

# Minnesota River Board

184 S. Trafton Science Center, MSU- Mankato, MN 56001  
Tel. (507) 389-5491; Fax (507) 389-5493; email: [shannon.fisher@mnsu.edu](mailto:shannon.fisher@mnsu.edu)  
<http://www.minnesotariver.org>  
<http://mrbdc.mnsu.edu>

**Judy Hanson**  
Chairperson  
Nicollet County  
39384 403rd Avenue  
St. Peter, MN 56082  
507-246-5388

**Harold Solem**  
First Vice-Chair  
Lac qui Parle County  
2225 – 361<sup>st</sup> Avenue  
Montevideo, MN 56265  
320-769-2063

**Charlie Woehler**  
Second Vice-Chair  
Sibley County  
20191 425<sup>th</sup> Avenue  
Arlington, MN 55307

**John Schueller**  
Treasurer  
Redwood County  
29157-250<sup>th</sup> Street  
Wabasso, MN 56293

**Thomas Egan**  
Secretary  
Dakota County  
1590 Highway 55  
Hastings, MN 55033

**Shannon Fisher**  
Executive Director  
507-389-5491  
[shannon.fisher@mnsu.edu](mailto:shannon.fisher@mnsu.edu)

**Diane K. Wiley**  
Assistant Director  
507-389-5492 (office)  
507-351-8751 (cell)  
[diane.wiley@mnsu.edu](mailto:diane.wiley@mnsu.edu)

**Susie Carlin**  
Program Director  
507-389-5491  
[susan.carlin@mnsu.edu](mailto:susan.carlin@mnsu.edu)

**Date: Monday, March 17, 2008**  
**Time: 8:30 a.m. - 9:30 a.m. Executive Committee**  
**9:30 a.m. - 12:30 p.m. Full Board**  
**Location: Sibley County Courthouse- Lower Level**  
**Gaylord, MN**

## FULL BOARD AGENDA

- 1. Call Meeting to Order** Chair Hanson
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Agency, Citizen, City, County, Watershed Updates**
- 5. Minutes** Full Board Vote  
January 28, 2008 Executive Committee Accept  
January 28, 2008 Full Board Approve
- 6. Financials - Report** Full Board Vote  
Carry-over Funds
- 7. Staff Update** Shannon Fisher  
Executive Director Update  
BMP Challenge-Water Quality Credit Trading  
Conferences – Outreach Initiative  
Harmful Algae Conference  
Shallow Lakes Forum  
I-Wheel Drainage Forum  
Water Resources Center Updates  
Program Director Update  
People and Places Susie Carlin  
MRB Staff
- 8. New Business** Tim Gieseke  
EZ Resource Assessment Jay Gilbertson  
East Dakota Water Development District  
2008 Awards Announcement
- 9. Continuing Business** Fisher/Others  
Lanning Bill Update Fisher/Others  
Big Stone II Project
- 10. Adjourn** Chair Hanson

**Next MRB Full Board Meeting Date is:** May 19, 2008  
**Minneota Community Center, Minneota**  
Co-hosted by Yellow Medicine River Watershed District

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# MINNESOTA RIVER BOARD

Unapproved Minutes: January 28, 2008  
Chippewa County Courthouse, Montevideo, MN  
8:30 a.m. – 9:30 a.m.

**Present:** William Stangler, Judy Hanson, Harold Solem, John Schueller and Charlie Woehler and James Ische. Director Shannon Fisher, Assistant Director Diane Wiley, and Program Director Susie Carlin, Terry Schwalbe, Lower Minnesota River Watershed District (LMRWD)

**Call to Order:** Chair Stangler called the meeting to order at 8:41 a.m.

**Approval of Agenda:** The full board agenda is accepted by consensus.

**Election of Officers- Executive Committee:** Charles Guggisberg is on the Nominations Committee and will present the nominations.

**Introduction of MRB Program Director:** Susie Carlin was the first choice of the hiring committee and the Executive Committee is pleased to have her working for them, and welcomed her to her first board meeting. She will be introduced to the Full Board and she will give a short talk.

**Minutes:** Judy Hanson made a motion to approve the Executive Committee meeting minutes of November 19, 2007 and accept the Full Board meeting minutes of November 19, 2007. Harold seconded the motion. All in favor; motion carried.

**Financials:** The budget reporting has been revamped, with a detailed budget report added. After reviewing this report the suggestion was made to also note upcoming expenditures and income to give the Board an overall view of the budget. An example is the MRB fiscal 2008 contract with MSU Mankato in the amount of \$60,000, which will have quarterly payments of \$14,000 each. The first invoice will be sent soon. Another example is an anticipated payment (\$1,841.46) from AgFlex; the invoice submitted is page 13 of the board packet. Also, MRB upcoming dues are not reflected in this budget report. Diane will revise the report to include anticipated expenditures and income. Counties will be sent a letter and invoice for dues upon approval (pages 11 and 12 of the board packet).

There are three bills to be approved – payment for the refreshments (Deb's Dining), MCIT insurance for the calendar year 2008, and per diem/mileage to Harold Solem. Charlie Woehler made a motion to accept the financial report and to pay the bills. John Schueller seconded the motion. All in favor; motion carried.

**Director's Update:** There are many activities and new developments, but due to a full agenda Director Fisher will keep his update brief.

## **New Business:**

Resolution for Counties to Rejoin the MRB – Judy Hanson will present the resolution for counties to rejoin the MRB and ask for approval. The resolution is on page 19 of the board packet.

New Water Quality Credit Trading Opportunities – Jim Klang from Kieser and Associates will promote a CIG grant submission for approximately one million dollars to NRCS. This is similar to the BMP Challenge grant. The purpose of this CIG grant is to establish the infrastructure for water quality credit trading. Originally the MRB was to involve one major watershed. Three watersheds are needed so the MRB will cover two watersheds. The match is one-to-one so one million dollars are needed for match, with 50% to be in cash and the other 50% in-kind. It is anticipated that Linda Meschke from Rural Advantage will be contributing as well as a group from the University of Minnesota. Director Fisher and Commissioner Hanson had a meeting with Green Giant and Seneca Foods to invite their involvement. These producers could use this grant to tap into credits for their producers. They expressed some interest, but have not yet committed.

Jim will be asking for a vote of confidence on this grant submittal. The application is due early February. There needs to be a plan on how to obtain the matching funds. He will present and answer questions in the Full Board meeting.

MAWD Resolution/Draft Legislation Discussion – Terry Schwalbe has been meeting with commissioners, NGOs and watershed project directors regarding the MN River Basin watershed district bill and the Lanning Bill. The most recent draft has produced many unanswered questions, and the recommendation is to pull the MN River specific bill and support Lanning's bill (statewide). His board is recommending a pilot project. Terry will be meeting with Representative Lanning. Lanning's bill recognizes the MRB as an authority. One of the biggest issues is additional taxation. Director Fisher felt that taxation would provide stabilization of staff that is critical in accomplishing water quality projects; the focus of staff should be on projects rather than finding funding to pay for their positions.

Taxes derived from the metropolitan area would be used throughout the state and becomes a political issue. Terry is also concerned about data control issues. There appears to be a disconnect and information is not uniformly distributed. Information is at least a year old, if not older before it is available. Data should be in one place and combined with other data sources. The LMRWD puts their data out there right away with the disclosure that it is not yet verified.

Director Fisher expressed concerns about the Lanning bill, in that it is capped at one million dollars and that 100% is sent to the governing board. He would prefer that at least 50% or more stay in the area where the taxes were collected, with the remaining funds submitted to the basin board for additional projects. It was asked how this would affect the Clean Water Legacy (CWL) funding and if this funding would make the applicant non-eligible for CWL funding. Additional funding is desirable but the present CWL funds may be channeled elsewhere. Some parts of the bill could be supported and some not. The question is how the MRB should respond. Terry responded that comments are welcome and he will pass them on to his board. There are no meetings on this bill yet scheduled but the MRB should take a stand on the bill. Terry felt that as long as Representative Lanning is in the legislature he will push this bill. There is the potential to advance or eliminate this bill. Options for action could be to table the issue, have a vote today, vote by proxy or gather more information after the meeting with Representative Lanning. Terry suggested that it may be too soon and unproductive to vote today; instead he would ask the commissioners to take the information back to their respective county boards and gather input.

Big Stone II Powerplant – The threat of 50% less water leaving Big Stone Lake surfaced as a big concern for a project dealing with Marsh Lake downstream. The Executive Committee tabled any recommendation until they gather more information in the Full Board meeting.

**Adjourn:** The meeting adjourned at 9:28 a.m.

Respectfully Submitted:

*Diane K. Wiley*

Assistant Director

Minnesota River Board  
**Full Board Meeting**  
Unapproved Minutes: January 28, 2008  
Chippewa County Courthouse, Montevideo, MN

**PRESENT – BOARD MEMBERS:** Howard Janssen, Big Stone; Katy Wortel, Blue Earth; Charles Guggisberg, Brown; James Ische, Carver; Jim Dahlvang, Chippewa; Tom White, Cottonwood; Thomas Egan, Dakota; William Groskreutz, Jr., Faribault; Glen Mathiason, Freeborn; Richard Larson, Kandiyohi; Harold Solem and Albert Hoffman, Lac qui Parle; William Stangler, Le Sueur; John Giese, Murray; Judy Hanson, Nicollet; Paul Anderson, Pope; John Schueller, Redwood; Jerry Hennen, Scott; Charles Woehler, Sibley, Neal Hofland and Herb Kloos, Stevens; Daniel Kuhns, Waseca and Jane Remiger, Yellow Medicine.

Shannon Fisher, Executive Director; Diane Wiley, Assistant Director; and Susie Carlin, Program Director.

