

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
LOWER-LEVEL BOARD ROOM  
ST. PAUL, MN 55155  
WEDNESDAY, JUNE 28, 2023**

**BOARD MEMBERS PRESENT:**

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

**BOARD MEMBERS ABSENT:**

Kurt Beckstrom, Carly Johnson

**STAFF PRESENT:**

John Jaschke, Rachel Mueller, Tom Gile, Travis Germundson, Annie Felix-Gerth, Mike Nelson, Rita Weaver, Dave Weirens, Ryan Hughes, Melissa King, Julie Westerlund, Craig Engwall, Justin Hanson, James Adkinson, Steve Christopher, Jenny Gieseke

**OTHERS PRESENT:**

Jeff Berg, MDA; Brian Martinson, AMC; Jan Voit, Minnesota Watersheds; Rob Sip, RRWMB; Sheila Vanney, MASWCD; Keith Mykleseth, Sarah Boser, Morteza Maher

**Rich Sve was nominated to be Chair for the June Board meeting.**

**Chair Rich Sve called the meeting to order at 9:02 AM.**

**PLEDGE OF ALLEGIANCE**

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**23-35** **ADOPTION OF AGENDA** - Moved by Thom Petersen, seconded by Jill Crafton, to adopt the agenda as presented. ***Motion passed on a roll call vote.***

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**23-36** **MINUTES OF MAY 24, 2023 BOARD MEETING** – Moved by Thom Petersen, seconded by Jayne Hager Dee, to approve the minutes of May 24, 2023, as circulated. ***Motion passed on a roll call vote.***

**PUBLIC ACCESS FORUM**

No members of the public provided comments to the board.

**CONFLICT OF INTEREST DECLARATION**

**Chair Sve 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 members or staff before any vote.”*

**REPORTS**

**Chair & Administrative Advisory Committee** – No report was provided.

**Executive Director’s Report** - John Jaschke reported our Chief Financial Officer accepted a position with the Department of Agriculture. Paul Erdman also accepted a new position at Ramsey Washington Metro District. Our PRAP Coordinator Jenny Mocol-Johnson accepted a position in the private sector. Stated they hired a couple staff in the Easement Section. John attended the Camp Ripley Sentinel Landscape event in early June with Todd Holman. John stated they are figuring out what the best paths are to pursue for the federal funding that passed in the Inflation Reduction Act.

John reviewed the Day of Packet that included an agenda, two updated board orders, and Snapshot articles.

Jayne Hager Dee asked where appointments are at. John stated they are being worked on but has not heard when they will be announced.

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

**Dispute Resolution and Compliance Report** – Travis Germundson reported there are presently five appeals pending and one new appeal since the last report. Stated it includes an appeal of a WCA notice of decision in Aitkin County. The appeal regards the approval of the Mille Lacs Meadows North Wetland Mitigation Bank consisting of an area of approximately 617 acres generating approximately 450 wetland credits. The appeal contends the site is ineligible for replacement and credits, no decision has been made.

Travis provided a Buffer Compliance Status Update.

**Grants Program & Policy Committee** – Todd Holman reported there are items on the agenda for action today. Staff have been tracking legislative and funding changes and provided updates at the committee meeting. Stated they are trying to find a new standing meeting time.

**RIM Reserve Committee** – Jayne Hager Dee reported the committee has not met.

**Water Management & Strategic Planning Committee** – Joe Collins reported they had an informational meeting about the One Watershed One Plan amendment process and a climate change discussion for the One Watershed One Plan. The next meeting is July 26<sup>th</sup>.

**Wetland Conservation Committee** – Jill Crafton reported the committee has not met.

**Buffers, Soils & Drainage Committee** – Mark Zabel reported the committee has not met.

**Drainage Work Group (DWG)** – Tom Gile reported they met and discussed prioritization of activities from the legislative session along with the structure and process of the Drainage Work Group. Stated they are looking to schedule a meeting in August in St. Cloud.

#### **AGENCY REPORTS**

**Minnesota Department of Agriculture** – Thom Petersen reported they are working on some of their legislative pieces. They have a lot of interest in their Soil Health Equipment Grants and BMP loan program. Stated they are watching the drought situation. Reported pork and dairy prices are at an all-time low. They are working on finalizing a letter regarding the Farm Bill from the administration and received input from DNR and BWSR.

Jill Crafton stated she read an article about the dairy farm with extra milk and asked if that was organic milk. Thom stated most of it is organic.

**Minnesota Department of Health** – Steve Robertson reported the PFAS effort is largely complete, and results are available online. Also available online is a technical report about work they've been doing to look at pathogens or viruses in public water system wells.

