

POSITION DESCRIPTION C

EMPLOYEE'S NAME: Buffers and Soil Loss Specialist

PCN: 01060748

**STATE OF MINNESOTA
BOARD OF WATER AND SOIL RESOURCES**

POSITION DESCRIPTION A

Employee's Name: N/A

Position Control Number: new

Division/Program: Resource Conservation Section

Activity: Buffer and Soil Loss Programs

Classification: State Program Administrator Principal

Working Title: Buffers and Soil Loss Specialist

Prepared By: Tom Gile

Appraisal Period: N/A

EMPLOYEE'S SIGNATURE/DATE

SUPERVISOR'S SIGNATURE/DATE

(position description accurately reflects my current job)

(position description reflects employee's current job)

POSITION PURPOSE

This position exists to provide technical and administrative direction, program implementation and evaluation, and enforcement responsibilities related to the state's Buffer and Soil Loss Programs under MS Chapter 103F to Board of Water and Soil Resources (BWSR) staff, board members, local government units (LGUs) and landowners. This position is also responsible for providing technical and program administrative training to BWSR staff members and officials and staff of local units of government and other government and private organizations involved with and affected by the buffer law or soil loss law to maximize the effective conservation of Minnesota's water, soil and habitat resources.

REPORTABILITY

Reports to: Tom Gile, Resource Conservation Section Manager

Supervises: No supervisory authority.

DIMENSIONS

Budget: The position contributes to the preparation and management of budget items necessary to perform assigned duties. The position oversees the expenditures of state funds associated with the Buffer and Soil Loss Programs.

Clientele: Federal: USDA Natural Resources Conservation Service, USDA Farm Service Agency, US Fish and Wildlife Service, Environmental Protection Agency, US Army Corps of Engineers, Congressional Delegation and staff.

State: Department of Natural Resources, Pollution Control Agency, Department of Agriculture, Department of Health, Department of Transportation, Minnesota Management and Budget,

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Department of Administration, Attorney General's Office, Environmental Quality Board, Office of Administrative Hearings, Revisor of Statutes, Legislative Auditor's Office, State Courts, Legislators and Staff, University of Minnesota

Local: Citizens, Counties, Soil and Water Conservation Districts, Watershed Districts, Watershed Management Organizations, and the Metropolitan Council.

Private: Lake Associations, The Nature Conservancy, Pheasants Forever, Minnesota Waterfowl Association, Friends of the Mississippi River, Friends of the Minnesota River, Audubon Society, Ducks Unlimited, Isaac Walton League, Minnesota Conservation Federation, Clean Up Our River Environment

Other: Association of Watershed District Administrators, Association of Minnesota Counties, MN Rural County Caucus, MN Inter-County Association, Minnesota Association of Conservation District Employees, Minnesota Association of County Planning And Zoning Administrators, Minnesota Association of Soil And Water Conservation Districts, Minnesota Association of Watershed Districts, and League of Minnesota Cities.

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| 1. PROGRAM IMPLEMENTATION AND LOCAL ENFORCEMENT. Administer state water laws, rules, and policies relating to buffer and excessive soil loss laws, policies, guidance and related statutes and rules and coordinate these authorities with 103E (Drainage), 103F (Shoreland, Floodplain), 103G (Wetlands, Public Waters), 114D (Clean Water), via watershed districts, counties, and soil and water conservation districts. Provide programmatic training and guidance to BWSR field staff and local governmental units so that administrative procedures, technical standards are followed. | A | 20 | A |
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TASKS

- a. The Buffers and Soil Loss Coordinator and Appeals and Regulatory Compliance Coordinator and other program staff as appropriate are kept informed of the status of LGU actions related to significant or controversial projects, violations, appeals and program management.
- b. Interprets buffer and soil loss laws and Agency rules, procedures, and guidance for LGUs and other clientele.
- c. Provide advice to counties and watershed districts as they consider their options relating to the election of jurisdiction.
- d. Assist LGUs in local buffer and soil loss enforcement official control reviews. Provide input to the Buffers and Soil Erosion Program Coordinator, other appropriate BWSR staff, and the BWSR board for final review of local official controls.
- e. Serve as BWSR representative by attending meetings, site reviews, and LGU planning meetings as necessary to facilitate effective and efficient Buffer and Soil Loss Programs implementation. Assist LGUs in the development of applicable buffer and soil loss education information and outreach projects.
- f. Assist with Planning, facilitating, and delivery of buffer and soil loss technical and administrative training for LGUs and others involved with the implementation of these programs.

