# Blue Earth County

## 2010
## Natural Resources Block Grant Report

BLUE EARTH COUNTY

# NATURAL RESOURCES BLOCK GRANT – 2010

The Natural Resources Block Grant (NRBG) is an annual base grant that partially funds programs in the Blue Earth County Environmental Services Department. The State legislature appropriates NRBG funds to two State agencies, the Board of Water and Soil Resources (BWSR) and the Minnesota Pollution Control Agency (MPCA), for distribution to local governments. The NRBG is divided into five program areas, including:

- Water Management Planning
- Wetlands Conservation Act (WCA)
- Shoreland Ordinance Administration
- Delegated Feedlot Program
- Subsurface Sewage Treatment Systems (SSTS)

These five NRBG program areas generally align with staff divisions in the Environmental Services Department where nine staff are devoted all or partially to this and related work.

The State legislature, BWSR and MPCA require local governments to contribute a match to the NRBG and report how grant funds were used each year.
The total 2010 NRBG was $82,176, and the required local match contribution was $63,425. Local match funds are generated locally with permit fees and property taxes.

A program summary of the NRBG is displayed in the following table.

***2010 Natural Resources Block Grant Summary***

| Program | 2010 NRBG | Required Local Match | Total NRBG Program |
|---|---|---|---|
| Water Management Planning | $13,725 | $15,139 | $28,864 |
| Wetland Conservation Act Administration | $20,710 | $20,710 | $41,420 |
| Shoreland Ordinance Administration | $3,695 | $3,695 | $7,390 |
| Delegated Feedlot Program | $34,115 | $23,881 | $57,996 |
| SSTS | $9,931 | None required | $9,931 |
| **Total** | **$82,176** | **$63,425** | **$145,601** |

The NRBG has remained fairly stable for many years, but reductions during the 2009 and 2010 legislative sessions were significant.

**2009 NRBG:** $88,975
**2010 NRBG:** $82,176
**2011 NRBG:** $72,728

Minnesota Law requires local governments to display reports on their website showing how State appropriations of Fiscal year 2010 and 2011 NRBG funds were used. This report is displayed on the County website to provide information about how State NRBG funds are used in County programs during calendar year 2010. The County's actual costs for all five NRBG programs exceed the program costs required for the NRBG and are not shown in this report.

# LOCAL WATER MANAGEMENT

**2010 NRBG:** $ 13,725
**Match Contribution required:** $15,139
**Total NRBG Program Required:** $28,864

The *Blue Earth County Water Management Plan 2008-2013* includes objectives and actions intended to be practical, measurable and achievable in a five-year period. Although there are many partners, implementation of the plan is mainly the responsibility of the County and the Blue Earth County Soil and Water Conservation District (SWCD). The foundation of the plan is ongoing programs. Reductions in local government aid and other sources of funding limit the ability of the County to expand existing programs or begin new programs in 2009 and the coming years. The greatest reduction in the 2011 NRBG is from the Local Water Management program.

**2009 Water Management NRBG:** $13,197
**2010 Water Management NRBG:** $13,725
**2011 Water Management NRBG:** $9,855

In 2010, a significant amount of staff time was devoted to watershed organizations and projects, TMDL studies, preparing and assisting partners with grant and loan applications and developing support for enforcing shoreland rules requiring vegetation.

Impaired Waters and Total Maximum Daily Loads (TMDLs)
The MPCA is in the process of assessing surface waters in Minnesota and has identified water quality impairments in virtually every watershed in Blue Earth County. The pollutants causing these impairments affect aquatic life and include turbidity, nutrients, fecal bacteria, mercury and acetochlor (a corn herbicide). The MPCA will prepare TMDL reports and implementation plans for these impairments. Depending on available resources, the County's role with impaired waters and TMDLs will develop along with State TMDL programs.

In 2010 County staff participated in the following MPCA TMDLs: Greater Blue Earth River Turbidity TMDL, Le Sueur TMDL and Acetochlor TMDL.

Vegetated Buffers, Minnesota Shoreland Rules
The challenges of managing the riparian corridor were discussed during work sessions with the County Planning Commission, and meetings with County and SWCD staff. Blue Earth County Code and Minnesota Rule Chapter 6120 require permanent vegetation within 50 feet of the ordinary high water level for agricultural uses in shoreland areas:

> *"Agricultural use standards.* Within 50 feet of ordinary high water level: General cultivation farming, grazing, nurseries, horticulture, truck farming,

sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in permanent vegetation or operated under an approved conservation plan."

To improve management of the riparian area and begin enforcing the shoreland rules buffer standards, the County and SWCD worked on a plan to work together to identify property owners out of compliance for targeted education and cost share assistance. In order to accomplish this goal, additional staff resources will be needed. The County and SWCD applied for and were awarded a FY11 Clean Water Fund grant to implement this project in 2011 and 2012.

