in the context of their perceived barriers to program and project implementation. In 2012 the four LGUs requested assistance with:

- training in watershed law ,
- providing information to county boards regarding the result of the performance review,
- analysis of staff capacity and reallocation of staff workload, and
- finding consultants to assist with revision of a watershed management plan.

Each year LGUs request training related to various operational needs, as was the case this year. BWSR held its fifth annual Training Academy for LGU staff in October. BWSR's Training Program Coordinator identified for the 2012 Level II LGUs the Academy offerings that met the training needs they requested during their performance reviews.

Reporting

Purpose of Reporting

The purposes of reporting about LGU performance are:

- to provide a perspective on the progress in meeting statewide soil and water conservation goals through the efforts of local government-based activities and programs,
- to give stakeholders access to information about the effectiveness of their local water management entities, and
- to provide both information and incentives that will encourage LGUs to learn from one another about methods and programs that produce the most effective results.

Report Types

PRAP either relies on or generates different types of reports to achieve the purposes listed above.

LGU-Generated

These include information posted on the LGU websites and the required or voluntary reports submitted to BWSR, other units of government, and the public about fiscal status, plans, programs and activities. These all serve as a means of communicating what each LGU is achieving and allow stakeholders to make their own evaluations of LGU performance. PRAP tracks submittal of required, self-generated LGU reports in the Level I review process.

BWSR Website

The BWSR website contains a webpage devoted to PRAP information. The site gives users access to a searchable database of basic Level I performance information that BWSR has collected for each LGU.

No. of Website Hits to PRAP Level I Performance Database
(by calendar year)

2010- 1437
2011- 695
2012- 213

www.bwsr.state.mn.us/PRAP/reporting/index.php

The number of user visits to that database has dropped significantly since 2010, the year the database came on-line. The BWSR website also includes regularly updated maps of long-range plan status by LGU type. Visitors to the PRAP webpage can find general program information, tables of current performance standards by LGU type, summaries of Level II performance review reports, and copies of annual legislative reports.

Performance Review Reports

BWSR prepares a report containing findings, conclusions, and recommendations for each LGU that is the subject of a Level II performance review. The LGU lead staff and board or task force members receive a draft of the report to which they are invited to submit comments or corrections. BWSR then prepares both a final report that is sent to the LGU and a one-page summary that is included in this legislative report (see Appendices F and G) and added to the PRAP webpage.

Annual Legislative Report

As required by statute, BWSR prepares an annual report for the legislature containing the results of the previous year's program activities and a general assessment of the performance of the local delivery system for land and water conservation services

and programs. These reports are reviewed and approved by the BWSR board and then sent to the chairpersons of the senate and house environmental policy committees, to statewide LGU associations and the office of the legislative auditor. This document is the sixth such report that BWSR has prepared.

Rewards and Recognition

The PRAP Guiding Principles require that the program also recognize exemplary LGU performance. Each year this legislative report highlights those LGUs that are recognized by their peers or other organizations for their contribution to Minnesota's resource management and protection, as well as service to their local clientele. (See Appendix H.)

In addition, for those LGUs that receive a routine Level II performance review, their report highlights compliance with each high performance standard with a "commendation" for practices over and above basic requirements. All 2012 Level II LGUs received such commendations.



Steve Hirsch (l.), MnDNR Division of Ecological and Water Resources Director, presents the 2012 Watershed District of the Year award to **Cedar River Watershed District** Administrator Bev Nordby and Manager Mike Jones

Program Conclusions and Future Direction

Conclusions

Based on five years of PRAP implementation, including Level II reviews of 35 LGUs throughout the state, BWSR finds:

- Significant improvement in the number of up-to-date long-range management plans.
- SWCDs in particular have a high rate of compliance with basic operational performance standards.
- LGUs are pursuing the objectives in their long-range plans.
- LGUs are open to improvements in their operational effectiveness. The PRAP Assistance Grants provide an incentive for LGUs to address those issues.
- On average, LGUs spend approximately 40 hours of staff and board time completing the Level II performance review process.

PRAP in 2013

During 2013 BWSR will add some program elements, modify some, and continue others.

NEW PRAP Elements

- Incorporate a survey of LGU board and staff during the Level II review process to identify additional performance issues.
- Evaluate and assist LGU implementation of PRAP-recommended changes.

MODIFIED PRAP Elements

- Change the Pilot Project schedule to begin later in the calendar year.
- Redesign the PRAP webpage.

CONTINUED PRAP Elements

- Reduce the number of Level II Performance Reviews to continue Pilot Project implementation.
- Continue monitoring of LGUs experiencing change for assistance opportunities.
- Monitor and report Level I performance of all 242 LGUs.
- Notify PRAP LGUs of BWSR Academy training classes that address their expressed needs.
- Continue to promote the PRAP Assistance Grants.

Challenges Long-Term

While local governments are increasingly reporting on their standard social service and emergency service delivery to their citizens, measurement of conservation service delivery and effectiveness is still mostly not addressed. Some of the challenges the PRAP approach will seek to address include:

- How to find the best indicators and the appropriate scale for measuring the performance of the local government conservation services delivery system.
- How to find a balance between time spent in performance review and in engaging LGUs in the organizational development activities that will result in real changes in their effectiveness.
- How to promote cross-jurisdictional collaboration between LGUs, and address board members' concerns about spending money and staff time outside of their boundaries.

Appendices

A. PRAP Authorizing Legislation (Minn. Statutes Chapter 103B.102)

B. PRAP Advisory Team Members

C. Level I: 2012 Long-range Plan Status

D. Level I: Status of Annual Reports for 2011

E. Level I: Status of Audits and Financial Reports for 2011

F. Level II: Summaries of 2012 LGU Performance Review Reports

G. Watershed-based PRAP Pilot Project Summaries

H. 2012 LGU Performance Awards and Recognition

Appendix A

PRAP AUTHORIZING LEGISLATION

103B.102, Minnesota Statutes 2007

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103B.102 LOCAL WATER MANAGEMENT ACCOUNTABILITY AND OVERSIGHT.

Subdivision 1. **Findings; improving accountability and oversight.** The legislature finds that a process is needed to monitor the performance and activities of local water management entities. The process should be preemptive so that problems can be identified early and systematically. Underperforming entities should be provided assistance and direction for improving performance in a reasonable time frame.

Subd. 2. **Definitions.** For the purposes of this section, "local water management entities" means watershed districts, soil and water conservation districts, metropolitan water management organizations, and counties operating separately or jointly in their role as local water management authorities under chapter 103B, 103C, 103D, or 103G and chapter 114D.

Subd. 3. **Evaluation and report.** The Board of Water and Soil Resources shall evaluate performance, financial, and activity information for each local water management entity. The board shall evaluate the entities' progress in accomplishing their adopted plans on a regular basis, but not less than once every five years. The board shall maintain a summary of local water management entity performance on the board's Web site. Beginning February 1, 2008, and annually thereafter, the board shall provide an analysis of local water management entity performance to the chairs of the house and senate committees having jurisdiction over environment and natural resources policy.

Subd. 4. **Corrective actions.** (a) In addition to other authorities, the Board of Water and Soil Resources may, based on its evaluation in subdivision 3, reduce, withhold, or redirect grants and other funding if the local water management entity has not corrected deficiencies as prescribed in a notice from the board within one year from the date of the notice.

(b) The board may defer a decision on a termination petition filed under section 103B.221, 103C.225, or 103D.271 for up to one year to conduct or update the evaluation under subdivision 3 or to communicate the results of the evaluation to petitioners or to local and state government agencies.

History: *2007 c 57 art 1 s 104*

Appendix B

PERFORMANCE REVIEW AND ASSISTANCE PROGRAM ADVISORY TEAM MEMBERS

NAME	ORGANIZATION	REPRESENTING
Kevin Bigalke	Nine-Mile Creek WD	Metro WDs
Ray Bohn	MN Assoc. of Watershed Districts	WD statewide association
Brian Dwight	BWSR	BWSR-No. Region
Vacant		Greater MN WD managers
Annalee Garletz	Assoc. of Minnesota Counties	County government
Barbara Haake	Rice Creek WD	Metro area WD managers
Todd Olson	Assoc. of Metropolitan Municipalities	Watershed Management Organizations
Kathryn Kelly	Renville SWCD	SWCD supervisors
Vacant	USDA-Natural Resource Conservation Service	Federal partner
Kevin Ostermann	MACDE / Nicollet SWCD	MN Assoc. of Conservation District Employees
Sheila Vanney	MN Assoc. of Soil &Water Cons. Districts	SWCD statewide association
Steve Woods	BWSR-St. Paul	BWSR management

Appendix C

Level I: 2012 LGU Long-Range Plan Status
as of December 31, 2012

Soil and Water Conservation Districts
(Districts have a choice of option A or B)

A. Current Resolution Adopting County Local Water Management Plan
All resolutions are current.

B. Current District Comprehensive Plan
All comprehensive plans are current.

Counties
Local Water Management Plan Revision Overdue
All local water management plans are current.

Metro County Groundwater Plan Revision Overdue
Carver
Ramsey
Scott
(Anoka and Hennepin Counties have chosen not to participate in this optional program.)

Watershed Districts
10-Year Watershed Management Plan Revision Overdue:

Plan Revision in Progress
Coon Creek
Crooked Creek
Upper Minnesota River

Watershed Management Organizations
10-Year Management Plan Revision Overdue:

Plan Revision in Progress
Gun Club Lake

Appendix D

Level I: Status of Annual Reports for 2011
as of December 31, 2012

Soil and Water Conservation Districts

eLINK Reports of Grant Expenditures: Reports submitted late

Carlton
North St. Louis

Website Content: Missing Content Elements

Beltrami
Waseca

Counties

Drainage Authority Buffer Strip Report

36% submitted late (27 of 74)
Otter Tail (grant temporarily withheld)

eLINK Reports of Grant Expenditures: Reports submitted late

Cook
Lake

Watershed Districts

Drainage Authority Buffer Strip Report

All reports submitted. 25 % submitted late (5 of 20).

