Section 5: Implementation

This section presents the implementation program for the Plan. The implementation program described consists of administration and planning in addition to the strategies described in Section 3. Strategies are organized into program elements that the WMO uses for reporting and fiscal management. Each element is described below. An implementation schedule and budget is presented in Table 5.1. Budgets presented are planning level and subject to annual review and approval by the Scott WMO Board. This is important since the budgets presented do not include activities or capital improvements that may be added as a result of anticipated plan amendments. These amendments are described under the planning program element. The budgets also do not include grants or contracts to complete TMDLs since the availability of these is uncertain. However, it is the intent of the WMO to aggressively pursue grants that support the goals and policies of the WMO such that program efforts can be expended beyond the efforts that can be supported locally as shown by the estimates in Table 5.1. The WMO will also pursue and consider contracting with the MPCA to complete TMDLs. If completed, these contracts will add to the budgeted amounts for the Monitoring and Data Collection, and Inventory and Data Assessment program elements. The estimated impacts of the implementation program on residents and local government are presented at the end of the section.

Program Elements

The following program elements represent the categories of operation for the goals, policies, and strategies outlined in this Plan. Details of what is involved with respect to each strategy are described in Section 3.

Administration

Scott County provides administrative staffing to take care of the day-to-day operation of the Scott WMO as well as implementation of the other program elements. The following policies and strategies P7.4 Staffing Policy, S7.6.1 Periodic Assessment and Program Reviews, and S7.6.2 Use Long and Short Term Metrics are also considered part of the administrative element. Finally administrative efforts shown in Table 5.1 also include
legal, audit, vehicle expenses, and bookkeeping services as well as office space, office equipment, information systems, and training. Administration is an annual on-going effort.

