

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
LOWER-LEVEL BOARD ROOM  
ST. PAUL, MN 55155  
WEDNESDAY, OCTOBER 23, 2024**

**BOARD MEMBERS PRESENT:**

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

**BOARD MEMBERS ABSENT:**

Todd Holman

**STAFF PRESENT:**

John Jaschke, Rachel Mueller, Tom Gile, Gabrielle Holman, Denise Lauerman, Karlie Swenson, John Shea, Marcey Westrick, Michelle Jordan

**OTHERS PRESENT:**

Jan Voit, Minnesota Watersheds; LeAnn Buck, MASWCD; Troy Daniell, NRCS, Jon Janke, Coon Creed WD; Erik Bye, Coon Creek WD; Adam Birr, MN Corn; Amanda Bilek, MN Corn; Alex Trunnell, MN Corn; Nate Gotlieb, MN Corn; Lucas Sjostrom, Graham Berg-Moberg, Dustin Anderson

**Acting Chair Rich Sve called the meeting to order at 9:01 AM**

**PLEDGE OF ALLEGIANCE**

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**24-49** **ADOPTION OF AGENDA** - Moved by Joe Collins, seconded by Ted Winter, to adopt the agenda as presented. ***Motion passed on a roll call vote.***

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**24-50** **MINUTES OF SEPTEMBER 25, 2024 BOARD MEETING** – Moved by Jayne Hager Dee, seconded by Joe Collins, to approve the minutes of September 25, 2024, as circulated. ***Motion passed on a roll call vote.***

**PUBLIC ACCESS FORUM**

**REPORTS**

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

**Executive Director’s Report** - John Jaschke reported there will be an Administrative Advisory meeting scheduled before the December board meeting. Minnesota hosted the National Association of State Conservation Agencies (NASCA) in Duluth. Stated he attend the Minnesota Water Resources conference last week. State agency partners are working on updating the Climate Action Framework. Stated there are annual Local Government meetings coming up, if board members are interested in attending, they can let Rachel and John know. John introduced new board member Tom Schulz from Wadena SWCD.

John reviewed the Snapshot articles included in the day of packet.

John stated there are no conflict-of-interest items on the agenda today, members can still state a potential conflict if needed.

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

**Dispute Resolution and Compliance Report** – No report was provided. John Jaschke stated there have been no new appeals.

**Grants Program & Policy Committee** – Mark Zabel reported they have not met.

**RIM Reserve Committee** – Jayne Hager Dee reported there is one item on the agenda for today.

**Water Management & Strategic Planning Committee** – Joe Collins reported they have not met.

**Wetland Conservation Committee** – Jill Crafton reported they will be meeting in November.

**Buffers, Soils & Drainage Committee** – LeRoy Ose reported they met last night and reviewed the APO plan. They will bring it to the December board meeting.

**Drainage Work Group (DWG)** – Tom Gile reported they did not meet in September. There was a staff subcommittee that met to discuss work that’s being done on the 103E notice streamlining effort that the work group is undertaking. They reviewed the outlet adequacy subtopics from last year’s technical report. They also reviewed a draft memo for a potential repeal of subdivision 103E.067, which is a ditch buffer strip reporting that’s required under the drainage law.

Stated there will be a memo coming to the Board regarding 103B.101, subdivision 13. It's the authorizing statute under BWSR for the Drainage Stakeholder Group to function and acknowledges the drainage manual. The next meeting is November 21<sup>st</sup>.

## **AGENCY REPORTS**

**Minnesota Department of Agriculture** – Jeff Berg reported Agriculture Fertilizer Research and Education Council (AFREC) RFPs are open. A Delta Air Lines flight departed for the first time on September 25, 2024, for New York using fuel blended with winter camelina, a Minnesota and North Dakota grown cover crop.

Lori Cox asked if there is a designated environmental person on AFREC. Jeff stated there are environmental representatives with AFREC.

**Minnesota Department of Health** – Steve Robertson reported as of October 16<sup>th</sup> public water systems across the country are required to complete lead service line inventory for their systems. EPA has issued their final lead and copper line improvement rule. Stated he attended the Water Resources conference where the Department of Health had a paper presented on lithium in drinking water.

Jill Crafton asked if the State Revolving Funds go to lead mitigation. Jeff stated it does.