**Minnesota Department of Natural Resources** – Sarah Strommen reported they are working on implementation of policy changes and financial appropriations from the last legislative session. The Governor went to Mankato and highlighted some of the investments in fish hatcheries. Commissioner Strommen stated they have been part of conversations with BWSR, NRCS, Nature Conservancy, and SWCDs on the federal money, in particularly the forestry practice dollars and figuring out how to bring maximum Federal dollars to match State dollars. Stated they are also monitoring the drought. Stated they received a proposal from Talon Metals for a new mining project in Aitkin County. They are working on a fisheries management plan for the Minnesota River that is out for public comment through August 11<sup>th</sup>. They are also in a public comment period on the EIS for the Grindstone Dam removal through July 26<sup>th</sup>.

Jayne Hager Dee asked if the Southern Minnesota hatchery is in Waterville and asked what the difference is between a hatchery and a fishery. Commissioner Strommen stated one of the main hatcheries is in Waterville and is responsible for a lot of the fishing opportunities in Southern Minnesota. Stated a fishery is the assembly of fish in a particular location.

**Minnesota Extension** – Joel Larson reported they received funding to develop and build their climate extension programming. They have a new Extension Educator position who's focusing on agricultural climate resiliency. The Minnesota Climate Resilience Conference is going to be in Duluth this October 25<sup>th</sup> through the 27<sup>th</sup>. The annual Minnesota Water Resources Conference is October 17<sup>th</sup> through 18<sup>th</sup> in St. Paul.

**Minnesota Pollution Control Agency** – Melissa Lewis reported they are working through the legislative outcomes. In June they finished the last WRAPS report for Minnesota watersheds. Staff meteorologists have been busy with the air quality index.

Thom Petersen left the meeting at 9:52 a.m.

### **ADVISORY COMMENTS**

**Association of Minnesota Counties** – Brian Martinson reported they completed their spring District meetings. Stated they feel the legislative session was successful with additional county program aid funds. They will be working with BWSR staff on how to implement funding and new programs.

**Minnesota Association of Conservation District Employees** – No report was provided. John Jaschke stated they have an opportunity for a pass-through grant from the National Association that Mike Schultz is leading along with LeAnn Buck.

**Minnesota Association of Soil & Water Conservation Districts** – Sheila Vanney reported they've had a series of regional meetings. Their focus has been on the SWCD involvement in comprehensive watershed management planning and implementation.

**Minnesota Association of Townships** – Eunice Biel gave a legislative update. Township Tuesday calls will be on the first and third Tuesday with transcripts available online.

**Minnesota Watersheds** – Jan Voit reported they completed a statewide organization survey. Will be working with administrators to review and present a report at the annual conference in December. Had their summer tour last week co-hosted by Shell Rock River Watershed District, Turtle Creek Watershed District, and Cedar River Watersheds. Stated they are actively participating with the Drainage Work Group. Jan has been asked to serve on a committee that's looking at early coordination pilot projects. Stated they have been working to develop a handbook for Watershed District and Watershed Management Organization Board and staff. They are ready to put online with links to statutes and examples and will have ready for training at their annual conference in December.

**Natural Resources Conservation Service** – No report was provided.

Chair Sve called a recess at 10:08 a.m. and called the meeting back to order at 10:18 a.m.

### **NEW BUSINESS**

**Historical Context: Tribes** – Melissa King and Craig Engwall presented Historical Context on Tribal Relations and Governments.

As part of continuous learning, a summary was shared of historical events that have shaped and impacted Tribal Nations that share geography with Minnesota.

Jill Crafton asked if the presentation could be shared. John Jaschke stated Rachel Mueller can share the presentation.

## **COMMITTEE RECOMMENDATIONS**

### **Administrative Advisory Committee**

**Bylaws Update** – John Jaschke presented the Bylaws Update.

Proposed bylaws updates were reviewed by the Administrative Advisory committee on May 15, 2023 and reviewed by the Board on May 24, 2023.

John Jaschke noted Commissioner Petersen needed to step away and Jeff Berg will be voting for Department of Ag.

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23-37 Moved by Ron Staples, seconded by Jayne Hager Dee, to approve the Bylaws Update. ***Motion passed on a roll call vote.***

### **Grants Program and Policy Committee**

**Rock County Soil and Water Conservation District – Watershed Project Tracking Grant**– Justin Hanson presented Rock County Soil and Water Conservation District – Watershed Project Tracking Grant.

