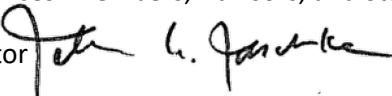




DATE: May 17, 2022
TO: Board of Water and Soil Resources' Members, Advisors, and Staff
FROM: John Jaschke, Executive Director 
SUBJECT: BWSR Board Meeting Notice – May 25, 2022

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, May 25, 2022, beginning at 9:00 a.m. The meeting will be held in the lower level Board Room, at 520 Lafayette Road North, St. Paul and by WebEx. Connect through WebEx by either 1) logging into WebEx by going to the following website: <https://minnesota.webex.com/minnesota/onstage/g.php?MTID=eca42037b94db5d3aa4c4b32a54a0117e>, and entering the password: webex, or 2) join by audio only conference call by calling telephone number: 415-655-0003 and entering the access code: 2486 644 0543.

The following information pertains to agenda items:

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. **Rum River Comprehensive Watershed Management Plan** – The Board of Water and Soil Resources (BWSR), at their August 23, 2018 meeting, selected the Rum River Watershed Partnership (Partnership) for a planning grant as part of the One Watershed, One Plan Program. Their Policy, Advisory, and Steering Committees met for over two years to discuss priority issues, goals, and implementation actions to protect and restore natural resources in the Rum River Watershed. The Partnership developed the Rum River Comprehensive Watershed Management Plan (Plan) and submitted it to BWSR on March 11, 2022 for review and approval. The Central Region Committee met on May 5, 2022 to review the content of the Plan and recommends approval of the submitted Plan by the full Board. **DECISION ITEM**

Grants Program and Policy Committee

1. **ML 2015, 2017, and 2019 Clean Water Fund Capacity and ML 2017 Clean Water Fund Buffer Cost Share Reallocation** – The CREP Outreach and Implementation Program grants are awarded to Soil and Water Conservation Districts to employ staff to work on activities related to the Conservation Reserve Enhancement Program (CREP). These grants utilize an Environment and Natural Resources Trust Fund (ENRTF) appropriation as recommended by the Legislative-Citizen Commission on Minnesota Resources. The ENRTF appropriation is set to expire June 30, 2022, however, there is still a CREP workload that local government unit (LGU) staff are working on, ranging from application submittal to restoration oversight and easement recording. Four Clean Water Fund (CWF) appropriations have been identified to be utilized to amend existing FY 2022 CREP Outreach and Implementation Program grants to allow LGU staff to continue providing technical assistance to landowners interested in the CREP. **DECISION ITEM**

NEW BUSINESS

1. **Red River Watershed Management Board** – RRWMB updates including Spring 2022 flooding. **INFORMATION ITEM**

If you have any questions regarding the agenda, please feel free to call me at 651-539-2587. We look forward to seeing you on May 25th.

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
ST. PAUL, MN 55155
WEDNESDAY, MAY 25, 2022**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF APRIL 27, 2022 BOARD MEETING

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

INTRODUCTION OF NEW STAFF

- Mike Nelson, Legislative Coordinator
- Justin Hanson, Assistant Director of Regional Operations
- Patty Sweep, HR Director
- John Shea, Board Conservationist
- Melissa King, Water Programs Coordinator
- Christa Branham-MacLennan, eLINK Data Specialist

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 staff before any vote.

REPORTS

- Chair & Administrative Advisory Committee – Gerald Van Amburg
- Executive Director – John Jaschke
- Audit & Oversight Committee – Joe Collins
- Dispute Resolution and Compliance Report – Travis Germundson/Rich Sve
- Grants Program & Policy Committee – Todd Holman
- RIM Reserve Committee – Jayne Hager Dee
- Water Management & Strategic Planning Committee – Joe Collins
- Wetland Conservation Committee – Jill Crafton
- Buffers, Soils & Drainage Committee – Mark Zabel
- 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 – Katrina Kessler

ADVISORY COMMENTS

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – Nicole Bernd
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Eunice Biel
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Rum River Comprehensive Watershed Management Plan – Joe Collins and Jason Weinerman – ***DECISION ITEM***

Grants Program and Policy Committee

1. ML 2015, 2017, and 2019 Clean Water Fund Capacity and ML 2017 Clean Water Fund Buffer Cost Share Reallocation – Dusty Van Thuyne – ***DECISION ITEM***

NEW BUSINESS

1. Red River Watershed Management Board – Rob Sip – ***DECISION ITEM***

UPCOMING MEETINGS

- Grants Program and Policy Committee is scheduled for Monday, June 13, 2022 at 9:00 a.m., location TBD.
- BWSR Board meeting is scheduled for Wednesday, June 22, 2022, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.

ADJOURN

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
LOWER LEVEL BOARD ROOM
ST. PAUL, MN 55155
WEDNESDAY, APRIL 27, 2022**

BOARD MEMBERS PRESENT:

Joe Collins, Jill Crafton, Jayne Hager Dee, Kurt Beckstrom, Neil Peterson, Rich Sve, Gerald Van Amburg, Ted Winter, LeRoy Ose, Kelly Kirkpatrick, Eunice Biel, Todd Holman, Ronald Staples, Mark Zabel, Glenn Skuta, MPCA; Joel Larson, University of Minnesota Extension; Jeff Berg, MDA; Steve Robertson, MDH; Sarah Strommen, DNR

BOARD MEMBERS ABSENT:

STAFF PRESENT:

John Jaschke, Rachel Mueller, Tom Gile, Travis Germundson, Ryan Hughes, Les Lemm, Ed Lenz, Suzanne Rhees, Marcey Westrick, David Copeland, Dan Shaw, Dave Weirens, Ken Powell, Mike Nelson, David Demmer

OTHERS PRESENT:

Brian Martinson, AMC; Emily Javens, MAWD; LeAnn Buck, MASWCD; Troy Daniell, NRCS; Brenda Lageson, Andy Henschel, Courtney Phillips, Christopher Lowe, Jan Voit, Jamie Beyer

Chair Gerald VanAmburg called the meeting to order at 9:02 AM

PLEDGE OF ALLEGIANCE

22-17 **ADOPTION OF AGENDA** - Moved by Ted Winter, seconded by Eunice Biel, to adopt the agenda as amended. *Motion passed on a roll call vote.*

22-18 **MINUTES OF MARCH 23, 2022 BOARD MEETING**
The March 23, 2022, board meeting minutes were approved as amended by a voice vote.

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

INTRODUCTION OF NEW STAFF

Tom Gile introduced Paul Erdmann, Ecological Science Conservationist; Marcey Westrick introduced Darren Mayers, Board Conservationist; and Dennis Rodacker introduced Solimar Garcia Barger, Wetland Mitigation Program Assistant.

CONFLICT OF INTEREST DECLARATION

Chair Van Amburg read the statement:

“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 staff before any vote.”

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg introduced new SWCD Board Member Kurt Beckstrom. Stated two other board members were reappointed, Rich Sve and LeRoy Ose. There is one appointment (metro area City) that remains to be filled.

