## BOARD OF WATER AND SOIL RESOURCES 520 LAFAYETTE ROAD NORTH ST. PAUL, MN 55155 WEDNESDAY, OCTOBER 25, 2023

## **AGENDA**

### 9:00 AM CALL MEETING TO ORDER

**PLEDGE OF ALLEGIANCE** 

**ADOPTION OF AGENDA** 

**MINUTES OF AUGUST 24, 2023 BOARD MEETING** 

**PUBLIC ACCESS FORUM** (10-minute agenda time, two-minute limit/person)

#### INTRODUCTION OF NEW STAFF

- Udai Singh, Modeling and Outcomes Coordinator
- Zach Guttormson, Board Conservationist

### **CONFLICT OF INTEREST DECLARATION**

A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests, and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today's business. Any member who declares an actual\_conflict of interest must not vote on that agenda item. All actual, potential, and perceived conflicts of interest will be announced to the board by members or staff before any vote.

## **REPORTS**

- Chair & Administrative Advisory Committee Todd Holman
- Executive Director John Jaschke
- Audit & Oversight Committee Joe Collins
- Dispute Resolution and Compliance Report Travis Germundson/Rich Sve
- Grants Program & Policy Committee Mark Zabel
- RIM Reserve Committee Jayne Hager Dee
- Water Management & Strategic Planning Committee Joe Collins
- Wetland Conservation Committee Jill Crafton
- Buffers, Soils & Drainage Committee LeRoy Ose
- Drainage Work Group Neil Peterson/Tom Gile

## **AGENCY REPORTS**

- Minnesota Department of Agriculture Thom Petersen
- Minnesota Department of Health Steve Robertson
- Minnesota Department of Natural Resources Sarah Strommen
- Minnesota Extension Joel Larson
- Minnesota Pollution Control Agency Glenn Skuta

### **ADVISORY COMMENTS**

- Association of Minnesota Counties Brian Martinson
- Minnesota Association of Conservation District Employees Mike Schultz
- Minnesota Association of Soil & Water Conservation Districts LeAnn Buck
- Minnesota Association of Townships Eunice Biel
- Minnesota Watersheds Jan Voit
- Natural Resources Conservation Service Troy Daniell

### **COMMITTEE RECOMMENDATIONS**

## **Grants Program and Policy Committee**

- Board Authorization to develop a Request for Proposal (RFP) for fiscal year 2024 and 2025
   Cooperative Weed Management Area (CWMA) Program) Dan Shaw DECISION ITEM
- 2. Multi-Purpose Drainage Management Grants Tom Gile **DECISION ITEM**
- 3. Soil Health Program Grants Tom Gile **DECISION ITEM**

### **NEW BUSINESS**

1. 2024 Proposed BWSR Board Meeting Schedule – John Jaschke – **DECISION ITEM** 

## **UPCOMING MEETINGS**

- Northern Region Committee is scheduled for November 1<sup>st</sup> at 11:00 a.m. in Brainerd and by MS Teams.
- RIM Committee is scheduled for November 13<sup>th</sup> at 11:00 p.m. in St. Paul and by MS Teams.
- BWSR Board meeting is scheduled for December 14<sup>th</sup> at 9:00 a.m. in St. Paul and by MS Teams.

## **ADJOURN**



# Duluth park revamp incorporates stormwater treatment, aids trout









## VIDEO:

"Stormwater
Management at
Lincoln Park"

## Stormwater elements

Clean Water Fundbacked stormwaterrelated elements installed in Lincoln Park included a rain garden, a native species pollinator planting, three bioswales, three tree trenches and three biofiltration basins. ULUTH — Clean Water Funds from the Minnesota Board of Water and Soil Resources (BWSR) supported inconspicuous elements of the high-profile, \$4.2 million Lincoln Park revitalization in its namesake neighborhood: the bioswales, biofiltration basins, rock-armored culverts and native plantings that treat stormwater before it enters Miller Creek.

A designated trout stream with a temperature impairment, Miller Creek flows from the heavily developed Miller Hills Mall area through the 45-acre park on its way to Lake Superior. Stormwater best management practices tucked against hillsides and parking lots at Lincoln Park will filter, slow and cool previously untreated runoff from the park and the surrounding neighborhood.

"Really, we're at Step 1, from the standpoint of stormwater management, in the 100-some years of existence of the park — creating those systems for the first time," said Cliff Knettel, senior parks planner for Duluth's parks and recreation department.