**PRESENT – WATERSHEDS:** Kerry Netzke, Area II; Mary Homan, Darrel Ellefson, Dave Cragmile and Trudy Hastad, Lac qui Parle Watershed District; John Boulton and Don Oerter, Yellow Medicine River Watershed; Terry Schwalbe, Lower MN River Watershed District; Jim Doering, RCRC; Kevin Bigalke, 9-Mile Creek Watershed District; Dianne Radermacher, Upper Minnesota River Watershed District; Brodie Terry and Patrick Moore, CURE; and Kylene Olson, Chippewa River Watershed Project.

**PRESENT – STATE AGENCIES:** Larry Gunderson and Lee Ganske, MPCA; Jack Frost, Metropolitan Council; and Jeff Nielsen, BWSR.

**PRESENT – GUESTS:** Tom Cherveney, West Central Tribune; Jim Klang, Kieser and Associates, James Kujawa, Hennepin County.

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1. **Call to Order:** Chair William Stangler called the meeting to order at 9:17 a.m.
  2. **Roll Call:** Twenty (20) counties were present, enough for a quorum.
  3. **Approval of Agenda:** There were no additions to the agenda. Neal Hofland made a motion to approve the agenda and Katy Wortel seconded the motion. All in favor; motion carried.
  4. **Election of Officers:** The Nominating Committee consisted of Charles Guggisberg, Neal Hofland and Katy Wortel. They met at the AMC conference in December and determined that all members of the Executive Committee agreed to move up a position, except for Chair Stangler. Chair Stangler has served his two years as chair and per By-Laws is no longer eligible to serve on the Committee. Neal Hofland spoke on behalf of the Nominating Committee.

Nominations for Chairperson: Neal Hofland nominated Judy Hanson for the Chairperson position. There were no nominations from the floor. Motion to cease was made by Katy Wortel and James Ische seconding. No opposition; motions approved.

Nominations for First Vice-Chair: Neal Hofland nominated Harold Solem for First Vice-Chair. There were no nominations from the floor. Motion to cease was made by Glen Mathiason and John Giese seconding. No opposition; motions carried.

Nominations for Second Vice-Chair: Neal Hofland nominated Charles Woehler for Second Vice-Chair. There were no nominations from the floor. Motion to cease was made by Richard Larson and Jim Ische seconding. No opposition; motions carried.

Nominations for Treasurer: Neal Hofland nominated John Schueller for Treasurer. There were no nominations from the floor. Motion to cease was made by Jim Dahlvang and Glen Mathiason seconding. No opposition; motions carried.

Nominations for Secretary: Neal Hofland nominated Thomas Egan for Secretary. There were no nominations from the floor. Motion to cease was made by Katy Wortel and Jim Ische seconding. No opposition; motions carried.

The Executive Committee welcomed Thomas Egan, and he joined the Committee. Director Fisher announced that a new plaque had to be created; the new plaque has much more space for outgoing Chairs. William Stangler accepted the plaque from Judy Hanson. Chair Hanson thanked him for his two years of service. Commissioner Stangler thanked the Board and the Executive Committee and told them it was and is a pleasure to work with them. He returned the plaque to Director Fisher; the plaques are housed at the Water Resources Center.

Director Fisher also showed the Board two other plaques that were created for the two awards the Board gives each year - the Confluence and the Tributary awards. The second year of nominations will be announced at the next meeting (March 17, 2008).

5. **Introduction of MRB Program Director – Susie Carlin:** Interviews were held in December and Susie Carlin was definitively the committee's first choice. Susie recently moved to Minnesota. Previously she worked in the state of Washington with Tri-State SteelHeaders, farmers, and the public. Her experience makes the transition to the Board an easy one; she has worked with CREP, stormwater and stream bank erosion. Susie has been working for two weeks and is familiarizing herself with the region and practices. Susie informed the Board that she grew up in Florida and attended the University of Florida. She thanked the Board for hiring her and hopes to meet everyone personally over the upcoming months. Director Fisher commented that she already has gotten 'into the thick of things' by helping edit the past board minutes and she has already attended several meetings. Her presence will be a true boost to the MRB mission.

6. **Agency, Citizen, City, County & Watershed Updates:**

BWSR – Jeff Nielsen – BWSR has several activities coming up – a bonding proposal will be submitted to the governor, a fairly large RIM program, and a new RIM clean energy project. Two programs have been implemented - native buffer cost share and invasive species/noxious weeds to help on existing RIM/ CRP programs. Restoration and enhanced projects can obtain cost share money from the SWCDs. The Wetland Conservation Act is under review and changes are being made/proposed. Nothing has been changed yet; this will be ongoing for the whole year.

CURE -Patrick Moore: CURE, the Minnesota River Basin Watershed Alliance Friends of the Minnesota River Valley, Chippewa River Watershed Project have met with and spoken with Mark Dittrich Department of Agriculture about holding a series of three Conservation Drainage Meetings in April. Each meeting is anticipated to cost \$1,500 - \$2,000 to deliver. Director Fisher reminded the Board that the MRB's annual work plan has a budget of \$8,000 for supporting workshops, and most of the funds are still available for use. The topic was tabled until the New Business discussion.

CURE is hosting their annual meeting on February 9, 2008. The guest speaker is Dr. Angela Wilson, a Native American author and historian. She will be talking about the history of the Dakota People in the Minnesota River Valley. There will be a local foods banquet, music and awards presentations. The cost is \$20 per person. A flier with more information is available on the sign-in table. Pat encouraged everyone to attend.

Metropolitan Council – Jack Frost: Metropolitan Council, Scott County and Carver County are working on TMDLs. They are in the process of gathering data and running water quality models.

MPCA - Larry Gunderson- MPCA is working on a number of TMDLs; six are nearing approval. Several TMDL plans are slated to go to EPA this year and he encouraged the commissioners to check with their watersheds for more information. He introduced Lee Ganske, his supervisor. Lee recently moved to Mankato and assumes much of the watershed role previously managed by Mark Jacobs. Mark's work has shifted primarily to feedlot issues. Larry encouraged everyone to participate in the Minnesota River Watershed Alliance's Bulletin Board. It is an opportunity to read what is happening in the basin and also to post information since it is broadcasted to all of the users. It is easy to register for and use the service.

Yellow Medicine River Watershed District- John Boulton: They will be co-hosting the MRB at our monthly meeting on May 19<sup>th</sup>, and have several projects to show the Board.

RCRCA - Jim Doering: RCRCA will be having bids let by February 15 – 20<sup>th</sup> for two TMDL plans they are working on. The TMDLs are for both Redwood and Cottonwood and they will host a couple meetings by early spring/summer.

Pomme de Terre Watershed Project- Herb Kloos: A coordinator has been hired and they have completed their budget.

Lower Minnesota River Watershed District – Terry Schwalbe – The District will be sponsoring two rain garden classes, one in Shakopee and one in Savage. The all-day events will teach people the basics of installing a rain garden, soil types and hardy plants. A native plant sale will be held with each event.

Lac qui Parle Watershed Project – Mary Homan: MPCA will require a couple more fecal and turbidity TMDLs by 2011 in their district. The Project is in the first round of Clean Water Legacy funding. They have offered an altered filter strip incentive, and several new acres have been enrolled between Dawson and Canby.

Dave Cragmire introduced the new administrator, Trudy Hastad. She was hired in June; prior to this position she had been the executive secretary for several years. Her main project is the management plan. An early retention project back in 1960s/70s has been surveyed. Pipes are rusting out and they are now replacing those that are failing.

Greater Blue Earth River Basin Alliance (GBERBA)- Katy Wortel – The Alliance is funded by two sources, one of which is Clean Water Legacy. At the technical meeting last week the strategic plan was updated.

Chippewa River Watershed Project – Kylene Olson: Kylene welcomed everyone. The Project's office is located in the courthouse. They are celebrating their 10th anniversary. The project has been and is largely funded by grants through MPCA and/or federal 319 grants. Currently, they have received implementation funds for the entire watershed. Previously the watershed had been broken into sub-basins because of its large size. Funding has been received from MPCA for turbidity reporting over the next couple years. The fecal TMDL is in the implementation plan. The Project has held a photo contest and the winning photos were put into a 2008 calendar that can be purchased. On March 6, 2008, at Starbuck, they will have their annual meeting. The dinner will consist of locally produced foods. The Project will be co-hosting an event on September 16<sup>th</sup> with the Alliance to educate people about mussels and clams in the river. Mike Davis from the MN DNR will be the speaker. There are other numerous events also being planned. Visit the website [www.chippewariver.com](http://www.chippewariver.com) for more information.

Area II – Kerry Netzke: Area II is anticipating another busy construction year with at least four larger dams and four small dams (former ACP livestock dams) repairs planned for summer

construction. This construction will deplete our balance of bonding funds. Therefore, Area II will be requesting another \$500,000 bonding appropriation from the 2008 legislature.

Hawk Creek - Richard Larson- Hawk Creek hosted a conference on January 23<sup>rd</sup>, and about 100 people were in attendance.

Nine Mile Creek – Kevin Bigalke: The tributary running through Bloomington, Hopkins, Richfield and Edina had studies done on turbidity and chloride. MPCA has been working with them on aquatic health TMDLs. There has been a reduction in stormwater runoff. The product of last year's intensive rule process is now under review.

7. **MINUTES:** Charles Guggisberg made a motion to accept the Executive Committee minutes of November 19, 2007. Glen Mathiason seconded the motion. All in favor; motion approved. Tom Egan made a motion to approve the November 19, 2007 Full Board minutes. Bill Groskreutz, Jr. seconded the motion. All in favor; motion approved.

8. **FINANCIALS:** Some changes have been made in the reporting, with a breakdown of expenditures and income. The Executive Committee has asked that information of any known upcoming bills and income be added to this report. On page 13 of the board packet is an invoice; Director Fisher continues to do work for AgFlex on BMPs. The agreement states that 60% is considered in-kind and this is the remaining 40%. Director Fisher is also working with Kieser and Associates to submit a Conservation Innovation Grant (CIG). On page 12 is a draft of the dues request. The MRB had approved switching to a fiscal year basis so the dues are not due until June 1, 2008 for members. Jim Ische made a motion to accept the financial report and Bill Groskreutz, Jr. seconded the motion. All in favor; motion approved.