Annual Activity Reports Not Submitted

Belle Creek
Buffalo-Red River
Joe River
Sand Hill River

Annual Activity Reports Submitted Late

Bear Valley
Brown's Creek
Cormorant Lakes
Pelican River
Ramsey Washington Metro
Red Lake
Roseau River
Turtle Creek
Upper Minnesota River
Warroad

Metro Watershed Management Organizations

Annual Activity Reports Not Submitted

Mississippi River

Annual Activity Reports Submitted Late

Carver
Black Dog

Appendix E

Level I: Status of Audits and Financial Reports for 2011
as of December 31, 2012

Soil and Water Conservation Districts

Annual Financial Reports (all 90 Districts)
All reports submitted on time.

Annual Audits (58 required)
Morrison (late)

Watershed Districts

Annual Audits Not Completed
Bear Valley
High Island Creek
Joe River
Stockton-Rollingstone-Minnesota City
Turtle Creek

Annual Audits Submitted Late
Brown's Creek
Capitol Region
Carnelian-Marine

Metro Watershed Management Organizations

Annual Audits Not Submitted
Mississippi River

Annual Audits Submitted Late
Black Dog
Middle St. Croix

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP
Performance Review and Assistance Program
2012 Level II Review:
Crooked Creek Watershed District *(Houston County)*

Why BWSR did this review
BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2012 BWSR conducted Level II performance reviews of four different local water management entities.

BWSR has conducted a routine Level II performance review of the Crooked Creek WD because they are one of three local water management entities in Houston County, which is one area of focus for BWSR's PRAP review this year.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the watershed district. The board of managers is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Crooked Creek Watershed District
Summary of Performance Review Results



What BWSR Found
The Crooked Creek WD board of managers has persevered in the original district purpose of constructing and maintaining water retention structures in the Crooked Creek watershed, including extensive sinkhole repair projects in 2008 and 2011. In place for 50-years, all of the district's structures have provided flood relief for downstream residents and landowners. The managers believe that there are other objectives to be achieved in the watershed, but so far, they have been unable to get those projects underway.

A key to the future of this watershed district is the completion of their watershed management plan revision. They have taken several positive steps to that end in recent years. However, the completion of the task seems just out of reach. In recent months, BWSR has invested considerable resources to encourage the district to complete the management plan rewrite, without success. An updated management plan will open some doors to potential new projects and additional funding.

The district has administrative staff support provided through a contract with the Root River Soil and Water Conservation District. It is not clear whether the SWCD has the capability to adequately serve the watershed district's needs. The upcoming review of the SWCD staffing and operational relationships with the county and watershed district will provide an opportunity for the managers to find out if the SWCD will be in a position to meet their needs for administrative support in the future.

Action Items (need immediate attention)
- Data practices policy needed
- Manager appointments: need to be reported
- Watershed management plan: out-of-date
- Website needs additional content.

Commendations (show exemplary performance)
The district meets six of BWSR's benchmark standards for watershed districts in greater Minnesota.

BWSR has offered **four recommendations** for district performance improvements.

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2012 Level II Review:

Houston County Local Water Management

(Houston County)

Why BWSR did this review

BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2012 BWSR has conducted Level II performance reviews of 4 different local water management entities.

BWSR has conducted a routine Level II performance review of Houston County's local water management because they are near the midpoint in implementing their 10-year local water management plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the county. The local water plan committee and county board is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Houston County Local Water Management Summary of Performance Review Results



What BWSR Found

Houston County clearly benefits from a close working partnership with the Root River Soil and Water Conservation District. There is evidence of good coordination between the various county department staff, most notably those in the Planning and Zoning office, and the SWCD staff. The county and SWCD staff have done a good job coordinating and communicating with their local partners and members of the water plan advisory committee. This committee meets regularly, has ownership of local water management issues, and takes an active role in the development and implementation of the water plan.

Commendations (show exemplary performance)

- ★ State $ leveraged at least 1.5 times in non-state $.
- ★ Partnerships: liaison with SWCDs/WDs and cooperative projects/tasks done.
- ★ Report to water plan advisory committee on plan progress.
- ★ County local water plan on county website.
- ★ Water management ordinances on county website.

BWSR offered three recommendations to the county for possible enhancement of their operational effectiveness.

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP
Performance Review and Assistance Program
2012 Level II Review:
Root River SWCD *(Houston County)*

Why BWSR did this review
BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2012 BWSR has conducted Level II performance reviews of 4 different local water management entities.

BWSR has conducted a routine Level II performance review of the Root River SWCD because they are near the midpoint in implementing their local water management plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the district. The board of supervisors is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Root River Soil and Water Conservation District Summary of Performance Review Results



What BWSR Found
The Root River SWCD has demonstrated good progress in implementing the action items laid out in the 2007 Houston County Comprehensive Water Plan. This progress has been in addition to their excellent flood recovery work during the past five years. Following the adoption of the 2007 water plan, three major floods–August 2007, June 2008 and September 2010–caused major damages to Houston County's landscape. The demand for flood damage and erosion repair projects after these events resulted in a much greater than normal workload at both the policy and technical service delivery levels. The district set ambitious goals for flood recovery efforts and has met most of them.

The district's focus on providing technical assistance to landowners has meant that other operational areas, such as organizational infrastructure and capacity, have not been emphasized. Prior to and during the flood recovery efforts, the district had begun discussions with the county regarding collaborative services. With the recent retirement of the District Manager and the board's intent to improve organizational capacity and effectiveness, there is an opportunity to revisit those discussions and reassess their operational needs, which the district is starting to address.

In all these activities the Root River SWCD shows evidence of its standing as one of the pioneering soil conservation districts in Minnesota.

Commendations (show exemplary performance)
- ★ State $ leverage at least 1.5 times in non-state $.
- ★ Website contains additional content beyond minimum required.
- ★ Partnerships: cooperative projects/tasks done with neighboring districts, counties, watershed districts, non-governmental organizations.
- ★ Coordination with County Board by supervisors or staff.

BWSR issued four recommendations for the district's consideration to potentially enhance their organizational effectiveness.

Appendix F

LEVEL II FINAL REPORT SUMMARY

PRAP

Performance Review and Assistance Program

2012 Level II Review:

Traverse SWCD *(Traverse County)*

Why BWSR did this review

BWSR conducts Level II performance reviews to help local government water management entities to be the best they can be in plan implementation and overall operational effectiveness. In 2012 BWSR conducted Level II performance reviews of four different local water management entities.

BWSR has conducted a routine Level II performance review of the **Traverse SWCD** because they are past the midpoint in implementing their 10-year comprehensive plan.

This document includes findings and recommendations to enhance the overall operation and effectiveness of the district. The board of supervisors is responsible for taking any actions they deem necessary in response to the findings and recommendations in this report.

Traverse Soil and Water Conservation District Summary of Performance Review Results

What BWSR Found

One of the defining characteristics of the Traverse SWCD is the high level of trust and strong working relationship between the supervisors and staff. The supervisors and residents of the district are well-served by staff who are personable and have good technical competency.



Administratively, the staff provide strong leadership in their partnership with the Bois de Sioux Watershed District and four other districts involved with the Mustinka River Clean Water Fund projects. This working relationship is aided by consistency between the SWCD and watershed district plans. The district's assumption of responsibilities for most of the county environmental services functions also speaks well of the range of expertise of the district manager and board's willingness to take on these important programs. Finally, the district has an impressive record of CRP and CCRP enrollment in partnership with their USDA partners in Traverse County.

This performance assessment has also revealed that, in addition to the district's impressive list of accomplishments, they have likely reached the limit of their staff's capacity to accomplish work. Two recommendations are offered to address that issue.

Action Items (need immediate attention)

None

Commendations (show exemplary performance)

The Traverse SWCD is commended for meeting these benchmark performance standards.

- ★ State $ leverage at least 1.5 times in non-state $
- ★ Website contains additional content beyond minimum required
- ★ Obtained stakeholder input within last 5 yrs
- ★ Annual report communicates progress on plan goals
- ★ Partnerships: cooperative projects/tasks done with neighboring districts, counties, watershed districts, non-governmental organizations
- ★ Coordination with County Board by supervisors or staff.

Appendix G

WATERSHED BASED PRAP FINAL REPORT SUMMARY

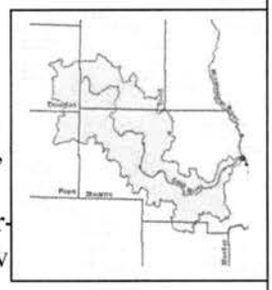
PRAP Pilot Project
Performance Review and Assistance Program
Watershed-based PRAP
Sauk River Watershed *(Pope, Douglas, Todd, Meeker and Stearns Counties & SWCDs; Sauk River Watershed District)*

Why BWSR did this review
Starting in 2008 BWSR has conducted individual Level II performance reviews of 35 different LGUs. This pilot project is designed to test a methodology that will assess the extent to which LGUs that operate within the same watershed have a watershed focus and work together to address resource needs on a watershed basis. This is the first such pilot project.

BWSR selected the LGUs working in the Sauk River watershed because this is a well-defined major watershed covered by a watershed district. The LGUs are all recognized as strong performers in delivering their projects and programs. None of them have previously been the subject of a Level II performance review.

This document includes findings and recommendations to promote collaborative local water management among the LGUs in the Sauk River watershed.

Sauk River Watershed – All LGUs
Summary of Performance Review Results



What BWSR Found
This review revealed many instances where local government units (LGUs) within the same jurisdictional boundary, a county and SWCD, exhibit strong working relationships and good collaboration. Because of these cases the review suggests a more positive picture of collaboration than occurs across county boundaries. With the exception of the Sauk River Watershed District, county boundaries and the political implications of those boundaries are significant barriers to collaboration. In general, collaboration among LGUs on a watershed basis could be stronger. The majority of LGU board and staff members who responded to the PRAP survey indicated that more collaboration would be good for their organization and for the watershed's resources. They suggested ideas for making such improvements.

This review identified three specific issues for LGU action: identifying strengths (feedlot management), communication and coordination, and lack of trust/competition for funds. Practical action steps are recommended to address each of these issues and an implementation schedule is proposed.

