

**BOARD OF WATER AND SOIL RESOURCES  
520 LAFAYETTE ROAD NORTH  
LOWER LEVEL BOARD ROOM  
ST. PAUL, MN 55155  
WEDNESDAY, OCTOBER 28, 2020**

**BOARD MEMBERS PRESENT:**

Jill Crafton, Kathryn Kelly, Rich Sve, Andrea Date, Todd Holman, Jayne Hager Dee, Ted Winter, Tom Loveall, Nathan Redalen, Tom Schulz, Gerald Van Amburg, Joe Collins, Harvey Kruger, Paige Winebarger, Neil Peterson, Sarah Strommen, DNR; Thom Peterson, MDA; Joel Larson, University of Minnesota Extension; Steve Robertson, MDH; Katrina Kessler, MPCA

**BOARD MEMBERS ABSENT:**

**STAFF PRESENT:**

John Jaschke, Angie Becker Kudelka, Rachel Mueller, Kevin Bigalke, Dave Weirens, Karli Tyma, Ryan Hughes, Brett Arne, Annie Felix-Gerth, Barb Peichel, Melissa King, Jeremy Olson, Sharon Doucette, Jenny Gieseke, Tom Gile, Julie Westerlund

**OTHERS PRESENT:**

Jeff Berg, MDA; David Hann, Minnesota Association of Townships; Paul Gardner, CWC/MPCA; Emily Javens, Minnesota Association of Watershed Districts; Josie Lonetti, Alex Trunnell, Craig Mell, Jackie Anderson, Mark Doneux

Chair Gerald VanAmburg called the meeting to order at 9:06 AM

**PLEDGE OF ALLEGIANCE**

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20-43

**ADOPTION OF AGENDA** - Moved by Thom Petersen, seconded by Joe Collins, to adopt the agenda as presented. *Motion passed on a voice vote.*

**Roll Call Vote: Adoption of the agenda**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	19			1

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20-44

**MINUTES OF AUGUST 26, 2020 BOARD MEETING** – Moved by Joe Collins, seconded by Neil Peterson, to approve the minutes of August 26, 2020, as circulated. *Motion passed on a voice vote.*

**Roll Call Vote: Approval of the Minutes of August 26, 2020 Board Meeting**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman	X			
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			

Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	19			1

### **PUBLIC ACCESS FORUM**

No members of the public provided comments to the board.

### **REPORTS**

**Chair & Administrative Advisory Committee** – Chair Gerald Van Amburg stated the committee has not met. Thanked Joe Collins for attending the board meeting in person. Chair Van Amburg participated in the EQB meeting on September 9. The 2020 State Water Plan was approved, plan is available on the EQB website. Also discussed the 2020 Pollinator Annual Report at this meeting. The October 21 EQB meeting was a joint meeting with the Climate Change Subcabinet. A draft of the Climate Subcabinet Engagement Concepts was presented. For more information go to [www.climate.state.mn.us/get-involved](http://www.climate.state.mn.us/get-involved) where there is more material available.

Attended the Water Resources Conference October 20-21. It was held virtually and provided good information. Hats off to Joel Larson and others for a successful conference. The Dave Ford award was presented to Dr. Deborah Swackhamer.

Jill Crafton stated there were a lot of good presentations at the Water Resources Conference. The importance of ecosystems was at the heart of a lot of the presentations. Jill is recommending the movie “Kiss the Ground” which gives good information on the ecosystem approach and soil health. Jill stated she received information via the National Izaak Walton League where 41 conservation minded groups are committed to land and water based solutions for climate change.

**Audit and Oversight Committee** – Paige Winebarger reported the committee has not met.

**Executive Director’s Report** - John Jaschke reported that state agencies were directed by MMB that staff will likely continue working from home up until June 2021. We are still in a hiring freeze with a few exemptions being made. BWSR requested two exemptions in the financial services section that were approved by the MMB Commissioner. Will continue to do reassignments as needed. Working on budget preparations and will be presenting to MMB and the Governor’s staff.

BWSR Academy is taking place virtually this week.

Attended joint meeting of EQB and Climate SubCabinet. Outreach to the public, used a tool called Slido that worked well to get input.

Water Resources conference had a lot of good topics. Will try to bring some information items to the board in months ahead.

John reviewed the day-of packet that included the summary of the Drainage Workgroup, Snapshots, Org chart, and updated phone list.

