



DATE: September 16, 2013
 TO: Board of Water and Soil Resources' Members, Advisors, and Staff
 FROM: John Jaschke, Executive Director *[Signature]*
 SUBJECT: BWSR Board Meeting Notice – September 25, 2013

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, September 25, 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
Administrative Advisory Committee

- Addition of "Saturated Buffer" to the list of eligible practices for the Targeted Drainage Water Management Grant Program** -The FY 2013 Targeted Drainage Water Management Grant Program implements a Clean Water Fund appropriation by the 2012 Legislature to improve water quality of agricultural runoff, particularly from tile drainage. The appropriation language specified coordination with the USDA-NRCS for conservation practice standards. The grant program and allocations were approved by the BWSR Board in June 2012, including a list of eligible practices. At that time, Conservation Practice 739 – Vegetated Subsurface Drain Outlet (aka "Saturated Buffer") was not yet available. The interim conservation practice standard CP-739 was issued by NRCS in August 2012 and is generating interest as an effective drainage water management practice. The purpose of this agenda item is to add CP-739 to the list of eligible practices for the Targeted Drainage Water Management Grants to enhance water quality outcomes and to provide BWSR staff the authority to add other applicable NRCS conservation practices when practice standards are available. **DECISION ITEM**
- Order a Public Hearing for the Petition for Redistribution of Managers of the Middle-Snake-Tamarac Rivers Watershed District (MSTRWD)**. Board authorization is needed to schedule and hold a public hearing regarding the petition to redistribute the managers of the Middle-Snake-Tamarac Rivers Watershed District. **DECISION ITEM**

Southern Region Committee

- Area II Minnesota River Basins Projects Inc. FY2014 & FY2015 Biennial Work Plan & Grant –** BWSR oversees the administrative funding related to the efforts of the Area II Minnesota River Basins Project Inc. (Area II). The 2013 Minnesota Legislature appropriated administrative funding for Area II Minnesota River Basins Project Inc., resulting in a fiscal year 2014 grant of \$120,000. The overall budget objectives are included in the plan. Staff recommends approval of this plan and

| | | | | | | | |
|--|--|---|---|---|---|---|--|
| 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 |

execution of the administrative grant agreement for FY 2014. The Southern Region Committee met on September 5, 2013 to review the Area II Work Plan and recommends approval of the plan and execution of the FY 2014 grant. **DECISION ITEM**

2. **Brown County Local Water Management Plan Amendment** - By Board Order, the Board of Water and Soil Resources (Board) approved the Brown County 2008 - 2018 Local Water Management Plan (Plan) on August 28, 2008. This Plan contains an implementation section with goals, objectives and actions to address the county's priority concerns. The Board Order required Brown County to update the Plan's implementation section by August 28, 2013. Brown County followed the amendment process guidelines established by the Board and submitted their 2013 - 2018 Local Water Management Plan Amendment on August 8, 2013. The Southern Region Committee (Committee) met on September 5, 2013 to review the Brown County Plan Amendment. The Committee recommends conditional approval of the Brown County 2013 - 2018 Local Water Management Plan Amendment based on the Brown County Board holding a public hearing and submitting the hearing documents to BWSR prior to September 25, 2013. **DECISION ITEM**
3. **Nicollet County Local Water Management Five-Year Plan Amendment** - On August 19, 2013, Nicollet County submitted their Local Water Management Plan Amendment, a written transcript record of the public hearing, and all written comments received as part of the plan amendment process. On September 5, 2013, the Southern Region Committee (Committee) reviewed the recommendation of the state review agencies regarding final approval of the Nicollet County Local Water Management Plan 2013 Amendment. The Committee recommends approval. The Findings of Fact, Conclusions and Order are drafted for full Board review and action. **DECISION ITEM**
4. **Upper Minnesota River Watershed District (UMRWD) Watershed Management Plan** - On March 20, 2013, the Board of Managers of the Upper Minnesota River Watershed District filed a proposed Revised Watershed Management Plan with the Board of Water and Soil Resources. The attached draft Order contains a summary of the plan, planning process, and the reviewing agencies comments. The Southern Region Committee (Committee) met on September 5, 2013, and was presented a history of the District, the planning process, and highlights of the implementation section of the revised Plan. After review of the information, the Committee voted to recommend approval of the Plan. **DECISION ITEM**
5. **Sibley County Local Water Management Plan Update** - Sibley County submitted their Local Water Management Plan Update, a written transcript record of the public hearing, and attendance sheet from the public hearing on June 25, 2013. No written comments were received as part of the public hearing process. On September 5, 2013, the Southern Region Committee (Committee) reviewed the recommendation of the state review agencies regarding final approval of the Sibley County Local Water Management Plan Update. The Committee recommends approval with the requirement that text is added to the Plan Update explaining why some farmers are returning to moldboard plowing in a corn-on-corn rotation. This revision will have to be received by BWSR prior to September 25, 2013. The Findings of Fact, Conclusions and Order are drafted for the full Board review and action. **DECISION ITEM**

Public Relations, Oversight, and Strategic Planning Committee

1. **Reauthorization of the PRAP Assistance Grants** - Action by the Board is needed to re-authorize the grant program and the delegation of authority to the executive director for the current (2014-15) biennium. The Board made the original authorization and delegation in March 2012 for the 2012-13 biennium. This item will be reviewed by the Public Relations, Oversight and Strategic Planning Committee at their meeting on September 24th. The resolution will come to the Board as a recommendation from the Committee. **DECISION ITEM**

NEW BUSINESS

1. **Disaster Recovery Assistance Program (D-RAP) and Reinvest In Minnesota (RIM) Reserve Emergency Haying and Grazing** - Board approval is needed to amend the D-RAP Policy that was just approved at the August Board Meeting. Due to recent appropriation changes and concerns about emergency haying and grazing it is being proposed to disallow this option with stand-alone RIM easements. **DECISION ITEM**
2. **2013 Grants Monitoring Report** – On June 22, 2011, the Board adopted the Grant Monitoring, Reconciliation and Verification Policy, which calls for an annual report to be delivered to the Board on grants monitoring. This report includes data on the formal monitoring of 2012 grant activity that occurred before the old eLINK shutdown, on March 14, 2013. The report will also broaden the scope of the report to include data on the grant verification visits that are an important part of the overall policy, and look ahead to the “Next Steps” in grants monitoring, reconciliation, and verification in BWSR. **INFORMATION ITEM**
3. **Nutrient Study Results** - Dave Wall, MPCA – In June 2013, the MPCA conducted a study of nitrogen in surface waters to better understand the nitrogen conditions in Minnesota’s surface waters, along with the sources, pathways, trends and potential ways to reduce nitrogen in waters. The study was a collaborative effort led by Minnesota Pollution Control Agency, with assistance from the University of Minnesota and the U.S. Geological Survey. The report team used more than 50,000 water samples collected at 700 stream sites and used 35 years of monitoring data and findings from 300 published studies. More at: <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/surface-water/nutrient-reduction/report-on-nitrogen-in-surface-water.html>.
INFORMATION ITEM

If you have any questions regarding the agenda, please feel free to give me a call at 651-296-0878. The Board meeting is expected to adjourn about noon. I look forward to seeing you on September 25th!

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, SEPTEMBER 25, 2013

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF AUGUST 29, 2013 BOARD MEETING

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

CONFLICT OF INTEREST DECLARATION

INTRODUCTION OF NEW BWSR EMPLOYEES

- Mike Anderson, Engineering Technician, Willmar
- Matt Fischer, Board Conservationist, Bemidji
- John Voz, Easement & Working Lands Specialist, Detroit Lakes

REPORTS

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

COMMITTEE RECOMMENDATIONS

Administrative Advisory Committee

1. Addition of "Saturated Buffer" to the list of eligible practices for the Targeted Drainage Water Management Grant Program - Tim Gillette – **DECISION ITEM**
2. Order a Public Hearing for the Petition for Redistribution of Managers of the Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) – Travis Germundson – **DECISION ITEM**

Southern Region Committee

1. Area II Minnesota River Basins Projects Inc. FY 2014 & FY2015 Biennial Work Plan and Grant – Paul Langseth – ***DECISION ITEM***
2. Brown County Local Water Management Plan Amendment - Paul Langseth – ***DECISION ITEM***
3. Nicollet County Local Water Management Five-Year Plan Amendment – Paul Langseth - ***DECISION ITEM***
4. Upper Minnesota River Watershed District (UMRWD) Watershed Management Plan – Paul Langseth - ***DECISION ITEM***
5. Sibley County Local Water Management Plan Update - Paul Langseth - ***DECISION ITEM***

Public Relations, Oversight, and Strategic Planning Committee

1. Reauthorization of the PRAP Assistance Grants – Don Buckhout – ***DECISION ITEM***

NEW BUSINESS

1. Disaster Recovery Assistance Program (D-RAP) and Reinvest In Minnesota (RIM) Reserve Emergency Haying and Grazing - Bill Penning – ***DECISION ITEM***
2. 2013 Grants Monitoring Report – Tim Dykstal – ***INFORMATION ITEM***
3. Nutrient Study Results - Dave Wall, MPCA – ***INFORMATION ITEM***

AGENCY REPORTS

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

ADVISORY COMMENTS

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

UPCOMING MEETINGS

- BWSR Board Meeting – October 23, 2013, St. Paul

Noon **ADJOURN**

**BOARD OF WATER AND SOIL RESOURCES
SUPERIOR SHORES RESORT & CONFERENCE CENTER
1521 SUPERIOR SHORES DRIVE
TWO HARBORS, MN 55616
THURSDAY, AUGUST 29, 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, Rob Sip, MDA; Steve Sunderland, Gene Tiedemann, Gerald VanAmburg

BOARD MEMBERS ABSENT:

Sandy Hooker
Faye Sleeper, MES

STAFF PRESENT:

Mary Jo Anderson, Mary Jo Flemming, Ryan Hughes, John Jaschke, Al Kean, Jen Maleitzke, Bill Penning, Mary Peterson, Ken Powell, Ron Shelito, Dave Weirens, Wayne Zellmer

OTHERS:

LeAnn Buck, MASWCD
Wayne Seidel, Lake County SWCD
Dan Schutte, Lake County SWCD
Jennifer Thiemann, Lake County SWCD
Ann Thompson, Lake County SWCD
Karen Tucker, Lake County SWCD
Phillip Goutermont, Lake County SWCD
Derrick Passe, Lake County SWCD

CALL MEETING TO ORDER - Chair Napstad called the meeting to order at 8:30 a.m.

PLEDGE OF ALLEGIANCE

**
13-52 **ADOPTION OF AGENDA** – Moved by Rebecca Flood, seconded by Christy Jo Fogarty, to adopt the agenda as presented. ***Motion passed on a voice.***

**
13-53 **MINUTES OF JUNE 26, 2013 BOARD MEETING** – Moved by Judy Ohly, seconded by Jack Ditmore, to approve the minutes of June 26, 2013, as circulated. ***Motion passed on a voice vote.***

CONFLICT OF INTEREST DECLARATION – Chair Napstad explained that the conflict of interest declaration process is being used today on the Feedlot Water Quality Cost Share Grants Program Authorization. The Conflict of Interest Declaration forms need to be submitted.

RECOGNITION OF WAYNE SEIDEL, LAKE COUNTY SWCD – John Jaschke acknowledged Wayne Seidel, Lake County SWCD, recognizing his great career efforts in northeastern Minnesota for implementation of detention basin and erosion control projects, forest management, stream bank stabilization, storm water planning, rain gardens, and mentoring.

Phillip Goutermont, on behalf of Lake County SWCD, presented Wayne with an engraved rock for his dedication to Lake County. Chair Napstad thanked Lake County SWCD staff for the great tour yesterday.

REPORTS

Chair's Report – Brian Napstad reported that the EQB meeting in July was cancelled. Chair Napstad announced that Will Seuffert was recently hired as executive director of EQB.

Chair Napstad stated that Aitkin County is in the process of establishing a Lake Improvement District (LID). He affirmed the complicated rules in statute for the LID establishment process. He noted a referendum, a public hearing for the special taxing district, and the need for guidance as the process moves forward.

Administrative Advisory Committee (AAC) – Chair Napstad reported that the AAC did not meet this morning, no report.

Executive Director's Report – John Jaschke thanked BWSR staff and Lake County SWCD for their efforts in planning the tour yesterday. John reviewed information in board members packets.

John stated that BWSR is working with the Department of Agriculture and a pilot group regarding the agricultural water certification program. John reported that the One Watershed One Plan (1W1P) meetings are being held statewide. John stated that the Public Relations, Oversight, and Strategic Planning Committee will be developing guiding principles for the 1W1P.

LAKE COUNTY SWCD TO ADDRESS THE BOARD – Dan Schutte, Lake County SWCD Outreach Coordinator, thanked the BWSR Board for coming to Lake County and expressed

BWSR Meeting Minutes
August 29, 2013
Page Three

gratitude to BWSR for providing funding allocations to Lake County SWCD. Dan stated that the accomplishments and achievements in Lake County are due to collaborative efforts. He encouraged getting the word out and educating the public on the effective use of Clean Water Funds and how legacy dollars has provided implementation of many projects, as observed on the tour yesterday. Tom Landwehr stated that next year will be five years since the legacy funds were allocated, good accomplishments and much work done. Tom recommends agencies work together to send a message to local units of government regarding funding opportunities.

Dispute Resolution Committee – Gerald VanAmburg reported that the DRC will attend a training workshop on September 25, immediately following the Board Meeting, regarding the statutory mandated dispute resolution process. All board members are invited to attend the workshop.

Wetlands Committee – Gerald VanAmburg reported that the Wetlands Committee met this morning and discussed two items: 1) A recommendation for approval of staff to look at the selection process of road wetland replacement; on the agenda later today. And, 2) federal approval exemption for utilities. WCA exemption process turned over to the U.S. Army Corps of Engineers regarding a pipeline issue. Gerald stated that this issue will be brought before the Board in October. Gerald asked Tom Landwehr that DNR staff be involved. Tom appointed Doug Norris to represent DNR on this topic. Chair Napstad stated that the Wetlands Committee is addressing the issue and will seek an agreement with agencies for this program.

Public Relations, Oversight & Strategic Planning Committee (PROSP) – Jack Ditmore reported that the RPOSP Committee will meet on September 24, the evening prior to the Board meeting. Jack stated that the PROSP Committee will be responsible for developing guiding principles for the 1W1P; this is expected to come before the Board for endorsement in December.

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

RIM Reserve Management Planning Committee – Gene Tiedemann reported that RIM Reserve Management Planning Committee met and has recommendations on the agenda later today.

Drainage Work Group – Tom Loveall reported that the Drainage Work Group met on August 8, 2013. Al Kean summarized the topics of discussion at the meeting and the significant challenges of the drainage law. Discussion followed on public information/data privacy issues of drainage authority. The next meeting of the Drainage Work Group is September 12.

COMMITTEE RECOMMENDATIONS

Metro Planning Committee

Bassett Creek WMO Plan Amendment – Mary Peterson reported that a final draft amendment to the Bassett Creek WMO Watershed Management Plan was filed with the Board on June 27, 2013. The draft Order contains a summary of the changes and the reviewing agencies' comments. All comments received during the review process and public hearing were

BWSR Meeting Minutes
August 29, 2013
Page Four

addressed and resulted in no revisions to the draft amendment. The Metro Region Committee met on August 12, 2013, and after review of the information recommends approval of the Plan Amendment. Moved by Paul Langseth, seconded by Joe Collins, to approve the Bassett Creek

**
13-54 WMO Watershed Management Plan amendment. **Motion passed on a voice vote.**

Scott WMO 2013 Plan Amendment – Mary Peterson reported that a final draft amendment to the Scott WMO Watershed Management Plan was filed with the Board on July 5, 2013. No comments were received during the public hearing. The Metro Region Committee met on August 12, 2013, and after review of the information recommends approval of the Plan Amendment. Moved by Joe Collins, seconded by Paul Langseth, to approve the Scott WMO Watershed Management Plan amendment. **Motion passed on a voice vote.**

**
13-55

Prior Lake-Spring Lake WD Plan Amendment – Mary Peterson reported that a final draft amendment to the Prior Lake-Spring Lake WD Watershed Management Plan was filed with the Board on June 18, 2013. Numerous comments were received during the review process and at the public hearings which were addressed and resulted in revisions to the draft amendment. The Metro Region Committee met on August 12, 2013, and after review of the information recommends approval of the Plan Amendment. Moved by Joe Collins, seconded by Tom Loveall, to approve the Prior Lake-Spring Lake WD Plan Amendment. **Motion passed on a voice vote.**

**
13-56

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

**
13-57

Chisago County Local Water Management Plan Update – Mary Peterson reported that Chisago County has updated their Local Water Management Plan as authorized under Minnesota Statutes, section 103B.301. The Priority Concerns Scoping Document (PCSD) was completed and no changes were recommended. The Plan Update focuses on the priority concerns identified in the PCSD; assesses the priority concerns and sets forth appropriate goals and objectives; and provides an implementation program with targeted and measurable actions, timeline and budget. The Metro Region Committee met on August 12, 2013, and after review of the information recommends approval of the Chisago County Plan Update. Moved by Joe Collins, seconded by Rebecca Flood, to approve the Chisago County Local Water Management Plan Update. **Motion passed on a voice vote.**

**
13-58

Coon Creek WD Watershed Management Plan – Mary Peterson reported that the Coon Creek Watershed District (CCWD) was established in 1959 and is located exclusively in Anoka County in the north-central portion of the Minneapolis – St. Paul seven county metropolitan areas. The Plan is the third generation plan required by the Metropolitan Surface Water Management Act (M.S. 103B) and the fourth required under the Watershed Act (M.S. 103D). The Metro Region Committee met with BWSR staff and local representatives on August 12, 2013 to review and discuss the Plan. The Committee unanimously voted to recommend approval of the Plan. Moved by Joe Collins, seconded by Gerald VanAmburg, to approve the Coon Creek WD Watershed Management Plan. Gerald stated that adaptation to flooding is important; Board needs to send the message. Discussion followed. Rob Sip stated that agencies should be in agreement, BWSR's regional planning committees are a good start. **Motion passed on a voice vote.**

**
13-59

Chair Napstad called for a break in the meeting at 10:20 AM. The meeting reconvened at 10:43 a.m.

Grants Program & Policy Committee

Erosion Control and Water Management Program Policy Amendments – Dave Weirens reported that following several rounds of discussion by staff and the Grants Program and Policy Committee; amendments to the Erosion Control and Water Management Program Policy were presented for Board consideration. The proposed changes are the result of Board discussion when the Policy was originally adopted on October 24, 2012, and to reflect appropriation and statutory changes enacted following the 2013 legislative session. Moved by Paul Langseth, seconded by Christy Jo Fogarty, to approve the Erosion Control and Water Management Program Policy Amendments as presented.

**

Jack Ditmore recommended a change under 1.0 Purpose: page 2, the last sentence – eliminate 'The limitation on; and remove and'. The sentence reads; *The use of cost-sharing funds for technical and administrative expenses is governed as provided in 3.1 of this policy.* Dave recommends a change under 3.1 Technical and Administrative (TA) Expense. The first sentence now reads: *"The BWSR Board establishes the amount allowed for TA expenses to be twenty percent (20%) of the total grant."*

**
13-60 Moved Paul Langseth, seconded by Christy Jo Fogarty, to approve the amendments to 1.0 and 3.1 as presented above. **Motion passed on a voice vote.**

13-61 Chair Napstad called for the vote on the original policy amendments. **Motion passed on a voice vote.**

FY2014 Clean Water Fund and Competitive Grants Program Policy and Request for Proposals – Dave reported that BWSR has been appropriated Clean Water Funds to make grants to local governments to address water quality needs. The FY 2014 Clean Water Fund Competitive Grants Request for Proposal (RFP) was distributed. The Minnesota Departments of Agriculture and Health are contributing funds to this grant program. BWSR staff are proposing to package these funds into a single request for proposals that will allow local governments to apply for funds to address water quality priorities that are identified in their local water

management plan. Tom Loveall asked that clarification of drainage authorities be included in the process. Rob Sip asked that and/or infiltration be included in 3.0 Eligible Activities. Dave reviewed the RFP general information and the resolution for policy and RFPs.

** Moved by Paul Langseth, seconded by Christy Jo Fogarty, to 1) authorize staff to finalize, distribute and promote an RFP for the FY2014 Clean Water Fund Competitive Grants Program consistent with the provisions of appropriations enacted in 2013, Minn Stat. 103B.3369 and this Board resolution; and 2) adopts the attached FY2014 Clean Water Fund Competitive Grants Policy. Discussion followed. John Jaschke explained a proposed amendment to 3.0 Eligible Activities, and recommends the first sentence read, "*The primary purpose of activities funded with grants associated with the Clean Water Fund is to restore, protect and enhance water quality.*" Also, under 3.3 Project Support, the first sentence on page 5, include '*Eligible activities include* at the beginning of the sentence.

** Moved by Chris Elvrum, seconded by Rob Sip to approve the amendment as presented above.
13-62 **Motion passed on a voice vote.** Discussion followed.

13-63 Chair Napstad called for the vote on the original motion for approval of the Resolution. **Motion passed on the voice vote.**

Cooperative Weed Management Area Program Authorization – Wayne Zellmer reported that approval of the FY2014 and FY2015 Cooperative Weed Management Area (CWMA) Program is requested. The Board was appropriated \$100,000 in each year of the biennium of cost share grant funds for cooperative weed management grants and to restore native plants in selected invasive management sites by providing local native seeds to landowners for implementation. Staff have developed a proposal to make these funds available to qualified cooperative weed management groups. Wayne reported that the Grants Program & Policy Committee

** recommends approval. Moved by Paul Langseth, seconded by Christy Jo Fogarty, to authorize staff to finalize, distribute and promote a Request for Proposal (RFP) for the Cooperative Weed Management Area Grant Program consistent with the appropriations enacted in 2013. **Motion passed on a voice vote.**
13-64

CONFLICT OF INTEREST DECLARATION

Chair Napstad read the statement:

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

Chair Napstad stated that board members have submitted their completed Conflict of Interest Declaration forms. The Conflict of Interest Declaration documents will be filed for the grant decision item. All board members are eligible to vote.

Feedlot Water Quality Cost Share Grants Program Authorization – Dave Weirens reported that BWSR was appropriated \$260,000 in each year of the FY2014-15 biennium for "feedlot water quality grants for feedlots under 300 animal units in areas where there are impaired waters". Staff have developed a proposal to make these funds available for projects proposed

**BWSR Meeting Minutes
August 29, 2013
Page Seven**

13-65 ** during the FY2013 Clean Water Fund Competitive Grants application period. It was noted that the third WHEREAS be deleted as it was inadvertently added to this resolution and does not pertain to the subject matter. Moved by Paul Langseth, seconded by Rebecca Flood, to delete the third WHEREAS, and authorize staff to award Feedlot Water Quality Cost Share funds to projects consistent with the appropriations enacted in 2013. Discussion followed. **Motion passed on a voice vote.**

13-66 ** **Disaster Recovery Assistance Program Policy (DRAP)** – Wayne Zellmer reported that disasters and emergency legislative funding occur frequently and usually unpredictably. Policy (and guidance) will provide BWSR staff and LGUs the needed implementation information and related recovery processes, of BWSR and other state and federal assistance providers. Wayne summarized the policy of the Disaster Recovery Assistance Program. The Grants Program and Policy Committee recommends approval of the Disaster Recovery Assistance Program Policy. Moved by Paul Langseth, seconded by Joe Collins, to approve the Disaster Recovery Assistant Program Policy and authorizes the executive director to activate the DRAP Policy in the event of a disaster. Discussion followed. **Motion passed on a voice vote.**

Wetland Committee

13-67 ** **2013 Local Road Wetland Replacement Program Project Selection Process** – Ken Powell reported that the Wetland Committee met this morning. BWSR staff and the BWSR Wetland Committee recommend approval to pursue projects selected and identified through the 2013 easement sign-up and request for proposal solicitation process. Moved by Gerald VanAmburg, seconded by Jack Ditmore, to approve the Local Road Wetland Replacement Program Project Selection Process authorizing staff to pursue and procure contracts and agreements with landowners, project proposers, and local partners for the projects resulting from the easement sign-up and RFP process conducted in 2013. **Motion passed on a voice vote.**

RIM Reserve Management Planning Committee

13-68 ** **RIM/WRP Payment Rate Adjustment 2010-2012** – Bill Penning reported that the RIM Reserve Management and Planning Committee met on August 27, 2013, and recommends approval to apply RIM-WRP Partnership payment rates authorized via Resolution 13-36 to currently funded 2010-2012 RIM-WRP applications that have not closed, subject to the following factors: 1) Staff will develop and implement ineligibility criteria for applications where the delayed easement closing has not been primarily caused by NRCS or BWSR; and 2) The payment rates set in this resolution are supplemental to Resolutions 10-27, 11-19 and 11-79. Moved by Gene Tiedemann, seconded by Paul Langseth, to authorize as presented, the 2013 RIM-WRP partnership easement payment rates be applied to RIM-WRP projects from 2010-2012 that have not closed. Discussion followed. **Motion passed on a voice vote.**

Easement Tax Valuation Fact Sheet – Bill Penning presented the RIM easements and property tax valuation fact sheet for information, as defined by the state tax assessor. Bill explained that he and Sarah Strommen will be meeting with the Department of Revenue on August 30, 2013 to review the statute language for clarification and will be working with expertise on research of assessment and valuation of property, information will be received before the upcoming legislative session. Discussion followed. John Jaschke stated that BWSR staff are in the exploration phase, this may be brought to the Board for action in the future.

AGENCY REPORTS

Minnesota Department of Agriculture (MDA) – Rob Sip invited board members to attend the “Preparing Minnesota for Climate Change: A Conference on Climate Adaptation”. Rob reported that MDA’s Ag Drainage Field Days are coming up; Jen Maleitzke will send information to board members. Rob requested that Matt Wohlman provide the Board with an update in the near future on the agricultural water certification program.

Minnesota Department of Natural Resources (DNR) – Tom Landwehr reported that DNR is working with BWSR and PCA on a Clean Water Roadmap - implementation of Clean Water Funds; with a goal having an initial document by November. Tom reported that he and John Jaschke will testify before the Lessard Sams Outdoor Heritage Council (LSOHC) on September 4, to provide an overview of the coordinated approach to the prairie plan, RIM easements and acquisition of prairies. Tom reported that new legislation, statutory permit process for silica sand is in place, ready to deliver, no applications received to date.

Minnesota Pollution Control Agency (MPCA) – Rebecca Flood reported that MPCA is host to the EPA Hypoxia Task Force meetings on September 23-25.

UPCOMING MEETINGS

Next BWSR Board Meeting – September 25, St. Paul

**
13-69 Moved by Judy Ohly, seconded by Paul Langseth, to adjourn the meeting at 1:00 PM. ***Motion passed on a voice vote.***

Respectfully submitted,

Mary Jo Anderson
Recorder



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report^L

Meeting Date: September 25, 2013

Agenda Category: Committee Recommendation New Business Old Business
 Item Type: Decision Discussion Information

Section/Region: Land and Water Section

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Gerald Van Amburg

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

None

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

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

Dispute Resolution Report
September 13, 2013
By: Travis Germundson

There are presently 14 appeals pending. All of the appeals involve WCA except File 10-10. There have been 3 new appeals filed since the last report dated August 29, 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 13-8 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. No decision has been made on the appeal.

File 13-7 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. No decision has been made on the appeal.

File 13-6 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. No decision has been made on the appeal.

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 | 1 |
| Order Modified | | |
| Order Remanded | 4 | 2 |
| Order Place Appeal in Abeyance | 1 | 1 |
| Negotiated Settlement | | |
| Withdrawn/Dismissed | 4 | |

COMMITTEE RECOMMENDATIONS

Administrative Advisory Committee

1. Addition of "Saturated Buffer" to the list of eligible practices for the Targeted Drainage Water Management Grant Program - Tim Gillette – ***DECISION ITEM***
2. Order a Public Hearing for the Petition for Redistribution of Managers of the Middle-Snake-Tamarac Rivers Watershed District (MSTRWD) – Travis Germundson – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Addition of "Saturated Buffer" to the list of eligible practices for the Targeted Drainage Water Management Grant Program

Meeting Date: 9/25/2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: _____

Contact: Tim Gillette / Al Kean

Prepared by: Tim Gillette

Reviewed by: Al Kean *Committee(s) **Administrative Advisory Committee***

Presented by: Tim Gillette

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

Amend a June 2012 Board Resolution authorizing the Targeted Drainage Water Management Grant Program list of eligible practices.

LINKS TO ADDITIONAL INFORMATION

Targeted Drainage Water Management Program Description, June 2012 (attached)

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

The FY 2013 Targeted Drainage Water Management Grant Program implements an appropriation by the 2012 Legislature to improve water quality of agricultural runoff, particularly from tile drainage. The appropriation language specified coordination with the USDA-NRCS for practice standards. The grant program and allocations were approved by the BWSR Board in June 2012, including a list of eligible practices. At that time, **Conservation Practice 739 – Vegetated Subsurface Drain Outlet (aka "Saturated Buffer")** was not yet available. The interim conservation practice standard CP-739 was issued by NRCS in August 2012 and is generating interest as an effective drainage water management practice. The purpose of this agenda item is to add CP-739 to the list of eligible practices for the Targeted Drainage Water Management Grant Program.



Board Resolution # _____

BWSR Targeted Drainage Water Management Grants

WHEREAS, the BWSR Board passed Resolution 12-55 on June 27, 2012 approving the BWSR Targeted Drainage Water Management (DWM) Grants Program, including the attached Program Description; and

WHEREAS, the Targeted DWM Grants Program Description includes a list of eligible and ineligible practices; and

WHEREAS, in accordance with the appropriation language, the BWSR Targeted DWM Grants Program is coordinated with the applicable conservation practice standards of the USDA Natural Resources Conservation Service (NRCS); and

WHEREAS, the NRCS in August 2012 added an interim conservation practice standard for Vegetated Subsurface Drain Outlet (CP-739) (aka "Saturated Buffer") that is another drainage water management practice to help denitrify tile drainage water; and

WHEREAS, the Vegetated Subsurface Drain Outlet (CP-739) conservation practice will enhance the outcomes of the BWSR Targeted DWM Grants, and

WHEREAS, other NRCS conservation practice standards might be added that would enhance the BWSR Targeted DWM Grants.

NOW THEREFORE, the Board hereby resolves that:

1. The Vegetated Subsurface Drain Outlet (CP-739) conservation practice be added to the eligible practices under the BWSR Targeted Drainage Water Management Grants, and
2. BWSR staff is given authority to adjust the list of eligible conservation practices for the BWSR Targeted Drainage Water Management Grants in coordination with applicable NRCS conservation practice standards.

Brian Napstad, Chair
Board of Water and Soil Resources

Date: _____

Attachment:

- A) BWSR Targeted Drainage Water Management Grants, Program Description, June 2012



FY 2013 Clean Water Fund Targeted Drainage Water Management Grants Program Description



Overview

The Clean Water Fund was established to implement part of Article XI, Section 15, of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams in addition to protecting ground water and drinking water sources from degradation. These funds must supplement traditional sources of funding and may not be used as a substitute to fund activities or programs. The appropriation language governing the use of these funds for FY 2013 is in Laws of Minnesota 2012, Chapter 264.

The 2012 Legislature provided an additional \$700,000 for FY 2013 to the Board of Water and Soil Resources in Chapter 264, Section 7 (d) for the Conservation Drainage Program, with a legislative intent to be used for drainage water management in coordination with the USDA Natural Resources Conservation Service practice standards and federal funds. The appropriation language defines a purpose for conservation practices on drainage systems that will result in water quality improvements. The appropriation language also removed a previous provision limiting use of Conservation Drainage Program funding to retrofits of existing drainage systems (i.e. funding can be used for both existing and new drainage systems). Drainage water management (DWM) includes controlled subsurface drainage, denitrifying bioreactors, nutrient management on associated acres, design and operation planning, and implementation incentives on existing and new tile drainage systems to improve water quality. BWSR Conservation Drainage Program and NRCS Environmental Quality Incentive Program funds will not be used for new pattern tile. A rapid response is necessary due to the amount of pattern drain tile being installed in agricultural areas of Minnesota.

Eligible Activities

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

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

Proposed activities may be for existing drainage systems (i.e., retrofits) or new pattern tile systems. Eligible activities may include:

- NRCS Conservation Activity Plan (CAP) 130 Drainage Water Management Plan (including controlled subsurface drainage, denitrifying bioreactor, and nutrient management components). Plan must be developed by a Technical Service Provider (TSP) certified in NRCS TechReg for CAP 130 Drainage Water Management Plan.
- NRCS Practice 587 Structure for Water Control – to enable controlled subsurface drainage, including stop log type structures and/or AgriDrain Water Gate structures or equivalent.
- NRCS Practice 554 Drainage Water Management, Implementation/Operation – A CAP 130 is required. Where controlled subsurface drainage structures have been installed, \$7.58 per acre per year for the first three (3) years of implementation/operation, up to a maximum of 300 acres per cooperator.
- NRCS Practice 747 Denitrifying Bioreactor – on existing or new tile drainage systems.
- NRCS Conservation Activity Plan (CAP) 104 Nutrient Management Plan – on fields for which controlled subsurface drainage and/or a denitrifying bioreactor is planned. Plan must be developed by a Technical Service Provider (TSP) certified in NRCS TechReg for Practice 590 Nutrient Management.
- NRCS Practice 590 Nutrient Management – on fields where controlled subsurface drainage, denitrifying bioreactor and/or existing open tile inlet(s) are replaced by dense pattern tile. A CAP 104 is required. Nutrient management plan implementation for the first three (3) years of implementation at \$5.44 per acre per year for CAP 104 acres without manure and \$10.78 per acre per year for CAP 104 acres with manure, up to a maximum of 300 acres per cooperator.
- Replacement of existing open tile inlet(s) with water quality improvement inlet(s) (e.g. perforated riser or dense pattern tile) in accordance with NRCS Practice 606 Subsurface Drain, as applicable.

Ineligible Activities

- Tile, except for dense pattern tile to replace existing open tile inlet(s),
- Ditching
- Ambient water quality monitoring.

Required Project Components and Policies –

Proposed projects must contain the following components:

- Outcomes: Projects must be conducted on a field scale or another suitable scale such that project outcomes can be evaluated and must include a project evaluation plan.
- Outreach: The project must include an outreach component. Examples include:
1) developing project fact sheets that are distributed to landowners/operators; 2) hosting public meeting(s)/workshop(s) to discuss project objectives, benefits and results;
3) hosting field day(s) to show and discuss project objectives and outcomes on-site; and
- Practice Implementation: Projects must focus on on-the-ground implementation. Projects only conducting planning are not eligible.

Timeline for FY 2013 Clean Water Fund Targeted Drainage Water Management Grants

- June 27, 2012 BWSR Board authorizes grant awards (proposed)
- June 29, 2012 Award notices sent out to grantees (proposed)
- July 13, 2012 BWSR grant agreements sent out to grantees
- August 10, 2012 Work Plan submittal deadline
- August 31, 2012 Grant execution deadline

Project Period

The project period starts when the grant agreement is “executed,” meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds, and cannot be used as match. All grants must be completed by December 31, 2015.

If a project receives federal funds, the period of grant agreement may be extended to equal the length of time that the federal funds are available subject to limitation. The BWSR must be notified that the project is receiving federal funds before executing the grant agreement.

Payment Schedule

Grant payments will be distributed in three installments to the grantee. The first payment of 50% of the grant amount will be paid after execution of the grant agreement. However, initial payments will not be released until applicants are in compliance with all BWSR website and eLINK reporting requirements for previously awarded BWSR grants. The grantee will provide notification to BWSR when a minimum of 50% of the awarded grant funds have been expended. The second payment of 40% of the grant amount will be paid once the grantee has expended the first 50% of the grant and has provided BWSR with reconciliation of these expenditures. The last 10% will be paid after all final reporting requirements are met by the established reporting timelines and grantee has provided BWSR with reconciliation of these expenditures.

Permitting

If applicable, grantees will be required to provide sufficient documentation that the project expects to receive or has received all necessary federal, state and local permits and meets all water quality rules including those that apply to the utilization of an existing water body as a water quality treatment device. Grantees are encouraged to contact the appropriate regulatory agencies early in the project development process to ensure potential projects can meet all applicable regulatory requirements.

Native Vegetation

To the extent possible, applicable projects must have vegetation planted or seed sown only of ecotypes native to Minnesota, and preferably of the local ecotype, using a high diversity of species originating from as close to the project site as possible, and protect existing native prairies from genetic contamination. See guidance at:

http://www.bwsr.state.mn.us/native_vegetation/seeding_guidelines.pdf.

CWF Project Reporting Requirements

- All grant recipients are required to report on the outcomes, activities, and accomplishments of Clean Water Fund grants. The grant funds may be used for local grant management and reporting that are directly related to and necessary for implementing the activity.
- BWSR CW Funds will be administered via a standard grant agreement. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with appropriate statutes, rules and established policies. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties on the grant recipient.
- All BWSR funded projects will be required to develop a work plan including detail relating to the outcome(s) of the proposed project. All activities will be reported via the eLINK reporting system. For more information on eLINK go to:
<http://www.bwsr.state.mn.us/outreach/eLINK/index.html>.
- Grant recipients must display on their website the previous calendar year's detailed information on the expenditure of grant funds and measurable outcomes as a result of the expenditure of funds according to the format specified by the BWSR, by March 15th of each year.
- Grant recipients must prominently display on their Web site home page the legacy logo accompanied by the phrase "Click here for more information." When a person clicks on the legacy logo image, the Web site must direct the person to a Web page that includes both the contact information that a person may use to obtain additional information, as well as a link to the Legislative Coordinating Commission Web site.

Grants and Public Information

Under Minnesota Statute 13.599, responses to an RFP are nonpublic until the application deadline is reached. At that time, the name and address of the grantee, and the amount requested becomes public. All other data is nonpublic until the negotiation of the grant agreement with the selected grantee is completed. After the application evaluation process is completed, all data (except trade secret data) becomes public. Data created during the evaluation process is nonpublic until the negotiation of the grant agreement with the selected grantee(s) is completed.

Prevailing Wage

It is the responsibility of the grant recipient or contractor to pay prevailing wages on construction projects to which state prevailing wage laws apply (Minn. Stat. 177.42 – 177.44). All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with state funds included in this RFP shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality. Additional information on prevailing wage requirements is available on the Department of Labor and Industry (DOLI) website: <http://www.dli.mn.gov/LS/PrevWage.asp>. Questions about the application of prevailing wage rates should be directed to DOLI at 651-284-5091. The Grant recipient is solely responsible for payment of all required prevailing wage rates.

Conflict of Interest

State Grant Policy 08-01, (see http://www.admin.state.mn.us/ogm_policies_and_statute.html) Conflict of Interest for State Grant-Making, also applies to BWSR grantees. Grantees' conflicts of interest are generally considered organizational conflicts of interest. Organizational conflicts of interest occur when:

- 1) A grantee is unable or potentially unable to render impartial assistance or advice due to competing duties or loyalties,
- 2) A grantee's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties, or
- 3) A grantee or potential grantee has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

Minimum Software Requirements

The applicant must use Microsoft (MS) Office 2007 or newer software in order to utilize the applications MS Excel and MS Word documents.

Questions

The FY 2013 Clean Water Fund Policy adopted by the BWSR (<http://www.bwsr.state.mn.us/grants/apply/index.html>) provides the framework for funding and administration of the FY 2013 Clean Water Fund Grant Programs. Questions regarding grants should be directed to your area Board Conservationist or Clean Water Specialist (<http://www.bwsr.state.mn.us/contact/index.html>). Questions regarding eligible practices can be directed to Kyle Skov, Conservation Drainage Engineer, at 507-206-2894 or kyle.skov@state.mn.us.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Redistribution of Managers Positions Hearing Middle Snake Tamarac Rivers WD¹

Meeting Date: September 25, 2013
Agenda Category: [X] Committee Recommendation [] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: North Region
Contact: Travis Germundson or Brian Dwight
Prepared by: Travis Germundson
Reviewed by: Administrative Advisory Committee Committee(s)
Presented by: Travis Germundson or Brian Napstad

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [X] Order [] Map [X] Other Supporting Information

Fiscal/Policy Impact

- [X] None [] General Fund Budget
[] Amended Policy Requested [] Capital Budget
[] New Policy Requested [] Outdoor Heritage Fund Budget
[] Other: [] Clean Water Fund Budget

ACTION REQUESTED

Board authorization is needed to schedule and hold a public hearing regarding the petition to redistribute the managers of the Middle-Snake-Tamarac Rivers Watershed District (MSTRWD).

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

A petition for the redistribution of manager positions was filed by Polk County Board of Commissioners with the Board of Water and Soil Resources (Board) on June 7, 2013. The petition proposes that the MSTRWD managers positions be redistributed. Presently six of the seven district manager positions are appointed by Marshall County and the remaining position is appointed by Polk County. The petition states that the appointments by Kittson, Roseau, and Pennington Counties will assist in addressing issues that exist between residents and the Watershed District Board.

After 10 years from the establishment of the watershed district the county board of commissioners of a county affected by the watershed district may petition the board to redistribute the managers pursuant to Minn. Stat. 103D.301, Subd. 3.

On July 23, 2013 Polk County Board of Commissioners voted to table the Petition in support of investigating an alternative approach on manager appointments with the other affected counties. Do to apparent lack of interest among some of the member counties Polk County Board of Commissioners on August 29, 2013 requested that the Board move forward with the hearing on the Petition.

