

Benton County Water Resources Advisory Committee
Minutes
Tuesday, January 26, 2010- 1:30 PM
Benton County Commissioners Room - Foley, MN 56329

The Benton County Water Resources Advisory Committee meeting was called to order by Chairman Duane Cekalla at 1:30 p.m. at the Benton County Commissioners Room on Tuesday, January 26, 2010.

Voting members present: Duane Cekalla – Little Rock Lake Association, Craig Gondeck – At-Large, Guy Spence – At-Large, Ken Nodo - At-large, Brian Kaschmitter – Elk River Association, Chuck Rau – Benton SWCD Supervisor, Jim Moshier – Benton Co. Municipalities rep (Foley)

Voting members absent: none

Voting members excused: Warren Peschl – Benton County Commissioners, John Bemboom – Township Association

Others present: Annie Felix – Benton SWCD Water Plan Coordinator, Gerry Maciej – Benton SWCD, John Henz – City of Sauk Rapids, Phil Votruba – MPCA, Mark McNamara – Benton County Dept. Development, Pat Gehling – NRCS, Jason Weinerman – BWSR, Tiffany Determan – Elk River Watershed Coordinator, Kimberly Thielen-Cremers – Mississippi River Renaissance Project Coordinator, Bob Kozel – Benton County Highway Department, Eric Altena – DNR Fisheries

(Three Priority Issues in Comprehensive Water Plan: 1) Groundwater quantity and quality, 2) Development, 3) Feedlots and Nutrient Management.)

1. Welcome and Introductions

2. Review / Approve Minutes. Motion by Craig Gondeck to approve the November 24, 2009 minutes. Second by Ken Nodo. Motion Carried.

3. Agenda. Additions to agenda: Duane Cekalla added 1 item in the reports section regarding the the award that the Benton SWCD received from DNR. Annie Felix added 3 informational items to the reports section after the 2010 WRAC reimbursement rates item. Motion by Craig Gondeck to approve the agenda. Second by Ken Nodo. Motion Carried.

4. Reports

a. Little Rock Creek TMDL project update – Annie Felix

Annie handed out a Little Rock Creek and Little Rock Lake combined schedule to show how the tasks for each project will be accomplished in the next year and a half. The Benton SWCD is preparing to move into third phase of the Little Rock Creek project. The SWCD is hiring a consultant to help us write the TMDLs for the creek and assist with TMDL report development. The SWCD has selected Barr Engineering as the consultant. A meeting was held between some of the Technical Committee members and the Barr staff to start to develop a work plan for the project. The project is expected to be completed in June 2011.

b. Little Rock Lake TMDL update – Annie Felix

Annie reported that the project is going to be extended due to unforeseen events for Bill Walker. The project will tentatively be completed by September 31, 2010. The plan to combine both the Little Rock Creek project and the Little Rock Lake project into one implementation plan. After the implementation plan is written, we will be eligible to apply for funding to assist with implementation activities, funding might be available through BWSR, EQIP, etc.

Annie reminded everyone that they are welcome to stay after the WRAC meeting for the NRCS Local Work Group Meeting at 3:30 pm.

Annie reported on the progress of the Little Rock Watershed Stakeholder Committee. The strategy was to get representation of citizens in the watershed. Annie solicited nominations from each of the following groups including: each township within the watershed, one commissioner from each county, one representative from the Little Rock Lake Association, one representative from Trout Unlimited, and one representative from the East Central Irrigators Association. Annie has received nominations from most of the groups and she is following up with those groups who have not submitted any nominations. After Annie has received all of the nominations, she will send out a survey to ask the members what days and times work best to meet. The group will be primarily responsible for making implementation decisions for the Little Rock Watershed, so once the Technical Team and Barr have loading allocations completed, the information will be handed to the Stakeholder Committee to make the best decision about what they think is possible for their constituents in the watershed.

Question – Do you have an idea when the first meeting might occur?

