

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MN 55155
WEDNESDAY, APRIL 27, 2022**

AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF MARCH 23, 2022 BOARD MEETING

PUBLIC ACCESS FORUM (10-minute agenda time, two-minute limit/person)

INTRODUCTION OF NEW STAFF

- Paul Erdmann, Ecological Science Conservationist
- Darren Mayers, Board Conservationist
- Solimar Garcia Barger, Mitigation Program Assistant

CONFLICT OF INTEREST DECLARATION

A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests, and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today's business. Any member who declares an actual conflict of interest must not vote on that agenda item. All actual, potential, and perceived conflicts of interest will be announced to the board by staff before any vote.

REPORTS

- Chair & Administrative Advisory Committee – Gerald Van Amburg
- Executive Director – John Jaschke
- Audit & Oversight Committee – Joe Collins
- Dispute Resolution and Compliance Report – Travis Germundson/Rich Sve
- Grants Program & Policy Committee – Todd Holman
- RIM Reserve Committee – Jayne Hager Dee
- Water Management & Strategic Planning Committee – Joe Collins
- Wetland Conservation Committee – Jill Crafton
- Buffers, Soils & Drainage Committee – Mark Zabel
- Drainage Work Group – Neil Peterson/Tom Gile

AGENCY REPORTS

- Minnesota Department of Agriculture – Thom Petersen
- Minnesota Department of Health – Steve Robertson
- Minnesota Department of Natural Resources – Sarah Strommen
- Minnesota Extension – Joel Larson
- Minnesota Pollution Control Agency – Glenn Skuta

ADVISORY COMMENTS

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – Nicole Bernd
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Eunice Biel
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

COMMITTEE RECOMMENDATIONS

Southern Region Committee

1. Shell Rock River & Winnebago River Comprehensive Watershed Management Plan – Ted Winter and Dave Copeland – ***DECISION ITEM***

Grants Program and Policy Committee

1. Approval of Habitat Enhancement Landscape Pilot Grants – Dan Shaw – ***DECISION ITEM***
2. Cooperative Weed Management Area Grants – Tara Perriello – ***DECISION ITEM***
3. Approval of Fiscal Year 2023 Clean Water Fund SWCD Local Capacity Grants – Marcey Westrick – ***DECISION ITEM***
4. Approval of Fiscal Year 2022-2023 Lower Minnesota River Watershed District Dredge Management Grants – Marcey Westrick – ***DECISION ITEM***

Wetland Conservation Committee

1. Minnesota Wetland Professional Certification Program Plan Revision – Les Lemm and Ken Powell – ***DECISION ITEM***

UPCOMING MEETINGS

- Central Region Committee meeting is scheduled for Thursday, May 5, 2022, at 3:00 p.m. in the Lower Level West Conference Room at 520 Lafayette Road North, St. Paul and by Microsoft Teams.
- Grants Program and Policy Committee meeting is scheduled for Monday, May 23, 2022, at 9:00 a.m. in the Lower Level West Conference Room at 520 Lafayette Road North, St. Paul and by Microsoft Teams.
- BWSR Board meeting is scheduled for Wednesday, May 25, 2022, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.

ADJOURN

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Minnesota Wetland Professional Certification Program Plan Revision

Meeting Date: April 27, 2021

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Wetland, Training, Certification, Delineation, Program

Section/Region: Statewide

Contact: Les Lemm & Ken Powell

Prepared by: Ken Powell

Reviewed by: Wetland Conservation Committee(s)

Presented by: Les Lemm/Ken Powell

Time requested: 20 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input checked="" type="checkbox"/> Other: <u>Revision to program plan</u> | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Approve revised program plan for Minnesota Wetland Professional Certification Program (MWPCP)

LINKS TO ADDITIONAL INFORMATION

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

The Minnesota Wetlands Professionals Certification Program (MWPCP) plan was approved by the Board during the program transition from the University of Minnesota to BWSR in 2019. The program plan states the following for the continuing education requirements of certified individuals: “No more than four of the 18 required credit hours in a three-year period can be obtained from online training/events where the participant does not attend in person.” This limit of four online training hours was based in part on the difficulty of tracking and documenting participation in online classes. Since the time of plan approval we can now effectively track and document participation in online classes. Secondly, the COVID-related pandemic has resulted in a major shift to online

training formats such that they are readily available and more effective than in the past. Therefore, Wetland Section staff recommends increasing the amount of online training that certified individuals can count towards the continuing education requirement from four to six. This modest adjustment would result in certified individuals only needing to attend two days of in-person classes (average of six credit hours per day for typical classes) every three years. The remainder of their continuing education credits could be obtained through online courses/training. This would align well with our two-day in-person regional training classes that we offer annually. In addition to the above-described change, specific details on the transition of the program from the University, including specific staffing estimates, have been deleted as they are outdated and no longer relevant.

BOARD ORDER

Authorizing Revised Minnesota Wetland Professional Certification Program (MWPCP) Program Plan

PURPOSE

To authorize revisions to the MWPCP Program Plan approved on 9/25/2019.

FINDINGS OF FACT / RECITALS

1. On September 25, 2019, the Board of Water and Soil Resources (Board) via Decision #19-53 authorized staff to implement the MWPCP Program Plan (Plan) dated August 27, 2019 and beginning on January 1, 2020.
2. Staff implemented the Plan in calendar years 2020 and 2021, including measures associated with the transfer of membership from the University of Minnesota's Wetland Delineator Certification Program and internal staff processes to establish the program.
3. The Plan dated August 27, 2019 limits online training hours eligible for continuing education credit renewal to four credit hours in a three-year renewal period.
4. Since 2020, online training has expanded and become more effective for the continuing education of program participants.
5. Staff have modified the Plan to remove actions that have been completed associated with program start-up, and to increase the amount of online training hours eligible for continuing education credit from four to six credit hours.
6. The Wetland Conservation Committee, at their April 21, 2022 meeting, reviewed this proposal and recommended the Board approve this order.