The Administrative Advisory Committee met on September 25, 2013 and recommends a public hearing be held after proper notice has been given, that Northern Water Planning Committee preside over the public hearing and bring recommendations on the Petition to the Board, and that the Executive Director set the date, time and location of the public hearing after coordination with the appropriate parties per the attached draft Order.

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

In the Matter of petition for Redistribution of
Manager Positions for the Middle-Snake-Tamarac
Rivers Watershed District pursuant to Minnesota
Statutes § 103D.301

**ORDER
REDISTRIBUTION OF
MANAGER POSITIONS
HEARING**

Whereas, a Petition was filed with the Board of Water and Soil Resources (Board) on June 7, 2013 by Polk County Board of Commissioners to redistribute the managers of the Middle-Snake-Tamarac Rivers Watershed District (MSTRWD), pursuant to Minn. Stat. § 103D.301, Subd. 3., 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 redistribution of manager positions Petition dated June 6, 2013 was filed with the Board on June 7, 2013 by Polk County Board of Commissioners in accordance with Minn. Stat. § 103D.301, Subd. 3. On July 23, 2013 Polk County Board of Commissioners voted to table the Petition in support of investigating an alternative approach on manager appointments with the other affected counties. Do to the apparent lack of interest among some of member counties Polk County Board of Commissioners on August 29, 2013 requested that the Board move forward with the hearing on the Petition.
2. **Redistribution of Manager Positions.** After 10 years from the establishment of the watershed district the county board of commissioners of a county affected by the watershed district may petition the board to redistribute the managers pursuant to Minn. Stat. § 103D.301, Subd. 3.
3. **Reason for the Redistribution.** The Petition states that appointments by Kittson, Roseau, and Pennington Counties will assist in addressing issues that exist between residents and the Watershed Board. Presently six of the seven district manager positions are appointed by Marshall County and one manager is appointed by Polk County.
4. **Filing.** The Petition was filed with the Board by the Polk County Board of Commissioners on June 7, 2013.

5. **Staff Recommendation.** Staff has determined that the Petition is valid pursuant to Minn. Stat. § 103D.301.
6. **Hearing Panel.** Board members of the Northern Water Planning Committee should preside over the hearing and bring a recommendation to the Board.
7. **Hearing Time.** The Executive Director should determine the date of the hearing after coordinating with the appropriate parties.
8. **Hearing Location.** The public hearing should be held at the Warren City Offices Building in Marshall County. If scheduling conflicts arise the Executive Director should choose another suitable location.

CONCLUSIONS

1. The Petition for the redistribution of manager positions of the Middle-Snake-Tamarac Rivers Watershed District is valid in accordance with Minn. Stat. § 103D.301.
2. All relevant, substantive and procedural requirements of law and rule have been fulfilled.
3. The Board has proper jurisdiction in the matter of ordering a watershed district redistribution of manager positions hearing.
4. The hearing on the Petition for the redistribution of manager positions of the Middle-Snake-Tamarac Rivers Watershed District should be presided over by the Northern Water Planning Committee.
5. The Executive Director shall make a decision on the date of the public hearing after coordinating with the appropriate parties.
6. The public hearing shall be held at the Warren City Offices Building in Marshall County.
7. If scheduling conflicts arise the Executive Director shall choose another suitable location.

ORDER

The Board hereby orders a public hearing be held on the redistribution of manager positions
Petition for the Middle-Snake-Tamarac Rivers of Watershed District presided over by the
Northern Water Planning Committee at a date and location to be determined by the
Executive Director.

Dated at Saint Paul, Minnesota this 25th day of September, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Brian Napstad, Chair

Germundson, Travis (BWSR)

From: Dwight, Brian (BWSR)
Sent: Thursday, August 29, 2013 6:11 AM
To: Germundson, Travis (BWSR)
Subject: FW: Polk MSTR WD manager redistribution petition

FYI

From: Craig Bunes [mailto:craigbunes@gra.midco.net]
Sent: Thursday, August 29, 2013 12:01 AM
To: Dwight, Brian (BWSR)
Cc: Chuck Whiting; don diedrich; Warren Strandell
Subject: Re: Polk MSTR WD manager redistribution petition

Brian:

The Polk County Board met yesterday and we took no new action on the Redistribution of Managers Petition because that was the original intent to proceed to a hearing when it was filed. The Board was disappointed that there was not sufficient support by other counties to at least look at the option on trying to put together an advisory committee made up of the five affected counties with land in the Watershed.

Because of the apparent lack of interest by the other counties to set up an advisory committee, the Polk County Board would like to proceed to a Public Hearing for the Redistribution of Managers for the Middle/ Snake/ Tamarac Rivers Watershed District. We request that the hearing be held in Crookston.

Please contact me with any questions, concerns or updates regarding the Public Hearing for the Redistribution of Managers for the MSTR WD.

Craig Bunes
Polk County Commissioner
218-281-3992

From: Dwight, Brian (BWSR)
Sent: Thursday, August 15, 2013 10:13 AM
To: echristensen@co.kittson.mn ; martie@co.roseau.mn.us ; scott.peters@co.marshall.mn.us ;
ktolson@co.pennington.mn.us ; chuck.whiting@co.polk.mn.us
Cc: craigbunes@gra.midco.net ; Germundson, Travis (BWSR) ; gtledemann@rrv.net
Subject: RE: Polk MSTR WD manager redistribution petition

All

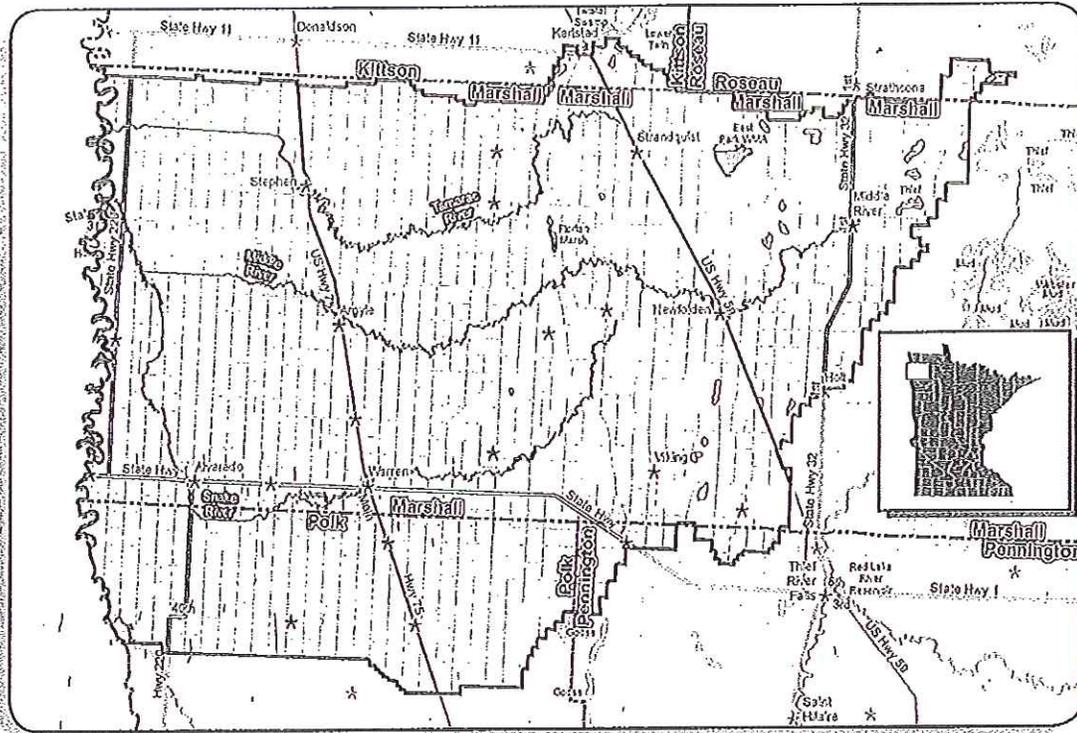
I have provided you with a revised meeting announcement letter. The only change was the date of the letter. At times dates on communications can be important thus the need to rectify the date on the letter.

Thanks

Brian Dwight

Middle-Snake-Tamarac Rivers

WATERSHED DISTRICT



GENERAL INFORMATION

Established: August 28, 1970
by citizen petition

Included Counties: Marshall, Kittson,
Polk, Pennington, Roseau

District Size: 1,476 square miles

Major Lakes: Tamarac, Middle and
Snake Rivers, 252 combined miles; water
flows to Red River

Legal drains: 310 miles

Number of Staff: 5

2008 Taxable Market Value:
\$916,409,000

BOARD OF MANAGERS

| Name | Position | County | Address | Phone |
|------------------|-----------------|----------|--|----------------|
| Doug Sorenson | President | Marshall | 639 4th St N, Warren, MN 56762 | (218) 745-4576 |
| John W Nelson | Vice President | Marshall | 23796 495th Ave NW, Oslo, MN 56744 | (218) 695-3406 |
| Ben Kleinwachter | Secretary | Marshall | 22160 420th St NW, Strandquist, MN 56758 | (218) 597-2985 |
| Alvin Nybladh | Treasurer | Marshall | 41950 400th St NW, Stephen, MN 56757 | (218) 478-3345 |
| Arlyn Stroble | Asst. Sec/Treas | Polk | 13825 320th Ave NW, Angus, MN 56712 | (218) 745-4473 |
| Loren Zutz | Manager | Marshall | 443 S McKinley, Warren, MN 56762 | (218) 745-4055 |
| Elden Elseth | Manager | Marshall | 23862 Great Eastern, Warren, MN 56762 | (218) 745-6515 |



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452
Phone: (218) 281-5408
Fax: (218) 281-3808
www.co.polk.mn.us

COMMISSIONERS
CRAIG BUNESS, Crookston
WARREN STRANDELL, East Grand Forks
NICK NICHOLAS, Crookston
WARREN AFFELDT, Fosston
DON DIEDRICH, Warren

COUNTY ADMINISTRATOR
CHARLES S. WHITING

July 23, 2013

Brian Dwight
BWSR
4 West Office Building
403 4th Street NW, Room 200
Bemidji, MN 56601

Dear Mr. Dwight:

The Polk County Board of Commissioners reviewed the meeting discussion held in Warren on July 18, 2013 regarding the County's petition for redistribution of managers on the Middle-Snake-Tamarac Rivers Watershed. Chair Buness reviewed the discussion that BWSR consider a pilot option establishing an advisory panel composed of representatives from the five counties that reside within the MST Watershed. It is the Polk County Commissioners understanding that this advisory panel would forward names to the respective county boards for membership on this panel. The five county boards would act to confirm the advisory panel's proposed membership. The BWSR would establish this process and implement with the member counties. If this is the true understanding of the pilot option, the Polk County Board of Commissioners voted to table its petition request in order to support the facilitation of this advisory panel option. The Board wishes to reserve its right to remove its petition from the table should it feel the need to do so.

If this is a true understanding of the option arrived at in the July 18 meeting, we request BWSR to take all necessary steps to establish and implement the advisory panel option. Please contact me at your earliest convenience with further clarification as this process is developed.

Sincerely,

Craig Buness, Chair
Polk County Board of Commissioners

Let13:bdwight

RECEIVED

JUL 30 2013

BD OF WATER & SOIL
RESOURCES-BEMIDJI



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452
Phone: (218) 281-5408
Fax: (218) 281-3808
www.co.polk.mn.us

COMMISSIONERS
CRAIG BUNESS, Crookston
WARREN STRANDELL, East Grand Forks
NICK NICHOLAS, Crookston
WARREN AFFELDT, Fosston
DON DIEDRICH, Warren

COUNTY ADMINISTRATOR
CHARLES S. WHITING

June 6, 2013

Mr. John Jaschke
Executive Director
Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, MN 55155

Re: Middle-Snake-Tamarac Rivers Watershed – Petition for Redistribution of Managers

Dear Mr. Jaschke:

The Polk County Board of Commissioners requests the Board to redistribute the managers of the Middle-Snake-Tamarac Rivers Watershed. At our meeting of June 4, the Board discussed this action and acted to make this request in accordance with MN St. 103D.301 Subdivisions 1 and 3. Currently Polk County appoints one representative on the Watershed, while Marshall County has six. Kittson, Roseau and Pennington Counties have no appointments, which to us appears to be in conflict with 103D.301 Subd. 1.

In the past few months, the Polk County Board has been approached by County/District residents in the Watershed expressing frustration and concerns with their interactions with the Watershed board. Our Board and I have also met with staff, the Watershed Board Chair and our single appointee to better understand the concerns our district residents have with the Watershed. Their issues range from questionable accounting, inability to get adequate information and data, inability to get their concerns expressed before the Watershed Board, fear of reprisals and litigations. We have been unable to effectuate a satisfactory resolution of issues between these two groups.

It is the opinion of the Polk County Board of Commissioners that proper adherence to 103D.301 with appointees by Kittson, Roseau and Pennington Counties will assist in addressing issues that exist between our residents and the Watershed Board, and therefore we are making this request to the Board of Water and Soil Resources.

Sincerely,

Craig Buness
Polk County Board Chair

COMMITTEE RECOMMENDATIONS

Southern Region Committee

1. Area II Minnesota River Basins Projects Inc. FY 2014 & FY2015 Biennial Work Plan and Grant – Paul Langseth – ***DECISION ITEM***
2. Brown County Local Water Management Plan Amendment - Paul Langseth – ***DECISION ITEM***
3. Nicollet County Local Water Management Five-Year Plan Amendment – Paul Langseth - ***DECISION ITEM***
4. Upper Minnesota River Watershed District (UMRWD) Watershed Management Plan – Paul Langseth - ***DECISION ITEM***
5. Sibley County Local Water Management Plan Update - Paul Langseth - ***DECISION ITEM***



Conflict of Interest Disclosure Form for Board Members

Grant Program: Area II Minnesota River Basins Project Inc. 2014 Grant

Name of Review Group: Southern Region Committee

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

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

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

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

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

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

ACTUAL CONFLICT OF INTEREST:

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

POTENTIAL CONFLICT OF INTEREST:

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

PERCEIVED CONFLICT OF INTEREST:

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

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

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

- 1a. I have reviewed the list of applicants, and I do not have any conflicts of interest relating to this program's grant applicants or proposed projects.
- 1b. I have an ACTUAL, POTENTIAL, or PERCEIVED conflict of interest with the applicant(s) listed below. (Note: If you disclose a conflict, you must identify the applicant on this form, but a description is discretionary. Under Minnesota Statute 13.599, this form is considered public data.)

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

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

Reviewer's printed name: _____

Reviewer's signature: _____

Date: _____

Reviewer's Organization/Agency: _____

Revised, 5/13



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Area II Minnesota River Basins Project Inc. Work Plan and Grant

Meeting Date: September 25, 2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Southern Region

Contact: Jeff Nielsen

Prepared by: David Sill

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

Approval of work plan and execution of fiscal year 2014 grant agreement

LINKS TO ADDITIONAL INFORMATION

Area II Minnesota River Basin Projects, Inc. Biennial Plan – FY 2014 & 2015:

http://www.area2.org/images/fy14_15biennial_plan.pdf

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

Legislative appropriation to Area II Minnesota River Basins Project Inc. to assist its nine member counties flood control projects in southwestern Minnesota. Area II receives a cost share rate of 75% state funding and 25% local funding for office administration and project implementation; oversight is provided by BWSR.



Board Resolution # _____

Area II Minnesota River Basins Project Inc. Biennial Work Plan and Grant

WHEREAS, the Area II Minnesota River Basins Inc. (Area II) is eligible to receive a \$120,000 FY 2014 grant from the Minnesota Board of Water and Soil Resources (BWSR). This grant is available for administrative and implementation efforts of Area II within their nine county project area. This grant is available with a 25% local match requirement; and

WHEREAS, Area II has developed a Biennial Work Plan to cover activities for FY 2014 and 2015; and

WHEREAS, Area II has secured their 25 percent match requirement.

THEREFORE BE IT RESOLVED, the BWSR hereby approves the Area II FY 2014 and 2015 Biennial Work Plan; and

BE IT FURTHER RESOLVED, the Board of Water and Soil Resources enter into a grant agreement with the Area II Minnesota River Basins Project Inc. for these funds.

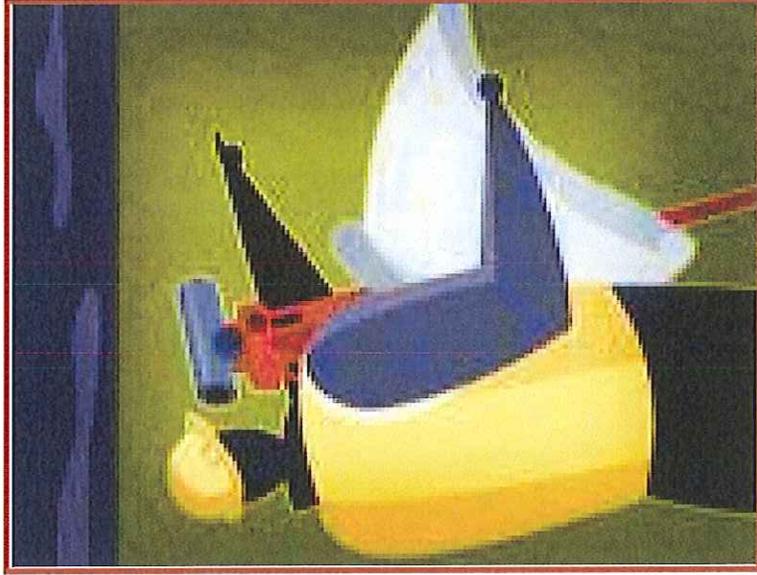
Brian Napstad, Chair

Minnesota Board of Water and Soil Resources

Date: _____

BIENNIAL PLAN – FY 2014 & 2015

JULY 1, 2013 – JUNE 30, 2015



Member Counties

- Brown • Cottonwood • Lac qui Parle
- Lincoln • Lyon • Murray • Pipestone
- Redwood • Yellow Medicine

AREA II MINNESOTA RIVER BASIN PROJECTS, INC.

1400 EAST LYON STREET MARSHALL, MN 56258

WWW.AREA2.ORG



CONTENTS

BIENNIAL PLAN – FY 2014 & 2015

2013 BOARD OF DIRECTORS - PAGE 2

WORK PLAN NARRATIVE- PAGES 3 & 4

OTHER PROJECT ENDEAVORS - PAGE 5

POTENTIAL PROJECTS - PAGE 6

FY 2014 TECHNICAL OFFICE BUDGET - PAGE 7

ATTACHMENTS:

A – SUMMARY OF 2012 BONDING PROJECTS AND FY2013 COMPLETED PROJECTS

B – FY 2013 ADMINISTRATIVE SERVICES GRANT REPORT

AREA II MINNESOTA RIVER BASIN PROJECTS, INC.



2013 BOARD OF DIRECTORS

BIENNIAL PLAN – FY 2014 & 2015

BROWN COUNTY

DENNIS POTTER
ANDREW LOCHNER (ALTERNATE)

MURRAY COUNTY

ROBERT MOLINE – CHAIR
JOHN GIESE (ALTERNATE)

COTTONWOOD COUNTY

NORMAN HOLMEN
JIM SCHMIDT (ALTERNATE)

PIPESTONE COUNTY

LUKE JOHNSON
BRUCE KOOIMAN (ALTERNATE)

LAC QUI PARLE COUNTY

ROY MARIHART
TODD PATZER (ALTERNATE)

REDWOOD COUNTY

JOHN SCHUELLER – VICE CHAIR
AL KOKESCH (ALTERNATE)

LINCOLN COUNTY

CURT BLUMEYER – SECRETARY/TREASURER
DON EVERS (ALTERNATE)

YELLOW MEDICINE COUNTY

LOUIS SHERLIN
RON ANTONY (ALTERNATE)

LYON COUNTY

RODNEY STENSRUD
RICK ANDERSON (ALTERNATE)

AREA II MINNESOTA RIVER BASIN PROJECTS, INC.



WORK PLAN NARRATIVE

BIENNIAL PLAN – FY 2014 & 2015

Area II, formed in 1978 as a non-profit organization, works to alleviate the recurrent flood problems which plague this area of southwestern Minnesota. This organization is recognized as a leader in flood damage reduction by the installation of dams, reservoirs, grade stabilizations and road retentions. Area II assists its member counties with the engineering design, hydrologic and hydraulic modeling, construction and inspection, and finance of flood damage reduction projects. Due to the unique landforms of this region, particularly the Coteau de Prairies (the Buffalo Ridge), Area II receives a 75/25 cost-share rate for office administration and project implementation. Oversight of this grant-in-aid program is provided by the Minnesota Board of Water & Soil Resources.

This Biennial Plan provides direction for a 2-year period while the Technical Office Budget is for one fiscal year. By May 30, 2014, updates to the Biennial Plan as well as to the Technical Office Budget for FY2015 will be provided for BWSR staff review.

1) Initiative: FY 2014 – ADMINISTRATIVE SERVICES

Description: Provide administrative and coordination oversight for the AREA II Minnesota River Basin Projects, Inc. Board of Directors. Provide financial reports and records that meet State accounting and auditing standards, prepare budgets, provide supervision and management of staff, evaluate employee job performance, draft agenda and minutes of monthly board meetings. Conduct local government and citizen outreach and education.

Actions:

- Maintain a complete Board of Directors of 9 delegates and 9 alternates.
- Maintain adequate staffing to address the goals of AREA II. Evaluate job performance of all employees yearly.
- Conduct 10 monthly board meetings, 2 Executive Board teleconferences and 1 Annual Legislative Gathering.
- Utilize engineering consultant services to assist with engineering, hydrologic and planning/prioritization issues.
- Maintain policies and procedures. Review Operating Policies, Joint Powers Agreement and Articles of Incorporation annually.
- Maintain a public outreach and information program. Accomplish by maintaining the AREA II web site; conduct tours as necessary to highlight projects completed; prepare an annual report. Complete website reporting requirements by March 15 of each year.
- Strive for fiscal accountability. Accomplish by preparing and adopting an annual budget; reviewing monthly financial reports, conducting an annual audit of the financial records.
- Actively pursue new funding sources with local partners through Clean Water Fund and federal programs (EQIP, MRBI, WHIP).
- Continue administrative/operational efficiency discussions with RCRCA. Schedule board meetings for the same day and same location to lessen per diems and expenses paid to board members. Future discussions may include sharing technical resources.
- Meet and communicate with member county commissioners, engineers, water planners, watershed districts, SWCD/NRCS, watershed project staff regarding technical services and potential projects.
- Serve on technical committees (as requested) for watershed projects, TMDL project assessment and implementation efforts.
- Provide input to USDA Environmental Quality Incentive Program (EQIP) local work group committees.

2) Initiative: FY 2014 – ENGINEERING SERVICES

Description: Employ senior engineering technician and consultant registered engineer to provide design services which include planning, hydrologic and hydraulic design, construction and inspection of flood damage reduction projects to the member counties of AREA II. Provide engineering services for projects funded through outside sources involving USDA Environmental Quality Incentive Program (EQIP), Clean Water Funds acquired by SWCDs, RCRCA and counties.

Actions:

- Continue contracting professional engineering services through Bolton & Menk, Inc.
- Schedule and complete annual inspections and reports for 9 reservoirs.
- Ensure annual inspection of road retention projects by owners and keep inspection reports on file. Follow up on noted concerns.
- Provide wetland monitoring and annual reporting for mitigation sites associated with constructed project.
- Provide project management and coordination with local/state/federal permitting authorities.
- Process payment requests in a timely manner and provide as-built plans and construction documentation.
- Assist in securing the local matching funds for projects which may include: owner(s), township(s), counties, watershed district, or special interest groups (Ducks Unlimited, Minnesota Waterfowl Association, Wild Turkey Federation and others).

3) Initiative: FY 2014 – OPERATIONAL & SUPPORT EXPENSES

Description: Use funding for operational and support expenses of AREA II Minnesota River Basin Projects Inc., for such things as: payroll, consultant engineering fees, field and office supplies, telephone / internet and computer services, training and certification, vehicle and equipment expenses, liability / business / auto insurance, and general business expenses.

4) Initiative: FY 2014 – PROJECT IMPLEMENTATION VIA ADMINISTRATIVE GRANT

Description: See Potential Project List for FY2014 & FY2015 – Page 6.

5) Initiative: FY2012 BONDING APPROPRIATION

Description: Provide project management and engineering services to construct flood damage reduction structures to meet the 3:1 match requirement and provide the most floodwater storage as practicable. Highest priority will be given to Road Retention structures which lack other funding resources which dams and grade stabilizations can secure.

Actions:

- Administer the \$1,000,000 appropriation and report project outcomes annually to BWSR Board.
- Complete fiscal expenditure report due at end of grant period listing total costs and cost-sharing by all partners.
- Facilitate wetland mitigation/creation if required for proposed projects.
- Provide project management and coordination with local/state/federal permitting authorities.
- Process payment requests in a timely manner and provide as-built Plans and construction documentation.
- Assist in securing the local matching funds for projects which may include: owner(s), township(s), counties, watershed district, or special interest groups (Ducks Unlimited, Minnesota Waterfowl Association, Wild Turkey Federation and others).

AREA II MINNESOTA RIVER BASIN PROJECTS, INC.



OTHER PROJECT ENDEAVORS

BIENNIAL PLAN – FY 2014 & 2015

● LAKE YANKTON FLOODWATER RETENTION PROJECTS (*Des Moines River Watershed*)

ISSUE: This 400-acre lake located in southern Lyon County is a recreational and aesthetic asset, offering great fishing and boating opportunities. Fluctuating water levels are problematic and solutions to stabilize the fluctuations have been sought for many years. After a significant rainfall event in September 2010, the lake level rose over 2' above the ordinary high water level causing shore erosion and flooding of buildings in the City of Balaton. This high water level persisted through the winter and for several months into 2011. Significant flows from the southern watershed in Murray County causes water to flow backwards into Lake Yankton and creates an impediment for the lake to discharge after significant events. Water levels have continued to be problematic annually since 2010.

ACTION: A coalition of Lyon County, Murray County, and the City of Balaton funded a study of the hydraulic connections between these watershed systems and to determine if floodwater storage could effectively reduce backflows into Lake Yankton and aid in discharge.

RECOMMENDATION: The engineering analysis found positive impacts of upstream retention in terms of downstream flow reductions and water quality improvements. Installation of a pump would be cost prohibitive to construct as well as maintain and operate.

PLAN: Two landowners have voluntarily offered their lands for two of the seven retention structures identified. The 2013 Minnesota Legislature considered a request for \$425,000 in bonding, to be matched 25% by the local funds. This legislation would allow Area II to provide the engineering design services and construction inspection. The request was heard in the Senate, but not in the House. No funding was included in the 2013 Bonding Bill.

● EARLY WETLAND COORDINATION FOR PROJECTS

ISSUE: Permits and approvals are needed on most projects to comply with regulations of the Wetland Conservation Act (WCA) and Section 404 of the Clean Water Act overseen by the U.S. Army Corps of Engineers. These rules are inconsistent and are causing lengthy permitting delays, increased design and construction costs, resulting in frustration from the landowners and Area II staff.

ACTION: Discussion has been held between BWSR and Area II to identify methods to address wetland issues early in planning stages.

PLAN: Area II staff will meeting jointly with representatives from BWSR/WCA staff and U.S. Army Corps of Engineers on project sites to discuss potential issues that may arise in the permitting process. It is hoped that early coordination will lead to better communications, early decisions and possible alternatives if regulations require different outcomes. Early project review and agency comment will be sought before technical assistance and/or funding are committed to a project.



POTENTIAL PROJECTS

BIENNIAL PLAN – FY 2014 & 2015

COTTONWOOD COUNTY

- Ann 22 Grade Stabilization
- Storden 10 Grade Stabilization Repairs (3)

- Germantown 17 Streambank Stabilization

LINCOLN COUNTY

- Royal 10 Road Retention

- Limestone 11 Grade Stabilization Repair

LYON COUNTY

- Amiret 27 Grade Stabilization Repair
- Coon Creek 11 Grade Stabilization Repair
- Lynd 33 Grade Stabilization Repair
- Custer 10 SE Grade Stabilization
- Monroe 17 Grade Stabilization Repair
- Nordland 15 Grade Stabilization
- Monroe 2 Grade Stabilization Repair

- Sodus 21 Grade Stabilization Repair
- Sodus 22 Grade Stabilization
- Lynd 17 Grade Stabilization
- Custer 10 NE Grade Stabilization
- Monroe 17 Road Retention
- Nordland 6 Road Retention
- Sodus 24 Grade Stabilization

MURRAY COUNTY

- Holly 22 Road Retention

- Lowville 36 Dam Repair

REDWOOD COUNTY

- Charlestown 28 Grade Stabilization
- Charlestown 29 Grade Stabilization
- Lambertton 19 Grade Stabilization Repair
- Honner 32 Grade Stabilization
- North Hero 25 Grade Stabilization Repair
- Redwood Falls 18 Grade Stabilization Repair
- Sherman 9 Grade Stabilization
- Springdale 28 Grade Stabilization

- Charlestown 30 Grade Stabilization
- Lambertton 16SW Grade Stabilization Repair
- Springdale 21 Road Retention
- North Hero 34 Road Retention
- Redwood Falls 10 Grade Stabilization
- Redwood Falls 7 Grade Stabilization Repair
- Springdale 24 Grade Stabilization
- Swede's Forest 28 Grade Stabilization

YELLOW MEDICINE COUNTY

- Norman 10 Grade Stabilization

- Sioux Agency 3 Grade Stabilization Repair



FY 2014 TECHNICAL OFFICE BUDGET

BIENNIAL PLAN – FY 2014 & 2015

**OFFICE OPERATIONS
PERSONAL SERVICES:**

| | |
|-------------------------------------|----------------------|
| *Directors' Compensation..... | \$ 2,250.00* |
| *Directors' FICA..... | 172.12* |
| Employees' Salaries..... | 100,132.50 |
| Employees' FICA..... | 7,660.14 |
| Employees' Medical Insurance..... | 20,000.00 |
| Employees' Retirement..... | 7,259.61 |
| Employee' FlexPlan..... | 420.00 |
| Total Personal Services..... | \$ 137,894.37 |

SUPPLIES:

| | |
|----------------------------|--------------------|
| Office..... | \$ 2,000.00 |
| Field..... | 500.00 |
| Capital Outlay..... | 0.00 |
| Total Supplies..... | \$ 2,500.00 |

OTHER SERVICES AND COSTS:

| | |
|--|---------------------|
| *Directors' Expenses..... | \$ 1,000.00* |
| Employees' Expenses..... | 1,750.00 |
| Continuing Education..... | 0.00 |
| Professional Services..... | 30,000.00 |
| Maintenance & Repairs..... | 2,200.00 |
| Telephone..... | 950.00 |
| Postage..... | 2,100.00 |
| Vehicle Expense..... | 3,548.95 |
| *Director's Insurance..... | 2,005.00* |
| Other Insurance..... | 10,540.00 |
| Rent..... | 9,511.68 |
| Utility Expenses..... | 1,000.00 |
| Miscellaneous Expenses..... | 2,000.00 |
| Total Other Services and Costs..... | \$ 66,605.63 |

TOTAL OFFICE OPERATIONS.....

| | |
|--|----------------------|
| Total Ineligible for Cost-Share by the State..... | \$ 207,000.00 |
| Total Eligible for Cost-Share by the State..... | 5,427.13* |
| Total Eligible for Cost-Share by the State..... | \$ 201,572.87 |

* These items not cost-shared by the State

STATE SHARE OF ELIGIBLE OFFICE COSTS.....

| | |
|---|---------------|
| Local Share of Eligible Office Costs..... | \$ 120,000.00 |
| | \$ 81,572.87 |

AREA II MINNESOTA RIVER BASIN PROJECTS, INC.

ATTACHMENTS

BIENNIAL PLAN – FY 2014 & 2015

***ATTACHMENT A – SUMMARY OF FY2012 BONDING &
FY2013 COMPLETED PROJECTS***

ATTACHMENT B – FY2013 ADMINISTRATIVE GRANT SUMMARY

ATTACHMENT A

SUMMARY OF FY2012 BONDING PROJECTS

| | |
|--|----------------------------|
| AMIRET 18/19 ROAD RETENTION – Lyon | \$ 94,490.81 |
| AMIRET 32/33 ROAD RETENTION – Lyon | \$ 71,605.55 |
| LYND 17 GRADE STABILIZATION – Lyon County | \$ 22,995.07 |
| HOLLY 4 DAM REPAIR -- Murray County | \$ 4,547.38 |
| LAKE MARSHALL 31 DAM REPAIR – Lyon County | \$ 6,790.51 |
| LYND 8 GRADE STABILIZATION – Lyon County | \$ 24,390.29 |
| NORLAND 15 GRADE STABILIZATION – Lyon County | \$ 20,015.84 |
| COON CREEK 11 DAM REPAIR – Lyon County | \$ 30,558.83 |
| ISLAND LAKE 4 DAM -- Lyon County | \$ 994.24 |
| LIMESTONE 1 ROAD RETENTION – Lincoln County | \$117,118.93 |
| SPRINGDALE 29 DAM REPAIR – Redwood County | \$ 25,815.08 |
| LAMBERTON 18 DAM REPAIR – Redwood County | \$ 1,421.25 |
| GERMANTOWN 1 DAM REPAIR – Cottonwood County | \$ 690.00 |
| STORDEN 4 GRADE STABILIZATION – Cottonwood Co. | \$ 1,981.88 |
| AMIRET 27 DAM REPAIR – Lyon County | \$ 15,837.42 |
| NOTE: \$1,000,000 grant expires 6/30/14 | TOTAL \$ 439,253.08 |

| GRANT SUMMARY | |
|--------------------------------|---------------|
| Total Project Costs = | \$822,579.26 |
| Local Match Provided = | \$ 190,017.74 |
| Federal Funds Provided = | \$193,309.44 |
| State/Local Cost-Share Ratio = | 2.31 : 1 |
| Acre-Feet of storage created= | 302.8 |
| Total Acre-Feet of storage = | 403.4 |

FY2013 COMPLETED PROJECTS

| | | | | | | | | | | | | | | | | | | | | | |
|--|---|-----------------------------|--------------------|---------------|-------------------------|--------------|---------------------------------|--------------|--|--------------|---|--|---|--|----------------------------|--------------------|--------------|--------------------|--------------|------------------|-------------|
| <table border="0" style="width: 100%;"> <tr> <td>Storden 4 Dam - Cottonwood</td> <td style="text-align: right;"><u>\$ 52,410.20</u></td> </tr> <tr> <td>2012 Bonding Funds</td> <td style="text-align: right;">\$ 1,981.88</td> </tr> <tr> <td>Landowner</td> <td style="text-align: right;">\$ 1,137.49</td> </tr> <tr> <td>EQIP Federal Funds</td> <td style="text-align: right;">\$ 48,630.20</td> </tr> <tr> <td>Area II Counties</td> <td style="text-align: right;">\$ 660.63</td> </tr> </table> | Storden 4 Dam - Cottonwood | <u>\$ 52,410.20</u> | 2012 Bonding Funds | \$ 1,981.88 | Landowner | \$ 1,137.49 | EQIP Federal Funds | \$ 48,630.20 | Area II Counties | \$ 660.63 | <table border="0" style="width: 100%;"> <tr> <td><input type="checkbox"/> Lamberton 18 Dam Repair - Redwood</td> <td style="text-align: right;"><u>\$ 42,058.80</u></td> </tr> <tr> <td>2012 Bonding Funds</td> <td style="text-align: right;">\$ 1,421.25</td> </tr> <tr> <td>Landowner</td> <td style="text-align: right;">\$ 10,040.95</td> </tr> <tr> <td>Clean Water Funds</td> <td style="text-align: right;">\$ 30,122.85</td> </tr> <tr> <td>Area II Counties</td> <td style="text-align: right;">\$ 473.75</td> </tr> </table> | <input type="checkbox"/> Lamberton 18 Dam Repair - Redwood | <u>\$ 42,058.80</u> | 2012 Bonding Funds | \$ 1,421.25 | Landowner | \$ 10,040.95 | Clean Water Funds | \$ 30,122.85 | Area II Counties | \$ 473.75 |
| Storden 4 Dam - Cottonwood | <u>\$ 52,410.20</u> | | | | | | | | | | | | | | | | | | | | |
| 2012 Bonding Funds | \$ 1,981.88 | | | | | | | | | | | | | | | | | | | | |
| Landowner | \$ 1,137.49 | | | | | | | | | | | | | | | | | | | | |
| EQIP Federal Funds | \$ 48,630.20 | | | | | | | | | | | | | | | | | | | | |
| Area II Counties | \$ 660.63 | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Lamberton 18 Dam Repair - Redwood | <u>\$ 42,058.80</u> | | | | | | | | | | | | | | | | | | | | |
| 2012 Bonding Funds | \$ 1,421.25 | | | | | | | | | | | | | | | | | | | | |
| Landowner | \$ 10,040.95 | | | | | | | | | | | | | | | | | | | | |
| Clean Water Funds | \$ 30,122.85 | | | | | | | | | | | | | | | | | | | | |
| Area II Counties | \$ 473.75 | | | | | | | | | | | | | | | | | | | | |
| <table border="0" style="width: 100%;"> <tr> <td>Lynd 8 Dam Repair - Lyon</td> <td style="text-align: right;"><u>\$ 98,933.39</u></td> </tr> <tr> <td>2012 Bonding Funds</td> <td style="text-align: right;">\$ 24,390.29</td> </tr> <tr> <td>Landowner</td> <td style="text-align: right;">\$ 8,771.10</td> </tr> <tr> <td>Area II Counties</td> <td style="text-align: right;">\$ 1,214.00</td> </tr> <tr> <td>EQIP Federal Funds</td> <td style="text-align: right;">\$ 64,558.00</td> </tr> </table> | Lynd 8 Dam Repair - Lyon | <u>\$ 98,933.39</u> | 2012 Bonding Funds | \$ 24,390.29 | Landowner | \$ 8,771.10 | Area II Counties | \$ 1,214.00 | EQIP Federal Funds | \$ 64,558.00 | <table border="0" style="width: 100%;"> <tr> <td><input type="checkbox"/> Lake Marshall 31 Dam Repair – Lyon</td> <td style="text-align: right;"><u>\$ 44,577.56</u></td> </tr> <tr> <td>2012 Bonding Funds</td> <td style="text-align: right;">\$ 6,790.51</td> </tr> <tr> <td>Landowner</td> <td style="text-align: right;">\$ 18,313.55</td> </tr> <tr> <td>EQIP Federal Funds</td> <td style="text-align: right;">\$ 17,210.00</td> </tr> <tr> <td>Area II Counties</td> <td style="text-align: right;">\$ 2,263.50</td> </tr> </table> | <input type="checkbox"/> Lake Marshall 31 Dam Repair – Lyon | <u>\$ 44,577.56</u> | 2012 Bonding Funds | \$ 6,790.51 | Landowner | \$ 18,313.55 | EQIP Federal Funds | \$ 17,210.00 | Area II Counties | \$ 2,263.50 |
| Lynd 8 Dam Repair - Lyon | <u>\$ 98,933.39</u> | | | | | | | | | | | | | | | | | | | | |
| 2012 Bonding Funds | \$ 24,390.29 | | | | | | | | | | | | | | | | | | | | |
| Landowner | \$ 8,771.10 | | | | | | | | | | | | | | | | | | | | |
| Area II Counties | \$ 1,214.00 | | | | | | | | | | | | | | | | | | | | |
| EQIP Federal Funds | \$ 64,558.00 | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Lake Marshall 31 Dam Repair – Lyon | <u>\$ 44,577.56</u> | | | | | | | | | | | | | | | | | | | | |
| 2012 Bonding Funds | \$ 6,790.51 | | | | | | | | | | | | | | | | | | | | |
| Landowner | \$ 18,313.55 | | | | | | | | | | | | | | | | | | | | |
| EQIP Federal Funds | \$ 17,210.00 | | | | | | | | | | | | | | | | | | | | |
| Area II Counties | \$ 2,263.50 | | | | | | | | | | | | | | | | | | | | |
| <table border="0" style="width: 100%;"> <tr> <td>Germantown 1 Repair – CW</td> <td style="text-align: right;"><u>\$ 22,384.70</u></td> </tr> <tr> <td>2012 Bonding Funds</td> <td style="text-align: right;">\$ 690.00</td> </tr> <tr> <td>Landowner</td> <td style="text-align: right;">\$ 5,366.17</td> </tr> <tr> <td>EQIP Federal Funds</td> <td style="text-align: right;">\$ 13,066.00</td> </tr> <tr> <td>RCRCA</td> <td style="text-align: right;">\$ 3,032.53</td> </tr> <tr> <td>Area II Counties</td> <td style="text-align: right;">\$ 230.00</td> </tr> </table> | Germantown 1 Repair – CW | <u>\$ 22,384.70</u> | 2012 Bonding Funds | \$ 690.00 | Landowner | \$ 5,366.17 | EQIP Federal Funds | \$ 13,066.00 | RCRCA | \$ 3,032.53 | Area II Counties | \$ 230.00 | <table border="0" style="width: 100%;"> <tr> <td>Coon Creek 11 Dam Repair – Lyon</td> <td style="text-align: right;"><u>\$ 40,745.11</u></td> </tr> <tr> <td>2012 Bonding Funds</td> <td style="text-align: right;">\$ 30,558.83</td> </tr> <tr> <td>Landowner</td> <td style="text-align: right;">\$ 9,948.15</td> </tr> <tr> <td>Area II Counties</td> <td style="text-align: right;">\$ 238.13</td> </tr> </table> | Coon Creek 11 Dam Repair – Lyon | <u>\$ 40,745.11</u> | 2012 Bonding Funds | \$ 30,558.83 | Landowner | \$ 9,948.15 | Area II Counties | \$ 238.13 |
| Germantown 1 Repair – CW | <u>\$ 22,384.70</u> | | | | | | | | | | | | | | | | | | | | |
| 2012 Bonding Funds | \$ 690.00 | | | | | | | | | | | | | | | | | | | | |
| Landowner | \$ 5,366.17 | | | | | | | | | | | | | | | | | | | | |
| EQIP Federal Funds | \$ 13,066.00 | | | | | | | | | | | | | | | | | | | | |
| RCRCA | \$ 3,032.53 | | | | | | | | | | | | | | | | | | | | |
| Area II Counties | \$ 230.00 | | | | | | | | | | | | | | | | | | | | |
| Coon Creek 11 Dam Repair – Lyon | <u>\$ 40,745.11</u> | | | | | | | | | | | | | | | | | | | | |
| 2012 Bonding Funds | \$ 30,558.83 | | | | | | | | | | | | | | | | | | | | |
| Landowner | \$ 9,948.15 | | | | | | | | | | | | | | | | | | | | |
| Area II Counties | \$ 238.13 | | | | | | | | | | | | | | | | | | | | |
| <table border="0" style="width: 100%;"> <tr> <td>Limestone 1 Road Retention – Lincoln</td> <td style="text-align: right;"><u>\$ 156,158.57</u></td> </tr> <tr> <td>2012 Bonding Funds</td> <td style="text-align: right;">\$ 117,118.93</td> </tr> <tr> <td>Lincoln & Lyon Counties</td> <td style="text-align: right;">\$ 19,090.38</td> </tr> <tr> <td>Alta Vista & Eidsvold Townships</td> <td style="text-align: right;">\$ 12,726.92</td> </tr> <tr> <td>Yellow Medicine River Watershed District</td> <td style="text-align: right;">\$ 7,222.33</td> </tr> </table> | Limestone 1 Road Retention – Lincoln | <u>\$ 156,158.57</u> | 2012 Bonding Funds | \$ 117,118.93 | Lincoln & Lyon Counties | \$ 19,090.38 | Alta Vista & Eidsvold Townships | \$ 12,726.92 | Yellow Medicine River Watershed District | \$ 7,222.33 | | | | | | | | | | | |
| Limestone 1 Road Retention – Lincoln | <u>\$ 156,158.57</u> | | | | | | | | | | | | | | | | | | | | |
| 2012 Bonding Funds | \$ 117,118.93 | | | | | | | | | | | | | | | | | | | | |
| Lincoln & Lyon Counties | \$ 19,090.38 | | | | | | | | | | | | | | | | | | | | |
| Alta Vista & Eidsvold Townships | \$ 12,726.92 | | | | | | | | | | | | | | | | | | | | |
| Yellow Medicine River Watershed District | \$ 7,222.33 | | | | | | | | | | | | | | | | | | | | |
| <table border="0" style="width: 100%;"> <tr> <td>Amiret 27 Dam Repair - Lyon</td> <td style="text-align: right;"><u>\$ 21,116.56</u></td> </tr> <tr> <td>2012 Bonding Funds</td> <td style="text-align: right;">\$ 15,837.42</td> </tr> <tr> <td>Landowner</td> <td style="text-align: right;">\$ 5,009.14</td> </tr> <tr> <td>Area II Counties</td> <td style="text-align: right;">\$ 270.00</td> </tr> </table> | Amiret 27 Dam Repair - Lyon | <u>\$ 21,116.56</u> | 2012 Bonding Funds | \$ 15,837.42 | Landowner | \$ 5,009.14 | Area II Counties | \$ 270.00 | | | | | | | | | | | | | |
| Amiret 27 Dam Repair - Lyon | <u>\$ 21,116.56</u> | | | | | | | | | | | | | | | | | | | | |
| 2012 Bonding Funds | \$ 15,837.42 | | | | | | | | | | | | | | | | | | | | |
| Landowner | \$ 5,009.14 | | | | | | | | | | | | | | | | | | | | |
| Area II Counties | \$ 270.00 | | | | | | | | | | | | | | | | | | | | |

| SUMMARY OF FY2013 COMPLETED PROJECTS | |
|--------------------------------------|-----------------------------|
| 2012 Bonding Funds | \$ 198,789.11 |
| EQIP Federal Funds | \$ 143,464.20 |
| Clean Water Funds | \$ 30,122.85 |
| RCRCA Cost-Share Counties | \$ 3,032.53 |
| Townships | \$ 19,090.38 |
| Watershed District | \$ 12,726.92 |
| Area II Counties | \$ 7,222.33 |
| Landowners | \$ 5,350.01 |
| TOTAL | <u>\$ 478,384.89</u> |

ATTACHMENT B

AREA II MINNESOTA RIVER BASIN PROJECTS, INC.



