

**BOARD OF WATER AND SOIL RESOURCES
514 GATEWAY DRIVE NORTHEAST
EAST GRAND FORKS, MN
THURSDAY, AUGUST 25, 2022**

BOARD MEMBERS PRESENT:

Jill Crafton, Jayne Hager Dee, Kurt Beckstrom, Carly Johnson, Neil Peterson, Rich Sve, Gerald Van Amburg, Ted Winter, LeRoy Ose, Kelly Kirkpatrick, Todd Holman, Ronald Staples, Mark Zabel, Glenn Skuta, MPCA; Jeff Berg, MDA; Mark Wettlaufer, MDH; Theresa Ebbenga, DNR

BOARD MEMBERS ABSENT:

Joe Collins, Eunice Biel, Rich Sve, Joel Larson, University of Minnesota Extension

STAFF PRESENT:

John Jaschke, Rachel Mueller, Tom Gile, Mike Nelson, Julie Westerlund, Pete Waller, James Adkinson, Matt Fischer

OTHERS PRESENT:

Brian Martinson, AMC; Nicole Bernd, MACD; Mori Maher, MSTRWD; John Waller, RCWD

Chair Gerald VanAmburg called the meeting to order at 8:39 AM

PLEDGE OF ALLEGIANCE

**
22-32 **ADOPTION OF AGENDA** – Moved by Neil Peterson, seconded by Jill Crafton, to adopt the agenda as amended to introduce a new staff member. *Motion passed on a voice vote.*

**
22-33 **MINUTES OF JUNE 22, 2022 BOARD MEETING** – Moved by Todd Holman, seconded by Jill Crafton, to approve the minutes of June 22, 2022, as circulated. *Motion passed on a voice vote.*

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

CONFLICT OF INTEREST DECLARATION

Chair Van Amburg 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 staff before any vote.”

INTRODUCTION OF NEW STAFF

John Jaschke introduced Craig Engwall, Senior Legal and Program Advisor.

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg thanked those that worked on the programs and tour. Stated MNDOT Comm. Nancy Daubenberger has been named chair of the Environmental Quality Board.

Executive Director’s Report - John Jaschke reported Craig Engwall and Melissa King will be working on increasing tribal connections. Stated they are working on the Diversity Equity and Inclusion Plan, which Jenny Gieseke will bring to the board at a future date. John stated he worked with Chair Van Amburg on the Risk Management Assessment Report that will be submitted to MMB. Stated the Outdoor Heritage Council is meeting and toured the west central area of Minnesota. The tour included BWSR staff showing sites accomplished through the Grassland Program. The Outdoor Heritage Council is working on recommendations for Legislation. LCCMR is meeting on the proposals they received. The Clean Water Council has been meeting and have released their preliminary recommendations on funding.

John reviewed the Day of Packet that include the Drainage Work Group Report, One Watershed One Plan Program Update, and Snapshots.

Audit and Oversight Committee – No report was provided.

Dispute Resolution and Compliance Report – Chair Van Amburg reported there will be a committee meeting on August 31st. John Jaschke reviewed the Dispute Resolution and Compliance Report included in the board packet.

Grants Program & Policy Committee – Todd Holman thanked the team for the work on the tour and meetings. Stated there are action items on the agenda for today. The committee adopted a standing meeting that will be on the fourth Monday of every month. It will be in person at the St. Paul office with a Teams link available. Stated the Committee has been discussing the watershed-based implementation funding formula.

RIM Reserve Committee – Jayne Hager Dee reported they have not met.

Water Management & Strategic Planning Committee – No report provided.

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

Buffers, Soils & Drainage Committee – Mark Zabel reported they have not met.

Drainage Work Group (DWG) – Neil Peterson and Tom Gile reported they have met twice and discussed outlet adequacy and the drainage registry bill from the 2022 Legislature.

AGENCY REPORTS

Minnesota Department of Agriculture – Jeff Berg reported Commissioner Petersen is at the State Fair. Stated they are working on endorsements for the Minnesota Ag Water Quality Certification. Drought relief checks went out this week. Stated complaints are down this year for the herbicide dicamba that is used to control weeds. The Groundwater Protection Rule restricts nitrogen fertilizer application in the fall and will start on September 1, 2022.

Minnesota Department of Health – Mark Wettlaufer reported they are working on updating their wellhead protection rule. Stated the Source Water Protection Grants Program has grants available to implement wellhead plans.

Minnesota Department of Natural Resources – Theresa Ebbenga reported the Northwest Region has been involved with One Watershed One Plan and appreciates the opportunity to be involved. Stated they are working on their legislative budget for next year. They are also involved with flood damage reduction projects in the area.

Minnesota Extension – No report provided. Chair Van Amburg stated the Minnesota Water Resources Conference is October 18 and 19, 2022.

