



DATE: December 9, 2013
 TO: Board of Water and Soil Resources' Members, Advisors, and Staff
 FROM: John Jaschke, Executive Director *[Signature]*
 SUBJECT: BWSR Board Meeting Notice – December 18, 2013

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, December 18, 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 Region Committee

- Hennepin County Petition to Discontinue the Hennepin Conservation District** - The Hennepin County Board of Commissioners submitted a petition to discontinue the Hennepin Conservation District and transfer the duties and authorities of the District to Hennepin County pursuant to Minnesota Statutes section 383B.761. Section 383B.761 resulted from legislation last spring that allowed the Hennepin County Board of Commissioners to submit the petition and allowed the BWSR Board to make a decision on the petition without conducting a referendum that would otherwise be required under Minnesota Statutes section 103C. Section 383B.761 set forth a narrow standard of review for the BWSR Board to follow in making a decision on the petition. The Metro Region Committee held a public hearing on October 21, 2013. The Committee met on December 3, 2013 and, after discussion, the Committee decided with a unanimous vote to recommend approval of the petition to the full Board per the attached draft Order. **DECISION ITEM**

Southern Region Committee

- Big Stone County Local Water Management Plan Update** - Big Stone County submitted their Local Water Management 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 on September 6, 2013. On November 7, 2013, the Board's Southern Region Committee (Committee) reviewed the recommendation of the State review agencies and recommends approval of the Big Stone County Local Water Management Plan Update. **DECISION ITEM**
- Chippewa County Local Water Management Plan Update** - Chippewa County submitted their Local Water Management 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 on September 4, 2013. On November 7, 2013, the Board's Southern Region Committee (Committee) reviewed the recommendation of the State review agencies and recommends approval of the Chippewa 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 9 th 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

3. **Lac qui Parle County Local Water Management Plan Update** - Lac qui Parle County submitted their Local Water Management 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 on September 6, 2013. On November 7, 2013, the Board's Southern Region Committee (Committee) reviewed the recommendation of the State review agencies and recommends approval of the Lac qui Parle County Local Water Management Plan Update. **DECISION ITEM**
4. **Swift County Local Water Management Plan Update** - Swift County submitted their Local Water Management 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 on September 6, 2013. On November 7, 2013, the Board's Southern Region Committee (Committee) reviewed the recommendation of the State review agencies and recommends approval of the Swift County Local Water Management Plan Update. **DECISION ITEM**
5. **Renville County Soil and Water Conservation District (SWCD) Nomination Districts Resolution** - The Renville County SWCD approved a Nomination Districts Resolution on August 15, 2013, which proposed to change nomination districts for the Renville County SWCD supervisor seats. The proposed Nomination Districts will provide consistent and equal distribution of township representation in the County. BWSR's Southern Region Committee met on November 7, 2013, discussed said Resolution, and unanimously voted to recommend approval of the Renville County SWCD Nomination Districts Resolution. **DECISION ITEM**
6. **Houston County Local Water Management Plan Amendment** - By Board Order, the Board of Water and Soil Resources (Board) approved the Houston County 2007 - 2017 Comprehensive Local Water Management Plan (Plan) on December 19, 2007. This Plan contains an implementation section with goals, objectives and actions to address the County's priority concerns. The Board Order required Houston County to update the Plan's implementation section by December 31, 2012. Houston County adopted and submitted a resolution and written request to the Board requesting a two-year extension for the required five-year update of the implementation section of their Plan. On August 23, 2012, the Board approved the two-year extension until December 31, 2014. Houston County followed the amendment process guidelines established by the Board and submitted their 2013 - 2017 Local Water Management Plan Addendum on October 11, 2013. The Southern Region Committee (Committee) met on November 7, 2013, reviewed the Plan amendment, and recommends approval of the Houston County 2013 - 2017 Local Water Management Plan Amendment. **DECISION ITEM**
7. **Nobles County Local Water Management Plan Amendment** - By Board Order, the Board of Water and Soil Resources (Board) approved the Nobles County 2009 - 2019 Local Water Management Plan (Plan) on March 25, 2009. This Plan contains an implementation section with goals, objectives and actions to address the County's priority concerns. The Board Order required Nobles County to update the Plan's implementation section by March 25, 2014. Nobles County followed the amendment process guidelines established by the Board and submitted their 2013 - 2018 Local Water Management Plan Amendment on October 22, 2013. The Southern Region Committee (Committee) met on November 7, 2013, reviewed the Plan amendment, and recommends approval of the Nobles County 2013 - 2018 Local Water Management Plan Amendment. **DECISION ITEM**

Public Relations, Oversight and Strategic Planning (PROSP) Committee

1. **One Watershed, One Plan Implementation** – The requested One Watershed, One Plan agenda item represents the first formal steps that the Board is being asked to take in the development and implementation of the One Watershed, One Plan Program since the June 26th Board Workshop. At the workshop the Board concurred with a general outline for development of the program that included developing a set of guiding principles, operating procedures, and a pilot/test program. Since then Board staff, the Senior Management Team, and the Public Relations Oversight and Strategic Planning (PROSP) Committee have developed and will be presenting and requesting action on: 1) a set of One Watershed, One Plan Guiding Principles; 2) distribution and request for review and comment of a draft suggested boundary framework map; 3) plan types for pilot watersheds; and 4) authorization for staff to initiate a pilot watershed request for interest. Advancing the required suggested boundary framework and plan types for the pilot watersheds are necessary at this point in time if we are to stay on course for selecting the pilot watershed areas in June of 2014. There are a still number of remaining policy questions, operating procedures, and standards that are needed prior to initiation of the pilot watersheds and final program and which will continue to take place in the coming months. These additional work products will utilize a staff workgroup, local government roundtable workgroup and the PROSP Committee in their development.
DECISION ITEM

RIM Reserve Management Planning Committee (RRMPC)

1. **Resolutions Authorizing RIM-WRP, RIM Buffers, RIM Wellhead Protection, RIM ACUB and RIM Wild Rice Programs** - The Board is requested to approve the recommendation of the RRMPC to authorize the RIM-WRP, RIM Buffers, RIM Wellhead Protection, RIM ACUB and RIM Wild Rice resolutions that provide general authorization for these programs. The purpose of this request is to authorize standing resolutions for each program that establish and set the broad parameters for each program. These resolutions will remain in effect regardless of the year and/or source of funding until substantial material changes occur in the program that would cause staff to seek an amended resolution. Periodic program updates will be given to the RRMPC and to the full Board.
DECISION ITEM
2. **Resolution Authorizing the RIM – Grasslands for the Future Pilot Project** - The Board is requested to approve the recommendation of the RRMPC to authorize the RIM - Grasslands for the Future Pilot Project resolution that provides authorization for this program. The RIM - Grasslands for the Future Pilot Project was approved by the Lessard-Sams Outdoor Heritage Council (LSOHC) and the Legislature, and funding was appropriated to BWSR on July 1, 2013. This pilot project will utilize RIM or Minnesota Land Trust easements in cooperation with The Conservation Fund to protect priority grasslands and utilize conservation grazing plans to manage the vegetation to optimize wildlife habitat while providing numerous other benefits. ***DECISION ITEM***
3. **Resolution Authorizing RIM Standard Easement Payment Rates** - The Board is requested to approve the recommendation of the RRMPC to authorize staff to establish RIM standard easement payment rates. The standard rates will utilize township land values as established by the Department of Revenue and posted on the University of Minnesota Land Economics website as the basis for determining the rates. The Board is requested to approve the recommendation of the RRMPC to authorize staff to establish RIM standard easement payment rates. ***DECISION ITEM***
4. **RIM Easement Alteration** - The Board is requested to approve the recommendation of the RRMPC to authorize easement staff to modify easement 17-31-01-01 in Cottonwood County. The alteration was requested by the landowner and is consistent with the requirements of the Easement Alteration Policy. ***DECISION ITEM***

NEW BUSINESS

1. **Clean Water Fund Roadmap Presentation** – At the request of the Clean Water Funded Executive branch agency heads, the Clean Water Fund Interagency Coordination Team launched a project this past June, with the assistance of Environmental Initiative, to establish a Clean Water Fund Roadmap. The idea behind the Roadmap is to develop a few key goals and measures for Clean Water Fund implementing agencies to monitor our pace of progress in achieving those goals over the course of the 25 years of constitutional amendment funding; the [project web page](#). While the ultimate goal is to achieve clean, sustainable water resources, the executive branch agencies believe it is important to track progress on a high level, and use this information to make course corrections as we move forward. MPCA Commissioner John Linc Stine and Sarah Strommen, Assistant Director of the Board of Water and Soil Resources will provide an update on the status of the project. ***INFORMATION ITEM***

If you have any questions regarding the agenda, please feel free to call me at 651-296-0878. The Board meeting is expected to adjourn about noon. I look forward to seeing you on December 18th!

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, DECEMBER 18, 2013

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF OCTOBER 23, 2013 BOARD MEETING

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

INTRODUCTION OF NEW BWSR EMPLOYEES

- Luke Anderson, Conservation Easement Technician, St. Paul (Bill Penning)
- Tom Garry, Conservation Easement Technician, St. Paul (Bill Penning)
- Jeannette Austin, Grants Compliance Specialist, Brainerd (Ron Shelito)
- Steve Christopher, Board Conservationist, St. Paul (Jim Haertel)

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. Petition to Discontinue the Hennepin Conservation District – Jim Haertel – ***DECISION ITEM***

COMMITTEE RECOMMENDATIONS

Southern Region Committee

1. Big Stone County Local Water Management Plan Update – Steve Sunderland - ***DECISION ITEM***
2. Chippewa County Local Water Management Plan Update – Steve Sunderland - ***DECISION ITEM***
3. Lac qui Parle County Local Water Management Plan Update – Sandy Hooker - ***DECISION ITEM***

4. Swift County Local Water Management Plan Update – Tom Loveall - **DECISION ITEM**
5. Renville County Soil and Water Conservation District (SWCD) Nomination Districts Resolution – Paul Langseth – **DECISION ITEM**
6. Houston County Local Water Management Plan Amendment – Chris Elvrum - **DECISION ITEM**
7. Nobles County Local Water Management Plan Amendment – Paul Langseth - **DECISION ITEM**

Public Relations, Oversight, & Strategic Planning Committee

1. One Watershed, One Plan Implementation – Jack Ditmore and Doug Thomas – **DECISION ITEM**

RIM Reserve Management Planning Committee

1. Resolutions Authorizing RIM-WRP, RIM Buffers, RIM Wetland Protection, RIM ACUB and RIM Wild Rice Programs – Bill Penning – **DECISION ITEM**
2. Resolution Authorizing the RIM - Grasslands for the Future Pilot Project – Bill Penning – **DECISION ITEM**
3. Resolution Authorizing RIM Standard Easement Payment Rates – Bill Penning – **DECISION ITEM**
4. RIM Easement Alteration – Tim Fredbo – **DECISION ITEM**

NEW BUSINESS

1. Clean Water Fund Roadmap Presentation – Sarah Strommen and MPCA Commissioner John Linc Stine – **INFORMATION ITEM** (*This item is scheduled for 9:30 AM*)

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 Meeting – January 22, 2014, in St. Paul

Noon **ADJOURN**

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
ST. PAUL, MINNESOTA 55155
WEDNESDAY, OCTOBER 23, 2013**

BOARD MEMBERS PRESENT:

Joe Collins, Jack Ditmore, Chris Elvrum, MDH; Rebecca Flood, MPCA; Christy Jo Fogarty, Paul Langseth, Tom Landwehr, DNR; Tom Loveall, Brian Napstad, Judy Ohly, Tom Schulz, Faye Sleeper, MES; Steve Sunderland, Gene Tiedemann, Gerald VanAmburg, Matt Wohlman, MDA

BOARD MEMBERS ABSENT:

Sandy Hooker

STAFF PRESENT:

Mary Jo Anderson, Mike Anderson, Angie Becker Kudelka, Jason Beckler, Adam Beilke, Donna Caughey, Tim Dykstal, Matt Fischer, Travis Germundson, Tom Gile, Tim Gillette, Jim Haertel, John Jaschke, Al Kean, Julie Krebs, Jeff Nielsen, Bill Penning, DeAnne Pierzinski, Mary Peterson, Ron Shelito, John Voz, Tom Wenzel, Dave Weirens, Marcey Westrick, Brad Wozney

OTHERS PRESENT:

Brad Redlin, Josh Stamper, Marcey McLaughlin, Rob Sip, MDA

Chair Napstad called the meeting to order at 9:00 AM

PLEDGE OF ALLEGIANCE

** ADOPTION OF AGENDA – Chair Napstad stated that ‘Conflict of Interest Declaration’ was inadvertently listed on the agenda; there are no items today to declare as conflict of interest. Moved by Paul Langseth, seconded by Christy Jo Fogarty, to adopt the agenda as amended.
13-83 *Motion passed on a voice vote.*

INTRODUCTION OF NEW BWSR EMPLOYEES

- Mike Anderson, Engineering Technician, Willmar
- Adam Beilke, Board Conservationist, New Ulm
- Tom Gile, Board Conservationist, Rochester
- Julie Krebs, Grants Compliance Specialist, Mankato
- John Voz, Easement & Working Lands Specialist, Detroit Lakes
- Jason Beckler, Farm Bill Partnership Coordinator, Marshall
- DeAnne Pierzinski, Grants Compliance Specialist, Brainerd

Ron Shelito recognized Donna Caughey’s attendance at the meeting today. Chair Napstad welcomed the new employees to BWSR.

** 13-84 **MINUTES OF SEPTEMBER 25, 2013 BOARD MEETING** - Moved by Jack Ditmore, seconded by Paul Langseth, to approve the minutes of September 25, 2013 as circulated. *Motion passed on a voice vote.*

REPORTS

Chair’s Report – Brian Napstad reported that he attended the EQB meeting. Discussions at the meeting included the Silica Sand Subcommittee will hold meetings to gather public input on model standards and criteria for silica sand projects; and a new silica sand website for tracking state agencies’ activities regarding the mining, processing, and transporting of silica sand.

Executive Director’s Report – John Jaschke reported that BWSR is working with the Governor’s office, DNR, and the U of M regarding the tax valuation of RIM conservation easements, working lands, and forest easements. For both the assessors and landowners the easement document will need administrative clarification.

John reported that BWSR, DNR, PCA, MDH, MDA, MES, and other stakeholders met on October 21, 2013, an initial meeting on the Clean Water Fund Roadmap; leading to a cost effective and ecological measures for water quality trends, and also communicating and charting work in progress and ahead.

John reviewed information in board member packets. The MASWCD, MAWD, and AMC annual meetings will be held in December; if board members are interested in attending, contact Mary Jo Anderson today or Sherri Johnson by November 1st.

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John reported that BWSR's communication manager Jen Maleitzke's last day was yesterday; she has taken a position in the private sector. The communications manager position is posted and the hiring process will begin. Angie Becker Kudelka is the point person for communications during the vacancy.

Judy Ohly suggested a flow chart of the Clean Water Fund; the general public is not aware of the appropriations process. John Jaschke stated that public outreach is needed.

Dispute Resolution Committee (DRC) – Travis Germundson provided a status report of appeals. Travis reported that the DRC attended a training workshop on September 25, 2013, facilitated by the Attorney General's Office. Travis stated that it would be useful to offer a refresher session again in the future. Chair Napstad attended the workshop; he stated it was a valuable session and thanked board members for attending.

Grants Program & Policy Committee – Paul Langseth reported that the Grants Program & Policy Committee met last night; recommendations are on the agenda later today.

Public Relations, Oversight & Strategic Planning Committee – Jack Ditmore reported that the Public Relations, Oversight & Strategic Planning Committee met last night; the Committee reviewed materials for the One Watershed One Plan (1W1P) guiding principles. The Committee will meet again and bring recommendations before the Board at the December 18 meeting. Jack stated that the Strategic Plan Report Card will come before the Board in 2014. Jack and Chair Napstad thanked the Committee for all their work.

RIM Reserve Management Planning Committee – Gene Tiedemann reported that the RIM Reserve Management Planning Committee will meet in December.

Drainage Work Group – Tom Loveall stated that the Drainage Work Group did not meet in October; three sub-groups were developed. Al Kean reported that the three sub-groups met; he provided a summary of the recent discussions. The next meeting of the Drainage Work Group is scheduled for November 14, 2013. Discussion followed. Chair Napstad thanked Tom and Al for their report.

Tom Landwehr entered the meeting at 10:05 a.m.

COMMITTEE RECOMMENDATIONS

Metro Region Committee

Boundary Change for Coon Creek Watershed District – Mary Peterson reported that the Coon Creek Watershed District submitted a Petition to change the boundary of the District pursuant to Minn. Stat. § 103B.215. The Petition proposes to transfer 290 acres in the City of Coon Rapids from the Lower Rum River WMO to the Coon Creek WD. The City, WMO and WD concur in the Petition. There is no opposition to the proposed boundary change in the record. The Metro Region Committee met on October 1, 2013 and unanimously recommends approval of the boundary change. Moved by Joe Collins, seconded by Faye Sleeper, to approve the Coon Creek Watershed District boundary change. *Motion passed on a voice vote.*

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Ramsey-Washington Metro Watershed District Management Plan Amendment – Mary Peterson reported that the current watershed management plan was approved by the Board on April 25, 2007. In June 2012, by Board Order, the Ramsey-Washington Metro WD (RWMWD) boundaries were enlarged to include the area of the former Grass Lake WMO (GLWMO) and the RWMWD was furthered ordered to amend the watershed management plan to include the new area in the Plan. This Amendment incorporates the former GLWMO area into the RWMWD's Watershed Management Plan and makes minor plan text and map changes to reflect the portion of the Cities of Shoreview and Roseville that are now part of the RWMWD. The Amendment also reflects recent changes in the lakes and creeks listed by the MPCA as impaired acknowledging the planning efforts currently underway or being planned to address these impairments. The Metro Region Committee met on October 1, 2013. After review of the information, the Committee unanimously voted to recommend approval of the Amendment.

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13-86 Moved by Joe Collins, seconded by Christy Jo Fogarty, to approve Ramsey-Washington Metro Watershed District Management Plan Amendment. *Motion passed on a voice vote.*

Northern Region Committee

Hubbard County Water Plan Extension Request – Tom Schulz reported that Hubbard County submitted a resolution requesting a two-year extension of their County Water Plan on October 1, 2013. The Hubbard County Local Water Management Plan would expire on January 25, 2014. Ron Shelito stated that staff and the Northern Region Committee met on October 9, 2013, and recommends approval of the two-year extension of the Hubbard County Water Management Plan until October 23, 2015. Moved by Tom Schulz, seconded by Gene Tiedemann to approve the Hubbard County Water Plan extension until October 23, 2015. Jack Ditmore expressed his concern that this is effectively a three-year extension. Chair Napstad explained that Hubbard County wanted to include the new watershed data and methodology consistent with other plans in the Upper Mississippi River Basin. Discussion followed. *Motion passed on a voice vote.*

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13-87

Stearns County Five Year Plan Amendment – Tom Schulz reported that on January 23, 2008, the Board of Water and Soil Resources approved Stearns County's Comprehensive Local Water Management Plan for a ten year period from 2008-2017 with a required amendment by 2013. On April 11, 2012, Stearns County passed a resolution to begin the amendment process. The amended plan was submitted to the BWSR Brainerd office on June 24, 2013. The Northern Region Committee met on October 9, 2013, reviewed the plan amendment and recommends approval of the update through December 2017. Moved by Steve Sunderland, seconded by Matt Wohlman, to approve the Stearns County five-year plan amendment. *Motion passed on a voice vote.*

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13-88

Traverse County Water Plan Synchronization – Gerald VanAmburg reported that Traverse County wishes to synchronize their planning and implementation efforts with the three Watershed Restoration and Protection Strategies (WRAPS) and the two Watershed Districts efforts, and requests BWSR extend their Local Water Plan expiration date. Gerald stated that BWSR needs to be flexible if the 1W1P effort is to be successful. The Northern Region Committee recommends approval of the synchronization. Moved by Gerald VanAmburg; seconded by Tom Loveall, to approve the Traverse County plan synchronization, extends the Plan expiration date until the end of the calendar year following the Bois de Sioux Watershed

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13-89

District Plan amendment or December 31, 2017. Jack Ditmore questioned the extension dates. Discussion followed. John stated that the alignment schedules and data are being synchronized. *Motion passed on a voice vote.*

Wilkin County Local Water Plan Synchronization – Gerald VanAmburg reported that Wilkin County requests to synchronize their planning and implementation efforts with the three Watershed Restoration and Protection Strategies (WRAPS) and the two Watershed Districts efforts. Wilkin County requests BWSR to: 1) rescind the BWSR Order which extended the required five-year update of the local water management plan to December 31, 2014; 2) waives the five-year required plan update; and 3) extends the Wilkin County Local Water Plan expiration date to December 31, 2018. The Northern Region Committee recommends approval.

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13-90 Moved by Gerald VanAmburg, seconded by Gene Tiedemann, to hereby rescind its September 26, 2012, Order which extended the required five-year update of the Local Water Management Plan to December 31, 2014, waives the five-year required Plan update, and extends the Plan expiration date until one year following the last Watershed District Plan Amendment or December 31, 2018, as per BWSR Resolution #12-85 dated September 26, 2012. Discussion followed. Paul Langseth questioned the extension date. Ron Shelito explained the effectiveness in staggering the dates. Joe Collins stated that flexibility is needed; adjustments need to be included in the principles of the strategic planning. Tom Landwehr requested to see a finished WRAP and tailor Plans accordingly. Rebecca Flood stated that a presentation can be provided in 2014. *Motion passed on a voice vote.*

Revised Watershed Management Plan Hearing for the Sauk River Watershed District –

Gene Tiedemann reported that the Northern Region Committee met on October 9, 2013 and recommended that a public hearing be held within 45 days after receiving the Department of Natural Resource's recommendation on the revised plan. The Northern Region Committee will preside over the public hearing, the Executive Director will set the date, time and location of the public hearing after coordinating with the appropriate parties. Moved by Gene Tiedemann, seconded by Tom Schulz, to order a public hearing be held within 45 days after receiving the DNR's recommendation on the revised Plan for the Sauk River Watershed District to be presided over by the Northern Region Committee at a date and location to be determined by the Executive Director. Discussion followed. *Motion passed on a voice vote.* John Jaschke will work with staff in scheduling the date, time and location.

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13-91

Public Hearing for Redistribution of Managers of the Middle-Snake-Tamarac Rivers

Watershed District – Gene Tiedemann reported that a public hearing date has been set for the petition for the redistribution of Managers of Middle-Snake-Tamarac River Watershed District submitted to BWSR by Polk County. The Northern Region Committee set the hearing date of Wednesday, November 13, 2013; starting at 6:00 p.m., adjourning no sooner than 7:30 p.m., at the Bremer Bank Community Room, 202 West Johnson Avenue, Warren, MN 56762.

Chair Napstad called for a break in the meeting at 10:47 a.m. The meeting reconvened at 11:00 a.m.

Grants Program & Policy Committee

Targeted Watershed Demonstration Program – Paul Langseth reported that the Grants Program and Policy Committee met October 22, 2013. Marcey Westrick reported that staff are requesting authorization to initiate the Targeted Watershed Demonstration Program as provided for in the 2013 Clean Water Fund appropriations. Marcey reviewed the revisions made at the Committee meeting last night and explained the application approach and granting process. Dave Weirens reported that the Grants Program and Policy Committee recommends authorizing staff to finalize, distribute and promote a Request for Information (RFI). Paul Langseth stated that this a pilot project. Moved by Paul Langseth, seconded by Steve Sunderland, to authorize staff to finalize, distribute and promote the Request for Information (RFI) for the Targeted Watershed Demonstration Program consistent with the provisions of appropriations enacted in 2013, Minn. Stat. 103B.3369. Discussion followed. Faye Sleeper supports the RFI granting approach. Matt Wohlman asked for clarification regarding eligible applicant areas. Staff will make adjustments and modifications to the RFI hydrologic unit. John stated that the match requirements are a significant workload; need to find ways in this unique approach to assist in the process of the demonstration program. *Motion passed on a voice vote.*

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13-92

Soil Erosion and Drainage Law Compliance Program – Gene Tiedemann reported that the 2013 Minnesota Legislature appropriated Clean Water Funds to BWSR to be used for grants to local units of government to ensure compliance with Minnesota Statutes Chapter 103E (Drainage Law) and Sections 103F.401 to 103F.455 (state Soil Erosion Control provisions), including enforcement efforts. In response to this appropriation, BWSR created the Soil Erosion and Drainage Law Compliance Program. The program is to restore and protect surface water quality, particularly impaired waters, by supplementing local efforts to apply existing soil erosion reduction and drainage statutes across Minnesota. Moved by Gene Tiedemann, seconded by Paul Langseth, authorizes staff to finalize, distribute and promote a Request For Proposals (RFP) for the FY2014 Clean Water Fund Competitive Soil Erosion and Drainage Law Compliance Grants Program consistent with the provisions of appropriations enacted in 2013, Minn. Stat. 103B.3369. Al Kean explained the RFP, ranking criteria, applicable eligibility and activity for Subprogram 1 – Soil Erosion; Subprogram 2 – Drainage Ditch Inventory and Inspection; and Subprogram 3 – Redetermination of Benefits and Drainage Ditch Buffer Strips. Discussion followed. Matt Wohlman stated that the 103F.411 statute calls for model ordinance and review. John stated that advice is taken; staff will follow statute and review the model ordinance. *Motion passed on a voice vote.*

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13-93

NEW BUSINESS

2014 Proposed BWSR Board Meeting Schedule – John Jaschke reported that the Board meets the fourth Wednesday of the month (unless noted); and presented the proposed meeting dates for 2014. Moved by Steve Sunderland, seconded by Paul Langseth, to adopt the 2014 Board meeting schedule. *Motion passed on a voice vote.*

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13-94

Status Report on MN Ag Water Quality Certification Program (MAWQCP) – Matt Wohlman introduced MDA staff Brad Redlin, Josh Stamper, and Marcey McLaughlin. Matt presented an overview of the Minnesota Agricultural Water Quality Certification Program (MAWQCP) and provided the status of various program elements. This voluntary program is designed to accelerate adoption of on-farm conservation practices that protect Minnesota's lakes and rivers.

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Producers who implement and maintain approved farm management practices will be certified and in turn assured that their operation meets the state's water quality goals and standards for a period of 10 years. Josh Stamper explained the evaluation tool development and assessment and the logistics of local government program support and a certainty contract underway via an MDA team with support from BWSR, MPCA, DNR and NRCS. Discussion followed. Chair Napstad thanked Matt and Josh for their informative presentation.

AGENCY REPORTS

Minnesota Department of Health (MDH) – Chris Elvrum reported that MDH is involved in health risk assessments and the effects from human exposures to environmental hazards.

Minnesota Department of Natural Resources (DNR) – Tom Landwehr reported that the Governor's pheasant hunting opener was held October 11-12, in Madelia. The announcement of a new critical habitat pheasant license plate was unveiled during the pheasant opener, the ring-necked pheasant license plates will be available later this fall. Tom distributed the "Minnesota Walk-In Access Hunting Atlas 2013" a joint project with DNR, BWSR, and SWCDs.

Minnesota Extension Service – Faye Sleeper reported that the Climate Adaptation Conference will be held November 7, 2013, at the St. Paul Science Museum. Faye reported that attendance was down this year at the Water Resources Conference held October 19; need to look at dates and other variables in the future.

Minnesota Pollution Control Agency (PCA) – Rebecca Flood reported that the draft Nutrient Reduction Strategy is available for public review and comment until December 18, 2013; and the river unification standards 60-day comment period will be available mid-November.

UPCOMING MEETINGS

- BWSR Academy, October 28–30, 2013, Cragun's, Brainerd
- MASWCD Annual Meeting, December 1-3, 2013, Bloomington
- MAWD Annual Meeting, December 5-7, 2013, Alexandria
- AMC Annual Meeting, December 9-11, 2013, Minneapolis
- BWSR Board Meeting – December 18, 2013, St. Paul

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13-95 Moved by Rebecca Flood, seconded by Judy Ohly, to adjourn the meeting at 1:00 p.m. *Motion passed on a voice vote.*

Respectfully submitted,

Mary Jo Anderson
Recorder



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report

Meeting Date: December 18, 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)
Travis Germundson/Gerald

Presented by: VanAmburg

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

None General Fund Budget
 Amended Policy Requested Capital Budget
 New Policy Requested Outdoor Heritage Fund Budget
 Other: Clean Water Fund Budget

ACTION REQUESTED

None.

LINKS TO ADDITIONAL INFORMATION

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
December 6, 2013
By: Travis Germundson

There are presently **13** appeals pending. All of the appeals involve WCA except File 10-10. There have been no new appeals filed since the last report dated October 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 13-9 (9-23-13) This is an appeal of a restoration order in Stearns County. The appeal regards drainage impacts to wetlands associated with a private drainage ditch project. The restoration order was affirmed in part and modified in part. The restoration order was modified to reduce the number of structures required to be constructed along the ditch.~~

~~File 13-8 (9-5-13) This is an appeal of a restoration order in St. Louis County. The appeal regards the placement of approximately 2,076 square feet of fill in a Type 3 wetland within the shore impact zone of Coon Lake for lake access. The appeal was denied.~~

File 13-7 (8-30-13) This is an appeal of several replacement plan decisions in Le Sueur County. The appeal involves the same project and local unit of government decisions as File 13-6. The appeal has been combined with File 13-6 and remanded for further technical work and administrative proceedings.

File 13-6 (8-28-13) This is an appeal of several replacement plan decisions in Le Sueur County. The appeal regards the approval of three wetland replacement plan applications for a silica sand mining operation. At issue is that the decisions allow for substantial wetland impacts to occur without replacement. The appeal has combined with File 13-7 and remanded for further technical work and administrative proceedings.