Annie – Based on the meeting with the Technical Committee meeting yesterday, I believe the first meeting may take place in February. The Technical Committee feels strongly that it's important to get Stakeholders on board and keeping them up to date on project progress.

c. Elk River Watershed Association – Tiffany Determan

Tiffany explained that the Association is a Joint Powers between Sherburne and Benton Counties and Soil and Water Conservation Districts because they share the Elk River Watershed, which encompasses a majority of Benton and Sherburne Counties. Currently, the Association is wrapping up its second federal 319-grant, which focused on getting best management practices installed in the watershed to improve and protect water quality. In Benton County, the focus has been on agricultural best management practices and in Sherburne County, the focus is on rural and urban best management practices. The 319-grant will be sunsetting in August 2010. The Association has not applied for any additional implementation grants.

The Elk River Watershed is part of a larger watershed, called the Mississippi-St Cloud Watershed. The Miss-St Cloud Watershed is a targeted watershed by the MN Pollution Control Agency (MPCA). The MPCA's targeted watershed approach is a plan to get all of the lakes and streams in Minnesota monitored and assessed within a 10 year rotation of watersheds by eight digit hydrologic code. The Miss-St Cloud watershed began this process in 2009 and it will be monitored again in 10 years. The Elk River Watershed will benefit from this intensive monitoring because all of the lakes and streams are getting monitored and assessed, so we will have information on whether or not the water bodies are impaired. The targeted approach also includes a watershed planning, so the Association will be able to prioritize areas that we want to implementing best management practices to address any of the impaired waters.

d. Elk River TMDL – Stakeholder Committee – Tiffany Determan

Tiffany reported on the TMDLs that are occurring in the Elk River Watershed. You were provided two fact sheets in your packet about the Elk River TMDLs. In 2008, the Elk River Watershed Association entered into a contract with the MPCA to complete TMDLs on 3 water bodies in the Elk River Watershed, including Mayhew Lake (impaired for excessive nutrients), Big Elk Lake in Sherburne County (impaired for excess nutrients), and the Elk River from the outlet of Big Elk Lake down to where the St Francis enters the Elk River (impaired for turbidity and fecal coliform). Turbidity can be caused from too much sediment in the water or too much algae. In the case of the Elk River, it's hypothesized that it's probably algae that is causing the turbidity impairment. The Elk River Watershed Association received nearly \$250,000 to complete the TMDL projects, which includes hiring a consultant to complete all of the modeling and TMDL allocations, also includes funding half of Tiffany's position, also lab fees and other associated project costs. The TMDLs are being completed over a series of phases. Phase I has already been completed – which consisted of gathering all of the historical data and assessing for gaps in the data. Phase I ended with a stakeholder meeting – all the public in the watershed and all

municipalities were invited. Phase II is currently underway – the majority of the summer of 2009 consisted of monitoring, filling the data gaps that were identified in Phase I. All of the data collected in 2009 is now being analyzed by the consultant. When the data analysis is completed, another stakeholder meeting will be held. Phase III will take place over 2010 and it will mainly consist of writing the draft TMDL document and the implementation plan. Phase III – including approval of the TMDLs by MPCA and EPA will be completed by March 2011.

Tiffany handed out information sheets regarding the Elk River Stakeholder Committee. In order to get buy-in from the public, she feels that a core group of stakeholders should participate in the process, including going to all of the meetings and reviewing project documents. To acquire members for the Committee, she would take a minimum of 3 volunteers from the Benton Water Resources Advisory Committee and a minimum of 3 volunteers from the Sherburne Water Plan Advisory Committee and combine them into a reviewing team. Her expectations for Committee participants are that they would attend watershed meetings, at least 2 meetings are planned, and also they would review documents via the project website or via email. Tiffany hopes that this committee can continue into the future to do planning efforts for the Elk River Watershed.

Questions – where will the meetings be held?

There are 2 meetings planned, the next will probably take place in May or June 2010. One meeting will probably be held in Benton County and the other in Sherburne County.

Duane Cekalla and Ken Nodo volunteered to participate in the Elk River Stakeholder Committee. Motion by Craig Gondeck to nominate John Bemboom, Duane Cekalla, and Ken Nodo as the Benton County Committee members for the Elk River Watershed Stakeholder Committee. No other nominations received. Motion Carried.

e. 2010 WRAC reimbursement claims – Annie Felix

Annie handed out a document that details all of the 2010 WRAC meeting dates, per diem rates, and mileage rates. The mileage rate did change to \$0.50 per mile.

