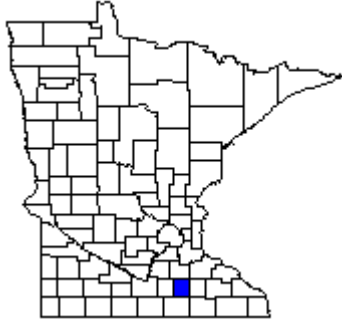


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**MINNESOTA  
 SOIL and WATER CONSERVATION DISTRICTS**

The regular monthly meeting of the Steele County Soil and Water Conservation District Board of Supervisors was called to order by Chairman Dan Hansen at 7:15 p.m. on Wednesday, May 9, 2012, following a brief meeting of the local RC & D people, at the Conservation Office located at 235 Cedardale Drive SE, Owatonna, MN.

<u>SWCD Supervisors</u> <u>Present:</u>	<u>SWCD Staff</u> <u>Present:</u>	<u>Others Present:</u>	<u>Absent:</u>
Dan Hansen, Chrmn.	Dan Arndt	Commissioner Bruce Kubicek	
Mark Ihlenfeld, Treasurer	Eric Gulbransen		
Kyle Wolfe, Vice-Chrmn.	Sue Condon		
Dave Melby, Secretary			
James Klecker, Reporter			

The May agenda was reviewed and approved.

The April minutes were handed to the Supervisors to be reviewed. Motion was made by Wolfe, seconded by Melby to approve the minutes as written. Motion was carried by voice vote.

The April Treasurer’s Report (see attached) was read by Ihlenfeld. Motion was made by Ihlenfeld, seconded by Klecker to approve the April Treasurer’s Report. Motion was carried by voice vote.

Bills: (see attached.) Motion was made by Wolfe, seconded by Melby to approve paying the bills as listed. Motion was carried by voice vote.

**OLD BUSINESS:**

1. NRHEG (New Richland, Hartland, Ellendale and Geneva) Tree Planting Day, April 25<sup>th</sup> with 5<sup>th</sup> & 6<sup>th</sup> grade students: A tree planting was held on the B. Reese farm with approximately 170 students. Reese was approved for an EQUIP Windbreak after last year’s tornado destroyed his established windbreak. Arndt, Gulbransen, Frank, Piepho (from Waseca NRCS) and Supervisor Melby assisted the students with planting trees.
2. SE MN Envirothon: Condon reported on being a judge for the Envirothon at the Alexander Park located by the Rice County fairgrounds in Faribault today. There were 14 teams competing and 2 alternate teams. Medford High School participated with two teams under the leadership of teacher Tim Larson. Goodhue #1 team won 1<sup>st</sup> place (96 out of 130 points); Rushford Peterson #1 team won 2<sup>nd</sup> place (93 out of 130 points); and Northfield #1 won 3<sup>rd</sup> place (91 out of 130 points). These 3 teams will go on to the State Envirothon Competition at McColl Pond Environmental Learning Center located at the Community Park, Savage, MN on May 21, 2012.

3. Legislative Updates: Arndt presented the updates:

Omnibus Environment and Natural Resources Policy Bill

*signed into law May 3*

- permissive changes to Minnesota Statutes 103B to allow local water management planning to be conducted on a watershed basis – this was the language recommended by the Local Government Water Roundtable (MASWCD, Association of Minnesota Counties, and MN Assoc. of Watershed Districts).
- Changes to Wetland Conservation Act
  - ⇒ deed restriction – removes a deed restriction requirement (applicable when wetlands are restored on cultivated lands) and instead requires that the lands not be converted to a nonagricultural use for at least ten years. Allows local units of government to require the deed restriction.
  - ⇒ ag exemption – the ag exemption language is changed so it now reads that a replacement plan for wetlands is not required for:
    - (7) agricultural activities on agricultural land that is subject to the swampbuster provisions of the federal farm program restrictions that meet minimum state standards under this chapter and sections 103A.202 and 103B.3355 and that have been approved by the Board of Water and Soil Resources, the commissioners of natural resources and agriculture, and the Pollution Control Agency consistent with a memorandum of understanding and related agreements between the board and the United States Department of Agriculture, Natural Resources Conservation Service.
  - ⇒ de minimis – the changes to de minimis are in Section 43 of the bill.
  - ⇒ new wetland bank system – authorizes BWSR to establish a new cash-in-lieu bank program for ag lands, greater than 80% areas, and public road projects:
    - Subd. 3. **Replacement completion.** Replacement of wetland values must be completed prior to or concurrent with the actual draining or filling of a wetland, ~~or unless~~ an irrevocable bank letter of credit or other security acceptable to the local government unit ~~must be or the board is~~ given to the local government unit ~~or the board~~ to guarantee the successful completion of the replacement. The board may establish, sponsor, or administer a wetland banking program, which may include provisions allowing monetary payment to the wetland bank for impacts to wetlands on agricultural land, for impacts that occur in greater than 80 percent areas, and for public road projects. The board shall coordinate the establishment and operation of a wetland bank with the United States Army Corps of Engineers, the Natural Resources Conservation Service of the United States Department of Agriculture, and the commissioners of natural resources, agriculture, and the Pollution Control Agency.
  - ⇒ Clean Water Act Section 404 Assumption: Allows BWSR to adopt rules to establish a program for assuming in whole or in part the U.S. Army Corps of Engineers' jurisdiction over the Clean Water Section 404 dredge and fill program. This would need to be worked out with EPA and the Corps.
    - Notwithstanding any other law to the contrary, the Board of Water and Soil Resources, in consultation with the commissioners of natural resources, agriculture, and the Pollution Control Agency, may adopt or amend rules establishing a program for regulating the discharge of dredged and fill material into the waters of the state as necessary to obtain approval from the United States Environmental Protection Agency to administer, in whole or part, the permitting and wetland banking programs under section 404 of the federal Clean Water Act, United States Code, title 33, section 1344. The rules may not be more restrictive than the program under section 404 or state law.

