

Natural Floodplain Functions Alliance (NFFA) BIMONTHLY WEBINAR SERIES PRESENTS:

Minnesota's Overall Watershed Approach to Flood Risk Reduction & Protection of Lakes and Streams



Ceil Strauss, CFM State Floodplain Manager Minnesota Dept. of Natural Resources

> November 30, 2017 2:00pm - 3:30pm CT

> > 1



Thank you for joining us today!

- ✓ Presentation will conclude by 3:30pm CT
- ✓ Q&A will follow the presentation, should it run past 3:30pm CT the recording will continue

Certificates & CECs





- Attendees must connect and participate <u>individually</u> (no group viewing) to be eligible for certificates and CECs.
- Attendees must participate in the entire event in order to receive a certificate (emailed within 1 week)



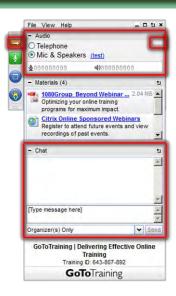
 CFMs <u>do not need to submit paperwork</u> for CEC credit *EXCEPT* CFMs located in: AR, NM, OK, TX

3



Attendee Participation





Your Participation

Open and hide your control panel using the red arrow button

Join audio:

- Choose Mic & Speakers to use VoIP
- Choose **Telephone** and dial using the information provided

Submit questions and comments via the Chat panel

Audio & Web Settings



- All lines will be automatically be muted
- Use the question panel to submit questions and responses during the presentation
- Please send questions & comments to
 Organizer (anonymously) or Entire Audience
- During Q&A at the end, please submit your question using the question panel

5

Handouts/Slides



- PDF of today's slides can be found in the Handouts window
- Double click or right click on the file to download/open

Questions & Comments





This Session is being Recorded







AGENDA



- 1. NFFA Federal Updates (15 min):
 - Larry Larson, ASFPM
- 2. Quarterly Webinar Topic (45 min):
 - Minnesota's Overall Watershed Approach to Flood Risk Reduction & Protection of Lakes and Streams (Ceil Strauss)
- 3. Webinar Q&A

9



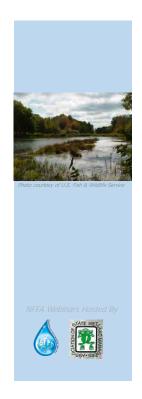
NFFA Update: National Policy



Larry Larson, P.E., CFM
Senior Policy Advisor
Association of State Floodplain Managers
larry@floods.org







Natural Floodplain Functions Alliance (NFFA) BIMONTHLY WEBINAR SERIES PRESENTS:

Minnesota's Overall Watershed Approach to Flood Risk Reduction & Protection of Lakes and Streams



Ceil Strauss, CFM State Floodplain Manager Minnesota Dept. of Natural Resources

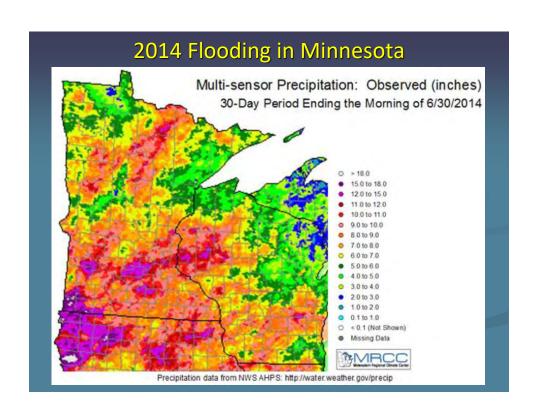
> November 30, 2017 2:00pm - 3:30pm CT

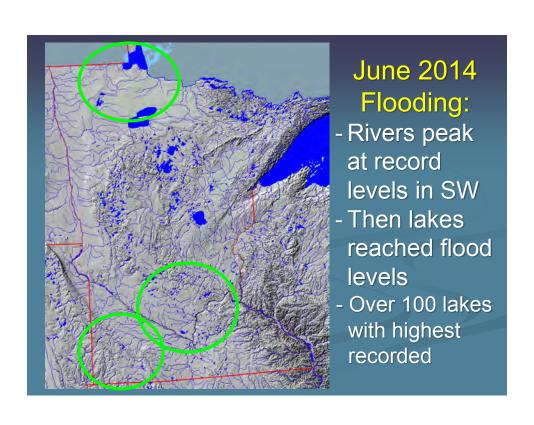
> > 1

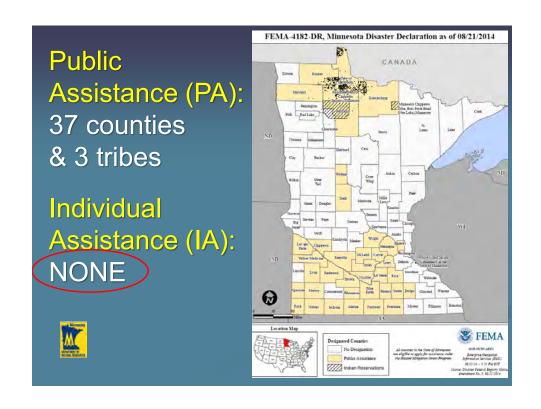
Minnesota's Overall and Watershed Approach to Flood Risk Reduction & Protection of Lakes and Streams