ORDER

The Board hereby:

1. Authorizes staff to implement the revised and attached MWPCP Program Plan dated April 27, 2022.

Dated at St. Paul, Minnesota, this April 27, 2022.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

Gerald Van Amburg, Chair
Board of Water and Soil Resources

Date: _____

April 27, 2022

Minnesota Wetland Professional Certification Program Plan

Project Description:

The Minnesota Wetland Professional Certification Program (MWPCP) certifies wetland practitioners in Minnesota. The program was authorized by the Minnesota Board of Water and Soil Resources (BWSR) on September 25, 2019 and implemented on January 1, 2020.

This program plan addresses program purpose, scope, certification requirements, testing, continuing education requirements, training, program fees, and budget. Other state and federal agencies, local governments and colleges/universities with relevant wetland expertise will be asked for assistance with trainings depending on the subject matter.

Purpose:

The purpose of the MWPCP is to increase and maintain the level of knowledge and expertise for those conducting and/or reviewing professional work associated with wetland regulatory compliance in Minnesota. This includes identifying and delineating wetlands as well as reviewing and/or assisting applicants/landowners in complying with wetland regulations in Minnesota.

The MWPCP provides the following:

1. Increased uniformity for implementing WCA through standardized training, experience and educational requirements for wetland professionals;
2. Increased consistency of the regulatory process by standardizing wetland regulatory expectations and products;
3. Greater protection for landowners and other consumers by providing a base level of required knowledge and ongoing training for certified wetland professionals conducting and reviewing wetland regulatory work on private and public lands; and
4. An incentive for wetland professionals to maintain and enhance their knowledge and skills.

The program is strictly voluntary. There is no requirement for individuals conducting professional wetland work in Minnesota to be certified by this or any other program. However, it is the goal of this program for certification to be a recognized as a "standard" for individuals working in a professional capacity related to wetland regulatory compliance in Minnesota.

Scope:

The MWPCP provides certification for wetland professionals conducting and/or reviewing work related to compliance with wetland regulations in Minnesota. Certification indicates an individual has a fundamental understanding of the basic technical tools, rules, policies and guidance associated with wetland regulatory compliance in Minnesota. This includes the following subject areas:

- Wetland identification and delineation;
- Wetland restoration;
- State and Federal wetland regulations (rules, policies, procedures);
- Wetland functional assessment; and
- Wetland monitoring.

The program emphasizes the practical components of these subject areas as they apply to wetland regulatory implementation. The program does not test for, nor does it certify the competency of a wetland professional. It certifies that a wetland professional has successfully completed foundational training developed specifically for those working in the wetland regulatory field in Minnesota and that they have the basic background knowledge and training to become competent at conducting work associated with wetland regulatory compliance.

Certification Requirements:

There are both In-training and professional certifications.

In-Training Certification Requirements

Individuals that are certified as In-training have demonstrated a basic understanding of the subject areas identified in the program scope, but have minimal professional experience. In-training certification requirements are as follows:

- Must pass an In-training exam covering wetland delineation, wetland science and the application of wetland regulations in Minnesota; and
- Within the three years prior to passing the exam, must have completed at least 18 hours of wetland regulatory and/or technical coursework related to one or more of the five subject areas listed under Program Scope. All training hours must be obtained through in-person completion of an approved course or courses. Online or remote training cannot be used to meet this requirement.

Professional Certification Requirements

- Must pass a Professional certification exam covering wetland delineation, wetland science and the application of wetland regulations in Minnesota;
- Within the three years prior to passing the exam, must have completed at least 18 hours of wetland regulatory or technical coursework related to one or more of the five subject areas listed under Program Scope. All training hours must be obtained through in-person completion of an approved course or courses. Online or remote training cannot be used to meet this requirement. This requirement is not applicable if an individual is In-training certified at the time they pass the Professional exam; and
- Within the twelve years prior to passing the exam, must have the equivalent of at least three years of full-time professional employment where wetland regulation, delineation, management and/or restoration are among the primary duties/tasks of the position(s) held. The requirement is two years if the individual holds an advanced degree (Masters or PhD) in natural resources including wetland ecology, wildlife biology, hydrology, water resources, soil science, botany, plant ecology, ecology, fisheries, zoology, aquatic biology or closely related field.

There is no distinction between public and private sector wetland professionals with respect to the necessary training and knowledge for certification.

Certification Testing:

Professional and In-training certification tests will generally be offered following a multi-day introductory wetland course or courses offered annually plus occasional testing opportunities associated with regional training events. Tests will be prepared and reviewed by selected BWSR wetland staff with additional peer review by staff from other cooperating agency partners. Tests will generally involve multiple choice questions covering a core curriculum established by the program. A study guide will be prepared and made available for those preparing to take either exam.

Continuing Education:

Individuals that are certified as In-training or Professional must maintain their knowledge and expertise through attendance of periodic training/educational events related to wetlands. Certified individuals must attend at least 18 hours (credit hours) of training/educational events every three years to maintain their certification.

Qualifying training/educational events must be primarily focused on one or more the following subject areas: wetland delineation/identification, wetland restoration, state/federal wetland regulations, wetland functional assessment and wetland monitoring. These events can include training courses, webinars, online training, structured field trips, professional conferences and seminars. Individuals

requesting qualifying credit hours for these events must be a registered participant or instructor. Credit hours are equivalent to the number of hours (to the nearest hour) associated with a particular course or event minus scheduled breaks. No more than six of the 18 required credit hours in a three-year period can be obtained from online training/events where the participant does not attend in person.

Training events sponsored by the MWPCP will be assigned credit hours for continuing education. For non-MWPCP sponsored training/events participants are required to submit detailed agendas justifying qualifying credit hour claims.

Certified individuals will be provided with annual reports on the credit hours they have obtained to date within their three-year renewal period.

Certified individuals failing to meet the continuing education requirements will be de-certified and required to pass the certification exam and meet all other certification requirements to become certified again. BWSR staff may make temporary adjustments to continuing education requirements if available training opportunities are significantly limited during the certification period.

BWSR will maintain a list of certified individuals and update it annually.

