

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
LOWER-LEVEL BOARD ROOM
ST. PAUL, MN 55155
WEDNESDAY, MAY 22, 2024**

BOARD MEMBERS PRESENT:

Joe Collins, Jill Crafton, Jayne Hager Dee, Mike Runk, Neil Peterson, Rich Sve, Lori Cox, Ted Winter, LeRoy Ose, Eunice Biel, Todd Holman, Ron Staples, Mark Zabel, Joel Larson, University of Minnesota Extension; Jeff Berg, MDA; Steve Robertson, MDH; Sarah Strommen, DNR

BOARD MEMBERS ABSENT:

Katrina Kessler, MPCA; Kelly Kirkpatrick

STAFF PRESENT:

John Jaschke, Rachel Mueller, Travis Germundson, Jared House, Rita Weaver, Amanda Deans, John Shea, Sharon Doucette, Jon Sellnow, Jacob Rossow, Marcey Westrick, Adam Beilke, Jenny Gieseke

OTHERS PRESENT:

Jan Voit, Minnesota Watersheds; LeAnn Buck, MASWCD; Sheila Vanney, MASWCD; Graham Berg-Moberg, Minnesota Townships; Alex Trunnell, Kerry Netzke, Sarah Boser

Chair Todd Holman called the meeting to order at 9:01 AM

PLEDGE OF ALLEGIANCE

The Board observed a moment of silence in honor of former Board Member Kurt Beckstrom.

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24-27 **ADOPTION OF AGENDA** - Moved by LeRoy Ose, seconded by Jayne Hager Dee, to adopt the agenda as amended. *Motion passed on a roll call vote.*

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24-28 **MINUTES OF APRIL 24, 2024 BOARD MEETING** – Moved by Jill Crafton, seconded by Mark Zabel, to approve the minutes of April 24, 2024, 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

Jenny Gieseke introduced Jacob Rossow, Compliance Coordinator. Marcey Westrick introduced Adam Beilke, Land and Water Programs Supervisor.

CONFLICT OF INTEREST DECLARATION

Chair Holman 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 – Chair Todd Holman reported he attended the Grant Program and Policy Committee meeting and Environmental Quality Board meeting. There are two items from the Grants Program and Policy Committee on the agenda today.

Executive Director’s Report - John Jaschke reviewed the Day of Packet that included updated minutes, FY24 Water Quality and Storage Grant Program Funding Recommendations Memo and Final Scores Summary, Conflict of Interest form, Snapshots, Org Chart, and an Expense Report. John reviewed the 2024 Legislative Summary that was also included in the Day of Packet and is available online.

Ron Staples left the meeting at 9:46 a.m.

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

Dispute Resolution and Compliance Report – Rich Sve reported they have not met. Travis Germundson reported there are presently two appeals pending.

Travis was notified on File 23-15, there was a settlement agreement that would allow legal access.

A decision was made on File 23-9, they are waiting to see if that decision will be appealed to BWSR.

Travis stated they will be updating some of their existing procedures and policies to account for the statute changes to the Buffer Law.

Travis stated File 24-1, appeal of a restoration order in Wright County and File 24-2, an appeal and no loss decision to Meeker County have been appealed to the Court of Appeals for judicial review. In both cases there's a question of proper service.

Grants Program & Policy Committee – Mark Zabel reported the committee met and have decision items on the agenda today. They were given an update on the Nonpoint Priority Funding plan.

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

Water Management & Strategic Planning Committee – Joe Collins reported they met on May 13th for informational updates on the Local Water Plan Extension and Amendment Policy. They were also given an update on the Nonpoint Priority Funding plan.

Wetland Conservation Committee – Jill Crafton reported they met April 29th and are working on rules and statues. Next meeting is planned for June 4th.

Buffers, Soils & Drainage Committee – LeRoy Ose reported the committee has not met.

Drainage Work Group (DWG) – Neil Peterson reported the committee has not met. The next meeting is June 13th in St. Cloud.