**Coordination**

This element implements strategies that involve staff coordination with other federal, state, and local agencies as well as coordination of a technical advisory committee (strategy S6.1.2). It also includes strategies under the Flood Management goal that involve coordinating feasibility studies with multiple jurisdictions. These strategies, the agency partners, and schedule of activities are shown in Table 5.2. As discussed in Section 4 LGUs must describe their roles with respect to these strategies in their LWP updates and/or amendments.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Coordination Partner</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>S1.1.5 Assist with Wetland Banking Opportunities</td>
<td>Local Units of Government, Scott SWCD</td>
<td>Annually as requested</td>
</tr>
<tr>
<td>S1.3.2 Coordination with Other Wetland Restoration Programs</td>
<td>Scott SWCD, NRCS, BWSR, USFWS</td>
<td>Annually</td>
</tr>
<tr>
<td>S1.3.3 Promote Public Values Incentive Program</td>
<td>Scott County Planning</td>
<td>Assist in 2009 and 2010 with program development</td>
</tr>
<tr>
<td>S2.1.3 Support Detailed Area Planning (DAP)</td>
<td>Scott County Planning, and New Market, Credit River, Cedar Lake and Spring Lake Townships</td>
<td>Assist in 2009 with stormwater elements</td>
</tr>
<tr>
<td>S2.3.6 Fish IBI Improvements</td>
<td>MDNR, Scott County Natural Resources, Scott County Highway, Township Road Authorities, MDOT, USFWS, and</td>
<td>On-going effort completed during plan reviews</td>
</tr>
<tr>
<td>Section 5, Page 5-3</td>
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<tr>
<td><strong>City of Jordan.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>S2.6.1 Coordination and Meeting Attendance</td>
<td>Federal, State, and Local agencies</td>
<td>Annually</td>
</tr>
<tr>
<td>S3.2.2 Regional Groundwater Modeling</td>
<td>Metropolitan Council</td>
<td>2009</td>
</tr>
<tr>
<td>S3.2.3 Support Wellhead Protection</td>
<td>Local Units of Government</td>
<td>Annually as requested</td>
</tr>
<tr>
<td>S4.3.2 Future Public Ditch Operations</td>
<td>Scott County Public Works and Surveyors Office</td>
<td>2009 and 2010</td>
</tr>
<tr>
<td>S4.3.3 Outlet Structure Maintenance</td>
<td>DNR</td>
<td>Annually</td>
</tr>
<tr>
<td>S4.3.4 MS4 Maintenance Requirements</td>
<td>LGUs that are MS4 permit holders (Scott County, and Cities of Elko New Market, Prior Lake, Savage and Shakopee)</td>
<td>Annually</td>
</tr>
<tr>
<td>S4.4.1 Promote and Facilitate Regional Stormwater Management Approaches</td>
<td>Scott County Public Works and Highway, LGUs and Townships</td>
<td>Annually</td>
</tr>
<tr>
<td>S4.5.1 O’Dowd Lake Outlet Feasibility Study</td>
<td>Scott County Public Works, Louisville Township and City of Shakopee</td>
<td>2011 -2012</td>
</tr>
<tr>
<td>S.4.5.2 Markley Lake Outlet</td>
<td>City of Prior Lake, Credit River Township</td>
<td>Study started in 2008, 2009</td>
</tr>
<tr>
<td>S4.5.3 Hwy 169 Drainage Feasibility Study</td>
<td>Louisville Township, MNDOT</td>
<td>Surveying started in 2008, 2009 and 2010</td>
</tr>
<tr>
<td>S4.5.4 Jordan/Sand Creek Flood Damage Reduction</td>
<td>City of Jordan, Corps of Engineers</td>
<td>2008 and 2009</td>
</tr>
<tr>
<td>S4.7.1 Technical Advisory Committee Input on flood</td>
<td>Cities, Townships, Rice and LeSueur Counties, and Scott</td>
<td>2009</td>
</tr>
<tr>
<td>Implementation</td>
<td>Section 5, Page 5-4</td>
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<table>
<thead>
<tr>
<th>prone areas</th>
<th>SWCD</th>
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</thead>
<tbody>
<tr>
<td>S6.1.1 Le Sueur and Rice County Coordination</td>
<td>Le Sueur and Rice Counties</td>
</tr>
<tr>
<td>S6.1.2 Technical Advisory Committee</td>
<td>Federal and State Agencies, Cities, Townships, Rice and LeSueur Counties, and Scott SWCD</td>
</tr>
<tr>
<td>S6.1.3 Share data and information</td>
<td>Federal and State Agencies, Cities, Townships, Rice and LeSueur Counties, Scott SWCD, Met Council, and Citizens</td>
</tr>
<tr>
<td>S6.1.4 Quarterly BWSR meetings</td>
<td>BWSR, Scott and Dakota SWCDS, Scott and Dakota County, and adjoining Watershed Organizations</td>
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</tbody>
</table>

### Planning

The Planning element includes anticipated plan amendments. Section 4 includes the general and minor amendment procedures for this Plan. Minor amendments and updates to the CIP are expected every two years. Minor amendments are also anticipated as various feasibility studies are completed, particularly:

- In 2010 following completion of the TMDL studies for Cedar and McMahon Lakes and the Credit River, the completion of Sand Creek Clean Water Partnership study, the completion of feasibility studies for Hwy 169 drainage area, and the Markley Lake outlet.
- In 2012 following completion of the O’Dowd Lake outlet feasibility assessment.
This element also includes the completion of the next generation Plan update. Outcomes from monitoring and assessments of the 2009-2018 Plan, and assessment of metrics, will determine the direction and focus of the next Plan update.

**Regulation**

This element implements strategies related to the development and enforcement of Standards (Appendix C), and the review and oversight of Local Water Plans (LWPs). This element includes the following strategies:

