

## Our Mission

To be the leading consultant solving the engineering or land surveying problems unique to rural-urban communities and their enterprise—government, business, and agribusiness. And in the process, to build trust and lasting relationships with the people among whom we work and live. ◀

## More regulatory changes plague the Iowa Plan

The Iowa plan is facing more regulatory problems according to Don Etlar. "Recent NRCS mitigation policy changes could damage the Iowa Plan. In January the NRCS informed the Iowa Department of Agriculture and Land Stewardship (IDALS) that larger wetland mitigation ratios are required for farmed wetlands in the drainage areas of Iowa Plan sites if the treatment wetland was used for mitigation.

"Since the passage of the 1985 Food Security Act, which included the so-called "swamp buster" rules, dealing with mitigation of converted farmed wetlands, it has been a routine struggle for drainage districts when constructing improvements.

"The Iowa Plan pilot projects will all be considered improvements and under NRCS policy every farmed wetland in the watershed will be assumed to be converted.

"Therefore, a drainage district must find sites to mitigate the improved wetland sites."

The problems come from the mitigation ratios the NRCS sets. The 1996 farm bill set mitigation at no more than an acre for acre replacement. "However, in most cases, at least before 2007, the functional assessment used by NRCS resulted in a mitigation or replacement ratio of only 0.6 of **Continued, Mitigation, page 4**

### WHEN REGULATIONS AND AGENCY EFFORTS CONFLICT

The award winning Iowa Plan (see previous InterAction articles: KPL Client Chosen Pilot Project for the Iowa Plan, Volume 12, Issue 4; and Drainage District 65 Pocahontas County Wins PISCES Award, Volume 13, Issue 4) uses constructed wetlands to help alleviate Gulf hypoxia and improve state water quality. The plan calls for placing seven pilot projects in northwest Iowa to test demonstrate the effectiveness. Scientists predict that as much as 40 to 70 percent of phosphorous leach will result from the plan; and that total nitrogen processed through Iowa Plan wetlands will also be reduced 40 to 70 percent. The Iowa Plan is administered primarily through a joint effort of the IDDA, IDALS, and the US EPA. However, mitigation ratios set by the NRCS could greatly jeopardize the Iowa Plan effort. ◀



Don Etlar

## DON ETLAR APPOINTED TO CALT ADVISORY BOARD

DON ETLAR, PE, has been appointed to the Center for Agricultural Law and Taxation Advisory Board. The Center, located at Iowa State University in Ames, Iowa, was created in 2006 by the Iowa Board of Regents.

The Center provides information to agribusiness professionals and producers on agricultural law and taxation. Much of its efforts are directed to providing seminars with an emphasis on estate planning, production contracts, environmental and water law, secured transactions, real estate and regulatory law. Its sole funding is generated on the basis of funds derived from profes-

sional seminars, legal and tax publications and generous donations.

The Advisory Board has nine members and includes experts in law, finance, technology, regulatory affairs and farm business. Don is well respected in Iowa agricultural drainage circles and is an expert in storm water management, agricultural drainage, wetlands and wetlands' management and the regulatory affairs associated with these areas.

Don is President of Kuehl and Payer, LTD; he also manages the Algona office. ◀

## PROJECTS

### As the snows leave construction starts

CONSTRUCTION WORK on East Lakeshore in **Storm Lake** is planned to begin in mid to late April. "We hope to be done in June," says Bob Payer. "The rehab involves **removal of the old overlay and placement of the new** and some other street patching."

Bids were let in early 2010 for the **Vilas Road reconstruction**. "These came in over estimate due to time and other issues. It was relet on March 16 and bids were considerably under estimate. We received five bids. Work will start as soon as the contracts are signed. Probably April or May.

"We are looking for a May bid letting on paving of Vilas Road reconstruction to be done this summer.

"The plans for the **paving and storm sewer in the Barglof Subdivision** are 75 to 80 percent complete. We plan for bid letting around the end of May and summer construction."

"We've also completed the work on **Pierce and White Halls' renovations at Buena Vista University**. This was done as a sub to BWBR, St. Paul, Minnesota."

