

**Blue Earth County**  
**2012**  
**Natural Resources Block Grant**  
**Report**



**BLUE EARTH COUNTY**

**Board of Water and Soil Resources  
NATURAL RESOURCES BLOCK GRANT – 2012  
Blue Earth County Report**

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. Local governments are required to contribute cash or in-kind match to the NRBG.

Minnesota Law requires local governments to display reports on their website by June 30 each year showing how State appropriations of NRBG and local match funds were used in the previous calendar years. This report is displayed on the County website to provide information about how State NRBG funds are used in County programs during calendar year 2012.

The total 2012 NRBG was \$82,265, and the required local match contribution was \$60,255. Local match funds are generated locally with permit fees and property taxes. 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.

There are five NRBG program areas that generally align with programs in the Environmental Services Department where nine staff are dedicated to this work. A program summary of the NRBG is displayed in the following table.

<b>2012 Natural Resources Block Grant Summary</b>			
<b>Program</b>	<b>2012 NRBG</b>	<b>Required Minimum Local Match</b>	<b>Total NRBG Program</b>
Water Management Planning	\$10,023	\$16,518	\$26,541
Wetland Conservation Act Administration	\$18,178	\$18,178	\$36,356
Shoreland Ordinance Administration	\$3,243	\$3,243	\$6,486
Delegated Feedlot Program	\$31,880	\$22,316	\$54,196
Feedlot Performance Grant	None	None	None
SSTS	\$18,941	None	\$18,941
<b>Total</b>	<b>\$82,265</b>	<b>\$60,255</b>	<b>\$142,520</b>

The total NRBG has been reduced in recent years:

**2009 NRBG:** \$88,975

**2010 NRBG:** \$82,176

**2011 NRBG:** \$79,269

**2012 NRBG:** \$82,265

## LOCAL WATER MANAGEMENT

**2012 NRBG:** \$10,023

**Required Local Match:** \$16,518

The local water management NRBG contributes little to the actual cost of water management planning and implementation in the county. 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 current 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.

The 2012 NRBG was reduced in 2011 compared to previous years. The greatest reduction in the overall NRBG was from the Local Water Management program.

**2009 Water Management NRBG:** \$13,197

**2010 Water Management NRBG:** \$13,725

**2011 Water Management NRBG:** \$ 9,855

**2012 Water Management NRBG:** \$10,023

In 2012, a significant amount of staff time was devoted to work on plans and projects such as the Blue Earth County Shoreland Buffer Initiative, the Wetland Protection and Management Plan updating the Blue Earth County Hazard Mitigation Plan, Le Sueur River TMDL, preparing grant applications, requesting a water plan expiration extension from the BWSR Board, and reporting use of grant funds to BWSR and the MPCA.

### Water Management Plan extension

Staff time was also used to request an extension to the effective dates of the County Water Management Plan. The County Board of Commissioners officially requested the BWSR Board approve an extension of the expiration of the plan to December 31, 2015. The BWSR Board approved the extension. The extension was requested for the following reasons: 1) staff resources are needed for other projects that will be incorporated into the plan update, 2) most of the county is located in watersheds where Total Maximum Daily Load (TMDL) projects are underway, 3) a ten year plan is allowed by statute, and 4) the BWSR will be making changes in the rules for preparing plans in the coming years.

### 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 crop 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 2012 County staff participated in several TMDLs and watershed efforts, including:

- Le Sueur River TMDL civic engagement meetings
- Watonwan River and Middle Minnesota Watershed TMDLs introduction meetings
- Collaborative for Sediment Source Reduction - Greater Blue Earth meetings

### Vegetated Buffers, Minnesota Shoreland Rules and County Shoreland Ordinance

The Blue Earth County Shoreland Ordinance 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 working toward 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 are needed. The County and SWCD applied for and were awarded a FY11 Clean Water Fund grant to implement this project in 2011 and 2012. As a result of project success, the County requested a one year extension to continue implementing this project through 2013. Most of the County staff working on the Shoreland Buffer Initiative is funded without State funds. Progress reports on this grant-funded project are available in a separate report on the County website.

### Ravine Erosion

The SWCD received a Clean Water Fund grant to design ravine projects. County staff has assisted the SWCD with identifying projects. County-owned property rented for row-crop agriculture was the site of one potential project to divert surface flow from an eroding ravine to a wooded area on the same parcel of land adjacent to the Blue Earth River.

### 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 special risk assessment of near channel erosion, including ravines and stream bank and bluff erosion and landslides. A consultant prepared a technical report and maps of bluffs in the greater Blue Earth River watershed.

