



DATE: May 18, 2015

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

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice – May 27, 2015

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, May 27, 2015, 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).

Due to construction work at the St. Paul office, the main entrance at 520 Lafayette Road will be closed through the end of May. During this time, visitors should enter the building through the temporary public entrance located on the west side of the MPCA building on Lafayette Road, between the MPCA and DNR buildings (follow the signs). Security and a receptionist will be located at this entrance for guidance to the lower level board room.

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Metro Region Committee

1. **Bassett Creek Watershed Management Commission Plan Amendment** - The final draft Amendment to the Bassett Creek Watershed Management Commission's Watershed Management Plan was filed with the Board on April 3, 2015. The Amendment includes the addition of a capital improvement project to provide additional treatment through an existing pond. The amendment also includes the revision of a project currently on the Capital Improvement Project list that will incorporate reuse opportunities within the City of New Hope. The Metro Region Committee met on May 12, 2015 and recommends approval of the Plan Amendment per the attached draft Order. **DECISION ITEM**

North Region Committee

1. **Lake of the Woods Comprehensive Local Water Management Plan Amendment** – Lake of the Woods County adopted a resolution on February 11, 2014, to complete the required five year amendment to the Lake of the Woods 2010-2020 Comprehensive Local Water Management Plan. A properly noticed public hearing for the amendment was held on December 10, 2014. Lake of the Woods County submitted the Plan amendment to the BWSR on February 6, 2014. The North Region Committee met April 8, 2014 to review the Plan amendment and recommends approval of the required five year amendment of the Lake of the Woods County Comprehensive Local Water Management Plan. The Plan remains in effect until October 28, 2019. **DECISION ITEM**

Bemidji	Brainerd	Detroit Lakes	Duluth	Mankato	Marshall	New Ulm	Rochester
403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	1601 Minnesota Drive Brainerd, MN 56401 (218) 203-4470	26624 N. Tower Road Detroit Lakes, MN 56501 (218) 846-8400	394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	12 Civic Center Plaza Suite 3000B Mankato, MN 56001 (507) 344-2821	1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	261 Highway 15 South New Ulm, MN 56073 (507) 359-6074	3555 9 th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889

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

2. **Pine County Comprehensive Local Water Management Plan Amendment** – Pine County adopted a Resolution April 1, 2014, to complete the required 5-year Comprehensive Local Water Management (CLWMP) Plan Amendment. A properly noticed public hearing on the amendment was held February 17, 2015. The North Region Committee of the Board met April 8, 2015 to discuss the Pine County CLWMP amendment and the comments received on the amendment. Based on the comments received and the County's response to the comments received, the North Region Committee recommends approval of the required 5-year amendment of the Pine County Comprehensive Local Water Management Plan. **DECISION ITEM**

3. **Todd County Priority Concerns Scoping Document** – Todd County submitted the Priority Concerns Scoping Document (PCSD) for state review and comment as part of updating their Comprehensive Local Water Management Plan. The North Region Committee met April 8, 2015, after the state agencies comment period ended. The Committee recommends approval of the Todd County PCSD. The state's expectations of the final plan must be sent to Todd County. **DECISION ITEM**

NEW BUSINESS

1. **Presentation of Report, "Farm to Stream: Recommendations for Accelerating Soil and Water Stewardship"** – Peggy Knapp and Steve Woods, Freshwater Society – **INFORMATION ITEM**

2. **Legislative Update** – Doug Thomas, Dave Weirens, Melissa Lewis and Sarah Strommen – **INFORMATION ITEM**

If you have any questions regarding the agenda, please feel free to call me at 651-296-0878. The Board meeting will adjourn about noon. I look forward to seeing you on May 27th!

BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, MAY 27, 2015

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF APRIL 22, 2015 BOARD MEETING

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

INTRODUCTION OF NEW EMPLOYEES

- Jenny Gieseke, PRAP Coordinator
- Karen Matthees, Grants & Reporting Specialist

REPORTS

- Chair & Administrative Advisory Committee – Brian Napstad
- Audit & Oversight Committee – Brian Napstad
- Executive Director – John Jaschke
- Dispute Resolution Committee – Gerald Van Amburg
- Grants Program & Policy Committee – Steve Sunderland
- RIM Reserve & Soil Conservation Committee – Gene Tiedemann
- Water Management & Strategic Planning Committee – Jack Ditmore
- Wetlands & Drainage Committee – Gerald Van Amburg
- Drainage Work Group – Tom Loveall/Al Kean

COMMITTEE RECOMMENDATIONS

Metro Region Committee

1. Bassett Creek Watershed Management Commission Plan Amendment – Steve Christopher –
DECISION ITEM

Northern Region Committee

1. Lake of the Woods Comprehensive Local Water Management Plan Amendment – Neil Peterson – **DECISION ITEM**
2. Pine County Comprehensive Local Water Management Plan Amendment – Gerald Van Amburg – **DECISION ITEM**
3. Todd County Priority Concerns Scoping Document - Tom Schulz – **DECISION ITEM**

NEW BUSINESS

1. Presentation of Report, "Farm to Stream: Recommendations for Accelerating Soil and Water Stewardship" – Peggy Knapp and Steve Woods, Freshwater Society – **INFORMATION ITEM**
2. Legislative Update – Doug Thomas, Dave Weirens, Melissa Lewis and Sarah Strommen – **INFORMATION ITEM**

AGENCY REPORTS

- Minnesota Department of Agriculture – Matt 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 – Jennifer Berquam
- Minnesota Association of Conservation District Employees – Ed Lenz
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Cathee Pullman

UPCOMING MEETINGS

- Next BWSR Board Meeting, June 25, 2015, St. Paul

Noon **ADJOURN**

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, APRIL 22, 2015**

BOARD MEMBERS PRESENT:

Joe Collins, Jill Crafton, Chris Elvrum, MDH; Doug Erickson, Sandy Hooker, Kathryn Kelly, Tom Landwehr, DNR; Tom Loveall, Brian Napstad, Neil Peterson, Tom Schulz, Faye Sleeper, MES; Steve Sunderland, Gene Tiedemann, Gerald Van Amburg

BOARD MEMBERS ABSENT:

Jack Ditmore
Rebecca Flood, MPCA
Matt Wohlman, MDA

STAFF PRESENT:

Mary Jo Anderson, Steve Christopher, Jim Haertel, Al Kean

CALL MEETING TO ORDER – Chair Napstad called the meeting to order at 9:03 a.m.

Roll Call Attendance:

Joe Collins, Chris Elvrum, MDH; Doug Erickson, Kathryn Kelly, Tom Landwehr, DNR; Tom Loveall, Brian Napstad, Neil Peterson, Tom Schulz, Faye Sleeper, MES; Steve Sunderland, Gene Tiedemann, Gerald Van Amburg

PLEDGE OF ALLEGIANCE

** 15-23 **ADOPTION OF AGENDA** – Chair Napstad stated the agenda revision is the elimination of the executive director’s report. Moved by Kathryn Kelly, seconded by Tom Landwehr, to adopt the agenda as presented. *Motion passed on a voice vote.*

** 15-24 **MINUTES OF MARCH 25, 2015 BOARD MEETING** – Moved by Tom Schulz, seconded by Steve Sunderland, to approve the minutes of March 25, 2015 as circulated. *Motion passed on a voice vote.*

REPORTS

Chair’s Report – Brian Napstad reported that the EQB did not meet as a full board this month. The silica sand subcommittee met; Chair Napstad did not attend. Tom Landwehr attended the subcommittee meeting and stated that the purpose of the meeting was to review the draft rules which are now under advisement. Chair Napstad stated that BWSR supports the WCA legislation that’s underway.

Metro Region Committee

Shingle Creek – West Mississippi Watershed Management Commission Plan Amendment – Steve Christopher reported that the final draft amendment to the Shingle Creek – West Mississippi Watershed Management Commissions’ Plan was filed with the Board on January 26, 2015. The amendment proposes to revise the Commissions’ current implementation program by adding four new capital improvement projects. The projects were identified through the Twin and Ryan Lakes Nutrient TMDL Review. The Metro Region Committee met on April 7, 2015, and voted unanimously to recommend approval of the Plan Amendment.

Jill Crafton arrived at the meeting at 9:15 a.m. Sandy Hooker arrived at 9:17 a.m.

** 15-25 Moved by Joe Collins, seconded by Tom Loveall, to approve the Shingle Creek - West Mississippi WMO Management Plan amendment dated September 2014. Discussion followed. *Motion passed on a voice vote.*

Mississippi Watershed Management Organization Plan Amendment – Steve Christopher reported that the final draft amendment to the Mississippi Watershed Management Organization’s (MWWO’s) Watershed Management Plan was filed with the Board on February 17, 2015. The amendment primarily focuses on the MWWO’s modification to the standards and the integration of projects, mapping and assessments from the new member cities of Columbia Heights, Fridley and Hilltop. A total of four projects are proposed to be added to the Capital Improvement Schedule. The Metro Region Committee met on April 7, 2015 and voted

** 15-26 unanimously to recommend approval of the Plan amendment. Moved by Joe Collins, seconded by Jill Crafton, to approve the Mississippi WMO Watershed Management Plan amendment. Discussion followed. *Motion passed on a voice vote.*

UPCOMING MEETINGS

- Grants Program & Policy Committee Meeting, immediately following Board Meeting
- Next BWSR Board Meeting, May 27, 2015, St. Paul

Tom Schulz noted that today is Earth Day!

**
15-27 Moved by Kathryn Kelly, seconded by Tom Landwehr, to adjourn the meeting at 9:22 a.m. *Motion passed on a voice vote.*

Respectfully submitted,

Mary Jo Anderson
Recorder

DRAFT



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report

Meeting Date: May 27, 2015

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

Item Type: Decision Discussion Information

Section/Region: Land and Water Section

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Travis Germundson/Gerald

Presented by: VanAmburg

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

None.

LINKS TO ADDITIONAL INFORMATION

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

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

Dispute Resolution Report
May 15, 2015
By: Travis Germundson

There are presently **12** appeals pending. All of the appeals involve WCA. Only **1** new appeal has been filed since the last report dated March 25th (Board Meeting).

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

File 15-4 (4-3-15) This is an appeal of a Restoration Order in Polk County. The appeal regards the unauthorized draining and filling of approximately 2.28 acres of wetland associated with an agricultural drainage project. No decision has been made on the appeal.

File 15-3 (3-5-15) This is an appeal of a Restoration Order in Wabasha County. The appeal regards the unauthorized placement of approximately 2,980 square feet of fill in a wetland associated with the development of a residential parcel. *The appeal has been placed in abeyance for the TEP to produce a revised written report.*

File 15-2 (1-16-15) This is an appeal of an exemption and no-loss decision in Otter Tail County. The appeal regards the denial of after-the-fact wetland applications for an exemption and no-loss that resulted from issuance of a Restoration Order. The Restoration Order was appealed and placed in abeyance until there is a final decision on the applications (Appeal File 14-7). *The appeal was granted and a pre-hearing conference was held on April 28, 2015. At which time the parties agreed to proceed with filing of written briefs.*

File 15-1 (1-8-15) This is an appeal of a Restoration Order in Morrison County. The appeal regards 5,000 square feet of alleged wetland impact associated with a residential building pad. The petitioners have filed after-the-fact wetland applications for an exemption and no-loss with the LGU concurrently with the petition. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on the wetland applications.

File 14-9 (12-3-14) This is an appeal a series of multiple exemption and no-loss decisions in McLeod County. The appeal regards the approval of three exemption and no-loss decisions. At issue is the LGU's assessment that the applications were approved by operation of law under Minn. Stat. §15.99 (60 day rule). The after-the-fact applications were submitted in conjunction with an appeal of a restoration order (File 14-4). The appeal has been granted. A pre-hearing conference was held on March 11, 2015 and there was agreement among the parties to continue settlement discussions.

