

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
ST. PAUL, MN 55155  
WEDNESDAY, JANUARY 27, 2021**

**AGENDA**

**9:00 AM CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF AGENDA**

**MINUTES OF DECEMBER 17, 2020 BOARD MEETING**

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

**REPORTS**

- Chair & Administrative Advisory Committee - Gerald Van Amburg
- Audit & Oversight Committee
- Executive Director - John Jaschke
- Dispute Resolution and Compliance Report – Travis Germundson/Gerald Van Amburg
- Grants Program & Policy Committee – Tom Schulz
- RIM Reserve Committee
- Water Management & Strategic Planning Committee
- Wetland Conservation Committee – Jill Crafton
- Buffers, Soils & Drainage Committee – Kathryn Kelly
- Drainage Work Group – Tom Gile

**AGENCY REPORTS**

- Minnesota Department of Agriculture – Thom Petersen
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Sarah Strommen
- Minnesota Extension – Joel Larson
- Minnesota Pollution Control Agency – Katrina Kessler

**ADVISORY COMMENTS**

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – Chessa Frahm
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Nathan Redalen
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

## **COMMITTEE RECOMMENDATIONS**

### ***Northern Region Committee***

1. Bois de Sioux - Mustinka Comprehensive Watershed Management Plan – Neil Peterson, Pete Waller, and Ryan Hughes – ***DECISION ITEM***

### ***RIM Reserve Committee***

1. Working Lands RIM Easement Pilot Program – Sharon Doucette– ***DECISION ITEM***

### ***Audit and Oversight Committee***

1. 2020 Performance Review and Assistance Program Legislative Report – Dale Krystosek and Brett Arne – ***DECISION ITEM***

## **NEW BUSINESS**

1. BWSR's Climate Change Trends and Action Plan and State Climate Initiatives – Dan Shaw and Suzanne Rhees – ***INFORMATION ITEM***

## **UPCOMING MEETINGS**

- BWSR Board meeting is scheduled for March 24, 2021, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.

## **ADJOURN**

**Drainage Work Group Report**  
**January 27, 2021 BWSR Board Meeting**  
Tom Gile, BWSR, DWG Coordinator

The following is a synopsis of discussion topics at the recent Drainage Work Group meetings and anticipated dates for future meetings. This year's meetings are being done remotely via Skype.

**Recent virtual DWG meetings:**

**January 14, 2020.**

- This meeting was the last of this year's DWG meetings
- The DWG had a very good discussion on the use of MDM/CWF dollars for Drainage related activities. Of particular interest to this discussion is the dismissal due to an inadequate outlet and dismissal due to benefits of the proposed drainage project being less than the total cost, including damages awarded.

If a proposed drainage project does not meet the cost benefits or does not have an adequate outlet the project is dismissed. Clean Water Fund dollars can clearly be used for water quality projects within the provisions of the drainage law and CWF. The question up for discussion is eligibility to use CWF dollars to provide for an adequate outlet or to buy down the cost benefits in order to make a project feasible if it would otherwise be dismissed for these reasons. CWF is intended to supplement traditional funding sources and is not a substitute. Similarly infrastructure and aspects of storm water projects which are required to meet minimum regulatory standards are not eligible. However, supplemental aspects that go above and beyond required minimums are eligible. How do these aspects of 103E reconcile with the CWF?

Some future discussion may be warranted.

- The DWG had a very good discussion on the use of MDM/CWF The Drainage Management Team returned to provide further discussion on the "Watershed Hydrology: Considerations in Watershed Planning" document from the previous meeting. A one page overview document was provided to DWG membership which helped clarify the purpose/scope and intent and seemed to alleviate most concerns from the previous discussion.
- BWSR staff provided a status update on the Drainage Maintenance Policy document which was discussed earlier in the year. An anticipated timeline of sharing final versions with the DWG and a future agenda topic to provide one last brief discussion on the purpose is intended.

**DWG.. What's next**

Group think/discussion for topics to consider in 2021. BWSR staff will generate an online survey for DWG members this spring to rank and prioritize anticipated activities for the next DWG season. Meetings for next year are anticipated to start in June or July of 2021 and go through Dec/January.

We are currently anticipating that the next DWG meetings will begin in a virtual format but will hold out hope that we may be able to meet in person next year from time to time as well.

**Next DWG meeting:**

- June/July of 2021 will be the next scheduled meeting

## Dispute Resolution and Compliance Report

January 12, 2021

By: Travis Germundson

There are presently seven appeals pending. All but one of the appeals involve the Wetland Conservation Act (WCA). There has been one new appeal filed since the last Board Meeting (December 17, 2020).

Format note: New appeals that have been filed since last report to the Board.  
~~Appeals that have been decided since last report to the Board.~~

File 20-13 (12-21-2020) This is an appeal of a restoration order in Washington County. The appeal regards the alleged placement of fill in wetlands associated with development of a residential property. No decision has been made on the appeal.

File 20-12 (12-1-2020) This is an appeal of Administrative Penalty Order (APO) issued under the Buffer Law in Pennington County. The APO requires the placement of a 16.5' vegetated buffer along a public drainage system. *No decision has been made on the appeal.*

File 20-10 (11-12-2020) This is an appeal of duplicated WCA restoration orders in St. Louis County. The appeal regards the placement of approximately 5,000 sq. ft. of fill in a wetland associated an ATV Club trail crossing project that allegedly was approved by the LGU. *The appeal was placed in abeyance and the restoration order stayed for submittal of an after-the-fact wetland application and/or to give additional time to coordinate with the LGU in attempt to resolve the matter.*

File 20-09 (9-23-2020) This is an appeal of a WCA exemption decision in Polk County. The appeal regards the denial of an agricultural exemption request to tile several wetlands. At issue is the required planting history qualification associated with the exemption being claimed. *The appeal was placed in abeyance for submittal of additional supporting information.*

~~File 20-08 (8-12-2020) This is an appeal of a WCA restoration order in St. Louis County. The appeal regards the alleged placement of 8,000 sq. ft. of fill in a wetland. The petitioner intends to submit after the fact applications for exemption and no loss to the LGU. The appeal was denied, and the restoration order affirmed.~~

File 20-03 (2-26-2020) This is an appeal of a WCA restoration order in Kandiyohi County. The appeal regards the alleged impacts to a wetland associated with the installation agricultural drain tile and lift pump. *The appeal has been placed in abeyance and the restoration order stayed for the appellant to submit additional documentation in support of the appeal and/or an after-the-fact application and for the Technical Evaluation Panel to develop written finding of fact adequately addressing the wetland boundary and drainage impacts. That decision has been amended to extend the time period on the stay of the LGU decision.*

File 19-7 (12-20-19) This is an appeal of a WCA replacement plan decision in Hennepin County. The appeal regards the denial of a replacement plan application associated with wetland impacts described in a restoration order. The restoration order was appealed and placed in abeyance until there is a final decision on the wetland application (File 18-3). The appeal has

been placed in abeyance until there is no longer mutual agreement on the viability of proposed actions for restoration. *The LGU has since notified BWSR that there is no longer mutual agreement on continuing to hold the appeal in abeyance. As a result, a decision was made to grant and hear the appeal.*

File 18-3 (10-31-18) This is an appeal of a WCA restoration order in Hennepin County. The appeal regards the alleged filling and draining of over 11 acres of wetland. Applications for exemption and no-loss determinations were submitted to the LGU concurrently with the appeal. *The appeal has been placed in abeyance and the restoration stayed for the LGU to make a final decision on the applications. That decision has been amended several times to extend the time period on the stay of the restoration order. The LGU decision was appealed (File19-7).*

Summary Table for Appeals

Type of Decision	Total for Calendar Year 2019	Total for Calendar Year 2020
Order in favor of appellant		
Order not in favor of appellant	1	5
Order Modified	2	
Order Remanded		2
Order Place Appeal in Abeyance	3	4
Negotiated Settlement		
Withdrawn/Dismissed	4	3

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 99 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are 26 Corrective Action Notices (CANs) and 8 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 64 of those have been resolved.

