

**MINUTES OF THE JANUARY 28, 2011 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
Jim Gillespie, Iowa Department of Agriculture and Land Stewardship
Steve Hopkins, Iowa Department of Natural Resources
Jane Weber, Conservation Districts of Iowa

Appointed Members Absent

Vicki Allen, Iowa Farm Bureau
Dennis Black, State Senator
Betty De Boef, State Representative
Tom Hadden, Iowa Environmental Council
Debra Karwal, Iowa Pork Producers
David Johnson, State Senator
Dolores Mertz, State Representative
Keri Van Zante, Iowa Association of County Conservation Boards
Lisa Walters, Iowa Rural Water Association

Staff and Guests

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

Jeff Phillips, P.E., Barker LeMar Engineering Consultants
Tracy L. Warner, P.E., City of Ames, Iowa

Call to Order

The meeting of the Watershed Improvement Review Board (WIRB) was called to order at 10:00 a.m. on Friday, January 28, 2011, by Chairperson Rosenbury.

Approval of Agenda

Changes: Delete item 12b from the agenda as no report was received. Move items 7c and 11a to present out of sequence.

Motion 2011-73 Chairperson Rosenbury called to adopt the amended agenda. Moved by Gillespie and seconded by Belzung to approve the amended agenda, and the motion was unanimously approved.

WIRB Appointments and Resignations

Vicki Allen, Farm Bureau representative, resigned effective December 31, 2010.

Gillespie, Hopkins and Karwal terms end April 30, 2011.

Treasurer's Report

**Watershed Protection Fund
Iowa Infrastructure Account (D81)
Revenue & Expenses
Fiscal Year 2011**

Revenue Collected:

Intra State Transfers		\$	-
Water Protection Refunds		\$	150,512.53
Interest			
June Interest	\$	8,894.28	
July Interest		3,059.07	
August Interest		4,804.02	
September Interest		5,668.92	
October Interest		7,611.61	
November Interest		739.32	
December Interest		0.00	
January Interest		0.00	
February Interest		0.00	
March Interest		0.00	
April Interest		0.00	
May Interest		0.00	
Total Interest			<u>30,777.22</u>
Total Revenue Collected from July 1, 2010 through December 31, 2010			181,289.75

Expenditures:

Intra State Transfers		-	
WIRB board member per diem cost		2,276.17	
Pay Requests Approved by Board		<u>1,417,278.12</u>	
Total Expenditures from July 1, 2010 through December 31, 2010			<u>1,419,554.29</u>
Revenue minus Expenditures			\$(1,238,264.54)
Fund Balance forward from FY 2010			\$ 9,902,400.13
Fund Balance as of December 31, 2010 (FY2011)			<u>\$ 8,664,135.59</u>

**Watershed Protection Fund
Revenue Bonds Capitals II Fund (DT4)
Revenue & Expenses
Fiscal Year 2011**

Revenue Collected:

Appropriations	\$ 2,000,000.00
Revenue Bonds Refunds	\$ <u> -</u>
 Total Revenue Collected from July 1, 2010 through December 31, 2010	 2,000,000.00

Expenditures:

Pay Requests Approved by Board	_____ -
Total Expenditures from July 1, 2010 through December 31, 2010	_____ -
Revenue minus Expenditures	\$ 2,000,000.00
Fund Balance forward from FY 2010	\$ -
Fund Balance as of December 31, 2010 (FY2011)	<u><u>\$ 2,000,000.00</u></u>



Obligated/Encumbered amount--13 projects \$ 2,000,000.00

Motion 2011-74 Moved by Ballou and seconded by Hopkins to accept the Treasurer's Report and the motion was unanimously approved.

Approval of Minutes from the November 5, 2010 Board Meeting

Neppel informed Board members that the meeting minutes have been changed from what was emailed earlier to correct \$400,000 to \$400 on signage referred to in the Dry Run Creek application funding discussion column.