Executive Director’s Report - John Jaschke reported an updated Committee Roster was sent out. He reviewed the Day of Packet that included the Minnesota Wetland Professional Certification Program Plan Revision that will be discussed later in the agenda and the Snapshot articles. Stated the legislative process is underway and have until May 23 when the session ends. John thanked board members who responded to the future meetings survey. Stated we will go to in-person meetings starting in May with an alternative virtual option if needed through WebEx. Committee meetings will have the same options.

This year’s Board Tour is in conjunction with the August meeting and will be in the East Grand Forks area going to various locations in the Red River Valley area. It will be a joint tour with the Red River Water Management Board, Minnesota Association of Watershed Districts, the Red River Basin Commission and the Northwest Soil and Water Conservation Districts.

New staff coming onboard continues. Mike Nelson is our new legislative coordinator and will be introduced at a future meeting. Interviews for the HR Director position were completed and expect to have someone onboard soon. Assistant Director for Regional Operations Justin Hanson will start in May

and Melissa King is our new Water Program Coordinator. A position has been posted for the Assistant Director of the Strategy and Operations Division. Stated the agency is also working on a telework policy.

Jill Crafton asked what the implications for being in person are for committee meetings. John stated meetings will be based on the committee chair in consultation with lead staff on what is preferred and what the agenda is.

Chair Van Amburg asked if there is anything new on the DEI Report. John stated Jenny Gieseke is leading and will be organizing an external session with a consultant to interview BWSR's outside partners.

Audit and Oversight Committee – Joe Collins reported they have not met.

Dispute Resolution and Compliance Report – Rich Sve reported they have not met. Travis Germundson reported there are presently seven appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There have been no new appeals filed since the last Board Meeting.

File-22-2 (2-16-22) The appeal was placed in abeyance and the Restoration Order stayed for submittal of additional documentation in support of the appeal and for Kanabec County to make a final decision on the after-the-fact exemption applications that are associated with the project.

File 22-1(1-7-2022) Hearing to occur sometime in August in St. Paul. Recommendation proposed to be submitted to the BWSR Board.

Travis stated BWSR has been appointed new board attorney Chris Evens. The Buffer program has two buffer specialist to be filled. Stated staff have been working with MN.IT to replace an internal Microsoft Access database to ensure future functionality. Will have vendor in place soon and have a functional database by the end of the year.

Jill Crafton asked if they'd be able to get a presentation down the road on the functionality. Travis stated they could give an overview of the enhancements and the functionality of it in the future.

Glenn Skuta asked if the 93 parcels listed in the Buffer Compliance Section are a cumulative total since the inception of the buffer law. Travis stated they are a rolling total.

Grants Program & Policy Committee – Todd Holman reported they met on March 28 and April 11 with action items on the agenda for today. Next meeting is May 23rd.

RIM Reserve Committee – Jayne Hager Dee reported they have not met.

Water Management & Strategic Planning Committee – Joe Collins reported they have not met.

Wetland Conservation Committee – Jill Crafton reported they met on April 21 with an item on the agenda today.

Buffers, Soils & Drainage Committee – Mark Zabel reported they have not met.

Drainage Work Group (DWG) – Neil Peterson stated they have not met. Tom Gile reported there was a drainage bill introduced this session in the House. It has been laid over and included in the proposed House omnibus bill. It establishes a drainage registry portal for drainage procedures and non-petitioned repairs. Improvements and new drainage systems would be required to be noticed in the portal. The

portal would be established and maintained by BWSR. Tom stated this is not from a Drainage Work Group (DWG) recommendation. The DWG will be meeting in June or July dependent on legislative work.

Joe Collins asked if this bill has passed or where it's at. Tom stated it was passed out of a House Committee and is in a House bill but not the Senate at this time. Joe asked if they recognize there has been a lot of comments about this bill in terms of not being vetted by different organizations. Tom stated there were people from the Drainage Work Group that commented and reached out to their state elected officials. Ron Staples stated they also sent letters.

AGENCY REPORTS

Minnesota Department of Agriculture – Jeff Berg reported the agriculture bill passed off the House floor but not in the Senate yet. Stated there are 60 sites with confirmed cases of Avian Influenza. The Minnesota Agricultural Water Quality Certification program has over 1,200 producers and is approaching 850,000 acres.

Minnesota Department of Health – Steve Robertson reported they will be notifying their intent to update the Wetland Protection Rule through the State Register.

Minnesota Department of Natural Resources – Sarah Strommen reported they are following the drought relief bill that passed the Senate and the House. It's a standalone bill that provides drought relief to farmers in the Senate bill and drought relief to farmers and forest landowners for loss of trees in the House. Stated they are looking to reconcile those. The House bill for Environmental and Natural Resources has passed off the Senate floor and will be at the House tomorrow.

Sarah stated the Governor has called on the National Guard to assist with flooding. Stated they are thinking of the future of funding conservation and outdoor recreation work. They are on schedule to have some recommendations later this year. The walleye opener is May 15th and they are expecting half million Minnesotans to participate.

Chair Van Amburg stated he read an article about setting aside 30% of the earth's area for conservation, biological diversity, and climate change. Chair Van Amburg asked if they were having any discussions in their department about this. Sarah stated she read the article and noted there were interviews by conservationists and the common sense was they aren't sure the 30x30 is the right framework for Minnesota. Stated that we have a lot of action plans and it's the framework Minnesotans built. Jill Crafton thanked Gerry for raising this issue.

Minnesota Extension – Joel Larson reported they are hiring an extension educator to work on climate resilience primarily in agriculture and other rural communities. The position is funded in partnership with the Minnesota Corn Growers. In the last month they were able to secure a second extension educator position to work on climate resiliency in forest communities. Hoping to have both onboard within the next couple of months.

Minnesota Pollution Control Agency – Glenn Skuta reported Wayne Cords the South Watershed Section Manager has taken an internal promotion to the Assistant Director of Operations Division and stated his vacancy will be filled. Glenn stated the Clean Water Council had their first in-person meeting this week and will hold meetings in a hybrid format. One of the subcommittees will continue meeting virtual and the other subcommittee will be a hybrid meeting. Starting this week MPCA staff will start coming back into the office.

ADVISORY COMMENTS

Association of Minnesota Counties – Brian Martinson reported they are focused on legislative work. Stated AMC has concerns with the drainage registry information portal proposal. The funding necessary for 404 Assumption is included in the Senate. Stated they support the effort in the Environment and Natural Resources bill. AMC continues to advocate for local road wetland replacement funding. They are seeking \$20 million in a combination of cash and bonding, stated this mirrors the request from the governor. They are also seeking ongoing base funding for this program of approximately \$6 million annually to BWSR to operate the program. Brian stated there are a couple newer issues, the House has advanced a Legacy Funding bill. This year they included spending from the Clean Water Fund. Brian stated the Clean Water Council has not met and reviewed any of the projects or made recommendations so AMC has some concerns about the process. Stated there is an Environment Natural Resources Trust Fund (LCCMR bill) moving forward that has many good provisions. Brian noted in the Senate version there is money for septic system grants directed towards BWSR with the same control or restriction language on use that were in last year's budget bill.

Minnesota Association of Conservation District Employees – No report was provided.

Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck stated it's an honor to have Kurt Beckstrom along with Jayne Hager Dee and Mark Zabel on the board. LeAnn stated one of their priorities this legislative session is the SWCD Aid Package that the association is seeking capacity funding so as not to be reliant on the Clean Water Fund. LeAnn thanked Brian Martinson and Matt Hilgart with AMC, the Commissioner's on the board, and other agencies for their ongoing support of their SWCD districts. LeAnn stated they are working to secure the last \$9 million for the Conservation Reserve Enhancement Program.

Thanked Sarah and her DNR staff for meeting with them on private lands stewardship and forest management. Thanked Joel and stated the Minnesota Office of Soil Health staff did a wonderful job of putting together the soil health event.

Stated the association has been diligent with their advocacy at a national level and have conducted meetings talking about appropriations for our USDA partners in the Natural Resource Conservation Service. LeAnn thanked Eunice Biel for being a strong advocate in helping to leverage federal funds for climate and USDA major initiatives.

LeAnn stated One Watershed One Plan is going from planning to implementation.

Neil Peterson stated the SWCDs do great work. They are currently working on their third One Watershed One Plan and without the SWCD staff a lot of these plans would be at a standstill and thanked them for their contributions.

Minnesota Association of Townships – Eunice Biel thanked LeAnn for her support. Stated Minnesota Association of Townships will be having a town law review and a legal short course in May that is being held in person. Will also have videos on ARPA funds and how to report expenditures.

Eunice gave a legislative update and stated there is an update on the legislation annexation policy in SF 1927. Stated there is an increase in ongoing township road funding by \$20 million in Transportation.

Minnesota Association of Watershed Districts – Emily Javens thanked BWSR staff Pete Waller, Brett Arne, and Henry Van Offelen for providing training to new managers. It was well received by members and they will be providing another training later in May.

Emily stated they've had conversations with Executive Director Jaschke on future partnering and are undergoing a strategic plan update. Thanked Tom Gile for his work with the drainage registry portal and AMC for writing a joint letter with MAWD. Glad to hear LeRoy was reappointed to the board and is looking forward to Kurt Beckstrom being on the board. Stated the watershed district levy bill is still in committee.

Natural Resources Conservation Service – Troy Daniell thanked BWSR for their partnership and in writing Snapshots and success stories. Hope they can continue this collaboration and storytelling.

Stated they are writing contracts for EQIP, CSP, and various RCPP projects. Looking forward to getting out in the field with the nice weather. Troy stated they had a couple RFPs this year. They will fund one tribal related RFP with White Earth Nation to help with food sovereignty and conservation. They will be ranking and awarding other grants to partners in the near future.

Stated their budget received their final allocation and they will continue with an aggressive hiring schedule. Troy stated the infrastructure funding that came out last year had a piece for watershed operations that can help with initial planning and implementation. Stated he will keep making contacts with people and hope some proposals will come forward this summer.

Chair Van Amburg recessed the meeting at 10:57 a.m. and called the meeting back to order at 11:05 a.m.

COMMITTEE RECOMMENDATIONS

Southern Region Committee

Shell Rock River & Winnebago River Comprehensive Watershed Management Plan – Ted Winter and David Copeland presented Shell Rock River & Winnebago River Comprehensive Watershed Management Plan.

Shell Rock River & Winnebago River Comprehensive Watershed Management Plan (Plan) – The Shell Rock River & Winnebago River Watershed Partnership (Partnership) was selected by BWSR for a One Watershed, One Plan Planning Grant in August of 2018. The Partnership established a Memorandum of Agreement on July 5, 2018, for the purposes of watershed planning. Planning was initiated on April 23, 2019, via notification to designated Plan review authorities. The Partnership has followed One Watershed, One Plan Operating Procedures; and the Policy Committee, Technical Advisory Group, and Steering Team members have attended regularly scheduled meetings and kept open communication throughout Plan development. The Partnership submitted the draft Shell Rock River & Winnebago River Comprehensive Watershed Management Plan (Plan) to BWSR on November 1, 2021, for 60-day comment period. A public hearing was held January 20, 2022, and the Policy Committee submitted the Plan for approval February 17, 2022. The Southern Regional Committee (Committee) met on March 30, 2022, to review the planning process, the content of the Plan, State agency comments on the Plan, and to make a recommendation for approval. The Committee recommends approval by the full Board.

Jill Crafton stated she was impressed with the detail and thanked them for their work.

Joe Collins stated he was impressed with learning how soil cover crops can be used for water storage.

Mark Zabel asked if there was a local adoption following board approval. Dave stated they have 120 days to adopt the plan and the 10 year clock starts from the date of the BWSR Board approval.

Glenn Skuta noted the anticipated funding expected slightly exceeds the amount of funding needed for the plan. Dave stated that goes to the success that Shell Rock River Watershed District had in securing funding from other sources, including Lessard-Sams Funds.

Kelly Kirkpatrick stated she is excited about this program.

**
22-19 Moved by Kelly Kirkpatrick, seconded by Jill Crafton, to approve the Shell Rock River & Winnebago River Comprehensive Watershed Management Plan. ***Motion passed on a roll call vote.***

Grants Program and Policy Committee

Approval of Habitat Enhancement Landscape Pilot Grants – Dan Shaw presented Approval of Habitat Enhancement Landscape Pilot Grants.

The Habitat Enhancement Landscape Pilot (HELP) program is funded through the Environment and Natural Resources Trust Fund (ENRTF) and is focused on restoring and enhancing diverse native habitat on conservation lands and natural areas strategically located across Minnesota in efforts to address declining pollinators and other beneficial insects. On December 16, 2021, through Board Order #21-56, the Board authorized staff to complete and open the Habitat Enhancement Landscape Pilot RFP for a total of \$ 674,500. The application period was open until February 23, 2022. 11 applications requesting \$400,760 were received. The grants were reviewed by an interagency review team on March 24, 2022 to finalize grant ranking. The Grants Program and Policy Committee, at their March 28, 2022 meeting, reviewed the proposed grant awards and recommended approval to the Board.

Steve Robertson asked what the aggregate acreage was covered by the 11 applications being considered for today. Dan stated the projects range in size significantly. Some are a couple hundred acres that are easements or CRP land. Some are much smaller projects that are more focused on really high diversity locations, some are part of nature centers or arboretums.

**
22-20 Moved by Rich Sve, seconded by Jill Crafton, to approve the Habitat Enhancement Landscape Pilot Grants. ***Motion passed on a roll call vote.***

Cooperative Weed Management Area Grants – Dan Shaw presented Cooperative Weed Management Area Grants.

Cooperative Weed Management Areas (CWMA) are partnerships of federal, state and local government agencies along with tribes, individual landowners and various other interested groups that manage noxious weeds or invasive plants in a defined area. On December 16, 2021, through Board Order #21-57, the Board authorized staff to complete and open the Cooperative Weed Management Area Program Request for Proposal for a total of \$200,000 to eligible Soil and Water Conservation District's for newly developing and existing CWMAs/CISMA partnerships in Minnesota.

The application period was open from January 3, 2022 to February 23, 2022. 21 applications requesting \$335,000 were received and applications were ranked by the CWMA Interagency Advisory Team. 13 applications are recommended to the Board for funding.

Gerry asked how many were new. Dan stated Brown SWCD, Goodhue SWCD, and Pennington SWCD are new.