\*Statewide 28 counties are fully compliant, and 47 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 987 CANs and 40 APOs actively in place. Of the actions being tracked over 1231 of those have been resolved.

*\*Disclaimer: These numbers are generated on a monthly basis from BWSR’s Access database. The information is obtained through notifications from LGUs on actions taken to bring about compliance and may not reflect the current status of compliance numbers.*

# Working Lands RIM Easement Pilot Program

Version: 1.00

Effective Date: MM/DD/YYYY

## Purpose

The purpose of the Working Lands RIM Easement pilot program is to protect and promote perennial vegetation land cover for the benefit of surface and groundwater through “working lands” easements. For the pilot program, “working lands” is defined as lands that are used for haying, grazing or solar.

## Background

In 2017, the Board of Water and Soil Resources, in partnership with the Nature Conservancy (TNC), launched the first Clean Water Fund supported Reinvest in Minnesota (RIM) riparian forest protection program on the Pine River. Source water protection prioritization and other multiple benefits criteria were used to score and rank parcels with program delivery through SWCD staff. Soon after the program was launched, key regional watershed-based organizations (Pine River Watershed Alliance and Whitefish Area Property Owners Association) asked if there was an analogous tool to support grazing and working lands initiatives. Producer driven inquiries and significant land conversion pressure away from grazing lands has developed interest from SWCDs and conservation partners in west-central Minnesota. This pilot program brings action to that identified need and is focused on the Pine, Crow Wing and Redeye River watersheds (see Appendix A, Exhibit 1). Both the Pine and Redeye watersheds have approved Comprehensive Watershed Management Plans (CWMP) and the Crow Wing River watershed CWMP is being discussed locally.

## Overview

Three key analytical efforts have identified these three watersheds as being ranked as priority source water protection areas in Minnesota. The U.S. Forest Service’s *Forests, Water and People Analysis* (2009) lists the Pine and Crow Wing River watershed as top-ranking watersheds in Minnesota for their ability to produce clean water (APCW). The Redeye, Pine, and Crow Wing River watersheds also score high in the Nature Conservancy’s multiple benefits analysis which weighs habitat, drinking water, groundwater quality and quantity, and flooding and erosion values (see Appendix A, Exhibit 2). Some of the latest Nature Conservancy science (Natural Climate Solutions) spatially represents lands scored for

climate resilience and connected resilient corridors that also supports the need for grassland and forest protection in these watersheds (see Appendix A, Exhibit 3).

Based on this science-backed watershed scale prioritization for multiple benefits, resiliency and source water protection, BWSR, TNC, and local SWCD leadership in Crow Wing, Cass, Hubbard, Becker, Wadena and East Otter Tail counties support the development of a Working Lands RIM easement pilot program. The guiding principles for this program will include: a fixed easement rate (50% of the current county estimated market value similar to values for federal ACUB easements) based on formula-driven parcel values similar to other RIM projects in the Mississippi Headwaters; coordinated delivery through local SWCD staff linking landowners to the RIM program and local comprehensive watershed management plan priorities; permanent protection leveraging multiple public and private fund sources (future goal); and implementation of a program that supports local working lands economy and natural resource values.

Prioritization and scoring criteria are based on the following considerations: the highest return on conservation investment; water quality benefits (both surface and groundwater); large block connectivity of grassland complexes; and implementation of CWMP priorities. A local technical advisory committee (TAC) made up of BWSR, SWCD, agency and NGO partners will score and rank priority parcels. This partnership will support solicitation from willing landowners and work collaboratively to share multiple agency conservation program availability in what is intended to be a sustained long-term protection program. The program will encourage a working lands approach while prioritizing grassland multiple benefit protection values. The intent of this program is to implement a modified RIM program that has a transferable methodology that could be utilized in other watersheds where grasslands/working lands protection is a high priority. The program recognizes the need for sustainable long-term management plans that can transfer with ownership and are flexible enough to adapt to market, land value and other ownership changes. Significant detail regarding the resource being protected will be identified in the management plans; including, but not limited to, a grazing management plan that protects the form and function of grassland ecological values; groundwater and surface water hydrology management (no net change due to land practices); adaptations for climate variability; promotion of soil health; and allowance for other compatible conservation practices over time.

## **Benefits and Outcomes**

Using the CWMP measures or those identified in the Crow Wing River WRAPs, the program will measure success by the plans' protection and program enrollment goals that are achieved in priority minor watersheds. Other metrics used to measure success will include acres of permanently protected working grasslands; achieving 75% of prioritized minor watersheds managed under some form of grazing management plan; number of easements and dollars spent. The average easement cost will be between \$1000 to \$2000 per acre. The average easement size is estimated at approximately 40 acres.

Easement staff will use this information to develop a budget for anticipated program costs including stewardship, district payments, BWSR administration and restoration.

## **Program Details**

### **Criteria for prioritization:**

The scoring/parcel prioritization will include the following criteria:

- Connectivity
- Grazing land complex size
- Wellhead Protection
- Adjacency to public waters and public ditches
- Habitat benefits (State Wildlife Action Plan)
- Risk of conversion
- Adjacency to protected lands
- Multiple benefits score
- Resiliency score
- Percent grassland cover
- Minor Watershed Risk Classification/CWMP priority

Applications will be scored and prioritized by the TAC using these criteria for a consistent and transparent process. The scoring criteria is consistent with criteria used in the Wild Rice Shoreland program, ACUB program, Mississippi Headwaters Habitat Corridor program and the Pine, Crow Wing and Rum River Critical Shorelands programs.

### **Funding:**

The program will start with a BWSR funding commitment of \$1M from the 2019 bonding appropriation (*no more than \$1,000,000 may be used to acquire working lands easements*). It is anticipated that with program success, annual contributions from Legacy funds and federal and private sources would be ongoing.

