

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
CONFERENCE ROOMS 200/201 – 2<sup>ND</sup> FLOOR  
ST. PAUL, MN 55155  
WEDNESDAY, MAY 22, 2019**

**BOARD MEMBERS PRESENT:**

Jill Crafton, Jack Ditmore, Chris Elvrum, MDH, Kathryn Kelly, Sarah Strommen, DNR; Tom Loveall, Nathan Redalen, Tom Schulz, Jeff Berg and Thom Petersen, MDA; Steve Sunderland, Joe Collins, Harvey Kruger, Paige Winebarger, Joel Larson, University of Minnesota Extension; Duane Willenbring, Rich Sve, Glenn Skuta, MPCA; Katrina Kessler, MPCA

**BOARD MEMBERS ABSENT:**

Neil Peterson, Gerald Van Amburg

**STAFF PRESENT:**

John Jaschke, Angie Becker Kudelka, Kari Keating, Kevin Bigalke, Pete Waller, Dan Fabian, Jenny Gieseke, Amie Wunderlich, Travis Germundson, Dave Weirens, Al Kean

**OTHERS PRESENT:**

Anna Cates, University of Minnesota, Minnesota Office for Soil Health (MOSH)  
Ann Lewandowski, University of Minnesota, Minnesota Office for Soil Health (MOSH)  
LeAnn Buck, Minnesota Association of Soil and Water Conservation Districts (MASWCD)  
Emily Javens, Minnesota Association of Watershed Districts (MAWD)

**Vice Chair Tom Schulz called the meeting to order at 9:03 AM**

**PLEDGE OF ALLEGIANCE**

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19-19 **ADOPTION OF AGENDA** - Moved by Rich Sve, seconded by Duane Willenbring, to adopt the agenda as presented. *Motion passed on a voice vote.*

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19-20 **MINUTES OF March 27, 2019 BOARD MEETING** – Moved by Kathryn Kelly, seconded by Jill Crafton, to approve the minutes of March 27, 2019, with minor typo corrections. *Motion passed on a voice vote.*

**PUBLIC ACCESS FORUM**

There were no comments.

**INTRODUCTION OF NEW STAFF**

Amie Wunderlich, Compliance Coordinator was introduced by Jenny Gieseke. Vice Chair Schulz and the board welcomed Amie to BWSR!

**REPORTS**

**Chair & Administrative Advisory Committee** – Vice Chair Tom Schulz reported that the Administrative Advisory Committee met today before the meeting and talked about staffing and budget. There was nothing final to report on legislative activity. Gerald Van Amburg attended an EQB meeting and they are updating their environmental review rules.

**Audit and Oversight Committee** – John Jaschke reported that they have not met.

**Executive Director’s Report** - John Jaschke stated that he will defer the legislative update until later in the agenda. There was a national wetland banking conference in Minneapolis recently that our wetland staff attended. BWSR has a unique banking program, unlike most other banking programs in the country, because anyone is allowed to participate.

He announced that CREP will again be accepting formal applications on June 3<sup>rd</sup>. The general CRP program will not be opened until later in the year. BWSR’s website has been updated.

John Jaschke also reviewed the contents of the folder and reviewed the Snapshots stories provided to the board.

**Dispute Resolution Committee** – Travis Germundson reported that there are currently two appeals pending, one of them being new since the last board meeting. He reported that the new appeal is of an Administrative Penalty Order issued under the Buffer Law for a parcel located in Cottonwood County. The parcel did not meet the buffer requirements, but with the help of the Cottonwood SWCD staff, the operator and landowner are bringing it into compliance. The county proceeded to withdraw the APO and the appeal is intended to be dismissed.

**Introduction of new board member** - Katrina Kessler introduced herself as Assistant Commissioner for Water Policy and Agriculture with the Pollution Control Agency. Vice Chair Schulz and the board welcomed Katrina.

**Grants Program & Policy Committee** - Steve Sunderland reported that the committee has not met since the previous board meeting but will be meeting June 5<sup>th</sup>.

**RIM Reserve Committee** – Tom Loveall reported that the committee authorized staff to start the process to offer grants for permanent well head protection. It will go to Grants Program and Policy Committee in the near future. Information was provided about buffers and CRP and tillable land value updates. 12,000 acres have been enrolled in CREP and there will be a sign-up coming in June.