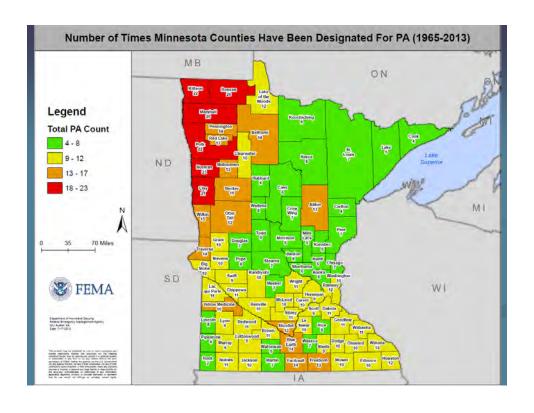


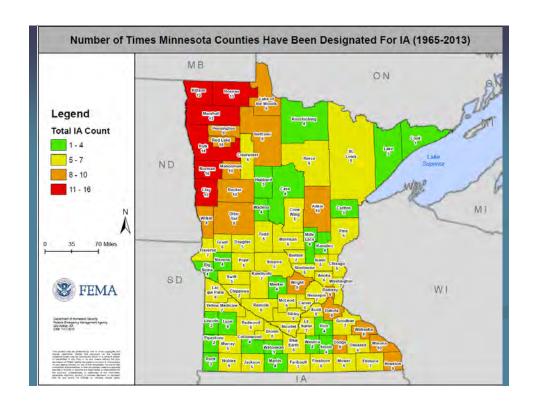
Ceil Strauss, CFM – MN State Floodplain Manager For Natural Floodplain Functions Alliance Webinar November 16, 2017











2000 – 2009 Presidential Declarations

- March 2009 DR-1830; Flooding, etc. (676 IA applications \$2.44 Million)
- June 2008 DR-1772; Flooding, etc. (no IA)
- August 2007 DR-1717; Flooding, etc.
 (3,853 IA applicants \$19.81 Million)
- March-May 2006 DR -1648; Flooding, etc. (no IA)
- Nov 2005 DR-1622; Winter storm
- September 2004 DR-1569; Flooding, etc. (1,363 IA applicants \$4.21 Million)
- June 2002 DR-1419; Flooding, etc. (IA; ??#/\$)



- March-July 2001 DR-1370; Flooding (IA; ??#/\$)
- May-July 2000; DR-1333; Flooding, etc. (IA; ??#/\$)

2010+ Presidential Declarations

- Sept 2016 DR-4290; Flooding, etc. (661 IA applications \$2.6 Million)
- July 2014 DR-4182: Flooding, etc. (no IA)
- June 2013 DR-4131; Flooding, etc. (no IA)
- April 2013 DR-4113; Winter storms
- June 2012 DR-4069; Flooding, etc. (no IA)
- July 2011 DR-4009; Flooding, etc. (no IA)
- May 2011 DR-1990; Tornadoes, etc.
- March 2011 DR-1982; Flooding, etc. (no IA)
- Sept 2010 DR-1941; Flooding, etc. (no IA)



- June 2010 DR 1921; Flooding, etc. (no IA)
- March 2010 DR-1900; Flooding, etc. (no IA)

Overview

- Brief mention of many efforts
- Not steady progress mainly improvements, but some back sliding along the way
- Coordinated efforts involving many state agencies
- Critical cooperation between state, regional, watershed and local levels



Main State Agency Players

Department of Natural Resources (DNR)



- Public Waters management & permits; Floodplain / Shoreland / River land use oversight; River Ecology Unit
- Board of Water & Soil Resources (BWSR)



- Watershed Districts; Soil & Water Conservation Districts (SWCDs); State Wetland Conservation Act

■ Pollution Control Agency (PCA) MINNESOTA POLLUTION



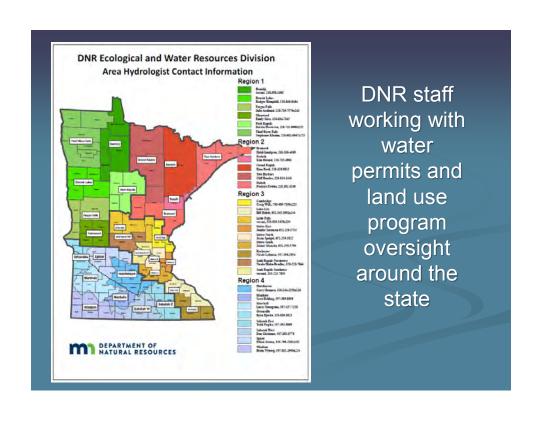
- Water quality

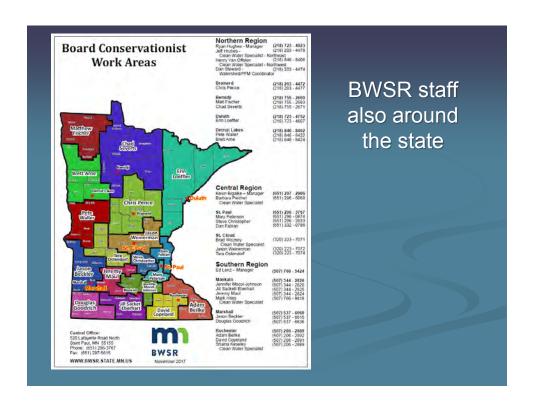
■ Division of Homeland Security Emergency Management, Dep't of Public Safety (HSEM)



- FEMA Mitigation; FEMA disaster response







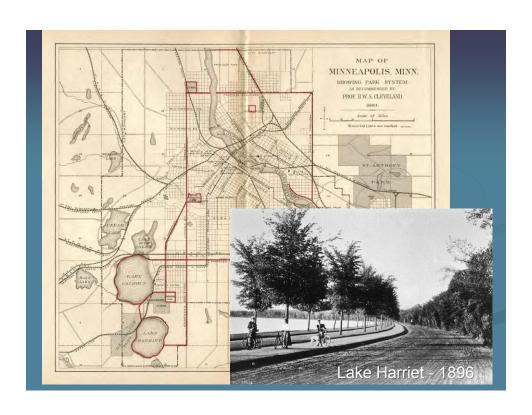
State & Watershed Approaches

- Forward-thinking Planning
- Enforcing Higher Standards
- State & Local Flood Risk Reduction Efforts
- Related Efforts & Future



Minneapolis Example

- 1883 Minneapolis approved referendum to create a park board
- Landscape architect Horace Cleveland hired. His vision started with preserving park land along the Mississippi River gorge, the concept of connecting the lakes with scenic byways and along Minnehaha Creek to the Mississippi.
- Cleveland quote: "Look forward a century, to the time when the city has a population of a million, and think what will be their wants."