In addition, the report includes suggestions for a BWSR role in assisting LGUs in the implementation of the recommended actions. BWSR has assistance grants to support implementation.

The next steps in this process include meetings with each contributing LGU board to present recommendations specific to that LGU to improve their potential for collaboration with each other.

Appendix G

PRAP Pilot Project Performance Review and Assistance Program Watershed-based PRAP Sauk River Watershed
(Pope, Douglas, Todd, Meeker and Stearns Counties & SWCDs; Sauk River Watershed District)

Why BWSR did this review
Since 2008 BWSR has conducted individual Level II performance reviews of 35 different LGUs. This pilot project is designed to test a new methodology that will assess the extent to which LGUs that operate within the same watershed have a watershed focus and work together to address resource needs on a watershed basis. This is the first such pilot project.

BWSR selected the LGUs working in the Sauk River watershed because this is a well-defined major watershed covered by a watershed district. The LGUs are all recognized as strong performers in delivering their projects and programs. None of them have previously been the subject of a Level II performance review.

Pope County & Pope Soil and Water Conservation District
Summary of Performance Review Results
Watershed-based PRAP



What BWSR Found
The Pope County portion of the Sauk River Watershed covers only 7 percent of the county in the northeast corner. This is a headwater area to two Sauk River tributaries. Two Pope County LGUs, the county Land and Resource Management Department (LRM) and the Soil and Water Conservation District (SWCD), provide local resource management services throughout the county using the same comprehensive local water management plan. Both LGUs have partnered with the Sauk River Watershed District on a few programs. The Pope LGUs have not found opportunities to collaborate on program delivery with neighboring counties that share portions of the Sauk River watershed.

Regarding organizational development, the Pope SWCD has taken some positive steps toward enhanced organizational effectiveness in the past few years. Since July, however, both LGUs have faced a significant organizational challenge. The loss of key staff people in the county Land and Resource Management Department has resulted in a systematic reexamination of services by the county and, potentially, a greater role for the SWCD in program areas previously conducted by county staff.

This review identified two specific issues and associated recommendations for action by these LGUs. The first deals with the need to complete the on-going planning of organizational and service delivery realignment. The second addresses the local water management plan revision that is currently underway and the need to expand the role of the local water plan task force.

With respect to the collaboration among all 10 LGUs working in the Sauk River watershed, this review found that, while there are some areas of success, there is also potential for improvement. Four issues and recommendations are presented to address that potential. However in the case of Pope County LGUs, any discussion of collaboration with the other contributing LGUs in the Sauk River watershed should be postponed until the reorganization process is completed.

Appendix G

Summaries of PRAP Watershed-based Pilot Project Reports for the eight other LGUs--

Sauk River Watershed District
Douglas County and SWCD
Todd County
Stearns County
Stearns SWCD
Meeker County and SWCD—

were not finalized at the time this report was published. Summaries will be published on the BWSR website as they become available. (www.BWSR.state.mn.us/PRAP/index.html)

Appendix H

2012 Local Government Performance Awards and Recognition

(Awarding agency listed in parentheses.)

County Conservation Award
(Association of Minnesota Counties and Board of Water and Soil Resources)
Landfill Reclamation Initiative, Olmsted County

Outstanding SWCD Employee
(Board of Water and Soil Resources)
Greg Ostrowski, Todd SWCD

Outstanding Supervisor Award
(Minnesota Association of Soil and Water Conservation Districts)
Roland Cleveland, Chisago SWCD

Appreciation Award
(Department of Natural Resources)
Blue Earth SWCD

Outstanding WD Employee
(Board of Water and Soil Resources)
Anna Eleria, Capitol Region WD

Watershed District of the Year
(Department of Natural Resources)
Cedar River WD

Program of the Year
(Minnesota Association of Watershed Districts)
East Metro Water Resource Education Program,
Brown's Creek, Carnelian Marine-St. Croix, Ramsey Washington Metro,
Rice Creek, South Washington and Valley Branch WDs

Project of the Year
(Minnesota Association of Watershed Districts)
Maplewood Mall Runoff Reduction Retrofit Project,
Ramsey Washington Metro WD

NEW BUSINESS

1. Amending Resolution – FY2013 Competitive Grant Program Allocations – Dave Weirens – ***DECISION ITEM***

2. Principal Place of Business Change in Location for Comfort Lake-Forest Lake Watershed District – Jim Haertel - ***DECISION ITEM***

3. Washington Conservation District Change of Location of Principal Office – Jim Haertel – ***DECISION ITEM***

4. Conflict of Interest Presentation – Tim Dykstal – ***INFORMATION ITEM***

5. Current Groundwater Topics/Issues in MN – Eric Mohring – ***INFORMATION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Amending Resolution #12-113, FY2013 Competitive Grant Program Allocations**

Meeting Date: January 23, 2013

Agenda Category: ☐ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Land and Water Section

Contact: Dave Weirens

Prepared by: Dave Weirens

Reviewed by: _____ Committee(s)

Presented by: Dave Weirens

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☐ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☒ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

The Board is requested to amend Resolution #12-113 to increase funding to project CWF13-51 with returned grant funds in the amount of $80,235.

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

On December 12, 2012, the Board adopted Resolution #12-113 which allocated funds to projects under the FY2013 Clean Water Fund Competitive Grants Program. Shortly after the Board adopted this resolution, it was brought to the attention of staff that a Livestock Waste Management Project proposed by Benton SWCD had been incorrectly scored as not being riparian. This error occurred due to the operation of the software used to facilitate application processing. If this project had been scored as riparian, it would have been recommended for funding.

Staff are proposing that returned grant funds be used for this project for which $80,235 was requested.

Minnesota Board of Water & Soil Resources

Board Resolution # 13-

AMENDING BOARD RESOLUTION #12-113: FY 2013 COMPETITIVE GRANTS PROGRAM FUNDING RECOMMENDATION

WHEREAS, the Board adopted Resolution #12-113 on December 12, 2012 in which FY 2013 Clean Water Fund Competitive Grants Program funds were awarded; and

WHEREAS, Benton SWCD submitted an FY2013 CWF Competitive Grant Program application that included 5 individual feedlots with a combined proposed budget of $480,235; and

WHEREAS, two of these feedlots were awarded funds in Resolution #12-113; and

WHEREAS, following the December 12, 2012 Board meeting the Benton SWCD manager inquired about the scoring for one of the feedlot projects with a budget of $80,235 that it applied for; and

WHEREAS, a database discrepancy resulted in this feedlot project being scored as not being riparian, thereby placing it outside of the recommended funding range; and

WHERERS, had the project received funding for being in a riparian location, it would have scored high enough to be included in the funding recommendation; and

WHEREAS, BWSR has received returned competitive grant funds in excess of $80,235 that are available to correct this error.

NOW THEREFORE BE IT RESOLVED, that the Board amends Resolution #12-113 to increase funding to project CWF13-51 by $80,235 from returned grant funds.

_____ Date: _____

Brain Napstad, Chair
Board of Water and Soil Resources

2013 CWF Review Process/ Benton SWCD CWF Feedlot Request
January 11, 2013

Overview.
Benton SWCD submitted a Clean Water Fund Livestock Waste Management (LWM) application that included 5 individual feedlots with a combined proposed budget of $480,235.

Statewide, there were 62 Livestock Waste Management applications totaling $6,812,654.

In 2013, as in previous years, Livestock Waste Management application information was submitted via Excel spreadsheet . Other grant program components also required a narrative Word document with the Project description and answers to a series of questions to be submitted.

In order to facilitate the review process for the large number of Clean Water Fund applications that are received each year, the information gathered in the budget and pollutant reduction spreadsheets and narrative project descriptions is converted to a database.

The RFP identified distance criteria to various features such as lakes, rivers, ditches etc. in order to make a determination whether the riparian criterion had been met.

One of the feedlots identified in the Benton SWCD LWM application was identified as riparian and the distance to the riparian feature was listed as 0 (zero) feet, but unfortunately the database program considered that a "null value" and inserted a blank space in that column rather than transferring the number as it was entered.

During the review process, applications with missing or incomplete information were at a significant scoring disadvantage, particularly as it related to the riparian category which was worth 35 points in the scoring. Other applications were missing information or incomplete, including no information about the distance to a riparian feature so this particular blank space did not raise a flag at that time and the scoring proceeded as if no information had been provided.

A subsequent conversation with the Benton SWCD manager after the December 12, 2012 board meeting raised a question about the scoring for that particular feedlot and the error was discovered at that time. Had the application received the points for riparian location, it would have scored high enough to be included in the funding recommendation.

The database discrepancy triggered a review of all the original application data. That review determined that this Benton feedlot application presented a unique circumstance where information was entered into the application spreadsheet but did not convert accurately to the database. Other applications where blanks appeared in the database information had in fact been missing that information in the original application materials.

Proposal.
The amount requested for this project is $80,235. Staff are proposing to correct this error by allocating returned grant funds in this amount to Benton SWCD. BWSR currently has returned competitive grant funds in excess of this amount.

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Principal Place Of Business Change In Location For Comfort Lake-Forest Lake Watershed District**

Meeting Date: January 23, 2012

Agenda Category: ☐ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Metro

Contact: Jim Haertel

Prepared by: Jim Haertel

Reviewed by: _____ Committee(s)

Presented by: Jim Haertel

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED
Decision

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
Currently the office for the Comfort Lake-Forest Lake Watershed District is located in the Forest Lake City Hall. The city hall is also where the board of managers holds its meetings. The city hall is located within the boundaries of the District. A new city hall is being built that is located about one-quarter mile outside of the District boundaries. The old city hall will be demolished when construction of the new city hall has been completed. The District desires to continue to locate at the new city hall for its meetings and office. Minnesota Statutes section 103D.321, subd. 1 requires the BWSR Board to designate the nearest suitable public facility as the District's principal place of business when no public facilities are available within the District. We have received a letter (attached) from Doug Thomas, Administrator of the District, stating no other public facilities are located within the District. That includes no public schools, municipal buildings, township buildings, or public libraries. BWSR staff know of no public facilities within the District. Staff recommend the BWSR Board designate the new Forest Lake City Hall as the District's principal place of business effective when the new building is ready for occupancy and the District has completed its move per the attached draft resolution.

