




DATE: August 14, 2018

TO: Board of Water and Soil Resources' Members, Advisors, and Staff

FROM: John Jaschke, Executive Director 

SUBJECT: August 22-23, 2018 – BWSR Board Tour Details and Meeting Notice

The Board of Water and Soil Resources (BWSR) will tour Rock and Nobles Counties on Wednesday, August 22, 2018. *See attached tour itinerary.* The accommodations for the Board Tour and Meeting will be at the Comfort Suites and Conference Center located at 1447 Prairie Drive in Worthington.

Sleeping rooms for board members who requested accommodations have been reserved at Comfort Suites and Conference Center in Worthington, on Tuesday and Wednesday evenings, August 21 and 22. Rooms have been direct billed (BWSR Board members, with the exception of agency members, do not pay for the room). Please contact Hannah Pallmeyer if you have any questions about accommodations at [Hannah.n.pallmeyer@state.mn.us](mailto:Hannah.n.pallmeyer@state.mn.us).

#### Wednesday, August 22<sup>nd</sup> – BWSR Board Tour

Breakfast, starting at 6:00 AM, is included for guests staying at the Comfort Suites on Tuesday evening. Check in for the tour will begin at 7:15 AM at the registration table outside of Ocheda Hall at the Comfort Suites and Conference Center. At 7:30 AM the tour will begin in Ocheda Hall with a brief overview of the day and a presentation about a few of the sites we will be visiting.

The tour will consist of a few stops where we will be walking a short distance, wear your comfortable walking shoes, and casual attire. The tour will be held rain or shine, so please dress accordingly.

The coach bus will travel through Nobles County, with stops at the Worthington Well Head Area, Bella Park, Prairie View Pond, and Summit Lake. We will arrive in Luverne at 12:10pm for lunch at the Grand Prairie Events Center, where we will hear presentations about the afternoon sites. The coach bus will depart at 1:20 PM and tour the Rock River/Landfill Protection site, a manure handling project site, Rock River Rural Water Area. The bus will stop at the Adrian Well Head Area on the return ride to Worthington.

The coach bus will arrive back at the Comfort Suites and Conference Center around 4:10 PM to allow attendees a chance to refresh or those not joining us for dinner, return to your car. The coach bus will depart the Comfort Suites at 5:00 PM and arrive at the Round Lake Winery, where dinner will be served at 5:30 PM. There will be a presentation by Prairie Ecology Bus staff during dinner and there will be an opportunity to look at the bus. The coach bus will be departing the Round Lake Winery at 7:30 PM and will return to the hotel at approximately 8:00 PM.

#### Thursday, August 23<sup>rd</sup> – BWSR Board Meeting

Breakfast, starting at 6:00 AM, is included for guests staying at the Comfort Suites on Wednesday evening.

The Board of Water and Soil Resources (BWSR) will meet on Thursday, August 24th, beginning at 8:30 AM. The meeting will be held in Ocheda Hall at the Comfort Suites and Conference Center in Worthington. The following information pertains to agenda items:

## **COMMITTEE RECOMMENDATIONS**

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

1. **Fiscal Year 2019 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 the previous year except for the equipment funds have been rotated on the pre-established schedule agreed to with the TSAs. The Grants Program & Policy Committee reviewed the recommendations at their August 7, 2018 meeting and recommended approval of the order to the board. **DECISION**
2. **One Watershed, One Plan Planning Grants Authorization** – The purpose of this agenda item is to authorize the One Watershed, One Plan Planning Grants recommended from the calendar year 2018 applications. Nine applications were received and nine are recommended for funding. **DECISION**
3. **Farm Bill Assistance & CREP Outreach Program Policy Authorization** – The purpose of this agenda item is to adopt the Farm Bill Assistance & CREP Outreach Program Policy. This is a new policy, created to bring the Farm Bill Assistance & CREP Outreach Program into uniformity with other BWSR grant programs and to provide clear and consistent direction for grantees and potential grantees. The policy was drafted by grants staff and reviewed by Senior Management Team before being presented to the Grants Program and Policy Committee (GP&P) on August 7, 2018. GP&P recommended approval of the policy to the board. **DECISION**
4. **Fiscal Year 2019 Farm Bill Assistance Program Authorization** - The purpose of this action is to authorize and allocate the Farm Bill Assistance Program and Grants. The recommended grants are consistent with the process from the previous year. Senior Management Team reviewed the recommendations and recommended approval to the Grants Program and Policy Committee (GP&P). The GP&P reviewed the recommendations at their August 7, 2018 meeting and recommended approval of the order to the board. **DECISION**

### ***Southern Region Committee***

1. **Area II Minnesota River Basin Projects Biennial Plan – FY 2018 & 2019 and Grant** – BWSR oversees the administrative funding related to the efforts of the Area II Minnesota River Basin Projects (Area II). The 2017 Minnesota Legislature appropriated administrative funding for Area II Minnesota River Basins Project Inc., resulting in a fiscal year 2019 grant of \$140,000. The overall budget objectives are included in the Plan. Staff recommends approval of this Plan and execution of the administrative grant agreement for FY 2019. The Board’s Southern Regional Committee met on June 21, 2018 to review the Area II Work Plan and recommends approval of the Plan and execution of the FY 2019 grant. **DECISION**
2. **Area II Minnesota River Basin Projects Bonding Work Plan and Grant** – BWSR oversees the Bonding appropriation related to the efforts of the Area II Minnesota River Basin Projects (Area II) for construction of floodwater retarding and retention structures. The 2018 Minnesota Legislature appropriated Bonding funding for Area II Minnesota River Basin Projects resulting in a fiscal year 2019 grant of \$700,000. The overall budget objectives are included in the plan. Staff recommends approval of this plan and execution of the grant agreement for FY 2019. The Board’s Southern Regional Committee met on June 21, 2018 to review the Area II Bonding Work Plan and recommends approval of the plan and execution of the FY 2019 grant. **DECISION**

## **NEW BUSINESS**

1. **BWSR Board Bylaws proposed amendment and Per Diem/Expense Policy** – In response to the audit, staff recommend that BWSR bylaws be amended to update the conflict of interest policy to explicitly indicate that if a board member has an actual conflict of interest that they will not be able to vote on the agenda item for which they have a conflict of interest. A few administrative updates to the bylaws and the per diem/expenses policy are also proposed. ***INFORMATION***

If you have any questions regarding the agenda, please feel free to call me at 651-296-0878. We look forward to seeing you on August 22 and 23.

## **BWSR Board Tour Itinerary**

*August 22, 2018*

**Comfort Suites and Conference Center  
1447 Prairie Drive, Worthington, MN 56187**

- 7:15 AM Check-in at registration table at Comfort Suites and Conference Center, Ocheda Hall
- 7:30 Welcome & Introductions: Gerald Van Amburg & John Jaschke, BWSR  
Brief overview of Tour: Ed Lenz, BWSR Southern Region Manager  
Overview of Lake Okabena Area Conservation Projects: Dan Livdahl, Okabena-Ocheda Watershed District
- 8:30 Depart Comfort Suites
- 8:50 **Worthington Wellhead Area** – Drive by/brief pull over  
Presenters: Eric Roos, City of Worthington  
Dan Livdahl, Okabena-Ocheda Watershed District  
*Highlights – History and highlights of the Worthington Source Water Protection Area, including methods and partnerships*
- 9:10 **Bella Park**  
Presenters: Dan Livdahl, Okabena-Ocheda Watershed District  
Scott Rall, Nobles County Pheasants Forever/Worthington Globe Outdoor Columnist  
*Highlights – Operation and history of Bella Park*
- 9:40 Depart for Prairie View Pond Site
- 10:00 **Prairie View Pond - Water Quality Improvement Project**  
Presenter: Dan Livdahl, Okabena-Ocheda Watershed District  
*Highlights – Iron Filtration Project to capture and remove phosphorus from stream, a contributing water to Lake Okabena in Worthington – Update on construction/challenges Faced*
- Refreshment Break**
- 10:40 Depart for Summit Lake (drive-bys and brief pullovers showing treatment train)
- 10:55 **Summit Lake Restoration Project**  
Presenters: John Shea, Nobles SWCD/Kanaranzi Little Rock WD  
Scott Santjer & Terry Ragan, BWSR Engineering

Bemidji Brainerd Detroit Lakes Duluth Mankato Marshall Rochester St. Cloud St. Paul

St. Paul HQ 520 Lafayette Road North St. Paul, MN 55155 Phone: (651) 296-3767

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Ed Lenz, BWSR Southern Region Manager

*Highlights - History and overview of project, project funding/partnership*

11:25 Depart for Luverne (Drive-by Areas of Note on the way)

12:10 **Lunch and Presentation at Prairie Events Center, Luverne**

Presenters: Doug Bos, Rock SWCD/LMO

Russ Hoogendoorn, Engineer, Southwest Prairie Technical Service Area

*Highlights – Selected FY14 Disaster Recovery Assistance Program (DRAP) projects in Rock County; Preview of afternoon site visits*

1:20 Depart for Rock River/Landfill Protection Site

1:25 **Rock River/Landfill Protection Site**

Presenters: Russ Hoogendoorn, Engineer, Southwest Prairie Technical Service Area

Doug Bos, Rock SWCD/LMO Staff

*Highlights – Shore Land Project protecting the Rock River from cutting into a closed landfill following the 2014 floods*

2:05 Depart for Rock County Rural Water Area

Stop over at **Elk Creek Manure Handling Project**

Presenter: Doug Bos, Rock SWCD/LMO

*Highlights – Manure storage solution for Elk Creek – Operating costs and conservation benefits*

2:25 **Rock County Rural Water Area**

Presenters: Doug Bos, Rock SWCD/LMO

Ryan Holtz, Rock County Rural Water Manager

Aaron Meyer, MN Rural Water Association

*Highlights – Discussion of drinking supply testing results for the area and highlights of the management methods adopted/planned through the FY18 CWF Projects and Practices Grant for the Source Water Area*

**Refreshment Break**

2:55 Stop over at David Wessel's Site – Farmer with nitrogen management improvements in the Rock County Rural Water Area

*Highlights – Landowner perspective on implementation and discussion on changes to the operation and attitude toward conservation*

3:15 Depart for Adrian Well Heads

3:35 **City of Adrian – Wellheads**

Presenters: Aaron Meyer, MN Rural Water Association

Adam Henning, Public Works, City of Adrian  
Bruce Heitkamp, City Administrator, City of Adrian  
*Highlights – Wellhead protection strategies, Water supply treatment needs*

3:50 Depart for hotel

4:10 Downtime at hotel

5:00 Depart for Round Lake Winery for Dinner

5:30 Dinner and Presentation

**Presentation – Prairie Ecology Bus Center**

Presenter: Alisha Paplow, Executive Director, Prairie Ecology Bus Center

*Highlights – Purpose, mission, partnerships, local community involvement*

7:30 **Depart** to hotel

8:00 **Arrive** at Comfort Suites in Worthington



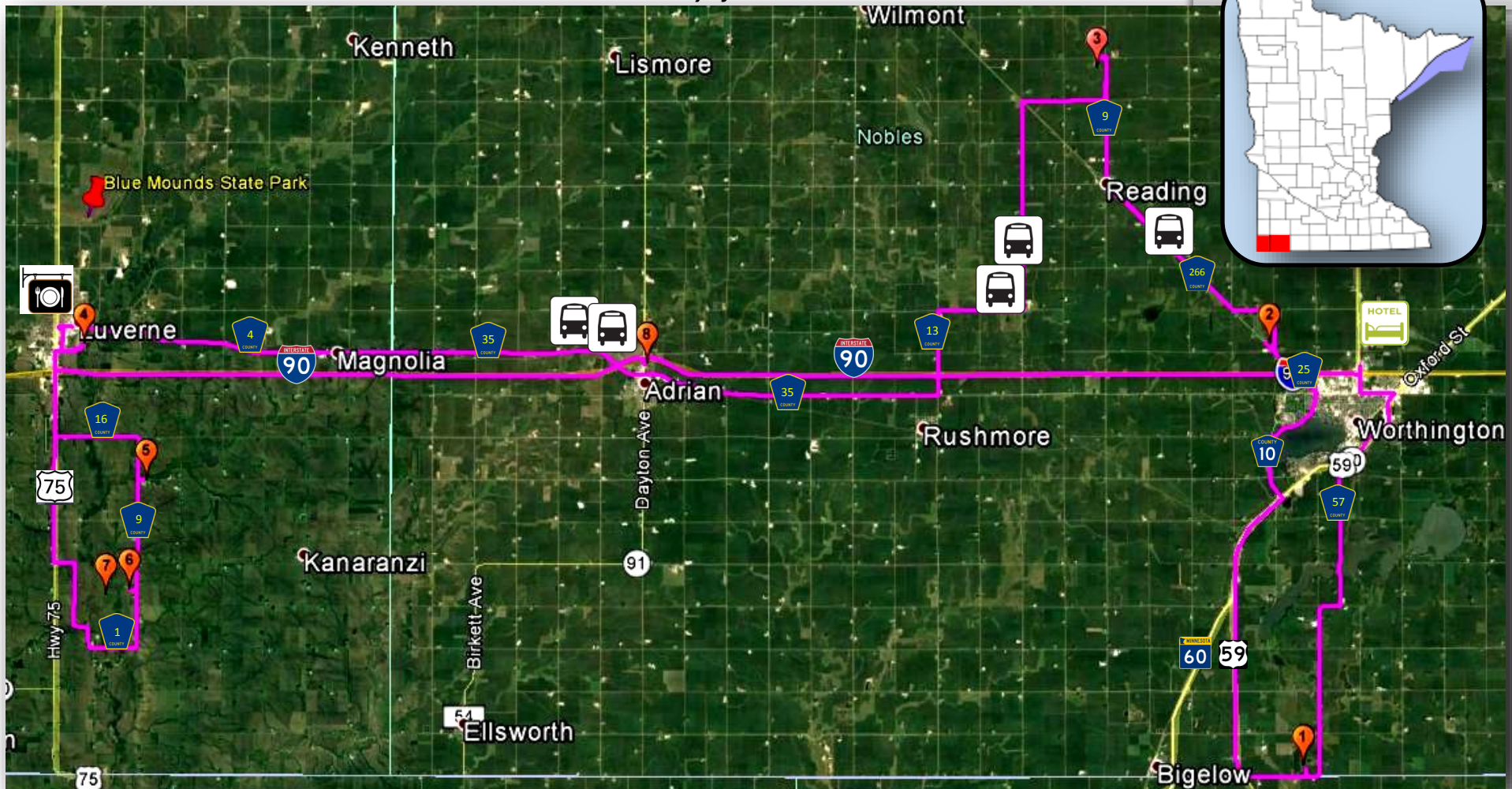
## TOUR SITE STOPS -

1. **Worthington Wellheads/Bella Park**
2. **Prairie View Pond - Water Quality Improvement Project**
3. **Summit Lake Restoration Project**
  - \*- Treatment Train Drive-by
  - \*- Nobles County Landfill Drive-by

- \*- Nobles Wetland Banking Site Drive-by
  - \*- Kanaranzi Dam Removal Site Drive-by
  - \*- Kanaranzi Oxbow Reconnection—Drive-by
4. **Rock River/Landfill Protection Site**
  5. **Elk Creek Manure Handling Project**
  6. **Rock County Rural Water Area**
  7. **Rural Water Site—Landowner Perspective**
  8. **City of Adrian Wellhead Area**

## Tour Stops

-  Drive-by/Pull Over
-  Project Stop
-  Comfort Inn
-  Lunch Stop



**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD N.  
LOWER LEVEL BOARD ROOM  
ST. PAUL, MINNESOTA 55155  
THURSDAY, AUGUST 23, 2018**