**Dispute Resolution and Compliance Report** – Travis Germundson reported there are presently nine appeals pending. All the appeals involve the Wetland Conservation Act (WCA). There has been one new appeal filed since the last Board Meeting.

File 20-09 (9-23-2020) This is an appeal of a WCA exemption decision in Polk County. The appeal regards the denial of an agricultural exemption request to tile several wetlands. Since the report was issued the appeal has been placed in abeyance for submittal for additional supporting information and they might pursue a replacement plan.

File 20-02 (1-27-2020) This is an appeal of a WCA restoration order in Chisago County. The appeal regards the alleged excavation of new drainage ditches and placement of fill in a wetland. The appeal has been placed in abeyance and the restoration order stayed for the appellant to submit additional documentation in support of the appeal. That decision has been amended to extend the time period on the stay of the restoration order. The appeal was denied, and the Restoration Order affirmed.

File 19-7 (12-20-19) This is an appeal of a WCA replacement plan decision in Hennepin County. The appeal regards the denial of a replacement plan application associated with wetland impacts described in a restoration order. The restoration order was appealed and placed in abeyance until there is a final decision on the wetland application (File 18-3). The appeal has been placed in abeyance until there is no longer mutual agreement on the viability of proposed actions for restoration. *The LGU has since notified BWSR that there is no longer mutual agreement on continuing to hold the appeal in abeyance. As a result, a decision was made to grant and hear the appeal.*

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 99 parcels from the 12 counties BWSR is responsible for enforcement. Staff continue to actively reach out to landowners to resolve any noncompliance on a voluntary basis prior to initiating enforcement action through the issuance of Correction Action Notices (CANs). So far 61 CANs have been issued by BWSR and 14 Administrative Penalty Orders (APO). Of the actions being tracked over 31 of those have been resolved.

\*Statewide 24 counties are fully compliant, and 43 counties have enforcement cases in progress. Those counties have issued a total of 1,167 CANs and 33 Administrative Penalty Orders. Of the actions being tracked over 870 of those have been resolved.

**Grants Program & Policy Committee** – Tom Schulz reported the committee has not met.

**RIM Reserve Committee** – Tom Loveall reported that the committee met and has two items on the agenda today.

**Water Management & Strategic Planning Committee** – Todd Holman reported the committee has not met.

**Wetland Conservation Committee** – Jill Crafton reported committee has not met. Jill asked for an update on the 404 Assumption and WCA Rule comment period. Dave Weirens reported they are waiting for signature from the Governor’s office before they can move onto rule processes.

**Buffers, Soils & Drainage Committee** - Kathryn Kelly reported they met October 22 and Tom Gile will give an update later in the agenda.

**Drainage Work Group (DWG)** - Tom Loveall and Tom Gile reported they met on October 8.

DNR provided an update on internal improvement to their drainage review and processes in an effort to ensure a more repeatable and reliable turn around for items submitted for DNR review by the drainage authorities.

- Spent some time discussing the “103E Technical Fix” language. Last year the DWG asked to spend some time developing a draft of 103E proposed revisions, which more comprehensively includes language referring to Watershed Districts as well as the current County and Joint County Board language throughout 103E. This language was drafted over the winter/spring and provided for comment to a small subset of DWG participants. Upon review it was determined that the volume of changes would likely need a comprehensive opening of 103E to make the changes and that at this time that was not an effort the DWG wanted to move forward in a single recommendation at this time. They felt it was better to hold/refine the revisions for more surgical revisions in a more systematic path.
- Some discussion has come from our recent conversations on 103E financing and it has been requested that a “relatively simple” fact sheet be developed on financing options for Counties and for WDs when various 103E proceedings lead to construction.
  - Overview and Discussion
  - Any DWG members uniquely positioned to assist in the development of a fact sheet?
  - Emphasis on keeping it simple.
  - Provide options and aspects of financing for 103E projects
- Staff is working to develop a survey of potential topics for the DWG to consider in the next year. COVID has made it difficult for robust conversation/debate on topics at the DWG and an effort to consider topics for future discussion.
- EQB/MDA/BWSR staff gave an update on and engaged the DWG on the recent development and posting of the State Water Plan

Next DWG meeting is scheduled for November 12, 2020.

## **AGENCY REPORTS**

**Minnesota Department of Agriculture** – Thom Petersen reported that the implementation for groundwater protection/nitrogen fertilizer role has been going since September 1.

