

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
LOWER-LEVEL BOARD ROOM  
ST. PAUL, MN 55155  
WEDNESDAY, MARCH 27, 2024**

**BOARD MEMBERS PRESENT:**

Joe Collins, Jill Crafton, Kurt Beckstrom, Mike Runk, Neil Peterson, Rich Sve, Ted Winter, LeRoy Ose, Eunice Biel, Ron Staples, Mark Zabel, Joel Larson, University of Minnesota Extension; Thom Petersen, MDA; Steve Robertson, MDH; Sarah Strommen, DNR

**BOARD MEMBERS ABSENT:**

Jayne Hager Dee, Todd Holman, Lori Cox, Kelly Kirkpatrick, Katrina Kessler, MPCA

**STAFF PRESENT:**

John Jaschke, Rachel Mueller, Travis Germundson, Craig Engwall, Sara Reagan, Luke Olson, Doug Goodrich, Henry Van Offelen, Udai Singh, Annie Felix-Gerth, Justin Hanson, Ed Lenz, Brett Arne, Ryan Hughes, John Shea

**OTHERS PRESENT:**

Jeff Berg, MDA; Jan Voit, Minnesota Watersheds; LeAnn Buck, MASWCD; Sheila Vanney, MASWCD; Jason Garms, DNR; Amber Doschadis, Alex Trunnell

Vice-Chair Rich Sve called the meeting to order at 9:01 AM

#### PLEDGE OF ALLEGIANCE

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24-09 **ADOPTION OF AGENDA** - Moved by Joe Collins, seconded by Jill Crafton, to adopt the agenda as presented. *Motion passed on a roll call vote.*

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24-10 **MINUTES OF JANUARY 24, 2024 BOARD MEETING** – Moved by Joe Collins, seconded by Mike Runk, to approve the minutes of January 24, 2024, as circulated. *Motion passed on a roll call vote.*

#### PUBLIC ACCESS FORUM

#### INTRODUCTION OF NEW EMPLOYEES

Marcey Westrick introduced Jen Dullum, Board Conservationist.

#### CONFLICT OF INTEREST DECLARATION

##### Vice Chair Sve read the statement:

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

#### REPORTS

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

**Executive Director’s Report** - John Jaschke reported they received a letter to share with Board Members that has a possible connection to a local government lawsuit so will not be sharing at this time. John stated they are about halfway through the legislative session. Stated the Strategic Plan is on the agenda for today.

John reviewed the Day of Packet that included Snapshot articles, an organizational chart, and a One Watershed, One Plan Program memo.

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

**Dispute Resolution and Compliance Report** – Rich Sve reported they met, and a report will be provided next month. Travis Germundson reported there are presently five appeals pending. There have been two new appeals filed since last report.

File 24-2 is an appeal of a WCA Notice of Decision for a property located in Meeker County. The appeal regards the denial of an after-the-fact no-loss application associated with proposed changes to an existing drain tile system. No decision has been made on the appeal.

File 24-1 is an appeal of a WCA Restoration Order for a property located in Wright County. The appeal regards the placement of fill in a wetland for the creation of a road and earthen embankment. The appeal claims that wetland is incidental. The appeal has been denied and the restoration order affirmed.

File 23-15 (12-18-23) This is an appeal of a WCA notice of decision in Morrison County. There is currently a lawsuit filed in their District Court, awaiting the outcome of court decision.

File 23-9 (10/23/23) This is an appeal of a WCA Restoration Order for property located in Crow Wing and Aitkin County. The time period has been extended to May 3<sup>rd</sup> for the county to make a final decision on the exemption application.

File 23-4 (6-16-23) This is an appeal of a WCA notice of decision involving a banking plan in Aitkin County. Hearing was held March 7<sup>th</sup> and a recommendation will be presented to the board at a future meeting.

**Grants Program & Policy Committee** – Mark Zabel reported they have been meeting monthly and have items on the agenda for today. Mark stated if approved the grant funding for the One Watershed One Plan planning process will grant funding to the last three watersheds to commence the planning process.

