

# TREASURER'S REPORT

MAY 2024

## BANK ACCOUNT BALANCES FROM BANK STATEMENTS

Bank - Checking, No Interest	\$ 3,304,986.06
GCD #21 Surety	\$ 60,060.85
BdSWD No. 5 Surety	\$ 60,042.22
Bank - Checking, Interest	\$ 979,582.95
Bank - Checking, No Interest	3,737.50
Bank - Money Market, Interest	\$ 2,265,894.40
Bank - CD's, Interest	\$ 1,600,000.00
END OF MONTH AMOUNT IN BANK ACCOUNTS:	<u>\$ 8,274,303.98</u>

## ACCOUNTING FUND BALANCES FROM QUICKBOOKS

	Beginning Balance from Quickbooks 12/31/2023	2024 YTD Revenue 5/31/2024	2024 YTD Expenses 5/31/2024	Current Fund Balance 5/31/2024	
Payroll Liabilities	0.00	0.00	(1,434.40)	(1,434.40)	
General Fund(*)	423,702.48	35,577.29	(164,102.17)	295,177.60	TROY
Ditch Fund					If nothing else was done this year...
Total BdSWD #3	88,485.30	0.00	0.00	88,485.30	88,485.30
Total BdSWD #5	30,532.41	37.01	(18,576.89)	11,992.53	11,955.52
Total GCD #3	12,769.00	1.38	(42,180.00)	(29,409.62)	589.00
Total GCD #21	(80,112.18)	37.02	(35,802.00)	(115,877.16)	(115,914.18)
Total JCD #2	120,121.66	9,425.00	(372.75)	129,173.91	119,748.91
Total JCD #3	16,677.19	7,407.32	0.00	24,084.51	19,427.19
Total JCD #4	2.25	0.00	0.00	2.25	2.25
Total JCD #6	157,738.76	714.85	(27,393.39)	131,060.22	130,345.37
Total JCD #7	20,399.44	169.36	0.00	20,568.80	23,699.44
Total JCD #11	90,321.11	6,790.62	(1,444.64)	95,667.09	88,876.47
Total JCD #12	21,587.97	35,347.74	0.00	56,935.71	36,587.97
Total JCD #14	23,953.37	6,874.16	(500.00)	30,327.53	73,453.37
Total TCD #1E	13,415.05	4,050.00	0.00	17,465.05	17,815.05
Total TCD #1W	18,200.69	0.00	0.00	18,200.69	23,200.69
Total TCD #2	33,224.13	656.76	0.00	33,880.89	38,224.13
Total TCD #4	34,010.36	6,301.82	0.00	40,312.18	39,010.36
Total TCD #7	16,519.95	131.98	0.00	16,651.93	20,919.95
Total TCD #8	239.04	3,052.01	0.00	3,291.05	18,239.04
Total TCD #9	720.51	1,634.00	(3,360.00)	(1,005.49)	11,860.51
Total TCD #10	12,230.37	675.00	0.00	12,905.37	19,030.37
Total TCD #11	40,362.80	1.39	(200.00)	40,164.19	45,162.80
Total TCD #13	12,999.20	2.73	0.00	13,001.93	13,799.20
Total TCD #15	(9,581.52)	2,977.00	0.00	(6,604.52)	(5,581.52)
Total TCD #16	465.60	24.19	0.00	489.79	5,365.60
Total TCD #17	(41,785.82)	7.44	0.00	(41,778.38)	(33,535.82)
Total TCD #18	397.88	3.08	0.00	400.96	4,397.88
Total TCD #19	(12,568.61)	8.56	0.00	(12,560.05)	(9,168.61)
Total TCD #20	(4,654.05)	76.32	0.00	(4,577.73)	1,345.95
Total TCD #22	(14,712.28)	4.73	8,926.84	(5,780.71)	(785.44)
Total TCD #23	(71,178.44)	8,527.50	(272.50)	(62,923.44)	(61,200.94)
Total TCD #24	(4,321.30)	2,890.00	0.00	(1,431.30)	2,178.70
Total TCD #26	13,327.90	140.06	0.00	13,467.96	15,727.90
Total TCD #27	3,514.90	6,957.86	0.00	10,472.76	16,214.90
Total TCD #28	(9,322.43)	710.34	(1,470.00)	(10,082.09)	1,207.57
Total TCD #29	13,343.40	3,770.26	0.00	17,113.66	17,343.40
Total TCD #30	8,273.35	1,224.52	0.00	9,497.87	17,273.35
Total TCD #31	10,176.25	7,257.51	0.00	17,433.76	14,976.25
Total TCD #32	2,390.79	1,755.85	0.00	4,146.64	5,390.79
Total TCD #33	16,497.54	2.92	0.00	16,500.46	17,897.54
Total TCD #35	(35,741.74)	53,129.20	(941.65)	16,445.81	(34,183.39)

Total TCD #36	17,431.88	94.69	(2,823.00)	14,703.57	26,608.88
Total TCD #37	(318,739.37)	984.13	0.00	(317,755.24)	(278,359.37)
Total TCD #38	10,355.62	162.98	0.00	10,518.60	14,355.62
Total TCD #39	887.24	26.27	0.00	913.51	4,887.24
Total TCD #40	14,502.23	259.27	0.00	14,761.50	19,402.23
Total TCD #41	(23,937.02)	1,606.28	(3,050.00)	(25,380.74)	(10,987.02)
Total TCD #42	16,964.29	2,822.47	0.00	19,786.76	22,464.29
Total TCD #43	13,973.79	5,693.40	0.00	19,667.19	16,773.79
Total TCD #44	5,192.87	3,503.11	0.00	8,695.98	10,892.87
Total TCD #46	16,784.57	0.95	0.00	16,785.52	18,884.57
Total TCD #48	(5,135.19)	4.11	0.00	(5,131.08)	(1,735.19)
Total TCD #50	3,322.79	0.00	0.00	3,322.79	3,822.79
Total TCD #51	12,883.97	5,211.05	(1,866.50)	16,228.52	16,817.47
Total TCD #52	27,583.42	109.10	(200.00)	27,492.52	40,083.42
Total TCD #53	56,935.06	1,026.37	(100.00)	57,861.43	58,835.06
Total TCD #55	7,565.04	0.70	0.00	7,565.74	9,065.04
Total WCD #Sub-1	331,092.61	112,770.00	(484,142.26)	(40,279.65)	(153,049.65)
Total WCD #8	119,293.16	6,391.50	0.00	125,684.66	119,293.16
Total WCD #9	285,637.79	12,418.00	(430.00)	297,625.79	285,207.79
Total WCD #18	28,693.93	797.04	(15,740.00)	13,750.97	20,953.93
Total WCD #20	41,940.30	2,756.10	0.00	44,696.40	57,790.30
Total WCD #25	40,048.65	0.00	0.00	40,048.65	44,948.65
Total WCD #35	(11,692.04)	563.25	0.00	(11,128.79)	(4,692.04)
Total WCD #39	18,719.84	0.00	(2,375.00)	16,344.84	21,344.84
Total Ditch Fund - Other	0.00	0.00	(2,052.50)	(2,052.50)	(2,052.50)
Total Ditch Fund	1,259,225.23	329,978.26	(636,366.24)	952,837.25	
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Construction Fund(*)	6,911,097.44	3,179,034.39	(1,998,094.39)	8,092,037.44	
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RRWMB Fund	0.00	83,537.55	(11,532.71)	72,004.84	
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TOTAL Funds	8,574,922.81	3,628,127.49	(2,811,529.91)	9,410,622.73	