Chuck Rau stepped down as the Benton SWCD Supervisor representative at the January 13, 2010 Board meeting. Wade Bastian will take his place, Rau will remain as the alternate.

f. Informational items – Annie Felix

2010 Clean Water Fund Listening Sessions – Dan Martens attended the St Cloud session and asked me to report on the session for him. Annie handed out an informational document that Listening Session participants received. There were two sessions held, one was for professionals in the field and the other was for the public. Another Listening Session will be held in Brainerd on February 4th and the public is welcome to attend. Ken Nodo mentioned that his local chapter of Trout Unlimited received funding from the Lessard-Sams Outdoor Heritage Council to do stream channel improvements on Little Rock Creek.

Question - At the Listening Session, was there any conversation about the definition of protect, enhance? Will all the funding go to the Metropolitan area?

Kimberly – I was at the Listening Session and it was briefly mentioned that it's going to committee to get the definition agreed upon. Regarding where the money be spent, there is a survey available for the public to participate in. The MN Water Resources Center has been charged by the Minnesota State Legislature to develop the framework for sustainable water management, a set of recommendations that will protect and preserve Minnesota's lakes, stream, rivers and ground waters for the 21st century and beyond without compromising people's current needs, water quality or natural ecosystems. They have developed a survey and hope to have 10,000 participants complete it. The survey is meant to gain information from the public, it won't dictate where the money goes, the survey is a guide.

Next information item – Annie handed out a report published January 2010 by the MN Dept. of Agriculture regarding agriculture as the foundation of Minnesota’s economy.

Final informational item – Annie handed out an informational letter from the MPCA regarding a project that has just been completed that estimates the time it will take a spill to go from one point on the Mississippi River to another point. The report and travel time charts are located on the web.

g. County Geologic Map – Mark McNamara

Mark McNamara presented information that Chelle Benson received from Dale Setterholm. All of the map products have been through editing except the buried aquifer maps and the bedrock topography. The GIS group is finishing the review editing. The final product will be ready soon and it is going to be very nice. Mark reported that Dale also offered to host a couple workshops to educate people about the final product.

h. Other WRAC member reports

Craig Gondeck reported that at the last Watab township meeting, they passed their MS4 ordinance for the township. They have hired a consultant to monitor any construction activities over 1 acre in size. The township was mandated to do this MS4 work, it was an unfunded mandate.

Cekalla requested that Annie speak about the award that the District received – he saw an article in the paper about it. The DNR Waters Award was presented to the District at the December 2009 MN Association of Soil and Water Conservation Districts Convention by Dan Lais. The DNR Waters District Appreciation Award is presented to an SWCD that has implemented innovative conservation activities, demonstrated leadership and achieved significant results in the protection of Minnesota’s water resources. The award to Benton recognizes the efforts that Felix and the District have put forth to lead several TMDL projects within the County, most recently being the Little Rock Creek TMDL and the Little Rock Lake TMDL projects, along with Water Planning and implementing the native buffer program and demonstration site.

5. Progress Report – Development priority concern, Objective 3: Mandate installation of perennial vegetation for public ditches – Bob Kozel

The public drainage system in Benton County consisting of what is termed county ditches. They are public drainways that function for private property owners in common. By law the County administers the public drainage system for agricultural purposes. Before Kozel was hired, those ditches that received minimal maintenance, so after he was hired, his department started to collect data on elevations of ditch bottoms, alignments of the ditch bottoms, etc. There are no defined easements, more like blanket easements, in other words, they are spread out over the entire property and not defined by boundary. Many of the ditches have filled in over the years.

This last year, with assistance from the Benton SWCD, we applied for and received a Board of Water and Soil Resources \$23,000 grant to assist the Benton County Dept. of Public Works in completing the mapping of the ditches. In the past, we have probably focused more on the elevations of ditches and conditions of ditches and have performed inspections (at least on a 3 year rotation) on the entire existing remaining ditch system. For the grant, in 2009 we mapped the culvert elevations. Kozel’s goal is to define both the horizontal and vertical alignment of the ditches.

