

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
LOWER-LEVEL BOARD ROOM
ST. PAUL, MN 55155
WEDNESDAY, MAY 27, 2026**

BOARD MEMBERS PRESENT:

Eunice Biel, Jayne Hager Dee, Jill Crafton, Joe Collins, Kevin Paap, Kevin Wilson, LeRoy Ose, Lori Cox, Mark Zabel, Mike Runk, Neil Peterson, Paul Fish, Ron Staples, Ted Winter, Todd Holman, Jason Garms, DNR; Joel Larson, University of Minnesota Extension; Melissa Lewis, MPCA; Steve Robertson, MDH; Thom Petersen, MDA

BOARD MEMBERS ABSENT:

STAFF PRESENT:

Andrea Fish, Rachel Mueller, Tom Gile, Travis Germundson, Adam Beilke, Craig Engwall, Marcey Westrick, Mike Nelson, Julie Westerlund, Justin Hanson; Moriya Rufer, Janna Fitzgerald, Ryan Hughes, John Shea, Maggie Karschnia, Suzanne Rhees

OTHERS PRESENT:

Brian Martinson, AMC; Jan Voit, Minnesota Watersheds; LeAnn Buck, MASWCD; Dave Jones, NRCS; Alex Trunnell, MN Corn; Brad Jordahl Redlin, MDA; Michael Miller, Marcus Jardine

Chair Todd Holman called the meeting to order at 9:00 AM

PLEDGE OF ALLEGIANCE

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26-25 **ADOPTION OF AGENDA - Moved by Kevin Paap, seconded by Jill Crafton, to adopt the agenda as presented. *Motion passed on a roll call vote.***

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26-26 **MINUTES OF APRIL 22, 2026 BOARD MEETING – Moved by Joe Collins, seconded by Ron Staples, to approve the minutes of April 22, 2026, as circulated. *Motion passed on a roll call vote.***

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

REPORTS

Chair & Administrative Advisory Committee – Chair Todd Holman reported the EQB didn't meet this month. Met with John Miley, District Manager for Stearns Soil Water and Conservation District, community based watershed planning in his area is still ongoing. Encourages everyone to get out and see what is going on in the conservation landscape.

Acting Executive Director's Report – Andrea Fish reported a legislative update will be presented later in the agenda. The application period for the Assistant Director position for Policy and Programs has closed and is under review with the Human Resources Director. A Tribal affairs update was given.

Audit and Oversight Committee – Joe Collins reported they have not met.

Dispute Resolution and Compliance Report – Kevin Wilson reported they recently had two hearings and appreciates the participation of committee members. Travis Germundson reported they didn't have any new appeals filed since the last report. There are currently 16 pending appeals and an update was provided. Recommendations from the DRC are on the agenda for today.

Jayne Hager Dee asked if the parties involved decide to appeal the DRCS's decision that it would go to the Minnesota Court of Appeals. Travis stated that is correct.

Chair Todd Holman joined the meeting at 9:15 a.m.

Grants Program & Policy Committee – Mark Zabel reported they met and have an item on the agenda for today and another for June.

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

Water Management & Strategic Planning Committee – Joe Collins reported they have not met and are scheduled to meet June 1st.

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

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

Drainage Work Group (DWG) – Neil Peterson reported they have not met, there is a meeting scheduled for June 11th in St. Cloud.

AGENCY REPORTS

Minnesota Department of Agriculture – Thom Petersen reported they released their Soil Health Equipment Grants. He provided a legislative update stating there was a boost in the sustainable aviation fuel credit and some language around the carbon intensity of the fuel that'll be produced.

Jill Crafton asked if there is a diversity of plants grown for sustainable aviation fuel. Commissioner Petersen stated there is a chance for a lot of diversity.

Ted Winter asked where camelina is processed today. Commissioner Petersen stated there is a facility in Fargo North Dakota.

Lori Cox stated that since we have late term knowledge of pollution issues, it would be good to know if camelina processing does or does not create the same types of pollution problems for all Minnesota. Lori asked about the carbon intensity score it takes to produce the monocrop as well as other monocrops. Commissioner Petersen stated that camelina is designed to be our relay crop and with deep roots it can be a perennial too, it's a ways off from a monocrop.

Minnesota Department of Health – Steve Robertson reported a legislative update. Grants are available for private wells from now through July 17th for local, regional, or Tribal governments that support private well testing and mitigation outreach. Information is available on their website. There is a new quarterly report for the nitrate response in southeast Minnesota relative to the private wells and is available on their website.