Training:

The MWPCP will sponsor annual training classes throughout the state as part of BWSR's wetland training plan as updated and amended. Generally, training will include a combination of classroom and field-based classes depending on the subject matter. In addition to regional training venues, at least one basic wetland regulatory and delineation training class will be offered annually. Training courses will generally be open to the public, although specific classes may occasionally be limited to local government unit staff or other groups/sectors. Online training modules have been and will continue to be developed and made available on the BWSR website for self-directed learning and as preparation, background and supplemental information for those attending more advanced classes.

Fees and Budget:

The program will charge fees for classes, testing and certification. These fees will be used to offset costs associated with program administration, management and training. At least biennially, costs associated with the program will be tabulated, fees will be evaluated and adjusted as necessary, and a training schedule with budget will be developed. A major program goal is to provide training and testing at an affordable cost for local government unit staff, consultants and other wetland professionals. Annual fee schedules will be developed and approved through the existing decision-making process of BWSR's Senior Management Team. Fees may be waived or reduced for course attendees from other agencies and entities in proportion to any training assistance they provide for the program.

BWSR Board Future Meetings Survey Results - April 2022

| How many Board meetings per year would ideally be done in-person? 0-10 | How many Committee meetings per year would ideally be done in-person? | How would you describe the WebEx meeting experience as compared to in-person meetings? | Do you have adequate infrastructure to fully participate in on-screen meetings? | Have you received adequate instructions to participate in on-screen meetings? |
|--|---|--|---|---|
| 8 | Most | Not Ideal | No | Yes |
| 10 | Most | Satisfactory | Yes | Yes |
| 10 | Some | Not Ideal | Yes | Yes |
| 4 | Some | Satisfactory | Yes | Yes |
| 10 | Most | Not Ideal | Yes | Yes |
| 10 | Some | Not Ideal | Yes | Yes |
| 4 | Few | Satisfactory | Yes | Yes |
| 10 | Most | Not Ideal | No | Yes |
| don't have an opinion | None | Satisfactory | Yes | Yes |
| 8 | Some | Satisfactory | Yes | Yes |
| 10 | Some | Not Ideal | Yes | Yes |
| 10 | Most | Not Ideal | Yes | Yes |
| 10 | Most | Not Ideal | Yes | Yes |
| 8 | Some | Not Ideal | Yes | Yes |

Restoring the Wild Rice River



The Wild Rice River, which is impaired for turbidity, originates at Mud Lake in Clearwater County and flows west through Mahnomen and Norman counties. The Lower Wild Rice Corridor Habitat Restoration Program aims to restore the sinuosity of a 23-mile-long stretch, which will more than double its length. Photo Credit: Minnesota Pollution Control Agency

The Wild Rice Watershed District is leading a large-scale easement acquisition and channel restoration that aims to mitigate flooding issues and benefit water quality and habitat. Partners include BWSR and the Norman County SWCD.



The Wild Rice Watershed District (WRWD) is in the early stages of pursuing the most expansive project in its 73-year history.

Decades after a Wild Rice River channel was straightened and dredged as part of a U.S. Army Corps of Engineers project, the Lower Wild Rice Corridor Habitat Restoration Program aims to return a 23-mile-long stretch to its natural corridor. The proposed work will more than double that stretch of river, bringing it to 50-plus miles.

“Restoring the sinuosity of the river will allow us to better restore and protect the natural wildlife and fish habitat along the channel, and reduce further degradation to the environment,” said WRWD Administrator Tara Jensen.

The turbidity-impaired Wild Rice River originates

at Mud Lake in Clearwater County and flows west through Mahnomen and Norman counties.

The project is in its first phase, which involves acquiring Reinvest in Minnesota (RIM) Reserve conservation easements administered by the Minnesota Board of Water and Soil Resources (BWSR) that will allow the WRWD to install and maintain practices associated with later phases of the project. Partners aim to enroll land within a half mile of the corridor into permanent conservation easements during this phase. As of this spring, 329 acres have been enrolled and planted with native vegetation. Enrollment is voluntary.

The WRWD is partnering with the Norman County Soil & Water Conservation District (SWCD) to identify and work with interested landowners. About 30 landowners have expressed interest to

“ The main intention of the project is to store water, improve water quality and reduce flooding downstream. ”

— Mark Christianson, Norman County SWCD technician

date. Two applications have been recorded; seven parcels are nearing completion. Landowners who enroll in the easements are required to plant and maintain native vegetation on that land.

“The fact that these easements include non-cropland is a good incentive,” said Mark Christianson, Norman County SWCD technician. “A lot of the river corridor lands aren’t square or flat. Some aspects of the land may be better for hunting than cropping.”

Many of the targeted parcels are also too wet to farm consistently. Enrolling less productive land in conservation easements can offer landowners multiple benefits.

“A lot of the land we’re looking at acquiring is land prone to flooding along the channel,” Jensen said. “This program keeps the land in private ownership, so it’s staying on the county tax rolls, and landowners are able to retain hunting rights.”

The redesigned channel will also help protect homes and farmland from flood damage.

The second phase will involve decommissioning riverside levees and replacing them with levees that are set back farther from the river. Detailed design work for the channel restoration will also be completed during this phase.

The third phase will focus on restoring the channel to its original state, reconnecting



Project renderings show the corridor's current state (**above**) and how it will appear after it's restored to its natural sinuosity (**below**).

Rendering Credits: Houston Engineering



segments of the river that were cut off from each other when the channel was straightened in the 1950s. Wetland restorations for habitat benefits are also planned. The fourth and final phase will center on maintaining and operating the completed restoration.

The conservation easements will provide additional fish and wildlife habitat for sturgeon, river catfish

and other species. Native vegetation combined with a stabilized, restored river channel will help reduce bank erosion and improve water quality.

“The main intention of the project is to store water, improve water quality and reduce flooding downstream,” Christianson said.

