

**MINUTES OF THE JANUARY 23, 2009 MEETING
OF THE
WATERSHED IMPROVEMENT REVIEW BOARD**

Appointed Members in Attendance

Robert Ballou, Iowa Soybean Association
Jolee Belzung, Chairperson, Iowa Association of Water Agencies
Jim Gillespie, Iowa Department of Agriculture and Land Stewardship
Tom Hadden, Iowa Environmental Council
Bernie Hoyer, Iowa Department of Natural Resources
Kevin Jacobson, Iowa Rural Water Association
Debra Kawal, Iowa Pork Producers
Mark Rosenbury, Vice Chairperson, Agribusiness Association of Iowa
Deb Ryun, Conservation Districts of Iowa

Appointed Members Absent

Betty De Boef, State Representative
Rob Hogg, State Senator
David Johnson, State Senator
Leah Maass, Iowa Farm Bureau
Dolores Mertz, State Representative
Keri Van Zante, Iowa Association of County Conservation Boards

Staff and Guests

Mary J. Baker, IDALS, Division of Soil Conservation
Jerry Neppel, IDALS, Division of Soil Conservation

Call to Order

The meeting of the Watershed Improvement Review Board (WIRB) was called to order at 10:07 a.m. on Friday, January 23, 2009, at the Ankeny Public Services Building, 220 West First Street, Ankeny, Iowa, by Chairperson Belzung.

Approval of Agenda

2009-001 Motion *Chairperson Belzung called for a vote to adopt the agenda. Moved by Ryun and seconded by Hadden to approve the agenda adding the 6009-004 Price Creek and 6017-009 Saylor Creek amendments, and striking 5017-006 Lake Storm Lake final report from the agenda. The motion was unanimously approved.*

Approval of Minutes from the October 31 and December 19, 2008 Board Meetings

Chairperson Belzung called for a vote to approve the October 31 and December 19, 2008 meeting minutes. Moved by Hadden and seconded by Karwal, and the motion was unanimously approved.

Treasurer's Report

2009-002 Motion *Chairperson Belzung called for a vote to approve the Treasurer's report effective through January 12, 2009. Moved by Ryun and seconded by Ballou and the motion was unanimously approved.*

**Watershed Protection Fund
Revenue & Expenses
Fiscal Year 2009**

Revenue Collected:

Intra State Transfers		\$ 5,000,000.00
Water Protection Refunds		\$ 17,068.77
5018-007 Storm Lake, 6010-005 Holiday Lake, 6018-010 Storm Lake		
Interest		
June Interest	\$ 52,516.48	
July Interest	26,210.06	
August Interest	23,976.87	
September Interest	27,611.30	
October Interest	40,759.90	
November Interest	22,839.53	
December, January, February, March, April, May Interest		
Total Interest		<u>193,914.14</u>
Total Revenue Collected from July 1, 2008 through January 12, 2009		5,210,982.91

Expenditures:

Intra State Transfers	50,000.00	
Pay Requests Approved by Board	<u>2,689,147.81</u>	
Total Expenditures from July 1, 2008 through January 12, 2009		<u>2,739,147.81</u>
Revenue minus Expenditures		\$ 2,471,835.10
Fund Balance forward from FY 2008		\$ 9,695,418.02
Fund Balance as of January 12, 2009 (FY2009)		<u><u>\$ 12,167,253.12</u></u>

Allocations and interest available less funds set aside for existing projects

Revenues

Appropriations

State Fiscal Years 2006, 2007, and 2008		\$15,000,000.00
State Fiscal Year 2009	SFY2009	\$5,000,000.00

Watershed Improvement Fund refunds

Lyon SWCD	SFY2008	\$57,500.00
5018-007 Storm Lake, 6010-005 Holiday Lake, 6018-010 Storm Lake	SFY2009	\$17,068.77

Interest Accrued

State Fiscal Years 2006, 2007, and 2008		\$915,627.02
SFY2009 (to date)	SFY2009	<u>193,914.14</u>

Total Revenue Collected through January 12, 2009 \$21,184,109.93

Expenses and Funds Set Aside

Intra State Transfers (IDALS)

State Fiscal Years 2006, 2007, and 2008		\$150,000.00
Intra State Transfers (IDALS)	SFY 2009	\$50,000.00
WIRB Per Diem and expenses (as of 12-31-08)	SFY 2009	<u>\$1,252.96</u>
Subtotal		\$201,252.96

Funds Set Aside For Approved Projects

State Fiscal Years 2006, 2007, and 2008		\$14,610,172.00
State Fiscal Years 2009 (9-12-08)	SFY 2009	<u>\$3,504,531.00</u>
Subtotal		\$18,114,703.00