**Water Management & Strategic Planning Committee** - Jack Ditmore reported that the committee has not met but will have a joint meeting with the Grants Program and Policy Committee before the next board meeting.

**Wetland Conservation Committee** - Tom Schulz reported that the committee has not met since the previous board meeting and will probably not meet until fall.

**Buffers, Soils & Drainage Committee** - Kathryn Kelly reported that the committee has not met since the previous board meeting.

**Drainage Work Group (DWG)** – Tom Loveall reported that the group has not met since the previous board meeting. Al Kean reported on the status of the drainage bills at the legislature. He also reported that the DWG will be discussing updating the DWG Process Summary document; reestablishing drainage system records, in light of a recent MN Supreme Court decision on a DNR appeal; and DNR public waters and drainage guidance.

#### **AGENCY REPORTS**

**Minnesota Department of Agriculture** – Jeff Berg reported that he is temporarily sitting in for Commissioner Petersen and will defer any report until the Commissioner arrives.

**Minnesota Department of Health** – Chris Elvrum reported that there is not much to report because the legislature hasn't finished. They are however optimistic on the outcomes of their bills.

**Minnesota Department of Natural Resources** – Commissioner Strommen praised the collaboration between state agencies for the Legacy bill. They continue to work on Enbridge Line 3, including permits and tribal consultation. She mentioned the issue around a court decision and legislation regarding the re-naming of Lake Calhoun. Public comments have been about the politics of the name change. DNR works with the local community when name changes to lakes occur and essentially the court has taken that away. An appeal will be going to the Supreme Court.

**Minnesota Extension Service** – Joel Larson reported that he is excited to have Minnesota Office for Soil Health at today's meeting. They have hired a new educator position. They are involved with updating the Nutrient Reduction Strategy and having conversations about practices to address pollutants.

**Minnesota Pollution Control Agency** – Katrina Kessler reported that they have been busy at the legislature. PCA staff traveled to Baton Rouge to attend a national task force meeting about hypoxia. The statewide nutrient strategy is being revisited.

#### **ADVISORY COMMENTS**

**Minnesota Association of Soil and Water Conservation Districts** – Leann Buck reported that she has been at the legislature working to streamline outcomes and enhance 1W1P. SWCD capacity money is currently going through three different bills.

**Minnesota Association of Townships** – Nathan Redalen reported that they have been asking for additional money to help fund roads and bridges.

**Minnesota Association of Watershed Districts** – Emily Javens reported that they are excited about their summer tour in Moorhead in late June. Legislatively they have 4 bills that are still alive. Increasing a per diem, harvesting carp, coordinated watershed bill, and a project levy for State grants.

## **NEW BUSINESS**

### **Minnesota Office for Soil Health (MOSH) Briefing**

The Minnesota Office for Soil Health (MOSH) was established in 2017 by the Minnesota Board of Water and Soil Resources (BWSR) and the University of Minnesota's Water Resources Center (WRC). The office is committed to expanding the science of soil health and sharing practical information with farmers, conservationists, and others who manage our state's soils. This new partnership with the University of Minnesota will deliver applied research and technology to on-farm practices to assure that one of Minnesota's critical natural assets, its soil, is well managed for generations to come. Soil health is a foundation for both water quality and agricultural production and can be enhanced by innovative soil management practices that result in economic and environmental benefits. A recent stakeholders/kickoff event was held at the University. Ann Lewandowski, MOSH Coordinator, UMN Water Resources Center and Anna Cates, MN State Soil Health Specialist, UMN Dept. of Soil, Water, and Climate, provided a report on the event and outlined the future plans and projects the MOSH is anticipating.

## **COMMITTEE RECOMMENDATIONS**

### **Northern Region Committee**

**Bois de Sioux Watershed District and Upper Minnesota River Watershed District Boundary Change Petition** – Pete Waller presented the Bois de Sioux Watershed District and Upper Minnesota River Watershed District Boundary Change Petition.

A Petition for a Boundary Change of the Bois de Sioux Watershed District (BdSWD) and Upper Minnesota River Watershed District (UMRWD) has been filed with Minnesota Board of Water and Soil Resources (BWSR) by the two watershed districts. The proposed boundary change would achieve a more accurate alignment between the hydrologic and common legal boundaries of the BdSWD and the UMRWD.