The Water Certification Program continues to grow. Primary goal of the program is water quality improvements but added additional acknowledgements for soil, integrated pest management, and wildlife.

Announced emerging farmers task force. Looking at how to grow farmers in nontraditional ways. Announced Federal CARES funding for farmers who depopulated hogs and turkeys this spring.

**Minnesota Department of Health** – Steve Robertson reported COVID is up with record new cases. Rural areas are being heavily impacted. Straining resources in the Health department, many staff still in reassessment status. Revenues are going to be affected for various department programs.

Coordinating with NRCS on the 2018 farm bill to identify priority areas.

Statewide effort to sample for PFAS in public water systems throughout the state. Aiming to get a monitoring program to manage the situation if compounds are found.

Commented on the Snapshot article of Rock County Rural Water District. Stated it has been very active in source water protection. Will be collaborating with the Department of Agriculture to do monitoring in that area.

**Minnesota Department of Natural Resources** – Sarah Strommen reported outdoor recreation opportunities are up about 11%.

Annual DNR Round Table will be going virtual this year. More details to come.

Four silver carp captured in pool 8 of the Mississippi River and tagged with tracking devices and released back into pool 8 to understand the movements of the fish. This is the first time they've captured and tagged more than one in a single operation.

DNR issued 2 permits to Enbridge Line 3 project, the Gully 20 Fen Calcareous Fen Management Plan and Gully 30 Fen Water Appropriation Permit. Several other permits are still being reviewed.

Neil Peterson thanked Commissioner Strommen for moving forward with the Enbridge Line 3 permits.

Jill Crafton asked if DNR is monitoring the fens and how is the protection insured? Commissioner Strommen stated that it's the conditions of the permit and the management plan that details what they need to follow. Monitoring will be done before and after, there is also a monitoring and feedback session that prevent any damage to the fen.

Jill participated in the upper Mississippi River event yesterday where there was talk about Asian carp below lock and damn 19. Jill asked if there are more opportunities to get resources to help fund the upper Mississippi area? Commissioner Strommen stated she doesn't know of any new funding available for this. The hope is we can take the funding available and be strategic with it.

**Minnesota Extension** – No report was provided.

**Minnesota Pollution Control Agency** – Katrina Kessler reported they completed an update to the state's Nutrient Reduction Strategy. Presented five year update at Upper Mississippi River Basin meeting.

MPCA is actively reviewing Line 3 pipeline permit applications.

In process of reissuing general feedlot permit that expires at the end of January. New permit has already been public noticed.

Supporting Executive Order on climate. Focus teams looking at issues and will bring ideas and strategies forward. If you'd like to attend and bring ideas to a focus teams contact Assistant Commissioner Kessler or Executive Director Jaschke.

Recently evaluated PFAS fish and water quality data from Mississippi River Pool 2 and other metro areas and revised criteria on keeping fish safe for consumption.

Neil Peterson thanked them for their work. Chair Van Amburg stated he appreciates all the work they have been doing.

### **ADVISORY COMMENTS**

**Association of Minnesota Counties** – Rich Sve gave an update from Brian Martinson's email.

AMC is in the middle of their policy development work as they prepare for 2021. Held Fall Policy Committee meetings in mid-September, are now hosting District Meetings and have, in place of our annual conference, a virtual annual business meeting planned for December 7.

AMC has been working closely with Local Government Water Round Table Partners, MAWD and MASWCD, on shared interests over the last few months. This has included a good deal of collaboration and support from BWSR staff, which has been very helpful. The state budget is going to be challenged by the impacts of the pandemic, including special revenue accounts like the Clean Water Fund that support a variety of on the ground efforts, notably 1W1P. Would be helpful for members of this board to be aware and engaged regarding these budget decisions and their impacts on the work of the board and local conservation work, which are state conservation efforts.

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

**Minnesota Association of Soil & Water Conservation Districts** – No report was provided.

**Minnesota Association of Townships** – Nathan Redalen reported there will be a virtual Southern Region Committee meeting in November. Nathan stated he has resigned from his position with Minnesota Association of Townships and will continue serving on the board as he is a township officer.

Nathan stated at the Legislative and Research meeting an item came forward as a resolution that David Hann is standing by to comment on.