Untreated stormwater can carry sediment and pollutants. It can result in higher water temperatures in the stream, which negatively affects trout.

Stormwater management accounted for \$900,000 of the project cost, drawing equally from a 2019 Clean Water Fund grant, city of Duluth sustainability dollars (a general fund allocation set up to advance the city's Climate Action Plan), and city parks dollars (via property tax levy and a half-cent sales tax).

Lincoln Park reopened Oct. 17. It closed for construction in May.

"It's really a dramatic transformation," Knettel said in mid-September before a quick park tour. "There was a lot of delayed,

## **Funding**

Federal: \$750,000, National Park Service's Land and Water Conservation Fund, made available through a Minnesota Department of Natural Resources Outdoor Recreation Legacy Program award; \$42,500, U.S. Department of Housing and Urban Development funding, used for accessibility improvements

**State:** \$300,000, part of the \$426,640 BWSR Clean Water Fund grant

Local: \$2.5 million, city of Duluth, from various city departments and including the parks' contribution to the stormwater treatment; \$300.000. sustainability funding (This fund is a one-time general fund expenditure set up to advance the city's Climate Action Plan.); \$186,000 in Duluth community foundation grants, ranging from \$10,000 to \$51,475 (including U.S. Bank, Minnesota Power, dollars distributed as a result of Minnesota hosting the Super Bowl, Essentia, St. Luke's and Maurices); \$92,305, City of Duluth Engineering Department, via the street improvement sales tax, and additional dollars via the road tax, for road reconstruction

**Left:** At Lincoln Park in Duluth, bioswales, biofiltration basins, rock-armored culverts and native plantings are part of the BWSR Clean Water Fund-backed stormwater management work. **Middle:** Cliff Knettel, senior parks planner for Duluth's parks and recreation department, right, points out elements of the city's Lincoln Park revitalization on Sept. 14 with Ryan Hughes, BWSR Northern Region manager. **Right:** Miller Creek flows through Lincoln Park and then runs underground before it outlets into Lake Superior. Clean Water Fund-backed stormwater management work included planting native forbs and shrubs, at bottom left, which will benefit pollinators. **Photo Credits:** Ann Wessel, BWSR



Miller Creek flows from the Miller Hills Mall area in Duluth through Lincoln Park, seen here, to Lake Superior. A designated trout stream, Miller Creek has a temperature impairment. Clean Water Fund-backed stormwater management work will filter, cool and slow stormwater runoff before it reaches the stream.

deferred maintenance on the park and a lot of the infrastructure was unusable or beyond its useful life. This park will definitely be, I believe, Duluth's best and crown jewel of a park."

Improvements include a refurbished stone pavilion; the first fully accessible playground in Duluth; reconfigured recreational and natural spaces; accessible, lighted trails; a new basketball court; a new picnic pavilion and the addition of bathrooms. The project augments ongoing commercial and residential revitalization within the larger Lincoln Park Craft District on Duluth's west side.

"It's very significant to our community, very significant regionally, but also very significant to that Lincoln Park neighborhood, which has undergone a lot of revitalization on its own — both residentially and commercially. (Lincoln Park) is just going to add to the livability of that neighborhood," Knettel said.

Lincoln and Chester parks, the first two parks established in Duluth, are connected by Skyline Parkway.

## This park will definitely be, I believe, Duluth's best and crown jewel of a park.

Cliff Knettel, senior parks planner,
 Duluth Parks and Recreation



The \$4.2 million cost to revitalize Lincoln Park included planning, design and engineering, environmental reviews, and studies of cultural and historical resources dating back to 2016. COVID-19-related delays affected the construction schedule and the cost. Federal, state and local grants each carried their own set of requirements.

"But we had a great working relationship with all our consulting parties and our project management team. We've had a really great working relationship with our designer, LHB, and the general contractor, Rachel Contracting," Knettel said.

The biggest challenge lay in identifying and navigating community concerns over potential impacts to historical and cultural resources, which resulted in redesigning parts of the project. That study and

review took years. Plans to reroute Lincoln Drive, which is eligible for the National Register of Historic Places, were nixed. A retaining wall dating to the late 1930s could not be completely removed. Slabs from it are incorporated in some of the stormwater treatment structures.