The territory included in the boundary change encompasses approximately 1,000 acres of land on 25 parcels. The boundary changes are located in four townships within Big Stone County. The Petition's map attached to the Board Order depicts the territory and further identifies proposed changes within an attached table depicting parcel changes.

Prior to submitting the Petition, the BdSWD and UMRWD agreed it prudent to notify all affected landowners. The notifications consisted of:

- Advertising an informational public meeting held November 26, 2018, in Graceville, MN

- Inviting all affected landowners to the BDSWD December meeting
- Mailing individual letters that included details of the proposed changes

A legal notice of filing regarding the proposed boundary change, as per Minnesota Statutes, Section 103D.105 Subd 2, was published and a copy of the notice of filing was mailed to affected county, municipalities, and soil and water conservation districts. The notice stated a request for a public hearing, received within 30 days of the last date of publication of the notice of Filing of the Petition, would warrant a public hearing be held. No requests for a hearing or comments were received during the specified timeframe so a public hearing is not required.

The Northern Region Committee (Committee) met on May 1, 2019, at Graceville, Minnesota to discuss the petition. The Committee recommended approval of the proposed boundary change petition to the full Board.

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19-21 Moved by Rich Sve, seconded by Kathryn Kelly, to approve the Bois de Sioux Watershed District and Upper Minnesota River Watershed District Boundary Change Petition. ***Motion passed on a voice vote.***

**Central Region Committee**

**Sherburne Soil and Water Conservation District Change in Location of Principal Office Headquarters –** Kevin Bigalke presented the Sherburne Soil and Water Conservation District Change in Location of Principal Office Headquarters.

On April 11, 2019, the Sherburne SWCD Board of Supervisors passed a resolution approving the district's change of principal office location from 14855 Highway 10, Elk River, MN 55330 to 425 Jackson Ave NW, Elk River, MN. BWSR's Central Region Committee met on May 2, 2019 to review this request and voted to recommend approval of the change of principal office location to the full BWSR Board.

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19-22 Moved by Joe Collins, seconded by Duane Willenbring, to approve the Sherburne Soil and Water Conservation District Change in Location of Principal Office Headquarters. ***Motion passed on a voice vote.***

**Upper Rum River Watershed Management Organization Watershed Management Plan 2019-2028 –** Dan Fabian presented Upper Rum River WMO Watershed Management Plan.

The Upper Rum River Watershed Management Organization (URRWMO) was originally established on June 18, 1991 through a Joint Powers Agreement (JPA) between the Cities of Bethel, East Bethel, Ham Lake, Nowthen (formally Town of Burns), Oak Grove and St. Francis. The JPA was amended in 1997 and again in 2011. The URRWMO encompasses approximately 127.2 sq. miles within the northwestern corner of Anoka County, Minnesota. Their third generation plan was completed in 2007 and expired April 25, 2017. In this 4<sup>th</sup> generation plan the URRWMO efforts are now shifting from a primary activity of monitoring to supporting the implementation of projects within the watershed to improve water quality of identified priority resources. The Central Regional Committee met on May 2, 2019 to discuss the Plan and recommends approval of the Plan with a required five (5) year plan amendment per the attached draft Order.

Joe Collins mentioned that this was the first plan that he almost did not vote for. He is cautious of this plan due to the funding levels but was ultimately satisfied with its approval because there will be a 5

year review. Kevin Bigalke reported that more progress was made with the plan when they acquired new membership.

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19-23 Moved by Joe Collins, seconded by Jill Crafton, to approve the Upper Rum River Watershed Management Organization Watershed Management Plan 2019-2028. **Motion passed on a voice vote.**

**Administrative Advisory Committee**

Angie Becker-Kudelka reported that the environment omnibus, tax bill and Legacy bill have hearings or are being negotiated today. SWCD Capacity is now expected to come out of CWF. Angie provided members with a recent spreadsheet summary.

**Minnesota Department of Agriculture** – Thom Petersen reported that he was at the legislature and that the Ag bills are going well. African swine fever, exports, mental health counseling, and hemp production are included and he is pleased with the CWF bill. Acreage being enrolled in the Ag water quality certification program continues to increase.

**UPCOMING MEETINGS**

- Next BWSR Meeting is scheduled for 9:00am, June 26, 2019 in St. Paul.

Vice Chair Schulz adjourned the meeting at 11:36 AM

Respectfully submitted,



Tom Schulz  
Vice Chair