Commissioner Thom Petersen joined the meeting at 9:24 a.m.

**RIM Reserve Committee** – John Jaschke reported they had an informational meeting in February. Discussed the plan for peatland restoration funding connected with the existing RIM Wetlands program.

**Water Management & Strategic Planning Committee** – Joe Collins reported the committee met March 21<sup>st</sup> and have an item on the agenda today.

**Wetland Conservation Committee** – Jill Crafton reported they have not met.

**Buffers, Soils & Drainage Committee** – LeRoy Ose reported they have not met and are tentatively planning to meet in April.

**Drainage Work Group (DWG)** – Neil Peterson reported they have not met.

#### **AGENCY REPORTS**

**Minnesota Department of Agriculture** – Thom Petersen reported they are working through items at the legislature. They are working on the EPA petition in southeast Minnesota with the Pollution Control Agency and the Department of Health. Stated the avian influenza jumped to goats and into the cattle population.

**Minnesota Department of Health** – Steve Robertson reported they are working to implement a workplan in response to the EPA petition that was filed for southeast Minnesota with the Department of Ag and Pollution Control Agency. A legislative update was given. Steve stated EPA and the National Security Council are collaborating to increase cybersecurity defenses at a variety of different utilities nationwide. Stated the Department of Earth and Environmental Sciences at the University are going to be hosting the National Darcey Lecture Series.

**Minnesota Department of Natural Resources** – Sarah Strommen reported on March 15<sup>th</sup> they transferred land that was within the boundaries of Upper Sioux Agency State Park to the Upper Sioux Community. Stated they announced the suite of public water access sites across Minnesota that will receive investments. The DNR in partnership with US Fish and Wildlife Service and Corps of Engineers presented a proposal at the request of the Lessard Sams Heritage Council for a carp deterrent at Lock and Dam 5. The Council recommended funding.

Ted Winter asked about the updated work at the hatcheries. Commissioner Strommen stated they are going to modernize the Waterville Hatchery and the Crystal Springs Hatchery. There will be an open house at the Waterville Hatchery in April.

**Minnesota Extension** – Joel Larson reported they have been talking with the Department of Health about ideas for developing an educational program for private well owners and water professionals who work in some aspect of groundwater. Minnesota Climate Adaptation partnership is hosting a listening session with agricultural groups in Saint Cloud on April 2<sup>nd</sup> to talk about climate opportunities and challenges. Stated a Minnesota Soil Health Action Framework was developed between Minnesota Office for Soil Health and BWSR, it was funded by the McKnight Foundation. Stated the Minnesota Office for Soil Health is holding its biannual stakeholder forum tomorrow.

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

John Jaschke stated the 2024 MASWCD Leadership cohort is taking place today. Jerry Kern, Supervisor for the Wadena County SWCD stated this is the 14<sup>th</sup> year of leadership training with 22 attendees today. LeAnn Buck stated they work with partnerships in developing the curriculum for the training.

Mark Zabel stated he and Kurt Beckstrom were a part of the 2007 cohort for this leadership group. Thanked LeAnn and those that are participating and stepping forward into this program.

Ted Winter asked if cohorts are both elected and employees. LeAnn stated they are both.

Rich Sve stated these leadership programs are important.

#### **ADVISORY COMMENTS**

**Association of Minnesota Counties** – No report was provided.

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

**Minnesota Association of Soil & Water Conservation Districts** – LeAnn Buck reported they attended the Legislative Day at the Capitol. National Association had a fly-in to Washington DC where they met with Congressional Members.

Jill Crafton asked about the Virginia Tech Alliance and if a lot of farmers have signed up. LeAnn stated they are still in the early stages and will be kicking it off this summer.

Ted Winter asked if they have the name of the SWCDs that are part of the Virginia Tech Alliance. LeAnn stated she doesn't have the names right now but stated they are scattered around the state.

