

Board of Water and Soil Resources (BWSR) Board Meeting

April 24, 2024

The meeting opened at 9:02 a.m. The Pledge of Allegiance was recited. The agenda was adopted. The minutes of the March 27 BWSR Board (Board) meeting were approved. No one was present to address the Board in the Public Access Forum. New staff were introduced. The Conflict of Interest declaration was read into the record. Items of note to members are highlighted in gray.

REPORTS

Chair & Administrative Advisory Committee

Todd Holmen and Executive Director Jaschke reported on the Administrative Advisory Committee meeting. They will be considering ways for partners to comment on Board policies. Board member Beckstrom is facing health challenges. The annual review of Executive Director was reported to the Board. He also attended the Northern Region and Grants Programs and Policy Committee meetings and the EQB meeting.

Executive Director

Executive Director Jaschke reported on his annual review, which will be shared confidentially with Board members. He reported on meetings with tribal leadership. Discussion was held regarding tribal representation on the Board. Having tribal representation would require a legislative change. He gave an update on the legislative session and the BWSR policy bill. Provisions in this bill would take effect August 1. He also gave an overview of the day-of packet.

Audit & Oversight Committee

Joe Collins reported that the committee has not met.

Dispute Resolution and Compliance Report

Rich Sve stated that the committee has not met. Travis Germundson reported that there are three appeals pending, with no new appeals since the last report.

Grants Program and Policy Committee

Mark Zabel reported that the committee met. There are three items on the agenda for decisions related to on-the-ground conservation.

Reinvest In Minnesota (RIM) Reserve Committee

Jayne Hager Dee stated that the committee met. There are two items on the agenda for decisions.

Water Management and Strategic Planning Committee

Joe Collins said that the committee plans to meet on May 13.

Wetland Conservation Committee

Jill Crafton informed the Board that the committee will meet on April 29.

Buffers, Soils, and Drainage Committee

LeRoy Ose stated that the committee met on April 23. Tom Gile provided an update on the Multi-purpose Drainage Management and Soil Health programs.

Drainage Work Group (DWG)

Tom Gile reported that the extension for the RSDO is included in the BWSR policy bill. DWG has not met. The DWG will meet again after the legislative session.

AGENCY REPORTS

The Minnesota Department of Agriculture, Minnesota Department of Health, Minnesota Department of Natural Resources, Minnesota Extension, and the Minnesota Pollution Control Agency each gave an update on agency activities including state response to the EPA petition and legislative efforts.

ADVISORY COMMENTS

Advisory reports were given by the Association of Minnesota Counties, Minnesota Association of Townships, and Minnesota Watersheds (working with BWSR staff regarding 103D housekeeping, Summer Tour, and human resources training).

Rob Sip, Red River Watershed Management Board gave a PowerPoint presentation including an overview of the RRWMB, an update on budgetary and financial information, LiDAR, water quality program funding and implemented projects, water storage projects and the bonding process, future and current activities, and the RRWMB/BWSR partnership.

[A five-minute break was taken.]

COMMITTEE RECOMMENDATIONS

Dispute Resolution Committee

WCA Appeal (File 23-4) of a Wetland Bank Plan Decision Aitkin County

Travis Germundson explained the appeal and that the Order affirms Aitkin County's May 22, 2023 Wetland Conservation Act Notice of Decision approving an application for a wetland bank plan. The Order also includes a provision that denies the appellant's request to supplement Aitkin County's record with additional evidence. The Order was approved.

Northern Region Committee

Rainy Headwaters-Vermillion Watershed CWMP

Rich Sve explained that the Rainy Headwaters-Vermillion Watershed planning area was approved for a One Watershed, One Plan planning grant at the regularly scheduled meeting of the BWSR on August 26, 2021. The planning partners established a Memorandum of Agreement (MOA) for the purposes of writing a CWMP. The organizations signing the MOA included Cook County, Cook Soil and Water Conservation District (SWCD), Lake County, Lake SWCD, St. Louis County, and North St. Louis SWCD. Koochiching County and SWCD did not sign the Planning MOA due to the small area of their jurisdiction within the planning area.

The partnership held a 60-day plan review process that ended on January 6, 2024, and held the required public hearing on January 26, 2024. The final draft of the CWMP, a record of the public hearing, and copies of all written comments were submitted to the state review agencies on February 5, 2024. The partnership has addressed and documented agency and public comments received throughout the Plan review process.

On April 3, 2024, the Northern Regional Committee met to review and discuss the Plan. Board regional staff provided its recommendation of Plan approval to the Committee. After discussion, the Committee's decision was to present a recommendation for approval of the Plan to the full Board. A motion was made and seconded to approve the Order.

Ryan Hughes explained the Order. Project partners weighed in and thanked Houston Engineering, Inc. and BWSR. The Rainy Headwaters-Vermillion Watershed CWMP was approved.