**Minnesota Department of Natural Resources** – Sarah Strommen reported it's a dry fall and there are burning restrictions. Seedlings sales opened on October 15<sup>th</sup>. The Governor's Deer Hunting Opener will take place at the Osprey Wilds Environmental Learning Center in Sandstone.

Lori Cox asked if the seedlings are open to the public and where to find them. Sarah stated the DNR website has information. John Jaschke stated to go through the local Soil and Water Conservation Districts to order trees.

**Minnesota Extension** – Joel Larson reported they had their annual Water Resources conference last week and broke an attendance record. Stated they have two Extension Educator positions that will be starting in the next couple months. The Soil Management Summit is taking place January 29<sup>th</sup> and 30<sup>th</sup> in Mankato and registration is open.

**Minnesota Pollution Control Agency** – Katrina Kessler reported they received a Climate Pollution Reduction Grant and held a webinar on October 10<sup>th</sup> to introduce people to the work. Stated they have formed work groups to assist with each of the focus areas in the Climate Action Framework Update. The General Feedlot permit was on public notice, and they are going through the comments received. Stated one of the portions of the Climate Smart Food System is looking at ways to decarbonize industrial agricultural operations. Stated they are working on budget and policy proposals. Katrina helped judge a three-minute thesis competition at the University of Minnesota College of Engineering.

Lori Cox stated in Katrina's discussion about projections and modeling they've had actuals and asked if there is a desire to be matching up where there are problem areas. Katrina stated the work that's being done on the Climate Action Framework, as well as the Greenhouse Gas Emissions Inventory includes both modelled and monitored.

## **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** – No report was provided.

**Minnesota Association of Townships** – Eunice Biel reported November training will be taking place where they'll be concentrating on the year end processes. Their annual conference will be December 13-14 in St. Cloud. They are preparing for voting and making sure everything is secure.

**Minnesota Watersheds** – Jan Voit reported they are preparing for their annual conference that will be held in Nisswa December 3-6. Stated she has been continuing to meet with Justin Hanson monthly. She has also been working with Julie Westerlund on regional training for their watershed boards.

Jill Crafton thanked Julie Westerlund for her work with the watersheds.

**Natural Resources Conservation Service** – Troy Daniell reported BWSR hosted the NASCA meeting in Duluth. The USDA closed out their books and issued \$150M to customers throughout the state under the Conservation Stewardship Program (CSP) and the Environmental Quality Incentives Program (EQIP). Stated they are working on hiring more staff. They will have a couple new Regional Conservation Partnership Program (RCPP) proposals that they'll be working on this coming year.

Mark Zabel asked if there is a timeline for the soil health RCPP. Troy is thinking they'll have it going in the spring with soil health practices implemented next summer.

Acting Chair Sve called a recess at 10:14 a.m. and called the meeting back to order at 10:21 a.m.

## **COMMITTEE RECOMMENDATIONS**

### **RIM Reserve Committee**

**Faribault Co. Easement Alteration Request - RIM Easements #22-49-01-01, 22-18-01-01, and 22-59-01-01** – Karli Swenson presented Faribault Co. Easement Alteration Request - RIM Easements #22-49-01-01, 22-18-01-01, and 22-59-01-01.

BWSR acquired the 3 easements under consideration in 2001 as part of the CREP program, collectively totaling 56.4 acres in Faribault County. Easement 22-49-01-01 is 26.5 acres currently owned by the Betty Clark Trust and easements 22-59-01-01 and 22-18-01-01 are currently owned by the Virginia Johnson Living Trust and are 4.5 acres and 25.4 acres respectively. The easements encompass a portion of a larger drained wetland basin with shared ownership, as well as two smaller wet areas adjacent to the township road, one on each landowner's property.

Due to funding and other constraints at the time the easements were acquired, no active hydrologic restoration of the wetlands on these easements occurred. Restoration of the wetlands consisted only of crop cessation and seeding the basins to native grasses and forbs, providing some habitat benefit, but leaving much restoration potential untapped.

To fully restore the wetland, modifications to the existing CD #45 county tile which currently drains the larger wetland would be required. Faribault County has identified this wetland restoration as a priority and part of a larger effort to increase much-needed water storage to reduce runoff and sedimentation to the Blue Earth River. The restoration would in turn provide additional wildlife habitat benefits to the RIM easements by returning this basin to pre-drainage conditions and expanding the associated upland buffer.

In order to accomplish a full restoration of this wetland, additional lands would need to be acquired adjacent to the existing RIM easements.