AGENCY REPORTS

Minnesota Department of Agriculture – Jeff Berg reported they had four more flocks test positive for avian influenza. Minnesota's Agriculture Water Quality Certification Program along with Truterra won a Minnesota Climate Adaptation Award from the University of Minnesota Climate Adaptation and Partnership. Jeff stated agencies are continuing to work in southeast Minnesota. In collaboration with the Minnesota Pollution Control (MPCA) they are forming a workgroup on long term issues with nitrate and groundwater and how to resolve them. Jeff provided a legislative update.

Jayne Hager Dee asked if specific counties were listed for the nitrate bill in southeast Minnesota. Jeff stated the counties listed are Dodge, Fillmore, Goodhue, Houston, Mower, Olmsted, Wabasha, and Winona.

Lori Cox asked what fund the home mitigation is out of. Jeff stated its part of the General Fund.

Minnesota Department of Health – Steve Robertson gave an update on water reuse work. They received a grant from the Department of Energy to align their work to protect sources of drinking water with other interests in advanced renewable energy development. Steve provided a legislative update.

Minnesota Department of Natural Resources – Sarah Strommen reported they will be working on updating the Public Waters Inventory to better align with the statutory definition. Stated they will be expending dedicated funds tied to the various critical habitat license plates. Had an event last week with the Governor and Lieutenant Governor highlighting aquatic invasive species prevention tips.

Rich Sve asked how much revenue is generated from the conservation plates. Sarah stated she doesn't know the numbers right now.

Minnesota Extension – Joel Larson reported a Clean Water Fund supplemental request was tied to the recommendation from the Clean Water Council. The Minnesota Climate Adaptation effort released the Minnesota Climate Tool. It's a web-based map and database tool to have downscale climate predictions for the state. Starting to offer trainings for how to use this tool, information available on the Climate Adaptation website. Stated they are running another round of training for the AIS Detectors Program.

Minnesota Pollution Control Agency – No report was provided.

ADVISORY COMMENTS

Association of Minnesota Counties – No report was provided. John Jaschke stated the Local Roads Wetland Replacement Program did not get funded because no bonding bill was passed.

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

Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck provided a legislative update. Stated they will be conducting eight area meetings in June. The MASWCD Governance 101 training will take place July 16th and 17th.

Minnesota Association of Townships – Eunice Biel reported there is a webinar today for township districts on EPA water technical assistance and helping communities access funding. Legislative passed EMS aid package. They are doing updates for the township accounting system to support local governments.

Minnesota Watersheds – Jan Voit provided background information on the Clean Water supplemental funds directed to Watershed Districts. Stated they appreciate the work that was done to get their Chapter 103D Statute updated. Stated she has been meeting regularly with Justin Hanson. Their Summer Tour is June 26th, the same day as the BWSR Board meeting. The day before the tour, June 25th they will have an education session, a tour overview, and a welcome reception that BWSR Board Members can attend.

Natural Resources Conservation Service – No report was provided.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

Approval of the FY24 Water Quality and Storage Grant Program Funding Recommendations – Rita Weaver presented FY24 Water Quality and Storage Grant Program Funding Recommendations.

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

On January 24, 2024, the Board adopted Board Order #24-03, which authorized staff to conduct a request for proposals for the FY24 Water Quality and Storage Program grants. An application period was open from February 12, 2024 to April 11, 2024. Three million (\$3M) was available for design and construction, and up to \$500k of that amount was available for modeling and conceptual design work. Twenty-seven (27) applications were received requesting a total of approximately \$9.37M. Of these, 19 were for design and construction funds with a total request of \$3.89M, and nine were for modeling and conceptual design funds with a total request of \$389k.

Grants were scored and ranked by a team of BWSR staff, and the scoring team recommends that 10 projects be funded - 5 for design and construction (2.776M) and 5 projects be funded for modeling and conceptual design (\$213k).

The staff recommendations were provided to the BWSR SMT via email on May 6th and discussed at the May 14th SMT meeting. The Grants Program and Policy Committee discussed the recommendations at their May 13th meeting and recommended approval of the grant awards as proposed. The funding recommendations included in the board order are a result of those meetings.