## RECONCILE BANK STATEMENTS TO QUICKBOOKS

Bank Statement Total From Top:	8,274,303.98
Enter Quickbooks Bank Account Balance Total Assets:	9,410,622.73
+ Enter Uncleared Transactions Bank of the West:	90,479.03
+ Enter Uncleared Transactions Star Bank:	189,349.86
+ Enter Star Bank checks written 05/27/24 - 05/31/24	0.00
- Enter Star Bank Deposits received 05/27/24 - 05/31/24	(1,416,147.64)
Quickbooks Total:	8,274,303.98

Enter Quickbooks Total from Fund Balances Income/Expense Report:	9,412,057.13
Enter Quickbooks Total from Balance Sheet Current Liabilities:	(1,434.40)
Total:	9,410,622.73
Enter Quickbooks Total Assets from Bank Balances Report:	9,410,622.73

# Memorandum

Date: June 5, 2024  
Prepared By: James Guler, Zach Cormican  
Project: Lake Traverse Water Quality Improvement Project No. 1 Phase 3  
Wheaton, Minnesota  
Bois de Sioux Watershed District  
Contractor: Wagner Construction  
Subject: Minn. Stat. 103E.555 Engineer's Report

Dear Bois de Sioux Watershed District Managers,

The contractor is addressing the final punch list items and the contract for the Lake Traverse Water Quality Improvement Project No. 1 Phase 3 is now complete. Per Minn Stat 103E.555, below is the contract price, amount paid, and unpaid balance. The project was built in general accordance with the plans and specifications. Additional grass seeding and tree planting is being completed by Traverse County SWCD separate from this contract. Thank you.

**Original Contract Price: \$2,492,281.00**

**Anticipated Final Quantity Balancing Change Orders: \$28,585 (For Consideration at Final Hearing)**

**Anticipated Final Contract Price: \$2,520,866**

**Contractor's Application for Payment (CAP):**

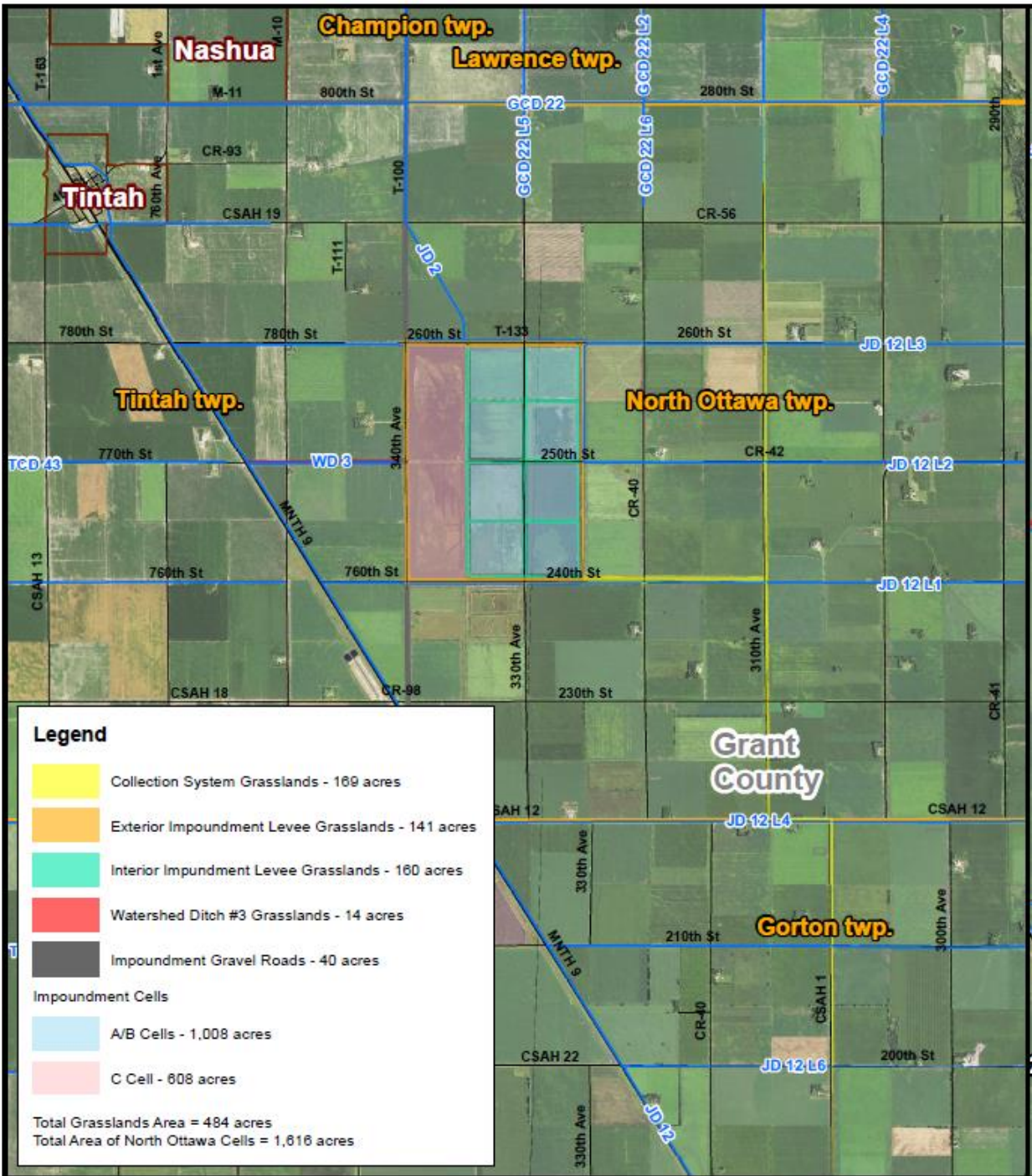
CAP No.	Application Date:	Amount Paid	Total Work Completed
1	06/12/2023	\$338,510.65	\$356,327.00
2	07/07/2023	\$601,880.50	\$1,042,517.00
3	08/08/2023	\$458,962.65	\$1,473,004.00
4	09/06/23	\$634,304.55	\$2,140,693.00
5	10/11/2023	\$461,998.99	\$2,520,866.00
6 Final	Waiting on Final Copy	N/A	\$2,520,866.00

**Balance to Finish (Includes Retainage): \$25,208.66**

## Crop Plan as of 12/20/23







**Meeting Minutes**  
**Bois de Sioux & Mustinka Joint Comprehensive Watershed Plan**  
**Policy Committee**  
**JUNE 6, 2024 at 1:00 pm**  
**IN PERSON**

<u>Member Organization</u>	<u>Committee Representative</u>	<u>Designated Alternative</u>
Big Stone County	Commissioner Chad Zimmer	
Big Stone SWCD	Supervisor Dan Morrill <b>[Absent]</b>	Supervisor Lon Moen <b>[Absent]</b>
Grant County	Commissioner Bill LaValley	Commissioner Doyle Sperr <b>[Absent]</b>
Grant SWCD	Supervisor Randy Larson <b>[Absent]</b>	Supervisor Andrew Marks <b>[Absent]</b>
Otter Tail County	Commissioner Kurt Mortenson	Com. Lee Rogness <b>[Absent]</b>
West Otter Tail SWCD	Supervisor John Walkup <b>[Absent]</b>	Supervisor Wayne Rotz <b>[Absent]</b>
Stevens County	Commissioner Ron Staples	Commissioner Neil Wiese <b>[Absent]</b>
Stevens SWCD	Supervisor Greg Fynboh <b>[Absent]</b>	Supervisor Debbie Anderson <b>[Absent]</b>
Traverse County	Commissioner Dwight Nelson <b>[Absent]</b>	Commissioner Kayla Schmidt
Traverse SWCD	Supervisor Chester Raguse <b>[Absent]</b>	Supervisor Doug Frisch <b>[Absent]</b>
Wilkin County	Commissioner Eric Klindt <b>[Absent]</b>	Commissioner Dennis Larson <b>[Absent]</b>
Wilkin SWCD	Supervisor Kyle Gowin	Supervisor Josh Deal <b>[Absent]</b>
Bois de Sioux Watershed	Manager Linda Vavra	Manager Allen Wold <b>[Absent]</b>