**PRELIMINARY AGENDA**

**9:00 AM CALL MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF AGENDA**

**MINUTES OF JUNE 27, 2018 BOARD MEETING**

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

**CONFLICT OF INTEREST DECLARATION**

**INTRODUCTION OF NEW EMPLOYEES**

**REPORTS**

- Chair & Administrative Advisory Committee - Gerald Van Amburg
- Audit & Oversight Committee - Gerald Van Amburg
- Executive Director - John Jaschke
- Dispute Resolution Committee - Gerald Van Amburg
- Grants Program & Policy Committee - Steve Sunderland
- RIM Reserve Committee – Tom Loveall
- Water Management & Strategic Planning Committee - Jack Ditmore
- Wetland Conservation Committee - Tom Schulz
- Buffers, Soils & Drainage Committee - Kathryn Kelly
- Drainage Work Group - Tom Loveall/AI Kean



## **COMMITTEE RECOMMENDATIONS**

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

1. Fiscal Year 2019 Technical Service Area Grants Authorization – Melissa Lewis – ***DECISION ITEM***
2. One Watershed, One Plan Planning Grants Authorization – Melissa Lewis – ***DECISION ITEM***
3. Farm Bill Assistance & CREP Outreach Program Policy Authorization – Tabor Hoek – ***DECISION ITEM***
4. Fiscal Year 2019 Farm Bill Assistance Program Authorization – Tabor Hoek – ***DECISION ITEM***

### ***Southern Region Committee***

1. Area II Minnesota River Basin Projects Biennial Plan – FY 2018 & 2019 and Grant – Ed Lenz – ***DECISION ITEM***
2. Area II Minnesota River Basin Projects Bonding Work Plan and Grant – Ed Lenz – ***DECISION ITEM***

## **NEW BUSINESS**

1. BWSR Board Bylaws proposed amendment and Per Diem/Expense Policy – John Jaschke. ***INFORMATION ITEM***

## **AGENCY REPORTS**

- Minnesota Department of Agriculture – Susan Stokes
- Minnesota Department of Health – Chris Elvrum
- Minnesota Department of Natural Resources – Tom Landwehr
- Minnesota Extension Service – Joel Larson
- Minnesota Pollution Control Agency – Shannon Lotthammer

## **ADVISORY COMMENTS**

- Association of Minnesota Counties – Jennifer Berquam
- Minnesota Association of Conservation District Employees – Chessa Frahm
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Nathan Redalen
- Minnesota Association of Watershed Districts – Emily Javens
- Natural Resources Conservation Service – Troy Daniell

## **UPCOMING MEETINGS**

- Next BWSR Meeting is on September 26<sup>th</sup> at 9:00AM. The lower level board room at the MPCA/BWSR St. Paul office is closed for renovations through the end of the year, so the September, October, and December board meetings will be held off-site. This information will be provided to board members and posted on the BWSR website when it is available.

## **ADJOURN**

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD N.  
LOWER LEVEL BOARD ROOM  
ST. PAUL, MINNESOTA 55155  
WEDNESDAY, JUNE 27, 2018**

**BOARD MEMBERS PRESENT:**

Jill Crafton, Jack Ditmore, Kathryn Kelly, Tom Landwehr, DNR; Tom Loveall, Nathan Redalen, Tom Schulz, Steve Sunderland, Gene Tiedemann, Gerald Van Amburg, Paige Winebarger, Shannon Lotthammer, MPCA; Chris Elvrum, MDH; Neil Peterson, Patty Acomb

**BOARD MEMBERS ABSENT:**

Rich Sve, Joe Collins, Neil Peterson, Susan Stokes, MDA; Duane Willenbring

**STAFF PRESENT:**

John Jaschke, Angie Becker Kudelka, Hannah Pallmeyer, Mary Juhl, Jenny Gieseke, Cathy Seurer, Jeremy Olson, Dusty Van Thuyne, Dave Rickert, Al Kean, Melissa Lewis, Marcey Westrick, Tim Fredbo, Dave Weirens, Tim Koehler, Kevin Bigalke, Les Lemm, Travis Germundson, Celi Haga

**OTHERS PRESENT:**

Jeffrey Berg, MDA  
Emily Javens, MAWD  
Sheila Vanney, MASWCD  
Jennifer Berquam, AMC  
Brian Martinson, SMSBC  
Josie Lonetti, MFB  
Jamie Beyer

**Chair Gerald Van Amburg called the meeting to order at 9:10 AM**

#### **PLEDGE OF ALLEGIANCE**

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18-26 **ADOPTION OF AGENDA** - Moved by Patty Acomb, seconded by Kathryn Kelly to adopt the agenda as presented. ***Motion passed on a voice vote.***

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18-27 **MINUTES OF THE MARCH 28, 2018 BOARD MEETING** – The board asked for an update on the Sherburne County comprehensive local water management plan. Sherburne County did update their plan. There was an edit to page 8 of the minutes to reflect that no hearings were requested for the boundary change. Moved by Nathan Redalen, seconded by Chris Elvrum, to approve the minutes of March 28, 2018, as amended. ***Motion passed on a voice vote.***

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18-28 **MINUTES OF THE MAY 23, 2018 BOARD MEETING** – Moved by Jack Ditmore, seconded by Chris Elvrum, to approve the minutes of May 23, 2018, as circulated. ***Motion passed on a voice vote.***

#### **PUBLIC ACCESS FORUM**

No members of the public provided comments to the board.

#### **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.”*

#### **INTRODUCTION OF NEW STAFF**

- Mary Juhl
- Cathy Seurer
- Dusty Van Thuyne

Chair Van Amburg and the board welcomed the new staff to BWSR!

#### **REPORTS**

**Chair & Administrative Advisory Committee** – Chair Gerald Van Amburg reported that he attended the Environmental Quality Board (EQB) meeting on June 20<sup>th</sup> to talk about strategic planning. The EQB also discussed nitrate levels in drinking water and the environmental score card. Water reuse is an emerging issue that the EQB is learning about, in conjunction with the Minnesota Department of Health. MDH has put together a report on this topic that is available online. Frank Kohlasch from the MPCA provided a presentation about nutrient reduction and climate, similar to the presentation previously given to BWSR. June 20-22<sup>nd</sup> was the annual meeting and tour of the Minnesota Association of Watershed Districts. June 20<sup>th</sup> had a tour on the Minnesota River, followed by a bus tour in the Carver County area on June 21<sup>st</sup> and meetings on June 22<sup>nd</sup>. The Legislative Water Commission met in conjunction with the MAWD meeting on June 21<sup>st</sup>. Chair Van Amburg appreciated the MAWD staff, including Emily Javens, Executive Director, for the work that went into planning that event.

Chair Van Amburg stated that he is proud of the hard working board and staff of BWSR. The Administrative Advisory Committee met the morning before the board meeting and will have a committee recommendation regarding Working Lands later in the meeting. The committee also addressed the performance review of the Executive Director, under the leadership of Chair Van Amburg and Vice Chair Schulz. The performance review of the Executive Director was tremendous. The performance review is confidential and can be reviewed by board members during the lunch break. Chair Van Amburg expressed appreciation for board members and Senior Management who filled out evaluations. The committee also discussed that BWSR has not had any new board members appointed by the Governor yet, and that there may be some committee reshuffling based on new board members.

**Audit and Oversight Committee** – Chair Gerald Van Amburg reported that the committee met on June 26<sup>th</sup> to discuss a few items, including the audit that was conducted by the Office of the Legislative Auditor (OLA). The committee discussed corrective actions and the audit committee will have regular meetings with necessary staff and leadership over the upcoming months to discuss these actions to ensure that necessary internal controls and oversight are in place. Chair Van Amburg and Executive Director John Jaschke will draft a letter responding to the audit. The board discussed the findings and the importance of documenting decisions. There was a similar audit conducted around 2007, which resulted in the creation of the Audit and Oversight Committee. Chair Van Amburg emphasized that there was no fraud or malfeasance in the spending of resources.

BWSR spends 83% of the budget on grants and easements, and there were no findings found for this. Executive Director Jaschke provided a few examples about the importance of consistent coding. BWSR will prioritize having staff check that codes are being used consistently. Another issue is about splitting costs using two constitutional funds, and the importance of having a system that allows adjustments to costs to be made while using two funds, and having that information be shared with the state payment system, SWIFT. Board members appreciated the staff's assistance in explaining the audit and next steps to the board, and will be kept informed going forward. There was also discussion that the audit was kept confidential by the OLA until this month, and so that is why we are discussing the audit at this time.

**Executive Director's Report** - John Jaschke provided a legislative update to the board. The Governor vetoed the omnibus bill that contained policy provisions about watershed coordination and a funding extension for the Working Lands program that will be discussed later on the agenda. The bonding bill was signed by the Governor, with one line item veto. There will be an update on proposed CREP changes later in the agenda. John Jaschke appreciated the time that Gene Tiedemann has been on the board, as this is his last board meeting. John Jaschke attended a meeting of west central SWCD managers last week, and had good discussions at that meeting. The packet was reviewed with the board.

**Dispute Resolution Committee** - Travis Germundson provided an update to the board. File 11-1 has been resolved, so for the first time, there are no pending appeals before the board.

**Grants Program & Policy Committee** - Steve Sunderland reported that the committee met on June 5 and have five items later in the agenda.

**RIM Reserve Committee** - Gene Tiedemann reported that the committee met on June 13<sup>th</sup> and have four items later in the agenda.

**Water Management & Strategic Planning Committee** - Jack Ditmore reported that the committee has not met since the last board meeting and have no future meetings scheduled at this time.

**Wetland Conservation Committee** - Tom Schulz reported that the committee has not met since the last board meeting and have no future meeting scheduled at this time. There will be a report about Section 404 assumption later in the agenda.

**Buffers, Soils & Drainage Committee** - Kathryn Kelly reported that the committee met and will have agenda items in future board meetings.

**Drainage Work Group (DWG)** - Tom Loveall reported that the DWG met on June 14<sup>th</sup>. Al Kean reported that MDA and Renville County have developed a work-around for the county not being able to be a direct borrower of AgBMP Loans funds for ditch buffer strips required by a redetermination of benefits and damages. There was a discussion of legislative outcomes at the DWG meeting. The DWG recommendations were not passed in 2018. DWG recommendations will continue to be discussed with drainage authorities and legislators. The goal is for the recommendations to be reintroduced in the 2019 legislative session. Al Kean reminded the board that the recommendations are consensus-based. The board talked about the role of viewers.

Chair Gerald Van Amburg recessed the board at 10:34am and called the board back to order at 10:45am.

## **COMMITTEE RECOMMENDATIONS**

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

**Local Water Plan Status and Grant Eligibility Policy** – Melissa Lewis presented the policy. The intent of this draft policy is to provide clear and consistent direction for grantees and potential grantees on how the status of their local water plan impacts BWSR decision on grants and grant payments and clarity on if plan status can impact grant payments. The Local Water Plan Status criteria in this policy are consistent with the criteria used historically with the Clean Water Fund competitive program as is the application of the policy to competitive grants. The application of the policy to noncompetitive grants by not executing grants unless a plan is current is consistent with past practice; however, the policy documents the practice and adds a timeline - 6 months in which BWSR reserves right to cancel an award. The policy clearly exempts Disaster Recovery Assistance and Technical Service Area funding. The policy was drafted by the internal Grants Team and reviewed by Senior Management Team before being presented to the Grants Program and Policy Committee (GP&P) on June 5, 2018. GP&P recommended approval of the policy to the board.

An oral amendment was proposed to the policy to clarify that watershed-based funding grants will have their eligibility determined through watershed-based funding policy.

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18-29 Moved by Tom Schulz, seconded by Steve Sunderland, to approve the Local Water Plan Status and Grant Eligibility Policy, with an oral amendment to the policy. ***Motion passed on a voice vote.***

**Revised Grants Monitoring and Reconciliation Policy** – Melissa Lewis presented the policy. This policy was revised in response to modifications to the Department of Administration's Office of Grants Management (OGM) Policies 08-08 and 08-10. The changes to OGM policies allow a granting agency with multiple grants of similar grant periods with the same grantee to choose - through a documented risk assessment - which grant(s) represent a sample that will receive monitoring and financial reconciliation. The revisions to the BWSR policy allows for sampling grants subject to reconciliation consistent with the OGM policies, but continue to require monitoring all grants annually. The result of the revision is that BWSR will not need to request future exceptions to OGM policies. The draft board order also documents that additional FY 2016 grants and prior do not need to be reconciled because



these grants were identified as part of a 2016 Office of Grants Management Exception, and the terms of this Exception have been met (note that the order the Grants Program and Policy Committee reviewed referred to FY 2015 grants - this was a typo and should have read FY 2016 and prior). This policy was revised by the agency's Grants Monitoring Work Group and reviewed by the Grants Team. Senior Management Team reviewed the proposed revised policy on April 10, 2018 and recommended approval to the Grants Program and Policy Committee (GP&P). The GP&P recommended approval at their June 5, 2018 meeting.

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18-30 Moved by Steve Sunderland, seconded by Kathryn Kelly to approve the Revised Grants Monitoring and Reconciliation Policy. **Motion passed on a voice vote.**

Executive Director John Jaschke discussed the OLA finding on the process to address conflict of interests for board members. BWSR board members are appointed by the Governor and are responsible for making their own decisions on when to vote. BWSR staff are meeting with the Office of Grants Management to address this concern. Members are aware of their responsibility to make a decision about their ability to vote. No members identified a perceived or potential conflict of interest for today's meeting. One member, Tom Loveall, identified an actual conflict of interest for the CREP agenda item and will not vote on that agenda item.

**Fiscal Year 2019 Buffer Law Implementation Grants** – Melissa Lewis presented the grants program. The recommended allocations are consistent with the previous year. Senior Management Team reviewed the recommendations on April 10, 2018 and recommended approval to the Grants Program and Policy Committee (GP&P). The GP&P reviewed the recommendations at their June 5, 2018 meeting and recommended approval of the order to the board.

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18-31 Moved by Tom Landwehr, seconded by Paige Winebarger, to approve the board order authorizing the FY2019 Buffer Law Implementation Grants. **Motion passed on a voice vote.**

**Fiscal Year 2019 Local Capacity Grants Program** – Melissa Lewis presented the grants program. The purpose of this action is to allocate the \$100,000 SWCD Local Capacity Grants. This action will also allocate the matching grants consistent with past grants, with the exception of a new deadline for counties to provide documentation of support by January 15, 2019. Per statutory changes, Ramsey Conservation District will be dissolved effective July 1, 2018 and will be absorbed into Ramsey County. Senior Management Team reviewed the recommendations and recommended approval to the Grants Program & Policy Committee (GP&P). The GP&P reviewed the recommendations on June 5, 2018 and recommended the order to the board.

This grant follows the SWCD grants policy that was adopted by the board in the last few years that covers the funds allocated from the Clean Water Fund and General Fund. The matching amount was determined using 2016 numbers of what SWCDs received from counties and sorting them into tiers. For SWCDs who were not allocated a lot of resources from their counties in 2016, they were offered more resources for the match this year.

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18-32 Moved by Steve Sunderland, seconded by Kathryn Kelly to approve the board order authorizing the FY2019 Local Capacity Grants, with an oral amendment to the board order. **Motion passed on a voice vote.**

**FY 2019 Clean Water Fund Implementation Program Policy and the FY2019 Clean Water Fund Competitive Grants Program authorization** – Marcey Westrick presented the program policy and authorization. The Clean Water Fund Policy is reviewed and approved annually. For FY2019, the policy will apply to Accelerated Implementation, Minnesota Department of Health Well Sealing, Multi-purpose Drainage Management, and Projects and Practices funding.