DRAFT

Minnesota Board of Water & Soil Resources

Minnesota Board of Water and Soil Resources Resolution No. 13-____

Principal Place of Business Change in Location for Comfort Lake-Forest Lake Watershed District

WHEREAS, the principal place of business for the Comfort Lake-Forest Lake Watershed District is currently located in the Forest Lake City Hall; and,

WHEREAS, the Forest Lake City Hall is currently located within the boundaries of the watershed district; and,

WHEREAS, the City of Forest Lake is building a new city hall that is located approximately 1600 feet outside of the boundaries of the watershed district; and,

WHEREAS, upon completion of the new city hall and demolition of the old city hall there will be no public facilities available within the boundaries of the watershed district according to watershed district staff and board staff; and,

WHEREAS, Minnesota Statutes section 103D.321, subdivision 1 requires the board to designate the nearest suitable public facility as the watershed district's principal place of business when no public facilities are available within the District.

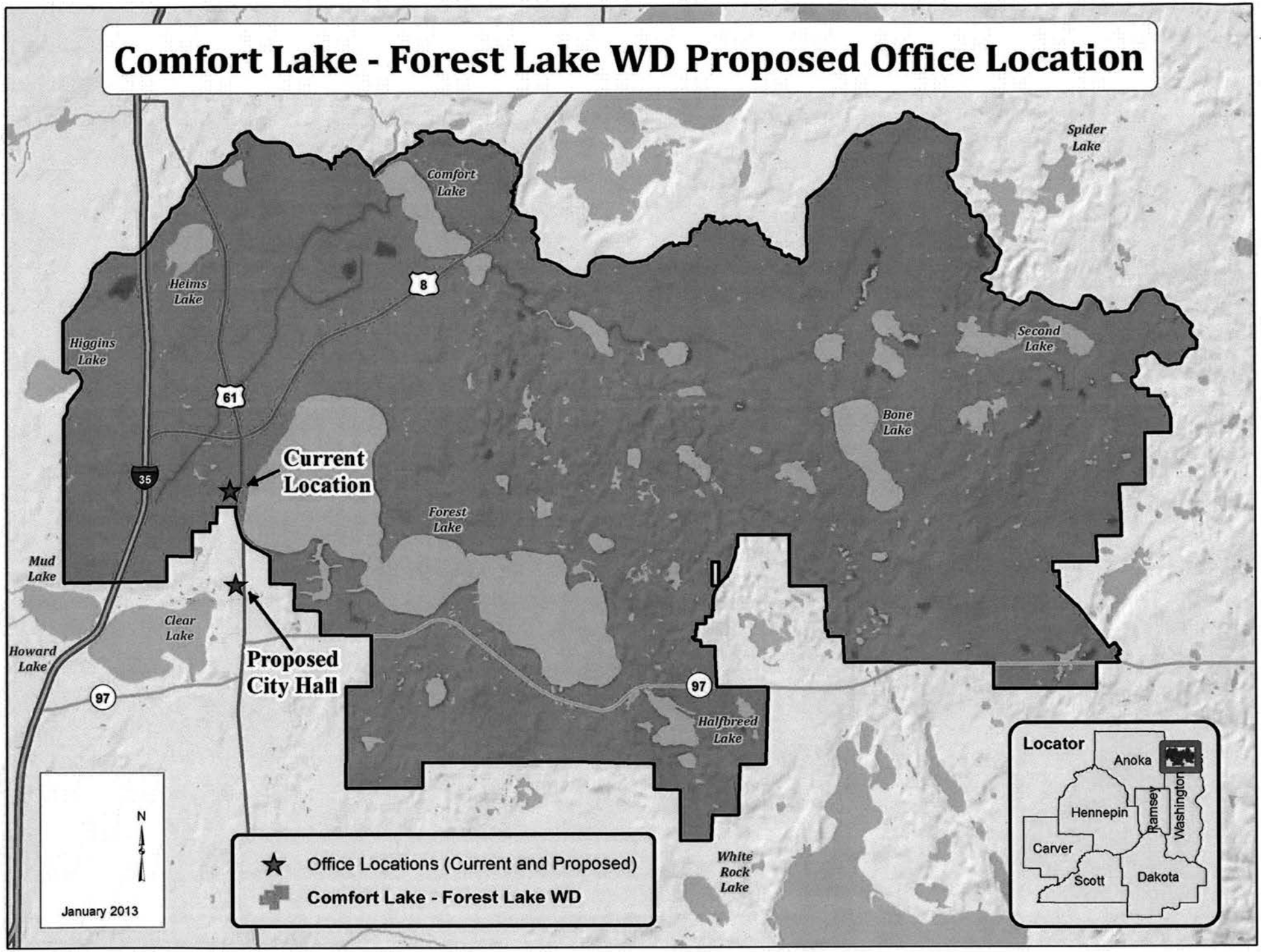
NOW THEREFORE BE IT RESOLVED, that the Board hereby designates the new Forest Lake City Hall as the Comfort Lake-Forest Lake Watershed District's principal place of business effective when the new building is ready for occupancy and the watershed district has completed its move.

Dated at St. Paul, Minnesota this 23rd day of January, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair


Comfort Lake - Forest Lake WD Proposed Office Location
Spider Lake
Comfort Lake
Heims Lake
8
Higgins Lake
Second Lake
61
Bone Lake
Current Location
35
Forest Lake
Mud Lake
Clear Lake
Howard Lake
Proposed City Hall
97
97
Halfbreed Lake
White Rock Lake
N
January 2013
Office Locations (Current and Proposed)
Comfort Lake - Forest Lake WD
Locator
Anoka
Hennepin
Ramsey
Washington
Carver
Scott
Dakota

Doug Thomas
Administrator
651.209.9753
doug.thomas@clflwd.org

COMFORT LAKE
-WATERSHED DISTRICT-
FOREST LAKE

Protecting Your Water Resources

220 North Lake Street
Forest Lake, MN 55025

TO: Mary Kells, Board Conservationist

FROM: Doug Thomas, Administrator

DATE: December 20, 2012

SUBJECT: CLFLWD Office Relocation Inquiry

Mary, as we discussed on the phone the CLFLWD is seeking an opinion/advice from BWSR on whether the District can relocate its office to a new City Hall/Municipal Complex that the City of Forest Lake is building which will be located just outside of the District's legal boundary. I have attached two maps which show the District as a whole and the proposed City Hall and its proximity to the District's legal boundary.

The proposed location will be approximately 1600 feet from the Districts boundary to the east. The main reason for bringing this request up is that after carefully looking for other public facilities we have determined that none exist within the District's boundary. That includes no schools, municipal or township buildings, or other public facilities such as libraries. Since the City intends to demolish the old building and sell for private development, if we are to technically conduct business in the District it would mean that we would have to lease privately owned office space for the purpose of meetings, hearings, etc.

In my reading of the law (103D.321) it suggests that after a determination by the managers that public facilities are not available for a principal place of business the board can determine and designate the nearest public facility as its principal place of business. I am also aware of an opinion that BWSR had given regarding the Thirty Lake Watershed District and that its business (i.e. meetings and hearing) had to be conducted in the District. However in this case as with the Browns Creek WD the new location being so close to the boundary for all practical purposes does not inhibit or cause any extra burden for a resident of the District to attend meetings as compared to the current location. I have checked with our legal counsel who informally has indicated that they would advise favorably to the District's ability to the new location and our ability to conduct official business at it.

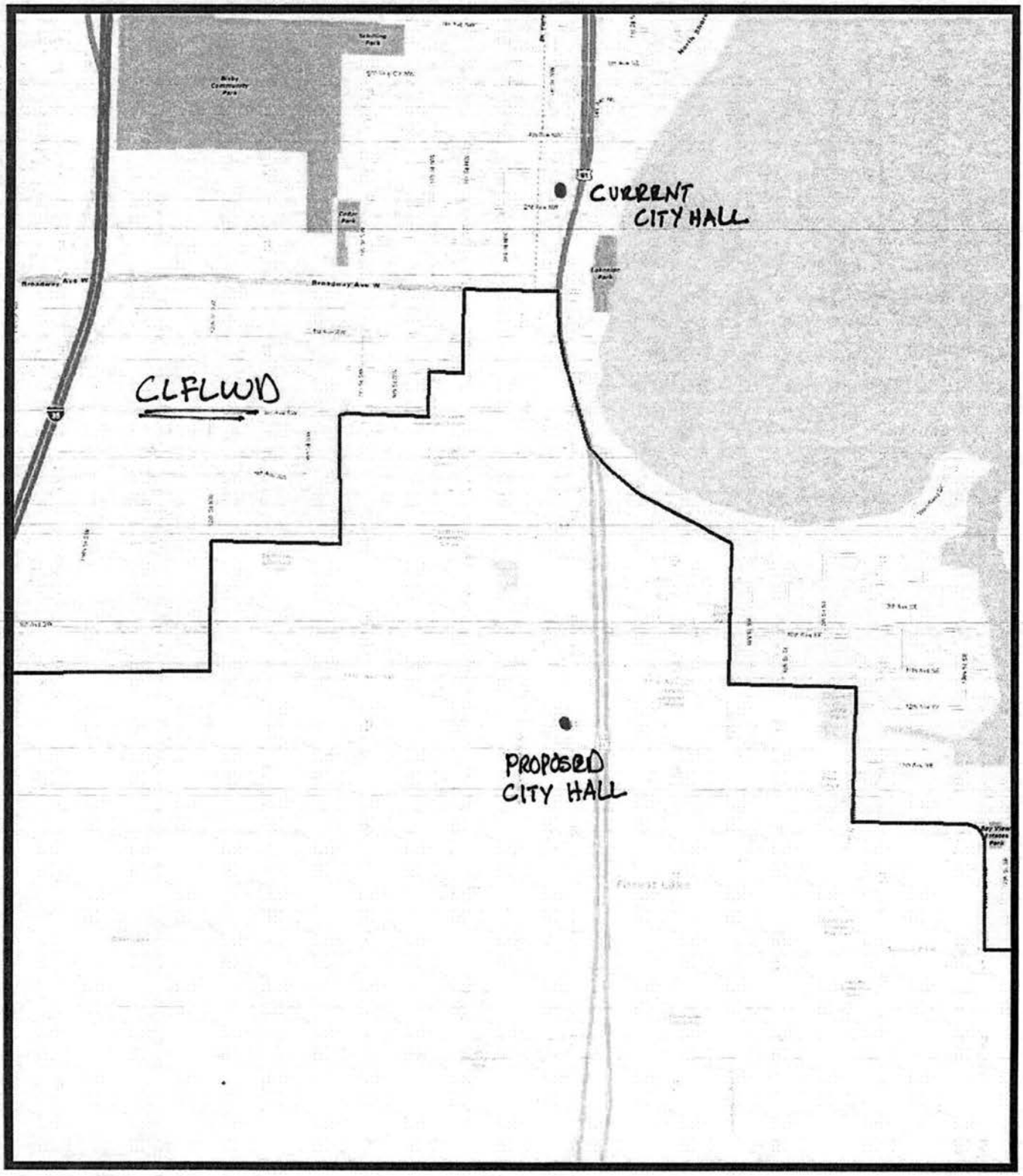
Hopefully BWSR will concur and be able to provide us with a letter or similar documentation that it will support the proposed new principal place of business when that occurs which is expected to be in mid 2014. With the City in the early stages of building design it is important that the District be able to confirm with them, one way or the other, if we are able to locate in the new building.