**Also Present**

Jamie Beyer, BdSWD

**1. Call to order: 1:20 PM**

**2. 2024 – 2027 Budget for Watershed Based Implementation Grant Funds #3**

Beyer presented the budget recommended by the Steering Committee:

Proposed Budget Activity Request for Bois de Sioux Mustinka FY2025 WBIF Grant

09/24 - 12/27

<u>ELINK ACTIVITY CATEGORY / NAME</u>	<u>1W1PLAN CATEGORY</u>	<u>PRIORITY PROJECT NAME</u>	<u>Total</u>
Grant Admin			\$20,000
Project Development			\$135,000
Tech/Engineering			\$125,000
Ag Practices / Ag Filtration, Storage, and Protection Prac	Protection Practices	Landowner Erosion Repair	\$61,000
Ag Practices / Ag Filtration, Storage, and Protection Prac	Storage Practices	Landowner Sediment Basin (3)	\$136,300
Ag Practices / Ag Filtration, Storage, and Protection Prac	Storage Practices	Landowner Dams 93)	\$20,000
Ag Practices / Ag Filtration, Storage, and Protection Prac	Filtration, Storage, or Prac TBD on use	TBD, Trav and Wilk	\$150,000
Non-Structural	Non-Structural Management Pract.	Trav Cover Crop Contracts	\$15,000
Project Development	Stream Restorations	Doran Creek	\$300,000
Project Development	Protection Practices	BCD #8 Stabilization	\$256,924
Special Projects	MDM Practices	BdSWD #5, GCD #21	\$150,000
Special Projects	Protection Practices	GCD #8 Stabilization, but seeking outside funding	\$35,001
Special Projects	Protection Practices	WCD #39 Outlet	\$60,000
Streambank or Shoreline Protection	Shoreline BMPs	Graham Lake Shoreline Stabilization	\$112,500
TBD Elink Category	Septic System Improvement	SSTS Cost Share (4)	\$10,000
TBD Elink Category	Urban Stormwater Practices	Rain Garden	\$7,500
Well Sealing	Seal Abandoned Wells		\$1
TOTAL			\$1,594,226

Funds will be used to provide cost-share for private, individual projects (erosion repair, sediment basis, dams, shoreline stabilization, septic upgrades, and a rain garden) and public systems (multipurpose drainage management, stream restorations, fish barrier removal, ditch outlet stabilization). The workplan includes funds to provide cost-share to upgrade four septic systems. Although this specific activity was not included in the action or budget tables in the Bois de Sioux & Mustinka River Watershed Joint Comprehensive Watershed Management Plan states, it is an activity described that will provide progress to two plan goals (reduction of Bacteria and Nutrient Loading), and therefore does not require a plan amendment.

Beyer stated that workplan is designed to give flexibility – projects will be included in workplan descriptions, even though outside funding will be sought. Also, well sealing will be included in the plan with a \$1 allocation, in case an opportunity arises; once the grant agreement is signed with BWSR, a minor budget fund change can be processed easily, but an action/project cannot be easily added without multiple approvals and a probable grant amendment.

Upon motion by LaValley, seconded by Vavra and carried unanimously, the workplan was approved as presented for submission to the Bois de Sioux Watershed District, for their consideration as the Fiscal Agent.

### **3. Approval of Minutes**

LaValley motioned, seconded Vavra and carried unanimously, to approve the March 7, 2024 minutes.

**Meeting Minutes**  
**Bois de Sioux & Mustinka Joint Comprehensive Watershed Plan**  
**Steering Committee Member Notes**  
**06/06/2024 at 9:00 am**  
**by conference call and screenshare and in-person**

<b><u>Member Organizations</u></b>	<b><u>Committee Representative</u></b>	<b><u>Designated Alternate</u></b>
Big Stone County	Darren Wilke [Absent]	
Big Stone SWCD	Tammy Neubauer [Absent]	
Grant County	Greg Lillemon [Absent]	Reed Peterson [Absent]
Grant SWCD	Brent Gulbrandson	
West Otter Tail SWCD	Aaron Larsen	Nicole Lundeen [Absent]
Otter Tail County	Kyle Westergard [Absent]	
Stevens County	Bill Kleindl [Absent]	
Stevens SWCD	Matt Solemsaas [Absent]	
Traverse County	Lynn Siegel [Absent]	Bruce Johnson [Absent]
Traverse SWCD	Sara Gronfeld	Jerod Lennox [Absent]
Wilkin County	Breanna Koval	
Wilkin SWCD	Eric Stroh	Beatrice Newman
Bois de Sioux Watershed	Jamie Beyer	Linda Vavra
<b><u>Also Attending:</u></b>		
BWSR	Pete Waller	

**Minutes:** Gulbrandson motioned, seconded by Beyer and carried unanimously, to approve the last meeting minutes.

**2022 – 2025 Milestones & LGU Project Updates:** Organization updates were given and expenses reviewed. Grant SWCD continues to work on a large sediment basin system, but landowner construction requests are conflicting. They have been approached about possible placement of a sediment basin to intercept discharge to a channelized ditch that outlets to the Mustinka River. Traverse SWCD is planting trees and seeding grass, and working on project design. They have a July 11<sup>th</sup> summer tour scheduled. BdSWD will likely close out WCD #Sub-1 in July and Lake Traverse Water Quality Improvement Project Phase 3 in June. The Red River Watershed Management Board was awarded a \$5 million Lessard Sams grant for acquisition of RIM easements; Doran Creek is one of three projects named in the award. Otter Tail SWCD continues to work with landowners and project design.

**Old Business: Next Grant Agreement, WBI #3 10/24 – 12/27:** Adjustments were made following the May meeting. No projects were removed from the proposed workplan, but project reductions were made to produce a request that meets budget restrictions. Outside grants will be sought for removal of the GCD #8 fish barrier, and for multi-purpose drainage management projects. The workplan will be presented to the Policy Committee at their June 6<sup>th</sup> meeting, and then considered by Bois de Sioux Watershed District at their June 21<sup>st</sup>, 2024 meeting.

**Permanent Item - CRP Incentive:** Around six contracts have been submitted; there is about \$40,000 left for use prior to 12/31/2025. There is a possibility of securing around \$100,000 in additional funds; Waller asked that LGU's let him know if there is interest in securing additional funds for this program.

**Policy Committee:** Volunteers are needed for project presentations for the June 6<sup>th</sup>, 1 pm Policy Committee Meeting.