- S1.1.1 Adopt WCA
- S1.1.2 Operate WCA (Sand Creek Township)
- S1.1.3 Wetland Replacement Monitoring
- S1.2.1 Erosion Control and Post Construction Water Quality Standards
- S1.2.2 Wetland Buffer Standards
- S2.1.1 Watercourse Buffer Standards
- S2.1.2 Promote Disconnected Stormwater Management through Standards
- S2.2.1 Stormwater Quality Standards
- S2.5.1 Local Water Plan Amendments
- S2.7.1 MS4 SWPPP references in LWPs
- S2.7.2 Describe Salt and Sanding BMPs in LWPs
- S3.1.1 Stormwater Volume Standards
- S4.1.1 Floodplain and Shoreland Ordinances
- S4.1.2 Low Floor Elevation Standard
- S4.1.3 Floodplain Capacity Standard
- S4.2.1 Peak Runoff Rate Standard
- S4.2.2 Land Locked Basin Standard
- S4.2.3 Drainage Alteration Standards
- S4.3.1 Facility Maintenance Standards
- S4.6.1 Consider Local Flooding in LWPs
- S7.1.2 Linear Project Flexibility
S7.1.3 Assess Feasibility of Brokering Pollutant Trading
S7.2.1 Use Existing Regulations as Basis for WMO Standards
S7.3.1 Emphasize LGU Implementation through LWPs
S7.5.1 Use Current Local Water Plan Schedules
S7.7.2 Regulate in Proportion to Impact

A majority of the above regulatory strategies were reflected in the Scott WMO Rules that were completed under the 2004 Plan. Regulation and criteria in those Rules formed the basis of the Standards included as Appendix C-D to this Plan. Where necessary, changes were made to incorporate the new regulatory strategies, and address some of the problem areas encountered from implementing the past Rules. Changes to the regulations, criteria, waiver and exceptions to incorporate the new strategies are shown as underline strikeout in the appendix.

The WMO anticipates converting these new Standards into Rules in 2009. The Rules will not apply as long as LGUs complete their new LWPs and implement them according to the requirements of this Plan and Minn. Stat. Chapter 103B subd. 211. However, in case permitting does default to the WMO the WMO will have Rules in place to begin a permitting program using the authority of a Watershed District to regulate land use under Minn. Stat. Chapter 103D.

Costs for the regulatory program element in Table 5.1 are primarily for staff time to work with the LGUs on LWP implementation and tracking. Costs are also included for operating WCA in Sand Creek Township, for completing Rules in 2009 and for completing a mid-course review and update of the Standards in 2012.

**Land and Water Treatment**

This element includes strategies that facilitate, promote, provide technical support, design or finance the completion of practices and projects addressing issues of the watershed, including capital improvements. Table 5.3 lists the various strategies, provides planning
level budgets, and implementation schedules. The WMO considers these efforts capital improvements. Estimated costs for specific targeted projects, capital improvements identified in Section 3 (strategies S2.3.2, Table 3.2) exceed $1.5 million. However, for most of these projects cost sharing with project partners is anticipated, and applications will be made for grants and Clean Water Land and Legacy funding. The total Amount included for targeted projects and capital improvements (including sediment phosphorus inactivation –Strategy 2.3.8) over the 10 year plan duration as shown in Table 5.3 is about $2.4 million. Additional capital improvements are anticipated over the planning period that will consume some of the additional budgeted amount, and other projects that are not reflected in the budget since feasibility assessments and studies are not yet complete. Budgets also do not include grants. The WMO will aggressively pursue grants to expand this program element beyond the budgets presented. The WMO anticipates completing minor plan amendments about every two years to include the result of these studies and assessment, and update the CIP.

A number of the strategies in this program element are being implemented through the WMO cost share program that was already in place under the 2004 Plan. Practices promoted under this program are described in more detail in Section 2 pages 23-25. This program will be expanded under the plan update with additional emphasis on incentives for wetland restoration and riparian reforestation. In addition, the innovative practices cost share component will include additional or new emerging BMPs such as cost sharing to encourage regenerative dustless street sweepers. The WMO anticipates increased participation in the program in 2009 since significant promotional efforts are scheduled for the winter of 2008-09. Following the higher participation levels in 2009 and 2010 the WMO anticipates a decrease in the activity of the cost share program to a steady long term level. This will be due to a shift by the WMO away from an application based program to a program where projects are targeted by the WMO based on the results of studies and TMDLs. The innovative practices cost share in particular will be decreased as the WMO and the surrounding area collectively accumulates demonstrations of various technologies such that the need for demonstrations declines.
With Amendment 1 several strategies are amended and a few are added. However, as shown in Table 5-3 the bottom line total amount for the Land and Water Treatment Program Element is anticipated to remain the same as in the original plan. This is because the original plan anticipated that strategies and targeted projects would be added and had a preliminary budget amount for targeted projects. Amendment 1 defines some of the projects.