The project is funded by the Outdoor Heritage

Fund (OHF), which is administered by the Lessard-Sams Outdoor Heritage Council (LSOHC). In fiscal year 2016, the LSOHC allocated \$2.27 million to WRWD for the project, with the district providing \$325,000 in matching funds. The LSOHC allocated an additional \$2.975 million toward the project in fiscal year 2020, but with an adjusted distribution model that provides \$2.75 million to BWSR for RIM easement enrollment and \$225,000 to the WRWD for project management and other services. The local match for the 2020 grant is approximately \$446,250. In fiscal year 2021, LSOHC awarded \$1.88 million for the project, with \$1.74 million of the allocation provided to BWSR for easement acquisition and \$148,000 provided to the watershed district. The local match for this request was approximately \$283,200. The WRWD plans to continue to apply for OHF funding in the future.

The large-scale project doesn’t have a hard deadline for completion — Jensen said the overall timeline will ultimately depend on how quickly land can be acquired to enable the WRWD to embark on subsequent phases.

“We need to get a start on it now if we want to help future generations deal with the flooding issues going on here,” Jensen said. “If we get a handle on it now, we can prevent the channel from continuing to degrade.”

Banking on the road bank program



The BWSR-administered system that makes some road and bridge repairs possible also improves safety, restores wetlands' quality and boosts government efficiency

The Minnesota Board of Water and Soil Resources' (BWSR) Local Government Road Wetland Replacement Program (LGRWRP) has resulted in safer highways, higher-quality wetlands and a more efficient system for counties that bank on the "road bank" to make road and bridge improvements.



Andrews

The LGRWRP provides wetland mitigation credits to local road

“ Not only does the program result in (a) huge amount of environmental benefit because the quality of all the wetlands is better — there’s also more acres of wetlands being created for the road offsets — but it saves the counties a lot of time and money. ”

— Carol Andrews,
St. Louis County Public Works environmental engineer



Giese

authorities for qualifying projects. State and federal laws require replacement of wetlands that are filled or drained. Under the program, restored wetlands can produce credits that are deposited into a statewide wetland bank. Local road authorities can use those credits to acquire state and federal wetland permits. Previously, local road authorities mitigated wetland impacts on a project-by-project basis.

“This system is one of the most cost-effective, environmentally beneficial things I’ve ever seen the state do,” said St. Louis County Public Works Environmental Engineer Carol Andrews, whose duties include obtaining permits for road and bridge projects.

In a typical year, St. Louis County completes about 25 projects within

St. Louis County drew 1.6 acres from the Local Government Road Wetland Replacement Program to mitigate impacts to wetlands adjacent to County Road 4 in northern Duluth. Shown before and after construction, the project was designed to improve the safety and function of two intersections and the corridor between them. Photo Credits: St. Louis County



its 3,000-mile county road, 600-bridge system that require environmental permits. Of those projects, about half require wetland mitigation.

In St. Louis County and throughout Minnesota, wetland mitigation is most often required when a sliver of wetland must be trimmed to flatten ditch slopes and widen road shoulders. Those improvements, along with widening curves, make it safer for drivers who run off the road.

Running off the road was the No. 2 contributing factor to single-vehicle crashes in 2020 (the most recent year for which data is available), second only to “road surface conditions,” Minnesota Department of Public Safety crash facts show.

Andrews elaborated on the environmental benefits of supporting larger restorations made possible through the LGRWRP vs. the sort of “postage stamp-sized” restorations more typical before the program began in 1996:

“Those little re-created wetland areas might have held some water to offset the impact of losing (wetlands), but the quality of the wetland as far as habitat was nothing compared to the quality of the big wetlands, really



“ BWSR has the expertise to be doing wetland replacement appropriately, and this program allows that replacement to happen consistently and accurately. ”

— Brian Giese, Pope County Engineer, past president, Minnesota County Engineers Association

well designed, located, constructed and maintained that the Board of Water and Soil Resources helped to create.”

By holding water after heavy rains, larger wetlands reduce the chance of flooding — which, in turn, improves road safety. By maintaining a base flow during drought conditions, wetlands help to keep cool, clean water flowing to streams, which is especially critical for trout streams. Throughout the state, incorporating native plants in restorations supports a more diverse ecosystem.

Among the larger restorations: within a St.

Louis County fen managed by the Natural Resources Research Institute at the University of Minnesota, Duluth, about 450 acres was restored over eight years. It generated about 330 credits divided among BWSR, the Minnesota Department of Transportation and UMN-Duluth.

Before the LGRWRP, wetland replacements were often a fraction of an acre, designed by less-experienced staff already strapped for time and resources.

“Prior to the adoption of the program, each local agency was required to replace those wetlands impacted on their own. It took more time.

Above: A 2016 bridge replacement over the Partridge River on St. Louis County Road 110 near Hoyt Lakes widened the shoulders and used 0.23 in road bank credits.

Left: The county obtained environmental permits for about 35 construction projects in 2022; half involve wetland mitigation. A Pelican River bridge replacement on a township road near Orr likely will require the most credits: 0.26. The road will be moved away from houses; a longer, 86-foot-long bridge will allow for stream runoff.

Probably had less consistency. Probably had less compliance, but certainly cost more,” said Pope County Engineer Brian Giese, past president of the Minnesota County Engineers Association.

Counties would sometimes hire consultants. Or engineers would spend time learning the rules, and then acquiring the land, designing and constructing the projects.

“The bottom line is the efficiency that it provides makes so much sense,” Giese said.

“We’ve created immense efficiencies within road authorities to accomplish what’s necessary for public safety, a win-win for the public and for the local road officials. And on the flip side, (we’ve) created a win-win for the environment and BWSR, where the program can be best managed,” he said.

Bolstering buffers in Waseca County

In Waseca County, a unique cost-share option has resulted in more conservation practices being installed within a half mile of public watercourses or public ditches.

Waseca County and Waseca Soil and Water Conservation District (SWCD) staff made part of the county's buffer law



Clean Water Fund grants give SWCDs the capacity to spend staff time working with landowners on buffer law implementation.

enforcement allocation available to cover 75% of practices and projects including cover crops, terraces, water and sediment control basins, grassed waterways, grade stabilizations, stream bank or lakeshore stabilizations, wetland

restorations, water storage, pollinator seeding upgrades and livestock exclusion fencing.

