

Board of Water and Soil Resources (BWSR) Board Meeting

May 24, 2023

Gerald Van Amburg called the meeting to order at 9:03 a.m. The Pledge of Allegiance was recited. The agenda was adopted. The minutes of the April 26 BWSR Board (Board) meeting were approved. No one was present to address the Board in the Public Access Forum. New staff were introduced. Items of note to members are highlighted in gray.

ADMINISTRATIVE ITEM

Andrea Fish and Mike Nelson gave a summary overview of the 2023 legislative session.

REPORTS

Chair & Administrative Advisory Committee

Chair Van Amburg reported on the Environmental Quality Board meeting.

Executive Director

Executive Director Jaschke reported on the Administrative Advisory Committee meeting.

Audit & Oversight Committee

Vice Chair Collins reported that the committee has not met.

Dispute Resolution and Compliance Report

Rich Sve said that the committee has not met. Travis Germundson reported that there are four appeals pending, with no new appeals 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 seven active Corrective Action Notices (CANs) and 3 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 93 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 437 CANs and 80 APOs actively in place. Of the actions being tracked over 2,440 of those have been resolved.

Grants Program and Policy Committee

Todd Holman reported that the committee discussed the Rock Soil and Water Conservation District (SWCD) tracking tool and could not come to an agreement regarding recommendation. Further discussion was held by the Board, but it was not a decision item for today's meeting.

Reinvest In Minnesota (RIM) Reserve Committee

Jayne Hager Dee reported that the committee has not met.

Water Management and Strategic Planning Committee

Vice Chair Collins said that the committee has not met.

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 met on May 3. They discussed multi-purpose drainage management grants, as well as how the committee should interact with the Drainage Work Group (DWG).

DWG

Tom Gile gave an overview of the work that the DWG will be undertaking during the summer and fall. This will include notice requirements and outlet adequacy, which is already being worked on. He also stated that

the DWG and the Drainage Management Team were directed by the legislature to review the powers of drainage authorities to abandon, dismantle, and remainder drainage systems.

AGENCY REPORTS

The Minnesota Department of Agriculture, Minnesota Department of Health, and Minnesota Department of Natural Resources (DNR) each gave reports on legislative successes. Of note was that the DNR has funding to hire a drainage coordinator to “assist with early coordination”.

ADVISORY COMMENTS

Advisory reports were given by Minnesota Association of Soil and Water Conservation Districts (SWCD) and Minnesota Association of Townships.

[A ten-minute break was taken.]

COMMITTEE RECOMMENDATIONS

Northern Region Committee

Rainy-Rapid Comprehensive Watershed Management Plan (CWMP)

LeRoy Ose and Chad Severts, BWSR explained that the Rainy-Rapid Watershed Planning Partnership was approved for a One Watershed, One Plan planning grant in August of 2021 and established a Memorandum of Agreement between the planning partners for the purposes of writing a CWMP in September of 2021. The partners include Lake of the Woods County and the Lake of the Woods SSWCD.

The partnership held a 60-day review process that ended on March 24, 2023, and the required public hearing on April 11, 2023. 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 April 18, 2023. The partnership has incorporated all the agency and public comments received throughout the Plan development process. Final state review agency comments were submitted by May 2, 2023, and all agencies that submitted comments recommended approval.

The Northern Regional Committee met on May 3, 2023, 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. The Rainy-Rapid CMP was approved.

Red River Basin Commission Supplemental Grant Funding

Ryan Hughes, BWSR explained that in 2021 the Legislature appropriated funds to the Board for grants to the Red River Basin Commission (RRBC) for water quality and floodplain management, including administration of programs. The RRBC has secured additional annual funding from the Province of Manitoba in an amount of \$50,000/year to address inflation. The RRBC has submitted a request to BWSR for supplemental funding to match the funding received from the Province of Manitoba.

The Northern Regional Committee met May 3, 2023, to review and discuss the RRBC supplemental funding request and to make a recommendation of the Order authorizing supplemental grant funding to the Red River Basin Commission. The Committee recommends approval of the Order providing supplemental grant funding to the Red River Basin Commission by the full Board. The RRBC supplemental grant funding was approved.

Administrative Advisory Committee

Board Per Diem Policy Update

John Jaschke, BWSR explained that the current per diem policy was implemented in October 2018. A few changes to the policy have been proposed to ensure judicious use of state resources and provide clarity to board members about when claiming per diems. Per diems will now be \$125 per day. The Board per diem policy was approved.

Bylaws Update

John Jaschke explained the Proposed bylaws updates were reviewed by the Administrative Advisory committee on May 15, 2023. Extensive discussion was held. The bylaws will be included on the agenda for the June meeting.

UPCOMING MEETINGS

- **Central Region Committee:** June 1, 2023 at 2:30 p.m. in St. Paul and virtually
- **BWSR Board:** June 28, 2023 at 9:00 a.m., St. Paul and virtually

The meeting adjourned at 12:30 p.m.

Notes submitted by Jan Voit