

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
ST. PAUL, MN 55155  
WEDNESDAY, APRIL 24, 2024**

**AGENDA**

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

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF AGENDA**

**MINUTES OF MARCH 27, 2024 BOARD MEETING**

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

**INTRODUCTION OF NEW STAFF**

- Chad Hildebrand, Buffer Specialist
- Jared House, Soils Programming Coordinator

**CONFLICT OF INTEREST DECLARATION**

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

**REPORTS**

- Chair & Administrative Advisory Committee – Todd Holman
- Executive Director – John Jaschke
- Audit & Oversight Committee – Joe Collins
- Dispute Resolution and Compliance Report – Travis Germundson/Rich Sve
- Grants Program & Policy Committee – Mark Zabel
- RIM Reserve Committee – Jayne Hager Dee
- Water Management & Strategic Planning Committee – Joe Collins
- Wetland Conservation Committee – Jill Crafton
- Buffers, Soils & Drainage Committee – LeRoy Ose
- Drainage Work Group – Neil Peterson/Tom Gile

**AGENCY REPORTS**

- Minnesota Department of Agriculture – Thom Petersen
- Minnesota Department of Health – Steve Robertson
- Minnesota Department of Natural Resources – Jason Garms
- Minnesota Extension – Joel Larson
- Minnesota Pollution Control Agency – Katrina Kessler

## **ADVISORY COMMENTS**

- Association of Minnesota Counties – Brian Martinson
- Minnesota Association of Conservation District Employees – Mike Schultz
- Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Eunice Biel
- Minnesota Watersheds – Jan Voit
- Natural Resources Conservation Service – Troy Daniell
- Red River Water Management Board – Rob Sip

## **COMMITTEE RECOMMENDATIONS**

### ***Dispute Resolution Committee***

1. WCA Appeal (File 23-4) of a Wetland Bank Plan Decision Aitkin County – Rich Sve, Oliver Larson, and Travis Germundson – ***DECISION ITEM***

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

1. Cooperative Weed Management Area Grants – Dan Shaw – ***DECISION ITEM***
2. Habitat-Friendly Utilities Program – Dan Shaw – ***DECISION ITEM***
3. FY25 Conservation Reserve Program State Incentives Grant Program – Jason Beckler – ***DECISION ITEM***

### ***Northern Regional Committee***

1. Rainy Headwaters-Vermilion Watershed Comprehensive Watershed Management Plan – Rich Sve, Ryan Hughes, and Chad Severts – ***DECISION ITEM***

### ***RIM Reserve Committee***

1. Easement Alteration Request - RIM Easement #46-17-99-01 – Karli Swenson – ***DECISION ITEM***
2. Easement Alteration Request – RIM Easement #67-01-07-04 – Karli Swenson – ***DECISION ITEM***

## **NEW BUSINESS**

1. Soil Health Action Framework – Tom Gile, Suzanne Rhees, and Marcelle Lewandowski – ***INFORMATION ITEM***

## **UPCOMING MEETINGS**

- Wetland Conservation Committee is scheduled for April 29<sup>th</sup> at 9:30 a.m. by MS Teams.
- Grants Program and Policy Committee is scheduled for May 13<sup>th</sup> at 8:30 a.m. in St. Paul and by MS Teams.
- BWSR Board meeting is scheduled for May 22<sup>nd</sup> at 9:00 a.m. in St. Paul and by MS Teams.

## **ADJOURN**

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

In re Approval of the Mille Lacs Meadows North  
Wetland Bank

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND ORDER**

BWSR File No. 23-4

This matter came to the Board of Soil and Water Resources for a final order from an appeal concerning Aitkin County’s decision (the “Decision”) to approve a wetland banking plan for a project known as Mille Lacs Meadows North (the “Project”). The Project applicant is David Urban, on behalf of Ecosystem Investment Partners (“EIP”). The Decision was appealed to BWSR by Eric Trelstad.

The Decision was issued on May 22, 2023. This appeal was filed on June 16, 2023. The appeal was timely under to Minn. R. 8420.0905. Aitkin County, EIP, and Mr. Trelstad submitted briefs. The matter was referred to BWSR’s Dispute Resolution Committee for hearing, which was held on March 7, 2024.

**STATEMENT OF ISSUES AND RESOLUTION**

1. The County approved EIP’s application for a wetland banking plan over objections that portions of the Project site were ineligible to receive banking credits because those portions of the site had been illegally drained after the passage of the Wetland Conservation Act.

Should the County’s decision to approve approximately 433 acres of wetland banking credits at the completion of the Project be affirmed?

- a. The County determined that , the record did not establish that any drainage or ditching work had been performed illegally after 1991. The Project site had been used intermittently for farming during periods prior to 1991, and the Wetland Conservation

Act does not prohibit maintenance of existing drainage features. The County concluded the evidence failed to establish illegal drainage activities after 1991.

- b. The Dispute Resolution Committee voted 5-0 to recommend that BWSR affirm the County's approval of the Project, finding that it was not clearly erroneous.
- c. [Insert BWSR decision]

- 2. After this appeal was filed, Mr. Trelstad proposed that the record be expanded to include materials concerning the history of the site. Mr. Trelstad alleges the additional documents are relevant to show portions of the Project site had been illegally drained after 1991. The County and EIP object to the inclusion of the additional materials.

Should the materials additional materials submitted by Mr. Trelstad be admitted into the record?

- a. The County did not consider the additional materials, which were not submitted prior to its decision, and opposes inclusion of the materials into the record.
- b. The Dispute Resolution Committee voted 5-0 to not to include the additional materials from Mr. Trelstad, finding that they were not part of the record of decision and would not materially impact the resolution of the appeal even if admitted.
- c. [Insert BWSR decision]

## **FINDINGS OF FACT**

1. On March 3, 2022, EIP submitted an application dated March 2, 2022 to the U.S. Army Corps of Engineers and Aitkin County to establish a wetland bank in Aitkin County. (Ex. 77.) Upon completion of the Project, EIP would be able to use or sell wetland bank mitigation credits to offset the loss of wetlands. The Project covers approximately 617 acres and was approved for approximately 433 acres of proposed wetland credits. (Ex. 4 at 36, Ex. 53 at 277.)

2. Aitkin County received comment letters from BWSR on March 3, 2022 and the law firm Larkin Hoffman (the "Larkin Letter") on April 8, 2022. (Exs. 70, 74.) The Larkin Letter was sent on behalf of an unidentified group of "concerned environmentalists."<sup>1</sup> (Ex. 70 at 520.)

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<sup>1</sup> The record does not establish whether Mr. Trelstad was one of the "concerned environmentalists" represented by Larkin Hoffman. Mr. Trelstad also manages a potentially competing wetland bank. (Footnote Continued on Next Page)

3. The Larkin Letter took the position that some or all of the site covered by the Project was not eligible for wetland banking credits because those portions of the site had previously been illegally drained and converted from wetland into farmland. (Ex. 70.)