Jayne Hager Dee asked how they are prioritizing municipality lead pipe replacements and how do they mix that with state and federal funds. Steve stated they have an inventory of public water systems with their lead service lines and use that to inform how money is distributed to support replacement work. Stated there is not enough federal or state money. The money they have available now will get them halfway through 2027 construction season and will be an ongoing effort to meet that need. Jayne asked if there are homes that have lead piping too. Steve stated they address both the private and public service lines.

Ted Winter asked if there are unidentified water lines in the ground. Steve stated there is a significant percentage that is not identified and is part of the ongoing work.

Minnesota Department of Natural Resources – Jason Garms reported they had a successful fishing opener. Electronic licensing systems are about to go live with their first phase. A legislative update was provided.

Paul Fish thanked them for the work they've done fighting fires in Northern Minnesota.

Minnesota Extension – Joel Larson reported the deadline for submitting abstracts for the Water Resources Conference in October is this Friday. Mid to late July, their private wells education team is hosting a private well testing clinic in Crow Wing County. July 23rd is a soil health focused field day at the Swift County Fairgrounds. July 9th there is an irrigation field day in Becker.

Minnesota Pollution Control Agency – Melissa Lewis reported a legislative update. Impaired waters list went on notice last week; there are 45 bodies of water being delisted. West River Dairy requested to increase their permit capacity.

ADVISORY COMMENTS

Association of Minnesota Counties – Brian Martinson reported on a legislative update. The first three weeks in June they will be meeting with their members about what the results of the legislative session were and what they want them to work on.

Lori stated she hopes they're telling counties that the Clean Water Council has asked for public input, and she believes that window closes in July. Brian stated they are engaging their members, and partners are engaging theirs as well to be active in this space.

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

Minnesota Association of Soil & Water Conservation Districts – LeAnn Buck reported a legislative update. They will have eight regional meetings in the month of June. Thanked the BWSR Board for their work.

Minnesota Association of Townships – Eunice Biel reported a legislative update. Board of Director's District meetings will be held in August. Their key issues and resolutions will be discussed ahead of the annual meeting in December. There will be election training for election judges at the primary and general elections. The Minnesota Association Town Hall Review will have sessions in Otsego on June 5th.

Minnesota Watersheds – Jan Voit reported a legislative update. They are working on proposed changes to the plumbing code. Jan has been working with the new Clean Water Council Member, April Swenby to get her up to speed on things that are important to watershed districts and watershed management that are funded through the Clean Water Fund. They are working on a resolution process for their annual meeting on resolutions in August.

Joe Collins stated the plumbing issue is a big issue and thanked Jan for her work. Board Members agreed this is an important issue.

Natural Resources Conservation Service – Dave Jones reported operating with 238 full time employees and are down about 100 staff people since the start of the Trump Administration and the DRP. They are advertising a position for field operations in the northeast area. Stated funding in Minnesota has been a challenge. Minnesota will fund about 10 to 15% of applications across their programs and RCPP is even less than that. There will be some technical assistant funds available dedicated specifically to TSPS. They are close to spending their 25% on the RPP Program. NRCS will be advertising their local workgroup meetings and will have the dates posted mid-June.

Chair Holman called a recess at 10:16 a.m. and reconvened at 10:25 a.m.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

Grant Noncompliance Policy Revision – Adam Beilke presented the Grant Noncompliance Policy Revision.

BWSR grant recipients are responsible for managing State grant funds in compliance with statutes, rules, grant agreements, BWSR grant management procedures and other applicable laws and requirements. BWSR has developed the Grant Noncompliance Policy to define levels of noncompliance and establish expectations for grantees and BWSR staff to address these concerns. The Board first approved a Grant

Noncompliance Policy on June 24, 2015. The current version of the policy was approved on May 28, 2025.

Recently, the Office of Grants Management (OGM) updated Policy 08-05 on Managing Fraud Risk and Reporting Responsibilities. Updates included further details on responsibilities for reporting, notifying, and responding to suspected fraud or misuse in grants or grant programs as well as steps agencies must take to effectively manage the risk of fraud or misuse in grant programs.

BWSR staff have identified revisions to the Grant Noncompliance Policy that are necessary to ensure we are addressing fraud and misuse in compliance with OGM Policy 08-05. Proposed revisions also reflect the development of procedures for staff to carry out the policy. Grants Program & Policy Committee reviewed the proposed changes on May 18, 2026, and recommend approval to the Board.

Mark Zabel asked if it's adopted, will it be effective today with the procedures being published in July. Adam stated the procedures are being developed and will be available in July.

Lori Cox asked what we're voting on today if the procedures are still in flux and changing. Adam stated we are voting on the policy. The procedure document is an internal document.

Jayne Hager Dee asked if those that currently have grants will be notified about the policy change. Adam stated communications will be sent out.