By Sept. 30, the heavy construction work was complete.

By early October, the site had withstood two storms, one of which delivered a 5-inch rain that caused washouts and closed roads in other parts of Duluth. By temporarily storing water and slowing runoff, the stormwater treatment in Lincoln Park will make the site more resilient in the face of a changing climate.

"The Miller Creek watershed in the immediate vicinity is in a steep ravine, so we have a lot of stormwater that comes from above down into the park," Knettel said. "What we've done with the Clean Water Funds is more effectively addressed how that stormwater that comes into the park is treated, and how it's stored. Those structures are intended to mitigate damage and enhance the long-term (sustainability) of the park."

BWSR awarded the \$426,640 Clean Water Fund grant to the South St. Louis Soil & Water Conservation District (SWCD), which serves as the fiscal agent. The balance of the grant — after the \$300,000 for stormwater management at Lincoln Park — supported related work in Duluth's Piedmont Park.

"We've been working for many years on (the) impairment and managing stormwater impacts to Miller Creek," said South St. Louis SWCD Manager R.C. Boheim. "The city and their consultants have done most of the heavy lifting, and we're happy to partner with them and help them accomplish their goals while getting some of our goals with respect to Miller Creek completed."



## Lawns to Legumes reimbursement increases with \$4M in new funds







**Above:** Pollinators visit native flowers in a Lawns to Legumes garden project in Duluth. **Below:** A pollinator meadow was planted as part of a Lawns to Legumes project in Hadley. **Contributed Photos** 



\$4 million appropriation from the state's general fund will enable the Minnesota Board of Water and Soil Resources (BWSR) to increase the reimbursement amount for its Lawns to Legumes program, which offers grants to Minnesota residents for creating new pollinator habitat in their yards.

More than 22,000 applications for individual support grants have

been submitted since the program's inception in August 2019. Lawns to Legumes has funded more than 3,500 projects across the state, resulting in more than 5 million square feet of new habitat. These reimbursement grants were capped at \$350 during the program's first four years. Starting in spring 2024, grant recipients can be reimbursed up to \$400.

Lawns to Legumes also funds 32

demonstration neighborhood grant programs. Those community projects are overseen by local governments and nonprofit organizations that seek to enhance pollinator habitat in



Shaw

key corridors, raise awareness about residential pollinator protection and showcase best practices.

## How to apply

Minnesota residents can apply for Lawns to Legumes Individual Support Grants by visiting Blue Thumb's website. Applications are due Nov. 30.

"The thousands of pollinator plantings being installed through Lawns to Legumes offer an oasis for pollinators and provide a wide range of benefits, including increased resiliency for landscapes and local communities," said BWSR Senior Ecologist and Vegetation Specialist Dan Shaw, who leads the program.

Applications for spring 2024 projects are being accepted through Nov. 30. Anyone who lives in Minnesota and has a yard, patio or other outdoor space for planting is eligible to apply. The program is open to both homeowners and renters.

Lawns to Legumes uses a lottery system to select grant recipients. This system gives additional weight to applicants who live in priority habitat areas for the rusty-patched bumblebee and other at-risk pollinators, and considers geographic distribution to ensure all regions of the state are represented. Environmental justice and equity factors are included in the ranking system to ensure that low income, minority and tribal communities are represented and prioritized among grant recipients.

BWSR partners with Metro Blooms and Blue Thumb — Planting for Clean



A Lawns to Legumes individual support grant recipient created a pocket planting in Cottonwood County.



Water to administer the program. These partners manage the individual support grant application process and, to help promote project success, they oversee workshops and one-on-one coaching for grant recipients. More than 6,000 people have attended Lawns to Legumes workshops, webinars and presentations since the program launched.

BWSR Ecological Science Conservationist

## your yard CAN B E E the CHANGE

#Lawns2Legumes

Erin Loeffler — who volunteers as a University of Minnesota Extension Master Gardener in St. Louis County — has served as a program coach for more than a year.

"One of our priorities for our work (as Master Gardeners) is to promote pollinator health through working with community members, so I really felt that the Lawns to Legumes program was complementary to the work of the University of

Minnesota Extension," she said.

Loeffler said the Lawns to Legumes gardeners she's coached



Loeffler

bring a range of experience and knowledge to their habitat projects. Some request assistance with animal control methods to keep newly planted gardens safe from browsing, while others ask for reminders about program requirements. Some simply want to bounce ideas off of an experienced gardener.