**Minnesota Association of Townships** – Eunice Biel reported March 12<sup>th</sup> they had township elections. Short courses for Spring 2024 were scheduled March 18<sup>th</sup> thru April 5<sup>th</sup> for the Township officers. Stated they voted on proposed bylaw changes at the spring short courses.

**Minnesota Watersheds** – Jan Voit thanked John Jaschke, Mike Nelson, and BWSR staff that have been working with them on the modernization of the watershed law. Language is now included in both the House and Senate Omnibus Policy bills. Had their legislative briefing reception and Day at the Capitol on March 6<sup>th</sup> and 7<sup>th</sup>. Summer tour will be held June 25<sup>th</sup> and 26<sup>th</sup> hosted by Capitol Region and Ramsey Washington Metro Watershed District. Board made decision to move their annual conference from Arrowwood to the Grandview Lodge in Nisswa December 4<sup>th</sup> through 6<sup>th</sup>.

Natural Resources Conservation Service – No report was provided.

Vice Chair Sve called a recess at 10:06 a.m. and called the meeting back to order at 10:14 a.m.

#### COMMITTEE RECOMMENDATIONS

##### Grants Program and Policy Committee

**Habitat Enhancement Landscape Program (HELP)** – Dan Shaw presented Habitat Enhancement Landscape Program (HELP)

The BWSR Habitat Enhancement Landscape Program (HELP) is made possible through an appropriation from general funds (Laws of Minnesota 2023, Chapter 60, Article 1, Section 4 paragraph (J)). HELP is a continuation of a Pilot that started in 2021 with funding from the Legislative-Citizen Commission on Minnesota Resources' Environment and Natural Resources Trust Fund. Updates from the Pilot Program include the expansion of eligible applicants, increases to eligible funding request levels, and increases in eligible project sizes. Staff have completed an internal program development and review process with BWSR Teams including the Conservation Contracts Team, Grants Team, and Senior Management Team. The Grants Program and Policy Committee was briefed on the program on January 10, 2024 and recommended approval of the RFP criteria to the full board at their February 28, 2024 meeting.

Jill Crafton asked if maps are available of the threatened areas. Dan Stated they have one priority area map that they've been using but will be coming up with a new one for a living landscapes initiative. They are hoping that local groups can add on as they are working.

Ted asked if there is a limit on the application for the grant. Dan stated the minimum application is \$50,000 with a cap of \$500,000. Ted asked if this is a one-time money. John Jaschke stated it is one time.

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24-11 Moved by Jill Crafton, seconded by Ted Winter, to approve the Habitat Enhancement Landscape Program (HELP). *Motion passed on a roll call vote.*

**Pollinator Pathways Request for Proposal** – Erin Loeffler and Dan Shaw presented Pollinator Pathways Request for Proposal

The Lawns to Legumes Program started in 2019 and is comprised of three components; Individual Support Grants (\$400 grants and coaching) administered through the Blue Thumb Partnership, a competitive RFP grant program (Pollinator Pathways) to support community based residential projects (formerly known as the Lawns to Legumes Demonstration Neighborhoods), and a public education and outreach campaign. The Lawns to Legumes Demonstration Neighborhood grants were funded through the Environment and Natural Resources Trust Fund and were successful in achieving LCCMR outcome after 2 funding cycles and is now funded through the general fund. With the change in appropriation comes a greater opportunity to work more broadly with diverse communities to increase biodiversity and build pollinator habitat throughout the state. Therefore, the Demonstration Neighborhood grant program is being rebranded to Pollinator Pathways. Additional changes will include broadening the eligibility criteria and activities, opening the program to public and non-profit prekindergarten through grad 3 schools as eligible applicants, removal of a funding cap, and decreasing the required match to 10%.

LeRoy Ose asked where the pathways are. Erin stated this grant will give the grantees an opportunity to tell them where they're connecting their pathways.

Mark Zabel asked if there is some risk assessment associated with identifying these pathways. Dan Shaw stated it's something they are thinking about and are working with advisors.