PERFORMANCE INDICATORS

- (1) Accurate interpretations of buffer and soil loss rule, guidance, procedure, and technical standards are made in a timely manner for clientele.
- (2) Compliance notifications and administrative penalty orders (APOs) are written that meet the requirements of law and are consistent with the BWSR board approved APO Plan for Buffer Law Implementation.
- (3) Buffer and Soil Loss Programs related training sessions are conducted as assigned.
- (4) LGU staff are kept apprised of program and law changes.
- (5) Maintains close contact with clientele in work area via phone calls, technical field reviews, and through ongoing e-mail, post mail, and other forms of communications.
- (6) Buffer and soil loss laws are implemented efficiently and effectively by local governments within the work area, and steps to improve and maintain LGU performance are being taken proactively.

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| 2. BWSR COMPLIANCE AND ENFORCEMENT. Assist in managing the Board's buffer and soil loss compliance and administrative appeals responsibilities under statute, rules and Board procedures, including local water management authority implementation, execution of administrative penalty orders, and coordination with local enforcement officials and prosecutors. | A | 30 | A |
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TASKS

- a. Serve as lead staff for buffer and soil loss compliance determinations and notifications procedures.
- b. Work with SWCDs to determine landowner/parcel compliance status.
- c. Receive and manage notifications of noncompliance and/or validations of compliance issued by SWCDs. Coordinate the involvement of regional staff in managing enforcement orders and appeals.
- d. Assist with the legal aspects of compliance, including enforcement orders and appeals with Appeals and Regulatory Compliance Coordinator.
- e. Work with SWCDs, and consult with the Appeals and Regulatory Compliance Coordinator to review landowner submitted compliance settlement discussions, using dispute resolution methods, with parties in an effort to resolve matters without legal action.
- f. Serve on BWSR's enforcement team when requested.
- g. Provide documentation and participate in internal discussions and decision-making regarding Procedure 7: Failure to Implement.
- h. Develop and provide compliance training to local government partners for various tasks related to enforcement and compliance with the buffer and soil loss laws.

PERFORMANCE INDICATORS

- (1) Receive information necessary to develop findings and recommendations that survive technical scrutiny and legal challenges.
- (2) Uses acceptable procedures for assisting LGUs with making compliance determinations.
- (3) Responds to requests for assistance in a timely manner.
- (4) Participates in meetings for each LGU as appropriate, providing clear and effective guidance.
- (5) Maintains close contact with clientele in work area via phone calls, Enforcement Team participation, and through ongoing e-mail, post mail, and other forms of communications.
- (6) The buffer and soil loss laws are implemented efficiently and effectively by local governments within the work area, and steps to improve and maintain LGU performance are being taken proactively.
- (7) Background information for enforcement proceedings and communications is provided in a timely manner, is technically accurate and is consistent with applicable statute, rule and procedures.

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| 3. AGENCY REPRESENTATION. Represent the Board at public meetings, on interagency teams, and to give presentations at public meetings and address inquiries concerning buffer and soil loss program management and appeals so that accurate and timely information is provided. | B | 15 | B |
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Tasks:

- a. Prepare and give presentations to various groups.
- b. Respond to clientele and public inquiries for information.
- c. Participate, as assigned, on interagency workgroups and committees.
- d. Attend conferences, organize training sessions and stakeholder meetings, conduct local information sessions, and present items at Board meetings.
- e. Inform supervisor and agency staff of program progress and challenges.

