

Hennepin Conservation District

2009 Annual Report

&

2010 Work Plan

Final

December 21st, 2009



HCD Online

Additional information about HCD including news, the schedule of upcoming meeting, past meeting minutes, and more, is available at the HCD web site. We invite you to join us at:

<http://hcd.hennepin.mn.us>



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Introduction

The Hennepin Conservation District was founded on November 7, 1949 as a special purpose unit of government under Minnesota Statutes Chapter 103C. HCD is one of 91 soil and water conservation districts throughout Minnesota and is part of a national network of conservation districts. SWCDs have no taxing or regulatory authority. Hence, these districts must develop and implement their conservation programs through voluntary cooperation with individuals, citizen associations, and other governmental units.

The governing body of the Hennepin Conservation District is an elected board of supervisors. There are five supervisors on the HCD Board. Supervisors are elected county-wide for a term of four years. For continuity, terms are staggered so that two or three positions are elected every two years. Although the election for supervisors is county-wide, each must come from one of five nominating districts. Election contests are among candidates within the same nominating district. All eligible voters in the county can vote their preference in each contest.

Improper land use practices have caused serious wind and water erosion of the land within Hennepin County, increased runoff of polluting materials, increased energy costs, and increased flood damage within Hennepin County. The role of HCD has evolved over time in addressing these issues. It is the policy of HCD to encourage land owners to conserve soil and water resources through implementation of practices to correct these conditions and preserve the soil and water resources of Hennepin County and the State of Minnesota.

To accomplish its mission, HCD seeks to develop collaborative relationships with private landowners, nonprofit, and for profit entities concerned with conservation, and other local, State and Federal level agencies to achieve mutual goals. HCD supplements the efforts of others through technical assistance, cost-share projects, data gathering and compliance monitoring. HCD serves important roles in the facilitation of State Cost-share Program funds, Wetland Conservation Act administration, and coordination of project partners towards common objectives. The goal of HCD is to leverage the maximum amount of financial and technical resources towards implementing projects which benefit the resources of Hennepin County.

Since 2006, staff of the Hennepin County Environmental Services Department (HCES) have provided administrative and technical services to the Board, pursuant to the cooperative agreement between HCD and Hennepin County.

2009 Board of Supervisors

District One

Kim Boyce, *Chair*

Term Expires January, 2012

District Two

Vacant

Term Expires January 2010

District Three

James Wisker, *Secretary*

Term Expires January 2012

District Four

Stephen Jenkins, *Treasurer*

Term Expires January 2010

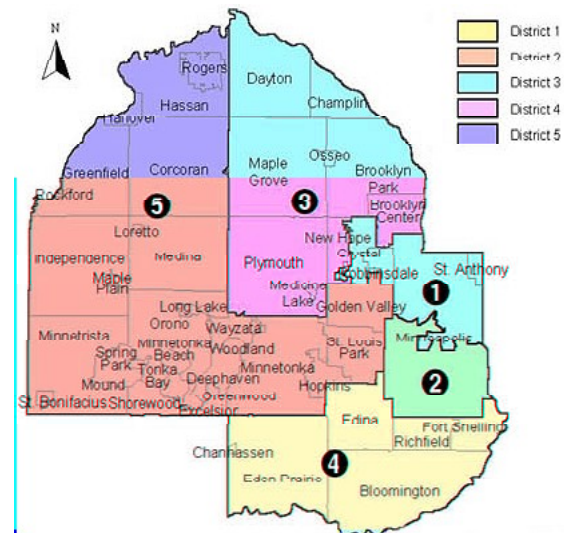
District Five

Jeff Beck, *Public Relations Representative*

Term Expires January, 2012

HCES Staff Assigned to HCD

Stacey Lijewski, *Conservationist*



HCD boundaries do not conform to the boundaries of any specific municipality, township, watershed district, or other legal division but may incorporate any of these in whole or part.



2009 Program Report

In 2009 the goal of HCD was to fulfill the statutory obligations of the agency, strategically direct expenditures of financial resources, and strategically plan for the future of the organization.

Under the cooperative agreement, Hennepin County provides staff to implement the District's statutory responsibilities and programs. The HCD Board worked with county staff to achieve the following accomplishments in 2009.

Land and Water Conservation

County staff provides technical assistance and related services to promote land and water conservation in Hennepin County. County staff answers questions from land owners and local governments regarding appropriate conservation practices. HCD and Hennepin County collaborate, collectively organize, and supplement the efforts of others to leverage the maximum amount of effort devoted towards conservation efforts.