"I think the appeal of Lawns to Legumes has a lot to do with the equity and inclusivity of this program, along with grantees' overall contribution to biological integrity in Minnesota," Loeffler said. "From container plantings to community gardens, residents are seeing their contribution to conservation daily as pollinators visit the habitat they created."

In addition to providing pollinator habitat, Shaw said that Lawns to Legumes projects play a role in making landscapes more resilient to the impacts of climate change.

"Pollinator plantings that use native species are effective at capturing and filtering rainwater through healthy soils, root systems and uptake from plants," Shaw said. "The program's focus on native species helps ensure that projects can adapt to local weather extremes."

Shaw said incorporating native plants into



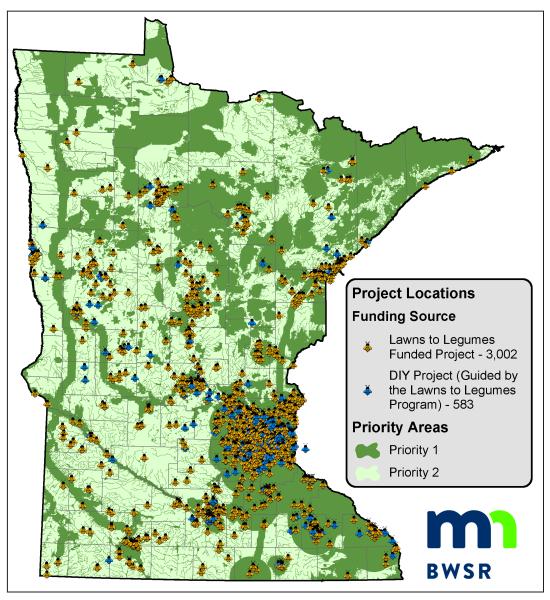
## ENVIRONMENT AND NATURAL RESOURCES TRUST FUND

Funding for Lawns to Legumes is provided by the Environment and Natural Resources Trust Fund and the state's general fund.

residential landscaping can be especially beneficial during hot, dry summers such as the past few drought years in Minnesota.

"Minnesota prairie plants are particularly well adapted to drought," Shaw said.

"Deep-rooted forbs, grasses, trees and shrubs add organic content to soils that help them hold moisture during a drought, increasing the resiliency of gardens and native plant communities. These roots are also effective at sequestering carbon and mitigating carbon emissions."



More than 3,000 projects funded by Lawns to Legumes individual support grants were mapped as of September. The map also shows projects implemented by Minnesota residents using program resources other than cost-share funding, such as planting guides and garden templates. Projects are sorted into priority areas for rusty-patched bumblebee habitat. The rusty-patched bumblebee is Minnesota's state bee, and one of the at-risk species Lawns to Legumes focuses on protecting. Map credit: BWSR



# EPA, BWSR study could inform how wetland bank projects are managed



Dan Shaw, BWSR's senior ecologist and vegetation specialist, conducted a vegetation survey and identified plant species at a Minnesota wetland.

Photo courtesy of Dennis Rodacker A recent study conducted by the Minnesota Board of Water and Soil Resources (BWSR) could help inform how future wetland restoration sites are chosen and what methods are used to restore those sites through the agency's Local Government Roads Wetland Replacement Program (LGRWRP).

Wetland bank projects allow the state to generate and deposit wetland credits into a wetland bank account to offset wetland impacts that have occurred elsewhere throughout the state. BWSR uses the LGRWRP to assist local road authorities, such as counties, cities and townships, in using wetland bank credits for qualifying road improvement projects to meet the state's no-net-loss wetland policy.

Since the program's inception in 1996, BWSR has developed more

than 100 wetland bank projects generating more than 5,000 wetland credits for local road authorities.

Wetland bank projects typically go through a five- to seven-year establishment and active management period conducted by the bank sponsor in which performance standards are met and replacement credits are released for use. Following that period, wetland bank projects enter a long-term monitoring phase during which BWSR monitors the bank site for compliance with a state-held conservation easement.