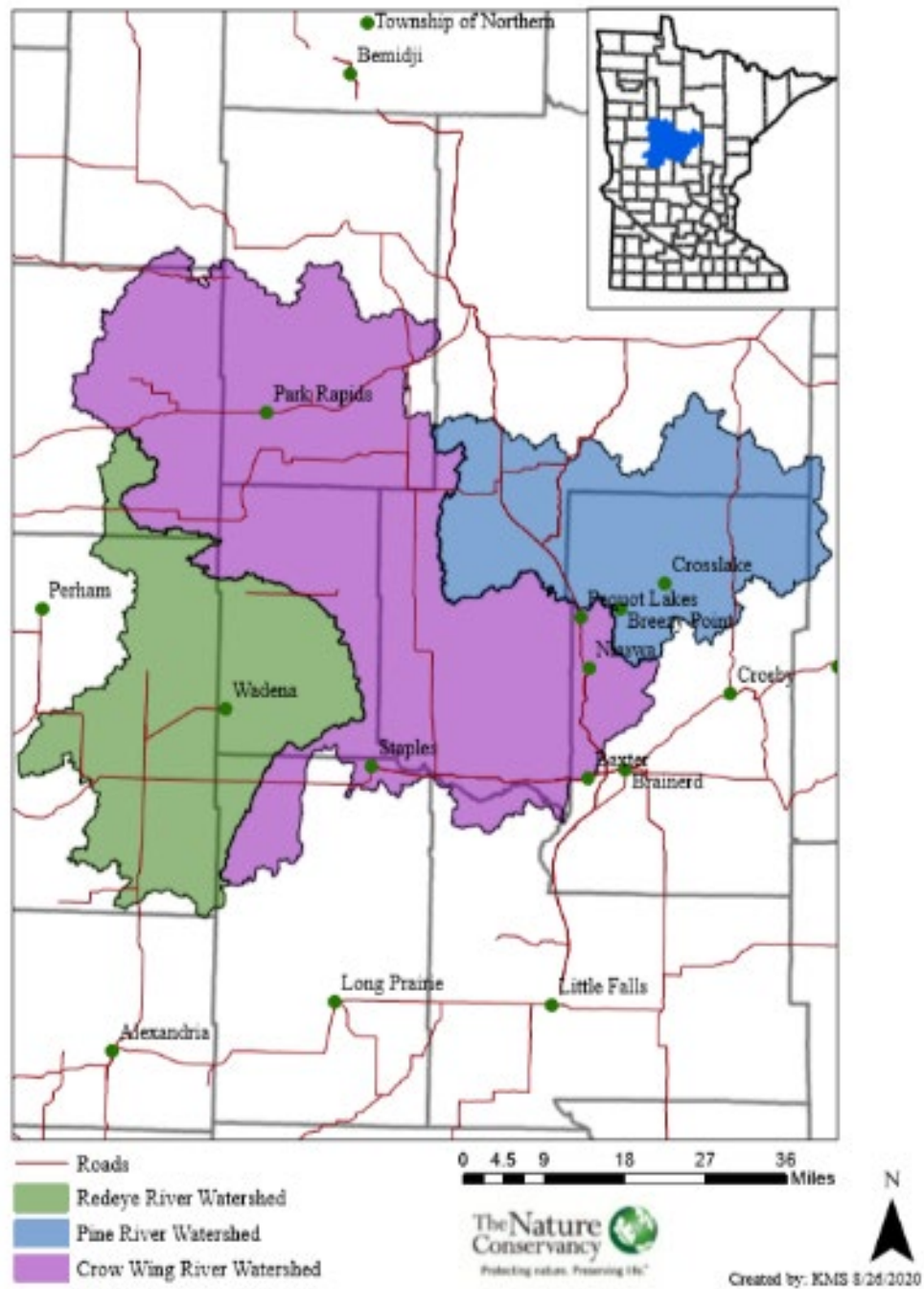
### **Delivery:**

SWCD staff will function as Program Lead and convene the partnership represented by the TAC. All partners would solicit willing landowners and support the ongoing funding. A partnership between Cass, Crow Wing, Hubbard, Becker, Wadena and East Otter Tail SWCDs, agencies and NGOs that currently deliver RIM and other conservation programs will be developed. The Working Lands RIM Easement would be an additional tool for willing landowners in the region.