**THE NEXT MEETING WILL BE HELD 9 AM ON XXXX?**



# Proposed Budget Activity Request for Bois de Sioux Mustinka FY2025 WBIF Grant

09/24 - 12/27

<u>ELINK ACTIVITY CATEGORY / NAME</u>	<u>1W1PLAN CATEGORY</u>	<u>PRIORITY PROJECT NAME</u>	<u>Total</u>
Grant Admin			<b>\$20,000</b>
Project Development			<b>\$135,000</b>
Tech/Engineering			<b>\$125,000</b>
Ag Practices / Ag Filtration, Storage, and Protection Prac	Protection Practices	Landowner Erosion Repair	<b>\$61,000</b>
Ag Practices / Ag Filtration, Storage, and Protection Prac	Storage Practices	Landowner Sediment Basin (3)	<b>\$136,300</b>
Ag Practices / Ag Filtration, Storage, and Protection Prac	Storage Practices	Landowner Dams (3)	<b>\$20,000</b>
Ag Practices / Ag Filtration, Storage, and Protection Prac	Filtra, Stor, or Prac TBD on use	TBD, Trav and Wilk	<b>\$150,000</b>
Non-Structural	Non-Structural Management Pract.	Trav Cover Crop Contracts	<b>\$15,000</b>
Project Development	Stream Restorations	Doran Creek	<b>\$300,000</b>
Special Projects	MDM Practices	BCD #8 Stabilization	<b>\$256,924</b>
Special Projects	MDM Practices	BdSWD #5, GCD #21	<b>\$150,000</b>
Special Projects	Protection Practices	GCD #8 Stabilization, but seeking outside funding	<b>\$35,001</b>
Special Projects	Protection Practices	WCD #39 Outlet	<b>\$60,000</b>
Streambank or Shoreline Protection	Shoreline BMPs	Graham Lake Shoreline Stabilization	<b>\$112,500</b>
Subsurface Sewage Treatment Systems	Septic System Improvement	SSTS Cost Share (4)	<b>\$10,000</b>
Urban Stormwater Practices	Urban Stormwater Practices	Rain Garden	<b>\$7,500</b>
Groundwater	Seal Abandoned Wells		<b>\$1</b>
<b>TOTAL</b>			<b>\$1,594,226</b>

## 2024 Legislative Session Overview

May 30, 2024

The 2024 Legislature adjourned on May 20<sup>th</sup>, concluding its work for the biennium. Actions taken during this legislative session created opportunities for the Minnesota Board of Water and Soil Resources (BWSR) to continue efforts on protecting and improving water quality, pollinator habitat, and related conservation initiatives.

In even-numbered years, the Legislature traditionally focuses on policy, supplemental funding and bonding since agency budgets are typically passed during the biennial budgeting process that takes place in odd-numbered years.

The following is an overview of various Board of Water and Soil Resources (BWSR) policy changes and supplemental budget appropriations passed during the 2024 Legislative Session. For a more detailed explanation of these, you can view the [2024 Legislative Summary](#) found on the BWSR website.

### **Passed: Omnibus Environmental Policy bill (SF2904)**

[Minnesota Laws, Chapter 90](#)

Important updates were passed in this bill including:

- Modernization changes to statutes impacting both Soil and Water Conservation Districts and Watershed Districts – some of which had not been updated in decades.
- Changes to the Wetland Conservation Act to help fill regulatory gaps for otherwise federally unregulated waters following a United States Supreme Court case that diminished federal protection.
- Administrative adjustments to the Reinvest in Minnesota (RIM) program to repeal a Minnesota rule and consolidate its relevant components into the statutory framework for the program.
- Clarifying wetland banking provisions to better match local and federal expectations
- Recognizing the Minnesota Public Drainage Manual in statute
- Clarifying jurisdictional authority for implementing riparian buffer protection
- Repeal of an outdated beaver damage control grant program last funded in 2006

### **Passed: Environment and natural resources supplemental budget bill (HF3911)**

[Minnesota Laws, Chapter 116](#)

BWSR received three one-time appropriations totaling \$1,950,000, in this bill including:

- Funding for manure management activities to enhance groundwater protection and reduce greenhouse gases associated with agriculture, prioritizing areas of the state with high nitrate levels in groundwater, or that have geology that makes groundwater vulnerable to contamination, such as the karst region of southeast Minnesota
- Pass-through grant to the Red River Basin Commission to facilitate development of a feasibility assessment of adaptive phosphorous management with other partners in the region
- Funding for the existing Lawns to Legumes program

Newly created this year is a pollinator account to support BWSR's pollinator activities. A portion of the state lottery-in lieu account is deposited into this pollinator account.

This bill also contained policy changes including:

- Establishing data privacy expectations for participants in the Lawns to Legumes program
- Increasing the administrative penalty authority amounts on riparian buffer violations for BWSR and local governments to match other BWSR programs (up to \$10,000) and recognize that this can be forgivable if the corrective actions are implemented
- Submitting a legislative report for the one-time 2023 soil health appropriation

### **Passed: Legacy Omnibus (HF4124)**

[\*Minnesota Laws, Chapter 106\*](#)

Outdoor Heritage Fund - eight appropriations to BWSR totaling \$19,388,000, for the following BWSR-related projects:

- Camp Ripley Sentinel Landscape ACUB Program, Phase 12
- Riparian Habitat Protection in Kettle and Snake River Watersheds, Phase 2
- Wild-Rice Shoreland Protection, Phase 9
- RIM Wetlands – Restoring the Most Productive Habitat, Phase 13
- Pine and Leech Watershed Targeted RIM Easement Permanent Land Protection, Phase 3
- Mississippi Headwaters Habitat Corridor Project, Phase 8
- Red River Basin Riparian Habitat Program
- Lower Wild Rice River Corridor Habitat Restoration, Phase 4

Supplemental Clean Water Fund – five appropriations to BWSR totaling \$11,434,000, for the following programs:

- Working-lands floodplain program
- Critical shoreland protection - permanent easements
- Legacy partners grant program, including targeted watershed district rain garden grants
- Match for Lake Superior basin area local partners seeking available federal funding
- Long-term protection for groundwater protection through easements, grants, or contracts with priority for vulnerable drinking water concerns

### **Passed: Tax Omnibus (HF5247)**

[\*Minnesota Laws, Chapter 127\*](#)

In the final Tax Omnibus bill, clarifications were made regarding sale of tax-forfeited lands, including rights affected by forfeiture. The forfeiture of the property extinguishes all liens, claims, and encumbrances other than specified items such as easements and right-of-way holders who are not interested parties. Also, this bill establishes a Minnesota Advisory Council on Infrastructure for proper management coordination and future investment of Minnesota's infrastructure. Along with other agencies, BWSR is included as a non-voting member.

### **Not passed: Bonding bill**

Neither a general fund capital investment bill nor a general obligation bonding bill was passed during the 2024 Regular Session. While there were BWSR provisions for the RIM Reserve Program and the Local Government Roads Wetland Replacement Program mentioned in earlier versions of the general obligation bonding bill, an agreement was not reached to meet the three-fifths votes needed to pass.

# Buffer law approaching 100% compliance, BWSR staff focuses on maintenance and relationships

**N**early a decade after Minnesota’s buffer law was enacted, 99.8% of parcels adjacent to Minnesota waters are in compliance with the law. Passed in June 2015, the law aims to protect Minnesota’s waters by requiring landowners to install perennial vegetative buffers of 50 feet in width along lakes, rivers and streams, and of 16.5 feet bordering ditches.

Buffers stabilize banks, curb erosion, and help to keep sediment and the pollutants it carries — such as phosphorus and nitrogen — out of the water. Buffers also provide wildlife habitat.