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 previous 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 13-3 (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	2
Order Modified		1
Order Remanded	4	4
Order Place Appeal in Abeyance	1	2
Negotiated Settlement		1
Withdrawn/Dismissed	4	

COMMITTEE RECOMMENDATIONS

Metro Region Committee

1. Petition to Discontinue the Hennepin Conservation District – Jim Haertel – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Hennepin County Petition to Discontinue the Hennepin Conservation District

Meeting Date: 12/18/2013

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: Metro Region 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
- Other:
- General Fund Budget
- Capital Budget
- Outdoor Heritage Fund Budget
- Clean Water Fund Budget

ACTION REQUESTED

Approval of Petition

LINKS TO ADDITIONAL INFORMATION

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

The Hennepin County Board of Commissioners (Hennepin County) submitted a Petition to discontinue the Hennepin Soil and Water Conservation District, d/b/a Hennepin Conservation District, (District) and transfer the duties and authorities of the District to Hennepin County pursuant to Minn. Stat. § 383B.761. The Metro Region Committee presided over a public hearing on October 21, 2013.

About a year ago the Board evaluated legislation being proposed by Hennepin County. Legislation was subsequently adopted that resulted in the Petition being filed. As discussed last year, the District has received little funding for more than a decade from Hennepin County or from other sources of revenue typical for soil and water conservation districts. During that time period, the Hennepin County Department of Environmental Services, through about a dozen staff members, has provided many of the services and duties commonly undertaken by soil and water conservation districts in the metropolitan area. The District’s Board of Supervisors

has had frequent turnover during the past decade. The District has had a disproportionate amount of administrative costs compared to project and program funding during the past decade.

Due to the recent history of the District, Hennepin County petitioned to discontinue the District and have the County carry out the delivery of conservation services and the duties of a soil and water conservation district. The Petition lists several reasons:

- A. The responsibilities and authorities of the District are consistent with Hennepin County's mission, vision and overarching goals.
- B. The conservation programs identified in Minnesota Statutes Chapter 103C are important for maintaining a healthy and clean environment for the more than one million residents of Hennepin County.
- C. Hennepin County has delivered the conservation services identified in Minnesota Statutes Chapter 103C under county auspices since 2003.
- D. Hennepin County has provided technical services regarding the state cost-share program, the Reinvest in Minnesota (RIM) program, and the Wetland Conservation Act (WCA) program pursuant to a cooperative agreement since 2006.
- E. There are 45 municipalities involved in regulating development that affects natural resources in Hennepin County.
- F. There are 12 watershed management organizations in Hennepin County charged with protecting water and land resources.
- G. There has been substantial changes in environmental management and conservation funding in the past ten years.
- H. The District lacks the financial and technical resources to address these complex issues and opportunities.
- I. The District, for the past ten years, has not secured financial resources from other sources to fulfill its programmatic responsibilities.
- J. Hennepin County strives to provide services in an efficient and fiscally responsible way.
- K. It is more efficient and fiscally responsible to provide all conservation services through Hennepin County, which eliminates the costs associated with negotiating and executing cooperative agreements with the District's Board of Supervisors as well as the administrative costs associated with maintaining the District's Board of Supervisors.

The standard of review is set forth in Minn. Stat. § 383B.761, subd. 2:

The Minnesota Board of Water and Soil Resources shall review the petition submitted under subdivision 1 to determine whether progress toward the goals identified in section 103C.005 can be achieved by discontinuing the Hennepin Soil and Water Conservation District and transferring the duties and authorities of the district to the Hennepin County Board of Commissioners. If the Board of Water and Soil Resources determines that progress toward the goals identified in section 103C.005 can be achieved by the discontinuance of the district

and the transfer of district duties and authorities to the Hennepin County Board of Commissioners, the Board of Water and Soil Resources shall order the discontinuance of the Hennepin Soil and Water Conservation District.

Minnesota Statutes § 103C.005, Soil and Water Conservation Policy, states:

Maintaining and enhancing the quality of soil and water for the environmental and economic benefits they produce, preventing degradation, and restoring degraded soil and water resources of this state contribute greatly to the health, safety, economic well-being, and general welfare of this state and its citizens. Land occupiers have the responsibility to implement practices that conserve the soil and water resources of the state. Soil and water conservation measures implemented on private lands in this state provide benefits to the general public by reducing erosion, sedimentation, siltation, water pollution, and damages caused by floods. The soil and water conservation policy of the state is to encourage land occupiers to conserve soil, water, and the natural resources they support through the implementation of practices that:

- (1) control or prevent erosion, sedimentation, siltation, and related pollution in order to preserve natural resources;
- (2) ensure continued soil productivity;
- (3) protect water quality;
- (4) prevent impairment of dams and reservoirs;
- (5) reduce damages caused by floods;
- (6) preserve wildlife;
- (7) protect the tax base; and
- (8) protect public lands and waters.

The standard of review requires the Board "...to determine whether progress toward the goals identified in [Minn. Stat.] section 103C.005 can be achieved by discontinuing the Hennepin Soil and Water Conservation District and transferring the duties and authorities of the district to the Hennepin County Board of Commissioners." Making a determination on whether progress towards the goals identified in the Soil and Water Conservation Policy can be achieved is essentially deciding if Hennepin County can deliver conservation services and carry out the duties of the Hennepin Soil and Water Conservation District. Because Hennepin County, through staff of its Environmental Services Department, for the past decade has been delivering conservation services and carrying out many of the duties commonly undertaken by soil and water conservation districts in the metropolitan area, the confidence level is extremely high for Hennepin County to continue to do so. Thus, Hennepin County can be expected to achieve progress toward the goals in the Soil and Water Conservation Policy. Therefore, with an extremely high level of confidence, the Board can decide the requirements set forth in the standard of review will be substantially met.

The hearing record contains both support for, and opposition to, the Petition. The hearing record clearly supports that Hennepin County can deliver conservation services and carry out the duties of the Hennepin Soil and Water Conservation District. Nothing in the hearing record indicates Hennepin County cannot deliver conservation services or that Hennepin County cannot carry out the functions of the Hennepin Soil and Water Conservation District. That is the information to be considered under the standard of review in this matter.

Much of the opposition to the Petition in the hearing record focuses on a precedent being set by approval of the Petition, that other soil and water conservation districts in the state have been defunded by counties but still exist, the assistance the District has given, and the importance of the partnership between a county board of commissioners and a district board of supervisors. Although important, none of those factors are given weight under the standard of review set forth in statute.

If the District is discontinued, Minn. Stat. § 383B.761, subd. 6 sets forth two different avenues for reestablishment of the District without a referendum. Hennepin County may petition the Board to reestablish the District. Alternatively, the Board, under its authority in Minn. Stat. § 103C.201, may give notice to Hennepin County of corrective actions and time to implement corrective actions. After the time to implement the corrective actions has passed, the Board may reestablish the District if it determines the goals identified in Minn. Stat. § 103C.005 are not being achieved. Thus, a discontinuance of the District and the transfer of duties and authorities of the District to Hennepin County is in place until such time as the District may be reestablished under Minn. Stat. § 383B.761, subd. 6.

Staff found progress toward the goals identified in Minn. Stat. § 103C.005 can be achieved by discontinuing the District and transferring the duties and authorities of the District to Hennepin County because Hennepin County staff for the past decade has been delivering conservation services and carrying out many of the duties commonly undertaken by soil and water conservation districts in the metropolitan area. Therefore, the proposed discontinuance of the District and the transfer of duties and authorities from the District to Hennepin County would be substantially consistent with the purposes and requirements of Minn. Stat. § 383B.761. Staff recommended the discontinuance of the District and the transfer of all duties and authorities of the District to Hennepin County be approved as proposed in the Petition, that the District's Board of Supervisors must transfer all assets of the District to Hennepin County within 60 days of the date of the Board's Order, and that the discontinuance of the District and the transfer of duties and authorities to Hennepin County is effective the day the transfer of all assets of the District to Hennepin County is completed.

The Metro Region Committee met on December 3, 2013 and decided with a unanimous vote to recommend to the full Board approval of the Petition per the attached draft Order.



DATE: October 23, 2013

HAND DELIVERED

TO: Mark Ritchie, Secretary of State

FROM: Jim Haertel, Metro Region Manager

SUBJECT: **Order, Coon Creek Watershed District Boundary Change**

Pursuant to Minn. Stat. § 103B.215, Subd. 4, paragraph d, hereby enclosed for filing is a certified copy of the Minnesota Board of Water and Soil Resources Findings of Fact, Conclusions and Order dated October 23, 2013, including attachment of two maps fully incorporated in the Order, six pages total, changing the boundary of the Coon Creek Watershed District.

Please contact me at (651) 297-2906 if you have any questions.

Enclosures (to all listed)

cc: Anoka County Board of Commissioners
 Anoka County Auditor
 Anoka Conservation District
 Mayor, City of Andover
 Mayor, City of Blaine
 Mayor, City of Columbus
 Mayor, City of Coon Rapids
 Mayor, City of Fridley
 Mayor, City of Ham Lake
 Mayor, City of Spring Lake Park
 Steve Hirsch, DNR-Eco Waters Director
 Keith Parker, DNR Regional Administrator, St. Paul
 Coon Creek Watershed District
 Ray Bohn, MAWD
 Rob Sip, MDA
 Nick Proulx, DNR-Ecological & Water Resources
 Pat Bailey, MDH-Rochester
 Juline Holleran, MPCA
 Judy Sventek, Metropolitan Council
 BWSR: Mary Peterson, Aaron Spence

Bemidji	Brainerd	Duluth	Fergus Falls	Mankato	Marshall	New Ulm	Rochester
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Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

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In the Matter of the Discontinuance of the
Hennepin Conservation District and the Transfer
of Duties and Authorities to Hennepin County
pursuant to Minnesota Statutes § 383B.761

**ORDER
HENNEPIN SOIL AND WATER
CONSERVATION DISTRICT
DISCONTINUANCE**

Whereas, a petition (Petition) to discontinue the Hennepin Soil and Water Conservation District and transfer the duties and authorities to the Hennepin County Board of Commissioners was filed with the Board of Water and Soil Resources (Board) on September 17, 2013, pursuant to Minnesota Statutes § 383B.761, and;

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

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

FINDINGS OF FACT

1. **Petition.** The Petition to discontinue the Hennepin Soil and Water Conservation District, d/b/a Hennepin Conservation District, (District) and transfer the duties and authorities of the District to the Hennepin County Board of Commissioners (Hennepin County) was filed by Hennepin County with the Board on September 17, 2013.
2. **Reasons for Discontinuance and Transfer of Duties and Authorities.** The Petition lists, among other items, the following reasons for discontinuing the District and transferring the duties and authorities of the District to Hennepin County:
 - A. The responsibilities and authorities of the District are consistent with Hennepin County's mission, vision and overarching goals.

- B. The conservation programs identified in Minnesota Statutes Chapter 103C are important for maintaining a healthy and clean environment for the more than one million residents of Hennepin County.
 - C. Hennepin County has delivered the conservation services identified in Minnesota Statutes Chapter 103C under county auspices since 2003.
 - D. Hennepin County has provided technical services regarding the state cost-share program, the Reinvest in Minnesota program, and the Wetland Conservation Act program pursuant to a cooperative agreement since 2006.
 - E. There are 45 municipalities involved in regulating development that affects natural resources in Hennepin County.
 - F. There are 12 watershed management organizations in Hennepin County charged with protecting water and land resources.
 - G. There has been substantial changes in environmental management and conservation funding in the past ten years.
 - H. The District lacks the financial and technical resources to address these complex issues and opportunities.
 - I. The District, for the past ten years, has not secured financial resources from other sources to fulfill its programmatic responsibilities.
 - J. Hennepin County strives to provide services in an efficient and fiscally responsible way.
 - K. It is more efficient and fiscally responsible to provide all conservation services through Hennepin County, which eliminates the costs associated with negotiating and executing cooperative agreements with the District's Board of Supervisors as well as the administrative costs associated with maintaining the District's Board of Supervisors.
3. **Recent History of the District.** The District has received little funding for more than a decade from Hennepin County or from other sources of revenue typical for soil and water conservation districts. During that time period, the Hennepin County Department of Environmental Services, through about a dozen staff members, has provided many of the services and duties commonly undertaken by soil and water conservation districts in the metropolitan area. See Exhibit 15. The District's Board of Supervisors has had frequent turnover during the past decade. The District has had a disproportionate amount of administrative costs compared to project and program funding during the past decade.

4. **Notice of Public Hearing.** A Legal Notice of Filing and Public Hearing was published in the Finance and Commerce (MN) newspaper on September 24, 2013, and October 1, 2013. Further, a copy of the Legal Notice of Filing and Public Hearing together with a copy of the Petition was mailed to several addressees including Hennepin County, the District, all of the municipalities in Hennepin County, all of the towns in Hennepin County, all of the watershed management organizations in Hennepin County, and the Minnesota Association of Soil and Water Conservation Districts.

5. **Public Hearing.** A public hearing was held on the Petition on Monday, October 21, 2013 at 7:00 PM in the lunch room at the Plymouth City Hall, 3400 Plymouth Boulevard, Plymouth, Minnesota. The hearing proceedings were tape recorded. The hearing panel was the Board's Metro Region Committee which consisted of Jack Ditmore, Christy Jo Fogarty, Rebecca Flood, Faye Sleeper, and Joe Collins as chair.

Jim Haertel, Board staff, entered Exhibits 1 through 11 into the hearing record by reading a brief description of each exhibit. Exhibits 12 through 17 were entered into the hearing record by individuals present during the hearing.

Exhibit 1. Petition to Discontinue the Hennepin Soil and Water Conservation District and transfer the duties and authorities to the Hennepin County Board of Commissioners dated August 29, 2013, received September 17, 2013 consisting of Exhibits 1A-1B.

Exhibit 1A. Hennepin County Resolution No. 13-0301 approving petitioning for the discontinuance of the Hennepin Soil and Water Conservation District and the transfer of duties and authorities, adopted August 27, 2013.

Exhibit 1B. Letter dated September 10, 2013 from Carl Michaud, Hennepin County Department of Environmental Services Director, to John Jaschke, Board of Water and Soil Resources Executive Director, transmitted with Exhibits 1 and 1A.

Exhibit 2. Letter dated September 19, 2013 from Travis Germundson, Board of Water and Soil Resources, to several addressees notifying them of the public hearing, including legal notice of the hearing, copy of the petition and list of addressees.

Exhibit 3. Affidavit of Publication dated October 1, 2013 of Legal Notice of Filing and Public Hearing in the Finance and Commerce (MN) newspaper on September 24 and October 1, 2013.

Exhibit 4. Letter dated September 18, 2013 from Doug Baines, Elm Creek Watershed Management Commission Chair, to Jim Haertel, Board of Water and Soil Resources, in support of the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

Exhibit 5. Letter dated September 19, 2013 from Lisa Whalen, Pioneer-Sarah Creek Watershed Management Commission Chair, to Jim Haertel, Board of Water and Soil Resources, in support of the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

Exhibit 6. Letter dated October 2, 2013 from Elizabeth Weir, City of Medina Mayor, to Jim Haertel, Board of Water and Soil Resources, in support of the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

Exhibit 7. Letter dated October 17, 2013 from Mike Opat, Hennepin County Board of Commissioners Chair, to Travis Germundson, Board of Water and Soil Resources, in support of the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

Exhibit 8. Board of Water and Soil Resources staff report titled "Delivery of Conservation Services by the Hennepin Conservation District and the Hennepin County Environmental Services Department", dated November 13, 2012 summarizing the status and relevant history of the Hennepin Conservation District operations.

Exhibit 9. Board of Water and Soil Resources Resolution No. 12-112, dated December 12, 2012, directing staff to work with Hennepin County officials to pursue legislative language that would allow the Hennepin County Board of Commissioners to directly petition the Board of Water and Soil Resources to transfer the duties and authorities of the Hennepin Conservation District without a referendum.

Exhibit 10. Copy of Minnesota Statutes § 383B.761; Discontinuance of Hennepin County Soil and Water Conservation District; Transfer of Duties.

Exhibit 11. Letter dated October 18, 2013 from Mark Zabel, MN Association of Soil and Water Conservation Districts President, to the Board of Water and Soil Resources, in opposition to the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

Exhibit 12. Letter dated October 16, 2013 from Jerry Posey to Erik Cedarleaf-Dahl, Hennepin Conservation District supervisor, in opposition to the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

Exhibit 13. Letter dated October 16, 2013 from Brad Spencer, City of Independence council member, to Erik Cedarleaf-Dahl, Hennepin Conservation District supervisor, in opposition to the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

Exhibit 14. Testimony given at the public hearing on October 21, 2013 of Richard Strong, Hennepin Conservation District supervisor, in opposition to the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

Exhibit 15. Fact sheet titled “Hennepin County Conservation Services” dated October 2013, prepared by the Hennepin County Department of Environmental Services, including a listing of conservation services provided directly by Hennepin County and a listing of conservation services provided by Hennepin County on behalf of the Hennepin Conservation District.

Exhibit 16. Testimony given at the public hearing on October 21, 2013 of Mary Wetter, MN Association of Soil and Water Conservation Districts, in opposition to the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

Exhibit 17. Letter dated October 21, 2013 from the Anoka Conservation District Board of Supervisors to the Board of Water and Soil Resources in opposition to the Hennepin County petition to discontinue the Hennepin Conservation District and transfer duties and authorities.

After all people present at the public hearing were given an opportunity to speak and to submit pertinent information the hearing record was closed and the hearing was adjourned.

6. **Statutory Authorization.** Laws 2013, chapter 114, article 4, section 96, codified as Minnesota Statutes § 383B.761, authorizes Hennepin County to petition the Board to discontinue the District and transfer the duties and authorities of the District to Hennepin County and authorizes the Board to discontinue the District and transfer the duties and authorities of the District to Hennepin County without conducting a referendum.
7. **Standard of Review.** The standard of review for this matter is set forth in Minnesota Statutes § 383B.761, subdivision 2, which states in pertinent part:

The Minnesota Board of Water and Soil Resources shall review the petition submitted under subdivision 1 to determine whether progress toward the goals identified in section 103C.005 can be achieved by discontinuing the Hennepin Soil and Water Conservation District and transferring the duties and authorities of the district to the Hennepin County Board of Commissioners. If the Board of Water and Soil Resources determines that progress toward the goals identified in section

103C.005 can be achieved by the discontinuance of the district and the transfer of district duties and authorities to the Hennepin County Board of Commissioners, the Board of Water and Soil Resources shall order the discontinuance of the Hennepin Soil and Water Conservation District.

Minnesota Statutes § 103C.005, Soil and Water Conservation Policy, states:

Maintaining and enhancing the quality of soil and water for the environmental and economic benefits they produce, preventing degradation, and restoring degraded soil and water resources of this state contribute greatly to the health, safety, economic well-being, and general welfare of this state and its citizens. Land occupiers have the responsibility to implement practices that conserve the soil and water resources of the state. Soil and water conservation measures implemented on private lands in this state provide benefits to the general public by reducing erosion, sedimentation, siltation, water pollution, and damages caused by floods. The soil and water conservation policy of the state is to encourage land occupiers to conserve soil, water, and the natural resources they support through the implementation of practices that:

- (1) control or prevent erosion, sedimentation, siltation, and related pollution in order to preserve natural resources;
- (2) ensure continued soil productivity;
- (3) protect water quality;
- (4) prevent impairment of dams and reservoirs;
- (5) reduce damages caused by floods;
- (6) preserve wildlife;
- (7) protect the tax base; and
- (8) protect public lands and waters.

8. **Metro Region Committee Meeting.** On December 3, 2013, the Board's Metro Region Committee and staff met to review and discuss the Petition. Those in attendance from the Board's Committee were Jack Ditmore, Rebecca Flood, Faye Sleeper and Joe Collins as chair. Board staff in attendance were Clean Water Specialist Brad Wozney and Metro Region Manager Jim Haertel.

Board staff noted the standard of review in making a decision is to determine whether Hennepin County can make progress toward achieving the goals identified in Minnesota Statutes § 103C.005, which is essentially if Hennepin County can deliver conservation services and carry out the duties of the Hennepin Soil and Water Conservation District, by discontinuing the District and transferring the duties and authorities of the District to Hennepin County. Because county staff during the past decade have been delivering conservation services and carrying out many of the duties commonly undertaken by soil

and water conservation districts in the metropolitan area, Board staff were confident Hennepin County will continue to substantially achieve the requirements set forth in the standard of review. See Exhibit 15. Board staff noted nothing in the hearing record indicates Hennepin County cannot deliver conservation services or that Hennepin County cannot carry out the duties of the Hennepin Soil and Water Conservation District. Board staff noted Minnesota Statutes § 383B.761, subdivision 6 allows for reestablishment of the District without a referendum if the District is discontinued. Board staff recommended discontinuance of the Hennepin Soil and Water Conservation District and the transfer of duties and authorities to Hennepin County per the Petition.

After discussion, the Committee found that progress toward the goals identified in Minnesota Statutes § 103C.005 can be achieved by discontinuing the District and transferring the duties and authorities of the District to Hennepin County because Hennepin County staff during the past decade have been delivering conservation services and carrying out many of the duties commonly undertaken by soil and water conservation districts in the metropolitan area. Therefore, the Committee found that discontinuance of the Hennepin Soil and Water Conservation District and the transfer of duties and authorities from the District to Hennepin County would be substantially consistent with the purposes and requirements of Minnesota Statutes § 383B.761. The Committee decided with a unanimous vote to recommend to the full Board that the discontinuance of the Hennepin Soil and Water Conservation District and the transfer of all duties and authorities of the District to Hennepin County be approved as proposed in the Petition, that the District's Board of Supervisors must transfer all assets of the District to Hennepin County within 60 days of the date of this Order, and that the discontinuance of the District and the transfer of duties and authorities to Hennepin County is effective the day the transfer of all assets of the District to Hennepin County is completed and no later than 60 days from the date of this Order.

CONCLUSIONS

1. The Petition for the discontinuance of the Hennepin Soil and Water Conservation District, d/b/a Hennepin Conservation District, (District) and the transfer of duties and authorities of the District to the Hennepin County Board of Commissioners (Hennepin County) is valid in accordance with Minnesota Statutes § 383B.761, subdivision 1.
2. All relevant substantive and procedural requirements of law have been fulfilled.
3. The Board has proper jurisdiction in the matter of ordering the discontinuance of the District, and the transfer of all duties, authorities and assets of the District to Hennepin County, pursuant to Minnesota Statutes § 383B.761, subdivisions 2, 3 and 4.
4. With discontinuance of the District and the transfer of duties and authorities from the District to Hennepin County, Hennepin County can make progress toward achieving the goals identified in Minnesota Statutes § 103C.005 because Hennepin County staff during the past decade have been providing many services and duties commonly undertaken by soil and water conservation districts in the metropolitan area.
5. Discontinuance of the District and the transfer of duties and authorities from the District to Hennepin County is substantially consistent with the purposes and requirements of Minnesota Statutes § 383B.761.
6. The District's Board of Supervisors must transfer all assets of the District to Hennepin County no later than 60 days from the date of this Order pursuant to Minnesota Statutes § 383B.761, subdivision 4.
7. The District will be discontinued and all duties and authorities of the District will be transferred in their entirety to Hennepin County effective the day the District's Board of Supervisors completes the transfer of all assets of the District to Hennepin County and no later than 60 days from the date of this Order pursuant to Minnesota Statutes § 383B.761, subdivisions 2, 3 and 4.

ORDER

The Board hereby orders that the Hennepin Soil and Water Conservation District, d/b/a Hennepin Conservation District, (District) is discontinued and all the duties and authorities of the District are transferred in their entirety to the Hennepin County Board of Commissioners effective the day the District's Board of Supervisors completes the transfer of all assets of the District to the Hennepin County Board of Commissioners and no later than 60 days from the date of this Order.

The discontinuance of the Hennepin Soil and Water Conservation District and the transfer of duties and authorities of the District to the Hennepin County Board of Commissioners is in place until such time as the District may be reestablished under Minnesota Statutes § 383B.761, subdivision 6.

Dated at Saint Paul, Minnesota this 18th day of December, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

COMMITTEE RECOMMENDATIONS

Southern Region Committee

1. Big Stone County Local Water Management Plan Update – Steve Sunderland - ***DECISION ITEM***
2. Chippewa County Local Water Management Plan Update – Steve Sunderland - ***DECISION ITEM***
3. Lac qui Parle County Local Water Management Plan Update – Sandy Hooker - ***DECISION ITEM***
4. Swift County Local Water Management Plan Update – Tom Loveall - ***DECISION ITEM***
5. Renville County Soil and Water Conservation District (SWCD) Nomination Districts Resolution – Paul Langseth – ***DECISION ITEM***
6. Houston County Local Water Management Plan Amendment – Chris Elvrum - ***DECISION ITEM***
7. Nobles County Local Water Management Plan Amendment – Paul Langseth - ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Big Stone County Comprehensive Water Plan

Meeting Date: December 18, 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: David Sill, Board Conservationist

Reviewed by: Southern Region Committee(s)

Presented by: Steve Sunderland

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

LINKS TO ADDITIONAL INFORMATION

[http://www.bigstonecounty.org/environmental/waterplanning/2014BigStoneCountyWaterPlan\[FinalStateReview\].pdf](http://www.bigstonecounty.org/environmental/waterplanning/2014BigStoneCountyWaterPlan[FinalStateReview].pdf)

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

On March 27, 2013, the Board of Water and Soil Resources (BWSR) provided official comments pertaining to the State Review of the Big Stone County Priority Concerns Scoping Document. On March 27, 2013, the BWSR officially approved Big Stone County’s written request to extend the current Local Water Management Plan (Plan), which would expire on May 28, 2013. The extended end date of the current Plan is December 31, 2013.

On September 6, 2013, the BWSR received the final draft Big Stone County Comprehensive Local Water Plan 2014-2023 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.

Big Stone County contracted with Midwest Community Planning, LLC. to assist with Plan development. More specifically, Water Plan Coordinator Darren Wilke and the Big Stone County Water Plan Task Force worked diligently throughout the plan process to make this a useful plan. Specifically on Chapter Three of the Plan (Goals, Objectives and Actions to Address Priority Concerns) significant effort was made to insure the action steps were targeted and measurable.



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 Big Stone County (Minnesota Statutes, Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN UPDATE

Whereas, the Big Stone County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on September 6, 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 January 7, 2013, the Board received a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.
2. On January 25, 2013, the Board received a written request (resolution) from the County for an extension of their current local water management plan.
3. On March 27, 2013, the Board approved official comments on the County PCSD, which were mailed to the County on March 27, 2013. The priority concerns the PCSD and Plan Update addresses include:
 - Reduce Priority Pollutants – Surface Water Quality
 - Surface Water Management
 - Groundwater Quality & Quantity
 - Plan Administration
4. On March 27, 2013, the Board approved the extension request made by the County. The end date of the current local water management plan was extended to December 31, 2013. This approval was mailed to the County on March 27, 2013.
5. On September 6, 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 November 7, 2013, the Southern Region 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) noted the Plan does not violate any statutory or rule requirements administered by MPCA and recommends approval of the entire Plan as submitted. (MPCA did provide several comments providing corrections or minor clarification.)
- 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 several comments for consideration for clarification purposes regarding that crop prices are not the only factor that may cause increases in tiled farmland.)
- 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 December 18, 2013 meeting.

7. On December 18, 2013, the Southern Region Water Planning Committee of the Board presented its recommendation of approval of the Big Stone 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 December 18, 2023, with the Goals, Objectives and Action items amended by December 18, 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 Big Stone County pursuant to Minnesota Statutes, 103B.315, Subd. 5.
2. The Big Stone 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 Big Stone County Local Water Management Plan 2014-2023 with a required update of the Implementation section (Goals, Objectives, and Action) to be completed by December 18, 2018.

Dated at St Paul, Minnesota this December 18, 2013.

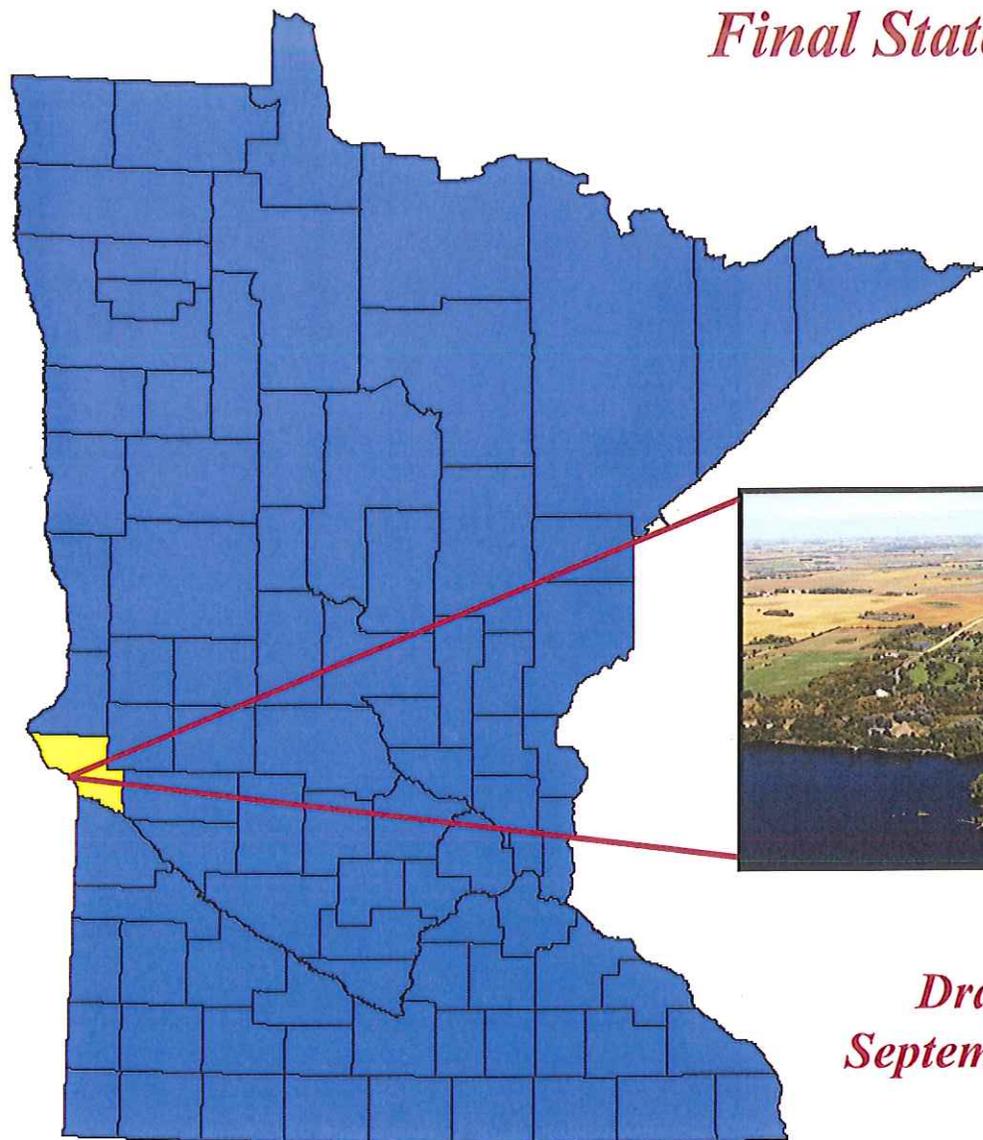
MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

Big Stone County

Water Plan (2014-2023)

Final State Review



*Draft Date:
September 6, 2013*

*Prepared by
Big Stone County, with assistance from
Midwest Community Planning, LLC*

Big Stone County Water Plan:

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Big Stone County Water Plan:

Executive Summary

The Big Stone 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 Big Stone County Water Plan:

- Covers the entire area of Big Stone 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 (2014-2023), with a 5-year implementation plan (2014-2018). In 2018, the implementation plan will be updated.