Hazard Mitigation Plan – Riverine Erosion Hazards

Ravine, stream bank and bluff erosion along waterways in Blue Earth County impact water quality as well as dwellings and infrastructure. Water Management staff assisted the County Emergency Management Department with a grant proposal to the Minnesota Department of Homeland Security and Emergency Management (HSEM). The County was awarded a planning grant for a special risk assessment of ravine and riverine erosion hazards.

***For more information about Blue Earth County's Water Management Plan, contact Julie Conrad, 507-304-4381.***

# WETLAND CONSERVATION ACT

**2010 NRBG:** $20,710
***Less* Transfer to SWCD:** - $5,000
**Total to County:** $15,710
**Required Local Match:** $20,710
**NRBG Program Total:** $36,420

Prior to passage of the Wetland Conservation Act (WCA) of 1991 more than fifty percent of the County's pre-settlement wetlands were lost due to agricultural drainage, community development and transportation. The purpose of the Wetland Conservation Act, Minnesota Statutes, Chapter 8420.0100, is to:

A. achieve no net loss in the quantity, quality, and biological diversity of Minnesota's existing wetlands;
B. increase the quantity, quality, and biological diversity of Minnesota's wetlands by restoring or enhancing diminished of drained wetlands;
C. avoid direct or indirect impacts from activities that destroy or diminish the quantity, quality, and biological diversity or wetlands; and replace wetland values where avoidance to activity is not feasible or prudent.

Implementation of Wetland Conservation Act is the responsibility of both State and local government units (LGU). Local governments are required to administer the Wetland Conservation Act in accordance with State Rules. A Technical Evaluation Panel (TEP) assists the LGU by providing regulatory and technical opinions to the LGU. The TEP consists of the Soil & Water Conservation District (SWCD) manager, the Board of Water & Soil Resources (BWSR), and the Department of Natural Resources (DNR) in Shoreland areas. Ultimately, the LGU is responsible for making all of the regulatory decisions for the program.

Within Blue Earth County, three LGUs administer WCA. The City of Mankato administers the WCA within the city limits, the County Highway Department administers the WCA for County transportation projects, and the County Environmental Services Department administers the WCA in the remainder of the County. The County Environmental Services Department has two staff positions which are certified to review / delineate wetlands. Part of their time is devoted to the administration of the WCA. In 2010 a total of 6.5 staff days were spent fulfilling the training requirements to remain certified to review / delineate wetlands.

Administration of the WCA requires coordination with numerous local, State, and Federal agencies. The BWSR promulgates administrative rules for the program, participates on the TEP, and assures proper implementation by LGUs. The DNR conservation officers issue enforcement orders including cease and desist orders (CDO's) & restoration / replacement orders. CDO's and restoration / replacement orders are not criminal charges; however, violation of a CDO or restoration / replacement order is a misdemeanor. CDO's and restoration /

replacement orders may also be enforced civilly by action for injunction in district court.

In 2010, the most common type of wetland decision made by the LGU and TEP involved approval / denial of a wetland boundary. This number was down from 2009 due to less development from the depressed economy. Wetland boundary determinations are most often necessitated by a development proposal. The following table summarizes the County's 2010 WCA report to the BWSR.

***Blue Earth County Report – 2010***
***Wetland Conservation Act Administration***

**Number and Type of Applications**

| Type of Application | Number Approved | Number Denied | Number Withdrawn |
|---|---|---|---|
| Replacement Plan | 3 | 1 | 1 |
| Sequencing | 3 | 0 | 0 |
| Exemption | 2 | 1 | 0 |
| No-Loss | 2 | 1 | 0 |
| Boundary or Type | 7 | 0 | 1 |

**Technical Assistance**

| | |
|---|---|
| Number of landowners for which wetland related technical assistance was provided: | >100 |

**Violations**

| | |
|---|---|
| Number of potential violations investigated: | 7 |
| Number of enforcement actions taken under local ordinance and/or did not result in DNR cease and desist, restoration or replacement orders: | 1 |

The WCA NRBG has remained fairly stable for many years, but the 2011 Wetland NRBG is reduced nearly $3,000 from previous years.

**2009 Wetland NRBG:** $20,710
**2010 Wetland NRBG:** $20,710
**2011 Wetland NRBG:** $17,873

***For more information concerning Blue Earth County's administration of the Wetland Conservation Act, contact Stacey Feser or Tim Grant, 507-304-4381.***

## SHORELAND ORDINANCE

**NRBG:** $3,695
**Match required:** $3,695
**Total NRBG program:** $7,390

The Shoreland NRBG contributes little to the actual cost of administering the shoreland ordinance. The County is required to submit an annual report on Shoreland Administration Activities in areas within 1,000 feet of lakes and 300 feet from rivers. The following table summarizes the 2010 report to the DNR.

| ***2010 ANNUAL SHORELAND ADMINISTRATIVE ACTIVITES REPORT TO MINNESOTA DNR*** | |
|---|---|
| **Shoreland permits:** | |
| Building permits | 18 |
| Permits for grading & filling | 1 |
| Vegetative alterations | 1 |
| Other | 0 |
| | |
| **Conditional Use Permits** | |
| Issued | 6 |
| Denied | 0 |
| | |
| **Variances** | |
| Issued | 2 |
| Type issued: | |
| lot size/setback: 1 | |
| other:1 | |
| Denied | 0 |
| | |
| **Land subdivisions** | |
| Plats | 3 |
| Lot splits | 0 |
| PUD | 0 |
| **Resort conversions** | 0 |

The Shoreland NRBG will be reduced in 2011.