4. Between March 2, 2023 and May 22, 2023, there were extensive communications among EIP, the Project engineers (Short Elliott Hendrickson Inc.), the County, the Corps of Engineers, the Technical Evaluation Panel (“TEP”), and Larkin Hoffman. (Exs. 2-67) The correspondence covered a wide variety of subject matters. (*Id.*) Larkin Hoffman continued to take the position that some or all of the project site was ineligible for wetland banking because of prior illegal drainage activities. (*See, e.g.*, Ex. 13.)

5. As part of the review process, the County and TEP considered the significance of a 2015 agreement reached between the County and a prior owner of the Project site to resolve “concerns” over compliance with the Wetlands Conservation Act (“the 2015 Agreement”). (*See* Exs. 1, 82.) The 2015 Agreement resolved the concerns with the owner agreeing to engage in various best management practices. (*Id.*)

### CONCLUSIONS

1. BWSR’s has jurisdiction to hear this appeal pursuant to Minn. Stat. § 103G.2242, subd. 9 and Minn. R. 8420.0905, subp. 4.

2. BWSR’s role in hearing appeals from wetland banking decisions is limited, generally consisting of an on-the-record review. Minn. R. 8420.905, subp. 4(F). BWSR may remand an appeal back to the local unit of government if it determines that the record is insufficient to allow a decision for the submission of additional evidence. *Id.*

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Mr. Trelstad’s motives in taking this appeal are not relevant, and BWSR makes no findings concerning his motives.

3. BWSR is required to affirm the decision of a local unit of government unless the decision is clearly erroneous, contrary to law, or made pursuant to procedural errors that prejudiced a party. Minn. R. 8420.905, subp. 4(G).

4. BWSR determines that the record is sufficient to support the decision made by the County.

5. BWSR determines that the County's decision was not clearly erroneous.

6. The primary issue raised by Mr. Trelstad is that some portions of the Project site are ineligible for wetland banking credits because those portions of the Project site were illegally ditched and drained after the passage of the Wetlands Conservation Act in 1991.

7. The administrative rules implementing the Wetland Conservation Act provide that the restoration "of wetlands drained or filled in violation of this chapter" are not eligible for replacement credits. Minn. R. 8420.0526, subp. D.

8. The record clearly shows that the Project site as a whole has had a varied history, with portions of the site existing as both farmland and wetlands before and after the passage of the Wetland Conservation Act in 1991.

9. There is evidence in the record suggesting that portions of the Project site may have been impacted through ditching or drainage after 1991, but the evidence is conflicting and inconclusive on the issue of whether there were violations of the Wetlands Conservation Act. The record does not clearly establish that the ditching or drainage identified by Mr. Trelstad occurred after 1991.<sup>3</sup> The record also does not clearly exclude that such drainage work, if it occurred after 1991, was exempt maintenance under the Wetland Conservation Act. There also clearly is evidence that would support a determination that the work was excluded maintenance. (*See e.g.*, Exs. 82-83.)

10. The County argues that the 2015 Agreement is dispositive of whether there was illegal drainage at the Project site. BWSR declines to take up the issue of whether the 2015 Agreement is dispositive, but concludes that it can serve as evidence that the County investigated the issue in 2015 and was able to reach a conclusion that ditching or drainage that occurred was not determined to be a violation. The 2015 Agreement, in turn, is evidence that the County could rely on in 2023 that the Project site was eligible for wetland credits.

11. The additional materials Mr. Trelstad seeks to add to the record of decision in this case are not sufficiently material to change the result here. BWSR's role in hearing an appeal is to determine whether the County's decision was "clearly erroneous." The additional materials Mr. Trelstad seeks to admit into the record would not lead BWSR to conclude that the County's decision was clearly erroneous. Simply put, even with the additional materials, the record on the issue of prior ditching or drainage of the Project site is conflicting, and the decision the County reached to approve the Project is not clearly erroneous. BWSR declines to admit the additional materials as part of the record.<sup>2</sup>

12. Mr. Trelstad also argues that the County failed to consider the evidence presented on the issue of illegal drainage, and failed to properly explain its decision. While the decision documents from the County and the TEP are admittedly thin, the record in fact shows extensive consideration by the County and the TEP of Mr. Trelstad's concerns in the months leading up to the final decision. Having reviewed the record as a whole, BWSR also concludes that sufficient evidence exists in the record to support the County's decision.

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<sup>2</sup> The County argues that Mr. Trelstad failed to demonstrate good cause that he could not have provided these materials to the County prior to its decision. *See* Minn. R. 8420.0905, subp. 4(F). Having found the additional materials would not alter its decision, BWSR does not resolve this issue.

13. Mr. Trelstad argues that there were other procedural errors made by the County, but fails to demonstrate that any alleged procedural error was prejudicial to his appeal. BWSR’s authority to remand matters back to the local unit of government for certain procedural errors – for example, the lack of a verbatim transcript – is also discretionary. Here, BWSR concludes that if there were procedural errors, they are not sufficient to merit a remand of the decision to the County.

14. In sum, the authority to weigh evidence and reach conclusions concerning conflicting evidence of prior violations of the Wetland Conservation Act at the Project site rests with the County. Here, the evidence is conflicting. While some evidence exists that supports Mr. Trelstad’s arguments, the evidence is not so clear that BWSR can conclude the County’s resolution of the issue is “clearly erroneous.”

### **ORDER**

The May 22, 2023 decision of Aitkin County concerning EIP’s wetland banking application is affirmed.

Dated at St. Paul, Minnesota, this April 24, 2024

### **MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Todd Holman, Chair  
Board of Water and Soil Resource



## BOARD ORDER

### FY25 Conservation Reserve Program State Incentives Grant Program

#### PURPOSE

Authorize the Fiscal Year 2025 Conservation Reserve Program State Incentive Grant Program.

#### RECITALS /FINDINGS OF FACT

- A. Laws of Minnesota 2023, Chapter 60, Article 1, Section 4, paragraph (s) appropriated funds to provide onetime state incentive payments to enrollees in the federal Conservation Reserve Program (CRP) during the continuous enrollment period and to enroll land in conservation easements consistent with Minnesota Statutes, section 103F.515.
- B. The BWSR Senior Management Team (SMT) reviewed and discussed recommendations from BWSR staff on the FY25 Conservation Reserve Program State Incentives Grant eligible activities and watershed eligibility criteria, and watershed allocation list.
- C. The Board has authorities under Minnesota Statutes §103B.101 to approve comprehensive watershed management plans, Minnesota Statutes §103B.255 to approve county groundwater plans, Minnesota Statutes §103C.401 to approve soil and water conservation district plans, and Minnesota Statutes §103B.231 to approve watershed management plans.
- D. Eligible Comprehensive Watershed Management Plan partnerships authorized under Minnesota statute §103B.801 and authorized under Minnesota Statute §103B.231, Minnesota Statute §103B.255, and Minnesota Statutes §103C.401 will provide onetime incentive payments to landowners enrolling or re-enrolling into the Continuous Conservation Reserve Program.
- E. The Board has authorities under Minnesota Statutes §103B.3369 and 103B.101 to award grants and contracts to accomplish water and related land resources management.
- F. The Grants Program and Policy Committee, at their April 15, 2024 meeting, reviewed and recommended approval of the FY25 Conservation Reserve Program State Incentives Grant Program eligible activities and watershed eligibility criteria, and watershed allocation list.