In addition, the Water Plan will also serve as the Big Stone 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 Big Stone County's Priority Concerns

Chapter Two provides a detailed assessment of the priority concerns. Based upon the Big Stone 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. Erosion and Sediment Control

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. Irrigation
 - c. Drinking Water Quality

4. Plan Administration
 - a. Stakeholder Cooperation – Watershed Focus
 - b. Raising Public Awareness – Education

C. Summary of Goals, Objectives, Action Steps, and Estimated Costs

To address the priority concerns identified in the scoping process, the Big Stone County Water Plan Task Force held meetings to develop the four goal areas. These four 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 Big Stone County (including items such as the County's 103E administrative costs) and the Big Stone 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 protecting and enhancing the County's surface water resources, removing waters off the MPCA's 303d list of impaired waters, feedlots, failing Subsurface Sewage Treatment Systems (SSTS), and Aquatic Invasive Species (AIS). Implementation steps under the first goal area include a wide range of the following surface water quality Best Management Practices (BMPs):

- Surface Water Quality Monitoring: including developing a web-based mapping application that connects users with water quality data from specific monitoring sites.
- Surface Water Quality Profiles: including seeking opportunities to refine watershed analysis and management strategies using detailed GIS information, water quality data, and other tools to guide plan actions, target implementation and augment funding from outside sources.
- Marsh Lake Restoration: Support/sponsor the Marsh Lake restoration efforts that will restore the Pomme de Terre River to its historic channel, modify the Marsh Lake Dam, construct fishway, construct secondary drawdown structure, breach dike at abandoned fish pond, install gated culvert in the Louisburg Grade Road (2017).
- Target Areas: Implementing BMPs to protect and enhance water quality on Artichoke, Big Stone, Long, and East Toqua Lakes; Twelve Mile Creek/County Ditch 4; and Dry Wood Creek.

- Feedlots: Identifying and cost-sharing sites where cattle exclusions are needed; upgrading five feedlots with BMPs to eliminate runoff to nearby waters, and promoting 500 acres of pasture management.
- SSTS and Wastewater: Upgrading ten noncompliant SSTS systems annually; and resolving wastewater treatment-related pollution issues in Ortonville and Browns Valley.
- Aquatic Invasive Species (AIS): Developing an AIS Management Plan for Big Stone County and creating a local AIS Task Force.

The various action steps identified to address the first goal area of surface water quality improvements in Big Stone County are estimated to have an overall 5-year cost of \$3,590,000. Of this amount, \$359,000 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs. 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:

- Cost-sharing BMPs, such as water and sediment control basins, alternative tile intakes, stream bank stabilization projects, grassed waterways, buffer strips, rain gardens, and wetland restorations.
- Targeting Stoney Run, Fish Creek, Long Tom Lake, and Artichoke Lake subwatersheds for erosion and sediment control BMPs.
- Soil Health: Promoting soil health by targeting marginal land for BMPs.
- Stabilizing the shoreline on Artichoke Lake.
- Completing ravine terrain analysis for Fish, Meadowbrook and Stoney Run Creeks;
- Participating with implementing the MN Prairie Plan goals/objective to have 40% grassland and 20% wetland coverage in key corridors.

The various action steps identified to address the second goal area of erosion and sediment control improvements in Big Stone County are estimated to have an overall 5-year cost of \$605,000. Of this amount, \$106,000 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. The key implementation steps include the following:

- Drainage: Completing a ditch inventory and drainage records modernization project; conducting a buffer inventory; pursuing funds to establish a two-stage ditch site; cost-sharing drainage BMPs; and targeting County Ditch 2 and 12 Mile Creek/County Ditch 4 for BMPs and the development of drainage management plans.
- Stormwater Management: Cost-sharing stormwater BMPs, such as urban stormwater ponds and rain gardens; assisting with developing a Stormwater Management Plans with the cities of Ortonville and Graceville.
- Wetlands/Water Retention: Restoring two wetlands countywide annually; increasing the number of Wetland Reserve Program easements by two each year; partnering with the Bois de Sioux on restoring Moonshine Lake Basin; targeting West Toqua Lake subwatershed with flood mitigation projects; and working with stakeholders to restore the original Upper Minnesota River near Ortonville and the Big Stone National Wildlife Refuge.
- Shoreland Restorations: Using LIDaR and GIS technology to annually identify potential sites; cost-sharing two shoreland restorations annually; and targeting Big Stone, Long Tom, Artichoke, Long, and East Toqua Lakes with shoreline BMPs.

The various action steps identified to address the third goal area of erosion surface water management issues in Big Stone County are estimated to have an overall 5-year cost of \$1,990,000. Of this amount, \$386,000 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 drink water quality and groundwater quantity BMPs. Implementation steps include a wide range of the following groundwater Best Management Practices (BMPs):

- Groundwater Quality BMPs: Target sensitive groundwater recharge areas and Wellhead Protection Areas with groundwater quality BMPs; and cost-sharing sealing twenty-five abandoned wells.
- Pesticide Container Collection: Host an annual pesticide container collection day.
- Wellhead Protection: Working with cities on mutually agreed upon ordinance language for Wellhead Protection Areas.
- Groundwater Quantity: Increasing irrigation management by 1,000 acres; continue monitoring groundwater quantity; completing a County Geologic Atlas; and developing a Water Conservation/Drought Contingency Plan.

The various action steps identified to address the fourth goal area of groundwater quality and quantity BMPs in Big Stone County are estimated to have an overall 5-year cost of \$600,000. Of this amount, \$137,500 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:

- Education/Outreach: Publishing quarterly newsletters; establishing BMP test sites; annually hosting workshops; and semi-annually promoting BMP programs in local newspapers.
- Watershed Focus and Stakeholder Cooperation: Partnering with watershed/stakeholder groups on implementation activities to minimize expenditures and to maximize results.

The various action steps identified to address the fifth goal area of effectively administering the Water Plan in Big Stone 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 \$1,328,400 annually overall, with approximately \$209,700 coming from local/county funds.

**Table 1:
Summary of Big Stone County's Water Plan
Estimated Overall and Local Costs**

	<i>Overall</i>	<i>Local/County</i>
Goal Area One: Surface Water Quality	\$3,362,000	\$359,000
Goal Area Two: Erosion & Sedimentation Control	\$605,000	\$106,000
Goal Area Three: Surface Water Management	\$1,990,000	\$386,000
Goal Area Four: Groundwater Quality & Quantity	\$600,000	\$137,500
Goal Area Five: Plan Administration	\$85,000	\$60,000
5-Year Estimated Costs	\$6,642,000	\$1,048,500
Average Annual Estimated Costs	\$1,328,400	\$209,700

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 Big Stone County and the Big Stone 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 Big Stone County and the Big Stone 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 Big Stone 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 Big Stone 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: Chippewa County Comprehensive Water Plan

Meeting Date: December 18, 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: David Sill, Board Conservationist

Reviewed by: Southern Region Committee(s)

Presented by: Steve Sunderland

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Decision

LINKS TO ADDITIONAL INFORMATION

<http://www.co.chippewa.mn.us/Water Plan Draft 2013.pdf>

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

On March 27, 2013, the Board of Water and Soil Resources (BWSR) provided official comments pertaining to the State Review of the Chippewa County Priority Concerns Scoping Document. On March 27, 2013, the BWSR officially approved Chippewa County's written request to extend the current Local Water Management Plan (Plan), which would expire on May 28, 2013. The extended end date of the current Plan is December 31, 2013.

On September 4, 2013, the BWSR received the final draft Chippewa 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.

Chippewa County contracted with Midwest Community Planning, LLC. to assist with Plan development. More specifically, Water Plan Coordinator JoAnn Bloome and the Chippewa County Water Plan Task Force worked diligently throughout the plan process to make this a useful plan. Specifically on Chapter Two of the Plan (Implementation to Address Priority Concerns) significant effort was made to insure the action steps were targeted and measurable.



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 Chippewa County (Minnesota Statutes, Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN UPDATE

Whereas, the Chippewa County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on September 4, 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 7, 2012, the Board received a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.
2. On January 24, 2013, the Board received a written request (resolution) from the County for an extension of their current local water management plan.
3. On March 27, 2013, the Board approved official comments on the County PCSD, which were mailed to the county on March 27, 2013. The priority concerns the PCSD and Plan Update addresses include:
 - Reduce Priority Pollutants – Surface Water Quality
 - Surface Water Management
 - Groundwater Quality & Quantity
 - Recreation and Biodiversity
 - Plan Administration
4. On March 27, 2013, the Board approved the extension request made by the County. The end date of the current local water management plan was extended to December 31, 2013. This approval was mailed to the County on March 27, 2013.
5. On September 4, 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 November 7, 2013, the Southern Region 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 several comments for consideration for clarification purposes which the county was adopting.)
- 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 December 18, 2013 meeting.

7. On December 18, 2013, the Southern Region Committee of the Board presented its recommendation of approval of the Chippewa 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 December 18, 2023, with the Goals, Objectives and Action items amended by December 18, 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 Chippewa County pursuant to Minnesota Statutes, 103B.315, Subd. 5.
2. The Chippewa 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 Chippewa County Local Water Management Plan 2013-2023 with a required update of the Implementation section (Goals, Objectives, and Action) to be completed by December 18, 2018.

Dated at St Paul, Minnesota this December 18, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

The 2013-2023 Chippewa County Water Plan

~ With 2013-2018 Implementation Plan ~

Prepared by the Chippewa County Water Plan Task Force and Midwest Community Planning, LLC.

DRAFT

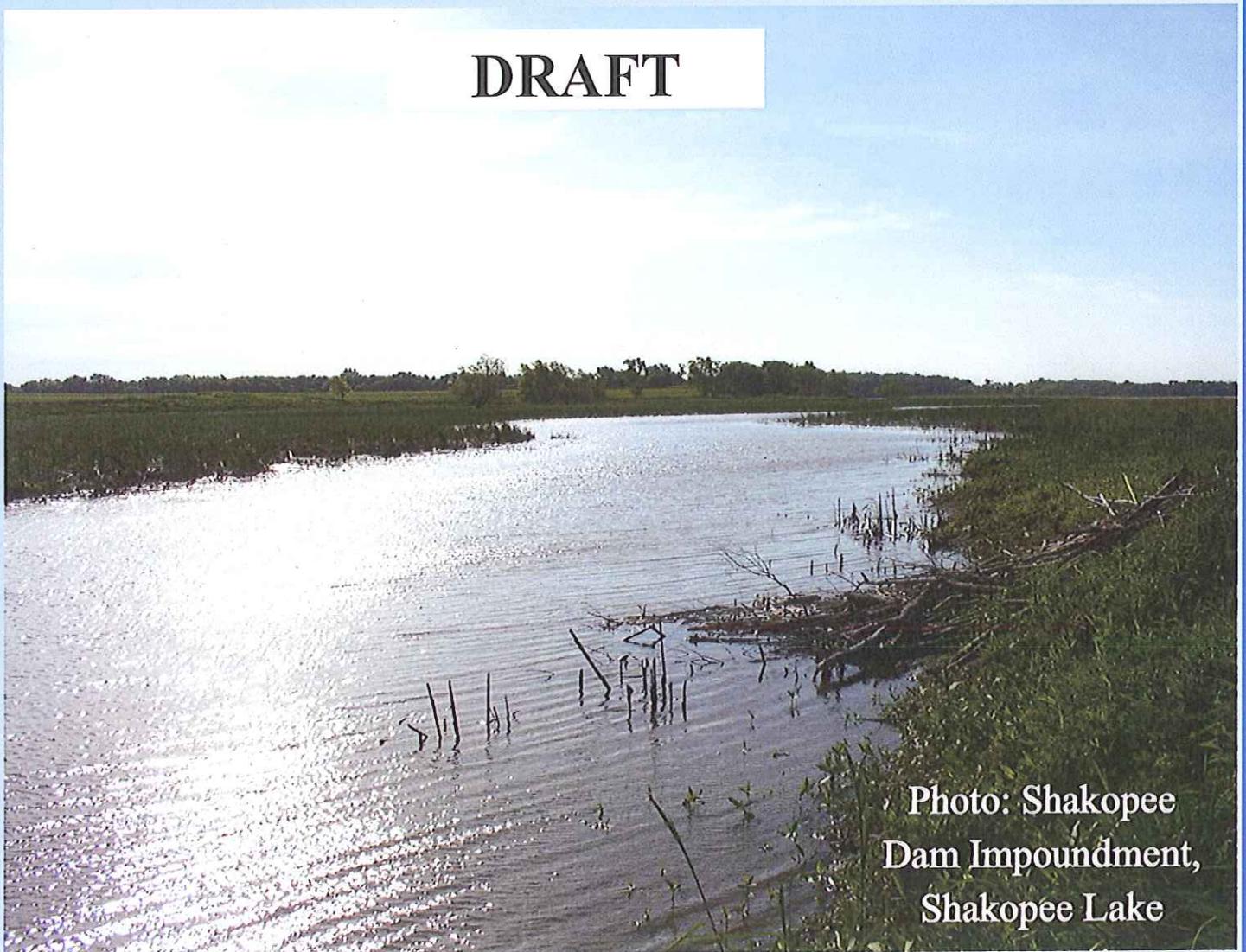


Photo: Shakopee
Dam Impoundment,
Shakopee Lake

"Each generation has its own rendezvous with the land, for despite our fee titles and claims of ownership, we are all brief tenants on this planet. By choice, or by default, we will carve out a land legacy for our heirs. We can misuse the land and diminish the usefulness of resources, or we can create a world in which physical affluence and affluence of the spirit go hand in hand." – Stewart Udall in the forward to his 1963 book, "The Quiet Crisis", published by Holt, Rinehardt & Winston.

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Chippewa County Water Plan:

Executive Summary

The Chippewa 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 Chippewa County Water Plan:

- Covers the entire area of Chippewa 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 (2014-2023), with a 5-year implementation plan (2014-2018). In 2018, the implementation plan will be updated.

In addition, the Water Plan will also serve as the Chippewa County Soil and Water Conservation District's (SWCD) Comprehensive District Plan. This will be passed by the SWCD's Board of Supervisors by Resolution.

B. A Summary of Chippewa County's Priority Concerns, Goals, and Objectives

Chapter Two provides a detailed assessment of the priority concerns. Based upon the Chippewa County Water Priority Concerns Scoping Document, and comments received by the various water plan stakeholders, the Water Plan Task Force identified the following priority water planning issues:

Priority Concern 1: Surface Water Quality and Quantity Impairments and Concerns

Goal 1: Remove Chippewa County's water bodies from the MPCA's 303d List of Impaired Waters by 2033.

- Address Fecal Coliform/Bacteria TMDL Implementation for Chippewa River Watershed and Hawk Creek Watershed.
- Address Turbidity TMDL Implementation for Chippewa River Watershed and Hawk Creek Watershed.

Goal 2: Have all feedlots in the county in compliance with MN Statutes 7020 standards by 2023.

- Provide assistance to producers to reduce water quality concerns related to animal agriculture.
- Encourage the development and updating of manure management plans.
- Provide education on proper setbacks from sensitive areas.
- Encourage the proper crediting of manure nutrients.

Goal 3: Promote wise use of nutrients for optimum economic benefit to the producer while minimizing impacts on the environment.

- Provide education and information on proper application rates.

Goal 4: Manage new and existing Subsurface Sewage Treatment Systems (SSTS).

- Maintain SSTS programs to protect surface and ground water quality.

Goal 5: Establish and implement a management program to ensure that existing SSTS are operated and maintained properly to prevent the impairment or degradation of surface and ground waters.

- Maintain SSTS programs to protect surface and ground water quality.

Goal 6: Reduce and minimize the effects of soil erosion and sedimentation.

- Market conservation programs and best management practices (BMP's) that reduce soil erosion and sedimentation in regard to water and wind erosion.
- Multipurpose Drainage Management Planning.
- Preserve and protect the most sensitive areas of Chippewa County.

Goal 7: Stormwater Management

- Assist and encourage non-regulated communities to develop Storm Water Management Plans.
- Encourage communities to promote or provide incentives for homeowners to implement best management practices at the lot size level.

Goal 8: Shoreland

- Protect Shoreland areas in the County.

Priority Concern 2: Groundwater Quality and Quantity Impairments and Concerns

Goal 1: Protect and improve groundwater based drinking water sources.

- Implement Best Management Practices in Wellhead Protection Areas (WPA).
- Ensure landowners and homeowners that their supply of water is safe for drinking.
- Groundwater Quantity/I.D. Recharge Areas

Priority Concern 3: Public Awareness and Plan Administration

Goal 1: Maintain a Watershed Focus

- Support watersheds in Chippewa County

Goal 2: Staff and Coordinate Stakeholder Cooperation

- Stakeholder Cooperation
- Implement the County's land use controls

Goal 3: Raise Public Awareness on Key Water Planning Issues

- Raise public awareness through education and cooperation with residents, business and schools.

C. Description of Goals, Objectives, Action Steps, and Estimated Costs

To address the priority concerns identified in the scoping process, the Chippewa County Water Plan Task Force held meetings to develop the priority concern areas. The three priority concern areas were further broken down into interrelated goals and 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 the estimated costs is provided. These estimated expenses include all monies spent by water plan stakeholders, including the County, watershed districts, state agencies, and landowners.

Local costs include funds spent and activities performed by Chippewa County (including items such as the County's 103E administrative costs) and the Chippewa 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. The costs identified are also 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.

Surface Water Quality and Quantity Initiatives

The first priority concern area focuses on addressing surface water quality and quantity issues. Goals and Objectives were developed for numerous topics, including address

Impaired Waters, feedlots, nutrient management, Subsurface Sewage Treatment Systems, erosion, stormwater management, and protecting shoreland. The following water plan action steps highlight Chippewa County's key implementation strategies:

- Completing a Level 3 Feedlot Inventory and bringing 20% of non-compliant feedlots into compliance by 2018.
- Providing technical and cost-share assistance with Manure Management Plans.
- Review implementing property transfer inspections for Subsurface Sewage Treatment Systems (SSTS) and developing an Operation and Maintenance Planning Program for SSTS users.
- Extensive bank stabilization projects throughout the Chippewa River and Hawk Creek Watersheds.
- Completing a Drainage Water Management Plan on Buffalo Lake/JD 18 and cost-sharing drainage Best Management Practices (BMPs), such as installing alternative tile intakes. In addition, seek funding to hire a drainage engineer who will complete a public drainage system survey, inventory and evaluation on at least the Dry Weather Creek Watershed and the Shakopee Creek Watershed (for a 3-year grant period).
- Seeking Clean Water Legacy funds to complete a terrain analysis of Chippewa County. Contract with the Water Resources Center at the Minnesota State University in Mankato to complete a Geographic Information System (GIS) terrain analysis for the County.
- Work with ag suppliers and producers on following the University of MN application rates.
- Marketing conservation programs and best management practices (BMP's) that reduce soil erosion and sedimentation in regard to water and wind erosion.
- Apply for a grant with joint partners along the MN River Valley to preserve and protect approximately 200 acres of Granite Rock Outcrops in Chippewa County and their associated wetlands, plus improve water quality and aquatic habitat within the Minnesota River Valley.
- Seek funds to implement urban best management practice demonstration sites for stormwater throughout the municipalities in Chippewa County. In addition, offer incentives to homeowners for on-lot infiltration practices, including reduced lot grading, rain gardens or rain barrels, which control runoff at its source.
- Inventory/Assess status of required 50' buffer in shoreland areas and offer existing programs to help become complaint.

The various action steps identified to address the first priority concern area of surface water quality and quantity improvements in Chippewa County are estimated to have an overall 5-year cost of \$4,756,050. This amount represents a vast amount of staff time and money from all of Chippewa County's water plan stakeholders. In addition, many of the implementation activities will only be accomplished if grant funding becomes available.

Groundwater Quality and Quantity Initiatives

The second priority concern area is aimed at protecting and improving groundwater. Three objectives were developed to properly address Wellhead Protection Areas (WPAs), safe drinking water, and groundwater recharge (groundwater quantity). The key implementation steps include the following groundwater initiatives:

- Participating with Wellhead Protection Plans in the development and implementation stages, including inventorying abandoned wells in Wellhead Protection Areas (WPAs).
- Incorporating the County's sensitive groundwater recharge areas map into the local land use decision making process.
- Creating a gift certificate (not to exceed \$50) for free well testing for new parents that get their drinking water from private wells and offer free annual nitrate water testing through the Minnesota Department of Agriculture water testing clinics.
- Establishing suitable pharmaceutical collection spots.
- Pursue funding through a CWF to establish a Water Conservation/Drought Contingency Plan.
- Purchase rain barrels and offer them at a reduced rate to urban residents promoting water conservation.

The various action steps identified to address the second priority concern area of groundwater quality and quantity issues in Chippewa County are estimated to have an overall 5-year cost of \$66,700. Most of this amount is estimated to come from local sources, including direct and indirect (in-kind) expenses. This amount does not include, however, grant dollars awarded to address the issues and topics identified in the various action steps.

Public Awareness and Plan Administration Initiatives

The third priority concern area is aimed at effectively raising public awareness on key water planning issues and properly administering the County's Water Plan. Three specific goals were included to maintain a watershed focus, staff and coordinate stakeholder cooperation,

and to raise public awareness on key water planning issues. Key implementation steps include the following:

- Support watershed planning, monitoring and implementation activities by providing financial (in-kind) and technical assistance by attending and participating in the Local Work Group meetings, monthly meetings and annual meetings.
- Annually review monitoring data with the watersheds and implementation accomplishments to continue coordinating future initiatives. Participate and be informed via the watershed restoration and protection strategy (led by MPCA) and be an active participant as the watershed transitions to Comprehensive Watershed Management planning.
- Participate in training on how to use LIDAR based data to target BMPs to the most critical landscapes and improve the competitiveness of conservation grant proposal applications.
- Focus education and outreach efforts on two to three water planning issues a year. Integrate those efforts with the watershed projects educational goals. Identify the priority issues in spring each year.
- Hold five Problem Material Collections. Items to be collected are tires, appliances, electronics, fluorescent bulbs and other mercury items, cell phones and rechargeable batteries.

The various action steps identified to address the third priority concern area of effectively administering the Water Plan in Chippewa County are estimated to have an overall 5-year cost of \$1,040,950. This averages to approximately \$203,190 annually over the next five years.

D. Summary of Estimated Costs

The estimated costs for the three priority concern areas and their corresponding action steps are summarized below in Table 1. The initiatives are estimated to cost approximately \$7,839,200 over the next five years. This averages to approximately \$1,567,840 annually to address all of Chippewa County's water resource concerns.

**Table 1:
Summary of Chippewa County's Water Plan
5-Year Estimated Costs***

	<i>Cost Estimates</i>
Priority Concern Area 1: Surface Water Quality/Quantity	\$4,756,050
Priority Concern Area 2: Groundwater Quality/Quantity	\$66,700
Priority Concern Area 3: Public Awareness/Plan Administration	\$1,040,950
	5-Year Totals: \$5,863,700
	Average Annual Costs: \$1,172,740

**Note:* Expenses may seem high but they actually represent the numerous stakeholders involved and a collaboration of their corresponding activities and budgets.

E. Relationship to other Plans

The Chippewa 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 Chippewa 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: Lac qui Parle County Comprehensive Water Plan

Meeting Date: December 18, 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: David Sill, Board Conservationist

Reviewed by: Southern Region Committee(s)

Presented by: Sandra Hooker

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

LINKS TO ADDITIONAL INFORMATION

[http://lacquiparleswcd.org/Home/Lac qui Parle Water Plan 2014-23 Final with Appendices.pdf](http://lacquiparleswcd.org/Home/Lac%20qui%20Parle%20Water%20Plan%202014-23%20Final%20with%20Appendices.pdf)

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

On March 27, 2013, the Board of Water and Soil Resources (BWSR) provided official comments pertaining to the State Review of the Lac qui Parle County Priority Concerns Scoping Document. On March 27, 2013, the BWSR officially approved Lac qui Parle County's written request to extend the current Local Water Management Plan (Plan), which would expire on May 28, 2013. The extended end date of the current Plan is December 31, 2013.

On September 6, 2013, the BWSR received the final draft Lac qui Parle County Comprehensive Local Water Plan 2014-2023 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.

Lac qui Parle County contracted with Midwest Community Planning, LLC. to assist with Plan development. More specifically, Water Plan Coordinator Terry Wittnebel and the Lac qui Parle County Resource Commission worked diligently throughout the plan process to make this a useful plan. Specifically on Chapter Three of the Plan (Goals, Objectives and Actions to Address Priority Concerns) significant effort was made to insure the action steps were targeted and measurable.



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 Lac qui Parle County (Minnesota Statutes, Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN UPDATE

Whereas, the Lac qui Parle County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on September 6, 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 7, 2012, the Board received a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.
2. On February 7, 2013, the Board received a written request (resolution) from the County for an extension of their current local water management plan.
3. On March 27, 2013, the Board approved official comments on the County PCSD, which were mailed to the county on March 27, 2013. The priority concerns the PCSD and Plan Update addresses include:
 - Reduce Priority Pollutants – Surface Water Quality
 - Surface Water Management
 - Groundwater Quality & Quantity
 - Plan Administration
4. On March 27, 2013, the Board approved the extension request made by the County. The end date of the current local water management plan was extended to December 31, 2013. This approval was mailed to the County on March 27, 2013.
5. On September 6, 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 November 7, 2013, the Southern Region 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) noted the Plan does not violate any statutory or rule requirements administered by MPCA and recommends approval of the entire Plan as submitted. (MPCA did provide several comments providing minor corrections or clarification.)
 - 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 several comments for consideration for clarification purposes regarding that crop prices are not the only factor that may cause increases in tilled farmland.)
 - 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 December 18, 2013 meeting.

7. On December 18, 2013, the Southern Region Committee of the Board presented its recommendation of approval of the Lac qui Parle 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 December 18, 2023, with the Goals, Objectives and Action items amended by December 18, 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 Lac qui Parle County pursuant to Minnesota Statutes, 103B.315, Subd. 5.
2. The Lac qui Parle 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 Lac qui Parle County Local Water Management Plan 2014-2023 with a required update of the Implementation section (Goals, Objectives, and Action) to be completed by December 18, 2018.

Dated at St Paul, Minnesota this December 18, 2013.

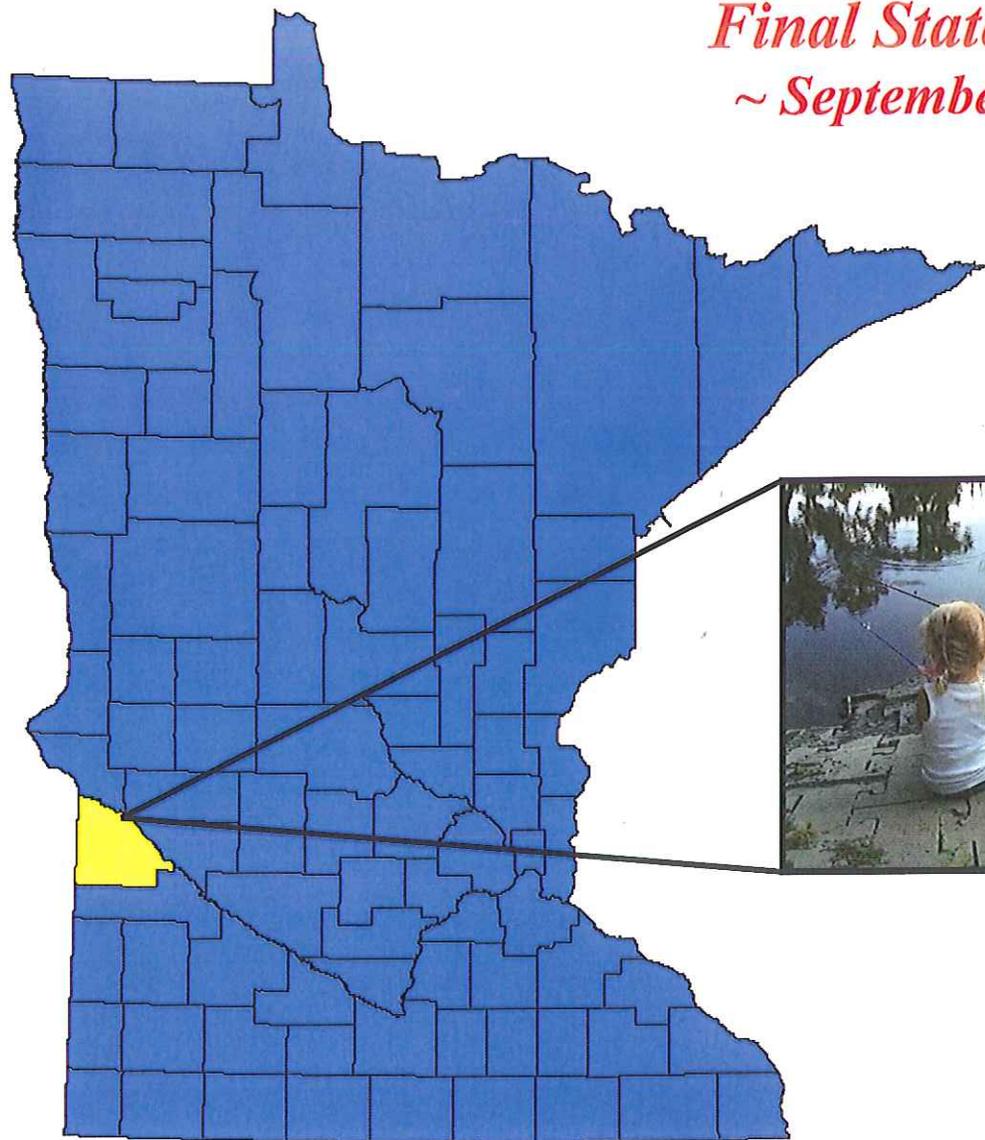
MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

Lac qui Parle County

Local Water Management Plan

Final State Review
~ September 2013 ~



Prepared by
The Lac qui Parle County Resource Commission,
with assistance from Midwest Community Planning, LLC

Lac qui Parle County
Water Plan (2014-2023)
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Lac qui Parle County Water Plan:

Executive Summary

The Lac qui Parle 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 Lac qui Parle County Water Plan:

- Covers the entire area of Lac qui Parle 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 (2014-2023), with a 5-year implementation plan (2014-2018). In 2018, the implementation plan will be updated.

