

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
LOWER-LEVEL BOARD ROOM
ST. PAUL, MN 55155
WEDNESDAY, MARCH 26, 2025**

BOARD MEMBERS PRESENT:

Joe Collins, Jill Crafton, Jayne Hager Dee, Mike Runk, Neil Peterson, Ted Winter, LeRoy Ose, Eunice Biel, Todd Holman, Ron Staples, Mark Zabel, Tom Schulz, Melissa Lewis, MPCA; Joel Larson, University of Minnesota Extension; Jeff Berg, MDA; Steve Robertson, MDH; Jason Garms, DNR

BOARD MEMBERS ABSENT:

Lori Cox, Rich Sve

STAFF PRESENT:

John Jaschke, Rachel Mueller, Melissa Sjolund, Janna Fitzgerald, Adam Beilke, Julie Hendrickson, Lucy Dahl, Tom Gile, Travis Germundson, Karli Swenson, Suzanne Rhees, David Weirens, Sharon Doucette, Dusty Van Thuyne, Ryan Hughes, Chad Severts, Don Bajumpaa, Denise Lauerman, Jeff Hrubes, Jenny Gieseke, John Shea

OTHERS PRESENT:

Jan Voit, Minnesota Watersheds; Carl Stenoien, MPCA; Amanda Gorton, MPCA; Erick Schenck MFRC; Pete Aube, MFRC; Jaime Thibodeaux, MFRC ; David Wilson, MFRC; James Aasen, Koochiching SWCD; Pam Tomevi, Koochiching SWCD

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

PLEDGE OF ALLEGIANCE

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25-13 **ADOPTION OF AGENDA** - Moved by Ted Winter, seconded by LeRoy Ose, to adopt the agenda as presented. ***Motion passed on a roll call vote.***

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25-14 **MINUTES OF JANUARY 22, 2025 BOARD MEETING** – Moved by Joe Collins, seconded by Ron Staples, to approve the minutes of January 22, 2025, as circulated. ***Motion passed on a roll call vote.***

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

INTRODUCTION OF NEW STAFF

Adam Beilke introduced Melissa Sjolund NGO/Tribal Grants Specialist and Janna Fitzgerald, eLINK Coordinator. Lucy Dahl introduced Julie Hendrickson, Easement Acquisition Specialist.

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 conducted John Jaschke’s annual review with Rich Sve and will report on it at the next meeting. Attended the Environmental Quality Board’s Environmental Review Implementation Subcommittee meeting on March 19th. Also attended the RIM Committee yesterday and will be attending the Tribal-State Relations Training in May.

Executive Director’s Report - John Jaschke reported on the Governor’s budget revisions following the updated forecast. The Clean Water fund had a reduction caused by a long running Dept. of Revenue error. Stated BWSR paused the soil health program funds that were tied to the federal match until they get better clarity. Kelly Kirkpatrick did not win city council reelection so will no longer serve on the board. A thank you note and gift on behalf of the board and staff was sent. Annie Felix, BWSR’s Clean Water Fund Coordinator, started a new role working with groundwater programs at the Department of Health.

John reminded members to note if they had a conflict of interest in any of today’s items.

John reviewed the day-of-packet. There was a minor change to Peatland Restoration Order in item number four. Reviewed the memo regarding mileage reimbursement and Snapshots. Noted BWSR staff will be updating the website.

Joe Collins asked if the Governor could come back later with any future changes from the federal government. John stated there is a possibility, but there is a lot of uncertainty about what’s actually going to happen or when.

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

Dispute Resolution and Compliance Report – Travis Germundson reported there have been two new appeals filed since the last report and there are two appeals pending. The following two appeals have been on acted on.

File 25-3 is an appeal of a WCA notice of decision for a property located in St. Louis County. The appeal regards the denial of a replacement plan application for fill in a wetland for shoreland access. The initial staff decision was affirmed under local appeal proceedings by the St. Louis County Board of Adjustment and that decision was appealed to the Board and has been denied.