Board of Managers
Jackie A. Anderson—President Richard P. Damchik—Vice President John T. Lynch—Secretary
Jon W. Spence—Treasurer Wayne S. Moe—Manager

COMFORT LAKE
WATERSHED DISTRICT
FOREST LAKE

Protecting Your Water Resources

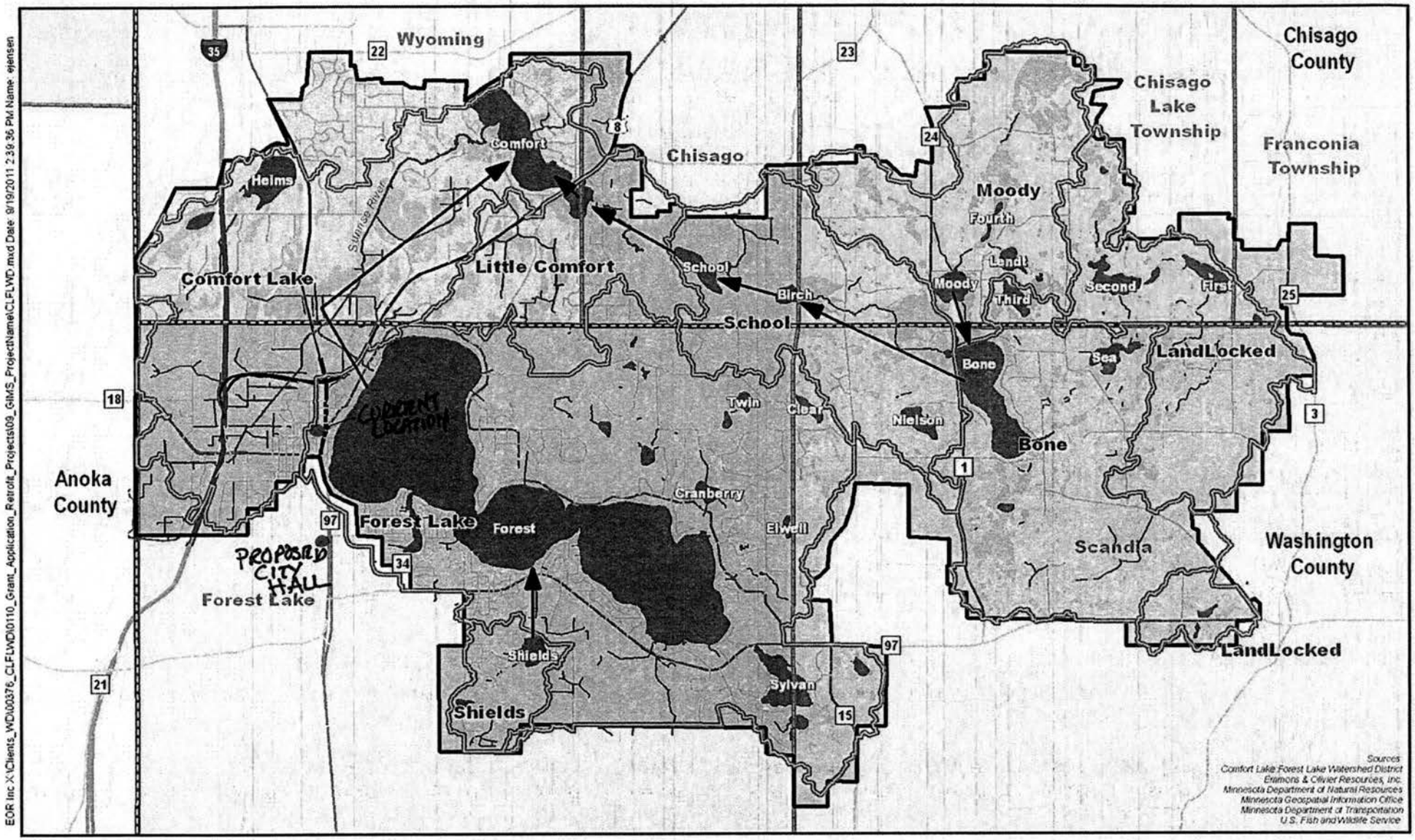
New City Hall Location



Disclaimer: Maps and documents made available to the public by the CLFLWD are not legally recorded maps nor surveys and are not intended to be used as such.
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N
W E
S

Printed 12/20/2012



EOR Inc X:\Clients_WD\00376_CLFLWD\0110_Grant_Application_Retrofit_Projects\09_GIMS_ProjectName\CLFLWD.mxd Date: 9/19/2011 2:39:36 PM Name: ejensen

Political Boundary
County Boundary
Muncipal Boundary
Wetlands
Flow Direction
Stream/Ditch

EOR
www.eorinc.com

N

0 0.5 1 2 Miles

103D.321 PRINCIPAL PLACE OF BUSINESS

Subdivision 1. **Unavailable public facilities.** If public facilities are not available for a watershed district's principal place of business within the watershed district, the board shall determine and designate the nearest suitable public facility as the watershed district's principal place of business.

Subd. 2. **Change of principal place of business.** (a) The managers may initiate a change of the principal place of business to a different location within the watershed district by passing a resolution stating the proposed change of location. After passing the resolution, the managers must set a time and location for a hearing on the change of the principal place of business.

(b) The managers must give notice of the hearing by publication in a legal newspaper, published in the counties affected by the watershed district, with the last publication occurring at least ten days before the hearing. Notice of the hearing must be mailed to the auditors of counties affected by the watershed district ten days before the hearing. After the hearing, the managers may, by order, change the place of business.

(c) The change of the principal place of business of the watershed district is effective when a certified copy of the managers' order is filed with the secretary of state and the board.

History: *1990 c 391 art 4 s 22; 1995 c 199 s 14*

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BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Washington Conservation District Change Of Location Of Principal Office**

Meeting Date: January 23, 2013

Agenda Category: ☐ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Metro Region

Contact: Jim Haertel

Prepared by: Mary Peterson

Reviewed by: _____ Committee(s)

Presented by: Jim Haertel

☐ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☒ **Resolution** ☐ **Order** ☒ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Appoval of the Washington Conservation District Change of Location of Prinicpal Office

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Pursuant to MS Section 103C.221, Change of Location of Principal Office, SWCDs are required to receive BWSR approval for a change of location of their principal office by adopting a resolution by a majority vote of the district board of supervisors stating the new location. After the BWSR board approves the change the resolution is filed with the Secretary of State.

Washington Conservation District (WCD) has completed all required procedures for requesting a change of location by adopting the appropriate board resolution (attached) on January 9, 2013, recording the action in the minutes and submitting a request for BWSR approval. The WCD requested that the principal office of the Board of Supervisors of the Washington Conservaton District and the headquarters of the District be changed from 1380 W. Frontage Road, Hwy 36, Stillwater, MN to 455 Hayward Avenue North, Oakdale, MN effective as of May 2013. Both locations are within Washington County.

The WCD has been advised by legal counsel to obtain the required BWSR Board approval for the change in office location at this time to make certain all legal requirements necessary for the WCD to perform a lease/purchase agreement and take occupancy in May have been satisfied. BWSR staff recommend the attached draft resolution be approved.

DRAFT

Minnesota Board of Water & Soil Resources

Minnesota Board of Water and Soil Resources Resolution No. 13-____

Washington Conservation District
Change of Location of Principal Office

WHEREAS, the principal office for the Washington Conservation District is currently located at 1380 West Frontage Road, Highway 36 in Stillwater, Washington County; and,

WHEREAS, the Washington Conservation District has requested approval to change the location of its principal office to 455 Hayward Avenue North in Oakdale, Washington County; and,

WHEREAS, the Washington Conservation District intends to enter into a lease/purchase agreement for the building at the new location in Oakdale; and,

WHEREAS, the Washington Conservation District Board of Supervisors adopted a resolution dated January 9, 2013 stating the new office location; and,

WHEREAS, Minnesota Statutes section 103C.221 requires adoption of a resolution by a majority of the district's board of supervisors stating the new office location and approval by the board before filing the change in location of the principal office with the secretary of state.

NOW THEREFORE BE IT RESOLVED, that the Board hereby approves the new principal office location for the Washington Conservation District to be 455 Hayward Avenue North, Oakdale, Minnesota.