"The SWCD has been able to fund more conservation practices on an annual basis thanks to these dollars being available," said Waseca SWCD technician Tyler Polster.

Since the option became available in June 2021, the SWCD has approved five contracts for cover crops and water and sediment control basins in Waseca County, funding \$7,500 in 2021 and \$25,000 this spring.

"We wanted to use (the funds)



Cover crops are an alternative practice that allowed a landowner to reduce the required buffer width on this parcel, which borders the public ditch seen in the background.

Photo Credits:
Tyler Polster,
Waseca SWCD

With Riparian Protection Aid, county, SWCD offer landowners 75% cost-share to implement conservation projects or practices within a half mile of public waters or public ditches



to support the implementation of projects that improve riparian areas and water quality. We thought a good way to accomplish that was by creating a cost-share program with more flexibility and a quicker turnaround time than what is typically found in Clean Water Fund-supported grants and federal conservation programs," said Haley Byron, Waseca County water resource specialist.

Distributed by the Minnesota Department of Revenue, the Riparian Protection Aid enforcement funding may cover administrative and legal costs to develop ordinances and pay court fees, plus technical work. Waseca County has used some of the enforcement funds it received for cost-share to bring parcels into compliance. From 2017 through 2022, the county

A water and sediment control basin funded with local cost-share dollars was installed near a public watercourse in Waseca County.

received \$319,755 from the fund. Allocations are based on a formula derived partly from counties' agricultural acreage and the mileage of the public watercourses and ditches that require buffers or alternative practices.

Waseca County has a 99% buffer law compliance rate. Some of its 19 out-of-compliance parcels are currently making their way through the compliance process.

In the seven years since Minnesota lawmakers passed the buffer law — also known as Statute 103F.48, Riparian Protection and Water Quality Practices — soil and water conservation districts, counties, watershed districts and the Minnesota Board of Water and Soil Resources (BWSR) have worked with landowners across the state to bring affected parcels into compliance.

Ultimately, that work is meant to improve water quality in Minnesota, where more than 515,000 parcels of land are adjacent to a public watercourse or public ditch — and therefore subject to the law.

State statute tasks

“ We wanted to use (the funds) to support the implementation of projects that improve riparian areas and water quality. ”

— Haley Byron,
Waseca County water resource specialist

SWCDs with working with landowners to identify areas of non-compliance, and then applying an approved conservation practice. Clean Water Fund grants give SWCDs the capacity to spend staff time working with landowners on buffer law implementation.

Since the buffer law was enacted, SWCD staff members across the state have helped to bring thousands of parcels into compliance statewide via conservation practices including vegetative buffers, cover crops, conservation tillage methods, side-water inlets, grassed waterways, terraces, water and sediment control basins, critical area plantings, grade stabilizations, wetland restorations, water storage and livestock exclusion fencing.

When SWCD staff members and landowners cannot arrive at an acceptable

solution for an out-of-compliance parcel, the county, watershed district or BWSR may handle the formal enforcement process, depending upon local jurisdiction. Since 2017, 2,164 parcels have been brought into compliance after undergoing a formal enforcement process for noncompliant parcels. Currently, another 878 parcels are making their way through that process.

Statewide compliance rates have improved steadily — from an estimated 87% with 67,477 noncompliant parcels bordering public watercourses and public ditches in February 2017 to 99.54% with 1,994 noncompliant parcels in February 2020. The remaining noncompliant parcels may be awaiting field verification of a buffer or alternative practice this spring. Many others

have seeding plans or will implement an alternative conservation practice this spring.

As of March, BWSR records show 83 of Minnesota's 87 counties were 95% to 100% compliant with the buffer law. The remaining counties — Grant, Marshall, Red Lake and Traverse — were 90% to 94% compliant.

A secondary benefit from implementing the buffer law: While meeting with landowners, SWCD staff may notice other opportunities to implement conservation practices. SWCDs, counties and watershed districts aim to help landowners keep their land productive while reducing soil erosion and improving water quality.

“(T)his program will hopefully increase BMP (best management practice) adoption for those who do not wish to use the cost-share programs that were already available,” Byron said.

In Waseca County, SWCD staff identified additional areas for conservation practices while working on the buffer law. Some of those led to projects funded by the SWCD's cost-share program.

Restored wetland abates flooding, aids wildlife

A Freeborn County wetland restoration on a MN CREP easement reduces pressure on the county ditch system while providing water storage and wildlife habitat. Partners include landowners, the Freeborn County SWCD, BWSR, the Turtle Creek Watershed District, FSA and NRCS.



HOLLANDALE — A wetland restoration on a Minnesota Conservation Reserve Enhancement Program (MN CREP) easement in Freeborn County provides water storage, flood mitigation and wildlife habitat in a frequently flooded area of the state.

In 2017, Robert and Darlane Muilenburg enrolled 147 acres near the southwest corner of Lake Geneva in MN CREP — a voluntary, state-federal program administered by the Minnesota Board of Water and Soil Resources (BWSR) that targets high priority, environmentally sensitive



land across 54 counties in southern and western Minnesota.

That parcel was frequently flooded and costly to drain and farm. A minimum maintenance township road bordering the east edge of the site was also affected by flooding within the site and created access issues for a neighboring landowner.

The MN CREP enrollment is the largest of three

During heavy rains, floodwater from County Drainage Ditch 30 (CD 30) enters the wetland restoration's northwest corner, is stored within the site, and then is slowly released back into CD 30 through the primary, lower capacity outlet (above) in the project's southeast corner.
Photo Credits: Freeborn County SWCD

adjoining easements on the couple's property: they enrolled 22 acres in the federal Wetland Reserve program in 2003 and 19 acres in the Reinvest in Minnesota (RIM) program administered by BWSR in 2010.