Lori Cox asked how they come up with their score. Rita stated the Board authorized staff to develop the program and they brought the scoring criteria back to the Board at that time. They also talk about the scoring criteria yearly when they get approval to open the RFP. Stated there are also factors that can make a project score higher. Lori asked if there is a time frame for when the funds need to be used. Rita stated the funds have a statutory expiration date.

Mark Zabel stated there are priority points geographically to the Minnesota River Basin and Lower Mississippi. This is part of the original initiative to get storage on the landscape in those areas. John Jaschke stated that's a statutory prioritization. Rita stated priority areas receive an extra ten points.

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24-29 Moved by Jayne Hager Dee, seconded by Joe Collins, to approve the Approval of the FY24 Water Quality and Storage Grant Program Funding Recommendations. *Motion passed on a roll call vote.*

Lower Minnesota River Dredge Grant – Marcey Westrick presented Lower Minnesota River Dredge Grant

The Board was appropriated \$240,000 the first year and \$240,000 the second year for a grant to the Lower Minnesota River Watershed District to defray the annual cost of operating and maintaining sites for dredge spoil to sustain the state, national, and international commercial and recreational navigation on the lower Minnesota River. The Grants Program and Policy Committee met on May 13, 2024 and recommends the attached order to the board.

LeRoy Ose asked if anyone else spends money on dredging. Marcey stated the district does. Mark Zabel stated the Lower Minnesota River Watershed District was originally formed with the purpose of assisting the Army Corps of Engineers with dredge spoil management.

Lori Cox asked what the money is used for. John Jaschke stated its for design, site selection, and site securement for the disposal of the dredge material and that the federal government operates the dredging operation but need to have a local partner.

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24-30 Moved by Mike Runk, seconded by Jill Crafton, to approve the Lower Minnesota River Dredge Grant. *Motion passed on a roll call vote.*

NEW BUSINESS

Technical Training and Certification Program Update – Jon Sellnow and Amanda Deans presented Technical Training and Certification Program Update

The Technical Training and Certification Program was created in 2017 in partnership with NRCS, MASWCD and MACDE and is designed to efficiently provide training to develop and maintain a highly trained, technically skilled workforce of natural resource professionals capable of meeting the conservation delivery needs of Minnesota. The partnership established a renewed commitment and

partnership for technical training in Minnesota and is committed to providing resources and leadership to achieve program goals, including:

- a streamlined and coordinated approach to assessing needs and delivering training.
- increasing opportunities for obtaining job approval authority for conservation practices

Updates were provided on the achievements of the program to date as well as upcoming activities.

Joe Collins stated this is valuable training and asked if there is technical training for Metro Area Watershed Districts. Jon stated its geared towards agriculture and forestry and is less applicable to urban watersheds, some of the things on conservation planning and the assessment tools would be relevant.

Lori Cox asked what the average range of technical training is. Jon stated it varies and depends on training needs. Their trainings are open to everyone that wants to attend them.

Jeff Berg thanked them for this program.

Joel Larson asked if they are seeing any new, unexpected, or unmet training needs through the IDP or the other ways. Jon stated there will always be some level of unmet training need.

Lori Cox asked what the overall funding for this is. Jon stated its funded through a contribution agreement between BWSR and NRCS. Stated they are working to renew it for another five years starting this fall.

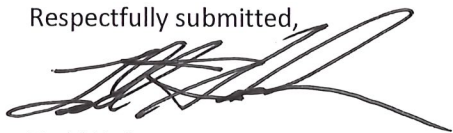
UPCOMING MEETINGS

- Wetland Conservation Committee meeting is scheduled for June 4th at 9:30 a.m. in St. Paul and by MS Teams.
- Northern Region Committee meeting is scheduled for June 5th at 10:30 a.m. in Duluth and by MS Teams
- Grants Program and Policy Committee meeting is scheduled for June 17th at 8:30 a.m. in St. Paul and by MS Teams.
- BWSR Board meeting is scheduled for June 26th at 9:00 a.m. in St. Paul and by MS Teams.

John Jaschke stated the BWSR Board Tour and meeting will be held in Duluth this year on August 28th and 29th.

Chair Holman adjourned the meeting at 11:15 PM.

Respectfully submitted,



Todd Holman
Chair