**2009 Shoreland NRBG:** $3,695
**2010 Shoreland NRBG:** $3,695
**2011 Shoreland NRBG:** $3,189

***For more information about Blue Earth County's Shoreland Ordinance, contact George Leary, 507-304-4381.***

# FEEDLOTS

**2010 NRBG:** $34,115
**Required Local Match:** $23,881
**Total 2010 NRBG Program:** $57,996

Most livestock in Blue Earth County is produced in confinement barns with below-barn, concrete manure storage pits. Runoff containing manure used as fertilizer for agricultural crop production is likely the greatest source of pollution from livestock feedlots as most feedlots with direct runoff were improved or eliminated early in the County's feedlot program history.

Blue Earth County was one of the first Counties in the State with a feedlot ordinance. The local program and regulations are consistent with State of Minnesota Rules, but the County feedlot program addresses more than the tasks outlined in the State feedlot delegation agreement. The strength of the County's program is its ability to respond to local concerns. For example, to the extent possible the County has addressed resident's concerns about animal mortality and storage, manure spreading acres, pit abandonment, and other issues. Since inception of the local feedlot program, the County Feedlot Officer developed a relationship with feedlot operators during continuous, systematic review of each individual feedlot with the operator. Today Blue Earth County continues to be one of the few Counties with a feedlot program requiring annual County permits and annual permit fees.

Blue Earth County's feedlot program is a State-delegated program. Under the State delegation agreement, the County is responsible for implementation of feedlot rules and regulations with the exception of large feedlots with 1,000 or more animal units that require federal, Nonpoint Discharge Elimination System (NPDES) permits. The County has been delegated administration of the following State regulations: registration, permitting, inspections, education and assistance, and complaint follow-up. The County receives State funding to administer the delegation agreement and is required to submit annual reports and work plans for review and approval by the MPCA.

The State legislature appropriated money in 2010 and 2011 to the MPCA to be distributed to delegated counties using a three part formula, including:

> **Number of feedlots** in the county: 60 percent of the total appropriation must be distributed according to the number of feedlots that are required to be registered in the county. Grants awarded under this paragraph must be matched with a combination of local cash and in-kind contributions.
>
> **Minimum program requirements:** 25 percent of the total appropriation must be distributed based on the county (1) conducting an annual number of inspections at feedlots that is equal to or greater than seven percent of the total number of registered

feedlots that are required to be registered in the county; and (2) meeting non-inspection minimum program requirements as identified in the county feedlot workplan form.

**Performance credits:** 15 percent of the total appropriation must be distributed according to work that has been done by the counties during the fiscal year. The amount must be determined by the number of performance credits a county accumulates during the year based on a performance credit matrix jointly agreed upon by the commissioner in consultation with the Minnesota Association of County Feedlot Officers executive team.

Beginning in 2008, Counties are eligible for Feedlot Performance Credit Reimbursement. Blue Earth County's performance credits received and earned since 2008 are as follows:

**2008 Feedlot Performance Credit:** $2,963 reimbursed in 2009
**2009 Feedlot Performance Credit:** $6,541 reimbursed with FY11 NRBG
**2010 Feedlot Performance Credit:** To Be Determined

The Feedlot Performance Credit replaced some of the feedlot NRBG reductions in recent years. The Feedlot NRBG base grant has declined each year since 2008, with the greatest reduction in 2010 and 2011.

**2008 Feedlot NRBG:** $45,113
**2009 Feedlot NRBG:** $41,373
**2010 Feedlot NRBG:** $34,115
**2011 Feedlot NRBG:** $31,880