PERFORMANCE INDICATORS

- (1) Deliver technical training sessions effectively and as assigned.
- (2) Responds to requests for assistance in a timely manner.
- (3) Participates in meetings for each LGU as appropriate, providing clear and effective guidance.
- (4) Maintains close contact with clientele in work area via phone calls, Enforcement team participation, and through ongoing e-mail, post mail, and other forms of communications.
- (5) Two-way communication between BWSR buffers and soil loss specialists and other agency staff is frequent, apparent, and productive.
- (6) Represents BWSR effectively at public meetings and interagency functions; give presentations and respond to inquiries for information.

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| 4. PROGRAM SPECIFIC TECHNICAL ASSISTANCE. Provide or oversee technical assistance to other agency staff and local governments so that on-going responsibilities and goals for buffers and soil loss programs are well managed, and the appeals provisions are executed with careful attention to detail. | B | 10 | A |
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Tasks:

- a. Review and comment on internal agency documents and guidance materials.
- b. Prepare and/or review technical documents on buffers, alternative practices appeals, dispute resolution and enforcement.
- c. Assist in the preparation of budget materials as needed.
- d. Assist in the preparation of legislative initiatives and related background material as needed.
- e. Carry out special assignments as requested by supervisor.

PERFORMANCE INDICATORS

- (1) Development of and providing feedback on documents is completed in a timely manner.
- (2) Participates in agency and interagency meetings as appropriate, providing clear and effective guidance.
- (3) Two-way communication between BWSR buffers and soil loss specialists and other agency staff is frequent, apparent, and productive.

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5. **OTHER PROGRAMATIC EXPERTISE AND LEADERSHIP.** Develop knowledge, skills and abilities to provide or oversee technical assistance to other agency staff and local governments by performing tasks and trainings in one or more of the following areas of emphasis. B 25 A
- Public Waters (MS 103G) Program and administration
 - Drainage Law (MS 103E) Program and administration
 - Best Management Practice design, establishment and maintenance
 - Scientific water quality assessment methodologies

Tasks:

- a. Review and comment on internal agency documents and guidance materials.
- b. Prepare and/or review technical, guidance or training documents.
- c. Assist in the preparation and delivery of topic specific trainings for agency and local government partners as well as the public.
- d. Carry out special assignments as requested by supervisor.

PERFORMANCE INDICATORS

- (1) Development of and providing feedback on documents is completed in a timely manner.
- (2) Develops or builds on area of expertise and demonstrates the ability to provide topical insight and expertise in a variety of settings and assignments.
- (3) Participates in agency and interagency trainings as appropriate, providing clear and effective guidance.
- (4) Participates in agency and interagency meetings as appropriate, providing clear and effective guidance.
- (5) Two-way communication between BWSR buffers and soil loss specialists and other agency staff is frequent, apparent, and productive.

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NATURE AND SCOPE (relationships; knowledge, skills and abilities; problem solving and creativity; and freedom to act.)

RELATIONSHIPS

Relationship builder. Minnesota's water and soil resources are affected by a complicated set of economic, social and environmental factors, and the state's water and soil resource management and protection activities are carried out by a variety of private, local, state, and federal agencies. BWSR's primary delivery system for state and public soil and water resources policy is to provide statewide leadership to local government units (LGUs) and the technical, financial, and administrative resources they need to implement public policy. Solid working relationships and persuasive skills are often needed to guide collaborative efforts in areas not always clearly seen as being within the state's role. Therefore, coalition building and relationship management skills to ensure essential services delivery are critical for success. Trust, confidence, and credibility are critical components. Work frequently involves "leading from behind" where the incumbent is the recognized program authority or expert partnering with local government staff and officials in recognized leadership positions to provide "behind the scenes" guidance and support in program(s) or service(s) delivery.

Communicator. Successfully translate complex subject matter to a variety of public and private-sector affected parties. Communicate regularly with the Executive Team, agency staff, the Board, and staff from partner agencies on specific issues and projects.