Omnibus Legacy Bill

*signed into law May 1*

Outdoor Heritage Funding:

- RIM/WRP partnership - \$13.8M
- MN Buffers for Water and Wildlife - \$2.09M

Clean Water Funds:

- funding to BWSR, mostly for implementation projects through LGUs such as SWCDs - \$4.2 million – this is a tremendous influx of funds for which SWCDs will be eligible to apply.

Capital Investment/Bonding Bill

*scheduled to be taken up by legislature next week (by House on Monday, then by Senate)*

- current House version of the bill includes \$6 M for Reinvest in Minnesota (RIM) Reserve Program funding; this matches what was included for RIM Reserve in the most recent Senate version of the bill

4. RC & D Status: A brief meeting was held before the board meeting at 6:30 p.m. with Supervisor Ihlenfeld, Commissioner Kubicek, RC & D member-at-large Mary Larson, and Manager Arndt in attendance. Steele County's future participation in the Hiawatha Valley RC&D was discussed. The next RC & D meeting will be held on May 21st. Members were asked to bring their County's input back to the meeting.

5. Other meetings: Melby and Wolfe attended a Cannon River Watershed Partnership meeting on April 23<sup>rd</sup>. Discussion followed on how to address the agriculture pollution problem occurring in the Straight River. Wolfe agreed to be the District representative for CRWP with Melby as an alternate.

**NEW BUSINESS:**

1. State Cost-share on Flood Repair Grant: Gulbransen presented 12(10)FC B. Kruesel, side inlet structure, with the cost estimate of \$3,600, C-S of \$2,700. Motion was made by Melby, seconded by Ihlenfeld to approve the encumbrance for this project in the amount of \$2,700. Motion was carried by voice vote.
2. 2012 Election: Filing period will be from May 22<sup>nd</sup> to June 5<sup>th</sup>. Supervisors: Melby (Districts II: Meriden, Owatonna and Havana Townships), Hansen (District IV: Lemond, Somerset and Aurora Townships) and Klecker (District V: City of Ellendale, City of Blooming Prairie and Townships of Berlin, Blooming Prairie and Summit) will be up for election.
3. Request to use 2012 State Cost Share Funds for Technical Assistance: Arndt presented State Cost-Share Technical Assistance Option Agreement. Conditions for the approval from BWSR includes: 1. Federal funds or other non-state funds will be leveraged and they couldn't do the project otherwise; or, 2. Funds are to be used on a project(s) that is State Cost Share Program or EQIP eligible and the Districts 2011 Financial Report indicates less than 18-months operating capital in their fund balance. Arndt stated that the District does meet the criteria and that the funds would be used for Gulbransen's wages. Motion was made by Melby, seconded by Wolfe approve signing the agreement and send on to BWSR. Motion was carried by voice vote.
4. 2012 Resolution, RIM Easement Maintenance: Arndt presented the RIM Easement Maintenance resolution and explained it to the board. Motion was made by Ihlenfeld, seconded by Wolfe to present this resolution to the area supervisors at their meeting on June 13<sup>th</sup>, which is the same day as our next board meeting. Motion was carried by voice vote.
5. 2012 SE MASWCD Resolution Meeting, June 13<sup>th</sup>: BBR will be discussed. Supervisors will let Condon know by June 4<sup>th</sup> if they plan on attending. Condon will find out the location of the meeting.
6. Annual Crane Creek Tour, May 14<sup>th</sup>: Ihlenfeld, Melby and Arndt will try to attend. To meet at Blowers Park in Waseca at 1:30 p.m.
7. Others: Condon reported that she just received an e-mail from Bill Eisele, BWSR Admin. & Tech. Service Director that a 2011 District audit will be required. Condon stated that she will start the process of soliciting bids for a CPA to complete the audit and report back next month.

Agency Reports: Commissioner Kubicek that FEMA and Homeland Security will meet on May 14<sup>th</sup>. It will be an open house at the Public Works Service Center at 6:30 p.m.

Staff Reports: Gulbransen reported that the tree distribution day went very well, with the assistance of the volunteers and part time help. About 13,600 trees were distributed. Motion was made to pay the expenses of an appreciation lunch for the use of the Festal rental unit by Wolfe, seconded by Melby. Motion carried by voice vote. Condon reported busy with trees and the Envirothon. Arndt reported that he is busy learning about the Biennial Budget Request (BBR) due the last week in June. Arndt also reported that the Historical Society will be displaying pictures, maps, and other items from the office during the next months.

Motion was made by Klecker, seconded by Wolfe to adjourn the meeting. Carried the meeting was adjourned at 9:15 P.M.

Respectfully Submitted

Sue Condon, District Admin. Sec.