9. **Director's Update:**

MRB Collaborations Update:

On January 10<sup>th</sup> the venue had to be moved due to a larger turnout for the BMP Challenge – Water Quality Credit Trading Workshop. Director Fisher presented the BMP information at the Hawk Creek Watershed Project seminar.

The University of Minnesota Water Resources Center will be hosting an impaired waters conference in March. There is a statewide agenda to move forward, with 110 different impaired water's stakeholder groups scheduled to participate. They will be coalescing on what research should be done in the basin. There was a question why more research had to be done; why not putting that effort and money into implementation. (The Clean Water Legacy funding is limited and needs to be a better job done on managing it). BMP practices will be evaluated and money has been reserved for that evaluation. They are researching the best allocation for each BMP. Conservation drainage still has questions on it so that will assist in this effort. Larry Gunderson said that they continue to study what the impacts of drainage are on hydrology, what other sources do finger imprinting, turbidity, and sediment.

Harmful Algal Bloom Workshops – The MRB is partnering on this conference that will be held March 4<sup>th</sup> – 6<sup>th</sup> at three locations, but primarily on the 5<sup>th</sup> in Mankato. The workshop identifies the signs of toxic algal poisoning. Registration limited to 35 at each of the sites.

MRB/WRC Update – Director Fisher gave a progress report on several of the contracts that the Water Resources Center is working on presently. For a more extensive update visit the MRB website at <http://www.minnesotariver.org>.

10. **NEW BUSINESS:**

Resolution for Counties to Rejoin the MRB – Chair Judy Hanson is submitting a resolution that outlines a process to allow withdrawn counties to return to full membership status. There are four criteria cited for rejoining. William Stangler made a motion to approve the resolution. Jim Ische

seconded the motion. All in favor; motion carried. With the resolution being passed, Director Fisher asked if there are any counties present who wanted to begin the process of rejoining. Jane Remiger made a request that Yellow Medicine be allowed to rejoin today, noting that MRB dues are listed in their budget. Harold Solem made a motion to grant the request allowing Yellow Medicine County to return and John Schueller seconded the motion. There was no discussion. All in favor; motion carried. Jackson County is contemplating rejoining and Pipestone County has requested that Director Fisher speak at a board meeting.

New Water Quality Credit Trading Opportunities – Jim Klang, Kieser & Associates, spoke about water quality credit trading. Trading is in place for some wastewater treatment plant to wastewater treatment plant exchanges. Non-point trading is more difficult to manage. Two watersheds will be picked to implement non-point trading, with the lower Minnesota a potential area. The best watershed will have people willing to sell credits and will also have buyers. The deadline for the submittal to NRCS is February 15, 2008. The preference is to keep the trading within the basin. MPCA rules will be drafted by July 28<sup>th</sup> and then presented to the legislature next year. When a rule is promulgated, we want to be ready to implement. It might take up to three years to set this up. The CIG will provide funding for developing the infrastructure. Jim's presentation can be viewed on [www.minnesotariver.org](http://www.minnesotariver.org).

Jim Klang requested an affirmation from the MRB to continue involvement in water quality trading opportunities, and to have Shannon involved in the process. William Stangler made a motion to continue the Board's involvement and have Shannon continue to work with Jim and Kieser & Associates. Charles Guggisberg seconded the motion. All in favor; motion carried.

Conservation Drainage Forums Sponsorship – The forums will be held in Montevideo, New Ulm, and Bloomington in April. Tom Egan made a motion to approve an expenditure of \$500 to CURE to assist with expenses. Jim Dahlvang seconded the motion. The timing was questioned; the meetings are held mid-April, which is a busy time for the farmers, the target audience. Patrick Moore explained that the dates were set to accommodate Representative Collin Peterson's schedule. All in favor of sponsoring the Conservation Drainage meetings; motion carried.

11. **CONTINUING BUSINESS:**

2008 Meeting Places / Dates / Annual Meeting: The proposed meeting schedule for 2008 was addressed. Glen Mathiason made a motion to approve the 2008 schedule and John Giese seconded the motion. All in favor; motion carried. The schedule will be as follows:

March 17, 2008	Sibley County Courthouse	Gaylord
May 19, 2008	Minneota Community Center	Minneota
July 21, 2008	TBA	Mankato
September 15, 2008	Chippewa County Courthouse	Montevideo
November 17, 2008	Sibley County Courthouse	Gaylord

Drainage Work Group – Law Change Summary: Harlan Madsen is at the drainage meeting today, however, members can ask question of Harlan, Director Fisher, or Al Kean, BWSR.

MAWD Resolution: The proposed resolution is in the board packet, page 26. A draft bill was sent to the delegate and alternate members; the enclosed bill is no longer valid. Director Fisher asked that Terry Schwalbe give a brief history of the bill and the Lower Minnesota River Watershed District's (LMRWD) involvement. There are efforts by many organizations and individuals to improve the Minnesota River/tributaries. It has been voiced many times that these efforts are not enough. There are still many gaps throughout the state, where there is no watershed working on water quality issues. This inconsistency is being addressed. The state will implement a standard watershed structure to be implemented across the state, modeled after the Red River Watershed District. The LMRWD managers have discussed their concerns with different groups, and then heard about a bill authored by Lanning last year. They felt it was a little premature for the state to implement this bill across Minnesota, but maybe a pilot project would work. This project would

determine the support for a Minnesota River Watershed District. The resolution was passed unanimously at the annual MAWD conference. Terry had previously brought a draft of this resolution to the MRB.

Judy Hanson, John Schueller, Harold Solem and Director Fisher attended a meeting in Chaska with Terry Schwalbe, the Lower Minnesota Watershed District Board Chair, and their attorney. Last week Terry met with commissioners, watershed partners and NGOs to get their input. The meetings reconfirmed that there are many questions that can't be answered, such as the makeup of the board and taxing authority distribution. Terry will be meeting with Representative Lanning and will relay the concerns he has heard. He will then make recommendations to his board.

Director Fisher indicated that in the older version of the bill calls for a Minnesota River board commission, which would basically move the MRB to sunset. The newer version talks about a river board commission and the MRB is listed as the entity for the basin. There are questions on how the taxing is implemented and by whom, as well as the manner in distributing the money. Director Fisher thinks the intent is similar to the Red River Valley Basin where they keep a percentage in each local district and the rest goes to the basin board for large-scale projects and to leverage federal dollars. Terry Schwalbe thought there was a distinct possibility that some of state agencies would support it on a basin by basin rather than the entire state. How does this affect the Clean Water Legacy funding? How does it affect watersheds currently operating? Last year the bill didn't get a direct hearing but Jim Ische has been hearing that this bill might be viable this year. Shannon knows several representatives promoting this bill this year. Legislators will be meeting soon. Charles Guggisberg has been hearing complaints that there are so many add-ons to the tax. If given authority to tax (based on 2005 property values), taxes between \$3 and \$37 million could be collected. One stumbling block could be another layer of government and taxing authority. The Lanning bill recognizes a commission. This is an opportunity to look at transitional challenges. Glen Mathiason is not in favor of taxing but believes that elected officials should be doing it rather than state. Watershed state statutes would require the MRB to have a different structure, with representation from watershed districts. The MRB should be in on the decision making process. The direction is to have Director Fisher remain in contact with Terry and alert the Board of any changes. Charlie Woehler would like to hear the thoughts of watersheds. Dave Cragmle emphasized that each of the tributaries has unique qualities and would caution that 'one size' doesn't fit all. Kevin Bigalke thought there is merit in having a stable funding source based on watershed boundaries. The commission would be an overarching force providing strong guidance. There is a very effective watershed district for every tributary in the Red River Basin, on up into Canada. Taxing is a major issue but has good/strong benefit to enhance and protect the river.

The Executive Committee asked the commissioners to take the resolution back to their counties, talk to them and then give feedback to Director Fisher. Director Fisher's fear is if the Board does not respond to this legislation, it could move forward without our involvement. Is there any way the Board could modify the bill into something that could be supported? If BWSR says you have a watershed district you have one; they are autonomous. The state could concur and the Board is out of the loop.

Big Stone II: The issue for the MRB to focus on is the potential impact on Big Stone Lake and the Minnesota River. The U.S. Army Corps of Engineers has been forced to modify the feasibility study for a federal Marsh Lake project because of potential water volume impacts caused by Big Stone II appropriations. The MRB has asked Governor Pawlenty to contact the governor of South Dakota to reconvene the boundary waters commission to discuss the issue. South Dakota has largely ignored the request. Because the commission has not convened on this issue there could be a serious precedence for other issues. Howard Janssen, Big Stone Commissioner, stated that at the last meeting there was a discussion about contaminants. Results of a study showed there were nominal contaminants until Montevideo where the numbers jumped up but then fell down in Granite Falls. Power lines are a much bigger issue to many. Albert Hoffman, Lac qui Parle

Commissioner, is in agreement with Commissioner Janssen. A study is being completed, with a conclusion expected in April. Patrick Moore, CURE, questioned if that study is going to deal with water quality issues. The consideration may be more on the decision if power lines are needed and where they will be placed. He does not see anyone championing water quality on this project. Dianne Radermacher, Upper Minnesota River Watershed District, expressed concern that changes were made without notification, operating from a plan dating back to the 1970s. The commission has to reconvene if water levels are to be managed to meet Big Stone II needs. The MRB is not opposed to the power plant but rather is concerned about the management of the lake. The MRB will ask Pawlenty again to reconvene this commission, as well as sending a letter to the South Dakota governor. Howard Janssen questioned the level of the lake in 1976 when the plan was developed. Dianne Radermacher stated that during this last summer 968 held, but the lake had lowered eight inches. William Stangler strongly moved that the MRB participate in discussion of the water level of Big Stone Lake and request that Governor Pawlenty ask to reconvene the commission again. Director Fisher will send a letter to both governors. Tom Egan seconded the motion. All in favor; motion carried.