Public Water Permits

- 1897 State law defined Public Waters
- 1930s Dep't of Conservation, Division of Drainage began regulating public waters
- 1930s Regulations for "changes to course, current or cross-section" of public waters
- Lots of controversy over:
 - Which basins
 - What was regulated



Reducing Flood Risk in MN

- Forward-thinking Planning
- Enforcing Higher Standards
- State & Local Flood Risk Reduction Efforts
- Related Efforts & Future



1960s - 1990s - Key Laws Affecting Floodplain

- 1969 Floodplain Management Law
- 1970 Shoreland Management Law
 - 1970: unincorporated areas
 - 1973: cities
 - Public watercourses added
- 1976: Public Waters Inventory Program
 - Class 3, 4, 5 wetlands & lakes (> 10 acres in unincorporated; > 2.5 acres in incorporated)
 - Watercourses with drainage of > 2 square miles



1987 Flood Damage Reduction (FDR)

1991: Wetland Conservation Act of 1991

Higher Floodplain Standards

Minnesota's had many higher floodplain management standards since the first State Rules were adopted in 1970. Some examples:

- 1 to 1.5 feet freeboard (1 foot plus any stage increase)
- Stage increase limited to 0.5 feet, AND no increased damage potential
- Most structures prohibited in floodway
- Many "optional" higher standards in state model ordinance are being adopted

1969 - Shoreland Management

Rules: counties (unincorporated areas) in 1970; cities in 1973

Structure setbacks (50 – 150' from OHWL* and 30' from bluff line)

*Ordinary High Water Level is official boundary





Vegetation management,
Aesthetics / screening

MN's Changes (vs WI version)



Minimum Elevations:

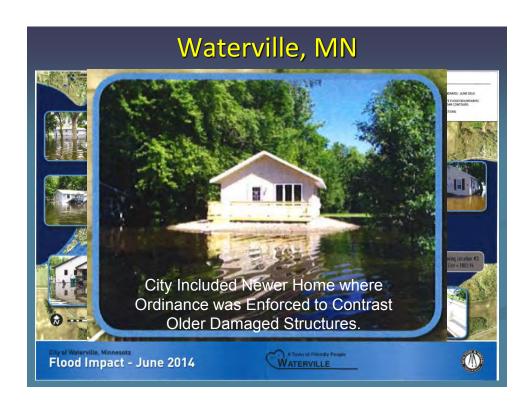
Have minimum lowest floor elevations in "shoreland districts."

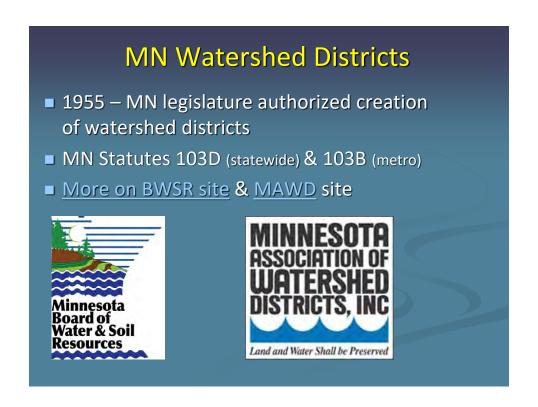
Lake Classifications:

- Natural Environment
- Recreational Development
- General Development









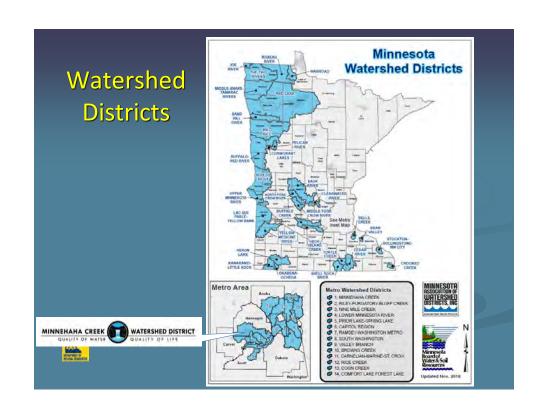
MN Watershed Districts

Watersheds have broad authority to:

- Adopt rules with the power of law to regulate, conserve, and control the use of water resources within the district
- Assess properties for benefits received and levy taxes to final district administration
- Contract with units of government and private and public corporations to carry out water resource management projects.