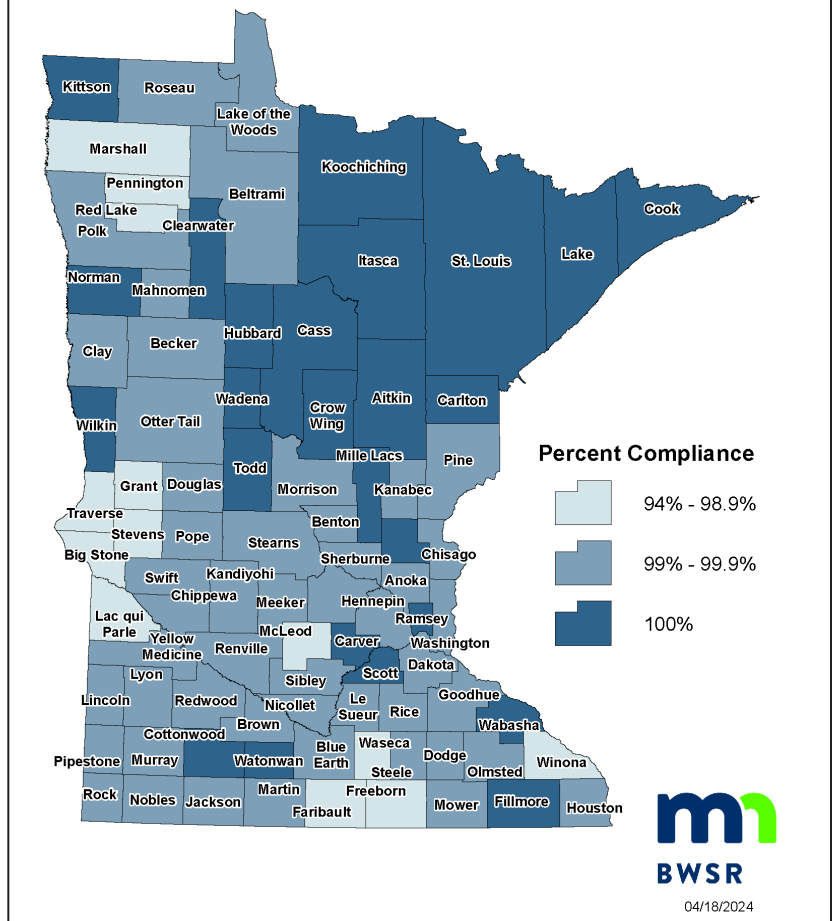
Now, three Minnesota Board of Water and Soil Resources (BWSR) buffer and soil loss specialists have turned their attention to working with local government units (LGUs) and landowners to help maintain buffers. Ethan Dahl works in the northern region of the state, Laura DeBeer covers the southern region and Chad Hildebrand covers the eastern region. Buffer and soil loss specialists help implement the law by educating landowners and guiding LGU staff through buffer-related projects. They also provide resources and training to LGUs, and track compliance in the Buffer Compliance and Tracking Tool (BuffCAT) — a GIS database and mapping system. Soil and water conservation districts also use BuffCAT in their counties to track compliance status and progress with landowners on individual parcels.

“We bring together a variety of backgrounds, strengths and experiences,” Dahl said of the buffer and soil loss specialists. “We will continue to work with local government units and landowners to bring compliance of the buffer law even closer to 100 percent.”

Prior to BWSR, Hildebrand worked at the Watonwan SWCD and the Goodhue SWCD focusing on buffers, watershed planning and implementation.

“Me being new to the buffers specialist position, my goal right now is to introduce

**Estimated Percentage of Parcel Buffer Law Compliance**



myself, hopefully in person to my counties and just build that relationship with them,” said Hildebrand, who joined BWSR in April.

Hildebrand’s experience complements the work of Dahl, who began his career as a hydrogeologist in the private sector. Dahl later transitioned to the Minnesota Department of Natural Resources before joining the Renville County SWCD as a buffer technician, later taking on more roles and responsibilities. DeBeer worked as a water resources specialist focusing on wellhead protection and soil health programs at the Pipestone SWCD. Prior

*This map reflects buffer law compliance rates across Minnesota’s 87 counties. Map Credit: BWSR*

to that, she was a district technician for the Lyon SWCD and temporarily worked for BWSR doing wetlands work.

Working individually with each LGU is important because each county may have its own buffer ordinance, and each soil and water conservation district and watershed district may have a unique buffer law implementation plan.

“One-on-one and face-to-face is our most effective method of training,” DeBeer said, adding that having a fully staffed BWSR buffer law team makes offering individual assistance to LGUs more efficient. “Having those LGUs within a reasonable distance allows us to be effective and efficient so that we can have that personal connection and build relationships with each of our LGUs.”

The training BWSR buffer and soil loss specialists offer helps LGUs maintain existing buffers. These trainings include orientation meetings with LGU staff new to the buffer law.

“Anytime there’s a new technician that comes in, I always try to get out there and meet them within two or three weeks, so they have a little time to settle into the position and just go over the history of the buffer law, and the main duties and everything,” Dahl said.

With transitions in land



Dahl

ownership and changes in LGU staffing, continued buffer law training will be needed to maintain existing buffers and bring other parcels into compliance.

“I think there’s always the need (for training), even though the compliance is getting there. A well-running buffer program would maybe have one or two parcels that they find out of compliance. You go through the process, they come into compliance and you’re probably always going to have those couple each year,” DeBeer said, adding that BWSR buffer law staff encourages LGUs to keep that process going.

As of May, 1,004 parcels were out of compliance statewide. Some of these parcels are now going through the enforcement process, meaning enforcement procedures are being implemented and pursued. Many landowners with noncompliant parcels have plans in place to seed the sites, or to implement an alternative conservation practice this spring. The buffer law provides flexibility for [alternative practices](#) that provide comparable water-quality



Hildebrand

benefits and may be better suited for some sites.

Statewide buffer law compliance rates have improved steadily over the years. In February 2017, compliance was at about 87%, with 67,477 noncompliant parcels bordering public watercourses and public ditches. BWSR records show that in May 2024, 74 of Minnesota’s 87 counties were 99% to 100% compliant with the buffer law. The deadline for implementation for buffers on public waters was Nov. 1, 2017. The deadline for public ditches was Nov. 1, 2018.

Buffer law implementation typically starts with SWCDs working to help landowners voluntarily comply with the law. If an SWCD determines that a landowner is not in compliance, SWCD staff must notify the enforcement entity with jurisdiction over the noncompliant parcel — which can be a county, watershed district or BWSR. Before they issue a notification of noncompliance to the enforcement entity, SWCD staff offer landowners options and technical assistance to help bring



DeBeer

parcels into compliance voluntarily.

“I would say (the) majority of the compliance has been for the most part done voluntarily,” said Travis Germundson, BWSR’s appeals and regulatory compliance coordinator. “(There have) been difficult situations on the landscape, like high-water issues where the water keeps encroaching farther and farther into the farm field, and then where do you put the buffer at that point in time?”

While the goal is to gain 100% voluntary compliance, enforcement action may be needed in some situations.

Most of the counties or watershed districts act as the enforcement entity. Twelve counties chose BWSR as their enforcement entity. Germundson explained that noncompliance issues are handled locally and BWSR acts as the administrative agency.

As of May, counties, watershed districts and BWSR had provided guidance and assistance on over 3,000 parcels that have become compliant after previously being non-compliant since the buffer law was enacted. In some cases, enforcement was carried out to ensure compliance. Over 2,000 of the 3,000 parcels requiring corrective action are now in compliance.