File 25-2 is an appeal of a WCA Restoration Order for a property located in Cass County. The appeal regards the placement of fill in a wetland along both sides of Seven Mile Creek (DNR Public Watercourse). A DNR Public Waters Restoration and Replacement Order was also issued for the placement of culverts and fill in Seven Mile Creek. The appeal has been denied and the restoration order affirmed.

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

RIM Reserve Committee – Jayne Hager Dee reported they have three items on the agenda for today and had a productive committee meeting yesterday.

Water Management & Strategic Planning Committee – Joe Collins reported they met to review the drafts of the non-point priority funding plan and the BWSR Strategic Plan. The final plans will be presented at a future board meeting.

Wetland Conservation Committee – Jill Crafton reported they are looking to set a date for a future meeting.

Buffers, Soils & Drainage Committee – LeRoy Ose reported they have not met.

Drainage Work Group (DWG) – Neil Peterson reported they have not met since January and will expect an upcoming meeting in June.

AGENCY REPORTS

Minnesota Department of Agriculture – Jeff Berg reported they are still dealing with High Pathogenic Avian Influenza. The drought monitors show most of the state is abnormally dry or in drought conditions.

Minnesota Department of Health – Steve Robertson reported the Safety Water Act and the Clean Water Act of revolving loan funds were approved at the 2024 levels. Public Water Systems were required to file their inventories last fall. There were uncertainties with some of the inventories of not knowing the material used. They are looking at having them resolve those uncertainties and are offering grants or technical service assistance. The deadline to apply for assistance is March 28th. Activities are taking place in response to the EPA petition in southeast Minnesota, they've had over 1,200 people request testing kits in the eight-county area. Private wells that have nitrate levels testing above 10 are eligible for a Reverse Osmosis Systems.

Jill Crafton asked if the Department of Health is being affected by the federal actions taking place. Steve stated they have some uncertainties.

Joe Collins asked what the percentage rate is of well tests coming back at a high level. Steve stated he does not have those numbers.

Ted Winter asked if the results are reported to the Department of Health and if they know who needs reverse osmosis systems. Steve stated they receive the results.

Minnesota Department of Natural Resources – Jason Garms reported they have a lot of legislative items in play. They are working on a program for the helium gas discovered in Minnesota. They will be having some fee increases. They are set up for an active fire season with the drought and limited snow falls.

Ron Staples asked for an update on the Public Water Inventory. Jason stated hydrologists have been hired and the IT tool will be rolling out soon.

Minnesota Extension – Joel Larson reported they hosted an annual Soil Management Summit in January in Mankato. In February they hosted the Nitrogen Conference and Nutrient Management Conference in Mankato and St. Cloud with an option to attend in-person or remotely. Extension colleagues hosted a meeting in southeast Minnesota on nitrate and resources and research that's available at the University. Abstract submissions for the Minnesota Water Resources conference are open until April 4th. Jeff Peterson the Water Resources Center Director is returning to a faculty position at the University and they are in search of a new director.

Minnesota Pollution Control Agency – Melissa Lewis reported on their legislative budget priorities. It includes an operating budget for the agency and permitting reform that will bring additional accountability and efficiency. They are working on an e-waste stewardship program provides resources to raise awareness around and enforce the ban on mercury and skin lightening creams. They have been testifying to keep strong laws banning PFAS, lead, and cadmium. They are continuing to implement the first phase of Amara's Law, which came into effect on January 1st. They are participating in conversations about the need to maintain reliable funding for EPA states that carry out the delegated work from the EPA. Stated they are continuing work on the Nutrient Reduction Strategy.

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 the annual meetings and elections for Township Officers were held on March 11th. Staff are traveling for the spring short courses. Eunice attended the short course in Rochester. Reported they have been active at the legislative sessions.