GRANT PERIOD:

(incl. extensions)
From: July 1, 2012
To: June 30, 2013

AREA II STATUTORY AUTHORITY:

MN Statutes, Sections
103F.171-103F.187

Administrative Services Grant Expenditures

*NOTE: Totals from
Treasurer's Report for
Fiscal Year Ended June 30, 2013
(subject to audit)*

| | |
|---------------------------------------|---------------------|
| Personal Services | \$137,184.03 |
| Other Services | \$86,822.04 |
| Supplies | \$3,112.00 |
| Investigation & Testing | \$ 4,685.00 |
| Capitol Outlay | \$ 8,148.23 |
| TOTAL EXPENDITURE year to date | \$237,951.30 |

PROJECT CONTACT:

Kerry Netzke, Executive Director
(507) 537-6369
area2@starpoint.net

**Project Title: FY'13 ADMINISTRATIVE SERVICES GRANT
CONTRACT NO. 50159 \$120,000.00**



Area II Minnesota River Basin Watershed Boundary

Member Counties:

*Brown
Cottonwood
Lac qui Parle
Lincoln
Lyon
Murray
Pipestone
Redwood
Yellow Medicine*

Overall Project Description

Minnesota Statutes establish a grant-in-aid program administered by BWSR for providing financial and technical assistance to local government units (counties, SWCDS, and watershed districts) located in Area II for project and construction costs of floodwater retarding and retention structures within a general plan for floodplain management.

Nine counties within Area II have entered into a Joint Powers Agreement since 1978 to coordinate the implementation of such floodwater retarding and retention projects, and for this purpose, established Area II Minnesota River Basin Projects, Inc.

Statute authorizes BWSR to supervise the program and provide individual project grants not to exceed 75% of total project costs where federal funds are not utilized, or 50% of the nonfederal costs where federal funds are utilized.

Area II has an established office which houses Area II personnel and equipment to provide the engineering and other technical services of projects cost-shared through this program.

Costs eligible for cost-sharing under this Grant Agreement include technical office costs and associated costs, but do not include Area II Directors' compensation, expenses, insurance and bonding costs. The combination of the nine member counties provide \$87,000.00 to the Administrative Services Grant of \$120,000. This is well beyond the required 25% local match.



BOARD MEETING AGENDA ITEM

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

Meeting Date: September 25, 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

- | | |
|---|---|
| <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

Brown County Local Water Management Five-Year Amendment

http://www.co.brown.mn.us/images/stories/Departments/PZ/Water/FINAL_DRAFT_WATER_PLAN_Aug_2013.pdf

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

On August 28, 2008, the Board of Water and Soil Resources (BWSR), by board order, approved the Brown County 2008 – 2018 ten-year Local Water Management Plan Update. The Plan contained an implementation section with goals, objectives, and action steps covering a five-year period of 2008 - 2013. The Board Order stipulated that Brown County was required to revise / update this implementation section by August 28, 2013.

On June 19, 2012 the Brown County Board of Commissioners resolved to amend its five-year implementation section as directed by BWSR. Brown County intends to have a public hearing on the plan in September 2013. The County followed the process for amending as described within the Local Water Management guidance document developed by BWSR.

On August 8, 2013 the BWSR regional staff received the 2013 Amendment to the Brown County Local Water Management Plan. The 2013 Amendment contains an Executive Summary and a new 2013 - 2018 implementation section. The amendment has prioritized action items in the implementation section of the plan. The implementation section addresses the following priority concerns:

- Soil Erosion Concerns
- Groundwater
- Drainage
- Wetlands/Water Retention
- Human Wastewater

Approval of the Brown County 2013-2018 Implementation Program Amendment is contingent on Brown County Board holding a public hearing and submitting the hearing documents to BWSR prior to September 25, 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 **Brown County** (Minnesota Statutes, Section 103B.314, Subdivision 6)

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT

Whereas, on August 28, 2008, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Brown County 2008 – 2018 Local Water Management Plan Update (Plan), which contained a 2008 – 2013 five-year Implementation section; and

Whereas, this Board Order stipulated that Brown County was required to update the implementation section by August 28, 2013; and

Whereas, the Brown County Board of Commissioners submitted the Brown County Plan 2013 Amendment to the Board on August 8, 2013; and

Whereas, this 2013 Amendment contains the updated five-year implementation section as ordered by the Board; and

Whereas, the Board has completed its review of the 2013 Amendment.

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

FINDINGS OF FACT

1. On June 19, 2012, Brown County passed and submitted a resolution stating its intent to amend its current Plan by providing for the required update of the five-year implementation section, pursuant to M.S. Section 103B.314, Subd. 6.
2. On July 2, 2012, Board staff sent information on the amendment process to Brown County.
3. On September 28, 2012, Brown County convened its water plan task force to develop the five-year update through meetings held in September 2012, November 2012, and May 2013.
4. On November 26, 2012, Brown County conducted an open house to initiate the five-year implementation section update.
5. On December 19, 2012, Brown 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.

6. Brown County received written comments from the Minnesota Department of Agriculture, the Minnesota Pollution Control Agency, and the Minnesota Board of Water and Soil Resources. The Minnesota Board of Water and Soil Resources attended the water plan task force meeting(s) and provided comments.
7. No other state agency or local government unit provided written comments to Brown County.
8. The final document developed by Brown County, which includes the revised five-year implementation section August 2013 – August 2018 is entitled the Brown County Comprehensive Local Water Management Plan, 2008-2018, (Amended August 2013).
9. On August 27, 2013, the BWSR received the Brown County 2013 Amendment.
10. On September 5, 2013, the Board's Southern Region Committee (Committee) reviewed the Brown County 2013 Amendment, pursuant to 103B.301 and guidelines established by the Board.
11. Board regional staff provided its recommendation of conditional approval to the Committee based on the Brown County Board holding a public hearing and submitting the hearing documents to BWSR prior to September 25, 2013.
12. The Committee voted to recommend approval to the full Board at its next scheduled meeting on the condition that Brown County holding a public hearing and the hearing documents being submitted to BWSR prior to September 25, 2013.
13. On September 17, 2013, after providing for proper public notice, Brown County conducted a public hearing on the proposed 2013 Amendment. No additional comments were submitted at the hearing.
14. On September ??, 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.
15. This 2013 Amendment will be in effect until **August 28, 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 Amendment of Brown County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
2. The Brown County 2013 Amendment attached to this Order states goals, objectives and actions the County will address in the five-year implementation section August 2013 – August 2018. The 2013 Amendment, as well as the previously approved Brown County 2008 – 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 Brown County Water Management Plan for August 2013 – August 2018. Brown County will be required to provide for a complete update of its Water Management Plan prior to August 28, 2018.

Dated at St. Paul, Minnesota, this **25th day of September 2013**.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

*Brown County Comprehensive Local Water Management Plan
2008-2018 (Amended August 2013)*



Executive Summary

Executive Summary 2013-2018

Profile

Brown County is located in South Central Minnesota at the confluence of the Cottonwood and Minnesota Rivers. The Minnesota River makes up the northern border of the county while the Cottonwood River nearly splits the county in two running west to east. The total land area of Brown County is approximately 610 square miles. There are seven (7) incorporated cities and sixteen (16) townships, with the county seat being the City of New Ulm.

The dominant land use in Brown County is cultivated land (75%), followed by uncultivated lands or wood lands/ravine (17%), urban areas/impervious are 7%, and open water makes up 1% of the total land area in Brown County. Cultivated land dominates the landscape from the far west to the eastern boundary of the county. Corn and soybeans are the primary crops being produced. Swine are the primary livestock in the County, but there are significant beef cattle and dairy herds that are also being raised. A majority of the residents of Brown County do live in urban areas, which make up 72% of the population. Within the urban settings there are industrial activities present in each of the three largest cities; New Ulm, Sleepy Eye, and Springfield.

Brown County is located in the fertile tall grass prairie Eco region of Minnesota. Making up the northern border of the county and winding their way from west to east throughout the county, streams and rivers have created wooded valleys and floodplain areas. Streams and rivers throughout the county typically flow from the higher elevations in the west to the east, ending up ultimately in the Minnesota River. The largest river in the county is the Minnesota River, with the Cottonwood River and Little Cottonwood River also being sizeable rivers on the landscape. There are a number of other perennial streams and unnamed tributaries that feed our larger rivers throughout the county. Of the rivers and streams in Brown County; two (2) of them have been designated as trout streams by the MN DNR. (Wetland Drainage)

Within Brown County lie 12 shallow prairie lakes, with Lake Hanska being the largest, most developed and widely used for recreation. Largely the shallow lakes are very eutrophic, or high in nutrients giving these water bodies incredible amounts of aquatic and terrestrial life. It is when we have excess nutrients that our water bodies suffer.

Plan Purpose:

The goal of this amended Local Water Management Plan is to serve as a guide to protect and preserve our water resources of Brown County as well as well as improve water quality for generations to come. This plan sets up objectives for water planning to strive towards in cooperation with our local, regional and state partners. Details of the plan are based on the four priority concerns outlined in the Priority Concerns Scoping Document.

The first Brown County Water Management Plan was adopted by the Brown County Board of Commissioners in 1990. Subsequently a 1996 Water Plan Update was submitted for the 10 year plan update. In 2008 the Brown County Board of Commissioners approved an updated Local Water Management Plan, set to expire in August of 2018. In 2013 we are providing an amendment to the current water plan to incorporate new and delete irrelevant information.

The creation of the Local Water Management Plan was in effort by the Brown County Water Plan Task Force, Brown County Board of Commissioners and the residents of Brown County. It is the responsibility of the Brown County Water Planner to administer the water plan on a day to day basis with the help of local, regional and state officials.

2008 through 2013 Brown County Water Planning

Accomplishments

2008 Accomplishments

- Inspected 13 new and 66 upgraded septic systems
- Completed 22 on-site feedlot inspections
- Provided technical assistance to 30 landowners regarding WCA; reviewed 14 Joint Wetlands/Water Applications and completed 3 site visits
- Provided homeowner information regarding rain water and water storage at the Brown County Farm Show
- Presented water resources information to area grade school students at the Children's Water Festival in North Mankato
- SWCD completed two (2) sediment basins, two (2) grassed waterway, and one (1) grade stabilization structure projects during the season.

2009 Accomplishments

- Inspected 14 new and 36 upgraded septic systems
- Completed 39 on-site feedlot inspections
- Provided technical assistance to 92 landowners; reviewed 23 Joint Wetlands/Water Applications and completed 12 site visits
- Provided homeowner information regarding rain water and water storage at the Brown County Farm Show and New Ulm Home Show
- Started surface water quality testing for two (2) lake sites and five (5) stream stretches in Brown County (2009-2010)
- SWCD assisted with three (3) terrace projects, two (2) grassed waterway projects, two (2) rock tile inlets, two (2) windbreak plantings, one (1) bio-retention basin, one (1) feedlot runoff diversion, and one (1) grade stabilization structure

2010 Accomplishments

- Inspected 17 new and 41 upgraded septic systems
- Completed 62 on-site feedlot inspections
- Provided technical assistance to 100 + landowners regarding WCA; reviewed 31 Joint Wetlands/Water Applications and completed 12 site visits
- Provided water retention, hazardous waste, yard chemical alternatives at New Ulm Home Show and Brown County Farm Show
- Started surface water quality testing for four (4) stream stretches in Brown County (2010-2011)
- SWCD assisted with four (4) terrace projects, four (4) windbreak plantings, three (3) grassed waterway projects, two (2) rock tile inlets, one (1) grade stabilization structure, and one (1) livestock waste management project.

- Mapped out all highly erodible lands on GIS maps for entire County

2011 Accomplishments

- Inspected 18 new and 41 upgraded septic systems
- Completed 48 on-site feedlot inspections
- Provided technical assistance to 250 + landowners regarding WCA, reviewed 26 Joint Wetlands/Water Applications and completed 10 site visits
- Attended water planning technical education trainings at the BWSR Academy
- Printed information regarding hazardous waste disposal in local papers
- Taught southern MN Girl Scouts about water quality and then practiced water quality sampling techniques
- Developed and distributed public education pamphlets on alternative lawn chemicals that are more environmentally friendly and biodegradable
- Completed the University of Minnesota Well Survey for Brown County. Soon we will have a much better idea of Brown County's groundwater resources
- Started surface water quality testing for four (4) stream stretches and three (3) lakes in Brown County (2011-2012)
- Completed mapping out on GIS all County ditches and tile
- SWCD assisted with three (3) grassed waterway projects, three (3) rock inlets, three (3) streambank rip rap projects, three (3) windbreak plantings, two (2) terrace projects and two (2) wildlife plantings
- SWCD enrolled seven (7) landowners in the RIM/WRP Program
- SWCD hired an employee to work on implementing and promoting BMP's in the Little Cottonwood River Watershed for two (2) years.

2012 Accomplishments

- Inspected 11 new and 46 upgraded septic systems
- Completed 41 on-site feedlot inspections
- Provided technical assistance to 320 landowners regarding WCA, reviewed 20 Joint Wetlands/Water Applications and completed 6 site visits
- Started a Brown County Rain Barrel program to promote water storage on urban lots and to reduce storm water pollution to the Minnesota River, Sleepy Eye Lake and the Cottonwood River
- Held a free nitrate testing clinic for Brown County residents at the Brown County Fair
- Received \$321,000 grant to improve fish habitat and angler access on Spring Creek
- Held essay contest for area high school juniors on the importance of surface water storage
- SWCD assisted with five (5) terrace projects, two (2) grassed waterway projects, one (1) wildlife planting, one (1) wetland restoration, one (1) agricultural pond installation and eleven (11) rock tile inlets

DESCRIPTION OF PRIORITY CONCERNS

The Priority Concerns to be addressed by the County are as follows. Concerns are not listed in order of importance and concerns were selected to be broad enough to address most concerns submitted. The Priority Concerns were selected by the Task Force after examining citizen and State comments for review.

1. **Soil Erosion Concerns** – including addressing of TMDL issues by watershed. Prevention of soil erosion and sedimentation from runoff and streambank erosion. Promotion of programs to improve residue management and conservation tillage. Incorporate urban aspects of stormwater management and runoff of impervious surfaces.
2. **Groundwater** – including addressing concerns with pesticide and fertilizer use in agricultural and urban areas. Wellhead protection and well sealing opportunities. Address potential water quantity issues involved with industrial and rural development and city water use needs.
3. **Drainage** – including possible inventory of existing system and need for improvements with the possibility for water storage. Buffer initiatives with emphasis on problem areas and erodible soils. Management focusing on public drainage system that provides agricultural production with benefits to water quality and quantity concerns.
4. **Wetlands/Water Retention** – including protection and enhancement of existing wetland resources. Inventory of existing wetlands and potential areas for restoration and water retention projects. Wetland education to contractors involved with development projects.
5. **Human Wastewater** – including the inventory of septic and municipal systems for compliance and needs. Cooperate with municipal systems to find improvements for systems and possible funding options. Upgrade of failing and non compliant individual septic systems. TMDL concerns addressed for fecal limits.

SUMMARY OF GOALS AND ACTIONS

PRIORITY CONCERN 1: SOIL EROSION

GOAL 1: Address impaired surface waters and their TMDL's

Objective A: Develop understanding of water quality issues. \$64,000.00

Objective B: Reduce the impairments in surface waters. \$134,000

Objective C: Delisting of existing impaired waters. \$60,000.00

GOAL 2: Reduce soil erosion and sedimentation on agricultural lands.

Objective A: Identify areas that show potential for high erosion \$313,000

Objective B: Cooperate and promote and market conservation programs and practices. \$251,000.00

GOAL 3: Reduce stream bank and ditch bank erosion.

Objective A: Identify problems areas within the County. \$10,000.00

Objective B: Provide education and options to control stream and ditch bank erosion. \$187,000.00

GOAL 4: Reduce urban runoff and storm water impacts to surface waters.

Objective A: Assess urban non point source pollution in Brown County. \$39,000.00

Objective B: Education to cities and citizens on runoff and storm water management. \$90,000.00

Objective C: Implement Storm water and Runoff practices with cooperating Cities. \$31,000.00

PRIORITY CONCERN 2: GROUNDWATER

GOAL 1: Protect ground water sources from pesticide and fertilizer contamination from agricultural and urban contamination.

Objective A: Obtain Groundwater information relating to potential impacts. \$9,200.00

Objective B: Provide education on proper agricultural and residential application rates. \$39,000.00

GOAL 2: Protect drinking water sources

Objective A: Recognize and support needs of public water supply wellhead protection \$11,000.00

Objective B: Encourage private well protection from contamination sources. \$5,000.00

Objective C: Encourage proper sealing of unused or abandoned wells. \$96,000.00

Objective D: Address groundwater adequacy and sustainability of Brown County Aquifers. \$3,000.00

GOAL 3: Minimize impacts to groundwater sources from industrial and rural development.

Objective A: Reduce impacts of rural and industrial development on groundwater resources. \$8,000.00

PRIORITY CONCERN 3: DRAINAGE

GOAL 1: Improve drainage management system based on water quality goals.

Objective A: Cooperate with Drainage Authorities to inventory current drainage system.-\$67,000.00

Objective B: Determine and map problem areas\$6,000.00

Objective C: Reduce water inputs and provide water storage to the system. \$1,045,000.00
Objective D: Develop education and incentive programs to increase conservation practices. \$467,000.00

PRIORITY CONCERN 4: WETLANDS/WATER RETENTION

GOAL 1: Protect existing wetlands and increase wetland resources

Objective A: Identify current wetlands and potential wetland restoration sites \$5,000.00
Objective B: Educate citizens and officials on wetland functions and importance. \$18,000.00
Objective C: Encourage wetland restoration and management. \$157,000.00

PRIORITY CONCERN 5: HUMAN WASTEWATER

GOAL 1: Eliminate Subsurface Sewage Treatment System (SSTS) contamination to surface and groundwater.

Objective A: Maintain onsite sewage treatment inspection program. \$22,000.00
Objective B: Provide education and seek funding for septic program. \$1,570,000.00

GOAL 2: Assist with improvements and upgrades to municipal and industrial wastewater treatment systems.

Objective A: Inventory of existing processes in waste water treatment facilities \$9,000.00
Objective B: Inventory of needs and funding opportunities for improved technologies. \$2,044,000.00

10 YEAR PLAN TOTAL \$6,760,200.00

CONSISTENCY WITH OTHER PLANS

Brown County Water Planning is based out to the Planning and Zoning Office. The Water Plan, County Zoning Ordinance, Feedlot Ordinance, Wetland Conservation Act and all other aspects of the Natural Resources Block Grant are administered out of this office. In addition there is communication and cooperation with all other Courthouse offices and the Brown County SWCD office for planning processes. This helps to provide some consistency between plans and ordinances. In addition the County has access to several local, regional and State plans for use in plan development.

SUMMARY OF RECOMMENDATIONS TO OTHER PLANS

The priority concerns and action items established in the Water Plan should allow for cooperation between the County and local governments in the development and amendments of local controls and ordinances. Reference to water quality and quantity issues developed in the plan should be considered on a voluntary basis by each organization in its planning process. The Water Plan office should act as a resource for those considering planning updates.

**BROWN COUNTY LOCAL WATER MANAGEMENT PLAN
10 YEAR IMPLEMENTATION SCHEDULE FOR PRIORITY CONCERNS**

| PRIORITY CONCERN 1: SOIL EROSION | Timeline | Cooperators | Costs |
|--|-----------------|---------------------------|--------------------|
| GOAL 1: Address impaired surface waters and their TMDL's | | | |
| Objective A: Develop understanding of water quality issues. | | | |
| 1. Continue and expand water testing through Surface Water Assessments (SWAG) and submit data to the MPCA. | Continuous | CWP's, WP, Co | \$20,000.00 |
| 2. Recruit volunteers for the MPCA's Citizen Stream Monitoring Program (CSMP) for impaired reaches. | Continuous | WP, SWCD, CWP's | \$2,000.00 |
| 3. Recruit CSMP volunteers residing near the testing sites in the rural community for water bodies that have no previous sampling record. | Continuous | WP, SWCD | \$2,000.00 |
| 4. Develop baseline data information through coordination with MPCA, MDA, MDH staff that will meet listing and delisting requirements. | Continuous | CWP's, WP, MPCA, MDA, MDH | \$30,000.00 |
| 5. Follow approved sampling techniques and submit water quality data for analysis and review. | Continuous | CWP's, WP | \$10,000.00 |
| | | TOTAL | \$64,000.00 |
| Objective B: Reduce the impairments in surface waters | | | |
| 1. Cooperate with SWCD and NRCS to market available conservation programs annually to landowners at Brown County Farm Show, publication of one (1) newspaper article in the Comfrey, Sleepy Eye, Springfield and New Ulm papers. | Continuous | WP, SWCD, NRCS, CWP's | \$10,000.00 |
| 2. Develop strategies with the county drainage authority to address water quantity issues that explore alternatives to existing drainage management. | 2008-2010 | WP, Co, DA | \$15,000.00 |
| 3. Utilize Counties Geographic Information Systems (GIS) data to inventory and target areas for best management practices | 2008-2010 | WP, Co, SWCD | \$5,000.00 |
| 4. Provide educational opportunities on the TMDL process to the public through articles, meetings and personal contacts. | Continuous | WP, SWCD, MPCA | \$2,000.00 |

| | | | |
|--|------------|------------------|---------------------|
| 5. Partner with Cities and Industries to define their role in the TMDL process and the practices they can utilize to reduce impacts. | Continuous | WP, Cities, MPCA | \$2,000.00 |
| 6. Cooperate with the SWCD to install fifty (50) alternative tile intakes annually. | 2013-2018 | SWCD | \$100,000 |
| 7. Cooperate with Brown County Emergency Management to include the buying out of homes in the floodplain, homes that are in danger of washing into the river, or are flooded on a regular basis. | 2013-2018 | WP, P & Z, FEMA | 0 |
| TOTAL | | | \$134,000.00 |

Objective C: Delisting of existing impaired waters.

| | | | |
|---|------------|-----------------|--------------------|
| 1. Work with CWP's and MPCA in the development and implementation of Total Maximum Daily Load (TMDL) plans for impaired waters | Continuous | WP, MPCA, CWP's | \$40,000.00 |
| 2. Provide County level assistance throughout study and implementation phases to coordinating agencies and organizations. | Continuous | WP | \$10,000.00 |
| 3. Work with individuals and businesses to help develop erosion control, chemical use, and rainwater storage plans that will reduce their impacts to the developed implementation plan on impaired reaches. | Continuous | WP | \$5,000.00 |
| 4. Use developed priority areas as guide on progress and update implementation strategy based on successes and continued sampling. | Continuous | WP | \$5,000.00 |
| TOTAL | | | \$60,000.00 |

GOAL 2: Reduce soil erosion and sedimentation on agricultural lands.

Objective A: Identify areas that show potential for high erosion

| | | | |
|--|------------|-----------------|---------------------|
| 2. Identify and map areas to be targeted for implementation projects. | Continuous | WP, SWCD, Co | \$10,000.00 |
| 3. Prioritize implementation projects based on impaired waters. | Continuous | WP, SWCD, CWP's | \$1,000.00 |
| 4. Install 10,000 feet of terrace and two (2) grade stabilization structures annually. | 2013-2018 | SWCD, NRCS | \$300,000 |
| TOTAL | | | \$313,000.00 |

Objective B: Cooperate with SWCD to promote and market conservation programs and practices.

| | | | |
|--|------------|----------------|-------------|
| 1. Provide education to landowners in targeted areas on BMP's and conservation programs available through County, State and Federal programs | Continuous | WP, SWCD, NRCS | \$10,000.00 |
|--|------------|----------------|-------------|

2. Work with the Brown County SWCD to pursue additional cost-share and incentive funding for BMP's.
3. Work with County Board as the Ditch Authority to establish a long term or permanent buffer program.
5. Demonstrate conservation tillage, alternative drainage practices and BMP's through field days sponsored by the County, U of M, State Agencies and farm groups and businesses.

| | | |
|--------------|---------------------|---------------------|
| Continuous | WP, SWCD, NRCS | \$1,000.00 |
| 2010-2012 | WP, DA, Co | \$200,000.00 |
| 2010-2014 | WP, SWCD, UofM, MDA | \$40,000.00 |
| TOTAL | | \$251,000.00 |

GOAL 3: Reduce stream bank and ditch bank erosion.

Objective A: Identify problems areas within the County.

1. Utilize GIS data and ditch records to identify high priority areas prone to stream and ditch bank erosion.
2. Conduct air photo reviews of priority areas.
3. Conduct site visits and document erosion impacts.
4. Inventory and prioritize sites based on implementation potential.
5. Utilize the DNR GIS information of locations of where erosion and bank stabilization projects have been permitted on public waters.
6. Work with area DNR staff to calculate erosion rates, shear stress, and total sediment loads for stretches impaired with high sediment loads.

| | | |
|--------------|-------------------|--------------------|
| 2008-2010 | WP, Co | \$2,000.00 |
| 2008-2010 | WP, SWCD | \$2,000.00 |
| 2008-2014 | WP, SWCD, CWP's | \$5,000.00 |
| 2008-2014 | WP, SWCD's, CWP's | \$1,000.00 |
| 2013-2018 | DNR, WP | 0 |
| Continuous | DNR, SWCD, MPCA | 0 |
| TOTAL | | \$10,000.00 |

Objective B: Provide education and options to control stream and ditch bank erosion.

1. Target sites on the inventory list to educate and provide assistance to landowners on erosion control measures.
2. Pursue funding for the implementation of buffer strips, stream bank stabilization practices, alternative upland treatments, and enforce 50' buffer from public waters.
3. Develop and provide information on upland management practices including wetland restorations, water storage, and infiltration practices that help to store and meter water. Sites will be prioritized based on areas of the County that are most heavily drained and have the highest potential of water storage.
4. Provide education and information on grazing management practices that reduce bank erosion.

| | | |
|------------|-----------------|-------------|
| 2008-2014 | WP, SWCD, CWP's | \$10,000.00 |
| Continuous | WP, SWCD, CWP's | \$2,000.00 |
| Continuous | WP, SWCD, CWP's | \$2,000.00 |
| Continuous | WP, SWCD, CWP's | \$2,000.00 |

| | | | |
|--|------------|-----------------------|---------------------|
| 5. Seek and provide funding for demonstration projects for fencing or buffers that show benefits of bank stabilization | 2008-2014 | WP, SWCD, CWP's | \$4,000.00 |
| 6. Work with County Drainage Authority to develop a plan that protects and enhances public waters wetlands and ditches that run through them and considers water retention and storage as part of ditch repair and improvements. | | WP, DA, Co | \$10,000.00 |
| 7. Work with Ditch Authority on possible funding of buffer incentives through the County. | 2008-2014 | WP, DA, Co | \$20,000.00 |
| 8. Promote and complete one RIM/WRP Project annually in a high priority watershed that is identified as heavily drained. | 2013-2018 | SWCD, NRCS, WP | \$100,000 |
| 9. Research and provide information on cost effective conservation practices that provide ditch and stream bank stabilization and report to County Board. | 2008-2014 | WP, DA, Co | \$1,000.00 |
| 10. Work with SWCD and NRCS to encourage the re-enrollment of expiring CRP contracts that promote stream and ditch buffers. | Continuous | WP, SWCD, CWP's, NRCS | \$4,000.00 |
| 11. Consider the requirement of a 50' permanent vegetated buffer along public waters in agricultural areas as part of the agricultural land use standard included in the local shoreland management ordinance. | Continuous | WP, P & Z, DNR | \$1,000 |
| 12. Educate the property owners of riparian areas on implementing BMP's and/or erosion and bank stabilization projects. | Continuous | WP, P & Z, DNR | \$1,000 |
| 13. Implement riparian BMP's on Brown County owned properties adjacent to riparian areas | 2013-2018 | WP, P & Z, RCRCA | \$30,000 |
| | | TOTAL | \$187,000.00 |

GOAL 4: Reduce urban runoff and storm water impacts to surface waters.

Objective A: Assess urban non point source pollution in Brown County.

| | | | |
|---|------------|------------------|------------|
| 1. Request opportunity to review Sleepy Eye, New Ulm, and Springfield's storm water system designs and current outlet systems. | 2008-2010 | WP, Cities | \$2,000.00 |
| 2. Implement DNR recommended use of natural ponding areas and artificial stilling basins when feasible and require their use when necessary for storm water management. | Continuous | WP, DNR, MPCA | 0 |
| 3. Consult with cities to determine flows at different storm event levels. Once flows are recorded, determine how to slow flows and retain more water on the landscape. | Continuous | WP, Cities, MPCA | \$5,000.00 |

| | | | |
|---|-----------|----------------------|--------------------|
| 4. Consult with industries to determine discharges to storm sewer systems and permitted discharges. | 2008-2010 | WP, Cities, Industry | \$6,000.00 |
| 5. Sample to determine types and quantities of pollutants seen in the storm water system and make recommendations to community officials on how to reduce the pollutants from being discharged. | 2008-2014 | WP, Cities, MPCA | \$5,000.00 |
| 6. Work with State agencies to determine acceptable levels of pollutants and flow for storm water management. | 2008-2010 | WP, Cities, MPCA | \$1,000.00 |
| 7. Assess the nature, cause, and effect of urban runoff and storm water pollution on surface waters from residential areas in New Ulm, Sleepy Eye, and Springfield through surveys of residents and water sampling. | 2008-2014 | WP, Cities, MPCA | \$20,000.00 |
| | | TOTAL | \$39,000.00 |

Objective B: Provide education to cities and citizens on runoff and storm water management.

| | | | |
|---|------------|---------------|-------------|
| 1. Provide information and education opportunities through Board Updates to local officials on non point source pollution, runoff and storm water issues. | Continuous | WP | \$5,000.00 |
| 2. Provide information to communities on the use of BMP's that reduce the effects of storm water runoff through newspaper articles, workshops, public events and newsletters. | Continuous | WP | \$5,000.00 |
| 3. Provide education and training opportunities for implementation of storm water best management practices to city utility employees. | Continuous | WP | \$20,000.00 |
| 4. Assist in providing WRAP workshops for local officials, contractors, and community members. | Continuous | WP | \$3,000.00 |
| 5. Provide education opportunities to developers, and contractors on low impact development through direct mailings or contact when building permits are sought. | Continuous | WP | \$5,000.00 |
| 6. Provide education opportunities through media releases like the SWCD newsletter and public events such as the New Ulm Home Show that highlight the role citizens play in non point source pollution through press releases and community events. | Continuous | WP | \$2,000.00 |
| 7. Continue to sell and promote the rain barrel and composter pre-order sales to Brown County residents. The program shall reach out to area businesses to provide education on different design options for larger surface areas. | 2013-2018 | WP, Cities | \$2,000.00 |
| 8. Educate homeowners County residents on the proper handling and disposal of household hazardous waste at the New Ulm Home Show, Brown County Ag. Show, Brown County Free Fair, the VSQG Program and at the collections themselves annually. Articles are also published in area newspapers 3 times per year on the proper handling and disposal of household hazardous waste. | Continuous | WP, Recycling | \$3,000.00 |

8. Offer incentives, such as rebates provided through city municipalities to residents to encourage redirecting runoff to pervious surfaces for on-lot infiltration through the rain barrel program.

| | | |
|-----------|--------------|--------------------|
| 2010-2014 | WP, Cities | \$45,000.00 |
| | TOTAL | \$90,000.00 |

Objective C: Implement Storm water and Runoff practices with cooperating Cities.

| | | | |
|--|------------|--------------|--------------------|
| 1. Assist communities of Sleepy Eye, Springfield, and New Ulm to utilize existing and pursue additional Federal and State funding, as they become available for the implementation of urban best management practices | Continuous | WP, Cities | \$10,000.00 |
| 2. Provide technical and financial assistance to communities to assist officials, developers, and contractors in fulfilling Phase II Storm water Program requirements. | Continuous | WP, Cities | \$10,000.00 |
| 3. Encourage and provide information on the utilization of storm water management practices including retention, infiltration and storm water wetlands to the cities of Springfield, Sleepy Eye, New Ulm, Evan and Comfrey. | Continuous | WP, Cities | \$4,000.00 |
| 4. Provide assistance on projects to follow erosion and sediment control regulations and techniques available from the MPCA and Minnesota Erosion Control Association (MECA). | Continuous | WP, Cities | \$2,000.00 |
| 5. Encourage the development of Storm water Management Plans for the cities of Sleepy Eye, Springfield and New Ulm that consider practices that improve water quality including street sweeping, catch basin cleaning, leaf litter management, salt application, snow removal storage, ponds, filter strips, infiltration and plans for future improvements. | 2008-2010 | WP, Cities | \$5,000.00 |
| | | TOTAL | \$31,000.00 |

PRIORITY CONCERN 2: GROUNDWATER

GOAL 1: Protect ground water sources from pesticide and fertilizer contamination from agricultural and urban contamination.

Objective A: Obtain Groundwater information relating to potential impacts.

| | | | |
|---|-----------|---------|------------|
| 1. Compile and review monitoring data from MDA on pesticide application and | 2008-2010 | WP, MDA | \$1,000.00 |
|---|-----------|---------|------------|

| | | | | | |
|---|------------|--------------|--|--|-------------------|
| groundwater contamination. | | | | | |
| 2. Review Brown County Groundwater Vulnerability Project information. | 2008-2010 | WP | | | \$200.00 |
| 3. Continue to hold Nitrate testing clinics bi-annually at the Brown County Free Fair | Continuous | WP, MDH, BNC | | | \$5,000.00 |
| 4. Review MN Geologic Survey information and focus on addressing unsealed wells in areas of high risk of groundwater contamination. | 2013-2018 | WP, MDH | | | \$1,000.00 |
| | | TOTAL | | | \$9,200.00 |

Objective B: Provide education and information on proper agricultural and residential application rates.

| | | | | | |
|--|------------|---------------------|--|--|--------------------|
| 1. Use MDA guidelines to promote pesticide water quality Bump's | Continuous | WP, MDA | | | \$1,000.00 |
| 2. Concentrate education activities through township meetings on priority areas that show greatest potential for groundwater impacts. | Continuous | WP, SWCD | | | \$2,000.00 |
| 3. Work with and provide information to applicators and producers on following the University of Minnesota recommended application rates of farm chemicals through administering applicator tests. | Continuous | WP, SWCD, CWP's, Co | | | \$5,000.00 |
| 4. Provide field day education opportunities bi-annually for ag suppliers, applicators and property owners on proper application practices of farm and yard chemicals . | Continuous | WP, SWCD | | | \$5,000.00 |
| 5. Encourage soil sampling to gain a better understanding of soil needs before application. | Continuous | WP, SWCD, Co | | | \$2,000.00 |
| 6. Provide technical and financial assistance to assist producers in adopting BMP's to reduce the impacts of manure runoff, soil erosion, runoff from fields through the Ag BMP Loan Program. | Continuous | WP, SWCD, Co | | | \$20,000.00 |
| 7. Develop residential educational resources on chemical and fertilizer application and alternatives to these chemicals. Education will take place through bi-annual tour of residents utilizing these practices in urban areas. | Continuous | WP, SWCD, MDA | | | \$2,000.00 |
| 8. Provide educational resources and technical assistance to community groups, schools and at community events on utilizing BMP's. | Continuous | WP, SWCD | | | \$2,000.00 |
| | | TOTAL | | | \$39,000.00 |

GOAL 2: Protect drinking water sources

Objective A: Recognize and support needs of public water supply wellhead protection.

| | | | |
|---|------------|-----------------|--------------------|
| 1. Encourage community and non-community public water suppliers to develop and implement wellhead protection plans | Continuous | WP, Cities, MDH | \$2,000.00 |
| 2. Work with public water suppliers to reduce potential impacts to drinking water sources. | Continuous | WP, Cities, MDH | \$5,000.00 |
| 3. Assist public water suppliers with the development of maps outlining the location of wells and radius of concern | 2008-2012 | WP, Cities, MDH | \$1,000.00 |
| 4. Consider wellhead protection areas when making land use decisions. | Continuous | WP, Cities, MDH | \$2,000.00 |
| 5. Utilize information provided by Minnesota Department of Health in source water assessments | Continuous | WP, Cities, MDH | \$1,000.00 |
| TOTAL | | | \$11,000.00 |

Objective B: Encourage private well protection from contamination sources.

| | | | |
|---|------------|-----------------|-------------------|
| 1. Educate homeowners, realtors, and contractors on the importance of maintaining proper setbacks from private wells to potential contamination sources through mailings to realtors and information sheets to landowners during septic upgrades or building permit application | Continuous | WP, Cities, MDH | \$2,000.00 |
| 2. Educate homeowners and realtors on the importance of well disclosure. | Continuous | WP, Cities, MDH | \$2,000.00 |
| 3. Encourage homeowners to get private wells tested on a regular basis through a radio press release. | Continuous | WP, Cities, MDH | \$1,000.00 |
| TOTAL | | | \$5,000.00 |

Objective C: Encourage proper sealing of unused or abandoned wells.

| | | | |
|--|------------|-------------|--------------------|
| 1. Inventory locations of abandoned or unused wells. | 2008-2012 | WP, MDH | \$50,000.00 |
| 2. Prioritize the sealing of unused or abandoned wells based on potential for contamination. | 2008-2012 | WP, MDH | \$2,000.00 |
| 3. Use existing and develop new cost-share programs to assist with well sealing costs. | Continuous | WP, MDH, Co | \$40,000.00 |
| 4. Develop and distribute educational materials for homeowners, realtors, bankers and attorneys on the importance of disclosing and sealing wells. | Continuous | WP, MDH | \$4,000.00 |
| TOTAL | | | \$96,000.00 |

Objective D: Address groundwater adequacy and sustainability of Brown County groundwater aquifers.

| | | | |
|--|-----------|------------|------------|
| 1. Utilize the updated Minnesota Geologic Survey atlas of Brown County | 2013-2015 | WP, U of M | \$1,000.00 |
|--|-----------|------------|------------|

groundwater resources in addressing concerns of our groundwater resources.