David Hann stated the Board of the Association had Legislative and Research committee meeting. A resolution was brought forth by Minerva township in Clearwater County. The township believes there is a problem with a WD project and how the representation of people living in that district happens. They are asking the association to support legislative action to address it. Association is asking BWSR how to proceed with this issue. Executive Director Jaschke asked David to share the resolution with him and he could have a staff assessment done and potentially bring in the AG staff to see what it might mean for their townships concerns.

Emily Javens also said David Hann could contact her and she could help sort it out and understand some of the statutes. *(NOTE: MAWD ED Emily Javens followed up directly with Mr. Hann to clarify the location and the details of the concern.)*

**Minnesota Association of Watershed Districts** – Emily Javens reported their conference will be held virtually this year December 1 through 3. Registration will go online next week.

**Natural Resources Conservation Service** – Troy Daniell reported that they will get the Red Lake Watershed District RCPP agreement together soon. Regional Conservation Partnership Program has ongoing RFP ending mid-November. EQIP sign up was announced for FY21 as well as the Agricultural Conservation Program (ACP).

Neil Peterson thanked Troy for their work in his area.

Chair Van Amburg recessed the meeting at 10:59 a.m. and called the meeting back to order at 11:10 a.m.

## **COMMITTEE RECOMMENDATIONS**

### **RIM Reserve Committee**

**Jeff Hanratty RIM Easement Alteration (43-02-87-01)** – Karli Tyma presented Jeff Hanratty RIM Easement Alteration (43-02-87-01)

BWSR acquired the 9.3 acre RIM Reserve easement in McLeod County on May 6, 1988. In November of 2019, the current landowner, Jeff Hanratty, purchased the parcel containing the RIM easement.

The RIM easement abuts a public road right-of-way and the only access from the public road onto the parcel runs directly into the easement area. The landowner is interested in utilizing an area on the property as a permanent site to park his trailer which would involve frequent mowing, constructing an outhouse or septic and potentially installing a concrete slab in the future. He is proposing to release 1.5 acres of easement land immediately adjacent to the sole access point to utilize for these purposes. The other upland areas of the parcel, not under easement, which the landowner considered utilizing for these purposes would not be accessible as they are either landlocked due to the RIM easement being in place along with an existing wetland near the center of the parcel or do not have an existing access from the public road.

The landowner has offered to add 3.9 acres of cropland acres and another 5.1 acres of existing wetland to the easement, for a total of 9 acres, in exchange for releasing the 1.5 acres for the purposes described. He had originally considered enrolling those tillable acres into the current MN CREP program, but would rather offer those acres as replacement acres and receive no financial gain, if it would allow him to release the area adjacent to the access for his future enjoyment of the property. Adding these 9.0 acres to the easement would greatly exceed the required 2:1 replacement ratio under BWSR's Easement Alteration Policy, at 6:1.

The landowner has identified in his proposal how the public benefit and general welfare would be better served by this change to the easement area. The change will add over 500 feet of riparian buffer along Clear Lake as well as the preservation of land around an existing wetland in the center of parcel. The added acres will reduce soil erosion and nutrient runoff into Clear Lake by decreasing sheet flow across the property. In addition to pheasant and other songbird nesting habitat that the easement provides,



this will create a significant increase in waterfowl nesting habitat directly adjacent to Clear Lake where currently none exists. Additionally, it will create an additional grassland corridor for wildlife travel along the southwest side of Clear Lake. The 1.5 acre portion proposed for removal would have less overall value in terms of habitat or riparian protection.

Both the McLeod SWCD and the MN DNR Area Wildlife Supervisor have submitted letters in support of Mr. Hanratty’s original proposal, which has since been revised to reduce the number of acres released and increase the replacement area at the request of the RIM Reserve Committee. The RIM Reserve committee unanimously approved the revised proposal at their September 30, 2020 meeting.

*Recommendation*

Staff recommend approval of this request. The 9 acres being offered as replacement well exceeds the 2:1 acreage replacement criteria and would increase and enhance the wildlife habitat value and riparian protection of Clear Lake. The landowner’s proposal meets all other requirements of the Easement Alteration Policy and is supported by the McLeod SWCD, DNR Area Wildlife Supervisor, and BWSR RIM Reserve committee.

Kathryn Kelly thanked the staff for their work.

Tom Loveall stated he thinks we’ll keep having RIM acres being looked at for development purposes. Suggested we think about if we should have some parameters or guidance on development.

Chair Van Amburg agreed with Tom.

Jill Crafton stated she shared Tom’s concerns.

