MINUTES OF THE JANUARY 22, 2010 MEETING
OF THE
WATERSHED IMPROVEMENT REVIEW BOARD

Appointed Members in Attendance
Mark Rosenbury, Chairperson, Agribusiness Association of Iowa
Robert Ballou, Iowa Soybean Association
Jolee Belzung, Iowa Association of Water Agencies
Tom Hadden, Iowa Environmental Council
Bernie Hoyer, Iowa Department of Natural Resources
Kevin Jacobson, Iowa Rural Water Association
Keri Van Zante, Iowa Association of County Conservation Boards
Vicki Allen, Iowa Farm Bureau

Appointed Members Absent
Dennis Black, State Senator
Betty De Boef, State Representative
Jim Gillespie, Iowa Department of Agriculture and Land Stewardship
David Johnson, State Senator
Debra Karwal, Iowa Pork Producers
Dolores Mertz, State Representative

Staff and Guests
Mary J. Baker, IDALS, Division of Soil Conservation
Jerry Neppel, IDALS, Division of Soil Conservation
Adam Kiel, Basin Coordinator, IDNR

Call to Order
The meeting of the Watershed Improvement Review Board (WIRB) was called to order at 10:04 a.m. on Friday, January 22, 2010, by Chairperson Rosenbury.

Approval of Agenda
Board requested the following Agenda changes:
Agenda Item 3. - Change November 18, 2009 to December 18, 2009.
Agenda Item 6. c) - 7011-003 Keg Creek amendment not received.

Motion 2010-001 *Chairperson Rosenbury called to adopt the agenda. Moved by Ballou and seconded by Belzung to approve the amended agenda, and the motion was unanimously approved.*

Approval of Minutes from December 18, 2009 Board Meeting
Board requested the spelling of Lytle Creek corrected and under "Approval of Treasurer's Report", replace Hoyer with Hadden.

Motion 2010-002 *Chairperson Rosenbury called for a motion to approve the amended meeting minutes. Moved by Hadden and seconded by Jacobson, and the motion was unanimously approved.*

Approve Treasurer's Report
Motion 2010-003 *Chairperson Rosenbury called for a motion to approve the Treasurer's Report dated January 18, 2010. Motion by Jacobson and seconded by Hadden, and the motion was unanimously approved.*

Watershed Improvement Fund
Revenue & Expenses – Fiscal Year 2010 as of 1-18-10

Revenue Collected:

Intra State Transfers		$ 5,000,000.00
Watershed Improvement Fund Refunds		$ 152,842.48
5002-001 Little Pony Creek	$ 21,662.75	
5028-010 Urban Watersheds of Dickinson County Lakes	$ 52,183.35	
5037-014 Elk River	$ 76,269.29	
5036-013 Joint Drainage District 1-10	$ 2,727.09	
Interest		
June Interest	$ 7,981.14	
July Interest	12,228.49	
August Interest	10,367.81	
September Interest	9,291.78	
October Interest	9,611.84	
November Interest	9,231.40	
Total Interest		58,712.46
Total Revenue Collected from July 1, 2009 through January 18, 2010		5,211,554.94

Expenditures:

Intra State Transfers	50,000.00	
WRB Per Diem and Expenses		
Funding Requests Approved by Board: 8-7-09 and 9-21-09	2,343,428.50	
Total Expenditures from July 1, 2009 through January 18, 2010		2,393,428.50
Revenue minus Expenditures		$ 2,818,126.44
Fund Balance forward from FY 2009		$ 9,614,260.37
Fund Balance as of January 18, 2010		$ 12,432,386.81