Because vegetation and hydrology data are not collected after credits are released, limited information about wetland bank projects' long-term condition exists. With so many wetland bank projects spanning nearly 30 years, BWSR has begun

## Ecoregions studied:

## MIXED WOOD SHIELD:

characterized by a range of forests from coniferous to hardwoods, smooth to irregular plains, some low hills, multiple wetlands, and highquality glacial lakes

## MIXED WOOD

**PLAINS:** a mix of agriculture, forest, wetlands and glacial lakes

## TEMPERATE PRAIRIES:

tallgrass prairie pre-European settlement; now mostly converted to agricultural production assessing long-term conditions of LGRWRP projects as they relate to restoration techniques and management.

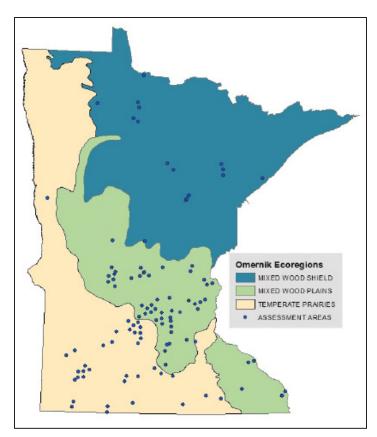
A series of multi-year studies conducted by BWSR, the Minnesota Pollution Control Agency, and the U.S. **Environmental Protection** Agency (EPA) focused on vegetation and hydrological conditions, including the condition of wetland bank projects related to age since restoration; hydrogeomorphic (HGM) class (wetlands that function similarly based on topography, water source and hydrodynamics); seeding; management frequency; and human disturbance.

The most recent study wrapped up in 2022. Its intent: evaluate the condition of wetland bank projects years after initial establishment and active management; compare those conditions with mostly unaltered natural wetlands in the state; consider how human disturbance affects wetland bank projects' condition: consider how different restoration approaches and HGM class affect the condition.

An EPA grant covered \$171,364 of the \$233,898 study cost; in-kind time by BWSR staff covered the balance.

The study assessed wetland conditions within 68 wetland bank projects in Omernik ecoregions in Minnesota.

Assessments centered on wetlands restored six to 15 years ago, which are no longer actively managed



Dots on the map indicate where wetland surveys were conducted as part of a BWSR-led, EPA-funded study at 68 sites across Minnesota's mixed wood shield, mixed wood plain and temperate prairie ecoregions.

Map Credit: EPA

to meet performance standards and credit release requirements. The sample sites focused on those with adequate administrative records to determine restoration practices used during establishment.

The study showed little difference between wetlands restored through banking projects versus other wetlands in areas where agriculture and urbanization are most prevalent, according to BWSR Wetland Mitigation Supervisor Dennis Rodacker.

"Unsurprisingly, wetland bank (projects in those regions) were in far worse condition than wetlands in the northeastern portion of the state in the mixed wood shield ecoregion," Rodacker said. "Three factors are likely at play here."

First, he said, the northeastern portion of the state has an abundance of exceptional-condition wetlands due to the vast acreage of public lands including wilderness areas, state parks and forests. Wetland bank projects rarely are located in such extensive forest areas protected from landscape-level stressors.

"Secondly, wetland bank projects have typically had restoration goals focused on plant species diversity when in fact wetland condition has subsequently been found to correlate more with the assemblage of certain species as opposed to just the number of species.

"Lastly, it can take wetland

bank projects many years to stabilize and exhibit attributes similar to very high-quality wetlands such as those found in protected forest and wilderness areas."

The study also indicated that surrounding land use and other stressors may have a significant influence on the condition of wetland bank projects, particularly as the projects age.