Motion 2011-75 Chairperson Rosenbury called for a motion to approve the November 5, 2010 meeting minutes. Moved by Belzung and seconded by Ballou, and the motion was unanimously approved.

Allowance for Projects to Complete In-Progress Practices After the End of the Grant Agreement

<u>Project</u>	<u>Discussion</u>
7014-005 South Raccoon/Maple River Junction	They have spent engineering, legal and administrative, and property acquisition funding. Applicant has acquired property and easements are in place. The septic and treatment systems are the larger cost items and are in progress. <i>Motion 2011-76 Moved by Belzung and seconded by Weber to approve the activities in progress and completion by June 1, 2011, and the motion was unanimously approved.</i>
7021-008 Sand Creek Watershed	Bad weather interfered with the construction schedule but construction has begun. Applicant dug two tile location holes for the grade stabilization structure. It looks like nothing changed during the last six months according to the report.

Project

Discussion

Most of money spent during the last six months was for administration.

Motion 2011-77 *Moved by Hopkins and seconded by Weber to allow practices in progress to be completed by June 30, 2011 and to allow salary per the grant agreement, and the motion was unanimously approved.*

7024-009 Volunteer Creek Watershed

Rosenbury informed the Board that the applicant's three year agreement limit ended December 31, 2010. Legally, the Board is not able to give an extension past the three year limit; however, the Board has previously allowed completion of practices in progress.

Jeff Phillips, P.E., Barker LeMar, spoke to the Board. The bioswale, sediment and detention pond, and vegetative buffer were started in the fall 2010. The bioswale was redesigned per the landowners' preferences. The contract with the contractor ends in June 2011.

Motion 2011-78 *Moved by Belzung and seconded by Ballou to allow practices in-progress to be completed through the end of seeding period and completion by June 1, 2011, and the motion was unanimously approved.*

Presentations

Presentations were given by staff members of the Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation. Todd Coffelt, Bureau Chief of the Mines and Minerals and Water Resource Bureaus, presented on the Abandoned Mine Land Program in Iowa. Dean Lemke, Natural Resource Engineer, presented on the Integrated Wetland Landscape Systems Initiative. A question and answer session followed each presentation.

Project Closeout Without Final Reports

These are projects that came in under budget and the applicants want to keep the unused portion of the grant money.

Project

Discussion

6017-009 Saylor Creek

The final report was submitted but the Board rejected it.

6024-011 Joint Drainage District No. 93
& 100

The project was completed over one year ago. The landowners retained a lawyer who presented to WIRB board last year. The Board has not received any correspondence since that meeting.

Motion 2011-79 *Moved by Gillespie and seconded by Weber to request David Dorff, Attorney General's Office, to pursue return of money, and the motion was approved. Belzung abstained from voting.*

Review Project Progress Reports July – December 2010 Reporting Period

Project

Discussion

Group 1

7021-008 Sand Creek Watershed

The project doing ok.

8011-007 Ludlow Creek

The project is behind schedule.

8019-011 Staff and Beaver Creeks

The project is behind schedule.

Group 2

1004-002 Rathbun Lake

The project just started.

1011-006 Competine Creek

7043-017 North Fork Maquoketa
Headwaters

This project ends June 30, 2011 and the applicant has obligated items that are not scheduled to be completed until fall 2011 (e.g. stalk nitrate test). Can we hold

Project

Discussion

the 10% retainage back since applicant wants money back? How is applicant going to pay the farmers for watershed incentives obligated in November 2010? The applicant has completed the nitrate tests. Neppel was expecting a letter or an amendment request from applicant but has not received one. Does the WIRB want to pay for the obligated items after the agreement has expired? The Board directed Neppel to inform applicant the obligated items planned to be completed after the agreement expiration date will not be funded. Applicant will not receive funding for this request.

8021-012 Sands Timber

This project will be discussed in funding requests.