In December of 2022, MASWCD passed a resolution that asked BWSR to create a “Tracking Tool” that would support local watershed partnerships and help them track their work. In response, BWSR assembled a work group that would assess the local watershed partnership needs of SWCD’s and WD’s. The work group met during the early part of 2023. The outcome from that meeting:

- The workgroup does not desire a uniform tracking tool for the entire state. Unless it is a program that could be directly integrated into ELINK and add efficiency values to their work.
- The workgroup identified the biggest need is uniform standards for tracking their work. Many are already using locally developed tools and want to continue with that process. However, standardized methods will help create a statewide consistency regarding how those activities are described across partnerships.
- The workgroup recognized that many partnerships do not have any tracking mechanism in place. There are several partnerships that have already started working on a specific tool called “MS4Front” which is being developed by watershed partnerships in the Missouri and Des Moines watersheds. Collectively, it was decided that an example prototype tool could be developed, using the Missouri and Des Moines project tool as an option for those partnerships that wish to utilize a tool that is ready to go.

BWSR is not in a position (in the near term) to develop a tool that will integrate ELINK into a statewide tool. It’s not clear that BWSR would have the capability to integrate the needs of locals into the current ELINK program. ELINK has never been designed for project tracking. There are also proprietary challenges with how outside information is integrated into ELINK. The workgroup has expressed interest in having something in place that they can start using in the near term.

Rock SWCD has been out in front of this process and is currently developing a process that addresses the work group recommendations above (#2 and #3). In the interest of time and effectiveness, BWSR is proposing that we contract with Rock SWCD to support their local tracking process. By doing so, we can capture the progress that they have made. Then leverage their work to develop the work group priorities outlined in #2 and #3 above.

This project does not create a tool that BWSR will own. Therefore, there is no proprietary ownership of a product.

LGU partners will utilize local funding resources to support ongoing subscription fees or licenses available to manage any tracking tool that they elect to use. They may or may not use WBIF funding resources to support this administrative work.

Thom Petersen rejoined the meeting at 11:05 a.m.

John Jaschke stated if members have a conflict of interest to note it orally during the roll call vote or on the form included in the day of packet.

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23-38

Moved by Jill Crafton, seconded by Ted Winter, to approve the Rock County Soil and Water Conservation District – Watershed Project Tracking Grant ***Motion passed on a roll call vote.***

**Approval of FY23 Water Quality and Storage Pilot Grant Program Funding Recommendations** – Rita Weaver presented Approval of FY23 Water Quality and Storage Pilot Grant Program Funding Recommendations

The Water Quality and Storage Pilot Grant program was passed into law by the MN Legislature in 2021. The intent of the program is to fund projects that will reduce runoff volume or peak flow rates by implementing storage practices. This is the second year of the pilot program.

On January 25, 2023, the Board adopted Board Order #23-05, which authorized staff to conduct a request for proposals for the FY23 Water Quality and Storage Pilot Program grants. An application period was open from March 13, 2023 to May 4, 2023. Six (6) applications were received requesting a total of approximately \$3.075M.

Grants were scored and ranked by a team of BWSR staff, and the scoring team recommends that two projects be fully funded, and that one additional project be partially funded with the remaining FY22-23 funds.

The staff recommendations were presented to the BWSR SMT June 13, 2023 and the Grants Program and Policy Committee on June 26, 2023. The funding recommendations included in the board order are a result of those meetings.

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23-39

Moved by Jayne Hager Dee, seconded by LeRoy Ose, to approve the Approval of FY23 Water Quality and Storage Pilot Grant Program Funding Recommendations. ***Motion passed on a roll call vote.***

Chair Sve called a recess at 11:22 a.m. and called the meeting back to order at 11:31 a.m.

**FY 2024 CWF Competitive Grants Policy and RFP Criteria** – Annie Felix-Gerth presented FY 2024 CWF Competitive Grants Policy and RFP Criteria.

The Clean Water Fund Competitive Grant Policy is reviewed and approved annually. For FY 2024, the policy will apply to Projects and Practices and Projects and Practices Drinking Water grants.

The changes in this policy from the previous year include:

- Drinking Water grant only – public water suppliers and rural water systems are eligible to directly apply for the grant.
- Match changed from 25% to 10%
- Eligible practices section: 1) Practice Standards updated to include CWF statute language related to “demonstrated effectiveness and provide the greatest long-term positive impact on water quality. Innovative approaches may be incorporated on a case-by-case basis.” 2) Non-Structural Practices and Measures updated to include “Any projects proposing to provide cost share for installing or adopting non-structural land management practices for a duration longer than three years must be reviewed by BWSR staff and approved by the Assistant Director of Regional Operations prior to workplan approval.”
- Ineligible practices section: 1) Drainage law language simplified. 2) Permanent stormwater treatment activities added.