Allocations and interest available less funds set aside for existing projects

Revenues			
Appropriations			
State Fiscal Years 2006, 2007, 2008 and 2009		$20,000,000.00	
State Fiscal Year 2010	SFY 2010	$5,000,000.00	
Watershed Improvement Fund refunds			
SFY2008, 2009		$74,568.77	
	SFY 2010	$ 152,842.48	
Interest Accrued			
State Fiscal Years 2006, 2007, 2008 and 2009		$1,260,926.18	
SFY2010 (to 10-26-09)	SFY 2010	$58,712.46	
Total Revenue Collected through December 9, 2009			$26,547,049.89
Expenses and Funds Set Aside			
Intra State Transfers (IDALS)			
State Fiscal Years 2006, 2007, 2008 and 2009		$200,000.00	
Intra State Transfers (IDALS)	SFY 2010	$50,000.00	
WRB Per Diem and expenses SFY 2009		$2,570.56	
WRB Per Diem and expenses	SFY 2010	-	
Subtotal		$252,570.56	
Funds Set Aside For Approved Projects			
State Fiscal Years 2006, 2007, 2008 and 2009		$19,969,444.70	
State Fiscal Year 2010 (includes $500,000 for Lytle Creek)		$5,120,832.00	
Subtotal		$25,090,276.70	
Total Expenses or Obligations			$25,342,847.26
Funds Available as of January 18, 2010			$1,204,202.63

Progress Reports:

PROJECT	DISCUSSION
5024 Muchinack Creek	No final report submitted.
5046 Dry Run Creek	No final report submitted.
9010 Hawthorn Lake	The Board requests specific numbers in applicant's Objective 3 to replace the "up to" language in the goals. The Board instructed Neppel to obtain specific numbers for applicant's goals.
5044 Upper Miller Creek	Board requested Neppel to follow up.
5002 Little Pony Creek	Board requested Neppel to follow up.
7024 Volunteer Creek	Project is on hold because applicant is waiting for permits from the U.S. Army Corps of Engineers.
8012 Lake Morris	Pictures were provided of the deployed solar bees on lake. Applicant is analyzing monthly drinking water samples. The spreadsheet is in order.
7025 College Creek	Applicant has planned items that have not been implemented at this time. Neppel informed the Board the hold up is getting the decision from Drainage District. Applicant is planning to implement grade and bank stabilization this spring; working on upland storm water practices and applicant is on schedule for that practice.
8023 DMACC	Applicant is finished with the bulk of the expensive work, although the wetland is not installed. Neppel met with the project coordinator in November 2009, and the work plan was expanded to capture more detail.
6012 Lime Creek	Project is complete.
6003 Upper Catfish Creek	No report submitted.
6004 Big Sioux River	The report is not easy to understand, no loading reductions shown or other information. There is $70,000 in EPA 319 money available that the applicant can use for leverage. Rosenbury will contact Iowa Cattleman Association to provide assistance encourage the applicant to conclude the project.
8011 Ludlow Creek	Applicant is behind on its 2009 goals.
6014 Lower Coldwater-Palmer	No final report submitted.
6024 Joint Drainage District No. 93 & 100	Applicant has not returned the funds. The Board requested Neppel draft a letter informing applicant the Board will turn the matter over to the Attorney General's Office if the Board does not receive a response in one week.
6033 Fox River	Making progress. Board allowed them to finish activities in progress. Applicant must submit a quarterly report in March.
7011 Keg Creek	Submitted final report.
7020 Hurley Creek/McKinley Lake	Making progress.
7031 Brushy Creek	Making progress.
7040 Saylor Creek	Very active.
8005 Silver Lake	Making progress.
8018 Walnut Creek	Making progress.
8024-014 Duck Creek	Making progress. Established buffers and contracts with landowners.

Neppel will review new plans of work and make comments, then send to the sub-groups with comments on progress. Neppel was instructed to remove old projects from the website and insert new projects before the February meeting.

Amendment Requests:

PROJECT	REQUEST	FUNDED	DISCUSSION
6003-002 Upper Catfish			Shifting funds. Applicant did not address any water quality impacts. Small amounts of funds are proposed to be shifted.
6004-003 Big Sioux River			Shifting funds. Small amounts of funds are proposed to be shifted.
7040-015 Saylor Creek Sub-Watershed			Shifting funds. Difference in estimate vs. bid.
8004-001 Summit Lake			Shifting funds.

PROJECT	REQUEST	FUNDED	DISCUSSION
8011-0007 Ludlow Creek			Applicant requests shifting money from pasture hayland management to terraces because landowner changed land use. The effects will provide positive environmental benefits with this change.
8025-015 Remsen Source Water Protection	$18,640	$18,640	Board discussed price per acre of land.