Wetland Conservation Act Administration

HCD has a statutory role in the administration of the Wetland Conservation Act within Hennepin County. Conservation of wetlands throughout the County is a high priority of the agency. HCD assists other State and local units of government in monitoring legal and illegal impacts to wetlands.

In 2009 the Department of Natural Resources (DNR) made a rule change related to the issuing of Cease and Desist Orders (C&D's) for wetland violations. This rule change resulted in fewer C&D's being issued and had a big impact on how HCD administers WCA.

With the lack of an issued C&D for suspected and confirmed wetland violations, HCD staff were at numerous times conducting field investigations without a proper Technical Evaluation Panel (TEP). Often, HCD was the only organization present. This led to several meetings regarding the roles of other TEP members, such as the Local Government Unit (LGU), BWSR wetland staff and the HCD field staff representative. These conversations are still on going and are paired with the conversations related to the new rule changes made to WCA as well as the DNR rule change for issuing C&D's.

In 2009 HCD had 7 wetland cases closed. 4 cases resulted in liens. There are currently 22 in progress WCA violation cases. There have been over a dozen requests made of the HCD staff to site or field verify wetland fill activities without any other TEP member present or a formal request in the form of a Cease and Desist Order issued by the DNR. Without a formal form and lack of tracking ID numbers the HCD staff has been instructed to limit field site visit

investigation work to sites with landowner request and the presence of the LGU and/ or BWSR staff. This results in a formal two or three person TEP on site and ends the practice of a one person TEP for Hennepin County.

State Cost-Share Program

The Board approved the cost-share application for a rain garden project in Minneapolis in 2007. Approval of the cost-share agreement not to exceed \$5,000 is dependent upon the applicant obtaining all necessary permits for the project. This project was paid out in total of \$5,000 in 2009. Cost share-contract 2005-04 was canceled and contract 2005-03 was paid out for \$11,380. On June 30th 2008 HCD approved \$18,500 for an animal waste project. Contract 2008-1 was also paid out in 2009 for \$18,500. In 2009 HCD did not enter into a contract for cost share funds.

There were two buffer cost share requests made for the \$5,000 of buffer cost share dollars HCD received from BWSR. One request was made by a non-profit entity and the other by a private land owner. Neither request has been acted on at this time due to a host of factors. Staff has been on site of each location and had several conversations with both parties about the buffer cost share program and requirements for funds. No contracts have been signed at this time.

Non-Point Source Engineering Assistance Program (NPEAP)

NPEAP is administered through the Scott County SWCD. In 2009, HCD did not request NPEAP funds for engineering design for a project.

RIM Easement Inspection

Pursuant to the cooperative agreement, Hennepin County staff conducts annual inspections of Reinvest in Minnesota (RIM) easements. Staff inspected 22 of the 33 Reinvest in Minnesota (RIM) easements in Hennepin County. The purpose of the inspections is to verify landowner compliance with the restrictions imposed by the conservation easements. All inspection reports were filed with the Minnesota Board of Water and Soil Resources (BWSR) pursuant to state requirements.

Environmental Education

Recognizing that environmental education represents a wise investment in youth and conservation knowledge, HCD supported two high school Envirothon teams and provided staff support for 2009. Envirothon is a high school environmental education program that is nationwide with regional and state competitions for places in the national completion. College scholarships are awarded to the top teams at the national competition. The Envirothon mission is



to develop knowledgeable, skilled and dedicated citizens who are willing and prepared to work towards achieving and maintaining a natural balance between the quality of life and the quality of the environment.

In 2009, county staff representing HCD participated in the planning and implementation of the Children's Water Festival (CWF). The Children's Water Festival is a water resource based environmental education event for 5th graders in the seven county metro area. Members of the planning committee for this all day event represent all seven metro counties and several metro watershed management organizations. The metro CWF served 967 5th graders in 2009. The planning committee is currently researching ideas of how to best expand, as the number of schools applying is increasing. In 2009, 50 schools were present and 147 schools were turned down due to physical and financial constraints associated with the event.

The county staff representing HCD were been involved with a number of other environmental education events, including City environmental fairs or events and presentations to schools.