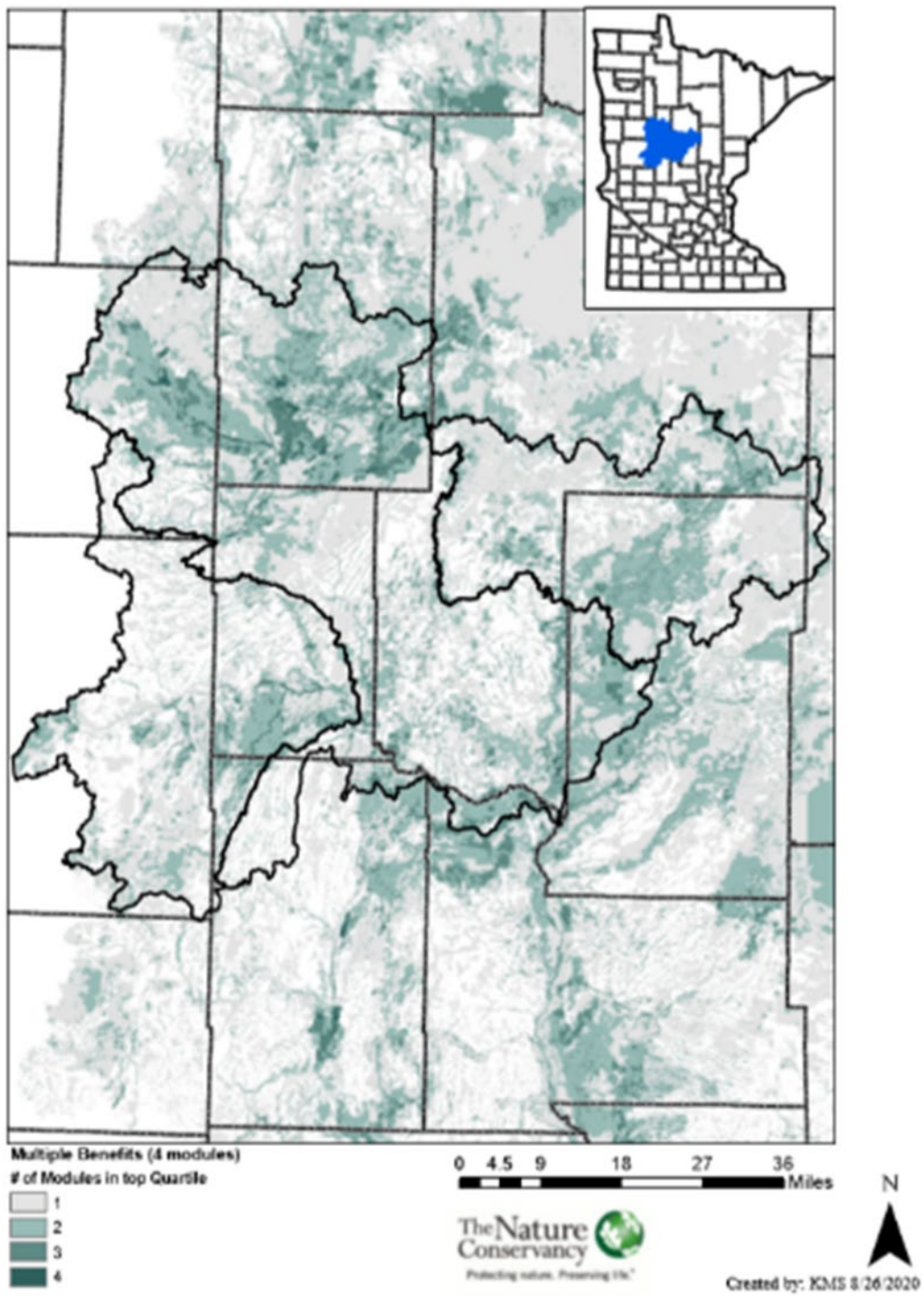


## Appendix A: Exhibits

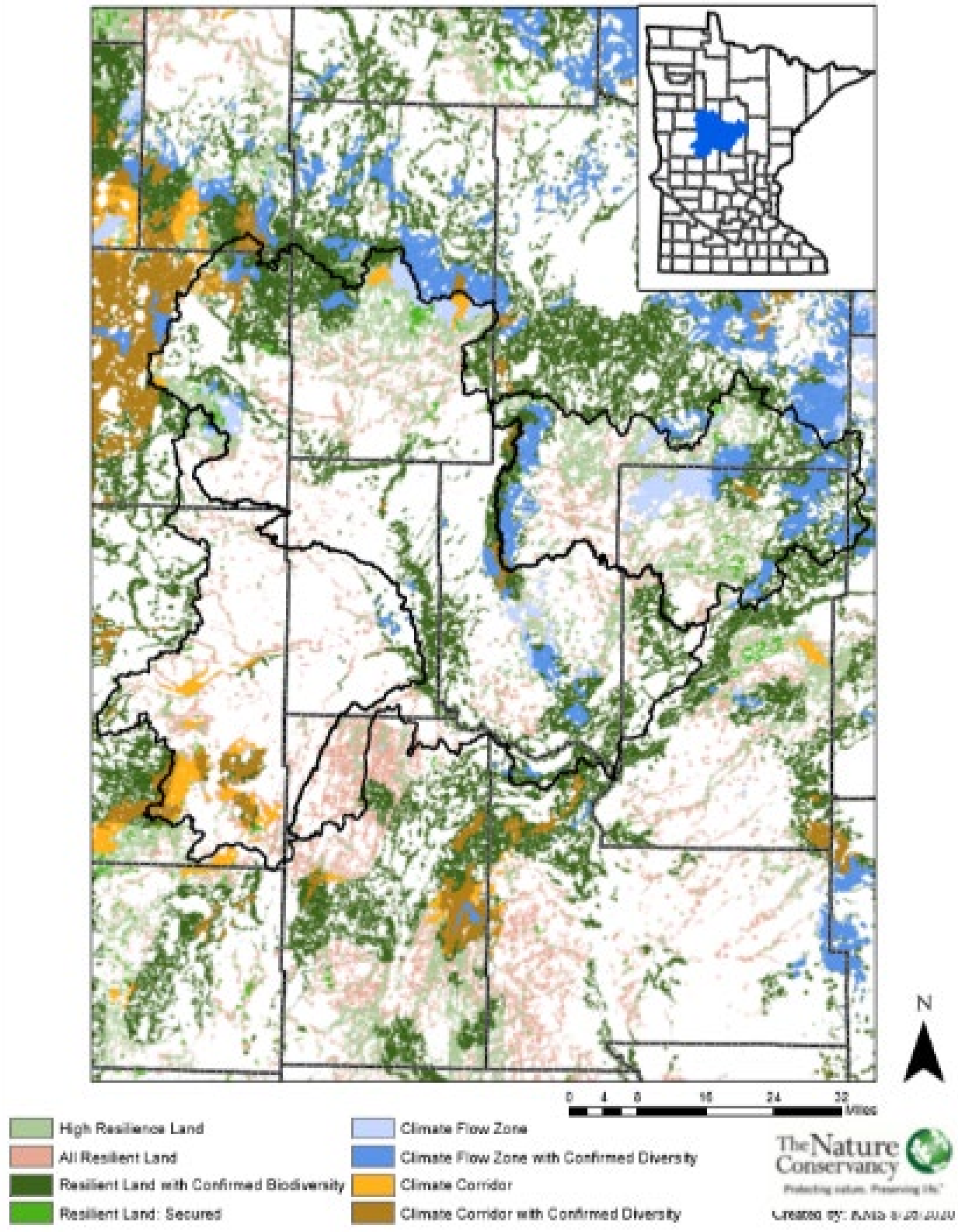
Exhibit 1: Proposed Project Area



**Exhibit 2:** TNC Multiple Benefit Analysis



**Exhibit 3: TNC Climate Resiliency Data**



**MINNESOTA BOARD OF WATER AND SOIL RESOURCES  
Performance Review and Assistance Program (PRAP)**

## **Executive Summary**

**This report has been prepared for the Minnesota State Legislature by the Minnesota Board of Water and Soil Resources (BWSR) in partial fulfillment of Minnesota Statutes Chapter 103B.102, subdivision 3.**

Since 2008, BWSR's Performance Review and Assistance Program has assessed the performance of the local units of government constituting Minnesota's local delivery system for conservation of water and related land resources. These local units of government include 88 soil and water conservation districts, 87 counties, 45 watershed districts and 18 watershed management organizations.

**PRAP focuses on three aspects of Local Governmental Unit (LGU) performance:**

- 1) Plan Implementation—how well an LGU's accomplishments meet planned objectives.**
- 2) Compliance with performance standards—meeting administrative mandates and following best practices.**
- 3) Collaboration and communication—the quality of partner and stakeholder relationships.**

BWSR's PRAP uses four levels of review to assess performance ranging from statewide oversight in Level I, to a focus on individual LGU performance in Levels II and III, and to remediation in Level IV.

### **2020 Program Summary\***

- Completed 17 Level II performance reviews, falling short of the target of 24 set for 2020. This shortfall was due to the retirement of the PRAP Coordinator in July and the subsequent hiring freeze which has prevented the position from being filled.
- Updated Performance Standards and guidance for soil and water conservation districts, counties, watershed districts and watershed management organizations. BWSR staff began using these performance standards for 2020 Level II PRAP Reviews.
- Tracked 238 LGUs' Level I performance.
- Provided PRAP Assistance Grants for 3 local government units in 2020 to implement recommendations from past Level II performance reviews.
- Continued review of Wetland Conservation Act program implementation as part of Level II assessments to measure local government unit compliance with this program.
- Continued evaluation of potential key performance measures for PRAP Level II reviews within the framework of the watershed-based One Watershed-One Plan approach to LGU water plan implementation.
- Stressed the importance of measuring outcomes in all 17 Level II performance reviews conducted in 2020. Discussed ways of demonstrating resource outcomes resulting from plan implementation, and specific expectations for reporting resource outcomes by LGUs.