# m MINNESOTA CLEAN WATER COUNCIL

## Buffer Compliance Nears 100%: Clean Water Council Update

Minnesota Clean Water Council sent this bulletin at 06/06/2024 07:00 AM CDT

[View as a webpage](#) / [Share](#)



### BWSR Snapshots & Buffers

The Board of Water and Soil Resources (BWSR) has issued its latest project *Snapshots*.

- **Buffer law approaching 100% compliance, BWSR staff focuses on maintenance and relationships:**

Three BWSR buffer and soil loss specialists are working with local government units and landowners to help maintain existing buffers and move toward full compliance with Minnesota's buffer law. Nearly 10 years after the law was enacted, **99.8%** of parcels adjacent to Minnesota waters are in compliance.

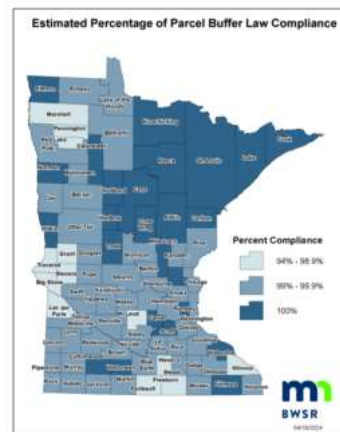
- **Redwood River project saves soil, strengthens flood control:**

Area II and Redwood SWCD's erosion- and flood-control work with landowners benefits recently dredged Lake Redwood. It draws from a BWSR water quality and storage pilot program grant, NRCS assistance and a Redwood Falls contribution.

- **Wetland banking program offers benefits to infrastructure, landowners, habitat:**

The Local Government Road Wetland Replacement Program provides wetland mitigation to local road authorities to offset impacts to wetlands that occur while repairing, restoring or replacing public roads. A recent Request for Proposals will help protect an additional 300 acres of wetlands.

- **In Otter Tail County, easement protects wild rice, fish, wildlife:** A 61-acre wild rice RIM easement in Otter Tail County will permanently protect 1.5 miles of shoreline from future development on a shallow bay of Star Lake. [Supported by Outdoor Heritage Fund.]



### The Clean Water Fund and Buffers

The Clean Water Fund has been used in several ways to support the 2015 buffer law.

- **Buffer mapping:** The DNR maintains digital mapping to delineate where buffers should be located, and a Lidar data set appropriated for much of the state is used for BuffCAT--the Buffer Compliance and Tracking Tool.

- **Buffer implementation:** BWSR receives \$2 million annually to provide assistance to landowners, usually through local partners like soil and water conservation districts, to bring buffers into compliance when they have fallen out of compliance or to get landowners over the finish line.

## Upcoming Meetings & Project Updates



**Full Council:** The next meeting is Monday, **June 17th** (topics: fifth set of Clean Water Fund proposals for FY26-27 biennium; discussion on proposals; Public Health Lab tour). The packet from the **June 3rd** meeting (topics: fourth set of Clean Water Fund proposals for FY26-27 biennium) has been posted at [our web site](#).

**Policy Committee:** The next meeting is Friday, **June 28th**. The packet from the **May 17th** meeting (topics: conversation about feedlot regulation and nitrate response) has been posted [at our web site](#).

**Budget & Outcomes Committee:** The next meeting is Friday, **June 7th** (topic: review of May 20th and June 3rd budget presentations). The packet from the **May 3rd** meeting (topics: review of April 15th budget presentations) [has been posted](#).

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### Updates on Projects Supported by the Clean Water Fund

[COLUMN: Collaboration takes four Hennepin County lakes off the impaired waters list | hometownsource.com](#): Hennepin County reports on how the Clean Water Fund and other sources supported projects that improved water quality in local lakes.

[Moore Lake Iron Enhanced Sand Filter | Rice Creek Watershed District](#): The Rice Creek Watershed District used the Clean Water Fund and other sources to install an IESF at Moore Lake in Fridley to address nutrients and bacteria.

[Met Council awards \\$1.1 million in grants to reduce water use](#): The Metropolitan Council has awarded a total of \$1.1 million in grants to 41 cities in the seven-county metro region to support changes that reduce the amount of water being pumped from underground aquifers and surface waters as the region grows. Grants are going to Apple Valley, Arden Hills, Bayport, Bloomington, Brooklyn Park, Centerville, Chanhassen, Coon Rapids, Cottage Grove, Eagan, Eden Prairie, Farmington, Forest Lake, Fridley, Hopkins, Lake Elmo, Lakeville, Lino Lakes, Little Canada, Maple Grove, Minnetonka, Mounds View, New Brighton, North St. Paul, Plymouth, Prior Lake, Ramsey, Robbinsdale, Rosemount, Roseville, Shakopee, Shoreview, Shorewood, Saint Paul, St. Louis Park, Stillwater, Vadnais Heights, Victoria, White Bear Lake, White Bear Township, and Woodbury.

[Lawmakers direct \\$16 million to clean up polluted wells, change farming practices in southeast Minnesota \(startribune.com\)](#): Summary of all funding to address nitrate in southeast Minnesota, including the Clean Water Fund.

[Public invited to Bone Lake delisting celebration | News | countrymessenger.com](#): The Comfort Lake-Forest Lake Watershed District celebrates the delisting of Scandia's Bone Lake from the impaired waters list.

[Legislature commits \\$16M to address nitrate pollution in southeast Minnesota | Environment | news8000.com](#): Good summary of the nitrate response from all funding sources including the Clean Water Fund.

[Minnesota farmer groups find the positives in 2024 legislative finish - InForum | Fargo. \(bemidjipioneer.com\)](#): Funding on nitrate pollution was the #1 priority.

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### Other Relevant Water News

[Clean Streets, Clean Water: Introducing the Rice Creek Watershed District's Enhanced Street Sweeping Study | Rice Creek Watershed District](#): Enhanced street sweeping is a very cost-effective way to reduce phosphorus.

[Water turned dark and dirty after Elko New Market tested aquifer \(startribune.com\)](#): Manganese increased in private wells outside Elko New Market as DNR evaluates a well pump west to see if the city can accommodate more demand.

[Public Meeting and Comment Period: Eutrophication Standards for Upper & Lower Red Lakes](#): The Red Lake Nation and Minnesota Pollution Control Agency (MPCA) are proposing site-specific eutrophication standards for Upper and Lower Red lakes.



Jan Voit <jvoit@mnwatersheds.com>

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## RE: WCA language (MN Watersheds)

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Jan Voit <jvoit@mnwatersheds.com>

Mon, Jun 10, 2024 at 12:56 PM

To: "Gile, Tom (BWSR)" <tom.gile@state.mn.us>

Cc: Brian <bmartinson@mncounties.org>, "leann.buck" <leann.buck@maswcd.org>, "Jaschke, John (BWSR)" <john.jaschke@state.mn.us>

Bcc: Ray Bohn <raybohnmg@gmail.com>, "Lindeen, Jessica E." <jelindeen@locklaw.com>, "Larson, Daniel G." <dglarson@locklaw.com>, "Briggs, Amos A." <aabriggs@locklaw.com>, "Matzek, Kevin J." <kjmatzek@locklaw.com>, "Sheehan, Cullen" <cdsheehan@locklaw.com>, Rob Sip <rob.sip@rrwmb.us>, Alex Trunnell <atrunnell@mncorn.org>

Tom,

Please see the email below from Les Lemm in response to questions that Minnesota Watersheds members have regarding the changes to the Wetland Conservation Act (WCA) statute. It appears from this response that there has been a lot going on regarding this matter that will have negative effects on agricultural drainage that drainage authorities and other stakeholders didn't know anything about.