Jill Crafton asked if there was going to be an educational component. Erin stated education is a component.

Ted Winter stated the Iowa Department of Transportation plants pollinator habitat along their highways. Dan Shaw stated MNDOT has funding for habitat efforts along roadways.

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24-12 Moved by Mike Runk, seconded by Jill Crafton, to approve the Pollinator Pathways Request for Proposal. ***Motion passed on a roll call vote.***

**One Watershed, One Plan Planning Grants – Request For Proposals** – Julie Westerlund presented One Watershed, One Plan Planning Grants – Request For Proposals

The purpose of this agenda item is for the Board to approve the 2024 Request for Proposals for One Watershed, One Plan Planning Grants. This is the ninth year BWSR is offering planning grants. Relative to the 2023 RPF, there were a few minor wording changes plus language indicating that BWSR anticipates this will be the last time 1W1P Planning Grants will be offered. This grant program operates under the policy updated by the by the Board in December 2022 (attached).

Ted Winter asked what the allocation was in the last implementation funding. Julie stated the legislature appropriated \$79 million for the current biennium.

Joe Collins stated the progress chart is impressive.

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24-13 Moved by LeRoy Ose, seconded by Joe , to approve the One Watershed, One Plan Planning Grants – Request For Proposals. ***Motion passed on a roll call vote.***

**Red River Basin Commission FY24/25 Grant Approval** – Henry Van Offelen presented Red River Basin Commission FY24/25 Grant Approval

In 2023 the Legislature appropriated funds to the Board for grants to the Red River Basin Commission (RRBC) for waters quality and floodplain management, including administration of programs. The RRBC has submitted an updated report of 2023 activities related to their Natural Resources Framework plan and has developed a work plan and budget for 2024 and 2025. The RRBC has secured the required matching funds from the State of North Dakota and Province of Manitoba. BWSR staff have reviewed these materials and found that they are consistent with previous materials submitted to secure these funds.

The Northern Regional Committee (Committee) met January 3, 2024, to review and discuss the RRBC 2023 Annual Report, the RRBC 2024/25 Workplan, the current status of the RRBC, and recommended review by the Grants Program and Policy Committee. The Grants Program and Policy Committee met January 10, 2024, reviewed the Board Order, and authorized the FY2024/225 grant to the Red River Basin Commission to the full Board. The Committee recommends approval by the full Board.

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24-14 Moved by Neil Peterson, seconded by Jill Crafton, to approve the Red River Basin Commission FY24/25 Grant Approval. ***Motion passed on a roll call vote.***

**Water Management and Strategic Planning Committee**

## **BWSR Strategic Plan – Jenny Gieseke presented BWSR Strategic Plan**

Over the past year, BWSR's has been working to update the Agency's Strategic Plan using an inclusive, participatory planning process involving BWSR staff and board members along with key external stakeholders around the state. The updated plan includes a revised mission, a newly developed vision, as well as key long-term goals and strategies to focus on over the next 10-15 years. Staff, board members and key external partners provided input and feedback to the plan through in-person and virtual meetings and surveys. The Water Management and Strategic Planning Committee has recommended adoption of the updated Strategic Plan.

Joe Collins thanked Jenny for her work. Stated he would like to have extra time for the public to make comments. Ted Winter asked for an example of what they would need a 30-day review for. Joe stated he would like to see a 30-day review period being assigned to committees to work through policy issues. John Jaschke stated this topic will be going to the Administrative Advisory Committee in April. Board Members discussed extra time for comment periods.