In addition to approving the policy, the board order also authorizes the fiscal year 2024 Clean Water Fund Competitive Grants Program and authorizes staff to finalize and issue a Request for Proposals. The Grants Program and Policy Committee reviewed these recommendations on May 22 and June 26, 2023 and recommends the attached policy and order to the board.

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23-40 Moved by Mark Zabel, seconded by Todd Holman, to approve the FY 2024 CWF Competitive Grants Policy and RFP Criteria. ***Motion passed on a roll call vote.***

**Fiscal Year 2024 and 2025 Natural Resources Block Grants Authorization** – James Adkinson presented Fiscal Year 2024 and 2025 Natural Resources Block Grants Authorization.

The purpose of this agenda item is to allocate Natural Resources Block Grants. The recommended grants reflect at 36.5%, one-time increase for the biennium, applied uniformly across all grants, using the existing allocation formula. The Grants Program & Policy Committee (GP&P) reviewed the recommendations at their May 22 meeting and recommended approval of the order to the board.

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23-41 Moved by Todd Holman, seconded by Mark Zabel, to approve the Fiscal Year 2024 and 2025 Natural Resources Block Grants Authorization. ***Motion passed on a roll call vote.***

**Fiscal Year 2024 and 2025 Technical Service Area Grants Authorization** – James Adkinson presented Fiscal Year 2024 and 2025 Technical Service Area Grants Authorization.

The purpose of this agenda item is to allocate Technical Service Area (TSA) Grants. The recommended grants are consistent with allocations to each TSA except for the equipment funds which are rotated on an established schedule. The Grants Program & Policy Committee reviewed the recommendations at their May 22, 2023 meeting and recommended approval of the order to the board.

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23-42 Moved by LeRoy Ose, seconded by Neil Peterson, to approve the Fiscal Year 2024 and 2025 Technical Service Area Grants Authorization. ***Motion passed on a roll call vote.***

**Central Region Committee**

**North Fork Crow River Comprehensive Watershed Management Plan 2018-2028 Plan Amendment** – Steve Christopher presented North Fork Crow River Comprehensive Watershed Management Plan 2018-2028 Plan Amendment.



**Background:**

The current North Fork Crow River Comprehensive Watershed Management Plan (Plan) was approved on June 27, 2018 and expires on June 27, 2028. The Plan partners of the North Fork Crow River Watershed Planning Partnership (NFCRWPP) include McLeod County, McLeod Soil and Water Conservation District (SWCD), Meeker County, Meeker SWCD, Kandiyohi County, Kandiyohi SWCD, Pope County, Pope SWCD, Stearns County, Stearns SWCD, Wright County, Wright SWCD, Middle Fork Crow River Watershed District, and North Fork Crow River Watershed District.

**Plan Amendment:**

Following approval from each of the NFCRWPP respective boards and concurrence with the partnerships Policy Committee, the Wright SWCD submitted a draft amendment to the Plan on their behalf on September 29, 2022. The NFCRWPP received initial input on the draft in fall 2022, then held a 60-day review that ended on April 23, 2023. The Wright SWCD held a public hearing on the Plan amendment on May 8, 2023. The 90-day review began on May 17, 2023.

The purpose for the Plan amendment is to make the Plan more usable for the NFCRWPP, provide clarity on implementation actions and goals, and make clerical revisions. A significant portion of the implementation tables in the Plan included items that local government units were not the lead entity. The tables have been revised in the amended draft to include only those actions undertaken by the "Local Leads." The implementation tables have also been simplified to only include actions relevant to the highest priorities as identified for each of the seven planning regions. Maps have been provided to highlight areas where the NFCRWPP will focus their efforts and create priority areas geographically that align with their resource goals. Lastly, since the Plan was approved, the Crow River Organization of Water (CROW) has discontinued its operations. All references to the CROW in the Plan have been removed and the action items within the implementation section have been reassigned.

Comments on the draft amendment were received from BWSR, Metropolitan Council, Minnesota Department of Health, Minnesota Department of Natural Resources, and the City of Otsego. The NFCRWPP provided a written response to all comments and made edits to the draft amendment as needed. BWSR staff worked closely with the NFCRWPP in the development of the Amendment and through the review process. BWSR staff has completed its review and recommends approval of the North Fork Crow River Comprehensive Watershed Management Plan Amendment.

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23-43 Moved by Joe Collins, seconded by Jill Crafton, to approve the North Fork Crow River Comprehensive Watershed Management Plan 2018-2028 Plan Amendment. ***Motion passed on a roll call vote.***

**UPCOMING MEETINGS**

- Joint summer tour and meeting, August 23-24, 2023.

Chair Sve adjourned the meeting at 11:57 AM

Respectfully submitted,



Todd Holman  
Chair