The landowners, being in favor of the project, had initially proposed a 1:1 land swap, requesting release of 1 acre of land for each acre added to the RIM easements. Based on BWSR's easement alteration policy requirements, easement staff were not in favor of a 1:1 land swap scenario. After negotiations, the landowners agreed to propose a 1.5:1 replacement ratio, whereby BWSR would release a total of 12.5 acres from the easements and in turn add a total of 18.8 acres of current cropland to the easements for the wetland restoration and surrounding upland habitat.

This proposal would release 8 acres from Easement 22-49-01-01 and replace by adding 12 acres of cropland to the same easement on land owned by the Betty Clark Trust. The proposal would also release 4.5 acres from easement 22-59-01-01 and replace by adding 6.8 acres to Easement 22-18-01-01 on the land owned by Virginia Johnson.

The Easement Alteration Policy states that the replacement ratios may be adjusted only if the conservation benefits of the replacement area significantly outweigh those of the release area. In this case, BWSR staff, the DNR area wildlife supervisor, and the SWCD all believe that the benefits provided by the wetland restoration would outweigh the benefits currently provided by the two smaller blocks of easement proposed for release adjacent to the public road.

According to Faribault SWCD, the benefits of the proposed easement alteration include:

1. Expands the existing 63.4-acre contiguous RIM complex by 18.8 acres. This will bolster critical upland nesting and staging habitat for waterfowl species.
2. Allows for the restoration of hydric features currently drained by the CD #45 tile. As part of the wetland restoration, the CD #45 tile will be re-routed around the wetland and an outlet structure installed to maintain 23 acres of standing water, promoting hydrophytic vegetation establishment.
3. Creates water storage in the Blue Earth River Basin and ultimately the Minnesota River Basin. Recent flooding concerns make it apparent that there is a critical need for water storage practices for the attenuation of flooding in downstream areas. The wetland restoration would have a storage volume of 11 acre-feet with a maximum capacity storage volume of 133 acre-feet. This will reduce downstream peak flows and runoff volume to the Blue Earth River.
4. Captures sediment and nutrients from the contributing watershed. Watershed modelling indicates that the restored wetland will annually reduce sediment by 32 tons, total phosphorus by 49 pounds, and total nitrogen by 2,620 pounds.

It should also be noted that Faribault SWCD was awarded a Water Quality and Storage Grant from BWSR in 2024 to assist with wetland restoration along CD #26 and CD #45, as part of the larger Blue Earth River water storage project, which includes this wetland restoration. This is further evidence of agency support of this project.

#### *Recommendation*

Easement staff recommend approval of this easement alteration request due to the substantial public and wildlife habitat benefits that would result by restoration of the previously unrestored wetland within the RIM easements.

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24-51 Moved by Jayne Hager Dee, seconded by Jill Crafton, to approve the Faribault Co. Easement Alteration Request - RIM Easements #22-49-01-01, 22-18-01-01, and 22-59-01-01. **Motion passed on a roll call vote.**

### **Central Region Committee**

**Coon Creek Watershed Management Plan** – Michelle Jordan presented Coon Creek Watershed Management Plan.

#### *Background*

In 1959, the Coon Creek Watershed District (CCWD) was formed for the maintenance and repair of the public drainage system. The CCWD covers approximately 107 square miles in central Anoka County, in the Twin Cities Metropolitan Area. Included in the CCWD are the Cities of Andover, Blaine, Columbus, Coon Rapids, Fridley, Ham Lake, and Spring Lake Park. The CCWD is bound by the Mississippi River and the Lower Rum River Watershed Management Organization (WMO) to the west, the Upper Rum River WMO and Sunrise River WMO to the north, and the Rice Creek Watershed District to the south and east. Among the CCWD's water resources are 10 natural or created lakes, over 180 miles of open channel, and over 15,000 acres of wetlands. The mission of the CCWD is to manage surface and groundwater systems and contributing land to provide for and balance the competing uses of development, drainage, flood prevention, and the protection and restoration of water quality and habitat for the benefit of our communities now and in the future.

#### *Plan Process and Highlights*

On May 3, 2022 CCWD sent notification of initiation of the planning process for the 2024-2033 Watershed Management Plan (Plan) to the plan review agencies and other parties as required by MR 8410, and solicited each agency's priority issues, summaries of relevant water management goals, and water resource information. Initial meetings were held with the Citizen Advisory Committee on June 8, 2022 and the Technical Advisory Committee on June 9, 2022, and a public input survey was conducted. An initial planning meeting was hosted by the Board of Managers on January 23, 2023.