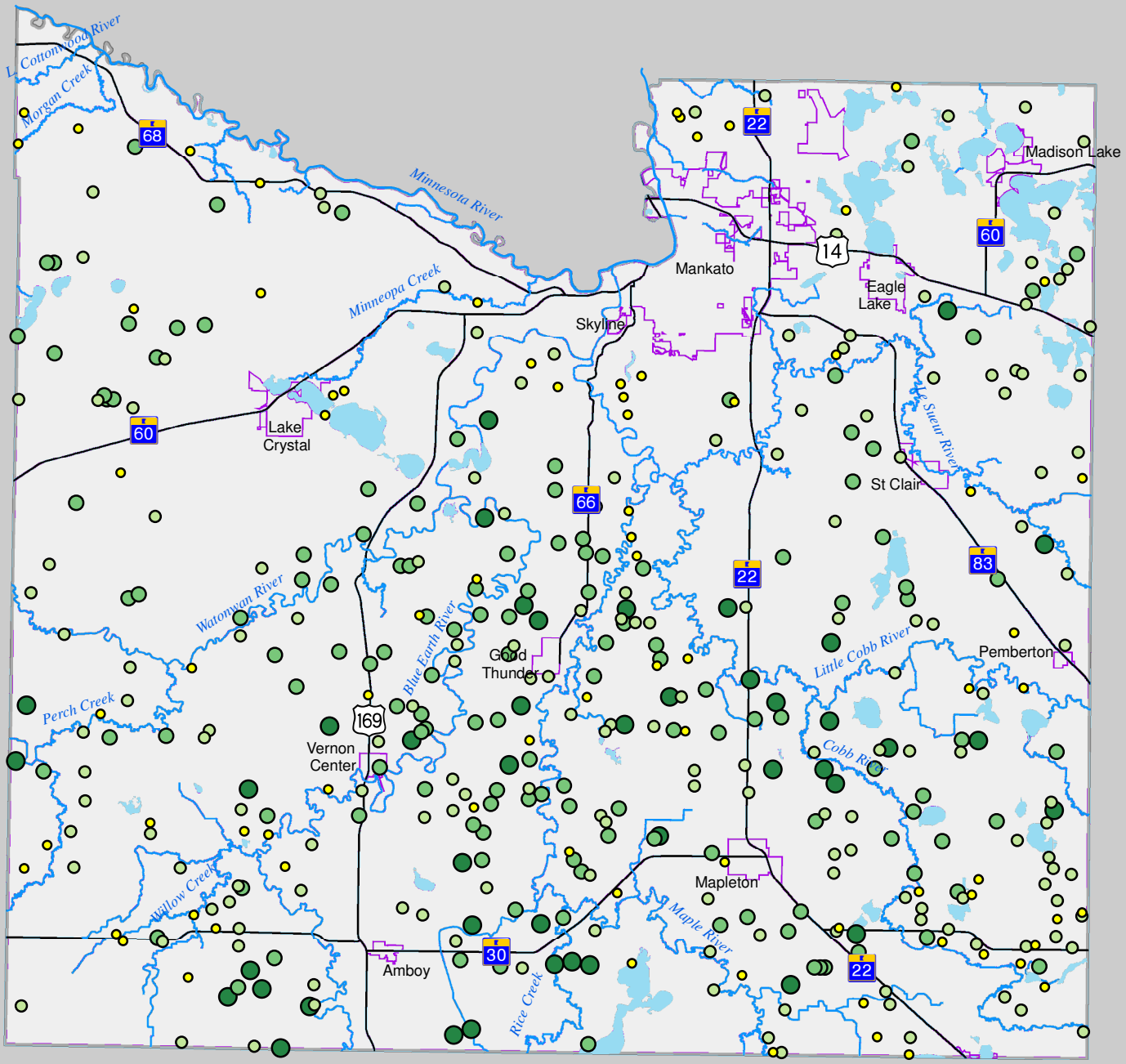
***Comparison of Feedlot NRBG, County Match and Total Feedlot Grants***

| Feedlot Program Grants | 2011 NRBG | 2010 NRBG | 2009 NRBG | 2008 NRBG |
|---|---|---|---|---|
| Feedlot NRBG | $31,880 | $34,115 | $41,373 | $45,113 |
| Performance Grant* | **$6,651 | ** | *$2,936 | -0- |
| Total Feedlot Grant | $38,531 | $34,115 | $44,309 | $45,113 |
| Required County Match | $22,316 | $23,881 | $28,961 | $34,681 |

* Performance grants are reimbursements from previous years.
** 2009 Performance grant paid with FY11 NRBG

In 2010 there were 425 active feedlots in Blue Earth County. Minnesota Rules require registration of 362 of those feedlots with the MPCA. Registration with the MPCA is required for all feedlots 50 or more animal units or with ten or more animal units within shoreland areas. Most of the feedlots in the County are located in the southern two thirds of the County. The following map displays the location of each feedlot in Blue Earth County.

# Permitted Feedlots within Blue Earth County




Protected Lake or Wetland

Protected Stream or River

City

**Permitted Feedlot**

- 10 - 49 Animal Units
- 50 - 299 Animal Units
- 300 - 999 Animal Units
- 1000 - 2000 Animal Units

0 — 5 Miles

N

BLUE EARTH COUNTY

Prepared By: Blue Earth County
Environmental Services
March 2011

Source: Blue Earth County
Feedlot Inventory
March 2011

Blue Earth County feedlots are inspected regularly by the County Feedlot Officer. In 2010, the County Feedlot Officer conducted inspected 108 feedlots.

Air Quality Notifications

Blue Earth County tracks Air Quality Notifications. In 2010 the County Feedlot Officer received 32 Air Quality Notifications from producers. As some livestock operators have grown larger, odor (particularly hydrogen sulfide) has become an issue. Hydrogen sulfide and ammonia can be toxic at high levels and are regulated. Owners of feedlots are exempt from State ambient air quality standards during the removal of manure from barns or manure storage facilities. For a livestock facility greater than 300 animal units, the maximum cumulative exemption in a calendar year is 21 days. To be exempt from the State ambient air quality standards during removal of manure, Minnesota Session Law 2000, Chapter 435, requires feedlot operators notify the MPCA or County Feedlot Officer before the anticipated start date of manure removal and the anticipated number of days manure will be removed from barns or storage facilities.