#### ORDER

The Board hereby:

1. Approves the FY25 Conservation Reserve Program State Incentives Grant Program eligible activities and watershed eligibility criteria. (*Attachment A*)
2. Approves incentive payments for practices available through a Continuous CRP enrollment period.

3. Approves the allocation of up to \$2,900,000 for eligible activities to eligible Comprehensive Watershed Management Plan partnerships authorized under Minnesota statute §103B.[801 and eligible Watershed Management planning areas.](#) (*Attachment B and Attachment C*)
4. Authorizes staff to reallocate funds to eligible program participants should grant awards not be accepted, or full grant awards not utilized.
5. Authorizes staff to enter into grant agreements for this purpose.

Dated at St. Paul, Minnesota, this April 24, 2024.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**

\_\_\_\_\_

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

Todd Holman, Chair  
Board of Water and Soil Resources

Attached:

Attachment A - FY25 Conservation Reserve Program State Incentives Grant Program eligible activities and watershed eligibility criteria

Attachment B - FY25 Conservation Reserve Program State Incentives Grant Program - Watershed Allocation List

[Attachment C- Twin Cities Metropolitan Area Allocation Boundaries](#)

# Attachment A: FY25 Conservation Reserve Program State Incentives Grant Program Eligible Activities and Watershed Eligibility Criteria

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## Program Eligible Activities:

Conservation Reserve Program State Incentive Grants provide eligible Comprehensive Watershed Management Plan partnerships [and Watershed Management planning areas](#) -with funds to incentive landowner enrollment and re-enrollment into the federal Continuous Conservation Reserve Program (CCRP) and associated administrative and project development responsibilities. Eligible activities include:

- Incentives payments for the enrollment or re-enrollment into the federal Continuous Conservation Reserve Program (CCRP) for the installation or preservation of CCRP practices that improve or protect surface water or groundwater pollution, drinking water, soil health, pollinator and wildlife habitat, and other conservation enhancements.
- A maximum of up to 10 percent (10%) of the total grant may be used for administrative and project development expenses.

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## Watershed Eligibility Criteria:

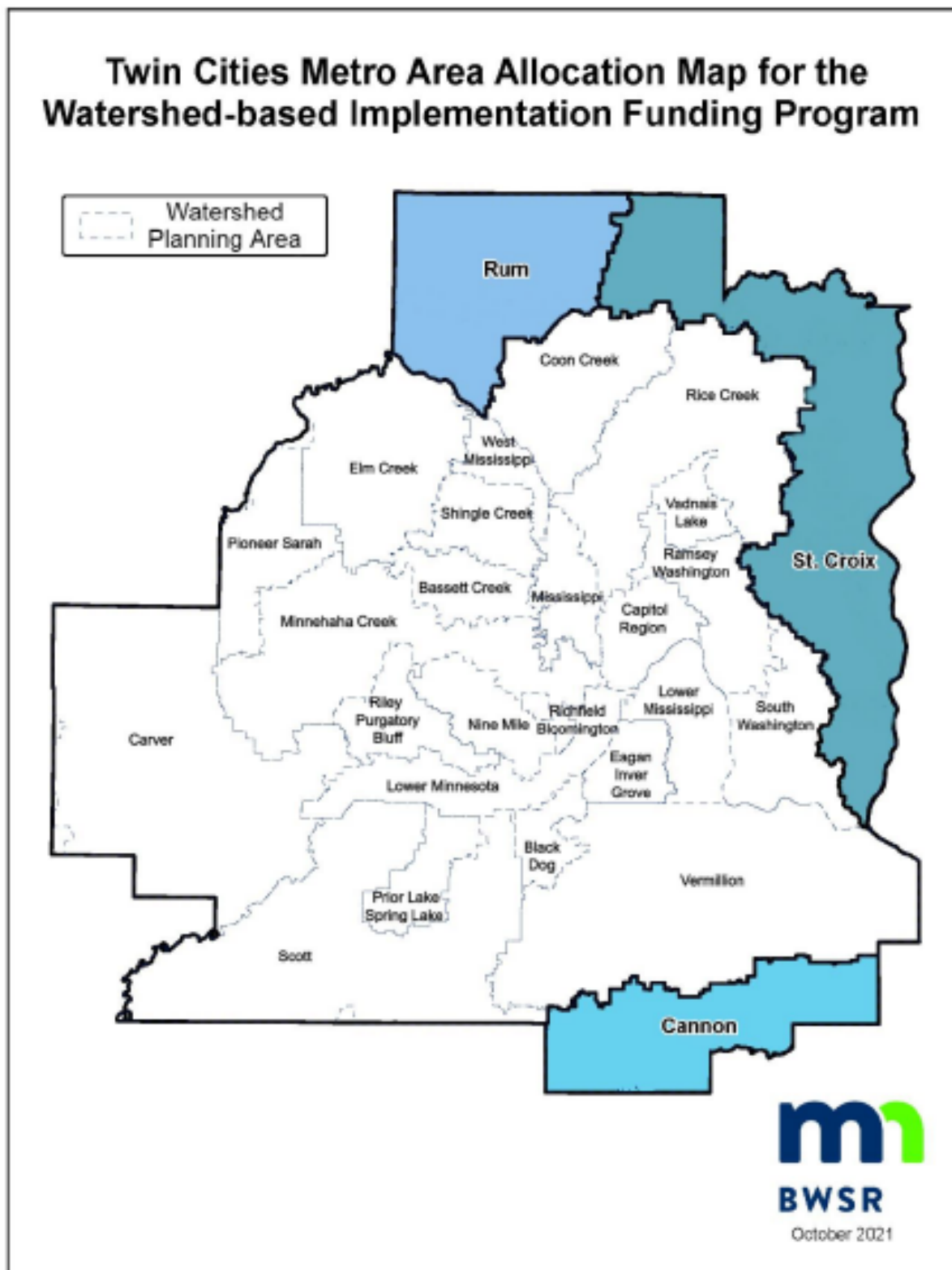
A Comprehensive Watershed Management Plan partnership [and Watershed Management planning area](#) ~~are~~ is eligible for the FY25 Conservation Reserve Program State Incentives Grant Program if the following Criteria is met:

- Have a Board of Water and Soil Resources approved Comprehensive Watershed Management Plan authorized under Minnesota statute §103B.801 [or Minnesota Statute §103B.231](#)-at the time of program approval.
- 30% or greater of the total Comprehensive Watershed Management [\(CWMA\) Plan acres or Watershed Management Plan acres outside of CWMA Plan ~~acres~~-boundary\(s\)](#) having a designation of cultivated acres.