Byron-based DeCook Excavating completed construction in 2020. The restoration disabled a 2,000-foot private ditch and about 16 miles of subsurface tile that

drained the 147-acre site, and replaced three drainage lift stations with inlet and outlet structures at the project's northwest and southeast corners. Project costs totaled about \$180,000 including construction, seeding and site preparation.

BWSR engineering staff surveyed the site, performed geotechnical investigations, and planned and designed the project. BWSR Senior Water Resources Engineer

Tom Wenzel said the primary design goal for the project was to provide flood storage detention benefits for County Drainage Ditch 30 (CD 30), which runs along the west and south edges of the site.

The project restored three large, shallow wetland pools. During heavy rains, floodwater from high stage flows within CD 30 can quickly enter the project's northwest corner, be stored within the site, and then slowly be released back into CD 30 through the primary, lower capacity outlet in the project's southeast corner.

"The wetland's natural filtration and evapotranspiration process will enable additional storage retention and further improve flood damage reduction benefits," Wenzel said.

"Overall, the project reduces pressure on the adjoining CD 30 drainage system, improves water quality, reduces potential flood damage to surrounding properties and enhances the aesthetic quality of the landscape," he said.

The project also will establish native vegetation for wildlife habitat.

Freeborn County Soil and Water Conservation District (SWCD) Private Lands Biologist Chad Billat said it will likely take several years for



Construction was completed by Byron-based DeCook Excavating in 2020 and includes three large shallow wetland pools, an inlet structure (above) and an outlet structure (below).



MN CREP Details

MN CREP is a voluntary, state-federal program that targets environmentally sensitive land in 54 southern and western Minnesota counties. Landowners simultaneously enroll in a 14- to 15-year federal Conservation

Reserve program (CRP) contract administered by the USDA's Farm Service Agency, and a perpetual RIM conservation easement administered by BWSR. Landowners retain private ownership of MN CREP easements.

vegetation to become established. Last season's drought was tough on

plants, and follow-up vegetation work may be required.

The Freeborn County SWCD handled easement sign-up, project oversight and ongoing vegetation establishment and maintenance. BWSR provided engineering work and MN CREP funding to secure the perpetual conservation easement and establish conservation practices. The Turtle Creek Watershed District issued a permit for the project and, along with county staff, helped with project planning. The USDA's Natural Resources Conservation Service (NRCS) and Farm Service Agency (FSA) provided both technical and administrative program support.

Billat said the most important partners are the landowners, and that the Muilenburgs' commitment made the project a success.

"You need a landowner that's willing to do the work, and Bob (Muilenburg) is definitely one of those," Billat said. "He wasn't just thinking about getting a payment on the easement and walking away. Before even putting in an application, he was talking about habitat management and wanting to make this a wildlife area."

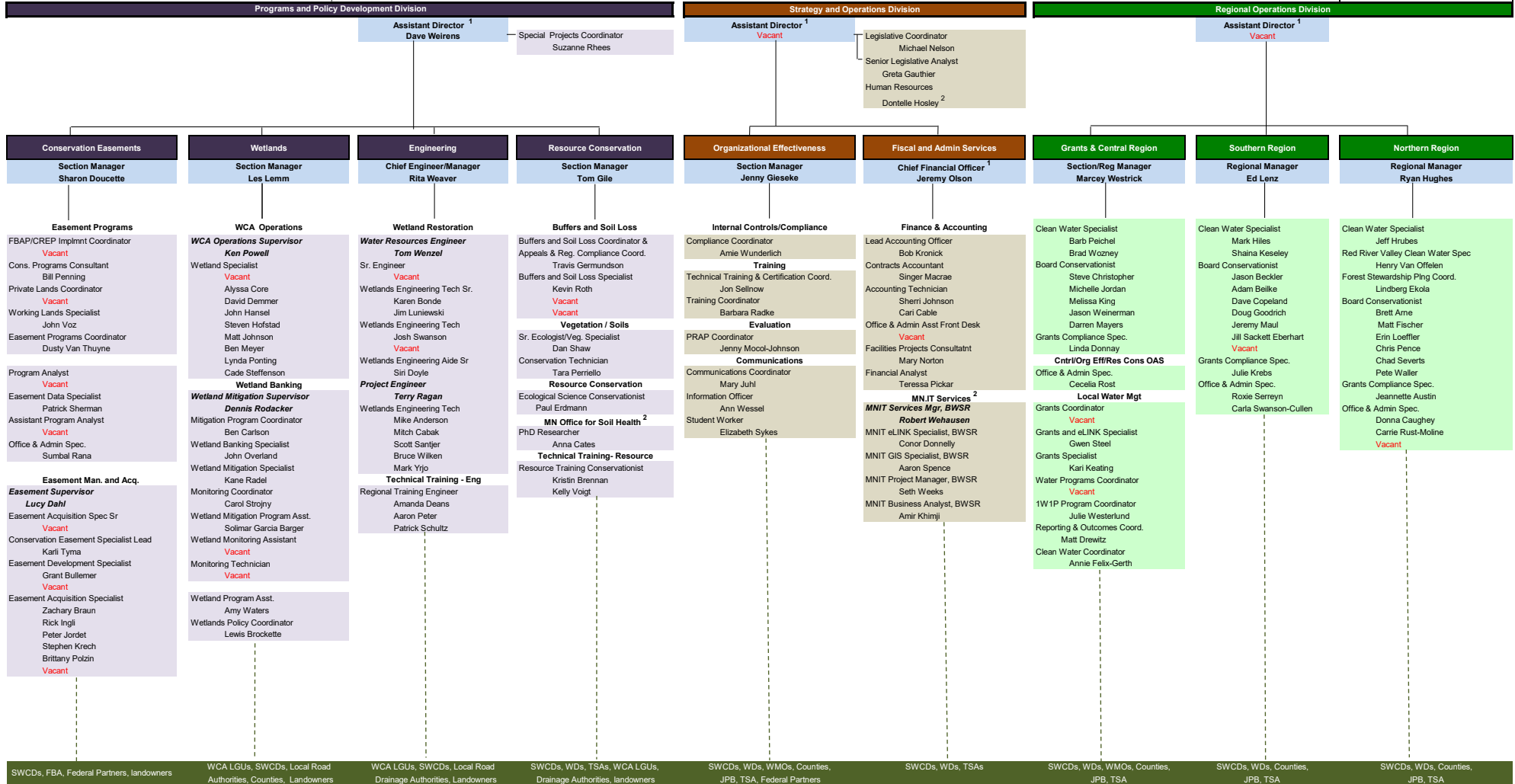
The Muilenburgs are responsible for managing the restoration. Freeborn County SWCD will provide annual monitoring and technical assistance as needed.