The changes in this policy from the previous year include:

- Reorganized for consistency with the organization of the Watershed Based Funding policy
- The FY18 Buffer Cost Share section has been removed
- 1. Reference to the Plan Status and Grant Eligibility Policy has been included.
- 3.7 New section on drinking water to better recognize drinking water in the appropriation language.
- 3.9a Criteria that was previously noted in the RFP has been moved to the policy itself.
- 3.10a Lake draw down was added as a specific in-lake treatment.
- 3.10b Reorganized to first explain the practice of using incentives (and add “mitigate risk”) and then the duration. Duration was modified to allow incentives other than 3 years with BWSR approval, and the approval was shifted from Executive Director to Assistant Director of Regional Operations.
- 4.3, 4.4, 4.10 New ineligible activities that needed to be specifically included in the policy.
- 4.12 Modified to reflect land acquisition ineligible unless specifically allowed.

In addition to approving the policy, the board order also would authorize the fiscal year 2019 Clean Water Fund Competitive Grants Program. Grants Program and Policy Committee reviewed this recommendation on June 5, 2018 and recommended the attached policy and order to the board.

The board discussed ineligible policies, including that funding could not be used to construct wastewater treatment facilities.

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18-33 Moved by Chris Elvrum, seconded by Tom Loveall, to approve the board order authorizing the FY19 Clean Water Fund implementation program policy and grants program. ***Motion passed on a voice vote.***

**RIM Reserve Committee**

**Carruthers / Schmidgall RIM Easement Alteration (61-03-98-01)** – Tim Fredbo presented the easement alteration request. Evan Carruthers is requesting a release of 24 acres from RIM easement 61-03-98-01, and proposes to replace with 48 acres under a totally new easement on land owned by Tom Schmidgall. Easement 61-03-98-01 is currently a 91 acre MN River CREP riparian easement, where the USDA CRP contract expired in 2014. The RIM easement is perpetual and the State paid the original landowner \$33,300.52. Mr. Carruthers purchased this land under the RIM easement on Dec. 9, 2016.

Mr. Carruthers and Mr. Schmidgall have worked cooperatively to propose this alteration and have received approval from both the Pope SWCD and the DNR Area Wildlife Supervisor, Kevin Kotts, as required by RIM Rule and Policy. These approvals are both contained in the included Carruthers support documents that were distributed to the board. Since work to alter this easement will necessitate both an amended easement for Carruthers and a new easement for Schmidgall, the landowners have sent \$1,000 for the required BWSR processing fee.

The 48 acre Schmidgall land being offered as replacement is less than a mile away, and in the same Township and watershed, and would also be considered riparian land if the State were to put it under easement. The 48 acres meets our 2:1 replacement acreage ratio required by BWSR's Easement Alteration Policy. This replacement land in Section 30 is currently in CRP, according to the Pope SWCD. Tom Schmidgall is also the current operator of the land owned by Carruthers in Section 8, and it is clear in the boundary proposed for release, with its half circle pattern, that center pivot irrigation of the property is planned. This will most likely necessitate removal of the trees that are between the north boundary of easement 61-03-98-01 and the road to the north. See Appendix A map in the attached supporting documents. If the State were to approve of this proposed alteration request, BWSR would have to treat this land being enrolled as replacement as a new application for RIM.

There was discussion by the board about the precedence this alteration could have for future decisions. The board also discussed which land would be released from the easement and which land would be added. There was a discussion by the board if this alteration request would be in the best interest of the public, due to extra irrigation and the inclusion of land in RIM that may otherwise not be eligible. The board was interested if additional information about groundwater was available. Groundwater issues were not brought up at the committee, instead the committee looked at it from a conservation perspective. There is some well testing that has occurred by the Department of Agriculture in this county.

\*\*  
18-34 Moved by Gene Tiedemann, seconded by Tom Loveall, to approve the easement alteration. ***Motion passed on a voice vote.***

**Christensen RIM Easement Alteration (24-08-01-01)** – Tim Fredbo presented the easement alteration request. The Christensen family is seeking to improve an existing farm access field road along the edge of the easement they originally enrolled into a MN River CREP easement in 2001 to provide an adequate driveway access for a new home their son plans to build. The new homesite is not on the easement, but the current field road that provides access is. They proposed to widen the lane and provide drainage and gravel to gain acceptable year round access for passenger vehicles. Due to other ownership and residences around this site, this option provides the only reasonable access. The 20 ft. x 600 ft. strip they proposed for release is already being used to access easement and non-easement lands to the north and the grass cover has been degraded somewhat.

To replace the released 0.25 acres the owners propose to add 0.55 acres of new cropland adjacent to the current easement boundary and just to just to the east. This is shown on the map as proposed RIM exchange land, that was included in the supporting documents provided to the board. The map also shows the locations of these areas in relation to the current RIM easement boundary.

Both the Freeborn SWCD and the MN DNR Wildlife Specialist are in full support of this request. Their recommendations are also included in the supporting documents.

The board clarified what land would be exchanged. There was discussion about how conservation would be impacted if there is development on the property, even with the proposed house site not being located on the RIM easement. There is already a field road on the property.

The landowner is responsible for paying \$500 for the easement alteration request, but board members were concerned about the additional cost to BWSR for processing these requests. There was a

suggestion that, in the future, staff explore establishing a fee to pay for the costs for BWSR and LGU staff to process the easement alteration request. Another idea would be to have additional factors considered when the Board looks at easement alteration requests. There is also a concern that being too inflexible may be a limit for people to sign up for the program.

\*\*  
18-35 Moved by Gene Tiedemann, seconded by Jill Crafton, to approve the easement alteration. **Motion passed on a voice vote.**

**Bruce Levos RIM Easement Alteration (07-05-99-03)** – Tim Fredbo presented the easement alteration request. Bruce Levos originally placed this land into a RIM Reserve easement in 1999. The 22.3 acre easement is riparian floodplain land adjacent to the Le Sueur River. The cropland was in a USDA CRP contract at the time of enrollment, which expired in 2012. Mr. Levos also donated 5.5 acres of existing woodland into his RIM easement when he enrolled.

In 2008 or 2009, Mr. Levos made a small addition to his vineyard on land that he did not realize was in the RIM easement. Mr. Levos assumed his RIM boundary was further west, and since the easement boundary had never been staked in the field by the SWCD, this slight 0.3 acre incursion into the easement went undetected until this past year when looked at in ARCmap GIS by Blue Earth SWCD staff for a required site inspection. When Mr. Levos was contacted by the SWCD about this issue, his offer to make amends for this mistake is the current request to change his easement boundary.

Mr. Levos is requesting a release of 0.81 acres from within the current easement and is proposing to replace this with 3.43 acres of land currently in CRP. Map C in the supporting documents shows the locations of these areas in relation to the current RIM easement boundary. The landowner is proposing this change to keep the boundary simple, as it follows the tree line to the west of the 0.81 acre release area. This proposal is a replacement ratio of four to one, and takes more floodprone land permanently out of crop production.

Both the Blue Earth SWCD and the MN DNR Wildlife Specialist are in support of this request, as required by RIM rule and policy.

The board discussed if it is common for CRP land to go into RIM easement, and staff responded that it is.

\*\*  
18-36 Moved by Gene Tiedemann, seconded by Jill Crafton, to approve the easement alteration. **Motion passed on a voice vote.**

Chair Gerald Van Amburg recessed the board at 12:03pm and called the board back to order at 12:20pm.

**MN Conservation Reserve Enhancement Program (MN CREP) 2018 Adjustments** – Dave Weirens, Tim Koehler, and Dave Rickert presented the CREP program adjustments. BWSR staff have been approving MN CREP landowner applications for the past 12 months submitted by Soil and Water Conservation Districts (SWCD). In April 2018, BWSR staff held four MN CREP Engagement meetings to seek input from SWCDs throughout the project area. The purpose of these meetings was to provide SWCDs with an opportunity to share the feedback they've been hearing from landowners on what aspects of the MN CREP are working well, and where adjustments are needed. A number of comments related to payment rates associated with a permanent easement program like RIM as a part of MN CREP.

Staff proposed to continue utilizing the guidance in previous Board resolutions related to Standard Easement Payment rates (13-109) and Present Value (17-35). The most significant change that the RIM Reserve Committee recommended would be to establish a RIM incentive along with a process to approximate the value of two times the Continuous Conservation Reserve Program (CCRP) payment, which is what landowners often use as their alternative to a permanent easement. In addition, it is proposed to apply this incentive and payment process to funded MN CREP applications that have not had the RIM easement recorded. In limited situations it is also proposed to allow RIM-only as a part of a MN CREP application to make the easement area more manageable and to provide greater benefits to the landowner and the resources.

All of these proposals have been discussed twice with the RIM Reserve Committee and the committee recommended approval to the full board.

There was discussion among the board about if more payment could be made up front, and that will not be changed. With the increase in payment rates, there was discussion about how this might impact the amount of acres enrolled. That is unclear, as rates are also dependent on the type and location of land enrolled. MDH and the MN Rural Water Association are working in collaboration with BWSR on wellhead priority areas. There may be a proposal in the future to create a subcategory of the program specifically to look at wellhead priority areas.

\*\*  
18-37 Moved by Gene Tiedemann, seconded by Jill Crafton, to approve the CREP program adjustments. ***Motion passed on a voice vote.*** Tom Loveall abstained from the vote due to a declared conflict of interest.

Shannon Lotthammer, Chris Elvrum, and Gene Tiedemann left the meeting at 12:58pm.

#### **Central Region Committee**

**Isanti County Comprehensive Local Water Management Plan** – Kevin Bigalke presented local water management plan. Isanti County (County) has updated their Comprehensive Local Water Management Plan (Plan) as authorized under Minnesota Statutes, section 103B.301, the Comprehensive Local Water Management Act. The initial step in the update process, the Priority Concerns Scoping Document (PCSD), was completed and the State's official comments were communicated to the County in a letter dated May 25, 2016. On March 30, 2018, the BWSR 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 Minnesota Statutes, section 103B.315, subd. 5. State agency review comments were received from MDA, BWSR, and MPCA. The County has responded to all comments received and incorporated appropriate revisions to the final draft. The state agencies recommended that BWSR approve the entire Plan Update as submitted.

The priority concerns to be addressed in the final Plan were deemed to be appropriate and no changes were recommended or required. These priority concerns included the following: 1) Ground water quantity and quality, 2) Surface water quantity and quality, 3) Land use, and 4) AIS prevention and management. The County actively engaged citizens, partners and agency representatives in the development of the Plan Update and included measurable and targeted goals and strategies in their implementation program.



BWSR staff completed its review and found that it meets the requirements of Minnesota Statutes, section 103B.314. The Plan:

- focuses on the priority concerns identified in the PCSD;
- assesses the priority concerns and sets forth appropriate goals and objectives;
- provides an implementation program with measureable actions, timeline and budget; and
- includes all required sections.

On June 7, the Central Regional Committee met with County representatives and BWSR staff to review and discuss the Plan. The Committee's decision was to recommend approval of the Isanti Comprehensive Local Water Management Plan update to the full Board.

\*\*  
18-38 Moved by Kathryn Kelly, seconded by Nathan Redalen, to approve the Isanti County Comprehensive Local Water Management Plan. ***Motion passed on a voice vote.***

**Riley Purgatory Bluff Creek Watershed District Watershed Management Plan** – Kevin Bigalke presented the watershed management plan. The District recently underwent an extensive prioritization process with their Creek Restoration Action Strategy (CRAS) which developed a mechanism to compare stream conditions in the watershed to guide implementation and created an adaptive approach to update the CRAS to incorporate new information as it is collected in the future. The work that went into the development of the CRAS has significantly informed the 2018-2027 Comprehensive Water Resources Management Plan (Plan).

The District led a thorough public engagement process with community meetings, their Citizens Advisory Committee, their Technical Advisory Committee, and their Board of Managers. The process identified the following thirteen goals:

1. Operate in a manner that uses District resources and capacity efficiently and effectively while advancing the District's vision and goals.
2. Collect data and use the best available science to recommend and support management decisions.
3. Design, maintain, and implement Education and Outreach programs to educate the community and engage them in the work of protecting, managing, and restoring water resources.
4. Plan and conduct the District's implementation program to most effectively accomplish its vision with consideration for all stakeholders and resources.
5. Include sustainability and the impacts of climate change in District projects, programs, and planning.
6. Implement the District's regulatory program to protect water resources from further degradation, enhancing resources when possible.
7. Support Carver and Hennepin County to operate effectively as Ditch Authorities.
8. Protect, manage, and restore water quality of District lakes and creeks to maintain designated uses.
9. Preserve and enhance the quantity, as well as the function and value of District wetlands.
10. Preserve and enhance habitat important to fish, waterfowl, and other wildlife.
11. Promote the sustainable management of groundwater resources.
12. Protect and enhance the ecological function of District floodplains to minimize adverse impacts.
13. Limit the impact of stormwater runoff on receiving waterbodies.

The District has also set a goal of the following overarching outcomes for the duration of the plan:

- 41,000 linear feet of streambank, shoreline, ravine and slope stabilization
- 3,200 pounds of phosphorus reduction per year
- 11 acres of habitat restored
- 4.1 million gallons of groundwater conserved per year

The draft Plan is an excellent example of a resource that provides transparency for the District's decision making and will provide value when working with its citizens as well as its partners.

\*\*  
18-39 Moved by Jack Ditmore, seconded by Patty Acomb, to approve the Riley Purgatory Bluff Creek Watershed District Watershed Management Plan, with an amended board order to reflect the committee vote. **Motion passed on a voice vote.** Jill Crafton abstained from voting due to a declared conflict of interest.

**North Fork Crow River Comprehensive Watershed Management Plan** – Kevin Bigalke presented the watershed management plan. In early 2014, the NFCR planning partners joined together to submit a nomination to participate as a pilot One Watershed, One Plan and were selected by the BWSR Board later that year. After their selection, partners started the plan development process in early 2015. The original members established a Memorandum of Agreement between the planning partners for the purposes of writing a Comprehensive Watershed Management Plan in early 2015 and added McLeod County and McLeod SWCD in January 2016. The Plan partners or 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, North Fork Crow River Watershed District, and the Crow River Organization of Water (CROW). The plan will identify the priority resources and the issues affecting the local entities and describe projects and programs to address those issues in a targeted, measureable way.

Three committees were enacted to help provide guidance and decision-making throughout the planning process. The Policy Committee consisted of one elected or appointed representative from each member organization, excluding CROW. The Policy Committee provided direction, final decision-making on Plan content, and approval of expenses during Plan development. The Advisory Committee contained members representing local partners, State review agencies, federal agencies, and local stakeholders. The Planning Workgroup contained local staff and carried out the majority of the decision making for recommendation to the Policy Committee. The Advisory Committee reviewed comments received during public comment periods, including information gathered from the kick-off meeting and provided recommendations to the Policy Committee and planning Workgroup for final inclusion in the Plan. The Advisory Committee also ensured that the Plan content and planning process followed State requirements. Early in the decision-making process, the planning partners decided to contract with CROW for facilitation and meeting coordination as well as Houston Engineering Inc. (HEI) to assist the committees on the Prioritize, Target, and Measure Application (PTMApp) prioritization model and writing of the Plan.

The content of the of the NFCR 1W1P follows closely with the State's Clean Water Nonpoint Priority Funding Plan as well as the strategies defined in BWSR's Prioritize, Target and Measure (PTM) guidance. The focus of implementation in the Plan has been informed by two separate prioritization processes:

Zonation, a value based decision making tool, which was facilitated by Minnesota Department of Natural Resources Staff and a survey of priority issues conducted by HEI. Through these methods, the planning partners established the three groups below as their highest priorities. Specific strategies and actions for implementation were developed for each of these.