Accept grants; acquire property for projects

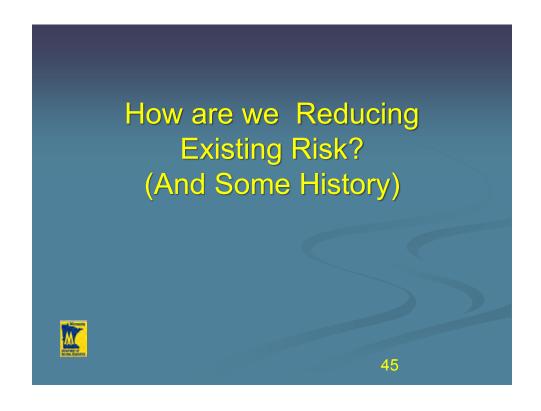


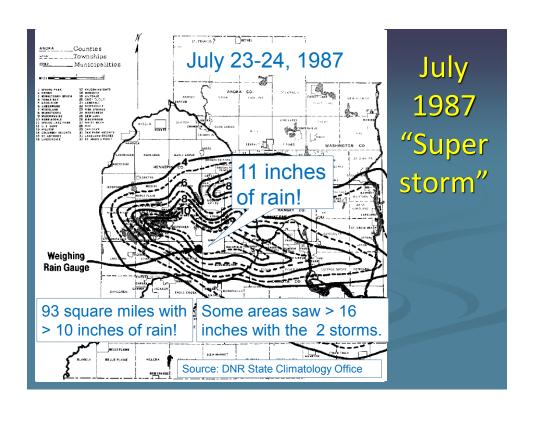


Reducing Flood Risk in MN

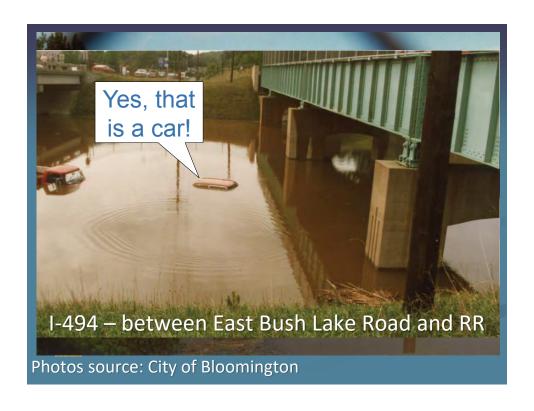
- Forward-thinking Planning
- Enforcing Higher Standards
- State & Local Flood Risk Reduction Efforts
- Related Efforts & Future

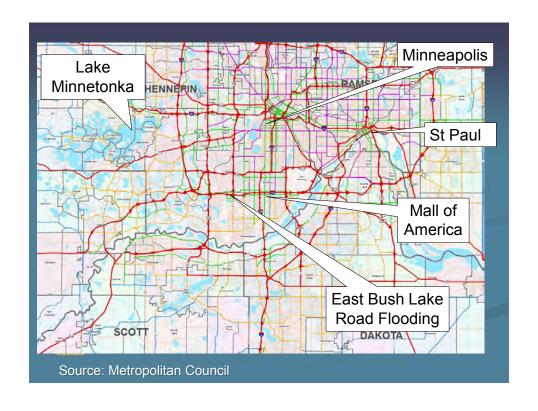


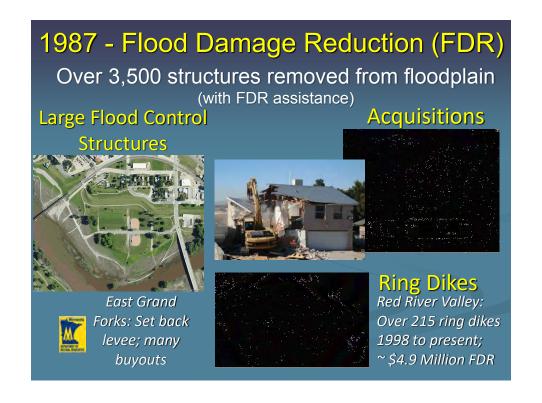


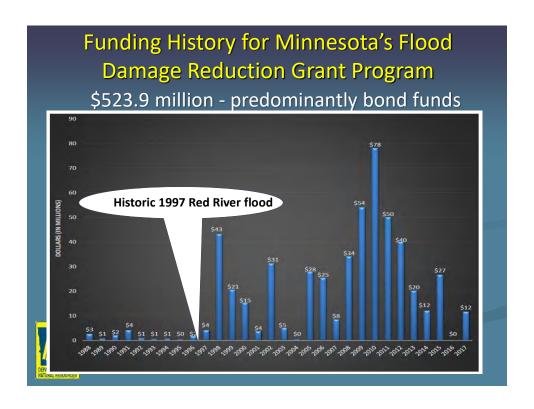


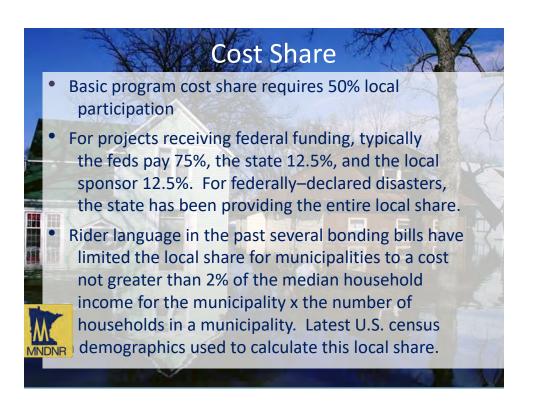












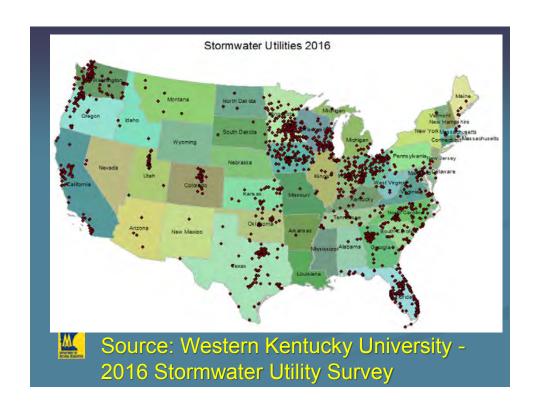


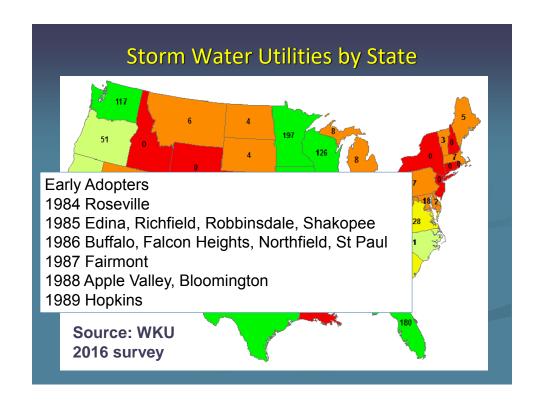
Other State & Local Funding

- Locals raise cost share in many ways:
 - City sales tax
 - Property tax assessments on benefitting properties
 - Watershed District levy or assessment ("other" on property taxes)
- State often pays the 25% for non-federal Public Assistance (PA) share