Minnesota Watersheds – Jan Voit reported in February they had their legislative briefing and networking event. There was a panel discussion with John Jaschke, Dana Vanderbosch and Sarah Strommen on permitting. Held a special meeting of their membership last Friday where they made

changes to their bylaws. They will be starting their resolutions process April 1st and will hold a special meeting in August for legislative issues. Summer tour will be in Roseau River Watershed District June 24th through 26th.

Jill Crafton asked if there was a way to improve the agency permitting process. John Jaschke stated there are some approaches being evaluated that could be taken between agencies to do better together.

Natural Resources Conservation Service – No report was provided.

Chair Holman called a recess at 10:17 a.m. and called the meeting back to order at 10:25 a.m.

COMMITTEE RECOMMENDATIONS

RIM Reserve Committee

RIM Easement Alteration Request for Benton County Public Road Improvements - Easement #05-01-20-18 – Karli Swenson presented RIM Easement Alteration Request for Benton County Public Road Improvements - Easement #05-01-20-18.

The Benton County Highway Department is requesting release of 1.1 acres from RIM Easement 05-01-20-18 to accommodate upcoming bridge replacement, roadway reconstruction and right-of-way expansion along CSAH #22 and CSAH #7, to improve public safety and to meet current MnDOT design standards. CSAH #22 right-of-way runs along the northern boundary of the RIM easement and CSAH #7 right-of-way runs along the eastern boundary of the easement.

The West Fork Rum River runs through the RIM easement, and there are two bridges along the adjacent highways that have been deemed structurally deficient. Exposed rebar, cracked concrete, and corroded steel reinforcements were noted. Therefore, replacement of both bridges is inevitable to protect the safety of the traveling public. In addition to the structural deficiencies, the road and bridge width is less than minimum standards and needs to be widened to safely accommodate use by large agricultural vehicles and equipment traveling over the bridge, and to allow traffic to flow safely in both directions. Further, the shoulders also need to be widened to accommodate gentler slopes and increase clear zone widths to meet current safety standards. An additional 27 feet of right-of-way is required to accomplish all necessary improvements.

The proposed width increases of the right-of-way to both CSAH #22 and CSAH #7 will result in a 1.1 acre overlap with the existing RIM easement. Because all the existing trees along the new right-of-way will need to be cleared, an easement boundary alteration is necessary.

BWSR's Easement Alteration Policy for public benefitted projects allows for release of land from the easement if the public entity compensates BWSR for the released acres at two times the current RIM payment rate, reimburses the state any funds paid for conservation practices, plus a \$500 administrative fee. Benton County has submitted the \$500 fee and has agreed to pay BWSR \$3,666.00 to release the 1.1 acres as calculated below. Note: 0.1 acres of the release area consists of a public water that was donated to the RIM easement, so no compensation is required. Compensation is calculated for 1.0 easement acre.

Current RIM Rate for this parcel (based on 60% of 2024 tax assessed value) is \$1,833/acre.

Our policy requires compensation at 2x the current rate for the easement alteration. To release 1.0 acre at $2 \times \$1,833 = \$3,666$.

The state expended \$0 on conservation practices on this area since it was existing trees when the easement was acquired, so no conservation practice payment is required for the release.

Recommendation

The RIM Reserve Committee recommends approval to formally amend easement 05-01-20-18 to release 1.1 acres, as proposed. The Benton SWCD Board is also recommending approval of the easement alteration request and has submitted a letter of recommendation.

Jill Crafton asked if there was a way to add more trees within the easement area to make up for the loss. Karli stated it's something they could consider outside of this request. It would require a conservation plan amendment.

25-15 Moved by Jayne Hager Dee, seconded by Ted Winter, to approve RIM Easement Alteration Request for Benton County Public Road Improvements - Easement #05-01-20-18. ***Motion passed on a roll call vote.***

Climate Pollution Reduction Grant for Peatland Restoration – Suzanne Rhees, David Weirens, Sharon Doucette presented Climate Pollution Reduction Grant for Peatland Restoration.

