

Board of Water and Soil Resources (BWSR) Board Meeting

June 28, 2023

Neither the chair nor vice chair were in attendance. John Jaschke opened the meeting at 9:02 a.m. The Pledge of Allegiance was recited. Commissioner Rich Sve was nominated and elected to run the meeting. The agenda was adopted. The minutes of the May 24 BWSR Board (Board) meeting were approved. No one was present to address the Board in the Public Access Forum. The Conflict of Interest declaration was read into the record. Items of note to members are highlighted in gray.

REPORTS

Chair & Administrative Advisory Committee

Chair Rich Sve reported on a day in history.

Executive Director

Executive Director Jaschke reported on staff changes, statewide meetings, and federal funding. He also explained the day-of packet.

Audit & Oversight Committee

Joe Collins reported that the committee has not met.

Dispute Resolution and Compliance Report

Chair Rich Sve said that the committee has not met. Travis Germundson reported that there are five appeals pending, with one new appeal filed since the last report.

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 103 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are five active Corrective Action Notices (CANs) and three Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 95 of those have been resolved. Statewide 35 counties are fully compliant, and 51 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 424 CANs and 77 APOs actively in place. Of the actions being tracked over 2,459 of those have been resolved.

Grants Program and Policy Committee

Todd Holman reported that the committee met and has recommended actions on the agenda. Staff has been working to track legislative changes. Due to timing complexities, trying to find a standing meeting date.

Reinvest In Minnesota (RIM) Reserve Committee

Jayne Hager Dee reported that the committee has not met.

Water Management and Strategic Planning Committee

Joe Collins said that the committee had an informational meeting about the amendment process and adding climate resiliency to One Watershed One Plan. The next meeting will be held on July 26.

Wetland Conservation Committee

Jill Crafton informed the Board that the committee has not met.

Buffers, Soils, and Drainage Committee

Mark Zabel stated that the committee has not met.

Drainage Work Group (DWG)

Tom Gile gave an update on the June meeting, including priorities, structure, and function. The meetings have been mostly virtual. There is interest in trying to explore a central meeting location. He is hopeful that the August meeting will be in St. Cloud. BWSR is also trying to find staff support for the meetings.

AGENCY REPORTS

The Minnesota Department of Agriculture, Minnesota Department of Health, Minnesota Department of Natural Resources, Minnesota Extension, and Minnesota Pollution Control Agency each gave update on agency activities and implementation of funding designated in the last legislative session.

ADVISORY COMMENTS

Advisory reports were given by the Association of Minnesota Counties, Minnesota Association of Soil and Water Conservation Districts, Minnesota Association of Townships, and Minnesota Watersheds (statewide organization survey, Summer Tour, DWG, early coordination pilot projects committee, and the handbook).

[A ten-minute break was taken.]

NEW BUSINESS

Historical Context: Tribes

As part of continuous learning, Melissa King and Craig Engwall, BWSR shared a summary of historical events that have shaped and impacted Tribal Nations that share geography with Minnesota.

COMMITTEE RECOMMENDATIONS

Administrative Advisory Committee

Bylaws

The proposed bylaws updates were reviewed by the Administrative Advisory committee on May 15, 2023 and reviewed by the Board on May 24, 2023. The bylaws were adopted as proposed.

Grants Program and Policy Committee

Rock County Soil and Water Conservation District (SWCD) – Watershed Project Tracking Grant

Justin Hanson, BWSR explained that:

- In December of 2022, MASWCD passed a resolution that asked BWSR to create a “Tracking Tool” that would support local watershed partnerships and help them track their work.
- In response, BWSR assembled a work group that would assess the local watershed partnership needs of SWCDs and WDs.
- The work group met during the early part of 2023. The outcome from that meeting:
 - 1) The workgroup does not desire a uniform tracking tool for the entire state. Unless it is a program that could be directly integrated into eLINK and add efficiency values to their work.
 - 2) The workgroup identified the biggest need is uniform standards for tracking their work. Many are already using locally developed tools and want to continue with that process. However, standardized methods will help create a statewide consistency regarding how those activities are described across partnerships.
 - 3) The workgroup recognized that many partnerships do not have any tracking mechanism in place. There are several partnerships that have already started working on a specific tool called “MS4Front” which is being developed by watershed partnerships in the Missouri and Des Moines watersheds. Collectively, it was decided that an example prototype tool could be developed, using the Missouri and Des Moines project tool as an option for those partnerships that wish to utilize a tool that is ready to go.
- BWSR is not in a position (in the near term) to develop a tool that will integrate eLINK into a statewide tool. It’s not clear that BWSR would have the capability to integrate the needs of locals into the current eLINK program. eLINK has never been designed for project tracking. There are also proprietary challenges with how outside information is integrated into eLINK. The workgroup has expressed interest in having something in place that they can start using in the near term.