Kathryn Kelly stated they discussed it at the committee meeting and agrees with Tom. Stated the staff found out as much as they could. Kathryn agrees that they need to look at the requests individually.

Tom Loveall noted that there was a more than 2:1 ratio.

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20-45 Moved by Kathryn Kelly, seconded by Joe Collins, to approve the Jeff Hanratty RIM Easement Alteration (43-02-87-01). **Motion passed on a voice vote.**

**Roll Call Vote: Approval of the Jeff Hanratty RIM Easement Alteration (43-02-87-01)**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman				X
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X

Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	18			2

**2019 Clean Water Fund Appropriation Easement Type Realignment** – Sharon Doucette presented 2019 Clean Water Fund Appropriation Easement Type Realignment.

Laws of Minnesota 2019, 1<sup>st</sup> Special Session, Chapter 2, Article 2, Section 7(f) appropriated Reinvest in Minnesota (RIM) Reserve funds to the Board of Water and Soil Resources (BWSR) from the Clean Water Fund to “purchase, restore, or preserve riparian land adjacent to lakes, rivers, streams, and tributaries, by easements or contracts, to keep water on the land to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge.”

Laws of Minnesota 2019, 1<sup>st</sup> Special Session, Chapter 2, Article 2, Section 7(p) allows the Board to “shift grant, cost-share, or easement funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.”

The Minnesota Conservation Reserve Program (CREP) began in May 2017. Four water quality conservation practices are eligible for enrollment: CP2 – Establishment of Permanent Native Grasses (Wellhead Protection Areas), CP21 – Filter Strips, CP23 – Wetland Restoration, Floodplain, and CP23A – Wetland Restoration, Non-Floodplain.

The initial MN CREP proposal anticipated Conservation Reserve Program (CRP) acreage enrollment to be as follows:

- CP2 – 3,000 acres – 5%
- CP21 – 30,000 acres – 50%
- CP23 & CP23A – 27,000 acres – 45%
  - CP23 – 9,000 acres – 30%
  - CP23A – 18,000 acres – 15%

CRP acreage selected for funding through batching period 20-04 (August 10) is as follows:

- CP2 – 378.9 acres – 2%
- CP21 – 700.8 acres – 4%
- CP23 & CP23A – 17,745.5 acres – 94%
  - CP23 – 4,939.5 acres – 26%
  - CP23A – 12,806.1 acres – 68%

With 68% of the acres enrolled being in the form of the CP23A – Wetland Restoration, Non-Floodplain practice and 94% of the acres enrolled being in the form of both wetland practices (CP23 and CP23A), appropriations specifically for wetland practices have been utilized at a much higher rate than anticipated. Shifting easement funds to better align with CREP practice interest and enrollment will allow the state to leverage additional federal funds and meet the needs of landowners.

Jill Crafton asked how long they are locked up, is it permanent or is there an expiration time? Sharon stated RIM easements are all perpetual. CRP contract is their standard 14-15 year CRP contract with FSA.

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20-46 Moved by Tom Loveall, seconded by Jill Crafton, to approve the 2019 Clean Water Fund Appropriation Easement Type Realignment. **Motion passed on a voice vote.**

**Roll Call Vote: Approval of the 2019 Clean Water Fund Appropriation Easement Type Realignment**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman				X
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	18			2

**Northern Region Committee**

**Buffalo-Red River Comprehensive Watershed Management Plan** – Neil Peterson, Ryan Hughes, and Brett Arne presented Buffalo-Red River Comprehensive Watershed Management Plan

The Buffalo-Red River Watershed is a diverse mix of agriculture, urban and rural settings, lakes, forests, and wetlands. The BRRW planning area drains 1,786 square miles and covers significant portions of Becker, Clay, and to a lesser extent Otter Tail and Wilkin Counties. The planning group received a grant through the One Watershed, One Plan program in 2017 to begin the process of developing a comprehensive watershed management plan.

On September 18, 2020, BWSR received the final Plan, a recording of the required public hearing, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan.

BWSR staff completed its review and subsequently found the Plan meets the requirements of Minnesota Statutes and BWSR Policy.

On October 7, 2020, the Northern Regional Committee met to review and discuss the Plan. The Committee’s decision was to recommend approval of the Buffalo-Red River Watershed Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

Jill Crafton stated that it’s good to see more plans embracing soil health.

Jayne Hager Dee stated the maps and the photos told her a lot.