Dated at St. Paul, Minnesota this 23rd day of January, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

_____

BY: Brian Napstad, Chair


Washington Conservation District Proposed Office Location
Goose Lake
Birchwood Village
Willernie
244
Stillwater
Long Lake
Old Location
Pine Springs
36
Oak Park Heights
Bayport
95
Jane, Lake
694
De Montreville, Lake
North Saint Paul
Lake Elmo
5
Elmo, Lake
120
Eagle Point Lake
Beaver Lake
Horseshoe Lake
5
Oakdale
New Location
Tanners Lake
Landfall
Lakeland
Lakeland
94
Battle Creek Lake
494
Woodbury
61
N
January 2013
Major Cities
Minor Cities
Small Cities
Office Locations (Current and Proposed)
Locator
Anoka
Hennepin
Ramsey
Washington
Carver
Scott
Dakota
Point

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Conflict of Interest Training and Disclosure

Meeting Date: January 23, 2013

Agenda Category: ☐ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☐ Decision ☐ Discussion ☒ Information
Section/Region:
Contact: Tim Dykstal
Prepared by: Tim Dykstal
Reviewed by: John Jaschke Committee(s)
Presented by: Tim Dykstal

☒ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☒ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested

☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget

☐ Other:

ACTION REQUESTED

BWSR's Fiscal Compliance Director will explain a recent revision in the state's Office of Grants Management Conflict of Interest Policy, and lead a training session on conflict of interest in grant reviewing.

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

The 06/18/12 revision of the Office of Grant's Management (OGM) Conflict of Interest policy added a definition of a "potential" conflict of interest to the existing categories of "perceived" and "actual" conflicts. A "potential conflict … may exist," the policy states, "if a grant reviewer has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests." This training session will stress the importance of guarding against conflict of interest and will explain how the OGM's policy and its three categories of conflict--actual, perceived, and potential--apply to BWSR's structure and mission. At the conclusion of the training, BWSR will encourage Board members to disclose potential and perceived conflicts of interest.

Link to OGM Policy 08-01, Conflict of Interest--
http://www.admin.state.mn.us/documents/grants_policy2012_08-01.pdf

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Current Groundwater Topics/Issues In Mn

Meeting Date: January 23, 2013

Agenda Category: ☐ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☐ Information

Section/Region: Enginnering and Technical Services

Contact: Eric Mohring

Prepared by: John Jaschke

Reviewed by: N/A Committee(s)

Presented by: Eric Mohring and other agency staff

☒ **Audio/Visual Equipment Needed for Agenda Item Presentation**

Attachments: ☐ **Resolution** ☐ **Order** ☐ **Map** ☐ **Other Supporting Information**

Fiscal/Policy Impact

☒ None
☐ Amended Policy Requested
☐ New Policy Requested
☐ General Fund Budget
☐ Capital Budget
☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget
☐ Other: _____

ACTION REQUESTED
Information Item

LINKS TO ADDITIONAL INFORMATION

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
Ground water is one of Minnesota's most precious resources. Like clouds, rain, lakes and streams, ground water is a part of the hydrologic cycle that sustains life by circulating water above, below and through all living things. We are more familiar with rain, streams and lakes because we see them regularly. But when water from these sources moves downward through soil, sediments or openings in rock, it enters a subsurface realm that is hidden from our view. If it travels deep enough, it becomes part of our valuable ground-water system. Most ground water is always on the move, slowly flowing through openings in subsurface materials like the small pores between sand grains or cracks in rock. Normally, Minnesota ground water flows into (and replenishes) streams, lakes or wetlands. Only a very small percentage of ground water exits as discrete natural springs. Ground water also plays a major role in sustaining our lakes and streams, especially in times of sparse precipitation. In Minnesota, ground water is more geographically available and naturally more pure than lakes or streams. More than 70 percent of Minnesotans use ground water for their drinking water and household water supply. Ground water also is tapped for irrigation and for industrial and commercial purposes. Just as groundwater abundance and susceptibility is variable in different parts of the state, so too is the data needed to make decisions that assure wise and fair use of the resource for short and long term factors.

FOR YOUR INFORMATION

January 23, 2013

- ☐ Board Member Listing, January 2013
- ☐ Board Member Appointed Member Location Map 2013
- ☐ BWSR Advisors, January 2013
- ☐ Updated BWSR Staff Listing
- ☐ 'BWSR Snapshots' January 2013
- ☐ IRS Mileage Rate Effective January 1, 2013
- ☐ Campaign Finance & Public Disclosure Board - "Notice of Appointment of Public Official" form to submit

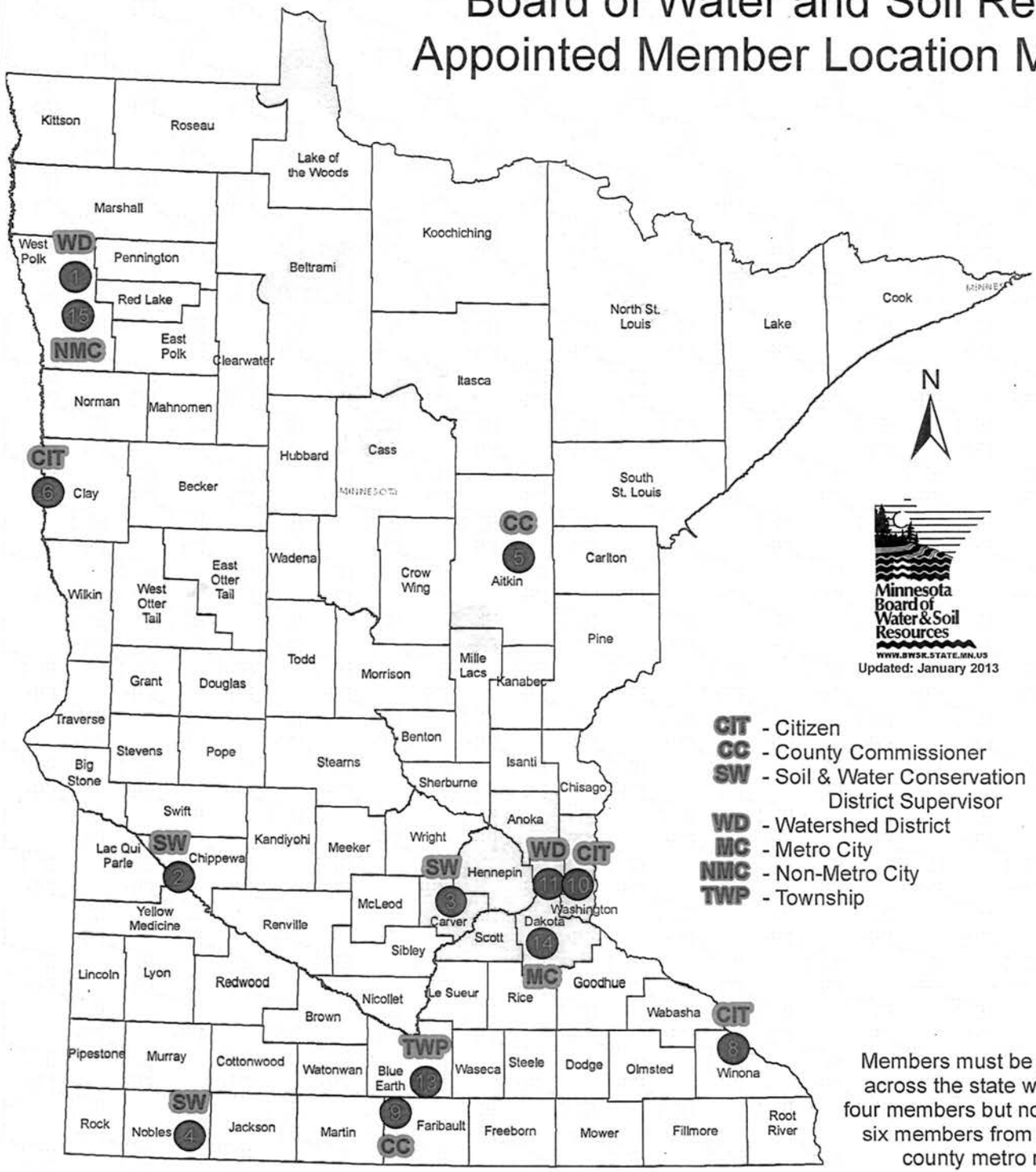
MINNESOTA BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MINNESOTA 55155
Phone: 651-296-3767 Fax: 651-297-5615

Appointed Members	*Appointment Designation*	*Term*	*Telephone/Fax/Cell*	
Brian Napstad, Chair 51227 Long Point Place, McGregor, MN 55760	**Co. Commissioner** bnapstad@yahoo.com	**2/03/10 - 1/06/14**	218-426-3008 218-426-4662	*Home* *Office*
Vacant	Co. Commissioner	1/05/15		
Tom Loveall 39290 200th St., Winnebago, MN 56098	**Co. Commissioner** tomcat56098@yahoo.com	**5/11/09 - 1/07/13**	507-854-3572 507-854-3300	*Home* *Office*
Jack Ditmore 61 Flandrau Place, St. Paul, MN 55106	**Citizen** ditjc9999@msn.com	**3/29/12 – 1/04/16**	651-774-7239	*Home*
Gerald Van Amburg 4518 5th Street S., Moorhead, MN 56560	**Citizen** vanambur@cord.edu	**6/30/11 - 1/05/15**	218-236-7659 218-790-2502	*Home* *Cell*
John Meyer	Citizen	5/11/09 - 1/07/13		
Robert Burandt	SWCD	5/11/09 - 1/07/13		
Paul Langseth 35505 280th St., Worthington, MN 56187	**SWCD** paul.langseth@gmail.com	**2/03/10 - 1/06/14**	507-360-5844 507-376-5686	*Office* *Home*
Steve Sunderland 2030 20th Ave., SE, Montevideo, MN 56265	**SWCD** sunderland@mvtvwireless.com	**3/29/12 – 1/04/16**	320-226-3550	*Home*
Vacant	Watershed	1/05/15		
Gene Tiedemann 13099 310th Ave., SW, Euclid, MN 56722	**Watershed** gtiedemann@rrv.net	**2/03/11 - 1/06/14**	218-281-6723	*Home*
Joseph Collins 534 West Orange Ave., St. Paul, MN 55117	**Watershed** jpcollins534@msn.com	**3/29/12 – 1/04/16**	651-488-5108	*Home*
Sandra Hooker 14418 618th Avenue, Mapleton, MN 56065	**Townships** sandy.hooker@mntownships.org	**3/29/12 – 1/04/16**	507-869-3114	*Home*
Christy Jo Fogarty 18946 Excalibur Trail, Farmington, MN 55024	Metro City cfogarty@charter.net	9/21/09 - 1/07/13	651-460-8057 612-867-8875	*Home* *Office*
Keith Mykleseth 532 Summit Avenue, Crookston, MN 56716	**Non-Metro City** keith243@ymail.com	**6/30/11 - 1/05/15**	218-281-1801 218-521-0565	*Home* *Cell*