DNR Obwell network

HCD has an agreement with the DNR to measure static water levels in eleven wells that are a part of the Minnesota Department of Natural Resources observation well network. All wells are monitored once a month, eight months a year, by county staff pursuant to the cooperative agreement.

Impaired Waters

Impaired Waters are becoming an increasingly important issue across Hennepin County and throughout the state. HCD seeks to actively supplement the efforts of others including Watershed Management Organizations to assist in the implementation of land use practices which will improve water quality and address issues related to Impaired Waters.

Conservation Associations and Collaborations

To leverage and best maximize limited HCD resources, partnering with other state and regional conservation associations continued in 2009. HCD is a member of the National Association of Conservation Districts (NACD). Membership in the Minnesota Association of Soil and Water Conservation Districts (MASWCD) enabled staff and elected supervisors access to high quality staff development, training and information networks; resources that enhanced the capacity of HCD in 2009. Partnering with other metropolitan SWCDs through the Association of Metropolitan Soil and Water Conservation Districts (AMSWCD) provides access to engineering services and regional staff who work directly with residents of Hennepin County to assist with



conservation planning and the installation of conservation practices. One example of this is the work of Shawn Tracy, a regional landscape restoration technician. Mr. Tracy is based at the Anoka County SWCD, and delivers programs throughout the metro region. His primary focus is to work with landowner groups, lake associations, and local units of government on the design and installation of lake shore and stream bank restoration projects, rain gardens, and native buffer strips (noted above). In a recent report Mr. Tracy cites the following activities in Hennepin County for 2009:

The Landscape Restoration Program, of the Metropolitan Conservation Districts, provided site assessments, BMP project designs, BMP installation oversight, workshops/presentations and BMP check-outs for HCD totaling 270 hours, to date, for the period 1/1/2009-12/1/2009. A total of 16 designs, 6 installations, 20 project check-outs and 11 workshops/presentations were delivered. Project highlights include shoreline restoration around Lake Independence, soil stabilization and stormwater infiltration practices (dry creek bed, bioretention cells and permeable pathways) at YMCA Camp Ihduhapi, native buffer design along the Mississippi River, two church projects (raingardens), a workshop on bioengineering for contractors (Minnehaha Creek WD office) and several presentations for homeowners on water-smart landscaping.

Administration

HCD should receive \$27,623 in general services support from BWSR in 2010. These funds are allocated towards general operations and administrative expenses. Pursuant to the cooperative agreement between HCD and Hennepin County, District revenues are transferred to the county. The HCD Board maintains control of these funds and authorizes payments of administrative expenses such as per diem, travel, dues and insurance as well as program funds such as state cost-share grants. In addition, the District reimburses the county for services provided by county staff related to RIM and Obwell monitoring and WCA.

Hennepin County Conservation Forum

HCD has added a conservation forum to the 2009 efforts. The first forum was held on April 9th, 2009. At this first conservation forum staff from LGU's, WMO's, and Parks within Hennepin County were invited to discuss conservation issues regarding land and water resources in Hennepin County. Additional forums were held on July 30th and October 14th, 2009 with the intent to inform attendees of funding opportunities, especially related to the Clean Water money. HCD hopes to become a conservation clearing house for Hennepin County. HCD plans to continue having conservation forums in 2010.

2010 Work Plan

Throughout 2009 and into the year 2010, HCD remains committed to the following mission:

“To facilitate the conservation of water, soil and related natural resources through education, technical assistance and implementation of sound land use practices, in the most cost-effective manner, for the benefit of current and future generations.”

The 2010 HCD Work Plan builds on efforts of 2009 and sets the stage for 2010 and beyond. HCD recognizes that addressing the conservation issues in a rapidly “urbanizing environment” in the most populated county in the state is a unique and important challenge.

Priorities for 2010

Soil and Water Conservation

The quality of soil and water resources within Hennepin County is intimately linked to land use. Currently there is an increased emphasis at the Federal and State levels on non-point pollution control and agricultural nutrient management. In the future, HCD as an organization will maintain a focus on non-point source pollution management. HCD will continue to provide conservation program services in the areas where HCD has a unique statutory role and responsibility. Efforts will be made to partner with other conservation and environmental agencies in order to leverage HCD resources - maximizing the conservation benefits to landowners and residents of Hennepin County.

HCD will seek to increase its effectiveness in fulfilling its mission through supplementing the efforts of others and collaborating on joint environmental projects with public and private entities which conserve, enhance and improve the resources of Hennepin County.