## Attachment B: FY25 Conservation Reserve Program State Incentives Grant Program - Watershed Allocation List

Watershed	FY25 Grant Amount	Watershed	FY25 Grant Amount
Mustinka/Bois de Sioux River	\$135,000	Wild Rice-Marsh River	\$100,000
Middle-Snake-Tamarac River	\$135,000	Des Moines River	\$100,000
Missouri River Basin	\$135,000	Buffalo-Red River	\$100,000
South Fork Crow River	\$135,000	Greater Zumbro	\$100,000
Yellow Medicine River	\$100,000	Two Rivers Plus	\$100,000
Lac qui Parle - Yellow Bank	\$100,000	Red Lake River	\$100,000
Pomme de Terre River	\$100,000	Thief River	\$100,000
Clearwater River	\$100,000	Cedar - Wapsipinicon	\$50,000
Cannon River	\$100,000	Long Prairie River	\$50,000
Le Sueur River	\$100,000	Sand Hill River	\$50,000
Watonwan River	\$100,000	Shell Rock – Winnebago	\$50,000
Hawk Creek - Middle Minnesota	\$100,000	Mississippi River Winona/La Crescent	\$50,000
Lower Minnesota River West	\$100,000	Upper Minnesota River	\$50,000
North Fork Crow River	\$100,000	Carver County WMO	\$20,000
Sauk River	\$100,000	Scott County WMO	\$20,000
Root River	\$100,000	Vermillion River WMO	\$20,000
Roseau River	\$100,000		

Figure 1. Twin Cities Metropolitan Area Allocation Boundaries



# Prairie strips: Smaller in scale, new practice offers big results



**Watershed-Based Implementation Funding that supports prairie strips and other watershed planning priorities comes from the Clean Water Fund.**

**T**wo soil and water conservation districts in southeastern Minnesota are using prairie strips — a relatively new conservation practice — as a low-risk option to help farmers integrate conservation into their operations.

The Mower County Soil & Water Conservation District (SWCD) and the Freeborn County SWCD are offering up to \$80-per-acre incentive payments to landowners who plant prairie strips on land enrolled in the federal Conservation Reserve Program (CRP). Those who participate in CRP receive an annual payment for 10 to 15 years (depending on the contract length) from the USDA's Natural Resources Conservation Service in exchange for taking environmentally sensitive land out of agricultural production. Private ownership continues under CRP.

“It’s a good way to get the landowner in the door to start doing a little conservation,” said Chad Billat, private lands biologist at Freeborn County SWCD. “They can get their foot in the door and realize it’s maybe not as overwhelming or complicated as they thought, and it can open up other possibilities on their land.”

Established in or near agricultural fields, prairie strips are small sections of native vegetation 30 to 120 feet wide. The practice was [developed by researchers at Iowa State University \(ISU\)](#). Since 2018, prairie strips have been among the [43 practices](#) eligible for use on CRP-enrolled lands.

Billat said most agricultural properties



*This mature prairie strip established at Iowa State University's (ISU) Armstrong Research Farm features flowering native plants and grasses. Prairie strips were developed by researchers at ISU. Since 2018, they have been among the 43 practices eligible for use on lands enrolled in the federal Conservation Reserve Program. Photo Credit: Iowa State University STRIPS team*



**Above:** A prairie strip in Mower County was established using incentives offered by the Mower County SWCD. **Right:** Forbs such as purple coneflower planted in prairie strips offer food sources and habitat to pollinators. **Photo Credits:** Mower County SWCD



would qualify for prairie strips, making it a good first practice for someone new to conservation. The strips require relatively low maintenance. Producers are allowed to drive on prairie strips — making them a valuable in-field option for turning equipment around.

“It’s nice that we can suggest this new practice to landowners, because it’s very flexible,” Billat said.

Mower County SWCD conservation technician Jessica Bulman said common places for planting prairie strips are at the edge of fields, in areas where crops get shaded out by trees, near streams or other waterways, and around wind turbines and other utilities.

“The way we use prairie strips in Mower County is to take away the low-yielding areas of the field,” Bulman said. “We’re not putting an entire field into CRP, we’re just taking away those problem areas.”

The practice offers multiple conservation benefits. ISU field testing showed prairie strips can reduce nitrogen transport from a field to a waterway by 85% and phosphorus transport by 90%. The strips improve soil health by reducing soil compaction. The native prairie plants’ deep root systems help to improve organic matter in the soil, while providing habitat for pollinators and small game birds.

“They’re going to have water-quality and erosion control benefits like many other CRP practices,” Billat said.

Bulman said a secondary benefit is beautifying the landscape. Prairie strips must be seeded with at least 10 native flowering plants, plus grasses.

Since the Freeborn County SWCD began offering the incentive in 2022, eight landowners have enrolled 35 acres in prairie strips via CRP. In Mower County,

13 landowners have enrolled 80 acres since 2022. Bulman and Billat said both SWCDs aim to enroll a combined total of 120 acres this year.

Funding for the incentives comes from three sources. A total of \$62,000 in CRP state incentive grants funded by Minnesota’s Environment and Natural Resources Trust Fund and administered by the Minnesota Board of Water and Soil Resources (BWSR) supports prairie strip incentive payments in Mower and Freeborn counties. Additionally, the Mower County SWCD received a \$30,000 grant from The Nature Conservancy to support the work.

The third source, a total of \$45,000 in [Watershed-Based Implementation Funding](#), is dedicated to establishing prairie strips in three watershed planning areas where creating perennial cover is a priority. Those three watershed planning areas

include parts of Mower and Freeborn counties: the Shell Rock River and Winnebago watershed planning area, the Root River watershed planning area and the Cedar River watershed planning area.

Mower and Freeborn County SWCD staff members have spread the word about the incentives via postcards, newsletters, two billboards and social media. In Freeborn County, Billat said word of mouth has been the most effective outreach strategy.

“It’s about getting the farmer in our office and finding ways we can help them put conservation on the ground,” Bulman said. “Even if prairie strips aren’t the best option, getting them (landowners) into the door helps us find a practice or BMP (best management practice) that might work.”

# Winona County feedlot work tied to trout stream delisting



**NINE DELISTINGS TIED TO CLEAN WATER FUNDS FROM BWSR:** Details about all nine delistings involving improvements tied to Clean Water Fund grants from BWSR — including seven Twin Cities metro area lakes and a 48-mile-long Wright County segment of the North Fork Crow River — are featured in a BWSR [blog post](#).

**P**LAINVIEW — A stretch of a designated trout stream in Winona County is slated for removal from the state’s impaired waters list as a result of water-quality improvements — including landowners’ work with Winona County Soil & Water Conservation District (SWCD) staff.

Clean Water Funds from the Minnesota Board of Water and Soil Resources (BWSR) supported conservation work contributing to water-quality improvements that led to nine of the 27 delistings proposed for 2024. In addition to the stretch of Beaver Creek, the nine included seven Twin Cities metro lakes and a 48-mile-long segment of the North Fork Crow River in Wright County.

Minnesota Pollution Control Agency (MPCA) staff responded to comments, and then submitted the list to the EPA, which had 30 days — until May 1 — to respond.

Tucked between tall bluffs in a narrow valley near Whitewater State Park, Beaver Creek is the spot Winona County SWCD resource conservationist Amanda Gentry suggests when anglers ask.

“It’s gorgeous for trout fishing,” Gentry said. She has spent a lot of time in the

county’s streams conducting Aquatic Invasive Species surveys for the SWCD. She also has worked as the SWCD’s feedlot engineer technician.