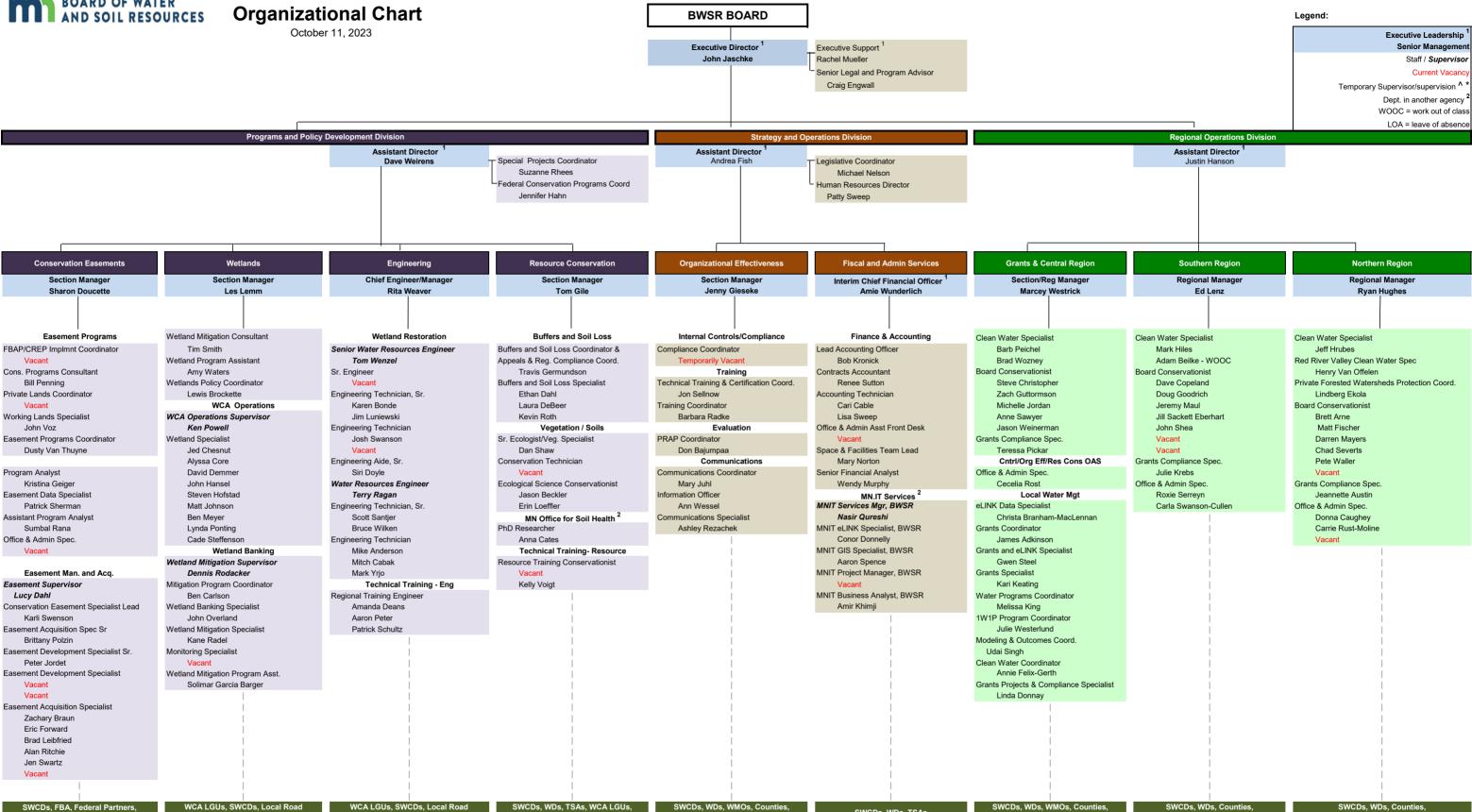
"Increased scrutiny of wetland bank siting and more buffering of restored wetlands may be a means to improve wetland condition," Rodacker said.

Controlling and managing hybrid cattails while establishing wetland bank projects may contribute to better long-term conditions, he said. The study further suggests that the use of seed mixes and the number of species they include may be of limited importance in long-term condition.

Continued condition assessments of these same wetland bank projects over time is needed to make more definitive conclusions about long-term conditions, Rodacker added. More sampling would be required to determine whether the same variables affecting bank projects' long-term condition vary by ecoregion.

Additionally, making conclusions about how to best to ensure the quality of wetland bank projects will require more assessment, Rodacker said.





SWCDs, WDs, TSAs

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FI-00529-09 (11/13) Page **1** of **2** 

## **EMPLOYEE EXPENSE REPORT (Instructions)**

#### DO NOT PAY RELOCATION EXPENSES ON THIS FORM.

See form FI-00568 Relocation Expense Report. Relocation expenses must be sent to Minnesota Management & Budget, Statewide Payroll Services, for payment.

**USE OF FORM**: Use the form for the following purposes:

- 1. To reimburse employees for authorized travel expenses.
- 2. To request and pay all travel advances.
- 3. To request reimbursement for small cash purchases paid for by employees.