**\* *The PRAP Coordinator retired July 7<sup>th</sup>, 2020 and the subsequent Covid 19 hiring freeze prevented filling the position. This vacancy for the last 6 months of the year contributed to the shortfall in completing some of the PRAP goals set for 2020.***

## 2020 Results of Annual Tracking of 238 LGUs' Plans and Reports (PRAP Level I)

	2020	2019	2018	2017	2016
<b>238 LGUs</b>	<b>93%</b>	96%	94%	90%	87%
<b>SWCDs (88)</b>	<b>95%</b>	96%	96%	93%	93%
<b>Counties (87)</b>	<b>95%</b>	100%	98%	94%	91%
<b>WMOs (18)</b>	<b>72%</b>	94%	89%	89%	78%
<b>WDs (45)</b>	<b>84%</b>	87%	87%	80%	73%

Overall compliance with LGU plan revision and reporting requirements dropped to 93% in 2020. All drainage buffer reports were submitted on time, and WMO compliance dropped to 72%, compared to 94% in 2019, 89% in 2018 and 89% in 2017. Staff efforts will continue in 2020 to improve compliance.

- **Long-range Plan Status:** the number of overdue plans is 2 in 2020 (*unchanged from 2 in 2019*).
  - Counties: No local water management plans are overdue.
  - Soil and Water Conservation Districts: One SWCD comprehensive plan is overdue.
  - Watershed Districts: One watershed management plan is overdue. (Down from 2 overdue plans in 2019).
  - Watershed Management Organizations: No watershed management plans are overdue.
- **LGUs in Full Compliance with Level I Performance Standards: 93%.**
  - Soil & Water Conservation Districts: 95% compliance (84/88).
  - County Water Management: 95% compliance (83/87).
  - Watershed Districts: 84% compliance (38/45).
  - Watershed Management Organizations: 72% compliance (13/18).

## **Selected PRAP Program Objectives for 2021**

- Track 238 LGUs' Level I performance (Water Management Plans, annual reports, audits, buffer reports, grant reporting)
- Continue efforts to improve Level I performance review reporting of all LGUs through LGU cooperation and persistent follow-up by BWSR staff.
- Set target of 17 Level II performance reviews for 2021.
- Provide leadership in enunciating the importance of measuring outcomes in Level II performance reviews, ways of demonstrating resource outcomes resulting from plan implementation, and set specific expectations for reporting resource outcomes by LGUs.
- Survey LGUs from 2018 Level II PRAP reviews to track LGU implementation of PRAP recommendations.
- Continue monitoring and reviewing compliance with Action Items identified during a Level II review. This will allow us to determine if we are meeting the goal of 100% compliance within 18 months for required Action Items.
- Continue the promotion and use of PRAP Assistance Grants to enhance LGU organizational effectiveness.
- Continue updating protocols for PRAP Level I and Level II reviews for performance-based funding for implementation of watershed-based One Watershed-One Plans.
- Work with BWSR Water Planning Team to develop protocol for tracking, assessment, evaluation and reporting for One Watershed, One Plans.

# Neighborhood habitat takes root



Sherburne SWCD leverages Lawns to Legumes funding to create residential pollinator habitat near Big Eagle Lake



Gardeners who live near Big Eagle Lake in Sherburne County are working to create pollinator habitat to benefit at-risk species, with a focus on the rare Uncas skipper butterfly, whose known Minnesota population is found solely in nearby Uncas Dunes Scientific and Natural Area (SNA).

The effort is made possible by a \$29,760 Lawns to Legumes demonstration neighborhood grant awarded to Sherburne

SWCD in January 2020 by the Minnesota Board of Water and Soil Resources (BWSR). The grant is one of 12 demonstration neighborhood grants BWSR distributed to local governments and nonprofit organizations in 2020.

Demonstration neighborhoods are community projects intended to enhance pollinator habitat in key corridors and raise awareness about protecting

**Top:** Before-and-after photos depict a pollinator pocket planting installed as part of a Sherburne SWCD demonstration neighborhood program.

**Bottom:** A 4,000-square-foot Sherburne County pollinator meadow was completed in 2020.

**Contributed Photos**

pollinators in residential settings. The grants are one component of BWSR's Lawns to Legumes pilot program, which offers workshops, coaching, technical assistance and cost-share funding to

install pollinator-friendly native plants in Minnesota yards. Program funding comes from the Environment and Natural Resources Trust Fund.

Big Eagle Lake is a high priority area for pollinator habitat restoration because it's near Sand Dunes State Forest, Uncas Dunes SNA and the Saint Francis River corridor, which support rare pollinators. In addition to the Uncas skipper, the Minnesota Department of Natural Resources (DNR) positively identified the federally endangered rusty patched bumblebee (Minnesota's state bee) in the area in 2017.

"We know (those species) are relatively nearby, so we thought this would be a great place to start expanding habitat in areas that don't have the floral resources these species require," said Franny Gerde. A Sherburne SWCD urban conservationist, she coordinates the Big Eagle Lake Community Demonstration Neighborhood project.

Organizations that oversee demonstration neighborhoods work with residents to install four types of planting practices designed to benefit pollinators: native pocket plantings, beneficial trees and shrubs, pollinator lawns and pollinator meadows. Through the Sherburne SWCD demonstration neighborhood program, residents can apply for financial reimbursement based on project type: \$250 is available for beneficial trees and shrubs, \$500 for



*A landscaping contractor applies a layer of straw to protect this recently seeded Sherburne County pollinator meadow from erosion.*

pocket plantings, \$500 for pollinator lawns and \$2,000 for pollinator meadows.

"We've had interest in almost all the planting categories," Gerde said. "People are starting to see the benefits of less lawn and more flowering plants."

Over the past year, Gerde has conducted seven site visits at seven residences in Sherburne County yielding one completed project: a 4,000-square-foot pollinator meadow using a combination of seed, plugs (small starter plants) and shrubs. Another project incorporating a pocket planting and pollinator meadow is underway.

While the first projects were ambitious in scale, Gerde said it's possible to start small and expand.

"Projects don't have to be a 1-acre prairie," Gerde said. "Just putting in a 10 foot-by-10 foot plot is a great start."

Sherburne SWCD aims to establish 15 residential projects in the demonstration neighborhood. Gerde said community interest and project size will determine the final number. Grant-supported work must finish by Dec. 31, 2022.

Promotional efforts have included informational webinars and socially distanced site visits to scout prospective projects. The Big Eagle Lake Improvement Association has assisted Sherburne SWCD by promoting the program through communications to its members. The SWCD

offers other forms of assistance to those who don't receive financial reimbursement — such as help with developing a planting plan, and online resources such as BWSR's [Planting for Pollinators Habitat Guide](#).

Gerde's interest in protecting pollinators extends beyond her work with the demonstration neighborhood. Over the past three years, she's installed 300 square feet of native plantings in her Minneapolis yard, and she's helped friends and relatives start similar projects.

"Pollinator habitat is a big passion for me," Gerde said. "Having a good experience with a planting that looks nice but also provides valuable resources is important."



# Watershed funds update septics



## One Watershed, One Plan pilot project status: Lake and Cook counties increase water quality protections in Lake Superior North watershed



The Lake Superior North Comprehensive Watershed Management Plan — one of the original One Watershed, One Plan pilot projects, with a plan approved in January 2017 — prioritized private wastewater disposal in Lake and Cook counties. Progress made over the past four years has increased water quality and habitat protections.