### Wetland Protection and Management Plan

The County and City of Mankato started development of a Wetland Protection and Management Plan for the county. A BWSR Clean Water Fund grant is supporting this project, so a separate report on progress is available on the County website.

### Lake Pepin Alliance

The Lake Pepin Alliance invited Blue Earth County Commissioners and staff to participate in their new County Scorecard project displayed on their website. As stated on the project website, <http://www.lakepepinlegacyalliance.org/find-your-county/>, their scorecard mission is to recognize success with regulation, compliance and best practices, identify obstacles and opportunities, and encourage collaboration and cooperation.

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

## **WETLAND CONSERVATION ACT**

**2012 NRBG:** \$18,178  
**Less transfer to SWCD:** - \$5,000  
**Total to County:** \$12,178  
**Required Local Match:** \$18,178

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 or drained wetlands;
- C. Avoid direct or indirect impacts from activities that destroy or diminish the quantity, quality, and biological diversity of 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, including municipalities. 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 2012 a total of 11 staff days / 58 hours 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.

In 2012 County staff provided wetland-related technical assistance to more than 350 landowners. Technical assistance includes answering relatively simple questions about the WCA as well as more complicated review of aerial photos. Of the 350 landowners receiving technical assistance, 41 landowners or their tiling contractors requested wetland review using aerial photos for agricultural fields where subsurface drainage projects were planned. The most common type of wetland decisions made by the County LGU and TEP involved approval /

denial of a wetland boundary. The following tables summarize the County's 2012 WCA report to the BWSR. This report does not include WCA administration in the City of Mankato or Blue Earth County Highway Department which do not receive NRBG funds and report to BWSR separately.

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**Blue Earth County Report – 2012  
Wetland Conservation Act Administration**

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**Number and Type of Applications**

Type of Application	Number Approved	Number Denied	Number Withdrawn
Replacement Plan	4	0	1
Sequencing	0	0	0
Exemption	2	1	0
No-Loss	6	0	0
Boundary or Type	18	1	0
Total	30	1	1

**Technical Assistance**

Number of landowners for which wetland related technical assistance was provided: More than 350

**Violations**

Number of potential violations investigated: 25

Number of enforcement actions taken under local ordinance and/or did not result in DNR cease and desist, restoration or replacement orders: 0

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**Blue Earth County Report – 2012  
Wetland Conservation Act Administration  
Exemptions**

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**Number and Type of Exemptions**

Type of Exemption	Number Approved	Number of Square Feet
Agriculture	0	0
Drainage	1	30,213.93
Wildlife habitat	1	8,712.00
Federal Activities	0	0
Forestry	0	0
De minimus	0	0
Total	2	38,925.93

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

**2009 Wetland NRBG: \$20,710**

**2010 Wetland NRBG: \$20,710**

**2011 Wetland NRBG: \$17,873**

**2012 Wetland NRBG: \$18,178**

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

## SHORELAND ORDINANCE

**2012 NRBG:** \$3,243

**Required Local Match:** \$3,243

The Shoreland NRBG contributes little to the actual cost of administering the Shoreland Ordinance. Shoreland is generally defined as the land area within 1,000 feet of lakes and 300 feet from rivers. Counties are required by Minnesota Rule to adopt shoreland ordinances consistent with State Rules. Counties receiving the Shoreland NRBG are required to submit an annual report on Shoreland Ordinance administration activities to the Minnesota Department of Natural Resources. The 2012 report submitted to the DNR is on the following page.

The annual Shoreland NRBG grant amount has remained fairly constant.

**2009 Shoreland NRBG:** \$3,695

**2010 Shoreland NRBG:** \$3,695

**2011 Shoreland NRBG:** \$3,189

**2012 Shoreland NRBG:** \$3,243

### Agricultural Use Standards – Shoreland Buffer Initiative

Blue Earth County started working on compliance with the Blue Earth County Shoreland Ordinance and Minnesota Rule, Chapter 6120, requiring 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 working toward 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 were needed to provide technical assistance to landowners. The County and SWCD applied for and were awarded a FY11 Clean Water Fund grant to implement this project in 2011 and 2012. Grant funds are used to provide dedicated staff at the SWCD to work with landowners who are notified they own property that appears to lack the required buffer based on aerial photo analysis. Most of the staff working on this project are not funded by the NRBG or the Clean Water Fund grant. Progress reports on this grant-funded project are available in a separate report on the County website.

