

Northern Counties Land Use Coordinating Board

Con-Con Counties Joint Powers Board

Minutes

October 3, 2013

Grand Rapids, MN

Call to Order: The Oct. 2013 meeting of NCLUCB was called to order by Chairman Brian McBride at 9:35 a.m. with the following attendees participating:

NCLUCB Members: Wade Pavlack, Buck Nordlof, Garry Gamble, Skip Swanson, Anne Marcotte, Donald Jensen, Todd Miller, Rich Sve, Steve Raukar, Brian Napstad, Mike Forsman, Brian McBride;

Other Participants: Gary Kiesou, Marshall Co.; Jerry Dahl, Mahnomen Co.; Joe Vene, Beltrami Co.; Greg Nelson, DNR; Bob Meier, DNR; Lori Dowling-Hanson, DNR.

Administrative Actions:

Additions to the agenda: beaver control clarification, DNR land acquisition,

Motion to approve agenda with additions: m. Forsman, s.Napstad.

Financial Report and Bills Payable:

Treasurer Raukar reported that the total account balance was \$131,422.95 after reimbursing Koochiching County for the professional services of Todd Beckel. One bill, J. Chell professional services for \$619.89 was presented to the board. Motion to approve the invoice was made by Pavlack and seconded by Raukar. Motion to approve the financial report: m. Raukar, s. Sve.

Correspondence: In response to the decisions by Itasca and Cass Counties to defer membership in NCLUCB, Lori Dowling-Hanson indicated that she was optimistic that new county members would join NCLUCB in the near future.

Presentations and Discussions:

Commissioner Joe Vene from Beltrami County and 2012 Association of Minnesota Counties Chair, presented AMC's environmental and natural resource legislative priorities for the 2014 Legislative Session. He cited the work of Commissioners Sve and Napstad in developing the AMC priorities. He stated AMC will support both the in-lieu fee option for wetland mitigation and, generally, mitigation outside the affected watershed in those instances where the benefits are greater in an alternative watershed. Vene stated that AMC would oppose changes to the WCA where adequate data supporting the changes was not available. One example cited with regard to statewide wetland losses was the lack

of data on various wetland creation activities that are going on throughout the agricultural areas of the state. Numerous impoundments for flood control and water retention are not counted. If such impoundments are not formally enrolled for wetland credits, they are not counted as wetland acreage gains. AMC's position is that all wetlands, whether they are created for wetland credits or not, should be counted and credited against wetland losses.

Commissioner Napstad emphasized the need to encourage wetland restoration outside the 80% counties and provide incentives to encourage these restorations: place the emphasis on the scarcity and public value rather than acreage. He stated that every county has a watershed district and/or SWCD that have lists of beneficial projects that could serve as the basis for an in-lieu fee program or targeted restoration for wetland disturbances within the 80% counties. Napstad further cited his home county of Aitkin. Due to its location within the wetland service area boundaries, vast areas of low lying land, and relatively low land costs, Aitkin Co. is an attractive site for restoration/mitigation projects. But these sites are not necessarily the best public value sites for mitigation on a statewide basis...they are just a lower cost per acre. The state needs to be more strategic in siting mitigation projects.

Commissioner Sve stated that AMC environmental and natural resource interests for the 2014 session will include:

1. Oppose shore land rule revisions.
2. Form a collaborative workgroup to address Aquatic Invasive Species (AIS) issue. Noted that Matt Doda, Hubbard Co. has been appointed to the DNR AIS committee.
3. Encourage BWSR to support and administer an in-lieu fee banking program.
4. Adjust the e-waste program to provide more effective collection and processing of these materials.

Commissioner Todd Miller discussed the public values potential of applying an in-lieu fee mitigation alternative to flood control impoundments in the Red River Valley. These impoundments, mandated as a part of a federal flood control program, are extremely expensive and must be developed and managed by local units of government, usually watershed districts. While there is some state cost-share, the majority of funds must be generated by a local watershed levy. The in-lieu fee program could provide an important revenue stream for these impoundments while providing the natural resource values we have been talking about.

Bob Meier, DNR Legislative Affairs Director, reviewed several topics of concern to northern counties:

Con-con lands: funding won't be in the Governor's budget proposal, but DNR will support any legislative initiative to provide funding. Statutory language changes are being drafted and will be sent to affected counties prior to final wording is adopted.

PILT: some technical changes are necessary to correct township funding language.

Water issues: legislation is anticipated regarding ground water appropriation regulation, irrigation, and metro water appropriations.

Bonding: focus will be on “asset preservation” with no major capital structures. DNR would like to explore government center consolidation with local governmental units where joint housing could be beneficial to the public.

Shore land rule making: Bob indicated that DNR would need strong county support and would not propose new regulations without input from affected county commissioners.

Greg Nelson, the new NW Regional Director for the DNR was introduced.

Lori Dowling-Hanson, NE Regional Director for the DNR noted that she would like St. Louis County Commissioner’s perspective on the Sax-Zim wetland mitigation bank proposal.

Pheasants Forever Proposal: Commissioner Napstad outlined the proposal by PF to acquire 763 acres of private cropland adjacent to a state WMA. PF will acquire at a price of \$3100/acre and donate to the DNR for sharptail management. PF will use RIM funds to purchase the land and the Aitkin County Board must approve the acquisition. Commissioner Napstad summarized the Aitkin Co. Commissioners’ concerns regarding long term loss of tax base and local farmer concern regarding loss of cropland.

As a general concern, Brian also questioned the potential for wetland banking sites in Aitkin Co and elsewhere going tax forfeit after wetland credits are sold. In lieu revenues on these lands could be reduced from the acquired rate of \$4.00 per acre down to \$.55 per acre as a result of forfeiture. Commissioner Dahl indicated that Mahnomen County had similar concerns regarding Wetland Reserve lands.

Commissioner Raukar asked for other county approaches to funding SWCSs. Concern among commissioners that a budget and work plan have not been required, but some commissioners concerned that funds are not effectively utilized by some SWCSs.

Commissioner Forsman noted that Vermillion State Park will be looking for bonding funds including \$50 million for development.

Adjournment at 11:40 p.m.