Highest Priority	Second Highest Priority	Third Highest Priority
“A” Level Priority Concerns	“B” Level Priority Concerns	“C” Level Priority Concerns
<ul style="list-style-type: none"> <li>▪ Drinking Water (Groundwater)</li> <li>▪ Lakes</li> <li>▪ Agricultural Drainage Systems</li> <li>▪ Surface Runoff</li> </ul>	<ul style="list-style-type: none"> <li>▪ Streams and Rivers</li> <li>▪ Groundwater Supplies</li> <li>▪ Wetlands</li> <li>▪ Rural Development and Sustainability</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lake, Shoreland, and Stream Riparian Corridors</li> <li>▪ Public Knowledge and Behavior</li> <li>▪ Terrestrial Habitat for Wildlife</li> <li>▪ Landowner, Producer and Lakeshore Owner Engagement</li> <li>▪ Urban Stormwater</li> </ul>

The NFCRWPP used the PTMAApp to estimate feasible locations for management practices and structural BMPs, as well as the associated annual costs and anticipated benefits arising from implementation which has specifically generated a list of the 250 best (most cost-effective and most effective toward load reduction goals) structural practices in each of the seven planning regions.

In addition to identifying the best structural practices for implementation, the NFCRWPP has identified Watershed-Wide Measurable Goals through Land Stewardship. The land stewardship is categorized into three areas: Rural Stewardship, Urban Stewardship and Shoreland Stewardship. By doing so, it both acknowledges that resource goals will not be able to be accomplished solely through structural practices as well as providing an avenue for improvement across all land cover types.

The Plan includes several levels of implementation based on three funding levels. The baseline level is consistent with the current amount of funding (based on 2015 amounts), the moderate level achieves 50% of the resource need and the high funding level is based upon the amount needed to meet the resource goals. The NFCRWPP notes that State and Federal funding increases will be necessary to reach the moderate or high levels.

Implementation of the Plan would be done under a signed Memorandum of Agreement (MOA). The MOA will identify roles and responsibilities of each of the Plan members. The Planning Workgroup anticipates meeting quarterly to review Plan progress, track measurable progress towards ten-year goals, recommend changes to the Plan, and review implementation priorities.

The board discussed groundwater and drinking water in the plan. This is the last of the One Watershed, One Plan pilot projects to seek board approval.

\*\*  
18-40 Moved by Nathan Redalen, seconded by Paige Winebarger, to approve the North Fork Crow River Comprehensive Watershed Management Plan. **Motion passed on a voice vote.**

**Audit and Oversight Committee**

**Board Reauthorization of Delegation for PRAP Assistance Grants to Local Government Units** – Angie Becker Kudelka presented board reauthorization of delegation for PRAP assistance grants. Board

Resolution #15-37, Board Authorization of Delegation for PRAP Assistance Grants to LGUs, had been approved by the Board in June, 2015 but had outdated references and needed to be updated. This resolution would replace and supersede previous resolutions related to PRAP Assistance Grants. A clarification amendment was offered to clarify that funding is returned *state* cost-share.

\*\*  
18-41 Moved by Tom Schulz, seconded by Steve Sunderland, to approve the board order reauthorizing delegation for PRAP assistance grants to local governments. ***Motion passed on a voice vote.***

### **Administrative Advisory Committee**

**Working Lands Watershed Restoration Pilot Program Development Grant** – Dave Weirens presented the grant. In 2016 the Legislature directed BWSR to prepare a plan and feasibility study for a Working Lands Watershed Restoration Program to incentivize the establishment and maintenance of perennial and cover crops. This report was accepted by the Board at the January 24, 2018 meeting and submitted to the Legislature by the February 1, 2018 deadline.

The requirements of the legislative directive were accomplished “under budget,” leaving approximately \$120,000 available from the original appropriation to further the work of this initiative. An extension for these funds was in the Omnibus Appropriations bill that was vetoed by Governor Dayton. Interest remains within BWSR and the project partners to continue this work in advance of the 2019 Legislative session.

Under statute, grant funds may be extended for one year following the expiration date of the appropriation. Stearns SWCD is willing to work with BWSR as a grant recipient to conduct additional program development, research and outreach.

\*\*  
18-42 Moved by Jack Ditmore, seconded by Kathryn Kelly, to approve the Working Lands Watershed Restoration Pilot Program Development Grant. ***Motion passed on a voice vote.***

### **OLD BUSINESS**

**Clean Water Act Section 404 Assumption – Analysis of Retained and Assumable Waters in Minnesota** – The “Minnesota Federal Clean Water Act Section 404 Permit Program Feasibility Study” was finalized on January 17, 2017. Board resolution #17-05 was passed on January 25, 2017, outlining the next steps in assessing the feasibility of Section 404 assumption in Minnesota. Those next steps focused on estimating and mapping the approximate extent of assumable and non-assumable waters in Minnesota based on information provided by the U.S. Army Corps of Engineers (according to federal regulations, not all waters/wetlands in a state are assumable, and the Corps is responsible for determining which waters they will retain regulatory authority over). Subsequently, BWSR staff worked with the Corps’ St. Paul District to develop criteria to estimate and map Corps-retained and State-assumable waters and wetlands using a statewide GIS mapping program. The mapping analysis indicated that, with the exception of stream headwaters, there would be very few waters and wetlands for the State to assume and the process to identify them would often rely on case-by-case evaluations that could be complicated and lengthy. The mapping results and additional analysis were incorporated into the “Analysis of Retained and Assumable Waters in Minnesota” report that was finalized on May 3, 2018.

Les Lemm presented the results of the analysis and discussed the current status of assumable waters and Section 404 assumption in Minnesota and nationally. EPA has announced that they will initiate rulemaking to clarify assumable waters.

## **AGENCY REPORTS**

**Minnesota Department of Agriculture** – Jeff Berg reported on the draft groundwater protection rule and rulemaking process.

**Minnesota Department of Natural Resources** – Commissioner Tom Landwehr reported that the state was awarded \$850 million in the 3M lawsuit. There are discussions happening about drinking water in the metro. It is expected that the Public Utilities Commission will make a decision on the Enbridge Line 3 later this week, and if the line is deemed as necessary, DNR would review permits for public land that the pipeline would cross. The EQB was petitioned for a discretionary environmental assessment worksheet for a groundwater project in northeastern Minnesota and that decision is currently under consideration.

**Minnesota Pollution Control Agency** – no report was provided.

**Minnesota Department of Health** – no report was provided.

## **ADVISORY COMMENTS**

**Minnesota Association of Soil and Water Conservation Districts** – Sheila Vanney discussed the role of SWCDs in the metro with regards to One Watershed, One Plan. Sheila thanked the board for the discussions about RIM easements and grant policies earlier in the meeting, and thanked Les Lemm for his work on assumable waters.

**Minnesota Association of Watershed Districts** – Emily Javens reported about the MAWD summer tour that was held last week that several BWSR board members and staff attended. There will be training opportunities provided this summer. MAWD will also be working on conducting outreach, especially on some of their legislative priorities.

## **UPCOMING MEETINGS**

- Next BWSR Meeting is the BWSR Board Tour: August 22 (board tour) and August 23 (board meeting), 2018, near Worthington, MN

Chair Van Amburg adjourned the meeting at 2:07 PM

Respectfully submitted,

Gerald Van Amburg  
Chair



**COMMITTEE RECOMMENDATIONS**

***Grants Program and Policy Committee***

1. Fiscal Year 2019 Technical Service Area Grants Authorization – Melissa Lewis – ***DECISION ITEM***
  
2. One Watershed, One Plan Planning Grants Authorization – Melissa Lewis – ***DECISION ITEM***
  
3. Farm Bill Assistance & CREP Outreach Program Policy Authorization – Tabor Hoek – ***DECISION ITEM***
  
4. Fiscal Year 2019 Farm Bill Assistance Program Authorization – Tabor Hoek – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Fiscal Year 2019 Technical Service Area Grants Authorization

**Meeting Date:** 8/23/2018

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** Central Region – Local Water Management Section

**Contact:** Melissa Lewis

**Prepared by:** Nicole Clapp

**Reviewed by:** Grants Program & Policy    Committee(s)

**Presented by:** Melissa Lewis

**Time requested:** 15 minutes

**Audio/Visual Equipment Needed for Agenda Item Presentation**

**Attachments:**     Resolution     Order     Map     Other Supporting Information

**Fiscal/Policy Impact**

- |   |   |
|---|---|
| <input type="checkbox"/> None                     | <input checked="" 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**

Board approval of the 2019 Technical Service Area Grants

**LINKS TO ADDITIONAL INFORMATION**

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

The purpose of this agenda item is to allocate Technical Service Area (TSA) Grants. The recommended grants are consistent with the previous year except for the equipment funds have been rotated on the pre-established schedule agreed to with the TSAs. The Grants Program & Policy Committee reviewed the recommendations at their August 7, 2018 meeting and recommended approval of the order to the board.



## BOARD ORDER

### Fiscal Year 2019 Technical Service Area Grants Authorization

#### PURPOSE

Provide fiscal year 2019 Technical Service Area Program Grants to the eight Technical Service Areas in the state.

#### FINDINGS OF FACT / RECITALS

1. The Technical Services Area (TSA) grants program provides Nonpoint Engineering Assistance (NPEA) and TSA Enhanced Technical Assistance grants to the eight Soil and Water Conservation District Joint Powers Organization TSAs.
2. The Laws of Minnesota 2017, Regular Session, Chapter 93, Article 1, Sec. 4(b) appropriated funds for grants to soil and water conservation districts including for the purposes of nonpoint engineering.
3. The Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(c) appropriated funds for accelerated implementation including enhancement grants for technical assistance.
4. The proposed allocations listed in the attached table were developed consistent with the intent of the appropriations listed above.
5. The purpose of these grants is to provide funds for engineering and technical assistance to soil and water conservation districts, a component of the conservation delivery system.
6. The Grants Program and Policy Committee, at their August 7, 2018 Meeting, reviewed the proposed allocations and recommended approval to the Board.

#### ORDER

The Board hereby:

1. Approves the allocation of TSA Program Grants to eligible TSAs in the amounts listed in the attached allocation table;
2. Establishes that the grants awarded pursuant to this resolution will conform to Technical Service Area Grants Program Policy;
3. Allows for work to begin and grant and match costs to be incurred starting July 1, 2018; and
4. Authorizes staff to enter into grant agreements for this purpose.

Dated at Worthington, Minnesota, this August 23, 2018.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

Date: \_\_\_\_\_

\_\_\_\_\_  
Gerald Van Amburg, Chair  
Board of Water and Soil Resources

**Allocation Table**

<b>TSA</b>	<b>Nonpoint Engineering Assistance (General Fund)</b>				<b>Enhanced Technical Assistance (CWF)</b>	<b>Total</b>
	<b>Base Grant</b>	<b>Host/Fiscal Agent SWCD</b>	<b>Equipment</b>	<b>Total NPEA Grant</b>		
1	\$120,000	\$10,000	\$0	\$130,000	\$240,000	<b>\$370,000</b>
2	\$120,000	\$5,000	\$0	\$125,000	\$240,000	<b>\$365,000</b>
3	\$120,000	\$10,000	\$20,000	\$150,000	\$240,000	<b>\$390,000</b>
4	\$120,000	\$5,000	\$0	\$125,000	\$240,000	<b>\$365,000</b>
5	\$120,000	\$10,000	\$0	\$130,000	\$240,000	<b>\$370,000</b>
6	\$120,000	\$5,000	\$0	\$125,000	\$240,000	<b>\$365,000</b>
7	\$120,000	\$10,000	\$0	\$130,000	\$240,000	<b>\$370,000</b>
8	\$120,000	\$5,000	\$20,000	\$145,000	\$240,000	<b>\$385,000</b>
				\$1,060,000	\$1,920,000	<b>\$2,980,000</b>

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** One Watershed, One Plan Planning Grants Authorization

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**Meeting Date:** August 23, 2018

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** Central Region

**Contact:** Julie Westerlund

**Prepared by:** Julie Westerlund

**Reviewed by:** Grants Program and Policy    Committee(s)

**Presented by:** Melissa Lewis

**Time requested:** 15 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**

Authorize One Watershed, One Plan planning grants.

**LINKS TO ADDITIONAL INFORMATION**

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

The calendar year 2018 One Watershed, One Plan Planning Grants request for proposal (RFP) period opened on April 2, 2018 and closed on July 2, 2018. Staff screened the nine applications against the RFP selection criteria and received feedback from the Interagency WRAPS Implementation Team. Members of Senior Management Team reviewed staff recommendations on August 6, 2018 and recommended moving forward

with funding all nine applications. The Grants Program and Policy Committee reviewed this recommendation on August 7, 2018 and recommends the attached resolution to the board.

Funds for these planning grants are from the 2018-2019 biennium, Laws of Minnesota 2017, Chapter 91, Article 2, Section 7(i) for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach and remaining unspent dollars from the 2016-2017 biennium, Laws of Minnesota 2015, 1st Special Session, Chapter 2, Article 2, Sec. 7(j).



## BOARD ORDER

### One Watershed, One Plan FY19 Planning Grants

#### PURPOSE

Authorize the fiscal year 2019 One Watershed, One Plan Planning Grants.

#### RECITALS /FINDINGS OF FACT

1. The Clean Water Fund (CWF) is established in Minnesota Statutes §114D.50
2. The Laws of Minnesota 2015, 1st Special Session, Chapter 2, Article 2, Sec. 7(j) and the Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Section 7(i) appropriated funds for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, chapters 103B, 103C, 103D and 114D.
3. The Board has authority under Minnesota Statutes §103B.3369 to make grants to cities, townships, counties, soil and water conservation districts or authorities with jurisdiction in water and related land resources management when a proposed project, practice or activity implements a county water plan, watershed management plan, or county groundwater plan.
4. The Comprehensive Watershed Management Planning Program authority, also known as One Watershed, One Plan, is established in Minnesota Statutes §103B.801
5. The Board on June 22, 2016 adopted a One Watershed, One Plan Transition Plan (Board Resolution #16-53) for development, approval, adoption, and coordination of plans consistent with Minnesota Statutes §103A.212.
6. The Board on March 28, 2018 authorized staff to distribute and promote a request for proposals (RFP) for planning grants for the One Watershed, One Plan Program and a formal request for proposal was noticed on April 2, 2018 with a submittal deadline of July 2, 2018.
7. The BWSR Executive Team along with regional managers met on August 6, 2018 and reviewed the applications with consideration for staff and Interagency WRAPS and Implementation Team feedback, consistency with the Transition Plan, and the selection criteria within the RFP and recommended funding the following nine planning areas: Zumbro River Watershed, Rum River Watershed, Two Rivers Plus, Hawk Creek Watershed, Redeye River Watershed, Mississippi River Headwaters Watershed, Nemadji Watershed, Wild Rice River and Marsh River Watershed, and Shell Rock River and Winnebago Watershed planning areas.
8. The Grants Program and Policy Committee met on August 7, 2018 and reviewed the Executive Team and regional managers' recommendations for One Watershed, One Plan Planning Grants and recommended board approval of the planning grants for the Zumbro River Watershed, Rum River Watershed, Two Rivers Plus, Hawk Creek Watershed, Redeye River Watershed, Mississippi River Headwaters Watershed, Nemadji Watershed, Wild Rice River and Marsh River Watershed, and Shell Rock River and Winnebago Watershed planning areas.