***For more information about the Blue Earth County Shoreland Ordinance and Shoreland Administration Report, contact George Leary, 507-304-4381.***

**2012 ANNUAL SHORELAND ORDINANCE  
ADMINISTRATIVE ACTIVITIES REPORT**

2012 Shoreland Block Grant Amount: \$3,243

**Directions:** Please answer the following questions for your county's 2012 activities within the shoreland area (*1000 feet from lakes & 300 feet from rivers or the extent of the floodplain, whichever is greater*).

**Variances**

1. List the number of shoreland variances you issued in 2012:

Variance Type	# Approved with Conditions	# Approved without Conditions	# Denied
OHWL setback	1	0	0
Bluff setback	0	0	0
Expansion of nonconforming structure	0	0	0
Impervious surface	0	0	0
Development of nonconforming contiguous lots in same ownership	0	0	0
Subdivision of land not meeting lot area/width standards	0	0	0
Building height	0	0	0
Mooring spaces	0	0	0
Other (please specify) <i>Variance for the expansion of a legal non-conforming use.</i>	1	0	0

2. For approximately what percent of variance inquiries in 2012 were alternative solutions found (thus reducing the actual number of variance applications)? 25%

**Land Subdivisions**

3. List the number of lots created in 2012:

Type of subdivision or conversion:	Total # of Lots Created	How many of these lots were part of Conservation Subdivisions?	How many of these lots were in Resort Conversions?
PUD Plats	0	0	0
Non-PUD Plats	3 lots & 6 outlots	9	0
Lot Splits (administrative subdivision)	0	0	0

**Permits**

4. How many building permits did you issue in shoreland areas in 2012?
- New construction on previously undeveloped lots: 10 (total # of permits)
  - Redevelopment (e.g., expansion of structures, substantial improvements, new structures added to developed lots): 17 (total # of permits)
5. Do you require a permit for grading, excavation, filling, or soil disturbance within the shore impact zone? yes
- If yes:
- What is the threshold for the permit? 10-50 cubic yards requires a shoreland alteration permit. 50 or more cubic yards requires a CUP.
  - Do you inspect the work? When possible (yes or no)

## Planning and Enforcement

6. Does your county have a comprehensive plan? yes
  - a. If yes, when are you planning to update it? possibly in 2013
7. When did your county last update or amend its shoreland ordinance? 2000
8. Does your county notify the DNR at least 10 days prior to public hearings for variances, CUPs, and ordinance amendments, and within 10 days after final decisions on these same applications? yes

If yes:

  - a. Who do you notify? Leo Getsfried
  - b. How do you notify them? email
  - c. What information do you provide? (notice, application, site plans, etc.) A notice of the proposal and site plans if applicable.
9. Do you enforce the 50- foot agriculture buffer requirement? Not entirely

If yes, describe 2012 activities in the space below:

*At this time we have targeted the areas that we believe are deficient in buffer width. Approximately 400 land owners have areas (generally small in size) that are out of compliance. With the hope of providing direct educational efforts, these land owners are being contacted by mail. Of these, 289 have been sent a letter which included a map of the area in question. Approximately 200 land owners have responded to the written notice. Of the 200 that have responded, 122 are planting buffers at their own expense, 22 intend to enroll in CRP, 17 are undecided if they should enroll in CRP or proceed at their own expense, 4 are considering their options and 10 refuse to do anything.*
10. Do you enforce vegetation management standards for non-agriculture properties? Yes.

If yes, describe 2012 activities in the space below:

*Our ordinance limits the vegetation that can be removed within the shoreland impact zone and bluff impact zones. When a land use application is submitted and there are known violations, corrective actions are required as a condition of obtaining the permit.*

## Other

What special measures or initiatives has your county pursued to protect shorelands (e.g., vegetation restoration, advanced stormwater management practices, etc.)? Please describe in the space below:

## Contact Information

County: Blue Earth

Contact Person: George Leary Title: County Zoning Administrator

E-Mail Address: george.leary@blueearthcountymn.gov

Phone Number: 507-304-4495

**To receive a shoreland grant in 2013, this form must be completed by February 1, 2013.**

*Any questions, please contact: Kathleen Metzker, DNR Land Use Hydrologist, 500 Lafayette Road, St. Paul, MN 55155-4032. Tel. 651-259-5694. Please e-mail the completed form to [Kathleen.metzker@state.mn.us](mailto:Kathleen.metzker@state.mn.us). Alternatively, you may fax it to 651-296-1811 or mail it to the above address. E-mail is preferred.*

## STATE-DELEGATED FEEDLOT PROGRAM

**2012 NRBG:** \$31,880

**Required Local Match:** \$22,316

Blue Earth County's feedlot program is a State-delegated program for feedlots under 1,000 animal units. Large feedlots with 1,000 or more animal units require federal, Nonpoint Discharge Elimination System (NPDES) permits administered by the MPCA. Under the State delegation agreement, the County is responsible for implementation of feedlot rules and regulations, including 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 2012 Annual County Feedlot Officer and Performance Credit Report follows this section.