**Monitoring and Data Collection**

This program implements strategies S2.4.2: Monitoring and Assessment Tools Development and S3.2.1: Groundwater Monitoring. As described in detail in Section 3 stream water monitoring will be completed on a rotating cyclic basis that moves monitoring sites around from year to year focusing on different watersheds. Lake monitoring will largely be completed through volunteer efforts under the Metropolitan Council’s CAMP program. The volunteer monitoring effort is budgeted under strategy S5.2.2 in the education and outreach program element. Lake monitoring will be annually. It is anticipated that additional monitoring will be needed to complete the TMDLs identified in Section 3. The monitoring program element includes some financial resources to support TMDL development, but it is anticipated that most financial resources for the additional monitoring needs will come from the MPCA. Financial support in the WMO budget supporting TMDLs includes:

- Funding sediment testing for O-Dowd, Thole and Schneider Lakes nutrient TMDLs scheduled for 2011.
- The annual volunteer lake monitoring (in the education program element)
- Funding for monitoring of one site on West Raven Stream for the bacteria TMDL schedule to start in 2011
- Funding for monitoring of one site on County Ditch 10 for the bacteria TMDL scheduled to start in 2013.
The WMO hopes however, to work with the MPCA to change the schedule for the West Raven and County Ditch 10 TMDLs to the same start year since the two watercourses are part of the Raven Creek subwatershed and the monitoring sites are within ½ mile of each other.

Groundwater monitoring will be implemented with the monitoring plan developed in 2008. Draft concepts include screening for pesticides, and cost sharing well kits.

For the purposes of this Plan the budgets in Table 5.1 assume monitoring will be completed on a cyclic basis with pesticide screening scheduled for 2010 and 2016, and supplementing test kits for nitrate and bacteria in 2012 and 2017.

### Inventory and Data Analysis

This element implements strategies S2.4.1: Complete Diagnostic Studies and S4.7.2: Digital Terrain Modeling. Strategy S4.7.2 Digital Terrain modeling is scheduled for 2009. A significant effort will be made in 2009 as part of strategy S2.4.1 to complete the data analysis necessary to complete the Clean Water Partnership study on Sand Creek, the TMDLs for Cedar and McMahon Lakes, and the Credit River. Other TMDLs anticipated over the duration of the Plan will also require inventory efforts and data analysis. These efforts are likely to occur in 2011 to 2012 for O’Dowd, Thole and Schneider Lakes, and West Raven Creek; and 2013 and 2014 for County Ditch 10 and Cleary Lake. Local resources were not included for these analyses with the expectation that funding would be provided by the MPCA other than funding in 2012 for a mid-course analysis of monitoring data.

Other inventory and data analysis efforts scheduled over the duration of the Plan under strategy S2.4.2 Monitoring and Assessment Tools Development include:

- Assisting the county update aerial photos (specific schedule unknown)
- Updating the Minnesota Land Cover Classification System (MLCCS) data in 2012
• Reassessing the amount of erosion along Sand Creek and Credit River in 2015, and Roberts Creek in 2017
• Mid-course analysis of monitoring data in 2012
• Detailed assessment of data in the ninth year of the Plan (i.e., 2017). This analysis will consist of analyzing the data obtained over the course of this Plan to provide information for development of the next generation plan the following year.

Education and Public Outreach

The Education and Public Outreach program element includes the following strategies:

- S3.1.2: Promote Conservation and Wise Use
- S5.1.1: Lead Coordination of the Joint MS4 Education Plan
- S5.2.1: Enable Watershed Planning Commission
- S5.2.2: Encourage and Use Volunteers
- S5.2.3: Provide Opportunities for Public Input
- S5.2.4: Stewardship Events
- S5.3.1: Make WMO Studies Available
- S5.3.2: Specific Information and Education Materials
- S5.3.3: Variety of Education Programs
- S5.3.4: Use Multiple Outlets
- S6.2.1: Keep Public Informed
- S6.2.2: Local Contact Matrix
- S7.8.1 Volunteer Stewards/Educators