**
22-21 Moved by Jayne Hager Dee, seconded by Neil Peterson, to approve the Cooperative Weed Management Area Grants. ***Motion passed on a roll call vote.***

Approval of Fiscal Year 2023 Clean Water Fund SWCD Local Capacity Grants – Marcey Westrick presented Approval of Fiscal Year 2023 Clean Water Fund SWCD Local Capacity Grants.

In the 2021 Legislative Session, the legislature continued support for SWCDs through the Clean Water Fund at \$12M each year of the biennium. Per the appropriation language, each soil and water conservation district shall receive an increase in its base funding of \$100,000 per year. Money remaining after the base increase is available for grants to soil and water conservation districts as determined by the board based on county allocations to soil and water conservation districts and the amount of private land and public waters. The Grants Program and Policy Committee, at their April 11, 2022 meeting, reviewed the proposed grant allocations and recommended approval to the Board.

Ron Staples asked if each additional SWCD is getting a base amount of \$100,000 per year. Marcey stated that it's an increase based on the original appropriation, that each would receive \$100,000 and an additional base amount plus a portion based on the county contribution and a water and land portion.

**
22-22 Moved by Joe Collins, seconded by Jill Crafton, for Approval of Fiscal Year 2023 Clean Water Fund SWCD Local Capacity Grants. ***Motion passed on a roll call vote.***

Approval of Fiscal Year 2022-2023 Lower Minnesota River Watershed District Dredge Management Grants – Marcey Westrick presented Approval of Fiscal Year 2022-2023 Lower Minnesota River Watershed District Dredge Management Grants.

In the 2021 Legislative Session, the legislature appropriated funding in the amount of \$240,000 each fiscal year to the Lower Minnesota River Watershed District for the cost of operating and maintaining sites for dredge spoil to sustain the state, national, and international commercial and recreational navigation on the lower Minnesota River. The Grants Program and Policy Committee, at their April 11, 2022 meeting, reviewed the proposed grant allocations and recommended approval to the Board.

**
22-23 Moved by Jill Crafton, seconded by Joe Collins, to approve the Fiscal Year 2022-2023 Lower Minnesota River Watershed District Dredge Management Grants. ***Motion passed on a roll call vote.***

Wetland Conservation Committee

Minnesota Wetland Professional Certification Program Plan Revision – Les Lemm and Ken Powell presented Minnesota Wetland Professional Certification Program Plan Revision.

The Minnesota Wetlands Professionals Certification Program (MWPCP) plan was approved by the Board during the program transition from the University of Minnesota to BWSR in 2019. The program plan states the following for the continuing education requirements of certified individuals: "No more than four of the 18 required credit hours in a three-year period can be obtained from online training/events where the participant does not attend in person." This limit of four online training hours was based in part on the difficulty of tracking and documenting participation in online classes. Since the time of plan approval we can now effectively track and document participation in online classes. Secondly, the COVID-related pandemic has resulted in a major shift to online training formats such that they are

readily available and more effective than in the past. Therefore, Wetland Section staff recommends increasing the amount of online training that certified individuals can count towards the continuing education requirement from four credit hours to six. This modest adjustment would result in certified individuals only needing to attend two days of in-person classes (average of six credit hours per day for typical classes) every three years. The remainder of their continuing education credits could be obtained through online courses/training. This would align well with our two-day in-person regional training classes that we offer annually. In addition to the above-described change, specific details on the transition of the program from the University, including specific staffing estimates, have been deleted as they are outdated and no longer relevant.

Jill Crafton would like to see regulation training added in the board order, item number 4.

Number 4 will be updated to read "Since 2020 regulatory training has been added and online training has expanded and become more effective for the continue education of program participants."

Joel Larson thanked staff for their work and thinks this has been a fantastic transition.

Van Amburg wanted to thank BWSR staff for creating a great program.

**
22-24 Moved by Jill Crafton, seconded by Kelly Kirkpatrick, to approve the Minnesota Wetland Professional Certification Program Plan Revision. ***Motion passed on a roll call vote.***

UPCOMING MEETINGS

- Central Region Committee meeting is scheduled for Thursday, May 5, 2022, at 3:00 p.m. in the Lower Level West Conference Room at 520 Lafayette Road North, St. Paul and by Microsoft Teams.
- Grants Program and Policy Committee meeting is scheduled for Monday, May 23, 2022, at 9:00 a.m. in the Lower Level West Conference Room at 520 Lafayette Road North, St. Paul and by Microsoft Teams.
- BWSR Board meeting is scheduled for Wednesday, May 25, 2022, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.

Chair VanAmburg adjourned the meeting at 12:13 PM

Respectfully submitted,

Gerald Van Amburg
Chair

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution/Compliance Report

Meeting Date: May 25, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Section/Region: Central Office

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ Committee(s)

Presented by: Travis Germundson/Rich Sve DRC Chair

Time requested: 5 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

LINKS TO ADDITIONAL INFORMATION

See attached report/map.

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

The report provides a monthly update on the number of appeals filed with BWSR and statewide buffer compliance status.

Dispute Resolution and Compliance Report

May 10, 2022

By: Travis Germundson

There are presently **seven** appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There have been **no** new appeals filed since the last Board Meeting.

Format note: New appeals that have been filed since last report to the Board.
~~Appeals that have been decided since last report to the Board.~~

File-22-2 (2-16-22) This is an appeal of a WCA Restoration Order in Kanabec County. The appeal regards the excavation of a ditch and placement of spoil material in a wetland. The project and alleged wetland impacts affects multiple property owners. *The appeal was placed in abeyance and the Restoration Order stayed for submittal of additional documentation in support of the appeal and for Kanabec County to make a final decision on the after-the-fact exemption applications that are associated with the project*

File 22-1(1-7-2022) This is an appeal of a WCA Restoration Order in Steele County. The appeal regards the alleged placement of agricultural drain tile through multiple wetlands. *The appeal was placed in abeyance and the Restoration Order stayed for submittal of an after-the-fact wetland application.*

File 21-9 (12-17-2021) This is an appeal of a WCA notice of decision involving a no-loss determination in Pope County. The appeal regards the approval of a 36' inlet structure/tile to reduce inundation and saturated soil on agricultural fields. At issue is the elevation that was approved (to high). The petition request that the appeal be placed in abeyance until technical data can be gathered. Note, this involves the same notice of decision being appealed under File 21-07. *The appeal has been combined with file 21-7 and placed in abeyance to allow the Technical Evaluation Panel to develop written finding of fact following the submission of additional technical analyses.*

File 21-8 (12-17-21) This is an appeal of a WCA Restoration Order in Rock County. The appeal regards the alleged placement of tile lines through wetlands. The petition request that the appeal be placed in abeyance for the submittal of an after-the-fact wetland application. *The appeal was placed in abeyance and the Restoration Order stayed for further investigation and submittal of an after-the-fact wetland application.*

File 21-7 (12-14-2021) This is an appeal of a WCA notice of decision involving a no-loss determination in Pope County. The appeal regards approval of a 36" inlet structure/tile that allegedly rout water around U.S. Fish and Wildlife Service property and impact wetlands. At issue is the elevation that was approved (to low). *The appeal has been combined with file 21-9 and placed in abeyance to allow the Technical Evaluation Panel to develop written finding of fact following the submission of additional technical analyses.*