The State legislature appropriated funds to the MPCA to be distributed to delegated counties using a three part formula, including:

**Number of feedlots registered in the county.**

**Minimum program requirements.** (1) Inspect at 7% of the total number of registered feedlots; and (2) meet minimum program requirements identified in the county feedlot workplan form.

**Performance credits.** The amount is determined by the number of performance credits a county accumulates during the year.

The Feedlot NRBG base grant has declined since 2008, with the greatest reduction in 2011. Beginning in 2008, counties were eligible for Feedlot Performance Credit Reimbursement. The intention is to provide more support to counties doing more than the minimum required. The following table shows a comparison of the NRBG and performance credit grants to Blue Earth County.

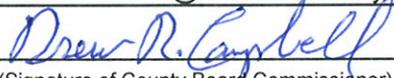
**Comparison of Feedlot NRBG, County Match and Total Feedlot Grants**

Feedlot Program Grants	2012 NRBG	2011 NRBG	2010 NRBG	2009 NRBG	2008 NRBG
Feedlot NRBG	\$31,880	\$31,880	\$34,115	\$41,373	\$45,113
Performance Grant*	-0-	\$6,948	\$6,651	\$2,936	-0-
<b>Total Feedlot Grant</b>	<b>\$31,880</b>	<b>\$38,531</b>	<b>\$34,115</b>	<b>\$44,309</b>	<b>\$45,113</b>
Required County Match	\$22,316	\$22,316	\$23,881	\$28,961	\$34,681

\* Performance grants are reimbursements for activities in the previous year.

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

**Minnesota Pollution Control Agency Feedlot Program**  
**2012 Annual County Feedlot Officer and Performance Credit Report**  
**(Data for the Period January 1, 2012 - December 31, 2012)**

<b>Name of County:</b>	Blue Earth				
<b>Contact Person:</b>	Mark Manderfeld				
<b>Phone No.:</b>	507-304-4339				
<b>E-mail Address:</b>	mark.manderfeld@blueearthcountymn.gov				
<b>Signature:</b>			<u>2.26.13</u>		
	(Signature of County Board Commissioner)		(Date)		
<b>All data must be entered in accordance with the Annual CFO Report Guidance Document. Except where identified all questions in this report address those sites required to be registered.</b>					
		<b>No.</b>	<b>*PC</b>	<b>PC Total</b>	
<b>Registration</b>	1 - Feedlots in shoreland with 10 - 299 AU:	37			
	2 - Feedlots outside shoreland with 50-299 AU:	166			
	3 - Non-NPDES sites ≥300 AU:	106			
	4 - Feedlots with NPDES permits:	68			
	<b>5 - Total:</b>	<b>377</b>			
	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 Drinking Water Supply Management Area (DWSMA):	0			
	8 - Feedlots with 50 AU or more that are in a DWSMA and are not in shoreland:	0			
	<b>No. of Sites Inspected</b>	9 - Feedlots inspected with 10 - 99 AU:	18	0.75	13.5
		10 - Feedlots inspected with 100 - 299 AU:	19	1.25	23.75
11 - Non-NPDES sites ≥300 AU inspected:		25	1.5	37.5	
12 - NPDES sites inspected:		28	1	28	
<b>13 - Total feedlots inspected required to be registered:</b>		<b>90</b>			
14 - Feedlots that were inspected and found not in compliance with water quality discharge standards:		1			
15 - Feedlots not required to be registered that were inspected as the result of a complaint or referral:		1	1	1	
16 - Feedlots required to be registered that were inspected as the result of a complaint:		0			
<b>Land Application Inspections</b>	17 - Non-NPDES sites ≥300 AU (or >100 AU located in a DWSMA) where a Level I land application was conducted and the determination was **NC.	0			
	18 - Non-NPDES sites ≥300 AU (or > 100 AU located in a DWSMA) with land application records where a Level II review was conducted and the determination was compliance:	0	2	0	
	19 - Non-NPDES sites ≥300 AU (or > 100 AU located in a DWSMA) with land application records where a Level II review was conducted and the determination was **NC:	0	2	0	
	20 - Feedlots where a Level III land application inspection was conducted and the determination was compliance:	2	1	2	
	21 - Feedlots where a Level III land application inspection was conducted and the determination was **NC:	0	1	0	
	<b>Specialty Inspections</b>	22 - Feedlots constructing (new or modifications) where 2 or more on-site producer contacts and/or inspections were done:	4	1	4
23 - Feedlots with OLAs where 2 or more on-site producer contacts and/or inspections were done:		0	1	0	
24 - Feedlots with an interim permit where 2 or more on-site producer contacts and/or inspections were done:		0	1	0	
25 - Feedlots inspected with 10 AU or more in shoreland:		4	0.25	1	
26 - Feedlots inspected with 10 AU or more that are both in shoreland and in a DWSMA:		0	0.25	0	
27 - Feedlots inspected with 50 AU or more that are in a DWSMA and are not in shoreland:		0	0.25	0	
*PC = performance credits **NC = non-compliance ***RTC = return to compliance					