9007-004 Upper Buffalo Creek

Ballou went to the annual review meeting for the Upper Buffalo Creek in Buchanan and Fayette Counties. The coordinator is doing a good job and they put in a lot of waterways. Applicant has achieved 18% of environmental goals for sediment reduction using 15% of the money.

8018-010 Walnut Creek

The report lacks quantifiable details, but the project is progressing well.

8024-014 Duck Creek Watershed

The design work is complete.

Group 3

General Comments: Some of the applicants need to react quicker to certain activities. Overall, group 3 projects are doing well.

9025-913 Beaver Creek

This project will be cancelled by the applicant. The Johnston City Council sponsored a public meeting on the proposed project. There was some homeowner opposition so the Council chose not to proceed with the project. The applicant asked if the WIRB money could be used on another project. After discussion, the WIRB instructed Neppel to recommend they submit another grant application in a future RFA and the Board would consider it competing with other applications received.

Group 4

8005-002 Silver Lake Watershed

The project ends on December 31, 2011. The applicant is having difficulty enticing landowners to participate with the project. The amendment change in the easement criteria generated more interest by landowners.

Funding Requests

<u>Project</u>	<u>Funding Requested</u>	<u>Amount Funded</u>	<u>Discussion</u>
8013-009 Muchakinock Creek Watershed	\$90,545	\$48,090	The applicant will be over the 90% limit if this funding request is granted. The ledger shows \$80,000 in cash. There is \$34,000 in unobligated and unspent funds.
8024-014 Duck Creek Watershed	\$25,000	\$0	The applicant will be over the 90% limit if this funding request is granted. The applicant provided several maps of installed practices. They were approved for filter strips along the streams or tributaries but the maps show grass plantings not associated with the streams. The Board recommended the applicant submit an amendment expanding eligible practices to include filter strips and upland buffers.
8025-015 Remsen Source Water Protection	\$17,944	\$17,944	The WIRB-funded components of the project are completed. The water monitoring is

			<p>required for source water protection and will continue beyond the WIRB portion of project. The Board recommended applicant to submit a final report and close out the project.</p> <p>Motion 2011-80 <i>Moved by Gillespie and seconded by Belzung to approve the funding request once the final report is approved, and the motion was unanimously approved.</i></p>
8021-012 Sands Timber	\$157,687	\$35,062	<p>The applicant wants to build a rock chute wetland. The project is designed and engineered to control 1700 acres of watershed. The budget was originally approved for 15 grade stabilizations totaling \$242,000. Since this is a substantial change from the original plan, should the Board defer funding until the applicant submits an amendment?</p> <p>The Board recommends \$35,062 for salaries and benefits, and requests the applicant submit an amendment to the grant agreement to include the rock chute.</p>
9002-001 Indian Springs Pond	\$0	\$0	<p>There is \$44,421 in unobligated funds. The applicant has not accomplished much in the last six months.</p>
1017-011 Tuttle Lake	\$22,250	\$22,250	<p>This is a new project. The applicant did not submit a report but has submitted a revised plan of work.</p>
8011-007 Ludlow Creek	\$62,100	\$62,100	<p>See amendment request.</p>
9018 Rathbun Lake Watershed	\$207,095	\$207,095	<p>The applicant has overspent or obligated on basins. The applicant needs to submit an amendment.</p>
7043-017 North Fork Maquoketa Headwaters	\$80,441	\$0	<p>See review project progress reports.</p>

Motion 2011-81 *Moved by Gillespie and seconded by Hopkins to accept funding requests with changes, and the motion was unanimously approved.*