Minnesota Pollution Control Agency – Glenn Skuta thanked those involved in organizing the tour. Stated the WRAPS for Cottonwood River will be going on notice in September. The Redwood River will be going on public notice by the end of the year. Stated they hired new staff manager Heather Johnson in Southern Minnesota.

ADVISORY COMMENTS

Association of Minnesota Counties – Brian Martinson thanked those that organized the tour. Stated the Local Water Government Roundtable presented to the Clean Water Council. Comments were focused on the need for implementation funding for One Watershed One Plan and Comprehensive Watershed Plans. AMC is beginning its policy development work with the AMC Fall Policy Conference September 14-16 at Arrowwood in Alexandria.

Minnesota Association of Conservation District Employees – Nicole Bernd reported they have an education grant program that districts throughout the state can apply and can receive up to \$1,000 on a project that is tied into education on soil and water. They are planning on having another joint meeting with Watershed District Administrators and stated the first one was successful. Will be having a board meeting on September 22 and will have a gathering at the BWSR Academy in October.

Minnesota Association of Soil & Water Conservation Districts – No report provided. Kurt Beckstrom stated the MASWCD Board had a retreat in St. Cloud last week.

Minnesota Association of Townships – No report was provided.

Minnesota Association of Watershed Districts – No report was provided. John Jaschke stated the Administrators meeting was on Tuesday. Stated Emily Javens resigned and the MAWD staff role is temporarily being filled by Jan Voit. The new MAWD president is Linda Vavra, BdSWD.

Natural Resources Conservation Service – No report was provided.

Chair Van Amburg recessed the meeting at 9:49 a.m. and called the meeting back to order at 10:03 a.m.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

One Watershed, One Plan Planning Grants Authorization – Julie Westerlund presented One Watershed, One Plan Planning Grants Authorization.

The calendar year 2022 (FY23 grants) One Watershed, One Plan Planning Grants request for proposal (RFP) period opened on March 26, 2022 and closed on June 11, 2022. BWSR received five proposals. Staff reviewed the five proposals (locations shown on attached map) against the RFP selection criteria and received feedback from the Interagency Water Management and Implementation Team on June 29, 2022. BWSR's Senior Management Team reviewed staff recommendations on July 12, 2022, and recommended funding all five proposals. Grants Program and Policy Committee reviewed this recommendation on July 25, 2022.

Funds are from the 2020-2021 biennium, Laws of Minnesota 2019, 1st Special Session, Chapter 2, Article 2, Section 7(i) and the 2022-2023 biennium, Laws of Minnesota, 2021, 1st Special Session, Chapter 1, Article 2, Section 6 (i) for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as well as previously returned clean water fund grants.

**
22-34 Moved by Neil Peterson, seconded by Jill Crafton, to approve the One Watershed, One Plan Planning Grants Authorization. *Motion passed on a voice vote.*

Soil Health Cost Share Grant – Tom Gile presented Soil Health Cost Share Grant.

The Laws of Minnesota 2021, 1st Special Session, Chapter 6, Article 1, Section 4(K) appropriated \$675,000 for both fiscal years 2022 and 2023 for soil health practice adoption purposes consistent with the cost-sharing provisions of Minnesota Statutes, section 103C.501, and for soil health program responsibilities in consultation with the University of Minnesota Office for Soil Health.

The Soil Health Cost Share Grant program combines FY22 and FY23 General Fund dollars for the implementation of soil health practices and the necessary staff time needed for technical assistance and

grant program administration. Available funding will be split equally between Minnesota's soil and water conservation districts. The Policy has been developed primarily using the existing Erosion Control and Water Management Policy but includes a list of core soil health practices.

Kurt stated this program will complement climate smart agriculture coming down the road.

Mark Wettlaufer asked if the Board Conservationists will review work plans. Tom stated the Board Conservationists will work through it with SWCDs.

**
22-35 Moved by Kurt Beckstrom, seconded by Ron Staples, to approve the Soil Health Cost Share Grant.
Motion passed on a voice vote.

FY22 and FY23 Clean Water Fund Soil Health Grants – Tom Gile presented FY22 and FY23 Clean Water Fund Soil Health Grants.

In 2021, the Minnesota Legislature, in the first Special Session, passed Chapter 1, article 2, Sec. 6(p) (Clean Water Fund Appropriations). The original round of Clean Water Fund Soil Health Grants RFP was released this spring. We received 8 applications for a total request of approximately 2.1 million dollars. An interagency scoring team has reviewed the applications submitted and is recommending funding 7 of the 8 applications for approximately 2 million dollars.