Violations

The County Feedlot Officer officially warns feedlot owners and operators of violations with a letter. Letters of warning are sent when a violation has occurred that can be fixed easily. Such violations include improper animal disposal or collection methods, manure spreading violations or manure spills on roadways. In 2010 there was 1 letter of warning and 3 letters of violation.

The MPCA requires the County Feedlot Officer submit an annual report. The 2010 report is included here.

***For more information about Blue Earth County's Feedlot program, contact Sara Isebrand, 507-304-4381.***

**Minnesota Pollution Control Agency Feedlot Program**

**2010 Annual County Feedlot Officer and Performance Credit Report**

**(Data for the Period January 1, 2010 - December 31, 2010)**

| | | | | |
|---|---|---|---|---|
| **Name of County:** | Blue Earth County | | | |
| **Contact Person:** | Sara Isebrand | | | |
| **Phone No.:** | 507-304-4339 | | | |
| **E-mail Address:** | sara.isebrand@co.blue-earth.mn.us | | | |
| **Signature:** | (Signature of County Board Commissioner) 2-1-11 (Date) | | | |
| **All data must be entered in accordance with the Annual CFO Report Guidance Document.** | | | | |
| | | **No.** | ***PC** | **PC Total** |
| **Registration** | 1 - Feedlots registered in shoreland with 10 - 299 AU: | 36 | | |
| | 2 - Feedlots registered outside shoreland with 50-299 AU: | 157 | | |
| | 3 - Non-NPDES sites ≥300 AU: | 103 | | |
| | 4 - Feedlots registered with NPDES permits: | 66 | | |
| | **5 - Total:** | **362** | | |
| | 6 - Feedlots with 10 AU or more in shoreland: | 46 | | |
| | 7 - Feedlots with 10 AU or more that are both in shoreland and in a vulnerable Drinking Water Supply Management Area (DWSMA): | 0 | | |
| | 8 - Feedlots with 50 AU or more that are in a vulnerable DWSMA and are not in shoreland: | 0 | | |
| **No. of Sites Inspected** | 9 - Feedlots inspected with 10 - 99 AU required to be registered: | 44 | 0.75 | 33 |
| | 10 - Feedlots inspected with 100 - 299 AU: | 30 | 1.25 | 37.5 |
| | 11 - Non-NPDES sites ≥300 AU inspected: | 26 | 1.5 | 39 |
| | 12 - NPDES sites inspected: | 8 | 1 | 8 |
| | **13 - Total feedlots inspected required to be registered:** | **108** | | |
| | 14 - Feedlots inspected required to be registered that were not in compliance with water quality discharge standards: | 0 | | |
| | 15 - Feedlots that were inspected that were not required to be registered but were the result of a complaint or referral: | 2 | 1 | 2 |
| | 16 - Feedlots inspected required to be registered that were the result of a complaint: | 1 | | |
| **Land Application Inspections** | 17 - Non-NPDES sites ≥300 AU (or >100 AU located in a vulnerable DWSMA) where a land application review was attempted, but no written records were available: | 0 | | |
| | 18 - Non-NPDES sites ≥300 AU (or > 100 AU located in a vulnerable DWSMA) with land application records where a Level II review was conducted and the determination was compliance: | 2 | 2 | 4 |
| | 19 - Non-NPDES sites ≥300 AU (or > 100 AU located in a vulnerable DWSMA) with land application records where a Level II review was conducted and the determination was non-compliance: | 0 | 2 | 0 |
| | 20 - Feedlots where a Level III land application inspection was conducted and the determination was compliance: | 14 | 1 | 14 |
| | 21 - Feedlots where a Level III land application inspection was conducted and the determination was non-compliance: | 0 | 1 | 0 |
| **Specialty Inspections** | 22 - Feedlots constructing (new or modifications) where 2 or more on-site producer contacts and/or inspections were done: | 0 | 1 | 0 |
| | 23 - Feedlots with OLAs where 2 or more on-site producer contacts and/or inspections were done: | 3 | 1 | 3 |
| | 24 - Feedlots with an interim permit where 2 or more on-site producer contacts and/or inspections were done: | 3 | 1 | 3 |
| | 25 - Feedlots inspected with 10 AU or more in shoreland: | 12 | 0.25 | 3 |
| | 26 - Feedlots inspected with 10 AU or more that are both in shoreland and in a vulnerable DWSMA: | 0 | 0.25 | 0 |
| | 27- Feedlots inspected with 50 AU or more that are in a vulnerable DWSMA and are not in shoreland: | 0 | 0.25 | 0 |
| *PC = performance credits | | | | |