Amendment Requests

<u>Project</u>	<u>Discussion</u>
7025-010 College Creek Watershed	<p>Tracy Warner, P.E., City Engineer, City of Ames, Iowa. This was a three year contract with the City of Ames (City). College Creek is a main tributary to Squaw Creek. The Drainage District in the headwaters of this stream wanted to install tile replacements. The City was observing erosion and major flow issues in watershed. In 2009, the decision was made on tiling and the Drainage District did not want to partner with the City. The City designed its own project with an additional 160 linear feet of stream channel and bank stabilization. As a result of the 2008 floods and the 2010 wind storms (FEMA disaster event), additional trees came down in project corridor which enticed more landowners to participate in the project. The City expanded the bank stabilization. The public is now excited about other projects. In order to bring loads of riprap in, we used the shared use path and the weight of the riprap disintegrated the shared use pass and needed to be replaced (\$50,000 in damage). The original documents shows 90 acres and it should be 9.0 acres for riparian enhancement. Seeding was completed this year. The City is asking to shift funding to assist with costs in preparing in-house designs and hiring outside engineering firm because City staff time was spent on the 2008 and 2010 flooding/wind projects. As a result of this project, the City has stopped 165 tons of sediment per year.</p> <p>The Board wants justification of project administrative funding. Warner – The City hired outside engineering consultant to do some of the work (\$10,000).</p> <p>Board – It’s unusual to see money moved to project administration from BMPs. Warner – The out of state contractor’s cost was a little higher than local contractors.</p> <p>Board – The goals of the plan were achieved. The City is paying 20% and WIRB Board’s share has doubled. The Board would like to see more of a sharing of project administration expense.</p> <p>Motion 2011-82 <i>Moved by Belzung and seconded by Gillespie to allow the shift of funds, and the motion was unanimously approved.</i></p>
8011-007 Ludlow Creek Watershed	<p>Motion 2011-83 <i>Moved by Gillespie and seconded by Belzung to allow the transfer of funds, and the motion was unanimously approved.</i></p>
9002-001 Indian Springs Pond	<p>Motion 2011-84 <i>Moved by Ballou and seconded by Gillespie to allow the transfer of funds, and the motion was unanimously approved.</i></p>

Final Project Reports

<u>Project</u>	<u>Discussion</u>
6015-008 Big Bear Creek	<p>The final report is inadequate. It was difficult to figure out how much was spent in total versus the estimate in actual. The applicant included benefits but there is no comparison to the estimate. The Board directed Neppel to contact the applicant to correct the errors.</p>
7017-006 Little Clear Lake (not received as of 1-20-11)	<p>No report received.</p>
7040-015 Saylor Creek Sub-watershed	<p>This report was well written, concise and it covered everything expected in a report.</p>

Motion 2011-85 *Moved by Gillespie and seconded by Ballou to approve the final reports, and the motion was approved. Belzung abstained from voting.*

Annual Reports

- The WIRB appropriation report was compiled and submitted by the Treasurer’s Office. It has been posted.

- The 2010 WIRB Annual Report will be submitted by January 31, 2011. Statute 466A governs the submission of this report on a yearly basis.
- WIRB Board members will give presentations to selected legislative committees. Deb Kozel has been contacted for committees and specific dates but no confirmation has been received.

Administrative Update

- The second report for I-Jobs reporting is complete and was submitted yesterday.
- Annual project review meetings (administrative and technical meetings) for projects funded with WPF/WSPF/319 projects to be held mainly in February and March. The Board is encouraged to attend, and meeting dates will be sent to Board members.
- Three WIRB ledger training sessions are scheduled for February 17, 22 and 23 in the Wallace Building.
- Steve Hopkins distributed *Working For Clean Water 2010 Watershed Improvement Successes in Iowa* booklet to WIRB members. The booklet highlights watershed work being done around the state.

Future Meetings

March 11, 2011, 10:00 a.m., Ankeny Public Services Building
April 15, 2011, 8:30 a.m., teleconference, Wallace Building
August 12, 2011, 10:00 a.m., Ankeny Public Services or Newton

Adjournment

The meeting adjourned at 2:41 p.m.


Mark Rosenbury, Chair
Watershed Improvement Review Board