12. **ADJOURN:** John Giese made a motion to adjourn. Glen Mathiason seconded the motion. All in favor; motion carried. The meeting adjourned at 12:47 p.m.

The next Full Board meeting will be held March 17 at the Sibley County Courthouse in Gaylord.

For the most current information, please view our web site at  
<http://www.minnesotariver.org>  
and  
<http://mrfdc.mankato.mnsu.edu>.

Respectfully Submitted:  
*Diane K. Wiley*  
Assistant Director

MINNESOTA RIVER BOARD

Dues Received for FY2009  
July 1, 2008-June 30, 2009

COUNTY	2006 Dues	2007 Requested Dues	2008 Requested Dues	DATE	\$ RECEIVED	CHECK #	NOTES
	\$ 31,154	\$ 43,164	\$ 43,922		\$ 32,422.00		
Big Stone	\$ 500	\$ 693	\$ 625	02/22/08	\$ 625.00	3766	
Blue Earth	\$ 2,000	\$ 2,771	\$ 2,500	02/20/08	\$ 2,500.00	8047	
Brown	\$ 2,000	\$ 2,771	\$ 2,500	02/19/08	\$ 2,500.00	69111	
Carver	\$ 2,000	\$ 2,771	\$ 2,500	02/22/08	\$ 2,500.00	277633	
Chippewa	\$ 1,050	\$ 1,455	\$ 1,313	02/20/08	\$ 1,313.00	157268	
Cottonwood	\$ 714	\$ 989	\$ 893	02/12/08	\$ 893.00	13832	
Dakota	\$ 2,000	\$ 2,771	\$ 2,500	02/15/08	\$ 2,500.00	1017623	
Faribault	\$ 1,330	\$ 1,843	\$ 1,663	02/22/08	\$ 1,663.00	162728	
Freeborn	\$ 500	\$ 693	\$ 625				
Hennepin	\$ 2,000	\$ 2,771	\$ 2,500	02/12/08	\$ 2,500.00	62986180	
Kandiyohi	\$ 1,500	\$ 2,078	\$ 1,875	02/22/08	\$ 1,875.00	245441	
Lac Qui Parle	\$ 870	\$ 1,205	\$ 1,088	02/20/08	\$ 1,088.00	3820	
Le Sueur	\$ 1,370	\$ 1,898	\$ 1,713				
Lyon			\$ 2,500	01/10/08	\$ 2,500.00	110571	Rejoining per resolution and payment of dues
Martin	\$ 1,390	\$ 1,926	\$ 1,738				
McLeod	\$ 500	\$ 693	\$ 625				
Murray	\$ 500	\$ 693	\$ 625	01/11/08	\$ 625.00	113876	
Nicollet	\$ 2,000	\$ 2,771	\$ 2,500	02/14/08	\$ 2,500.00	132176	
Pope	\$ 950	\$ 1,316	\$ 1,188	02/22/08	\$ 1,188.00	32676	
Ramsey	\$ 500	\$ 693	\$ 625				
Redwood	\$ 1,390	\$ 1,926	\$ 1,738	02/19/08	\$ 1,738.00	6244	
Renville			\$ 1,313	02/29/08	\$ 1,313.00	104791	Rejoining per resolution and payment of dues
Scott	\$ 2,000	\$ 2,771	\$ 2,500				
Sibley	\$ 1,150	\$ 1,593	\$ 1,438	02/15/08	\$ 1,438.00	356648	
Stevens	\$ 800	\$ 1,108	\$ 1,000				
Waseca	\$ 1,200	\$ 1,663	\$ 1,500				
Watonwan	\$ 940	\$ 1,302	\$ 1,175				
Yellow Medicine			\$ 1,163	02/11/08	\$ 1,163.00	92128	Rejoining per resolution and payment of dues

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MINNESOTA RIVER BOARD  
Financial Reporting - fy2008

beginning balance  
February 5, 2007

Transferred account from Wells Fargo to  
TCF \$ 38,249.16

**Income**

2007 Annual Meeting	\$	720.00
BWSR	\$	100,000.00
Donation to Alliance	\$	825.00
Dues - 2007	\$	6,896.00
Dues - fy2009	\$	32,422.00
Ag Flex Contract	\$	6,185.75
MCIT Refund	\$	1,502.00
<b>INCOME</b>	<b>\$</b>	<b>148,550.75</b>

**TOTAL INCOME \$ 186,799.91**

<b>Upcoming Anticipated Income</b>	<b>\$</b>	<b>10,251.00</b>
Dues	\$	10,251.00

**Expenditures**

Cell Phone	\$	462.19
Fees		
Check printing	\$	16.50
Insurance - MCIT	\$	2,437.00
Meals	\$	45.62
Meeting Expenses	\$	259.42
Mileage - Executive Committee	\$	343.61
MSU Contract	\$	30,700.00
Office	\$	210.71
Per Diem - Executive Committee	\$	250.00
Programming / Workshops / Training/ Proposals	\$	493.65
<b>TOTAL EXPENDITURES</b>	<b>\$</b>	<b>35,218.70</b>

<b>Upcoming Anticipated Expenditures</b>	<b>\$</b>	<b>18,700.00</b>
MSU Contract Payment	\$	18,200.00
Conservation Ditch Forum Sponsorship	\$	500.00

<b>Actual</b>	<b>Projected</b>
<b>(03/17/08)</b>	<b>(05/19/08)</b>

**Remaining Balance \$ 151,581.21 \$ 143,132.21**



## 2. Project Summary Sheet

**Project Title:** *Starting it local: Transferable Market Infrastructure for Trading Water Quality Credits & Ecosystem Services in the Upper Mississippi River Basin*

**Project Director:** Shannon J. Fisher, Ph.D.; Executive Director, Minnesota River Board, 184 Trafton Science Center S; Mankato MN 56001

**Project Collaborators:** **Kieser & Associates, LLC** (Mark S. Kieser, James A. Klang, P.E., David J. Batchelor); **American Farmland Trust-Agricultural Conservation Innovation Center** (Brian Brandt, Director of Risk Management Programs); **Agflex, Inc.** (Dr. Thomas Green). **CIG-Funded Watershed Partners:** Sauk River Watershed District; Rural Advantage; Stearns County SWCD; Greater Blue Earth River Basin Alliance. **Confirmed Project Advisory Panel** (representing Minnesota and UMRB interests): Bureau of Water, IL EPA; Bureau of Env. Programs, IL Dept. of Ag; US EPA Region V; State Programs Coordinator, EPA – Gulf of Mexico Program; NRCS, MN State Office, Fort Worth, TX; MPCA Upper Mississippi Basin Coordinator; MN Dept. of Ag; MN Farmers Union, CCX aggregator. Invitations to other UMRB state contacts have been issued and confirmations are pending.

**Project Purpose:** The primary objective of the proposed project is to create self-sustainable local infrastructure and support systems that facilitate agricultural participation in Water Quality Credit Trading and other ecosystem service markets in three diverse watershed settings in Minnesota. Each watershed area contains its own socio-political and unique physical characteristics. Thus, the project seeks to define, test and establish transferable approaches using trusted and established local watershed institutions to promote ecosystem service markets. These voluntary markets for agriculture will be driven by local, regional and national water quality impairments, carbon sequestration, biomass energy production on working lands and source water protection. Using the extensive expertise of the assembled project team, this overall effort will create example market structures and protocols based on implementation of on-the-ground conservation projects sponsored by credit buyers. Such locally tested and implemented infrastructure, with accompanying technical support systems, will be captured in transferable templates for other UMRB applications. These broader applications will be crafted and promoted through a multi-state “Project Advisory Panel” that includes representatives from Minnesota and several confirmed and/or invited participants from IA, WI, KY, OH, IN, IL, AR, and WV.

**Project Deliverables:** Working in three independently managed watershed areas and their EQIP-eligible producers only, the project will: 1) enlist at least 60 farmers cooperating with project partners to implement credit generating BMPs including but not limited to reduced fertilizers/nutrients or reduced tillage that are linked to AFT’s BMP Challenge; 2) assist 15 new producers to participate in the Chicago Climate Exchange or a local Minnesota GHG program; and, 3) secure 15 producer contracts for biomass production on up to 10,000 acres. The project will provide: organizational market structures, roles and responsibilities; credit estimation processes approvable by the State and consistent with other operating market programs; aggregation of multiple credit generation sites into grouped blocks for sale to credit buyers and approval by regulators; educational and explanatory materials for credit generators, credit certifiers, credit buyers, regulators and citizens; templates for legally binding agreements, permit tracking and watershed-based program reporting; tested marketing tools for the services provided to potential buyers and sellers; frameworks to address complaints, comments, citizen concerns and non-compliance; tested and implemented tracking registries and methods for public, buyer,

seller and regulatory access via the Internet; adaptive management methods for marketing programs and watershed plans as appropriate; electronically-available Program manuals for broad dissemination; and, management, oversight, Project Advisory Panel meetings and reporting.

**Project Scope/Location:** The project will establish and operate market-based incentive programs for various ecosystem services in three watershed areas of the Upper Mississippi River Basin in Minnesota. These will be developed through established and trusted, agriculturally oriented organizations operating at the local level. The Lower and Middle Minnesota River includes all or portions of the Minnesota counties of Blue Earth, Brown, Carver, Cottonwood, Dakota, Hennepin, Le Sueur, McLeod, Nicollet, Ramsey, Redwood, Renville, Rice, Scott, Sibley, Watonwan and more than 70 municipalities, including urban and suburban areas such as Shakopee, Bloomington and Minneapolis. It also contains large rural areas with numerous small communities. The Greater Blue Earth River Basin includes all or portions of Blue Earth, Brown, Cottonwood, Faribault, Freeborn, Jackson, Le Sueur, Martin, Steele, Waseca, and Watonwan Counties, and in Iowa, all or portions of Emmet, Kossuth, and Winnebago counties including 53 municipalities, with the city of Mankato, MN as the largest. The Sauk River watershed encompasses all or portions of the Minnesota Counties of Douglas, Pope, Todd, Meeker and Stearns including 27 cities, the largest of which is St. Cloud, and 8 other cities >1,000 residents.