BWSR has been awarded \$8 Million through the MPCA as part of a Climate Pollution Reduction Grant (CPRG) from the US Environmental Protection Agency (EPA). BWSR will plan and implement restoration of peatlands on private and other non-state lands, through RIM-Wetland easements and other agreements. BWSR will work with counties, state and federal agencies, Tribal governments, non-governmental organizations (NGOs) and other interested parties to identify suitable restoration sites and plan and implement restoration projects. CPRG funds will supplement and leverage the 2024 General Fund appropriation for peatland-focused easements.

Joe Collins asked if the federal money is available. Suzanne stated the funds are available and hope to be utilizing those funds as soon as possible.

LeRoy Ose asked how they are going to spend the money. Suzanne stated most will go to easement acquisition and restoration.

25-16 Moved by LeRoy Ose, seconded by Jill Crafton, to approve the Climate Pollution Reduction Grant for Peatland Restoration. ***Motion passed on a roll call vote.***

Minnesota Conservation Reserve Enhancement Program Extension and Expansion – Dusty Van Thuyne presented Minnesota Conservation Reserve Enhancement Program Extension and Expansion.

Board Resolution 17-14 (January 25, 2017) authorized staff to: 1) utilize existing and anticipated appropriated RIM funds (Clean Water Fund, Outdoor Heritage Fund, and Capital Investment) and other (Environmental and Natural Resources Trust Fund) appropriated funds to implement MN CREP.

The purpose of the MN CREP was to permanently protect 60,000 acres of buffers, wetlands and wellhead areas with landowners by partnering the Reinvest in Minnesota (RIM) Reserve program with the Federal Conservation Reserve Program (CRP) program (administered by USDA- Farm Service Agency - FSA). Landowners participating in MN CREP enroll in the USDA-FSA- administered CRP for 14-15 years, and in the Minnesota Board of Water and Soil Resources (BWSR)-administered RIM Reserve program — a state-funded perpetual conservation easement program. MN CREP is a voluntary conservation

program that permanently protects environmentally sensitive land in targeted Minnesota counties by leveraging state and federal funds.

The BWSR and the USDA-FSA expanded the MN CREP to provide additional water quality, habitat and economic benefits to Minnesota communities. A recently approved amendment to the original MN CREP agreement authorized in 2017 will expand opportunities to 12 additional counties and increased the enrollment goal to 75,000 acres of buffers, wetlands, grasslands, and wellhead areas for Minnesota agricultural producers. The amendment also extended the agreement through 2039.

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25-17

Moved by Jayne Hager Dee, seconded by Tom Schulz, to approve the Minnesota Conservation Reserve Enhancement Program Extension and Expansion. ***Motion passed on a roll call vote.***

Northern Region Committee

Rainy River-Rainy Lake Comprehensive Watershed Management Plan – LeRoy Ose and Ryan Hughes presented Rainy River-Rainy Lake Comprehensive Watershed Management Plan.

The Rainy River-Rainy Lake Watershed planning area was approved for a One Watershed, One Plan program planning grant at the regularly scheduled meeting of the BWSR on August 16, 2022. The planning partners established a Memorandum of Agreement (MOA) for the purposes of writing a Comprehensive Watershed Management Plan. The organizations signing the MOA included Koochiching County, Koochiching Soil and Water Conservation District (SWCD), City of Ranier, and City of International Falls.

The partnership held a 60-day plan review process that ended on November 29, 2024, and held the required public hearing on December 17, 2024. The final draft of the Plan, a record of the public hearing, and copies of all written comments were submitted to the state review agencies on January 8, 2025. The partnership has addressed and documented agency and public comments received throughout the Plan review process.

On March 5, 2025, the Northern Regional Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Rainy River-Rainy Lake Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

Joe Collins asked about gray water management. Chad Severts stated it mainly deals with houseboat traffic.

Ted Winter asked about the parameters of the forest health activities. James Aasen, Forest Resource Specialist with Koochiching SWCD stated forest management is a critical component to the hydrology of the watershed. Securing stewardship plans and working on watershed forest land protection will be a major component.