State Agency Members:

Matthew Wohlman Freeman Office Bldg., 625 Robert St. N., St. Paul, MN 55155 Matthew.Wohlman@state.mn.us	**Department of Agriculture**	651-201-6551 651-201-6120	*Office* *Fax*
Chris Elvrum P.O. Box 64975, St. Paul, MN 55164-0975 chris.elvrum@state.mn.us	**Department of Health**	651-201-4598 651-201-4986	*Office* *Fax*
Tom Landwehr 500 Lafayette Road, St. Paul, MN 55155 Tom.Landwehr@state.mn.us	**Department of Natural Resources**	651-259-5555 651-296-4799	*Office* *Fax*
Faye Sleeper Room 173 McNeal Hall, 1985 Buford Avenue, St. Paul, MN 55108 fsleeper@umn.edu	**U of M/Extension**	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*

Board of Water and Soil Resources
Appointed Member Location Map (2013)



N

Minnesota Board of Water & Soil Resources
WWW.BWSR.STATE.MN.US
Updated: January 2013

CIT - Citizen
CC - County Commissioner
SW - Soil & Water Conservation District Supervisor
WD - Watershed District
MC - Metro City
NMC - Non-Metro City
TWP - Township

Board Members

ID, Member, Yr. Appt. Ends

- 1, Gene Tiedmann, 2014
- 2, Steve Sunderland, 2016
- 3, Robert Burandt, 2013
- 4, Paul Langseth, 2014
- 5, Brian Napstad, Chair, 2014
- 6, Gerald Van Amburg, Vice Chair, 2015
- 7, Vacant
- 8, John Meyer, 2013
- 9, Tom Loveall, 2013
- 10, Jack Ditmore, 2016
- 11, Joseph Collins, 2016
- 12, Vacant
- 13, Sandra Hooker, 2016
- 14, Christy Jo Fogarty, 2013
- 15, Keith Mykleseth, 2015
- Seven County Metro Area

Members must be distributed across the state with at least four members but not more than six members from the seven county metro region.

Agency Seats

16, Matthew Wohlman, MDA
17, Chris Elvrum, MDH
18, Tom Landwehr, DNR
19, Faye Sleeper, UME
20, Rebecca Flood, MPCA

January 2013

BWSR Advisors

BWSR Advisors receive notices of BWSR Board Meetings and may participate as advisors to inform Board or Committee proceedings.

Local Government Organizations

- ❑ *Association of Minnesota Counties (AMC) – Annalee Garletz, Policy Analyst*
- ❑ *Minnesota Association of Conservation District Employees (MACDE) – Matt Solemsaas, President*
- ❑ *Minnesota Association of Soil & Water Conservation Districts (MASWCD) – LeAnn Buck, Executive Director*
- ❑ *Minnesota Association of Townships (MAT) – Gary Pedersen, Executive Director*
- ❑ *Minnesota Association of Watershed Districts (MAWD) – Ray Bohn, Coordinator*
- ❑ *Minnesota County Planning and Zoning Administrators (MACPZA) – Mandy Landkamer, President*
- ❑ *League of Minnesota Cities (LMC) – Craig Johnson, Intergovernmental Relations Representative*

Federal Agencies

- ❑ *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 Shafer, Executive Director*
- ❑ *USDA Natural Resources Conservation Service (NRCS) – Krista Olson, Assistant State Conservationist*

State Agencies

- ❑ *Met Council – Bill Moore, General Manager/Environmental Services Division*
- ❑ *Minnesota Department of Transportation (MNDOT) – Lynn Clarkowski, Director/Environmental Services*

Interest Organizations

- ❑ *Allete Minnesota Power – Blake Francis, Supervisor/Water Quality & Waste Management Division*
- ❑ *Audubon Minnesota – Lee Pfannmuller, Executive Director*
- ❑ *Builders Association of the Twin Cities – James Vagle, Public Policy Director*
- ❑ *Conservation Minnesota – Paul Austin, Executive Director*
- ❑ *Fish and Wildlife Legislative Alliance – Lance Ness*
- ❑ *Iron Mining Association of Minnesota – Craig Pagel, President*
- ❑ *Izaak Walton League – Jill Crafton, Treasurer*
- ❑ *Minnesota Agricultural Water Resources Coalition – Warren Formo, Executive Director*
- ❑ *Minnesota Agri-Growth Council – Daryn McBeth, President*
- ❑ *Minnesota Association of Professional Soil Scientists – Dave Bauer, President*
- ❑ *Minnesota Association of Realtors – Ryan Hamilton, 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 – Dar Geiss, President*
- ❑ *Minnesota Center for Environmental Advocacy – Scott Strand, Executive Director*
- ❑ *Minnesota Conservation Federation – Gary Botzek, Executive Director*
- ❑ *Minnesota Corn Growers Association – Tim Gerlach, Executive Director*
- ❑ *Minnesota Ducks Unlimited – Jon Schneider, 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 – Kris Larson, Executive Director*
- ❑ *Minnesota Milk Producers Association – Ted Radintz, Policy & Membership Manager*
- ❑ *Minnesota Native Wildflowers/Grass Producers Association – Joe Schaffer, President*
- ❑ *Minnesota Pork Producers Association – Dave Preisler, Executive Director*
- ❑ *Minnesota Sierra Club – Luther Dale, Chapter Chair*
- ❑ *Minnesota Soybean Growers Association – Tom Slunecka, 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 Wetland Professionals Association – Dan Tix, President*
- ❑ *Pheasants Forever – Matt Holland, Senior Field Supervisor, and Joe Duggan, Vice President*
- ❑ *Red River Valley Sugarbeet Growers Association, Nick Sinner, Executive Director*
- ❑ *The Nature Conservancy – Isis Stark, Government Relations Director*
- ❑ *Water Resource Coordinators Group – Leslie Stovring, Group Coordinator*

Contact Mary Jo Anderson at mary.jo.anderson@state.mn.us if you have changes or wish to be included in this listing.

PHONE NUMBERS FOR BWSR STAFF

Main Line: 651-296-3767 - Fax: 651-297-5615 - BWSR Conference Room: 651-297-8025

Metro Office

Haertel, Jim	297-2906
Peterson, Mary	296-0874
Peterson, Lynda Cell	(612) 201-9806
Rodacker, Dennis	296-6736
Westrick, Marcey	284-4153
Cell	(651) 276-5976
Wozney Brad	296-6068
Cell	(651) 233-6673

Central Office

Anderson, Mary Jo	297-4290
Bonde, Karen	297-3998
Engineers Cell	(651) 485-8466
Buckhout, Don	296-0768
Cabak, Mitchell	296-1243
DeVoe, Natasha	205-4664
Donnelly, Conor	282-3815
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Dykstal, Tim	296-1287
Eisele, Bill	282-2929
Fredbo, Tim	296-0880
Germundson, Travis	297-4958
Gillette, Tim	297-8287
Jaschke, John	296-0878
Cell	(612) 202-3815
Johnson, Sherri	296-3767
Kean, Al	297-2907
Cell	(651) 245-6531
Keating, Kari	297-8029
Koehler, Tim	296-6745
Larson, Greg	297-7029
Cell	(612) 751-3060
Lemm, Les	296-6057
Cell	(651) 341-4208
Lennon, Megan	296-1285
Lewis, Melissa	297-4735
Lewis, Michelle	296-2428
Luniewski, Jim	297-2622
Mack, Kristie	215-9420
Maleitzke, Jen	215-9008
Cell	(651) 315-5082
Mohring, Eric	297-7360
Cell	(612) 309-1173
Ogg, Tim	297-8024
Cell	(651) 295-5737
Pellerin, Misty	296-0873
Powell, Ken	215-1703
Cell	(763) 291-9078
Remick, Polly	297-4365
Rickert, Dave	296-0884
Senne, Paul	296-1278
Shaw, Dan	296-0644
Cell	(612) 236-6291
Sokatch, Char	297-4016
Spence, Aaron	296-0660
Straumanis, Sarma	297-7965
Strojny, Carol	297-1893
Cell	(612) 518-5545
Strommen, Sarah	297-5617
Cell	(651) 308-8647
Tyma, Karli Cell	(612) 807-0445
Weeks, Seth	296-1466
Weirens, Dave	297-3432
Cell	(763) 229-4308
Wenzel, Tom	296-0883
Cell	(612) 720-1412
Woods, Steve	297-7748
Cell	(651) 402-6997
Zellmer, Wayne	297-7361

Northern Regional Offices

Bemidji

Fax Number	(218) 755-2672
Dwight, Brian	(218) 755-2679
Cell	(218) 820-2335
Heinen, Ryan Cell	(218) 239-0222
Krystosek, Dale	(218) 755-2603
Cell	(218) 820-9381
Moore, Kathy	(218) 755-2600
Severts, Chad	(218) 755-2671
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BWSR Snapshots

January 2013

Senate committee recommends Napstad as BWSR Board Chair

By Jen Maleitzke, Communications Director



On Thursday, Jan. 17, the Senate Committee on Environment and Energy unanimously recommended confirmation for Brian Napstad as the Chair of the Board of Water and Soil Resources (BWSR).

First appointed to the Board in 2006, Napstad serves as a county commissioner representative. He was appointed by former Gov. Tim Pawlenty as the Board Chair in 2010, and was recommended for confirmation by Senate committee members through 2014.

"Brian's leadership as the BWSR Chairman has been instrumental in enabling the agency to pursue its mission," John Jaschke, BWSR Executive Director, said. "His guidance on Board issues, his willingness to take on additional responsibilities and his overall leadership style has been invaluable to our agency. We are thrilled he'll continue his role as Chairman under the Dayton administration."