I want you to know that understanding what the changes to WCA mean is Minnesota Watersheds number one priority for this year's Drainage Work Group meetings. Our second priority is understanding the effects the new language on public waters inventory will have on drainage. We have no interest in discussing any other topics until we understand what these two issues mean for our membership and agricultural drainage in Minnesota.

Jan

----- Forwarded message -----

From: **Lemm, Les P (BWSR)** <les.lemm@state.mn.us>

Date: Mon, Jun 10, 2024 at 10:12 AM

Subject: RE: WCA language (MN Watersheds)

To: jvoit@mnwatersheds.com <jvoit@mnwatersheds.com>

Cc: Jaschke, John (BWSR) <john.jaschke@state.mn.us>, bmartinson@mncounties.org <bmartinson@mncounties.org>, leann.buck <leann.buck@maswcd.org>

Thanks Jan,

John has asked me to reply to your e-mail below. First a little background. The changes to WCA statutes were the result of legislative interest in addressing gaps in protection that resulted from a recent Supreme Court decision (Sackett) that limited the scope of federal jurisdiction over wetlands and other waters. On 1/22/24, BWSR, DNR, and PCA completed a preliminary assessment of the changes to the federal Waters of the U.S. rule that resulted from the Sackett decision and their impacts to Minnesota. The interagency report identified potential policy options to fill the newly-created regulatory gaps. That report can be viewed on the Wetlands page of the BWSR website here: <https://bwsr.state.mn.us/node/11431>

In regards to the two specific changes you referenced (lines 82.28 and 84.31 SF2904), both are exemptions for agricultural activities. The first, 103G.2241, Subd. 1(1), exempts agricultural activities on land that was planted in 6 of 10 years prior to 1991. The second, 103G.2241, Subd. 2(c), exempts the drainage of agricultural land that has been planted 8 of the last 10 years. There are no comparable exemptions in either Section 404 of the federal Clean Water Act (404) or the Swampbuster provisions of the federal farm bill, and both are eliminated in the 2024 legislation.

However, these exemptions are replaced by a new exemption for impacting wetlands on land designated as prior converted cropland by the USDA Natural Resource Conservation Service (NRCS) and for drainage maintenance activities authorized by NRCS. This new exemption will eliminate conflicts between WCA and Swampbuster and is consistent with how 404 treats prior converted cropland.

Other changes to the drainage exemption include the elimination of exemptions that allow for the “new” drainage of existing unaltered wetlands (not related to drainage maintenance) and the elimination of wetland type as a consideration in the exemptions, including the drainage maintenance exemption. These existing exemptions are inconsistent with both 404 and Swampbuster. The drainage exemption now will consist of one consistent exemption for maintenance of both private and public drainage systems.

The process to amend the WCA rules to incorporate prior statute changes is currently underway. Our plan is to publish a notice in the State Register in late June/early July to expand the scope of rulemaking to include the incorporation of the 2024 statute changes and to solicit comments. Staff will then work on incorporating the 2024 statute changes into a draft of the WCA rule, and will begin seeking feedback on the draft language with the Wetlands Advisory Committee and stakeholders. There will be multiple opportunities to review the draft rule language and provide comments prior to the initiation of the formal rulemaking public comment and adoption process.

In addition, staff are currently developing plans to share information about the 2024 statute changes and their implementation with local government staff and interested stakeholders. Those plans include a written summary explanation of the changes, a publicly available video, a virtual training session for local government staff that will be recorded, incorporation of the changes into WCA training beginning with MN Wetland Professional Certification Program training sessions this week, meeting directly with stakeholder groups and organizations, and other means.

If you would like more information about the statute changes, we will be able to share the summary and videos discussed above over the coming weeks. We would also be happy to meet with you and your members to discuss the implementation of the 2024 statute changes if there is an interest in doing so.

I hope this has been helpful. We'll keep you informed as the additional materials become available. Thanks!

Les Lemm

Wetlands Section Manager

MN Board of Water and Soil Resources

520 Lafayette Road North

St. Paul, MN 55155

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**From:** Jan Voit <[jvoit@mnwatersheds.com](mailto:jvoit@mnwatersheds.com)>  
**Sent:** Tuesday, June 4, 2024 10:40:47 AM  
**To:** Jaschke, John (BWSR) <[john.jaschke@state.mn.us](mailto:john.jaschke@state.mn.us)>  
**Cc:** Brian <[bmartinson@mncounties.org](mailto:bmartinson@mncounties.org)>  
**Subject:** WCA language

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John,

I have had a couple watersheds express concerns to me regarding SF2904. Specific concerns include lines 82.28 and 84.31 which, in their interpretation, remove long standing exemptions for drainage, as well as general concerns about all of the revisions to the WCA language.

Would you please provide me with a written response regarding the WCA language changes so I can share that with my members?

Thank you.

--



**Jan Voit**  
*Executive Director*

507-822-0921



New Email: [jvoit@mnwatersheds.com](mailto:jvoit@mnwatersheds.com)





# RESULTS OF 2024 MN LEGISLATIVE SESSION

## Key Items:

- **Bill Introductions:** 4,316 bills introduced by both bodies in 2024.
- **Bonding:** No bonding bill was approved.
- **Drainage:** No subsurface drainage tile installation disclosure and reporting requirements were approved. Additionally, the following legislative changes were approved:
  - **Sunset Language** – Minnesota Laws 2024, Chapter 90, Article 3, 60.  
Amends Minnesota Statutes, section 103E.729, subdivision 9.  
Extends the “sunset” date for this section related to repair costs and reports from July 31, 2024 to July 31, 2029.
  - **Minnesota Public Drainage Manual** – Minnesota Laws 2024, Chapter 90, Article 3, Section 1.  
Amends Minnesota Statutes, section 103B.101, subdivision 13.  
Defines the Minnesota Public Drainage Manual in statute and requires that the manual include best management practices.

The DWG will have its first meeting on June 13, 2024 in St. Cloud.

- **River Watch:** \$50,000 for the Friends of the Minnesota Valley River Watch program funded by the Clean Water Fund.
- **Appropriations:** The RRWMB, member watershed districts, and partners will receive the following allocations.

Entity to Receive Funds	Project - Program	Amount Approved by 2024 Legislature	Weblink to Approved Appropriation Language
RRWMB	Red River Basin Riparian Habitat Program	\$5,119,000	<a href="#">Chapter 106 - MN Laws</a>
MSTRWD	Nelson Slough - East Park Wildlife Management Area	\$4,174,000	<a href="#">Chapter 106 - MN Laws</a>
WRWD	Lower Wild Rice River Corridor Habitat Restoration, Phase 4	\$2,345,000	<a href="#">Chapter 106 - MN Laws</a>
RRWB	Roseau Lake Rehabilitation, Phase 2	\$3,054,000	<a href="#">Chapter 106 - MN Laws</a>
RRBC	Red River Phosphorus Management Plan	\$300,000	Supplemental Environment Omnibus Bill ( <a href="#">Chapter 116</a> )
<b>TOTAL</b>		<b>\$14,992,000</b>	

Environment

Kirsti Marohn · May 27, 2024 8:00 AM

## Minnesota lawmakers assert protections for public waters



The County Ditch 77 outlet into Limbo Creek, in Minnesota's Renville County. The Minnesota Supreme Court ruled that the creek warrants greater environmental protection. Tom Cherveny | West Central Tribune

Save



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A new state law expands legal protections for hundreds of miles of Minnesota waterways whose status had been uncertain.

meets the legal definition is a public water, even if it's not on a decades-old state inventory.