Details of each of these efforts are described as part of the strategy descriptions in Section 3. Most of these efforts are modifications of existing efforts started under the 2004 Plan, and many are part of the Joint MS4 Education Plan. This Joint Education Plan Comprehensive Plan is included as Appendix E and includes additional detail. It is
anticipated the Plan will be updated every two years. The most significant new initiative is a Watershed Stewards Program that involves combining strategies S5.2.4 Stewardship Events, and S7.8.1 with strategy S1.3.4 Targeted Wetland Restoration /Riparian Reforestation Program from the Land and Water Program element. The idea of combining these elements is to develop volunteer groups and expand the capacity of citizens in the Scott WMO to help with implementing land stewardship, particularly riparian reforestation. To start this effort, a pilot effort is planned for portions of the Credit River corridor in 2009. The education program element includes staff time to develop and coordinate the program, and the land and water treatment element includes funding for materials such as plants. After the pilot is complete, the intent is to try to expand the effort and move the reforestation effort around the WMO targeting those areas identified in the geomorphic studies as having a need for riparian improvements.

Impact of Implementation Program on Residents and Local Government

Implementation of this Plan will be funded by levy and grants. Member communities may have additional costs associated with implementation of their LWPs. However, all LGUs in the WMO have LWPs that were recently approved under the 2004 Plan. The content of those Plans should largely satisfy the requirements for new LWPs under this Plan update. In addition most of the LGUs already have ordinances in place that address many of the Scott WMO requirements, however, there are additional requirements for standards affecting buffers along water courses, salt and sand BMPs, and street sweeping which will require amendments to the LWPs and additional staff time and resources. The street sweeping requirements are part of MS4 requirements already affecting the LWPs (with the exception of the City of Jordan, Belle Plaine, and New Prague), and anticipated MCES requirements for LWPs.

For residents, the Plan has costs in terms of WMO general levy taxes. The preliminary 2009 levy amount projected in Table 5.1 of $1,050,700, gives a net payable in taxes of $35.38 on average county wide property value of $297,600 using fiscal year 2009 tax capacity, TIF and fiscal disparity. This is a $0.62 decrease per average property compared to 2008. In addition, future projected budgets of the WMO are shown to increase at a rate of 1 to 4% per year over the
duration of the Plan. The increase from 2008 to 2009 is about 4%. In most years, it is anticipated that the 1 to 4% growth in budget will be largely offset by growth in the local tax capacity, such that the percent increase in taxes for the average property will be less than the rate of growth of the budget.

Administration of a plan review and permitting program necessary to implement the Standards of the Scott WMO will have some financial implications for LGUs. It is difficult to estimate the cost of this effort as it depends on the number of applications and level of market activity. The following analysis provides an estimate of these costs based on the operation of a permitting and inspection program of Scott County which has operated in conformance with Scott WMO Standards for the past couple of years. For Scott County this effort is estimated to take about 0.6 FTE with a moderate level of market activity. This person needs some experience in hydrology and engineering which would have a burdened cost of between $55,000 and $60,000 annually. Inspections will also require staff time. Depending on the level of market activity inspections are estimated to take about 0.25 to 0.5 FTE. This person can be a field technician with erosion control training and a burdened cost between $18,000 and $36,000. However, these costs are typically covered by plan review and inspection fees equal to the actual cost of review and field inspection.

This analysis is also qualified by the fact that Scott County is also an MS4 community. As an MS4 community Scott County has to meet the six minimum controls which require ordinances and a permitting program for water quality and erosion control. Thus, for MS4 Communities (Elko-New Market, Savage, Prior Lake, and Shakopee) water quality and erosion control portions of the WMO Standards do not create much additional cost. For other LGUs, New Prague, Jordan, and Belle Plaine that are not MS4 communities, additional costs per the WMO Standard may be close to the amounts in the above paragraph, but these costs can be distributed to the actual development activity. However, since Standards in this new plan do not significantly change from those in the previous 2004 WMO Plan, it is not expected that revised Standards will materially add to the effort already required to administer the regulatory controls currently included in the official local controls approved as part of the existing LWPs.
Since Amendment 1 does not change the overall planning level budget, it is not expected to change the impact on residents or local government.