In addition, the Water Plan will also serve as the Lac qui Parle County Soil and Water Conservation District's (SWCD) Comprehensive District Plan. This will be adopted by the SWCD's Board of Supervisors by Resolution.

B. A Description of Lac qui Parle County's Priority Concerns

The Lac qui Parle County Resource Commission met on August 14, 2012, to review the Water Plan Survey results and the Priority Concerns Input Forms received (Appendix A contains a copy of the Sign in Sheets). Based upon the survey results, the comments received during the Water Plan Public Meeting, and the comments received in the Priority Concerns Input Forms, the Resource Commission identified the following as Lac qui Parle County's priority water planning issues (note: these issues are not ranked):

1. Surface Water Management
 - a. Agricultural Drainage
 - b. Stormwater Management
 - c. Wetlands and Water Storage/Retention
 - d. Flooding

2. Reducing Priority Pollutants ~ Surface Water Quality
 - a. TMDL Implementation
 - b. Feedlot/Livestock Management
 - c. Subsurface Sewage Treatment Systems
 - d. Erosion and Sediment Control

3. Groundwater Quality & Quantity
 - a. Wellhead Protection Areas
 - b. Irrigation
 - c. Drinking Water Quality

4. 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 Lac qui Parle County Resource Commission held meetings and developed four goal areas. These four goal areas are further broken down into interrelated objectives that specific resource concerns. More importantly, each objective has a series of action steps designed to help address the priority concerns.

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 Lac qui Parle County (including items such as the County's 103E administrative costs) and the Lac qui Parle County SWCD. The Lac qui Parle County Resource Commission 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.

Goal 1: Protect and Improve Surface Water Quality by Reducing Priority Pollutants

The first goal area focuses on addressing surface water quality issues. Objectives were developed for TMDL implementation (removing waters off the MPCA's 303d list of Impaired Waters), feedlots and fertilizers, Subsurface Sewage Treatment Systems (SSTS), and erosion and sediment control. Implementation steps under the first goal area include a wide range of the following surface water quality Best Management Practices (BMPs):

- **TMDLs.** Targeting the impaired subwatersheds with numerous types of cropland, surface water management, streambank, and livestock BMPs. Key examples include increasing tillage residue by 10-15%, cost-sharing installing alternative tile intakes, restoring wetlands, developing manure management plans, and stabilizing streambank erosion sites.
- **Feedlots/Fertilizers.** Using the County's Level 3 Feedlot Inventory (when completed) to prioritize and target BMPs; seeking cost-share/incentive funds for producers with fewer than 300 animal units to develop nutrient management plans; and improving 100 acres of pasture management by implementing BMPs, such as stream crossing, fencing, remote water systems, managed grazing, etc.
- **SSTS.** Seeking funds to inspect all SSTS in Lac qui Parle County's impaired subwatersheds and securing MPCA and MDA funding to provide low interest loans to upgrade noncompliant systems.
- **Erosion and Sediment Control.** Target erosion and sediment control BMPs along Emily Creek; working with producers to increase tillage residue; installing grade control

structures; targeting floodplain acres for new enrollment in long-term grassland programs; and assisting producers to adopt improved pasture management techniques such as rotational grazing, prescribed grazing, or other pasture improvement BMPs.

The various action steps identified to address the first goal area of surface water quality improvements in Lac qui Parle County are estimated to have an overall 5-year cost of \$4,175,500. Of this amount, \$560,000 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs. Many of these implementation activities will be eligible for grant funding.

Goal 2: Groundwater Quantity and Quality Initiatives

The second goal area focuses on addressing groundwater quality and quantity issues. Objectives were developed for drinking water quality and groundwater quantity BMPs. Implementation steps include a wide range of the following groundwater Best Management Practices (BMPs):

- **Wellhead Protection Areas (WPA).** Participate in the preparation and implementation of wellhead protection plans for public water suppliers. Communities of Dawson, Madison, and Boyd are scheduled to be phased into the Wellhead Protection Program in 2017; targeting groundwater BMPs in Drinking Water Supply Areas (DWSAs) and WPAs; and sealing abandoned wells.
- **Safe Drinking Water.** Securing funding to provide technical assistance for the installation of BMPs; working with MN Geological Society and DNR to develop a hydrogeologic assessment as part of the County Geologic Atlas Program for Lac qui Parle County; conducting annual nitrate testing clinics; and holding annual pesticide and household hazardous waste collection days.
- **Groundwater Quantity.** Assist with groundwater quantity monitoring efforts and promote the adoption of measures to protect groundwater supplies; secure funding to cost share conversion of conventional irrigation systems to conservation systems; and seek funding to develop a County Water Conservation Plan.

The various action steps identified to address the second goal area of groundwater quality and quantity BMPs in Lac qui Parle County are estimated to have an overall 5-year cost of \$866,500. Of this amount, \$196,500 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs.

Goal 3: Surface Water Management Initiatives

The third goal area is aimed at reducing surface water management/quantity issues, including separate objectives for agricultural drainage, stormwater management, wetlands/surface water retention, and flooding. The key implementation steps include the following:

- **Agricultural Drainage:** Increasing the number of stream miles protected by riparian buffers by one mile annually; seeking funds to provide incentive for implementation of saturated buffers on 15% ditches/streams within target watershed for each year of funding; and seeking funds to develop multipurpose drainage management plans.
- **Stormwater Management:** Work with landowners to help ensure that stormwater is managed properly and that both water quality and quantity issues are addressed; installing water and sediment control basins; and targeting the promotion of BMPs in critical areas of the landscape, encouraging use of federal, state, or other BMP implementation funds through the use of newsletter, news releases, radio, workshops, booth/display, personal contacts, or other means.
- **Wetlands/Water Retention:** Ensuring that wetlands and water storage/retention are managed properly and that both water quality and quantity issues are addressed; and creating an inventory using LiDar, terrain analysis, and other tools as they become available to identify the most important landscapes for wetland restoration for the purpose of water storage, sediment/nutrient reduction downstream, flood storage, and/or metering water flow.
- **Flooding:** Restoring one wetland annually in headwater areas of subwatersheds; improving residue management on 500 acres annually; and increasing the number of stream miles protected by riparian buffers/filter strips by one mile.

The various action steps identified to address the third goal area of surface water management issues in Lac qui Parle County are estimated to have an overall 5-year cost of \$1,615,000. Of this amount, \$265,000 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs.

Goal 4: Plan Administration Initiatives

The fourth goal area is aimed at effectively administering the Lac qui Parle County Water Plan. A specific objective was developed to “Engage the Citizens and Stakeholders on key water planning issues and implementation opportunities.” Implementation steps include the following:

- **Maintain Adequate Staffing.** Effectively administer the County’s Water Plan; SSTS, Shoreland, and Feedlot programs; and Wetlands Conservation Act (WCA).
- **Maintain Stakeholder Cooperation.** Partner with stakeholders on implementation activities to minimize expenditures and to maximize results; and create an annual work plan for the water plan.
- **Watershed Focus.** Assist the MPCA’s comprehensive monitoring efforts as part of the watershed approach and provide technical and/or financial assistance to partners.

The various action steps identified to address the fifth goal area of effectively administering the Water Plan in Lac qui Parle County are estimated to have an overall 5-year cost of \$120,000. Of this amount, approximately \$45,000 is estimated to come from the County, including direct and indirect (in-kind) SWCD estimated costs.

Summary of Estimated Costs

The four 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 \$1,355,400 annually overall, with approximately \$213,300 coming from local/county funds.

**Table 1:
Summary of Lac qui Parle County’s Water Plan
Estimated Overall and Local Costs**

	<i>Overall</i>	<i>Local/County</i>
Goal Area One: Surface Water Quality	\$4,175,500	\$560,000
Goal Area Two: Groundwater Quality/Quantity	\$866,500	\$196,500
Goal Area Three: Surface Water Management	\$1,615,000	\$265,000
Goal Area Four: Plan Administration	\$120,000	\$45,000
5-Year Estimated Costs	\$6,777,000	\$1,066,500
Average Annual Estimated Costs	\$1,355,400	\$213,300

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 Lac qui Parle County and the Lac qui Parle 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 Lac qui Parle County and the Lac qui Parle 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 Lac qui Parle County Resource Commission includes a diverse group of people representing a number of key water plan stakeholders. Assistance from the Resource Commission 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 Lac qui Parle 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: Swift County Comprehensive Water Plan

Meeting Date: December 18, 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: David Sill, Board Conservationist

Reviewed by: Southern Region Committee(s)

Presented by: Tom Loveall

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Decision

LINKS TO ADDITIONAL INFORMATION

http://www.swiftcounty.com/vertical/sites/%7BCB23E7E9-8CD6-437F-AE42-22084996955A%7D/uploads/Swift_County_Water_Plan_2014-23.pdf

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

On March 27, 2013, the Board of Water and Soil Resources (BWSR) provided official comments pertaining to the State Review of the Swift County Priority Concerns Scoping Document. On March 27, 2013, the BWSR officially approved Swift County's written request to extend the current Local Water Management Plan (Plan), which would expire on May 28, 2013. The extended end date of the current Plan is December 31, 2013.

On September 6, 2013, the BWSR received the final draft Swift County Comprehensive Local Water Plan 2014-2023 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.

Swift County contracted with Midwest Community Planning, LLC. to facilitate the Plan process and develop the Plan. The Swift County Local Water Plan technical team, task force and watershed partners worked diligently throughout the plan process to make this a useful plan with significant effort made to insure the action steps were targeted and measurable.



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 Swift County (Minnesota Statutes, Section 103B.311, Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN UPDATE

Whereas, the Swift County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on September 6, 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 January 7, 2013, the Board received a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.
2. On February 6, 2013, the Board received a written request (resolution) from the County for an extension of their current local water management plan.
3. On March 27, 2013, the Board approved official comments on the County PCSD, which were mailed to the county on March 27, 2013. The priority concerns the PCSD and Plan Update addresses include:
 - Reduce Priority Pollutants – Surface Water Quality
 - Surface Water Management
 - Groundwater Quality & Quantity
 - Plan Administration
4. On March 27, 2013, the Board approved the extension request made by the County. The end date of the current local water management plan was extended to December 31, 2013. This approval was mailed to the County on March 27, 2013.
5. On September 6, 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 November 7, 2013, the Southern Region 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 several comments for consideration for clarification purposes regarding that crop prices are not the only factor that may cause increases in tiled farmland.)
- 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 December 18, 2013 meeting.

7. On December 18, 2013, the Southern Region Committee of the Board presented its recommendation of approval of the Swift 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 December 18, 2023, with the Goals, Objectives and Action items amended by December 18, 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 Swift County pursuant to Minnesota Statutes, 103B.315, Subd. 5.
2. The Swift 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 Swift County Local Water Management Plan 2014-2023 with a required update of the Implementation section (Goals, Objectives, and Action) to be completed by December 18, 2018.

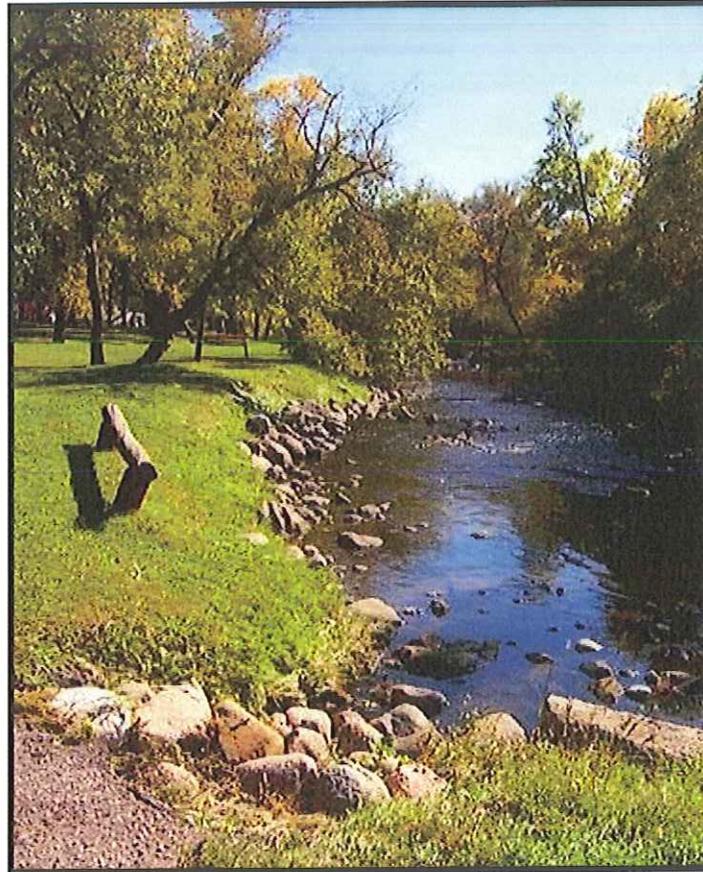
Dated at St Paul, Minnesota this December 18, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

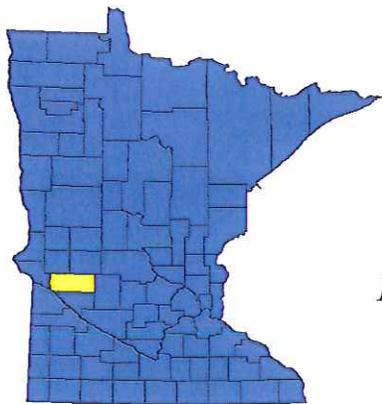
BY: Brian Napstad, Chair

Swift County 2014-2023 Local Water Plan

~ With 5-Year Implementation Plan (2014-18) ~



Chippewa River



*Final State Review
September 2013*

*Prepared by Swift County with assistance from
Midwest Community Planning, LLC*

Swift County Water Plan:

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Swift County Water Plan:

Executive Summary

The Swift 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 Swift County Water Plan:

- Covers the entire area of Swift 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 (2014-2023), with a 5-year implementation plan (2014-2018). In 2018, the implementation plan will be updated.

In addition, the Water Plan will also serve as the Swift County Soil and Water Conservation District's (SWCD) Comprehensive District Plan. This will be passed by the SWCD's Board of Supervisors by Resolution.

B. A Description of Swift County's Priority Concerns

The Swift County Water Plan Task Force met on December 12, 2012, to review the Priority Concerns Input Forms received (Appendix A contains a copy of the Sign in Sheet). The Water Plan Task Force identified the following as Swift County's priority water planning issues (note: these issues are not ranked):

1. Surface Water Management
 - a. Agricultural Drainage
 - b. Stormwater Management
 - c. Wetlands and Water Storage/Retention

2. Reducing Priority Pollutants ~ Surface Water Quality
 - a. TMDL Implementation
 - b. Feedlot/Livestock Management
 - c. Subsurface Sewage Treatment Systems
 - d. Erosion and Sediment Control

3. Groundwater Quality & Quantity

4. Plan Administration
 - a. Watershed Focus - Stakeholder Cooperation
 - b. Raising Public Awareness - Education

C. Summary of Goals, Objectives, Action Steps, and Estimated Costs

To address the priority concerns identified in the scoping process, the Swift County Water Plan Task Force held meetings and developed four goal areas. These four goal areas are further broken down into interrelated objectives that specific resource concerns. More importantly, each objective has a series of action steps designed to help address the priority concerns.

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 Swift County (including items such as the County's 103E administrative costs) and the Swift County SWCD. The Swift County 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.

Goal 1: To Ensure Swift County's Surface Water Resources Exceed Minimum Water Quality Standards

The first goal area focuses on addressing surface water quality issues. Objectives were developed for maintaining a watershed focus and removing waters off the MPCA's 303d list of Impaired Waters. Additional objectives address feedlots, Subsurface Sewage Treatment Systems (SSTS), and erosion and sediment control. Implementation steps under the first goal area include a wide range of the following initiatives and Best Management Practices (BMPs):

- **Watershed Focus/TMDLs.** Supporting watershed planning, monitoring, and implementation by providing financial and in-kind assistance; annually reviewing monitoring data and participating in the watershed restoration and protection strategy with the Chippewa River, Pomme de Terre, and Upper Minnesota River Watersheds; and seeking opportunities to refine watershed analysis and management through GIS and other technology.
- **Feedlots.** Target feedlot inspections in shoreland areas; host annual educational meetings with feedlot operators; and cost share ag/waste feedlot BMPS, including nutrient management plans, closing unused ag waste impoundments; and identifying where grazing management improvements are needed.
- **SSTS.** Work with approximately 30 homeowners annually on compliance inspections; provide low interest loans to upgrade noncompliant systems; cost-share upgrading four low income noncompliant systems annually; and inspect all SSTS in impaired subwatersheds.
- **Erosion and Sediment Control.** Installing 80 acres of vegetative buffer strips annually (target J.D. 19 and Shakopee Creek); annually install two water and sediment control structures, five alternative tile intakes, two stream bank stabilization projects, and 1,000 feet of living snow fences. In addition, work with the watersheds districts/projects on implementing their numerous erosion and sediment control projects.

The various action steps identified to address the first goal area of surface water quality improvements in Swift County are estimated to have an overall 5-year cost of \$2,325,000, which

averages to approximately \$465,000 annually. Many of the implementation activities will be paid for through grants and in-kind expenses.

Goal 2: Surface Water Management Initiatives

The second goal area is aimed at effectively managing surface water resources for multiple purposes (surface water quantity). Separate objectives are included for agricultural drainage, stormwater management, and wetlands/surface water retention. The key implementation steps include the following:

- **Agricultural Drainage:** Re-determining the benefits on systems as requested; maintain and update a County Ditch Inventory; installing ten side inlets annually to control erosion; cost-sharing a wide range of drainage BMPs; and seeking funds to complete a drainage management plan.
- **Stormwater Management:** Assist with stormwater management planning; providing educational, technical, and financial support for the implementation of stormwater BMPs; and cost-sharing providing 50 rain barrels annually.
- **Wetlands/Water Retention:** Targeting impaired subwatersheds for wetland restorations and increasing the number of Wetland Reserve Program easements by two each year on marginal farmland.

The various action steps identified to address the second goal area of surface water management in Swift County are estimated to have an overall 5-year cost of \$600,000, which averages to approximately \$120,000 annually. Many of the implementation activities will be paid for through grants and in-kind expenses.

Goal 3: Groundwater Quantity and Quality Initiatives

The third goal area focuses on addressing groundwater quality and quantity issues. Objectives were developed for wellhead protection areas, ensuring there is an adequate supply of safe drinking water, and working with stakeholders to protect groundwater levels for multiple uses. Implementation steps include a wide range of the following groundwater Best Management Practices (BMPs):

- **Wellhead Protection Areas (WPA).** Target groundwater BMP Programs in Wellhead Protection Areas, such as RIM, CRP, manure management and nutrient planning,

abandoned well sealing and proper SSTS compliance; and target sealing all abandoned wells in Wellhead Protection Areas.

- **Safe Drinking Water.** Complete a pesticide management plan and water conservation plan with each new irrigation system; incorporate Swift County’s sensitive groundwater recharge areas map into to the local land use decision making process; implement two groundwater BMP projects into the local and use decision making process annually.
- **Groundwater Quantity.** Continue to monitor 26 groundwater test sites annually; host a workshop every three years with the DNR and Minnesota Geological Survey on how best to incorporate the county’s geologic and groundwater information into the land use making process; pursue funding to establish a water conservation/drought contingency plan.

The various action steps identified to address the third goal area of groundwater quality and quantity in Swift County are estimated to have an overall 5-year cost of \$349,000, which averages to approximately \$69,800 annually. Many of the implementation activities will be paid for through grants and in-kind expenses.

Goal 4: Plan Administration Initiatives

The fourth goal area is aimed at effectively administering the Swift County Water Plan. A specific objective was developed to “Engage the Citizens and Stakeholders on key water planning issues and implementation opportunities.” Implementation steps include the following:

- **Ongoing Issues and Programs.** Properly raise awareness on key water planning issues and available BMP funding opportunities.
- **Water Plan Funding/Support.** Secure funding to properly implement the water plan and meet annually to review progress.
- **Watershed Focus and Stakeholder Cooperation.** Partner with watershed and stakeholder groups on implementation activities.

The various action steps identified to address the fifty goal area of effectively administering the Water Plan in Swift County are estimated to have an overall 5-year cost of \$65,000, which averages to approximately \$13,000 a year.

Summary of Estimated Costs

The four 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 \$3,339,000 over the five years, which averages to approximately \$667,800 annually.

**Table 1:
Summary of Swift County's Water Plan
Estimated Overall and Local Costs**

	5-Year	Yearly
Goal Area One: Surface Water Quality	\$2,325,000	\$465,000
Goal Area Two: Surface Water Management	\$600,000	\$120,000
Goal Area Three: Groundwater Quality/Quantity	\$349,000	\$69,800
Goal Area Four: Plan Administration	\$65,000	\$13,000
Totals	\$3,339,000	\$667,800

*Note: Please refer to Chapters Three and Four for a more detailed description of the estimated five-year and annual costs; 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 Swift County water planning process included feedback from local governmental units and stakeholders 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 Swift 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: Renville County SWCD Nomination Districts

Meeting Date: December 18, 2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Southern

Contact: Jeff Nielsen

Prepared by: Jeff Nielsen

Reviewed by: Southern Region 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

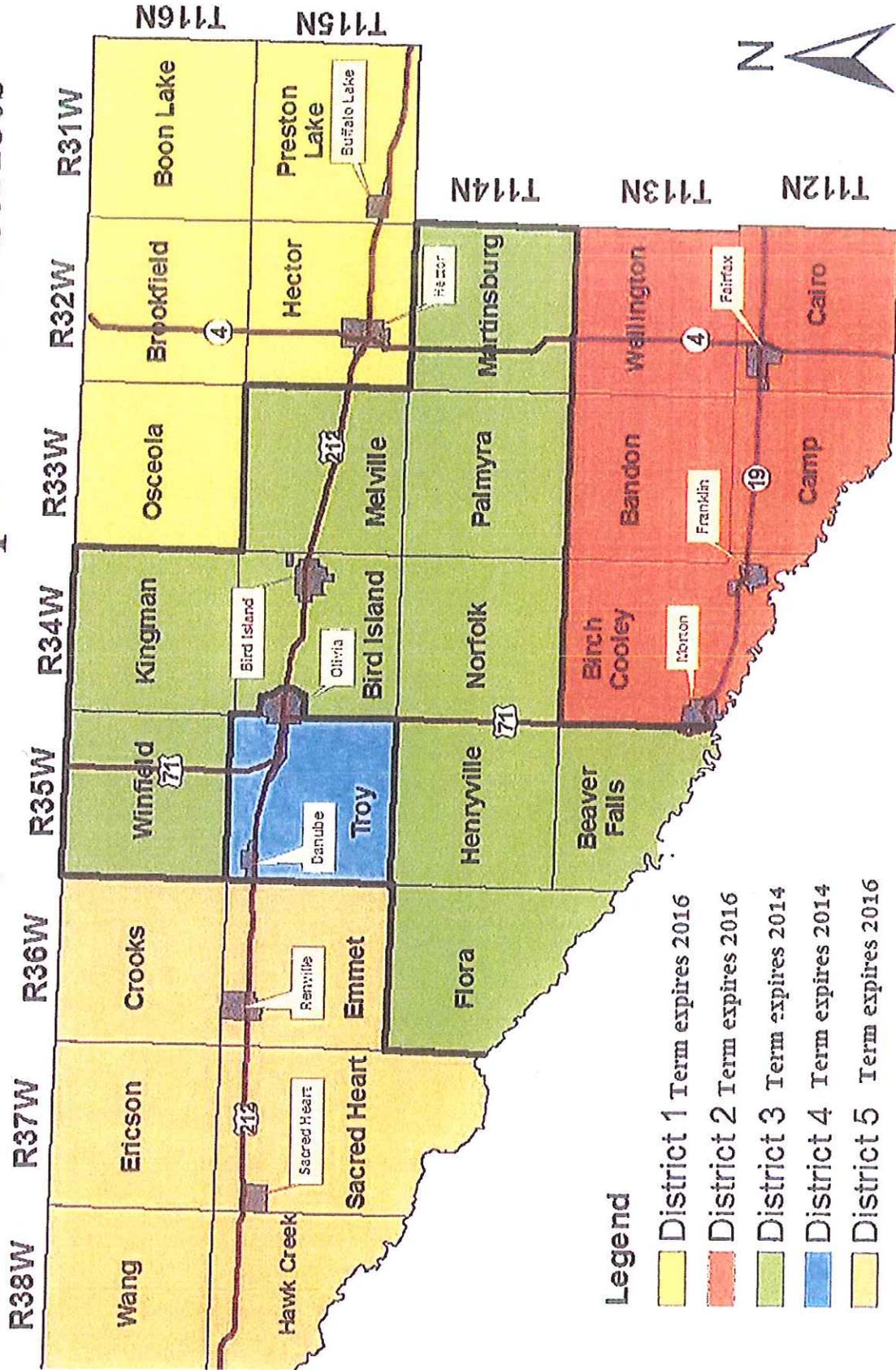
Decision on Renville County Soil and Water Conservation District Nomination District Changes

LINKS TO ADDITIONAL INFORMATION

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

The Renville County Soil and Water Conservation District (SWCD) approved a Nomination Districts Resolution on August 15, 2013. The reason for this resolution is to the redistricting conducted by Renville County Commissioners in April, 2012 as pursuant to Minnesota Statutes Chapter 375, which establishes the procedure and requires a process for redistricting County Commissioner districts based on population figures from the Federal Census. Pursuant to these statutes the 2010 Federal Census population figures were used to redraw these nomination district boundaries.

Renville County SWCD Supervisor Districts



Legend

- District 1 Term expires 2016
- District 2 Term expires 2016
- District 3 Term expires 2014
- District 4 Term expires 2014
- District 5 Term expires 2016

Updated 8/15/2013

NOMINATION DISTRICTS RESOLUTION

Be it resolved by the Renville County Soil and Water Conservation District Supervisors that pursuant to M.S. 103C.311, subd 2, the district be divided into five areas for nomination of candidates for the positions of Soil and Water Conservation District Supervisors to be elected by nomination district. Said nomination districts will be established by the Renville County Board as County Commissioner District precincts under M.S. 204B.14. Boundaries of the Supervisor Districts will be redrawn by the Renville County Board after each decennial federal census as provided in M.S. 204B.135. Current Districts are:

<u>Districts</u>	<u>Boundaries</u>
I	Townships of Osceola, Brookfield, Boon Lake, Preston Lake and Hector. Cities of Hector and Buffalo Lake.
II	Townships of Birch Cooley, Bandon, Wellington, Camp and Cairo and the cities of Morton, Franklin and Fairfax.
III	Townships of Winfield, Kingman, Bird Island, Melville, Flora, Henryville, Norfolk, Palmyra, Martinsburg and Beaver Falls and the City of Bird Island
IV	Township of Troy and Cities of Olivia and Danube
V	Townships of Wang, Ericson, Crooks, Hawk Creek, Sacred Heart and Emmet and the cities of Sacred Heart and Renville.

I, David Guggisberg, Secretary/Treasurer of the Renville County Soil and Water Conservation District, do hereby certify that the above resolution relating to the division of Renville County Soil and Water Conservation District into five nominating areas was adopted by the said District Supervisors at a regular meeting held on August 15, 2013. 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: David Guggisberg
Secretary/Treasurer
Renville County Soil and Water Conservation District

Be it resolved by the Board of Water and Soil Resources that the division of the Renville County Soil and Water Conservation District into five nominating areas as set forth in the above resolution adopted by the supervisors of said district on August 15, 2013, is hereby approved.

I, John Jaschke, 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 Renville County Soil and Water Conservation District into five nominating areas adopted by said Board at a regular meeting held on August 15, 2013, 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 5 to 0 of the members present.

Signed: _____
Executive Director
Board of Water and Soil Resources

Filed _____ day of _____, 20____.

Signed _____
County Auditor
_____ County



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Houston County Water Management Plan Five-Year Amendment

Meeting Date: December 18, 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: Steve Lawler, Board Conservationist

Reviewed by: Southern Region Committee(s)

Presented by: Chris Elvrum

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

LINKS TO ADDITIONAL INFORMATION

[Houston County Five-Year Amendment](#)

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

By Board Order, the Board of Water and Soil Resources (Board) approved the Houston County 2007 - 2017 Comprehensive Local Water Management Plan (Plan) on December 19, 2007. This Plan contains an implementation section with goals, objectives and actions to address the county's priority concerns. The Board Order required Houston County to update the Plan's implementation section by December 31, 2012.

On March 20, 2012, the Houston County Board of commissioners adopted and submitted a resolution and written request to BWSR requesting a two-year extension for the required five-year update of the implementation section of their Plan. On August 23, 2012, the Board approved the two-year extension. The extended end date of the implementation section update is December 31, 2014.