**ORDER**

The Board hereby:

1. Approves and authorizes nine One Watershed, One Plan Planning Grants: Zumbro River Watershed, Rum River Watershed, Two Rivers Plus, Hawk Creek Watershed, Redeye River Watershed, Mississippi River Headwaters Watershed, Nemadji Watershed, Wild Rice River and Marsh River Watershed, and Shell Rock River and Winnebago Watershed.
2. Authorizes staff to approve work plans and enter into grant agreements with these watershed areas for development of One Watershed, One Plans.
3. Approves the allocation of grants funds up to \$2,200,000

Dated at Worthington, Minnesota, this August 23rd, 2018.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_

Date: \_\_\_\_\_

Gerald Van Amburg, Chair  
Board of Water and Soil Resources

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Farm Bill Assistance & CREP Outreach Program Policy Authorization

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**Meeting Date:** 8/23/2018

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** RIM Easement Section

**Contact:** Tabor Hoek

**Prepared by:** Nicole Clapp

**Reviewed by:** Grants Program & Policy    Committee(s)

**Presented by:** Tabor Hoek

**Time requested:** 15 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 checked="" 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**

Board approval of the Farm Bill Assistance & CREP Outreach Program Policy

**LINKS TO ADDITIONAL INFORMATION**

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

The purpose of this agenda item is to adopt the Farm Bill Assistance & CREP Outreach Program Policy. This is a new policy, created to bring the Farm Bill Assistance & CREP Outreach Program into uniformity with other BWSR grant programs and to provide clear and consistent direction for grantees and potential grantees. The policy was drafted by grants staff and reviewed by Senior Management Team before being presented to the Grants Program and Policy Committee (GP&P) on August 7, 2018. GP&P recommended approval of the policy to the board.

**BOARD ORDER**

**Farm Bill Assistance and CREP Outreach Program Policy**

**PURPOSE**

Provide clear expectations for the implementation of grants delivered through the Farm Bill Assistance and CREP Outreach grant programs.

**FINDINGS OF FACT / RECITALS**

1. The Farm Bill Assistance and CREP Outreach Programs provide support to Soil and Water Conservation Districts for capacity to consult with landowners in the delivery of conservation programs on private land.
2. Clear expectations are required for the local administration of these programs grants in accordance with applicable Minnesota Statutes, Minnesota Session Law, Board Policies, and other applicable state laws and policies.
3. The Board has authority under Minnesota Statutes §103B.3369 to award grants to local units of government with jurisdiction in water and related land resources management.
4. The Grants Program and Policy Committee, at their August 7, 2018 Meeting, reviewed this policy and recommended approval to the Board.

**ORDER**

The Board hereby:

1. Adopts the Farm Bill Assistance and CREP Outreach Program Policy, dated August 23, 2018.

Dated at Worthington, Minnesota, this August 23, 2018.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_

Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: \_\_\_\_\_

## Farm Bill Assistance and CREP Outreach Program Policy

*From the Board of Water and Soil Resources, State of Minnesota*

**Version:** 2018

**Effective Date:** 08/23/2018

**Approval:** Board Order # \_\_\_\_\_

### Policy Statement

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The Farm Bill Assistance and Conservation Reserve Enhancement (CREP) Outreach Programs were established to accelerate and provide assistance to landowners participating in United States Department of Agriculture Farm Bill and Conservation Reserve Enhancement Program and State of Minnesota programs in order to benefit water quality (nutrient and sediment load reductions) and wildlife habitat.

The policy applies to all Farm Bill Assistance and CREP Outreach Program grants.

### Reason for the policy

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The purpose of this policy is to provide clear expectations for the implementation of grants delivered through these programs. More specific requirements or criteria may be included in program guidance when specified by statute, rule, funding source, or appropriation language.

Grantees are responsible for the administration and decisions concerning the local use of these funds in accordance with applicable Minnesota Statutes, BWSR policies, and other applicable laws. BWSR will use grant agreements as contracts for assurance of deliverables and compliance with applicable laws and program policies.

**The BWSR Grants Administration Manual provides the primary framework for local management of these funds.**

# Farm Bill Assistance Program

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## 1. Eligible Activities

The primary purpose of activities funded through these programs is to provide increased local capacity to assist land owners in participating in water quality and wildlife protection activities. Eligible activities include the following categories:

- 1.1. **Technical Assistance.** The primary purpose of the Farm Bill Assistance program is to provide technical services to land owners in accordance with the approved grant work plan. Eligible activities include, but are not limited to: marketing and outreach to landowners, assistance with contracts and forms to enroll acres in the appropriate Federal or State program, costs of Farm Bill Assistance staff to attend training, and other technical activities specifically identified in the grant work plan.
  - 1.1.1. CREP Outreach grants can only be used for CREP program technical assistance and not for other Federal or State programs.
- 1.2. **Grant Management and Reporting.** Grant funds may be used for local grant management and reporting that are directly related to and necessary for implementing the program.
- 1.3. **Equipment and Supplies.** Eligible expenses include necessary equipment, hardware, software, and supplies necessary for producing the outcomes described in the grant agreement and associated work plan, and occur during the grant period.

## 2. Grant Match Requirements

A minimum 10% match is required from non-state funds. The anticipated source(s) for this match shall be identified in the grant work plan.

## 3. Grant Work Plan and Reporting Requirements

To ensure the continued success of the program, development of grant work plans, regular reporting of expenditures, and technical assistance and accomplishments are required.

- 3.1. **Grant Work Plan.** Work plans shall be developed in eLINK and must be approved before work can begin on this grant. Work plans shall reflect each eligible activity, a description of the anticipated activity accomplishments, and grant and match funding amounts to accomplish each of the activities.
- 3.2. **Grant Reporting.** Descriptions of actual results and financial expenditures for each work plan activity must be reported in eLINK by February 1 of each year. Unless otherwise specified, billing rates used for reporting and reimbursement requests may include the employee's base hourly rate plus the costs of benefits, leave, facilities, and administration.
- 3.3. **Conservation Reserve Enhancement Program Outreach Grants.** Environment and Natural Resources Trust Fund (ENRTF) funding cannot be used to pay for space and other associated overhead costs. Billing rates charged to these grants may include the employee's base hourly rate plus benefits. Required match can be provided through other facilities and administration costs such as space,



vehicle, computers, and other associated overhead costs. CREP Outreach grants can only be used for the CREP program and not for other Federal or State programs.

3.4. **Program Reporting.** Additional accomplishment reporting for all projects and assistance provided by the Farm Bill Assistance Technician for the calendar year, regardless of grant fund used to fund the project or assistance, is also required. The procedures and templates for accomplishments reporting will be provided by BWSR.

3.5. **Grant Closeout.** Within thirty (30) calendar days of the conclusion of each grant agreement or expenditure of all grant funds, whichever occurs first, grantees are required to:

- a. Provide documentation of all work plan activities completed with the grant funding in eLINK; and
- b. Submit a signed eLINK Financial Report to BWSR; and
- c. Return any unspent funds.

#### 4. BWSR Program Monitoring and Reconciliation Requirements

BWSR staff is authorized to develop grant agreements, including requirements and processes for project outcomes reporting, closeouts, financial reconciliations, and grant verifications. All grantees must follow the grant agreement and Grants Administration Manual.

In the event there is a violation of the terms of the grant agreement, BWSR will enforce the grant agreement and evaluate appropriate actions, up to and including repayment of grant funds at a rate up to 150% of the grant agreement.

## History

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Version	Description	Date
2018	First Farm Bill Assistance and CREP Outreach Program Policy	8/22/18

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Fiscal Year 2019 Farm Bill Assistance Program Authorization

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**Meeting Date:** 8/23/2018

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** RIM Easement Section

**Contact:** Tabor Hoek

**Prepared by:** Nicole Clapp

**Reviewed by:** Grants Program & Policy    Committee(s)

**Presented by:** Tabor Hoek

**Time requested:** 15 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 checked="" type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other:                   | <input checked="" type="checkbox"/> Clean Water Fund Budget      |

**ACTION REQUESTED**

Board approval of the Fiscal Year 2019 Farm Bill Assistance Program Authorization

**LINKS TO ADDITIONAL INFORMATION**

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

The purpose of this action is to authorize and allocate the Farm Bill Assistance Program and Grants. The recommended grants are consistent with the process from the previous year. Senior Management Team reviewed the recommendations and recommended approval to the Grants Program and Policy Committee (GP&P). The GP&P reviewed the recommendations at their August 7, 2018 meeting and recommended approval of the order to the board.



## BOARD ORDER

### Fiscal Year 2019 Farm Bill Assistance Program Authorization

#### PURPOSE

Provide Fiscal Year 2019 grants for the Farm Bill Assistance Program.

#### FINDINGS OF FACT / RECITALS

1. The Board of Water and Soil Resources (Board), the Natural Resources Conservation Service (NRCS), the Minnesota Department of Natural Resources (DNR), the Minnesota Association of Soil and Water Conservation Districts (MASWCD), and Pheasants Forever (PF) have been partnering on the Minnesota Farm Bill Assistance Program (FBA) since 2002.
2. The FBA Program provides support to Soil and Water Conservation Districts for capacity to consult with landowners in the delivery of conservation programs on private land.
3. Pheasants Forever has agreed to cover at least of 45% of the cost of the staff noted in the attached table, except Stearns Soil and Water Conservation District where they will transition from a Pheasants Forever staff to SWCD staff in FY 19.
4. The Laws of Minnesota 2015, 1<sup>st</sup> Special Session, Chapter 2, Article 2, Sec. 7(f), 7(g), 7(l) and Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec. 7(f), 7(g), and 7(k) appropriated funds to the Board from the Clean Water Fund (CWF) for riparian buffer, wellhead protection areas, and CREP easement acquisition and restoration and are applied to the FBA Program under the authorities of Laws of Minnesota 2017, Regular Session, Chapter 91, Article 2, Sec.7(q) which allows the Board to shift funds to leverage federal or other nonstate funds.
5. The Laws of Minnesota 2016, Chapter 172, Article 1, Sec. 2, Subd. 2(g), Subd. 4(c) and Laws of Minnesota 2017, Regular Session, Chapter 91, Article 1, Sec. 2, Subd. 2(g) and Subd. 4(c) appropriated funds to the Board from the Outdoor Heritage Fund (OHF) for riparian buffer, and wetland restoration, and easement acquisition, which are governed under the Accomplishment Plans prescribed for those funds and approved by Lessard Sams Outdoor Heritage Council.
6. The proposed allocations listed in the table attached to this order were developed consistent with the intent of the appropriations listed above, agency budget processes, and to meet the purposes of the program in providing capacity to consult with landowners in the delivery of conservation programs on private land.
7. The Board's Grants Program and Policy Committee, at their August 7, 2018 Meeting, reviewed this request and recommended the Board approve this grant.

#### ORDER

The Board hereby:

1. Approves the allocation of up to \$468,000 to eligible SWCDs, up to the amount listed in the attached allocation table.

2. Establishes that the 2019 Farm Bill Assistance grants awarded pursuant to this resolution will conform to Farm Bill Assistance and CREP Outreach Program Policy; and
3. Authorizes staff to enter into a grant agreement for this purpose.

Dated at Worthington, Minnesota, this August 23, 2018.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_

Date: \_\_\_\_\_

Gerald Van Amburg, Chair  
Board of Water and Soil Resources

**FY19 Farm Bill Assistance Program Allocations**

<b>SWCD</b>	<b>FY19 Grant Amount</b>
Blue Earth w/PF	\$29,250.00
Brown w/PF	\$43,875.00
Clay w/PF	\$29,250.00
Douglas w/PF	\$29,250.00
Kandiyohi w/PF	\$29,250.00
Lyon w/PF	\$29,250.00
McLeod w/PF	\$29,250.00
Meeker w/PF	\$29,250.00
Murray w/PF	\$29,250.00
Otter Tail West w/PF	\$29,250.00
Swift w/PF	\$29,250.00
Stearns	\$58,500.00
Todd w/PF	\$29,250.00
Watonwan w/PF	\$43,875.00
<b>TOTAL</b>	<b>\$468,000.00</b>

**COMMITTEE RECOMMENDATIONS**

***Southern Region Committee***

1. Area II Minnesota River Basin Projects Biennial Plan – FY 2018 & 2019 and Grant – Ed Lenz – ***DECISION ITEM***
2. Area II Minnesota River Basin Projects Bonding Work Plan and Grant – Ed Lenz – ***DECISION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** Area II Minnesota River Basin Projects Biennial Plan & Grant

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**Meeting Date:** August 23, 2018

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** Southern

**Contact:** Ed Lenz

**Prepared by:** Jason Beckler

**Reviewed by:** Southern Regional    Committee(s)

**Presented by:** Kathryn Kelly

**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 checked="" 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 and execution of fiscal year 2018-19 biennial plan (FY 2019 Update) and FY 2019 grant agreement.

**LINKS TO ADDITIONAL INFORMATION**

[http://www.bwsr.state.mn.us/boardpackets/2017/FY18-BiennialReport\(Area II Board Approved\).pdf](http://www.bwsr.state.mn.us/boardpackets/2017/FY18-BiennialReport(Area_II_Board_Approved).pdf)

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

The funding provided to the Area II Board via specific legislation is targeted at administration of this nine-county joint powers board. For Fiscal Year 2019 this amount is \$140,000. This grant requires a 25% local match.



Board Resolution # 18- \_\_\_\_\_

**Area II Minnesota River Basin Projects Biennial Work Plan and Grant**

**WHEREAS**, the Area II Minnesota River Basin Projects (Area II) is eligible to receive a \$140,000 FY 2019 grant through Minnesota Statutes 2017 Regular Session, Chapter 93, Article 1, Section 4 from the Minnesota Board of Water and Soil Resources (BWSR). This grant is available for administrative and implementation efforts of Area II within their nine-county project area. This grant is available with a 25% local match requirement; and

**WHEREAS**, Area II has developed a Biennial Work Plan to cover activities for FY 2018 and 2019 with a Fiscal 2019 Update; and

**WHEREAS**, Area II has secured their 25 percent match requirement.

**WHEREAS**, on June 21, 2018, the Southern Regional Committee met to review and discuss the Area II Biennial Work Plan and Grant. The Committee's decision was to present a recommendation of approval of the Biennial Work Plan to the full Board.

**THEREFORE BE IT RESOLVED**, the BWSR hereby approves the Area II FY 2018 and 2019 Biennial Work Plan with Fiscal 2019 Update; and

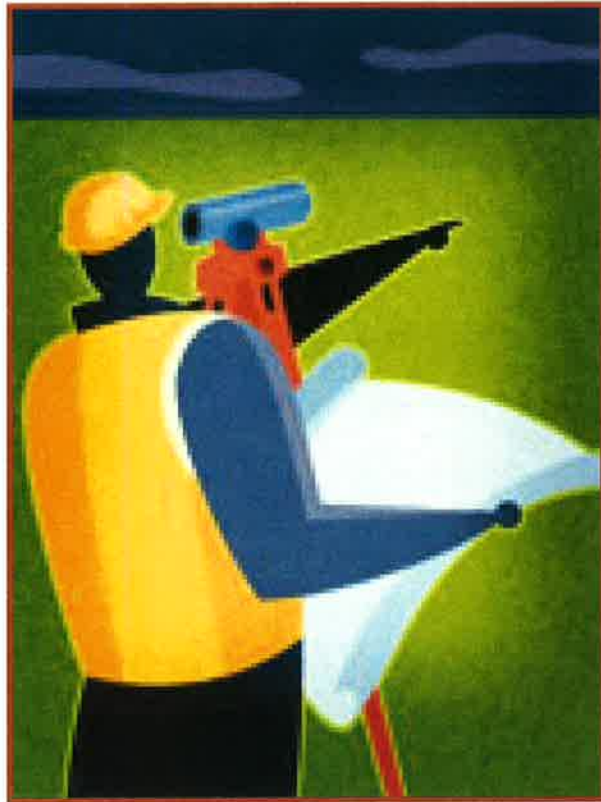
**BE IT FURTHER RESOLVED THAT**, the Board of Water and Soil Resources enter into a grant agreement with the Area II Minnesota River Basin Projects for these funds.