| All data must be entered in accordance with the Annual CFO Report Guidance Document. | | | | |
|---|---|---|---|---|
| **Permitting** | 28 - No. of 30-day construction/expansion notifications received: | 0 | | |
| | 29 - No. of interim permits issued for feedlots with < 300 AU: | 0 | 2 | 0 |
| | 30 - No. of interim permits issued for Non-NPDES sites ≥300 AU: | 0 | 2 | 0 |
| | 31 - No. of short-form permits issued by the county: | 0 | 1 | 0 |
| | 32 - No. of public meetings held for construction/expansion to >500 AU: | 0 | 2 | 0 |
| **Emergency Response** | 33 - No. of pollution events with an emergency response conducted: | 2 | 2 | 4 |
| **Production Site Scheduled Compliance** | 34 - Feedlots <300 AU in shoreland where a partial corrective action was achieved in the current year: | 2 | 2 | 4 |
| | 35 - Feedlots <300 AU in shoreland where a complete corrective action was achieved in the current year: | 1 | 2 | 2 |
| | 36 - Feedlots <300 AU not in shoreland where a partial corrective action was achieved in the current year: | 0 | 2 | 0 |
| | 37 - Feedlots <300 AU not in shoreland where a complete corrective action was achieved in the current year: | 1 | 2 | 2 |
| | 38 - Non-NPDES feedlots ≥300 AU where a complete corrective action was achieved in the current year: | 1 | 2 | 2 |
| **Land Application Scheduled Compliance** | 39 - Non-NPDES sites ≥100 AU where Level 1 land application non-compliance was found and was returned to compliance: | 0 | 1 | 0 |
| | 40 - Non-NPDES sites ≥300 AU (or > 100 AU located in a vulnerable DWSMA) where Level II land application non-compliance was found and was returned to compliance: | 0 | 2 | 0 |
| | 41 - Feedlots ≥100 AU where Level III land application non-compliance was found and was returned to compliance: | 0 | 2 | 0 |
| **Owner Assistance Goals** | 42 - No. of workshops or trainings hosted and/or co-sponsored by the CFO (Maximum PC credits = 10; please describe on Supplemental Form): | 2 | 2 | 4 |
| | 43 - No. of feedlot owners attending feedlot producer workshops, training events or information meetings: | 47 | | |
| | 44 - No. of mailings to feedlot owners: (Please describe newsletters/mailings on provided on Supplemental Form.) | 2 | | |
| | 45 - No. of feedlot articles placed in local newspapers: (Please list article title(s) on the Supplemental Form.) | 0 | | |
| **Staffing Level and Training** | 46 - No. of FTEs (Full Time Equivalents) supplied by the CFO: | 1 | | |
| | 47 - No. of FTEs of other county staff, including administrative and support, assigned by the county to the feedlot program: | 0 | | |
| Please use whole numbers and decimals (such as 1 or .25 or 1.25) to record FTE values. | 48 - No. of FTEs supplied through contract to other LGUs: | 0 | | |
| | **49 - Total No. of FTEs positions that supported county program:** | **1** | | |
| | 50 - No.of CFO-training hours: (Please see guidance for determining eligible training hours and provide training specifics on Supplemental Form) | 40 | 0.25 | 10 |
| | 51 - No. of new CFO in-office-mentoring units provided (List location & dates on Supplemental Form): | 0 | 3 | 0 |
| | 52 - No. of new CFO inspection-mentoring events provided (List location & dates on Supplemental Form): | 0 | 2 | 0 |
| **EAW** | 53 - No. of EAW (environmental assessment worksheets) petitions received: | 0 | | 0 |
| | 54 - No. of EAWs prepared by the county: | 0 | 4 | 0 |
| **Air Quality Notifications** | 55 - No. of notifications received from feedlot owners claiming air quality exemptions: | 32 | | |
| **Enforcement Actions Taken** | 56 - No. of letters of warning issued: | 1 | | |
| | 57 - No. of notices of violation issued: | 3 | | |
| | 58 - No. of court actions commenced: | 0 | | |
| | 59 - Other: (Please provide details on Supplemental Form.) | 0 | | |
| **Other Program Activities** | 60 - Feedlots where a FLEval/MinnFARM was conducted: | 4 | 1 | 4 |
| | 61 - Meetings with other local government and producer groups: (Please provide meeting details on Supplemental Form.) | 11 | | |
| | 62 - Feedlot Ordinance Revisions: (Please describe ordinance revision and/or adoption proceedings on Supplemental Form.) | 0 | | |
| **Total Credits** | | | | 178.5 |

## SUBSURFACE SEWAGE TREATMENT SYSTEMS (SSTS)

**2010 NRBG:** $9,931
**2010 Educational Stipend:** $1,500
**Match required:** none required
**Total NRBG program:** $11,431

The SSTS NRBG contributes little to the actual cost of administering the local program. The SSTS NRBG is the only NRBG program that was not reduced in 2011.