Ted Winter asked if staff will be reviewing the grants and applications and enforcing the new changes like they have in the past. Adam stated both internally as well as the Office of Grants Management will be providing more training to staff that work directly with grants to make sure they're up to date on what to look for on any potential red flags for broader misuse. They are confident they'll be able to continue managing grants.

Paul Fish stated at the committee meeting, it was determined that the fraud issue with funds we spend is minimal, hardly any with this organization. Adam stated they do a good job at managing the resources they have as they move forward.

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26-27 Moved by Jayne Hager Dee, seconded by Mike Runk, to approve the Grant Noncompliance Policy Revision. ***Motion passed on a roll call vote.***

Dispute Resolution Committee

WCA Appeal (File 25-9) of a No-Loss Decision, Morrison County – Kevin Wilson, Travis Germundson and Craig Engwall presented the WCA Appeal (File 25-9) of a No-Loss Decision, Morrison County.

The appeal was brought before BWSR on August 25, 2025, by Marvin Stroschein (Appellant) to challenge a Wetland Conservation Act Notice of Decision involving property located in Morrison County. The appeal contests the Morrison SWCD Board of Supervisors' July 25, 2025 approval of a no-loss determination.

The July 25, 2025 decision concluded that the application submitted by Ellen Kalahar-Grissom (Applicant) to construct an access road through wetlands located within an established township cartway qualified for a no-loss determination. This determination was based on findings that the wetlands were incidental in nature and had developed in areas that were previously non-wetland. In addition, the District determined that easterly portion of the road qualifies for a de minimus exemption.

Darling Township established a cartway to provide the Applicant with legal access to a landlocked parcel.

The established cartway extends approximately 3,400 linear feet across the Appellant's property through wetland and is to be constructed within the footprint of a pre-existing roadbed. Based on recommendations from the Technical Evaluation Panel, the SWCD concluded that the pre-existing roadbed had reverted back to wetland by actions, the purpose of which was not create wetland. The existence and location of the pre-existing roadbed were documented through historical aerial imagery and on-site observations.

The Appellant argues that the establishment of a cartway does not grant the Applicant the ability to impact wetlands and further contends that the record lacks sufficient evidence that a historic roadbed was located in that area. Finally, the Appellant asserts that the SWCD improperly applied the exemption.

The Dispute Resolution Committee heard oral arguments from the parties to the appeal during a public hearing held at the Central Office on April 23, 2026. After reviewing the record, written briefs, and oral arguments, the Committee determined that the Morrison SWCD did not make an erroneous decision and unanimously voted to recommend affirming the Morrison SWCD's decision, thereby denying the appeal.

In addition, the DRC denied the appellant's request to supplement the record with additional evidence. The Committee determined that the existing Morrison SWCD record contains substantial evidence supporting the decision and that the appellant failed to provide adequate justification to warrant inclusion in the record of additional evidence.

Additional details and the basis for the recommendation are included in the Board Order.

Chair Holman thanked Kevin Wilson for chairing this committee.

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26-28 Moved by Kevin Wilson, seconded by Joe Collins, to approve the WCA Appeal (File 25-9) of a No-Loss Decision, Morrison County. ***Motion passed on a roll call vote.***

NEW BUSINESS

eLINK Overview – Adam Beilke and Marcey Westrick presented eLINK Overview.

eLINK is BWSR's grant management system, used to track all grants from initial award through final closeout. The system supports the full grant lifecycle — distributing grant agreements, capturing applications and funding requests, and monitoring progress. BWSR also uses eLINK to track pollution reduction benefits, cumulative funding over time, and project locations at the statewide, county, watershed, or individual-project level. Staff will provide the board with an overview of the system.

Joe Collins stated he likes the mapping feature.

Jill Crafton asked if there's room for innovation or lessons learned. Marcey stated they have added practices over time.

2026 Legislative Update – Andrea Fish and Mike Nelson presented 2026 Legislative Update.

A brief update on legislation passed this session that impacts BWSR's work or funds projects into the coming fiscal years.

Commissioner Petersen thanked them for their work on the wetland piece.

UPCOMING MEETINGS

- Water Management and Strategic Planning Committee is scheduled for June 1st at 12:30 p.m. in St. Paul and MS Teams.
- Drainage Work Group is scheduled for June 11th at 11:00 a.m. in St. Cloud.
- Next BWSR Meeting is scheduled for 9:00 AM, June 24, 2026, in St. Paul and by MS Teams.

Chair Holman adjourned the meeting at 11:27 AM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Todd Holman', is written over a light blue rectangular stamp. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Todd Holman
Chair