This Grant program combines FY22 and FY23 appropriation dollars. Priority for this program is being given to new adoption and understanding of soil health practices through the following efforts: Building local knowledge; Facilitating partnerships; Demonstrating clean water benefits; Identifying methods to increase long term adoption of soil health practices; and Scope and scale of implementation efforts in locally prioritized areas that show a direct benefit to public water supplies.

The first Clean Water Fund Soil Health Grant RFP was released this spring and the recommendations for funding are included in this action item. The submitted applications have been reviewed and scored by an interagency scoring team consisting of membership from MDH, MDA, MPCA, DNR, and BWSR. That team has forwarded the attached funding recommendations for Board consideration. A second round RFP for this program was also available during the BWSR Competitive Clean Water Fund application cycle which closed earlier in August.

Ron Staples asked what GBERBA stands for. Tom stated it stands for the Greater Blue Earth River Basin Alliance.

**
22-36 Moved by Mark Zabel, seconded by Neil Peterson, to approve the FY22 and FY23 Clean Water Fund Soil Health Grants. ***Motion passed on a voice vote.***

FY2023 Buffer Implementation Grants – Tom Gile presented FY2023 Buffer Implementation Grants.

This is the annual Grant support funding for SWCD's role to provide planning, technical and implementation assistance to landowners under 103F.48 (Buffer Law) as well as their annual monitoring and reporting on compliance status.

Ted Winter asked if they would need to inform the Clean Water Council of the ongoing effort of monitoring buffers. Tom stated to bring these dollars forward they will come through the Clean Water Fund or another appropriation to provide the resources to the district. John Jaschke stated counties and

watershed districts are responsible for the compliance and both get a direct appropriation from the Department of Revenue.

Jill Crafton asked if they are looking at diversity in these buffers and if they are increasing diversity. Tom stated there are landowners who did what was necessary to come into compliance where others did alternative practices on what they thought was a better fit. Stated there are no specific requirements for diversity as perennial vegetation is the standard.

Kelly Kirkpatrick asked if there is data showing an economic benefit where a larger buffer is not a negative feature on the space being farming. Tom stated putting a dollar amount on it would be challenging as some are used for hay and others are reducing ditch maintenance costs.

**
22-37 Moved by Jayne Hager Dee, seconded by Kurt Beckstrom, to approve the FY2023 Buffer Implementation Grants. ***Motion passed on a voice vote.***

Northern Region Committee

Middle-Snake-Tamarac Rivers Comprehensive Watershed Management Plan – Matt Fischer and Nicole Bernd presented Middle-Snake-Tamarac Rivers Comprehensive Watershed Management Plan.

The Middle-Snake-Tamarac Rivers Watershed Planning Partnership established a Memorandum of Agreement between the planning partners for the purposes of writing a Comprehensive Watershed Management Plan in May of 2020 and was approved for a One Watershed, One Plan planning grant in August of 2020. The partners include Marshall County, Marshall Soil and Water Conservation District (SWCD), Polk County, West Polk SWCD, and Middle-Snake-Tamarac Rivers Watershed District.

The partnership held a 60-day review process that ended on June 27, 2022, and the required public hearing on July 13, 2022. The final draft of the updated Plan, a record of the public hearing, and copies of all written comments were submitted to the state review agencies on July 19, 2022. The partnership has incorporated most of the agency and public comments received throughout the Plan development process. Final state review agency comments were submitted by July 29, 2022, and all agencies that submitted comments recommended approval.

The Northern Regional Committee met on August 3, 2022, to review the content of the Plan, State agency comments on the Plan, and to make a recommendation. The Committee recommends approval of the submitted Plan by the full Board.

Neil Peterson stated it was great that they pushed this through.

Theresa Ebbenga stated the quality of these reports and increased coordination has been tremendous. Stated their staff had positive things to say.

Glenn Skuta stated he also heard positive things from his staff.

Mark Zabel is happy to see One Watershed One Plan do what it should be doing.

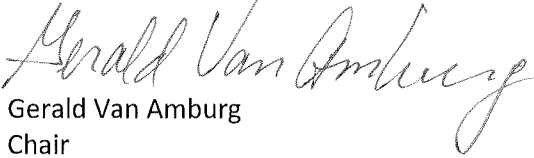
**
22-38 Moved by LeRoy Ose, seconded by Neil Peterson, to approve the Middle-Snake-Tamarac Rivers Comprehensive Watershed Management Plan. ***Motion passed on a voice vote.***

UPCOMING MEETINGS

- Next BWSR Meeting is scheduled for 9:00 AM, September 28, 2022 in St. Paul and by WebEx.
- Dispute Resolution and Compliance Committee meeting scheduled for 1:00 PM, August 31, 2022 in St. Paul.

Chair VanAmburg adjourned the meeting at 11:10 AM

Respectfully submitted,



Gerald Van Amburg
Chair