**Project Start and End Dates:** September 1, 2008 – August 31, 2011

**National Category:** Natural Resource Category or Technology Category (circle one)

**Application Review Category:** Water Quality-Livestock; Water Quality-Non Livestock; Water Quantity; Soils; Atmospheric; Grazing Land and Forest Health; Energy; or Wildlife Habitat (circle one)

**Declaration of EQIP Eligibility:** All agricultural producers receiving direct or indirect payments through participation in this project will meet EQIP eligibility requirements.

**Total Cost of Project:** \$1,999,987.20

**Federal Funds Requested:** \$999,993.60

**Brief Project Summary:** Market-based programs for ecosystem services can bring economically efficient implementation alternatives to land managers and producers, encouraging them to generate credits that are saleable in local, regional or national markets. In Minnesota, market-based environmental programs are established or developing for water quality credit trading (WQCT), greenhouse gas emissions, source water protection and renewable fuels. This project will develop and institutionalize market infrastructure, locally-led service providers and the tools necessary to provide simple and easy access to these markets that make them sustainable. With significant market and regulatory drivers in-place, these markets will provide economic and regulatory certainty rooted in sound science with local champions that support the process. Standard policies, operational methods, crediting protocols and monitoring requirements will be established and maintained to sustain the market. This is the first regional test of a combined WQCT/ecosystem services market in the Midwest. Once successfully established, this framework will be captured as a transferable template to foster market activity in other areas of Minnesota and the UMRB.

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**For more information,  
please visit us at:**

**[www.shallowlakes.info](http://www.shallowlakes.info)**

#### 2008 Forum Sponsors

Water Resources Center, MSU, Mankato  
Ducks Unlimited, Inc.  
MN Department of Natural Resources  
MN Pollution Control Agency  
American Fisheries Society, MN Chapter  
The Wildlife Society, MN Chapter  
Minnesota Waters  
MN Board of Water and Soil Resources  
Minnesota River Board

#### QUESTIONS?

Please feel free to contact us if you have ANY questions.

Shannon Fisher (Forum Questions)  
(507) 389-5492

[Shannon.fisher@mnsu.edu](mailto:Shannon.fisher@mnsu.edu)

Diane Wiley (Registration Assistance)  
(507) 389-5492

[Diane.wiley@mnsu.edu](mailto:Diane.wiley@mnsu.edu)

## **Shallow Lakes Forum V**

### **Managing Shallow Lake Habitats and Biota**

**March 27-28, 2008**

**Bigwood Event Center  
Fergus Falls, Minnesota**

## **YOU ARE INVITED!**

Shallow lakes in Minnesota continue to represent one of our most precious and often controversial resources. Development pressures, in addition to an entire spectrum of management philosophies, make the management of shallow lake habitats and biota challenging. The 2008 forum will focus on two primary areas (agenda attached):

- 1) Shallow Lake Management and Policy
- 2) Shallow Lake Ecological Communities

**Who should attend? Anyone with a passion and/or responsibility for shallow lake resources!**

#### Registration Information

A Registration Form is attached at the end of this announcement, or you can download one at [www.shallowlakes.info](http://www.shallowlakes.info).

Pre-Registration received by 3/20/08 = \$50\*

Registration paid after 3/20/08 = \$75\*

\*Registration includes an optional networking buffet on March 27 - see registration form.

Lodging is available at the Best Western Falls Inn and Suites adjacent to the Event Center. Rates from \$72 to \$89/night are available until March 14, 2008. To make a lodging reservation, please call (218) 739-2211 and be sure to mention that you are making a reservation in conjunction with the Shallow Lakes Forum.

**REGISTER TODAY! SEE YOU AT THE FORUM!**

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**Shallow Lakes Forum V**  
**Managing Shallow Lake Habitats and Biota**  
Agenda – Fergus Falls

**March 27, 2008 – Shallow Lakes Management and Policy**

- NOON Registration Open (Lunch is on your own)
- 1:00 pm Welcome and Introductory Remarks  
**Jon Schneider**, MN Conservation Programs Manager  
Ducks Unlimited, Inc. (session moderator)
- 1:10 pm Ecological Foundations for Shallow Lakes Management  
**Shannon J. Fisher**, Assistant Professor and Executive Director  
MSU, Mankato Water Resources Center and Minnesota River Board
- 1:40 pm Minnesota Shorelands: Our Waters, Our Choices  
**Paul Radomski**, Project Consultant, Division of Ecological Services  
**Rob Collett**, Shoreland Hydrologist, Division of Waters  
**Dave Leuthe**, Regional Hydrologist, Division of Waters  
Minnesota Department of Natural Resources
- 2:20 pm TMDLs in Shallow Lakes: Updated Standards and Pros/Cons of Being Listed  
**Steve Heiskary**, Research Scientist  
MN Pollution Control Agency
- 2:40 pm Break (afternoon session moderated by Nicole Hansel-Welch, DNR)
- 3:00 pm Corn Demands: Landscape Changes and Shallow Lakes  
**Mark Lindquist**, Renewable Fuels Program  
MN Department of Natural Resources
- 3:25 pm Protecting Shallow Lake Shorelines through Conservation Easements  
**Robert Usgaard**, Regional Biologist – Land Protection  
Ducks Unlimited, Inc.
- 3:50 pm Citizen Roles for Protecting and Improving Shallow Lakes  
**Molly Zins**, Watershed Stewardship Director  
Minnesota Waters
- 4:15 pm Shallow Lake Management in Rush Lake – A Wisconsin Case Study  
**Ricky Lien**, Wildlife Biologist  
WI Department of Natural Resources
- 5:15 pm Networking Social – Sponsored by the **Dead Lake Association**  
Cash Bar and Appetizers  
Dinner Buffet (pre-registration required)

## March 28, 2008 – Shallow Lake Communities

- 7:30 am Doors Open – Registration/Info Table Open
- 8:00 am Welcome Back and Overview of Morning Session  
**Mark Jacobs**, Watershed Unit Supervisor  
MN Pollution Control Agency (Session Moderator)
- 8:10 am Natural Wild Rice – Status and Threats in Minnesota  
**Ray Norrgard**, Program Consultant  
MN DNR – Wetland Wildlife Program, Division of Wildlife and Fisheries
- 8:30 am Beyond “Glamour” Species – The Nongame Community in Shallow Lakes  
**Pam Perry**, Nongame Wildlife Lake Specialist  
MN DNR, Division of Ecological Services
- 8:50 am Influences of Fish in Shallow Lake Ecology  
**Kyle Zimmer**, Assistant Professor  
Dept. of Biology, University of St. Thomas
- 9:15 am Studying Carp Populations to Develop a Sustainable Control Strategy  
**Przemek Bajer**, Research Associate  
Dept. of Fisheries, Wildlife, & Conservation Biology, University of MN
- 9:40 am Boom and Bust Fisheries in Shallow Systems – A Natural Phenomenon  
**Brian Blackwell**, Fisheries Biologist  
SD Department of Game, Fish, and Parks
- 10:10 am Break
- 10:30 am Perspectives on Managing Fisheries Resources in Shallow Lakes  
Moderated by Shannon Fisher, Water Resources Center
- PANEL DISCUSSION: The potential benefits and detriments of fishes in shallow lake systems can at times be controversial and difficult to understand. Management of shallow systems can be dramatically different when fish are present compared to situations where they are absent. What impacts and benefits do fish have on shallow lakes? How does their presence change our approaches to management? How do we balance divergent perspectives on fish in shallow systems? A panel of experts representing federal, state, and private interests will share perspectives on these questions and opportunities to ask questions and engage in debate will be facilitated.
- 11:30 am Minnesota’s Shallow Lakes Program: Planning and Progress  
**Nicole Hansel-Welch**, Shallow Lake Program Coordinator  
MN DNR – Shallow Lakes Program, Division of Wildlife and Fisheries
- Noon Future of Shallow Lakes Management in Minnesota  
**Mark Holsten or Brad Moore**, Commissioners (invited)  
MN Department of Natural Resources and MN Pollution Control Agency
- 12:15 Closing Comments and a Look Ahead  
**Shannon J. Fisher**, Assistant Professor and Executive Director  
MSU, Mankato Water Resources Center and Minnesota River Board

**SHALLOW LAKES FORUM V**  
**Managing Shallow Lake Habitats and Biota**

March 27-28, 2008

Bigwood Event Center  
925 Western Ave  
Fergus Falls, MN 56537

Please Mail this Form and your Registration Fee to:

The Shallow Lakes Forum  
c/o Water Resources Center  
184 Trafton Science Center South  
Mankato, MN 56001

Name \_\_\_\_\_

Title \_\_\_\_\_

Organization/Affiliation \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Day Phone \_\_\_\_\_

Email Address \_\_\_\_\_

Please bring the appropriate totals over to the right column and submit payment

Conference Pre-Registration (by 3/20/08) \$40.00 x No. of people \_\_\_\_\_ \$ \_\_\_\_\_

Conference Late Registration (after 3/20/08) \$65.00 x No. of people \_\_\_\_\_ \$ \_\_\_\_\_

Dinner Buffet on the evening of 3/27 \$10.00 x No. of people \_\_\_\_\_ \$ \_\_\_\_\_

*(Guests and Family Members are welcome for the dinner buffet)*

Total Registration Fee \$ \_\_\_\_\_

(Forum Registration Confirmations will be sent via email only)  
(No Refunds Please)

**THANK YOU AND WE'LL SEE YOU AT THE FORUM!**

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## Minnesota River Implications Wheel Project Introduction March 6, 2008

### Project Objective

A workshop on April 4<sup>th</sup>, 2008 has been designed to utilize the Implications Wheel™ concept to facilitate community conversation about stormwater management on a watershed scale – to include urban and rural drainage needs. The purpose is to help all involved parties develop an improved understanding of the effects of urban stormwater runoff and regional agricultural drainage on the management of basin water quality and quantity.