**COMPLETION OF THE FORM: Employee:** Complete, in ink, all parts of this form. If claiming reimbursement, enter actual amounts you paid, not to exceed the limits set in your bargaining agreement or compensation plan. If you do not know these limits, contact your agency's business expense contact. Employees must submit an expense report within 60 days of incurring any expense(s) or the reimbursement comes taxable.

All of the data you provide on this form is public information, except for your home address. You are not legally required to provide your home address, but the state of Minnesota cannot process certain mileage payments without it.

	Ea	rn Code		Earn Code					
Description	In State	Out of State	Description	In State	Out of State				
Advance	ADI	ADO	Membership	MEM					
Airfare	ARI	ARO	Mileage > IRS Rate	MIT*	MOT*				
Baggage Handling	BGI	BGO	Mileage < or = IRS Rate	MLI	MLO				
Car Rental	CRI	CRO	Network Services	NWK					
Clothing Allowance		CLA	Other Expenses	OEI	OEO				
Clothing-Non Contract		CLN	Parking	PKI	PKO				
Communications - Other		COM	Photocopies	CPI	CPO				
Conference/Registration Fee	CFI	CFO	Postal, Mail & Shipping Svcs.(outbound)	PMS					
Department Head Expense		DHE	Storage of State Property	STO					
Fax	FXI	FXO	Supplies/Materials/Parts	SMP					
Freight & Delivery (inbound)		FDS	Telephone, Business Use	BPI	BPO				
Hosting		HST	Telephone, Personal Use	PHI	PHO				
Laundry	LDI LDO		Training/Tuition Fee	TRG					
Lodging	LGI	LGO	Taxi/Airport Shuttle	TXI	TXO				
Meals With Lodging	MWI MWO		Vest Reimbursement	VST					
Meals Without Lodging	MEI*	MEO*	Note: * = taxable, taxed at supplemental rates						

**Supervisor:** Approve the correctness and necessity of this request in compliance with existing bargaining agreements or compensation plans and all other applicable rules and policies. Forward to the agency business expense contact person, who will then process the payments. Note: The expense report form must include original signatures.

Final Expense For This Trip?: Check this box if there will be no further expenses submitted for this trip. By doing this, any outstanding advance balance associated with this trip will be deducted from the next paycheck that is issued.

1-Way Commute Miles: Enter the number of miles from your home to your permanent workstation.

**Expense Group ID:** Entered by accounting or payroll office at the time of entering expenses. The Expense Group ID is a unique number that is system-assigned. It will be used to reference any advance payment or expense reimbursement associated with this trip.

**Earn Code:** Select an Earn Code from the list that describes the expenses for which you are requesting reimbursement. Be sure to select the code that correctly reflects whether the trip is in state or out-of-state. **Note**: Some expense reimbursements may be taxable.

Travel Advances, Short-Term and Recurring: An employee can only have one outstanding advance at a time. An advance must be settled before another advance can be issued.

**Travel Advance Settlement:** When the total expenses submitted are less than the advance amount or if the trip is cancelled, the employee will owe money to the state. Except for rare situations, personal checks will not be accepted for settlement of advances; a deduction will be taken from the employee's paycheck.

FMS ChartStrings: Funding source(s) for advance or expense(s)

Mileage: Use the Mileage Reimbursement Calculation table to figure your mileage reimbursement. Mileage may be authorized for reimbursement to the employee at one of three rates (referred to as the equal to, less than, or greater than rate). The rates are specified in the applicable bargaining agreement/compensation plan. Note: If the mileage rate you are using is above the IRS rate at the time of travel (this is not common), part of the mileage reimbursement will be taxed.

**Vehicle Control #**: If your agency assigns vehicle control numbers follow your agency's internal policy and procedure. Contact your agency's business expense contact for more information on the vehicle control number procedure.

Personal Travel Benefits: State employees and other officials cannot accept personal benefits resulting from travel on state business as their own. These benefits include frequent flyer miles/points and other benefits (i.e. discounts issued by lodging facilities.) Employees must certify that they have not accepted personal travel benefits when they apply for travel reimbursement.

**Receipts:** Attach itemized receipts for all expenses except meals, taxi services, baggage handling, and parking meters, to this reimbursement claim. The Agency Designee may, at its option, require attachment of meal receipts as well. Credit card receipts, bank drafts, or cancelled checks are not allowable receipts.

Copies and Distribution: Submit the original document for payment and retain a copy for your employee records.

FI-00529-09 (11/13) Page **2** of **2**