Lake County and Cook County staff agreed that septic systems were a priority within the watershed. Here, shallow soils, the presence of bedrock near the surface, and private land in proximity to water resources increase the risk of degrading water quality, habitat and recreational resources. Nutrients and bacteria from poorly functioning septic systems can exacerbate that risk.

But each county had a different need.

Lake County needed to update its septic system database. Cook County needed to update the septic systems themselves.

As time allowed, Lake County staff had been converting older paper records to a digital format compatible with the existing database. But more urgent matters always arose. The result was boxes of paper records dating to the start of septic systems permits — 1973 for shoreland properties, 1978 for non-shoreland.

A combination of events in 2020 allowed the Lake County Planning and Zoning staff to finish modernizing records for residential properties.

Watershed-based implementation funding from the Minnesota Board of Water and Soil Resources (BWSR) and COVID-19 adjustments such as working

### Before-and-after:

**Left:** Sewage overflows from a non-compliant septic tank in Lake County. **Photo Credit:** Christine McCarthy, Lake County Planning & Zoning

**Right:** A new septic tank and a new mound (not pictured) replace the failing tank in Lake County. Lake Superior is seen in the background. The site is about 120 feet from an unclassified waterway that flows to Lake Superior. The tank is about 150 feet from the Lake Superior waterline. **Photo Credit:** Neva Maxwell, Lake County Planning & Zoning

“ One Watershed, One Plan identifies needs and concerns, provides many benefits to the residents, and contributes to the health of the watershed.

— Rick Sve,  
Lake County Commissioner and BWSR Board member

”

remotely allowed Lake County to catch up in a year when permit applications were at their highest level since 2007. By the end of 2020, boxes of files housed in a vault at the courthouse had been scanned into the searchable database.

The old records are still being used, but it now takes less time and effort to dig through the files. Historical information is more easily coordinated with the county auditor and GIS staff. Having all the data in one place will make it much easier to obtain information required by the county's 2015 septic ordinance update, which calls for inspections upon the sale of property and when a new building permit is issued.

The next step will be scanning all the older commercial properties into the system. Many of these records pertain to resorts whose owners and names have changed several times over the years. The ability to coordinate information from land use permits and septic permits by parcel number rather than name will increase staff efficiency in both areas.

Once the records modernization is complete, Lake County staff will use the comprehensive watershed management plan to identify priority areas within the watershed where septic system information is incomplete or unclear. Properties within those priority areas will be evaluated for the presence of existing systems. An inspection will be performed if warranted.



*A homemade sewage system piped wastewater from a house into a ditch that flows into a designated trout stream in Lake County. Photo Credit: Christine McCarthy, Lake County Planning & Zoning*

Some of the watershed-based implementation funding is reserved for assistance to low-income residents who may need to upgrade their systems.

“The watershed funds allowed us to re-examine and streamline our information systems so our records were more accessible and usable. It will also allow us flexibility to help out our vulnerable and/or low-income

residents with wastewater system upgrades that can cost upwards of \$20,000 in this watershed,” said Lake County Commissioner Rick Sve, who is also a BWSR Board member.

Cook County's database is up to date, and it has used past Clean Water Fund grants to conduct systematic inspections around lakes within the county. That inspection regimen created a backlog of systems that

needed upgrading to meet current requirements.

Circumstances contributing to the backlog include a lack of contractors, the sheer number of systems needing upgrades and the recalcitrance of some landowners to cooperate.

County staff works diligently with landowners to devise solutions. But at some point, the county attorney is brought into the compliance process, typically with a letter informing the landowner of their responsibilities. Occasionally, landowner cooperation is lacking, and the matter is escalated to court proceedings. More serious and urgent cases take precedence within the county attorney's office. As a result, noncompliant septic systems can linger.

Cook County is using watershed-based implementation funding to augment county attorney staff time with outside counsel to specifically address a few lingering cases. Disruptions due to COVID-19 have set back the timing of this effort somewhat, but the background work of coordination, reviewing case file documentation and developing a schedule for hearing cases has begun.

Watershed-based implementation funding provided the flexibility not only for each county to address its specific needs but also to bring septic system management for resource protection into alignment throughout the watershed.

## BWSR report assesses quality of restored wetlands

A recently published Minnesota Board of Water and Soil Resources (BWSR) study and report suggests that conservation practices commonly used to restore wetlands — such as installing native plants and adopting management plans to limit invasive species establishment — result in wetlands of similar quality to naturally occurring wetlands.

["Assessing Wetland Quality of Depressional Wetlands to Refine Restoration Requirements"](#) evaluates the vegetative quality of restored wetlands compared to naturally occurring wetlands. The study assesses the efficacy of vegetative restoration efforts in wetlands seven to 16 years after restoration, reviewing depressional wetlands primarily in the southern part of the state.

"Wetland restorations completed for regulatory purposes have fairly detailed plans for implementation along with a requirement of annual monitoring for three to five years," said Tim Smith, BWSR wetland mitigation supervisor. "Revisiting these sites after that initial monitoring period (seven to 16 years after construction) provides us with additional data that we can use to assess the resilience of the restored sites and the effectiveness of the restoration methods and techniques that were used."

Completed in 2020, the final report was based on data collected for three years starting in 2017.

BWSR staff developed the study and report in consultation with the Minnesota Pollution Control Agency (MPCA), the Minnesota Department of Natural Resources (DNR), the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency (EPA). The primary funding source



A recently published BWSR study and report compares the quality of restored wetlands — such as the Hennepin County wetland pictured **above** — with naturally occurring wetlands, such as the Pope County wetland pictured **below**. **Photo Credits:** BWSR



was a \$290,474 Wetland Program Development grant, which the EPA awarded to BWSR in 2016. BWSR provided a 25% match.

Wetlands are a valuable natural

resource because they provide water quality benefits, habitat for fish and wildlife, flood storage and shoreline erosion control. BWSR oversees wetland restorations for both voluntary and regulatory conservation

programs. The state's Wetland Banking Program, which has helped to restore more than 30,000 acres of wetlands, is an example of a regulatory program. These mitigation wetlands provide compensation for impacts to aquatic resources permitted under federal and state laws, with the goal of providing no-net-loss in quantity and quality of wetlands.