File 21-4 (10-26-2021) This is an appeal of a WCA restoration order in Morrison County. The appeal regards alterations to a private ditch and excavation of wildlife ponds. The project allegedly exceeded the project scope and authorization granted by the local unit of government for ditch maintenance under a no-loss determination. *The appeal was placed in abeyance and the restoration order stayed to determine viability of proposed actions for restoration.*

File 21-1 (8-16-2021) This is an appeal of a WCA Notice of Decision involving a no-loss determination in Kittson County. The appeal regards the denial of a no-loss determination for wetland impacts associated with the construction of road, ditch, and additional fill material. *The appeal was placed in abeyance and the restoration order stayed for submittal of an after-the-fact wetland restoration and replacement plan application. The appellant’s legal counsel notified BWSR that there they are no longer interested in pursuing a new application. As a result, a decision was made on November 3, 2021 to grant and hear the appeal. A pre-hearing conference took place on February 23, 2022 and a schedule of filing of written briefs has been determined.*

Summary Table for Appeals

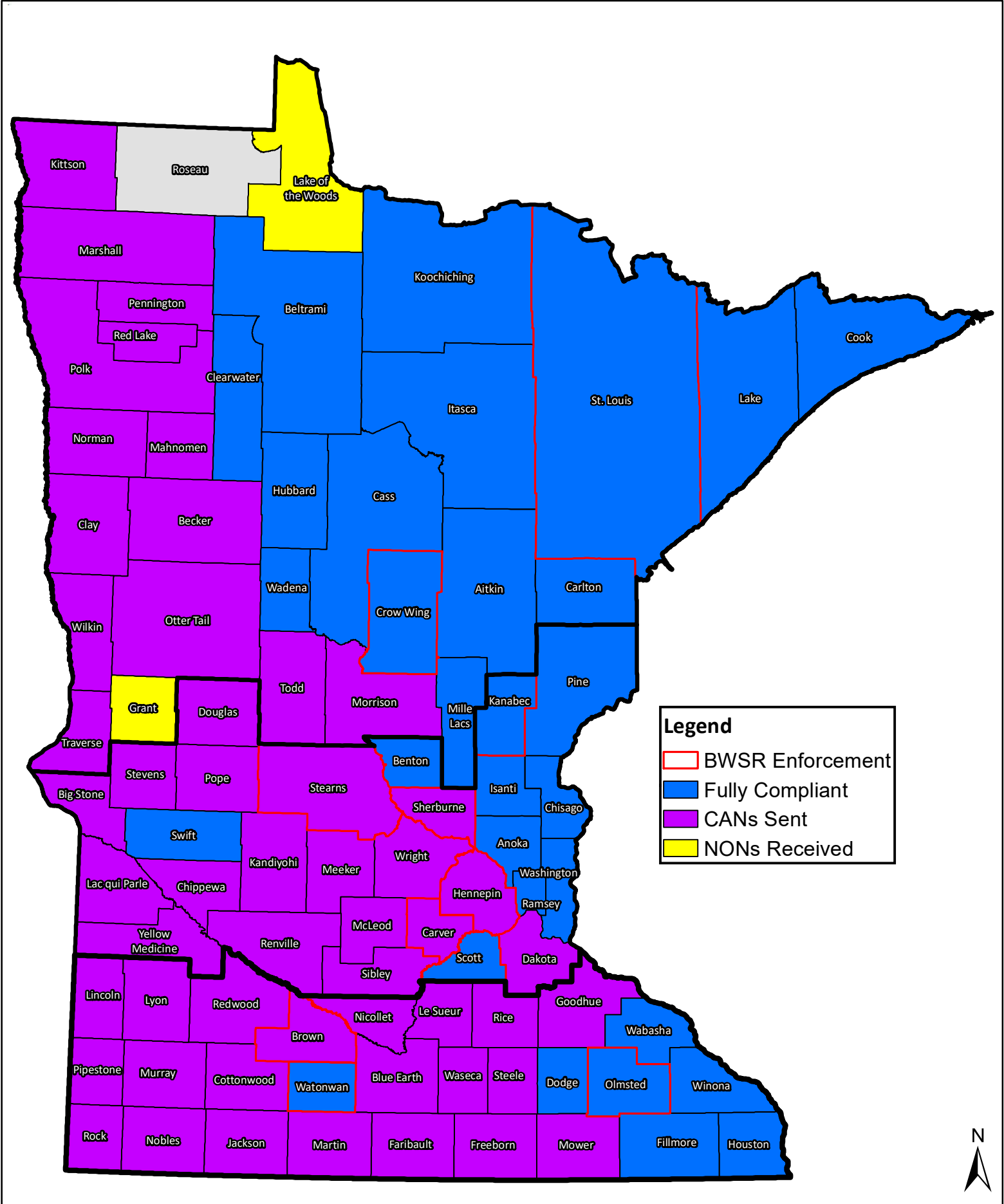
Type of Decision	Total for Calendar Year 2021	Total for Calendar Year 2022
Order in favor of appellant		
Order not in favor of appellant	2	
Order Modified		
Order Remanded		
Order Place Appeal in Abeyance	5	2
Negotiated Settlement		
Withdrawn/Dismissed	2	

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 93 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are no active Corrective Action Notices (CANs) and 6 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 86 of those have been resolved.

*Statewide 31 counties are fully compliant, and 53 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 607 CANs and 61 APOs actively in place. Of the actions being tracked over 2,215 of those have been resolved.

**Disclaimer: These numbers are generated monthly from BWSR’s Access database. The information is obtained through notifications from LGUs on actions taken to bring about compliance and may not reflect the current status of compliance numbers.*

STATEWIDE BUFFER ENFORCEMENT



COMMITTEE RECOMMENDATIONS

Central Region Committee

1. Rum River Comprehensive Watershed Management Plan – Joe Collins and Jason Weinerman –
DECISION ITEM

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Rum River Comprehensive Watershed Management Plan

Meeting Date: May 25, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information

Keywords for Electronic Searchability: Rum River One Watershed One Plan

Section/Region: Central Region

Contact: Jason Weinerman

Prepared by: Jason Weinerman

Reviewed by: Central Region Committee(s)

Presented by: Joseph Collins/Jason Weinerman

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Approval of the Rum River Comprehensive Watershed Management Plan (Plan) as recommended by the Central Region Committee.

LINKS TO ADDITIONAL INFORMATION

Plan is on the Rum River Watershed Implementation Partnership’s website:

https://www.millelacsswcd.org/wp-content/uploads/2022/05/FINAL_2022-05-03_rumRiverComprehensiveWatershedManagementPlan_ISG.pdf

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

The Rum River Watershed planning boundary encompasses approximately 1,584 square miles including parts of Aitkin, Crow Wing, Mille Lacs, Morrison, Benton, Kanabec, Isanti, Sherburne, and Anoka Counties. The southern part of the watershed drains into the seven-county metropolitan region and includes the Upper and Lower Rum River Watershed Management Organizations within the planning boundary. The Mille Lacs Band of the Ojibwe reservation lies along the shores of the southern part of Lake Mille Lacs.