2. Partner with the MN DNR in their groundwater monitoring program.
3. Promote groundwater conservation efforts with urban and rural residents through educational resources, review of project proposals

| | | |
|------------|----------|------------|
| Continuous | WP, SWCD | \$1,000.00 |
| Continuous | WP, SWCD | \$1,000.00 |
| | | \$3,000.00 |

GOAL 3: Minimize impacts to groundwater sources from industrial and rural development.

Objective A: Reduce impacts of rural and industrial development on groundwater resources.

1. Define and map areas that may have low availability of groundwater resources and high potential for contamination through the use of the MN Geological Survey data.
2. Obtain up to date information on water use practices involving rural development including feedlot needs and ethanol production.
3. Inform Planning and Zoning office on industrial uses that have high water use potential and develop plans that consider high water use impacts.
4. Work with DNR to consider planning for significant water use developments and review permit applications such as irrigation wells.

| | | |
|-----------------|-------------------|--------------------|
| 2008-2009 | WP, MDH, DNR, MGS | \$2,000.00 |
| 2008-2009 | WP, MDH, Industry | \$1,000.00 |
| Continuous | WP, P&Z | \$1,000.00 |
| Continuous | WP, DNR | \$4,000.00 |
| TOTAL | | \$8,000.00 |
| Timeline | | Cooperators |
| | | Costs |

PRIORITY CONCERN 3: DRAINAGE

GOAL 1: Improve drainage management system based on water quality goals.

Objective A: Cooperate with Drainage Authorities to inventory current drainage system.

1. Utilize mapping and data management process from current GIS ditch layer for public drainage systems.
2. Field verify ditch systems to determine as built conditions.
3. Compile ditch information relating to previous repair and improvements.
4. Inventory conservation projects currently active on ditch network

| | | |
|------------|----------|-------------|
| Continuous | WP, DA | \$5,000.00 |
| 2010-2016 | WP, DA | \$50,000.00 |
| 2008-2010 | WP, DA | \$10,000.00 |
| 2008-2010 | WP, SWCD | \$2,000.00 |

| | | |
|---|-----------|-------------------------|
| TOTAL | | \$67,000.00 |
| Objective B: Determine and map problem areas | | |
| 1. Identify areas with high potential for bank failure or erosion concerns failure due to the amount of inputs to the system | 2008-2010 | WP, SWCD \$2,000.00 |
| 2. Identify areas with high maintenance costs and develop solutions that provide water storage, reduced erosion and reduced maintenance | 2008-2010 | WP, DA, SWCD \$2,000.00 |
| 3. Prioritize drainage systems that currently impact an impaired water body. | 2008-2010 | WP \$2,000.00 |
| TOTAL | | \$6,000.00 |

| | | |
|---|------------|---------------------------|
| Objective C: Reduce water inputs and provide water storage to the system. | | |
| 1. Utilize GIS data to create potential water retention sites based on drainage basins map. | 2008-2010 | WP \$4,000.00 |
| 2. Identify upstream practices that slow or reduce flow to receiving waters in problem areas. | Continuous | WP, SWCD \$1,000.00 |
| 3. Pursue funding opportunities for water storage or wetland restorations in high priority areas. | Continuous | WP, SWCD, Co \$500,000.00 |
| 4. Explore funding mechanisms through the Ditch Authority that rewards landowners for their water retention efforts through incentives or reduced taxing. | 2010-2016 | WP, DA, Co \$500,000.00 |
| 5. Develop controlled drainage demonstration site. | 2010-2012 | WP, DA, Co \$40,000.00 |
| 6. Provide education to landowners considering drainage tile in regards to how drainage tile can affect the timing, duration, magnitude of channel flow, flooding, infiltration throughout the growing season and non-growing season. | Continuous | WP 0 |
| TOTAL | | \$1,045,000.00 |

| | | |
|--|------------|-------------------------------|
| Objective D: Develop education and incentive programs to increase conservation practices. | | |
| 1. Continue to encourage the County Ditch Authority to work on requiring ditch buffers to newly re-assessed ditches. | Continuous | WP, DA, SWCD, Co \$300,000.00 |
| 2. Pursue funding for alternatives to surface tile inlets through cost-share programs for rock tile inlets. | Continuous | WP, DA, SWCD, Co \$50,000.00 |
| 3. Provide information and educational resources on water retention and wetland restoration efforts to officials and landowners through tile project reviews and WCA applications. | Continuous | WP, SWCD \$10,000.00 |
| 4. Provide information and educational resources on controlled drainage to officials and landowners during proposed tile projects and at the Brown County Ag. Show. | Continuous | WP, SWCD \$2,000.00 |

| | | | |
|--|-----------|--------------------|---------------------|
| 5. Develop economic worksheet considering water storage benefits to the system in reduced maintenance costs. | 2010-2012 | WP, SWCD | \$5,000.00 |
| 6. Encourage the County Drainage Authority to partner with other agencies for project support and funding | 2010-2012 | WP | \$100,000.00 |
| TOTAL | | | \$467,000.00 |
| PRIORITY CONCERN 4: WETLANDS/WATER RETENTION | | Cooperators | Costs |

GOAL 1: Protect existing wetlands and increase wetland resources

Objective A: Identify current wetlands and potential wetland restoration sites.

| | | | |
|--|------------|----------------|-------------------|
| 1. Create GIS map of wetlands currently managed through an easement or conservation program through the NRCS, SWCD, and FWS. | 2008-2012 | WP, SWCD, BWSR | \$5,000.00 |
| 2. Utilize agency GIS information and restorable wetland areas throughout Brown County | Continuous | WP, FWS | |
| TOTAL | | | \$5,000.00 |

Objective B: Educate citizens and officials on wetland functions and importance.

| | | | |
|---|------------|---------------|------------|
| 1. Collaborate with agency and conservation group partners to share information gathered through the inventory process. | 2008-2012 | WP | \$2,000.00 |
| 2. Develop information to distribute to contractors, developers and realtors on wetland identification through direct mailings bi-annually. | Continuous | WP, BWSR | \$5,000.00 |
| 3. Provide wetland training opportunities to local officials who make planning, development and permitting decisions. | Continuous | WP, BWSR, COE | \$5,000.00 |
| 4. Work with DNR and Planning and Zoning on lakeshore development wetland impact issues. | Continuous | WP, DNR, P&Z | \$2,000.00 |
| 5. Provide lakeshore owners information on needed permits for vegetation removal and beach development by the DNR. | Continuous | WP, DNR, P&Z | \$2,000.00 |

6. Utilize and encourage educational resources available from other agencies who work directly with wetland areas and their function.

| | | |
|--------------|---------------------|--------------------|
| Continuous | WP, DNR, BWSR, SWCD | \$2,000.00 |
| TOTAL | | \$18,000.00 |

Objective C: Encourage wetland restoration and management.

| | | | |
|---|------------|----------------|---------------------|
| 1. Identify through the building permit process potential wetland impacts that may need consideration. | Continuous | WP, P&Z | \$10,000.00 |
| 2. Protect existing wetland areas for their value to flood reduction, infiltration, sediment reduction, erosion control and nutrient reduction. | Continuous | WP, DNR, BWSR | \$5,000.00 |
| 3. Administer the Wetland Conservation Act | Continuous | WP, Co | \$100,000.00 |
| 4. Work with DNR and USFWS to maintain existing wildlife and wetland areas. | Continuous | WP, DNR, USFWS | \$2,000.00 |
| 5. Educate landowners to the benefits of converting drained wetlands in the WRP and CRP programs when WCA applications are submitted throughout the year. | Continuous | WP, SWCD | \$10,000.00 |
| 6. Work with SWCD and other agencies to enroll individuals in wetland restoration programs | Continuous | WP, SWCD, NRCS | \$30,000.00 |
| TOTAL | | | \$157,000.00 |

PRIORITY CONCERN 5: HUMAN WASTEWATER

GOAL 1: Eliminate Subsurface Sewage Treatment System (SSTS) contamination to surface and groundwater.

Objective A: Maintain onsite sewage treatment inspection program.

| | | | |
|--|------------|--------|--------------------|
| 1. Provide site and soils investigations with contractors to verify design criteria. | Continuous | WP, Co | \$5,000.00 |
| 2. Provide assistance, review and approval of system designs. | Continuous | WP, Co | \$5,000.00 |
| 3. Complete site inspections at time of installation. | Continuous | WP, Co | \$10,000.00 |
| 4. Maintain computer and GIS file system of compliant systems and design and installation records. | Continuous | WP, Co | \$2,000.00 |
| TOTAL | | | \$22,000.00 |

Objective B: Provide education and seek funding for septic program.

| | | | |
|--|------------|--------|-----------------------|
| 1. Provide educational materials on system design and maintenance to new septic system owners. | Continuous | WP, Co | \$2,000.00 |
| 2. Provide pumping notice to homeowners for maintenance to systems. | Continuous | WP, Co | \$5,000.00 |
| 3. Develop information to be used at meetings, events and shows on the importance of ISTS upgrade and maintenance. | Continuous | WP, Co | \$2,000.00 |
| 4. Provide financial and technical status reports to County Officials. | Continuous | WP, Co | \$1,000.00 |
| 5. Inventory of systems considered Imminent Threat to Public Health or Safety. | 2010-2014 | WP, Co | \$60,000.00 |
| 6. Continue seeking funds for low interest loan programs sponsored by Clean Water Partnerships and County Septic fund. | Continuous | WP, Co | \$1,500,000.00 |
| TOTAL | | | \$1,570,000.00 |

GOAL 2: Assist with improvements and upgrades to municipal and industrial wastewater treatment systems.

Objective A: Inventory of existing processes in waste water treatment facilities

| | | | |
|--|-----------|------------------|-------------------|
| 1. Work with waste water operators and municipal officials to gain understanding of current systems. | 2008-2010 | WP, Cities | \$5,000.00 |
| 2. Develop inventory of current treatment plant operations. | 2008-2010 | WP, Cities | \$2,000.00 |
| 3. Obtain permit information pertaining to facility discharges and their potential impacts to impaired waters. | 2008-2010 | WP, Cities, MPCA | \$2,000.00 |
| TOTAL | | | \$9,000.00 |

Objective B: Inventory of needs and funding opportunities for improved technologies.

| | | | |
|--|------------|------------|-------------|
| 1. Provide technical assistance and support to communities with inadequate sewage collection and treatment | Continuous | WP, Cities | \$10,000.00 |
| 2. Work with operators to determine needs to upgrade and improve treatment facilities. | Continuous | WP, Cities | \$30,000.00 |
| 3. Research technologies to update and improve water treatment facilities. | Continuous | WP, Cities | \$4,000.00 |

4. Seek funding to upgrade processes and facilities as requested.

Continuous

WP, Cities \$2,000,000.00

| | |
|--------------------|----------------|
| TOTAL | \$2,044,000.00 |
| 10 YEAR PLAN TOTAL | \$6,760,200.00 |



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Nicollet County Local Water Management Plan Amendment

Meeting Date: September 25, 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: Chris Hughes, Board Conservationist

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

Nicollet County Local Water Management Plan 2013 Amendment

[http://www.bwsr.state.mn.us/boardpackets/water_plans_for_bd_packet/Nicollet Amendment 2 013.pdf](http://www.bwsr.state.mn.us/boardpackets/water_plans_for_bd_packet/Nicollet_Amendment_2_013.pdf)

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

On August 28, 2008 the Board of Water and Soil Resources (Board) approved the Nicollet County Water Management Plan and required a 5-Year amendment to the goals, objectives and implementation schedule by August 28, 2013.

On August 19, 2013, the Board received the Nicollet County Local Water Management Plan Amendment (Plan Amendment), a record of the public hearing, and all written comments pertaining to the Plan Amendment.

On September 5, 2013, the Southern Committee (Committee) of the Board met via conference call with representatives of Nicollet County to review state agencies recommendations and comments. The Committee recommends approval of the Nicollet County Plan Update.

In the Matter of Reviewing the Local Water Management Plan Amendment for **Nicollet County** (Minnesota Statutes, Section 103B.314, Subdivision 6)

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT

Whereas, on August 28, 2008, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Nicollet County 2008 – 2018 Local Water Management Plan Update (Plan), which contained a 2008 – 2013 five-year Implementation section; and

Whereas, this Board Order stipulated that Nicollet County was required to update the implementation section by August 28, 2013; and

Whereas, the Nicollet County Board of Commissioners submitted the Nicollet County Plan 2013 Amendment to the Board on August 19, 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 December 22, 2011 Board staff provided information on the amendment process to Nicollet County.
2. On January 24, 2012, Nicollet County passed and submitted a resolution stating its intent to amend its current Plan by providing for the required update of the five-year implementation section, pursuant to M.S. Section 103B.314, Subd. 6.
3. On March 9, 2012, Nicollet County provided proper notice to local units of government and state agencies of the County's intent to amend its five-year implementation section and invited all recipients to participate in the amendment process.
4. On May 16, 2012 and July 31, 2012 Nicollet County conducted local water planning task force meetings to develop the five-year implementation section update.
5. Nicollet County received written comments from the Minnesota Department of Agriculture, the Minnesota Pollution Control Agency, the Minnesota Department of Health and the Minnesota Board of Water and Soil Resources. The Minnesota Board of Water and Soil Resources, Minnesota Department of Natural Resources, and Minnesota Pollution Control Agency attended the water plan task force meeting(s) and provided comments.

6. Brown County, Brown Nicollet Environmental Health, City of Mankato and Courtland Township also provided written comments to Nicollet County.
7. The final document developed by Nicollet County, which includes the revised five-year implementation section 2013 – 2018 is entitled the Nicollet County Local Water Management Plan 2013 Amendment.
8. On August 13, 2013, after providing for proper public notice, Nicollet County conducted a public hearing on the proposed 2013 Amendment.
9. On August 19, 2013, the BWSR received the Nicollet County 2013 Amendment, a record of the public hearing, and copies of all written comments pertaining to the 2012 Amendment, pursuant to M.S. Section 103B.314, Subd. 6.
10. On September 5, 2013, the Board's Southern Region Committee (Committee) reviewed the Nicollet County 2013 Amendment, pursuant to 103B.301 and guidelines established by the Board.
11. Board regional staff provided its recommendation of approval to the Committee.
12. The Committee voted to recommend approval to the full Board September 25, 2013
13. This 2013 Amendment will be in effect until August 28, 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 Amendment of Nicollet County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
2. The Nicollet County 2013 Amendment attached to this Order states goals, objectives and actions the County will address in the five-year implementation section August 2013 – August 2018. The 2013 Amendment, as well as the previously approved Nicollet County 2008 – 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 Nicollet County Local Water Management Plan for August 2013 – August 2018. Nicollet County will be required to provide for a complete update of its Water Management Plan prior to August 28, 2018.

Dated at St. Paul, Minnesota, this 25th day of September 2013.

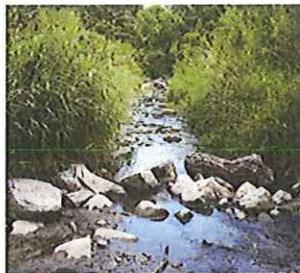
MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

Nicollet County

LOCAL WATER MANAGEMENT PLAN

2013 Amendment



10-Year Plan
5-Year Implementation Schedule
2008 - 2018

Prepared by Nicollet County Environmental Services Department with assistance from the Nicollet County Water Plan Task Force and the Minnesota Board of Soil and Water Resources

NICOLLET COUNTY
LOCAL WATER MANAGEMENT PLAN
A 10-year Plan with a 5-Year Implementation Schedule 2008-2018

TABLE OF CONTENTS

| | |
|--|----|
| ACRONYMS..... | 4 |
| ACKNOWLEDGEMENTS | 5 |
| EXECUTIVE SUMMARY | 6 |
| THE PURPOSE OF THE LOCAL WATER MANAGEMENT PLAN | 6 |
| REQUIREMENTS OF A LOCAL WATER MANAGEMENT PLAN..... | 6 |
| OVERVIEW OF THE NICOLLET COUNTY COMPREHENSIVE WATER MANAGEMENT PLAN PROCESS..... | 6 |
| PLAN ADOPTION AND AMENDMENT..... | 7 |
| PAST ACCOMPLISHMENTS..... | 7 |
| ONGOING PROGRAMS | 7 |
| DESCRIPTION OF PRIORITY CONCERNS TO BE ADDRESSED BY THE LWM PLAN | 8 |
| CONSISTENCY WITH LOCAL, STATE, AND REGIONAL PLANS..... | 9 |
| SUMMARY OF RECOMMENDED AMENDMENTS TO OTHER PLANS AND OFFICIAL CONTROLS..... | 9 |
| PRIORITY CONCERNS..... | 10 |
| IDENTIFICATION OF THE PRIORITY CONCERNS | 10 |
| ASSESSMENT OF THE PRIORITY CONCERNS | 10 |
| GOALS AND OBJECTIVES TO ADDRESS PRIORITY CONCERNS | 15 |
| ONGOING ACTIVITIES..... | 18 |
| IMPLEMENTATION TO ADDRESS PRIORITY CONCERNS..... | 20 |
| | |
| APPENDIX A PRIORITY CONCERNS SCOPING DOCUMENT | |

EXECUTIVE SUMMARY

THE PURPOSE OF THE LOCAL WATER MANAGEMENT PLAN

The purpose of the Nicollet County Local Water Management (LWM) Plan is to protect water resources in the County from point and nonpoint sources of pollution. Coordination of these protection efforts between various local, state, and federal agencies and organizations reduces duplication and eliminates gaps in implementation strategies aimed at a common goal of water protection.

Requirements of a Local Water Management Plan

The LWM Plan meets the requirements set forth in current state statutes (Minnesota Statute 103B.311, Subd 4) as follows:

- Its coverage includes the entire County
- It addresses problems in the context of watershed units and ground water systems
- It is based upon principles of sound hydrologic management of water, effective environmental protection, and efficient management
- It is consistent with local water management plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or ground water system
- Its duration is for ten years with review and amendment to the LWM Plan as necessary in five years

Overview of the Nicollet County Comprehensive Water Management Plan Process

The Nicollet County Board of Commissioners authorized the development of the first Nicollet County Comprehensive Water Resources Management Plan in the spring of 1987. It addressed surface water, groundwater, and related land uses and resources on a watershed basis.

Beginning that fall with an informational meeting, development and implementation of the original 1990 Local Water Plan achieved extensive citizen and intergovernmental involvement. Numerous Nicollet County residents, county organizations, local units of government, adjacent counties, state agencies, federal agencies, private companies, and institutions of higher learning assisted county staff and officials. Regular communication and cooperation with neighboring counties was essential and remained a key ingredient in the process in developing the first Water Plan.

Currently referred to as the Nicollet County Water Management Task Force, the original Water Planning and Implementation Task Force, has continued to be a part of the process. In 1994, 1999 and November 2005, the Task Force provided a review of the Goals, Objectives and Actions for the second, third and fourth revisions, respectively.

This is the fourth edition of a local water management plan for Nicollet County. The current version was approved by the Board of Water and Soil Resources (BWSR) Board on August 29, 2008 and is in effect until August 31, 2018. The Nicollet County Commissioners adopted the plan on September 10, 2008.

A resolution to update the Nicollet County Comprehensive Water Management Plan was passed by the Nicollet County Commissioners on January 24, 2012. The resolution was then submitted to BWSR February 10, 2012. Notice of intent to amend the plan was provided to neighboring Local Government Units, agencies, and other interested parties on March 9, 2012. A Task Force was convened to review the current plan and discuss current and future issues, concerns, and needs on May 16, 2012. A subset of the Task Force met on July 31, 2012 for further, in-depth discussion.

This Plan amendment will be in effect from August 31, 2013 through August 31, 2018. When appropriate, Nicollet County will provide for total Plan revision process with the goal of having the next generation plan in effect September 2018.

Plan Adoption and Amendment

Upon approval of this Plan amendment by the BWSR Board, 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, 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.

Past Accomplishments

Nicollet County and other partners have worked on a significant number of the objectives contained in the 2008 LWM Plan. Many existing and ongoing programs were built or enhanced as a result of implementing the LWM Plan. Following are a few of the accomplishments from Nicollet County Environmental Services Department (ESD), Nicollet Soil and Water Conservation District (SWCD), Natural Resources Conservation District (NRCS), Rush River Clean Water Partnership (CWP), Seven Mile Creek CWP, and Middle Minnesota CWP:

- 94 rock tile/alternative inlets installed, 224 acres of cover crop planted, 42.65 acres of CRP enrolled, 25.9 acres put into rotational grazing, provided \$140,447 on 17 septic low interest loans, 34 acres of filter strip installed, 4 rain barrels distributed, 1 rain garden constructed, and 1 terrace constructed in Rush River Watershed
- 2 terrace structures
- 6 water and sediment control basins installed
- 4 grade stabilization projects completed
- 3 grassed waterways installed
- 6 wells sealed
- Utilized State cost-share dollars to install 15.0 acres of farmstead windbreaks
- In partnership with Environmental Quality Incentives Programs (EQIP), installed multiple conservation practices, such as nutrient management, waste impoundment closures, and manure transfer systems, totaling \$1,775,427
- 675.8 acres enrolled in Reinvest in Minnesota (RIM)/Wetlands Reserve Program (WRP)
- 92.3 acres enrolled in Conservation Reserve Program (CRP)
- 169 acres enrolled in conservation tillage
- Conducted research on conservation drainage projects
- Water quality and quantity monitoring in Seven Mile Creek watershed
- Minnesota Pollution Control Agency's (MPCA) E. coli fingerprinting study conducted
- Monitoring near stream sediment and phosphorus reduction
- Annual Career Day presentations
- Annual Children's Water Festival presentations
- Annual tree donation to elementary school students
- Developed, updated, and maintained loan/grant application and progress information on website
- Administered the Wetland Conservation Act (WCA)
- Promoted the replacement of non-compliant septic systems and upgraded 238 systems since 2008
- Worked with MPCA as a delegated County for the Feedlot Program and maintained feedlot data base
- Worked with livestock producers to register their feedlots and completed their Manure Management Plans

Ongoing Programs

Nicollet County continues to administer several programs that are vital to achieving the goals set forth in the LWM Plan including those related to feedlots, floodplain and shoreland management, subsurface sewage treatment

systems, septic loan programs, water plan administration, solid waste, WCA, and zoning. These programs are locally administered through the County ESD, SWCD, and Public Works Department (PW_). Understandably, the continued funding of these programs has been identified as a high priority in this Plan Amendment.

The current LWM Plan and the updated Five-Year Focus Plan will serve to guide Nicollet County in water planning through the year 2018. During this time, opportunities will exist to amend goals, objectives, and the work plan itself. Nicollet County will continue to build on past accomplishments and encourage new programs and opportunities for the effective management and protection of its water and land resources.

DESCRIPTION OF PRIORITY CONCERNS TO BE ADDRESSED BY THE LWM PLAN

The Priority Concerns listed below were selected by the Water Plan Task Force members, after carefully reviewing submitted concerns and comments and refined after discussions. While the assessment of priority concerns utilized the best available information, this LWM Plan rests on data and analyses contained in previous editions of the LWM Plan.

Priority Concern 1 Storm Water Control

As storm water travels across the landscape and enters lakes, streams, and wetlands, it brings with it concentrations of pollutants. These pollutants, including sediment, nutrients, and heavy metals, can degrade the water quality of the receiving water body significantly. This priority focuses on management of storm water in both urban and rural settings.

Priority Concern 2 Urban and Rural Resource Management

There is a need to maintain current programs that manage Nicollet County's water resources. Nutrient management plans and controlling feedlot runoff are important in preventing water quality issues. Many rural residences in the County have outdated septic systems that need to be upgraded. Wetlands provide water storage capacity and act as filters and so play an important roll across a landscape. Providing appropriate disposal options for county residents reduces the risk of ground and surface water contamination from solid waste, including household hazardous waste. Maintain a water management plan that directs resources to practices that will improve water quality and quantity.

Priority Concern 3 Watershed Restoration and Protection

Stream banks, bluffs, ravines, and uplands are sources of sediment in the Minnesota River. One of the initial steps toward improving water quality within the Minnesota River Watershed is protecting the soil from erosion. However, when water bodies fail to meet one or more water quality standards, they are considered impaired and are subject for inclusion on Minnesota's Impaired Waters list. This concern emphasizes assistance with the TMDL allocation and implementation processes. This concern also promotes best management practices and other land use practices that reduce the amount of sediment and nutrients entering a water body.

Priority Concern 4 Groundwater

Nicollet County is 100% dependent on groundwater for its drinking water, either through individual wells, municipal supply or rural water systems. The groundwater concern will be addressed to assure long-term quality and quantity of groundwater supplies, with a priority for wellhead protection areas and areas not currently served by public/community systems.

Priority Concern 5 Drainage

Water movement across the landscape has changed greatly over time through development of the public drainage system. Unfortunately, the lack of official procedures in place to regulate the outlet of private tile lines into public ditch systems has led to issues in both water quality and quantity. This concern will work toward a coordinated effort to manage the drainage system and promote water quality programs.

SUMMARY OF GOALS, OBJECTIVES, AND PROJECTED COSTS

Below is a table of the projected costs per year for implementation of each Goal.

| | |
|--|---|
| GOAL: Stormwater Control | Projected Cost per Year: \$34,500 |
| Objective 1. Urban Storm Water Control | |
| Objective 2. Erosion Control and Best Management Practices | |
| Objective 3. Protect Sensitive Land Along Streams | |
| Objective 4. Education | |
| GOAL: Urban and Rural Resource Management | Projected Cost per Year: \$388,000 |
| Objective 1. Establish Buffers | |
| Objective 2. Administer SSTS Program | |
| Objective 3. Protect Wetlands Resources | |
| Objective 4. Manage Parks and Scenic Areas | |
| Objective 5. Administer Feedlot Program | |
| Objective 6. Promote Responsible Manure Management | |
| Objective 7. Administer Solid Waste Program | |
| Objective 8. Administer Water Management Plan | |
| Objective 9. Education | |
| GOAL: Watershed Restoration and Protection | Projected Cost per Year: \$94,500 |
| Objective 1. Middle Minnesota Watershed Restoration and Protection | |
| Objective 2. Seven Mile Creek Restoration and Protection | |
| Objective 3. Roger's Creek Restoration and Protection | |
| Objective 4. Lower Minnesota Watershed Restoration and Protection | |
| Objective 5. Education | |
| GOAL: Groundwater | Projected Cost per Year: \$14,000 |
| Objective 1. Well Water Testing | |
| Objective 2. Encourage Wellhead (Ground and Surface Water) Protection From Contamination | |
| Objective 3. Encourage Proper Sealing of Unused or Abandoned Wells | |
| Objective 4. Education | |
| GOAL: Drainage | Projected Cost per Year: \$96,500 |
| Objective 1. Improve Drainage Management | |
| Objective 2. Education | |
| PROJECTED COST OF IMPLEMENTATION PER YEAR: \$622,000 | |

CONSISTENCY WITH LOCAL, STATE, AND REGIONAL PLANS

Nicollet County ESD staff administer the County's comprehensive land use planning and zoning ordinances. The LWM Plan, County Zoning Ordinance, WCA, Solid Waste Ordinance, Shoreland Ordinance, and all aspects of the Natural Resources Block Grant are administered out of one office. In addition, there is communication and cooperation with all other courthouse and County offices and the Nicollet County SWCD office for planning processes. This helps to maintain consistency between this plan and other plans and ordinances. In addition, the County has access to other local, regional, and state plans for use in LWM Plan development.

SUMMARY OF RECOMMENDED AMENDMENTS TO OTHER PLANS AND OFFICIAL CONTROLS

There are no specific recommended amendments at this time. The priority concerns and action items established in the LWM Plan should allow for cooperation between the County and other local governments in the development and amendments of local controls and ordinances. Reference to water quality and quantity issues developed in the LWM Plan should be considered on a voluntary basis by each organization in its planning process.

mitigating increases in flow volume. A concerted effort by local decision makers, local and state agencies and landowners will be necessary to ensure sufficient drainage for crop production while maintaining or improving water quality. High priority areas will include impaired water bodies and reaches of impaired water bodies on the Clean Water Act 303(d) list of impaired waters, though any area with high resource value waters should be considered.

GOAL – Encourage efforts to maintain the public drainage system while improving water quality and managing water quantity.

Objective 1 Improve Drainage Management
Objective 2 Education

ONGOING ACTIVITIES

Nicollet County is dedicated to preserving our resources while providing a sound economy and educational opportunities for its citizens. Nicollet County strives to maintain and enhance the beauty of the Minnesota River Valley. The Nicollet County staffs in all departments are known for their willingness to work with all citizens of the County.

While the County staff cannot regulate the cities, there is a congenial working relationship and will continue to work with the city staffs as opportunities arise. Cities continue to educate and enforce best management practices in storm water control, erosion control during construction and offer incentives to their citizens to practice enhancement and preservation of their natural resources.

Staff will continue to work with all the public water suppliers in the county to further efforts to protect water quality and reduce potential impacts to drinking water sources that may be attributable to land uses.

Nicollet County's youth are important. County staff will continue to join the staffs of the surrounding counties, cities, agencies, and organizations to present and participate in educational opportunities throughout the county on a yearly basis.

SWCD and ESD staffs continue to administer the Minnesota Wetland Conservation Act Rules and Regulations. Staff and other partners may also assist landowners to preserve and restore wetlands through education and/or grants, such as Clean Water Partnership and Clean Water Legacy grants.

ESD staff will continue to provide administration of zoning, SSTS, feedlot, and solid waste ordinances. Staff answers questions and enforces the regulations in zoning and shoreland areas, storm water and erosion control methods, and solid waste.

Rural landowners are provided with education and low-interest loan opportunities, as available, for replacement of non-compliant septic systems. The County Board of Commissioners has authorized County money, in the form of low interest loans, to be used to assist people in upgrading their non-compliant septic systems. In addition, the Rush River CWP and Middle Minnesota CWP also provides assistance with low interest loans.

Staff provide opportunities for the citizens to access County, State and Federal funds to assist in farming practices through such programs as RIM, Conservation Reserve Enhancement Program (CREP) and grants from CWP, Clean Water Legacy (CWL) funds, foundations and other groups. These programs help achieve the goals within set rules and regulations while at the same time provides information that preserves and improves the natural resources.

There are also many other public and private efforts at the regional, State, and Federal levels which serve to promote the regulatory and informational goals of sound water management. These particular ongoing activities typically encompass all watersheds in the County, reaching a broad cross-section of local residents and businesses.

IMPLEMENTATION TO ADDRESS PRIORITY CONCERNS

Nicollet County has established an implementation schedule that prioritizes and outlines a timeframe and appropriate funding necessary for completing the goals, objectives, and actions identified throughout this document. This schedule also recognizes the agencies responsible for overseeing the implementation activities. The Implementation Schedule on the following pages correlates with the goals, objectives, and actions identified in the LWM Plan. The year in which the activity is expected to occur is provided, with most action items occurring throughout the five-year period.

| PRIORITY CONCERN 1: STORMWATER CONTROL | | | | | | |
|---|------------|--|------------------|-------------------|--|-------------------------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate Per Year |
| Urban Storm Water Control | 1 | Provide technical and financial assistance (as available) to communities to assist officials, developers, and contractors in the implementation of water quality related BMPs that will increase the infiltration of storm water and fulfilling MS4 program requirements. Example BMPs include rain barrels, rain gardens, retention basins, and pervious surfaces. Approximately 12 projects/sites per year | 2013-2018 | Developed Areas | Municipalities, Nicollet County ESD, MPCA | \$2,000 |
| | 2 | Assist communities and townships in researching grants and loans for stormwater projects, including control of erosion during construction and general erosion control along township roads | 2013-2018 | Countywide | Municipalities, Townships, Nicollet County ESD, MPCA | \$500 |
| Erosion Control & Best Management Practices | 1 | Continue research into various erosion control practices, including ravine erosion. Attend one workshop or conference dealing with erosion control each year. | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, Rush River, SMC, NRCS, MPCA, DNR | \$1,000 |
| | 2 | Implement erosion control practices at 5 locations per year that incorporate site specific fluvial geomorphology – toe wood sod mats and j hooks so fish can access the floodplain | 2013-2018 | Countywide | Nicollet SWCD, Rush River, SMC, NRCS, MPCA, DNR | \$6,000 |
| | 3 | Assist with stabilization of ravine off of Lake Street between North Mankato and Mankato through funding from 319 grant dollars, MnDOT, or Clean Water Funds | 2013-2018 | Ravine | Nicollet County ESD, City of Mankato, City of North Mankato | \$500 |
| | 4 | Hold one demonstration of new practices each year | 2013-2018 | Countywide | Nicollet SWCD, SMC, Rush River, Nicollet ESD, MDA, MPCA | \$2,000 |
| | 5 | Hold one demonstration on current practices each year | 2013-2018 | Countywide | Nicollet SWCD, SMC, Rush River, | \$5,000 |

| PRIORITY CONCERN 1: STORMWATER CONTROL | | | | | | |
|--|-----|--|-----------|-----------------------|---|------------------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate Per Year |
| | 6 | Re-enroll 10 CRP contracts per year | 2013-2018 | Countywide | Nicollet ESD, MDA, MPCA | \$1,000 |
| Protect Sensitive Land along Streams | 1 | Provide technical and financial assistance (as available) to landowners and communities for implementation of water quality related BMPs such as conservation tillage, vegetative buffer strips, sediment basins, grade stabilization structures, bank stabilization structures, shore land restoration, and rock intakes. Approximately 16 project/sites per year | 2013-2018 | Countywide | Nicollet SWCD, NRCS, Rush River, SMC | \$2,000 |
| | 2 | Send 20 buffer strip proposals to landowners per year to promote structural practices in ravine | 2013-2018 | Countywide | Nicollet SWCD, Rush River, Nicollet County ESD, NRCS, SMC, MDA, MPCA | \$2,500 |
| | 3 | Assist with the stabilization of the bank along the Minnesota River, specifically within the Seven Mile Creek Park boundary. Assistance can include installation of erosion control measures or identification of funding sources. | 2014-2018 | Seven Mile Creek Park | SMC, Nicollet SWCD, Nicollet County ESD, NRCS, MDA, MPCA | \$10,000 |
| Education | 1 | Provide educational opportunities to increase awareness of the effect of stormwater on slope stabilization and water quality (ex. Master Gardner meetings, partners' newsletters (St. Peter, North Mankato, Extension, Rush River/HIC), DNR's Moist Soil Management Unit). Approximately 3 events/projects per year | 2013-2018 | Countywide | Nicollet County ESD, Rush River, SMC, Master Gardener, MDA, DNR, MPCA | \$2,000 |
| ESTIMATED ANNUAL TOTAL | | | | | | \$34,500 |

| PRIORITY CONCERN 2: URBAN AND RURAL RESOURCE MANAGEMENT | | | | | | |
|---|-----|--|-----------|------------|--|------------------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate Per Year |
| Establish Buffers | 1 | Evaluate and annually update land use data including GIS layers and LIDAR to identify and inventory high priority natural corridors to be enhanced. Evaluate in 2016-2018. | 2016-2018 | Countywide | Nicollet County ESD, Nicollet SWCD DNR | \$20,000 |
| | 2 | Develop and maintain a protection system for restored | 2016-2018 | Countywide | Nicollet County ESD, | \$500 |

| PRIORITY CONCERN 2: URBAN AND RURAL RESOURCE MANAGEMENT | | | | | | |
|---|-----|--|-----------|------------|---|------------------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate Per Year |
| | | or enhanced areas previously identified. Initiate in 2016. | | | Nicollet SWCD, DNR, BWSR, MPCA | |
| | 3 | Establish buffer strips around 2 existing wetlands per year throughout the duration of the Plan | 2013-2018 | Countywide | Nicollet SWCD, Rush River, NRCS, SMC, DNR | \$1,000 |
| | 4 | Hold 2 demonstrations on important aspects of native grass plantings in rural and urban areas where applicable | 2013-2018 | Countywide | Nicollet SWCD, Rush River, SMC, Nicollet County ESD, NRCS, Master Gardner, MDA, DNR | \$1,500 |
| SSTS | 1 | One County staff member will continue to provide oversight and assistance of State and County regulations and inspection services as part of the County's SSTS program. | 2013-2018 | Countywide | Nicollet County ESD, BWSR, MPCA | \$45,000 |
| | 2 | Provide information and assistance to homeowners on proper SSTS design, installation, operation, and maintenance through the ESD application procedure, annual newsletters, mailings, and website resources. | 2013-2018 | Countywide | Nicollet County ESD, MPCA | \$20,000 |
| | 3 | Provide educational and technical assistance to homeowners who are upgrading noncompliant SSTSs. Investigate and initiate corrective measures for improperly discharging SSTSs. Upgrade 65 non-compliant systems per year | 2013-2018 | Countywide | Nicollet County ESD, MPCA | \$55,000 |
| | 4 | Secure and administer financial assistance programs to provide assistance for homeowners to upgrade noncompliant SSTSs. Promote cost-share incentive payments available through the County to encourage voluntary septic system upgrades. Work with 50 homeowners each year. | 2013-2018 | Countywide | Nicollet County ESD Rush River | \$20,000 |
| | 5 | Seek out additional funding for noncompliant SSTSs for Low Income homeowners and for SSTSs classified as Imminent Threat to Public Health & Safety. Work with 10 homeowners each year. | 2013-2018 | Countywide | Nicollet County ESD Rush River | \$5,000 |
| Protect Wetland Resources | 1 | One Nicollet County employee and one Nicollet SWCD employee will continue to jointly administer the Minnesota Wetland Conservation Act. | 2013-2018 | Countywide | Nicollet County ESD Nicollet SWCD BWSR, DNR | \$30,000 |
| | 2 | Work with other agencies to re-establish 25 acres of | 2013-2018 | Countywide | Nicollet SWCD, | \$1,000 |

| PRIORITY CONCERN 2: URBAN AND RURAL RESOURCE MANAGEMENT | | | | | | |
|---|-----|--|-----------|------------------------------|--|------------------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate Per Year |
| | | wetlands; continue establishing wetland acreage to total 100 acres by 2018 | | | SMC, Rush River, MPCA, NRCS, Nicollet County ESD, DNR | |
| | 3 | Utilize college interns to continue mapping historic wetlands (started under Seven Mile Creek CWP Project) through an inventory of drained wetland sites using ARC GIS, LiDAR, hydric soils layers, other GIS data layers, and other tools available. Begin inventory in 2014. | 2014-2018 | Countywide | Nicollet County ESD, SMC, MPCA | \$2,000 |
| | 4 | Assess restoration and preservation priorities based on functions and values of wetlands mapped in the wetland inventory once inventory of drained wetland sites is completed. Anticipated start in 2016. | 2016-2018 | Countywide | Nicollet SWCD, SMC, Rush River, MPCA, NRCS, Nicollet County ESD, DNR | \$1,000 |
| | 5 | Examine potential wetlands impacts that may result from growth of St. Peter by 2015 | 2013-2015 | East-Central Nicollet County | Nicollet County ESD, Nicollet SWCD, SMC, MPCA | \$500 |
| | 6 | Research the need for Local Comprehensive Wetland Protection Plan development by 2018 | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, Rush River, SMC, DNR, BWSR, MPCA | \$500 |
| | 7 | Pursue grants or other initiatives to assist landowners in enrolling in agricultural wetland mitigation banking. Establish 200 acres by 2018. | 2013-2018 | Countywide | Nicollet SWCD Nicollet County ESD BWSR, NRCS, MDA | \$1,000 |
| Manage Parks & Scenic Areas | 1 | Initiate Park Plan that identifies goals and objectives specific to Nicollet County Parks & Scenic Areas operations | 2013-2018 | Countywide | Nicollet County PW Nicollet County ESD | \$500 |
| | 2 | Continue efforts to purchase additional land for established parks and scenic areas, with a priority on lands that would benefit from stream stabilization | 2013-2018 | County Parks | Nicollet County PW, Nicollet County PB | \$1,000 |
| | 3 | Identify grants and other avenues of funding to continue to furnish state-of-the-art playground equipment for existing County parks | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet County PB, Nicollet SWCD | \$1,000 |
| | 4 | Continue to enhance the County park and scenic areas with landscaping (including costs) | 2013-2018 | County Parks | Nicollet County PW, Nicollet County PB | \$7,000 |