- Houston County followed the amendment process guidelines established by the Board and submitted their 2013 - 2017 Local Water Management Plan Amendment on October 11, 2013.



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 **Houston County** (Minnesota Statutes, Section 103B.314, Subdivision 6)

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT

Whereas, on December 19, 2007, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Houston County 2007 – 2017 Local Water Management Plan Update (Plan), which contained a 2007 – 2012 five-year Implementation section; and

Whereas, this Board Order stipulated that Houston County was required to update the implementation section by December 31, 2012; and

Whereas, on March 21, 2012, the Board received a resolution and written request from the Houston County Board of Commissioners requesting a two-year extension of the implementation section update; and

Whereas, on August 23, 2012, the Board approved the request to extend the implementation section update to December 31, 2014, and

Whereas, the Houston County Board of Commissioners submitted the Houston County Plan 2013 Amendment to the Board on October 11, 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 July 28, 2010 and November 21, 2011, Board staff sent information on the amendment process to Houston County and the Root River SWCD.
2. On December 26, 2012 Houston County passed a resolution and submitted it to the Board 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.
3. On December 26, 2012, Houston County authorized establishment of the Water Management Advisory Committee to initiate the five-year implementation section update.

4. On August 8, 2013, Houston 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.
5. Houston County received written comments from the Minnesota Department of Agriculture, the Minnesota Department of Health, and one Houston County landowner. 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 Houston County.
7. The final document developed by Houston County, which includes the revised five-year implementation section 2013 - 2017 is entitled the Houston County Comprehensive Water Plan 2007 - 2017.
8. On September 24, 2013, after providing for proper public notice, Houston County conducted a public hearing on the proposed 2013 Amendment. No additional comments were submitted at the hearing.
9. On October 11, 2013, the BWSR received the Houston County 2013 Amendment, a record of the public hearing, and copies of all written comments supplied at the hearing pertaining to the 2013 Amendment, pursuant to M.S. Section 103B.314, Subd. 6.
10. On November 7, 2013, the Board's Southern Region Committee (Committee) reviewed the Houston County 2013 Amendment, pursuant to 103B.301 and guidelines established by the Board. Board regional staff provided its recommendation of approval to the Committee. The Committee voted to recommend approval to the full Board at its next scheduled meeting.
11. This 2013 Amendment will be in effect until **December 31, 2017**.

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 Amendment of Houston County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
2. The Houston County 2013 Amendment attached to this Order states goals, objectives and actions the County will address in the five-year implementation section 2013-2017. The 2013 Amendment, as well as the previously approved Houston County 2007 - 2017 Local Water Management 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 Houston County Local Water Management Plan for 2013 –2017. Houston County will be required to provide for a complete update of its Water Management Plan prior to December 31, 2017.

Dated at St. Paul, Minnesota, this **18th day of December 2013**.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

Houston County

Comprehensive Water Plan

2007 – 2017

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Executive Summary

The purpose of this plan is to identify the primary water resource concerns of local citizens and outline strategies to address those concerns through sound public policy, coordinating implementation with cooperating agencies and partners. These local citizen concerns are referred to as "Priority Concerns."

The Priority Concerns identified for Houston County are:

- Goal 1:** Protect ground water in order to maintain an adequate supply of safe drinking water for current and future generations.
- Goal 2:** Improve surface water quality in rivers and streams in Houston County.
- Goal 3:** Manage storm water runoff to minimize risk to human life, property and the environment.
- Goal 4:** Optimize recreational uses of water resources.
- Goal 5:** Review of local and regional plans and ordinances for compliance/compatibility.

An in-depth discussion of these concerns is outlined on the attached Priority Concerns Scoping Document. Houston County Water Plan was originally adopted in March 1990 and updated in 1996, 2000 and expired on December 30, 2007. The current plan adopted in 2007 is being updated in 2013 and expires December 30, 2017.

We have provided an analysis of the watershed units as well as groundwater systems. Because of the complex interconnectivity of surface and groundwater in our Karst topography along with similarities in land use and physical characteristics, Houston County has addressed resource concerns across watershed boundaries.

Five major goals identified in the priority scoping document will be addressed through focus on efforts to reduce negative impacts of changes in agriculture and land use and implement cost effective measures to prevent potential degradation of resources through new and/or innovative applications of technology. A combined approach of information and education, technical and financial assistance from federal, state, county and private agencies, together with regulations will be utilized. An estimated \$740,000 cash along with in-kind services will be expended from 2012 – 2017.

Every effort has been made to maintain consistency with other local water management plans and to coordinate efforts with local, state, and federal plans and contacts. The plan covers the policies, goals, and effectiveness which the county intends to follow over the coming ten years (2007 – 2017).

Implementation Schedule

GOAL #1 – Protect ground water in order to maintain an adequate supply of safe drinking water for current and future generations					
Issues/Objectives	Actions/Brief Description	Lead Agency(ies)	Est. Cost In-kind/Cash	Timeline	
A. Provide technical and financial assistance to land users to properly manage and utilize agriculture nutrients	1. Provide technical assistance on ag waste management on 20 per year.	SWCD/SRF	5,000/yr	15,000/yr	2012 – 2017
	2. Establish demonstration plot exploring manure application rate and nitrogen/phosphorus rates.	UME	500/yr	1,500	2014
	3. Manure Application Field Day.	SWCD – UME		1,000	2014
B. Address non-conforming Individual Sewage Treatment Systems (ISTS)	1. Update 50 non-conforming ISTS.	Zoning	10,000/yr	9,000/yr	Ongoing
	2. Inspect all new & upgraded ISTS.	Zoning	10,000/yr	9,000/yr	Ongoing
	3. Administer Ag BMP loan program.	Zoning	3,000/yr	0	Ongoing
	4. Enter all new & upgraded ISTS inspections on a parcel bases.	Zoning	1,000/yr	2,000/yr	2013/Ongoing
C. Well Tests	1. Offer free infant well tests to 15 families/year.	Public Health	500/yr	500/yr	Ongoing
	2. Offer well water testing kit at low cost to landowners.	SWCD	300/yr	300/yr	Ongoing
	3. Participate in SE MN Domestic Well Network.	SWCD	2,000/yr	2,000/yr	2013 - 2015
D. Support community public water suppliers in implementing their wellhead protection plans	4. Provide annual free nitrate testing to Houston County residents.	SWCD	500/yr	500/yr	Ongoing
	5. Prepare two news articles annually on well testing.	SWCD	500/yr	500/yr	Ongoing
	6. Prepare posters on prenatal and infant care & place where appropriate.	Public Health	300	300	2014
	1. Provide financial incentives for sealing unused unsealed wells with priority give to those wells in Drinking Water Supply Management Areas.	Zoning	1,000/yr	10,000/yr	Ongoing

Implementation Schedule

GOAL #2 – Improve surface water quality in rivers and streams in Houston County						
Issues/Objectives	Actions/Brief Description	Lead Agency(ies)	Est. Cost		Timeline	
			In-kind/Cash			
A. Explore methods to slow decline in perennial vegetation	1. Promote existing programs which offer incentives to establish/maintain perennial vegetation.	UME/SWCD	1,000/yr	5,000/yr	2012 – 2017	
	2. Develop local/regional incentives to establish 1,000/ acres of perennial vegetation annually.	UME/SWCD	5,000/yr	10,000/yr	Ongoing	
	3. Information/education campaign on importance of hay land for erosion control and runoff reduction.	UME/HC	500/yr	500/yr	Ongoing	
	4. Assist with implementation/administration of programs that support/promote animal agriculture.	UME/SWCD	0	0	Ongoing	
	5. Promote perennial vegetation within the riparian zone through buffer initiatives that reduce sediment delivery and nutrient reduction. Goal of 20 acres annually.	SWCD/TNC	1,000/yr	5,000/yr	2014 - 2017	
B. Provide incentives to adopt conservation practices which will offset the effects of current cropping trends on runoff and erosion in Houston County	1. Establish incentive program to plant 500 acres of fall cover crops.	SWCD/TNC	1,000/yr	7,500/yr	2013	
	2. Continue technical assistance to the NRCS through contribution agreements and other related programs to install approved EQ/IP conservation practices.	SWCD	2,500/yr	5,000/yr	2012 - 2017	
	3. Seek federal, state and local grants including but not limited National Fish & Wildlife (NFWF), Emergency Defense Fund (EDF), Clean Water Fund (CWF), and The Nature Conservancy to provide cost share and technical assistance to landowners for	SWCD	500/yr	500/yr	Ongoing	

Implementation Schedule

conservation practice implementation county wide.			
4. Conduct one annual meeting with county commissioners and watershed groups to discuss funding mechanisms for BPM installation.	SWCD	500/yr	500/yr Annually
5. Continue partnership opportunities with The Nature Conservancy and NRCS to install 500 linear ft of stream bank restoration and 30 acres of stream bank buffers and 20 BMP's within priority areas of the Root River Watershed.	SWCD/NRCS/TNC	5,000/yr	50,000/yr 2013 - 2017
6. Provide technical and administrative assistance to the Crooked Creek Watershed to implement their watershed plan.	SWCD	1,000/yr	11,000/yr Ongoing
7. Contact ARS (Agriculture Research Station) to obtain cover crop data information for Houston County landowners and conduct one landowner workshop.	UME/SWCD/BWSR/NRCS	500	500 2015
8. Assist Minnesota Board of Water & Soil Resources (BWSR) in the conservation practice implementation and enhancement of the Hokah Wetland Bank Project. Plant/maintain 15 acres of trees. Enhance/maintain 80 acres of native grass plantings.	SWCD	0	20,000 2013 - 2014
9. Provide outreach to landowners/landlords throughout the county through two annual news articles on the importance of conservation planning and installation of recommended practices. Goal of 20 per year.	SWCD	1,500/yr	500/yr Ongoing
10. Provide guidance, cost share assistance and recommendations to	SWCD/NRCS	1,000/yr	20,000 2014 - 2017

Implementation Schedule

	<p>20 Bee/Duck Creek Watershed landowners through the federal EQIP program.</p>				
	<p>11. Provide technical assistance and cost-share to 30 private forest landowners using various programs (CRP, EQIP, State) for forest stewardship activities that reduce runoff, improve wildlife habitat and maintain, expand and improve perennial cover.</p>	<p>DNR Forestry/FSA NRCS/BWSR/SWCD</p>	<p>1,000</p>	<p>125,000/ yr</p>	<p>2016</p>
	<p>12. Continue prioritization and promotion of BMPs using LIDAR and the Stream Power Index (SPI) as a way to target sensitive landscape features that contribute a disproportionate amount of sediment and nutrients.</p>	<p>SWCD</p>	<p>1,000/yr</p>	<p>0</p>	<p>Ongoing</p>
<p>C. Provide technical and financial assistance on feedlots</p>	<p>1. Provide planning and financial assistance for low-cost feedlot fixes on five (5) lots per year. 2. Provide technical assistance to Houston County to conduct inspections and provide maintenance recommendations on 7% of open lot agreements (OLA program) per year. 3. Promote residue management on 500 acres of highly erodible land annually. 4. Encourage wetland restoration on two (2) sites in Houston County. 5. Plan and implement grazing plans on 250 acres of sensitive areas annually.</p>	<p>Zoning/SWCD</p>	<p>10,000/yr 5,000 yr</p>	<p>30,000/yr 0</p>	<p>2013 2014-2017</p>
<p>D. Provide technical and financial assistance to land users to establish practices which will reduce discharge of</p>	<p>1. Continue ongoing partnership with county feedlot officer to address open lot agreement workload.</p>	<p>SWCD</p>	<p>2,500/yr</p>	<p>5,000/yr</p>	<p>Ongoing</p>

Implementation Schedule

<i>pollutants from animal feedlots</i>					
	2. Assist JPB with two (2) large feedlot storage and runoff projects.		500/yr	1,000/yr	Ongoing
E. Develop additional alternatives to promote non-traditional livestock operations	1. Prepare and submit an annual news article on information and opportunities for non-traditional livestock operations and agricultural operations that support the use of perennial vegetation.				
	2. Provide most updated information and material related to non-traditional livestock operation and provide guidance and contacts to interested residents.	UME/SWCD	100/yr	100/yr	Ongoing
		UME/SWCD	300/yr	300/yr	Ongoing

GOAL #3 – Manage storm water runoff to minimize risk to human life, property and the environment					
Issues/Objectives	Actions/Brief Description	Lead Agency(ies)	Est. Cost		Timeline
			In-kind/Cash		
A. Provide technical and financial assistance to establish practices that reduce sediment delivery	1. Provide financial incentives to establish five (5) push-up ponds annually.				
	2. Develop program providing storm water retention through road culvert/or ditch size reduction on two (2) township and county roads annually.	SWCD	5,000/yr	5,000/yr	2012 – 2017
B. Explore opportunities to reduce peak flow from rural and urban residential development	1. Provide home site evaluations on average of 12 rural building sites per year.	SWCD/HC DOT	1,000/yr	1,000/yr	2013 - 2017
		Zoning/SWCD	5,000/yr	500/yr	Ongoing
C. Explore opportunities for solutions to flooding concerns throughout the county, including prioritization of water retention/flood storage using LiDAR Terrain Analysis and	1. Participate with US Fish and Wildlife Service, Root River Citizens Committee and other partners.	SWCD/USFS/ Root River CC	500/yr	100/yr	Ongoing

Implementation Schedule

<p><i>solicitation of funding sources for project costs and technical assistance along with utilizing upstream jurisdiction and other partners</i></p>					
<p>D. Provide administrative and technical assistance to address issues related to existing wetland within Houston County</p>	<p>1. Assist the county in administering the Wetland Conservation Act (WCA). 1. Provide funding and in-kind contributions for improved technology using LIDAR, stream monitoring projects and computer design software in an effort to enhance natural resource protection. 2. Discuss and prepare staff training needs for both technical and administrative employees.</p>	<p>SWCD</p>	<p>12,000/yr</p>	<p>12,000/yr</p>	<p>Ongoing</p>
<p>E. New Technology</p>	<p>1. Complete 2007, 2008 flood workload (Staggmeyer site 2). 2. Provide annual maintenance on existing Winnebago Watershed flood control structures. 3. Provide technical and planning assistance to the Bee/Duck Creek, Crooked Creek and Winnebago Watershed committees. 4. Seek funding opportunities for cost share assistance through the Clean Water Grant proposal to install flood retention structures within the Bee/Duck Creek, Crooked Creek and Winnebago Watersheds.</p>	<p>SWCD/NRCS/BWSR /DNR/DOH/Houston County</p>	<p>1,000/yr</p>	<p>20,000/yr</p>	<p>2013 - 2017</p>
<p>F. Flood retention</p>		<p>SWCD</p>	<p>500/yr</p>	<p>500/yr</p>	<p>Ongoing</p>
		<p>SWCD</p>	<p>5,000</p>	<p>90,000</p>	<p>2013 -2014</p>
		<p>SWCD</p>	<p>3,000/yr</p>	<p>3,000/yr</p>	<p>2012 - 2017</p>
		<p>SWCD</p>	<p>500/yr</p>	<p>500/yr</p>	<p>Ongoing</p>
		<p>SWCD</p>	<p>1,000/yr</p>	<p>1,000/yr</p>	<p>Ongoing</p>

Implementation Schedule

GOAL #4 – Optimize recreational uses of water resources				
Issues/Objectives	Actions/Brief Description	Lead Agency(ies)	Est. Cost In-kind/Cash	Timeline
A. Recreation access to water resources	1. Operate Wildcat Park.	Houston County Auditor	2,000/yr 0	Ongoing
	2. Develop Botcher Park.	Houston County	2,000/yr 5,000/yr	Ongoing
	3. Provide access information on Houston County Hwy. maps.	Houston County DOT	1,000/yr 0	Ongoing

GOAL #5 – Review of local and regional plans and ordinances for compliance/compatibility				
Issues/Objectives	Actions/Brief Description	Lead Agency(ies)	Est. Cost In-kind/Cash	Timeline
A. Administer all provisions of Houston County Water Plan	1. Staff part-time Water Plan Coordinator.	SWCD	6,000/yr 12,000/yr	Ongoing
	2. Continue participation on SE WRB.	SWCD	500/yr 4,000/yr	Ongoing
	3. Review local/regional plans to insure compliance with Water Plan.	SWCD	500/yr 0	As Needed



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Nobles County Water Management Plan Five-Year Amendment

Meeting Date: December 18, 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 Region 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

LINKS TO ADDITIONAL INFORMATION

[Nobles County Five-Year Amendment](#)

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

On March 25, 2009, the Board of Water and Soil Resources (BWSR), by board order, approved the Nobles County 2009 - 2019 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 2009 - 2014. The Board Order stipulated that Nobles County was required to revise / update this implementation section by March 25, 2014.

On April 2, 2013 the Nobles County Board of Commissioners resolved to amend its five-year implementation section as directed by BWSR. Nobles County conducted a public hearing on the plan on October 22, 2013. The County followed the process for amending as described within the Comprehensive Local Water Management guidance document developed by BWSR.

On October 22, 2013 the BWSR regional staff received the 2013 Amendment to the Nobles County Comprehensive Local Water Plan. The 2013 Amendment contains an Executive Summary and a new 2014 - 2018 implementation section. The amendment has prioritized action items in the implementation section of the plan. The implementation section addresses the following priority concerns:

- Surface Water Quality
- Drainage Management
- Public Water Supply

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 **Nobles County** (Minnesota Statutes, Section 103B.314,
Subdivision 6)

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT

Whereas, on March 25, 2009, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Nobles County 2009 – 2019 Local Water Management Plan Update (Plan), which contained a 2009 – 2014 five-year Implementation section; and

Whereas, this Board Order stipulated that Nobles County was required to update the implementation section by March 25, 2014; and

Whereas, the Nobles County Board of Commissioners submitted the Nobles County Plan 2014 Amendment to the Board on October 22, 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 2014 Amendment.

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

FINDINGS OF FACT

1. On April 2, 2013, Nobles County passed 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 July 9, 2013, Nobles 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.
3. On July 23, 2013, Board staff sent information on the amendment process to Nobles County and Nobles SWCD.
4. On August 1, 2013 and September 18, 2012, Nobles County convened its water plan task force and held public update information meetings to develop the five-year implementation update.

5. Nobles County received written comments from the Minnesota Department of Agriculture, the Minnesota Board of Water and Soil Resources, and one Nobles County landowner. 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 Nobles County.
7. The final document developed by Nobles County, which includes the revised five-year implementation section 2013 – 2018 is entitled the Nobles Local Water Management Plan, a 10-year plan with a five-year implementation schedule 2009-2018, 2013 Amendment.
8. On October 22, 2013, after providing for proper public notice, Nobles County conducted a public hearing on the proposed 2013 Amendment. No additional comments were submitted at the hearing.
9. On October 22, 2013, the BWSR received the Nobles County 2013 Amendment.
10. On October 31, 2013 the BWSR received a record of the public hearing, and copies of all written comments supplied at the hearing pertaining to the 2013 Amendment, pursuant to M.S. Section 103B.314, Subd. 6.
11. On November 7, 2013, the Board's Southern Region Committee (Committee) reviewed the Nobles County 2013 Amendment, pursuant to 103B.301 and guidelines established by the Board. Board regional staff provided its recommendation of approval to the Committee. The Committee voted to recommend approval to the full Board at its next scheduled meeting.
12. This 2013 Amendment will be in effect until **March 25, 2019**.

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 Amendment of Nobles County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
2. The Nobles County 2013 Amendment attached to this Order states goals, objectives and actions the County will address in the five-year implementation section 2013–2018. The 2013 Amendment, as well as the previously approved Nobles County 2009 – 2018 Local Water Management 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 Nobles County Local Water Management Plan for 2013 –2018. Nobles County will be required to provide for a complete update of its Water Management Plan prior to March 25, 2019.

Dated at St. Paul, Minnesota, this **18th day of December 2013**.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

NOBLES LOCAL WATER MANAGEMENT PLAN

A 10-year plan with a five-year implementation schedule 2009-2018

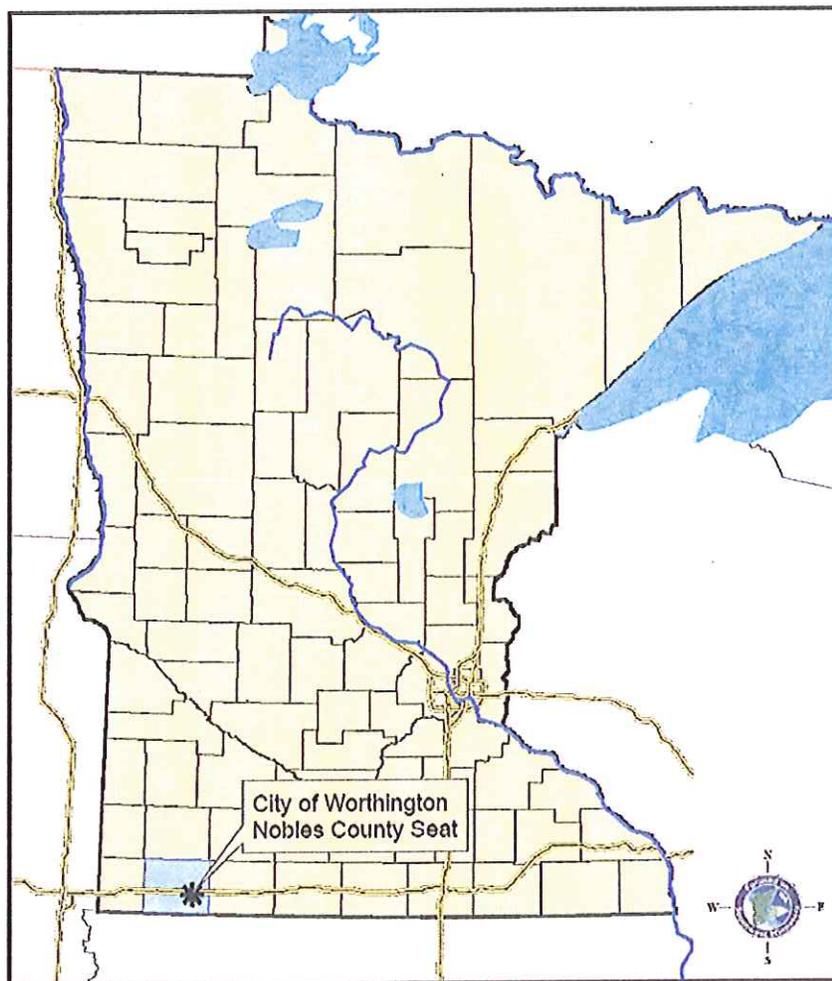
2013 AMENDMENT

DRAFT

10/22/13

Prepared for the Nobles County Local Water Management Plan Task Force
By Nobles Soil & Water Conservation District and
Nobles County Environmental Services

Covering Nobles SWCD, Nobles County Environmental Services,
Kanaranzi-Little Rock Watershed District, Okabena-Ocheda Watershed District



A. Executive Summary

Nobles County is located in southwestern Minnesota, adjacent to Rock, Murray, Cottonwood, and Jackson counties. Iowa's Lyon and Osceola counties are located south of the state line. The City of Worthington is the county seat. Nobles County's population in the 2010 U.S. Census was 21,378.

Nobles County is divided between the Mississippi and Missouri major water basins. The West Fork Des Moines major watershed flows east into the Heron Lake system. The Little Sioux watershed drains southeast into Iowa. The Rock River watershed drains the western part of the county south and west. Groundwater is the primary source of drinking water.

A.1 Purpose & Introduction

The *Nobles 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.

Nobles County developed a unified comprehensive water resources management plan for the entire county over a period from 1994 to 1998, incorporating the Nobles Soil and Water Conservation District (SWCD) comprehensive plan and watershed district plans for the Kanaranzi-Little Rock Watershed District (KLRWD) and Okabena-Ocheda Watershed District (OOWD). While not a formal member of this plan, the Heron Lake Watershed District (HLWD) is an important collaborator on water planning in Nobles County. The KLRWD also includes areas of Rock County.

A.1.a Plan Requirements

In 2008 Nobles County developed a unified comprehensive water resources management plan for the entire county incorporating the Nobles County Local Water Plan, Nobles SWCD comprehensive plan and watershed district plans for the KLRWD and OOWD. This was a collaborated effort to achieve goals for sound hydrological management of water and related sources. The plan is a ten-year plan effective until March 25, 2019. However it was developed with a five-year implementation schedule. The plan is now being reviewed and updated including a new five-year implementation schedule. The intent is that this plan is to continue to cover the four participating water management organizations.

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.

SWCDs often adopt the local water management plan as their comprehensive plan required for certain state funding, as long as the plan has details of "high priority erosion problems" and "high priority water quality problems". Watershed Districts have additional requirements to meet for their Watershed Management Plan, which like the SWCD are subject to Board of Water and Soil Resources (BWSR) guidelines and are implemented in more detailed work plans. Minn. Stat. §103D.405 requires that a revised watershed management plan include:

- (1) updates and supplements of the existing hydrological and other statistical data of the watershed district;
- (2) specific projects and programs to be considered for Implementation;
- (3) a statement of the extent that the purposes for which the watershed district had been established have been accomplished;
- (4) a description of problems requiring future action by the watershed district;
- (5) a summary of completed studies on active or planned projects, including financial data; and
- (6) an analysis of the effectiveness of the watershed district's rules and permits in achieving its water management objectives in the watershed district.

This plan attempts to balance the requirements of each water management organization to achieve a useful, strategic document that is easily understandable and useful for decision makers and residents of Nobles County. It is intended to describe a vision for the future, not as an encyclopedic reference of the past. Historical information contained in previous editions of the water plan are incorporated by reference.

A.1.b Accomplishments

Major accomplishments under Nobles County's previous water management plans included from 2009-2013:

- Appointed Co-Water Planners in the SWCD and County Environmental Office.
- Provided technical assistance for wellhead protection updates for the cities of Ellsworth, Adrian, Lismore, Worthington and the Community of Leota.
- Partnered with the HLWD for continuation of a Minnesota Pollution Control Agency (MPCA) Clean Water Partnership (CWP) grant.
- Supplied data and collected surveys for a Red Rock Rural Water project to bring water to the four townships in southeast Nobles County.
- Funded a conservation tillage cost-share program for the Upper Elk Creek.
- Provided Funding and staff time to an annual education program by the Prairie Ecology Bus Center for local schools.
- Participated in the multi-state Upper Des Moines River Watershed Accelerated Implementation Plan.
- Completion of 1 Critical Area Planting.

- Completion of 28 Grassed Waterways
- Completion of 232 Terraces and Water and Sediment Control Basins
- Completion of 4 Clean Water Diversions
- Planted 52.7 acres of Farmstead Windbreaks
- Installed 600 feet of Field windbreaks.
- Planted 13.3 acres of private wildlife plantings.
- Enrolled and planted 41.5 acres of riparian buffers.
- Enrolled 29.7 acres of permanent easements.
- Enrolled/re-enrolled 1131.7 acres of non-wetland Conservation Reserve Program (CRP) acres.
- Enrolled/re-enrolled 90.4 acres of wetland practice CRP acres.
- Assisted with the completion of 20 Nutrient Management Plans.
- Assisted with the completion of 7 Ag. Waste Management systems.
- Protection of 2400 feet of streambank and shoreland areas.
- Partnered with neighboring counties with a MPCA funded Watershed Coordinator for the Missouri River Total Maximum Daily Load (TMDL).
- Completed water sampling needed for Missouri River TMDL.
- Completed MPCA Stream Water Assessment Grants related to streams and lakes in Nobles County.
- KLRWD received \$350,000 of American Recovery and Reinvestment Act (ARRA) Funds for watershed improvement projects.
- Applied for and received \$157,058 in Clean Water Assistance Grant Funds in 2010 for remaining projects that requested KLR ARRA.
- Applied for and received \$154,000 in Clean Water Assistance Grant funds in 2011 to restore/protect 1,600 feet of Lake Ocheda Shoreline.
- Applied for and received \$165,263 in Clean Water Assistance Grant funds in 2011 to improve a feedlot on a tributary of the Kanaranzi Creek.
- Applied for and received \$241,308 in Clean Water Assistance Grant Funds in 2012 to mitigate feedlot pollution problems on a tributary of the Kanaranzi Creek.
- Applied for and received \$285,508 in Clean Water Assistance Grant funds in 2013 for erosion control practices such as terraces, waterways, and streambank stabilization practices.
- Applied for and received \$176,933 to complete 2 feedlot improvement projects including mitigating one pollution sites adjacent to the City of Lismore's Wellhead Protection Area and one on Lake Ocheda.
- Provided technical assistance to the HLWD in developing the WFDNR and Heron Lake TMDL Implementation Plan which was approved in September of 2009.
- Entered into a Memorandum of Agreement (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 WFDNR 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.

- 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 ran until June 2013. Fifty-six alternative tile intakes were replaced in Nobles 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 WFDNR watershed through in-kind contributions. The inventory is instrumental in order to gauge 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.
- Partnership between Pheasants Forever, Department of Natural Resources (DNR), Worthington Public Utilities and OOWD to purchase 8 parcels of marginal agricultural land totaling 320 acres in the Bella wellhead protection area. Permanent prairie habitat and wetland restorations were completed to protect the aquifer from pollution and promote groundwater recharge.
- Provided cost-share to seal 19 unused wells and replace 8 non-compliant septic systems in the OOWD.
- Partnership between Minnesota West Community and Technical College, City of Worthington, Olson Trust and OOWD to enlarge a new regional storm water pond to slow flow and treat runoff from a 70-acre agricultural watershed.

Nobles Loans Water Management Plan								
AgBMP Loans -- New and Revolving Funds								
	Tillage Equipment		Ag Waste		SSTS Upgrades		Erosion Control	
2005	7	222,900	1	31,500	4	20,800	2	16,900
2006	7	174,700	6	285,545	2	9,500		
2007	15	300,870	2	26,850	1	5,000		
2008	4	139,790	7	210,350	3	22,060		

2009	6	249,300	4	111,150	3	25,661	
2010	5	168,800	5	190,300	1	7,600	
2011	6	176,650	3	71,837	1	11,700	
Source: Nobles SWCD							

A.1.c Plan Update, Adoption and Amendment

Nobles SWCD and Nobles County Environmental Services (ENVS) are responsible for local water management in Nobles County, including facilitation of public input and convening the Local Water Management Task Force. Nobles County Environmental Services and the Nobles SWCD were tasked with the Plan Amendment process.

