

Water Plan Task Force

Annual Meeting

November 16, 2016

9:00am – 11:30am

East Annex
300 North State Street

Facilitator: Kelly Hunt

Attendees: Paul Davis (MPCA), Dan Girolamo (DNR), Eric Gulbransen (SWCD), Kathy Guse (Producer), Kelly Hunt (Waseca Co. P&Z), Gordon Jindra (Reeds Lake Association), Lester Kroeger (Producer), Kris Langlie (Citizen), Mark Leiferman (Waseca Co. P&Z), Jennifer Mocol-Johnson (BWSR), Tyler Polster (SWCD), Garrett Rohlfling (Waseca Co. P&Z), Kim Shermo (Waseca Co. Public Health), Craig Soupier (DNR)

Notes

Introductions and Purpose

- Meeting objectives included:
 - Develop an understanding for how water planning will be evolving and how it relates to watersheds in Waseca County
 - Provide Buffer Law update and have a productive conversation about enforcement options
 - Discuss 2016 implementation accomplishments and challenges
 - Discuss 2017 prioritization efforts with goals based on sound scientific principles

One Watershed, One Plan Presentation – Jennifer Mocol-Johnson (BWSR)

- History of water planning – it has come a long way!
 - Soil Conservation Law, first SWCD, Watershed Act, Federal Clean Water Act, County Water Management Act, Clean Water Legacy Act, Clean Water Land & Legacy, Clean Water Accountability Act, Comprehensive Watershed Management Plans
- “New” approach: coupling intensive monitoring with water planning – prioritized, targeted, measurable implementation plans
- BWSR suggested planning boundary map generally follows major watershed boundaries with some variation for planning simplicity – metro areas allowed to opt out of One Watershed, One Plan (1W1P) due to different statutory requirements
- 1W1P documents tailored to use science outlined in Watershed Restoration and Protection Strategies reports (monitoring data; modeling data- protection, impairment, stressor, source identifications) to target, coordinate, implement
- 5 pilot 1W1Ps – 4 out of 5 completed – offer insight on document creation process to next round of those participating in 1W1P
 - Assisted BWSR in development of planning guidance documents (operating procedures, plan content, etc.)

- BWSR currently offering funds for those choosing to participate – no match requirement, but funds cannot be used for general planning participation
 - Cannon River Watershed (CRW) received grant funding – grant period January 2017 through December 2019
 - Cannon River Watershed current effort: developing Memorandum of Agreement, Grant Work Plan, Budget, Timeline, Scoping Plan for Consultant
 - Rice County is Fiscal Agent for CRW, Dakota County is Day-to-Day contact, Waseca County Water Resource Specialist is on the Planning Work Group
- Legislative goal to transition to statewide 1W1P by 2025 – BWSR will continue to request funding
- To transition from County planning to 1W1P, counties are directed to submit plan extensions directly to John Jaschke, BWSR Executive Director – extension granted with Board 1W1P support
- Prioritize, target, measure (PTM) as related to 1W1P:
 - Prioritization of water and/or natural resources according to importance
 - Target to get closer look at priority issues – specific actions, locations, practices
 - Measure to demonstrate achievable restoration progress
- How is PTM accomplished? Models!
 - HSPF (Hydrologic Simulation Program-Fortran) – watershed hydrology analysis
 - Terrain analysis
- How do models accomplish PTM?
 - Loading areas identified, local stakeholders utilize to prioritize
 - Actions tailored for prioritized areas
 - Measure results – agree with model?

Hydrologic Regime; Past and Present and Water Quality Implications – *Dan Girolamo* (DNR)

- Hydrologic Regimes definition: flow patterns of base and peak flow events
 - Need to consider both extremes, as well as timing, duration, magnitude, frequency and rate of change - define our channels
- Natural regimes are determined by climate, runoff, catchment size and geomorphology – without impacts of dams, weirs, extraction and river management
 - Damming, pumping, floodplain storage, change in drainage patterns (ditches and tiling, altered hydrology), water extraction, gravel and alluvial sand extraction result in alteration to natural regimes
 - Maps of today show increased channelization on landscape compared to late 30's
- Indicators of Hydrologic Alteration – hydrologic impacts of human activities using hydrologic data
 - Limitations: monitoring stations are limited and past records do not reflect current conditions
 - Influenced by water quality, connectivity, geomorphology and biology
- We are seeing impacts of altered hydrology in own back yard – Le Sueur River – bank sloughs, roads overtopped
- Le Sueur River gauging station – precipitation trends are becoming more variable – higher intensity, shorter duration storms