Total Expenses or Obligations \$18,315,955.96

Funds Available as of January 12, 2009 \$2,868,153.97

Review and Take Action on Final Project Reports

- 5005-002 Farmers Creek** **2009-003 Motion** *Moved by Gillespie and seconded by Ryun recommending invoicing refund of WIRB funds and approval of final report, and the motion was unanimously approved.*
- 5007-003 Hewitt Creek** **2009-004 Motion** *Moved by Ballou and seconded by Karwal to request 1. summarize water quality and benthic macroinvertebrate data, 2. consider revising the goal statement referring to DNR, and 3. provide more definitive conclusions or outcomes due to the project. The motion was unanimously approved.*
- 5040-015 Viking Lake** **2009-005 Motion** *Moved by Gillespie and seconded by Ballou to approve the final report, and the motion was unanimously approved.*

Review and Take Action on Progress Reports.

- 5002-001 Little Pony Creek** Good progress noted in the report.
- 5011-005 Yellow River Watershed Improvement Project** The project is on track.
- 5017-006 Lake Storm Lake Watershed** No report was submitted.
- 5021-008 Clear Creek Watershed** The project is functionally complete and the applicant needs to submit a final report.
- 5024-009 Muchakinock Creek** No report was submitted.
- 5028-010 Urban Watershed of Dickinson County Lakes** The project will be complete next month. The project targets low impact development with landowners. Neppel stated there was a delay initializing the project and this is the last year to implement the project deadlines with landowners. There is \$160,000 in unobligated funds.
- 5031-011 Rathbun Lake Watershed** No report was submitted.
- 5035-012 Clear Lake Watershed** The applicant is finishing up. The report states there is a delay in material delivery. The project should be completed by this spring.
- 5036-013 Joint Drainage District 1-10** The project is complete. The Board needs to request annual and final reports from the applicant.
- 5037-014 Elk River** The project ended last month, according to the report, and there is an unobligated balance. The Board needs to request a final report from the applicant.
- 5044-016 Upper Miller Creek** The project is complete and the Board needs to request a final report from the applicant.
- 5046-017 Dry Run Creek** No report was submitted.
- 6001-001 Norfolk Creek** The agreement ends this year, water quality samples sent to lab on 12/8/08 and most action items are complete for calendar year 2008. The project is on target, although they need to submit a 2009 plan of work.
- 6003-002 Upper Catfish Creek Watershed** There are items to implement but work is progressing on the project.
- 6004-003 Big Sioux River** Major budget items being requested are for salary. It looks like they are trying to work with livestock owners to implement six alternative animal livestock facilities for monitoring. The applicants have not identified all sites and the project is about two years behind schedule. Hoyer volunteered to follow up

	with the project and to obtain more information on progress.
<u>6009-004 Price Creek Watershed</u>	The fourth quarter report and 2009 plan of work was submitted.
<u>6010-005 Holiday Lake Watershed</u>	The project is complete.
<u>6012-006 Lime Creek NPS Project</u>	The project is progressing.
<u>6014-007 Lower Coldwater-Palmer Creek Watershed</u>	There is approximately \$161,434.00 remaining.
<u>6015-008 Big Bear Creek</u>	Discussion deferred until amendment request is discussed.
<u>6017-009 Saylor Creek</u>	No report was submitted.
<u>6018-010 Storm Lake Watershed</u>	No report was submitted.
<u>6024-011 Joint Drainage District 93 & 100</u>	No report was submitted.
<u>3025-012 Rathbun Lake Watershed</u>	No report was submitted.
<u>6027-013 Leisure Lake Watershed</u>	The project will end this year and the applicants want to let bids this spring. Neppel stated the applicants asked for time extensions and they are at the end of the three year grant agreement. Neppel will submit correspondence to the applicant advising them that construction is required to be completed before the end of the grant agreement.
<u>6031-014 City of Carpenter Sewage Treatment System Project</u>	The project must be completed by the end of the year.
<u>6033-015 Fox River</u>	The project is progressing.
<u>7003-001 Clear Lake Watershed</u>	There are two years left and the applicants are moving forward with improvements.
<u>7008-002 Yellow River Watershed</u>	The project is just getting started and the applicants have not spent much funding. They initially had 18 landowners interested in participating and only have 2 interested in moving forward with implementation. Neppel stated the project did a good job documenting efforts, but they should continue to contact targeted landowners.
<u>7020-007 Hurley Creek Watershed/ McKinley Lake</u>	The project is off to a reasonable start.
<u>7011-003 Keg Creek</u>	Neppel informed the Board he did receive a partial report (only narrative and no ledger) and they are requesting funds.
<u>7021-008 Sand Creek Watershed</u>	The applicant is making progress.
<u>7024-009 Volunteer Creek</u>	The applicants are doing a lot of work, tree inventory, archeological, survey, and wetland delineation.
<u>7025-010 College Creek</u>	The project appears to be progressing.
<u>7032-012 Lake MacBride</u>	The applicant's summary does not match the WIRB tracking.
<u>7033-013 Dry Run Creek Sub-Watershed</u>	The applicant is making progress and the main cost items are completed. The drainage wells were closed last summer and the costs came in under the original estimates. They are now working on nutrient management plans and information/education activities.