| PRIORITY CONCERN 2: URBAN AND RURAL RESOURCE MANAGEMENT | | | | | | |
|---|-----|---|-----------|------------|--|------------------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate Per Year |
| | 5 | Provide educational, technical, or financial assistance to landowners, cities, townships and agencies in preserving and enhancing scenic areas such as lakes and the scenic roadways as requested | 2013-2018 | Countywide | Nicollet County ESD, Municipalities, Extension, Rush River, SMC, DNR | \$1,000 |
| | 6 | Work with DNR and landowners in the Swan Lake Watershed to plant 25 acres of native plants and restore 25 acres of wetlands in addition to what has already been established since the 2008 LWM Plan | 2013-2018 | Swan Lake | DNR, Nicollet SWCD, Nicollet County ESD | \$1,000 |
| Administer Feedlot Program | 1 | One staff member will locally administer the County Feedlot Program to assist feedlot operators in obtaining and maintaining compliance with State and County regulations. Inspect at least 20 sites annually. | On-going | Countywide | Nicollet County ESD, MPCA | \$45,000 |
| | 2 | Provide educational, technical, and financial assistance (as available) to livestock producers to upgrade noncompliant feedlots. Work with approximately 5 noncompliant livestock producers each year. | On-going | Countywide | Nicollet County ESD, Extension, SMC, Rush River, MPCA, Nicollet SWCD, NRCS | \$15,000 |
| Promote Responsible Manure Management | 1 | Advocate manure and soils testing with 10 area producers and continue directing, according to State rules, any producer with stored manure from 100+ au and those with 300+ au to complete manure and soils testing, respectively | 2013-2018 | Countywide | Nicollet County ESD, Extension, SMC, Rush River, MPCA, Nicollet SWCD, NRCS | \$1,000 |
| | 2 | According to State rules, producers with 300 au or more who do not have commercial applicators need to prepare a Manure Management Plan (MMP). Assist producers in developing a MMP utilizing U of M guidelines that match application rates with needs of crops and discuss with area producers. This has occurred for at least 5 producers in the County and continues with each new application. | 2013-2018 | Countywide | Nicollet County ESD, Extension, SMC, Rush River, MPCA, Nicollet SWCD, NRCS | \$10,000 |
| | 3 | Provide educational and technical assistance to 5 agricultural and/or livestock producers each year on the effects of over-application of commercial fertilizer and manure | 2013-2018 | Countywide | Nicollet County ESD, Extension, SMC, Rush River, MPCA, Nicollet SWCD, NRCS | \$1,000 |
| | 4 | Continue to provide educational, technical and financial assistance (as available) to livestock producers for the implementation of water quality-related BMPs that will | 2013-2018 | Countywide | Nicollet County ESD, Rush River, MDA, NRCS, MPCA, | \$5,000 |

| PRIORITY CONCERN 2: URBAN AND RURAL RESOURCE MANAGEMENT | | | | | | |
|---|-----|---|-----------|------------|---|------------------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate Per Year |
| | | reduce impacts from feedlots and manure management issues. Point source pollutants can be addressed by installing agricultural waste storage facilities, filter strips, roof structures, and animal mortality compost structures. Non-point source pollutants could be addressed through exclusion fencing and by installing animal watering facilities outside naturally occurring waterways. Provide assistance on approximately 3 projects/sites per year. | | | Nicollet SWCD, Extension | |
| | 5 | Seek 2 landowners who will install educational signs that show benefits of using manure as fertilizer, e.g. 10 hogs fertilize 1 acre | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, Extension, Rush River, MPCA, NRCS | \$1,000 |
| Administer Solid Waste Program | 1 | Continue to provide disposal options to discourage the illegal burning and burying of solid waste and investigate and remediate illegal dumping activities. Close 5 solid waste violation files each year. | 2013-2018 | Countywide | Nicollet County ESD, Tri-County SW, DNR | \$30,000 |
| | 2 | Promote proper solid waste disposal by annually educating residents, students, and businesses on waste reduction, recycling, and composting through school visits, newsletters, brochures, and events. Participate in 2 educational events per year. | 2013-2018 | Countywide | Nicollet County ESD, Tri-County SW, Nicollet SWCD, MPCA, DNR | \$3,000 |
| | 3 | Continue Open Burning/Burn Barrel education campaign through exhibits at County Fair or 1 other demonstration each year and distribute educational information packets to 50 residents per year | 2013-2018 | Countywide | Nicollet County ESD, Tri-County SW, Nicollet SWCD, MPCA | \$1,500 |
| | 4 | Explore alternative waste disposal practices that would benefit all or particular townships and cities within Nicollet County | 2013-2018 | Countywide | Nicollet County ESD, Tri-County SW, Townships, Municipalities | \$3,000 |
| | 5 | Seek additional funding for solid waste education programs to assist with the clean-up of problem areas | 2013-2018 | Countywide | Nicollet County ESD, Tri-County SW, MPCA | \$500 |
| Administer Water Management Plan | 1 | Continue to fund the LWM Plan Coordinator position to oversee implementation of the LWM Plan | 2013-2018 | Countywide | Nicollet County ESD, BWSR | \$30,000 |

| PRIORITY CONCERN 2: URBAN AND RURAL RESOURCE MANAGEMENT | | | | | | |
|---|-----|---|-----------|------------|---|------------------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate Per Year |
| | 2 | Hold semi-annual task force meetings to review funding requests, review progress in achieving LWM Plan initiatives, and identify emerging issues that should be incorporated into the LWM Plan through the amendment process prior to its expiration in August 2018. | 2013-2018 | Countywide | Nicollet County ESD, Task Force | \$10,000 |
| | 3 | Comply with agency reporting requirements by announced deadlines and manage grant funds once obtained from funding sources. | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD | \$500 |
| | 4 | Actively pursue additional funding sources and grants to fund the implementation of LWM Plan initiatives. Seek partnerships and cooperative agreements to finance initiatives, when appropriate. | 2013-2018 | Countywide | Nicollet County ESD, BWSR | \$1,000 |
| | 5 | Invest in the acquisition, development, and maintenance of GIS datasets, including LIDAR, digital soil survey, land use layers, USFWS restorable wetland inventory layers, USFWS National Wetland Inventory, GIS generated storm maps, local inventory, and DNR data deli layers. Utilize these datasets to make informed decisions to prioritize implementation of conservation practices, land use planning, and water resource management. | 2013-2018 | Countywide | Nicollet County ESD | \$10,000 |
| Education | 1 | Continue to hold the Annual Children's Water Festival for 4 th Graders as an opportunity to introduce youth to water quality and conservation topics. | 2013-2018 | Countywide | BNEH, Nicollet County ESD, BWSR, MPCA, DNR, GAC, MDA, Nicollet SWCD, Brown County ESD | \$2,000 |
| | 2 | Continue to attend Career Day and present occupational information in the environmental services to Nicollet County high school age students. | 2013-2018 | Countywide | Nicollet SWCD, NRCS, DNR | \$500 |
| | 3 | Educate elementary students on the importance of planting trees by donating tree seedlings to Nicollet County schools. | 2013-2018 | Countywide | Nicollet SWCD | \$500 |
| | 4 | Continue to participate in the DNR's Fort Ridgely Education Days for nearby Nicollet County area 5 th and 6 th graders. This activity provides an opportunity to relate wetlands and conservation topics to youth. | 2013-2018 | Countywide | Nicollet County ESD, DNR | \$1,000 |

| PRIORITY CONCERN 2: URBAN AND RURAL RESOURCE MANAGEMENT | | | | | | |
|---|-----|---|-----------|------------|---|------------------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate Per Year |
| | 5 | Hold one event each year that provides education on wetland functions and importance and promotes wetland preservation and restoration programs | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, Rush River, SMC, NRCS | \$1,000 |
| ESTIMATED ANNUAL TOTAL | | | | | | \$388,000 |

| PRIORITY CONCERN 3: WATERSHED RESTORATION AND PROTECTION | | | | | | |
|--|-----|---|-----------|----------------------------|--|---------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate |
| Middle Minnesota Watershed Restoration & Protection | 1 | Continue the initiatives as set forth in the CWP Work Plan | 2013-2018 | Seven Mile Creek Watershed | Nicollet SWCD, Nicollet County ESD, MPCA, DNR, BWSR, MDA, NRCS | \$2,000 |
| | 2 | Participate in the development of TMDL pollutant allocations for impaired waters through MPCA's WRAP process | 2013-2015 | Countywide | MPCA Nicollet County ESD Nicollet SWCD | \$3,000 |
| | 3 | Nicollet County to assist in the development of strategies to address TMDL allocations through: <ul style="list-style-type: none"> Assessment of streams Identification of stressors Development of stream protection strategies Development of stream restoration strategies Engaging the public in education and awareness of goals and strategies | 2013-2018 | Countywide | MPCA Nicollet County ESD Nicollet SWCD | \$5,000 |
| | 4 | Form partnerships with adjacent counties and other stakeholders within the Middle Minnesota River Watershed to implement the Turbidity TMDL Study through the WRAP process | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, MPCA, Renville, Brown, Blue Earth, Le Sueur, and Sibley Counties | \$1,500 |
| | 5 | Continue to assist the MPCA with implementation of the Fecal coliform TMDL, through WRAP, as needed | 2013-2018 | Countywide | MPCA, Nicollet County ESD, Nicollet SWCD, SMC | \$2,500 |
| | 6 | Develop and implement 2 innovative ways of accomplishing the objectives of the Fecal Coliform TMDL Implementation | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, SMC, MPCA, DNR, | \$3,000 |

| PRIORITY CONCERN 3: WATERSHED RESTORATION AND PROTECTION | | | | | | |
|--|-----|---|-----------|----------------------------|---|---------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate |
| | 7 | Contact 5 landowners each year along ditch systems to implement CRP | 2013-2018 | Countywide | BWSR, MDA, NRCS Nicollet County ESD, Nicollet SWCD, SMC, MPCA, DNR, BWSR, MDA, NRCS | \$1,000 |
| | 8 | Contact 5 landowners each year for wetland restorations under CRP | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, SMC, MPCA, DNR, BWSR, MDA, NRCS | \$1,000 |
| | 9 | Install 2 structural practices through EQIP & State Cost-Share Program each year | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, SMC, MPCA, DNR, BWSR, MDA, NRCS | \$3,000 |
| | 10 | Seek funding from Clean Water Land & Legacy Amendment to install Water Quality BMPs in Nicollet County | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, SMC, MPCA, DNR, BWSR, MDA, NRCS | \$2,000 |
| | 11 | Install 10 Erosion Control and/or Sedimentation Reduction BMPs in the Middle Minnesota Watershed using funding from 319, Clean Water and Legacy Amendment | 2013-2018 | Middle Minnesota Watershed | Nicollet County ESD, Nicollet SWCD, SMC, MPCA, DNR, BWSR, MDA, NRCS | \$10,000 |
| Seven Mile Creek Restoration & Protection | 1 | Investigate Impairment Listings on Seven Mile Creek | 2013-2018 | Seven Mile Creek Watershed | MPCA, SMC, Nicollet County ESD, Nicollet SWCD, DNR, BWSR | \$2,500 |
| | 2 | Pursue writing a TMDL Study for impairments on Seven Mile Creek, if applicable | 2013-2018 | Seven Mile Creek Watershed | MPCA, SMC, Nicollet County ESD, Nicollet SWCD, DNR, BWSR | \$4,000 |
| | 3 | Pursue removal of Seven Mile Creek from the TMDL List | 2013-2018 | Seven Mile Creek Watershed | MPCA, SMC, Nicollet County ESD, Nicollet SWCD, DNR, BWSR | \$10,000 |
| Roger's Creek Restoration & Protection | 1 | Assist the MPCA in investigating the Fish Biota (IBI) Impairment Listing on Roger's Creek, through the Middle Minnesota Watershed | 2013-2018 | Roger's Creek Watershed | MPCA, Nicollet County ESD Nicollet SWCD, DNR, BWSR | \$1,500 |

| PRIORITY CONCERN 3: WATERSHED RESTORATION AND PROTECTION | | | | | | |
|--|-----|---|-----------|---------------------------|---|---------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate |
| | 2 | Pursue writing a TMDL Study for impairments on Roger's Creek, if applicable | 2013-2018 | Roger's Creek Watershed | MPCA Nicollet County ESD, Nicollet SWCD, DNR, BWSR | \$4,000 |
| | 3 | Pursue removal of Roger's Creek from the TMDL List if appropriate | 2013-2018 | Roger's Creek Watershed | MPCA, Nicollet County ESD, Nicollet SWCD, DNR, BWSR | \$10,000 |
| Lower Minnesota Watershed (former listed as Rush River Watershed) Restoration & Protection | 1 | Complete the Implementation Plan under WRAP for Fecal coliform Bacteria Impairment and continue assistance during the implementation of MPCA's Plan | 2013-2018 | Lower Minnesota Watershed | Nicollet County ESD, Nicollet SWCD, Rush River, MPCA, DNR, BWSR, MDA, NRCS | \$2,500 |
| | 2 | Assist the MPCA with the implementation of the Fecal Coliform TMDL Study through WRAP, within the Lower Minnesota Watershed | 2013-2018 | Lower Minnesota Watershed | Nicollet County ESD, Nicollet SWCD, Rush River, MPCA, DNR, BWSR, MDA, NRCS | \$5,000 |
| | 3 | Assist with the implementation of the Turbidity TMDL Study through WRAP, within the Lower Minnesota Watershed | 2013-2018 | Lower Minnesota Watershed | Nicollet County ESD, Nicollet SWCD, Rush River, MPCA, DNR, BWSR, MDA, NRCS | \$5,000 |
| | 4 | Seek innovative ways of accomplishing the objectives of the Fecal coliform Implementation Plan | 2013-2018 | Lower Minnesota Watershed | Nicollet County ESD, Nicollet SWCD, Rush River, MPCA, DNR, BWSR, MDA, NRCS | \$1,500 |
| | 5 | Contact 5 landowners per year along ditch systems to implement CRP | 2013-2018 | Lower Minnesota Watershed | Nicollet County ESD, Nicollet SWCD, Rush River, MPCA, DNR, BWSR, MDA, NRCS | \$1,000 |
| | 6 | Contact 5 landowners per year for wetland restorations under CRP | 2013-2018 | Lower Minnesota Watershed | Nicollet County ESD, Nicollet SWCD, Rush River, MPCA, DNR, BWSR, MDA, NRCS | \$1,000 |
| | 7 | Install 2 structural practices each year through EQIP & | 2013-2018 | Lower Minnesota Watershed | Nicollet County ESD, Nicollet SWCD, Rush River, MPCA, DNR, BWSR, MDA, NRCS | \$3,000 |

| PRIORITY CONCERN 3: WATERSHED RESTORATION AND PROTECTION | | | | | | |
|--|-----|--|-----------|---------------------------|--|---------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate |
| | | State Cost-Share Program | | Watershed | Nicollet SWCD, MPCA, DNR, BWSR, MDA, NRCS | |
| | 8 | Install 5 rock tile inlets per year | 2013-2018 | Lower Minnesota Watershed | Nicollet County ESD, Nicollet SWCD, Rush River, MPCA, DNR, BWSR, MDA, NRCS | \$5,000 |
| Education | 1 | Promote education on the improvement of the Minnesota River and the importance of its tributaries through website, brochures, advertisements, and educational events; Target 6 events per year | 2013-2018 | Countywide | Nicollet County ESD, Rush River, SMC, MPCA, CURE, DNR, BWSR, Extension | \$1,500 |
| | 2 | Engage the public through events that create awareness and a culture of working together toward a common goal of a cleaner Minnesota River; Target 2 events per year | 2013-2018 | Countywide | Nicollet County ESD, Rush River, SMC, MPCA, CURE, DNR, BWSR, Extension | \$3,000 |
| ESTIMATED ANNUAL TOTAL | | | | | | \$94,500 |

| PRIORITY CONCERN 4: GROUNDWATER | | | | | | |
|---|-----|---|-----------|----------------|--|---------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Lead Agency Supporting Agency | Cost Estimate |
| Well Water Testing | 1 | Continue Township Well Water Testing program if applicable, every three years, through Nicollet County's nitrate clinic, MDA, or DNR's geologic atlas | 2013-2018 | Countywide | Nicollet County ESD MDA, DNR, MDH | \$1,500 |
| | 2 | Continue to support GIS water quality data base that records the results of the Township Well Water Testing program | 2013-2018 | Countywide | DNR, MDH, Nicollet County ESD | \$500 |
| Encourage Wellhead (Ground & Surface Water) Protection from Contamination | 1 | Assist the MDH and the 5 municipalities within Nicollet County with the preparation and implementation of wellhead protection plans for public water suppliers. | 2013-2018 | Municipalities | MDH, Cities of Lafayette, Courtland, Nicollet, St. Peter, and North Mankato Nicollet County ESD | \$1,500 |
| | 2 | Provide technical assistance to 5 property owners per year that have MDH designated transient and non-transient wells | 2013-2018 | Countywide | Nicollet County ESD Nicollet SWCD BN CHS | \$500 |

| PRIORITY CONCERN 4: GROUNDWATER | | | | | | |
|---|-----|--|-----------|----------------|--|---------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Lead Agency Supporting Agency | Cost Estimate |
| | 3 | Educate 5 property owners per year about wellhead protection areas around their private wells | 2013-2018 | Countywide | Nicollet County ESD Nicollet SWCD BN CHS | \$500 |
| | 4 | Assist in seeking wellhead protection implementation funding | 2013-2018 | Countywide | Nicollet County ESD Cities of Lafayette, Courtland, Nicollet, St. Peter, and North Mankato, BN CHS, MDH | \$500 |
| | 5 | Identify the status of well vulnerability mapping and research the need for Conditional Use Permitting | 2013-2018 | Countywide | Nicollet County ESD BN CHS, MPCA | \$500 |
| | 6 | Promote irrigation BMPs (e.g., irrigation scheduling, monitoring soil moisture, etc.) to preserve water quality and quantity | 2013-2018 | Countywide | Nicollet County ESD MDA | \$500 |
| Encourage Proper Sealing of Unused or Abandoned Wells | 1 | Continue to provide information to the public on how to identify, locate and properly seal abandoned wells | 2013-2018 | Countywide | Nicollet SWCD DNR Nicollet County ESD BC CHS | \$500 |
| | 2 | Provide cost share (when available) to seal approximately 10 abandoned wells each year | 2013-2018 | Countywide | Nicollet SWCD Nicollet County ESD, SMC, Rush River, BWSR | \$500 |
| | 3 | Develop a Countywide inventory feasibility study of abandoned wells, initiating in 2015 | 2015-2018 | Countywide | Nicollet County ESD, Nicollet SWCD MDH, BN CHS | \$1,000 |
| | 4 | Assist cities in obtaining funding for sealing and relocation of municipal wells | 2013-2018 | Municipalities | Nicollet County ESD, Municipalities, DNR | \$500 |
| Education | 1 | Assist Extension in one educational event (e.g., brochure, presentation, poster, etc.) per year on protection of rural wells | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, SMC, Rush River, Extension | \$1,000 |
| | 2 | Annually promote groundwater protection and water conservation of noncommunity public water supply systems and inter-well management zones through newsletters, mailings, website resources, and presentations | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, SMC, Rush River, MDH | \$1,500 |

| PRIORITY CONCERN 4: GROUNDWATER | | | | | | |
|---------------------------------|-----|---|-----------|------------|---|---------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Lead Agency Supporting Agency | Cost Estimate |
| | 3 | Research what impact accelerated runoff across the landscape has on groundwater recharge by attending conferences, one per year | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, SMC, Rush River | \$1,000 |
| | 4 | Review of geologic atlas to see what geology contributes to groundwater movement within the County | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, SMC, Rush River | \$500 |
| | 5 | Identify impacts, amount and duration, to groundwater resources from anticipated industrial & rural development within the County | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, MDH, BN CHS, Municipalities | \$500 |
| | 6 | Conduct one training/workshop per year on nutrient management for agricultural producer who farms within a WHP area | 2013-2018 | Countywide | Nicollet County ESD, Nicollet SWCD, SMC, Rush River, MDA, | \$1,000 |
| ESTIMATED ANNUAL TOTAL | | | | | | \$14,000 |

| PRIORITY CONCERN 5: DRAINAGE | | | | | | |
|------------------------------|-----|---|-----------|------------|--|---------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate |
| Improve Drainage Management | 1 | Pursue the development of a comprehensive drainage management plan for Nicollet County that promotes water storage on landscape. Initiate the plan by 2015. | 2015-2018 | Countywide | Nicollet County PW Nicollet County ESD, Nicollet SWCD, MDA | \$30,000 |
| | 2 | Have County Drainage Authority consult the Drainage Management Plan as part of petition review process | 2015-2018 | Countywide | Nicollet County PW, Nicollet County ESD | \$1,500 |
| | 3 | Use flood water reduction and water quality improvement technologies based on current science and BMPs (ex. buffers, conservation drainage) when designing and implementing drainage repair | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet SWCD, SMC, Rush River | \$500 |
| | 4 | Coordinate & cooperate with other county drainage authorities regarding management of the drainage system | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet SWCD | \$500 |
| | 5 | Establish a GIS-based Public Drainage System Inventory by 2016. | 2013-2016 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet SWCD | \$20,000 |
| | 6 | Utilize the Public Drainage System Inventory to identify | 2016-2018 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet SWCD | \$25,000 |

| PRIORITY CONCERN 5: DRAINAGE | | | | | | |
|------------------------------|-----|---|-----------|------------|--|---------------|
| Objective | No. | Action Item Description | Timeframe | Focus Area | Responsible Agencies | Cost Estimate |
| | | streams that are overloaded, areas needing filter strips, potential wetland restorations, and potential sites for controlled drainage | | | Nicollet County ESD, Nicollet SWCD, SMC, Rush River | |
| | 7 | Promote and market State and Federal conservation programs that target drainage areas | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet SWCD, SMC, Rush River | \$1,000 |
| | 8 | Provide assistance to private drainage system operators, including incentive programs, to implement BMPs | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD, SMC, Rush River | \$3,500 |
| | 9 | Redetermination of ditch benefits conducted in a proactive manner | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD | \$500 |
| | 10 | Incorporate approaches outlined in BWSR's Multipurpose Drainage Synopsis as well as standards described in NRCS Drainage Water Management | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet SWCD, SMC, Rush River | \$1,500 |
| | 11 | Identify 10 properties each year that could utilize tile to augment long term water levels in wetlands | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet SWCD, SMC, Rush River | \$10,000 |
| Education | 1 | Conduct one education outreach event per year that describes and promotes incentive programs for conservation practices that retain water on landscape (ex. side inlet controls, bioreactors, control structures on tile systems, etc.) | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet SWCD, SMC, Rush River, MDA | \$500 |
| | 2 | Conduct a yearly drainage work group that invites area producers and other interested parties to a discussion on conservation drainage strategies | 2013-2018 | Countywide | Nicollet County PW, Nicollet County ESD, Nicollet SWCD, DNR, BWSR | \$2,000 |
| ESTIMATED ANNUAL TOTAL: | | | | | | \$96,500 |

The UMRWD 2013–2023 Watershed Management Plan includes an updated inventory of the District’s physical features and water resources, describes water related problems and possible solutions, describes past activities and projects the District has completed, and states objectives for current and future water resource management within the District.

The Southern Region Committee met on September 5, 2013. After review of the information, the Southern Region Committee recommends approval of the Revised Plan per the attached draft Order.

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

In the Matter of prescribing a Revised Watershed Management Plan for the **Upper Minnesota River Watershed District** pursuant to Minnesota Statutes Sections 103D.405

**ORDER
PRESCRIBING
WATERSHED MANAGEMENT
PLAN**

Whereas, the Board of Managers of the Upper Minnesota River Watershed District (UMRWD) filed a proposed Revised Watershed Management (Plan) dated March 2013 with the Board of Water and Soil Resources (Board) on March 20, 2013 and subsequent revisions, and Final Draft Revision received on July 17, 2013, pursuant to Minn. Stat. § 103D.405, and;

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

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

FINDINGS OF FACT

1. **District Establishment.** The District was established on September 7, 1967 by Order of the Minnesota Water Resource Board. The District is located in the headwaters of the Minnesota River and includes parts of Big Stone, Traverse, Swift, Lac Qui Parle, and Stevens counties. The mission of the District is to serve the residents of the District by managing water that sustains and enhances the social, economic and natural resources of the District. The goals of the district include water quality and quantity, erosion and sedimentation, biodiversity, recreation resources, intergovernmental relationships and public information and education.
2. **Requirement to Plan.** A watershed district is required to revise their watershed management plan at least once every ten years pursuant to Minnesota Statutes Section 103D.405, Subd. 1 (a). The latest Water Management Plan of the District was prescribed by the Board in August of 2001. The Plan includes an inventory of the District's physical features and water resources, describes water-related problems and possible solutions, describes activities and projects that the District has completed, and states objectives for current and future water resources management.
3. **Nature of the Watershed.** The District is located in west-central Minnesota with Big Stone Lake and the South Dakota border forming the western boundary of the District. Big Stone Lake and many other surface water resources are significant features of the District. Maintaining and improving the water quality of Big Stone Lake has historically been the

priority focus. The District has completed a number of activities oriented toward improving the lake's water quality. Flood control is another focused priority. A third priority is drainage water management focusing on drainage systems, wetlands and natural waterways.

4. **Territory.** The UMRWD is approximately 505 square miles in size and is located in west central Minnesota at the headwaters of the Minnesota River. Lands within the District are distributed in the following counties: Big Stone (81%), Traverse (8%), Swift (7%), Lac Qui Parle (3%), and Stevens (1%).
5. **Local Review.** The UMRWD sent a copy of the draft Plan to local units of government for their review pursuant to Minn. Stat. § 103D.405.
6. **Department of Natural Resources Review.** In a letter dated May 20, 2013 the DNR commented that overall the Plan update is extensive, thorough, resource-conscious and well prepared. In addition to some reference updates and editorial comments the letter focuses on restoration and protection of existing resources within the District. DNR supports the UMRWD alternatives to traditional agricultural drainage in Subsection 8.3.6 and recommends utilizing a natural channel design principles to mimic more natural stream conditions. Alternative methods to sediment removal and bank erosion and stabilization are recommended over traditional measures. DNR supports the establishment of buffers along drainage systems and natural waterways and suggest that an inventory of all existing buffers in the district be conducted (Subsection 7.1.2 and 11.3.2 Objective B). Recommendation to update the plan to include projects identified through the TMDL process development of Watershed Restoration and Protection Strategies for eligibility for Clean Water funding assistance (Subsection 4.8.5). Suggestion that the District expand that Big Stone Lake no net increase in nutrients policy to include other water bodies within the district (Section 7).
7. **Department of Agriculture Review.** The MDA encouraged continued and enhanced outreach to the agricultural sector; recommended the development of local project teams for flood impoundment projects similar to what watershed districts utilize in the Red River Valley; and enhanced use of LIDAR. MDA also provided numerous comments regarding drainage practices and procedures, suggested several irrigation information resources, and provided recommendations for the District's no-net increase in nutrient loads to Big Stone Lake.
8. **Pollution Control Agency Review.** In a letter dated May 17, 2013 MPCA commented on the many excellent goals and strategies of the Watershed District. They encouraged a watershed based approach and sustainable actions throughout the plan, encouraged clearer understanding of stakeholder concerns as they related to plan goals. It was stated that major TMDL work will begin in 2015 but encouragement was given for targeting impaired waters and spatial targeting of all implementation strategies. Finally the District was encouraged to be direct in the discussion of the downstream impacts of drainage and its mitigation efforts.

9. **Other review comments.** In addition to the state agency review comments UMRWD received comments from the **Lac qui Parle Yellow Bank Watershed District** which encouraged cooperation with South Dakota on any water quality concerns affecting the District, encouraged including a summary report of the recent 2 year monitoring effort with East Dakota Development District and encouraged specific targeting efforts. **Citizens for Big Stone Lake** encouraged the District to make the restoration project of the Whetstone River a higher priority, appreciated the inclusion of aquatic invasive species education and offered their support, and also encouraged cooperative efforts with South Dakota. **Lac qui Parle SWCD** provided several editing comments.
10. **Highlights of the Plan.** The Upper Minnesota River Watershed District continues to place priority on efforts to improve the water quality of Big Stone Lake – several water quality goals have been established. The headwaters of the Minnesota River are within the Upper Minnesota River Watershed thus implementation priorities can have significant downstream impacts. Though local monitoring has been ongoing – intensive monitoring and assessment working with MPCA will begin in 2015 for the watershed. Emerging issues within the District are related to potential conflicts between natural resource and water management issues associated with natural, modified and created watercourses. The District will take into account emerging research on agricultural drainage and consider emerging issues for mitigating downstream impacts. This includes consideration of research and pilot projects for multipurpose drainage including best management practices such as drainage coefficients and drainage water management techniques.
11. **Hearing Notice.** The Legal Notice of Filing on the Plan, pursuant to Minn. Stat. § 103D.105 Subd. 2, was published in the Morris Sun Tribune on May 25 and June 1, in the Appleton Press on May 29 and June 5, in the Western Guard on May 29 and June 5, in the Northern Star on May 30 and June 6, in the Ortonville Independent on May 28 and June 4, and in the Valley News on May 28 and June 4, 2013. Further, a copy of the notice of filing was mailed to several addresses notifying them of the legal notice of filing, including the Big Stone, Traverse, Swift, Lac Qui Parle, and Stevens County Auditors and Administrators, and Soil and Water Conservation Districts; all of the cities within the watershed district; and representative for the Watershed District.
12. **Public Hearing.** The Legal Notice of Filing was published pursuant to Minn. Stat. § 103D.105 Subd. 2, which requires within 30 days of the last date of publication of the Notice of Filing of the Revised Water Management Plan that a least one request for hearing be received by the Board before a hearing will be held. No request for hearing and no comments were received during the specified period of time and no hearing was held.
13. **Board Staff Report.** On August 19, 2013, David Sill, Board Conservationist, submitted a memo to the Southern Region Committee in regard to the Upper Minnesota River Watershed District Water Management Plan Final Review. The letter summarized the watershed district

history, setting, and planning process. Staff believes the revision is in conformance with the requirements of Minnesota Statutes 103D and guidance developed by BWSR, and recommended approval of the 2013 – 2023 Upper Minnesota River Watershed District Watershed Management Plan.

14. **Southern Region Committee.** The committee met on September 5, 2013. Those in attendance from the Board’s Committee were Paul Langseth, Tom Loveall, Sandra Hooker, Judy Ohly, Rob Sip, and Steve Sunderland. Board staff in attendance were Jeff Nielsen and David Sill. Board staff recommended approval of the plan. After discussion the Southern Region Committee made a motion and recommended approval of the Revised Upper Minnesota River Watershed District Water Management Plan.

CONCLUSIONS

1. The proposed Revised Plan is valid in accordance with Minn. Stat. § 103D.405.
2. Proper notice of filing was given in accordance with applicable laws.
3. All relevant, substantive and procedural requirements of law and rule have been fulfilled.
4. The Board has proper jurisdiction in the matter of approving a Plan for the UMRWD pursuant to Minn. Stat. § 103D.405.
5. The attached Plan is in conformance with the requirements of Minn. Stat. Chapter 103D, Board guidelines for Watershed District Plan content, and is consistent with the affected counties’ comprehensive water plans.

ORDER

The Board hereby prescribes the attached Plan dated August 30, 2013 as the Revised Watershed Management Plan for the Upper Minnesota River Watershed District.

Dated at Saint Paul, Minnesota this 25th day of September, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____
Brain Napstad, Chair

Upper Minnesota River Watershed District



Plan Update

Draft

August 30, 2013

Prepared for:

Board of Managers

Upper Minnesota River
Watershed District
211 2nd Street SE
Ortonville, MN 56278

Originally Prepared by:

Houston Engineering,
Inc. August 2001

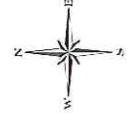
Updated by:

- ◆ Kathryn J Draeger,
PhD Environmental
Ground, Inc.
- ◆ Dianne Raderma-
cher, UMRWD Ad-
ministrator
- ◆ UMRWD Staff

Upper Minnesota River Watershed District

Legend

- Townships
- US Highway
- State Highways
- NHD Flowlines (Rivers)
- Municipalities
- NHD Waterbody (Lakes)
- Big Stone Lake State Park
- County Boundaries
- Upper Minnesota River Watershed



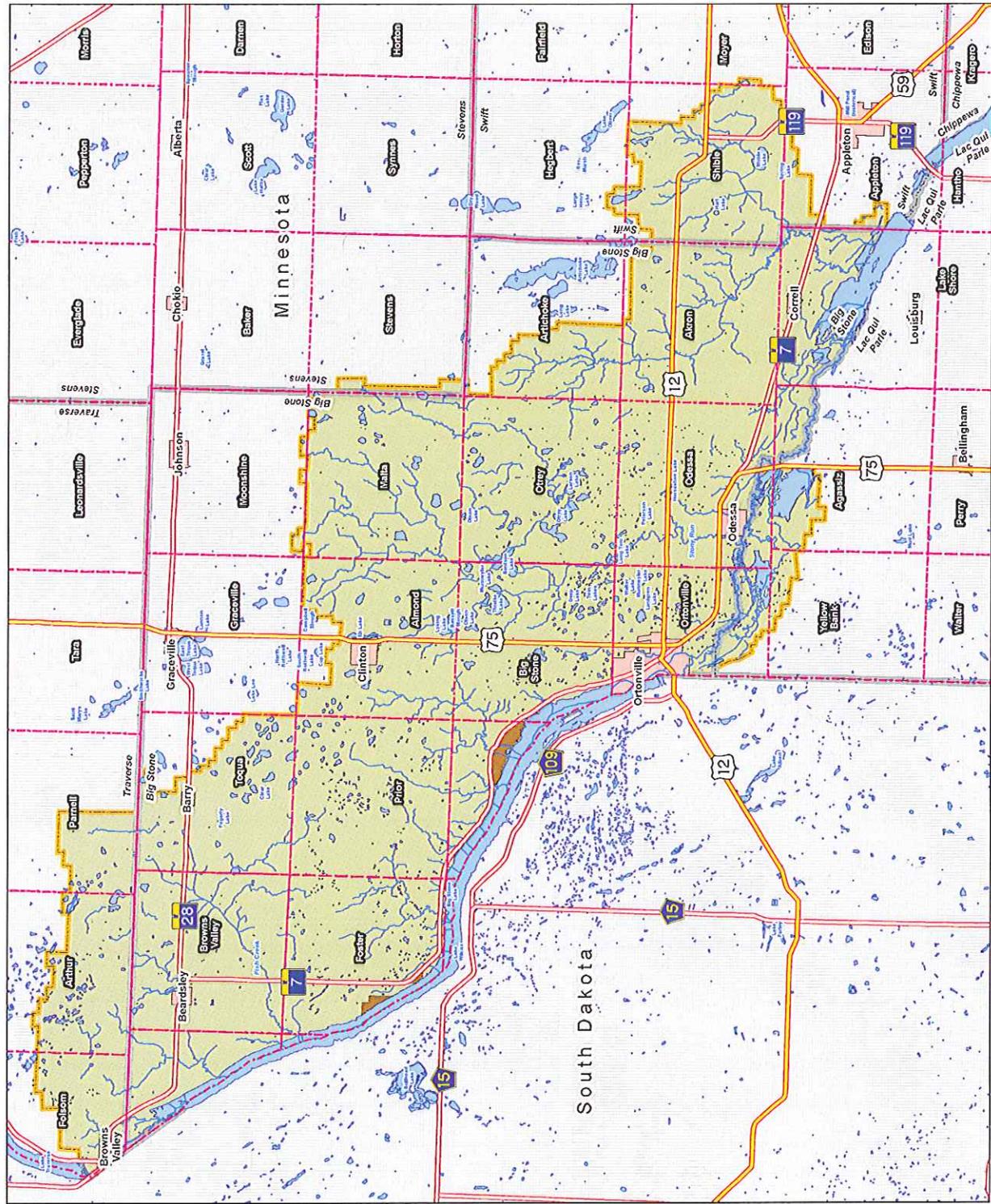
Sources: MN DNR, SD DOT, MN DOT, NHD

Figure 1 District Location

| | | | | |
|-----------------|---------------|-----------------------|----------------|---------------|
| Scale: AS SHOWN | Drawn by: SWM | Project No.: 2004-006 | Date: 12/10/03 | Sheet: 1 of 1 |
|-----------------|---------------|-----------------------|----------------|---------------|



Houston Engineering Inc.
Maple Grove
P: 763-683-4592
F: 763-683-5572



7 GOALS AND OBJECTIVES OF THE DISTRICT

The Upper Minnesota River Watershed District has established broad-based goals within the water resource management areas of water quantity, water quality, erosion and sedimentation, biotic diversity, recreational resources, intergovernmental relationships and public information and education. When appropriate, more specific objectives are identified as a means to accomplish the goals. In all cases it is the intent of the District to cooperate with the counties within its boundaries in order to achieve mutual goals and objectives that have been identified in each of the counties' Comprehensive Local Water Plan. This is done by staff participation on the water plan technical advisory committees.

7.1 WATER QUANTITY

7.1.1 To reduce damages caused by floodwaters.

- a. All drainage in the District, public and private, must be coordinated and include careful analysis by the board of managers; their engineer and county engineers under their individual authority.
- b. Wetland restoration, enhancement and creation will be utilized where feasible and desirable to create storage.
- c. Land management techniques which improve infiltration, water-holding capacity, and reduce runoff will be encouraged.
- d. Water flow control measures, such as levees and dikes, will be utilized to control flooding where desirable and feasible.
- e. Consistent and fair culvert sizing will be used on natural streams and drainage systems.
- f. Collaboration with public and private entities will be encouraged to maximize flood control efforts and mitigate flood damage.
- g. Runoff rates should be controlled through the use of water control structures or other suitable means so as to delay the flow of water and release water in a controlled manner.
- h. Land locked basins will be investigated and taken into consideration for water level management.

- i. The use of water control structures to develop storage of excess runoff on drained lake basins should be sought in areas where such storage is compatible with the present land use.
- j. Overflow of water from one watercourse to another should be controlled in the best interests of the District and its residents.
- k. The District will encourage cooperation with agencies and organizations, private or public, in the management of flooding.
- l. The Managers of the District will endeavor to seek out assistance, private or public, financial or technical, concerning floodwater management.
- m. District reserves the right to call a moratorium on all drainage activities during extreme spring runoff events.
- n. Promote drainage water management techniques as a multiple benefit best management practice.
- o. Encourage a systematic redetermination of benefits for the county drainage system before the next ten year plan.

7.1.2 Administer and maintain the drainage systems of the District in order to fulfill their intended function.

The following objectives are necessary in order to support its goal of maintaining adequate and functional drainage systems within the District:

- a. Comply with the laws of the Minnesota Drainage Code.
- b. Allow the addition and construction of a new drain into an existing legal drainage system or natural waterway only if it will not adversely impact downstream landowners, and the additionally benefited lands pay their proportionate share.
- c. Clarify responsibilities and foster cooperation among land owners in regards to drainage issues by:
 - 1. Promoting more public, rather than private, drainage systems
 - 2. Promote private drainage agreements that are recorded on property deeds

- d. Coordinate the development of agricultural drainage and ensure the adequacy of the outlets.
- e. Repair, improve, relocate, modify, consolidate or abandon all or parts of drainage systems as best meets the needs of the District.
- f. Authorize no drainage project until the project effects are understood and the project is deemed to be in the best interest of the District and the public.
- g. Encourage landowners within the District to maintain wetlands.
- h. Consider the utilization of drainage systems or natural waterways for the discharge of wastewater only when such discharges meet permit requirements of the Minnesota Pollution Control Agency and do not adversely impact downstream water quality as determined by the District.
- i. Redetermine benefits when it is determined the present drainage system does not reflect current values or conditions.
- j. Consider assessing outlet benefits on property responsible for increased sedimentation and drainage system maintenance, caused by land use practices that accelerate erosion and sedimentation.
- k. Encourage landowners undertaking private drainage system improvements to establish permanent 1-rod grassed buffer strips for those systems with a constructed bottom width of 4 feet or greater.

7.1.3 Develop programs and projects, which sustain an adequate supply of high quality surface and groundwater for public and private use.

- a. Use groundwater on a sustained yield basis.
- b. Understand the extent of water use for irrigation. When necessary, restrict irrigation where it is found to have detrimental effects to ground or surface water supplies. The District will encourage the use of low pressure sprinkler systems for irrigation.
- c. Encourage the study and delineation of aquifers that are important groundwater resources within the District.

- d. Consider the possibility of incorporating water supply as a purpose into selected flood control projects.
- e. Cooperate with municipalities within the District to determine how adequate water supply and water quality can be maintained.
- f. Ensure that District policies and permits support the integrity of designated groundwater protection areas.
- g. Encourage the restoration, enhancement or creation of wetlands that have the potential for groundwater recharge.
- h. Encourage water conservation practices.

7.1.4 Lake Level – Big Stone Lake

Operation of the dam regulating flows leaving Big Stone Lake should be operated in a prudent, reasonable manner, in accordance with “Operation and Maintenance Manual Big Stone Lake - Whetstone River Flood Control Upstream Works – Minnesota River,” dated March 1987 or subsequent revisions. Progress will be made in the coming years to both update and finalize the 1987 Operations and Maintenance Manual. In addition, the District will work to find an equitable cost sharing arrangement for the operations and maintenance of the dam among Minnesota, South Dakota, and benefiting private sector parties.

7.2 WATER QUALITY

7.2.1 General

Maintain or improve water quality of all surface water and groundwater resources within the District. To achieve the goal of maximizing water quality within the District, the following objectives are established:

- a. Promote advanced treatment of wastewater at all point sources within the District and promote advanced treatment of surface water discharge as new technologies become available.
- b. Uphold the existing laws controlling discharge of conventional and toxic pollutants into surface waters from point sources.

- c. Monitor water quality when necessary and feasible to protect surface and ground water resources.
- d. Encourage responsible, efficient use of fertilizers and pesticides in agricultural and urban settings.
- e. Encourage land use and agricultural practices that reduce the movement of nutrients, sediments and other substances off surfaces and into groundwater and surface water resources.
- f. Encourage the maintenance, restoration, enhancement or creation of wetlands that may be important for nutrient entrapment.
- g. Assist the Minnesota Pollution Control Agency with the assessment and creation of any TMDL's necessary to address impaired waters with the District, and participate in the Watershed Approach activities as well.
- h. Assist with educating and informing District residents how individual actions may impact water quality. Involve citizens in water quality monitoring.