File 14-7 (6-23-14) This is an appeal of duplicate restoration orders in Otter Tail County. The appeal regards the alleged drainage alterations to a Type 4 wetland. The petitioners have filed after-the-fact wetland applications for an exemption and no-loss with the LGU concurrently with the petition. The appeal has been placed in abeyance and the restoration orders stayed until there is a final decision on the wetland applications. Those decisions were appealed (File 15-2).

File 14-6 (5-28-14) This is an appeal of a replacement plan decision by DNR Land and Minerals involving the Hibbing Taconite Mine and Stockpile Progression and Williams Creek Wetland Mitigation. The appeal regards the approval of a wetland replacement plan application for mining related activities. A similar appeal was also filed simultaneously with DNR under procedures required for permit to mine. The appeal has been placed in abeyance for completion of DNR's contested case proceedings.

File 14-4 (4-28-14) This is an appeal of a restoration and replacement order in McLeod County. The appeal regards alleged drainage improvements associated with the excavation of a private drainage system. At issue is a prior exemption determination. The appeal was placed in abeyance and the restoration and replacement orders stayed for the LGU to make a final decision on the after-the-fact wetland applications. The applications were determined to be approved by operation of law under Minn. Stat. §15.99. That decision has been appealed (File 14-9). The appeal will continue to be held in abeyance.

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 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 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. A revised wetland bank plan application has been approved with conditions. Those conditions require the approval of partial ditch abandonment along with a Conditional Use Permit for alterations in the floodplain.

~~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. A Consent Decree (settlement agreement) was filed.~~

Summary Table

Type of Decision	Total for Calendar Year 2014	Total for Calendar Year 2015
Order in favor of appellant	2	
Order not in favor of appellant		
Order Modified		
Order Remanded	1	
Order Place Appeal in Abeyance	3	1
Negotiated Settlement	2	
Withdrawn/Dismissed	2	

COMMITTEE RECOMMENDATIONS

Metro Region Committee

1. Bassett Creek Watershed Management Commission Plan Amendment –
Steve Christopher – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Bassett Creek Watershed Management Commission Plan Amendment

Meeting Date: May 27, 2015

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Metro Region

Contact: Steve Christopher

Prepared by: Steve Christopher

Reviewed by: Metro Region Committee(s)

Presented by: Steve Christopher

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 Bassett Creek Watershed Management Commission Plan Amendment

SUMMARY

Background:

The Bassett Creek Watershed Management Commission (Commission) is located in the heart of Hennepin County. It is bound by the Mississippi River WMO to the east, on the south and west by the Minnehaha Creek Watershed District, on the northwest by the Elm Creek WMO, and on the north by Shingle Creek WMO. The watershed encompasses all or part of the following nine cities: Plymouth, Medicine Lake, Golden Valley, Robbinsdale, Crystal, New Hope, Minnetonka, St. Louis Park, and Minneapolis. Bassett Creek discharges into the Mississippi River in downtown Minneapolis below St. Anthony Falls. The watershed contains five major lakes and three creek branches. The Bassett Creek watershed covers 39.6 square miles and is predominantly fully developed (>90%).

The Bassett Creek Flood Control Commission was formed in 1968, primarily to study the flooding issues in the watershed, and later adopted a watershed management plan in 1972. In 1984, the Commission was created after revising the Flood Control Commission's joint powers agreement. The Commission prepared its first generation watershed management plan that BWSR approved in July 1989. The second generation plan was approved by BWSR in August 2004. Subsequently, the Commission completed four major and four minor plan amendments between years 2005 and 2014.

Plan Amendment Summary

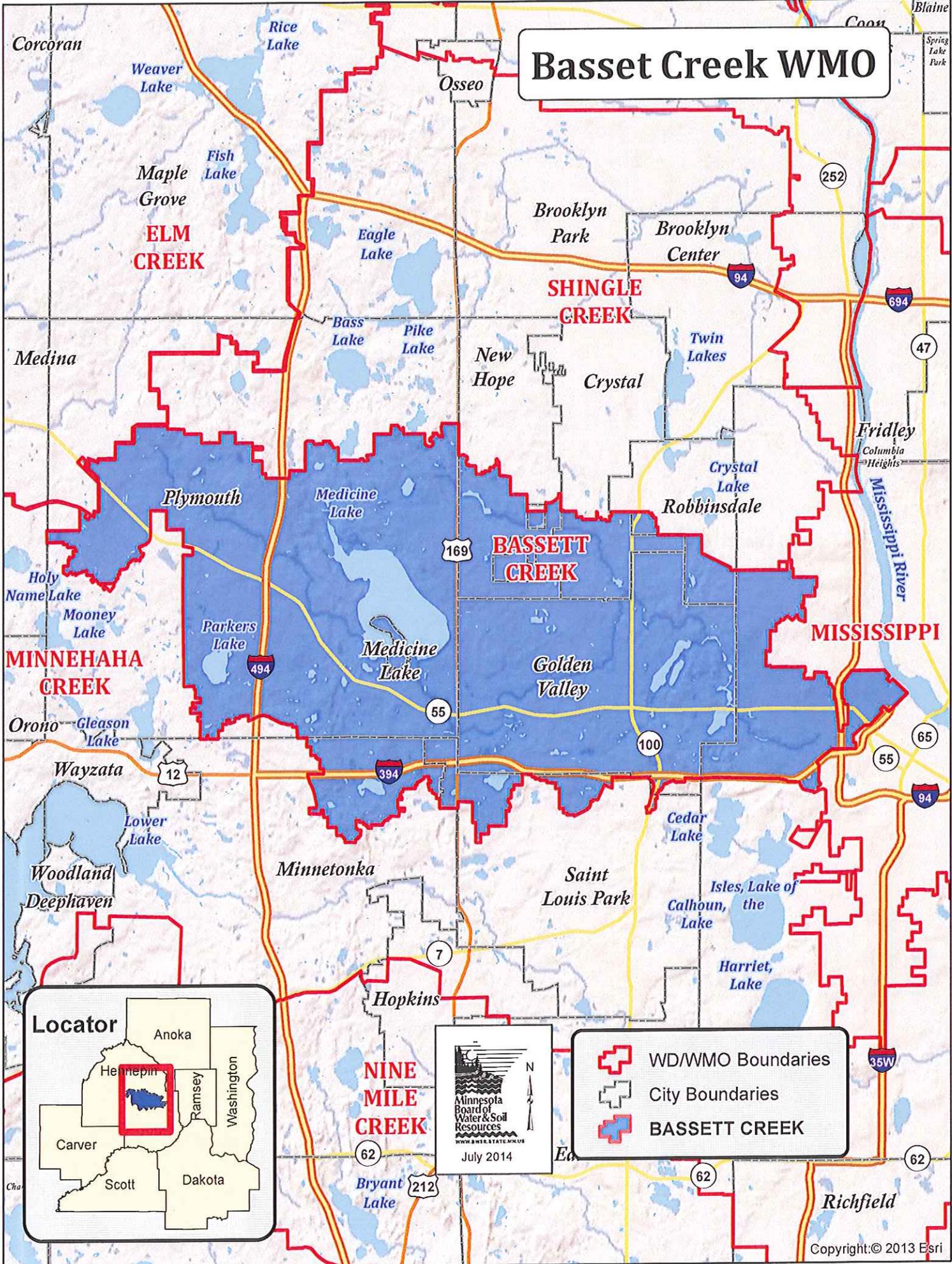
The Amendment includes adding to the Capital Improvement Project (CIP) list with the proposed expansion to an existing pond (Honeywell Pond) to provide stormwater quantity and quality improvements. The project will divert currently untreated stormwater to the pond where there will also be reuse opportunities.

The Commission is also revising the Northwood Lake project by the elimination of one pond and the addition of a stormwater reuse system and bio-retention basins.

The Commission received letters from Hennepin County, the Metropolitan Council, the Department of Natural Resources, the Pollution Control Agency, and the Department of Agriculture stating that they had no comments on the proposed amendment. BWSR commended the Commission for maintaining a current CIP.

Recommendation

Staff recommended approval of the Bassett Creek Watershed Management Commission Plan Amendment dated February 2015 to the Metro Region Committee on May 12, 2015. The Committee voted unanimously to recommend approval of the Plan Amendment to the Board per the attached draft Order.



Basset Creek WMO

ELM CREEK

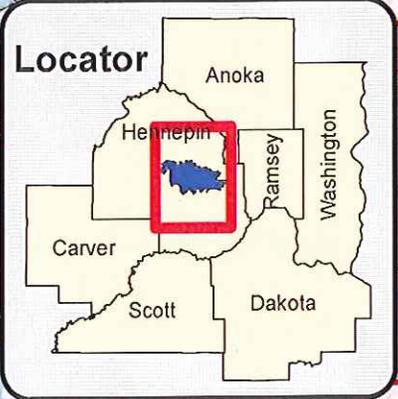
SHINGLE CREEK

BASSETT CREEK

MINNEHAHA CREEK

MISSISSIPPI

NINE MILE CREEK



Legend

- WD/WMO Boundaries
- City Boundaries
- BASSETT CREEK**

Minnesota Board of Water and Soil Resources

520 Lafayette Road North
Saint Paul, Minnesota 55155

In the Matter of the review of the
Amendment to the Watershed Management
Plan for the **Bassett Creek Watershed
Management Commission**, pursuant to
Minnesota Statutes Section 103B.231,
Subdivision 11.

**ORDER
APPROVING
AMENDMENT TO
WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Commissioners of the Bassett Creek Watershed Management Commission (Commission) submitted a Watershed Management Plan Amendment (Amendment) dated February 2015 to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, subd. 11, and;

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

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

FINDINGS OF FACT

1. **WMO Establishment.** The Bassett Creek Flood Control Commission was formed in 1968 primarily to study flooding issues in the watershed and adopted a watershed management plan in 1972. In 1984, the Bassett Creek Watershed Management Commission was created after revising the Flood Control Commission's joint powers agreement. The Commission prepared its first generation watershed management plan that the Board approved in July 1989.
2. **Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The watershed management plan may be amended according to Minnesota Statutes Section 103B.231, subd. 11. The second generation plan was approved by the Board in August 2004. Subsequently, the Commission completed four major and four minor amendments between 2005 and 2014.
3. **Nature of the Watershed.** The Commission is located in the heart of Hennepin County. It is bound by the Mississippi River WMO to the east, on the south and west by the Minnehaha Creek Watershed District, on the northwest by the Elm Creek WMO, and on the north by Shingle Creek WMO. The watershed encompasses all or part of the following nine cities: Plymouth, Medicine Lake, Golden Valley, Robbinsdale, Crystal,

New Hope, Minnetonka, St. Louis Park, and Minneapolis. Bassett Creek discharges into the Mississippi River in downtown Minneapolis below St. Anthony Falls. The watershed contains five major lakes and three creek branches. The Bassett Creek watershed covers 39.6 square miles and is predominantly fully developed.

4. **Amendment Development and Review.** The draft Amendment was submitted to the Board, the plan review agencies, and local governments for the required 60-day review on December 1, 2014. The Commission held a public hearing on March 19, 2015. The only comment received at the public hearing was from a resident supporting the Northwood Lake project. The final draft Amendment was submitted to the Board and plan review agencies on April 3, 2015, for final review and approval.
4. **Local Review.** The Commission circulated a copy of the draft Amendment to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, subd. 7. Hennepin County stated that there are no comments on the Amendment.
5. **Metropolitan Council Review.** The Metropolitan Council stated that the Amendment is consistent with Council policies, the 2030 Water Resources Management Policy Plan and the draft 2040 Water Resources Policy Plan.
6. **Department of Agriculture Review.** The MDA stated that there were no comments on the Amendment.
7. **Department of Health Review.** The MDH did not comment on the Amendment.
9. **Department of Natural Resources Review.** The DNR stated that there were no comments on the Amendment.
10. **Pollution Control Agency Review.** The PCA stated that there were no comments on the Amendment.
11. **Department of Transportation Review.** The DOT did not comment on the Amendment.
12. **Board Review.** Board staff commended the Commission for maintaining a current Plan and had no other comments.
13. **Amendment Summary.** The Amendment includes adding a project to the Commission's Capital Improvement Project list to expand an existing pond for additional treatment as well as a revision to the Northwood Lake project that will incorporate a stormwater reuse system.
14. **Metro Region Committee Meeting.** On May 12, 2015, the Board's Metro Region Committee and staff met in St. Paul to review and discuss the Amendment. Those in attendance from the Board's Committee were Jack Ditmore, Jill Crafton, Faye Sleeper and Joe Collins, chair. Board staff in attendance were Metro Region Supervisor Jim

Haertel and Board Conservationist Steve Christopher. Board staff recommended approval of the Amendment. After discussion, the Committee unanimously voted to recommend approval of the Amendment to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving an Amendment to the Watershed Management Plan for the Bassett Creek Watershed Management Commission pursuant to Minnesota Statutes Section 103B.231, subd. 11.
3. The Bassett Creek Watershed Management Commission Amendment attached to this Order defines the need and purpose of the Watershed Management Plan changes and the methods of financing.
4. The attached Amendment is in conformance with the requirements of Minnesota Statutes Sections 103B.201 to 103B.251.