Another recent development along those lines with regard to the public drainway, the state legislature passed new statutory requirements that reporting be necessary of all these public drainways and that there be an established 50 foot vegetative buffer adjacent to the public drainways. We have sent out notifications to all benefited properties on the entire public drainway. We will be expecting that this be adhered to and we figured that we would give them a year to allow them to pull back some of their agricultural activities that are directly adjacent to those ditches. The County will be inspecting and reporting compliance and non-compliance of the vegetative buffers.

6. PROGRESS REPORT – Groundwater priority concern, Objective 3: Continue to regulate SSTS – Mark McNamara

There are new changes to the MN Statute 7080 septic rules. Benton County was one of the first counties in the state to adopt the new rules. Now the County is required to review and verify the soil borings in order to concur with the minimum separation width of a septic system. The County was actually doing this before the new rule was passed. Last year, the County completed 81 compliance inspections.

Benton County applied for a 2010 Competitive Grant from the Board of Water and Soil Resources to help fund voluntary compliance inspections. If the system is found to be non-compliant, then the grant money will be used to pay half the cost of the compliance inspection and the cost of the new septic permit. The cost to install a new system would be the responsibility of the landowner.

7. Resolution – Support the Vision of the Future of the Mississippi River – Kimberly Thielen Cremers

Kimberly reviewed the Mississippi River Renaissance Project, which works with the river communities in Stearns and Benton Counties. Kimberly's position is the result of a citizen's group, who requested that someone be put in charge of leading this project. It is a 31-miles stretch of river from Blanchard Dam to the 10th Street Bridge in the City of Saint Cloud. First step was to create a community vision statement, which has been completed and put into the format of a resolution. All of the river communities, townships, etc, will have the opportunity to sign a resolution in support of the Vision Statement. Motion to by Craig Gondeck to approve Resolution #2010-01 in support of the Vision of the Future of the Mississippi River. Second by Guy Spence. Motion Carried.

Kimberly reported that she is collaborating with the University of Minnesota Extension Service on Project NEMO (Non-point Education for Municipal Officials). The idea is to get representatives from the community involved in a collaborative discussion about project objectives. This discussion will be structured into three sessions, the first one is planned for April. The next session will focus on land and water, which will be held in the summer and the last session, is planned for fall. Kimberly asked for volunteers from the WRAC to participate in these sessions. Craig Gondeck and Ken Nodo expressed interest in participating in the sessions, but they need to think about it.

8. Review sensitive areas action item – Duane Cekalla

Cekalla encouraged the Committee to consider developing a Sensitive Areas Management Plan for the County. The plan would serve to protect the natural resources in the county and define areas for development.

Annie followed up with Cekalla's comment. Annie met with Chelle Benson and Gerry Maciej to compile Water Plan initiatives to begin in 2010. Chelle suggested that we start with developing a Sensitive Areas Management Plan in the Mississippi River Renaissance corridor area. Much of the inventory and map work has been completed for the area.

9. Discuss proposed 2010 action items to implement – Annie Felix

At the last WRAC meeting in November, the WRAC asked the SWCD to compile a list of Water Plan action items that they would be interested in pursuing in 2010.

Annie completed a 2009 progress report for Water Plan action items. She handed out copies of the report to the Committee. Annie explained that the Feedlot and Nutrient Management Priority Concern action items were all accomplished in 2009, but that most of the action items are reoccurring each year. Annie mentioned that the Feedlot and Nutrient Management Priority Concern is our strongest accomplishment.

Annie passed out a list of initiatives that the WRAC could potentially begin working on in 2010. Annie proposed that the WRAC discuss this list more formally at the next meeting.

Jim Moshier reported maintenance problems with how to pay for removing the sediment out of the stormwater ponds in the City of Foley.

10. Next meeting:

March 23, 2010, 1:30 at the Benton County Commissioner's room.

11. Adjournment. Motion by Ken Nodo to adjourn. Second by Craig Gondeck. Motion Carried. Adjourned at 3:20 p.m.

Respectfully Submitted,
Annie Felix, Benton SWCD Water Plan Technician

Approved by:

Signature: _____ Date: _____

WRAC Board Chairperson