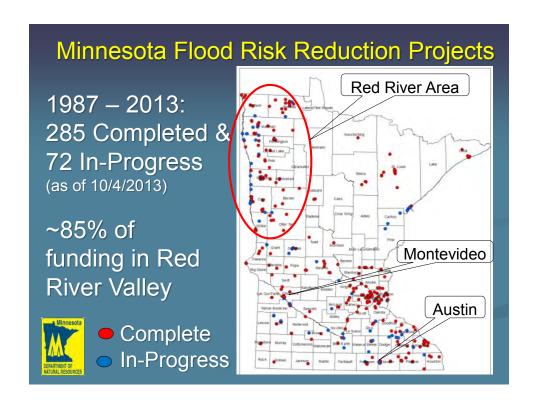


2014 legislature set aside \$3 Million to start disaster fund

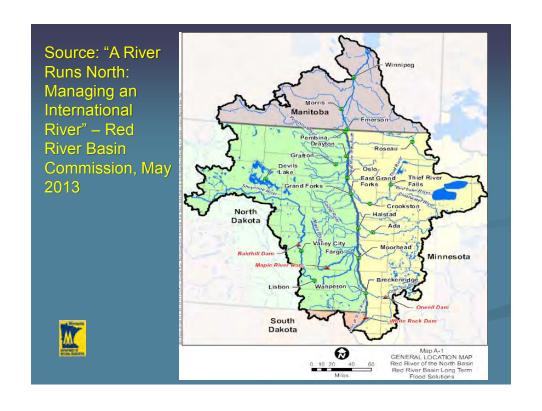




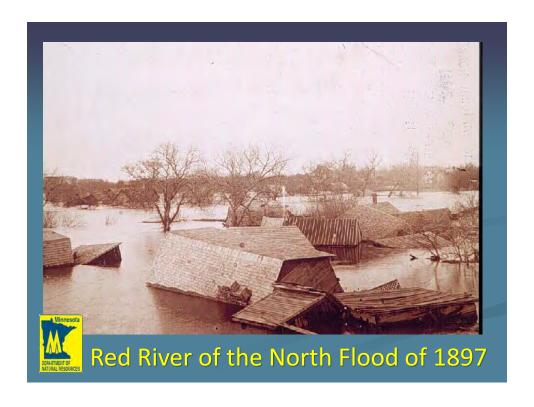
p Flood Insur	ance	Claim Co	mmunitie
Community Name	Losses	Total Payments	% of State Claims
East Grand Forks, City O	f 1,069	33,093,100	23.3%
Austin, City Of	648	9,006,509	6.3%
Clay County *	729	8,889,823	6.3%
Breckenridge, City Of	449	7,226,202	5.1%
Moorhead, City Of	560	4,569,353	3.2%
Rochester, City Of	662	4,208,914	3.0%
Polk County *	270	3,218,669	2.3%
Marshall County*	519	3,133,814	2.2%
Roseau, City Of	241	2,930,553	2.1%
Northfield, City Of	24	2,640,376	1.9%
Warren, City Of	552	2,277,199	1.6%
Kittson County *	191	2,165,962	1.5%
Norman County*	188	2,135,549	1.5%
Bayport, City Of	135	1,950,893	1.4%
Owatonna, City Of	78	1,943,922	1.4%
Montevideo, City Of	131	1,764,431	1.2%
Granite Falls, City Of	130	1,675,621	1.2%

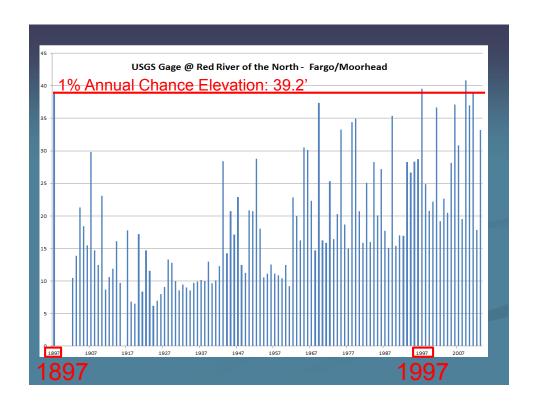


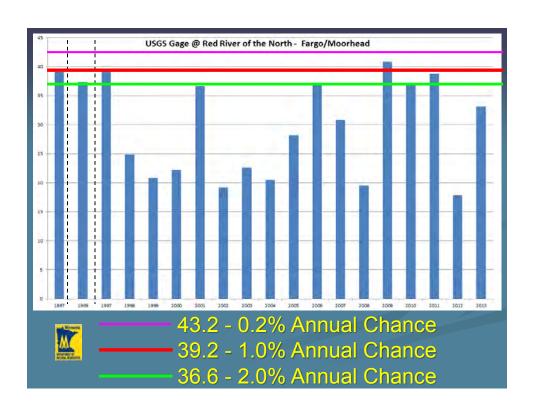














Moorhead **Property Information** This is an interactive GIS map that allows users to access and query property

information and different layers of City of Moorhead information. Current and historical aerial photography are available, including aerial photos of flood crests

- Strategic buyouts
- Smaller levees
- Great **Public** Information

This is an interactive GIS map displaying the current FEMA Floodway, 100 year and 500 year floodplains. You can search by property address to view and print a detailed map showing how the 100 year floodplain (SFHA) may affect your property and any structures on the property.



from the latest major floods.

Current FEMA FIRM

This map provides information on Red River flood stage levels that may affect properties and structures in the City. These 1/2 foot river flood stages were derived from LIDAR data acquired in May of 2011.