7039-014 Miners Creek

The applicants have items completed, including the waste water outflow. They are now doing other work (pasture management) in the watershed.

7040-015 Saylor Creek Sub-watershed

The project is progressing.

7043-017 North Fork Maquoketa River Headwaters

This project is a performance-based program for farmers. Two points from application: 1) the farmer's do not get incentive payments without reaching certain thresholds and 2) the application shows specific quantitative measures or goals. The project end date is June 2011.

Review and Take Action on Project Amendment Requests

5002-001 Little Pony Creek

2009-006 Motion Moved by Rosenbury and seconded by Hadden to approve a grant agreement extension to April 6, 2009. All in-progress practices and associated staff time to complete them is allowed to finish by May 30, 2009. The motion was unanimously approved.

6015-008 Big Bear Creek

2009-007 Motion Moved by Rosenbury and seconded by Ballou to deny the amendment request, and the motion was approved. Gillespie abstained from voting because submitter is an IDALS employee who is paid by WIRB funds.

6009-004 Price Creek

2009-008 Motion Moved by Gillespie and seconded by Hadden to approve the amendment request, and the motion was unanimously approved.

6017-009 Saylor Creek

2009-009 Motion Moved by Hadden and seconded by Ryun to approve the amendment request, and the motion was approved. Chairperson Belzung abstained from voting.

Action on Funding Request Forms

5002-001 Little Pony Watershed

No request was submitted.

5007-003 Hewitt Creek Watershed

No action, request tabled pending approval of the final report.

5017-006 Lake Storm Lake Watershed

No action, request tabled pending approval of the final report.

5031-011 Rathbun Watershed

No action, request tabled pending approval of the final report.

5035-012 Clear Lake Watershed

The project is not finished and they cannot be paid until the project is completed.

6001-001 Norfolk Creek Subwatershed

2009-010 Motion Moved Rosenbury and seconded by Gillespie to deny the funding request due to a large unobligated balance, and the motion was unanimously approved.

6003-002 Upper Catfish Creek Watershed

2009-011 Motion Moved Gillespie and seconded by Jacobson to approve \$689.00, and the motion was unanimously approved.

6004-003 Big Sioux River

2009-012 Motion Moved Ryun and seconded by Jacobson to deny the funding request due to a large unobligated balance, and the motion was unanimously approved.

6009-004 Price Creek Watershed

2009-013 Motion Moved Rosenbury and seconded by Ryun to approve \$13,492.00, and the motion was unanimously approved.

6012-006 Lime Creek NPS Project

2009-014 Motion Moved Gillespie and seconded by Rosenbury to approve the funding request, and the motion was unanimously approved.

6014-007 Lower Coldwater-Palmer Creek Watershed

2009-015 Motion Moved Rosenbury and seconded by Ballou to approve the funding request, and the motion was unanimously approved.

6015-008 Big Bear Creek

2009-016 Motion Moved Rosenbury and seconded by Ryun to approve the funding request, and the motion was unanimously approved.

6017-009 Saylor Creek

No request was submitted.

6027-013 Leisure Lake Watershed

2009-017 Motion Moved Rosenbury and seconded by Hoyer to approve the funding request, and the motion was unanimously approved.

6033-015 Fox River

2009-018 Motion Moved Jacobson and seconded by Karwal to approve \$60,977.00 of the funding request, and the motion was unanimously approved.

6034-016 Lake Colchester Middle Creek

2009-019 Motion Moved Rosenbury and seconded by Ryun to approve the funding request, and the motion was unanimously approved.

7003-001 Clear Lake Watershed

2009-020 Motion Moved Ryun and seconded by Rosenbury to approve the funding request, and the motion was unanimously approved.

7008-002 Yellow River Direct

2009-021 Motion Moved Rosenbury and seconded by Ballou to deny the funding request due to an existing large unobligated balance, and the motion was unanimously approved.

7011-003 Keg Creek Watershed

2009-022 Motion Moved Rosenbury and seconded by Hoyer to not approve the funding request in the amount of \$450,000.00, and the motion was approved. Voting yea: Ballou, Belzung, Gillespie, Rosenbury, and Ryun. Voting nay: Hadden, Karwal, Hoyer and Jacobson.

Discussion followed and the Board will reconsider this funding request after the receipt of the progress report at the February 27, 2009 WIRB Board Meeting.

7020-007 Hurley Creek and McKinley Lake Watershed

2009-023 Motion Moved Ryun and seconded by Rosenbury to approve the funding request, and the motion was unanimously approved.