Construction for the installation of a **new traffic signal in Algona** at MacGregor and Highway 169 is awaiting the completion of right of way acquisition. Says Kent Rode, we are hoping for construction this summer." Kent also

reports that the **storm water drainage improvement project for Wesley** is in final design following a meeting with the public and hearings for acquisition. "The city is obtaining easements for surface drain improvement involving a retention basin and outlet pipes. Bid letting is expected in the next month or two with construction this summer and fall." David Doxtad assisted in design on this project.

Curt Wiseman reports that land acquisition is starting for a **wastewater treatment plant for Havelock**. Havelock was previously unsewered.

"We are also working with **Rolfe on several projects** doing an evaluation of a **lift station** and problem areas of the **sanitary**

**sewer**; improvements to the **water treatment plant, and a new well**. David Doxtad is assisting with these projects.

"He is also assisting on design for **lift station improvements for Laurens**. These are almost finished."

Curt is working on a project for **Hormel** in Algona. This includes a **new water main to the plant** which makes pepperoni.

And he is designing a **hog site for Dallas Thomas** with permitting to happen next month.

The **Leland project** is finished except for the punch list, Nick Frederiksen is inspector and working on that; and construction on the **Llvermore sanitary sewer** has started up again after a winter break.

## News about KPLers

### KPL's extended family still growing

TWO MORE BABIES have joined the KPL family. (And we have a correction about a mistake we made about the KPL family in our last issue.)

**Elisa Ingrid Rosengren** was born January 26 to **Jon and Lissa Rosengren**. Elisa weighed 6 pounds, 12 ounces, and was 20.5 inches long.



Then on March 7, **Olivia Lynn Roethler** was born. She was 19 inches long, weighed 8 pounds and 0.5 ounces with blue eyes and a full head of hair. Olivia's parents are **Nick and Jenny Roethler**.

And now an apology: in reporting on **LaDonna Brummer's** newest granddaughter Chloe, we quoted LaDonna as saying, "We now have

two daughters and two granddaughters." It should have read, "We now have two daughters and two grandchildren." LaDonna's **grandson, Caden**, is about eight months older than **granddaughter, Chloe**.

**Bruce and Diane Edwards** went to the 2011 Las Vegas NASCAR race in early March. Bruce's favorite driver, Carl Edwards, personally



"This project involves a raised length of 18 inch welded steel pipe crossing over the river—a complicated project."

In landfill projects, Ivan Droessler says notice has gone out to bidders for the **expansion of Cell 7-C South of the Sac County Landfill**. "The estimated cost of this project is \$235,000 with construction to be completed by September of 2011. Bid letting for the **expansion of Cell A-4 to the Cherokee Landfill** is set for April 14. The project estimate is \$576,000 and completion by September."

Design is almost finished for a **175,000 gallon a day aerated lagoon system for Rembrandt Enterprises**. The plans needed for obtaining the DNR construction permit should be done by early April. Steven White is the

project engineer and Tom Mason is doing construction design and drafting.

Scott Shevel says **that with spring coming, GIS work for Storm Lake** "will keep us out of trouble". And the dirt work on Highway 20 extending to Highway 71 will start up again after the winter delay. "This will keep us very busy."

### Drainage news

The Algona office staff is busy with **reclassifications of projects constructed last season** and is also busy developing construction designs for Iowa Plan projects reports Don Etler. "We are also working on a study for open ditch repairs in **Drainage District 62 for the Pocahontas** Board of Supervisors."

Kent Rode is working with **Drainage District 23, Wright County**, on drainage improvements involving the closure of two ag drainage wells. Says Kent, "This is a large project requiring about three miles of drainage pipe. The code requires a half inch coefficient, but the property owners wanted one inch drain pipe."

In addition, the project involves the main tile and four laterals along with several road and railroad crossings. "The bid form was 25 pages long," laughed Kent. "But the bidding process went well, the bids came in 65% of the engineer's estimate and so the property owners went with the one inch pipe. Gehrke, Inc. is the contractor with construction this summer. John Rosengren assisted on project design, and

Gary Atherton will be in charge of inspection.

"The project also involves some wetland mitigation and Conservation Reserve Program acres which means we have to work around the primary nesting season of song birds."

According to Don Etler the need to work around the song bird nesting season is becoming a major problem.

"In 2009 the USDA/FSA enforced a new policy in Pocahontas County which prohibited disturbing CRP bumper strips that lie beside drainage ditches during the primary nesting season. This restriction can double the time to complete a large project with tree cleaning and excavation. It **Continued, Projects, page 4**

## News about KPLers

signed his autographed message to Bruce: "Cousin Bruce". Bruce and his father will also be taking the "Honor Flight" for Veterans to Washington DC in May.