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24-15 Moved by Joe Collins, seconded by Mike Runk, to approve the BWSR Strategic Plan. *Motion passed on a roll call vote.*

### **Southern Region Committee**

**Upper Minnesota River Comprehensive Watershed Management Plan – Ted Winter and Doug Goodrich presented Upper Minnesota River Comprehensive Watershed Management Plan**

Upper Minnesota River Comprehensive Watershed Management Plan (Plan) – On January 28, 2022 the Upper Minnesota River planning partnership received an approved grant agreement from the Board of Water and Soil Resources (BWSR) to develop a Comprehensive Watershed Management Plan under the One Watershed, One Plan Program. The Partnership established a Memorandum of Agreement on May 11, 2021, for the purposes of watershed planning. The Partnership has followed One Watershed, One Plan Operating Procedures; and the Policy Committee, Advisory Committee, and Steering Team members have attended regularly scheduled meetings and kept open communication throughout Plan development. The Partnership submitted the draft Upper Minnesota River Comprehensive Watershed Management Plan (Plan) to BWSR on July 21, 2023, for 60-day comment period. A public hearing was held October 31, 2023, and the Policy Committee submitted the Plan for approval December 11, 2023. The Southern Regional Committee (Committee) met on February 27, 2024, to review the planning process, the content of the Plan, State agency comments on the Plan, and to make a recommendation for approval. The Committee recommends approval by the full Board.

Joe Collins stated this was a well written plan.

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24-16 Moved by Ted Winter, seconded by Joe Collins, to approve the Upper Minnesota River Comprehensive Watershed Management Plan. *Motion passed on a roll call vote.*

**South Fork Crow River Comprehensive Watershed Management Plan – Ted Winter and Jeremy Maul presented South Fork Crow River Comprehensive Watershed Management Plan**

South Fork River Comprehensive Watershed Management Plan (Plan) – On February 23, 2022 the South Fork Crow River planning partnership received an approved grant agreement from the Board of Water and Soil Resources (BWSR) to develop a Comprehensive Watershed Management Plan under the One Watershed, One Plan Program. The Partnership established a Memorandum of Agreement on July 21, 2021, for the purposes of watershed planning. The Partnership has followed One Watershed, One Plan

Operating Procedures; and the Policy Committee, Advisory Committee, and Steering Team members have attended regularly scheduled meetings and kept open communication throughout Plan development. The Partnership submitted the draft South Fork Crow River Comprehensive Watershed Management Plan (Plan) to BWSR on August 14, 2023, for 60-day comment period. A public hearing was held November 27, 2023, and the Policy Committee submitted the Plan for approval January 11, 2024. The Southern Regional Committee (Committee) met on February 27, 2024, to review the planning process, the content of the Plan, State agency comments on the Plan, and to make a recommendation for approval. The Committee recommends approval by the full Board.

Eunice Biel left the meeting at 11:30 a.m.

Mark Zabel stated this plan is unique compared to other plans in that the drainage issue is identified. It's a driver within this watershed because of the type of landscape setting.

Jill Crafton asked about cooperating conservation projects in the drainage management category and if people are open to it. Jeremy stated its going to be something they'll have to work on.

Rich Sve asked about the small piece outside of the watershed and what was so unique about it that it made sense to pull it into this plan. Jeremy stated it was a small area and it made sense to pull it in.

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24-17

Moved by Ted Winter, seconded by Joe Collins, to approve the South Fork Crow River Comprehensive Watershed Management Plan. ***Motion passed on a roll call vote.***

#### **UPCOMING MEETINGS**

- Northern Region Committee is scheduled for April 3<sup>rd</sup> at 10:00 a.m. in Duluth and by MS Teams.
- RIM Committee is scheduled for April 10<sup>th</sup> at 10:30 a.m. in St. Paul and by MS Teams.
- Grants Program and Policy Committee is scheduled for April 15<sup>th</sup> at 8:30 a.m. in St. Paul and by MS Teams.
- Administrative Advisory Committee is scheduled for April 24<sup>th</sup> at 8:00 a.m. in St. Paul.
- BWSR Board meeting is scheduled for April 24<sup>th</sup> at 9:00 a.m. in St. Paul and by MS Teams.

Vice Chair Sve adjourned the meeting at 11:45 PM.

Respectfully submitted,



Rich Sve  
Vice Chair