7021-008 Sand Creek Watershed

2009-024 Motion Moved Ryun and seconded by Rosenbury to approve the funding request, and the motion was unanimously approved.

7024-009 Volunteer Creek Watershed

2009-025 Motion Moved Ryun and seconded by Hadden to approve the funding request, and the motion was unanimously approved.

7025-010 College Creek Watershed

2009-026 Motion Moved Rosenbury and seconded by Gillespie to approve \$15,200.00 of the funding request, and the motion was unanimously approved.

7031-011 Brushy Creek Watershed

2009-027 Motion Moved Gillespie and seconded by Jacobson to approve the funding request, and the motion was approved. Ryun abstained from voting.

7032-012 Lake Macbride

No action, request tabled pending submission of the final report.

7039-014 Miner's Creek Watershed

2009-028 Motion Moved Ryun and seconded by Gillespie to approve the funding request, and the motion was unanimously approved.

7040-015 Saylor Creek Sub-Watershed

No request was submitted.

7043-017 North Fork Maquoketa River Headwaters

2009-029 Motion Moved Rosenbury and seconded by Hadden to approve the funding request, and the motion was unanimously approved.

8004-001 Summit Lake Watershed

2009-030 Motion Moved Hoyer and seconded by Rosenbury to approve the funding request, and the motion was unanimously approved.

8005-002 Silver Lake Watershed

2009-031 Motion Moved Rosenbury and seconded by Ryun to approve the funding request, and the motion was unanimously approved.

8006-003 East Okoboji Lake

2009-032 Motion Moved Hadden and seconded by Karwal to approve the funding request, and the motion was unanimously approved.

8009-005 Storm Lake Watershed

No request was submitted.

8010-006 Camp Creek Watershed

No request was submitted.

8011-007 Ludlow Creek Watershed

2009-033 Motion Moved Hoyer and seconded by Gillespie to approve the funding request, and the motion was unanimously approved.

8012-008 Lake Morris Watershed

2009-034 Motion Moved Jacobson and seconded by Rosenbury to approve the funding request, and the motion was approved. Ryun abstained from voting.

8013-009 Muchakinock Creek Watershed

No request was submitted.

Review 2008 WIRB Annual Report and Project Annual Reports

Neppel informed the Board a draft report is not available until next week. Board requested the project name and "not received at time of filing report" be marked in the table of contents and not to leave blank pages as placeholders in the body of the report for reports not submitted.

Ryun also suggested that WIRB get onto legislative committee meeting agendas to provide an update on WIRB. Neppel will contact Debra Kozel to set up these committee meetings.

WIRB Policies and Legislative Update

Draft Per Diem Policy – Provide Receipts for Every Meal and all Other Expenses, as of January 1, 2009.

2009-035 Motion Moved Gillespie and seconded by Rosenbury to approve the Per Diem Policy, and the motion was unanimously approved.

Senate File 4

After discussion, the Board agreed to the following statement with regard to Senate File 4. "The WIRB supports the flexibility to extend projects beyond three years."

2009-036 Motion Moved Jacobson and seconded by Ryun to adopt the statement, and the motion was unanimously approved.

Board Correspondence

Neppel informed the Board he received correspondence from Bill Ehm, Iowa Department of Natural Resources, who forwarded brochures on clean water improvement projects.

WIRB Invitations to Technical Experts to Review Applications - Identify Experts

The Board agreed to invite the technical experts from the previous review cycle.

Administrative Update

- Neppel reported to the Board that eight grant agreements are submitted of the nine approved 2008 projects.
- There is one project outstanding and an invoice was sent in the amount of \$4,817.18 to Drainage District 93 and 100. Neppel will make a follow-up call to the applicant regarding payment and then refer the matter to Dave Dorff of the Iowa Attorney General's Office, if necessary.
- Gillespie volunteered to draft a progress report form and send it to Board Members for comments. This report format will be used by applicants for future project reporting and help eliminate inconsistencies in format, reduce the length of reports, and reduce the amount of paper.
- Chairperson Belzung informed the Board that Rosenbury, Hadden, Maass, Ryun, Van Zante, and Karwal terms are up this year and they may serve another term. Neppel will check the status of De Boef's and Mertz' terms.

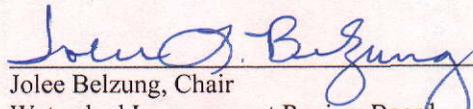
Future Meeting Dates

February 27, 2009
March 27, 2009 (application selection)
April 24, 2009
August 7, 2009
September 18, 2009 (application selection)
November 6, 2009
December 18, 2009

All meetings are scheduled to be held at the Ankeny Public Services Building, 220 West First Street, Ankeny, Iowa, and begin at 10:00 a.m.

Adjourn

Chairperson Belzung adjourned the meeting at 2:37pm.



Jolee Belzung, Chair
Watershed Improvement Review Board