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20-47 Moved by Neil Peterson, seconded by Tom Schulz, to approve the Buffalo-Red River Comprehensive Watershed Management Plan. **Motion passed on a voice vote.**

**Roll Call Vote: Approval of the Buffalo-Red River Comprehensive Watershed Management Plan**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman				X
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson	X			
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair			X	
<b>TOTALS</b>	17		1	2

**Central Region Committee**

**Rice Creek Watershed District boundary change** – Annie Felix-Gerth presented Rice Creek Watershed District boundary change

A petition for a boundary change of the Rice Creek Watershed District (RCWD) and Vadnais Lakes Area Watershed Management Organization (VLAWMO) has been filed with Minnesota Board of Water and Soil Resources (BWSR) by the two watershed organizations. The proposed boundary change, located in Ramsey County, Minnesota, would correct the assessment designation of five parcels along the common boundaries of the watershed management organizations.

Jill Crafton asked if any of the details of the parcels are relevant? Annie stated the reasoning of the alignment was because of an art center being developed. Did not include in the petition because it didn't have to do a hydrologic reason but wanted to make sure the parcels were in the correct area.

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20-48 Moved by Joe Collins, seconded by Jill Crafton, to approve the Rice Creek Watershed District boundary change. ***Motion passed on a voice vote.***

***Roll Call Vote: Approval of the Rice Creek Watershed District boundary change***

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman				X
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	17			3

**Lower St. Croix River Comprehensive Watershed Management Plan** – Barb Peichel presented Lower St. Croix River Comprehensive Watershed Management Plan

The Lower St. Croix River Watershed planning boundary encompasses approximately 915 square miles including parts of Pine, Chisago, Isanti, Anoka, and Washington Counties. Less than half of one percent of the watershed lies in Ramsey County. There are 60 municipalities and townships located completely

or partially within the boundaries of the watershed. Additionally, there are seven watershed management organizations in the watershed.

The Lower St. Croix Comprehensive Watershed Management Plan (Plan) was developed as part of the State of Minnesota's One Watershed One Plan (1W1P) program. The State's vision and purpose of the 1W1P program is to align local water planning on major watershed boundaries with state strategies towards prioritized, targeted, and measurable implementation plans. The process results in a comprehensive watershed plan and offers the opportunity for groups and organizations to work together in both planning and implementation across jurisdictional boundaries. While the Plan is comprehensive in that it includes improvements and protection for a variety of natural resources across a large geographic area, it also incorporates detail in its prioritization and targeting actions and outcomes for specific waterbodies.

Priority activities to meet Plan goals include providing financial and technical assistance for installing, implementing, or retrofitting targeted BMPs, upgrading SSTS, restoring shorelines along priority lakes, restoring or creating wetlands, improving ditch maintenance practices to reduce impacts on water resources, and providing cost share for land restoration or easement establishment in critical habitat areas. Priority Plan activities also include sharing services to increase engagement with agricultural landowners, enhance education and engagement programs, and provide support for ordinance development in urban areas. Additional Plan Priorities include conducting subwatershed analyses and other prioritization methods to target best management practices (BMPs) within priority subwatersheds and addressing internal nutrient loading in priority lakes.

Measurable outcomes will be realized in priority locations across the watershed with quantifiable implementation and change measured in a variety of ways including annual pollution reduction goals of 1,363 pounds total phosphorus in regionally significant lakes and 4,140 pounds total phosphorus in key subwatersheds draining to the St. Croix River by the end of the 10-year period. Some of the more significant priority locations where the bulk of the implementation will be focused include the Sunrise River Watershed (highest contributor of total phosphorus in Lake St. Croix), subwatersheds of tributaries draining directly to the St. Croix River, regionally significant lakes, areas where groundwater is sensitive to pollution, and lands where critical habitat needs protection or areas suitable for wetland restoration or creation. The total estimated cost of the 10-years of implementation activities is \$15.58M of which \$8.85M will need to come from external (non-local) sources of funding.

On August 6, 2020, BWSR received the Plan, a recording of the public hearing, and copies of all written comments pertaining to the Plan for final State review. The planning partnership has responded to all comments received during the 60-day review period and incorporated appropriate revisions to the final Plan. BWSR staff completed its review and subsequently found the Plan meets the requirements of Minnesota Statutes and BWSR Policy.