Grants Program and Policy Committee

Cooperative Weed Management Area Grants

Dan Shaw explained that Cooperative Weed Management Areas (CWMAs) are partnerships of federal, state, and local government agencies, tribal governments and a wide range of other partners that manage noxious weeds or invasive plants across geographic areas. The FY 2024-25 CWMA Program has a total of \$200,000 to distribute to eligible applicants including SWCDs, Counties, and Tribal Governments for newly developing and existing CWMAs/CISMAs in Minnesota. There were 17 applications for the FY 2024-25 CWMA grant applications requesting a total of \$255,000. The CWMA Interagency Advisory Team met on March 12 to rank grants and made the decision to award 13 applications. The Grants Program and Policy

Committee (GPPC), at their April 15, 2024 meeting, reviewed the proposed grant awards and recommended approval to the Board. He also explained the Order. The Order was approved.

Habitat-Friendly Utilities Program

Dan Shaw explained that the BWSR has had a Habitat Friendly Solar program since 2016 and was appropriated funding in 2023 to expand the effort to include conservation efforts on additional types of utilities in partnership with utility companies and the larger conservation community. The purpose of the program is to provide financial and technical assistance to promote the successful establishment of native vegetation as part of utility projects, including solar and wind projects, pipelines, and electrical transmission corridors, and requires that the Board establish criteria for grants or payments, and allows the Board to collaborate with and enter into agreements with Federal, State, and local agencies; Tribal Nations; utility companies; nonprofit organizations; and contractors to implement and promote the program. This Board Order directs and authorizes staff to develop program criteria, issue solicitations for participation in the program, approve awards, and enter into agreements with program partners. The Order was approved.

FY25 Conservation Reserve Program State Incentives Grant Program

Jason Beckler explained the BWSR FY25 Conservation Reserve Program (CRP) State Incentives Grant Program is made possible through an appropriation from general funds (Laws of Minnesota 2023, Chapter 60, Article 1, Section 4 paragraph(s)). The FY25 CRP State Incentives Grant Program is a continuation of a Pilot that started in 2023 with funding from the Legislative-Citizen Commission on Minnesota Resources' Environment and Natural Resources Trust Fund. Updates from the Pilot Program include the expansion of eligible Comprehensive Watershed Management Plan (CWMP) partnerships and increases to eligible watershed allocations. Staff have completed an internal program development and review process with BWSR Teams including the Conservation Contracts Team, Grants Team, and Senior Management Team. The GPPC was briefed on the program at the January 10 and February 28 meetings. The GPPC recommended approval of the Board Order and Watershed Allocation List to the full board at their April 15 meeting. The Order was approved.

RIM Reserve Committee

Easement Alteration Request – RIM Easement #46-17-99-01

Karli Swenson explained that the action requested is for Board approval to amend RIM easement #46-17-99-01 in Martin County, in accordance with MN Rule 8400.3610 and BWSR's Easement Alteration Policy. This is a private landowner request to release 1.75 acres from the existing easement and add 3.5 acres of additional crop land to the easement in return. This request would fulfill the required acre replacement ratio of 2:1 and meets all other conditions of the Easement Alteration Policy. The easement alteration request was approved.

Easement Alteration Request – RIM Easement #67-01-07-04

Karli Swenson explained that the action requested is for Board approval to alter RIM easement #67-01-07-04 in Clinton Township, Rock County, in accordance with MN Rule 8400.3610. This request is to release 2.87 acres of land from the RIM easement, which was purchased by Rock County Rural Water for public drinking water well installation and maintenance purposes. Rock County Rural Water will compensate BWSR for the acres released. The easement alteration request was approved.

NEW BUSINESS

Soil Health Action Framework

In 2022, BWSR received a grant from the McKnight Foundation to develop a “coordinated approach to climate change mitigation and landscape resiliency, by collaboratively identifying goals, strategies, and actions related to soil management.” BWSR worked with the Minnesota Office for Soil Health to convene an advisory committee representing a mix of practitioners in agriculture and conservation, and public and private sectors. During five meetings over 13 months, the group discussed goals, strategies, and potential

actions for advancing soil health. The group was not asked to reach consensus or commit to actions, but to represent the diversity of voices in soil health work in Minnesota. The resulting [Soil Health Action Framework](#) was released in January 2024 and is intended to serve as a framework of priority issues and potential strategies that individual interest groups can use to create their action plans.

A PowerPoint presentation was given about the Soil Health Action Framework report.

UPCOMING MEETINGS

- April 29: Wetland Conservation Committee by MS Teams.
- May 13: Grants Program and Policy Committee in St. Paul and by MS Teams.
- May 22: BWSR Board in St. Paul and by MS Teams.

Notes submitted by Jan Voit