All data must be entered in accordance with the Annual CFO Report Guidance Document.				
		No.	*PC	PC Total
Permitting	28 - 30-day construction/expansion notifications received:	6		
	29 - Interim permits issued for feedlots with < 300 AU:	0	2	0
	30 - Interim permits issued for Non-NPDES sites ≥300 AU:	0	2	0
	31 - Short-Form permits issued for Non-NPDES sites ≥300 AU:	4	1	4
	32 - Short Form (≥300 AU) or interim permit revisions conducted:	0	1	0
	33 - Public meetings held for construction/expansion to >500 AU:	0	2	0
Emergency Response	34 - Pollution events where an emergency response was conducted:	1	2	2
Production Site Scheduled Compliance	35 - Feedlots <300 AU in shoreland where a partial environmental upgrade was achieved in the current year:	0	2	0
	36 - Feedlots <300 AU in shoreland where a complete environmental upgrade was achieved in the current year:	0	2	0
	37 - Feedlots <300 AU not in shoreland where a partial environmental upgrade was achieved in the current year:	1	2	2
	38 - Feedlots <300 AU not in shoreland where a complete environmental upgrade was achieved in the current year:	0	2	0
	39 - Non-NPDES feedlots ≥300 AU where a complete environmental upgrade was achieved in the current year:	0	2	0
Land Application Scheduled Compliance	40 - Non-NPDES sites ≥100 AU where Level 1 land application **NC was found and ***RTC was documented:	0	1	0
	41 - Non-NPDES sites ≥300 AU (or > 100 AU located in a DWSMA) where Level II land application **NC was found and ***RTC was documented:	0	2	0
	42 - Feedlots ≥100 AU where Level III land application **NC was found and ***RTC was documented:	0	2	0
Owner Assistance Goals	43 - Workshops or trainings hosted and/or co-sponsored by the CFO (Maximum PC credits = 10; please describe on Supplemental Form):	0	2	0
	44 - Feedlot owners attending feedlot producer workshops, training events or information meetings:	0		
	45 - Mailings to feedlot owners: (Please describe newsletters/mailings on provided on Supplemental Form.)	0		
	46 - Feedlot articles placed in local newspapers: (Please list article title(s) on the Supplemental Form.)	0		
Staffing Level and Training	47 - FTEs (Full Time Equivalents) supplied by the CFO:	1		
	48 - FTEs supplied by 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.	49 - FTEs supplied through contract to other LGUs:	0		
	<b>50 - Total No. of FTEs positions that supported county program:</b>	<b>1</b>		
	51 - CFO-training hours: (Enter total training hours earned; the Excel formula will deduct 18 hours required training; PCs earned will be zero for total hours earned ≤ 18.)	46	0.25	7
	52 - New CFO in-office mentoring units provided (List location & dates on Supplemental Form):	0	3	0
	53 - New CFO on-site mentoring events provided (List location & dates on Supplemental Form):	0	2	0
EAW	54 - EAW (environmental assessment worksheets) petitions received:	0		
	55 - EAWs prepared by the county:	0	4	0
Air Quality Notifications	56 - Notifications received from feedlot owners claiming air quality exemptions:	24		
Enforcement Actions Taken	57 - Letters of warning issued:	0		
	58 - Notices of violation issued:	1		
	59 - Court actions commenced:	0		
Other Program Activities	60 - Feedlots where a FLEval/MinnFARM was conducted:	0	1	0
	61 - Meetings with other local government and producer groups: (Please provide meeting details on Supplemental Form.)	0		
	62 - Feedlot Ordinance Revisions: (Please describe ordinance revision and/or adoption proceedings on Supplemental Form.)	0		
<b>Total Credits</b>				<b>125.75</b>

## **SUBSURFACE SEWAGE TREATMENT SYSTEMS (SSTS)**

**2012 NRBG:** \$18,941

**Required Local Match:** None required

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 and 2012. The 2012 SSTS NRBG was nearly twice the amount of recent years.