Task Force membership included:

- Ed Lenz, Nobles Soil & Water Conservation District
- Wayne Smith, Nobles County Environmental Services
- Jane Steffl, Nobles Soil & Water Conservation District
- John Shea, Nobles Soil & Water Conservation District
- Paul Langseth, Nobles Soil & Water Conservation District
- Dawn Madison, NRCS Worthington F.O.
- Dan Livdahl, Okabena-Ocheda Watershed District
- Coleen Gruis, City of Rushmore
- Marvin Zylstra, Nobles County Commissioner
- Gene Metz, Nobles County Commissioner
- Mark Hiles, MN Board of Water & Soil Resources
- Jan Voit, Heron Lake Watershed District
- Bruce Heitkamp, Kanaranzi-Little Rock Watershed District
- Stephanie McLain, Natural Resources Conservation Service
- Jerry Lonneman, Lincoln-Pipestone Rural Water
- Eric Roos, Worthington Public Utilities
- Lynn Darling, Nobles Soil & Water Conservation District
- Ken Wolf, Nobles Soil & Water Conservation District
- James Knips, Nobles Soil & Water Conservation District
- Chessa Frahm, Missouri River Basin

Technical Committee

- Ed Lenz, Nobles Soil & Water Conservation District, Kanaranzi –Little Rock WD
- Wayne Smith, Nobles County Environmental Services
- Al Langseth, Nobles County Environmental Services
- Dan Livdahl, Okabena-Ocheda Watershed District
- Jan Voit, Heron Lake Watershed District
- Chessa Frahm, Missouri River Watershed Coordinator

The following public and internal forums and meetings were held to provide public input into the update process:

- 12/6/12 Update planning meeting w/SWCD, County ENVS Office, KLR and O-O watershed districts, BWSR (5 att.)
- 4/2/13 Nobles Board of County Commissioners adopts resolution to update.
- 7/9/13 Mail/email Notice to Revise and Update to BWSR routing list, adjacent counties, cities & townships.
- 8/1/13 Local Water Plan Public Update Information Meeting held at Nobles County Public Works Building, Worthington (22 att.)
- 9/18/13 Local Water Plan Public Update Information Meeting held at Nobles County Public Works Building, Worthington
- 9/30/13 First Draft of Water Plan Amendment published on SWCD website.
- 10/2/13 Worthington Daily Globe publishes article notifying public on water plan update and request for public comment.
- 10/11/13 Public comment period closed.
- 10/11/13 Second Draft of Water Plan Amendment published on SWCD website.
- 10/12/13 Notice of Public Hearing Published in *Worthington Daily Globe*.
- 10/17/13 Technical Committee Meeting Held at Nobles County Public Works Building, Worthington
- 10/22/13 Public Hearing before Nobles County Board of Commissioners.

Upon approval of this plan amendment by the Board of Water and Soil Resources (BWSR), the County Board has up to 120 days to pass an Adoption and Implementation Resolution. After final adoption, the plan may be amended in a similar process, by petitioning the BWSR Board, scheduling a public hearing, and sending notice to the required parties.

Approximately two years—and no later than 18 months—prior to the end of the five year management schedule, the County Board should consider a new Resolution to update this plan, according to the rules then in place.

A.2 Description of Priority Concerns

The Priority Concerns listed below were selected by the Water Plan Task Force members by consensus, after carefully reviewing submitted concerns and comments, and then refined based on discussion in public meetings. While the assessment of priority concerns utilized the best available information, this plan rests solidly on data and analysis contained in previous editions of the county's local water management plan.

Priority Concern 1. Surface Water Quality.

Minnesota has an abundance of surface waters. A number of these waters in Nobles County and the region are listed as TMDL Impaired by MPCA and the U.S. Environmental Protection Agency (EPA). Impaired waters affect both the local environment and communities' ability to provide for their future. High priority soil erosion problems continue to be present, while management of nutrients, feedlots and sewage treatment systems require ongoing attention.

Priority Concern 2. Drainage Management.

The landscape of Southwest Minnesota has changed greatly since settlement. Management of the resulting drainage system—the modern hydrograph—is often disjointed and uncoordinated, leading to issues with both quantity and quality of water. Flooding and stormwater retention remain concerns across the county. There are also particular issues in the region with wetlands, habitat and critical species.

Priority Concern 3. Public Water Supply.

A long-term, sustainable supply of surface and ground water is essential to growth and development in Nobles County. There is particular concern with wellhead protection, protection of critical lands, and provisions for both urban and rural water supply systems.

A.3 Summary of Goals, Actions, and Projected Costs

Goals and Actions were selected to address priority concerns, with a focus on principles of sound hydrological management.

Priority Concern 1. Improve Surface Water Quality.

This concern will be addressed to prevent further degradation of stream and lake water quality, with a priority for shoreland areas, TMDL-listed waters, and unsewered communities. Objectives include addressing TMDL impaired waters, preventing soil erosion; promoting agricultural best management practices (AgBMPs), and facilitating compliance of nutrient management, feedlot and septic treatment systems with state and federal requirements.

Implementation actions include promotion and education, administration and review of plans and ordinances, working with state and federal agencies on measures to improve water quality, technical assistance with programs and best

management practices, financial incentives for conservation practices, and development of information systems.

Projected costs over the five years of the management plan to implement all actions would include about \$75,000 for TMDL plans and implementation, \$4,152,500 to complete projects including TMDL implementation projects, \$617,000 for technical assistance and administration, \$590,000 for buffer programs, \$300,000 for developing a soil loss ordinance, and \$51,250 for outreach and education, as well as annual in-kind services. All dollar figures are rough estimates and recognize approximate known costs of identified implementation partners.

Priority Concern 2. Drainage Management.

This concern will be addressed to restore more natural flows in the drainage system, focusing on shoreland areas. Objectives include improving shoreland and impervious surface areas; improving flood control, drainage systems and stormwater retention; encouraging wetland restoration; and addressing habitat and critical species issues.

Implementation actions include providing education and outreach, administration and review of rules and ordinances, maintenance of GIS data, technical assistance with conservation and wetlands projects, and mitigation improvements in flood control.

Projected costs would include about \$6,165,000 for the flood control project on County Ditch 12 in Worthington, \$2,565,000 for best management practices (BMP's), \$1,500,000 for conservation practices and easements for wetland restorations, \$300,000 for development of a Comprehensive Drainage Management Plan, \$500,000 for Re-determination of benefits, \$95,000 for technical assistance and administration, and \$62,500 for outreach and education, as well as annual in-kind services.

Priority Concern 3. Public Water Supply.

This concern will be addressed to assure long-term quality and quantity of water supplies, with a priority for drinking water supply management areas and areas not currently served by public/community systems. Objectives include encouraging well head protection, preventing groundwater contamination, facilitating land retirement, and supporting rural water systems and long-term water supplies.

Implementation actions include outreach and education, technical assistance and incentives for landowners and water providers, review of plans and ordinances, maintenance of GIS data, providing assistance to seal unused wells, cooperative efforts for land retirement, and working with cities and water providers for long-term water supplies.

Projected costs would include about \$2,600,000 towards land retirement partnerships including RIM, WRP, and other easement programs. \$20,000 for

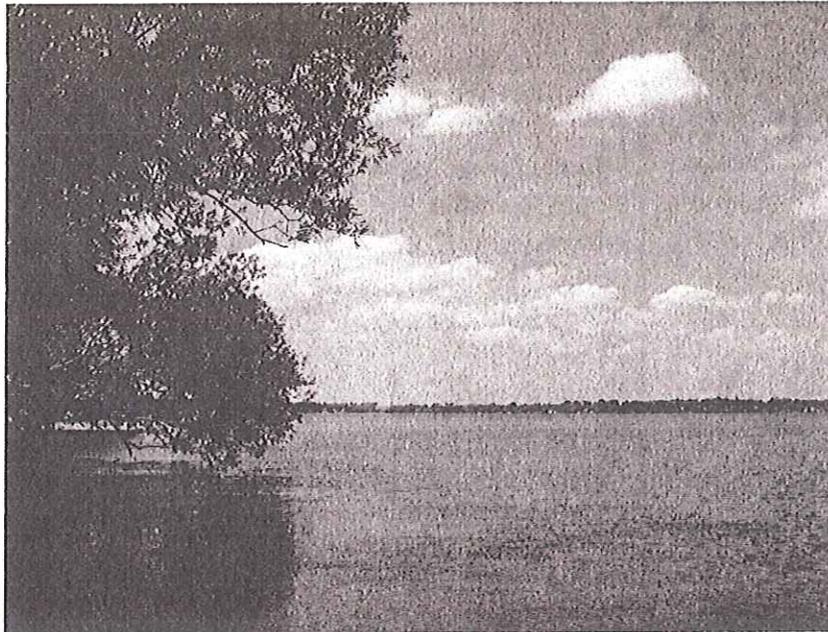
assistance to landowners sealing unused wells, \$102,360 for technical assistance and administration, and \$12,250 for outreach and education, as well as annual in-kind services.

A.4 Consistency with Local, State and Regional Plans

Nobles County Environmental Services administers the County's comprehensive land use plan and zoning ordinance. This helps to maintain consistency between this plan and the County's other plans and ordinances. The County's *comprehensive plan* identifies goals and policies for the County, which has been reviewed for consistency with this water management plan. Task Force members are also familiar with HLWD management documents and operations procedures for KLRWD, and OOWD. While portions of the KLRWD are located in Rock County, Minnesota, this plan has fully considered (and is based on the format of) the *Rock County Water Plan* (revised and adopted 9/2011). No other formal plans were received for review.

A.5 Summary of Recommended Amendments to Other Plans and Official Controls

No specific amendments are recommended at this time. Action items include consideration of updates to zoning ordinances within this document's management timeline. It would be recommended to incorporate data from this plan into other local plans and controls when they are updated.



Lake Okabena. Photo by SRDC

COMMITTEE RECOMMENDATIONS

RIM Reserve Management Planning Committee

1. Resolutions Authorizing RIM-WRP, RIM Buffers, RIM Wetland Protection, RIM ACUB and RIM Wild Rice Programs – Bill Penning – ***DECISION ITEM***
2. Resolution Authorizing the RIM - Grasslands for the Future Pilot Project – Bill Penning – ***DECISION ITEM***
3. Resolution Authorizing RIM Standard Easement Payment Rates – Bill Penning – ***DECISION ITEM***
4. RIM Easement Alteration – Tim Fredbo – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Resolutions Authorizing RIM-WRP, RIM Buffers, RIM Wellhead Protection, RIM ACUB and RIM Wild Rice Programs

Meeting Date: December 18, 2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Conservation Easement

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
- Other:
- General Fund Budget
- Capital Budget
- Outdoor Heritage Fund Budget
- Clean Water Fund Budget

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to authorize the RIM-WRP, RIM Buffers, RIM Wellhead Protection, RIM ACUB and RIM Wild Rice resolutions that provide general authorization for these programs.

Note that the method of determining RIM standard easement payment rates (except for ACUB and Wild Rice) is set under a separate Board Resolution that is also part of this month's packet.

LINKS TO ADDITIONAL INFORMATION

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

Multiple times each year BWSR staff asks the Board for Resolutions that re-authorize existing programs. These programs often do not change substantially from year to year as they are established and working well. For the most part, any changes that do occur are at the implementation level rather than the program authorization level.

The purpose of this request is to authorize standing resolutions for each program that establish and set the broad parameters for each program. These resolutions will remain in effect regardless of the year and/or source of funding until substantial material changes occur in the program that would cause staff to seek an amended resolution. Periodic program updates will be given to the RRMPC and to the full Board.

Board Resolution # 13- _____

Reinvest in Minnesota (RIM) Reserve –Wetlands Reserve Program (RIM-WRP) Partnership Program

WHEREAS the Minnesota State Legislature has appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) to acquire and restore permanent RIM conservation easements under Minnesota Statutes, Section 103F.515 in partnership with the Wetlands Reserve Program (WRP) as the RIM-WRP Partnership 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 Natural Resources (MN DNR), and the United States Fish and Wildlife Service (USFWS); and

WHEREAS 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 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

WHEREAS the RIM-WRP Partnership will establish scoring periods in which eligible applications will be approved for funding by BWSR and NRCS; and

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 - 2013 to 2017, the aforementioned benefits are now in jeopardy as nearly 634,000 acres of Minnesota's conservation lands enrolled in the USDA CRP will expire; 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 the Board by separate resolution has established the process for determining RIM standard easement payment rates; and

WHEREAS this resolution is supplemental but controlling to previously approved BWSR Board resolutions and will remain in effect until material changes in the program warrants an amendment; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on December 17, 2013 and unanimously recommends the following provisions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

1. Utilize appropriated RIM funds to implement this program; and
2. Target expiring CRP contracts with critical wetland restoration practices for enrollment in to the RIM-WRP Partnership; and
3. Work with MN NRCS to develop RIM-WRP Partnership eligibility and sign-up procedures for the RIM-WRP Partnership.

Dated at Saint Paul, Minnesota this 18th day of December, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

Board Resolution # 13- _____

Reinvest in Minnesota (RIM) Reserve –Riparian Buffer Conservation Easement Program

WHEREAS the Minnesota State Legislature has appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) to acquire and restore permanent RIM conservation easements under Minnesota Statutes, Section 103F.515; and

WHEREAS the purpose of the RIM Riparian Buffer Conservation Easement Program is to purchase and restore permanent conservation easements on riparian buffers of at least 50 feet in width to keep water on the land in order to decrease sediment, pollutant and nutrient transport, reduce hydrologic impacts to surface waters and increase infiltration for groundwater recharge; and

WHEREAS these same buffers may be extended to improve habitat for wildlife; and

WHEREAS funds are available to purchase and restore permanent conservation easements on riparian buffers of at least 50 feet on average unless there is a natural impediment, road or other impediment beyond the control of the landowner. Measurements start at top of bank, stream, bluff and ditches or water's edge for lakes; and

WHEREAS a majority of the riparian buffer area enrolled must have a cropping history and a priority will be placed on extending new or existing USDA Conservation Reserve Program (CRP) contracts into a RIM Reserve permanent conservation buffer easement; 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 the Board by separate resolution has established the process for determining RIM easement rates; and

WHEREAS this resolution is supplemental but controlling to previously approved BWSR Board resolutions and will remain in effect until material changes in the program warrants an amendment; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on December 17, 2013 and unanimously recommends the following provisions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

1. Utilize appropriated funds to implement this program; and
2. Maintain a Requests for Proposals (RFP's) process; and
3. Review and approve RFPs for SWCD participation based on the following criteria:
 - a. Local priority and initiative: i.e., ag shoreline, redetermination of benefits
 - b. Water plan and water quality improvement priority: Agricultural landscape with a focus on cropland
 - c. Resource Assessment: Ecological Ranking Tool – water quality data, land use, inventory, on-site determinations, etc.
 - d. Anticipated Outcomes: Clean Water Benefits in Minnesota's agricultural landscape and enhancement for wildlife when suitable conditions exist.
 - e. Readiness to Proceed: Marketing, technical approval authority, and easement processing
 - f. Expiring CRP & CCRP contracts
 - g. Floodplains; and
4. Develop riparian buffer certification process to determine landowner eligibility. The certification shall require SWCD technical approval authority or equivalent to ensure lands being enrolled meet NRCS 393 Technical Standard for filter strip. This includes eligibility of frequently and occasionally flooded soil types in an effort to address riparian floodplain as a buffer area. Buffers of up to 350' will be allowed for sediment and water quality purposes; and
5. Develop and approve a riparian buffer enrollment and allocation process; and
6. Direct SWCDs to establish a pending list to be maintained for future funding.

Dated at Saint Paul, Minnesota this 18th day of December, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

Board Resolution # 13- _____

Reinvest in Minnesota (RIM) Reserve – Wellhead Protection Initiative

WHEREAS the Minnesota State Legislature has appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR), to purchase and restore permanent RIM Reserve Conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subd.2, paragraph(d); and

WHEREAS priority must be placed on land that is located where the vulnerability of the drinking water supply management area, as defined under Minnesota Rules, part 4720.5100, subpart 13, is designated as high or very high by the Commissioner of the Minnesota Department of Health (MDH); and

WHEREAS a majority of the enrollment into a Permanent RIM Reserve Wellhead Protection Initiative easement will be limited to Wellhead Protection Areas (WHPA) identified by the MDH and mapped as high or very high vulnerability; and

WHEREAS a priority will be placed on extending new or existing USDA Conservation Reserve Program (CRP) contracts within the WPA with priority given to areas with cropping history; and

WHEREAS the MDH, in consultation with the Minnesota Department of Agriculture (MDA), has identified for BWSR the most highly vulnerable WPA's conducive to enrollment in the Permanent RIM Reserve Wellhead Protection Initiative Program; 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 the Board by separate resolutions has established the process for determining RIM standard easement payment rates for the Wellhead Protection Initiative; and

WHEREAS this resolution is supplemental but controlling to previously approved BWSR Board resolutions and will remain in effect until material changes in the program warrants an amendment; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on December 17, 2013 and unanimously recommends the following provisions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

1. Utilize appropriated funds to implement this program; and
2. To implement the acquisition of RIM Reserve Wellhead Protection Initiative easements in the targeted areas with high or very high vulnerability as provided to the BWSR by the MDH.

Dated at Saint Paul, Minnesota this 18th day of December, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

Board Resolution # 13- _____

Reinvest in Minnesota (RIM) Reserve – Camp Ripley Army Compatible Use Buffer (ACUB) Program

WHEREAS the Minnesota State Legislature has appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) to acquire and restore permanent RIM conservation easements under Minnesota Statutes, Section 103F.515; and

WHEREAS the Board of Water and Soil Resources is authorized by Minnesota Statutes 103B.101, subdivision 9, authorizes BWSR to accept gifts, donations, or contributions in money, services, materials, or otherwise from the United States, a state agency, or other sources to achieve an authorized purpose. The Board may receive and expend money to acquire conservation easements, as defined in Chapter 84C, on behalf of the state and federal government consistent with Camp Ripley's Army Compatible Use Buffer (ACUB) Program; and

WHEREAS the Camp Ripley ACUB has identified a three mile zone around Camp Ripley to create and enhance a natural buffer to ensure that the military training mission is not impeded by encroachment; and

WHEREAS the ACUB will greatly benefit the natural resources of central Minnesota by minimizing the fragmentation of surrounding lands and subsequent loss of valuable habitat for sensitive species; and

WHEREAS the Camp Ripley ACUB and the State of Minnesota through its Department of Natural Resources and the Board of Water and Soil Resources has identified riparian properties located on the Mississippi and Crow Wing Rivers located in the Camp Ripley ACUB as its highest priority for enrollment in the ACUB program; and

WHEREAS riparian lands adjacent to the Mississippi River and Crow Wing River in the 3-mile buffer areas have not been successfully enrolled into the Camp Ripley ACUB because existing ACUB payment rate for conservation easement are not sufficient to attract interest by landowners who own high-valued river frontage properties; and

WHEREAS the Camp Ripley ACUB and their staff have been working with BWSR and the local Morrison SWCD to identify an additional payment formula method which would create a more equitable payment rate for these highly valued properties; and

WHEREAS the equitable payment rate for these identified river frontage properties would be 60% of the most recent assessed market value of the land as determined by the county assessor of the county where the land is located; and

WHEREAS the majority of non-high value riparian lands easements are taken on existing agricultural lands and that agricultural activities are still allowed an equitable payment rate of 50% of the RIM cropland rate as established by the Board by separate resolution is warranted; and

WHEREAS the state of Minnesota, acting through BWSR and the National Guard Bureau (NGB) have entered into a five year agreement for implementation of the ACUB Program; 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 this resolution is supplemental but controlling to previously approved BWSR Board resolutions and will remain in effect until material changes in the program warrants an amendment; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on December 17, 2013 and unanimously recommends the following provisions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

1. Utilize appropriated funds to implement this program; and
2. Implement a high value riparian lands payment rate of 60% of the most recent assessed market value of the land as determined by the county assessor of the county where the land is located; and
3. Implement a non-high value riparian lands rate of 50% of the RIM cropland rate as established by the Board by separate resolution; and
4. Continue to enter into Cooperative Agreements with the Camp Ripley ACUB that continue the successful implementation of this program and that are consistent with the provisions of this resolution; and

Dated at Saint Paul, Minnesota this 18th day of December, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

Board Resolution # 13- _____

Reinvest in Minnesota (RIM) Reserve –SHORELAND PROTECTION ON WILD RICE LAKES

WHEREAS the Minnesota State Legislature has appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) to acquire and restore permanent RIM conservation easements under Minnesota Statutes, Section 103F.515; and

WHEREAS Minnesota has more acres of natural wild rice than any other state in the country and wild rice is an important social and cultural component for Native American tribes and rural Minnesota communities; and

WHEREAS The Lessard-Sams Outdoor Heritage Council's top priority action identified for the northern forest section of Minnesota is to "protect shoreland and restore and enhance critical habitat on wild rice lakes and shallow lakes; and

WHEREAS BWSR will work closely with local SWCD's to offer permanent shoreland conservation easements on wild rice lakes through the RIM Reserve Conservation Easement Program; and

WHEREAS the Board has authorized staff to work with the involved SWCDs to successfully develop and implement the *Shoreland Protection on Wild Rice Lakes Project* in eight counties, specifically Aitkin, Carlton, Cass, Crow Wing, Hubbard, Itasca, St. Louis, and Wadena counties in north central Minnesota, consistent with all statute and provisions; and

WHEREAS BWSR and involved SWCDs will target specific tracts identified based on the degree to which they will add to the base of land in permanent protection around the targeted 117 shallow wild rice lakes as identified by the Wild Rice Working Group; and

WHEREAS BWSR and the involved SWCDs have been evaluating payment formula method alternatives which would create an effective and equitable easement payment rate for the high value properties targeted by *Shoreland Protection on Wild Rice Lakes Project* in north central Minnesota; and

WHEREAS BWSR and involved SWCD staff are recommending a payment rate for this project to be 60% of the most recent assessed taxable market value of the land as determined by the county assessor of the county where the land is located; 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 this resolution is supplemental but controlling to previously approved BWSR Board resolutions and will remain in effect until material changes in the program warrants an amendment; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on December 17, 2013 and unanimously recommends the following provisions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

1. Utilize appropriated funds to implement this program; and
2. Develop eligibility, prioritization, sign-up and selection procedures, and;
3. Establish payment rates for the *Shoreland Protection on Wild Rice Lakes Project* at 60% of the most recently assessed taxable market value of the land as determined by the county assessor of the county where the land is located.

Dated at Saint Paul, Minnesota this 18th day of December, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Resolution Authorizing the RIM – Grasslands for the Future Pilot Project

Meeting Date: December 18, 2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Conservation Easement

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
- Other:
- General Fund Budget
- Capital Budget
- Outdoor Heritage Fund Budget
- Clean Water Fund Budget

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to authorize the RIM-Grasslands for the Future Pilot Project resolution that provides authorization for this program.

Note that the method of determining RIM standard easement payment rates is set under a separate Board Resolution that is also part of this month's packet.

LINKS TO ADDITIONAL INFORMATION

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

The RIM - Grasslands for the Future Pilot Project was approved by the Lessard-Sams Outdoor Heritage Council (LSOHC) and the Legislature, and funding was appropriated to BWSR on July 1, 2013. This pilot project will utilize RIM or Minnesota Land Trust easements to protect priority grasslands and utilize conservation grazing plans to manage the vegetation to optimize wildlife habitat while providing numerous other benefits. This resolution authorizes staff to utilize these funds and develop and implement this program.

BWSR staff will continue to work with our named partners in this project, The Minnesota Land Trust and The Conservation Fund on all aspects of this pilot project. Periodic program updates will be given to the RRMPC and to the full Board.

Board Resolution # 13- _____

Reinvest in Minnesota (RIM) Reserve – Grasslands for the Future Pilot Project

WHEREAS the Minnesota State Legislature has appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) to acquire and restore permanent RIM conservation easements under Minnesota Statutes, Section 103F.515 in partnership with the Minnesota Land Trust (MLT) and The Conservation Fund (TCF) as the Grasslands for the Future Pilot Project; and

WHEREAS this pilot project will acquire permanent conservation easements on grasslands; and

WHEREAS BWSR, MLT and TCF will work together to utilize alternative easement purchase options to evaluate alternatives; and

WHEREAS BWSR as detailed in the appropriation language may enter into an agreement with MLT to acquire permanent easements; and

WHEREAS if a MLT easement will be pursued, MLT will utilize appraisal standards and process in accordance with MLT easement acquisition procedures; and

WHEREAS BWSR as detailed in the appropriation language may enter into an agreement with TCF for professional services; 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 the Board by separate resolution has established the process for determining RIM standard easement payment rates; and

WHEREAS this resolution is supplemental but controlling to previously approved BWSR Board resolutions and will remain in effect until material changes in the program warrants an amendment; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on December 17, 2013 and unanimously recommends the following provisions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

1. Utilize appropriated funds to implement this program; and
2. Make payments to MLT when they are acquiring the easement; and

3. Work with MLT and TCF to develop program guidelines and outreach efforts focused on priority grassland landscapes.

Dated at Saint Paul, Minnesota this 18th day of December, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Resolution Authorizing RIM Standard Easement Payment Rates

Meeting Date: December 18, 2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Conservation Easement

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

- | | |
|--|---|
| <input type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input checked="" type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to authorize staff to establish RIM standard easement payment rates. The standard rates will utilize township land values as established by the Department of Revenue and posted on the University of Minnesota Land Economics website as the basis for determining the rates.

LINKS TO ADDITIONAL INFORMATION

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

The BWSR Board has been given the authority to set payment rates for RIM conservation easements in Minnesota Statutes, Section 103F.515. 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 RIM easement payment rates. The RIM rates will 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.

This resolution authorizes staff to establish RIM rates using the guidelines above and to utilize this easement rate setting process annually. Annual rate resolutions will no longer be needed. If conditions or processes change a new resolution will be brought forward to the Board to consider changes to the standard RIM easement payment rate process.

Board Resolution # 13- _____

Reinvest in Minnesota (RIM) Reserve – Standard Easement Payment Rates

WHEREAS the Minnesota State Legislature has appropriated Reinvest In Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) to acquire and restore permanent RIM conservation easements under Minnesota Statutes, Section 103F.515; and

WHEREAS the BWSR Board has been given the authority to set payment rates for RIM conservation easements in Minnesota Statutes, Section 103F.515 Subdivision 6; 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 this resolution is supplemental but controlling to previously approved BWSR Board resolutions and will remain in effect until material changes in the program warrants an amendment; and

WHEREAS the Board and BWSR staff, in consultation with the University of Minnesota Applied Economics Department, have determined that the most recent Township Land Values as 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 December 17, 2013 and unanimously recommends the following provisions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to:

Establish RIM standard easement 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 payment rates; and
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; and

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 18th day of December, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: RIM Easement 17-31-01-01, Alteration

Meeting Date: Dec. 18, 2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Easement Section

Contact: Tim Fredbo

Prepared by: Tim Fredbo

Reviewed by: RIM Reserve Management Planning Committee(s)

Presented by: Tim Fredbo

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: Approval for easement alteration
- General Fund Budget
- Capital Budget
- Outdoor Heritage Fund Budget
- Clean Water Fund Budget

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to authorize easement staff to modify easement 17-31-01-01 in Cottonwood County. The alteration was requested by the landowner and is consistent with the requirements of the Easement Alteration Policy (see link below).

LINKS TO ADDITIONAL INFORMATION

http://www.bwsr.state.mn.us/easements/easement_alteration_policy.pdf

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

Background

Mr. Perry Zieske, the landowner of the property covered by easement 17-31-01-01, is requesting the Board to allow an alteration of his RIM easement boundary. This perpetual RIM easement on 16.6 acres originally was enrolled via the MN River Conservation Reserve Enhancement Program (CREP), and was recorded on May 8, 2002. The easement is located in Sec. 1, T 107 N, R 37 W, Cottonwood County. Mr. Zieske is seeking to have 1.5 acres on the very north end of his easement removed, and replace those acres with 4.5 acres of non-cropland on both sides of Dry Creek just to the east and adjacent to the current easement. The 1.5 acres proposed for removal from the easement was non-cropland when it went in to the CREP easement, so not currently in the USDA Conservation Reserve Program contract.

Mr. Zieske is looking into selling some or all of his property in this area of the easement to an adjacent landowner who needs pasture, and they would like to have the ability to run a fence straight east – west

along the new proposed north boundary of the altered easement. This would make fence easier to install and maintain.

Mr. Zieske has submitted all items needed to comply with current RIM rule, and Board Policy for the Board to consider his request, including the \$500 processing fee. Please refer to the attachment titled, "Zieske RIM alteration.pdf". The SWCD is in concurrence with this request, as is the DNR Area Wildlife Supervisor. Also included in the attachment is a copy of the original recorded RIM easement, which includes the legal description and Exhibit A map.

Mr. Zieske is a land surveyor and has offered to legally survey the revised easement boundary, if approved, for the new legal description we will need for the revised easement at no cost to the State. He has extensive involvement with numerous conservation type projects in Cottonwood, Murray and Redwood Counties. A list is included on page 2 of his letter.

Proposed Solution

This alteration, as proposed, meets the recommendations of the BWSR Easement Alteration Policy. The release of 1.5 acres will be replaced by 4.5 acres, which exceeds the 2:1 requirement. The replacement acres will buffer more acres along the intermittent Dry Creek, which drains to the Cottonwood River, than the current easement. The revised easement would contain a new total of 19.6 acres, which is a net gain of 3 acres.

Although the Cottonwood SWCD did not send a letter recommending approval of this request, they did consider it at their June 27, 2013 Board meeting, and they were not opposed to the easement change. Additionally, Dave Bucklin, Cottonwood SWCD Technician, sent a follow-up e-mail to further clarify the SWCD Board position as being in support.

Staff recommends that this alteration request be approved.