Clean Water Fund grant-backed feedlot improvements on the blufftops have contributed to water-quality improvements that led to delisting Beaver Creek’s aquatic life impairment. Two projects directly benefited the creek.

One drew from an \$893,950 Feedlot Water Quality Management grant BWSR awarded to the Winona County SWCD in 2011, supporting solutions for manure storage, wastewater and open feedlot runoff.

The second — on Duane and Karen Timm’s farm — drew from local capacity funds the SWCD received in 2020, building a stacking slab for manure storage and installing runoff control from an open feedlot.

The Timms milk 100 Holsteins, raise about 20 Angus cow-calf pairs, and grow about 250 acres of corn and alfalfa. The stacking slab is situated in the heifer yard, about a mile upstream from Beaver Creek.



**Gentry**

*Goodhue County-based Technical Service Area 7 engineer Kate Bruss engineered Duane and Karen Timms’ project, left and right, which treats runoff from a feedlot with 36 to 40 heifers, and provides three months’ manure storage. Amanda Gentry of the Winona County SWCD surveyed the site and worked with the Timms on the concept. With her farm background, Duane Timm said Gentry could suggest workable alternatives. The project built upon the Timms’ previous work with the SWCD just downstream: a dike that retains and then slowly releases runoff, allowing sediment to settle out. Center: The most recent work helps to improve water quality in Beaver Creek.*  
**Photo Credits:** Winona County SWCD



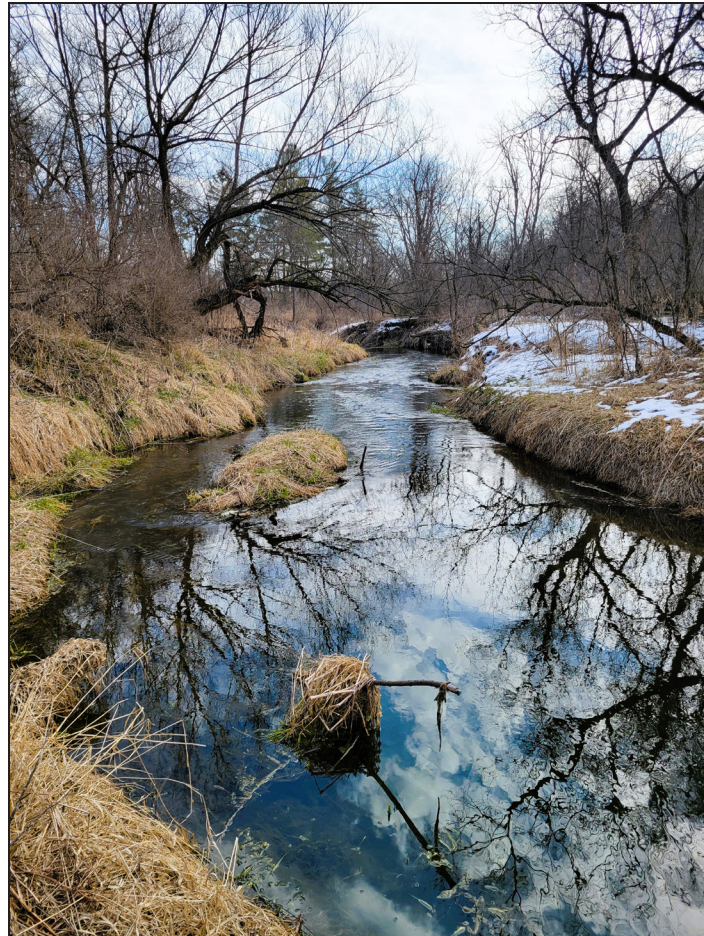
"I had no way of controlling the runoff," Duane Timm said, describing the need for the project. Now, he said, "We're able to keep the manure away from the animals without worrying about it washing off the farm. We can scrape that lot off and not be worried about (it) going down into Beaver Creek."

Designed to hold back the solids, which are scraped and contained until they can be applied when crops need them most, the slab provides three months' storage. The liquids flow through a grass filter strip that treats the runoff.

"It's a feel-good thing," Timm said of the project's role in improving Beaver Creek's water quality. "It was good for our farm as well. We made progress by doing that. We caught valuable nutrients out of manure and spread (it) where needed when we should be (spreading), in a timely manner. But also you can sleep good at night because you're not polluting the water for other people."

Streambank restoration work complements the two farms' runoff reductions. Severe and repeated flooding in the 1930s forced the town of Beaver to disband. Remnants include a town hall and a cemetery in the woods.

"In the 12 years I've been with the district, this is one of the first delistings I've been a part of. I think about the number of practices in that small watershed that have been installed since I've been here, and it's pretty awesome to think about the improvements that have been done, especially up



*Winona County's Beaver Creek, a designated trout stream, flows through a narrow valley. The Winona County SWCD's Clean Water Fund-backed work with landowners on feedlots has contributed to water-quality improvements.*

## MPCA Details

### IMPAIRED WATERS DEFINITION:

The MPCA defines an impaired water as one that fails to meet water-quality standards (which define how much of a pollutant can be present before it's no longer considered drinkable, swimmable, fishable or usable in other defined ways) in one or more of seven areas: nutrients that grow algae, sediment that clouds water, bacteria that can make swimming unsafe, unhealthy insect and fish habitat, mercury levels that limit safe fish consumption, PFOS (perfluorooctane sulfonic acid) in fish tissue, sulfate that may affect wild rice production.

**IMPAIRED WATERS LIST:** Updated every other year, the [Impaired Waters List](#) includes a tab for delistings.

**MEETING STANDARDS:** Removal from the impaired waters list requires meeting the standard for phosphorus levels, and either Secchi disk readings, which measure clarity, or Chlorophyll-a levels.

**MINNESOTA WATERS:** They include about 105,000 stream miles, about 12,200 lakes 10 acres or larger, about 4.5 million acres of lakes and about 10.6 million acres of wetlands.

on top of the bluff in the farm fields that drain toward Beaver Creek," Gentry said. "For me, it's one of those victories that you can feel as

though you've had a part in."

By curbing runoff and sediment loss in farmyards and fields, the projects

**“ I think as a farmer, you just want to do that (conservation). When your ground washes away, it's gone — and that's not what you set out to do.”**

— Duane Timm, Winona County farmer, who uses contour strips as a way to curb field erosion

and practices result in phosphorus and bacteria reductions, which translates to better habitat for macroinvertebrates and fish.

"Having these funds in place is just extremely important to be able to make it feasible for these projects to be completed. Without the funding they can't be done; it's just way too expensive," Gentry said.

A feedlot fix with 12 months' manure storage can easily exceed \$500,000.

"In a lot of cases, especially in the recent past, it was hard to fully fund a project with only one funding source. A lot of times we would (leverage) EQIP dollars (Environmental Quality Incentives Program support via the USDA's Natural Resources Conservation Service) and our local capacity or state cost-share dollars to assist a landowner in being able to afford these projects. If they can't afford a project, they can't get a contractor out there to do it, the problem is just going to continue."