**2009 SSTS NRBG:** \$10,000

**2010 SSTS NRBG:** \$ 9,931

**2011 SSTS NRBG:** \$ 9,931

**2012 SSTS NRBG:** \$18,941

In the Environmental Services Department, three staff positions are certified SSTS inspectors whose time is partially devoted to administering the SSTS program.

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 requires counties keep records of all the tanks installed by each SSTS installer and report to the MPCA.

The following table summarizes SSTS construction between 2008 and 2012 as reported to the MPCA.

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**2008-2012 Summary  
Subsurface Sewage Treatment System  
Report to the Minnesota Pollution Control Agency**

<b>Year</b>	<b>Replacement Residential</b>	<b>New Residential</b>	<b>Other</b>	<b>Total</b>
2008	94	45	4	143
2009	71	35	6	112
2010	83	28	5	116
2011	97	18	14	129
2012	98	37	15	150

### 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. Since 1996 these compliance triggers have increased 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 of 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.

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 increasing the rate of compliance throughout the County as the previous compliance triggers only addressed property that changed ownership. The results can be seen in the reports and the number of replacement residential systems and other permits is increasing compared to construction of new systems for new construction.

### ***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 and loan funds related to water management. NRBG funds are not used to meet the match requirements for these projects. Some of the Environmental Services Department staff partially funded by the NRBG are working on these projects.

### Clean Water Partnership Low Interest Loans For SSTS

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

- **Greater Blue Earth River Watershed SSTS Loans**
  - Total of Loans Available in Blue Earth County \$575,000
  - Project Period: 2010-2014 *or until all funds are used whichever is first*
  - Total Loan Amount Disbursed in 2010-2011: \$264,384.57
  - Total Loan Amount Disbursed in 2012: \$93,339.54
  
- **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*
  - Total Loan Amount Distributed in 2011: \$65,381.00
  - Total Loan Amount Distributed in 2012: \$32,482.67

Other loans for SSTS are also available through the Blue Earth County Soil and Water Conservation District 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.***

### Fiscal Year 2011 Clean Water Fund Shoreland Buffer Initiative

**2011 Clean Water Fund Grant:** \$136,842

**Local Match:** \$40,000

Blue Earth County is working in partnership with the Blue Earth County Soil and Water Conservation District (SWCD) on a new local initiative to ensure there are 50-foot, vegetated buffers along all rivers, streams and lakes in agricultural areas. This 50-foot buffer is required by County Ordinance and State Rules.

The County Environmental Services Department is inventorying all shoreland areas to determine compliance with the buffer standard and is in the process of notifying owners of cropland that appear to lack a 50-foot buffer. Those who receive letters are asked contact staff at the SWCD dedicated to working with landowners for this project. A 2011 Minnesota Clean Water Fund grant provided funds for the SWCD to provide these services.

The SWCD is a partner for this project because of their experience working with landowners to establish buffers and other best management practices and their knowledge of financial incentive programs available. Due to project success, an extension of this grant was requested and approved to continue the project until December 31, 2013.

Progress reports on this grant-funded project are available in a separate report on the County website.

### **Fiscal Year 2012 Clean Water Fund Accelerated Implementation Grant Wetland Protection and Management Plan**

**2012 Clean Water Fund Grant:** \$108,000

**Local Match:** \$30,000

Blue Earth County is working with partners to develop a plan for protecting, restoring and enhancing wetlands throughout the county. Most of the plan development will take place in 2013-2014. No NRBG funds are used for match for this grant. Progress reports on this grant-funded project are available in a separate report on the County website.

### **Fiscal Year 2013 Clean Water Fund Grant Well Sealing**

**2013 Clean Water Fund Grant:** \$30,000

**Local Match:** \$30,000

Blue Earth County received a grant to seal wells in Le Hillier and other high priority areas. No NRBG funds are used for implementing this grant. Progress reports on this grant-funded project are available in a separate report on the County website.