Attachment: Zieske RIM alteration.pdf packet



Board Resolution # _____

Reinvest in Minnesota (RIM) Reserve – RIM Easement 17-31-01-01 Alteration, Perry Zieske

WHEREAS the BWSR acquired a 16.6 acre RIM easement from Mr. Perry Zieske in Cottonwood County via the MN River CREP program on May 8, 2002; and

WHEREAS Mr. Zieske has now requested the BWSR to release 1.5 acres from within his easement boundary and replace it with 4.5 acres to better accommodate grazing some of the adjacent grassland; and

WHEREAS Section 8400.3610 of RIM rule and the BWSR Easement Alteration Policy allows landowners to request the BWSR to alter or terminate their easements; and

WHEREAS Mr. Zieske has submitted all items required by 8400.3610, has submitted his \$500 processing fee, and the proposed alteration meets the terms of the of the alteration policy; and

WHEREAS the 1.5 acres proposed for release were non-cropland when they went into the CREP program, so not in a federal CRP contract, and the 4.5 acres proposed for replacement are also non-cropland; and

WHEREAS both the Cottonwood SWCD and the DNR Area Wildlife Manager are in agreement with Mr. Zieske's proposal; and

WHEREAS the proposed alteration will create a net gain of 3 acres to the current easement and provide more land under easement adjacent to Dry Creek, providing increased permanent buffering and water quality protection benefits ; and

WHEREAS Mr. Zieske is a land surveyor and has offered to legally survey the boundary of the new altered easement, if the Board approves, at no cost to the State; and

WHEREAS the Board of Water and Soil Resources RIM Reserve Management Planning Committee met on December 17, 2013 and recommend approval of this easement alteration proposal;

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources approves the alteration of RIM easement 17-31-01-01 as proposed, and authorizes staff to work with Mr. Zieske, and Cottonwood SWCD staff to officially amend the necessary RIM easement documents.

Dated at Saint Paul, Minnesota this 18th day of December, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

6/05/2013
Revised: 09/05/13

RE: Conservation Easement
Alteration Request
Sec. 1-107-37, Cottonwood Co., MN

To All Concerned:

My name is Perry L. Zieske and I own property in Sec. 1-107-37 in Storden Township, Cottonwood County, Minnesota and in that Section I own 36.8 acres of which 3 acres is crop land, 16.6 acres in CREP which turns into RIM in 2017, the remaining acres are pasture with dry creek running through it. Of the 16.6 acres 1.5 is non-cropland outside of CREP area between the dry creek and 15 year CRP area. The 1.5 acres is adjacent to part of the CREP area that is highest elevation in the section meaning there is virtually no chemical runoff from farmland as the CREP area is already a buffer strip. I would like to exchange that 1.5 acres of non cropland area for 4.5 acres (3 times more) farther east where there is more potential of farm runoff toward dry creek and CREP as the contours indicate. I would be giving up non-cropland on both sides of dry creek, which will continue to stay grass and act as a buffer strip on both sides of dry creek where farming does occur. I think having permanent easement (RIM) on both sides of dry creek where farming occurs on both sides is preserving waters & keeping chemicals from reaching dry creek than 1 side as is the present situation. I am including a list of 12 projects that I am currently involved in along with a couple of potential projects regarding wetland restoration and buffer strips along creek. Thank you for reviewing this option and hopefully approval of exchange helping wildlife habitats.

Tim,

I revised above where I had 15.8 acres in CREP to 16.6 as per contract. Sorry about that, I don't know how I got 15.8 but I did. Anyway the property owner adjacent to me may be interested in some or all of the 36.8 acres I own and if he were to buy part of it he would prefer or option to pasture the north part and this exchange will provide for putting a fence up that is straight and a location easy to maintain and would abut the high ridge of existing CREP. And as stated above the 4.5 acres would contain both sides of dry creek which I feel will improve habitat and would provide permanent buffer. If you have any questions my cell number is (507) 822-1658.

Thank You,
Perry L. Zieske

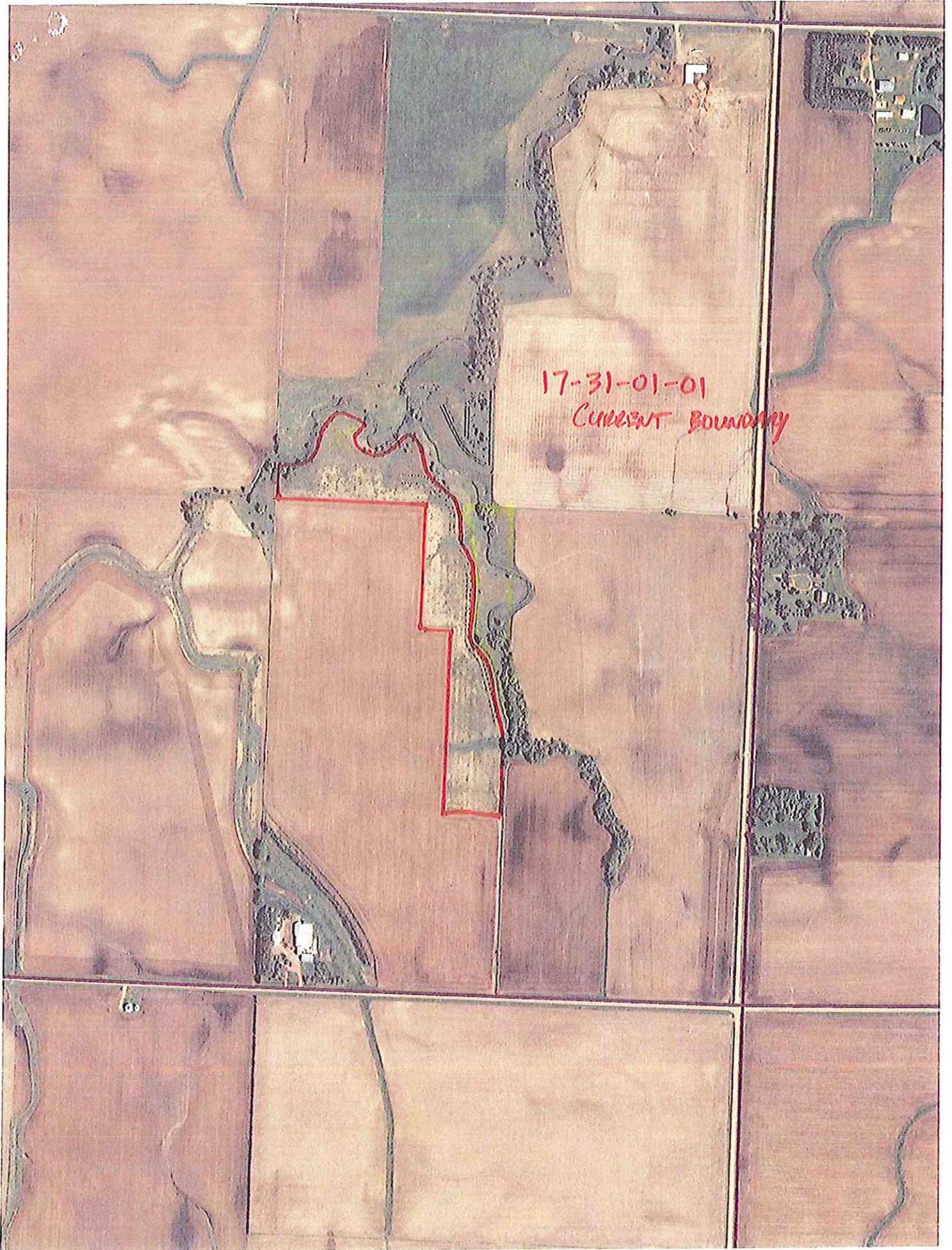
RECEIVED
SEP 09 2013
Bd. of Water & Soil Resources
St. Paul

LIST OF RIM, DNR, AND, CONSERVATION PRACTICES ON VARIOUS LANDS

- 1) CREP & Trees & 1.5 acres ± RIM in W ½ SE ¼ & SW ¼ NE ¼ in Sec. 1-107-37, Storden Township, Cottonwood County (SUBJECT AREA)
- 2) Tree Planting & 180' Buffer Strip in SE ¼ Sec. 22-106-38, Rosehill Township, Cottonwood County, along shoreline of Long Lake
- 3) CRP in N ½ NE ¼ Sec. 9-107-37, Storden Township, Cottonwood County
- 4) 40 Acres SAFE in S ½ Sec. 4-107-37, Storden Township, Cottonwood County (Pheasant Habitat both sides Highwater Creek)
- 5) Grade Stabilization Project: Area II Minnesota River Basin in Sec. 4-107-37, Storden Township, Cottonwood County (2012) (Farm Drainage to Highwater Creek)
- 6) CRP in NE ¼ Sec. 10-108-39 in Holly Township, Murray County
- 7) RIM in NE ¼ Sec. 10-108-39 in Holly Township, Murray County (Both sides Plum Creek)
- 8) CREP RIM in S ½ SE ¼ Sec. 27-109-36, Charlestown Township, Redwood County (Along Cottonwood River)
- 9) Sold 61 acres to DNR along Cottonwood River, woods etc. in 2012 to DNR in Sec. 27-109-36 along Cottonwood River
- 10) Sold 62± acres to DNR by Lake Julia, Sec. 25-107-39, Dovray Township, Murray County
- 11) Considering Wetland restoration project to Murray County & creek buffer strip in Cottonwood County
- 12) Potential 53 acre sale to DNR in Redwood County along Cottonwood River.


Perry L. Zieske

Perry L. Zieske
P.O. Box 473
Westbrook, MN 56183



AWARD FOR ALL WETLAND
 CO-CONVERTED CONVEYED
 WETLAND
 SW-CONVERTED WETLAND
 UN-FARMED WETLAND

FWP/FAP/MS
 HEL/NEH/PC
 KIT/MULTIPLE/ST/NTD
 INVADING/ESTABLISHED WETLAND

TYPE AND
 NUMBER
 SECTION
 TOWNSHIP
 RANGE

#17-31-01-01

SPW/MW/RTN/REAR/PLS/PLAX/SPECIAL/ST/NTD/HEL/NEH/PC

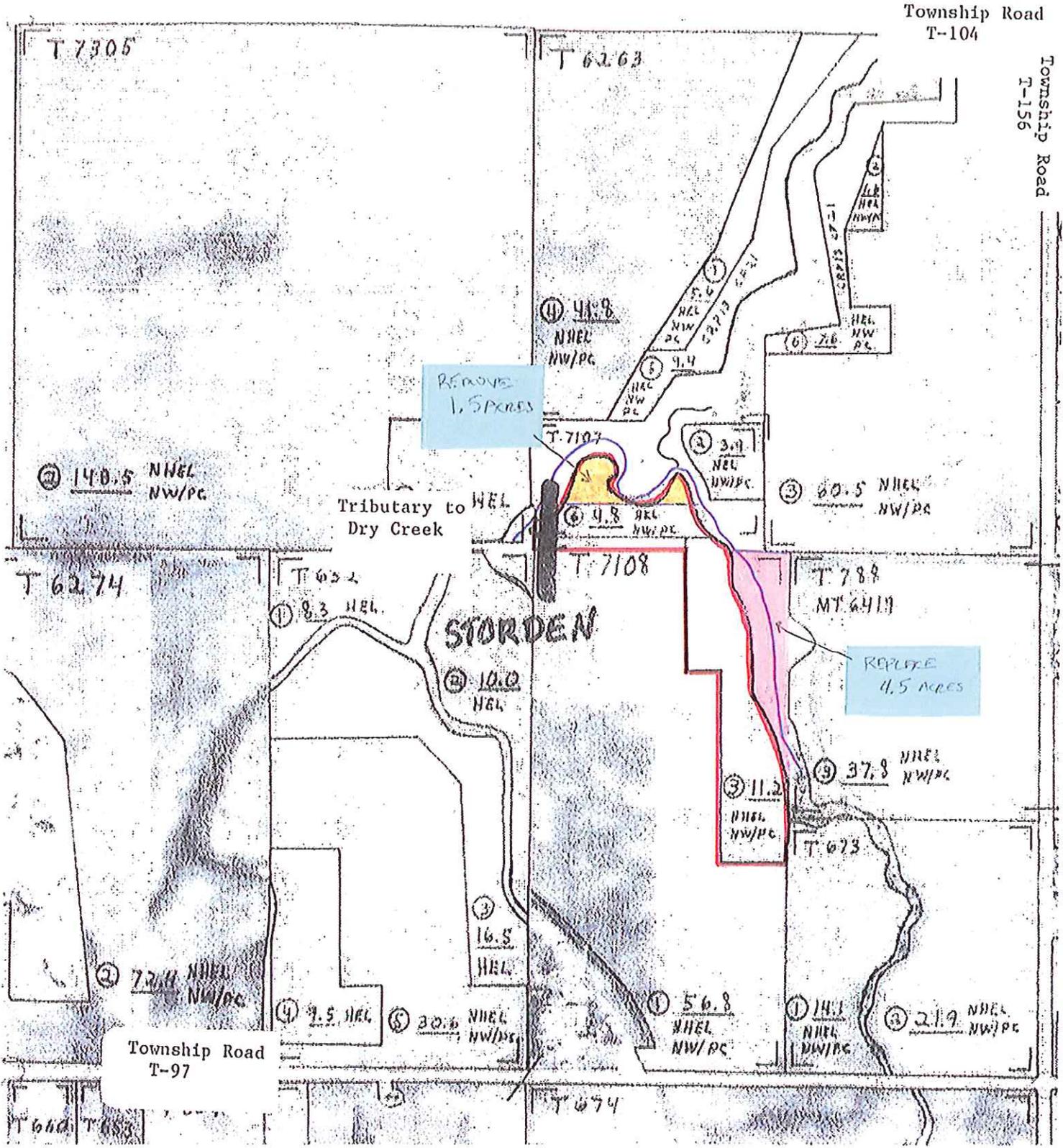
COUNTY

COTTONWOOD

May 2000

84

WARNING: Contact NRE's before changing zoning. Any wet areas of water bodies are shown based on the most current mapping of the County of Douglas, Kansas.



DNR OBSERVATION WELL AGREEMENT

Motion by Nerem, second by Muller to approve the 2014 DNR Observation Well Agreement.

Affirmative: Lingbeek, Muller and Nerem.

Opposed: None.

Motion carried.

DNR WIA AGREEMENT AMENDMENT

Motion by Muller, second by Nerem to approve the DNR WIA Agreement Amendment.

Affirmative: Lingbeek, Muller and Nerem.

Opposed: None.

Motion carried.

SWCD COMPUTER BACKUP

Motion by Muller, second by Nerem to approve the upgrade of computer backups for the SWCD Office.

Affirmative: Lingbeek, Muller and Nerem.

Opposed: None.

Motion carried.

Office staff will contract the new Cottonwood County IT Specialist and review the quote and work to be done.

LEADERSHIP and GOVERNANCE PARTICIPATION

Motion by Muller, second by Nerem to approve the participation for the MASWCD Leadership Institute for \$2,300 for Supervisor Clark Lingbeek and to allow any interested supervisor participate in the SWCD Governance 101 being held in Alexandria, MN.

Affirmative: Lingbeek, Muller and Nerem.

Opposed: None.

Motion carried.

SUPERVISOR MEETINGS

July 3 - RCRC Meeting – Redwood Falls; July 12 – GBERBA Policy/Technical Meeting – Mankato; July 24 - SWCD Board Meeting and Tour – Office/County; July 31 – SWCS Invasive Species Tour – Cottonwood/Jackson Counties.

SWCD EMPLOYEE MEETINGS

July 9 – Organic Field Day – Lambertson; July 12 – GBERBA Policy/Technical Meeting – Mankato; July 22 - Watonwan SWCD Board Meeting – St. James; July 24 SWCD Board Meeting and Tour – Office/County; July 24 – Cohort Training – Redwood Falls; July 31 – SWCS Invasive Species Tour – Cottonwood/Jackson.

Motion by Nerem, second by Muller to approve the Supervisor and Employee meetings and expenses for the month of July.

Affirmative: Lingbeek, Muller and Nerem.

Opposed: None.

Motion carried.

DISTRICT TECHNICIAN REPORT – David Bucklin – Written Report

CONSERVATION EASEMENT APPLICATION

Norma Grunewald and Debra Van Oosbree Lakeside 18 50.8 acres

Motion by Nerem, second by Muller to approve and submit the Norma Grunewald and Debra Van Oosbree Conservation Easement Application.

Affirmative: Lingbeek, Muller and Nerem.

Opposed: None.

Motion carried.

CONSERVATION EASEMENT CHANGE REQUEST

Board agreed to the landowner submitting an Easement Change to the State of Minnesota BWSR. Easement owned by Perry Zieske #17-31-01-01. The Board did not consider this proposed 'switching of acres' to be environmentally negative to the easement area.

Fredbo, Tim R (BWSR)

From: David Bucklin [david.bucklin@windomnet.com]
Sent: Thursday, September 05, 2013 10:17 AM
To: Fredbo, Tim R (BWSR)
Cc: kay.clark@windomnet.com
Subject: Zieske RIM acre swap request 17 31 01 01



Tim,

I spoke with Perry and asked him to rewrite the letter of request to you. He was not sure where his acres came from either.

As for the SWCD board, they are in support and feel it is a good swap for the environment.

Thank You,

Dave Bucklin.



DAVID BUCKLIN
GBERBA Coordinator
District Technician
Cottonwood Soil and Water
Conservation District

507-831-1153 Ext. 3 (w)
david.bucklin@windomnet.com
<http://www.cottonwoodswcd.org>

Minnesota Department of Natural Resources

DNR - Wildlife, 175 County Road 26, Windom, MN 56101
507-831-2900 Ext 226

7/5/13



Cottonwood Co SWCD
339 9th St
Windom, MN 56101

Re: Perry Zieske RIM Easement Alteration Request

Dear Board:

This letter is in response to Perry Zieske's request to modify a RIM easement, in Section 1, Storden Twp, by removing 1.5 acres from the easement and adding 4.5 acres. I have no concerns with this proceeding as long as the CRP and RIM easement requirements for this are met.

This is based upon the increase in acres protected under the RIM easement, the additional protection to the stream, and similar benefits to wildlife habitat. Since grazing on adjacent land had been mentioned as a reason for this request, it is hoped that the change will facilitate a better fencing alignment, protecting the stream and providing for grazing management that also benefits the natural resources. This will need to be taken into consideration when assessing the benefits of the alteration related to costs.

Thank you for the opportunity to review and comment on this activity. Feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink that reads "Randy Markl".

Randy Markl
Area Wildlife Supervisor

No. 235933
Office of County Recorder
State of Minnesota
County of COTTONWOOD
I hereby certify that the within named instrument
was filed in this office for record on the 8th
day of May 20 02
at 3:00 o'clock P.M.
and was duly recorded in
File 203 on Card 320
MaryAnn Anderson
County Recorder

CREP Easement (12/98)

EASEMENT I.D. # 17-31-01-01

PERPETUAL RIM CONSERVATION EASEMENT
STATE OF MINNESOTA, BOARD OF WATER AND SOIL RESOURCES

This conservation easement, hereinafter referred to as "Easement", is made this 2nd day of May 20 02, between Perry L. Zieske and Joan K. Bultman Zieske, husband and wife, hereinafter collectively referred to as "Grantors", and the State of Minnesota, by and through the Board of Water and Soil Resources, hereinafter referred to as the "State".

WITNESSETH

WHEREAS, the REINVEST IN MINNESOTA RESOURCES LAW (RIM) and the Minn. Stat. Sec. 103F.501 et. seq., along with Section 84.95, authorize the State to acquire conservation easements on eligible lands; AND

WHEREAS the State is authorized to establish conservation practices to protect soil and water quality and to enhance fish and wildlife habitat on conservation easements; AND

WHEREAS, the Grantors are the owners of eligible marginal lands, and/or drained wetlands and/or cropland adjacent to these lands, and desire to convey such lands as a perpetual RIM conservation easement to the State of Minnesota.

NOW, THEREFORE, the Grantors, for themselves, their heirs, successors and assigns, in consideration of the sum of _____ Ten Thousand Three Hundred Seventy Two and 51/100 DOLLARS (\$ 10,372.51), do hereby grant, convey and warrant to the State, its successors and assigns, forever, a perpetual easement in accordance with the terms and conditions as hereafter set forth in Minn. Stat. Sec. 103F.501 et. seq. and all rules adopted thereto, over and upon the following described land situated in the County of Cottonwood State of Minnesota, to-wit:

THE LEGAL DESCRIPTION IS ATTACHED HERETO AND INCORPORATED HEREIN.

The Easement covers only that portion of the parcel delineated as the "EASEMENT AREA" identified on Exhibit(s), which is attached hereto and incorporated herein. The easement area consists of a total of 16.6 acres, of which 0.0 acres are not monetarily compensated by the State but are subject to the terms of the Easement. The easement area is subject to all prior easements, roadways, and mineral rights of record including the 15-year CRP contract dated 4-30-02. No rights are granted to the general public for access to or entry upon the lands described herein.

FURTHER, the Grantors represent and warrant that there are no hazardous substances pollutants or contaminants in or on the easement area, and that the Grantors, their heirs, successors or assigns shall not place any toxic or hazardous substances, pollutants or contaminants in or on the easement area.

FURTHER, the Grantors, their heirs, successors and assigns warrant the perpetual right to access and an ingress and egress route to the easement area from a public road to allow authorized agents of the State to enter upon the easement area for the purpose of inspection and enforcement of this Easement. Access route can utilize existing driveways, field roads, etc.

FURTHER, the Grantors, for themselves, their heirs, successors and assigns warrant that they:

1. Shall establish and maintain vegetative cover and structural practices in accordance with the Conservation Plan on file at the local Soil and Water Conservation District (SWCD) or at the State. Conservation Plan maintenance includes any necessary replanting of vegetative cover and repair of structures. Any amendment to the Conservation Plan shall be mutually agreed to by the landowner, the SWCD and the State.
2. Shall perpetually allow for the legal manipulation of existing drainage systems and other land alterations on the easement area that are associated with establishing and managing wetland practices identified in the Conservation Plan. Water levels will be managed and controlled only by the State or its agents, which may include the SWCD or Department of Natural Resources.

3. Shall not appropriate water, from any existing or restored wetlands within the easement area unless obtaining the prior written consent of the State and all necessary governmental permits.
4. Shall not produce agricultural crops on the easement area, except as provided in the state approved Conservation Plan for wildlife management purposes. Interim land uses established prior to the recording of this Conservation Easement and in accordance with the Conservation Easement Agreement, may be continued without violating this Easement.
5. Shall not remove or harvest any trees on the easement area, except as provided in the state approved Conservation Plan for forest management and wildlife habitat improvement purposes.
6. Shall not graze livestock on the easement area. Interim grazing land use established in accordance with the agreement for Conservation Easement will not be a violation of this Easement.
7. Shall not place any materials, substances or objects, nor erect or construct any type of structure, temporary or permanent, on the easement area, except as provided in the Conservation Plan.
8. Shall be responsible for weed control by complying with noxious weed control laws and emergency control of pests necessary to protect the public health on the easement area.
9. Shall not alter wildlife habitat, natural features, the vegetative cover, or other conservation practices on the easement area as described in the Conservation Plan, without the prior written approval of the State.
10. Shall restore the easement area to the condition described in the Conservation Plan after any lawful repair or improvement necessary to maintain a public drainage system or public utility system.
11. Shall not use any wetlands restored under the RIM Reserve program to mitigate other wetland losses.
12. Shall notify the State in writing of the names and addresses of the new owners within 30 days after the conveyance of all or part of the title or interest in the land described herein.
13. Shall pay when due all taxes and assessments, if any, that may be levied against the easement area.
14. Shall undertake the protection and management of the easement area in accordance with the conditions set forth in this Easement.
15. Other provisions: The State expressly recognizes the federal CRP 15-year contract # 1011 dated 4-30-02 encumbering some or all of this RIM easement. To the extent that any inconsistencies exist between the CRP contract and the RIM easement, the later is subordinated to the former and the provisions in the CRP contract shall control over the RIM easement for the duration of the 15-year CRP contract.

FURTHER, this Easement shall be enforceable by the State as provided in Minn. Stat. Sec. 103F.515, Subd. 9, and/or by such other relief as may be authorized by law. Any ambiguities in this Easement shall be construed in a manner which best effectuates the purposes of protecting soil, improving water quality, and enhancing fish and wildlife habitat.

FURTHER, THE GRANTORS OF THIS CONSERVATION EASEMENT, FOR THEMSELVES, COVENANT that they shall not convert to agricultural crop production or pasture any other land, owned or leased as part of the same farm operation at the time of application, if said land supports natural vegetation or has not been used in agricultural crop production.

IN WITNESS WHEREOF, the Grantors have caused this Easement to be duly executed.

GRANTOR(S) SIGNATURE(S) AND ACKNOWLEDGMENT

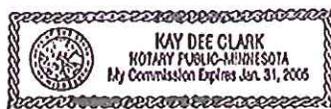
Perry L. Zieske
Perry L. Zieske

Joan K. Bultman-Zieske
Joan K. Bultman Zieske

STATE OF Minnesota
COUNTY OF Cottrick

The foregoing instrument was acknowledged before me this
2nd day of May, 2002

by Perry L. Zieske and Joan K. Bultman Zieske, husband and wife.
(Notary Stamp or Seal)



Notary Signature Kay Dee Clark
Commission expires on 1-31-2005

Instrument Drafted By: Board of Water and Soil Resources
One West Water Street, Suite 200
St. Paul, Minnesota 55107
(Land Title & Abstract Co., Inc.)

Easement Number 17-31-01-01

STATE OF MINNESOTA
BOARD OF WATER AND SOIL RESOURCES
CONSERVATION EASEMENT
LEGAL DESCRIPTION

That part of the south 505 feet of the SW1/4 of the NE1/4 and that part of the W1/2 of the SE1/4 lying north of the south 999.11 feet thereof, all in Section 1, T.107 N., R.37 W., shown as the "Easement Area" on Exhibit "A" attached to and made a part of this Conservation Easement, and located within Tract 1 described below:

Tract 1.

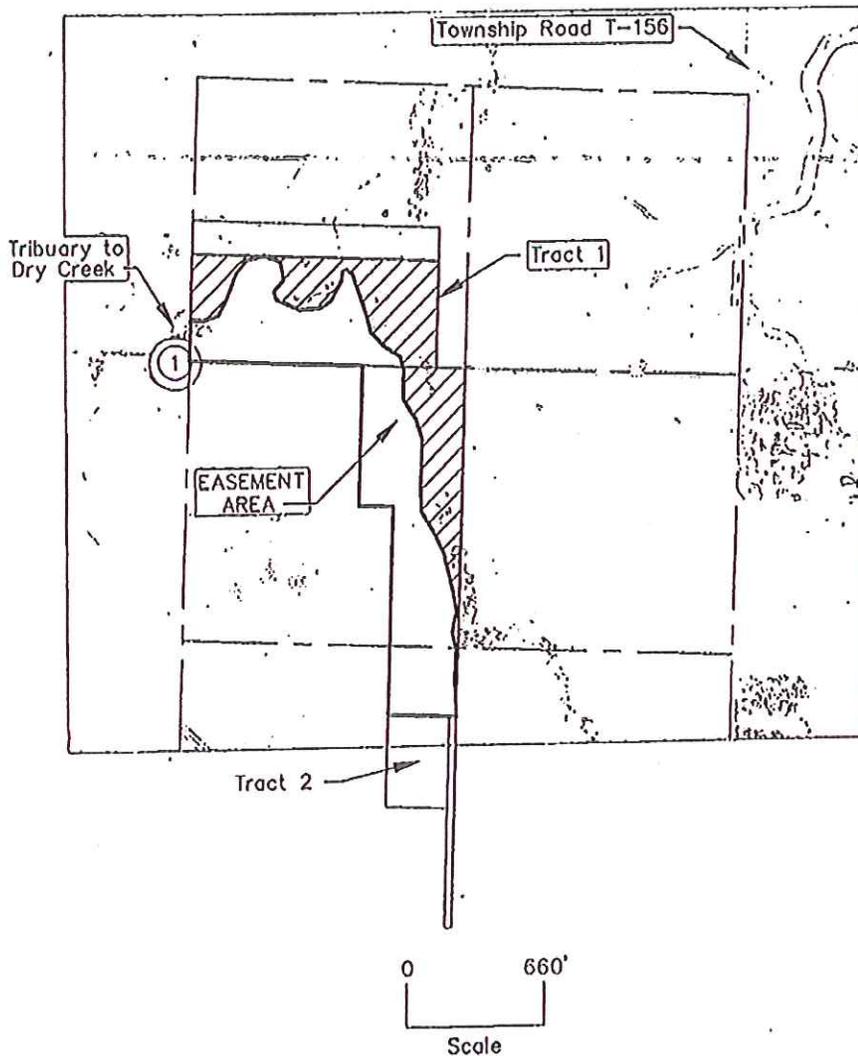
Commencing at an existing iron monument at the Southwest Corner of said SE1/4;
thence south 88 degrees 39 minutes 55 seconds East, bearing based on Cottonwood County Coordinate System, along the south line of said SE1/4, a distance of 1289.05 feet, this being the point of beginning of said Tract 1;
thence North 00 degrees 37 minutes 40 seconds East, parallel with the east line of said W1/2 of the SE1/4, a distance of 999.11 feet;
thence North 88 degrees 39 minutes 55 seconds West, parallel with the south line of said SE1/4, a distance of 297.00 feet;
thence North 00 degrees 37 minutes 40 seconds East, parallel with the east line of said W1/2 of the SE1/4, a distance of 990 feet;
thence north 88 degrees 56 minutes 38 seconds West, parallel with the north line of said SE1/4, a distance of 165.00 feet;
thence North 00 degrees 37 minutes 40 seconds East, parallel with the east line of said W1/2 of the SE1/4, a distance of 660.00 feet, to a point on the north line of said SE1/4;
thence North 88 degrees 56 minutes 38 seconds West, along the north line of said SE1/4, a distance of 830.28 feet, to the North west Corner of said SE1/4;
thence North 00 degrees 33 minutes 25 seconds East, along the west line of said NE1/4 of Section 1, a distance of 663.00 feet;
thence South 88 degrees 55 minutes 07 seconds East, a distance of 1185.00 feet;
thence South 00 degrees 23 minutes 01 second West, a distance of 662.50 feet, to a point on the north line of said SE1/4 of Section 1;
thence South 88 degrees 56 minutes 38 seconds East, along the north line of said SE1/4, a distance of 138.26 feet, to the Northeast Corner of said W1/2 of the SE1/4;
thence South 00 degrees 37 minutes 40 seconds West, along the east line of said W1/2 of the SE1/4, a distance of 2650.71 feet, to the Southeast Corner of said W1/2 of the SE1/4;
thence North 88 degrees 39 minutes 55 seconds West; along the south line of said SE1/4, a distance of 33.00 feet, to the point of beginning.