DRAFT

ORDER

The Board hereby approves the attached Amendment dated February 2015 to the Bassett Creek Watershed Management Commission Watershed Management Plan.

Dated at Saint Paul, Minnesota this 27th day of May 2015.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

12.6.7 2015 Major Plan Amendment

In [month] and [month] 2015, BWSR approved and the BCWMC adopted, respectively, a major plan amendment to add the following projects to the BCWMC's 10-year CIP (Table 12-2):

Northwood Lake Improvement Project (BCWMC Project NL-1) (2016)

The BCWMC 2004 Plan recognizes the need to improve the water quality of Northwood Lake, an impaired waterbody due to excess nutrients. Section 4.0 of the BCWMC 2004 Plan describes the issue of impaired waters and the Commission's policies relating to improving lake water quality. In order to improve water quality in Northwood Lake, the City of New Hope developed a draft feasibility report with options including the construction of a stormwater reuse system with bioretention basins and/or traditional wet retention basins.

Depending on grant funding, the Commission plans to pursue two options 1) the redirection of storm sewer on Boone Avenue to capture and treat currently untreated stormwater from 90.8 acres of residential area; and installation of a storm water treatment structure, underground storage tank and water reuse for ball field irrigation, rain gardens, sump structure, curb cut, and emergency overflows; and 2) the construction of a wet ponding basin in a green space area between Trunk Highway 169 and Jordan Avenue to treat currently untreated storm water runoff from 19.4 acres of rear yard areas and Jordan Avenue draining from the south before discharging into an existing storm sewer pipe tributary to Northwood Lake.

Together these options have an estimated cost of \$1,351,328. Total annual phosphorus removal is expected to be 22.0 lbs/year. The City of New Hope has pledged \$205,872 towards this project. Therefore, the BCWMC would fund up to \$1,145,456 if grant funding is not awarded.

Honeywell Pond Expansion at Douglas Drive and Duluth Street (BCWMC Project BC-4) (2016)

The BCWMC 2004 Plan recognizes the need to treat and reduce the amount of stormwater runoff reaching the Main Stem of Bassett Creek, which is impaired for chlorides and bacteria. Section 4.0 of the BCWMC 2004 Plan describes the issue of impaired waters and the Commission's policies relating to improving lake water quality in streams.

In order to improve water quality in Bassett Creek, the City of Golden Valley developed a draft feasibility report with options including expanding the size and depth of Honeywell Pond (an existing stormwater management pond), diverting low flows into the pond from the trunk storm sewer line in Douglas Drive, and creating a buffer area around the perimeter of the pond. A second option that could be built in conjunction with the first option is to build and connect a force main to the irrigation system at the Sandburg Learning Center ball fields, and build and connect a force main to the Douglas Drive Infiltration

System. The second option would provide for reuse and/or additional infiltration of stormwater. The Commission intends to pursue both of these options.

Together these options have an estimated cost of \$1,202,000. Total annual phosphorus removal is expected to be 28.8 – 42.3 lbs/year. The City of Golden Valley has pledged \$450,000 towards this project. Therefore, the BCWMC would fund up to \$752,000 if grant funding is not awarded.

DRAFT

Table 12-2 Water Quality Management and Flood Control 10-Year Capital Improvements Program

Water Quality Improvement	Capital Cost ¹		Year									
	A (Actual Project Cost)	E (Estimated Project Cost)	2010	2011	2012	2013	2014	2015	2016	2017	2018	
Medicine Lake												
ML-1 ²	Construct wet detention pond for subwatershed B054B1 (Option 8 in Medicine Lake Plan)	\$0										
ML-2 ³	Reduce Coarse Loadings by 75% (Option 17 in Medicine Lake Plan)											
ML-3, ML-4 ⁴	Reroute flows from subwatershed B094 to a larger wet detention pond for B092 (Option 9a in Medicine Lake Plan) & dredging of accumulated sediment Medicine Lake East Beach wet detention pond for subwatershed B0107 (Option 11 in Medicine Lake Plan) & dredging of accumulated sediment	\$893,000										
ML-5 ⁵	Construct wet detention pond for subwatersheds B059, B058A and B058B (Option 10a in Medicine Lake Plan) & dredging of accumulated sediment	\$0										
ML-6	Construct wet detention pond for subwatershed B054B2 (Option 6 in Medicine Lake Plan)	\$14,000									\$14,000	
ML-7 ⁶	In-Lake Herbicide Treatment (Option 18 in Medicine Lake Plan)	\$132,000										
ML-8	Lakeview Park Pond				\$166,000							
ML-11 ¹⁵	Medicine Lake Park Pond	\$1,100,000										
Plymouth Creek												
PC-1 ¹⁶	28th Avenue to Medicine Lake	\$565,000	\$902,462									
PC-2 ¹⁶	28th Avenue to 37th Avenue	\$559,000								\$559,000		
Parkers Lake												
PL-6 ¹⁴	Improvements to stormwater basin in PL-413 near Circle Park (from the City of Plymouth's Parkers Lake Implementation Plan)	\$73,000										
Wirth Lake												
WTH-1 ⁷	Dredging subwatershed FR-5 detention pond (Option 2 in Wirth Lake Plan)	\$69,000										
WTH-2 ⁸	Highway 55 detention pond (Option 3 in Wirth Lake Plan)	\$215,000										
WTH-3 ⁸	In-lake alum treatment (Option 1 in Wirth Lake Plan)	\$59,000										
WTH-4	Modify outlet to prevent back-flow (Wirth Lake TMDL Implementation Plan)	\$180,000			\$180,000							
Sweeney Lake												
SL-3	Schaper Pond Diversion Project	\$612,000					\$612,000					
Twin Lake												
TW-1 ⁹	Pond expansion (Option 1 in Twin Lake Plan)	\$182,000										
TW-2	Twin Lake In-Lake Alum Treatment	\$163,000					\$163,000					
Westwood Lake												
WST-1 ¹⁰	Flag Avenue detention skimming facility (Option 1 in Westwood Lake Plan)	\$174,000										
Bassett Creek Park Pond												
	None-see Table 2 Potential future water quality projects											
Northwood Lake												
NL-4 ¹⁴	Construct ponds NB-36A, B, C and NB-29A, B, C (Option 5 in Northwood Lake Plan)	\$695,000							\$695,000			
NL-1 ²⁵	Northwood Lake Improvement Project: Construct pond upstream of lake & install underground stormwater treatment and reuse system and biofiltration cells	\$1,352,000							\$676,000	\$676,000		
NL-2 ²²	Four Seasons Mall Area Water Quality Project	\$990,000				\$990,000						
NL-3 ²³	Dredge Lancaster Lane storm sewer (Option 6 in Northwood Lake Plan)											
NL-4 ¹²	Construct ponds NB-36A, NB-37A, NB-35A and NB-28A, B (Option 5 in Northwood Lake Plan)	\$153,000										
NL-7 ¹⁸	Construct pond adjacent to creek	\$139,000										
Bassett Creek Main Stem												
BC-1 ¹³	Pond BC-10-3 (Option 4 in Bassett Creek Main Stem Plan)	\$0										
Crystal Boundary to Regent Ave ²⁰	Channel restoration	\$636,000	\$34,800	\$601,200								
Wisconsin Ave to Crystal Boundary	Channel restoration	\$580,000		\$290,000	\$290,000							
BC-4 ²⁴	Honeywell Pond Expansion with force main connection for irrigation	\$1,202,000							\$1,202,000			
BC-7	Brianwood Drive View Water Quality Improvement Project, Golden Valley	\$250,000					\$250,000					
Irving Avenue to Golden Valley Road	Channel restoration	\$856,000			\$856,000							
10th Avenue to Duluth Street ²⁵	Channel restoration, Golden Valley	\$1,503,000						\$1,503,000				
Sweeney Lake Branch												
Cortlaw Pond to Turners Crossing ¹⁷	Channel restoration	\$386,000										
North Branch												
35th Ave to Bassett Creek Park ²¹	Channel restoration	\$835,000		\$600,000	\$235,000							
Grimes, North, & South Rice Ponds												
GR-2	Grimes Pond wet detention pond (Option 4 in Rice and Grimes Ponds Plan)	\$104,000									\$104,000	
Crane Lake												
CL-1	Ramada Inn detention skimming facility (Option 1 in Crane Lake Plan)	\$116,000										
CL-2 ¹⁵	Joy Lane Wet Detention Pond (A1 #2)	\$0										
Turtle Lake												
	None Proposed											
Lost Lake												
	None Proposed											
		Capital Cost	2010	2011	2012	2013	2014	2015	2016	2017	2018	
	ANNUAL ESTIMATED Project COST		\$937,262	\$1,491,200	\$1,661,000	\$1,168,000	\$1,025,000	\$1,503,000	\$1,879,000	\$1,235,000	\$118,000	
	ANNUAL ESTIMATED LEVY^{24, 25}								\$1,222,000	\$1,235,000		

Table 12-2 Water Quality Management and Flood Control 10-Year Capital Improvements Program

Water Quality Improvement	Capital Cost ¹		Year								
	A	E	2010	2011	2012	2013	2014	2015	2016	2017	2018
	(Actual Project Cost)	(Estimated Project Cost)									
Notes:											
2. Constructed by City.											
3. Periodically completed by City.											
4. This project includes dredging of accumulated sediment and was completed in 2006.											
5. Mn/DOT sound wall construction in New Hope will require relocation and resizing of storm sewer in this watershed.											
6. Treatment completed by the City of Plymouth in 2005, 2006, and 2008.											
7. Completed in 2006.											
8. Project authorized in 2006. Issues regarding participation by Mn/DOT and future maintenance have delayed construction, no current schedule.											
9. Project authorized in 2006. Issues regarding site contamination and right-of-way have delayed construction, no current schedule.											
10. Project completed in 2006.											
11. The City of New Hope constructed NB-35A, B, C but not to the same degree as proposed in the lake and watershed management plan. NB-29 A and B have not been constructed. These improvements will need to be re-evaluated as part of the feasibility study. Costs shown are for NB-29A and B only. Costs will be added to the CIP to upgrade these ponds if the feasibility study indicates that they should be upgraded.											
12. The City of New Hope constructed NB-28A and B. NB-36A, NB-37A and NB-38A were completed in 2006.											
13. This project was completed as part of the Boone Ave and Brookview Golf Course improvement projects in 2004.											
14. Project approved for construction in 2006, to be completed as part of street repaving project.											
15. Minor Plan Amendment approved April 2007. Project to be completed in 2010.											
16. Minor Plan Amendment approved September 2007. Project completed in 2009.											
17. Minor Plan Amendment approved August 2007. Project completed in 2008.											
18. Not feasible per city of Minnetonka in 2008.											
19. Minor Plan Amendment approved June 2009. Project PC-1 to be completed in 2011. PC-2 to be completed in 2017 or beyond.											
20. Minor Plan Amendment approved June 2009.											
21. Project construction proposed to start in 2011 using CIP reserve funds.											
22. The Four Seasons Mall Area Water Quality Project includes construction of two new water quality treatment ponds and restoration of an eroding stream channel. One of the ponds will be located on the Four Seasons Mall site; the other pond will be located southwest of the mall site, near the intersection of 40th Ave. N. and Pilgrim Lane. The original proposed project (from the 1996 Northwood Lake Watershed and Lake Management Plan) was to dredge and enlarge pond NB-07 to provide additional treatment of stormwater runoff. The 2012 feasibility study for the Four Seasons Mall Area Water Quality Project concluded that it was not feasible to convert pond NB-07 (a wetland) to a stormwater pond. The feasibility study also included two scenarios as alternatives to the proposed dredging. The Commission selected Scenario 1 as their preferred alternative.											
23. Project removed from CIP - no longer needed.											
24. Of the total project costs, \$752,000 will be paid by BCWMC through Hennepin Co levy and \$450,000 to be paid by City of Golden Valley											
25. Of the total project costs, up to \$1,100,000 will be paid by the BCWMC through Hennepin Co levy and \$206,000 to be paid by City of New Hope											
26. Of the total project costs, up to \$1,000,000 will be paid by the BCWMC through Hennepin Co levy and \$503,000 to be paid with BCWMC closed project account funds											