- Rock SWCD has been out in front of this process and is currently developing a process that addresses the work group recommendations above (#2 and #3). In the interest of time and effectiveness, BWSR is proposing that we contract with Rock SWCD to support their local tracking process. By doing so, we can capture the progress that they have made. Then leverage their work to develop the work group priorities outlined in #2 and #3 above.

This project does not create a tool that BWSR will own. Therefore, there is no proprietary ownership of a product. LGU partners will utilize local funding resources to support ongoing subscription fees or licenses available to manage any tracking tool that they elect to use. They may or may not use WBIF funding resources to support this administrative work. The Board approved \$110,000 for the Watershed Project Tracking Grant.

FY23 Water Quality and Storage Pilot Grant Program Funding Recommendations

Rita Weaver, BWSR explained that 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. This is the second year of the pilot program. On January 25, 2023, the Board adopted Board Order #23-05, which authorized staff to conduct a request for proposals for the FY23 Water Quality and Storage Pilot Program grants. An application period was open from March 13, 2023 to May 4, 2023. Six (6) applications were received requesting a total of approximately \$3.075M. Grants were scored and ranked by a team of BWSR staff and the scoring team recommends that two projects be fully funded and that one additional project be partially funded with the remaining FY22-23 funds. The staff recommendations were presented to the BWSR SMT June 13, 2023 and the Grants Program and Policy Committee on June 26, 2023. The funding recommendations included in the board order are a result of those meetings. The Bois de Sioux WD was awarded \$1M.

[A five-minute break was taken.]

FY24 CWF Competitive Grants Policy and RFP Criteria

Annie Felix-Gerth, BWSR explained that the BWSR Board would need to make a decision to authorize the FY24 CWF Competitive Grants, including the associated policy and RFP criteria. The RFP will open on June 29 and close August 24. The Board will be asked to make a funding decision on eligible applications on December 14, 2023. The FY24 CWF Competitive Grants Policy and RFP Criteria was authorized.

FY24 and 25 Natural Resources Block Grants Authorization

James Adkinson, BWSR explained that the purpose of this agenda item was to allocate Natural Resources Block Grants. The recommended grants reflect at 36.5%, one-time increase for the biennium, applied uniformly across all grants, using the existing allocation formula. The Grants Program & Policy Committee reviewed the recommendations at their May 22 meeting and recommended approval of the order to the board. The FY24 and 25 Natural Resources Block Grants were authorized.

FY24 and 25 Technical Service Area Grants Authorization

James Adkinson, BWSR explained that the purpose of this agenda item is to allocate Technical Service Area (TSA) Grants. The recommended grants are consistent with allocations to each TSA except for the equipment funds which are rotated on an established schedule. The Grants Program & Policy Committee reviewed the recommendations at their May 22, 2023 meeting and recommended approval of the order to the board. The FY24 and 25 TSA Grants were authorized.

Central Region Committee

North Fork Crow River Comprehensive Watershed Management Plan (CWMP) 2018-2028 Plan Amendment

Steve Christopher, BWSR explained that the current North Fork Crow River CWMP was approved on June 27, 2018 and expires on June 27, 2028. The CWMP partners of the North Fork Crow River Watershed Planning Partnership (NFCRWPP) include McLeod County, McLeod SWCD, Meeker County, Meeker SWCD,

Kandiyohi County, Kandiyohi SWCD, Pope County, Pope SWCD, Stearns County, Stearns SWCD, Wright County, Wright SWCD, Middle Fork Crow River WD, and North Fork Crow River WD. The North Fork Crow River CWMP 2018-2028 Plan Amendment was approved.

UPCOMING MEETINGS

- **BWSR Board joint summer tour and meeting (Vermillion watershed in Apple Valley):** August 23-24

The meeting adjourned at 11:57 a.m.

Notes submitted by Jan Voit