

**SOUTHEAST MINNESOTA WATER RESOURCES BOARD
WATER RESOURCES ADVISORY COMMITTEE MEETING
November 5, 2008**

SUMMARY

In attendance

Dodge County:	Dean Schrandt Melissa de Vetter	Wabasha County:	Troy Dankemeyer
Fillmore County:	Donna Rasmussen Joe Magee	Winona County:	Pat Bailey
Goodhue County:	Beau Kennedy	SEMNRWB:	Bea Hoffmann
Houston County:		Cannon River WP:	Ross Hoffmann
Mower County:	Bill Buckley	MPCA:	Justin Watkins
Olmsted County:	Sheila Harmes Terry Lee		Norman Senjem
Rice County:	Jennifer M-Johnson	MDH:	Katherince Logan
Steele County:	Scott Golberg	DNR:	Jim Lundy
			Jeff Green
			Andrew Peters

Wastewater IV Contract and Sub-agreement – the fully-signed contract has been received. The Board will subcontract with the Cannon River Watershed Partnership to hire a northern and a southern Wastewater Facilitator to continue work with unsewered communities in the region. Costs will begin to be against this grant beginning around 1/1/09.

Feedlot IV Proposal – after a meeting with the County Feedlot Officers, it was decided to submit a Clean Water Legacy grant for \$300,000 to sustain progress on open lot fixes. Submittal due date is November 7. About 2/3 of the funds will be used for cost-share for low-cost fixes and about 1/3 to provide technical assistance to producers. Funding will be allocated by number of open lots a county has left to be fixed. Notification of funding will be late January or February 2009.

Shoreland Forum; Shoreland Survey – Ross Hoffmann distributed a fact sheet about the upcoming February regional forum on the Shoreland Rules Update. There will be 1 hour of education on the current shoreland rules. The remainder of the forum will be devoted to input from landowners and other interested parties as to how the shoreland rules may be improved. Ross encouraged the staff to invite farmers they know to attend the forum. A definite date for the forum has not been set. A meeting to develop a shoreland buffer survey is scheduled for November 13. The survey will be distributed in 3 counties.

November 10 Board Meeting and Hiring Process - The “Tools for Compliance” program featuring Dodge County’s shoreland buffer project and Fillmore County’s use of the straight pipe law had to be cancelled to accommodate the hiring process. Hopefully this program can be rescheduled for the January Board meeting. On November 10, a subcommittee will review applications for the regional Water Quality Coordinator position and then set up an interview process.

NRCS Letter Follow-up – the letter to John Nicholson, NRCS, was copied to NRCS District Conservationists, FSA County Executives, P&Z Administrators, water planners, and SWCD managers in all 10 counties. Staff recommended that the letter be followed by an appearance at a district-wide NRCS meeting. Troy Dankemeyer and Ross Hoffmann volunteered to attend these meetings.

Value-Added Conference – Jim Sehl, MN DNR, and Jim Strudell, MPCA have been lined up to speak on water quantity and water quality impacts of ethanol production at the Jan. 22 Value-Added Conference.

Dodge County’s Shoreland Buffer Strategy – Melissa de Vetter, Dodge County Compliance Officer, discussed the process and results of their Vegetative Buffer Project. The idea for the project originated with a citizens’ Land Use Task Force recommendation that existing shoreland regulations be enforced without grandfathering. Subsequently, the County Board made a conscious decision to staff enforcement and to keep the enforcement function separate from technical assistance to landowners. The county used 2007 pictometry and the protected waters inventory map to determine where shoreland buffers were absent. Using this method, 198 violations were identified. The county then sent letters to landowners who were determined to be out of compliance. The letters cited the rule, the benefits of buffers, cost-share programs available, and stated that at least some of the areas on their property do not meet the minimum requirements of the ordinance. This letter was copied to the P&Z and Environmental Quality Directors, County Administrator, NRCS District Conservationist, FSA County Executive, township clerk, and county commissioner. Those landowners in receipt of the letter were instructed to notify the county of their proposed corrective plan of action or to dispute the information by a specified date. The following summer (2008), spot-checks were conducted and follow-up letters were sent regarding the landowner’s current status of compliance or non-compliance. If landowners were still non-compliant, they were informed that a re-inspection would take place in 30 days. Of the 198 violations identified, 60 are now in compliance, 75 are working on establishing buffers, and 65 have either ignored the letter or have not yet received an inspection. Based on these statistics, over 2/3 of out-of-compliance landowners came into compliance within one year of notification of violation. If enforcement is required, a violation is a misdemeanor and carries a \$1000 fine or 90 days in jail according to Dodge County ordinance. To come into compliance, some use the farm programs and some do it on their own. A hayable buffer or pastured buffer meets county regulations. New air photos will be needed to track future compliance.

After Melissa’s talk, the staff stressed the importance of having all Planning and Zoning directors present at the January Board meeting to hear her presentation. They also suggested that she speak at the MN Association of County Planning and Zoning Administrators and that she be present at the regional February Shoreland Rules Update forum.

Volunteer Nitrate Monitoring Network – the August sampling went smoothly except a small percentage of samples were not mailed back. More samples arrived at room temperature than in the February sampling. Jim Lundy reported that he is running a test involving ground water samples from three wells at approximate actual nitrate concentrations across a range of 0.8-13 mg/L. Upon arrival in the office, the large volume (2 L) unpreserved samples were split, with one split from each sample stored at approximately 40 degrees in the refrigerator and the other split stored at room temperature (approximately 68 degrees). The room temperature and refrigerated split samples were simultaneously analyzed using the Hach meter at various time intervals (more frequently (daily) in the beginning, less frequently (every two weeks) near the end) for ten weeks. The samples were also sent for laboratory analyses immediately and after one week. Results will be available by the end of the year.

Jim Lundy, MDH, reported that he has received all Round I information from the counties. He has done extensive data entry and analysis to assist the region in converting data into information. One analysis involved determining the aquifer for a network well and then assessing the level of confidence as to the aquifer designation. Out of 675 wells, 181 had a high confidence rating and 258 had a medium confidence rating. Therefore, 440 wells can be used to do a water quality assessment using a hydrogeologic approach to help counties target areas of concentration. Jim provided a spreadsheet for each county showing the wells where an additional piece of information such as determining well depth could render the well much more useful for aquifer analysis. Another map showed wells that were cased and grouted and in protected aquifers but were still testing high for nitrates.