Motion 2010-004 *Moved by Hoyer and seconded by Hadden to approve the six amendment requests, and the motion was approved. Belzung abstained from discussion and voting on amendment request for7040-015* Saylor Creek Sub-Watershed.

Funding Requests:

PROJECT	REQUEST	FUNDED	DISCUSSION
6017-009 Saylor Creek	$41,250.00		When reviewing the final report, proportion of WIRB to city funds has gone up. Agreement does not specify cost share percentages. The application budget shows the leveraging amount. They spent about 78.4% of the budget. If there are cost savings, then the applicant needs to inform the WIRB. The landowner did some of the earthwork instead of the city. Board instructed Neppel to verify the cost share dollars spent before approving the final report and seek Attorney General's opinion on cost share. This request will be continued at the February 19, 2010 meeting.
6034 Lake Colchester/Middle Creek	$58,500.00	$33,750.00	Approved. Withhold 10% grant funds for retainage.
6031 City of Carpenter Sewage Treatment System Project	$50,000.00	$50,000.00	Review final report.
7011 Keg Creek	$50,000.00	$50,000.00	Applicant spent more money on the collection system and less money on the waste water system, exceeding the 10% allowance. Neppel will follow up with applicant. Approved.
7042 Kettle Creek Watershed	$380,996.00	$349,196.00	Approved. Withhold 10% grant funds for retainage.
7013 Rathbun Lake Watershed	$64,300.00		Applicant needs to submit a progress report. Request deferred until February 19, 2010 meeting.
7021 Sand Creek Watershed	$86,212.00	$86,212.00	Approved.
7025 College Creek	$122,226.00	$91,792.00	Approved. Withhold 10% grant funds for retainage.
7031 Brushy Creek Watershed	$27,522.00	$27,522.00	Approved.
7039 Miners Creek	$6,672.00	$6,672.00	Approved.
7040-015 Saylor Creek Sub-Watershed	$310,520.00	$310,520.00	Approved.
7042 Kettle Creek Watershed	$387,996.00	$349,196.00	Approved. Withhold 10% grant funds for retainage.
7043 North Fork Maquoketa River Headwaters	$58,999.00		Applicant needs to submit progress report. Deferred until February 19, 2010 meeting.
8004 Summit Lake Watershed	$131,817.00	$92,005.00	The funding request and ledger are not correct. Neppel was instructed to contact applicant to resubmit the corrected funding request and ledger. Approved. Withhold 10% grant funds for retainage.
8005 Silver Lake Watershed	$25,100.00	$25,100.00	Approved.

PROJECT	REQUEST	FUNDED	DISCUSSION
8006 East Okoboji Lake	$168,500.00	$141,900.00	Approved. Withhold 10% grant funds for retainage.
8008 Rathbun Lake Watershed	$61,700.00		Applicant needs to submit progress report. Request deferred until February 19, 2010 meeting.
8011 Ludlow Creek	$96,098.00	$96,098.00	Approved.
8012 Lake Morris Watershed	$100,125.00	$100,125.00	Approved.
8018 Walnut Creek	$132,542.17	$132,542.17	Approved.
8019 Staff and Beaver Creek	$65,992.00	$65,992.00	Approved.
8021 Sands Timber	$7,907.00	$7,907.00	Approved.
8023 DMACC Lake Watershed	$144,170.00	$94,170.00	Approved. Withhold 10% grant funds for retainage.
8024 Duck Creek Watershed	$31,625.00	$31,625.00	Approved.
8027 Competine Creek	$58,000.00	$58,000.00	Approved. Neppel is working with applicant on the ledger format and content.
9008 Hewitt Creek Watershed	$57,312.00		Applicant needs to submit Plan of Work. Request deferred until February 19, 2010 meeting.
9018 Rathbun Lake Watershed	$107,445.00		Applicant needs to submit Plan of Work. Request deferred until February 19, 2010 meeting.
9002 Indian Springs Pond Watershed	$50,847.00	$50,847.00	Approved.
9005 Silver Creek Watershed	$33,500.00	$33,500.00	Approved.
9006 Bear Creek Watershed	$108,000.00	$108,000.00	Approved.
9007 Upper Buffalo Creek Watershed	$12,800.00	$12,800.00	Approved.
9009 Lost Creek Watershed	$17,000.00	$17,000.00	Approved.
9010 Hawthorn Lake	$6,850.00	$6,850.00	Approved.
9011 Walnut Creek Watershed	$57,050.00	$57,050.00	Approved.
9014 Lytle Creek	$24,511.00	$24,511.00	Approved. WIRB wants to rollover the cash from 6027-013 Leisure Lake into this project.
9020 Fox River	$49,375.00	$49,375.00	Approved.