The Rum River Comprehensive Watershed Management Plan (Plan) was developed as part of the State of Minnesota's One Watershed One Plan (1W1P) program. The State's vision and purpose of the 1W1P program is to align local water planning on major watershed boundaries with state strategies towards prioritized, targeted, and measurable implementation plans. The process results in a comprehensive watershed plan and offers the opportunity for groups and organizations to work together in both planning and implementation across jurisdictional boundaries. While the Plan is comprehensive in that it includes improvements and protection for a variety of natural resources across a large geographic area, it also incorporates detail in its prioritization and targeting actions and outcomes for specific waterbodies.

The Rum River Comprehensive Watershed Management Plan partnership developed a tiered set of priorities to guide their management actions. The top three priorities, identified as Tier A, include outreach and engagement, surface water restoration, and surface water protection. Tiers B and C include priority issues such as surface water quantity, groundwater and drinking water management, and natural resource protection and management.

Overall, the Rum River is not identified as impaired. However, the partnership identified the river as being close to the impairment limit and have set a goal for reducing phosphorous and sediment by 5% at the point where the river joins the Mississippi River. While the overall river is not impaired, there are several lakes and river segments that are impaired and in need of restoration. The partnership has established a measurable goal of reducing phosphorous levels in these impaired lakes by 2,500 pounds. The estimated overall cost for implementing the plan is \$34,947,325 coming from a variety of funds including, but not exclusively, watershed-based implementation funds.

On March 11, 2022, BWSR received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review. During the 90-day review period, two items arose during state agency partner review. The partnership failed to respond to the 60-day Minnesota Department of Agriculture comments. This was addressed by the partnership's Policy Committee on April 28, 2022 who approved their responses to the MDA's 60-day comments to the satisfaction of the MDA. In addition, prior to submission of the 90-day comment period, the partnership added language relating to the ownership and management of the Anoka Dam. The Department of Natural Resources expressed a level of concern with this language and requested additional language be added to the Plan recognizing the DNR's statutory authority related to the management of the dam. The Policy Committee also approved including, verbatim, the language recommended by the DNR in Appendix C.

On May 5, 2022, the Central Region Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Rum River Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of the review of the Comprehensive Watershed Management Plan for the Rum River Watershed, pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801.

**APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN**

ORDER

Whereas the Policy Committee of the Rum River Watershed Partnership submitted a Comprehensive Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) on March 11, 2022 pursuant to Minnesota Statutes, Sections 103B.101, Subdivision 14 and 103B.801 and Board Decision #18-14, and;

Whereas the Board has completed its review of the Plan.

Now Therefore the Board hereby makes the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

- 1. Partnership Establishment.** The Rum River Watershed Partnership was established on March 28, 2019 through adoption of a Memorandum of Agreement for the purposes of developing a Comprehensive Watershed Management Plan. The membership of the Partnership includes Aitkin County, Aitkin SWCD, Anoka Conservation District, Benton County, Benton SWCD, Crow Wing County, Crow Wing SWCD, Isanti County, Isanti SWCD, Kanabec County, Kanabec SWCD, Mille Lacs County, Mille Lacs SWCD, Morrison County, Morrison SWCD, Sherburne County, Sherburne SWCD, Lower Rum River WMO, and Upper Rum River WMO. The Mille Lacs Band of the Ojibwe participated in the advisory committee but did not sign the MOA as a member of the Policy Committee.
- 2. Authority to Plan.** Minnesota Statutes, Sections 103B.101, Subdivision 14 allows the Board to adopt resolutions, policies or orders that allow a comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D to serve as substitutes for one another or be replaced with a comprehensive watershed management plan. Minnesota Statutes, Sections 103B.801 established the Comprehensive Watershed Management Planning Program; also known as One Watershed, One Plan. On March 28, 2018, through Board Decision #18-14, the Board adopted Version 2.0 of the One Watershed, One Plan Operating Procedures and Plan Content Requirements policies.
- 3. Nature of the Watershed.** The Rum River Watershed planning area is in east central Minnesota, encompassing portions of Aitkin, Crow Wing, Mille Lacs, Morrison, Kanabec, Benton, Isanti, Sherburne, and Anoka Counties. The Mille Lacs Band of the Ojibwe Reservation lies in the region south of Mille Lacs Lake. The 1,584 square miles of this watershed features the Rum River which flows from Mille Lacs Lake in the north and to the Mississippi River in the City of Anoka. As the River meanders through the watershed, it passes through a diverse landscape ranging from forests to agricultural areas to high density urban areas.
- 4. Plan Development.** The Plan was developed as a single, concise, coordinated approach to watershed management. The Plan consolidates policies, programs, and implementation strategies from existing data, studies, and plans, and incorporates input from multiple planning partners and stakeholders to provide a single

plan for management of the watershed. The Plan focuses on prioritized, targeted, and measurable implementation efforts and lays out specific actions to provide outreach and education, protect and restore surface and groundwater water quality, upland and aquatic habitat, and manage surface water quantity and invasive species in the watershed.

5. **Plan Review.** On March 11, 2022, the Board received the Plan, a record of the public hearing, and copies of all written comments pertaining to the Plan for final State review pursuant to Board Decision #18-14. State agency representatives attended and provided input at advisory committee meetings during development of the Plan. The following state review comments were received during the comment period.
 - A. Minnesota Department of Agriculture: was pleased with the overall process of developing the Plan. Note that responses to MDA’s 60-day comments were only recently provided due to an unintentional staff error. MDA recognized that their 60-day comments were minor so has no objection for the Plan to move forward.
 - B. Minnesota Department of Health: thanks the partnership for the opportunity to assist in the planning process and is excited to work with the partnership during implementation. MDH acknowledges that the Partnership is committed to protecting groundwater in the Rum River Watershed and feels that they have clearly addressed their comments. The agency encourages the partnership to use MDH as a technical resource and to make use of agency grants such as the Accelerated Implementation Grant and the Drinking Water subgrant to achieve plan goals.
 - C. Minnesota Department of Natural Resources: recommends approval of the Draft Rum River Comprehensive Watershed Management Plan. They appreciated the opportunity to be part of the planning process and recognize the efforts of all those involved. However, the DNR is disappointed with the recent addition of language specific to the “Note: Dams” in Appendix C, pg. C14 of the plan, as it is misleading and open to interpretation. Before the plan is finalized, they request the following clarifying language be added to Appendix C, pC14:

“The Minnesota Department of Natural Resources acknowledges the ownership of the Anoka Dam by the City of Anoka, and the importance of the dam to the community as well as their rights and responsibilities. The Minnesota DNR retains our regulatory jurisdiction and authority with respect to dams and public waters as laid out in existing rule and statute. We support a spirit of collaboration, fostering partnerships with local entities, and working together toward the protection and improvement of watershed resources. In addition, we will continue in our role to study, comment, and make recommendations for the management of our natural resources, including the Anoka Dam.”
 - D. Minnesota Pollution Control Agency: reviewed the draft Plan and appreciates the opportunity to participate and provide input throughout the 1W1P development process. MPCA states that the Plan is very well written, concise, and thorough and recommend it for approval.
 - E. Minnesota Environmental Quality Board did not provide comments.
 - F. Minnesota Board of Water and Soil Resources: During the 60-day review period BWSR staff submitted a total of 41 comments. Staff comments ranged from simple editorial comments and clarification on some of the technical aspects, to requesting changes to the Plan to ensure consistency throughout the Plan and ensure Plan Content Requirements were met. All the comments related to plan content requirements were satisfactorily answered. The partnership provided clarification in many areas for how the plan would be implemented and improved their language to ensure the submitted plan meets the required Plan Content Requirements.
 - G. The Metropolitan Council had no additional comments at this time and will not be submitting formal comments.

