

Board of Water and Soil Resources (BWSR) Board Meeting

October 25, 2023

The meeting opened at 9:02 a.m. The Pledge of Allegiance was recited. The agenda was adopted. The minutes of the August 24 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 Holman gave an update on a presentation given by MPCA on the Climate Action Framework and recognized Lance Chisolm as outstanding SWCD employee of the year.

Executive Director

Executive Director Jaschke reported on BWSR Academy, Headwaters board meeting, agency bonding budget process, Water Resources Conference, budget forecast, climate endeavors that are underway, federal funding opportunities through the RCPP, upcoming Outdoor Heritage Council and Clean Water Council meetings, and BWSR Snapshots.

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 four appeals pending, with two new appeals filed since the last report. BWSR has received Notifications of Noncompliance (NONs) on 60 parcels from the 12 counties BWSR is responsible for enforcement. Currently there are no active Corrective Action Notices (CANs) and three Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked over 53 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 323 CANs and 74 APOs actively in place. Of the actions being tracked over 2,605 of those have been resolved.

Grants Program and Policy Committee

Mark Zabel reported that the committee met and has recommended actions on the agenda. The members of the Buffers, Soils, and Drainage Committee were invited to attend the meeting to provide input on the Soil Health Grant program. He noted that the recommendation for Multi-purpose Drainage Management (MDM) grant program delegates authority to staff to make decisions on funding, which is a change in how the program is currently operating.

Reinvest In Minnesota (RIM) Reserve Committee

Jayne Hager Dee reported that the committee has not met. They are scheduled to meet in November.

Water Management and Strategic Planning Committee

Joe Collins said that the committee has not met. They are expecting to hold two meetings before the December Board meeting.

Wetland Conservation Committee

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

Buffers, Soils, and Drainage Committee

LeRoy Ose stated that the committee has not met.

Drainage Work Group (DWG)

Neil Peterson and Tom Gile gave an update on the September and October meetings, including outlet adequacy, notification requirements, and the sunset option for RDSO. A subcommittee to discuss the registry portal concept has been created, which is a good step. Mr. Peterson is hopeful that we can come to some consensus from the drainage authority perspective that we don't need legislation to fix some of these issues. Tom hopes to bring the draft report from the outlet adequacy subcommittee to the Buffers, Soils, and Drainage Committee in December.

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.

ADVISORY COMMENTS

Advisory reports were given by the Minnesota Association of Soil and Water Conservation Districts, Minnesota Association of Townships, and Minnesota Watersheds (meeting with Justin Hanson and Kevin Reich; annual conference, lobbyist succession plan, Local Government Water Roundtable staff meeting, working with BWSR staff regarding potential 103D fixes, and the DWG).

[A ten-minute break was taken.]

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

Board Authorization to Develop a Request for Proposal (RFP) for Fiscal Years 2024 and 2025 Cooperative Weed Management Area (CWMA) Program

Dan Shaw, BWSR explained that the CWMA program started in 2009 and provides financial assistance to develop and sustain CWMAs that control emerging weed threats and manage natural areas and conservation lands through an integrated pest management and ecosystem approach. The Board has previously endorsed an inter-agency granting strategy that includes an interagency project Advisory Team to assist in the development and evaluation of this grant program. The Grants Program and Policy Committee, at their September 18 and October 16, 2023 meeting, reviewed the staff request and recommended approval to the Board. The Board order was unanimously adopted.

Multi-Purpose Drainage Management (MDM) Grants

Tom Gile, BWSR explained that the MDM Grant program has not historically been a heavily used grant program. Staff has been working with drainage interests for more than a year soliciting feedback to assess why the program isn't getting heavy use while there seems to be obvious desire and interest from Drainage Authorities and their partners. The key feedback has been the inflexibility of the 103E directed process and challenges for drainage authorities to align their drainage proceedings with an annual funding cycle. Based on that feedback we are proposing an adjustment to the BWSR grant cycle for this program to allow more readily available funding that can better align with a more rigid 103E process. To do this will require prompt turn around by staff in making awards as well. The Grants Program and Policy Committee, at their September 18 and October 16, 2023 meeting, reviewed the staff request and recommended approval to the Board. The Board order was unanimously adopted.

Soil Health Program Grants

Tom Gile, BWSR explained that during the recent legislative session over \$33 million was appropriated to BWSR for Soil Health related activities. BWSR has also since applied for an NRCS RCPP grant totaling \$25 million. We are currently anticipating NRCS awards announcements this winter. We are asking to allow for a competitive program to increase soil health expertise locally, which will lead to direct increase in local partnerships and landowner engagement. In addition, we plan to distribute a non-competitive Soil Health Program Grant, which will drive locally lead implementation of soil health related activities and practice

installation. Our goal is to have both programs developed and timed as best as we can to coincide with the NRCS RCPP Awards announcement to maximize our proposed contribution with the NRCS Funding should we be awarded. Our state programming is also being designed so that it can function in the same manner with or without Federal Dollars in play providing us with greater flexibility to continue moving forward no matter the NRCS funding decisions. The Grants Program and Policy Committee, at their September 18 and October 16, 2023 meeting, reviewed the staff request and recommended approval to the Board. The Board order was unanimously adopted.

NEW BUSINESS

2024 Proposed BWSR Board Meeting Schedule

Meeting dates are being proposed for board meetings in 2024. Most meetings are the fourth Wednesday of the month, unless otherwise noted. The proposed calendar has meetings held in the same months as the 2023 calendar.

UPCOMING MEETINGS

- Northern Region Committee: November 1 at 11 a.m. in Brainerd and by MS Teams
- BWSR Board Workshop: November 6
- RIM Committee: November 13 at 11 a.m. in St. Paul and by MS Teams
- BWSR Board: December 14 in St. Paul and by MS Teams

The meeting adjourned at 11:35 a.m.

Notes submitted by Jan Voit