COMMITTEE RECOMMENDATIONS

Northern Region Committee

1. Lake of the Woods Comprehensive Local Water Management Plan Amendment –
Neil Peterson – ***DECISION ITEM***

2. Pine County Comprehensive Local Water Management Plan Amendment –
Gerald Van Amburg – ***DECISION ITEM***

3. Todd County Priority Concerns Scoping Document - Tom Schulz – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Lake of the Woods County Local Water Plan Amendment

Meeting Date: May 27, 2015

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Northern

Contact: Chad Severts

Prepared by: Chad Severts

Reviewed by: Northern Committee(s)

Presented by: Neil Peterson

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

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

ACTION REQUESTED

Approval of the required 5 year amendment to the Lake of the Woods County Local Water Management Plan 2010 – 2020.

LINKS TO ADDITIONAL INFORMATION

The amended Lake of the Woods County Local Water Management Plan 2010 – 2020 can be found on the Lake of the Woods SWCD web site at the link below.

<http://lakeofthewoodsswcd.org/district%20operations/2015WPAmend.pdf>

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

On October 28, 2009, the Board of Water and Soil Resources approved the Lake of the Woods County Comprehensive Local Water Management Plan with a requirement for a 5 year update. Lake of the Woods County adopted a resolution February 11, 2014, to amend the Goals, Objectives and Action Items of the Plan. The County submitted the five-year amendment of the Local Water Management Plan to the BWSR, on February 6, 2014. Based on staff observations of the amendment process, Lake of the Woods County has satisfied the guidelines established by the BWSR as well as the requirements of 103B.315, Subd. 6.

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 **Lake of the Woods County** (Minnesota Statutes,
Section 103B.314, Subdivision 6.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN AMENDMENT

Whereas, on October 28, 2009, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Lake of the Woods County 2010-2020 Comprehensive Local Water Management Plan (Plan); and

Whereas, this Board Order stipulated that Lake of the Woods County was required to update the goals, objectives, and action items of the Plan through amendment by October 28, 2014; and

Whereas, the Lake of the Woods County Board of Commissioners of Lake of the Woods County (County) submitted a Comprehensive Local Water Management Plan Amendment (Amendment) to the Board on February 6, 2015, pursuant to Minnesota Statutes Section 103B.314, Subdivision 6; and

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

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

FINDINGS OF FACT

1. On February 11, 2014, the Board received a petition from Lake of the Woods County stating its intent to amend its current Plan, pursuant to M.S. Section 103B.314, Subd. 6.
2. On February 27, 2014, Lake of the Woods County provided proper notice to local units of government and state agencies of the county's intent to amend its current Plan and invited all recipients to participate in the amendment process.
3. In March, 2014, Lake of the Woods County received written comments from the state review agencies Minnesota Department of Agriculture, the Minnesota Department of Natural Resources and the Minnesota Department of Health.
4. On April 24, 2014, Lake of the Woods County convened its Water Plan Committee to initiate the five year update.
5. On May 30, 2014, Subcommittees of the Water Plan Committee met to update the implementation schedule for each Priority Concern.
6. On October 22, 2014, Lake of the Woods County convened its Water Plan Committee to approve the Plan amendment.

7. On December 10, 2014, after providing for proper public notice, Lake of the Woods County conducted the required public hearing on the proposed Amendment. No additional comments were provided to be incorporated into the plan.
8. On February 6, 2014, the BWSR received the Lake of the Woods Plan Amendment and the record of the public hearing, pursuant to M.S. Section 103B.314, Subd. 6.
9. On April 8, 2015, the North Region Committee of the board reviewed the five year amendment of the Lake of the Woods County Plan.
10. Board regional staff provided a recommendation of approval to the Committee.
11. The Committee voted to recommend approval to the full Board at the May 27, 2015 meeting.
12. This Plan will be in effect until October 28, 2019.

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Update of Lake of the Woods County pursuant to Minnesota Statutes , 103B.314, Subd. 6.
2. The Lake of the Woods County Plan Amendment attached to this Order states water and water-related problems within the county; possible solutions; general goals, objectives, and actions of the county; and an implementation program. The attached Plan Amendment is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached five year amendment of the Lake of the Woods Local Water Management Plan May 27, 2015 to October 28, 2019.

Dated at St. Paul, Minnesota, this 27th day of May, 2015.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

***LAKE OF THE WOODS COUNTY
LOCAL WATER MANAGEMENT PLAN
2010 – 2020: 2015 AMENDMENT***



Prepared by:

Lake of the Woods Soil and Water Conservation District
And
Lake of the Woods County Water Plan Task Force Committee

I. EXECUTIVE SUMMARY

The purpose of this plan is to identify existing and potential problems and opportunities for the protection, management and development of water and related land resources; develop objectives and carry out a plan of action to promote sound and efficient management of water and related land resource and environmental protection strategies.

This plan addresses the water and related land resource issues across the entire county, regardless of jurisdictional, political, municipal or watershed boundaries. The county has gathered and studied available information relating to the physical environment, including, but not restricted to, the surface and groundwater resources, and their related land use. This plan is based on key economic and environmental principles which should provide a means of consistency across the county and is consistent with other state, regional or local planning processes. It addresses ground and surface water and those activities that may influence water quality or quantity.

The plan incorporates the top five priority concerns that were developed through the scoping process in 2009. The concerns identified are on a county-wide basis, however, when necessary or applicable, will be implemented on a watershed level. The process through which these priority concerns were identified is further detailed in the Lake of the Woods County Local Water Management Plan 2010 – 2020 Update contained in Attachment B. These concerns and their objectives are summarized in the following paragraphs.

This plan was written under the delegated authority of the Lake of the Woods County Board of Commissioners and covers the period from January, 2010 to January, 2020, with a review and update of the goals and implementation strategy scheduled for 2015. The Lake of the Woods County Water Plan Committee is responsible for overseeing the implementation of this plan. The Water Plan Committee is a diverse group of individuals ranging from private and government sectors that assisted in the establishment of the goals and objectives of the plan. Much progress has been made over the last two decades to protect and restore water resources, and it is the intent of the Water Plan Committee, Lake of the Woods SWCD, Lake of the Woods County, and this plan, to actively continue these efforts.

County Background

Lake of the Woods County is the youngest county in the state of Minnesota. The county was organized on November 28, 1922, when a vote by area residents separated the northern townships from Beltrami County. On January 1, 1923, the county officially began operations at its county seat in Baudette. The county includes the Northwest Angle, the northernmost point of the Lower 48 States. The county also includes the U.S. portion of Lake of the Woods. The county is bordered by two Canadian provinces, Manitoba and Ontario, and three Minnesota counties, Roseau, Beltrami, and Koochiching.

The land area the county occupies was created largely by several periods of glaciation, and was once covered by glacial Lake Agassiz. The county is on the southern edge of the Canadian Shield, is generally flat, sloping very gradually toward the Rainy River and Lake of the Woods, with scattered bedrock outcrops and glacial lake beach deposits. Lake of the Woods is the dominant water feature, covering 1,679 square miles in Minnesota and Canada. The lake contains over 14,000 islands.

The county is sparsely populated. With a total land area of approximately 1,297 square miles and a population of 4,045 (2010), the county averages only 3.1 people per square mile. Most of the population is concentrated in relatively small areas of the county, mainly near the shoreline of the Rainy River and Lake of the Woods, in Baudette (pop. 1106) and Williams (pop. 191), and to a lesser degree along major thoroughfares.

The county has a total area of approximately 1,136,918 acres. The area breakdown is as follows: Lake of the Woods comprises 306,393 acres (27%), wetlands 708,591 (62%) and upland 121,934 (11%). The land ownership within the county is: state or federally owned 489,820 (59%), reservation lands 110,003 (13%), private lands 227,534 (27.5%), and the remaining amount (.5%) is comprised of publicly owned land through the City of Baudette or Lake of the Woods County.

Land use in many instances has been dictated by land suitability and public water access considerations. The number of tourists in the area can range anywhere from 500 to over 1200 people on any given day. In addition to the county's permanent residents, seasonal residences are increasing in number and contribute to development pressures along Lake of the Woods, the Rainy River, and its tributaries. In some areas in the county, land use has shifted from marginally productive agricultural to recreational. Even the vast acreage of wetlands, peat bogs, and areas of non-merchantable timber are utilized for a varied number of recreational uses including hunting and snowmobiling. Wetlands and other undeveloped areas also protect water quality in the County's many streams and rivers, as well as Lake of the Woods. More recent economic trends with increased crop commodity prices have shifted the land use from perennial crops to annual crops. This trend has also spurred an increase in re-opening of idle crop land and installation of tile drainage on the landscape.

The main industries of the area are tourism, forestry and agriculture. Tourism revolves around the Lake of the Woods fishery, hence Lake of the Woods County has a vested interest in water quality. The forested lands of the County are a major supplier of pulp wood to several local sawmills of economic importance to county residents and the Boise Inc. paper mill in International Falls, MN, 70 miles to the east. Agricultural lands contribute substantially to the economic stability of the County. Currently there are less than 30 registered feedlots in the county. Small grains, soybeans, grass seed, and oil seed are the main agricultural products for this area.

Water Plan Strategies

The primary focus for the Lake of the Woods County Water Plan is to identify existing and potential problems, and then utilize opportunities for the protection, management, and development of land and water resources. The plan, through the planning process, develops action plans to promote sound natural resource management to carry out the plan's objectives. The original water plan was adopted in 1992, revised in 1997, 2002 and 2010. This document is an amendment to the 2010 water plan.

The major strategic goal of this water plan will be to assist local units of government, landowners and other interested groups with making wise land and water resource decisions regarding potential impacts to water quality. In conjunction with the priorities of the water plan, many of the strategies include the use of technologies like geographical information systems and LIDAR to assist in making better natural resource management decisions. This additional information will provide a means to refine the focus of future priorities to answer questions regarding the impact to surface waters from land and water use changes.

Lake of the Woods County Water Plan Accomplishment Highlights, 2010-2014

1. LIDAR data was acquired in 2010 for the entire county to assist in locating areas prone to flooding and to help assist with remediation projects.
2. Installation of half a dozen shoreline stabilization and protection projects utilizing the State Cost Share Program and other funds.
3. Completed the Bostic & Zippel Creeks Watershed Assessment developed by the NRCS Water Resource Staff. Projects implemented through a direct result of this assessment so far include the installation of sidewater inlets, gully stabilization and ditch stabilization projects.
4. Reconstruct Judicial Ditch 28 in 2009 using a two stage ditch design developed by the JPB engineer in the Bostic Watershed.
5. Sealed 25 abandoned wells through the well sealing cost share program.
6. Preserved 640 acres of wetland surrounded by the Graceton Wildlife Management Area through the wetland banking program.
7. Completed a rain garden demonstration site at the Depot in Baudette in 2012.
8. Hazardous Waste Collection Days have provided education to county residents on the proper disposal of household hazardous wastes.
9. Funding secured for the Wheeler's Point Sanitary District sewer system.
10. Training, education and outreach efforts for aquatic invasive species have been held for residents, tourists, resorts/businesses and bait harvesters.
11. Watercraft inspectors staff public accesses to educate and inform the public about aquatic invasive species.