Collaborator. Encourage and foster close inter-agency cooperation to ensure that inter-disciplinary expertise is effectively focused on statewide watershed management, wetland protection, appeals and dispute resolution issues. Establish and maintain close and credible working relationships with agency staff, local governments, and other state agencies, to ensure proper protection of Minnesota's environment and natural resources. Ensure that other jurisdictions' valuable resources and perspectives are used to inform and implement the agency's programs and policies. Represent the agency on inter-agency assignments with state and local government agencies and non-government organizations to ensure effective program delivery; development of policy and procedure; and accomplish other assignments. State agency partnerships require close working relationships with the Department of Natural Resources (DNR), Department of Agriculture (MDA), Pollution Control Agency (MPCA) and others. Moreover, the position requires significant coordination with the Federal Natural Resources Conservation Service (NRCS) and the Farm Service Agency (FSA).

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of:

- Academic training and experience in watershed management and soil erosion sufficient to quickly establish statewide credibility as an interdisciplinary program expert.
- Regulatory program compliance and enforcement methods and techniques.
- Planning principles and strategies sufficient to provide agency leadership in assigned areas.
- The structure of federal, state, and local governments including understanding their roles and responsibilities in water and land use management, enforcement and compliance.
- Political and fiscal processes related to water and soil conservation.
- Formal and informal dispute resolution principles, process, and methods.
- BWSR's mission, goals, objectives, and programs sufficient to discuss agency positions with insight and credibility.

Skill in:

- Relationship management and coalition building sufficient to develop and maintain constructive partnerships with diverse interest groups; lead individuals and groups with differing perspectives toward common agency goals.

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- Negotiation and consensus building sufficient to bring entities with differing interests and needs together.
- Decision-making sufficient to make effective recommendations on complex watershed management, wetland and related issues.
- Evaluating performance, determining and monitoring accountability, providing feedback, and assessing accomplishments to assure effective and efficient outcomes of the Board's statewide watershed management, wetland protection, appeals and dispute resolution processes.
- The employee must have excellent oral and written communication skills which include; the ability to explain complex technical, political and fiscal matters to the public, the ability to present, discuss, and explain controversial matters in a professional manner, and to conduct public speaking engagements in an interesting and informative presentation.
- It is essential that the employee be able to work independently without close supervision and have good human relations skills.

Ability to:

- Lead and facilitate public and private meetings, convey information accurately, stimulate feedback and discussion, and confirm decisions made.
- Establish and maintain effective relationships with a variety of customers, including state, local and federal agency staff; board members; and private individuals.
- Work effectively with legal counsel, legal matters and adjudication processes.
- Apply program management and dispute resolution strategies to watershed management, wetland protection, appeals and dispute resolution.
- Present, discuss and explain controversial matters in a professional manner, orally and in writing.
- Evaluate, interpret and develop sound recommendations for complex scientific, technical and programmatic issues related to statewide wetland and soil and water conservation.
- Represent the agency in management level federal, state, and local government discussions.
- Draft policy, procedure, and other written guidance.
- Assess policy impacts of proposed statutes, rules and policy.

PROBLEM SOLVING AND CREATIVITY

The scope of problem solving varies substantially from the day-to-day administrative problems to the very complex and technical policy issues requiring coordination and input from an array of government agencies and technical experts and then weighting these evaluations with value judgment.

Key problem solving areas are related to the need to evaluate data and make technical and policy recommendations based on professional judgment. Considerable opportunity exists for creative solutions to problems that affect local government as they develop and implement comprehensive water management plans and in the formulation of possible solutions to disputes over water-related matters. Additionally, because of the diversity of federal, state and local agencies dealing with water in Minnesota, it is likely that program or policy directions taken in support of a given action will impact the programs of several other agencies or local units of government. Establishing and maintaining strong communication links, both internally and externally, are essential elements of this position. Where problems are unique or require policy change, the incumbent will request direction from the supervisor.

FREEDOM TO ACT

Within established policy guidelines, this position has considerable independence and freedom to act in areas related to fulfillment of job responsibilities. The employee must report to the supervisor as often as needed to provide program updates or receive direction.