Motion 2010-005 *Moved by Ballou and seconded by Hadden to approve the requests as noted above, and the motion was approved.*

2009 Annual Report to the Governor and the Legislature

Neppel informed the Board the Annual Report format is a single page report for each project using 2009 template similar to the 2008 report format.. Projects with no reports submitted will be listed in the in table of contents but not leave a blank page in the body of report. Report will be posted on the website for Board review and comments sent to Neppel. Chairperson Rosenbury will approve report prior to submission.

Final Project Reports

PROJECT	DISCUSSION
6001-001 Norfolk Creek	Board recommends applicant correct financial and typographical errors; return $64,255.00 to the WIRB Board. The Board will review the corrected final report at the February 19, 2010 meeting.
6017-009 Saylor Creek	Board recommends the applicant include data in the Environmental Accountability section. The Board will approve the final report, subject to the addition Environmental Accountability data.
6027-013 Leisure Lake	Approved. (Board wants to rollover remaining funds into 9014, Lytle Creek project.)
6031-014 City of Carpenter Sewage Treatment System Project	Approved.
7011-003 Keg Creek	Board recommends applicant delete paragraph, page 3, regarding WIRB funds availability for land purchase and resubmit for review.

Motion 2010-006 *Moved by Hadden and seconded by Ballou to approve final report for 6001-001 Norfolk Creek, 6027-013 Leisure Lake, and 6031-014 City of Carpenter Sewage Treatment System Project, and the motion was unanimously approved.*

WIRB Pesentations—Iowa Water Conference and Legislative Committees TBD

Ballou is attending the Iowa Water Conference on March 8, 2010 and is part of panel discussing funding resources for source water protection. Conference registration and brochure information - ttp://www.aep.iastate.edu/water/homepage.html

The WIRB requested Deb Kozel to identify appropriate legislative committees for WIRB to be invited to make a presentation on WIRB activities.

Administrative Update – Neppel

1. Hoyer provided Board members with an informational handout entitled, *Mississippi River Basin Healthy Watersheds Initiative*. The handout can be viewed at www.nrcs.usda.gov

   NRCS will offer an initiative in fiscal years 2010 through 2013, dedicating $80 million in each fiscal year to water quality improvement in the Mississippi River Basin and reduce Gulf Hypoxia. There is an effort to decide where to target money and develop project areas for the funding from USDA. Hoyer wants the Board to consider partnering with other agencies, partners and producers to help improve the water quality in targeted HUC-12 project areas. The rules are expected to be approved by the end of January 2010. Hoyer requests the WIRB view a presentation at the February meeting from DNR, NRCS and DSC, in order to decide whether to partner WIRB funds in the Iowa HUC-12 areas.

   The Board agreed to view the presentation at the February 19, 2010 meeting.

2. The FY09 report was prepared by the Treasurer's Office with assistance from Neppel. The report was delivered to specific legislative committees and the Legislative Services Agency and is posted on the website.

3. The Board is encouraged to attend the annual project review meetings to review watershed projects funded with EPA 319, WSPF, WPF programs, and matching WIRB funds. The meetings are usually held in February and March.

4. Seven applications received from the RFA that closed January 15, 2010 were distributed. The applications were reviewed for minimum criteria.

   The Board requested Neppel to inform the Miller Creek applicant (Monroe County SWCD) that the application will not be reviewed if letters of support are not included.

Future Meeting Dates (Ankeny Public Services Building, 220 West First Street, Ankeny, Iowa):

February 19, 2010 beginning 10:00 a.m.
April 30, 2010 beginning 10:00 a.m. (possibly a teleconference)

Adjourn

The meeting adjourned at 12:36 p.m.

Mark Rosenbury

Mark Rosenbury, Chair
Watershed Improvement Review Board