The Implications Wheel is a systematic way of thinking about and evaluating potential positive and negative long-term consequences of change related to an issue. The center statement for this event is:

*What would be the implications of key stakeholders together looking at creative ways to use current resources and provisions (code, etc.) to manage drainage concerns?*

### Defining the issue:

Recent records show an increase in number and intensity of rain events. This trend is expected to persist. Where man has disturbed natural infiltration systems, such as in agricultural operations and urban centers, rapid runoff is increasingly taxing traditional stormwater conveyance systems in most of southern Minnesota.

An aging drainage system, which relies on ditches managed by the counties, currently acts as the primary stormwater management strategy of both the farming community and towns and cities. Ditch capacity and service were originally designed primarily to manage agricultural runoff from farms from a different era. Urban residents are experiencing water back-ups because the ditch capacity cannot efficiently carry the water away in a timely manner. Both agricultural and urban interests are being held accountable by federal, state and local governments for degraded water quality as this runoff carries unacceptable amounts of nutrients and some sediment to our rivers and streams. The power of increased volumes of runoff erode ditch and stream banks, adding significant amounts sediment to our downstream lakes, rivers and streams.

Both urban flooding and excess sediment and nutrients affect the economic and recreational potential both locally and regionally. Lake Pepin is filling in at 10 times the natural rate. Scientific studies project the lake to fill in 300 years instead of 3,000 years. The zone of hypoxia at the mouth of the Mississippi River is affecting the health of fisheries. Effects as far upstream as Minnesota are contributing to this problem. Significant costs are associated with correcting water quality impairments; preserving swimability, fishing and other recreational and wildlife habitat; and dredging operations necessary to maintain commerce.

## Details of the Center Statement:

### Assumptions related to stormwater management:

- a) The primary traditional principle used in runoff management has been to drain water off the land quickly by routing stormwater into tile or drainage ditches. The rate at which water reaches streams has increased. This has economic and societal benefits to those using the land.
- b) Water piped off the land faster has negative consequences. Examples include increasing pollutant transport, flooding, and additional erosion of stream banks.
- c) Because today's stormwater issues may never have been anticipated in current ordinance and law, jurisdictional boundaries are not necessarily clear. Local residents and governments are struggling over questions about who is accountable for correcting stormwater related problem(s) and paying for remedies.
- d) Drainage serves as a conduit for pollution to enter our lakes and rivers, but with improved management, impacts from drainage can be prevented and reduced.
- e) Some stormwater management strategies and practices treat runoff while others prevent or protect against adverse impacts. Practices that tend to be naturally self-sustaining can reduce long term costs and provide other benefits.
- f) An improved understanding of the implications of the combined impact of agricultural and urban runoff is needed.
- g) By bringing diverse drainage stakeholders together to discuss the state of the Minnesota River, complex rules/laws that govern drainage practices and how these rules/laws may facilitate conflict we can better understand and appreciate why drainage is managed in its current form.
- h) Establishing trust between communities and ditch system managers (e.g., counties and watershed districts) will facilitate alternative ditch management exploration and conflict resolution (e.g., what is the cost-benefit of making a ditch wider and deeper compared to targeted water retention in certain areas?)
- i) For many of our stakeholders, understanding the "big" picture of water quality management (i.e., the role of TMDLS, conservation efforts, runoff reductions, and water volume) is challenging; however, without this understanding, the formulation and evaluation of alternative choices cannot be completed.
- j) As communities, counties, and watersheds in southern Minnesota are faced with increasingly more restrictive water quality standards, impaired waters limitations, and changing funding scenarios, this workshop will help us all understand each other better and address drainage conflicts now, rather than delaying until more costly fixes are needed in the future.

### Anticipated Outcomes of the Implications Wheel Process:

1. An improved understanding of the implications of the combined impact of agricultural and urban runoff on water quality and quantity and the ability to manage stormwater will be gained by the participants, to include, but not be limited to, elected officials, local and regional government personnel, crop producers and consultants, business people, residents and land owners.
2. An enhanced ability to focus limited local and regional resources (i.e., political, financial and volunteer capital) on the most pressing or promising implications of stormwater runoff management and water quality restoration.
3. The establishment of trust, built within the community, to facilitate actions based on common ground with newfound broad perspectives among individual community members.
4. The elevation of community conversation about drainage management and water quality protections is energized.

## Definitions:

- A. Water management and control practices:
  - 1. Tile risers: Hold the water on the land for longer period of time. (Quantity)
  - 2. Rock filters: Associated with tile risers. Help filter out sediment. (Quality)
  - 3. Tile spacing: to optimize drainage.
  - 4. Tile restrictions. Gates lowered into tile systems. (capture water for purposes of slow release.
- B. Protection practices:
  - 1. Crop residue: moderates raindrop impact and protects against entrainment of sediment particles.
  - 2. Conservation tillage (vs. Conventional Tillage). Some avoid this practice because prefer to turn the black soil to the surface for increased spring ground temperatures.
  - 3. Buffer strips: Not so good at trapping sediment, but can slow down runoff that does pass through buffer. Does not protect back from gully erosion, which is likely a more significant sources of sediment.
- C. Sustainable prevention practices:
  - 1. Restore natural drainage systems: for example. Seven-mile creek. (Quality/Quantity)  
[INSERT Concept/Impact]
  - 2. Broken tile: Reassert low ground as infiltration areas. (Quality/Quantity)

## 1<sup>st</sup> Order Implications:

1. Stakeholders begin to think of alternative solutions
2. Stakeholders partner in creative ways
3. Engineering principles are re-evaluated
4. Stakeholders have a better understanding of how county drainage and city/rural stormwater outlets relate in terms of water quality impacts
5. new partners and individuals are brought to the table with new ideas
6. Public Drainage Authorities have an alternative perspective on drainage provisions
7. A series is run to help groups understand regulatory constraints
8. User-based fees are imposed
9. Current drainage projects are delayed
10. Stakeholders resist working together on this process
11. The project gets hijacked by stakeholders who won't participate in the I-Wheel event
12. the cities do not participate
13. the watershed district/counties/soil and water conservation districts do not participate
14. Farmers do not participate
15. Engineering solutions are explored, excluding prevention and protection strategies
16. Relative impacts of small city and agricultural drainage practices are more clearly understood
17. Small cities conclude their impacts are negligible as compared to agriculture
18. Small cities realize that they benefit greatly from the agricultural drainage infrastructure
19. More equitable methods of funding drainage system water quality improvements are developed.
20. Stronger partnerships between cities and counties are developed.
21. People understand how to leverage regulatory constraints in creative ways
22. Stakeholders resist participating in I-Wheel process because everyone wasn't invited
23. Regulatory (code, etc.) solutions are pursued excluding voluntary strategies

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## Connecting Ag Professionals into the Resource Management Role

Farmers are the primary resource managers in Minnesota and agricultural entities employ the most individuals that provide on-the-ground analysis and actively assist farmers in resource management. Governmental staff play an important role in assisting farmers in managing the resources and provide significant technical and financial assistance to these farmers as well.

Ag Resource Strategies' EZ Resource Assessment project intent is to provide a process to allow the agricultural professionals to assess the natural resources using their perspective and means, and to create new a communication line from the farm to the governmental agencies that can deliver assistance to these [farmers] resource managers.

Assessing the farm's production and natural resources is one of the most vital, costly and time-consuming steps in developing a resource management [conservation] plan. Because of this, governmental staff have not been able to conduct resource assessments, unless the activity is directly tied to a conservation program. Broadening the resource management skills and capacities of the ag professionals captures their on-the-ground presence to be used toward both production and natural resource management.

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# Minnesota River Board Awards Program

*"An expression of gratitude to our outstanding partners"*

**Program Overview:** The Minnesota River Board's mission is "to provide leadership, build partnerships, and support efforts to improve and protect water quality in the Minnesota River basin." There are many entities among us working to achieve similar outcomes and we will not be successful without them. Success, however, is typically the result of outstanding leadership, and the Minnesota River Board wants to recognize those individuals that make significant contributions to promoting, preserving, and restoring the Minnesota River watershed and water quality.

Each year, the Minnesota River Board will grant two recognition awards.

These awards will be called the:

## **1) The Minnesota River Tributary Award**

- a. Emphasis on nominees that contribute to BMP implementation, watershed management innovations, and citizen outreach
- b. Like a tributary that contributes to the mainstem river, so shall these award recipients contribute local leadership and actions to help improve the larger basin's water quality.

## **2) The Minnesota River Confluence Award**

- a. Emphasis on nominees that provide exceptional leadership and a demonstrated capacity to develop partnerships
- b. As a confluence represents a point of juncture between two streams, so shall these award recipients demonstrate a capacity to bring people together to improve water quality.

**What are the Criteria?** The Minnesota River Board strives to recognize those that share our mission and vision. Therefore, awards will be based on:

- 1) Leadership - the nominee has proven to effectively lead and motivate basin stakeholders
- 2) Partnership Building - the nominee has effectively developed partnerships and fostered collaboration among basin stakeholders
- 3) Water Quality Contributions - the nominee has significantly contributed to the improvement of watershed and water quality

**Who May Be Nominated?** Any stakeholders contributing to Minnesota River improvements within the stated criteria within the last 12 months are eligible. We encourage nominations of candidates from both the public and private sectors, including government entities, nonprofit groups, watershed management units, and individual citizens. Seated county commissioners are not eligible. Employees and immediate family members of the Minnesota River Board and the Water Resources Center are also ineligible.