# PRAP grants support local government staff, conservation delivery



Local government units (LGUs) across Minnesota are using the [Performance Review and Assistance Program](#) (PRAP) to improve their organizations' operations. Participating LGUs throughout the state have received more than \$360,000 in PRAP grants since 2012. The grants fund organizational improvement activities such as updating personnel policies, hiring consultants and completing strategic plans and assessments.

The Minnesota Board of Water and Soil Resources (BWSR) Board established PRAP as a way to systematically review an organization's performance to ensure effective operations.

The program aims to help the 238 LGUs that manage the

state's land and water resources work as efficiently as possible. These LGUs include soil and water conservation districts, watershed districts, watershed management organizations, and the county departments that handle water management. BWSR assesses about 10% of the LGUs a year. Priority is based partly on timing — focused on those whose last assessment was 10 years ago or longer — and partly on input from BWSR staff. BWSR staff conducts these assessments with input from LGU boards, staff and partners. BWSR uses performance standard checklists, conducts internal and external surveys, evaluates Wetland Conservation Act (WCA) performance and delivery, and reviews the LGU's progress toward its comprehensive

watershed management goals.

Along with recommendations for improving organizational performance and implementing comprehensive watershed management plan goals and objectives, the assessment also details what it is that organizations meeting high-performance standards are doing well.

PRAP also provides grants to LGUs seeking to become more efficient in carrying out their goals. Following a review, LGUs can apply for assistance grants to fund projects identified in the recommendations. Those who propose projects related to recommendations made in the review receive priority, although LGUs do not need to have been the subject of a PRAP

*Doug Thomas, senior project manager at Houston Engineering, Inc., facilitated a planning session at a TSA 8 meeting in 2022 at Ruttger's Bay Lake Resort in Deerwood. Thomas shared information about the assessment process and the final recommendations.*

**Photo Credit:**  
Melissa Barrick,  
Crow Wing SWCD

performance review to apply for assistance grants.

The Crow Wing Soil & Water Conservation District (SWCD) has worked with three PRAP grants since 2019.

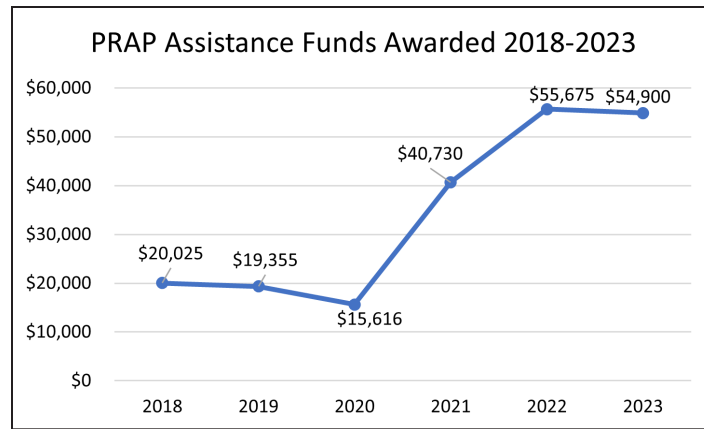
“I applied for these PRAP grants because we needed financial assistance and technical assistance for a third-party facilitator or contractor. I also needed the expertise to help support the board and staff conversations around these topics,” Crow Wing SWCD Manager Melissa Barrick said.

The Crow Wing SWCD received a \$10,000 PRAP assistance grant in 2019 to complete a strategic assessment for the SWCD and Crow Wing County. The grant request was in response to a recommendation made during a PRAP performance review.

“The strategic assessment process gave us the data, expertise and knowledge to better focus on the SWCD’s strong suits,” Barrick said.

The PRAP grant helped the SWCD to develop a services agreement with the county to clarify the roles and responsibilities of each entity. The partners also developed a document that summarized Minnesota state statutory responsibilities and identified the different roles SWCD and county staff play in implementing conservation.

Barrick received a \$20,000 PRAP assistance grant in 2022 on behalf of North Central Minnesota Technical Service Area 8 (TSA 8) to complete a strategic assessment. The aim was for TSA 8 to develop an operational plan for the well-organized delivery of services to member districts using Watershed-Based Implementation Funding. The



A graph offers a snapshot of PRAP assistance grants awarded from 2018 through 2023. From 2012 through March 2024, over \$360,000 in PRAP assistance grants have been awarded. **Graphic Credit:** BWSR

PRAP grant made it possible to hire a consultant, who conducted the assessment and facilitated discussions among those involved with the TSA — including the nine SWCDs that are part of the joint powers board.

“The PRAP grant greatly improved the TSA 8 efficiency and effectiveness. Through the process, the TSA 8 had tough conversations and got everyone on the same page regarding where we were going,” Barrick said.

The Crow Wing SWCD received a \$9,500 PRAP assistance grant in 2022. The SWCD has seen continued growth in recent years, including an increase in the number of staff, workload and funding. Its board wanted to make sure the organization was positioned to successfully implement its statutory requirements and its comprehensive watershed management plan.

To set the SWCD and its staff up for success, the SWCD hired a human resources consultant to review best management standards, including paying staff a comparable wage, and ensuring personnel policies were up to date. SWCD staff and the consultant reviewed

staff job descriptions and pay scales to make sure staff are paid appropriately.

According to Barrick, the SWCD was able to better articulate pay with new hires and other staff and set realistic employee expectations thanks to the updated policy and pay scale.

“I am always concerned about spending money on consultants and the cost versus the benefits of these processes. In all three cases, the (PRAP) process was super helpful at all levels of the organization. Through this process, supervisors and staff are required to take time to meet, talk, plan and think about the future. All three PRAP grants were successful,” Barrick said.

Other SWCDs have used PRAP as a tool to improve organizational operations.

“The PRAP grant is a tremendous tool to help improve foundational pieces of an SWCD, or any other organization,” said Swift County SWCD District Manager Andy Albertsen.