Jill Crafton asked about the tribal nations. Ryan Hughes stated Red Lake Nation has been involved in the process.

LeRoy Ose asked if there were ways to encourage people not to leave ice fishing garbage or waste on lakes. Pam Tomevi, District Administrator of Koochiching SWCD stated they are signed on with the Keep it Clean Initiative and it will continue to be part of their education and outreach in this watershed.

Moved by LeRoy Ose, seconded by Neil Peterson, to approve the Rainy River-Rainy Lake Comprehensive Watershed Management Plan. ***Motion passed on a roll call vote.***

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25-18

NEW BUSINESS

Greenhouse gas emissions in Minnesota 2005-2022 Legislative Report – Carl Stenoien and Amanda Gorton, MPCA presented Greenhouse gas emissions in Minnesota 2005-2022 Legislative Report.

This report summarizes what we know about Greenhouse Gas (GHG) emissions in Minnesota, including the major sources and trends over time. Tracking GHG emissions and identifying their sources are two important ways that state government can help Minnesotans understand how our actions contribute to our changing climate and how we can curb our climate pollution.

Jill Crafton asked if mercury is considered a GHG. Carl stated mercury is not considered a GHG.

LeRoy Ose asked how much GHG is given off after a peatland has been drained. Carl stated they segregate those into their current land uses and that it's several million metric tons per year.

Joel Larson stated with emissions increasing they will continue to have challenges and it's important to be connecting with partners.

LeRoy Ose asked how many pounds of carbon are produced from approximately 6 ½ pounds of gasoline. He also asked if you gain anything when charging your electric car with a coal fired plant. Carl stated these are not in his area of expertise. Provided an example of carbon burned from gasoline. Stated electric engines for cars are more efficient and would have lower emissions when using electricity from coal to power than by powering it by gasoline.

Tom Schulz asked about the residential population growth and energy being used. Carl stated they have more houses and the population has grown. There is a lot more cooling that's happening than in previous decades. They've completed a statewide look per capita emissions since 2005 and they've gone down but haven't done the analysis for the residential sector. Amanda stated we have a trend of larger house and SUVs that create more emissions.

Mark Zabel stated he owns an electric vehicle where he charges it off peak hours and shared the benefits.

Minnesota Forest Resources Council Report – Erick Schenck and Pete Aube presented Minnesota Forest Resources Council Report.

This report summarizes what we know about GHG emissions in Minnesota, including the major sources and trends over time. Tracking GHG emissions and identifying their sources are two important ways that state government can help Minnesotans understand how our actions contribute to our changing climate and how we can curb our climate pollution.

Ted Winter asked about options for private landowners. Erick stated there are several different programs to encourage landowners to keep their forest and land forested.

Tom Schulz stated local people are a good source of getting information to the land.

Jayne Hager Dee asked with most of the forest products used for paper and cardboard, has there been an effect on the industry with the regularity of recycling programs in communities. Erick stated they are supportive of it. Recycling works well to make sure the carbon in that forest product can be used as long as possible.

Jaime Thibodeaux stated the Regional Landscape Program does a lot of coordination on forested areas across Minnesota.

Jill Crafton asked if there was built in tree diversity to check on balance. Erick stated there is a lot of diversity and it depends on different factors.

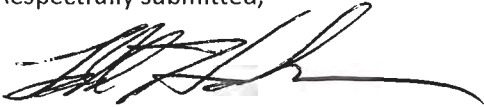
Ted Winter asked if fallen trees could be put into this bioenergy. Erick stated they can use that wood but not a lot of markets value that type of wood.

UPCOMING MEETINGS

- Water Management and Strategic Planning Committee is scheduled for April 7th at 1:00 p.m. in Rogers and by MS Teams.
- Next BWSR Meeting is scheduled for 9:00 AM, April 23, 2025 in St. Paul and by MS Teams.

Chair Holman adjourned the meeting at 12:25 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Todd Holman', with a long horizontal flourish extending to the right.

Todd Holman
Chair