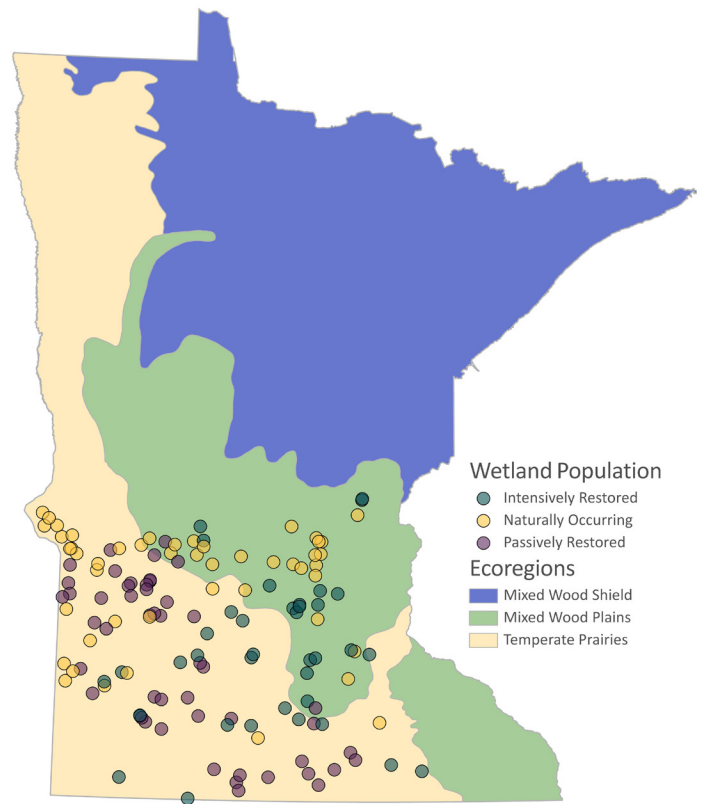
Wetland restoration is the process of returning drained and altered wetland ecosystems to a close approximation of their pre-disturbance condition. Successful wetland restorations require careful planning, design and implementation.

Three types of wetlands were assessed: intensively restored wetlands (mitigation wetlands, where a wetland seed mix was installed to restore vegetation, and hydrology was restored through construction), passively restored wetlands (natural regeneration of plants to restore vegetation, and

hydrology was restored through construction) and naturally occurring wetlands.

The study indicates that wetland restoration practices used by BWSR and its local government partners are effective at maintaining a quality of wetlands similar to naturally occurring wetlands. Wetlands restored through natural regeneration (without planting native vegetation) had poorer overall quality than mitigation wetlands and naturally occurring wetlands.

According to study author and BWSR monitoring coordinator Carol Strojny, long-term monitoring and assessment of wetlands is key to evaluating the effectiveness of restoration practices, so BWSR can continue to provide quality wetland mitigation throughout the state. An additional \$233,898 Wetland Program Development grant, awarded by the EPA in 2019, will expand the



*The EPA-supported study evaluated wetlands found mostly in southern and western Minnesota. Naturally occurring, intensively restored and passively restored wetlands were included in the analysis.*

**Map credit:** BWSR

assessment statewide.

“The results of this study have already started discussions about the development of new seed mixes and vegetation

management techniques that we hope will improve the quality of the vegetative communities at future replacement sites,” Smith said.

# Le Sueur SWCD stokes conservation



Farmers implement practices to slow and filter runoff. Lake association members support phosphorus-reduction measures. In the Jefferson German chain of lakes watershed, Clean Water Funds spark cooperation.



LE CENTER — The most conspicuous of Le Sueur County Soil & Water Conservation District’s (SWCD) water quality improvement projects within the Jefferson German watershed restored a 2.5-acre wetland at the edge of a hog farm directly across a county road from Middle Jefferson Lake.

“The water doesn’t come off of our farm, but we get blamed for it because it runs across our property,” said Leo Koppelman, who runs the feeder pig operation with his brother and son. “All I’ve heard is, ‘Koppelman’s hog farm is polluting the lake.’”

Middle Jefferson — one of five lakes in the chain that includes German, East Jefferson, West Jefferson and Swede’s Bay — is impaired for aquatic recreation due to nutrient loading.

The SWCD’s \$484,000 phosphorus reduction project aims to improve water quality in the chain with strategically placed best management practices that help to reduce nutrient loading. The chain lies within the Cannon River watershed, which drains into the Mississippi River.

“Whenever you have a landowner who wants to do something along

*With his brother and son, Koppelman runs a contract feeder pig operation. About 3,000 mixed-breed Hampshire-Duroc-Yorkshires are on the farm at any one time. He raised his first litter of pigs as a Cleveland High School Future Farmers of America project in 1955. The 100-acre farm site has been in Koppelman’s family since 1862. Before they switched to hogs in the late 1960s, his father had raised mink for about 50 years. Koppelman talked about the operation and the farm’s history with Schultz, center photo.*

**Photo Credits:** Ann Wessel, BWSR



Contractors in summer 2020 excavated more of the wetland to increase flood storage, and installed a culvert connecting it to the upper watershed.  
**Photo Credit:** Le Sueur County SWCD

a major recreational lake, you want to be able to do that,” said Ryan Jones, the Mankato-based South Central Technical Service Area (TSA) engineer who worked on the wetland design.

The \$40,000 wetland project on Koppelman’s land now diverts water from a ravine and treats runoff from about 200 acres — most of it from neighboring fields fertilized with cow manure and hog manure — before it enters the lake.

The Cleveland Township site is one of 13 identified as high priorities within the 15,400-acre watershed, based on terrain analysis, the Total Maximum Daily Load (TMDL) study and onsite verification. It’s one of 10 that Mankato Water Resource Center monitoring had identified and prioritized years earlier.

A \$387,000 Clean Water Fund grant from the Minnesota Board of Water and Soil Resources (BWSR) made it possible for Le Sueur County SWCD staff to pursue projects with willing landowners. Matching funds include \$34,000 from Le Sueur County’s aggregate mining tax. Landowners’ share was tiered, based on projects’ priority.

“That’s what I’ve always wanted to do, but I’ve never had the resources to do it myself, or never felt that I wanted to do it for somebody else just to appease them,” said Koppelman, whose share of the project cost was 10%.

Over the years, the Koppelmans had taken steps to curb runoff.

In the 1970s when the county determined that

**“ Our goal is to work with anyone and everyone around the chain of lakes that is interested in preserving the quality of the water. ”**

— Ralph Redding,  
Greater Jefferson German Lakes Association president



overflow caused by rain and snowmelt was polluting the lake, the Koppelmans built a lagoon and closed a couple of barns. Six years ago, Koppelman enrolled land in the federal Conservation Reserve Program (CRP) and replaced a 1960s-built gabion basket. Designed for erosion control, it no longer functioned properly.

Most recently, Environment and Natural Resources Trust Fund dollars made a bluff stabilization possible.

When he meets with lake association members, Le Sueur County SWCD Manager Mike Schultz stresses the need for cooperation — and money.

“I always tell these lake associations, ‘If you want to do something for the lake, you need money. Pancake feeds. Do something. If you can’t bring something to the table, how are we going to have the other half come to the table?’ ” Schultz said. “I feel like our role is bringing these two together and making sure that we understand that we’re moving forward together. Leo’s been a great example of how this works.”

The Greater Jefferson German Lakes Association contributed \$12,000 toward Jefferson German water quality improvements.

“Our goal is to work with anyone and everyone around the chain of lakes that is

interested in preserving the quality of the water,” said association President Ralph Redding. He’s one of about 130 shoreland property owners on Middle Jefferson Lake, and one of about 900 on the chain of lakes.

The 136-member association raised \$10,000 through a raffle and event at Beaver Dam Resort. To raise the rest, Redding asked area businesses to contribute items for an auction.