**2009 SSTS NRBG:** $10,000
**2010 SSTS NRBG:** $ 9,931
**2011 SSTS NRBG:** $ 9,931

In the Environmental Services Department, three staff positions are certified SSTS inspectors whose time is partially devoted to administering the SSTS program. In 2010, staff was involved with training, system inspections, reporting and finalizing revisions to the *Sewage Ordinance Section of the County Code* to be consistent with Minnesota Rules.

Counties are required to submit to the MPCA a construction report showing the number and type of systems installed and tank report of number of septic tanks each contractor installs. The Minnesota Legislature passed a law in 2003 requiring SSTS installers to submit a fee of $25 to the MPCA for each septic tank. In order to verify that each installer submits the correct fees to the MPCA, the MPCA also asks local units of government to keep records of all the tanks installed by each SSTS installer.

The following table summarizes SSTS construction between 2008 and 2010 as reported to the MPCA.

***2008-2010 Summary***
***Subsurface Sewage Treatment System***
***Report to the Minnesota Pollution Control Agency***

| Year | Replacement Residential | New Residential | Other | Total |
|---|---|---|---|---|
| 2008 | 94 | 45 | 4 | 143 |
| 2009 | 71 | 35 | 6 | 114 |
| 2010 | 83 | 28 | 5 | 118 |

Sewage Ordinance Section of the County Code

Beginning in 1996 the *Sewage Ordinance Section of the County Code* contained new SSTS compliance “triggers” intended to increase compliance. These compliance triggers were shown to increase rates of compliance in the County. The compliance triggers included:

1) Required a compliance inspection at property transfer.
2) Affirmed the State-prescribed time frame for upgrades to 10 months for "Imminent Threats to Public Health."
3) Determined the required time for upgrades to failing systems not considered ""Imminent Threats to Public Health" to be *five* years.

After considerable work by SSTS staff in 2009, the *Sewage Ordinance Section of the County Code* was revised in 2010 with additional compliance triggers for septic compliance inspections. Compliance triggers in Blue Earth County now include:

1) Requires a compliance inspection at property transfer.
2) Requires an inspection or certificate of compliance for all County construction permits, conditional use permits and variances.
3) Affirms the State-prescribed time frame for upgrades to 10 months for systems that are "imminent threats to public health."
4) Determines the required time for upgrades to systems "failing to protect groundwater" to be *two* years.

These additional triggers are expected to further increase the rate of compliance throughout the County.

***Compliance Inspections***

**A Certificate of Compliance is issued to the owner when:**

- A newly-constructed SSTS is determined to have been built correctly in accordance with modern, applicable rules and the design plan.

  *OR*
- An existing system is inspected and determined to meet minimum compliance criteria that ensure the SSTS will not cause human health or environmental problems. A Certificate of Compliance for a new system is valid for five years. A Certificate of Compliance for an existing system is valid for three years.

**A Notice of Noncompliance is issued for a non-compliant existing SSTS.**
The Notice of Noncompliance documents the compliance criteria the system fails to meet. Noncompliance falls into two categories:

- ***Imminent threat to public health*** (ITPH) – the system has a sewage discharge to surface water; sewage discharge to ground surface; sewage backup; or any other situation with the potential to immediately and adversely affect or threaten public health or safety.
- ***Failing to protect groundwater*** – the bottom of the system does not have the required separation to groundwater or bedrock.

***For more information about Blue Earth County's SSTS program, contact Peter Otterness, 507-304-4381.***

# OTHER STATE GRANTS and LOANS

Blue Earth County has received other grant funds related to water management.

## FY10 Clean Water Fund SSTS Program Enhancement Grant

**2010 Clean Water Fund Grant:** $26,000
**Local Cash:** $115,800
**Total Project Cost:** $141,800 (when completed in 2011)

Blue Earth County was awarded a $26,000 Clean Water Fund SSTS Program Enhancement grant in 2010. This grant was used to partially fund the Environmental Department's electronic permitting system. It is part of a greater effort to improve customer service, efficiency, transparency, accuracy, accountability and communication.

The electronic permitting system will provide the basis for accurate and effective enforcement of SSTS rules which will in turn increase SSTS compliance. It will also provide the foundation for tracking SSTS maintenance activities and for improving education relateed to SSTS maintenance. SSTS inspection scheduling, inspection tracking, managing code enforcement activities and complaints, mass mailing creation, workflow management, time tracking (permit expiration, compliance expiration), fee tracking and reporting are all important components of the electronic permitting system.

The Department's electronic permitting system also ensures land use permits are reviewed by SSTS staff. It also links to the County's Geographic Information System and Document Management System.

A considerable amount of non-State funded staff time was used to configure the electronic permitting system to match the department's permitting workflow for water wells, septic systems, wetlands, and all land use related permits.

***For more information about the County's electronic permitting system, contact Scott Salsbury, 507-304-4381.***

## Clean Water Partnership Low Interest Loans For SSTS

Through watershed-based MPCA Clean Water Partnership projects, Blue Earth County is currently involved with two low interest loan projects for SSTS.