The site was featured during BWSR's [2021 annual Board Tour](#).

BWSR BOARD

Legend:

Executive Leadership¹
Senior Management
 Staff / **Supervisor**
 Current Vacancy
 Temporary Supervisor/supervision^A *
 Dept. in another agency²
 WOOOC = work out of class
 LOA = leave of absence



| | | | | | | | | | | | | | | | | | | | | | | |
|---|-------------------|---|-----------------|---|--|--|--------------------------|---|---|--|-------------------------------|------------------------------|---|----------|-----------------------------------|-----------|---------------|------|---------------|------|--------------|------|
| <input type="checkbox"/> IN-STATE <input type="checkbox"/> OUT-OF-STATE | | <input type="checkbox"/> SHORT TERM ADVANCE <input type="checkbox"/> RECURRING ADVANCE | | <h2 style="margin: 0;">SEMA4 EMPLOYEE EXPENSE REPORT</h2> | | | | <input type="checkbox"/> Check if advance was issued for these expenses <input type="checkbox"/> FINAL EXPENSE(S) FOR THIS TRIP? | | | | | | | | | | | | | | |
| Employee Name | | Home Address (Include City and State) | | Permanent Work Station (Include City and State) | | Agency | | 1-Way Commute Miles | | Job Title | | | | | | | | | | | | |
| Employee ID | | Rcd # | Trip Start Date | Trip End Date | Reason for Travel/Advance (30 Char. Max) [example: XYZ Conference, Dallas, TX] | | | | | Barg. Unit | Expense Group ID (Agency Use) | | | | | | | | | | | |
| Chart String(s) | A | Accounting Date | Fund | Fin DeptID | AppropID | SW Cost | Sub Acct | Agncy Cost 1 | Agncy Cost 2 | PC BU | Project | Activity | Srcce Type | Category | Sub-Cat | Distrib % | | | | | | |
| | B | | | | | | | | | | | | | | | | | | | | | |
| A. Description: | | | | | | | | | | | B. Description: | | | | | | | | | | | |
| Date | Daily Description | | | Itinerary | | Trip Miles | Total Trip & Local Miles | Mileage Rate | Meals ✓ | | | Total Meals (overnight stay) | Total Meals (no overnight stay) taxable | Lodging | Personal Telephone | Parking | Total | | | | | |
| | | | | Time | Location | | | | B | L | D | | | | | | | | | | | |
| | | | | | Depart | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| | | | | | Arrive | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| | | | | | Depart | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| | | | | | Arrive | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| | | | | | Depart | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| | | | | | Arrive | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| | | | | | Depart | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| | | | | | Arrive | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| | | | | | Depart | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| | | | | | Arrive | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | 0.00 | | | | | |
| VEHICLE CONTROL # | | | | | | Total Miles | 0 | | | | Total MWI/MWO | 0.00 | Total MEI/MEO | 0.00 | Total LGI/LGO | 0.00 | Total PHI/PHO | 0.00 | Total PKI/PKO | 0.00 | Subtotal (A) | 0.00 |
| MILEAGE REIMBURSEMENT CALCULATION | | | | | | | | | | OTHER EXPENSES – See reverse for list of Earn Codes. | | | | | | | | | | | | |
| Enter the rates, miles, and total amounts for the mileage listed above. Get the IRS rate from your agency business expense contact. | | | | Rate | Total Miles | Total Mileage Amt. | Date | Earn Code | Comments | | | | | | Total | | | | | | | |
| 1. Enter rate, miles, and amount being claimed at equal to the IRS rate. | | | | | | 0.00 | | | | | | | | | | | | | | | | |
| 2. Enter rate, miles, and amount being claimed at less than the IRS rate. | | | | | | 0.00 | | | | | | | | | | | | | | | | |
| 3. Enter rate, miles, and amount being claimed at greater than the IRS rate. | | | | | | 0.00 | | | | | | | | | | | | | | | | |
| 4. Add the total mileage amounts from lines 1 through 3. | | | | | | 0.00 | | | | | | | | | | | | | | | | |
| 5. Enter IRS mileage rate in place at the time of travel. | | | | | | | | | | | | | | | | | | | | | | |
| 6. Subtract line 5 from line 3. | | | | 0.000 | | | | | | | | | | | | | | | | | | |
| 7. Enter total miles from line 3. | | | | | 0 | | | | Subtotal Other Expenses: (B) | | | | | | 0.00 | | | | | | | |
| 8. Multiply line 6 by line 7. This is taxable mileage. | | | | | | 0.00 <small>(Copy to Box C)</small> | | | Total taxable mileage greater than IRS rate to be reimbursed: (C) | | | | | | 0.00 <small>MIT or MOT</small> | | | | | | | |
| 9. Subtract line 8 from line 4. If line 8 is zero, enter mileage amount from line 4. This is non-taxable mileage. | | | | | | 0.00 <small>(Copy to Box D)</small> | | | Total nontaxable mileage less than or equal to IRS rate to be reimbursed: (D) | | | | | | 0.00 <small>MLI or MLO</small> | | | | | | | |
| If using private vehicle for out-of-state travel: What is the lowest airfare to the destination? Total Expenses for this trip must not exceed this amount. | | | | | | | | | | Grand Total (A + B + C + D) | | | | | | 0.00 | | | | | | |
| I declare, under penalty of perjury, that this claim is just, correct and that no part of it has been paid or reimbursed by the state of Minnesota or by another party except with respect to any advance amount paid for this trip. I AUTHORIZE PAYROLL DEDUCTION OF ANY SUCH ADVANCE. I have not accepted personal travel benefits. | | | | | | | | | | Less Advance issued for this trip: | | | | | | | | | | | | |
| | | | | | | | | | | Total amount to be reimbursed to the employee: | | | | | | 0.00 | | | | | | |
| Employee Signature _____ Date _____ Work Phone: _____ | | | | | | | | | | Amount of Advance to be returned by the employee by deduction from paycheck: | | | | | | 0.00 | | | | | | |
| Approved: Based on knowledge of necessity for travel and expense and on compliance with all provisions of applicable travel regulations. | | | | | | | | Appointing Authority Designee (Needed for Recurring Advance and Special Expenses) | | | | | | | | | | | | | | |
| Supervisor Signature _____ Date _____ Work Phone: _____ | | | | Signature _____ Date _____ | | | | | | | | | | | | | | | | | | |