7.2.2 Big Stone Lake Water Quality Goals

Because Big Stone Lake is such an important recreational and economic resource within the District and previous efforts to improve water quality are extensive; a separate goal has been developed for the lake. The contributing drainage area to Big Stone Lake is an estimated 740,157 acres, with 83.7% of the area located within South Dakota and 16.3% of the area in Minnesota. The present total phosphorus and total nitrogen loads to Big Stone Lake for a "normal" hydrologic year, for the entire contributing drainage area, are 16,346 kg/yr and 80,054 kg/yr, respectively.

The District has established an interim goal of no-net increase in nutrient loading to Big Stone Lake, from the contributing drainage area. The District established the interim goal because of the amount of time likely needed (probably decades) to attain the ultimate goal.

The District has also established an ultimate goal for the lake. This goal was a direct result of the ten year Big Stone Lake Restoration final report. The ultimate goal is to reduce nutrient loading to Big Stone Lake by 40% for a normal hydrologic year, from the contributing drainage area. The 40% annual load reduction corresponds to the following in-lake annual concentration goals:

| <u>Lake Segment</u> | <u>Total Phosphorus (ug l⁻¹)</u> | <u>Chlorophyll-a (ug l⁻¹)</u> |
|---------------------|---|--|
| BSL-1 | 220 | 42 |
| BSL-2 | 160 | 38 |
| BSL-3 | 105 | 38 |
| BSL-4 | 80 | 36 |
| BSL-5 | 100 | 39 |
| BSL-6 | 110 | 38 |

7.3 EROSION AND SEDIMENTATION

Wind and water erosion and their affects upon streams and drainage systems are a significant, long-term problem within the District. Sedimentation reduces the capacity of drainage systems and streams, damages aquatic habitat and transfers nutrients and other pollutants downstream to lakes.

7.3.1 The District will initiate and support viable projects whose primary or secondary purpose is reducing erosion.

The following objectives have been adopted in support of the erosion and sedimentation goal:

- a. The District will promote the installation of erosion control measures as needed on natural and artificial channel systems.
- b. The District will ensure proposed projects incorporate sufficient erosion control measures in the design.

7.3.2 The District will pursue erosion control and sedimentation management along all drainage systems whether private or public.

The following objectives are in support of the goal of erosion control and sediment management:

- a. Erosion control measures will be pursued where problems exist and in priority areas such as Fish Creek, Hoss Creek, and Stoney Run.
- b. Erosion control practices should be included as a component on all projects, including repairs and improvements.

- c. Establishment of permanent vegetation and buffer strips will be vigorously pursued through the district's permitting process on all drainage systems in collaboration with the SWCD and NRCS.
- d. Encroachment upon ditch right-of-way by destroying permanent cover or cultivating over the crown of a spoil bank will not be permitted.
- e. Sediment will be removed from legal drainage systems in order to maintain effective, efficient drainage systems.
- f. Promote and advocate the use of accepted agricultural conservation management practices.

7.3.3 Natural areas and riparian buffer strips will be encouraged along natural waterways.

7.4 BIOTIC DIVERSITY

The District recognizes the value of its biotic resources and will seek to maintain the conditions and habitats critical to the existence of these resources. An immediate need is to determine the baseline of the existing biotic resources.

The District will promote the maintenance of biotic diversity (defined as the number and types of plants and animals).

- a. The District will cooperate with agencies and organizations to maintain biotic resources.
- b. The District will encourage the maintenance of habitat (wetlands, native prairie, woodlands, etc.) that is important for fish wildlife populations.
- c. Concepts of biotic diversity will be incorporated into projects where deemed feasible (e.g., use of native grasses for buffer strips).
- d. Exceptional or unique resources identified by the Minnesota Biological Survey will be protected.
- e. Promote the use of temporary and permanent easements to enhance fish and wildlife habitat.

- f. Work with and assist the DNR on education and implementation of invasive species goals and procedures, including distribution of materials that reference identification and preventative action for invasive species.

7.5 THE MARSH LAKE OPPORTUNITY

Marsh Lake is a shallow 5,000 acre reservoir at the confluence of the Pomme de Terre and Minnesota Rivers. It forms part of the boundary between Big Stone, Lac qui Parle and to a minor extent Swift Counties. The Work Progress Administration created the reservoir in 1938 as part of a water conservation project. According to the U.S. Army Corps of Engineers, the project was never intended to be used for flood control. The creation of the Marsh Lake Dam provided increased fish and wildlife habitat, new Colonial Water bird habitat, and associated recreational opportunities. Unfortunately, there were inherent ecological costs associated with the project. Natural river processes were disrupted, impacting sediment movement, floodplain function, fish movement and various aquatic habitats. Additionally, natural flooding and drying cycles were disrupted, reducing plant diversity and associated fish and wildlife benefits found in the area prior to the Dam.

Marsh Lake has also been subject to long-term degradation that is associated with the Dam and its design. As a result, the lake continues to evolve into a sterile, turbid basin where recreational, ecological and associated economic values are lost. In addition, land use changes and the rapid deliveries of water into the system are causing larger and faster rises in lake elevation. This has increased sediment, nutrient and bacteria loadings. Carp thrive in this environment and along with wind driven wave action, their activities stir up sediments, uproot vegetation and prevent the growth of new vegetation. All of these factors work together to suppress the aquatic vegetation critical for improving water quality and providing fish and wildlife habitat. With declining habitat quality, the ability of Marsh Lake to sustain hunting, fishing and other recreational opportunities is being lost.

7.6 RECREATIONAL RESOURCES

Promote recreational opportunities when possible within the District.

The following objectives are consistent with the District's goal of creating recreational opportunities:

- a. Remove stream impediments to enhance boating and rafting activities on the river systems, consistent with ecological principles.

- b. Complete wetland restoration and wildlife enhancement features to enhance wildlife habitat and in turn recreational opportunities.
- c. Develop facilities, where feasible and practical, to enhance recreational activities on streams and lakes within the District.
- d. To provide facilities, where feasible and practical, for the observation of wildlife.

7.7 INTERGOVERNMENTAL RELATIONSHIPS

7.7.1 All initiatives of the District should utilize potential cooperative efforts with appropriate federal, state, county, and township agencies.

7.7.2 The District shall adopt by reference the applicable and compatible provisions of County Comprehensive Local Water Plans.

7.7.3 The District shall continue to provide representation on County Water Resource Advisory Committees which are active within its jurisdiction.

7.8 PUBLIC INFORMATION AND EDUCATION

7.8.1 The District shall seek to inform and educate the citizens within its jurisdiction of all its ongoing activities and projects.

7.8.2 The District shall seek to inform and educate the citizens within its jurisdiction of the benefits of the conservation of water and soil in the preservation and enhancement of our natural resources.

7.9 IMPLEMENTATION OF GOALS AND OBJECTIVES

The Upper Minnesota River Watershed District was created by and operates under Section 103D of the Minnesota Statutes. This legislation gives the District its authority to establish rules and regulations, require permits, construct projects, conduct studies, and perform other activities which contribute to the purpose for which the District was organized. Therefore, the District will use the power granted to it by the legislature to implement its goals and objectives. Implementation decisions are made at regularly scheduled Board meetings throughout the year. In addition, the Board conducts project planning and

coordination meetings with its Watershed District Advisory Committee, as required under Section 103D.331, on an annual basis. These meetings provide the Board of Managers with an opportunity to reflect on the effectiveness of meeting goals and objectives during the past year, as well as to re-invigorate its efforts for the coming year. Through these various meetings, the Board maintains an effective course of action to insure the implementation of its goals and objectives.

8 POLICIES OF THE DISTRICT

The following policies have been developed by the District as solutions to problems identified in Section 6.0, Existing Water and Water-Related Problems and to obtain the goals identified in Section 7.0, Goals and Objectives of the District.

8.1 PROJECT INVESTIGATION AND INITIATION

8.1.1 Petitioned Projects (Policy PI-1)

Projects of the Upper Minnesota River Watershed District may be initiated through the petition process as outlined in Section 103D of the Minnesota Statutes. The petition process remains an effective way for interested landowners to receive relief from unacceptable and undesirable "as-is" conditions.

The District has and will continue to assist the landowners and other interested parties in actively pursuing projects through the petition procedure.

8.1.2 Projects for the General Benefit of the District (Policy PI-2)

The District has historically allocated funds from its administrative and maintenance accounts for work with widespread benefits throughout the District. The restoration efforts of Big Stone Lake are an example. The District has and will continue to sponsor works of common benefit within the District.

8.1.3 Majority Resolution of the Board (Policy PI-3)

Section 103D.601 of the Minnesota Statutes authorizes the Board of Managers of Watershed Districts to initiate projects by a majority resolution of the Board of Managers. In most cases, funding utilized to construct projects of this nature is obtained from other governmental agencies or other agencies outside of the affected area. These projects are unique in that it is usually difficult to define an immediate adjacent benefiting area for assessment purposes. Instead, the benefiting area for these projects may be

10.2 WATERSHED MANAGEMENT PLAN COORDINATION

In order to implement the actions identified in this WMP, the District intends to work closely with the CAC, local, state, and federal government agencies, and watershed residents.

10.3 WATERSHED MANAGEMENT PLAN IMPLEMENTATION

This WMP is intended to be implementation oriented. The District is positioned for successful WMP implementation by the establishment of clearly linked resource issues, goals and policies, and specific action items. Section 11 of this document defines a probable implementation timeframe as well as an estimated index for successive years' budget. It is, however, anticipated that the implementation plan will be periodically reviewed and updated. The District will annually prioritize work activities from the implementation plan which will constitute the targeted efforts for the coming year. These work activities represent the annual work plan for the District. The intent is to provide flexibility to address emerging issues or new opportunities. Thus, priorities set for items in the implementation plan can be modified during development of annual work plans. Unforeseen items not on the implementation plan can be added.

An evaluation of the estimated costs associated with the implementation of this Plan is provided in Table 1. According to the Table, to fully implement the 112 initiatives contained in the Plan, costs would be estimated at \$5,458,100 over the next ten years. While the District generates \$180,000 per year through its General Fund tax levy, not all of this money can be dedicated to projects; a portion will be used for staffing and other administrative costs. As a result, the District understands that it will need to seek outside sources of revenue (i.e. grants) and partnerships with other local units of government and State and Federal agencies to effectively implement this Plan.

Table 1
Estimated Plan Implementation Costs

| Goal | # of Initiatives | Total Estimated Costs |
|--|-------------------------|------------------------------|
| Goal 1: Water Quantity | 32 | \$3,027,500 |
| Goal 2: Water Quality | 19 | \$787,500 |
| Goal 3: Erosion & Sedimentation | 7 | \$353,000 |
| Goal 4: Biotic Diversity | 5 | \$23,100 |
| Goal 5: Recreational Resources | 4 | \$100,000 |
| Goal 6: Intergovernmental Relationships | 7 | \$314,500 |
| Goal 7: Public Information & Education | 11 | \$85,000 |
| Goal 8: Implementation of Goals & Objectives | 27 | \$767,500 |
| Total | 112 | \$5,458,100 |

10.4 WATERSHED MANAGEMENT PLAN SCHEDULE

Implementation of the WMP will begin with its adoption by the board of managers and final approval from BWSR. The WMP will remain in effect for a ten-year period which is specified as August 2013 to August 2023.

10.5 INTERGOVERNMENTAL CONFLICTS/RESOLUTION PROCESS

During plan development, no intergovernmental conflict occurred. Should such a conflict arise, the board of managers will attempt to mitigate the conflict. If efforts to resolve the conflict fail, a petition to conduct a contested case hearing will be submitted to BWSR.

10.6 WATERSHED MANAGEMENT PLAN EVALUATION

Periodic review is necessary to assess the success of this plan. The board of managers and CAC will conduct a review every two or three years to ensure the management strategies remain pertinent. Amendments will be recommended if needed.

11 IMPLEMENTATION PLAN

The Upper Minnesota River Watershed District's Watershed Management Implementation Plan for the years 2013 to 2023 is as follows:

11.1 GOAL 1: WATER QUANTITY

11.1.1 Objective A: Reduction of damages caused by floodwaters

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|---|---------------------------------|--|---|----------------|
| 1. Finalize the phase I Browns Valley Flood Mitigation Project by completing as built drawings and conducting grant fund closeouts. | Little Minnesota River | 2013-2015 | * <u>UMRWD</u> | \$50,000 |
| 2. Browns Valley Flood Mitigation Project annual inspections and maintenance. | Little Minnesota River | 2013-2023 | * <u>UMRWD</u> | \$120,000 |
| 3. Reduce flows to Big Stone Lake from the Whetstone River. Work with the US Army COE on the restoration of the Whetstone River. <ul style="list-style-type: none"> • Complete diagnostic feasibility study, pre engineering and cost estimate. • Complete final engineering and project development plans. • Secure Funding • Construction/Restoration of river channel. | Big Stone Lake, Minnesota River | 2015-2016 2016-2017 2017-2018 2019-2023 | * <u>COE</u> , <u>UMRWD</u> , <u>DNR</u> , <u>SD DENR</u> , <u>CBSL</u> , Big Stone County | \$300,000 |
| 4. Toelle Coulee. Apply for flood damage reduction funding for the design and construction of Phase II of the Browns Valley Flood Mitigation Project. | Little Minnesota River | 2017-2019 | * <u>UMRWD</u> City of Browns Valley MN DNR | \$1,000,000 |
| 5. Flood Predictions. Work with the North Central Rivers Forecast Center on flood predictions for Big Stone Lake. Submit lake level and snow pack data to NCRFC for evaluation on an annual basis. | Big Stone Lake | 2013-2023 | * <u>UMRWD</u> | \$1,000/yr |
| 6. Beardsley Dry Lake Flood Control Project. Operation, maintenance and annual inspection. | Hoss Creek | 2013-2023 | * <u>UMRWD</u> | \$500/yr |
| 7. New Drainage. Investigate the adoption of conservation drainage techniques which may include a drainage coefficient and control structures on new gravity flow pattern tile systems, where applicable. | All | 2014-2016 | * <u>UMRWD</u> | \$2,000 |
| 8. Highway 12 Flood Control Project - Initiate annual operation and maintenance review | Minnesota River | 2013-2023 | * <u>UMRWD</u> | \$1,000/yr |

| | | | | |
|--|-----|--|-------------------------------------|-----------|
| <p>9. Garner resources in order to conduct a complete hydrological model of the UMR watershed.</p> <ul style="list-style-type: none"> • Identify project parameters • Determine potential consultants and estimated costs • Seek funding resources to complete. | All | 2013-2023 2014-2015 2016-2017 2018-2020 | *UMRWD, DNR, BWSR. | \$180,000 |
| <p>10. Based on hydrologic modeling, identify key areas for wetland restoration on private land and partner with USFWS, DNR, SWCD's and others and implement</p> | All | 2013-2023 | *UMRWD, DNR, BWSR., MOA, SWCD | 100,000 |
| <p>11. Promote drainage water management techniques as a multiple benefit best management practice</p> | All | 2013-2023 | *UMRWD, DNR, BWSR., MOA | 100,000 |

11.1.2 Objective B: Administer and maintain drainage systems of the District.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|---------------------------------|--------------------|--------------------------------|----------------|
| <p>1. Drainage System Management. Ensure that public drainage systems are operated and maintained in accordance with State Drainage Law (M.S. Chapter 103E) and other applicable regulations.</p> | All | 2013-2023 | *Counties, *UMRWD, DNR | \$2,000/yr |
| <p>2. Reduce flows to Big Stone Lake from the Whetstone River. Work with the US Army COE on the restoration of the Whetstone River.</p> | Big Stone Lake, Minnesota River | 2013-2023 | *COE, UMRWD, DNR, SD DENR | \$300,000 |
| <p>3. Rules and regulations. Review existing permit rules and regulations and make necessary changes.</p> | All | 2013 | *UMRWD | \$1,000 |
| <p>4. Branch 3A to County Ditch 13. Annual inspection and maintenance.</p> | Lindholm Creek | 2013-2023 | *UMRWD | \$35,000 |
| <p>5. Public Drainage Systems Inventory. Develop a GIS-based inventory of public drainage systems in the District. This inventory should include detailed attribute information for each system, including past maintenance efforts.</p> | All | 2013-2016 | *Counties, UMRWD | \$10,000 |
| <p>6. Improvement of Subwatershed Delineations. Work with partnering agencies to improve the accuracy of subwatershed delineations. Identify and document tile drainage that crosses sub-watershed boundaries</p> | All | 2013-2023 | *DNR, *USGS, UMRWD | \$500/yr |
| <p>7. Public Waters Inventory. Review the current Public</p> | All | 2013-2023 | *UMRWD, DNR | \$5,000 |

| | | | | |
|---|--|------------------|---|------------------|
| <p>Waters Inventory via field review or in office GIS review annually.</p> <p>8. Alternative Drainage Practices. Provide financial incentives to landowners for the implementation of alternative drainage water management practices that have the potential to improve water quality and reduce peak flows. Utilize District funds or apply for grants from BWSR Clean Water Funds to implement these activities. These alternatives may include any of the following: 1) the storage of water; 2) retiring land from production; 3) the use of temporary set-aside programs; 4) the utilization of set-back levees; 5) the use of diversions (which may include strategically diverting agricultural water into temporary storage areas); 6) restoring the natural flow characteristics of the stream channel; 7) creating multi stage channels; and 8) all other traditional and non-traditional approaches</p> | <p>Stony Run, Big Stone County Ditch 2, Swift County Ditch 10, Fish Creek.</p> | <p>2013-2023</p> | <p>*UMRWD, Counties, SWCDs, BWSR, MDA</p> | <p>\$100,000</p> |
| <p>9. Seek grant funding for County and WD Drainage Records Modernization from the BWSR. Conversion of paper, Mylar and other types of hard copy documents and maps to digital format providing an archived copy of all original documents and maps. Conversion to digital format will improve access to drainage system records; and enhance drainage system management ability.</p> | <p>All</p> | <p>2015-2018</p> | <p>UMRWD, *Big Stone County,</p> | <p>\$50,000</p> |
| <p>10. Seek funding via the Clean Water Fund/BWSR for Multipurpose Drainage Management Planning for a public drainage system. With engineering assistance develop sub-watershed (drainage system) scale implementation plans for multipurpose drainage management on Chapter 103E drainage systems to protect and improve water quality, together with adequate agricultural drainage, equitable flood protection, peak flow and erosion reduction, and wildlife habitat improvement.</p> | <p>County Ditch 7, County Ditch 13, County Ditch 2</p> | <p>2013-2023</p> | <p>UMRWD, *Big Stone County,</p> | <p>\$200,000</p> |

11.1.3 Objective C: Sustain high quality surface and ground water supply.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|---|--------------------------|--------------------|--|----------------|
| 1. Wellhead Protection. Participate in the preparation and implementation of wellhead protection plans for public water suppliers which include Ortonville, Odessa, Browns Valley, and Beardsley. | All | 2013-2023 | * <u>Cities, UMRWD, Counties, MDH</u> | \$1,000/yr |
| 2. BMP Program. Provide technical and financial assistance, as available, to local governmental units and landowners for the implementation of groundwater protection BMPs in the drinking water management areas identified by the city wellhead protection plans. | All | 2013-2023 | * <u>Cities, UMRWD, Counties, MDH</u> | \$2,000/yr |
| 3. Water Appropriation Permits. Review and provide comments, as necessary. On all water appropriation permit applications submitted to the DNR within the District. | All | 2013-2023 | * <u>MN DNR, UMRWD, SWCD, Counties</u> | \$250/yr |
| 4. Dam Reconstruction and Repair. Provide technical and financial assistance, as available, for the reconstruction and repair of dams to ensure adequate water levels are maintained. Complete an inventory of dam structures. | All | 2013-2023 | * <u>UMRWD</u> | TBD |
| 5. Rule Recommendation. Regulate the reconstruction and repair of dams and other water control structures in the District. | All | 2013-2023 | * <u>UMRWD</u> | \$1,000 |
| 6. Hydrologic Investigations. Conduct hydrologic investigations, as needed, to resolve conflicts in existing data and determine the influence of lesser-known basins in the District. | All | 2013-2023 | * <u>UMRWD, DNR, USGS</u> | \$2,000/yr |

11.1.4 Objective D: Lake level management

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|---|---------------------------------|------------------------|--|----------------|
| 1. Big Stone Lake/Whetstone River Operating Plan. <ul style="list-style-type: none"> Finalize the draft Operating and Maintenance Plan by reconvening the Minnesota/South Dakota Boundary Waters Commission. Implement operation and maintenance plan annually. | Big Stone Lake, Minnesota River | 2013-2018 2013-2023 | * <u>UMRWD, COE, DNR, SD DENR, MPCA, SD GF&P, Ottetail Power</u> | \$8,000 |
| 2. Big Stone Lake/Whetstone River Maintenance Funding. Work with cooperating agencies to provide funding for operation and maintenance. | Big Stone Lake, Minnesota River | 2013-2015 | * <u>UMRWD, COE, DNR, SD DENR, MPCA, SD GF&P, Ottetail Power</u> | \$3,000 |

| | | | | |
|--|---|--|--|------------------|
| <p>3. Landlocked Basins. Work with DNR on the reduction and/or management of lake levels on Swenson Lake, and wetlands located in Sections, 11, 14, 16, 17 of Otre Township, Section 27 of Akron Township, Sections 14 and 15 of Ortonville Township and Section 3 of Toqua Township which include subwatersheds: Stony Run, Five Mile Creek, and Fish Creek.</p> | <p>Stony Run, Five Mile Creek, Fish Creek</p> | <p>2013-2023</p> | <p>*DNR, Counties, UMRWD, USF&WS, ACOE</p> | <p>\$10,000</p> |
| <p>4. Reduce flows to Big Stone Lake from the Whetstone River. Work with the US Army COE on the restoration of the Whetstone River.</p> <ul style="list-style-type: none"> • Complete diagnostic feasibility study, pre engineering and cost estimate. • Complete final engineering and project development plans. • Secure Funding • Construction/Restoration of river channel. | <p>Big Stone Lake, Minnesota River</p> | <p>2015-2016 2016-2017 2017-2018 2019-2023</p> | <p>*COE, UMRWD, DNR, SD DENR, CBSL, Big Stone County</p> | <p>\$300,000</p> |
| <p>5. Stream flow Monitoring. Submission of lake level data to USGS monthly and financial support for the USGS gaging station at Peever quarterly.</p> | <p>Big Stone Lake, Minnesota River</p> | <p>2013-2023</p> | <p>*UMRWD, USGS</p> | <p>\$50,000</p> |

11.2 GOAL 2: WATER QUALITY

11.2.1 Objective A: Maintain or improve the quality of all surface and groundwater

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--|--------------------|-----------------------------------|--------------------|
| <p>1. Wastewater discharges. Work with the City of Ortonville on the dilution of their WWTP discharges.</p> | <p>Minnesota River</p> | <p>2013-2023</p> | <p>*UMRWD, City of Ortonville</p> | <p>\$100/yr</p> |
| <p>2. Wetland Restoration. Kleindl wetland restoration bank restored. Complete annual monitoring of vegetation management and water control structures; also documentation of hydrology for the five year monitoring period. Sub-watershed – identify where located.</p> | <p>Fish Creek Big Stone Lake</p> | <p>2013-2018</p> | <p>*UMRWD</p> | <p>\$8,000/yr</p> |
| <p>3. Storm water BMPs. Continue the rain garden/lakeshore buffer cost-share program by completing three projects per year.</p> | <p>Big Stone Lake, Minnesota River</p> | <p>2013-2023</p> | <p>*UMRWD, CBSL</p> | <p>\$5,000/yr</p> |
| <p>4. Water Quality Monitoring. Continue the Big Stone Lake Water Quality Monitoring Program and Big Stone Lake</p> | <p>Big Stone Lake, Minnesota River</p> | <p>2013-2023</p> | <p>*UMRWD, CBSL</p> | <p>\$11,000/yr</p> |

| | | | | | |
|---|-----|-----------|---|------------|--|
| tributary monitoring. | | | | | |
| 5. Data Collection and Organization. Develop and maintain a user-friendly database for all water resource monitoring data. | All | 2013-2023 | * <u>UMRWD</u> , MPCA | \$2,000/yr | |
| 6. Subwatershed Water Quality Goals. Build local water quality database, utilizing available data to identify specific water quality goals for water resources. Use to target BMP implementation at the sub-watershed level utilizing CWL funding. | All | 2015-2016 | * <u>UMRWD</u> | \$5,000/yr | |
| 7. Monitoring Plan. Prepare an annual Monitoring Plan for assessing the condition of surface and groundwater resources, as well as identifying pollution sources. This Plan should identify the specific sites to be monitored and contain detailed information on the physical, chemical, and biological parameters to be analyzed at each site. | All | 2013-2023 | * <u>UMRWD</u> , DNR, CBSL, MPCA, USGS | \$1,000/yr | |
| 8. Volunteer Monitoring. Recruit volunteers to participate in monitoring programs. At least one volunteer should be identified from Big Stone Lake, Long Tom, Marsh, and Otrety. | All | 2013-2023 | * <u>UMRWD</u> , CBSL, MPCA | \$300/yr | |
| 9. Annually submit surface water quality data to MPCA/EPA to be entered into MPCA's Environmental Data Access (EDA) system. | All | 2013-2023 | * <u>UMRWD</u> | \$2000/yr | |
| 10. Mapping Application. Develop an interactive, web-based mapping application that connects users with water quality data from specific monitoring sites. UMRWD plans to link the interactive web based mapping application on our website. | All | 2013-2014 | * <u>UMRWD</u> | \$5,000 | |
| 11. Monitoring Summary. Include a summary of all monitoring data in the Watershed District annual Report. | All | 2013-2023 | * <u>UMRWD</u> | \$500/yr | |
| 12. Stormwater Management Regulations. Cooperatively work with local units of government to ensure that all new development complies with local, State and Federal stormwater management regulations, whichever is more stringent. Provide watershed technical information and data as requested. | All | 2013-2023 | * <u>Cities</u> , * <u>Counties</u> , UMRWD, MPCA | \$250/yr | |

| | | | | |
|---|---------------------------------|-------------------------------------|--|-------------|
| 13. Stormwater Management Ordinances. Provide technical assistance to local governmental units for the development of stormwater management ordinances. | All | 2013-2023 | * <u>UMRWD</u> , Cities, Counties | \$8,000 |
| 14. BMP Program. Provide technical and financial assistance, as available, to local governmental units and landowners for the implementation of stormwater management BMPs. | All | 2013-2023 | * <u>UMRWD</u> , Cities, Counties, <u>SWCDs</u> | \$5,000/yr |
| 15. Rule Recommendation. Require that stormwater discharges to all water resources be approved by the District. | All | 2013 | * <u>UMRWD</u> | \$1,000 |
| 16. MPCA Watershed Approach. Coordinate the preparation and implementation of the MPCA's Watershed Approach. <ul style="list-style-type: none"> Intensive monitoring and assessment. Watershed characterization and problem investigation (occurs over first three years); Watershed Restoration and Protection Strategies | All | 2015-2017 2015-2018 2016-2020 | * <u>UMRWD</u> , LAs, MPCA | \$200,000 |
| 17. Wastewater Treatment. Cooperatively work with local governmental units and other partners to identify and resolve wastewater treatment-related pollution issues in Ortonville, Browns Valley. | Big Stone Lake, Minnesota River | 2016-2020 | * <u>City of Browns Valley</u> , * <u>City of Ortonville</u> , <u>UMRWD</u> , MPCA | \$2,500/yr |
| 18. Based on subwatershed modeling, analysis, and TMDL results. Those high priority subwatersheds identified will be focused upon for implementation of restoration and/or protection activities and projects. | All | 2018-2023 | * <u>UMRWD</u> , *MPCA | \$40,000/yr |
| 19. Finalization of the Mud Lake wetland restoration projects, 5-Mile Creek subwatershed | Five Mile Creek | 2013-2018 | * <u>DNR</u> , * <u>NCRS</u> , <u>UMRWD</u> | \$2,000 |

11.3 GOAL 3: EROSION & SEDIMENTATION

11.3.1 Objective A: Initiate and support projects to reduce erosion.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|---|---------------------------------|--------------------|--|----------------|
| 1. Stormwater Runoff. Restoration of the Central Park stormwater system in Ortonville. | Big Stone Lake, Minnesota River | 2013-2023 | * <u>UMRWD</u> , City of Ortonville, CPR | \$80,000 |
| 2. Installation of water and sediment basins, grassed waterways and buffer strips. Encourage the installation of water and sediment | All | 2013-2023 | <u>UMRWD</u> , * <u>SWCDs</u> , Counties, FSA, | \$300/yr |

| | | | | | |
|--|---|-----------|--|-------------------------|-------------|
| basins along with other erosion control practices through the District's permitting program. | | | | *NRCS | |
| 3. Highly Erodible Land. We will communicate to our local partners SWCD and NCRS to identify and target highly erodible land for enrollment in conservation easement programs and other cost share programs, such as CRP and RIM. | Hoss Creek, Fish Creek, Stony Run, Swift County Ditch #10 | 2013-2023 | | *SWCDs, UMRWD *NCRS | \$2,000/yr |
| 4. Stream Stabilization. Implement and/or provide technical and financial assistance, as available, to landowners for stream stabilization. | All | 2013-2023 | | *UMRWD, DNR, COE | \$20,000/yr |
| 5. Implement stream stabilization and debris removal projects to maintain stream integrity on the lower reaches on the Whetstone River, Little Minnesota River, and the far upper reach of the Minnesota River. | All | 2013-2023 | | *UMRWD, DNR, COE | \$20,000/yr |
| 6. BMP Program. Provide technical and financial assistance, as available, to local governmental units and landowners for the implementation of erosion and sediment control BMPs. Through the use of GIS and LIDAR develop an electronic map of the landscape to identify critical sources of water quality degradation and their locations in order to select and implement BMPs. | All | 2013-2023 | | *UMRWD, *SWCDs, NRCS | \$2,500/yr |

11.3.2 Objective B: Erosion control along all private and public drainage systems.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--------------------------|--------------------|--------------------------------|----------------|
| 1. Buffer strips. Continue to promote the installation of buffer strips on all private and public drainage systems within the district and work with the SWCD to develop an inventory of existing buffers within the District. | All | 2013-2023 | *UMRWD, Counties, SWCDs | \$500/yr |

11.4 GOAL 4: BIOTIC DIVERSITY

11.4.1 Objective A: Cooperate with agencies to maintain and improve biotic resources.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|------------|--------------------------|--------------------|--------------------------------|----------------|
| | | | | |

| | | | | |
|--|-------------------------------|-----------|--|----------|
| 1. River Restoration. Continue to work with DNR Fisheries and the National Wildlife Refuge on the Whetstone River and Minnesota River Restoration projects. | Minnesota River | 2013-2023 | * <u>UMRWD</u> , <u>DNR</u> , <u>USF&WD</u> | \$5,000 |
| 2. Public Water Access Signage. Install and maintain signage regarding the spread of invasive aquatic species at all public water accesses. . | All | 2013-2023 | * <u>DNR</u> , * <u>LAs</u> , <u>UMRWD</u> | \$2,000 |
| 3. Minnesota Biological Survey. Acquire and utilize county Biological Survey data to prevent impact to the critical habitat areas of listed species. | All | 2013-2023 | * <u>UMRWD</u> , <u>DNR</u> | \$100 |
| 4. On an individual basis, work with DNR on installing fish passages and barriers | Minnesota River Stoney Run | 2013-2023 | * <u>DNR</u> , * <u>UMRWD</u> | \$1,000 |
| 5. Work with and assist the DNR on education and implementation of invasive species goals and procedures, including distribution of materials that reference identification and preventative action for invasive species | All | 2013-2023 | * <u>DNR</u> , * <u>USF&WS</u> , * <u>UMRWD</u> | \$15,000 |

11.5 GOAL 5: RECREATIONAL RESOURCES

11.5.1 Objective A: Create recreational resources.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|---|--------------------|--|----------------|
| 1. Facilities. Enhance the Big Stone Lake/Whetstone River Control site for recreational use. | Big Stone Lake, Minnesota River | 2013-2023 | * <u>UMRWD</u> , City of Ortonville, <u>DNR</u> | \$3,000/yr |
| 2. Wetland Restoration. Continue to work with the US F&WS on wetland restorations on Public lands. We would estimate up to 20 in this time frame | All | 2013-2023 | * <u>UMRWD</u> , <u>USF&WS</u> | \$1,000/yr |
| 3. Consider alternative opportunities for land locked basins, like Swenson Lake which could include flood easements, and controlled outlets. | Stoney Run, Fish Creek, Five Mile Creek, Minnesota River | 2013-2023 | * <u>DNR</u> , * <u>USF&WS</u> , <u>UMRWD</u> | \$10,000 |
| 4. 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. | Minnesota River | 2013-2017 | * <u>DNR</u> , * <u>COE</u> , <u>FWS</u> , <u>UMRWD</u> | \$5,000/yr |

11.6 GOAL 6: INTERGOVERNMENTAL RELATIONSHIPS

11.6.1 Objective A: Cooperative efforts with federal, state, counties and townships.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|---|--|--|---|----------------|
| 1. Continue the cooperative DNR General Permitting Program. | All | 2013-2023 | * <u>UMRWD</u> , DNR | \$2,000/yr |
| 2. Host a rain garden demonstration with the U of M or DNR. Contact landowners for site location. | All | 2013-2023 | * <u>UMRWD</u> , DNR, U of M | \$3,500 |
| 3. Continue to work with the State of SD on the implementation of a water quality monitoring program for the Whetstone and Little Minnesota Rivers, and all future water quality/quantity projects. | Big Stone Lake, Minnesota River | 2013-2023 | * <u>UMRWD</u> , SD DENR, EDWDD | \$1,000 |
| 4. Continue to work with the National Wildlife Refuge and DNR Fisheries on the restoration of the Whetstone River and Minnesota River. <ul style="list-style-type: none"> • Complete diagnostic feasibility study, pre engineering and cost estimate. • Complete final engineering and project development plans. • Secure funding • Construction/Restoration of river channel. | Big Stone Lake, Minnesota River, Whetstone River | 2015-2016 2016-2017 2017-2018 2019-2023 | * <u>COE</u> , <u>UMRWD</u> DNR, SD DENR, DNR | \$300,000 |
| 5. Continue the cooperative Rural Well Testing and Fourth Grade Wetland Restoration Projects with the Ortonville School, Big Stone County LWP, and USF&WS. | All | 2013-2023 | * <u>UMRWD</u> , Big Stone County, Ortonville School District, USF&WS | \$2,000/yr |
| 6. Continue to assist the City of Browns Valley and Traverse County with Browns Valley Flood Mitigation Plan. | Big Stone Lake, Minnesota River | 2013-2023 | * <u>UMRWD</u> , City of Browns Valley, Traverse County | \$1,000/yr |
| 7. Watershed board will maintain open communications and work with the township and county boards on issues pertaining to and impacting water quality and quantity management. | All | 2013-2023 | * <u>UMRWD</u> , Big Stone County Townships | \$1,000/yr |

11.7 GOAL 7: PUBLIC INFORMATION/EDUCATION

11.7.1 Objective A: Inform and educate citizens on conservation projects/programs.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--------------------------|--------------------|--|----------------|
| 1. Produce articles on conservation practices such as rain gardens, water quality, and conservation BMPs. We will produce articles at least annually. | All | 2013-2023 | * <u>UMRWD</u> | \$300/yr |
| 2. Continue the Rural Well Testing Program through Ortonville High school and cooperative effort with the Big Stone County Local Water Plan. | All | 2013-2023 | * <u>UMRWD</u> , Big Stone Co., Ortonville School District | \$100/yr |
| 3. Website for the District. Continue to enter data and update information and provide links to resources. | All | 2013-2023 | * <u>UMRWD</u> | \$2,000/yr |
| 4. Update the District's water management plan beginning in 2021 through 2023. | All | 2013-2023 | * <u>UMRWD</u> | \$2,000 |
| 5. Hold a drainage tile educational seminar for local farmers and tile installers regarding emerging technologies for conservation drainage and drainage water management. | All | 2014-2015 | * <u>UMRWD</u> , MDA | \$3,000 |
| 6. Volunteer Recruitment. Actively recruit and properly train volunteers to assist the District in water resource management. | All | 2013-2023 | * <u>UMRWD</u> , CBSL | \$500/yr |
| 7. Advisory Committee. Actively recruit residents to serve on the District's Advisory Committee. | All | 2013-2023 | * <u>UMRWD</u> | \$100/yr |
| 8. Youth Involvement. Support the implementation of water resource projects with youth. | All | 2013-2023 | * <u>UMRWD</u> | \$1,000/yr |
| 9. Educational Events and Workshops. Sponsor and facilitate education events and workshops with partnering agencies. | All | 2013-2023 | * <u>UMRWD</u> , DNR, SWCDs, Counties | \$2,500/yr |
| 10. Public Information Package. Develop a public information package that can be economically mailed or distributed to residents that explains what a watershed is and how they can impact water resources on a daily basis. | All | 2013-2023 | * <u>UMRWD</u> | \$1,000/yr |
| 11. Information Materials. Develop and collect informational materials, including brochures and other handouts that summarize land use/water resource issues in the District and make them readily available to the public. | All | 2013-2023 | * <u>UMRWD</u> | \$500/yr |

11.8 GOAL 8: IMPLEMENTATION OF GOALS AND OBJECTIVES

11.8.1 Objective A: Maintain an active Board of Managers and Advisory Committee.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--------------------------|--------------------|--------------------------------|----------------|
| 1. Board of Managers Meetings. Hold monthly meetings of the District's Board of Managers. | All | 2013-2023 | *UMRWD | \$7,500/yr |
| 2. Advisory Committee Meetings. Hold quarterly meetings of the District's Advisory Committee. | All | 2013-2023 | *UMRWD | \$1,000/yr |
| 3. Future Membership. Recruit and maintain a listing of persons who are interested in serving on the Advisory Committee. | All | 2013-2023 | *UMRWD | \$100/yr |

11.8.2 Objective B: Maintain adequate staffing and utilize consultants when necessary.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--------------------------|--------------------|--------------------------------|----------------|
| 1. Staffing Plan. Develop and implement a Staffing Plan to ensure that the goals and objectives of the District are effectively implemented. | All | 2013 | *UMRWD | TBD |
| 2. Consultants. Utilize consultants to address engineering, hydrologic, and planning issues when necessary | All | 2013-2023 | *UMRWD | TBD |
| 3. Increased staffing to implement water quality and quantity project and resource acquisition | All | 2013-2023 | *UMRWD | \$40,000/yr |

11.8.3 Objective C: Provide training opportunities for Board Managers, Advisory Committee members, and staff.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--------------------------|--------------------|--------------------------------|----------------|
| 1. Conferences and Workshops. Provide funding for Board Managers, Advisory Committee members, and staff to attend conferences and workshops to increase internal knowledge and skills. | All | 2013-2023 | *UMRWD | \$4,000/yr |
| 2. New Manager and Committee Member Training. Conduct or provide funds for new Board Managers and Advisory Committee members to attend a training program to familiarize them on the | All | 2013-2023 | *UMRWD | \$1,000/yr |

many functions and responsibilities of the District.