- **Greater Blue Earth River Watershed SSTS Loans**
    - Total of Loans Available in Blue Earth County $300,000
    - Project Period: 2010-2013 *or until all funds are used whichever is first*
    - Total Loan Amount Distributed in 2010: $36,559.80

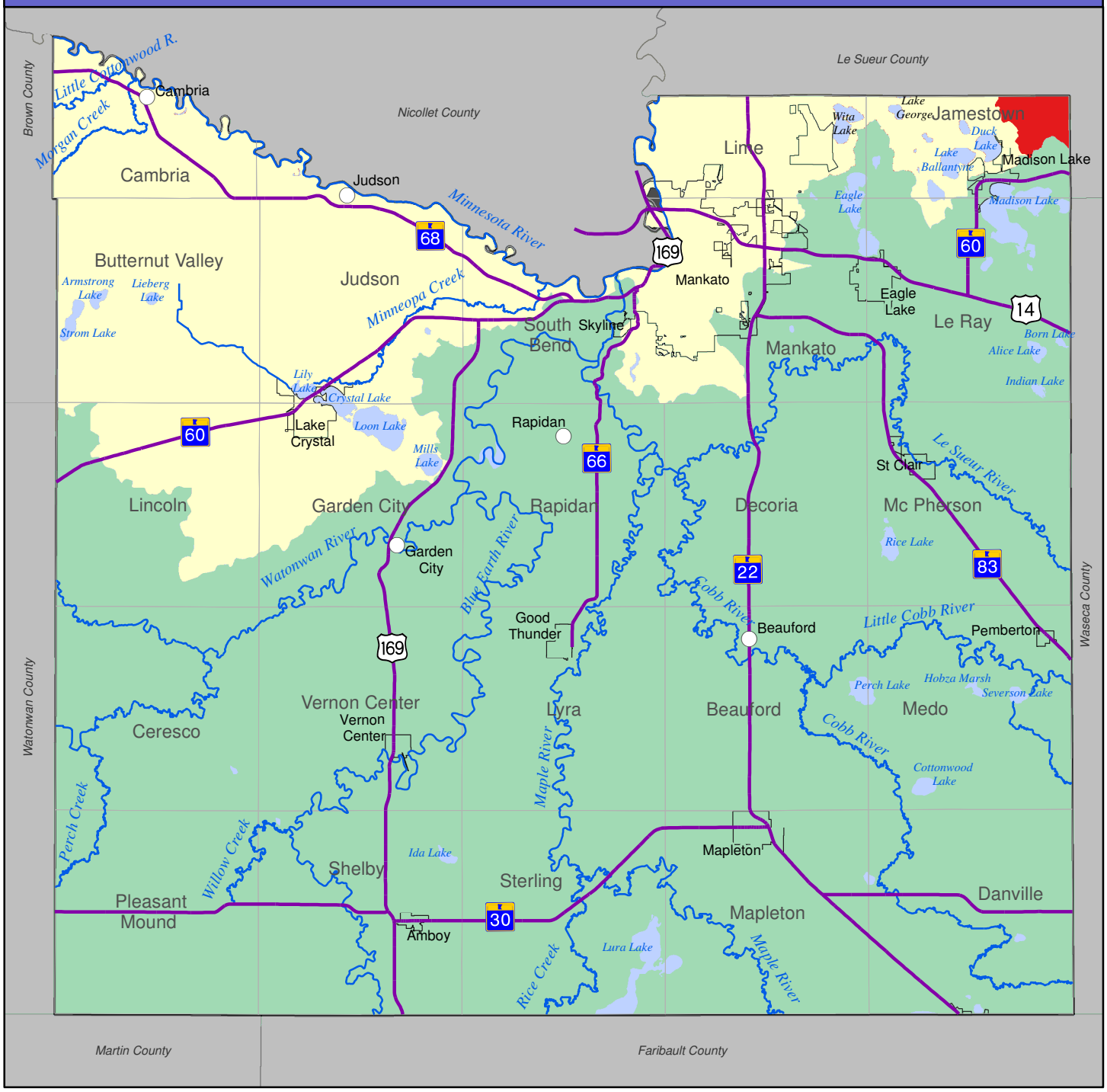
- **Middle Minnesota River Watershed Loans**
    - Total of Loans Available in Blue Earth County: $420,000
    - Project Period: 2011-2014 *or until all funds are used whichever is first*

A map of the watersheds where the loans are available is on the following page.

Loans for SSTS are also available through the Blue Earth County SWCD and the Minnesota Valley Action Council.

***For more information about SSTS loans available in Blue Earth County, contact the Peter Otterness, Stacey Feser or Tim Grant, 507-304-4381***.

# Watershed-Based Septic System Loan Programs in Blue Earth County




Cannon River Watershed
(No Loan Program in County)

MPCA Watershed-Based Septic System Loan Program

Greater Blue Earth River Watershed
(Loan program from 2010-2013
or until funds are used whichever is first)

Middle Minnesota River Watershed
(Loan program from 2011-2014
or until all funds are used whichever is first)

0 5 Miles

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BLUE EARTH COUNTY

Prepared By: Blue Earth County
Environmental Services
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