Napstad, of McGregor, is the owner of Fisherman's Bay Restaurant on Big Sandy Lake. He has also been an elected Aitkin County Commissioner since 2005, and previously served on the McGregor School Board. Napstad's prior employment positions have included a sales representative and project manager with Hewlett Packard, sales director with ENSCAN, Inc., senior sales representative with General Electric Company's Calma Company Division, and an applications engineer with National Computer Systems. He earned a Bachelor of Science degree in manufacturing and engineering from the University of Wisconsin – Stout in Menomonie.

The 20-member BWSR Board consists of representatives of local and state government agencies and citizens. The Board sets a policy agenda designed to enhance service delivery through the use of local government. Board members, including the Board chair, are appointed by the governor to four-year terms.

Winkelman models conservation

By Jen Maleitzke, Communications Director

Best known for his television shows "Good Fishing" and "Outdoor Secrets," Babe Winkelman has been sharing his passion for the outdoors with America for more than 35 years. Winkelman grew up on a small farm near Duelm, Minn., where he learned the value of protecting and preserving natural resources for future generations. Today, his focus on conservation allows him to highlight the importance of soil and water conservation districts (SWCDs).

For the past ten years, Winkelman has been transforming his 260-acre property near Perham into a showcase for conservation. While working closely with local government staff and using several state and federal programs, Winkelman planted more than 13,000 trees, installed 25,000 feet of weed fabric, restored 58 acres of native prairie, cleared more than 10,000'of wildlife trails, and maintained several acres of food plots. His remaining tillable acres utilize residue management and cover crop planting practices to prevent erosion and maintain soil health.

At the Minnesota Association of Soil and Water Conservation District (MASWCD) annual convention in December, the East Otter Tail SWCD selected Babe Winkelman as the 2012 Outstanding Conservationist.



Visit our website to watch an episode of "Outdoor Secrets," which features the East Otter Tail SWCD's tree planting and weed matting crew on Winkelman's property in Perham.

Darren Newville, East Otter Tail Soil and Water Conservation District Manager, said, "The project featured on Babe Winkelman's recent 'Outdoors Secrets' television show is a prime example of the SWCD staff working with private landowners to put conservation on the ground. This particular CRP project set aside some marginal farm land that was susceptible to erosion, and created

some great wildlife habitat that will provide travel corridors between other existing habitats."

"Mr. Winkelman's dedication to installing best management practices on his land, coupled with his vision for protecting Minnesota's natural resources make him a model conservationist," said LeAnn Buck, MASWCD Executive Director. "MASWCD is proud to honor his achievements through the Outstanding Conservationist Award."

Content for this story was provided by East Otter Tail SWCD.

Wetland conference

By Lynda Peterson, Wetland Specialist

Every year for the past five years, the Wetland Professionals Association (WPA) and the Wetland Delineators Certification Program (WDCP) have hosted a wetland conference for practitioners to learn about all new things wetland related and to network with other wetland professionals. The 6th Annual Minnesota Wetlands Conference will be held on Jan. 30, 2013 at the University of Minnesota Landscape Arboretum in Chanhassen.

The main topic of this year's conference is the "Status and Trends in Wetlands in Minnesota." Other sessions include: Drainage Setback Guidance; The Good, the Bad and Ugly: A look back at Wetland Replacement; 2012 National Plant List Update; and many more.

The conference awards continuing education credits to attendees that have the WDCP certification. This year's conference will award 1.5 direct credits and one indirect credit.

More than 200 wetland professionals have attended the conference each year. It is a great way to network, see what is new in the wetland world and provide training to a vast array of people.

Cooperative partnership leads to new waterfowl production area

By Jeff Hedtke, Conservation Engineering Technician

Located in the heart of soybean and corn country in western Blue Earth County is one of the state's newest U.S. Fish and Wildlife Service (FWS) waterfowl production areas (WPA) and it has a RIM and WRP connection. The site is a short drive just southwest of Lake Crystal. When fully developed, the site will include a diverse ecology of restored wetland types, prairie grasses and forbs. Named the Lincoln WPA, after the township in which it is located, it will be open for public use. The acquisition, construction and vegetation establishment efforts on this complex, multi-owner project took the cooperation of several agencies, organizations, and landowners, including:

- MN Valley Lands, Inc.
- USFWS, MN Valley NWR/WMD
- MN Board of Water and Soil Resources (BWSR)
- Blue Earth Soil and Water Conservation District (SWCD)
- Natural Resources Conservation Service (NRCS)
- Blue Earth County Highway Department
- Local Drainage Authority
- Lincoln Township Board of Supervisors
- Four landowners



Post construction spring 2012 - Initial stages of restoration US Fish & Wildlife Service

Prior to the restoration, the land was farmed and included a number of depressional wetlands of varying types and sizes. These wetlands were drained by an 18 - inch diameter Judicial Ditch (JD 15) Tile Main along with several laterals of smaller JD 15 tile and thousands of feet of private tile.

The project got underway with the enrollment and acquisition of an 80-acre parcel of land into the MN River CREP program in 2000. This easement abutted an existing 120-acre WRP easement that was enrolled a few years earlier. While BWSR and SWCD staff were developing plans to restore wetlands and upland prairie on the CREP parcel, staff learned that the FWS in partnership with MN Valley Lands, Inc. was purchasing additional, adjacent lands. With consideration to our joint restoration goals, BWSR, SWCD, NRCS, MN Valley Lands, Inc., and the FWS entered into a joint partnership to restore the entire project area. A critical

part of this purchase was obtaining land that included the start of the JD 15 drainage system. This allowed for the abandonment of the entire upper reach of the existing JD tile and the restoration of numerous wetlands on the properties. The WPA is now approximately 720 acres in size and includes the purchase of both the original CREP and WRP easement parcels.

From a planning and construction perspective, there were several unique aspects of this project. It required the improvement and protection of a short section of township road along the north edge of the project in addition to almost three-fourths of a mile of a county graveled road located along the south side. Blue Earth County used this opportunity to rebuild this section of road and raise the road elevation to allow the restoration of bordering drained wetlands. The project also required the landowners to successfully petition the drainage authority to abandon approximately 7,900 feet of tile from the JD 15 drainage system.

BWSR's role in this partnership was to provide the necessary engineering/technical assistance to the project through a cooperative agreement with FWS. This included:

- Survey the site and develop concept plans.
- Develop the petition and present the engineer's report to the drainage authority for abandonment of the JD tile.
- Negotiate improvements to the adjacent gravel roads with the Blue Earth County Highway Department and township.
- Development of engineering plans and specifications, assisting the bidding process, and assisting inspection and management of the project's construction.

The construction of the project began in the fall of 2010 and was completed in 2011. The site now boasts two major restored wetland basins of approximately 70 and 30 acres in size, both incorporating water control structures that allow for water level management. In addition, dozens of other smaller wetlands were restored through the construction of small embankments, tile blocks and removal of upland sediment. Project uplands and wetlands were seeded with prairie grass and forbs



Installation of water control structure - BWSR

using a well-coordinated and sequenced plan to "seed" as soon as construction (restoration) of the wetlands was completed.

People started using the site before construction was even completed for hunting and wildlife watching. In the spring of 2012, runoff filled previously drained basins with water. A multitude of migrating duck, geese, and shorebirds used the area to rest, feed and nest. Other benefits of the project include increased flood storage, reductions in watershed runoff, and water quality benefits.

This project exemplifies partnering efforts and local cooperation that is required to complete many of the wetland restoration projects enrolled in RIM Reserve and other conservation easement programs.

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Standard Mileage Rates for 2013

R-2012-95, Nov. 21, 2012

WASHINGTON — The Internal Revenue Service today issued the 2013 optional s rates used to calculate the deductible costs of operating an automobile for busines medical or moving purposes.

Beginning on Jan. 1, 2013, the standard mileage rates for the use of a car (also va panel trucks) will be:

- 56.5 cents per mile for business miles driven.
- 24 cents per mile driven for medical or moving purposes.
- 14 cents per mile driven in service of charitable organizations.

The rate for business miles driven during 2013 increases 1 cent from the 2012 rate moving rate is also up 1 cent per mile from the 2012 rate.

The standard mileage rate for business is based on an annual study of the fixed ar of operating an automobile. The rate for medical and moving purposes is based or costs.

Taxpayers always have the option of calculating the actual costs of using their veh using the standard mileage rates.

A taxpayer may not use the business standard mileage rate for a vehicle after usin method under the Modified Accelerated Cost Recovery System (MACRS) or after 179 deduction for that vehicle. In addition, the business standard mileage rate can more than four vehicles used simultaneously.

These and other requirements for a taxpayer to use a standard mileage rate to cal of a deductible business, moving, medical, or charitable expense are in Rev. Proc. 2012-72 contains the standard mileage rates, the amount a taxpayer must use in c reductions to basis for depreciation taken under the business standard mileage rat maximum standard automobile cost that a taxpayer may use in computing the allo fixed and variable rate plan.

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Email: cf.board@state.mn.us

Notice of Appointment of Public Official

under Minn. Stat. §§ 10A.01, subd. 35, and 10.09

Instructions

- This form must be completed by the appointing authority.
- This statement may be mailed or faxed to the Board office. Facsimile number: 651-296-1722 or 800-357-4114.
- All information on this statement is public information and will be published on the Board's website: www.cfboard.state.mn.us
- It is unlawful to use this information for commercial purposes.
- Address questions to Board staff at 651-539-1184 or 800-657-3889.
- Board staff may also be reached by e-mail at: cfb.eis@state.mn.us.

Appointment Information

Name of agency, board, commission		
Appointed position		
Date of appointment	Term of office	to
Replacing (Name of individual who formerly held this position)		

Appointee Information

Name of appointee	
Address	
City, state, zip	Telephone (daytime)

Certification

I, _____ , certify that the information contained on this form is complete, true, and correct.
(print or type name)

_____ _____
Signature of appointing authority Date

Any person who signs and certifies to be true a report or statement which the person knows contains false information, or who knowingly omits required information, is guilty of a gross misdemeanor and is subject to a civil penalty of up to $3,000.

This document is available in alternative formats to individuals with disabilities by calling 651-539-1180; 800-657-3889; or through the Minnesota Relay Service at 800-627-3529.