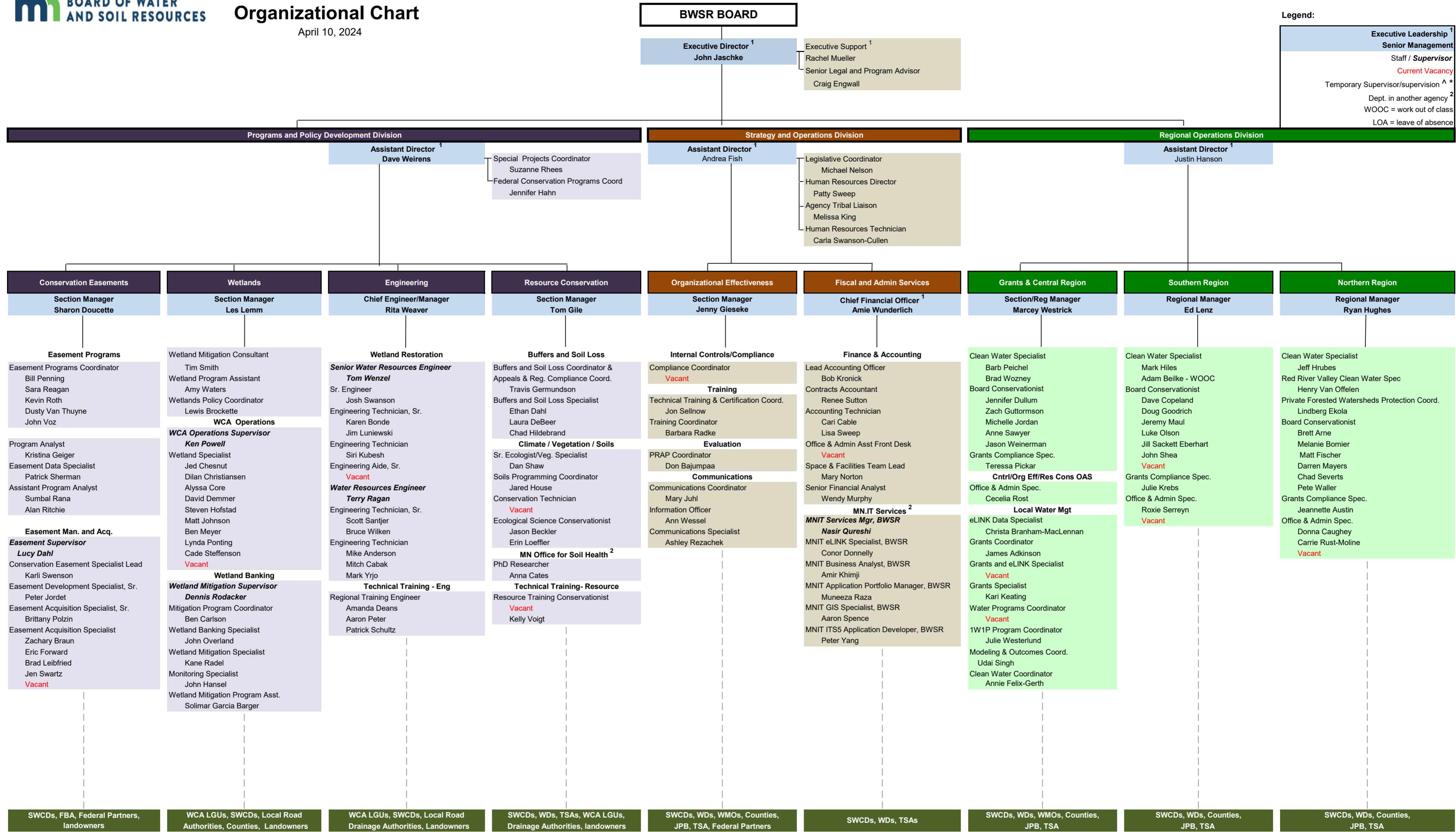
The Swift County SWCD has received two PRAP grants, which were used to hire consultants to assist with its operations.

The Swift County SWCD received a \$1,250 PRAP assistance grant in 2018 after the SWCD and the Swift County Environmental Services department underwent organizational assessments. The grant, requested in response to recommendations from those assessments, was used to hire a consultant to conduct a one-day strategic planning exercise. During the session, staff, board members and other partners discussed the SWCD’s direction. Supervisors’ and staff members’ roles and responsibilities were also reviewed during the session. They also updated the SWCD’s mission statement and identified various communication and outreach ideas for their conservation work.

The \$10,000 PRAP assistance grant the SWCD received this year was in response to recommendations from a strategic planning session held in spring 2023. Those funds will be used to hire a consultant to facilitate updating personnel policies, updating employee pay scales based on market analysis, developing pay-step increases for staff, and reviewing employee compensation and classification.

“The overarching goal of this process is to provide employees peace of mind that they are fairly compensated based on their job duties and that they have legal protections through an updated personnel policy. An easy-to-follow handbook that is updated to reflect new law changes will be an extremely useful tool for the staff, and allows the board to know the most up-to-date information is being implemented,” Albertsen said.

**Executive Leadership**<sup>1</sup>  
**Senior Management**  
 Staff / **Supervisor**  
 Current Vacancy  
 Temporary Supervisor/supervision<sup>^</sup> \*  
 Dept. in another agency<sup>2</sup>  
 WOOC = work out of class  
 LOA = leave of absence



<input type="checkbox"/> IN-STATE	<input type="checkbox"/> SHORT TERM ADVANCE	SEMA4 EMPLOYEE EXPENSE REPORT	<input type="checkbox"/> Check if advance was issued for these expenses
<input type="checkbox"/> OUT-OF-STATE	<input type="checkbox"/> RECURRING ADVANCE		<input type="checkbox"/> FINAL EXPENSE(S) FOR THIS TRIP?

Employee Name	Home Address (Include City and State)	Permanent Work Station (Include City and State)	Agency	1-Way Commute Miles	Job Title
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Employee ID	Rcd #	Trip Start Date	Trip End Date	Reason for Travel/Advance (30 Char. Max) [example: XYZ Conference, Dallas, TX]				Barg. Unit	Expense Group ID (Agency Use)
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Chart String(s)	A	Accounting Date	Fund	Fin DeptID	AppropID	SW Cost	Sub Acct	Agncy Cost 1	Agncy Cost 2	PC BU	Project	Activity	Srce Type	Category	Sub-Cat	Distrib %
		B														

A. Description: \_\_\_\_\_ B. Description: \_\_\_\_\_

Date	Daily Description	Itinerary		Trip Miles	Total Trip & Local Miles	Mileage Rate	Meals ✓			Total Meals (overnight stay)	Total Meals (no overnight stay) taxable	Lodging	Personal Telephone	Parking	Total
		Time	Location				B	L	D						
			Depart				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Arrive				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Depart				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Arrive				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Depart				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Arrive				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Depart				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Arrive				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Depart				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Arrive				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Depart				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Arrive				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Depart				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
			Arrive				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						0.00
				VEHICLE CONTROL #		Total Miles 0	Figure mileage reimbursement below			Total MWI/MWO 0.00	Total MEI/MEO 0.00	Total LG/LGO 0.00	Total PHI/PHO 0.00	Total PKI/PKO 0.00	Subtotal (A) 0.00

MILEAGE REIMBURSEMENT CALCULATION	OTHER EXPENSES – See reverse for list of Earn Codes.
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Enter the rates, miles, and total amounts for the mileage listed above. Get the IRS rate from your agency business expense contact.	Rate	Total Miles	Total Mileage Amt.	Date	Earn Code	Comments	Total
1. Enter rate, miles, and amount being claimed at <b>equal to the IRS rate.</b>			0.00				
2. Enter rate, miles, and amount being claimed at <b>less than the IRS rate.</b>			0.00				
3. Enter rate, miles, and amount being claimed at <b>greater than the IRS rate.</b>			0.00				
4. Add the total mileage amounts from lines 1 through 3.			0.00				
5. Enter IRS mileage rate in place at the time of travel.							
6. Subtract line 5 from line 3.	0.000						
7. Enter total miles from line 3.		0				Subtotal Other Expenses: (B)	0.00
8. Multiply line 6 by line 7. This is <b>taxable</b> mileage.			0.00 <small>(Copy to Box C)</small>			Total taxable mileage greater than IRS rate to be reimbursed: (C)	0.00 <small>MIT or MOT</small>
9. Subtract line 8 from line 4. If line 8 is zero, enter mileage amount from line 4. This is <b>non-taxable</b> mileage.			0.00 <small>(Copy to Box D)</small>			Total nontaxable mileage less than or equal to IRS rate to be reimbursed: (D)	0.00 <small>MLI or MLO</small>
<b>Grand Total (A + B + C + D)</b>							<b>0.00</b>

If using private vehicle for out-of-state travel: What is the lowest airfare to the destination? \_\_\_\_\_ Total Expenses for this trip must not exceed this amount.