- Red areas reflect the protected areas that benefit from the City's flood mitigation projects completed since the spring of 2009
- Emergency protection measures, such as temporary day levees, are also represented as protected areas in
- this interactive web map. Disclaimer: This map information is made available as a public service, and is to be used for reference purposes









City of Moorhead Flood Insurance ClaimsYearFlood StageClaims Paid199739.57\$2.22 Million200940.84\$1.45 Million201138.81\$0.87 Million39.2 = 1% Annual Chance Flood Elevation

Austin, MN

- By 2001, city acquired over 160 homes with \$1.7 M from federal grants (75%/25%).
- 2006 voters approved half cent sales tax to expire in 2016.
- Used \$5 M federal, \$3 M state and local sales tax funds for:
 - 1,700' levees
 - 740' floodwall
 - 7 gated structures.







Returns on Investment

- 3.18 in Moorhead for 27 acquisitions
- 7.47 in Montevideo for 48 acquisitions
- 2.65 in Austin for 165 acquisitions (2013 update)









Reducing Flood Risk in MN

- Forward-thinking Planning
- Enforcing Higher Standards
- State & Local Flood Risk Reduction Efforts
- Related Efforts & Future



2008 Clean Water Land & Legacy Amendment

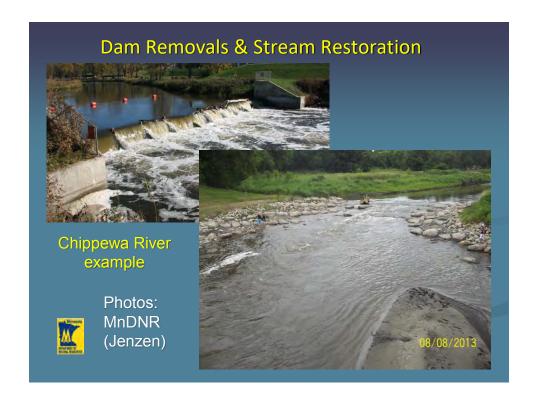


"In 2008, Minnesota voters took a bold and historic action by imposing a three-eighths of one percent tax on themselves for 25 years, until 2034, in the name of cleaner water, healthier habitat, better parks and trails and sustaining our arts and cultural heritage."



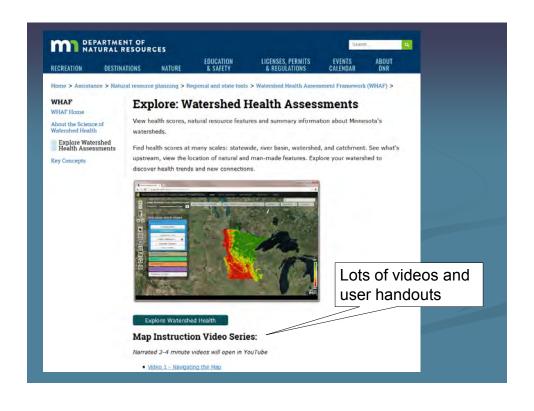
http://www.dnr.state.mn.us/legacy/index.html