“What benefits are we going to obtain from the phosphorus runoff project?” Redding said. “The quality of the water should improve.”

The 21 best management practices completed by early December 2020 represent about 70% of the work planned in connection with the Clean Water Fund grant, which runs through December 2021. Practices tied to the grant include structures designed to slow and filter runoff, 275 acres of cover crops, and two wetland restorations totaling about 27 acres.

The Koppelman project alone is projected to reduce soil erosion by 161 tons a year, curb sediment loading by 69 tons a year and reduce phosphorus loading by slightly more than 79 pounds a year.

“If they’re all completed and function at their fullest, we will address 40% to

50% of the recommended phosphorus (reductions) from the WRAPS,” Schultz said, referring to the Minnesota Pollution Control Agency’s (MPCA) Watershed Restoration and Protection Strategy.

Phosphorus feeds the algae that can turn lakes green.

Nutrient impairments are just one factor affecting the watershed. Schultz said the SWCD also is dealing with higher-than-average lake levels and flooding caused in part by increasingly frequent heavy rains.

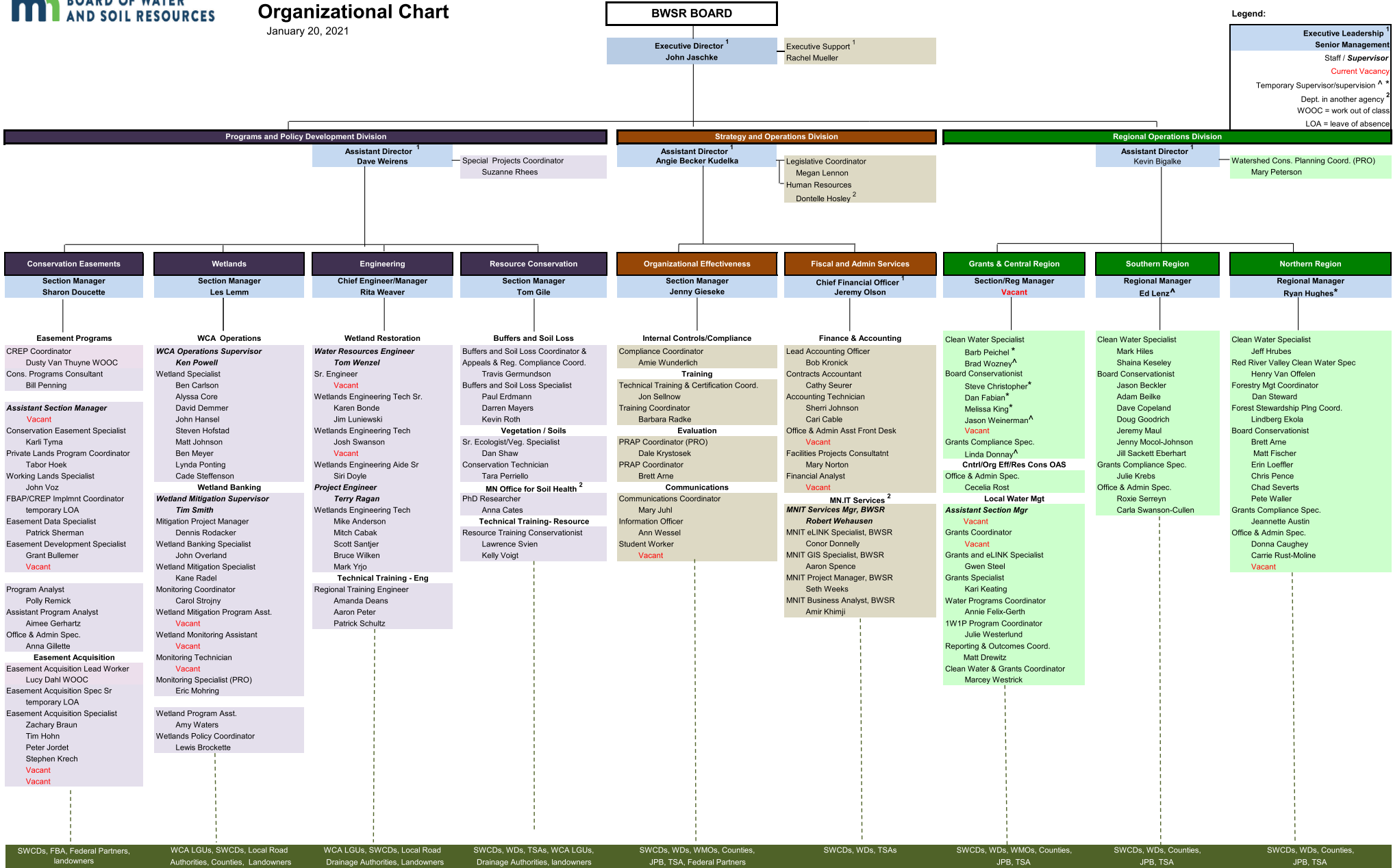
The Jefferson chain of lakes’ water level in 2019 was 1.63 feet higher than the historical average, which dates to 1971. (Technically, German Lake levels are recorded separately. Because German Lake is connected to the chain, its levels vary only slightly.)

Todd Piepho, the Minnesota Department of Natural Resources’ (DNR) Waterville-based area hydrologist, said 2019 water levels remained high nearly all season. Coupled with high winds, sustained high-water levels can cause significant shoreline damage.

A 6-inch rain put Koppelman’s wetland restoration to the test shortly after construction finished in summer 2020.

“Everything worked exactly the way it was supposed to work. It took all the water that would run down the ditch and (across) our driveways. It stopped everything. It backed that excess water up in the wetland area,” Koppelman said.

**Executive Leadership**<sup>1</sup>  
**Senior Management**  
Staff / **Supervisor**  
Current **Vacancy**  
Temporary Supervisor/supervision **^** \*  
Dept. in another agency **2**  
WOOC = work out of class  
LOA = leave of absence



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Revised 1/19/2021

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Conference Room: (320) 223-7070

<input type="checkbox"/> IN-STATE <input type="checkbox"/> OUT-OF-STATE	<input type="checkbox"/> SHORT TERM ADVANCE <input type="checkbox"/> RECURRING ADVANCE	<b>SEMA4 EMPLOYEE EXPENSE REPORT</b>	<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)
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Chart String(s)	A	B	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 %
			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							
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			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/PKC	0.00	Subtotal (A)	0.00

Figure mileage reimbursement below

<b>MILEAGE REIMBURSEMENT CALCULATION</b>	<b>OTHER EXPENSES – See reverse for list of Earn Codes.</b>
--	---

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 <b>equal to the IRS rate.</b>			0.00				
2. Enter rate, miles, and amount being claimed at <b>less than the IRS rate.</b>			0.00				
3. Enter rate, miles, and amount being claimed at <b>greater than the IRS rate.</b>			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 <b>taxable</b> 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 <b>non-taxable</b> 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>
<b>Grand Total (A + B + C + D)</b>							0.00

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.

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.

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 _____	Signature _____
Date _____	Date _____
Work Phone: _____	

## 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		