12. New subdivision language in revised Ordinance was completed in 2011.
 - a. New subdivision language allows for "Conservation Subdivisions" and other alternatives such as standards for Planned Unit Developments which encourage increased setbacks and other alternatives for new developments.
 - b. Existing ordinances were amended to regulate common interest communities.
 - c. Lot size has been increased for non-lakeshore lots.
13. Completed a shoreline erosion study with funding from the Environmental Protection Agency in 2013.
14. Completion of components of the Lake of the Woods Watershed Restoration & Protection Strategy: Watershed Conditions Report, Terrain Analysis & HSPF model.
15. Initial Fisheries Stream Survey on the Rapid River was completed by the Department of Natural Resources Fisheries office in 2012.
16. Bathymetry of Bostic and Zippel Bays were collected in 2013.
17. Completed surveys of Pine and Curry's Islands biannually in 2011 through 2014 to determine erosion and sediment movement.
18. Re-determined watershed boundaries through the International Joint Commission Data Harmonization Project and the Lake of the Woods Watershed Restoration and Protection Strategies project.
19. Historical ditch record modernization efforts have included the scanning and organizing of historic ditch record documents
20. Local representation participating at the Lake of the Woods Control Board and the International Rainy-Lake of the Woods Control Board.
21. Formation of a Keep It Clean committee in 2012 to reduce the amount of litter left on Lake of the Woods during the winter ice angling season.
22. Formation of the Agassiz Low Lands Environmental Learning Area School Forest in 2009 and development of outdoor education programs.
23. Formation of a Lake of the Woods County Drainage Committee in 2014.
24. Formation of a committee to develop an aquatic invasive species management plan for Lake of the Woods County in 2014.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Pine County Comprehensive Local Water Plan Amendment

Meeting Date: May 27, 2015

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: North

Contact: Ryan Hughes

Prepared by: Ryan Hughes

Reviewed by: North Region 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

The North Region Committee recommended approval of the Pine County Comprehensive Local Water Management Plan required 5-year Amendment.

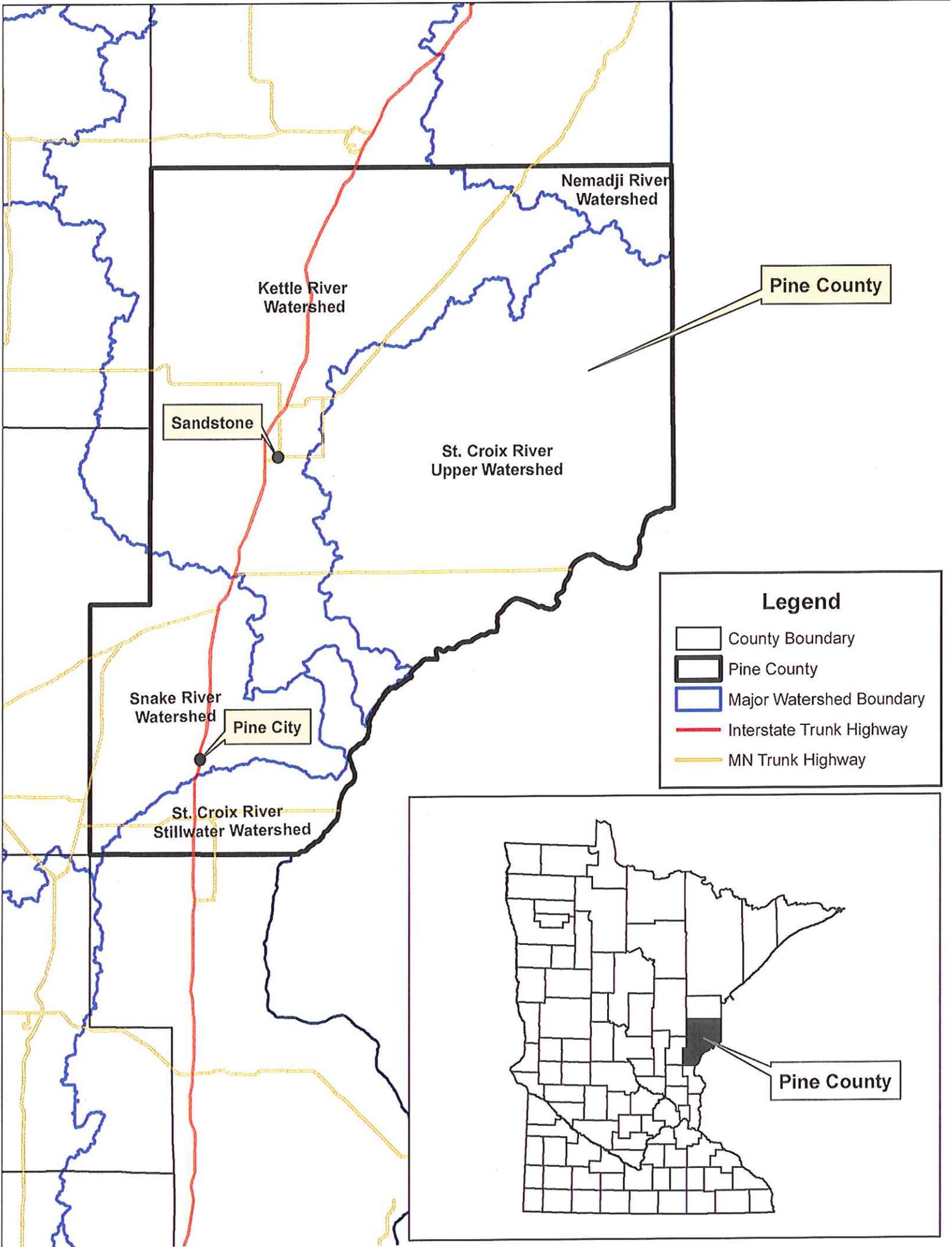
LINKS TO ADDITIONAL INFORMATION

The amended plan is available electronically at the following link:

<http://www.pineswcd.com/>

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

The current Pine County Comprehensive Local Water Management Plan was approved June 23, 2010 with a requirement that the Goals, Objectives and Action Items be amended prior to June 23, 2015 (5-years). Pine County adopted a resolution April 1, 2014, to amend the Goals, Objectives and Action Items of the Plan. A properly noticed public hearing was held February 17, 2015, and all required local units of government and state review agencies were notified of the public hearing on January 29, 2015. Based on staff observations Pine County has satisfied the guidelines established by BWSR, as well as the requirements of 103B.315, Subdivision 6.



Nemadji River Watershed

Kettle River Watershed

Pine County

Sandstone

St. Croix River Upper Watershed

Legend

- County Boundary
- Pine County
- Major Watershed Boundary
- Interstate Trunk Highway
- MN Trunk Highway

Snake River Watershed

Pine City

St. Croix River Stillwater Watershed

Pine County

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

**ORDER
APPROVING
COMPREHENSIVE
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT**

In the Matter of the review of the Comprehensive Local Water Management Plan Amendment for Pine County, pursuant to Minnesota Statutes Section 103B.315, Subdivision 6.

Whereas, on June 23, 2010, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Pine County 2010-2020 Comprehensive Local Water Management Plan (Plan); and

Whereas, this Board Order stipulated that Pine County was required to update the goals, objectives, and action items of the Plan through amendment by June 23, 2015; and

Whereas, the Pine County Board of Commissioners of Pine County (County) submitted a Comprehensive Local Water Management Plan Amendment (Amendment) to the Board on March 24, 2015, pursuant to Minnesota Statutes Section 103B.314, Subdivision 6; and

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

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

FINDINGS OF FACT

1. On April 10, 2014, the Board received a petition from Pine County stating its intent to amend its current Plan, pursuant to M.S. Section 103B.314, Subd. 6.
2. On February 2, 2015, Pine County provided proper notice to local units of government and state agencies of the county's intent to amend its current Plan and invited all recipients to participate in the amendment process.
3. Pine County received written comments from the Board on December 11, 2014 and March 23, 2015.
4. The following summarizes state review agencies' written comments provided to Pine County.
 - A. Minnesota Department of Agriculture: Provided comments and information to the Board on the Plan. No revisions were required. The County will use the comments and information as it implements the Plan.
 - B. Minnesota Department of Health: No comments received.
 - C. Minnesota Department of Natural Resources: No comments received.

- D. Minnesota Pollution Control Agency: The plan is acceptable with minor recommended revisions. No revisions were required. The County revised the Plan consistent with the recommended minor revisions.
- E. Minnesota Environmental Quality Board: No comments received.

- 5. No other local government unit provided written comments to Pine County.
- 6. **North Regional Committee.** On April 8, 2015 the Regional Committee of the Board reviewed the Amendment. Those in attendance from the Board's Committee were Tom Schulz, Gerald Van Amburg, Gene Tiedemann, Neil Peterson, Rob Sip and Keith Mykleseth. Board staff in attendance were Board Conservationist Jason Weinerman, Dan Steward and Ryan Hughes and Assistant Director Doug Thomas. Board regional staff provided its recommendation of approval to the Committee. After discussion, the Committee's decision was to present a recommendation of approval of the Amendment to the full Board.
- 7. This Plan will be in effect until June 23, 2020.

CONCLUSIONS

- 1. All relevant substantive and procedural requirements of law have been fulfilled.
- 2. The Board has proper jurisdiction in the matter of approving a Comprehensive Local Water Management Plan Amendment pursuant to Minnesota Statutes, 103B.315, Subd. 6.
- 3. The Amendment attached to this Order is in conformance with the requirements of Minnesota Statutes, Section 103B.301.

ORDER

The Board hereby approves the attached Amendment of the Pine County Comprehensive Local Water Management Plan 2010-2020. The plan will be in effect until June 23, 2020.

Dated at St. Paul, Minnesota, this 27th of May, 2015.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair

**PRIORITY CONCERN #1:
WATER QUALITY**

- A. IMPROVING IMPAIRED WATERS
B. MAINTAINING UNIMPAIRED WATERS**

Goal 1: Use existing monitoring information and new information being collected to determine what waters are impaired and which are not					
Action		Lead/Supporting Agency	Timeframe	Cost	Watershed
1.	Secure additional grants to monitor waters not assessed like the Upper St. Croix Tributaries	SWCD	2015 – 2020	\$50,000	Upper St. Croix
2.	Utilize data from Surface Water Assessment (SWA) grants	SWCD	2015 - 2020	\$2,000	Kettle River, St. Croix Basin, Snake River
3.	Recruit and train volunteers to assist with monitoring in necessary areas	SWCD	2015 - 2020	\$2,000	Kettle River, St. Croix Basin, Snake River

Goal 2: Participate in TMDL and WRAPS processes that include waters in the county					
Action		Lead/Supporting Agency	Timeframe	Cost	Watershed
1.	Serve on technical committee for TMDL's	SWCD	2015 - 2020	\$5,000	St. Croix Basin, Snake River, Kettle River
2.	Do monitoring where needed	SWCD	2015 - 2020	\$5,000	St. Croix Basin, Snake River, Kettle River
3.	Host stakeholder meetings	SWCD	2015 - 2020	\$5,000	St. Croix Basin, Snake River, Kettle River
4.	Install projects listed in the WRAPS document	SWCD	2015 - 2020	\$50,000	Snake River
5.	Install cover crops	Pine County NRCS, SWCD	2015 - 2020	\$300,000	Countywide
6.	Proper containment and management of animal waste	MPCA, Pine County NRCS	2015 - 2020	\$50,000	Countywide
7.	Install vegetative filters strips near barnyards and milkhouses	Pine County NRCS	2015 - 2020	\$10,000	Countywide
8.	Exclusion of livestock from sensitive areas such as riparian areas along lakes and rivers	MPCA and Pine County NRCS	2015 - 2020	\$20,000	Countywide