### Happy birthday

To **Kathy McGuire** whose birthday is April 9; to **Jon Rosengren** whose birthday is April 11; to **Jon Myers** whose birthday is May 9; to **Connie Krough** whose birthday is May 13; to **Jon Hanson** whose birthday is May 15; to **Lee Stubblefield** whose birthday is June 3; to Nick Frederiksen whose birthday is June 15; to **Tim Brown** whose birthday is June 21; to **John Devitt** whose birthday is June 29.

### Company service

Special recognition to the following KPLers who observed their employment service date anniversaries this past quarter: to **Gary Atherton** who joined KPL on January 1, 1989; to **Don Etler** who joined KPL on January 1, 1989; to **Tom Grafft** who joined KPL on January 2, 2002; to **Jon Hanson** who joined KPL on January 2, 2008; to Jeff Krueger who joined KPL on January 4, 1993; to **Clarence Krepps** who joined KPL on January 4, 1999; to **Tom Edgerton** who joined KPL on January 6, 1997; to **Nick Roethler** who joined KPL on



Olivia Lynn

January 10, 2005; to **Connie Krough** who joined KPL on January 11, 2010; to **Tim Brown** who joined KPL on January 19, 2009; to **Diane Edwards** who joined KPL on January 23, 1997; to **Kathy McGuire** who joined KPL on February 6, 2008; to **Greg Villegas** on February 14, 2005; and to **Brian Blomme** who joined KPL on February 28, 2005. ◀◀

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**Mitigation, continued ...**

an acre of created wetland for 1 of converted farmland.”

However these ratios have continued to be pushed up. “In 2007, the NRCS started to require no less than acre for acre mitigation. Saying that the newly created wetlands were of a different type than the original, the NRCS started to increase the ratio. Then in mid-January the NRCS announced a new policy which affects the Iowa Plan Pilot Projects: only wetland pools of 18 inches deep or less will be allowed as mitigating sites. At the same time the the NRCS announced the mitigation ratio would be 1.5 to 1.

“These two policies are likely to result in a three-fold increase in the cost of mitigation at these sites, and may well make it necessary for farmers and districts to abandon some proposed Iowa Plan Projects.”

The Iowa Farm Bureau and the Iowa Drainage District Association are working with the NRCS to negotiate a revision in these policies. On March 15, Richard Simms, State Conservationist for the Iowa NRCS held listening meetings in various locations around the state. An NRCS response is expected sometime in April. ◀◀

**Projects, continued ...**

can also add as much as \$20,000 per mile in cost to a project.”

Kent is also working on a project for **Drainage District 132, Palo Alto County**, involving the main open drainage ditch along US Highway 18 in Emmetsburg. “The DOT did some rip-rapping on the roadway which resulted in the open ditch filling to over capacity. Our intent is to restore the original capacity of the open ditch.” David Doxtad is assisting in design.

Ivan Droessler reports that an **\$18.5 million rehab project in the Nagel District, Monona County** has been approved.

“This involves the set back and reconstruction of 14.9 miles of levees. Jeff Krueger in KPL’s Sac City office has been working with the Nagel District on right of way acquisition plats. Says Jeff, “field work is now completed and we are drawing up the plats.”

“KPL has also submitted the proposal to do the topographic survey and construction staking of about 11 miles of the Intercounty Drainage Ditch and about 11 miles of the Nagel Drainage Ditch, both in Monona County. If we get this, we are looking at running two, two-

person, crews on this project from April to December of this year.”

The **reclassification of McCandless Drainage District Lateral Number 8, Monona County**, is well underway with the final report to be filed in April reports Ivan. **Reclassification work for Drainage District 73, Sac County** is underway. The field check is to be completed in April. “Eric Yunginger is leading these reclassification efforts.”

The **engineers’ report on Lateral 32, Drainage District 34, Buena Vista County** will be filed in April. “Brian Blomme has been assisting on this project.

“Informal hearings on the **Crane and Barber Creek Districts in Monona County** have been held. There is a full investigation directive on the Crane District. The wishes of the land owners in the Barber Creek District are yet to be determined.”

*If you have questions about these or similar projects, talk to any of the persons mentioned. ◀◀*