Easement I.D. No: 17-31-01-01
Map 1 of 1

STATE OF MINNESOTA
BOARD OF WATER AND SOIL RESOURCES
CONSERVATION EASEMENT
EXHIBIT 'A'

This map delineates the easement area(s) referred to in the attached easement conveyance.

Section 1 T. 107 N., R. 37 W., Cottonwood County



Prepared By:

Board of Water and Soil Resources

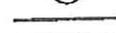
Dated:

January 29, 2002

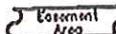
LEGEND



Center of Section



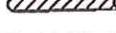
Boundary of Described Lands



Lands Included in Easement



Lands Not Included in Easement



Section/Quarter/Sixteenth Line

COMMITTEE RECOMMENDATIONS

Public Relations, Oversight, & Strategic Planning Committee

1. One Watershed, One Plan Implementation – Jack Ditmore and Doug Thomas –
DECISION ITEM



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: One Watershed, One Plan Implementation

Meeting Date: December 18, 2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: _____

Contact: Doug Thomas

Prepared by: Doug Thomas/Melissa Lewis
Public Relations, Oversight &

Reviewed by: Strategic Planning Committee(s)

Presented by: Jack Ditmore/Doug Thomas

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

- Adoption of One Watershed, One Plan Guiding Principles
- Adoption of Draft Suggested Boundary Framework and initiate formal review and comment period
- Adoption of Plan Types
- Authorize One Watershed, One Plan Pilot Program – Request for Interest

LINKS TO ADDITIONAL INFORMATION

- One Watershed, One Plan - Guiding Principles (attached)
- One Watershed, One Plan – Suggested Boundary Framework memo & map (attached)
- One Watershed, One Plan – Plan Types memo (attached)
- One Watershed, One Plan – Pilot Watershed Request for Interest (attached)

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

The requested Board actions are the first formal steps in the development and roll out of the One Watershed, One Plan program. The One Watershed, One Plan program was initiated in 2011 by the Local Government Water Roundtable (AMC, MASWCD, MAWD) and followed with authorizing legislative authority to BWSR in 2012. The Board’s Public Relations, Oversight, and Strategic Planning Committee (PROSP) was charged with assisting in the development of guiding principles and operating procedures that will guide program implementation. The PROSP Committee has met three times and at this time is recommending Board adoption of guiding principles, plan types, and the initiation of a formal review and comment period for a suggested boundary framework. In addition staff are requesting approval to initiate a pilot watershed request for interest. The PROSP committee will continue to meet in 2014 to continue to develop and make recommendations on additional operating procedures and policies necessary to fully implement the One Watershed, One Plan program.



Board Resolution # 13-

ONE WATERSHED, ONE PLAN IMPLEMENTATION

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, Article 2, Section 7(j) for assistance and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, chapters 103B, 103C, 103D, and 114D; and

WHEREAS, One Watershed, One Plan was authorized pursuant to M.S. 103B.101, Subd. 14, and which provides that the board may adopt resolutions, policies, or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan; and,

WHEREAS, M.S. 103B.101, Subd. 14, provides that the board shall, to the extent practicable, incorporate a watershed approach when adopting the resolutions, policies, or orders, and shall establish a suggested watershed boundary framework for development, approval, adoption, and coordination of plans; and

WHEREAS, the Board on June 26, 2013 concurred that a set of guiding principles and operating procedures were necessary to guide and support the development of the One Watershed, One Plan program, and pilot watershed approach; and

WHEREAS, the Board Chair charged the Public Relations, Oversight, and Strategic Planning Committee (PROSP) working with staff to develop and recommend One Watershed, One Plan guiding principles and select operating procedures; and,

WHEREAS, the BWSR Director charged the BWSR Senior Management Team to develop and recommend a Request for Interest to seek local government nominations for a pilot program; and,

WHEREAS, the PROSP Committee on November 14, 2013 and reached consensus on One Watershed, One Plan guiding principles, a draft suggested watershed boundary framework (including initiation of a 60 day review and comment period), and plan types for pilot watersheds and recommends adoption of each by the Board; and,

WHEREAS, the Senior Management Team on November 12, 2014 concurred with the staff recommendation for the pilot program and to seek nominations through a request for interest and recommends initiation of the pilot watershed request for interest by the Board.

NOW THEREFORE BE IT RESOLVED, the Board hereby:

- 1) Adopts the One Watershed, One Plan Guiding Principles dated November 14, 2013.
- 2) Adopts the draft One Watershed, One Plan Suggested Boundary Framework map, dated _____ and authorizes staff to initiate a 60 day formal review and comment period for the purpose of seeking review and comment prior to formal adoption of a final Suggested Boundary Framework map at a later date.
- 3) Adopts the following One Watershed, One Plan Types for Pilot Watersheds:
 - a. Water Quality Implementation Plan
 - b. Priority Concerns Watershed Implementation Plan
 - c. Comprehensive Watershed Management Plan
- 4) Authorize staff to finalize, distribute and promote a Request for Interest (RFI) for the One Watershed, One Plan Pilot Program.

Brian Napstad, Chair
Board of Water and Soil Resources

Date: _____

Attachments:

One Watershed, One Plan - Guiding Principles, November 14, 2013
One Watershed, One Plan – Suggested Boundary Framework memo & draft map, November 13, 2014
One Watershed, One Plan – Plan Types memo, November 18, 2014
One Watershed, One Plan – Pilot Watershed Request for Interest, December 2013



One Watershed, One Plan

Guiding Principles – **DRAFT, Not Board Approved**



November 14, 2013

Vision: BWSR's vision for *One Watershed, One Plan* is to align local water planning on major watershed boundaries with state strategies towards prioritized, targeted and measurable implementation plans – the next logical step in the evolution of water planning in Minnesota.

Purpose: The purpose of this document is to further outline the *One Watershed, One Plan* vision through providing the guiding principles that will direct and influence the program's future policies and procedures.

One Watershed, One Plan will result in plans with prioritized, targeted, and measurable implementation actions that meet or exceed current water plan content standards.

One Watershed, One Plan will set standards for plan content that will be consistent with or exceed the plan approval standards currently in place for local water plans. Most existing water management plans contain adequate inventories of resources and assessment of issues. *One Watershed, One Plan* will build from this point, with an expanded focus on prioritized, targeted, and measurable implementation of restoration and protection activities. The intent is for these future water plans to use existing plans, local knowledge and other studies and planning documents—including Watershed Restoration and Protection Strategies developed through the Minnesota Pollution Control Agency—to establish plans with clear implementation timelines, milestones, and cost estimates that will address the largest threats and provide the greatest environmental benefit unique to each watershed.

One Watershed, One Plan is not an effort to change local governance.

Local governments have been at the forefront of water management dating back to 1937 with the formation of the State's first soil and water conservation district. *One Watershed, One Plan* is intended to utilize the existing structures of counties, soil and water conservation districts, watershed districts and Metropolitan watershed management organizations by increasing collaboration and cooperation across political boundaries.

One Watershed, One Plan will strive for a systematic, watershed-wide, science-based approach to watershed management; driven by the participating local governments.

It is important for all communities to take part in managing their watersheds through goal setting, monitoring, restoring and protecting water resources and local habitats and ensuring a good quality of life for all who live, work, and recreate in those spaces. A decided "bottom up" approach for water management—allowing the key discussions of major water resource issues, concerns, problems, goals and objectives and potential solutions to originate and be first fully vetted at the stakeholder level—is envisioned. Expanding involvement and collaboration at the ground-level creates greater buy-in and support at all levels of government.

One Watershed, One Plan will use the state's delineated major watersheds (8-digit hydrologic unit codes or HUC8) as the starting point for defining the preferred scale for local watershed management planning.

The Local Government Water Roundtable (LGWR), a collaboration between the Association of Minnesota Counties, the Minnesota Association of Watershed Districts, and the Minnesota Association of Soil and Water Conservation Districts, determined it is in the public interest to manage ground and surface water resources from the perspective of watersheds and aquifers and to achieve protection, preservation, enhancement, and restoration of the state's valuable water resources. This determination is consistent with the state's water management policy, furthered through legislation passed in 2012 that provided BWSR with: the authority to develop and implement a

comprehensive watershed management plan approach and to establish a suggested watershed boundary framework for implementing this planning approach. *One Watershed, One Plan* will transform the current system of water plans, largely organized on political boundaries, to one where plans are coordinated and consolidated largely on a watershed basis.

One Watershed, One Plan must involve a broad range of stakeholders to ensure an integrated approach to watershed management.

The underlying principle of watershed management is that people, land, and water are connected. People use land in a variety of ways, and affect ecosystems and ultimately their own communities for better or worse. Managing and protecting the environment while providing a high quality of life for people is a complex process that is most successful when governing bodies, community members, and experts in various fields are true partners in the planning process. *One Watershed, One Plan* envisions an approach that will pull parties together in every aspect of the water arena in a way that goes beyond the interests of any one government agency or stakeholder and in a way that has never been done before.

Plans developed within One Watershed, One Plan should embrace the concept of multiple benefits in the development and prioritization of implementation strategies and actions.

Prioritized, multi-benefit projects provide benefits to more than one group or interest and address more than one environmental resource within a watershed. These types of projects are necessary to build the support of citizens and agencies, achieve water quality and quantity goals, and produce the environmental goods and benefits that a healthy watershed provides. Examples of multiple benefits might include a combination of any of the following: flood control, water quality benefits, ecological benefits, administrative efficiencies, economic benefits, or others. Identification of and action on multi-benefit projects should be a priority in *One Watershed, One Plan* strategies and actions.

One Watershed, One Plan implementation will be accomplished through formal agreements among participating local governments on how to manage and operate the watershed.

Decision-making that spans political boundaries is essential to fully implement watershed management and achieve established goals for the watershed; therefore, formal agreements outlining the means and method for this decision-making are also essential.

One Watershed, One Plan planning and implementation efforts will recognize local commitment and contribution.

History shows us that when local water management programs and projects rely almost entirely on outside funding, they are unable to sustain themselves over time. Locally supported and funded technical, administration, support, and outreach activities that leverage funding from the State will be key to ensuring sustainable local government capabilities and long-term success on both the local level and watershed scale.

One Watershed, One Plan is not intended to be a one size fits all model.

One Watershed, One Plan must recognize that our local governments charged with water management are just as diverse as the water resources and landscapes that we have in the State. As such, the *One Watershed, One Plan* policies and procedures guided by this principle will be designed to provide options for local governments to choose from that can account for these differences while at the same time move forward in achieving the transition to comprehensive watershed management plans that blanket the State.



One Watershed, One Plan

Suggested Boundary Framework

November 13, 2013



Purpose: As per Minnesota Statutes §103B.101 Subd. 14: *"the board shall, to the extent practicable, establish a suggested watershed boundary framework for development, approval, adoption, and coordination of plans."* This document outlines the decision and recommendations of the BWSR Public Relations, Oversight & Strategic Planning Committee along with the proposed process for review, comment, and adoption of the suggested boundary map.

Suggested Boundary Framework:

Suggested vs. Mandatory - The PROSP committee recommends that BWSR adopt a boundary framework including a map suggesting 1W1P planning areas. Actual boundaries will be established through individual review and comment by BWSR staff at the time a 1W1P is initiated and approved by Board concurrent with the plan approval.

Considerations:

- Map is adopted by BWSR as suggested boundaries only, and individual boundaries are established through the plan approval process;
- More in line with the voluntary nature of the program;
- Requires less up front time in developing a map and places emphasis on boundary criteria;
- Some risk for having orphan areas and/or local boundary disagreements later on.

Initial Watershed Area Boundaries – At its October 21st meeting the PROSP committee recommended using a modified version of the "81 major watershed" boundary map.

Next Steps:

October 29-30, 2013 – BWSR Academy, initial role out of suggested boundary map.

November 12-13, 2013 - SMT review and discuss needed and/or interest to have additional internal review and comment on draft map.

November 27, 2013 – Deadline for comments if additional internal review is selected.

December 18, 2013 – Adoption of draft map by BWSR and initiation of a 60 day formal review and comment period.

January 1, 2014 – Memo and map sent to all LGU's soliciting review and comment on the draft map

February 28, 2014 – Deadline for submission of comments on draft map.

March, 11 2014 – SMT review and recommendation.

March, 25 2014 – PROSP Committee review and recommendation.

April 23, 2014 – BWSR adoption of suggested boundary map and operating procedures.

Boundary Framework Procedures & Criteria

Procedures

As per Minnesota Statutes §103B.101 Subd. 14, BWSR shall establish a suggested watershed boundary framework for development, approval, adoption, and coordination of plans. The procedures for determining boundaries will conform to the following:

- a. **Boundary Establishment.** BWSR Board adopted the 1W1P Boundary Map on <insert date>. Before commencing planning under Minnesota Statutes §103B.101 Subd. 14, local governments participating in the plan (participants) shall submit a map delineating the boundaries of the watershed to BWSR for review and comment. Participants must provide written documentation of the rationale and justification for the proposed boundary and specifically deviation from the adopted map. BWSR may request additional information needed to make a plan boundary determination. The Board shall have 60 days to comment on the conformance of the boundaries with the requirements of §103B.101 Subd. 14 and will establish the final boundary concurrent with plan approval.
- b. **Boundary Amendment or Adjustment.** After a boundary has been established, participants may find adjustments or amendments to the boundary are necessary. Procedures for changing a boundary will follow the boundary establishment procedure above. A plan amendment may be required to address the newly included or excluded area(s).
- c. **Appeals.** Participants may appeal a board decision to deny approval of a plan or the establishment of a plan boundary. An appeal of a board decision may be taken to the state Court of Appeals and must be considered an appeal from a contested case decision for purposes of judicial review under Minnesota Statutes §14.63 to 14.69. Participants may request the board's dispute resolution committee or executive director to hear and make recommendations to resolve boundary and plan implementation disputes.

Criteria

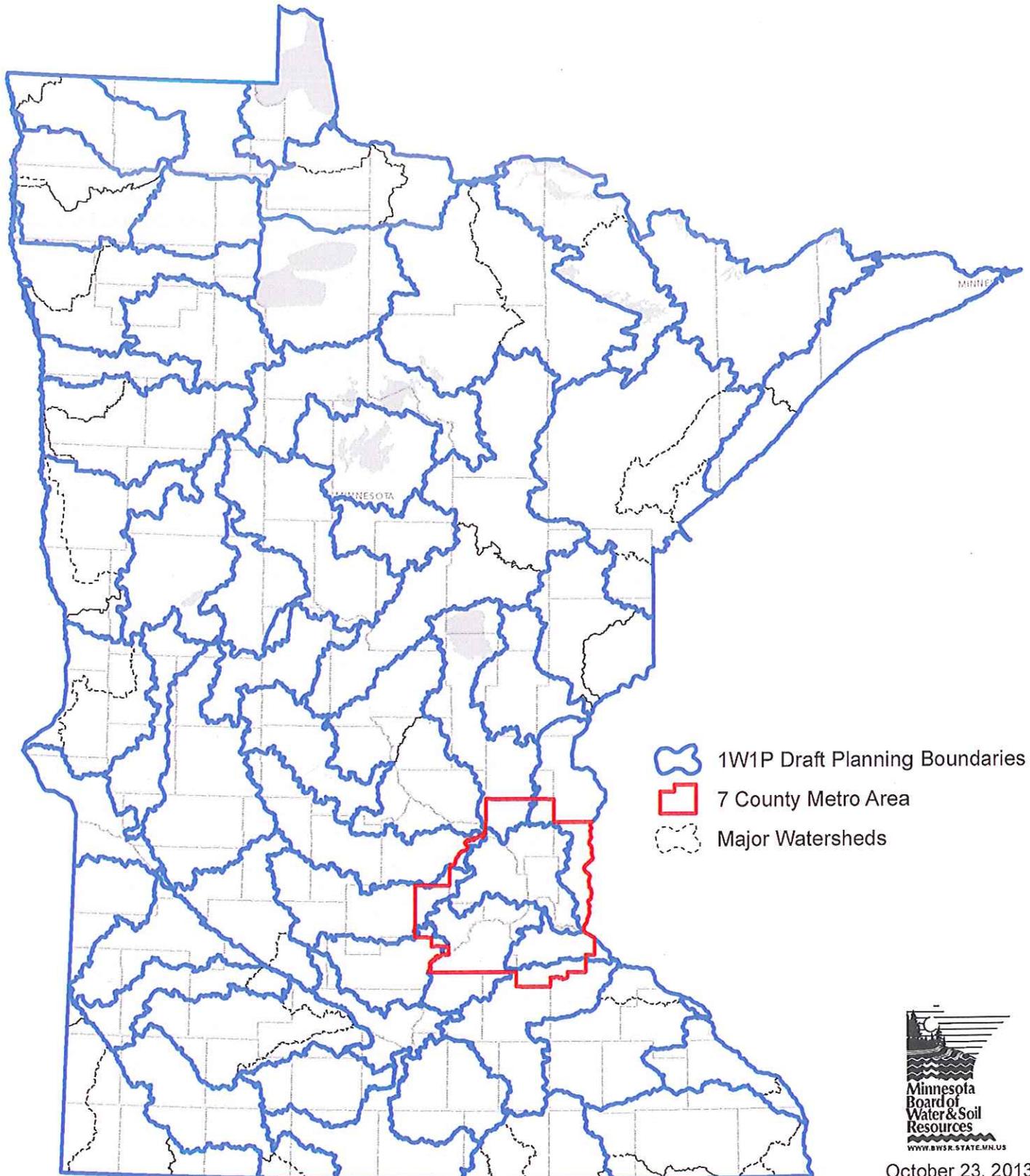
The following criteria will be considered in development and review of the 1W1P boundaries. Boundary establishment and amendment decisions will also consider, but are not limited to these criteria:

- Smaller than/partial HUC8:
 - Smaller area does not conflict with the purposes/intent of 1W1P
 - Significant dissimilarities or complexities in resource issues and solutions within the HUC8 to justify the smaller area
 - HUC8 crosses a major river, e.g. HUC8 is on both sides of the Minnesota River
 - Existing watershed district in the area
 - HUC8 crosses Metro Water Planning area
 - Boundary for the smaller area closely follows a minor watershed, e.g. a 10 or 12 digit hydrologic unit code.
- Larger than HUC8, e.g. one HUC8 plus additional minor or major watershed(s)
 - Inclusion of a partial watershed on a state line
 - Confluence of major basins
 - Efficiencies due to similarity of issues and solutions
 - Existing watershed district that includes larger area
 - HUCs already lumped for PCA 10-year watershed approach/WRAPS
 - Boundary for the larger area closely follows a minor watershed, e.g. a 10 or 12 digit hydrologic unit code.
- When a HUC8 crosses into the seven-county metro:
 - The area within the seven-county metro may or may not be considered for inclusion in the boundary. If included, the area within the seven-county metro is not excluded from Metro Surface Water Management Act.

One Watershed, One Plan

Suggested Boundary Map

DRAFT



October 23, 2013

* Not legal boundaries. For one watershed, one plan planning purposes only.



One Watershed, One Plan

Pilot Program DRAFT – Pending Board Approval

Request for Interest

December 2013



About the program

In 2013, the Minnesota Legislature passed Chapter 137-HF 1183 (Clean Water Fund Appropriations) which provided authorization and funding to BWSR for assistance and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, chapters 103B, 103C, 103D, and 114D.

Based on this legislation, BWSR created the *One Watershed, One Plan* Program and is seeking nominations for the purpose of selecting six to eight pilot watershed areas in fiscal years 2014 and 2015. Watershed areas selected will be expected to establish a formal agreement and undertake and complete the development of a watershed plan within two years.

Priority will be given to watershed areas where a WRAPS has been completed or will be completed before the third quarter of 2015 and can demonstrate a high level of commitment from the involved counties, soil and water conservation districts, watershed districts, and water management organizations. Watershed areas with large scale TMDL's, Phase 1 diagnostic studies, or equivalent local studies will also be considered.

Clean Water Funding Amount

Up to \$495,000.

General Requirements

No match will be required of grant recipients. A nomination may be made by one or more of the eligible applicants within a watershed area. A formal agreement between participants establishing the watershed management organization/entity will be required within 3 months after execution of the grant agreement. Grant recipients will be required to document local involvement in the plan development process in order to demonstrate that the grant is supplementing/enhancing water resource restoration and protection activities.

Applicant Eligibility

Eligible applicants include Counties, Soil & Water Conservation Districts, Watershed Districts, and Metropolitan Joint Powers Agreement Watershed Management Organizations (per MN Statutes §103B.211). Applicants must be working under a current state approved and locally adopted water management plan.

Pilot Watershed Nominations

To nominate a watershed area, provide a written response to the following questions. Nominations can be submitted by one or more of the eligible local governments on behalf of others in the watershed area. Written responses are subject to a five-page limit, minimum font size 11pt (watershed maps are not included in the page limit).

1. Provide a general watershed map of the proposed planning boundary.
 - a. If the proposed planning boundary deviates significantly from the draft planning boundaries being considered by BWSR, provide a brief narrative of the reasons for the deviation.

- b. Include a list of the local government units (LGUs) within the boundary (it is not required to list cities and townships). List can be incorporated into #2.
2. In consideration of the LGUs within the boundary, provide a narrative or table with:
 - a. Existing plan type and expiration date of each LGU;
 - b. Whether the LGU has expressed interest in participation, and if so, how (e.g. verbal, letter, resolution, etc.). If not, why (e.g. haven't had opportunity to respond, unwilling to commit until the LGU has more information, not willing to participate at all, may participate on limited basis but area too small to be a required participant, etc.);
 - c. Identify, if known, a lead staff person(s) and/or primary contact(s) from each participating LGU.
3. Briefly describe at what point your watershed area is in the MPCA's ten year water approach/WRAPS, and any other TMDLs, diagnostic studies, and/or local studies and plans have been completed that can help inform the development of the *One Watershed, One Plan*.
4. Identify which plan type the participants are most interested in preparing with these funds (Comprehensive Watershed Management Plan, Priority Concerns Implementation Plan, or Water Quality Implementation Plan):
 - a. Briefly describe how this plan is anticipated to benefit the participating LGUs;
 - b. Briefly describe how the plan is anticipated to benefit resource management within the planning area;
 - c. Briefly describe how the One Watershed, One Plan might be used to develop a collaborative approaches to things such as shared services and developing and submitting requests for Clean Water Funds.
5. Describe what the grant funds will be used for along with an estimate of the cost.
6. Describe what the partners need from the state in development of the plan.
7. Provide a generalized outline of the approach the participating organizations will take in 1) the development of the required formal agreements and operating procedures, and 2) development of the plan, including major steps or milestones.

Submittal

All responses must be electronically delivered to: BWSR.Grants@state.mn.us and must be received no later than 4:30 p.m. on April 21, 2014. Late responses will not be considered. The burden of proving timely receipt is upon the responder.

Evaluation and Ranking Criteria

All nominations submitted for consideration will be reviewed by BWSR staff, with assistance from an inter-agency review committee based on the responses to questions #1-5. The review range for the response to each question is indicated below. The maximum score per nomination is 100 points.

The successful watershed areas will be selected by the Board of Water and Soil Resources on recommendation of the selection committee.

Ranking Criteria	Maximum Points Possible
1. Inclusion of general watershed map and list of local governments provided.	5
2. Inclusion of list of plans with expiration dates for each local government, documentation of the level of interest expressed by identified local governments, and identification of lead staff.	15

3. Types of existing information available and their pertinence to developing the watershed-based plan.	15
4. Demonstrated understanding of the multiple benefits of developing a watershed-based plan.	15
5. Demonstration of realistic estimate of needed grant funds, what the funds will be used for, and that the funds will not supplant existing funds for similar activities.	10
6. Recognition of the level and types of assistance that are or will be expected of the participating state agencies.	10
7. Demonstrated understanding of the organizational phase, the planning phase, and ability to complete a plan within the two year timeframe.	30
Total Points Available:	100

BWSR Grant Administration

BWSR reserves the right to partially fund any and all nominations based on the number of eligible nominations submitted and the amount of funding available.

Timeline

- February 10, 2014 – Nomination period begins
- April 21, 2014 – Nomination deadline at 4:30 PM
- May 2014 - Review of requests
- June 2014 - BWSR Board approval of pilot watersheds (tentative)
- September 2014 – Work plan submittal deadline
- October 1, 2014 – Grant execution deadline 1*
- December 31, 2014 – Formal agreement in place as required*
- January 2015 – Plan development begins

*Grant agreements will be developed and executed based on available biennial funding; formal agreements must be in place within 3 months of grant execution.

Questions

Question concerning submittal of a watershed area nomination maybe submitted to Doug Thomas, doug.thomas@state.mn.us or 651-215-6338 (office) or 651-655-2082 (cell).



One Watershed, One Plan

Plan Types for Pilot Watersheds

DRAFT, Not Board Approved

November 18, 2013



Purpose: As per Minnesota Statutes §103B.101, Subd. 14: *"the board may adopt resolutions, policies, or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan."* This document outlines concepts for three approvable plan types within the *One Watershed - One Plan* framework.

Plan Types

To achieve the guiding principle that *"One Watershed, One Plan is not intended to be a one size fits all model,"* and in recognition of the need for options through the ten year transition; the following three types of plans are proposed to be tested through the pilot watershed program.

Concept Plan Types (additional information on page 2):

- **Water Quality Implementation Plan:** This plan further develops the strategies identified in a Watershed Restoration and Protection Strategies (WRAPS) document or equivalent studies into a consolidated implementation plan. This plan can be used to replace the implementation section of an existing plan(s), or can be used by local government partners on its own to collaboratively apply for state grants.
- **Priority Concerns Watershed Implementation Plan:** This plan leverages the existing process for developing a plan based on priority concerns typically associated with current county water planning; but shifts the scope of the plan to a watershed boundary and elevates requirements for prioritizing, targeting, and measuring implementation actions.
- **Comprehensive Watershed Management Plan:** This all-inclusive plan will likely leverage the existing requirements for watershed district plans and have the highest standards of the three plan options. These plans will address surface and groundwater, water quality and quantity, and land use; and implementation actions in the plan will consider the broad range of tools, including capital improvements, official controls, and other tools and programs necessary to achieve the goals of the plan.

Planning boundaries for all proposed plan types will be locally shaped and consistent with the BWSR Board adopted Suggested Boundary Map. Plan development is recommended to start a few years after intensive monitoring in order to develop and use the WRAPS document and is not recommended to start in the 2-3 years leading up to onset of intensive monitoring. All plans developed through *One Watershed, One Plan* will establish shared goals and vision for local government participants; define the roles and responsibilities of partners/participants; contain implementation actions that are prioritized, targeted, and measurable; and include estimated costs and timeframe for these actions.

Next Steps

Operating procedures and content requirements for each plan type will be developed in the first half of 2014, and the details put to the test through the pilot watersheds. Policies will be presented to the Board as developed.

	Water Quality Implementation Plan	Priority Concerns Implementation Plan	Comprehensive Watershed Management Plan
General Description	Means to collaborate, leverage WRAPS, & apply for grants without going all in.	County Water Planning on a <i>watershed</i> boundary.	Plan based on assessment all water and land related resources within the watershed.
Timing	To maintain eligibility for grant applications, revisions occur concurrently with completion or revision of 10-year assessment/WRAPS.	Revisions every 10 years. Plan extensions allowed for existing plans to provide for development through One Watershed, One Plan.	
Proposed Applicability	Won't substitute or replacement the <i>entirety</i> of existing plans, but can be used for portions of plans.	May serve as a substitute for county water plans & soil and water conservation district comprehensive plans.	May serve as replacement for watershed district, SWCD, and county water plans.
Organization Requirements	Formal agreement to signal group intentions are sufficiently serious, most likely a memorandum of understanding or agreement.	Requires formal agreement sufficient to demonstrate and sustain commitment; most likely a joint powers agreement.	
Preliminary considerations for who <i>must</i> participate...	Majority of SWCDs and/or majority of counties. May include watershed districts and/or joint powers agreement watershed organizations.	Likely a majority of counties and SWCDs within the planning boundary, with a waiver for organizations with minimal land area within the boundary.	Likely a majority of watershed organizations, counties, & SWCDs within the watershed planning boundary; with a waiver for organizations with minimal land area in the boundary.
	Cities and townships may, but will likely not be required to, participate.		
You might choose this plan if...	Participants aren't ready to establish a formal organization. Plans existing in the area are recently adopted and of a high quality.	Not all participants are ready to include the detailed requirements of the Comprehensive Watershed Management Plan.	An existing watershed district is participating and its boundaries cover the majority of the land area. Most existing plans will be expiring soon.

NEW BUSINESS

1. Clean Water Fund Roadmap Presentation – Sarah Strommen and MPCA Commissioner John Linc Stine - ***INFORMATION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Clean Water Fund Roadmap Presentation

Meeting Date: _____

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: _____

Contact: Sarah Strommen

Prepared by: Sarah Strommen

Reviewed by: John Jaschke Committee(s)

Presented by: Sarah Strommen and John Linc Stine

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

Information Item
MPCA Commissioner John Linc Stine and Sarah Strommen, Assistant Director of the Board of Water and Soil Resources will provide an update on the status of the project.

LINKS TO ADDITIONAL INFORMATION

A summary of the Clean Water Roadmap Stakeholder Meeting on October 21, 2-13, including attendees, major themes, and live polling results, is now available on the [project web page](#). The summary also contains next steps coming out of the October stakeholder meeting.

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

At the request of the Clean Water Funded Executive branch agency heads, the Clean Water Fund Interagency Coordination Team launched a project this past June, with the assistance of Environmental Initiative, to establish a Clean Water Fund Roadmap. The idea behind the Roadmap is to develop a few key goals and measures for Clean Water Fund implementing agencies to monitor our pace of progress in achieving those goals over the course of the 25 years of constitutional amendment funding;