9.	Installation of rain gardens/wetlands/retention basins that absorb excess runoff and promote ground infiltration	SWCD	2015 - 2020	\$50,000	Kettle River, St. Croix Basin, Snake River
10	Plan and host stakeholder meetings for TMDL.	SWCD	2015 - 2020	\$20,000	Snake River
11	Attend technical advisory committee meetings for TMDL.	SWCD	2015 - 2020	\$5,000	Snake River
12	Develop a process to engage, educate and organize citizens to be local leaders to help accomplish water quality goals	SWCD	2015 - 2020	\$20,000	Snake River - Mud Creek
13	Provide resources/education for soil or manure nutrient testing and spreading in sensitive areas such as riparian areas along lakes and rivers.	Pine County NRCS	2015 - 2020	\$2,000	Pokegama Lake
14	Work with Pokegama and Cross Lakes on Management Plans in an effort to address concerns about curly-leaf pondweed treatments	SWCD	2015 - 2020	\$50,000	Pokegama Lake Lower Snake River
15	Implement pastureland runoff controls, and buffers near streams	Pine County NRCS	2015 - 2020	\$10,000	Countywide
16	Continue to pursue and promote conservation easements	SWCD	2015 - 2020	\$20,000	St. Croix Basin, Kettle River, Snake River
17	Participate in tracking monitoring to see if projects are improving water quality	SWCD	2015 - 2020	\$20,000	Lower Snake River, Upper Kettle River, Rock Creek
18	Participate in development of WRAPS	SWCD	2015 - 2020	\$20,000	Rock Creek, Kettle River
19	Treat 10% of the farmsteads needing manure runoff control and manage storage facilities	Pine County NRCS	2015 - 2020	\$100,000	Rock Creek
20	Target 20% of the unprotected streambanks for restoration and habitat improvement including: bank stabilization, re-meanders, substrate installation, fine sediment removal, etc.	SWCD	2015 - 2020	\$200,000	Rock Creek
21	Develop a process to engage, educate and organize citizens to be local leaders to help accomplish water quality goals	SWCD	2015 - 2020	\$15,000	St. Croix Basin, Kettle River, Snake River
22	Participate in MPCA SWA grants and assist intensive MPCA sampling in the Kettle River Watershed beginning in 2016.	SWCD	2015 - 2020	\$30,000	Kettle River, Upper St. Croix

23	Cooperate with MDH, cities of Finlayson, Willow River and Sturgeon Lake to secure grants to implement their wellhead protection plans.	SWCD	2015 - 2020	\$30,000	Kettle River
24	Support the protection and maintenance of undeveloped and native shorelands	SWCD	2015 - 2020	Unknown	Kettle River
25	Support programs and projects that improve, restore, and maintain wildlife habitat on private lands (EQIP, WHIP, etc.)	Pine County NRCS and SWCD	2015 - 2020	\$100,000	Kettle River
26	Support the development of lake management plans which include the watersheds of the lakes. The DNR can assist in determining lake watershed boundaries in the early stages of lake management planning efforts.	DNR, SWCD	2015 - 2020	\$5,000	Countywide
27	Synchronize watershed priorities with federal/state/regional/local priorities	SWCD	2015 - 2020	Unknown	Kettle River
28	Conduct systematic and comprehensive landowner outreach	SWCD	2015 - 2020	\$60,000	Kettle River
29	Follow recommended actions and apply for funds according to the Kettle River Landscape Stewardship Plan. Implement activities	SWCD	2015 - 2020	Unknown	Kettle River
30	Cooperate with Minnesota Department of Health, Minnesota Rural Water Association, and the city of Askov to secure grants to implement its wellhead protection plan.	SWCD	2015 - 2020	\$10,000	Upper St. Croix
31	Provide agriculture and feedlot BMPs information to farmers and crop producers	SWCD	2015 - 2020	\$5,000	Kettle River, St. Croix Basin, Snake River
32	Participate in the Upper St. Croix TMDL/WRAPS process with writing and outreach meetings and writing the restoration and protection strategies and implementing conservation practices	SWCD	2015 - 2020	\$30,000	Upper St. Croix

Goal 3: Improve Forestry Practices					
	Action	Lead/Supporting Agency	Timeframe	Cost	Watershed
1.	Forestry BMP Education – MN Forestry Resource Council	SWCD	2015 - 2020	\$2,500	Kettle River, St. Croix Basin, Snake River

2.	Assist landowners in forestry BMP's and development of sustainable forest management plans	SWCD and DNR Forestry	2015 - 2020	Unknown	Kettle River, St. Croix Basin, Snake River
3.	Secure funding for employee to write forest stewardship plans	SWCD	2015 - 2020	\$50,000	Kettle River, St. Croix Basin, Snake River
4.	Develop forestry management plans	SWCD	2015 - 2020	\$100,000	Kettle River, St. Croix Basin, Snake River
5.	Increase and restore forest land cover	SWCD	2015 - 2020	Unknown	Kettle River
6.	Support the expansion and effectiveness of local conservation groups through their active involvement in private forest management (Kettle River Woodland Owners Association, lake associations, etc.).	SWCD	2015 - 2020	\$60,000	Kettle River
7.	Advocate sound land use planning and the recognition of forest resources in local planning and regulation processes. Seek DNR assistance with incorporating ordinance provisions that encourage healthy watersheds.	Pine County Planning & Zoning, DNR, SWCD	2015 - 2020	Unknown	Countywide
8.	Work with local outdoor recreation groups to increase the awareness of the public about the value of forests and high quality natural resources	SWCD	2015 - 2020	\$15,000	Kettle River
9.	Work with partners and stakeholders to link citizens and businesses in the watershed to support organizations actively working to protect, restore, and improve forest and water resources in the watershed	SWCD	2015 - 2020	\$15,000	Kettle River
10.	Encourage urban forestry in the City of Sandstone	SWCD	2015 - 2020	\$3,000	Lower Kettle River
11.	Promote urban forestry in the City of Hinckley	SWCD	2015 - 2020	\$3,000	Grindstone River
12.	Restore upland forests in the Big Pine Lake and Medicine Creek – Pine River minor watershed	SWCD	2015 - 2020	\$200,000	Pine River

Goal 4: Encourage jurisdictions to adopt stormwater and shoreland ordinances					
	Action	Lead/Supporting Agency	Timeframe	Cost	Watershed
1.	Encourage cities to implement LID practices	SWCD	2015 - 2020	\$2,000	Kettle River, St. Croix Basin, Snake River

2.	Encourage the LGU adoption and implementation of a County Stormwater Ordinance	Pine County Planning & Zoning	2015 - 2020	Unknown	Countywide
3.	Upgrade the imminent public health threat septic systems and the septic systems failing to protect ground water	Pine County Planning & Zoning	2015 - 2020	\$50,000	Countywide

Goal 5: Educate jurisdictions and the public on erosion and sediment control and LID practices.					
	Action	Lead/Supporting Agency	Timeframe	Cost	Watershed
1.	Increased exposure to U of M erosion and sediment control classes and National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) stormwater permits	SWCD	2015 - 2020	\$1,000	Kettle River, St. Croix Basin, Snake River
2.	Encourage LID and minimize disturbance, increase contiguous green space on developments, implementing infiltration techniques such as rain gardens, pervious pavements, or green roofs for stormwater control; and education for the community and for agencies as to the techniques, benefits, and long term cost savings of LID	SWCD	2015 - 2020	\$2,500	Kettle River, St. Croix Basin, Snake River
3.	Utilize grants when municipalities are doing stormwater practices like rain gardens, filter strips and other LID Practices	SWCD	2015 - 2020	\$2,500	Kettle River, St. Croix Basin, Snake River
4.	Encourage new techniques for temporary and permanent erosion control	SWCD	2015 - 2020	Unknown	Kettle River, St. Croix Basin, Snake River
5.	Promote the use of conservation tillage and no-till practices	SWCD	2015 - 2020	\$10,000	Kettle River, St. Croix Basin, Snake River
6.	Promote the use of vegetative filter strips and field buffers among row crops	SWCD	2015 - 2020	\$10,000	Kettle River, St. Croix Basin, Snake River
7.	Education on stormwater pollution prevention planning and implementation for small (non-MS4) communities and towns	SWCD	2015 - 2020	\$5,000	Kettle River, St. Croix Basin, Snake River
8.	Promote, educate and install 15 shoreline plantings/buffers/setbacks	SWCD	2015 - 2020	\$20,000	Kettle River, St. Croix Basin, Snake River

9	Proactively educate visitors to the Kettle River Major Watershed about the high quality natural resources in the watershed and their role in protecting them	SWCD	2015 - 2020	\$15,000	Kettle River
10	Promote shoreline restoration with lakeshore owners around lakes of concern in Moose River HUC 12	SWCD	2015 - 2020	\$200,000	Moose River
11	Actively educate stakeholders in the watershed about the watershed/forest land cover connection groups and its role in producing clean water	SWCD	2015 - 2020	\$30,000	Kettle River

Goal 6: Educate and find funding for natural shoreline projects and projects in riparian areas					
Action		Lead/Supporting Agency	Timeframe	Cost	Watershed
1.	Encourage landowners around lakes and rivers to implement best management practices, preserve and restore riparian land, offer incentives for riparian conservation	SWCD	2015 - 2020	\$125,000	Kettle River, St. Croix Basin, Snake River
2.	Secure grant funding for Robinson Park buffer in the City of Sandstone	SWCD	2015 - 2012	\$30,000	Kettle River
3.	Work with homeowners on natural shoreline projects around rivers and second and third tier development around lakes	Pine County Planning & Zoning	2015 - 2020	\$15,000	Countywide
4.	Apply for more beaver damage control grants	SWCD and Pine County Planning and Zoning	2015 - 2020	\$100,000	Kettle River, St. Croix Basin, Snake River
5.	Utilize DNR Clean Water Funded staff to assist natural shoreline and riparian projects	DNR, SWCD	2015 - 2020	\$50,000	Countywide

PRIORITY CONCERN #2:

NATURAL RESOURCES CONSERVATION, UTILIZATION AND EDUCATION

Goal 1: Apply for grant funds to implement projects. Utilize DNR Clean Water Amendment funded staff to assist implementation of successful grants					
Action		Lead/Supporting Agency	Timeframe	Cost	Watershed
1.	Apply for grant funding for septic inspections, studies or projects related to water quality in shoreland areas	Pine County Planning & Zoning Department, SWCD	2015 - 2020	<i>Unknown</i>	Countywide
2.	Secure funding to improve public accesses and divert the storm water into infiltration basins where possible and not directly into lakes and streams	DNR, SWCD	2015 - 2020	\$100,000	Countywide

Goal 2: Educate jurisdictions and public on conservation best management practices					
Action		Lead/Supporting Agency	Timeframe	Cost	Watershed
1.	Education through projects. Do native planting projects on Pokegama, Grindstone, Sturgeon, Island and Sand Lakes	SWCD	2015 - 2020	\$20,000	Pokegama, Kettle River
2.	Install native buffers in riparian areas	SWCD	2015 - 2020	<i>Unknown</i>	Kettle River, St. Croix Basin, Snake River
3.	Form a county-wide lake association	SWCD	2010 - 2015	\$5,000	Kettle River, St. Croix Basin, Snake River
4.	Encourage best practices for septic systems around lakes	Pine County Land & Zoning and SWCD	2010 - 2015	<i>Unknown</i>	Countywide
5.	Provide homeowners with guidelines for their new or replaced septic systems which require a management plan.	Pine County Planning & Zoning	20/10/2020	\$5,000	Countywide
6.	Encourage buffers around the lakes	SWCD	2015 - 2020	<i>Unknown</i>	Kettle River, St. Croix Basin, Snake River
7.	Education and cost share for abandoned wells	SWCD	2015 - 2020	\$35,000	Kettle River, St. Croix Basin, Snake River
8.	Encourage LID practices in new developments	SWCD	2015 - 2015	\$2,000	Kettle River, St. Croix Basin, Snake River
9.	Assist municipalities with Wellhead Protection Plans	SWCD	2015 - 2020	\$20,000	Kettle River, St. Croix Basin, Snake River