- More flow per inch of precipitation – no longer holding the water on the landscape, more water making it into the river than in the past
- Monthly average flow volume greatly increased since 1980's
- Flow regime influences species, stream channel size and shape, groundwater exchange, frequency and intensity of floods
- Unnatural flows favor less sensitive species, eliminate sensitive species
- Connectivity: negative impacts result from dams, roads, bridges, culverts, crossings, levees, ditches, weirs
- Effects: drainage increases channelized flow, results in increased connectivity, nutrient delivery and sedimentation
 - Accelerated stream bank erosion, aquatic habitat loss
- Increased sediment loading due to high flows
 - High flows attributed to change in precipitation, land use changes, artificial drainage
 - Low flows attributed to extraction, diversion, artificial drainage
- Altered hydrology = increased habitat for invasive species, loss of ecological function, riparian zone degradation, change in wetland types from permanent flooding, reduction of wildlife habitat
- Solutions: conservation practice implementation
- Floodplain Mapping: allows officials to better direct developments
 - Landowners receive quotes for floodplain insurance

Local Update on Buffer Law

- April 25, 2016 – Buffer Initiative signed into law
 - Removed private ditches, defined “public waters”, presented enforcement options, allowed counties to add additional watercourse to require buffering, clarified funds that could be withheld and need for SWCD to track compliance
- Compliance determined on individual parcel basis, buffer measured from top of bank
- SWCD tracking through BWSR Buffer Compliance and Tracking Tool (BuffCATT)
 - Also utilizing Waseca County GIS developed tool
- SWCD currently completing pre-assessment of County compliance – will be used by BWSR in 2017 for legislative reporting purposes – currently approximately 1/3 of the way thorough the County
 - Most commonly seeing buffers within 3-5 ft. of compliance, will require field checks
 - Tool will help prioritize efforts for effective time management – uses hillshade to measure from defined top of bank
 - Thus far, found roughly 50% of public waters that have been reviewed are compliant
 - Waseca County GIS tool will assist with compliance tracking for public ditches (public waters lack more defined top of bank)– tool still in development; however, tool shows roughly 15 – 20% of ditches as compliant, with another 20% within 3-5 ft. of compliance
 - County Ditch Inspector has reported landowners found as non-compliant to be taking initiative for implementing buffers
- Question: Will there be policy for when a stream meanders and an area no longer has the buffer you implemented in order to reach compliance?

- The way the law is currently written is for continuous compliance – there may be a monitoring aspect to ensure this
- CREP should be available for buffers, pending approval at federal level

Buffer Law Local Enforcement Options Discussion

- November 1, 2017 – Buffers must be in place on Public Waters
- November 1, 2018 – Buffers must be in place on Public Ditches
- MN Statute 103F.48 Subd. 7 requires Counties or watershed districts to notify BWSR whether or not they will elect local enforcement prior to March 31, 2017 – must also include means of enforcement

Group Identified Pros and Cons of Electing Local Enforcement

Pros

- Local vs. State stigma
- local is good!
- Could “shift workload burden” onto landowners – involve other checks
- Feeling of more local landowner input
- Coffee shop relationships = more respect for local employees
- Better understanding of local land for implementing alternative practices
- Local revenue
(enforcement fees)

Cons

- May harm local relationships
- Could be slippery slope – element of trust
- Concern with March 31 deadline – increased funding for increased workload?

General Discussion Points

- Law was strategically written to not harm SWCD relationships with enforcement efforts – however, landowners may attribute County employees with SWCD
- Should local opt out of enforcement, it would go to BWSR Board Conservationist or Wetland Specialist
- Local perspective on Buffer Law may be changing in ag community – less complaints, more acceptance

- Buffer Law is not a new law, it just tied an enforcement measure to the existing law – 103E Public Drainage Law has required 16.5 ft. buffer for over 30 years
- March 31, 2017 is a soft deadline – can choose to opt in for enforcement after this date, or even to change decision originally submitted
- General Task Force Consensus: recommend the County assume enforcement

2016 Water Plan Shared Successes and Difficulties

- County highlights: St. Olaf Lake shoreland restoration/grade stabilization with Minnesota Conservation Corps (Clean Water Fund dollars); 2 City of New Richland community meetings to identify short and long term flood reduction solutions; 905 watercraft inspections by 3 Level 1 County Watercraft Inspectors
- Other accomplishments: SWCD cover crop acres; County contract for AIS services with Steele County; Reeds Lake ravine stabilization; DNR electric fish barrier on Blue Earth/Waseca County line; Lake Elysian Lake Association considering managed drawdown
 - * See 2016 Water Plan Accomplishments table for full description of 2016 accomplishments
- Difficulties
 - Lack of wetland bank demonstration sites – even further, demonstration sites for general conservation practices
 - Paperwork overload

Prioritizing Implementation for 2017

- Host subwatershed meetings to discuss and promote conservation practices– conversations more likely to take place with increased level of comfort in small groups
 - Local interest creates more meaningful discussions
 - Will assist with honing in on practices that are locally viable to work towards WRAPS 10-year targets
- Individuals meetings – not everyone is comfortable discussing in small groups
- Continue to host Farmer Forum for County-wide education
- Protection of non-impaired waters – St. Olaf and Reeds Lake
 - Less costly to protect than restore
- Assist County lake associations with planning – educational meetings, grant applications
- Conduct local smaller scale modeling to target further
 - Compile results, distribute and utilize for targeting
- Increase local SWCD contacts with producers