\_\_\_\_\_  
Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: \_\_\_\_\_

# BIENNIAL PLAN – FY 2018 & 2019

JULY 1, 2017 – JUNE 30, 2019



## **Member Counties**

*Brown • Cottonwood • Lac qui Parle  
Lincoln • Lyon • Murray • Pipestone  
Redwood • Yellow Medicine*

## AREA II MINNESOTA RIVER BASIN PROJECTS

1424 EAST COLLEGE DRIVE - SUITE 300 - MARSHALL, MN 56258

[WWW.AREA2.ORG](http://WWW.AREA2.ORG)



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BIENNIAL PLAN – FY 2018 & 2019

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**FY 2018 TECHNICAL OFFICE BUDGET - PAGE 8**

## ATTACHMENTS:

***A – SUMMARY OF FY 2016 BONDING PROJECTS***

***B – FY 2017 COMPLETED PROJECTS***

***C – FY 2016 ADMINISTRATIVE GRANT SUMMARY***

***D – FY 2017 ADMINISTRATIVE GRANT SUMMARY***



# 2017 BOARD OF DIRECTORS

BIENNIAL PLAN – FY 2018 & 2019

## BROWN COUNTY

*DENNIS POTTER – VICE CHAIR*

*DEAN SIMONSEN (ALTERNATE)*

## COTTONWOOD COUNTY

*NORMAN HOLMEN*

*JIM SCHMIDT (ALTERNATE)*

## LAC QUI PARLE COUNTY

*JOHN MAATZ*

*ROY MARIHART (ALTERNATE)*

## LINCOLN COUNTY

*JOE DRIETZ*

*COREY SIK (ALTERNATE)*

## LYON COUNTY

*RICK ANDERSON - SECRETARY/TREASURER*

*GARY CROWLEY (ALTERNATE)*

## MURRAY COUNTY

*LORI GUNNINK*

*GERALD MAGNUS (ALTERNATE)*

## PIPESTONE COUNTY

*LUKE JOHNSON – CHAIR*

*BRUCE KOOIMAN (ALTERNATE)*

## REDWOOD COUNTY

*LON WALLING*

*DENNIS GROEBNER (ALTERNATE)*

## YELLOW MEDICINE COUNTY

*GLEN KACK*

*RON ANTONY (ALTERNATE)*



# WORK PLAN NARRATIVE

## BIENNIAL PLAN – FY 2018 & 2019

Area II, formed in 1978 as a non-profit organization, works to alleviate the recurrent flood problems which plague this area of southwestern Minnesota. This organization is recognized as a leader in flood damage reduction by the installation of dams, reservoirs, grade stabilizations and road retentions. Area II assists its member counties with the engineering design, hydrologic and hydraulic modeling, construction and inspection, and finance of flood damage reduction projects. Due to the unique landforms of this region, particularly the Coteau de Prairies (the Buffalo Ridge), Area II receives a 75/25 cost-share rate for office administration and project implementation. Oversight of this grant-in-aid program is provided by the Minnesota Board of Water and Soil Resources.

This Biennial Plan provides direction for a 2-year period while the Technical Office Budget serves one fiscal year. By May 30, 2018, updates to the Biennial Plan as well as to the Technical Office Budget for FY 2019 will be provided for BWSR staff review.

### **1) Initiative: FY 2018 – ADMINISTRATIVE SERVICES**

**Description:** Provide administrative and coordination oversight for the Area II Board of Directors. Provide financial reports and records that meet State accounting and auditing standards, prepare budgets, provide supervision and management of staff, evaluate employee performance, draft agenda and minutes of monthly board meetings. Conduct local government and citizen outreach and education.

#### **Actions:**

- Maintain a complete Board of Directors of nine (9) delegates and nine (9) alternates; conduct monthly board meetings.
- Maintain adequate staffing to address the goals of Area II. Evaluate job performance of all employees yearly.
- Utilize engineering consultant services to assist with engineering, hydrologic and project planning and prioritization.
- Maintain policies and procedures. Review and update Operating Policies, Joint Powers Agreement and Bylaws annually.
- Maintain a public outreach and information program. Accomplish by maintaining the Area II web site; conduct tours as necessary to highlight projects completed; prepare an annual report. Complete website reporting requirements by March 15 of each year.
- Provide fiscal accountability by: preparing and adopting an annual budget; reviewing monthly financial reports, and annually obtaining a professional audit of the financial records.
- Provide administrative services to the Redwood-Cottonwood Rivers Control Area (RCRCA) via an approved Contract for Services Agreement. Each organization maintains its organizational purpose and goals while sharing an executive director and office space. The Area II and RCRCA Boards of Directors meet jointly, however both boards conduct business separately.
- Continue operational efficiency measures with RCRCA. Ensure that office operations, income and expenditures for each organization are clearly separate and documented including time tracking, monthly billing of contract services, and Board approval.
- Meet and communicate with member county commissioners, engineers, water planners, watershed districts, SWCD, NRCS, watershed project staff regarding technical services and potential projects.
- Serve on technical committees (as requested) for watershed projects, TMDL project assessment and implementation efforts.

**2) Initiative: FY 2018 – ENGINEERING SERVICES**

**Description:** Employ a senior engineering technician and a registered consultant engineer to provide design services which include planning, hydrologic and hydraulic design, construction and inspection of flood damage reduction projects to the member counties of Area II. Provide engineering services for projects funded through outside sources involving USDA Environmental Quality Incentive Program (EQIP), Clean Water Funds, Disaster Relief Funds acquired by SWCDs, RCRA and counties.

**Actions:**

- Continue contracting professional engineering services through Bolton & Menk, Inc.
- Schedule and complete annual inspections and reports for nine (9) existing reservoirs.
- Ensure annual inspection of road retention projects by owners and keep inspection reports on file. Follow up on noted concerns.
- Provide wetland monitoring and annual reporting for mitigation sites associated with constructed project.
- Provide project management and coordination with local/state/federal permitting authorities.
- Coordinate with local/State/Federal agencies for early project review and coordination regarding wetland impacts.
- Process payment requests in a timely manner and provide as-built plans and construction documentation.
- Assist in securing the local matching funds for projects from eligible partners and sources.

**3) Initiative: FY 2018 – OPERATIONAL & SUPPORT EXPENSES**

**Description:** Utilize funding for operational and support expenses of Area II Minnesota River Basin Projects for such things as: payroll, consultant engineering fees, field and office supplies, telephone / internet and computer services, training and certification, vehicle and equipment expenses, liability / business / auto insurance, and general business expenses.

**4) Initiative: FY 2018 – PROJECT IMPLEMENTATION VIA ADMINISTRATIVE GRANT**

**Description:** See Potential Project List for FY2018 & FY2019 – Page 6 of this document.

**5) Initiative: FY 2016 BONDING APPROPRIATION**

**Description:** Provide project management and engineering services to construct flood damage reduction structures to meet the 3:1 match requirement and provide the most floodwater storage as practicable. Highest priority will be given to Road Retention structures which lack other funding resources which dams and grade stabilizations can secure.

**Actions:**

- Administer the \$1,000,000 appropriation and report project outcomes in eLINK and to the BWSR Board annually.
- Process cost-share contracts with landowners with approval by the Area II Board of Directors.
- Complete fiscal expenditure report due at end of grant period listing total costs and cost-sharing by all partners.
- Facilitate wetland mitigation/creation if required for proposed projects.
- Provide project management and coordination with local/state/federal permitting authorities.
- Process payment requests in a timely manner and provide as-built Plans and construction documentation.
- Assist in securing the local matching funds for projects from eligible partners and sources.





# OTHER PROJECT ENDEAVORS

BIENNIAL PLAN – FY 2018 & 2019

- ONE WATERSHED, ONE PLAN (*Yellow Medicine*)

The Yellow Medicine River watershed was awarded one of the five pilot projects offering a plan with a regional approach. This was desirable as many commonalities of the Area II watersheds exist due to the Buffalo Ridge, and the established and active joint powers board would oversee plan development. Although the watersheds have unique issues of their own, topography and flooding bind these southwestern watersheds together.

Area II entered into a grant agreement with BWSR on November 25, 2014. Amendment #1 to the MOA was executed to extend the MOA to December 31, 2016. Amendment #1 to the Grant Agreement was executed to extend the effective period until June 30, 2017 with the Work Plan revised accordingly.

The BWSR Board approved the Yellow Medicine One Watershed One Plan in December 2016 which the partners have all adopted by resolution. The Plan Work Group has been meeting to draft a new MOA for implementation which will be presented to the Policy Committee in June for consideration. \$87.96 remains from the original grant amount.

The Work Plan was amended April 15, 2017 to coincide with Grant Amendment #2. This amendment added \$50,000 to the previous grant for the development of the SAM-ACPF tool linkage and extends the effective period to June 30, 2018.

RESPEC has been contracted to perform the computer modeling which will link the SAM and ACPF tools to create the field-scale targeting of BMPs for the Yellow Medicine One Watershed, One Plan. Outcomes will include: shapefiles identifying each practice location, treatment area, and pollutant loading; additional GIS outputs; spreadsheet ranking each BMP based on treatment potential (pollutant loading); two meetings via WebEx with the Plan Work Group; and a technical memorandum detailing the development of the BMP prioritization process. This work is to be completed by December 31, 2017.

As the Yellow Medicine One Watershed One Plan moves forward, Area II has been identified with a key role in the Priority Concern: **Mitigate Altered Hydrology and Minimize Flooding**. One of the measurable goals is to “Add 1,000 acre-feet of new stormwater storage” by means of capital improvement projects. Although the 1,000 acre-feet is achievable in the 10-year period, a more restrictive calculation is attached to the measurable goal whereby the overall drawdown time must be greater than 48 hours for 10-year summer rainfall event. This may create a challenge as drawdown times cannot always be that long depending on the project.

## ● LEGISLATIVE REQUEST TO INCREASE ANNUAL APPROPRIATION

A request was made to the 2017 Legislature to increase the annual appropriation to Area II, currently at \$140,000 per year, to \$189,000 per year, a 25% increase. The request was not successful and continued funding of \$140,000 per year was approved for the FY'18 and FY'19 biennium.

Area II's annual appropriation began at \$250,000 per year in 1978, and was reduced to \$189,000 (25%) in the mid-1980's due to budget cuts. After reaching the low of \$105,000 per year in 2004, Area II has been diligently working to increase the appropriation back to previous funding levels.

The increase is needed to provide additional engineering services to local partners to assist with the shortage of professional engineering for BMP project implementation. With the Performance Based Funding forthcoming to the Yellow Medicine One Watershed One Plan, professional engineering services will be necessary to complete capital improvement as well as BMP project designs in order to expend the funding as planned. From a budget standpoint, priority has been directed to Personnel Services and Other Services, thus allowing the Supplies/Equipment to fall behind in the customary replacement plan. The organization operates with only one vehicle and utilizes survey equipment that is not as current as most SWCD and county equipment, yet still compatible. The increasing cost of health insurance and other expenses continue to rise and restrict the budget.



# POTENTIAL PROJECTS

BIENNIAL PLAN – FY 2018 & 2019

**KEY:** *FY 2018 Construction Planned*

## **BROWN COUNTY**

- Leavenworth 11 Grade Stabilization

## **COTTONWOOD COUNTY**

- Stately 11 Grade Stabilization

## **LINCOLN COUNTY**

- *County Ditch 37 Pump Station/Wetland Restoration*
- Marble 11 Wetland Restoration

## **LYON COUNTY**

- Custer 10 NE Grade Stabilization
- Lynd 33 Grade Stabilization Repair
- Monroe 30 Grade Stabilization
- *Nordland 19 Grade Stabilization Repair*
- *Nordland 20 & 20SE Grade Stabilizations (Smith)*
- Shelburne 19 Wetland Restoration
- Sodus 22 Grade Stabilization
- *Sodus 36 Grade Stabilization Repair*
- Milford 12 Grade Stabilization Repair
- Storden 10 Grade Stabilization Repairs (3)
- Hansonville 27 Grade Stabilization Repair
- *Verdi 1 Grade Stabilization Repair*
- Custer 10 SE Grade Stabilization
- *Monroe 16 Grade Stabilization*
- *Nordland 6 Road Retention*
- *Nordland 20SW Grade Stabilization Repair (Mortier)*
- *Nordland 28 Grade Stabilization Repair*
- Sodus 21 Grade Stabilization Repair
- Sodus 24 Grade Stabilization
- Stanley 15 Streambank Stabilization

## **MURRAY COUNTY**

- *Holly 1 Grade Stabilization Repair*
- Holly 22 Road Retention
- Holly 10 Grade Stabilization
- Shetek 23 Grade Stabilization

## **REDWOOD COUNTY**

- *Charlestown 30 Grade Stabilization (Jeckell)*
- Charlestown 34 Grade Stabilization (*permit pending*)
- *Delhi 5 Diversion*
- *Johnsonville 34 & 34W Grade Stabilization Repairs*
- North Hero 34 Road Retention
- *Redwood Falls 18 Grade Stabilization (permit pending)*
- Springdale 19 Grade Stabilization
- *Charlestown 30 Grade Stabilization (Pfarr)*
- *Delhi 5 Grade Stabilization*
- *Gales 26 Grade Stabilization*
- Lamberton 26 Grade Stabilization
- North Hero 31 Grade Stabilization Repair
- Sherman 6 Streambank Stabilization
- Springdale 28 Grade Stabilization

## **YELLOW MEDICINE COUNTY**

- Norman 7 Grade Stabilization Repair
- Norman 10 Grade Stabilization



# FY 2018 TECHNICAL OFFICE BUDGET

BIENNIAL PLAN – FY 2018 & 2019

## OFFICE OPERATIONS

### PERSONNEL SERVICES:

*Directors' Compensation.....	\$ 600.00*
*Directors' FICA.....	45.90*
Employees' Salaries.....	134,744.29
Employees' FICA.....	9,661.17
Employees' Medical Insurance.....	25,941.56
Employees' Retirement.....	9,768.96
Employees' FlexPlan.....	50.64
<b>Total Personnel Services.....</b>	<b>\$ 180,812.52</b>

### SUPPLIES:

Office & Field.....	\$ 2,250.00
Investigation & Testing .....	16,000.00
Capital Outlay.....	25,000.00
<b>Total Supplies.....</b>	<b>\$ 43,250.00</b>

### OTHER SERVICES AND COSTS:

*Directors' Expenses.....	\$ 500.00*
Employees' Expenses.....	2,000.00
Contract Services.....	15,000.00
Professional Services.....	50,000.00
Maintenance & Repairs.....	3,000.00
Telephone.....	325.00
Postage.....	300.00
Vehicle Expense.....	3,500.00
Rent.....	10,044.00
Insurance.....	10,355.00
Website Expenses.....	120.00
Miscellaneous Expenses.....	2,500.00
<b>Total Other Services and Costs.....</b>	<b>\$ 97,644.00</b>

<b>TOTAL OFFICE OPERATIONS.....</b>	<b>\$ 321,706.52</b>
Total Ineligible for Cost-Share by the State.....	1,145.90*
Total Eligible for Cost-Share by the State.....	\$ 320,560.62

*\* These items not cost-shared by the State*

<b>STATE SHARE OF ELIGIBLE OFFICE COSTS.....</b>	<b>\$ 140,000.00</b>
Local Share of Eligible Office Costs.....	\$ 87,000.00
Income from Other Sources .....	\$ 111,549.00