The change was included in an omnibus environment and natural resources budget bill, which Gov. Tim Walz signed into law last week.

"This is a backstop to say water courses that meet the definition in state law are water courses that belong to all of us as Minnesotans, and are due these protections that we've outlined for public waters," said Carly Griffith, water program director for the Minnesota Center for Environmental Advocacy.

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ON AIR

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The bill's passage followed a lengthy legal dispute over Limbo Creek, the last free-flowing stream in heavily-farmed Renville County.

The county board did not require an environmental review of proposed improvements to the upper reaches of the creek, because it wasn't listed on the public waters inventory.

Environmental groups and the Department of Natural Resources argued the stream met the legal definition of a public water, warranting greater protection. A lower court agreed, and the Minnesota Supreme Court [upheld](#) that decision in 2022.

In Minnesota, "where water is really central to our identity," the state has taken an expansive view of what counts as a public

drainage area greater than 2 square miles.

"So that means it can include streams and creeks that aren't the Mighty Mississippi River, but that are important to the local communities that rely on them," Griffith said. She estimates the new law will affect at least 640 miles of waterways across the state.

Griffith said there are errors in the state's public waters inventory, which was created in the 1980s when the technology used to identify drainage areas was less advanced. The new law includes \$8 million over the next eight years for the DNR to update the inventory.

Some farm groups are concerned the new law could expand legal protections to more waterways and create uncertainty for farmers. Public waters have more regulations, including restrictions on draining and filling, and requirements to maintain vegetative buffers.

Pierce Bennett, public policy director for the Minnesota Farm Bureau Federation, called it "a pretty dramatic expansion" of what could be labeled public



ON AIR

MINNESOTA NOW WITH CATHY WURZER

"Our view is that this would allow for a lot of waters that aren't currently under that inventory to just simply be put in," Bennett said. "And that is concerning."

He said farmers shared their concerns about the bill with legislators throughout the session, and plan to work with state regulators to understand its impacts.

"We need to have a greater understanding of what this might mean for the future," Bennett said.

- ▼ [Minnesotans can apply for e-bike rebates worth up to \\$1,500 starting June 5](#)
- ▼ [Entrepreneurs turn growing interest in mushroom foraging into passion careers](#)
- ▼ [USFWS and White Earth sign Tamarac National Wildlife Refuge agreement](#)



**ON AIR**

MINNESOTA NOW WITH CATHY WURZER

# Villagers praise farmer who went to jail for protecting their homes by bulldozing a riverside beauty spot



**Published on** 12 June 2024

AUTHOR

**Internewscast**

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A farmer who was jailed alongside drug dealers and rapists for bulldozing a riverbank has been hailed as a hero by villagers who insist his actions prevented flooding. John Price, 69, hired diggers and builders to chop down trees and dredge a mile-long stretch of the River Lugg near Leominster, Herefordshire in 2020. He claimed he had done so to help protect locals in the nearby hamlet whose homes were devastated by flooding and to help fix riverbed erosion.

But he was told by a judge he had committed 'ecological vandalism on an industrial scale' along a section of one of Britain's most important salmon rivers.

The multimillionaire farmer was jailed for 10 months, reduced from 12 months after an appeal, in April last year and served less than three months behind bars. Mr Price, of Kingsland, Herefordshire, was also ordered pay £1.2million in restoration costs after admitting seven charges of environmental damage.



More than 12 months on, residents have now revealed how Mr Price is hailed by many as a local hero whose actions have been effective in safeguarding homes. Villagers say he has succeeded in preventing flooding where the authorities failed and believe he was unfairly mistreated. They said that by realigning the river, Mr Price has overcome much of the local flooding issues that have been damaging Kingsland for decades.

Simon Powney, a retained firefighter, said: 'It appears to have been an improvement. 'The river has settled down and looks back to normal. 'We're not getting the flooding problems there that we were. I've seen how it does flood there, but in the last lot of rain we didn't have any problems. 'If the work wasn't done, we would have had what happened last time with the water going into the houses by the bridge. 'I will say that the general opinion around here is that Johnny [Mr Price] has done a good job.'

Another Kingsland villager, Maurice Evans, said: 'Beforehand, it would have been in the houses. I know what John Price did... but it has helped. 'Since he's done it these houses have not flooded. But everyone has their own opinions.' Local resident Richard Collishaw added: 'There is a lot of difference down at the bottom of the river by the bridge. 'It looks very tidy now and I'm sure the trees are going to grow back. 'I think it's stopped the river cottages being flooded. There was a lot of noise about it, but I think he did a good job.' Even his local parish council came out in support in 2021, with Councillor Sebastian Bowen saying: 'The reality is it [the flooding] is much improved. 'People have been quite impressed with what has been done. People have stopped and said it was a good job.'

The Environment Agency previously said the damage was one of the worst cases of riverside destruction it had ever seen, which had a 'devastating' effect on wildlife.

But when asked recently whether Mr Price had alleviated flooding and what the long term impact to the river had been, they refused to address the question. Instead, they said in a statement: 'Following a prosecution by Natural England and the Environment Agency, Mr Price was found guilty of destruction of part of the river Lugg and sentenced to 12 months in prison. 'He was also ordered to pay prosecution costs of £600,000 and ordered to carry out a number of actions to restore the river he damaged.

'Natural England and the Environment Agency welcomed the seriousness with which the court treated the severe and lasting damage to the river Lugg, which destroyed habitats and wildlife on a stretch of one of the country's most unspoiled rivers.'

Experts previously said Mr Price's claims he was saving nearby homes from flooding was without foundation. Helen Stace, former chief executive of Herefordshire Wildlife Trust, said Price had destroyed a site of special scientific interest – an 'enchanted treelined reach' with 'immense' value for wildlife. Later, Andrew Nixon, conservation senior manager of trust, said in December 2020: 'Removing all bankside vegetation and scraping out the riverbed and banks will cause a huge increase in the speed the water moves through the river and increases the flood risk downstream.'

The Environment Agency, whose duties include managing the risks from flooding, also insisted his actions had done nothing to prevent flooding. Martin Quine, the agency's place manager for Herefordshire, said in April last year: 'While Mr Price's justification for the

works was to help prevent flooding to local properties, his actions did not have any flood prevention benefit. 'The destruction of riverbanks is not appropriate flood management. 'It is important that the judge recognised that the works significantly weakened flood prevention measures rather than improved them.'

The Herefordshire Wildlife Trust, which also predicted at the time the scouring of the riverbank would not alleviate flooding, also declined to comment about 'what the Environment Agency may or may not have said or done'. But a spokesman said: 'Herefordshire Wildlife Trust advocates for natural flood management across our landscapes which means allowing, or restoring, rivers or landscapes to function more naturally with the result that the flow of water into rivers is slowed, the flow within rivers is slowed, and the landscape generally holds more water. 'The objective is to limit the amount, and speed, of water within river channels which minimises flooding overall. 'Natural Flood Management techniques include leaky dams, cross-slope hedgerows, riverside woodland and attenuation ponds and scrapes.'

As a result it remains unclear if there has been any official study into the impact of the work to see whether Mr Price's actions have alleviated, worsened or had no effect on flooding.