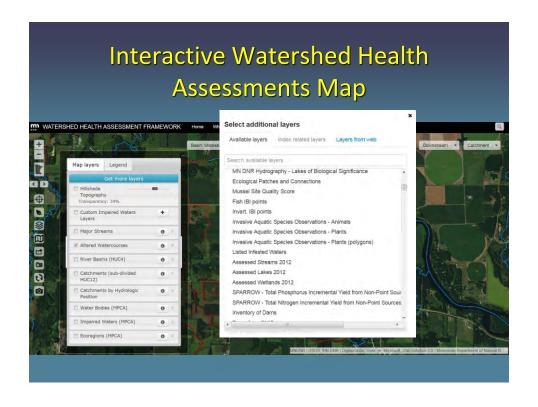


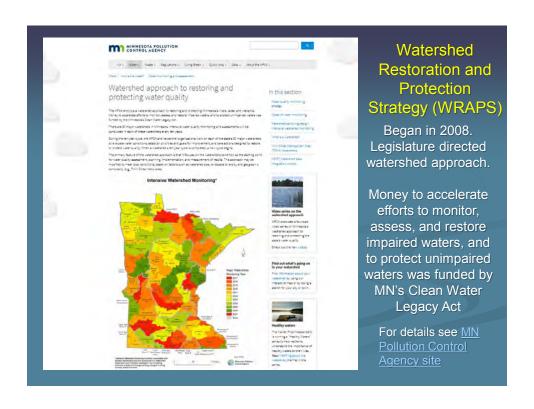












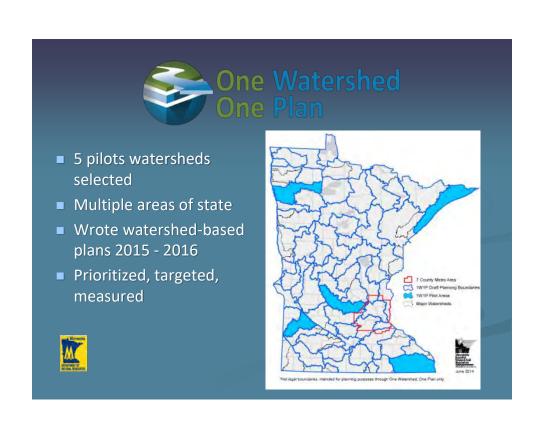


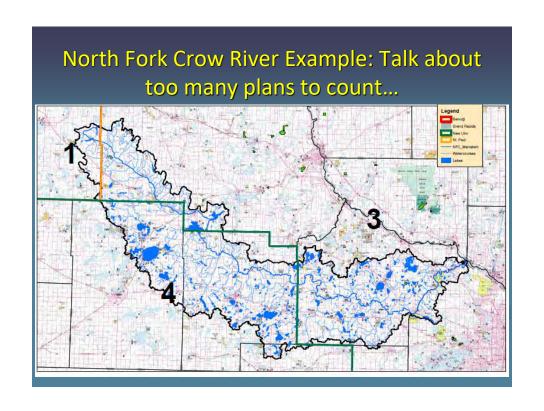
Water Planning Timeline

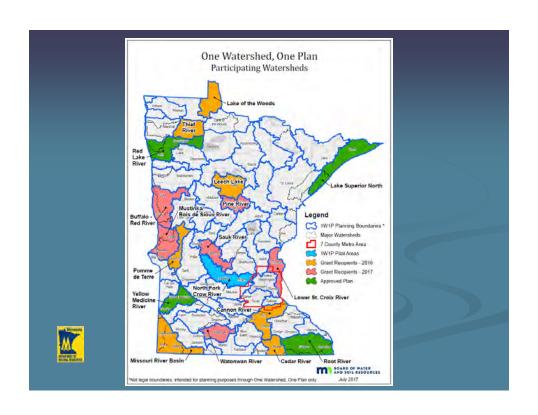
- 1937 MN Soil Conservation Law
- 1938 MN's 1st Soil & Water Conservation District formed
- 1955 MN Watershed Act
- 1957 MN's 1st Watershed District
- 1982 MN Metro Surface Water Mgt Act
- 1985 County Water Planning Act
- 2012 1W1P legislation passed
- 2013-2014 1W1P Program Development



■ 2015 – Comprehensive Watershed Management Planning legislation passed







Governor's Buffer Initiative – Winter 2015

- Championed by Governor Mark Dayton as a water quality initiative
- Concept arose at Pheasant Summit
- Recognizing:
 - Buffers are good
 - Current regulations complicated and not consistently enforced
- Original concept was permanent vegetation buffers on all waters of the state; Final bill was compromise

Purposes of New Buffer Law (MS. 103F.48)

Establish riparian buffers and water quality practices to:

- protect state water resources from erosion and runoff pollution,
- stabilize soils, shores, and banks, and
- protect or provide riparian corridors.



Law Updated in 2017



Buffer and Soil Loss Statutes, as amended in 2017 by

Laws of Minnesota 2017, Chapter 93 (S.F. 844)

103B.101 BOARD OF WATER AND SOIL RESOURCES

Subd 12 Authority to turn perhapt volets (a) Energy as provided under subdivision 12s, the bond may issue an order requiring violations to be corrected and administratively assessing momentary penalises of spin 810,000 per violations for violations of thirs clusper and claspers 10(C; 103E) 103E, 103E, and 103G, any rules adapted under those chapters, and any standards, limitation or conditions established by the board under paragraph (a) or subdivision 12s, may be appealed according to section 116 C72; if the recipient of the penalty requests a heaving by notifying the commissioner in writing within 30 days after recept of the order. For the purposes of this section, the terms "commissioner" and "agency" as used in section 116 C72 means the board IT a heating 18 not requested within the 30-day period, the order becomes a final order not subject to further review.

issuance of the order.

Study 12, Authority to issue penalty orders, (a) A county or watershed district with justisation on the Board of Water and Soul Resources may issue an order requiring violations of the water resources ruprarian protection requirements under sections 1037-415, 1037-421, and 1037-48 to be corrected and administratively assessing momentary penalties up to \$50.00 for noncompliance counterings on day one of the 11th month after the noncompliance notice was issued. The proceeds collected from an administrative penalty order issued under this section must be remitted to the county or watershed district with jurisdiction over the noncompliant site or otherwise remitted to the Board of Water and Soul Resources.

Soil Resources.

(b) Before exercising this authority, the Board of Water and Soil Resources must adopt a plan containing procedures for the issuance of administrative penalty orders by local governments and the board as authorized in this subdivisors. This plan, and any absoquent amendancies, will become effective 90 days after being published in the State Register. The unfall plan must be published in the State Register. The unfall plan must be published in the State Register and the plan plan and the plan plan and the published in the State Register is that fally 1, 2017.

(c) Administrative penalties may be resoured and appealed under paragraph (s) according to extend 1019-18, abidevision 9.

See this copy of amended law and lots more details at

Existing Buffer Requirements

Buffer Type	Required Buffer Width	Triggered by:
Shoreland Buffer Requirement	Ag Areas: 50 feet Non Ag Areas: Shore Impact Zone (25-100 feet)	DNR shoreland classification and adoption of local shoreland ordinance
Public Ditch Buffer Requirement	16.5 feet	Establishment, construction, improvement, redetermination of benefits

Buffer Analysis Results For 67 counties with > 30% cropland (BWSR, 2014)

Riparian classification	Linear miles	% Total stream/ Ditches	Buffer required (feet)
Shoreland Requirement	21,642	30%	50.0
Public Ditch Buffer Requirement	4,022	6%	16.5
No Buffer Requirement	44,850	64%	0.0

Buffer Requirements – Public Waters

Landowners owning property adjacent to a waterbody identified and mapped on a buffer protection map must maintain a buffer to protect the state's water resources as follows:

- 1. for all public waters, the more restrictive of:
 - a <u>50' average/30' minimum width</u>,
 continuous buffer of perennially rooted vegetation; or
- Manual of Manual

the <u>state shoreland standards;</u> or an alternative water quality practice may be used if the property is farmed.

Buffer Requirements – Public Drainage Systems

Landowners owning property adjacent to a waterbody identified and mapped on a buffer protection map must maintain a buffer to protect the state's water resources as follows:

for public drainage systems, a 16.5' minimum width continuous buffer of perennially rooted vegetation on ditches within the benefited area of public drainage systems; or

an alternative water quality practice if the property is farmed.