6. **Plan Summary and Highlights.** The highlights of the plan include:
- The policy and advisory committees received extensive input during the early stages of the planning process including five priority concern letters, citizen comments from three public kick-off meetings, and numerous reports on the conditions and trends within the watershed.
 - The advisory committee identified 37 original resource concerns, which were narrowed down to nine including:
 - Outreach and Engagement
 - Surface Water – Restore
 - Surface Water – Protect
 - Surface Water – Quantity
 - Groundwater and Drinking Water – Quality
 - Natural Resources – Protection, Management, and Restoration of Upland Habitats
 - Natural Resources – Restore Degraded and Protect High Quality Aquatic Habitat around Lakes, Streams, Rivers, and Wetlands
 - Groundwater – Knowledge and Data Regarding Groundwater
 - Natural Resources – Invasive Species
- The plan identifies three Priority Levels for implementation. The Level A (highest) Priorities for implementation were identified as Outreach and Engagement, Surface Water – Restore, and Surface Water – Protect.
- There are eight geographic management areas within the watershed and each management area was assessed for how that area can best be managed to achieve the objectives for each resource concern. Within each management area, there are targeted and prioritized areas for implementation as well a unique implementation schedule that identifies the activity, the priority area, a measurable outcome, the timeframe for implementation, and the estimated cost for implementing the activities.
 - Separate targeted implementation tables were created for each priority issue.
 - For the ten-year duration of the plan, the estimated total cost is \$34,947,325.
7. **Central Regional Committee.** On May 5, 2022, the Central Regional Committee met to review and discuss the Plan. Those in attendance from the Board’s Committee were Joe Collins, Jill Crafton, Jayne Hager Dee, Melissa Lewis, Steve Robertson, and Grant Wilson. Board staff in attendance were Central Regional Manager Marcey Westrick, Board Conservationists Jason Weinerman, Michelle Jordan, and Darren Mayers, and Clean Water Specialist Barb Peichel. The representatives from the Partnership were Jamie Schurbon (Anoka Conservation District), Tiffany Determan (Isanti SWCD), Lisa Fobbe (Sherburne County) and Jake Janski (Mille Lacs SWCD). Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee’s decision was to present a recommendation of approval of the Plan to the full Board.
8. This Plan will be in effect for a ten-year period until May 25, 2032.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Comprehensive Watershed Management Plan for the Rum River Watershed pursuant to Minnesota Statutes, Sections 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.
3. The Rum River Comprehensive Watershed Management Plan attached to this Order states priority water and natural resource issues within the planning area and possible solutions thereto; goals, objectives, and actions of the Partnership; and an implementation program.
4. The attached Plan is in conformance with the requirements of Minnesota Statutes Section 103B.101, Subd. 14 and 103B.801 and Board Decision #18-14.

5. The attached plan has been amended to add comments by the Minnesota Department of Agriculture to Table 6.3 and to include language suggested by the Minnesota Department of Natural Resources to page C14 in Appendix C.
6. The attached plan when adopted through local resolution by the members of the Partnership will serve as a replacement for the comprehensive plan, local water management plan, or watershed management plan, developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D, but only to the geographic area of the Plan.
7. With exception to #6 above, the attached Plan, when adopted through local resolution by the members of the Partnership within the Metropolitan area as defined in Minnesota Statutes Section 103B.205, Subd. 8 or a Metropolitan county as defined in Minnesota Statutes 473.121 Subd. 4 is not required to, but may, serve as a replacement for the comprehensive plan, local water management plan, watershed management plan, or county groundwater plan developed or amended, approved and adopted, according to Chapter 103B, 103C, or 103D for the geographic area of the Plan.

ORDER

The Board hereby approves the attached Comprehensive Watershed Management Plan of the Rum River Watershed Partnership, dated April 29, 2022.

Dated at Saint Paul, Minnesota, this twenty-fifth of May 2022

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Gerald Van Amburg, Chair

May 25, 2022

Rum River Policy Committee
c/o Tiffany Determan, District Manager
Isanti SWCD
110 Buchanan St. N.
Cambridge, MN 55008

RE: Approval of the Rum River Comprehensive Watershed Management Plan

Dear Rum River Policy Committee:

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Rum River Comprehensive Watershed Management Plan (Plan) was approved at its regular meeting held on May 25, 2022. Attached is the signed Board Order that documents approval of the Plan and indicates the Plan meets all relevant requirements of law, rule, and policy.

This Plan is effective for a ten-year period until May 25, 2032. Please be advised that partners must adopt and begin implementing the plan within 120 days of the date of the Order in accordance with Minnesota Statutes §103B.101, Subd. 14 and 103B.801, and the One Watershed, One Plan Operating Procedures.

The Partnership is to be commended for writing a plan that clearly presents your natural resource management priorities, goals, and implementation actions for the Rum River Watershed and for your excellent participation in the One Watershed, One Plan program. BWSR looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Board Conservationist Darren Mayers of our staff at darren.mayers@state.mn.us for further assistance in this matter.

Sincerely,

Gerald Van Amburg, Chair
Minnesota Board of Water and Soil Resources

Enclosure: BWSR Board Order

CC's listed on next page.