HCD utilizes a number of tools to implement conservation across the county including:

Technical Assistance and Land Use Planning

Upland and Wetland Conservation

Aquatic Buffers, Shoreline and Stream bank Stabilization

Better Site Design on New Development



Erosion and Sediment Control

Implementation of Storm water Best Management Practices including rain gardens

Education

Cooperative Agreement with Hennepin County

Priorities in 2010 include the continued implementation of the cooperative agreement between the HCD and Hennepin County. The HCD Board believes this agreement has resulted in improved service to residents and local governments in Hennepin County. The Board looks forward to continuing discussions with the County Board and staff regarding future cooperative efforts. The HCD Board is actively pursuing opportunities to identify environmental issues and ways to support county initiatives to address those issues.

Impaired Waters

Impaired Waters as defined by the Clean Water Act continue to be an important natural resource management issue in Hennepin County. HCD has a critical role to play in addressing non-point source pollution and reduction of nutrient loads to area waters. HCD will continue to assist the efforts of others to address impaired waters and improve the quality of area resources. The current list of impaired waters in Minnesota is available from the Minnesota Pollution Control Agency (<http://www.pca.state.mn.us/water/tmdl/tmdl-303dlist.html>).

Staff time and state Cost-Share Program funds will be dedicated towards addressing rural and semi-rural runoff issues that affect impaired waters. Priority will be given to those projects occurring in areas with approved surface water management plans and total maximum daily load (TMDL) plans addressing impaired waters. The Board believes that local involvement will increase the benefits associated with the Clean Water Legacy program in Hennepin County and throughout the state.

Programs

In 2010, HCD will concentrate its attention and resources to the statutory and contractual obligations it retains and also seek to leverage programs and funds administered by others to further its mission. Programmatic statutory activities are summarized as below:

WCA

State Cost Share



Non-Point Source Engineering Assistance

RIM easement inspection

DNR Obwell network

Wetlands Conservation Act (WCA)

The HCD has a statutory role in jurisdictional wetland regulation under the WCA. Participation in technical evaluation panels (TEP) to delineate wetlands, evaluate impacts, and restore through remedial efforts is now done by county staff on behalf of the District. An average of twelve to seventeen cease and desist orders are received by HCD annually. Priority will be given to enforcement activities in 2010. An additional \$10,000 is available from the BWSR to support WCA enforcement activities in Hennepin County. The District has applied for this grant and plans to use these funds to improve protection of valuable wetlands. HCD did receive this enforcement grant and has used almost all of it on WCA violation work efforts.

State Cost-Share Program

HCD should receive \$12,040 in cost-share funds from BWSR for eligible conservation projects in 2010. Special projects that address both high priority erosion problems and high priority water quality problems will be given greatest consideration for cost share funds. Over a three year time period it is the goal of the board to balance the needs of both rural and urban areas that have high priority erosion problems.

Non-Point Source Engineering Assistance Program (NPEAP)

NPEAP is administered through the Scott County SWCD. Although no funds are directly transferred to HCD through this program, NPEAP funds support projects in Hennepin County that help reduce erosion and improve water quality. The Board is looking to expand the use of NPEAP funds in Hennepin County in 2010.

RIM Easement Inspection

County staff will continue to conduct RIM inspections pursuant to the cooperative agreement.

DNR Obwell network

The Minnesota Department of Natural Resources has contracted with HCD to measure water levels in eleven (11) observation wells over the course of the year. HCD receives \$15 per reading



to perform this work. The staff time commitment for this contract is approximately eight, eight-hour days per year.

Environmental Education

HCD will continue to support environmental education programs in 2010 including the Envirothon and Children's Water Festival. Mrs. Lijewski was asked to bring forward the Joint Powers Agreement (JPA) to the Soil and Water Conservation Districts (SWCD) Area 4 Managers meeting to prevent the Children's Water Festival (CWF) from dissolving. Stacey Lijewski has spent a great deal of time and energy working with other SWCD boards for the this effort. HCD will stay committed to the efforts of staff in this area.

Hennepin County Conservation Forum

HCD hopes to become a conservation clearing house for Hennepin County. HCD plans to continue having conservation forums in 2010.

New Partnerships

HCD and Ramsey Conservation District (RCD) have had a joint meeting to look at future partnerships between HCD and RCD. The hope is that in 2010 HCD and RCD will have other joint board meetings that will lead to other areas of partnership.