10.	Educate the public about aquatic invasive species through brochures at boat launches	Pine County Land Services Department	2015 – 2020	Unknown	Countywide
11.	Educate the public about aquatic invasive species by having billboard at the southern end of the county.	Pine County Land Services Department	2015 - 2020	Unknown	Countywide

Goal 3: Improve habitat in lakes and streams					
	Action	Lead/Supporting Agency	Timeframe	Cost	Watershed
1.	Apply for funds to implement trout stream habitat improvement projects	DNR Fisheries and SWCD	2015 - 2020	\$50,000	Countywide
2.	Continue implementation of Wetland Conservation Act	SWCD	2015 - 2020	\$800,000	Kettle River, St. Croix Basin, Snake River
3.	Education and cooperation on Eurasian Water Milfoil Control – support lake associations' eradication efforts	Pine County Land Services Department	2015 - 2020	\$7,500	Countywide
4.	Education on controlling Curly Leaf Pondweed – support lake associations' eradication efforts	Pine County Land Services Department, SWCD	2015 - 2020	\$7,500	Countywide
5.	Education on the preventing the spread of zebra mussels into Pine County lakes	Pine County Land Services Department	2015 - 2020	\$7,500	Countywide
6.	Provide for aquatic invasive species enforcement and watercraft inspection saturation coverage at the public accesses	Pine County Land Services Department	2015 - 2020	\$200,000	Countywide
7.	Purchase 2 decontamination units	Pine County Land Services Department	2015-2020	\$20,000	Countywide
8.	Identify undersized and perched culverts in the watershed, and replace them.	SWCD	2015-2020	75,000	Countywide



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Todd County Priority Concerns Scoping Document

Meeting Date: May 27, 2015

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: North Region

Contact: Dan Steward

Prepared by: Dan Steward

Reviewed by: North Region Committee(s)

Presented by: Tom Schulz

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 Todd County Comprehensive Local Water Management Plan Priority Scoping Document.

LINKS TO ADDITIONAL INFORMATION

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

The current Todd County Comprehensive Local Water Plan will expire in January 2016. Todd County passed a resolution to begin the updating process on September 8, 2014. The Todd County Priority Concerns Scoping Document (PCSD) was distributed to state agencies for review on February 27, 2015. Comments were received from the Minnesota Department of Natural Resources, the Minnesota Department of Health and the Minnesota Department of Agriculture. These comments were reviewed by BWSR.

On April 8, 2015, the BWSR North Region Committee met with Todd County representatives to review the PCSD. All required components of the PCSD have been covered and the priority concerns selected are deemed appropriate. After review and discussion, the Committee decided to recommend approval of the Todd County PCSD. The Committee recommendations will be brought to the full BWSR Board on May 27, 2015. BWSR's official state comment letter pertaining to the review of the Todd County PCSD will be sent to Todd County.

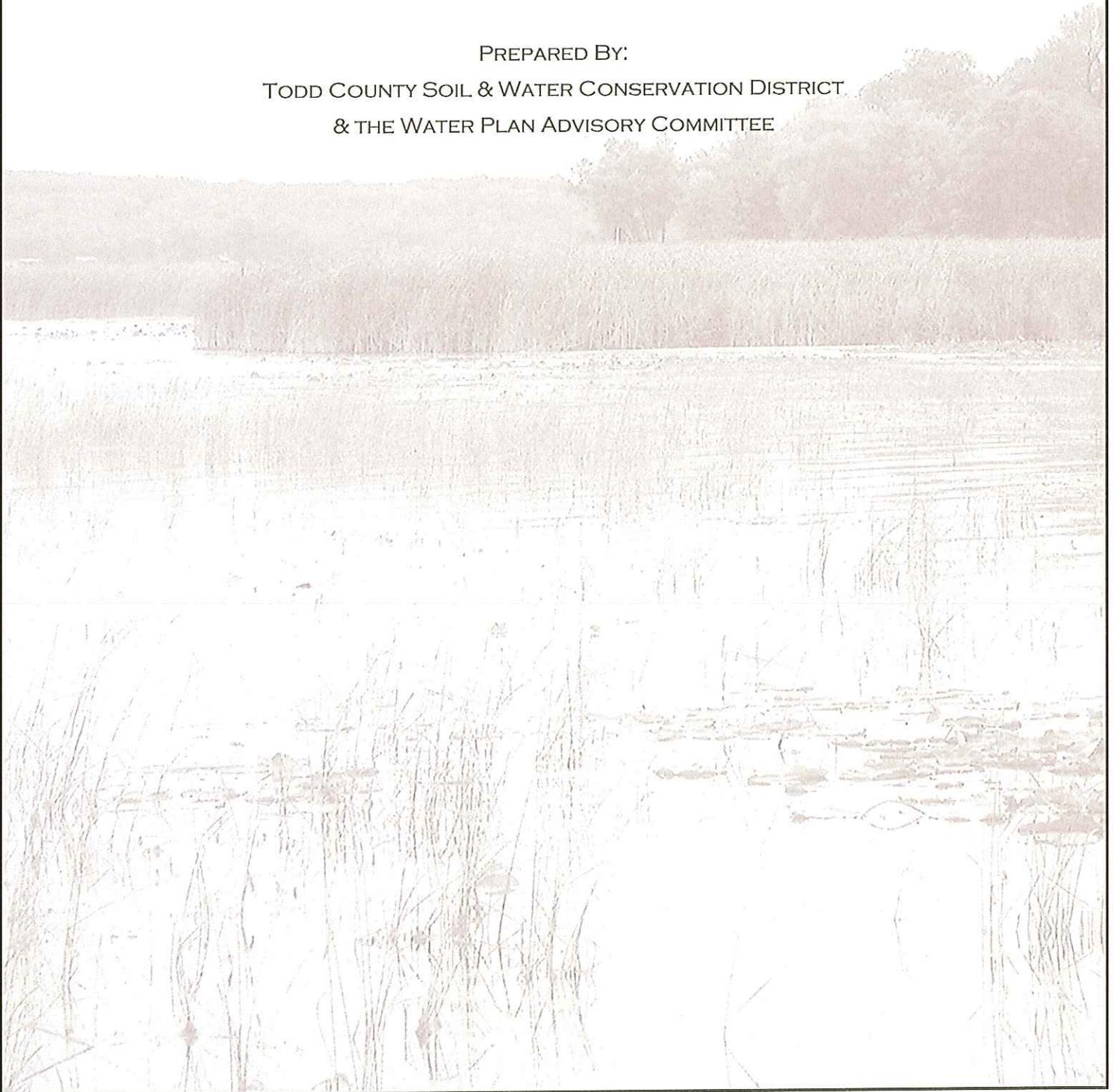
TODD COUNTY

PRIORITY CONCERNS SCOPING DOCUMENT

FOR THE 2016 COMPREHENSIVE LOCAL WATER MANAGEMENT PLAN UPDATE

PREPARED BY:

TODD COUNTY SOIL & WATER CONSERVATION DISTRICT
& THE WATER PLAN ADVISORY COMMITTEE



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INTRODUCTION

Population Trends

Todd County is a rural county with eleven incorporated cities, eight unincorporated villages and 28 townships spread throughout. Long Prairie is the largest city at 3,458 and the county seat (2010 Demographic Profile).



Figure 1:
Location of Todd

The US Census Bureau estimates the population of Todd County to be 24,374 in 2013. The number of households in the county is estimated to be 12,887 (2009-2013 5-Year American Community Survey).

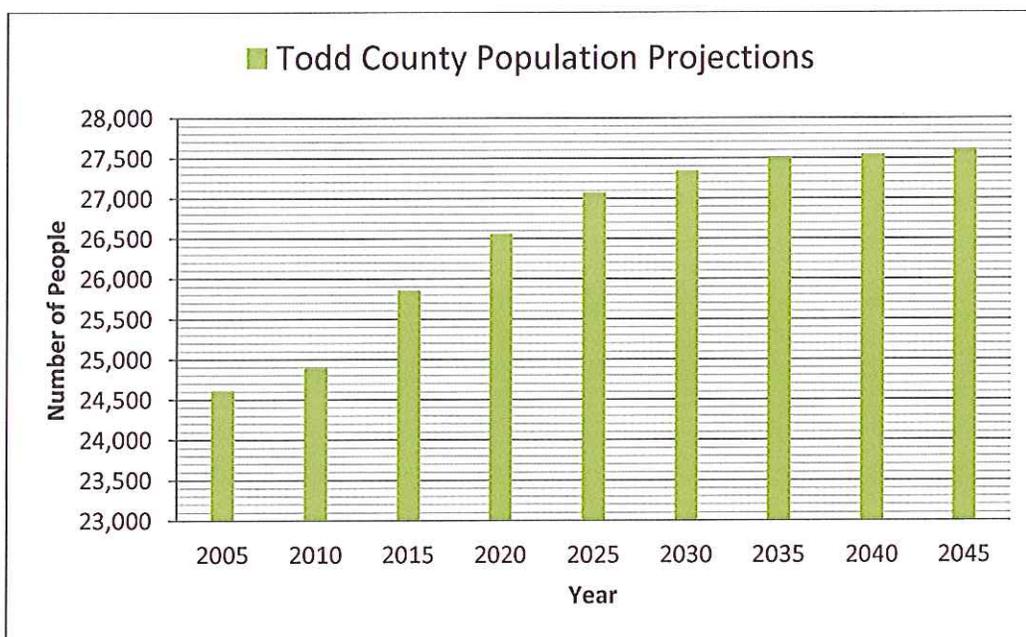


Figure 2: Minnesota State Demographic Center 2015-2045 Population Projections

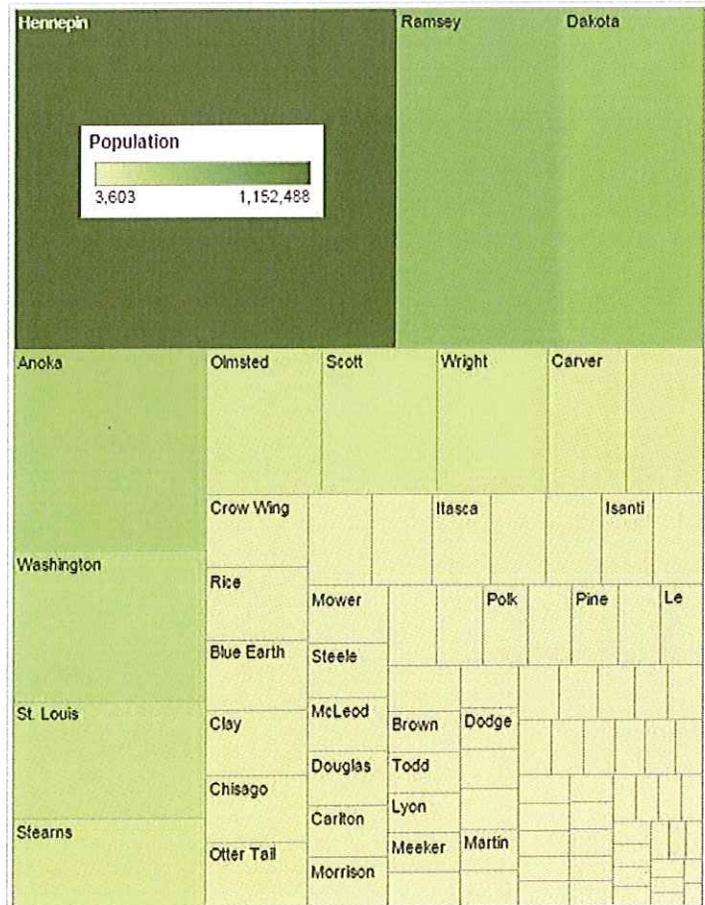
<http://mn.gov/admin/demography/data-by-topic/population-data/our-projections/>

Population projections for the county show a very steady and slow growth rate of six percent over the next 30 years. The population was expected to rise four percent from 2010 to 2015 yet the actual rise has only been just over 1% from 2005 to 2010 (Minnesota State Demographic Center, March 2014).