11.8.4 Objective D: Develop a comprehensive public relations program.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|---|--------------------------|--------------------|--------------------------------|----------------|
| 1. Mission Statement. Annually review District's mission statement. | All | 2013 | * <u>UMRWD</u> | \$100/yr |
| 2. District Website. Regularly maintain and update the District website. | All | 2013-2023 | * <u>UMRWD</u> | \$500/yr |
| 3. Annual Report. Prepare and distribute an Annual Report that summarizes the District's accomplishments to be submitted to BWSR by July 15 th of each year. | All | 2013-2023 | * <u>UMRWD</u> | \$1,500/yr |
| 4. District Newsletters. Prepare and distribute newsletters at least annually via our district website. www.umrwd.org | All | 2013-2023 | * <u>UMRWD</u> | \$2,000/yr |
| 5. Tours. Provide tours of the watershed to stakeholders that highlight projects that the District has been involved with and areas that are in need of attention. | All | 2013-2023 | * <u>UMRWD</u> | \$2,000/yr |
| 6. Press Releases. Prepare and distribute quarterly press releases that summarize District activities and decisions. | All | 2013-2023 | * <u>UMRWD</u> | \$500/yr |

11.8.5 Objective E: Foster relationships with potential partners.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--------------------------|--------------------|--------------------------------|----------------|
| 1. Meetings. Hold regular meetings with potential partners to discuss partnership opportunities and roles in implementation. | All | 2013-2023 | * <u>UMRWD</u> | \$1,000/yr |
| 2. Technical Committees. Form technical committees, as necessary, to address specific water resource issues. | All | 2013-2023 | * <u>UMRWD</u> | \$500/yr |
| 3. Directory. Maintain a current directory of representatives from all Federal, State, and local agencies, offices, and special interest groups. These representatives should be sent regular updates on the activities of the District. | All | 2013-2023 | * <u>UMRWD</u> | \$100/yr |

11.8.6 Objective F: Develop and implement a regulatory program.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--------------------------|--------------------|--------------------------------|----------------|
| 1. District Rules. Review, revise, adopt, and implement rules for the District. | All | 2013-2023 | * <u>UMRWD</u> | \$30,000 |
| 2. Permitting and Inspection Program. Review and revise a permitting and inspection program for the implementation of rules. | All | 2013-2023 | * <u>UMRWD</u> | \$8,500 |

11.8.7 Objective G: Strive for efficient planning and fiscal accountability.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--------------------------|--------------------|--------------------------------|----------------|
| 1. Additional Funding Sources. Actively pursue additional funding sources, such as grants and donations, in order to fund the implementation of initiatives and reduce the tax levy burden on the residents of the District. Seek partnerships and cooperative agreements to finance initiatives, when appropriate in coordination with the District's annual work plan identify Clean Water Fund grant opportunities to pursue that year. | All | 2013-2023 | * <u>UMRWD</u> | \$2,000/yr |
| 2. Annual Work Plan and Budget. Prepare and adopt an annual work plan and budget following the statutory requirements of M.S. Chapter 103D. | All | 2013-2023 | * <u>UMRWD</u> | \$500/yr |
| 3. Annual Audit. Conduct an annual audit of the financial records of the District. | All | 2013-2023 | * <u>UMRWD</u> | \$2,000/yr |
| 4. Financing Mechanisms. Utilize appropriate financing mechanisms to fund District initiatives, including but not limited to mechanisms and procedures outlined in M.S. Chapter 103D. | All | 2013-2023 | * <u>UMRWD</u> | TBD |

11.8.8 Objective H: Review and update the Watershed Management Plan.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|--|--------------------------|--------------------|--------------------------------|----------------|
| 1. Annual Plan Review. Hold an annual meeting of the Advisory Committee to review progress in achieving plan initiatives and identify emerging issues and opportunities that should be incorporated into the Plan through the amendment process. | All | 2013-2023 | * <u>UMRWD</u> | \$100/yr |

| | | | | |
|---|-----|-----------|------------------------------|----------|
| 2. Plan Revision. Revise the Watershed Management Plan prior to its expiration by utilizing the completed watershed restoration and protection strategies (<i>WRAP</i>) via the one watershed, one plan approach. | All | 2021-2023 | * <u>UMRWD</u> , <u>BWSR</u> | \$50,000 |
|---|-----|-----------|------------------------------|----------|

11.8.9 Objective I: Provide for UMRWD General Operating Support.

| Initiative | Priority Subwatershed(s) | Proposed Timeframe | Coordinating Agency(s) (*Lead) | Estimated Cost |
|---|--------------------------|--------------------|--------------------------------|----------------|
| 1. Continued levy based support of the UMRWD with a base 2013 level of approximately \$100,000. *Please refer to table 1 | All | 2013-2023 | * <u>UMRWD</u> | \$1,000,000 |

Table 2

EVALUATION OF ORIGINAL OBJECTIVES OF THE UPPER MINNESOTA RIVER WATERSHED DISTRICT

| Plan Objective | Degree of Activity¹⁶ | Is there Need for Similar or Revised Policy? |
|--|--|---|
| To slow down weed and algae growth in the District's Lakes. | High | Yes |
| To reduce the pollution of the water in the lakes and water courses within the District. | High | Yes |
| To intelligently regulate the water levels of the various lakes within the District. | High | Yes |
| To keep adequate records of the water level, the chemistry, and other useful data. | High | Yes |
| To enhance the recreational facilities and scenic beauty of the District. | Moderate | Yes |
| To improve the needed drainage, prevent excessive runoff or seepage, and provide needed soil and water conservation in the District. | High | Yes |
| To provide funds to accomplish these objectives and to engage technical assistance and advice. | Moderate | Yes |
| To preserve, maintain, and improve habitat for fish and wildlife. | High | Yes |

¹⁶ Since preparation of "Overall Plan Upper Minnesota River Watershed District" (1988).



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Sibley County Local Water Management Plan Update

Meeting Date: September 25, 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: Chris Hughes, Board Conservationist

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

Sibley County Local Water Mangement Plan 2013-23

<http://www.sibleyswcd.org/2013%20Draft%20Water%20Plan.pdf>

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

On June 22, 2011 the Board of Water and Soil Resources (Board) approved the Sibley County Priority Concerns Scoping Document.

On December 14, 2011, the Board officially approved Sibley County’s request for an extension of the end date of their current local water management plan to December 31, 2013.

On June 25, 2013, the Board received the Sibley County Local Water Management Plan Update (Plan Update), a record of the public hearing, and attendance sheet from the public hearing for final State review. No written comments pertaining to the Plan were received as part of the public hearing process.

On September 5, 2013, the Southern Region Committee (Committee) of the Board met with representatives of Sibley County to review state agencies review recommendations and comments. The Committee recommends approval of the Sibley County Plan Update with the requirement that text is added to the Plan Update explaining why some farmers are returning to moldboard plowing in a corn-on-corn rotation. This revision will have to be received by BWSR prior to September 25, 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 Update
for Sibley County (Minnesota Statutes, Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
UPDATE

Whereas, the Sibley County (County) Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board of Water and Soil Resources (Board) on June 25, 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 March 4, 2011, the Board was mailed a Priority Concerns Scoping Document (PCSD) from the County, pursuant to M.S. Section 103B.312.
2. On June 22, 2011, the Board approved the Priority Concerns Scoping Document.
3. On October 13, 2011, the Board received a written request and resolution from Sibley County for an extension of their current local water management plan.
4. On December 14, 2011, 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.
5. On June 25, 2013, the Board received the County Plan Update, a record of the public hearing, and attendance sheet from the public hearing for final State review pursuant to M.S. Section 103B.315, Subd. 5. No written comments were received as part of the public hearing process.
6. On September 5, 2013, the Southern Region Committee of the Board met via conference call with representatives of the County to review the following state agency comments, commendations and approval recommendations regarding the final approval of the County Plan Update:
 - Minnesota Pollution Control Agency (MPCA) noted Plan Update does not violate any statutory or rule requirement administered by the MPCA and recommends approval of the entire Plan Update. MPCA provided additional comments for consideration.
 - 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 provided additional comments for consideration.

- Minnesota Department of Health (MDH) noted Plan Update does not violate any statutory or rule requirement administered by the MDH and recommends approval of the entire Plan Update.
 - Minnesota Department of Natural Resources (MDNR) noted Plan Update does not violate any statutory or rule requirement administered by MDNR and recommends approval of the entire Plan Update.
 - Minnesota Environmental Quality Board provided no comments.
 - Board regional staff recommends approval of the County Plan Update
7. On September 5, 2013 the Southern Region Committee decided to recommend approval of the Plan Update to the Board on September 25, 2013 with the requirement that text is added to the Plan Update explaining why some farmers are returning to moldboard plowing in a corn-on-corn rotation.
 8. On , 2013, the Board received the revised text as required.
 9. On September 25, 2013, the Southern Region Committee of the Board presented its recommendation of approval of the Sibley County Local Water Management Plan Update to the Board. The Board adopted the Committee's recommendation.
 10. This Plan Update will be in effect for a ten-year period until September 25, 2023, with the Goals, Objectives and Action items amended by September 25, 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 Sibley County pursuant to Minnesota Statutes, 103B.315, Subd. 5.
2. The Sibley 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 Sibley County Local Water Management Plan 2013-2023 with a required update of the Implementation section (Goals, Objectives, and Action) to be completed by September 25, 2018.

Dated at St Paul, Minnesota this September 25, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

Sibley County
Comprehensive Local
Water Plan
2013 – 2023



County Road 6 - September 2010

Table of Contents

| | Page |
|--|------|
| Executive Summary | 1 |
| Introduction | 1 |
| Background of Water Plan Process | 3 |
| Plan Purpose | 4 |
| Past Accomplishments | 4 |
| Partners | 8 |
| Summary of Priority Concerns | 9 |
| Drinking Water Quality | 10 |
| Water Quantity | 10 |
| Nutrient, Manure and Human Waste | 10 |
| Soil Erosion | 10 |
| Plan Administration | 10 |
| Estimated Costs | 11 |
| Priority Concerns Assessment | 12 |
| Drinking Water Quality | 12 |
| Water Quantity | 13 |
| Nutrient, Manure and Human Waste | 13 |
| Soil Erosion | 14 |
| Plan Administration | 15 |
| Goals, Objectives and Implementation | 16 |
| Priority Concern 1: Drinking Water Quality | 17 |
| Priority Concern 2: Water Quantity | 20 |
| Priority Concern 3: Nutrient, Manure and Human Waste | 22 |
| Priority Concern 4: Soil Erosion | 24 |
| Priority Concern 5: Plan Administration | 25 |
| Ongoing Programs | 27 |
| Water Plan Administration | 29 |
| Consistency with Other Plans | 32 |
| Recommendation of Amendments to Other Plans | 32 |
| Water Plan Amendment Procedure | 33 |
| Appendix A – Sibley County Lakes | 34 |
| Appendix B – 2012 Draft List of Impaired Waters | 36 |
| Appendix C – Priority Concerns Scoping Document | 38 |

ACKNOWLEDGEMENTS

A special thank you is extended to the following individuals who were involved in the preparation and development of this document.

Sibley County Board of Commissioners

Jim Nytes, District 1
Bill Pinske, District 2
Jim Swanson, District 3
Joy Cohrs, District 4
Harold Pettis, District 5

Sibley SWCD Board of Supervisors

Tom Pfarr, District 1
Paul Wiemann, District 2
Gary Schafer, District 3
Wayne Grams, District 4
Robert Nielson, District 5

Water Resources Advisory Committee

| | |
|-----------------------------|-------------------------|
| Harold Pettis, Commissioner | Joy Cohrs, Commissioner |
| Vernon Ruschmeyer | Duane Geib |
| Steve Skelley | Dave Evans |
| John Wentzlaff | Darvin Scherer |
| Verne Schlueter | Tom Pfarr |
| Jon Forst | Loren Evenson |
| Kevin Pioske | Jeff Majeski |
| Laura Reid | Tim Dolan |

Local Water Management Coordinator

Ronald Otto

With Special Assistance From:

Tom Fischer, BWSR

Sibley SWCD will be responsible for the administration/coordination of the Sibley County Comprehensive Water Plan.

The Sibley County Comprehensive Water Plan will be effective from 2013 to 2023.

ACRONYMS

| | |
|-------|---|
| BC | Buffalo Creek (Crow River Watershed) |
| B/S | Bevens Silver Creek |
| BWSR | Board of Water and Soil Resources |
| BMP | Best Management Practices |
| CB | Sibley County Board of Commissioners |
| CREP | Conservation Reserve Enhancement Program |
| CRP | Conservation Reserve Program |
| CWF | Clean Water Fund |
| CWP | Clean Water Partnership |
| DNR | Minnesota Department of Natural Resources |
| DWSMA | Drinking Water Supply Management Area |
| EPA | Environmental Protection Agency |
| EQIP | Environmental Quality Incentive Program |
| ES | Environmental Services |
| FSA | Farm Service Agency |
| GIS | Geographical Information Services |
| HIC | High Island Creek |
| HICWD | High Island Creek Watershed District |
| IBI | Index of Biological Integrity |
| IWM | Intensive Watershed Monitoring |
| JPB | Joint Powers Board |
| MDA | Minnesota Department of Agriculture |
| MDH | Minnesota Department of Health |
| MM | Middle Minnesota |
| MPCA | Minnesota Pollution Control Agency |
| NPDES | National Pollutant Discharge Elimination System |
| NRGB | Natural Resources Block Grant |
| NRCS | Natural Resource Conservation Service |
| PH | Sibley County Public Health |
| RIM | Reinvest in Minnesota |
| RR | Rush River |
| SWCD | Soil and Water Conservation District |
| TMDL | Total Maximum Daily Load |
| USDA | United States Department of Agriculture |
| USGS | United States Geological Survey |
| WCA | Wetland Conservation Act |
| WRAC | Water Resources Advisory Committee |
| WS | Watersheds |

Executive Summary

Introduction

Sibley County is located in south central Minnesota approximately 50 miles southwest of the Twin Cities. The City of Gaylord is the County Seat. Sibley County is in the first ring of counties outside the Seven County Metropolitan Area. Sibley County's population is estimated to rise only 3.1% by 2035 (see Table 1). The eastern townships of Sibley County will see the most growth and as one moves west, in the county, the rural population will decline see Figure 2.

Figure 1 Sibley County

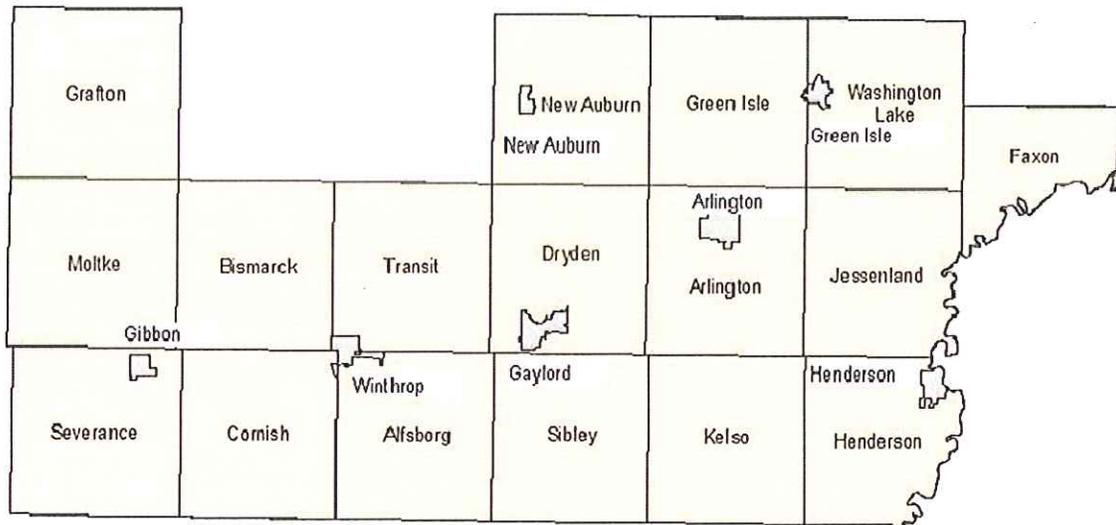


Surrounding counties include; McLeod County to the north, Carver County to the northeast, Scott County and Le Sueur County across the Minnesota River to the east, Nicollet County to the south and Renville County to the west.

Table 1 Sibley County Census (From State Demographers Office)

| Census | 2000 | 2006 | 2010 | Projected 2035 |
|------------------|--------------|--------------|--------------|---------------------------|
| Townships | 7122 | 6889 | 6616 | 6670 |
| Cities | 8234 | 8417 | 8610 | 9180 |
| Total | 15356 | 15306 | 15226 | 15850 |

Figure 2 Townships and Cities

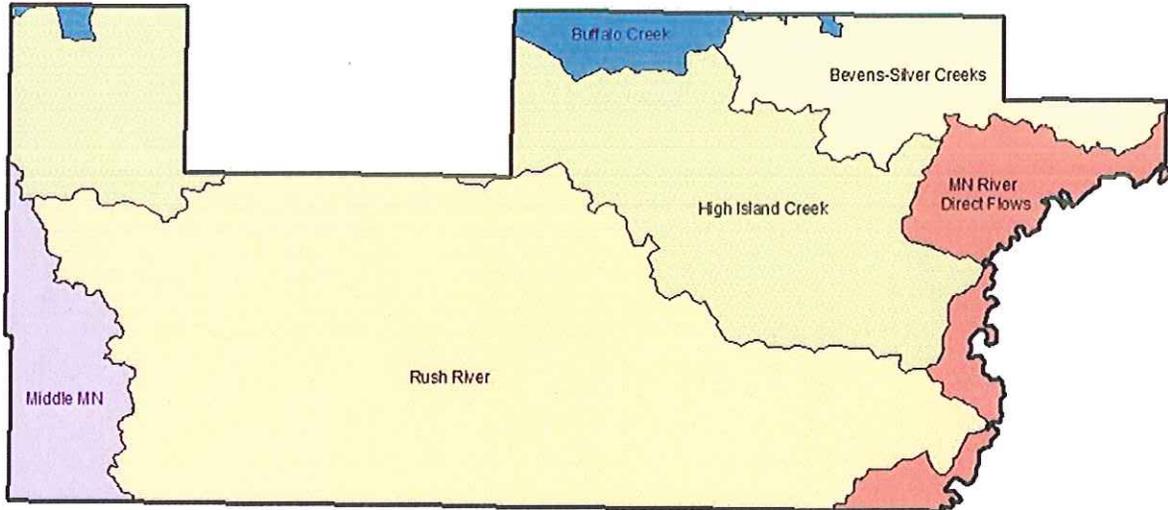


The Lower Minnesota River Watershed encompasses the largest part of the county (91%). The High Island Creek, the Rush River and the Bevens Silver Creek Watersheds along with the direct flow areas make up the Lower Minnesota River Watershed. (See Figure 3)

The Middle Minnesota River Watershed lies on the western edge of Sibley County. It flows to the south and is 6% of the area. The watershed contains Eight Mile Creek and a portion of Little Rock Creek.

The Buffalo Creek which flows in and out of the county on the northern edge contains 3% of the land area of the county. It flows to the South Fork Crow River Watershed which flows into the Mississippi River.

Figure 3 Sibley County Major Watersheds



Agriculture is the dominant land use in Sibley County and will continue to be dominant in the future. Corn, soybeans, sugar beets, sweet corn and peas make up the majority of crops that are produced in Sibley County. Animal agriculture has declined in Sibley County since 2000 when the last water plan was updated. Large operations make up most of the animal agriculture in Sibley County today.

Background of Water Plan Process

The Sibley County Board of Commissioners passed a resolution on June 6, 1988 to apply for a grant to develop the County Comprehensive Water Management Plan and on July 16, 1988 appointed the first Water Resources Advisory Committee (WRAC). The first plan was approved by the Board of Soil and Water Resources in November 1990 and adopted by the Sibley County Commissioners on December 11, 1990. The first revision began with a resolution to update the Comprehensive Water Plan on October 25, 1994. The first revision was adopted by the Sibley County Board of Commissioners on July 9, 1996. The second revision of the County Water Plan began with a resolution to update on February 8, 2000. This revision was adopted by the Sibley County Board of Commissioners on February 12, 2002. The Sibley County Board of Commissioners passed a resolution to update the current Sibley County Comprehensive Water Plan on June 22, 2010. Because of time restraints in 2011 the Sibley County Board of Commissioners requested a two year extension to the current water plan. This extension was granted by BWSR. The current Water Plan will now end on December 31, 2013. This will be the third revision and the fourth generation of the Comprehensive Water Plan.

Sibley County Environmental Services administered the Plan from the inception until the end of 1999. At that time the Sibley County Board of Commissioners asked Sibley SWCD to administer the Plan. Sibley SWCD continues to administer the Sibley County Comprehensive Local Water Plan at this time.

Plan Purpose

The purpose of the Local Water Management Plan is to protect the water resources in the county from point and nonpoint sources of pollution. The water plan meets the requirements set forth in Minnesota Statutes 103B.301 - .335. Subdivision 4 of Minnesota Statutes 103B.311 requires water plans to have the following:

1. The plan must cover the entire county.
2. The plan must address problems in the context of watershed units and groundwater systems.
3. The plan must be based upon principles of sound hydrologic management of water, effective environmental protection and efficient management.
4. The plan must be consistent with local water management plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or groundwater system.
5. The plan must cover a five or ten year period. Sibley County has decided that its plan will be for 10 years with review and amendment to the plan as necessary in five years.

Past Accomplishments

Sibley SWCD, Sibley County and its partners (listing is found at the end of this section) have worked on a significant number of the objectives contained in the 2002-2011 Sibley County Comprehensive Local Water Plan. Many existing and ongoing programs were built or enhanced as a result of implementing the water plan. Following are a few of the accomplishments from Sibley SWCD; NRCS; High Island Creek Watershed Clean Water Partnership; and Rush River Watershed Clean Water Partnership:

- 8,825 feet of terraces
- 2 Ag waste pits
- 54 unused wells sealed
- 1 Diversion
- 24 Water & Sediment Basins
- 8 Grade Stabilization Structures
- 357 acres of CREP
- 566 acres of RIM/WRP
- 465 Alternative Tile Inlets
- 175 acres of Wetland Restorations

- 255 acres of Filter Strips
- Annual Educational Booth at the Sibley County Fair
- Develop, update and maintain the educational page on SWCD website
- Educational open house showing installation of rock inlets
- Calibration of manure spreading equipment
- Two Water Quality days for 4H
- Strip-Till demonstration plots

Well Sealing Program

From 2002 through 2010, 448 wells were drilled by landowners and 467 unused or abandoned wells were sealed. Water Planning secured a \$10,000.00 grant in 2002 that sealed 27 wells at 50% cost share. Sibley SWCD funds the sealing of unused wells at 50% of the cost of sealing, up to \$400 per well, if cost-share funding is available. Sibley SWCD has used State Cost Share funds to seal 68 wells since the program began in 2005. In 2012, fifteen landowners signed contracts to seal wells on their property.

Septic System Program

The Environmental Services Office administers planning and zoning, feedlots, septic systems, county and judicial ditches, floodplain, shoreland, agricultural weed and seed inspections and solid waste. The office has a director, an assistant director, an aide, an office manager and a part time solid waste officer. The Environmental Services Office contracts with a private contractor to do its septic system inspections.

Planning and Zoning updated the county's septic system ordinance in 2009. The updated ordinance is more restrictive than state law in certain areas. The ordinance states that systems must also comply with MPCA Rule 7080. In 2004 Sibley County required all septic systems to be compliant when the property is sold. The Sibley County Septic System inspector averaged 3-4 compliance inspections per year before the rule was enforced and 35-40 compliance inspections per year after the rule was enforced.

From the time the current water plan was adopted through 2012, 790 permits for septic systems were issued. Two hundred two (202) low interest loans have been used to finance upgrades to non-compliant systems. These loans have come from Clean Water Partnership money, Federal 319 money and the Ag BMP revolving loan fund from the Minnesota Department of Agriculture. The septic system loan program is run through the Water Planning office which is part of Sibley SWCD.

Feedlot Program

Environmental Services Office staff continues to review permits of livestock producers. As part of the ongoing program, staff has been concentrating on Level III inspections for the last five years. All permits are reviewed with an onsite inspection visit every four years. The feedlot officer helps producers with permit renewal and makes them aware of all compliance issues.

The number of registered feedlots continues to decline in Sibley County as producers retire or decide to get out of animal agriculture. The number of registered feedlots in 2012 was 447. The largest group of producers is in the 10 - 299 animal units with 390 permits. Forty seven (47) producers have feedlot permits for 300 - 999 animal units. Sibley County has 75,729,227 animal units registered. Sibley County has 10 feedlots with greater than 1,000 animal units that are registered by MPCA.

Ditch Authority

Sibley County Environmental Services Office, which acts as the Ditch Authority, has 550 miles of ditch and 150 miles of tile under its authority with 25 miles of ditch requiring a one rod buffer. In 2009 the Sibley County Commissioners began the process of Redetermination of Benefits on all county ditches. This will be a long program and will be addressed in the new water plan also. This program will have two benefits. All landowners will now be assessed for damages and benefits and all county ditches will have a one rod buffer. The High Island Creek Watershed District has 94.84 miles of one rod buffer. The one rod buffer is on all waterways under their control. (See figure 3 for the location of the High Island Creek Watershed.)

Tri-County Solid Waste

Tri-County Solid Waste is a Joint Powers Board between Sibley, Nicollet and Le Sueur Counties that was organized in 1987. The three counties decided to use this approach to solid waste management rather than have separate programs in each county. The solid waste officer works out of the Environmental Services Office and splits his time between the three counties.

Tri-County Solid Waste implemented the Ag Bag Disposal program which is offered to farm operators twice a year. This program still sees continued strong demand and has been very successful. They have partnered with Townships to clean up ravines along town roads. Another program that has been quite successful is the Message in a Bottle where the county has placed receptacles to recycle aluminum cans and plastic bottles at the fairgrounds, county and city parks. Tri-County Solid Waste also offers a once a year Household Hazardous Waste pickup. This program rotates among the seven cities in Sibley County. See Table 2 for drop-off site

locations for residents to use during the year. They continue the public education program with youth teaching them about recycling and water preservation.

Table 2 Sibley County Drop-Off Sites

| City | Location | Time |
|------------|--|---|
| Arlington | Main St. & 4th Ave. | Every Tuesday during Daylight Hours |
| Gaylord | South of Main St. on 5th St. | 1 st and 3 rd Saturday 8:00 a.m. – 11:00 a.m. |
| Gibbon | Empty lot on Main St. by the RR tracks | 1 st and 3 rd Tuesday 2:30 – 5:30 p.m. |
| Green Isle | By the Fire Hall | 2 nd Tuesday of the month 9:00 a.m. – 5:00 p.m. |
| Henderson | By the City Garage | Sunday – Saturday All Day |
| New Auburn | By City Hall | 1 st & 3 rd Wednesdays 2:30 p.m. – 5:30 p.m. |
| Winthrop | By City Fire Garage | 2 nd & 4 th Saturday 8:00 a.m. – 11:00 a.m. |

Total Maximum Daily Load (TMDL)

Water bodies that fail to meet one or more water quality standards are considered impaired and are subject for inclusion on Minnesota’s Impaired Waters list. See Appendix B for the list of impaired waters in Sibley County. The Federal Clean Water Act requires a Total Maximum Daily Load be developed for identified impairments. A TMDL is defined as the maximum amount of a pollutant that a water body can receive and still meet water quality standards. A TMDL also identifies the process needed to gather data, stake holder input and technical expertise to identify the source of pollution. The last part of the TMDL process implements a plan to reduce pollution.

Sibley SWCD and Sibley County have participated in and coordinated water quality studies and implementation projects in the Rush River, High Island Creek, Buffalo Creek, Bevans Creek, Silver Creek, Eight Mile Creek and Little Rock Creek Watersheds. The studies have found that rivers and creeks have reaches that are impaired for nitrogen; phosphorus; sediment; and fecal coliform.

The TMDL Implementation Projects that were taking place in Sibley County ended June 30, 2011 except on the Buffalo Creek. These projects have had varied success with better results

toward the end rather than when they started. It seems that it took stakeholders a long time to be convinced that cooperating would help clean up the problems. The Buffalo Creek Implementation project ended June 30, 2013. The Rush River Implementation Project for Fecal Coliform is in effect between 2009 and 2014 and the High Island Creek TMDL Project for Fecal Coliform is in effect between 2011 and 2015.

TMDL Studies for fecal coliform impairments to Bevens-Silver Creeks, High Island Creek, Buffalo Creek and the Rush River have been drafted or completed. Sibley County will seek to implement recommendations from these studies with a focus on feedlot sources and non-compliant septic systems.

At this time work had begun on an IBI/Turbidity TMDL in both the High Island Creek and Rush River Watersheds. But with lack of funding and intensive water quality studies coming the TMDL will not be completed as soon as planned.

MPCA will be doing intensified water quality studies in the Middle Minnesota River Watershed in 2013 and the Lower Minnesota River Watershed beginning in 2014. These studies will be identifying biological stressors in the watersheds and create plans for protection, restoration and implementation.

Partners

The following is a partial list of partnerships that provided assistance, staff time or funding.

Sibley County
Sibley Soil and Water Conservation District
City of Arlington
City of Gaylord
City of Gibbon
City of Green Isle
City of Henderson
City of New Auburn
City of Winthrop
Buffalo Creek Watershed District
High Island Creek Watershed District
Brown-Nicollet-Cottonwood Water Quality Board
Board of Water and Soil Resources
Minnesota Pollution Control Agency
Environmental Protection Agency
Natural Resources Conservation Service

Pheasants Forever
Farm Service Agency
Ducks Unlimited
Minnesota Pork Producers
Minnesota Corn Growers
Minnesota Soybean Growers
Minnesota State University Mankato
Minnesota Department of Natural Resources
Minnesota Extension Service
Minnesota Department of Health
Minnesota Department of Agriculture
U. S. Fish and Wildlife
Conservation Partners of America

Summary of Priority Concerns

The priority concerns of Sibley County water resources have been expressed by residents, water plan committee members and agency input. All comments and descriptions of the concerns have been documented in the Priority Concern Scoping Document located in Appendix C of this plan.

To accomplish the goals that have been put into this Comprehensive Water Plan, Sibley SWCD/Sibley County will need to coordinate activities with agencies and water management organizations. Education will also be a vital component of the Comprehensive Water Plan. Information in the form of handouts, meetings and demonstrations will be used to educate landowners about the county's water priorities. Before the end of the fifth year of this water plan, the plan will be revisited to update concerns that have come to light since the plan was approved.

The cost estimates to complete the Actions are outlined in the implementation schedule are based on available funding (see pages 17-27). The estimates are based on County funding, in-kind contributions, grants, private contributions and other outside sources needed to complete an Action. Sibley County recognizes that implementation and cost estimates can change throughout the plan and they are intended to illustrate the magnitude of water planning efforts. Financial resources are limited and some priority actions described in the plan may require staff and funding beyond current capabilities.

The process to identify the priority concerns began with a survey that county residents could respond to. The WRAC committee then met and identified the concerns that should be pursued in the new water plan. The priority concerns are:

Drinking Water Quality

Wellhead Protection Plans address many of the concerns the public have with protecting groundwater. Not all cities have Wellhead Protection Plans or Drinking Water Supply Management Areas to protect drinking water. The WRAC also feels there is a continued need to properly de-commission abandoned or unused wells throughout the county. The goal of the Comprehensive Local Water Plan is to maintain or improve the groundwater resource in Sibley County.

Water Quantity

The public and the WRAC are quite concerned about the speed that water is leaving the land. How can this process be slowed? The goal of this concern is to keep the water on the land longer through the use of effective best management practices and improved management.

Nutrient, Manure and Human Waste

This priority concern was identified by the public and the WRAC to assist farmers and landowners in reducing phosphorus, nitrogen and other nutrients in the surface and ground water. The overall goal is to supply farmers with nutrient information on their cropland regarding application rates, residues, awareness of sensitive areas, and overlapping of nutrient applications.

This concern will also address the issue of septic system compliance in Sibley County. The goal of this concern is to improve surface and groundwater quality by addressing septic system compliance in Sibley County. Primarily individual septic systems and cluster housing developments will be the focus of this concern.

Soil Erosion

This plan will also address the issues with erosion and sediment control on agricultural and rural lands. In recent years farming practices have progressed rapidly in the way of implementing conservation practices while still achieving high yields. However, changes to land use and additional conservation practices may be necessary for agricultural land to continue to be profitable and sustainable. Reaching that sustainability through BMP promotion and implementation is needed. The goal of this concern is to reduce soil erosion from rural lands of Sibley County.

Plan Administration

This priority concern was added to the plan after the Priority Concerns Scoping Document was approved. The WRAC felt that for the Comprehensive Local Water Plan to be successful there was a need to have staff available to continually administer it.

Estimated Costs

| Priority Concern 1: Drinking Water Quality | Overall | County |
|---|--------------------------|-------------------------|
| Goal 1: Protect and improve the quality of groundwater for the citizens of Sibley County. | \$ 174,900 | \$ 57,150 |
| Goal 2: Protect and improve the quality of surface waters. | \$ 2,608,650 | \$ 1,565,000 |
| Goal 3: Conduct water quality studies. | <u>\$ 693,400</u> | <u>\$ 396,000</u> |
| Sub-Total: | \$ 3,476,950 | \$ 2,018,150 |
| | | |
| Priority Concern 2: Water Quantity | | |
| Goal 4: Encourage the preservation and restoration of wetlands. | \$ 396,000 | \$ 326,000 |
| Goal 5: Conduct water quantity studies. | <u>\$ 6,671,300</u> | <u>\$ 2,607,500</u> |
| Sub-Total: | \$ 7,067,300 | \$ 2,933,500 |
| | | |
| Priority Concern 3: Nutrient, Manure and Human Waste | | |
| Goal 6: Reduce the amount of phosphorus and nitrogen that is entering the water. | <u>\$ 17,207,000</u> | <u>\$ 1,308,000</u> |
| Sub-Total: | \$ 17,207,000 | \$ 1,308,000 |
| | | |
| Priority Concern 4: Soil Erosion | | |
| Goal 7: Reduce erosion and sediment loading of surface waters. | <u>\$ 11,100,490</u> | <u>\$ 1,245,000</u> |
| Sub-Total: | \$ 11,100,490 | \$ 1,245,000 |
| | | |
| Priority Concern 5: Plan Administration | | |
| Goal 8: Provide for effective plan administration and coordination. | \$ 295,000 | \$ 295,000 |
| Goal 9: Review and update the Water Plan. | \$ 37,500 | \$ 37,500 |
| Goal 10: Use of Geographic Information Systems data. | \$ 846,000 | \$ 846,000 |
| Goal 11: Pursue grant funding opportunities | <u>\$ 15,500</u> | <u>\$ 15,500</u> |
| Sub-Total: | \$ 1,194,000 | \$ 1,194,000 |
| Grand Total: | \$ 40,045,740 | \$ 8,698,650 |

Priority Concerns Assessment

The five priority concerns that will be addressed in the 2012 Local Water Management Plan are drinking water quality, water quantity, nutrient, manure and human waste and soil erosion. The following provides a brief assessment of each priority concern.

Drinking Water Quality

The Minnesota Department of Health is the state agency responsible for making efforts to protect our groundwater (drinking water). Efforts like the Wellhead Protection Program (WHP) are designed to help protect a public drinking water supply. In order to protect a supply of water that is constantly recharging, a geographic area must first be delineated to determine where your source water is coming from. This area is known as the Drinking Water Supply Management Area and follows parcel boundaries, roads, and geographic landmarks which allow the general public to visualize the recharge zone. The actual groundwater recharge boundary is known as the Wellhead Protection Area (WHPA). Potential hazards that could negatively affect the quality of the groundwater within the WHPA are then identified in the wellhead protection plan. Some examples of these hazards are, leaking storage tanks, industrial waste, feedlots, holding tanks above and below ground, agricultural chemical applications, non-compliant floor drains, etc. It is the duty of the public drinking water supplier to address these issues and take measures to protect the groundwater resource.

It is in the best interest of any municipality to take steps to protect the WHPA. Implementing BMPs in the recharge area now can greatly reduce the risk of the water supply being contaminated in the future. A variety of BMPs can be implemented in the WHPAs such as; CRP, RIM Wellhead program, reduced nutrient application on agricultural fields, cover crops, etc.

In rural areas, most landowners depend on their own drinking water supply system. Typically wells are drilled into aquifers that provide a rural resident with drinking water. Sibley SWCD has a cost share program to seal abandoned wells. When new wells are constructed landowners must seal existing unused wells on the property.

The County's drinking water quality has not shown much of a trend towards degradation or improvement. The deep clay soils on the county have kept contaminants from reaching drinking water aquifers. In the past, and presently, Sibley County has had an aggressive well sealing program to keep drinking water free of chemicals and other contaminants.

The aquifers that county residents use for drinking water get some of their recharge from surface water. Sibley County has many water bodies on the Clean Water Act Section 303(d) list of impaired waters (see Appendix B). These water bodies have been identified to have a pollutant

source which can limit a stream or lake's designated use. Designated uses for a stream or lake include recreation/fishing, irrigation, swimming or industrial uses. When a pollutant inhibits the use of one or more of these designations, the stream/lake goes on the impaired waters list. Once a stream/lake is on the impaired waters list, the State of Minnesota is required to conduct a Total Maximum Daily Load study. The TMDL addresses the source(s) of the pollutant and determines how much of that pollutant a given water body can receive and still be able to meet water quality standards. The TMDL drives the Implementation Plan for a given impairment. The TMDL Implementation Plan set goals and objectives for actions that must be taken on the land in order to reach the calculated reductions laid out in the TMDL.

Water quality on most of the lakes in Sibley County has degraded from what it once was. Citizen associations and other interested individuals are working to clean up these water bodies. But, the process to restore these lakes to their designated use is lengthy and expensive. See Appendix A for a map of Sibley County lakes.

Water Quantity

Disposing of excess water is a problem facing all of Sibley County. To farm as efficiently as possible the landowners in the western part of the county, where the land is flat, want to get rid of their water as fast as possible. As you move east across the county the terrain becomes hilly and the landowners are complaining about the amount and speed of the water. The residents of eastern Sibley County are concerned about excessive streambank and gully erosion that is now occurring.

The Middle and Lower Minnesota Watersheds will be doing intensive watershed monitoring during the early years of the next Comprehensive Local Water Management Plan. When the monitoring is finished TMDLs will be developed to deal with the impairments found in our water. The Comprehensive Local Water Management Plan, through its partners, will need to work with landowners educating and helping them install practices that retain water at its source for longer period of time.

The trend seems to be more water and it comes at a faster pace. When it does rain the storms seem to be less frequent but more intense which creates flows that are flashier.

Nutrient, Manure and Human Waste

Land application of waste or over application of fertilizers, pesticides, manure, etc. are potential sources of non-point source pollution to groundwater as well as surface water. Enforcing the day to day operations of application practices is difficult, thus technical assistance and education are essential components that help protect the environment. To protect water quality and meet state

rules, runoff pollutants must be reduced to safe levels before entering streams, rivers and lakes. Proper manure application can not only benefit the environment, it can also save landowners money by applying recommended amounts of manure in place of buying commercial fertilizers.

Elements such as nitrogen, phosphorous and potassium are generally the main ingredients of fertilizers. Nitrogen is water soluble and is able to move through the water table freely and phosphorous is able to attach to soil particles. When they are applied in excess of plant needs, nutrients can wash into aquatic ecosystems where they can cause excessive plant growth, which reduces swimming and boating opportunities, creates a foul taste and odor in drinking water, leads to increased algae blooms and kills fish.

In agricultural settings the MPCA regulates the application and setbacks for a variety of land-applied nutrients. The setbacks provide a buffer between areas that are more susceptible to contaminants than others. If these setbacks are practiced, farmers have the opportunity to land apply nutrients to their fields with limited negative effects on surrounding water quality sensitive features.

Residences that live within a municipality generally have water and waste water treatment available to them. Rural residences, on the other hand, need to rely on individual treatment systems to treat their wastewater locally. Subsurface Sewage Treatment Systems (SSTS) treat wastewater so that harmful pollutants such as excessive phosphorous, nitrates and fecal coliform do not reach our ground and surface water. Failing septic systems can cause fecal coliform to enter our streams and drinking water.

Currently Sibley County is following the MN Rule 7080 requirements. Also, Sibley County Environmental Services Office requires landowners to conduct compliance inspections of their existing SSTS when a bedroom is added to a home. Another method of upgrading septic systems is implementing a Point of Sale requirement in the County. Any home with a septic system must be inspected and, if needed, corrective actions taken prior to the sale of the home/property.

Point of Sale and Sibley County's low interest loan program have had a positive effect for residents to take corrective action on failing septic systems. The trend seems to be that a few home owners will upgrade their septic system every year but most upgrades are coming from Point of Sale.

Soil Erosion

This plan will focus on reducing the effects of erosion in urban and rural areas.

The causes of erosion in urban /residential areas will be covered in this section along with possible remediation practices. Erosion control is a priority concern in Sibley County because of the negative impacts they can have on our streams and wetlands. Once soil particles become mobile, phosphorus and other elements also move. While phosphorus and other elements are key features in a healthy and fertile soil profile, in excess they pose a hazard to streams and wetlands. In urban settings the majority of erosion comes from construction site activity, vegetation removal, impacts on bluff land and increases in runoff volume. The increase of impervious surfaces leads to the increase of volume and rate of stormwater runoff unless otherwise treated.

Pre-settlement vegetation of Sibley County was made up of prairies, wetlands and shallow marshes and forested areas throughout river bottoms and hillsides. In the late 1800's agriculture started to dominate large portions of the landscape. Perennial vegetation has the ability to hold soil in place and absorb stormwater during rain events. Once removed, erosion and the amount of rain runoff increase immensely. This obviously affects the rate at which erosion occurs on the landscape as well as increasing the rate and flow at which rain water flows to rivers or lakes. Increasing the runoff rate causes gullies and streambank erosion. It is important to keep rain water and soil in place. Sibley County's agricultural background has been and will continue to be an economic stronghold, but conservation practices will have to be implemented in order to achieve sustainable yields and water quality standards in the future. Varieties of BMP's are available to help control erosion of agriculture land and are actively being promoted at Sibley SWCD.

Most farmers have assessed their tillage practices from years past and are now using practices that lower or minimize erosion. Many are seeing the value of filter strips, buffer strips and tillage practices designed to leave more crop residue on the surface. In the last few years there seems to be some farmers returning to moldboard plowing when the crop rotation is corn on corn. A few reasons why they are returning to the plow are excessive residue, university trials that show improved yields, management style and soil type.

Plan Administration

Funding, promotion and education will be key components of the Comprehensive Local Water Plan. To make this generation of the water plan successful, staffing will need to be kept at a level at or higher than present. If staffing would achieve a level higher than present, educational efforts and promotion of best management practices would be increased. More time could be spent by technicians to get practices in places that would do the most good for the environment. County staff would also enhance their job capabilities through the use of GIS technology.



Goals, Objectives and Implementation

This section establishes the Sibley County's Water Plan Goals, Objectives, and Actions. The Water Plan will cover a span of 10 years (2013-2023). The Water Resources Advisory Committee will take another look at this plan at its midpoint and decide if priorities have changed or additional priorities need to be added. A five-year amended plan will be done at this time.

The Goals, Objectives, and Action Steps that are identified in this section were developed with input from the public, various State and local governmental units/agencies, and the Water Resources Advisory Committee.

Each Action has been assigned specific implementation information, including the Focus Area, stakeholders involved, timeframe and an estimated cost to implement the activity. Collectively the Actions lay the foundation for achieving success with the Plan's Goals and Objectives.