The District identified groundwater and surface water interactions, and water quality impairments as its two highest priority issues, and the Plan sets watershed-wide and resource-specific goals to address these issues. The three watershed-wide goals are to: foster a watershed with moderate geomorphic, hydrologic, and biotic integrity relative to its natural potential condition; improve the stability of the drainage network in the watershed; and foster a watershed that exhibits physical, chemical, and biological conditions that suggest that soil, riparian, and aquatic systems, while still at risk, exhibit signs of being marginally recovered or in supporting beneficial uses. The five resource-specific goals are:

**Groundwater:** To cooperatively manage surficial groundwater underlying the Coon Creek Watershed and promote long-term maintenance or restoration of groundwater-dependent ecosystems.

**Public Drainage:** To provide sustainable drainage in a fiscally responsible manner for administration, protection, utilization, and enjoyment of the waters and related resources of the watershed consistent with the Comprehensive Watershed Management Plan.

**Water Quality:** To protect and improve the physical, chemical, and biological quality of the water resource consistent with State and Federal water quality standards.

**Water Quantity:** To restore and preserve desirable watershed conditions that will prevent or minimize flooding and minimum flows.

**Wetlands:** To pursue the no net loss of the quantity, quality, and biological integrity of the District wetlands.

Jill Crafton stated she was impressed with the plan.

Lori Cox asked if they have any flexibility on their ten-year plans if anything needs to be updated sooner. Michelle stated there is flexibility and plans can be updated. Tim Kelly stated there are funds in reserve for emergency needs.

Steve Robertson stated they are going to abstain from voting until they get more clarity on groundwater issues.

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24-52 Moved by Joe Collins, seconded by Jill Crafton, to approve the Coon Creek Watershed Management Plan. ***Motion passed on a roll call vote.***

### **NEW BUSINESS**

**2025 Proposed BWSR Board Meeting Schedule** – John Jaschke presented 2025 Proposed BWSR Board Meeting Schedule.

Meeting dates are being proposed for board meetings in 2025. Most meetings are the fourth Wednesday of the month, unless otherwise noted. The proposed calendar has meetings held in the same months as the 2024 calendar.

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24-53 Moved by Jayne Hager Dee, seconded by Tom Schulz, to approve the 2025 Proposed BWSR Board Meeting Schedule. ***Motion passed on a roll call vote.***

**Minnesota Corn Growers Association** – Adam Birr and Amanda Bilek presented Minnesota Corn Growers Association.

With nearly 7,000 members, Minnesota Corn Growers Association (MCGA) is one of the largest grassroots farm organizations in the United States. Working in close partnership with the Minnesota Corn Research & Promotion Council, MCGA identifies and promotes opportunities for Minnesota's 24,000 corn farmers while building connections with the non-farming public and have invested in third-party research that focuses on water quality and soil health, targeted consumer outreach, developing new uses for corn and working to add value to every bushel of corn grown in Minnesota. Minnesota Corn Growers Association works closely with Minnesota Corn Research & Promotion Council under the collective name Minnesota Corn.

Minnesota Corn's sustainability journey began decades ago with investments in research at the University of Minnesota focused on nutrient management, soil conservation, and more. In addition to peer-reviewed research, we've also tapped farmer ingenuity with our innovation grant program. To connect research results to corn farmers, Minnesota Corn has invested in outreach partnering with entities like the University of Minnesota Extension and the Minnesota Agricultural Water Resources Center to share lessons learned from research and field scale monitoring. Lastly, we've advocated for state and federal resources to help farmers adopt the latest conservation practices.

Mark Zabel asked about the freeze thaw nitrous oxide release and asked if that included looking at fertilizer type. Adam stated they are looking at the different types of fertilizer and timing.

Joel Larson stated he appreciates the partnerships.

Rich Sve and John Jaschke thanked them for their presentation.

### **UPCOMING MEETINGS**

- Grants Program and Policy Committee is scheduled for November 18<sup>th</sup> at 8:30 a.m. location TBD.
- BWSR Board meeting is scheduled for December 19<sup>th</sup> at 9:00 a.m. in St. Paul and by MS Teams.

Acting Chair Sve adjourned the meeting at 11:41 AM

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rich Sve', with a long horizontal line extending to the right.

Rich Sve  
Acting Chair