Bemidji 403 Fourth Street NW Suite 200 Bemidji, MN 56601 (218) 755-2600	Brainerd 1601 Minnesota Drive Brainerd, MN 56401 (218) 203-4470	Detroit Lakes 26624 N. Tower Road Detroit Lakes, MN 56501 (218) 846-8400	Duluth 394 S. Lake Avenue Suite 403 Duluth, MN 55802 (218) 723-4752	Mankato 11 Civic Center Plaza Suite 300 Mankato, MN 56001 (507) 344-2826	Marshall 1400 East Lyon Street Marshall, MN 56258 (507) 537-6060	Rochester 3555 9 th Street NW Suite 350 Rochester, MN 55901 (507) 206-2889	St Cloud 110 Second St. South Suite 307 Waite Park, MN 56387
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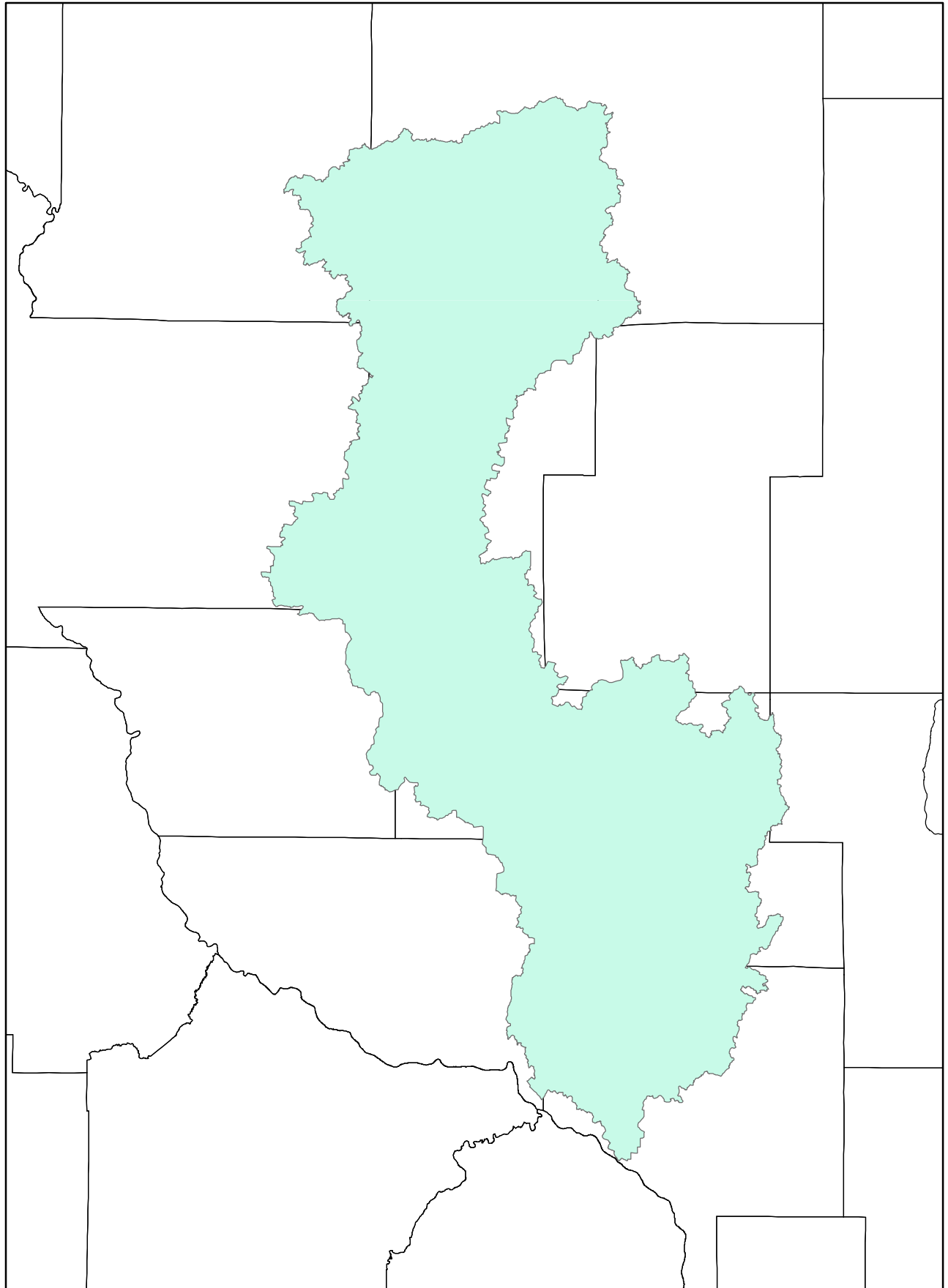
Central Office / Metro Office 520 Lafayette Road North Saint Paul, MN 55155 Phone: (651) 296-3767 Fax: (651) 297-5615

www.bwsr.state.mn.us TTY: (800) 627-3529 An equal opportunity employer

CC: Judy Sventek, Metropolitan Council (via email)
Emily Resseger, Metropolitan Council (via email)
Aicam Laacouri, MDA (via email)
Margaret Wagner, MDA (via email)
Carrie Raber, MDH (via email)
Reid Northwick, DNR (via email)
Dan Lais, DNR (via email)
Barbara Weisman, DNR (via email)
Erik Dahl, EQB (via email)
Bonnie Finnerty, MPCA (via email)
Jeff Risberg, MPCA (via email)
Marcey Westrick, BWSR Central Region Manager (via email)
Barbara Peichel, BWSR Clean Water Specialist (via email)
Darren Mayers, BWSR Board Conservationist (via email)
Rachel Mueller, BWSR (file copy)

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Rum River Watershed



COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

1. ML 2015, 2017, and 2019 Clean Water Fund Capacity and ML 2017 Clean Water Fund Buffer Cost Share Reallocation – Dusty Van Thuyne – ***DECISION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: ML 2015, 2017, and 2019 Clean Water Fund Capacity and ML 2017 Clean Water Fund Buffer Cost Share Reallocation

Meeting Date: May 25, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information Non-Public Data

Keywords for Electronic Searchability: Clean Water Fund, Buffers, CREP

Section/Region: Conservation Easements

Contact: Dusty Van Thuyne

Prepared by: Dusty Van Thuyne

Reviewed by: Grants Program & Policy Committee(s)

Presented by: Dusty Van Thuyne

Time requested: 10 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input checked="" type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Approval of the Board Order: FY22 CREP Outreach and Implementation Program Grants Board Order, that would authorize the use of funds from Laws of Minnesota 2015, 1st Special Session, Chapter 2, Article 2, Section 7(o), Laws of Minnesota 2017, 1st Special Session, Chapter 91, Article 2, Section 7(n), Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sect. 7(o), and Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(n) to be available for grant amendments to LGUs to provide technical assistance to landowners for conservation practices related to CREP.

LINKS TO ADDITIONAL INFORMATION

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

Laws of Minnesota 2015, 1st Special Session, Chapter 2, Article 2, Section 7(o), appropriated Clean Water Funds to the Board for the FY 2016 SWCD Local Capacity Services (Board Resolution #15-74).

Laws of Minnesota 2017, 1st Special Session, Chapter 91, Article 2, Section 7(n), appropriated Clean Water Funds to the Board for the FY 2019 SWCD Local Capacity Services (Board Order #18-32).

Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(n), appropriated Clean Water Funds to the Board for the FY 2020 SWCD Local Capacity Services (Board Order #19-43).

Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sect. 7(o), appropriated Clean Water Funds to the Board for the FY 2018 Buffer Cost Share Grant (Board Order #17-55).

The Laws of Minnesota 2015, 2017, and 2019, authorize the Board to “shift grant or cost-share funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.”

The purpose of this agenda item is to reallocate SWCD Capacity and Buffer Cost Share funds through amendments to FY22 CREP Outreach and Implementation Program grants. Senior Management Team reviewed the recommendation on May 10, 2022, and recommended approval to the Grants Program and Policy Committee (GP&P). The GP&P reviewed the recommendation at their May 23, 2022, meeting and recommended approval of the order to the board.

NEW BUSINESS

1. Red River Watershed Management Board – Rob Sip – ***INFORMATION ITEM***

BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Red River Watershed Management Board

Meeting Date: May 25, 2022

Agenda Category: Committee Recommendation New Business Old Business

Item Type: Decision Discussion Information Non-Public Data

Keywords for Electronic Searchability: RRWMB,red river watershed management board,information

Section/Region: _____

Contact: Rob Sip

Prepared by: John Jaschke

Reviewed by: N/A Committee(s)

Presented by: Rob Sip

Time requested: 30 minutes

Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: Resolution Order Map Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

LINKS TO ADDITIONAL INFORMATION

<https://www.rrwmb.org/>

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

RRWMB updates including Spring 2022 flooding.