Estimated Cost: This category divides the estimated costs of completing the Action Step into two columns: Overall and County. The Overall column provides an estimate of the total estimated cost among all stakeholders (i.e., grants, cost-share, County match, etc.) to implement the Action. The County column represents the estimated cost incurred either directly or indirectly by Sibley County to implement an Action; this includes costs incurred by Sibley SWCD. **The estimated costs associated with this plan are total costs not on a year by year basis.**

COMMITTEE RECOMMENDATIONS

Public Relations, Oversight, and Strategic Planning Committee

1. Reauthorization of the PRAP Assistance Grants – Don Buckhout – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: RE-AUTHORIZATION of PRAP ASSISTANCE GRANTS TO LGUs

Meeting Date: September 25, 2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: REGIONAL OPERATIONS & OVERSIGHT

Contact: DON BUCKHOUT

Prepared by: DON BUCKHOUT

Reviewed by: PROSP Committee(s)

Presented by: DON BUCKHOUT

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

APPROVE RESOLUTION

LINKS TO ADDITIONAL INFORMATION

[PRAP Assistance Grant application information on the BWSR website](#)

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

In March 2012 the Board authorized the PRAP Assistance Grants as a delegated authority to the Executive Director for the 2012-13 biennium. This resolution reauthorizes the delegation authority for the 2014-15 biennium. Grants or contracts are to be used to cost share with LGUs for expenses associated with certain organizational improvements or to address critical issues affecting their operational effectiveness. This program is consistent with Minn. Statutes 103B.102 (PRAP authorizing legislation) that requires BWSR to provide assistance to underperforming local water management entities for improving their performance. The grants support the PRAP performance reviews by giving LGUs financial assistance to make improvements recommended during the review. Since 2012, the Executive Director has awarded PRAP Assistance Grants to three (3) LGUs for a total of \$3608.28 of BWSR funds expended. All three grants were cost-shared 50:50 with the LGUs. As per Board direction, the Executive Director provides regular reports to the Board regarding the grants or contracts executed under this authority.



Board Resolution # _____

**Minnesota Board of Water and Soil Resources
FY 14-15 Board Re-Authorization of PRAP Assistance Grants to LGUs**

WHEREAS the Board of Water and Soil Resources (BWSR) has a mandate under Minnesota Statutes Chap 103B.102 to regularly review the performance of local government water management entities in the state and provide assistance for “underperforming entities,” and

WHEREAS BWSR routinely monitors the performance of Minnesota’s local government water and land management entities, has conducted detailed performance reviews of more than 50 of those entities, and during the course of those reviews has identified the need for specialized assistance to improve their operational performance, and

WHEREAS BWSR receives other requests for specialized assistance to address particularly difficult operational or performance problems that cannot be addressed by routine BWSR staff support, and

WHEREAS the legislature has specifically authorized use of cost share rollover funds for local government assistance to address specialized assistance needs,

NOW THEREFORE BE IT RESOLVED THAT the BWSR Board authorizes the Executive Director to expend up to \$10,000 per grant or contract for specialized assistance to local government water management entities to address operational or service delivery problems identified through a PRAP assessment, and

BE IT FURTHER RESOLVED THAT the BWSR Board requires that all such funds awarded be cost shared by the grantee at a percentage dependent on the size of the grant and determined by the Executive Director, and

BE IT FURTHER RESOLVED THAT the aggregate amount of expenditures for the PRAP program and awards are consistent with any appropriation conditions set by the legislature.

Date: _____

**Brian Napstad, Chair
Minnesota Board of Water and Soil Resources**

NEW BUSINESS

1. Disaster Recovery Assistance Program (D-RAP) and Reinvest In Minnesota (RIM) Reserve Emergency Haying and Grazing - Bill Penning – ***DECISION ITEM***
2. 2013 Grants Monitoring Report – Tim Dykstal – ***INFORMATION ITEM***
3. Nutrient Study Results - Dave Wall, MPCA – ***INFORMATION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Disaster Recovery Assistance Program Policy and RIM Emergency Haying and Grazing¹

Meeting Date: September 25, 2013
Agenda Category: [X] Committee Recommendation [X] New Business [] Old Business
Item Type: [X] Decision [] Discussion [] Information
Section/Region: Conservation Easements
Contact: Bill Penning
Prepared by: Bill Penning
Reviewed by: RIM Reserve Management Planning Committee(s)
Presented by: Bill Penning

[] Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: [] Resolution [] Order [] Map [X] Other Supporting Information

Fiscal/Policy Impact

- [] None [] General Fund Budget
[X] Amended Policy Requested [X] Capital Budget
[] New Policy Requested [X] Outdoor Heritage Fund Budget
[X] Clean Water Fund Budget
[] Other: _____

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to amend the Disaster Recovery Assistance Program (DRAP) Policy to prohibit emergency haying or livestock grazing on all stand-alone RIM easements.

MN Statutes 103F allows for agricultural production (including haying) and livestock grazing only if approved by the Board for conservation management purposes or extreme drought. This policy modification is being proposed to prohibit crop production (including haying) and livestock grazing during drought emergencies and only allow haying and livestock grazing for conservation management purposes.

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

MN Statute (103F.515) provides BWSR Board authority to allow agricultural production (including haying) and livestock grazing for conservation management purposes or extreme drought. Approval is documented in a Management Plan approved by the local Soil and Water Conservation District (SWCD) and the landowner.

Recent concerns have surfaced regarding reduced environmental and habitat benefits caused by haying and livestock grazing in extreme drought conditions. Last year's OHF appropriation included prohibitions on emergency haying or grazing in two RIM projects. It is likely to be included again this year. Having different policy for only some LSOHC funded easements creates administrative difficulties due to the level of tracking that is needed.

Currently BWSR administers over 6,250 RIM easements (closed and in process) on over 250,000 acres. Over the past 26 years there has been a very small number of easements approved for haying or grazing due to extreme drought. In addition, only a small number of easement holders have requested and have been approved to conduct haying or grazing for management purposes. Given the low demand, a consistent policy is desired.

RIM landowners still may request permission to hay or livestock graze their easement lands for conservation management purposes provided those activities are documented in a Management Plan approved by BWSR and signed by the landowners and the local SWCD.

Additionally for RIM easements that involve a federal partner (CRP or WRP), the federal agency may allow emergency haying or livestock grazing.

Amended September 25, 2013



- POLICY -

Disaster Recovery Assistance Program

Overview

Disasters and emergency legislative funding occur frequently and usually unpredictably. These characteristics require a standard operating procedure for BWSR staff and LGUs to follow to optimize efficiencies, responsiveness, and legislative appropriations. In the event of a disaster, program policy (and guidance) will provide BWSR staff and LGUs the needed implementation information and related processes, of BWSR and other state and federal assistance providers.

Purpose

The Disaster Recovery Assistance Program provides designated appropriated funds and other BWSR designated funds to Local Governmental Units (LGUs) to install, repair, or rehabilitate erosion and sediment control and water quality and watershed protection projects in the disaster area. This Program will utilize appropriations for **Erosion and Sediment Control, and Water Quality and Watershed Protection Projects**; and, acquisition of **Reinvest in Minnesota (RIM) Reserve Conservation Easements**. The purpose of this policy is to provide clear expectations for the implementation of funds and programs, appropriated to or implemented by BWSR, that are associated with the DRAP.

Activation

The Board of Water and Soil Resources (BWSR) may activate the Disaster Recovery Assistance Program (DRAP) in the event of a natural disaster or extreme environmental impact. The DRAP is authorized by Minnesota Statutes §12A.05 to address critical conservation problems resulting from a natural disaster. This Policy is activated by BWSR resolution or by authority delegated to the Executive Director.

Table of Contents

Erosion and Sediment Control, and Water Quality and Watershed Protection3

1.0 Project Allocation Priorities.....3

2.0 Funding Source Priorities.....3

3.0 Local Governmental Unit Eligibility Criteria.....4

4.0 Eligible Activities.....4

5.0 Technical and Administrative Expenses.....5

6.0 Cost Share Rates.....5

7.0 Technical Expertise.....5

8.0 Expenditure of Funds on Practices and Contracts.....6

9.0 Practice Sign-off and Payment.....7

10.0 Post-Construction and Follow-Up Activities.....8

11.0 LGU Reporting Requirements.....9

12.0 BWSR Program Monitoring, Closeout, and Penalty Procedures.....9

Reinvest in Minnesota (RIM) Reserve Conservation Easements.....9

13.0 Eligible Activities and Priorities.....10

14.0 Administrative and Technical Components.....10

15.0 Easement Payment Rates and Conservation Practice Cost-Share Rates.....11

16.0 Post Easement Conveyance Monitoring and Management.....11

17.0 Drought Emergencies and Emergency Haying and Grazing.....11

Erosion and Sediment Control, and Water Quality and Watershed Protection

LGUs are responsible for the administration and decisions concerning the local use of these funds in accordance with Minnesota Statutes, Minnesota Rules, BWSR policies; and all other applicable laws. BWSR will use grant agreements and contracts for assurance of deliverables and compliance, with applicable laws, rules and policies. Non-compliance with relevant statutes, rules, and policies may lead to imposition of financial penalties on the LGU.

1.0 Project Allocation Priorities (in priority order)

1. Conservation practices where imminent human safety or health is a concern.
2. Conservation practices that address erosion and water quality problems associated with imminent threats to private or public improvements (infrastructure).
3. Projects that repair, rehabilitate, or replace, existing conservation practices on private lands.
4. New conservation practices that address other erosion, water quality, and watershed protection problems created by the disaster.
5. New practices that will help prevent flood damages in the future.

These allocation priorities may consider other project specific factors including long-term solutions, relative benefits, cost/benefits, and the amount of federal contributions.

2.0 Funding Source Priorities

- 2.1 Landowners and Local Government Units must first pursue insurance assistance, and eligible federal program funding to repair damages on their properties, respectively, in accordance with M.S. 12A.03.
- 2.2 State funds appropriated for a disaster response should be used when possible to partner with federal funding for applicable disaster assistance on private lands as non-federal match for federal programs including, but not limited to:
 - 2.2.1 Emergency Watershed Protection Program (EWP) (NRCS)
 - 2.2.2 Emergency Conservation Program (ECP) (FSA)
 - 2.2.3 Environmental Quality Incentives Program (EQIP) (NRCS)
 - 2.2.4 Wetlands Reserve Program (WRP) (NRCS)
 - 2.2.5 Conservation Reserve Program (CRP) (FSA)

2.2.6 Individual Assistance (IA) - FEMA

2.3 State disaster appropriated funds with no match

2.4 Other state or local funds

3.0 Local Governmental Unit Eligibility Criteria

Funds are allocated to LGUs based on the following minimum criteria:

- 3.1 Location within the applicable defined disaster area; and,
- 3.2 A Board Conservationist approved LGU damage assessment; and,
- 3.3 A MN Recovers Task Force Natural Resources Subcommittee or Board Conservationist review and approval of requests for funds; and,
- 3.4 BWSR Policy.

4.0 Eligible Activities

The primary purpose of activities funded with Disaster Recovery and Assistance funds is to apply structural or vegetative conservation practices to address problems associated with the disaster. Specific preventative practices may also be allowed through policy or appropriation.

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

4.2 **Effective Life.** All structural practices must be designed and maintained for a minimum effective life of ten years unless a longer term is specified in the design. The beginning date for a practice's effective life is the same date final payment is approved and the project is considered complete.

The grant recipient must provide assurances that the landowner or land occupier will keep the practice in place for its intended use for the expected lifespan of the practice. Such assurances may include easements, deed recordings, enforceable contracts, performance bonds, letters of credit, and termination or performance penalties.

4.3 **Repair or Replacement of Damaged Practices.** Repair of damage to a conservation practice is eligible if the practice was installed using approved standards, damage was caused by reasons beyond the control of the land occupier, and damage or failure of the

practice was not due to improper maintenance of the practice within the effective life. BWSR may allow replacement of a damaged practice or project that does not comply with expected lifespan requirements with a practice or project that provides equivalent water quality benefits.

5.0 Technical and Administrative Expenses

Disaster Recovery and Assistance Program funds may be used for reasonable technical and administrative (TA) expenses. Eligible TA expenses include the following activities: grant administration, site investigations and assessments, design and cost estimates, construction supervision, and construction inspections. These expenditures must be appropriately documented according to the Grants Manual.

6.0 Cost Share Rates

Cost share rates represent the percent of the installation cost of a practice that may be provided to a land occupier for materials and labor necessary to install the practice.

- 6.1 Maximum Rates.** Projects are eligible for up to 100% state and/or federal cost share on disaster impacted sites. (See also 2.0.)
- 6.2 Local Rates.** The LGU may set cost share rates less than 100% to help manage project costs and provide consistency for conservation programs. Prior to entering into any contracts with land occupiers, the LGU shall set cost share rates for activities.
- 6.3 Match and In-Kind.** A land occupier may provide the remainder of the installation cost through in-kind services or materials, or non-state funds. The LGU shall determine whether charges for in-kind services and materials are practical and reasonable. Standard rates for in-kind services shall be identified in the LGU's cost share program policy or governing body resolution.

7.0 Technical Expertise

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

- 7.1 Technical Provider Skills.** The LGU's cost-share policy must contain a description of staff skills, training, or credentials; or a description of other means the LGU will use to insure projects meet the requirements of this policy. This requirement is to demonstrate LGU capacity to design and install practices according to appropriate standards and specifications of the practice(s).

- 7.2 BWSR Review.** BWSR reserves the right to review the licensure and credentials of all technical provider staff selected by the LGU, where appropriate.

8.0 Expenditure of Funds on Practices and Contracts

The LGU Governing Body or delegated entity has the authority and responsibility to encumber and approve expenditure of funds within their own organization. The action taken must be documented in the LGU official records. Grant reporting, fiscal management, and administration requirements are the responsibility of the grant recipient (See also 11.0.). BWSR recommends contracts be reviewed by the LGU's legal counsel.

- 8.1 Cost Share Contract.** All LGU expenditures of funds providing financial assistance to landowners require a contract with the land occupier. A contract between the LGU and land occupier receiving state funds is required to provide a legal standing to ensure practices are installed according to approved standards and specifications, and maintained according to operations and maintenance plans. The contract must specify LGU enforcement provisions, including repayment of cost share funds and costs to recover and enforce the contract at a rate up to 150% of the original landowner agreement (See also 10.3.). The required contract can be found on the BWSR website. Land occupier means a person, corporation, or legal entity that holds title to or is in possession of land as an owner, lessee, tenant, or otherwise. If the land occupier is not the landowner, the contract must also bear the landowner's signature.
- 8.1.1 Contract Modifications.** Modifications to the contract may be made prior to execution.
 - 8.1.2 Contract Amendments.** Changes to an executed contract are considered an amendment to the contract and subject to review and approval by the LGU Board. Prior to approving an amendment, technical staff must attest that the amendment has merit. Amendments shall not be considered or approved after the end of the contract or after approval to issue final payment on the original contract has been made.
 - 8.1.3 Group Projects.** Where the cooperation of several land occupiers is required for implementation of a project; and the land occupiers have agreed to the project, division of payments for the project, and signed a group project addendum to the cost-share contract; the LGU may enter into a contract with only the group spokesperson of the contract.
- 8.2 Contract Approval.** LGU Boards must approve or deny the contract. The action taken must be documented in the LGU's meeting minutes. Approval of a contract is considered approval for expenditure of funds.

- 8.3 **Emergency Work.** Projects where emergency work began prior to LGU or BWSR approval may be eligible for financial assistance with adequate documentation as detailed in DRAP Guidance.
- 8.4 **Contract and Grant Agreement Timeframe.** LGUs have the authority to adopt timely starting and completion dates. Execution and completion of a contract with a land occupier must be within the grant period unless the project is deemed an emergency (see 8.3). Contracts not completed within the period of the grant agreement must be cancelled unless the contract has been extended and the grant agreement with the LGU has been extended such that the contract timeframe is within the amended grant period.
- 8.5 **Canceled Projects.** Funds from canceled projects or remaining from completed projects where the final cost was less than the estimated amount may be re-encumbered to a new contract, or unspent funds must be returned, as provided in the grant agreement.
- 8.6 **Removal of Practices.** LGUs may authorize the removal of a practice installed under this program provided the land occupier can show good cause for removal of the practice and the purpose of the original practice has been achieved.
- 8.7 **Delegation.** LGUs may delegate signing contracts and supporting program documents to staff. This delegation must be identified in the LGU's policies or by resolution.
- 8.8 **Grant Agreement Extensions.** Any other existing BWSR grant agreement may be extended up to two additional years. This extension must be by executed amendment. Grant agreement periods, with extensions, may not exceed five years.

9.0 Practice Sign-off and Payment

Prior to payment, technical staff must attest that the practice was properly installed and completed according to the plans and specifications, including technically-approved modifications, and that vouchers and receipts are accurate. Project costs for the purposes of determining cost share amounts include the materials and labor necessary to complete the project.

- 9.1 **Reimbursement.** Land occupiers must incur all expenses for project implementation and provide vouchers and invoices or copies of paid receipts to verify all expenses prior to requesting reimbursement. An example payment voucher form is available on the BWSR website.
- 9.2 **Actual Cost Different Than Estimated Cost.** In cases where the actual cost of the practice exceeds the estimated cost, the LGU may only share the additional amount when an amendment to the contract has been approved per policy 8.1.2. Where the actual cost is less than the estimated cost, the LGU shall only share the approved percentage of the actual cost of the practice (per policy 6.1).

- 9.3 **Project Review.** After receiving a request for final reimbursement, technical staff must review for each project; the as-built plan, vouchers, and invoices or copies of paid receipts submitted by the land occupier for completion and technical approval.
- 9.4 **Combining Funding Sources.** Payment amounts from combined state and federal sources shall not exceed the 100% cost share rate.
- 9.5 **Final Plans.** One copy of the final as-built plan must be given to the land occupier and one copy retained with the project file located in the LGU office.

10.0 Post-Construction and Follow-Up Activities

Identifying operation and maintenance activities specific to the installed practices is critical to ongoing performance of installed practices as well as to planning and scheduling those activities. Scheduled site inspections by designated technical staff (per 7.0) are necessary to ensuring operation and maintenance has been taking place.

- 10.1 **Operation and Maintenance Plan.** Designated technical staff must prepare an operation and maintenance plan specific to the practice and the site where it is located. The operation and maintenance plan must detail the maintenance activities that are likely to be needed for practice and contributing watershed, specify how and when to accomplish them, and identify the inspection schedule. The plan should be prepared and reviewed with the land occupier before installation of the conservation practices begins.
- 10.2 **Inspections.** Designated technical staff shall ensure that the operation and maintenance plan is being followed and the practices have not been altered or removed by conducting periodic site inspections. Inspections are to:
 - 10.2.1 Verify that all components of the practice remain in place and are in good repair and providing designed environmental benefits and outcomes.
 - 10.2.2 Identify repairs necessary in accordance with the operation and maintenance plan.
 - 10.2.3 Identify further assessment or action necessary if repairs are beyond the scope of the operation and maintenance plan.
- 10.3 **Failure to Maintain Practices.** Should the land occupier fail to maintain the practices during their effective life according to the operation and maintenance plan, the land occupier is liable for repayment of cost share funds and costs to recover and enforce contract, at a rate up to 150% of the original landowner agreement as determined by the LGU board. The LGU shall provide the basis for repayment.

11.0 LGU Reporting Requirements

To ensure the continued success of the DRAP, regular reporting of accomplishments and benefits is required. This reporting is accomplished through entries and documentation in eLINK. Guidance for reporting in eLINK is available on the BWSR website.

- 11.1 Reporting.** LGUs must enter information on activities accomplished with the grant funding in eLINK. Reporting is required for grant fund expenditures and is to be completed by BWSR established reporting deadlines.
- 11.2 Grant Closeout Reporting.** Within thirty (30) calendar days of the conclusion of each grant agreement or expenditure of all grant funds, LGUs are required to provide the following to BWSR:
 - 11.2.1** Entry of information on all projects completed with the grant funding in eLINK
 - 11.2.2** Signed Final Financial Report from eLINK
 - 11.2.3** Return any unspent funds as instructed on the Returned Check Form, found on the BWSR website.
- 11.3 Records Retention.** Project files must be retained by the LGU pursuant to Minnesota Statutes, §138.17 and consistent with ongoing records retention schedules.
- 11.4 Non-compliance with Reporting Requirements.** Any LGU that does not satisfactorily complete these requirements may be ineligible to receive funds from BWSR programs until all required past reporting has been completed.

12.0 BWSR Program Monitoring, Closeout, and Penalty Procedures

BWSR staff is authorized to develop grant agreements, including requirements and processes for fiscal closeouts, and project outcomes reporting. BWSR staff will review grant recipient compliance with contractual requirements in a manner which is consistent with the policies established by the Office of Grants Management and adopted by the BWSR Board.

Reinvest in Minnesota (RIM) Reserve Conservation Easements

In responding to flood disasters the BWSR seeks to acquire permanent conservation easements from willing landowners on damaged lands in declared disaster counties to provide flood attenuation, restore and protect soil and water resources, and to support and restore related fish and wildlife habitat. Easements will be acquired via the RIM Reserve program, MS 103F.501.

13.0 Eligible Activities and Priorities

- 13.1 Eligible lands**

- 13.1.1 Flood damaged lands, both cropland and non-cropland areas. All eligible land types under MS 103F.515, Subd. 2 that have been damaged by flooding are eligible.
- 13.1.2 Riparian lands with a history of flooding within and beyond the 100 year floodplain, where an easement will help mitigate future flood impacts.
- 13.1.3 Wetland restorations where storage will help reduce future flood impacts.

13.2 **Priorities.** Cropland areas are the priority for funding consideration. Removing cropland from flood-prone areas will have positive water quality impacts, reduce runoff, and lessen negative economic impacts due to flooding for landowners and governments. Non-cropland areas are a lower priority.

13.3 **Conservation Plans.** All lands placed under easement will have an approved conservation plan developed to establish and maintain permanent vegetative cover and required structural practices consistent with the *Practice Specifications* section of the RIM handbook.

14.0 Administrative and Technical Components

14.1 Easement sign-up procedures

- 14.1.1 BWSR easement staff have the authority to develop specific procedures required to conduct landowner sign-up with SWCDs in response to disasters. This includes a complete list of what is needed to be submitted with each landowner application package.
- 14.1.2 SWCDs will take applications from landowners during the BWSR prescribed sign-up period, and prioritize their applications based on their effectiveness in addressing flood impacts in their county prior to submitting them to their BWSR Board Conservationist (BC) by the sign-up deadline.
- 14.1.3 BWSR BCs will rank and prioritize applications from all of their respective SWCDs prior to submittal to BWSR Easement staff for final funding decisions.
- 14.1.4 BWSR Engineering staff will review all applications where wetlands are proposed for restoration, or existing drainage infrastructure may be impacted.

14.1.5 All easement program procedures contained in the *RIM Reserve Conservation Easement Handbook* found on the BWSR website will be used to secure easements and pay for practice establishment.

14.2 **SWCD Payment for Services.** SWCDs will be compensated for their services associated with the acquisition of easements and installation of required practices via the current BWSR approved payment process.

15.0 Easement Payment Rates and Conservation Practice Cost-Share Rates

15.1 Easement and Practice Payments.

15.1.1 The most recent BWSR approved conservation easement payment rates will be used to compute payment for enrolled lands.

15.1.2 The current practice rate limits as prescribed by the BWSR will be used to reimburse landowners for their cost of establishing required vegetative and/or structural conservation practices.

15.1.3 The only structural practices eligible for cost-share are those required to restore wetlands via the RIM Reserve program. Other desired structural practices on lands under RIM easements will NOT be eligible for RIM cost-share.

16.0 Post Easement Conveyance Monitoring and Management

16.1 **Monitoring/Site Inspections.** All easements acquired will be inspected by SWCD staff on an annual basis for the first 5 years after an easement is recorded, and every 3rd year thereafter. BWSR will provide a list of easements for inspections to the SWCD.

16.2 **Management and Maintenance.** SWCDs will assist landowners or authorized agent with on-going management activities on their easements. Weed control, boundary issues, activities on the easement, and maintenance of water control structures are the main activities that landowners will need assistance with.

17.0 Drought Emergencies and Emergency Haying and Grazing

(If appropriation language permits emergency haying and grazing, then the following section applies.)

As authorized in MS 103F.501, subd. 4, (2) BWSR has developed policy for its RIM easement lands that is responsive to livestock producers needs while still protecting the wildlife habitat and other environmental concerns on these lands.

17.1 **Federal Partnership Easements, CREP and RIM-WRP.** Many RIM easements are enrolled jointly with a federal program, such as the Conservation Reserve Program (CRP), or the Wetlands Reserve Program (WRP). For these joint easements BWSR defers

to federal guidelines, requiring landowners to comply with federal provisions for haying and grazing.

17.2 Stand Alone RIM Reserve Easements. For lands with RIM easements only, emergency haying or livestock grazing is not allowed, the BWSR has established the following policy:

~~17.2.1 Landowners or designee sign up for emergency haying and grazing provisions with the local SWCD.~~

Formatted: Normal, Indent: Left: 0.5", Hanging: 0.5", Space After: 0 pt, No bullets or numbering

~~17.2.2 At least 50% of the easement acreage will remain undisturbed for wildlife.~~

~~17.2.3 Tree plantings, food plots, water control structures, wetland basins and stream banks shall be excluded.~~

Formatted: Indent: Left: 1.5", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.19" + Indent at: 1.69"

~~17.2.4 Where practical, mowing will begin in the center of the area to be harvested and commence inside out to allow wildlife to escape.~~

~~17.2.5 Haying/grazing will be limited to August 2 to September 30 to protect ground nesting wildlife.~~

Formatted: Indent: Left: 1.5", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.19" + Indent at: 1.69"

~~17.2.6 Haying/grazing grasses should be harvested no shorter than 6" in height to ensure regrowth.~~

Formatted: Indent: Left: 1.5", Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.19" + Indent at: 1.69"

NOTE: Landowners with RIM easements may still request haying and livestock grazing for conservation management purposes consistent with RIM Vegetative Management and Enhancement of Conservation Easement Lands Policy, dated December 17, 2008.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

ACUB Easement Modification

Meeting Date: September 25, 2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Easement Section

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 type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input checked="" type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |
- Approval for easement modification

ACTION REQUESTED

The Board is requested to approve, contingent on a recommendation of the RRMPC at its September 24, 2013 meeting, to authorize staff to modify the 88 ACUB easements to correct a mutual mistake in the easement documents and incorporate the modified language into all new ACUB easements going forward.

LINKS TO ADDITIONAL INFORMATION

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

Background

In 2004 the National Guard Bureau and the State of Minnesota, acting through the Board of Soil and Water Resources (BWSR), entered in to a cooperative agreement to implement an Army Compatible Use Buffer (ACUB) program for Camp Ripley. The program is designed to minimize intensive residential and commercial development within a 3-mile radius around Camp Ripley by purchasing the development rights through permanent conservation easements.

Since 2004 BWSR has acquired 88 conservation easements through the ACUB program with a federal investment of \$15,795,000 and a state investment of \$2,248,000 (through the Outdoor Heritage Fund, as recommended by the Lessard Sams Outdoor Heritage Council).

ACUB Easement Terms

BWSR currently holds nearly 6,000 conservation easements across Minnesota. The 88 ACUB easement documents are similar to BWSR's other RIM easements but differ in three key easement terms that are not part of other RIM easements:

1. "Shall not subdivide, either legally or physically, lands under Easement ..."
2. "Shall not be allowed to transfer any development rights associated with the lands under easement to any location outside the easement area, whether pursuant to a cluster development plan or any other agreement or plan for transferable development rights.
3. "Shall not use any portion of the Easement area acreage to satisfy land area requirements for other property not subject to this Easement for purposes of calculating building density, lot coverage, or open space under otherwise applicable laws, regulation, or ordinances controlling land use."

While it is not entirely clear why or how this additional language was used, based on a review of BWSR files, it appears that these terms were not requested by BWSR staff or other ACUB partners, and in fact, conversations with the partners involved in establishment of the program have made it clear that the intent of the program was only to limit subdivision of parcels covered by the easements and not to prohibit it entirely.

Current Issue

One of the ACUB easement landowners recently approached Morrison SWCD and BWSR about subdividing property covered by an easement. During the course of reviewing the request, it was discovered that there is a significant conflict between the terms of the easement and the way in which easement projects were planned. In all of the 88 ACUB easements, development was limited by excluding small "building sites" from the easement area. In most cases (+/-63 of the 88), these buildings sites are of a size less than the minimum lot size required by the local zoning authority. This approach was encouraged by ACUB partners because any exclusion meeting the minimum lot size could be platted into multiple lots and undermines the purpose of the ACUB program. Partners and landowners had intended to rely on subdivision of the easement to use a portion of the larger easement parcel to meet zoning minimums for building. Unfortunately, the terms of the easement prohibit this, leaving landowners with "building sites" that are unbuildable.

Thus, there is a significant conflict between the written terms of the easement and the manner in which the easement boundary was planned and drawn. Given the conflict, it is unlikely that landowners understood the full effect of the easement they signed. This assumption is further supported by the fact that the Easement Agreement, signed by both BWSR and the landowner, does not spell out the prohibition on subdivision and density transfer.

Proposed Solution

ACUB partners, including BWSR as the easement holder, propose to amend the 88 ACUB easements, based on a mutual mistake in the drafting of the easements that resulted in a conflict between the way the easement area was planned and the actual drafting of the easement document.

This solution is consistent with achieving the intent and purpose of the ACUB program and the conservation purpose of the easement itself by limiting development and preserving open space within the Camp Ripley buffer area. It does not compromise the intent of either the ACUB program or natural resource protection. At the same time, it resolves a serious conflict in the way the ACUB easements were envisioned by partners and discussed with landowners versus how documents were drafted.

Board Resolution # _____

Modification of Camp Ripley Army Compatible Use Buffer (ACUB) Program Easements.

WHEREAS the state of Minnesota, acting through its Minnesota Board of Water and Soil Resources (BWSR) has authorized BWSR staff to work with the National Guard Bureau, Camp Ripley staff, and the involved local Soil and Water Conservation District staff to acquire conservation easements within the designated 3-mile ACUB buffer of Camp Ripley;

WHEREAS BWSR has acquired 88 conservation easements through the ACUB program with a federal investment of \$15,795,000 and a state investment of \$2,248,000;

WHEREAS the Camp Ripley staff in working with BWSR and the Morrison SWCD have identified a "mutual mistake" in the drafting of the easement language of all 88 easements which unintentionally prevents subdivision of easement parcels;

WHEREAS BWSR currently holds nearly 6,000 conservation easements across Minnesota, none of which prohibit subdivision;

WHEREAS it is the intention of the ACUB program to limit development within the ACUB buffer through means other than a strict prohibition on subdivision;

WHEREAS it was not the intent of BWSR, the National Guard Bureau, or Morrison Soil and Water Conservation District staff to prohibit subdivision, and that by strictly prohibiting subdivision the ability to acquire future ACUB easements will be significantly compromised;

WHEREAS the BWSR RIM Reserve Management Planning Committee met on Wednesday, September 24th, 2013 and unanimously recommends the following to successfully continue the Camp Ripley ACUB Program;

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

- 1) Work with the National Guard Bureau, Morrison Soil and Water Conservation District, the Minnesota Attorney General's Office, and other affected parties to develop new language that is consistent with achieving the intent and purpose of the ACUB program and the conservation purpose of the easement by limiting development and preserving open space within the Camp Ripley buffer area but not strictly prohibiting subdivision.
- 2) Modify all existing ACUB easements to reflect the change.
- 3) Incorporate modified language into all new ACUB easements.

Dated at Saint Paul, Minnesota this 25th day of September, 2013.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

Board of Water and Soil Resources

DRAFT



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: 2013 Grants Monitoring Report

Meeting Date: _____

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Fiscal Compliance / Land and Water Sections

Contact: Tim Dykstal

Prepared by: Tim Dykstal

Reviewed by: _____ Committee(s)

Presented by: Tim Dykstal

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

None. Information only.

LINKS TO ADDITIONAL INFORMATION

See attached report.

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

On June 22, 2011, the Board Adopted the Grant Monitoring, Reconciliation and Verification Policy, which calls for an annual report to be delivered to the Board on grants monitoring. This is the second annual report.

2012-13 Grant Verification Site Visits Summary
for Fiscal Year 2011 Grants

| County | LGU | Date of Site Visit | Status | Completion or Projected Completion Date | Verification Team Members | Comments |
|-------------|--------|--------------------|---|---|--|---|
| Chisago | County | 9/11/2012 | Complete. | 3/13/2013 | Tim Dyksta, Marcey Westrick, Matt Drewitz, Melissa Lewis | In compliance; time tracking needs improvement. |
| | SWCD | 10/23/2012 | Complete. | 3/13/2013 | | In compliance; financial records in good order. |
| Morrison | County | 9/24/2012 | Complete. | 3/1/2013 | Tim Dyksta, Ron Shelito, Dan Steward | In compliance; time tracking and documentation of match and expenditures need improvement. |
| | SWCD | 9/24/2012 | Complete. | 3/1/2013 | | In compliance; financial records in good order. |
| Watowan | County | 10/10/2012 | Complete. | 3/13/2013 | Tim Dyksta, Ron Shelito, Mark Hiles | One finding; corrective action plan met; now in compliance. |
| | SWCD | 10/10/2012 | Complete. | 2/20/2013 | | Several findings; corrective action plan met; now in compliance. Corrective action plan to be revisited in 10/2013. |
| Anoka | County | 3/28/2013 | Data analyzed; followup questions answered; results in process. | 9/2013 | Tim Dyksta, Marcey Westrick | |
| | SWCD | 3/28/2013 | Data analyzed; followup questions answered; results in process. | 9/2013 | | |
| Pipestone | County | 4/15/2013 | Data processed; followup questions answered. | 9/2013 | Tim Dyksta, Matt Drewitz, David Sill | |
| | SWCD | 4/15/2013 | Data processed; followup questions answered. | 9/2013 | | |
| Fillmore | County | 5/14/2013 | Data processed; followup questions answered. | 10/2013 | Tim Dyksta, Matt Drewitz, Steve Lawler | |
| | SWCD | 5/14/2013 | Data processed; followup questions answered. | 10/2013 | | |
| Kanabec | County | 5/21/2013 | Data processed; followup questions answered. | 10/2013 | Tim Dyksta, Jason Weinerman, Don Buckhout | |
| | SWCD | 5/21/2013 | Data processed; followup questions answered. | 10/2013 | | |
| Koochiching | County | 6/13/2013 | Data collected. | 12/2013 | Tim Dyksta, Chad Severt, Ron Shelito | |
| | SWCD | 6/13/2013 | Data collected. | 12/2013 | | |
| Dodge | County | 8/20/2013 | Data collected. | 12/2013 | Tim Dyksta, Jeff Nielsen, Steve Lawler, Tom Gile | |
| | SWCD | 8/20/2013 | Data collected. | 12/2013 | | |

Data compiled by Tim Dyksta
for BWSR Board Meeting, September 25, 2013

2013 Grants Monitoring, Reconciliation and Verification Report
September 25, 2013

Introduction

On June 22, 2011 the Board adopted the Grants Monitoring, Reconciliation and Verification Policy (GMRVP). The policy provided that:

- BWSR staff will annually monitor all grants;
- Competitive conservation program grants will be paid in three scheduled payments; and,
- Financial verification of grant reconciliations will be performed on ten percent of all BWSR grants annually.

This policy was implemented beginning in FY 2012. The implementation plan provided that the BWSR Grants Administrator will annually present a grants monitoring report to the BWSR Board.

Grants Monitoring

Grants “monitoring” is defined in the policy as the review and documenting of the grant recipient’s progress implementing the grant and complying with the grant agreement. Grants monitoring occurs throughout the year, but it is formally required when BWSR staff review and approve all required annual reports consistent with the appropriate deadline, which is February 1, 2013 for grants activity that occurred in calendar year 2012, and July 31 for grants that expired on June 30, 2013. Because of the transition to the new eLINK reporting system, these deadlines have been extended, but data on monitoring as of the February deadline was captured before the “old” eLINK was shutdown on March 14, 2013.

| Monitoring of 2012 Grants Activity | | | | |
|--|------------------|-------------------------|-----------------------------------|---------------------------------------|
| Data Collected as of eLINK shutdown | | | | |
| Type of Grant | Number of Grants | Number of Active Grants | Number of Active Grants Monitored | Percentage of Active Grants Monitored |
| Conservation Program and Operations Grants | 382 | 341 | 253 | 73.2 |
| Project Grants | 179 | 139 | 120 | 86.3 |

These data indicate that, of 382 FY 2012 Conservation Program and Operations (CPOG) grants, 341 had reported some activity—some funds spent—as of March 2013. Of those 341 grants, 253—or 73.2 percent--had evidence in eLINK of having been monitored: had their report status in eLINK changed to either “accepted” or “approved.”

Grants monitoring that occurs throughout the year is documented in a grant monitoring journal in eLINK that records the informal conversation, emails, and other contact that BWSR staff have with grant recipients about the progress on their grants. The data reported above do not capture this informal monitoring—only the status changes that are triggered when a BWSR staff member reviews a report in eLINK.

Grant Verification Site Visits

The heart of the Grants Monitoring, Reconciliation and Verification policy is the grant verification site visit. Agency policy is to conduct grant verifications on ten percent of all BWSR grants annually.

During a grant verification site visit, BWSR checks what a grant recipient has received in grant funds (revenue) against what the recipient has spent—and matched--on local programs, operations, and projects (expenditures). The central question in a verification visit is whether expenditures match revenue. If they do, the grant is reconciled. During the site visit, BWSR staff also check whether the terms of grant payments-- as stated in the grant agreement, the BWSR *Grant Administration Manual*, and all applicable state rules and regulations--have been complied with. The grant recipient's internal control environment is also checked.

The GMT and Regional Supervisors selected the following counties for the 2012-2013 cycle of grant verifications: Anoka, Chisago, Dodge, Fillmore, Kanabec, Koochiching, Morrison, Pipestone, and Watonwan. Three counties (Chisago, Morrison, and Watonwan) were visited in fall 2012. Those three counties have had their results processed and delivered. The six other counties were visited in the spring and summer of 2013: data from these visits are still being processed.

Two of the three counties visited in fall 2012 were fully in compliance, although the visit may have resulted in recommendations for improvement. (For example, one LGU was advised to work to maintain the identity of BWSR grants being charged by program type and fiscal year.) One county's SWCD was not in compliance, particularly with respect to documenting expenditures charged to the Wetland Conservation Act (WCA) and State Cost-Share grants. BWSR issued a corrective action plan, and the SWCD Board contracted with a neighboring SWCD to bring the LGU's financial records into compliance.

See the attached chart for a summary of the status and results of these visits.

A recurring observation from these verification visits concerns the billing that LGUs use to charge staff time to BWSR grants. Some LGUs, building off their work plans, use one, average rate to charge staff time. Other LGUs use rounded or "generic" rates. The new financial record keeping guidance that is being incorporated in the *Grant Administration Manual* advises LGUs that "The costs billed to BWSR grants must be based on actual expenditures, not budgeted figures," and that "Financial reconciliation must be based on actual, incurred costs."

Financial Record Keeping Guidance

To responsibly manage a BWSR grant, grant recipients must be able to document the receipt of revenue and expenditures on staff time, contractors, and other costs. They must also know what is and is not an "allowable" cost to be charged to a grant. With the institution of the GMRVP in 2011, BWSR's local partners had been asking for guidance about how to prepare to have their grants monitored and verified. BWSR's existing *Grant Administration Manual*, available online since 2011, discusses the general content of program and project files, but it did not list the specific kinds of documents needed to verify revenue and expenditures on BWSR grants. It also did not offer any best practice examples designed to providing the assurance that BWSR funds have been used as reported, and for the purposes stated in the grant agreement.

To that end, the Grants Monitoring Team has led an effort throughout 2013 to revise the *Grant Administration Manual*, greatly adding to its financial record keeping guidance. Local partners will be informed of the revisions in communications and at the BWSR Academy, in October.

Additional Grants Compliance Staff

BWSR's management has recognized that the increased attention paid to grants monitoring requires additional resources. In addition, although Board Conservationists are the agency's main grant monitors, in the field, evaluating a local government's internal controls, or performing a risk assessment, are skills cultivated by financial professionals. To allocate staff time and competencies more efficiently, BWSR is in the process of hiring two "Grants Compliance Specialists," one to be based in Mankato, and the other in Brainerd. The Grants Compliance

Specialists will work with regional field staff and the Fiscal Compliance Coordinator to enhance BWSR's compliance efforts.

Next Steps

Grants compliance steps to be taken in the coming year include:

- Conducting the next round of grant verification site visits.
- Hiring and training the two new Grants Compliance Specialists, and equipping them to lead the grant verifications.
- Standardizing grant monitoring guidance, to aid in the division of duties between Board Conservationists and Grants Compliance Specialists.
- Assessing the risks in BWSR's procedures of grants reporting, and grant oversight/monitoring, as part of BWSR's overall risk assessment plan.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Nutrient Study Results

Meeting Date: 9/25/2013

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: _____

Contact: John Jaschke

Prepared by: John Jaschke

Reviewed by: _____ Committee(s)

Presented by: Dave Wall, MPCA

X 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

None. Information only

LINKS TO ADDITIONAL INFORMATION

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/surface-water/nutrient-reduction/report-on-nitrogen-in-surface-water.html>

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

In June 2013, the MPCA conducted a study of nitrogen in surface waters to better understand the nitrogen conditions in Minnesota’s surface waters, along with the sources, pathways, trends and potential ways to reduce nitrogen in waters. The study was a collaborative effort led by Minnesota Pollution Control Agency, with assistance from the University of Minnesota and the U.S. Geological Survey. The report team used more than 50,000 water samples collected at 700 stream sites and used 35 years of monitoring data and findings from 300 published studies.