

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

BOARD MEMBERS PRESENT:

Joe Collins, Jill Crafton, Jayne Hager Dee, Kurt Beckstrom, Rich Sve, Gerald Van Amburg, Neil Peterson, Ted Winter, LeRoy Ose, Kelly Kirkpatrick, Eunice Biel, Todd Holman, Mark Zabel, Katrina Kessler, MPCA; Joel Larson, University of Minnesota Extension; Thom Petersen, MDA; Mark Wettlaufer, MDH; Sarah Strommen, DNR

BOARD MEMBERS ABSENT: Ronald Staples, Carly Johnson

STAFF PRESENT:

John Jaschke, Rachel Mueller, Tom Gile, Travis Germundson, Barb Peichel, Patty Sweep, Christa Branham-MacLennan, Dave Weirens, Dusty Van Thuyne, Barbara Radke, John Shea, Melissa King, Sharon Doucette, Suzanne Rhees, Julie Westerlund, Annie Felix-Gerth, Mike Nelson, Justin Hanson

OTHERS PRESENT:

Jeff Berg, MDA; Brian Martinson, AMC; Emily Javens, MAWD; Nicole Bernd, MACD, LeAnn Buck, MASWCD; Troy Daniell, NRCS; Rob Sip, Red River Watershed Management Board; Jan Voit, Tiffany Determan, Alex Trunnell, Julie Blackburn, Kaytlin Bemis

Chair Gerald VanAmburg called the meeting to order at 9:01 AM

PLEDGE OF ALLEGIANCE

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22-25 **ADOPTION OF AGENDA** - Moved by Jill Crafton, seconded by Rich Sve, to adopt the agenda as presented. *Motion passed on a roll call vote.*

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22-26 **MINUTES OF APRIL 27, 2022 BOARD MEETING** – Moved by Jayne Hager Dee, seconded by LeRoy Ose, to approve the minutes of April 27, 2022, as amended. *Motion passed on a roll call vote.*

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

INTRODUCTION OF NEW STAFF

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

Board Members welcomed new members.

CONFLICT OF INTEREST DECLARATION

Chair Van Amburg read the statement:

“A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests, and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today’s business. Any member who declares an actual conflict of interest must not vote on that agenda item. All actual, potential, and perceived conflicts of interest will be announced to the board by staff before any vote.”

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg reported the committee has not met. Stated Carly Johnson has been appointed to the board as a representative for metro cities.

Executive Director’s Report - John Jaschke reviewed the Day of Packet that included a BWSR Legislative Update and Snapshots.

Jayne Hager Dee asked if they know what the near future holds for a Special Session. John stated they do not know at this point.

Jill Crafton asked if Dan Shaw’s Habitat Enhancement Landscape Pilot Program funding went through. John stated that it’s an item for next year.

Audit and Oversight Committee – Joe Collins reported the committee has not met.

Dispute Resolution and Compliance Report – Rich Sve reported the committee has not met and there is a meeting scheduled for August 31st.

Travis Germundson welcomed Todd Holman and Mark Zabel to the committee.

Grants Program & Policy Committee – Todd Holman reported they met on Monday and have an action item on the agenda. Next meeting is scheduled for June 13 and will be in person.

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

Water Management & Strategic Planning Committee – Joe Collins reported the committee has not met.

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

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

Drainage Work Group (DWG) – Neil Peterson and Tom Gile reported the committee has not met. Meeting possibly scheduled for June.

AGENCY REPORTS

Minnesota Department of Agriculture – Thom Petersen reported they were able to get the Ag Bill passed that included drought relief, a soil health piece, and dollars for Forever Green. Received a grant from the McKnight foundation for some climate smart agricultural practices that they will be able to cost share with farmers.

Jill Crafton asked if they are able to pull in the Minnesota Soil Health Coalition and regenerative Ag people. Tom stated it's in statute that they'll have to work with a lot of those partners.

Minnesota Department of Health – Mark Wettlaufer reported Tom Hogan Division Director indicated a lot of the environmental health initiatives proposed were dropped in the last part of the legislative session. MDH is working on the wellhead protection rule and stated the committee met yesterday.

Minnesota Department of Natural Resources – Sarah Strommen reported they had a successful Governor's Fishing Opener on Lake Winnie, it was paired with a summit on the importance of investing in infrastructure that supports the fishing industry. Stated they received some drought relief money. Stated that EQB will be holding a pollinator event on June 14 in Hastings in partnership with Dakota County Parks.