Buffer Requirement Exemptions

- Land enrolled in the federal Conservation Reserve Program (CRP)
- Public or private water access or recreational use areas
- Areas covered by a road, building or other structures
- Municipalities or others in compliance with federal and state storm sewer or stormwater law (MS4 communities)
- Temporary non-vegetated condition due to drainage tile installation and maintenance, seeding, conservation project construction

State financial commitments (next 2 yrs; 2015 slide)

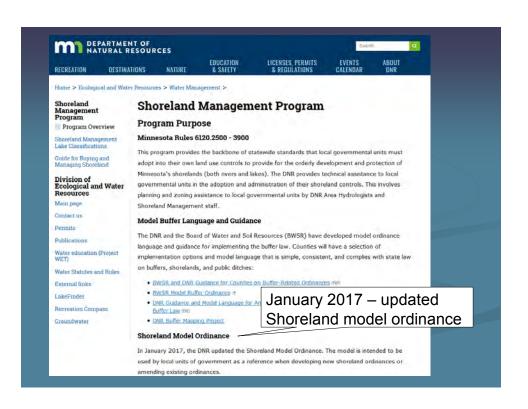
- Clean Water Fund:
 - \$22M SWCD Local Capacity
 - \$ 5M for Buffer Compliance Assistance
 - \$33M Long Term Water Quality Protection (RIM, CREP)
 - \$20M Projects and Practices Grants
 - \$12M Targeted Resource Protection and Enhancement
 - \$1.5M Conservation Drainage
- Outdoor Heritage Fund: \$4.5M for buffers for wildlife and water quality
- Environmental and Natural Resource Trust Fund: \$1M for
 Farm Bill Assistance Program

Roles in Implementation: What to Expect

- DNR to complete buffer protection maps
- BWSR to provide program implementation policy and guidance
- SWCDs primary local government, including assisting landowners and implementing excessive soil loss
- DNR to provide guidance and support on local shoreland ordinance administration
- LGUs are encouraged to update or adopt shoreland ordinances

See BWSR site for more details



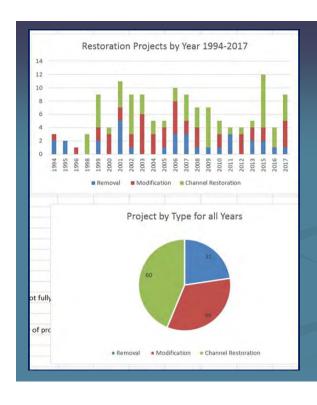


DNR River Ecology Unit

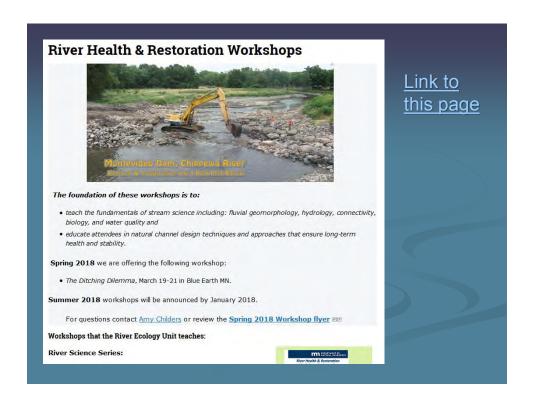
- Studying rivers/data collection/research
- Restoration projects and dam removals
- Offer River Health & Restoration Workshops
- Educational/Outreach materials
- Watershed Health Assessment Framework

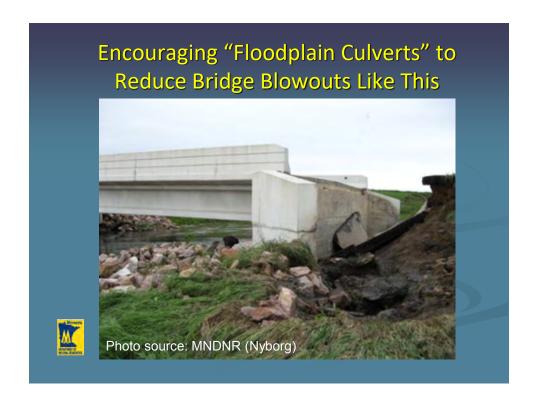
DNR River Ecology Unit home page

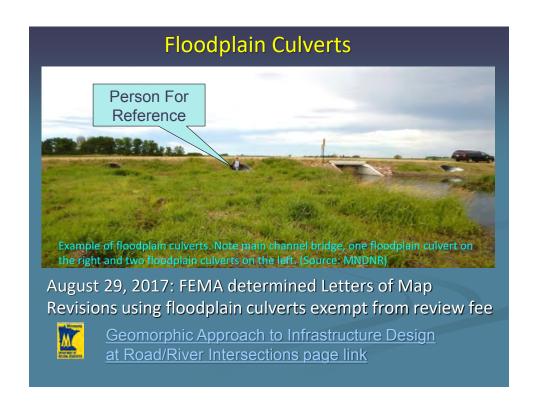


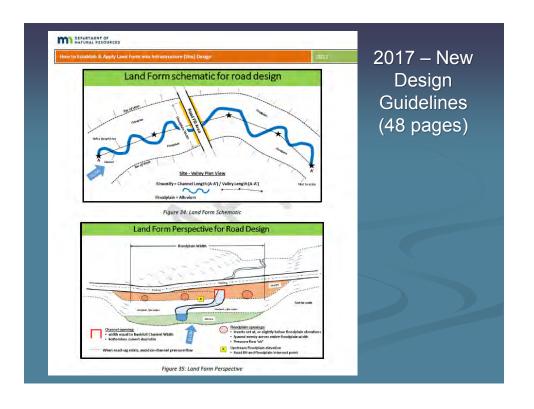


Stream
Restorations
(60) & Dam
Removals (31) /
Modifications
(46) since 1994











NFFA Webinars



Natural Floodplain Functions Alliance (NFFA)
Webinars

http://www.aswm.org/watersheds/natural-floodplain-function-alliance

-ORhttp://bit.ly/243JqTp