## AREA II MINNESOTA RIVER BASIN PROJECTS

# ***ATTACHMENTS***

**BIENNIAL PLAN – FY 2018 & 2019**

***ATTACHMENT A – SUMMARY OF FY2016 BONDING APPROPRIATION***

***ATTACHMENT B – FY 2017 COMPLETED PROJECTS***

***ATTACHMENT C – FY 2016 ADMINISTRATIVE GRANT SUMMARY***

***ATTACHMENT D – FY 2017 ADMINISTRATIVE GRANT SUMMARY***



# ATTACHMENT A

## SUMMARY OF FY2016 BONDING APPROPRIATION (\$1,000,000)

### COMPLETED PROJECTS:

CHARLESTOWN 28 STABILIZATION – Redwood County	\$ 68,322.88
ISLAND LAKE 2 DAM REPAIR – Lyon County	\$ 23,686.13
NORDLAND 34 DAM REPAIR – Lyon County	\$ 28,760.33
UPPER DELHI 30 1 DAM REPAIR – Redwood County	\$ 20,101.07
UPPER DELHI 30 11-FLOOD DAM REPAIR – Redwood County	\$ 26,830.51
LAKE STAY 3 GRADE STABILIZATION – Lincoln County	\$ 43,471.62
LAKE BENTON 5 DAM REPAIR – Lincoln County	\$ 21,289.13
LAKE BENTON 25 DAM REPAIR – Lincoln County	\$ 50,105.48
GALES 15 GRADE STABILIZATION – Redwood County	\$ 61,184.14
ANN 4 DAM REPAIR – Cottonwood County	\$ 24,133.04
NORTHHERO 4 DAM REPAIR – Redwood County	\$ 1,569.38
CHARLESTOWN 30 STABILIZATION – Redwood Co. (partial)	\$ 21,634.37
<b>TOTAL</b>	<b>\$ 391,238.08</b>

### CONTRACTED PROJECTS:

CHARLESTOWN30 8 STABILIZATION – Redwood Co. (final)	\$ 59,002.45
MONROE 16 DAM REPAIR – Lyon County	\$ 60,048.30
LINCOLN COUNTY DITCH 37 PUMP STATION – Lincoln Co.	\$ 101,992.45
NORDLAND 19 DAM REPAIR – Lyon County	\$ 20,959.18
REDWOOD FALLS 18 GRADE STABILIZATION – Redwood Co.	\$ 68,148.04
GALES 26 GRADE STABILIZATION – Redwood County	\$ 162.00
NORDLAND 20SE GRADE STABILIZATION – Lyon County	\$ 40,083.30
NORDLAND 20SW STABILIZATION REPAIR – Lyon County	\$ 18,969.44
HOLLY 1 GRADE STABILIZATION – Murray County	\$ 26,919.98
NORDLAND 6 ROAD RETENTION – Lyon County	\$ 87,652.35
JOHNSONVILLE 34W DAM REPAIR – Redwood County	\$ 23,663.43
SODUS 36 STABILIZATION REPAIR – Lyon County	\$ 24,000.00
<b>TOTAL</b>	<b>\$ 532,600.92</b>

## FY2016 BONDING BALANCE REMAINING \$ 76,161.00

### **APPROPRIATION SUMMARY**

(as of June 15, 2017)

Total Project Costs =	\$ 618,921.71
Local Match Provided =	\$ 148,511.15
Other State Funds =	\$ 2,374.22
Federal Funds =	\$ 55,922.77
State/Local Cost-Share Ratio =	1 : 2.62
Acre-Feet of storage created =	83.07
Total Acre-Feet of storage =	246.54

# ATTACHMENT B

## FY2017 COMPLETED PROJECTS (AS OF JUNE 15, 2017)

<b>Lake Stay 3 Grade Stab. - Lincoln</b>	<b>\$ 57,962.16</b>	<b>Lake Benton 25 Repair - Lincoln</b>	<b>\$ 66,807.30</b>
FY2016 Bonding Funds	\$ 43,471.62	FY2016 Bonding Funds	\$ 50,105.48
Landowner	\$ 9,524.29	Landowner	\$ 14,847.45
YM River Watershed District	\$ 2,500.00	Lincoln SWCD	\$ 1,000.00
Area II Counties	\$ 2,466.25	Area II Counties	\$ 854.37
<b>Upper Delhi 30_2 Repair - Redwood</b>	<b>\$ 39,168.70</b>	<b>Nordland 34 Grade Repair - Lyon</b>	<b>\$ 38,347.10</b>
FY2016 Bonding Funds	\$ 20,101.07	FY2016 Bonding Funds	\$ 28,760.33
Landowner	\$ 9,471.55	YM River Watershed District	\$ 2,500.00
Area II Counties	\$ 320.62	Landowner	\$ 6,968.65
EQIP Federal Funds	\$ 9,275.46	Area II Counties	\$ 118.12
<b>Lamberton 26 Streambank - RW</b>	<b>\$ 25,227.00</b>	<b>Lamberton 27 Streambank - RW</b>	<b>\$ 19,130.50</b>
RCRCA 319 Funds	\$ 17,945.25	RCRCA 319 Funds	\$ 13,729.13
Landowner	\$ 5,981.75	Landowner	\$ 4,576.37
Area II Counties	\$ 1,300.00	Area II Counties	\$ 825.00
<b>Gales 15 Grade Stabilization - RW</b>	<b>\$ 98,257.52</b>	<b>North Hero 4 Grade Repair - RW</b>	<b>\$ 23,115.84</b>
FY2016 Bonding Funds	\$ 61,334.14	Clean Water Funds	\$ 15,676.50
EQIP Federal Funds	\$ 12,359.00	Landowner	\$ 5,346.84
Landowner	\$ 23,873.13	FY2016 Bonding Funds	\$ 1,569.38
Area II Counties	\$ 691.25	Area II Counties	\$ 523.12
<b>Charlestown 30 Grade Stab. - RW</b>	<b>\$ 28,845.83</b>	<b>Lamberton 1 Grade Stab. - Redwood</b>	<b>\$ 47,801.40</b>
FY2016 Bonding Funds	\$ 21,634.37	RCRCA Clean Water Funds	\$ 9,582.96
Landowner	\$ 5,257.21	EQIP Federal Funds	\$ 23,748.00
Area II Counties	\$ 1,954.25	Area II Counties	\$ 2,270.00
<i>*partial payment, complete in FY2018</i>		Landowner	\$ 12,200.44
<b>Lake Benton 5 Repair - Lincoln</b>	<b>\$ 28,385.50</b>	<b>Sherman 22 Streambank - Redwood</b>	<b>\$ 23,110.50</b>
FY2016 Bonding Funds	\$ 21,289.13	Flood Recovery Funds	\$ 11,893.50
Landowner	\$ 6,809.50	Landowner	\$ 3,964.50
Area II Counties	\$ 286.87	Area II Counties	\$ 7,252.50
<b>Island Lake 2 Repair - Lyon</b>	<b>\$ 31,581.00</b>	<b>FY2017 COMPLETED PROJECTS</b>	
Landowner	\$ 7,743.50	FY2016 Bonding Funds	\$ 322,915.20
FY2016 Bonding Funds	\$ 23,686.13	EQIP Federal Funds	\$ 45,382.46
Area II Counties	\$ 151.37	Clean Water Funds	\$ 25,259.46
<b>Ann 4 Grade Repair - Cottonwood</b>	<b>\$ 32,177.39</b>	RCRCA 319 Funds	\$ 31,674.38
Landowner	\$ 7,656.22	SWCDs	\$ 1,778.02
FY2016 Bonding Funds	\$ 24,133.04	Watershed Districts	\$ 5,000.00
Area II Counties	\$ 388.13	Flood Recovery Funds	\$ 12,489.70
<b>Upper Delhi 30_1 Repair - RW</b>	<b>\$ 37,606.30</b>	Area II Counties	\$ 20,019.97
FY2016 Bonding Funds	\$ 26,830.51	Landowners	\$ 133,004.85
Landowner	\$ 8,783.45	<b>TOTAL</b>	<b>\$ 597,524.04</b>
Flood Recovery Funds	\$ 596.20		
Area II Counties	\$ 618.12		
Redwood SWCD Cost-Share	\$ 778.02		

NOTE: RW = Redwood County



# ATTACHMENT C

## AREA II MINNESOTA RIVER BASIN PROJECTS



### GRANT PERIOD:

(incl. extensions)  
From: October 1, 2015  
To: June 30, 2017

### AREA II STATUTORY AUTHORITY:

MN Statutes, Sections  
103F.171-103F.187

## Administrative Services Grant Expenditures

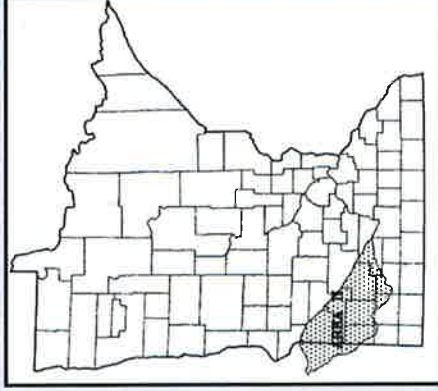
**NOTE: Totals from  
Area II Profit & Loss Statement  
for the period of  
Oct 1, 2015 - June 30, 2016**

Personnel Services	\$132,848.64
Other Services	\$98,281.74
Supplies	\$1,584.13
Investigation & Testing	\$29,270.00
Capital Outlay	\$0
Depreciation	\$1,280.98
<b>TOTAL EXPENDITURE</b>	<b>\$263,265.49</b>

### PROJECT CONTACT:

Kerry Netzke, Executive Director  
(507) 537-6369  
area2@starpoint.net

Project Title: FY'16 ADMINISTRATIVE SERVICES GRANT  
CONTRACT NO. P16-4838 \$140,000.00



### Member Counties:

**Brown**  
**Cottonwood**  
**Lac qui Parle**  
**Lincoln**  
**Lyon**  
**Murray**  
**Pipestone**  
**Redwood**  
**Yellow Medicine**

Area II Minnesota River Basin Projects Watershed Boundary

### Overall Project Description

Minnesota Statutes establish a grant-in-aid program administered by BWSR for providing financial and technical assistance to local government units (counties, SWCDS, and watershed districts) located in Area II for project and construction costs of floodwater retarding and retention structures within a general plan for floodplain management.

Nine counties within Area II have entered into a Joint Powers Agreement since 1978 to coordinate the implementation of such floodwater retarding and retention projects, and for this purpose, established Area II Minnesota River Basin Projects.

Statute authorizes BWSR to supervise the program and provide individual project grants not to exceed 75% of total project costs where federal funds are not utilized, or 50% of the nonfederal costs where federal funds are utilized.

Area II has an established office which houses Area II personnel and equipment to provide the engineering and other technical services of projects cost-shared through this program.

Costs eligible for cost-sharing under this Grant Agreement include technical office costs and associated costs, but do not include Area II Directors' compensation, expenses, insurance costs.

The combination of the nine member counties provide \$87,000.00 to the Administrative Services Grant of \$140,000. This is well beyond the required 25% local match.

# ATTACHMENT D

## AREA II MINNESOTA RIVER BASIN PROJECTS



### GRANT PERIOD:

(incl. extensions)

From: October 1, 2016  
To: June 30, 2018

### AREA II STATUTORY AUTHORITY:

MN Statutes, Sections  
103F.171 - 103F.187

### Administrative Services Grant Expenditures

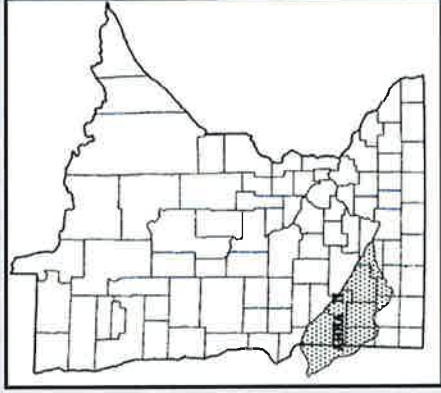
**NOTE: Totals from  
Area II Profit & Loss Statement  
for the  
8 months ended  
Oct 1, 2016 - May 31, 2017**

Personnel Services	\$126,971.02
Other Services	\$ 74,002.03
Supplies	\$ 766.43
Investigation & Testing	\$ 20,504.50
Capitol Outlay	\$ 2,995.69
<b>TOTAL EXPENDITURE TO DATE</b>	<b>\$225,239.67</b>

### PROJECT CONTACT:

Kerry Netzke, Executive Director  
(507) 537-6369  
area2@starpoint.net

**Project Title: FY'17 ADMINISTRATIVE SERVICES GRANT  
CONTRACT NO. P17-0351 \$140,000.00**



### Member Counties:

**Brown  
Cottonwood  
Lac qui Parle  
Lincoln  
Lyon  
Murray  
Pipestone  
Redwood  
Yellow Medicine**

**Area II Minnesota River Basin Projects Watershed Boundary**

### Overall Project Description

Minnesota Statutes establish a grant-in-aid program administered by BWSR for providing financial and technical assistance to local government units (counties, SWCDS, and watershed districts) located in Area II for project and construction costs of floodwater retarding and retention structures within a general plan for floodplain management.

Nine counties within Area II have entered into a Joint Powers Agreement since 1978 to coordinate the implementation of such floodwater retarding and retention projects, and for this purpose, established Area II Minnesota River Basin Projects.

Statute authorizes BWSR to supervise the program and provide individual project grants not to exceed 75% of total project costs where federal funds are not utilized, or 50% of the nonfederal costs where federal funds are utilized.

Area II has an established office which houses Area II personnel and equipment to provide the engineering and other technical services of projects cost-shared through this program.

Costs eligible for cost-sharing under this Grant Agreement include technical office costs and associated costs, but do not include Area II Directors' compensation, expenses, insurance costs. The combination of the nine member counties provide \$87,000.00 to the Administrative Services Grant of \$140,000. This is well beyond the required 25% local match.

**BOARD MEETING AGENDA ITEM**

**AGENDA ITEM TITLE:** Area II Minnesota River Basin Projects Bonding Work Plan & Grant

---

**Meeting Date:** August 23, 2018

**Agenda Category:**  Committee Recommendation     New Business     Old Business

**Item Type:**  Decision     Discussion     Information

**Section/Region:** Southern

**Contact:** Ed Lenz

**Prepared by:** Jason Beckler

**Reviewed by:** Southern Regional    Committee(s)

**Presented by:** Kathryn Kelly

**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 checked="" 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 and execution of fiscal year 2019 bonding grant agreement.

**LINKS TO ADDITIONAL INFORMATION**

[http://www.bwsr.state.mn.us/boardpackets/2017/FY18-BiennialReport\(Area II Board Approved\).pdf](http://www.bwsr.state.mn.us/boardpackets/2017/FY18-BiennialReport(Area II Board Approved).pdf)

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

Legislative appropriation (Bonding) to Area II Minnesota River Basins Project for grants to local governments in Area II of the Minnesota River Basin to acquire, design, and construct floodwater management projects; oversight is provided by BWSR.

Board Resolution # 18- \_\_\_\_\_

**Area II Minnesota River Basin Projects Biennial Plan and Bonding Grant**

**WHEREAS**, via Statutory Authority (MS 103F.171 – 103F.187) and appropriation language (Minnesota Statutes 2018 Session, Chapter 214, Article 1, Section 9, Subdivision 3) Area II Minnesota River Basin Projects (Area II) is eligible to receive a \$700,000 FY 2019 grant from the Minnesota Board of Water and Soil Resources (BWSR). This grant is available for grants to local governments in Area II of the Minnesota River Basin to acquire, design, and construct floodwater management projects, and

**WHEREAS**, floodwater retarding and retention structures may include Road Retentions, Grade Stabilizations, Grade Stabilization Restorations and Wetland Restoration, and

**WHEREAS**, Area II has developed Biennial Work Plan to cover activities for FY 2018 and 2019 with a Fiscal 2019 Update.