EMPLOYEE EXPENSE REPORT (Instructions)

DO NOT PAY RELOCATION EXPENSES ON THIS FORM.

See form FI-00568 Relocation Expense Report. Relocation expenses must be sent to Minnesota Management & Budget, Statewide Payroll Services, for payment.

USE OF FORM: Use the form for the following purposes:

1. To reimburse employees for authorized travel expenses.
2. To request and pay all travel advances.
3. To request reimbursement for small cash purchases paid for by employees.

COMPLETION OF THE FORM: Employee: Complete, in ink, all parts of this form. If claiming reimbursement, enter actual amounts you paid, not to exceed the limits set in your bargaining agreement or compensation plan. If you do not know these limits, contact your agency's business expense contact. Employees must submit an expense report within 60 days of incurring any expense(s) or the reimbursement comes taxable.

All of the data you provide on this form is public information, except for your home address. You are not legally required to provide your home address, but the state of Minnesota cannot process certain mileage payments without it.

Supervisor: Approve the correctness and necessity of this request in compliance with existing bargaining agreements or compensation plans and all other applicable rules and policies. Forward to the agency business expense contact person, who will then process the payments. Note: The expense report form must include original signatures.

Final Expense For This Trip?: Check this box if there will be no further expenses submitted for this trip. By doing this, any outstanding advance balance associated with this trip will be deducted from the next paycheck that is issued.

1-Way Commute Miles: Enter the number of miles from your home to your permanent workstation.

Expense Group ID: Entered by accounting or payroll office at the time of entering expenses. The Expense Group ID is a unique number that is system-assigned. It will be used to reference any advance payment or expense reimbursement associated with this trip.

Earn Code: Select an Earn Code from the list that describes the expenses for which you are requesting reimbursement. Be sure to select the code that correctly reflects whether the trip is in state or out-of-state. **Note:** Some expense reimbursements may be taxable.

Travel Advances, Short-Term and Recurring: An employee can only have one outstanding advance at a time. An advance must be settled before another advance can be issued.

Travel Advance Settlement: When the total expenses submitted are less than the advance amount or if the trip is cancelled, the employee will owe money to the state. Except for rare situations, personal checks will not be accepted for settlement of advances; a deduction will be taken from the employee's paycheck.

FMS ChartStrings: Funding source(s) for advance or expense(s)

Mileage: Use the **Mileage Reimbursement Calculation** table to figure your mileage reimbursement. Mileage may be authorized for reimbursement to the employee at one of three rates (referred to as the equal to, less than, or greater than rate). The rates are specified in the applicable bargaining agreement/compensation plan. Note: If the mileage rate you are using is above the IRS rate at the time of travel (this is not common), part of the mileage reimbursement will be taxed.

Vehicle Control #: If your agency assigns vehicle control numbers follow your agency's internal policy and procedure. Contact your agency's business expense contact for more information on the vehicle control number procedure.

Personal Travel Benefits: State employees and other officials cannot accept personal benefits resulting from travel on state business as their own. These benefits include frequent flyer miles/points and other benefits (i.e. discounts issued by lodging facilities.) Employees must certify that they have not accepted personal travel benefits when they apply for travel reimbursement.

Receipts: Attach itemized receipts for all expenses except meals, taxi services, baggage handling, and parking meters, to this reimbursement claim. The Agency Designee may, at its option, require attachment of meal receipts as well. Credit card receipts, bank drafts, or cancelled checks are not allowable receipts.

Copies and Distribution: Submit the original document for payment and retain a copy for your employee records.

| Description | Earn Code | | Description | Earn Code | |
|------------------------------|-----------|--------------|--|-----------|--------------|
| | In State | Out of State | | In State | Out of State |
| Advance | ADI | ADO | Membership | MEM | |
| Airfare | ARI | ARO | Mileage > IRS Rate | MIT* | MOT* |
| Baggage Handling | BGI | BGO | Mileage < or = IRS Rate | MLI | MLO |
| Car Rental | CRI | CRO | Network Services | NWK | |
| Clothing Allowance | CLA | | Other Expenses | OEI | OEO |
| Clothing-Non Contract | CLN | | Parking | PKI | PKO |
| Communications - Other | COM | | Photocopies | CPI | CPO |
| Conference/Registration Fee | CFI | CFO | Postal, Mail & Shipping Svcs.(outbound) | PMS | |
| Department Head Expense | DHE | | Storage of State Property | STO | |
| Fax | FXI | FXO | Supplies/Materials/Parts | SMP | |
| Freight & Delivery (inbound) | FDS | | Telephone, Business Use | BPI | BPO |
| Hosting | HST | | Telephone, Personal Use | PHI | PHO |
| Laundry | LDI | LDO | Training/Tuition Fee | TRG | |
| Lodging | LGI | LGO | Taxi/Airport Shuttle | TXI | TXO |
| Meals With Lodging | MWI | MWO | Vest Reimbursement | VST | |
| Meals Without Lodging | MEI* | MEO* | Note: * = taxable, taxed at supplemental rates | | |