**Who Submits the Nominations?** Nominations may only be submitted by delegates and alternates from counties holding membership on the Minnesota River Board. Each delegate and alternate may submit one nomination per year.

**When Will Awards Be Presented?** Nominations will be opened annually approximately 2 months before the Minnesota River Board Annual Meeting. Award recipients will be invited to attend the Annual Meeting (at our expense) and the nominating delegate or alternate will present the award to the recipient. The delegate or alternate will be asked to summarize the recipient's achievements and the recipient will be asked to say a few words.

**What Will Each Award Consist of?** Each recipient will receive a plaque and a gift certificate valued at \$100. The type of gift certificates will be determined with some consideration of the recipients' needs and location. All nominees will receive a letter of gratitude from the Minnesota River Board expressing our thanks for their hard work, informing them of their nomination, and identifying the annual recipients.

**Other Awards:** The Minnesota River Board Awards Committee will continue to investigate potential involvement in the Southern/Southwestern Regional Science Fair. This would be a good way to provide the Board with some additional visibility among young people in the basin, their schools, and parents. There are many students who annually conduct water quality and watershed related projects.

# 2008 Minnesota River Board Awards Nomination Form

*The same Form is used for both annual awards.*

*Please Submit Applications by June 16, 2007 to:*

*Shannon Fisher, Executive Director*

*Minnesota River Board*

*184 Trafton Science Center South*

*Mankato, MN 56001*

Name of Nominating Delegate or Alternate: \_\_\_\_\_

County: \_\_\_\_\_

Email: \_\_\_\_\_ Preferred Telephone #: \_\_\_\_\_

Name of Nominated Individual/Organization: \_\_\_\_\_

Contact Name (if nominating and organization): \_\_\_\_\_

Email: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

**In less than 100 words in each category below, provide testimony about why the nominated entity noted above should receive this year's award. Fill in your responses here or attach to the back of this sheet. Give examples where possible.**

1. How has the nominated person/entity provided leadership to enhance improvements to the water quality of the Minnesota River? How has this leadership motivated others?

2. In what ways has the nominated built partnerships, encouraged collaboration, and/or assisted with the work of others?

3. What water quality protection efforts, watershed management innovations, BMP implementation activities, and/or conservation outreach programs has the nominated organized, promoted, and/or facilitated?

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**Summation – Prepared by Diane Wiley**  
**House File 2536DE4 – Testimony heard on 2/19/08**  
**Environment and Natural Resources Committee – Rep. Kent Eken, Chair**

Representative Lanning, the lead bill author, provided opening comments. He indicated that only approximately 30% of the state of Minnesota is organized into watershed units/projects. The request is to garner \$1 million in taxes to support a basin board and activities within each basin. That \$1 million is garnered from a tax of 2-3 cents per acre. There is frustration for citizens in trying to determine who they need to work with and having to contact many organizations before obtaining what they need. Through the 'basin board' it would be easier to get the attention of BWSR, DNR and/or MPCA.

Several people/organizations provided testimony:

Ron Harnack, Red River Watershed Management Board  
John Finney, Red River Watershed Management Board  
Warren Seykora, Wild Rice River Watershed District  
Ray Bohn, MN Association of Watershed Districts  
LeAnn Buck, MN Associations of SWCDs  
Len Kramer, Lower MN River Watershed District  
John Jaschke, Board of Water and Soil Resources  
Diane Wiley, MN River Board  
Keith Carlson, MICA

Most expressed neutrality on the bill at this time. Most agreed that more time and discussion was needed to determine bill specifics and obtain answers to the many questions constituents have raised. Several speakers mentioned that they have not had the opportunity to take the bill and their input, including the MRB, to their board for comment. Several of those that testified expressed the desire to participate in bill development. Three of them asked about doing a pilot project (which on a side note is what the Lower MN WD had proposed to do).

Among the testimony, several questions repeatedly were raised:

- 1) Is this another layer of government, with time being invested in planning and analysis?
- 2) Who will do the taxing and how does the money get to local government?
- 3) Will the 'basin board' put dollars for projects rather than management?
- 4) How does it affect current projects?

**Information garnered:**

The 'basin board' would determine the allocation (levy?) with 50% remaining with the 'basin board' and 50% going to joint powers organizations. If the county was not part of a local watershed joint powers organization, the money would be deposited and held in trust until a joint powers was formed to use it. Money could be held indefinitely in the county – the thought was that a joint powers board would be formed quickly if there was funding available. There was concern that funding might not be utilized when there already is a scarcity of funds and that it could be spent elsewhere. In order to apply for this money, a joint power must be formed and application made to BWSR. There was concern that this involves extra steps for already formed organizations but to be a part of the 'basin board' all have to go through the steps to be a joint power organization. The hierarchical structure would be State of Minnesota – BWSR – Basin Board – SWCD. However, an organization is not mandated to join the 'basin board,' unless they want to receive funding.

Representative Eken informed the committee that they were voting today. There was a request to send it to Representative Hanson's subcommittee. Chair Eken felt the concept was good and that it would provide a smoother dissemination of money. He voiced concern that if impaired waters were not restored there will be lawsuits in the future. He had concerns regarding the taxing being capped and also the creation of a new authority. Chair Eken made an oral amendment to remove the taxing authority in light of the Clean Water Legacy funding being available. Constituents complain about having additional taxes and feel the taxes are redundant. Raising taxes will hamper the bill and he expressed a desire to move the bill forward. All were in favor of the removal of taxing authority. Chair Eken asked for a motion to pass the bill with the oral amendment. There were two nays and the rest ayes. Motion was carried and the bill is now referred to the local government committee.

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19 February 2008

**Subject: Comments on House File 2536 (Lanning, Hansen, Ozment, Eken, McNamara)**

Dear House Committee on the Environment and Natural Resources and Bill Authors:

As the Executive Director of the Minnesota River Basin Joints Powers Board, hereafter referred to as the Minnesota River Board (MRB), I have been asked to provide the following comments regarding House File 2536 on behalf of my county delegates and several of our Minnesota River basin partners. We appreciate the opportunity to testify.

The MRB was established in 1995 for the purpose of coordinating efforts in the Minnesota River basin to improve water quality. As such, we have been on the front lines of watershed management and are very supportive of watershed-based initiatives. The MRB and many of our partners believe that HF2536 is a step in the right direction. Although there are different opinions about the scale on which watershed management should be done, most are in agreement that there is great value in watershed-based management. MRB delegates and basin partners concur that secure funding would be highly beneficial for the stabilization of staff, consistency of implementation, and capacity to serve as match for federal dollars. We would like to note, however, that HF2536 encompasses more than just funding. This bill would facilitate substantive opportunities for and impacts to existing watershed management, policy, and organizations already working to improve water quality.

The Minnesota River basin is a diverse watershed, and therefore is also a diverse community with often sharply contrasting internal priorities. Feedback about HF2536 from across the basin, however, has highlighted several unifying concerns that I would like to bring to your attention. These concerns and constructive comments are listed here for your consideration:

- 1) Accountability of those with the authority to levy the watershed tax,
- 2) Property tax hardships,
- 3) Multiple watershed-based taxes,
- 4) Addition of a new management/administrative layer,
- 5) Proposed basin board composition,
- 6) Funding and representation equity,
- 7) Taxing rates and funding caps,
- 8) Bill development, and
- 9) Impacts on other funding.

Additional details on these concerns follow, as well as thoughts on how the MRB delegates and many of our partners believe the bill could be improved.

#### MINNESOTA RIVER BOARD

184 Trafton Science Center S | Minnesota State University, Mankato | Mankato, MN 56001  
Phone (507) 389-5491 | Fax (507) 389-5493 | shannon.fisher@mnsu.edu | <http://minnesotariver.org>

**1) Accountability of those with the authority to levy the watershed tax.**

The greatest concern voiced by the MRB delegates was the accountability of those who would be levying the tax. There was a strong sense that the levy should be set and managed by elected officials. The collection of taxes is a big responsibility and is not something to be taken lightly. Although the delegates recognize the need for significant input from a board of technical staff, they believe that taxing decisions should come from officials who have been installed based on citizen votes, not administrative appointments. Basin board composition should include a wide range of representation, but the levy should be set by elected officials.

**2) Property tax hardships.**

The MRB delegates also expressed concern regarding the potential tax levy that could be imposed on our basin citizens and the cumulative impacts of increasing property tax burdens. Although the watershed tax by itself may not become a source of financial hardship, it adds to a myriad of taxes that are creating a property tax burden, particularly in our more economically challenged areas. We appreciate that a cap is in place, but we also believe that if we are going to make this effort fruitful, sufficient funds will be needed (see item 7 below). The MRB is supportive of raising funds, and a survey of basin citizens completed by the MRB and other partners in 2005 indicated that a majority of residents were in favor of contributing to clean water funding. At issue, however, is the tie to property taxes. The MRB would be more supportive if an alternative could be found, such as the sales tax amendment, an income tax, or a per household fee, as was proposed in some of the original "toilet tax" discussions.

**3) Multiple watershed-based taxes.**

Within the Minnesota River basin, there are several watershed management organizations and watershed districts with taxing authority. Although the MRB recognizes the importance of these local funds, we are concerned about the layering of watershed-based taxes – in effect, this bill would facilitate a new watershed tax that would be "in addition" to existing watershed taxes. The presence of a basin-wide watershed tax, could complicate the creation of new watershed districts in the large portions of the basin that currently do not have watershed-based taxes. We would prefer to see a structure that brings all of the taxing for watershed work into one program – providing membership for all entities and keeping a bulk of the funds local, where it can be used most effectively.