Chair Van Amburg stated he saw a video of sturgeon that have been reintroduced to the Red River and are spawning this year.

Minnesota Extension – Joel Larson reported that through partnerships they received funding for two extension educator positions to focus on climate adaptation and resiliency. One will be focusing on agriculture and agriculture communities with the other in forest management. Recently hired Greg Klinger who will be starting in June working on agriculture and Jamie Mosel who will be working on the forestry side of things starting in November.

Todd Holman thanked Joel for his help in routing an RFP through the University.

Minnesota Pollution Control Agency – Katrina Kessler reported state matches will be missed without completing the bonding bill. Stated there are a couple things in LCCMR Bill. They are getting \$2 Million to use as grants to help parts of the state that are challenged by failing or underperforming septic

systems that directly impact water quality. Stated she was in Duluth last week with EPA where they announced \$113 million will be coming through the Federal Infrastructure Law to Minnesota's Area of Concern Projects in the Duluth Harbor. Also stated MPCA is getting \$2 million through the Bipartisan Infrastructure Law to reinvest in Brownfield sites across the state.

Jill Crafton asked if some of the money coming into the Duluth area is through GLRI. Katrina stated it is.

ADVISORY COMMENTS

Association of Minnesota Counties – Brian Martinson reported they had bills that weren't passed during the legislative session. They were advocating for Local Road Wetland Replacement funding and funding to the continue work on 404 Assumption. Stated there were some positive things that came through in the LCCMR bill. The septic system funds were advocated to be directed to MPCA and are hoping to use that to enhance the work that's being done with the Low Income Grant Program that's in place. At the DNR, there's funding for the forest inventory work as well as the aggregate mapping work. Stated there are some funds to establish a task force on the Pig's Eye landfill, which is situated on the Mississippi River. There were a few items that passed in the Ag bill including some adjustments and the lifting of the cap on the Ag BMP Loan Program. It has been helpful for landowners and local governments to do conservation and water protection work. Brian stated he is looking forward to the summer working on the Drainage Workgroup. Stated AMC staff will be visiting each of their 10 districts in the next few weeks.

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

Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck reported the status of the SWCD Aid was their number one priority this session. Looking at a standing statutory appropriation of \$22 million per year, the legislature ran out of time with an agreed upon Omnibus Tax package. In that agreement is \$6 million per year for SWCD Aid and would be in addition to other resources directed to SWCDs.

LeAnn stated there is a new federal cost share program sign up to upgrade irrigation systems and thanked all the partners involved.

Minnesota Association of Townships – Eunice Biel reported they completed the primary election for the First Congressional District and the winners were Jeff Ettinger for DFL and Brad Finstad for GOP. They will then be in a special election August 9 to finish the term and seek to be elected again in November.

Stated during the legislative session, the Association of Townships was advocating for transportation, broadband funding, and annexation fairness. Stated they are offering a town law review and legal short course in Otsego to serve townships with complex issues and activities. Township Tuesday conference call is on the first and third Tuesday of the month and are asking members to join when they can.

Chair Van Amburg announced Eunice has been appointed to Chair the Farm Service Agency State Committee.

Minnesota Association of Watershed Districts – Emily Javens thanked the board for having the option of a hybrid meeting. Welcomed BWSR's new HR Director Patty Sweep and Assistant Director Justin Hanson.

During the legislative session their number one goal was to see if they could get the levy increased. Stated it was stuck in committee and didn't make it into the Omnibus bill. Second priority was the Bonding bill where there was flood hazard reduction money. Stated another one of their priorities was to hold back the bill about the drainage registry.

Chair Van Amburg mentioned the partnering for the tour in the Northwest part of the state at the end of August.

Natural Resources Conservation Service – John Jaschke reported for Troy Daniell that NRCS has set up an EQIP disaster fund pool and currently has just under \$2 million to help with flood recovery primarily in the Red River. They put in a request for another \$2 million but haven't heard if they will receive it. There does not seem to be a need for them to help with the wind damage from last week, most of that was infrastructure on farmsteads but have made themselves available at the local level to help get people to the right programs for assistance.

Chair Van Amburg recessed the meeting at 10:35 a.m. and called the meeting back to order at 10:50 a.m.