**THEREFORE BE IT RESOLVED**, the BWSR hereby approves the Area II FY 2018 and 2019 Biennial Work Plan with Fiscal 2019 Update; and

**BE IT FURTHER RESOLVED THAT**, the Board of Water and Soil Resources enter into a grant agreement with the Area II Minnesota River Basin Projects for these funds.

\_\_\_\_\_  
Gerald Van Amburg, Chair  
Board of Water and Soil Resources

Date: \_\_\_\_\_

**NEW BUSINESS**

1. BWSR Board Bylaws proposed amendment and Per Diem/Expense Policy – John Jaschke.  
***INFORMATION ITEM***

## BOARD MEETING AGENDA ITEM

**AGENDA ITEM TITLE:** BWSR Board Bylaws proposed amendment and Per Diem/Expense Policy

**Meeting Date:** August 23, 2018

**Agenda Category:**     Committee Recommendation     New Business     Old Business

**Item Type:**                 Decision                                 Discussion                 Information

**Section/Region:** \_\_\_\_\_

**Contact:** John Jaschke and Hannah Pallmeyer

**Prepared by:** Hannah Pallmeyer

**Reviewed by:** John Jaschke

**Presented by:** John Jaschke

**Time requested:** 20 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**

Information only. Updated language will be brought to the Administrative Advisory Committee before the September board meeting, with Board Action anticipated at the September 26, 2018 Board meeting.

**LINKS TO ADDITIONAL INFORMATION**

The current BWSR Bylaws can be found here: <http://bwsr.state.mn.us/aboutbwsr/bylaws.pdf>.  
The current Board Member Per Diem and Expenses Policy is attached.

The proposed updated language for both the bylaws and the per diem/expenses policy will be provided to the board.

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

In response to the audit, staff recommend that BWSR bylaws be amended to update the conflict of interest policy to explicitly indicate that if a board member has an actual conflict of interest that they will not be able to vote on the agenda item for which they have a conflict of interest. A few administrative updates to the bylaws and the per diem/expenses policy are also proposed.

**August 8, 2018 – DRAFT**  
**BOARD OF WATER AND SOIL RESOURCES**  
**BYLAWS**

**ARTICLE I. Introduction**

1. Purpose  
The Board of Water and Soil Resources (BWSR) desires to conduct its business and perform all of its responsibilities and duties in an orderly, efficient, transparent, fair and lawful manner. These Bylaws are established for that purpose.
2. Application of Bylaws  
Unless otherwise specifically indicated, these Bylaws shall apply to the transaction of all BWSR business and the conduct of all BWSR meetings and hearings.
3. Compliance with Applicable Law  
It is the specific intent of the BWSR to perform all of its responsibilities and conduct all of its hearings and meetings in accordance with all applicable federal law and state statutes and regulations. The provisions of all such applicable law shall have control over anything to the contrary in these Bylaws.

**ARTICLE II. Membership, Officers, Duties and Committees**

1. Membership  
The Board of Water and Soil Resources shall be composed of 20 voting members appointed by the Governor according to MN Statutes §103B.101.  
  
Individual members shall not act to represent the Board on any given subject unless specific Board action/position has been determined/ruled and the individual action thus represents the Board as a whole.  
  
MN Statutes §15.0575, subd. 4, provides that “[t]he chair of the board shall inform the appointing authority [i.e., the Governor] of a member missing three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the chair of the board shall notify the member in writing that the member may be removed for missing the next meeting.”
2. Officers Designated  
The officers of the BWSR shall be the Chair and the Vice-Chair. The Chair is appointed by the Governor from the members of the Board. The Vice-Chair shall be elected to a two-year term by the members of the Board. The Vice-Chair shall be elected by majority vote at the first regularly scheduled meeting of every EVEN calendar year.



The Board shall employ an Executive Director, who is a salaried officer. The Executive Director is responsible for the administrative and general operations of the BWSR. All additional staff shall report to the Executive Director.

3. Duties of Officers

a) Chair

The Chair shall have the following responsibilities:

- 1) Supervise the affairs of the Board and communicate such affairs to all board members.
- 2) Preside at all Board meetings.
- 3) Preside at Dispute Resolution Committee proceedings, or appoint a presiding member.
- 4) May vote on all issues with the exception of the Dispute Resolution Committee unless as provided by MN Statutes § 103B.101 Subd. 10.
- 5) May schedule special meetings.

b) Vice-Chair

The Vice-Chair shall have the following responsibilities:

- 1) Perform those duties delegated by the Chair.
- 2) Act as Chair in the event of the Chair's illness, disability, absence from a meeting or not being readily able to function as Chair.

c) Executive Director

The Executive Director shall be responsible to the Board and communicate/report regularly to the Chair. The Executive Director or designee shall attend all Board meetings but shall not vote. The Executive Director shall have the following responsibilities:

- 1) To see that all resolutions, rules, regulations and orders of the Board are carried out.
- 2) To present to the Board program plans, studies and reports prepared for Board purposes and action and recommend to the Board for adoption those measures deemed necessary and prudent to carry out the programs and duties of the Board or for the efficient administration of the affairs of the Board. The Executive Director shall have the authority to execute or officially sign on behalf of the Board on all actions approved/ruled by the Board.
- 3) To communicate and interact with the Governor's office, state and federal agencies, local governments, special districts, joint powers authorities, the legislature, and to participate in relevant meetings as well as provide such meeting knowledge to the Board.
- 4) To keep the Board fully advised as to its financial condition and to prepare and submit an annual Board budget through the processes established by the Governor's office.
- 5) To represent and implement the Board's determined/ruled orders.



- resolutions, and policies.
- 6) To record and maintain a record and minutes of the meetings and process and maintain all information relating to Board business.
  - 7) To develop the proposed agenda for Board meetings, provide for meeting notices and handle all other administrative affairs.
  - 8) To sign documents as designated by the Board.
  - 9) To participate in an annual Personnel Review as directed by the Chair.
4. Vacancies of Officers
- a) Chair: In the absence of the Chair, the Vice-Chair shall preside.
  - b) Vice-Chair: If a vacancy occurs in the office of Vice-Chair, the regular members shall elect an individual to fill the remaining term time.
  - c) Chair, Vice-Chair: If at a Board meeting, neither the Chair nor Vice-Chair are present but a quorum exists, the members shall elect from within the membership an acting Chair to run the meeting.
5. Committees
- a) The Board may establish committees. The Board Chair shall appoint committee members and shall be an ex-officio member of all committees to which the Board Chair is not appointed.
  - b) Unless otherwise prescribed by statute or rule, committees shall consist of three or more members of the Board for the purpose of gathering information, presiding over public hearings, making findings and bringing recommendations to the Board.
  - c) Certain duties may be delegated to committees by a majority vote of the board members.
  - d) When a member of the Dispute Resolution Committee or another committee has a conflict of interest or is otherwise unable to fully participate in consideration of a matter, the Board Chair may appoint a substitute to serve in place of that member with respect to that matter.
  - e) The Board Chair shall appoint committee chairpersons.
  - f) The Executive Director shall assign staff to facilitate and support the work of committees.
  - g) The membership of all committees shall be posted on the BWSR website or made available in alternate formats upon request.

### **ARTICLE III. Meetings and Hearings**

1. **Notice**  
Notices of all meetings and hearings of the BWSR shall be made in a manner in accordance with MN Statutes Chapter 13D (Open Meeting Law). Notice shall be posted at the BWSR main office, posted on the BWSR website and reasonable effort shall be made to inform BWSR clientele by mail, electronic mail, delivery, telephone or other means of communication. Board meetings will be scheduled according to the current Board policy.
2. **Open Meetings and Records**  
All meetings of the Board shall be open to the public as provided by law. The votes of the members shall be recorded by voice vote or by roll call if so called. The minutes shall be available to the public during all normal business hours at the BWSR central office. Minutes of Board meetings shall be preserved for at least ten years. Minutes of recent Board meetings shall be posted on the BWSR website once approved by the Board.
3. **Closed Meetings**  
The Chair may call a closed meeting or close a meeting if the closure is authorized by statute or permitted by the attorney-client privilege. Specific applicable statutes in the Open Meeting Laws in Minnesota Statutes Chapter 13D include:
  - a) Preliminary consideration of allegations or charges against an individual subject to its authority, per Section 13D.05, subd. 2 or
  - b) Evaluating the performance of the Executive Director, per requirement in Section 13D.05, Subdivision 3, or
  - c) Exercising quasi-judicial functions involving disciplinary proceedings per Section 13D.01, Subdivision 2.

In all cases where a meeting is closed, the Board shall abide by the requirements for closed meetings in Chapter 13D.
4. **Hearing Records**
  - a) When a public hearing on a matter has been held, whether by delegated committee that is to decide or recommend to the Board or by the Board, and the hearing record has been closed, the hearing record will not be reopened to receive additional written or oral submissions except by majority vote of the body considering the matter.
  - b) All information submitted to BWSR for hearing purposes becomes the property of the BWSR.
  - c) The BWSR shall maintain all records gathered during public hearings. The Executive Director shall not be required to maintain the records for more than three years after the close of a hearing.
5. **Quorum**

A majority of the Board is a quorum.

6. Voting

Each member shall have one (1) vote in the transaction of business of the Board. Agency members may designate an alternate to attend and vote on their behalf by notifying the Chair ~~annually in writing or via e-mailer~~ prior to the meeting. In order to vote, the member or designated alternate must be in attendance ~~at for~~ the meeting. A vote will be recorded by voice vote unless a roll call vote is requested. A roll call vote may be requested by any member and a roll call vote will be used for teleconference meetings.

7. Meeting Arrangements

The Board shall normally meet the fourth Wednesday of the month so designated by action of the Board no earlier than 8:00 AM until agenda business is complete. The Chair may call for recess for appropriate breaks or for purposes of furthering the agenda orders of business.

~~A majority~~The chair of the Board ~~members~~ shall select a meeting location ~~which shall be~~that is convenient and suitable for the members, staff and general public.

8. General Order of Business

The general order of business of BWSR Board meetings includes:

- a) Approval of agenda
- b) Approval of minutes of previous meeting
- c) Public Access Forum
- d) Chair's, Executive Director's and Committee Reports
- e) Committee Recommendations
- f) Old Business
- g) New Business
- h) Board issues and information
- i) Agency Reports
- j) Advisory Member Reports
- k) Upcoming Meetings
- l) Adjournment

A consent agenda may be developed at the discretion of the Chair. Items on a consent agenda may be removed for individual consideration upon the request of

any board member and placed on a logical place on the regular agenda as determined by the chair.

9. Parliamentary Procedure  
Robert's Rules of Order, Revised, shall govern the conduct of the meeting except when state statute, policies and these bylaws state otherwise.  
The Chair shall make all parliamentary rulings. The Executive Director or meeting designee shall serve as the parliamentarian advisor to BWSR.
10. Agenda Application  
All matters for preliminary agenda consideration with pertinent information included shall be submitted to the Executive Director ~~two weeks~~ prior to the Board meeting. Placement of items on the agenda will be at the discretion of the Chair and the Executive Director. The proposed agenda must have the approval of the Chair.
11. Conflicts of Interest  
Each board member is obligated to determine whether he/she has a potential perceived, potential, or actual conflict of interest with respect to any matter before the BWSR and to comply with all requirements of law regarding any potential conflict. Board members who disclose an actual conflict of interest will not be allowed to vote on the agenda item for which they declared a conflict. Conflict of interests disclosed by board members will be shared with other board members prior to a vote.

#### **ARTICLE IV. Adoption and Amendments**

1. Adoption  
These Bylaws shall become effective immediately after approved by a majority vote of the Board.
2. Amendments  
These Bylaws may be amended by a ~~2/3~~two-thirds vote of the board members. All proposed amendments shall be presented in writing. The Board shall review the proposed changes at least one meeting prior to adoption.

**BOARD OF WATER AND SOIL RESOURCES (BWSR)**  
**BOARD MEMBER PER DIEM AND EXPENSES POLICY (effective January 1, 2008 –**  
**August 7, 2018 DRAFT)**

- A. PER DIEM (\$55/day per M.S. §15.059, Subd. 3): Per diem is authorized for Board members for the following:
1. One per diem for regular monthly Board meetings, meetings of committees to which members are assigned, and special meetings called by the Board Chair or the Executive Director. This does not apply to meetings of organizations, groups and local governments that are the primary responsibility of BWSR staff.
  2. One per diem for four or more hours spent in preparation time for each Board meeting, each committee meeting or each special meeting of the Board. Preparation time in excess of four hours for a meeting cannot be banked.
  3. One per diem is authorized for the day prior *and* the day after for travel by Board members for a regular meeting, special meeting of the Board or committee meeting where Board members travel more than 200 miles each way using vehicular transportation.
  4. One per diem is authorized for the day prior *or* the day after for travel by a Board member for a regular meeting, special meeting of the Board, or committee meeting where Board members travel more than 100 miles each way using vehicular transportation.
  5. Per diem incurred at other functions such as those sponsored or coordinated by the Association of Minnesota Counties (AMC), the Minnesota Association of Soil and Water Conservation Districts (MASWCD), ~~and~~ the Minnesota Association of Watershed Districts (MAWD), the League of Minnesota Cities (LMC), or the Minnesota Association of Townships (MAT) under the conditions defined in items 1 through 4 if authorized by the Board, the Chair of the Board, or the Executive Director.
  6. Full-time employees of the State or one of its political subdivisions are not eligible to receive a per diem payment per Minn. Stat. § 15.0575, subd. 3.
  7. In *no* instances will more than one BWSR per diem payment per day be permitted under this policy.
  8. Participation in regular monthly Board meetings, meetings of committees to which members are assigned, and special meetings called by the Board Chair or the Executive Director via conference call, videoconference, internet technology or other similar means is considered the same as participation in-person for per diem or expense purposes.

B. EXPENSES: Expenses are authorized for Board members according to the following criteria:

1. Expenses incurred by Board members for attendance at meetings and events as described in items A1 – A5 will be reimbursed consistent with those authorized under the commissioner’s plan adopted under Minn. Stat. § 43A.18, subd. 2.

Reimbursable expenses may include, but are not limited to, the following: Commercial transportation (air, taxi, rental car, etc.); Meals including tax and a reasonable gratuity; Hotel and motel accommodations; Parking fees and toll charges.

Board members who use their personal office equipment, supplies and services in part for the purpose of receiving and generating telephone, fax, e-mail or other electronic messages related to Board activities, are eligible for a reimbursement for such equipment, supplies and services up to an amount not to exceed \$50 per month.

2. Child care expenses incurred as a result of monthly Board meetings, special or committee meetings of the Board shall be compensated as defined in Minn. Stat. § 15.0575, subd. 3.
3. Vehicle travel will be reimbursed at the standard Federal IRS mileage rate in effect at the time of travel.
4. Board members who are employees of the State or one of its political subdivisions may receive payment for their expenses incurred in performing their board member activities, unless those expenses are reimbursed by another source.
5. The Internal Revenue Service (IRS) requires business expenses to be submitted for reimbursement within 60 days after the expense is incurred or the trip ends. If not submitted within 60 days, the reimbursement becomes taxable for federal, state, FICA and Medicare; and withholding tax must be taken.

C. MEETING COORDINATION: The Board directs committee ~~members chairs~~ and staff to schedule committee meetings to efficiently use board members’ time and manage travel expenses in conjunction with monthly board meetings whenever possible.

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

\_\_\_\_\_  
Date