**4) Addition of a new management/administrative layer.**

Another strong concern voiced by both MRB delegates and partners, was the creation of another water quality administration layer. A new basin board would add a management layer that many in the Minnesota River basin view as unnecessary or redundant to the MRB. Reluctance to support the creation of a new board is 2-fold: 1) When considering watershed management scale, our successful programs are locally driven. Although there is value in a basin-wide entity, priority must remain local. 2) The MRB has been in place since 1995 and was granted the authority in Minnesota Statute 103F.378 to do the work detailed in HF2536 and more. Our disadvantage has been that we were not granted taxing authority and although we have been given authority to manage and distribute implementation funding, we have never truly been allowed to do so.

**5) Proposed Basin Board composition.**

Opinions on the composition of the basin board were quite diverse. Two themes emerged: 1) the need for balance between elected officials and appointed members and 2) the definitive need for representation from all levels, including county staff, elected officials, formal watershed districts/management organizations, and other non-government organizations. All of these entities contribute to water quality management and all should be represented. The existing proposal should be fleshed out further in regards to board composition, as the proposed structure would be difficult to support. Representation should be based on major watershed units, not on established watershed management unit organizations, as this poses a representation equity issue.

**6) Funding and representation equity.**

The equitable use and distribution of the funds is a great concern to everyone in the Minnesota River basin. Regardless of the funding collection mechanism, the largest proportion of the funds would be collected in the lower portion of the basin. The entities in the lower portion are going to desire that the funds remain in their work areas. The MRB has generally viewed a structure where 75% of funds would stay local and 25% would be used from broad regional projects (*i.e.*, the basin board). With a large proportion of the funds coming from a few areas, these areas are going to also desire greater representation on the basin board. Further study and consideration would need to be done on the representation question. If each watershed management organization and watershed district was given a seat at the table, rural areas without formal watershed organizations would be alienated. Granted, more watershed management organizations would likely form, but it would be a perceived representation equity issue. The scale of watershed organizations in the lower portions of the Minnesota River basin tends to be much smaller than those in the upper basin. We are concerned that this type of representation structure would lead to the proliferation of smaller and smaller watershed management units, and fails to catalyze true watershed management unity. In addition, the basin boards would need to be dynamic, allowing new watershed management organizations and watershed districts a seat at the table- potentially creating an unmanageable situation.

**7) Taxing rates and funding caps.**

MRB delegates are concerned about the rate of taxes to be applied. Would it be done fairly and consistently across the basin, and as described above, who would be in charge of setting that rate? Although the MRB prefers to keep taxing to a minimum, we are also concerned about the proposed funding cap. If we have interpreted the bill language correctly, the levy limit would be set at \$1 million for each basin board. While we appreciate the sensitivity to placing a cap on the tax collection, \$1 million is simply too little to catalyze the level of change that we believe this bill intends for the Minnesota River basin.. If this effort moves forward, it will be critical to demonstrate success, and therefore, funding would need to be sufficient to accomplish that.

**8) Bill development.**

The MRB, along with many of our partners, believe that the establishment of a stable funding source for a watershed-based management approach is a worthy cause. There are a multitude of aspects to such a bill that should be more fully evaluated and additional input should be gathered. It is the belief of the MRB, that a future bill could be more successful and supported if a greater number of stakeholders were to be involved in the development and promotion of the language.

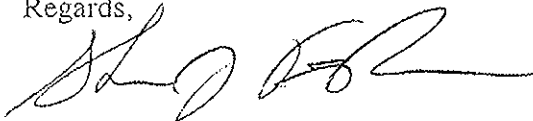
**9) Impacts on other funding.**

The last concern that I was asked to mention involved the relationship between the funding potential derived from a watershed tax and how that would impact other funding such as Clean Water Legacy, 319s, and Clean Water Partnerships. Many of the MRB delegates are concerned that the reality of watershed tax funding is that the state would view these funds as replacement, rather than supplemental to existing funding strings. If this was to occur, little progress above and beyond our current status would be achieved.

In summary, the MRB is supportive of a move toward watershed management. The MRB, however, is not taking a position on HF2536 at this time, as we need to continue to review and study the implications of such a bill on our watersheds, citizens, and our own organization. The above testimony lays out many of our concerns and should be viewed as constructive review of this bill. In the end, it should be all about getting work done on the ground. Although the intent of this bill is valid, we believe that significantly more modification and discussion needs to occur. I am concerned about coordination and reporting work load issues that this bill could have on the Board of Water and Soil Resources and local staff. In addition, I wanted to reiterate that the MRB was established to accomplish many of the goals set forth in HF2536, and if given a greater opportunity to manage implementation funding we could do so. The MRB has made significant strides in the past 3 years and are moving in the desired direction. Regardless of what the future holds, inclusiveness will be key – as the elected officials, watershed organizations, and private interests all need to work together – policy cannot survive and progress cannot be realized without an infusion of technical expertise, the motivation of our citizen-driven organizations, and the accountability of our elected officials.

Please feel free to contact me at any time if you would like to further discuss the comments provided here today. On behalf of the MRB and our partners, I thank you for the opportunity to share our thoughts and we look forward to working with you on watershed issues in the future.

Regards,



Dr. Shannon J. Fisher  
Executive Director



7 March 2008

Governor Mike Rounds  
Office of the Governor  
500 E. Capitol Ave.  
Pierre, SD 57501

Governor Tim Pawlenty  
Office of the Governor  
130 State Capitol  
75 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

Subject: Request to Reconvene the Boundary Waters Commission

Dear Governor Rounds and Governor Pawlenty:

The Minnesota River Board (MRB) is a joint powers board that represents the 37 Minnesota counties within the Minnesota River watershed. Our mission is to provide leadership, build partnerships, and support efforts to improve and protect water quality in the Minnesota River Basin. It is our belief that this mission can only be achieved by a cooperative effort between citizens and all levels of government and businesses. Therefore, we are writing to request your support to reconvene the Boundary Waters Commission (BWC) between the great states of South Dakota and Minnesota.

The MRB is concerned about several issues associated with Big Stone Lake and the appropriation of water for the Big Stone II Plant. I want to establish that we are not writing to express opposition to the Big Stone II project, but want to convey our concern about impacts to Big Stone Lake, the current and proposed water level management plans, and the subsequent need to reconvene the BWC. Our concerns and comments are listed in the sections below.

- 1) **Current Water Level Management.** During our discussions with Diane Radermacher, the Upper Minnesota River Watershed District Administrator, it has come to our attention that the BWC has not met since 1971 and that a draft operational plan for Big Stone Lake has been in place since that meeting. Big Stone Lake has been managed based on this unapproved draft plan at elevation 968. The BWC in 1971 developed the plan and directed the Big Stone Lake elevation to be held based on that plan for a trial period; however, the BWC never reconvened to finalize the plan. Minnesota state statute suggests that this lake is to be maintained at elevation 967. Under the current South Dakota appropriation permit and plan described to us for the Big Stone II Plant, they are relying on continued operation of the lake at an elevation of 968 or higher. Ms Radermacher is somewhat obligated to operate based on state statute if this is not resolved soon, which in effect cuts off nearly all of the surface water appropriation potential for the Big Stone II plant. Without an approved plan, the watershed district is also vulnerable to liability, a situation that the MRB must insist be rectified as soon as possible. Therefore, it is in the best interest of both states, the Upper Minnesota River Watershed District, and the Big Stone II plant for the BWC to reconvene and approve an operational plan for the Big Stone Lake elevation. The plan, however, will require further discussion.

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184 Trafton Science Center S | Minnesota State University, Mankato | Mankato, MN 56001  
Phone (507) 389-5491 | Fax (507) 389-5493 | shannon.fisher@mnsu.edu | <http://minnesotariver.org>

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- 2) **Appropriation Impacts on Big Stone Lake and the Minnesota River.** Although the MRB maintains that we are not opposed to the Big Stone II Plant, we are concerned about the approval of an appropriation for an estimated 20% of Big Stone Lake to be diverted to Big Stone II Plant. An earlier version of the Big Stone II plant operational plan included construction of a large holding pond. This pond could have readily been filled during the spring periods when water from Big Stone Lake is in abundant supply. Appropriations during the spring are of little consequence; however, under the most recent plan, the pond system has been eliminated and calls for water withdrawals are now year round. As a result of the pond system elimination, the nearly continuous draw of water appears to have a strong potential to drop lake levels to 967 or lower during much of the year. It is our understanding that water flows over the Big Stone Lake dam into the Minnesota River at a rate of 70 to 100 cubic feet per second (cfs); however, flow ceases at elevation 967. The Big Stone II plan calls for water withdrawal at a rate of 110 cfs when lake elevation is above 967. In effect, the plant will reduce the period of flow over the dam substantially and divert nearly all of the flow over the dam to the plant during portions of the year. The downstream areas rely on flow from Big Stone Lake during portions of the year.

The US Corp of Engineers is working on a feasibility study for a project associated with Marsh Lake, a downstream water body. As a result of the proposed Big Stone II Plant water appropriation, the Corp had to go back to their feasibility plan and generate a whole new section for a "future condition" with up to 50% less water annually coming from upstream. My fear is that the local community doesn't understand what impact a consistent 1 to 2 ft drop in water elevation will have on Big Stone Lake. I am also concerned that the loss of flow to downstream areas has not been sufficiently evaluated.

On behalf of the MRB, I urge you to work with each other to reconvene the BWC to address the issues listed above and issues brought forward by other interested parties. The BWC has work to do, including the Browns Valley flooding mitigation and prevention plan, and Big Stone Lake water level management. Stakeholders on the Minnesota side would like to be involved at a higher level on decisions to appropriate resources from boundary waters, and in effect, this is an opportunity for both states to work together and find resolution. If the BWC is not reconvened, it appears that the appropriation for Big Stone II Plant would be in jeopardy based on Minnesota statute, and therefore, all sides have much to gain.

Please feel free to contact me with any questions and thank you for your time.

Regards,



Shannon J. Fisher  
Executive Director

cc: MRB Delegates and Cooperators  
Diane Radermacher, Upper MN River Watershed District  
Dave Leuthe, DNR Waters  
Steve Colvin, DNR Ecological Services