COMMITTEE RECOMMENDATIONS

Central Region Committee

Rum River Comprehensive Watershed Management Plan – Joe Collins and Jason Weinerman presented Rum River Comprehensive Watershed Management Plan.

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

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

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

Overall, the Rum River is not identified as impaired. However, the partnership identified the river as being close to the impairment limit and have set a goal for reducing phosphorous and sediment by 5% at the point where the river joins the Mississippi River. While the overall river is not impaired, there are

several lakes and river segments that are impaired and in need of restoration. The partnership has established a measurable goal of reducing phosphorous levels in these impaired lakes by 2,500 pounds. The estimated overall cost for implementing the plan is \$34,947,325 coming from a variety of funds including, but not exclusively, watershed-based implementation funds.

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

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

Joe Collins commended Jason for his work and thinks it's a good 1W1P that will be successful and was impressed with it.

Jill Crafton stated she was impressed with their process and the value they placed on their natural resources.

Todd Holman thanked them for their work. Stated the plan calls out protection to have within the plan and has a nice cultural recognition section with the working relationships and other cultural values.

Kurt Beckstrom thanked staff for their work and stated outreach is important.

Sarah Strommen stated she appreciates this plan and the work with local partners.

Mark Wettlaufer stated the Rum River is an important watershed and influences drinking water.

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22-27 Moved by Joe Collins, seconded by Jill Crafton, to approve the Rum River Comprehensive Watershed Management Plan. ***Motion passed on a roll call vote.***

Grants Program and Policy Committee

FY23 MN Conservation Reserve Enhancement Program (CREP) Outreach and Implementation Program Continuation Grants – Dusty Van Thuyne presented ML 2015, 2017, and 2019 Clean Water Fund Continuation Grants and ML 2017 Clean Water Fund Buffer Cost Share Reallocation.

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

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

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

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

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

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

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22-28 Moved by Rich Sve, seconded by Todd Holman, to approve the FY23 MN Conservation Reserve Enhancement Program (CREP) Outreach and Implementation Program Continuation Grants. ***Motion passed on a roll call vote.***

NEW BUSINESS

Red River Watershed Management Board – Rob Sip presented Red River Watershed Management Board.

Rob Sip provided RRWMB updates including Spring 2022 flooding.

Joe Collins asked when there is that much flooding how long does it take for the land to recoup. Rob Sip stated once the rain stops and you get a window the water recedes fairly quickly, debris also needs to be cleaned up from the floodwaters so some work needs to be done before they can get back out into the fields.

Jill Crafton asked if the ring dikes have vegetation on them, do they erode or asked if they hold up well. Rob stated they are fully vegetated and do a good job. Jill asked if they use cover crops. Rob stated it's something they have seen more recently but stated when harvesting later in the fall there isn't a lot of time to get a cover crop growing.

Katrina Kessler asked about the appropriation for \$250,000 for phosphorus adaptation management and what bill it was in. Rob stated he will check on it and get back to Katrina.

Jayne Hager Dee thanked Rob for his presentation and asked about the challenges of working with other states and countries. Rob stated they partner with the Red River Joint Water Resource District and there is also a joint powers board called the Red River Retention Authority where they are set up to receive federal funding to work with them and coordinate on both sides of the river. The Red River Basin Commission helps with water quality offsets and they are coordinating at a higher level with North Dakota, Minnesota, South Dakota and Canada. The International Joint Commission also has several international boards. Stated they have good conversation, interaction, and coordination on both sides of the river.

LeRoy Ose stated when the land is flooded it dries up quick with the longer days in that part of the state.

Chair Van Amburg stated Rob has done a great job.

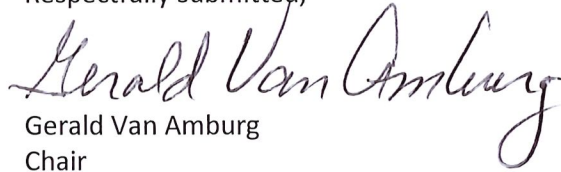
UPCOMING MEETINGS

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

Jayne Hager Dee stated there will be an EQB pollinator event held in Dakota County at Spring Lake Park on June 16th.

Chair VanAmburg adjourned the meeting at 12:07 PM.

Respectfully submitted,



Gerald Van Amburg
Chair