Todd County is the 41st largest county by population in a state of 87 counties.

Bordering counties (in order of population from largest to smallest) include Stearns, Otter Tail, Douglas, Morrison, Cass and Wadena. Todd County is only larger than Wadena in terms of population.

Figure 3: Tree Map showing the 2015 population projections for Minnesota Counties prepared by the MN State Demographic Center
<http://mn.gov/admin/demography/data-by-topic/population-data/our-projections/>



Land Use

Todd County is rectangular in shape and has approximately 627,000 total acres. About 1.2 percent of the County is covered by eleven cities, the remaining 968 square miles of unincorporated area is made up of approximately 21,000 land parcels and 8,000 land plats.

The most predominant land use in Todd County today is agriculture. Cropland makes up approximately 42 percent of the county, with another 22 percent in other agricultural uses like hay, pasture, and grassland. Twenty five percent or 135,000 acres are woodland, approximately five percent or 36,000 acres are water or wetlands, with the remainder in urban, rural development and other activities such as mining.

The number of farms increased from 1,825 in 2002, to 1,931 in 2012, corresponding with the increase in acres of land in farms going from 370,272 in 2002 to 393,890 in 2012. Size of individual farms increased slightly from an average 198 acres in 2007 to 204 acres in 2012. Out of a possible 228,715 acres, there were 194,115 acres of reported certified cropland including 2,419 acres of expired CRP land

that went back into crop production in 2009. As of year-end 2014, the Farm Service Agency (FSA) reported Todd County has only 9223 remaining acres of CRP, a decrease of 34% decrease from 2010.

The rise in number of farms has also developed a rise in high-capacity well permits. These high-capacity wells are typically used for purposes of irrigating row-crop fields as well as livestock feedlots and geothermal heat systems. To date, approximately 19,520 acres within the county receive benefit from the strong irrigation effort brought upon by area farmers. The Minnesota Department of Natural Resources regulates high-capacity well permits and continues to monitor groundwater water levels throughout several locations in Todd County.

Todd County is a major agricultural center of the state. It is ranked third in the state for corn used for silage, fourth in the state for forage land used for hay, haylage, grass silage and greenchop and seventh for milk from cows (2012 Census of Agriculture). Livestock is also a significant factor in land use, with Todd County ranked sixth in the state for numbers of beef cows, seventh for poultry and egg production and eighth for numbers of milk cows (2011 Minnesota Agricultural Statistics). Nationally, Todd County ranks eighth for turkey production (2012 Census of Agriculture).

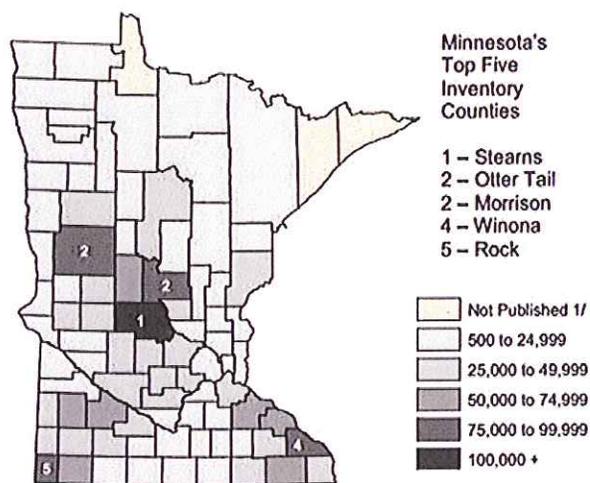


Figure 4: All Cattle and Calves, Number of Head, January 1, 2013

http://www.nass.usda.gov/Statistics_by_State/Minnesota/Publications/Annual_Statistical_Bulletin/

Most of the 135,000 acres of large, un-cleared woodlands are privately owned and are located in the eastern third of the County, the balance are scattered throughout the rest of the County. Wetlands are dispersed throughout the County, with the larger wetlands found in the northern two-thirds of the County located in one of the few drumlin fields found in Minnesota. Lakes in Todd County tend to be

located in the southern and eastern portions of the County in a J-shaped pattern that is part of the St. Croix Terminal Moraine.

There are approximately 21,000 parcels and 8,000 building sites in the unincorporated area of the County. Parcels are typically about 40 acres or larger in the rural agricultural areas. The majority of the smaller land divisions, sub division, and platted areas are found in areas of high amenity – lakeshores, wooded lots and sites with a view. There is a trend towards conversion of lake cabins into full time residences as evidenced by the Todd County Board of Adjustment’s case load.

Todd County’s lakes, rivers and streams are a valuable resource for the County. In Todd County, protected waters such as lakes and rivers cumulatively cover over 32,000 acres. There are 355 bodies of water listed on the Minnesota Department of Natural Resources water inventory, including 118 bodies defined as protected lakes, 178 defined as protected wetlands and 59 protected rivers and streams. These water bodies not only provide great natural beauty, they supply the water necessary for recreation, industry, agriculture and aquatic life.

Plan Responsibility

The Todd County Board of Commissioners designated the Todd County Soil & Water Conservation District as the Local Unit of Government responsible for the development and implementation of the Comprehensive Local Water Management Plan.

The Todd County water planning process started when the Board of Commissioners passed a resolution on September 19, 1989 to enter into the Comprehensive Local Water Planning process under Chapter 103B.311 and 103B.315. The Original Todd County Comprehensive Local Water Management Plan was completed and adopted in 1991.

In 1995, the County completed the first plan update, with updates following in 2000, 2005 and 2010. The 2016 plan update continues the tradition of promoting better planning and management of our shared natural resources and will serve as a guide for resource protection through the year 2020.

The current plan expires January of 2016.

IDENTIFICATION AND SELECTION OF PRIORITY CONCERNS

The process selected for identifying priority concerns were four fold and citizen based. First, a notice of decision to revise and update the Todd County Comprehensive Local Water Management Plan was sent to state and local agencies. Water and related land resource plans were solicited as were inputs for priority concerns. Second, a Task Force Committee was selected. The group was made up of local leaders from cities, townships, lake associations, industry and supporting agencies. The process was chaired by the Todd SWCD Board Chairman and facilitated by the Todd County Water Planner. The third venue used to solicit priority concerns was a public hearing. The meeting was advertised county wide as an opportunity for citizens to voice concerns they have about Todd County Water. Lastly, a public survey was released for comments. It asked a series of questions regarding the demographic of the participant as well as their associations, perceptions and concerns they held for the water resource within the county.

Most of the above identified methods for collecting priority concerns were successful. All surrounding water and related land resource plans were collected and reviewed for consistency. Of all the required agencies only BWSR, MDA, Sauk River Watershed District, Todd County Planning and Zoning and SWCD's from Morrison, East Otter Tail and Stearns Counties responded with priority concerns.

In regards to local participation, there was an average of 17 people on the Water Plan Task Force Committee who attended each meeting. An additional 15 people were involved in the process as speakers or special guests to share concerns from their area of expertise. Past Water Plan concerns and efforts were covered as were all the factors which influence water quality within the county. Agency members from DNR, PCA, NRCS and Planning and Zoning all clearly identified their contributing roles in protecting clean water. Maps of major resources were produced to facilitate discussion and to help create a vision of what Todd County looks like on a watershed and subwatershed basis.

The public hearing was held on November 19th during the work day and seventeen people were in attendance. Concerns were heard in a very informal setting which in turn lended itself to information sharing amongst the group and produced materials provided by the Water Planner. The chairman of the meeting has been involved in several Water Plan updates said it was not only the most productive Water Plan meeting he has ever hosted but was the best public meeting he has ever been to. Concerns from the

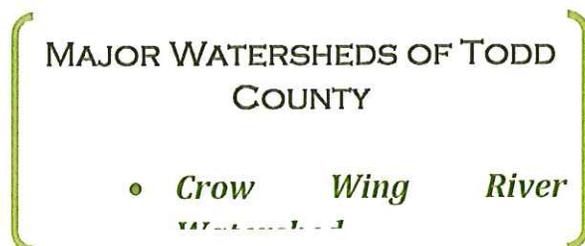
public were recorded and discussed with the Water Plan Task Force several more times throughout the process.

Lastly, the survey was released for public input on the same day as the above public hearing and was open through February 4th, 2015. Questions were designed by the SWCD Director, Water Planner and Task Force Committee after reviewing past surveys completed by surrounding counties for this same purpose. A number of groups were solicited for input which reflected the demographic of the county as well as a public outreach campaign to participate. Paper copy surveys were made available at all public libraries, city offices, county office and the NRCS/USDA Service Center. A total of 350 surveys were received exceeding the goal of the project. An even cross section of age and property ownership type was represented in the data as was there a proportionate response from people living in each of the six watersheds to the watershed size. Summaries of this process were released to the Task Force Committee and taken into consideration along with all of the above methods. A high level of confidence was given to the survey by the Water Plan Task Force Committee due to the high turnout, the even cross section of respondents and the responses correlated with those voiced at the public hearing.

PRIORITY CONCERNS ASSESSMENT

Maps produced for the priority concerns assessment were made on individual watershed scales to facilitate discussion within the Task Force Committee. Maps produced for the watersheds in Todd County included the Redeye River, Crow Wing River, Long Prairie River, Sauk River, Mississippi River – Brainerd and the Mississippi River – Sartell Watersheds. Drinking Water Supply Management Area (DWSMA) maps were created by city.

Resource maps produced for the priority concerns assessment included individual watershed maps of elevation, surficial groundwater aquifers, forest cover, land cover, native vegetation, wetlands, prime farmland, Highly Erodible Lands and impaired waters as identified by the MPCA.



PRIORITY CONCERNS LIST

Lack of Conservation Ethics and Ecological Understanding

Technical assistance to landowners

Aquatic invasive species (AIS)

Impacts of destructing healthy systems (soils, water quality, wildlife habitat)

Water conservation and sustainable practices

Control or Prevent Erosion, Sedimentation, Siltation and Related Pollution

Sedimentation of waterways

High sloping crop land

Best Management Practices (BMPs) for crop producers

Incorporation of cover crops

Streambank and Buffer Strips Support

Loss of buffers in riparian areas

Wetland restoration and protection

Wildlife habitat corridors

Groundwater Recharge Areas and DWSMA Protection

Septic inspection and maintenance

Well sealing

Well nitrate testing

Chemical Pollution Control

Wastewater and stormwater discharges

Hazardous and solid waste disposal

Targeting nutrient inputs to reduce loss

BMPs for livestock producers

NEW BUSINESS

1. Presentation of Report, "Farm to Stream: Recommendations for Accelerating Soil and Water Stewardship" – Peggy Knapp and Steve Woods, Freshwater Society –

INFORMATION ITEM



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Farm to Stream: Recommendations for Accelerating Soil and Water Stewardship

Meeting Date: _____

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: _____

Contact: _____

Prepared by: _____

Reviewed by: _____ Committee(s)

Presented by: Peggy Knapp & Steve Woods, Freshwater Society

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://freshwater.org/wp-content/uploads/2015/02/FWS-Farm-to-Stream-16Feb15.pdf>

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

Freshwater Society reviewed so called farmer-led initiatives and collaborated with the National Park Service and the Cannon River Watershed Partnership for three years on the *Farmwise* program. Results of these efforts uncovered items that *both* farmers and conservation groups cited as being barriers to doing more. These common values were the basis for findings and recommendations for working with the agencies, associations, and university. Some were related to this legislative session, some entail changes in procedures within the executive branch. Recommendations were grouped by:

- adjust funding structures
- invest in local capacity
- invest in relationships/partnerships
- invest in research

Copies of the Farm to Stream Report will be provided at the Board Meeting.