I declare, under penalty of perjury, that this claim is just, correct and that no part of it has been paid or reimbursed by the state of Minnesota or by another party except with respect to any advance amount paid for this trip. I AUTHORIZE PAYROLL DEDUCTION OF ANY SUCH ADVANCE. I have not accepted personal travel benefits.

Employee Signature _____	Date _____	Work Phone: _____	Amount of Advance to be returned by the employee by deduction from paycheck: 0.00
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Approved: Based on knowledge of necessity for travel and expense and on compliance with all provisions of applicable travel regulations. \_\_\_\_\_ Appointing Authority Designee (Needed for Recurring Advance and Special Expenses)

Supervisor Signature _____	Date _____	Work Phone: _____	Signature _____ Date _____
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## EMPLOYEE EXPENSE REPORT (Instructions)

**DO NOT PAY RELOCATION EXPENSES ON THIS FORM.**

See form FI-00568 Relocation Expense Report. Relocation expenses must be sent to Minnesota Management & Budget, Statewide Payroll Services, for payment.

**USE OF FORM:** Use the form for the following purposes:

1. To reimburse employees for authorized travel expenses.
2. To request and pay all travel advances.
3. To request reimbursement for small cash purchases paid for by employees.

**COMPLETION OF THE FORM: Employee:** Complete, in ink, all parts of this form. If claiming reimbursement, enter actual amounts you paid, not to exceed the limits set in your bargaining agreement or compensation plan. If you do not know these limits, contact your agency's business expense contact. Employees must submit an expense report within 60 days of incurring any expense(s) or the reimbursement comes taxable.

All of the data you provide on this form is public information, except for your home address. You are not legally required to provide your home address, but the state of Minnesota cannot process certain mileage payments without it.

**Supervisor:** Approve the correctness and necessity of this request in compliance with existing bargaining agreements or compensation plans and all other applicable rules and policies. Forward to the agency business expense contact person, who will then process the payments. Note: The expense report form must include original signatures.

**Final Expense For This Trip?:** Check this box if there will be no further expenses submitted for this trip. By doing this, any outstanding advance balance associated with this trip will be deducted from the next paycheck that is issued.

**1-Way Commute Miles:** Enter the number of miles from your home to your permanent workstation.

**Expense Group ID:** Entered by accounting or payroll office at the time of entering expenses. The Expense Group ID is a unique number that is system-assigned. It will be used to reference any advance payment or expense reimbursement associated with this trip.

**Earn Code:** Select an Earn Code from the list that describes the expenses for which you are requesting reimbursement. Be sure to select the code that correctly reflects whether the trip is in state or out-of-state. **Note:** Some expense reimbursements may be taxable.

**Travel Advances, Short-Term and Recurring:** An employee can only have one outstanding advance at a time. An advance must be settled before another advance can be issued.

**Travel Advance Settlement:** When the total expenses submitted are less than the advance amount or if the trip is cancelled, the employee will owe money to the state. Except for rare situations, personal checks will not be accepted for settlement of advances; a deduction will be taken from the employee's paycheck.

**FMS ChartStrings:** Funding source(s) for advance or expense(s)

**Mileage:** Use the **Mileage Reimbursement Calculation** table to figure your mileage reimbursement. Mileage may be authorized for reimbursement to the employee at one of three rates (referred to as the equal to, less than, or greater than rate). The rates are specified in the applicable bargaining agreement/compensation plan. Note: If the mileage rate you are using is above the IRS rate at the time of travel (this is not common), part of the mileage reimbursement will be taxed.

**Vehicle Control #:** If your agency assigns vehicle control numbers follow your agency's internal policy and procedure. Contact your agency's business expense contact for more information on the vehicle control number procedure.

**Personal Travel Benefits:** State employees and other officials cannot accept personal benefits resulting from travel on state business as their own. These benefits include frequent flyer miles/points and other benefits (i.e. discounts issued by lodging facilities.) Employees must certify that they have not accepted personal travel benefits when they apply for travel reimbursement.

**Receipts:** Attach itemized receipts for all expenses except meals, taxi services, baggage handling, and parking meters, to this reimbursement claim. The Agency Designee may, at its option, require attachment of meal receipts as well. Credit card receipts, bank drafts, or cancelled checks are not allowable receipts.

**Copies and Distribution:** Submit the original document for payment and retain a copy for your employee records.

Description	Earn Code		Description	Earn Code	
	In State	Out of State		In State	Out of State
Advance	ADI	ADO	Membership	MEM	
Airfare	ARI	ARO	Mileage > IRS Rate	MIT*	MOT*
Baggage Handling	BGI	BGO	Mileage < or = IRS Rate	MLI	MLO
Car Rental	CRI	CRO	Network Services	NWK	
Clothing Allowance	CLA		Other Expenses	OEI	OEO
Clothing-Non Contract	CLN		Parking	PKI	PKO
Communications - Other	COM		Photocopies	CPI	CPO
Conference/Registration Fee	CFI	CFO	Postal, Mail & Shipping Svcs.(outbound)	PMS	
Department Head Expense	DHE		Storage of State Property	STO	
Fax	FXI	FXO	Supplies/Materials/Parts	SMP	
Freight & Delivery (inbound)	FDS		Telephone, Business Use	BPI	BPO
Hosting	HST		Telephone, Personal Use	PHI	PHO
Laundry	LDI	LDO	Training/Tuition Fee	TRG	
Lodging	LGI	LGO	Taxi/Airport Shuttle	TXI	TXO
Meals With Lodging	MWI	MWO	Vest Reimbursement	VST	
Meals Without Lodging	MEI*	MEO*	Note: * = taxable, taxed at supplemental rates		

# BWSR Board Member Conflict of Interest in Grant Review – Disclosure Form

**Meeting:** \_\_\_\_\_

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

I certify that I have read and understand the descriptions of conflict of interest provided, reviewed my participation for conflict of interest, and disclosed any perceived, potential, or actual conflicts. As a BWSR Board member, appointed according to Minnesota Statute Section 103B.101, I am responsible for evaluating my participation or abstention from the review process as indicated below. If I have indicated an actual conflict, I will abstain from the discussion and decision for that agenda item.

*Please complete the form below for all agenda items. If you indicate that you do not have a conflict for an agenda item, you do not need to fill out additional information regarding that agenda item.*

Agenda Item	No conflict (mark here and stop for this row)	Grant applicant(s) associated with conflict (required if conflict identified)	Conflict Type (required if conflict identified)	Will you participate? (required if conflict identified)	Description of conflict (optional)
				Yes / No	
				Yes / No	
				Yes / No	
				Yes / No	

Printed name: \_\_\_\_\_

Signature: \_\_\_\_\_

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