On October 13, 2020, the Central Region Committee met to review and discuss the Plan. The Committee's decision was to recommend approval of the Lower St. Croix Watershed Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

Jill Crafton stated she would like to have issues listed in the Executive Summary included in the board order. Kevin Bigalke referred to the Board Order item six the Plan Summary and Highlights section. Kevin stated that issues are not typically listed in the order but are within the plan. The board order approves

and authorizes the plan as its laid out and approves the issues identified. Jill thought it could be important for transparency to have it listed in the board order.

Joe Collins stated he thinks it's a well written plan and is unique in the metro area.

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20-49 Moved by Joe Collins, seconded by Kathryn Kelly, to approve the Lower St. Croix River Comprehensive Watershed Management Plan. **Motion passed on a voice vote.**

**Roll Call Vote: Approval of the Lower St. Croix River Comprehensive Watershed Management Plan**

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman				X
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	17			3

**Capitol Region Watershed District Watershed Management Plan – Melissa King presented Capitol Region Watershed District Watershed Management Plan**

**Background**

The Capitol Region Watershed District (CRWD) is a special purpose unit of government that was established on September 23, 1998 by order of the Board of Water and Soil Resources (BWSR) in response to a petition filed by residents within the watershed who sought to improve the quality of Como Lake. The CRWD seeks to achieve its vision of 'Cleaner waters through innovative, resilient, effective and equitable watershed management in collaboration with diverse partners'. CRWD's first watershed management plan was approved in 2000. The most recent watershed management plan was approved by the Board on August 26, 2010.

The CRWD is 40.6 square miles, located in southwestern Ramsey County and includes portions of the Cities of Falcon Heights, Lauderdale, Maplewood, Roseville, and St. Paul and the Minnesota State Fairgrounds and University of Minnesota St. Paul Campus. The confluence of the Mississippi and Minnesota Rivers is near the District's southern boundary and a number of water resources are present in the CRWD, including Como, McCarrons, Loeb and Crosby lakes as well as several wetlands. The watershed is fully developed and contains areas of dense urban development, including St. Paul's Central Business District. Land use in the District is primarily single-family residential (46%), with commercial and industrial land uses generally located along the major roadway and rail corridors. The Metropolitan Council has identified areas of concentrated poverty (ACP50) – census tracts where greater than 50% of the residents are people of color and at least 40% of the residents living below 185% of the federal poverty threshold—which are present in the eastern half of the watershed.

### *Plan Process and Highlights*

CRWD formally initiated the planning process for the 2021-2030 Watershed Management Plan (Plan) on January 16, 2019. As required by MR 8410, a specific process was followed to identify and assess priority issues. Beginning in February 2019, the CRWD implemented a robust stakeholder outreach effort to solicit input for the 10-year update to the Plan. Notification and request for input was sent to State review agencies and municipal and regional stakeholders on February 8, 2019. Beginning in April 2019, multiple outreach activities were also conducted which included: workshops with the CRWD Board of Managers, staff, technical advisory committee (TAC), and citizen advisory committee (CAC); four community conversation events with watershed residents; face-to-face meetings with three St. Paul District Councils and six community organizations representing different cultural and ethnic groups; and in-person and online surveys. The initial kick-off and planning meeting was held on May 22, 2019 as a workshop for the TAC and local partners. The CRWD received over 800 comments from the combined variety of outreach activities completed from February through June 2019.

CRWD utilized the input received to categorize, define and identify the nine Plan themes, eight resource and organization issue categories, 64 goals and many Plan implementation activities. Implementation activities and projects were prioritized into one of three classification levels: critical, important, or beneficial. Five subwatershed areas were also targeted with consideration to natural resources, water quality goals, stakeholder input and/or geographic distribution of water quality improvement projects. Three of the five subwatersheds (Phalen Creek, Saint Anthony Hill, Trout Brook) correspond to areas of racially concentrated poverty (ACP50) within CRWD; which were targeted to help CRWD achieve goals that seek to improve representation and diversity, inclusion and equity and to focus Plan implementation including CRWD program, community engagement, and planning efforts.

Some Plan highlights include:

- Continuation of the 'Bring Water Back' campaign and promotion of the physical restoration of water resources and wetlands and daylighting piped streams
- A commitment to achieve specific water quality standards and ecological health goals for Como, McCarrons and Crosby Lakes.
- A commitment to offset the stormwater impacts of development by maximizing the natural water retention, storage and infiltration capacity of the watershed.
- Continued implementation of a robust Monitoring, Assessment, and Research Program.
- Implementation of a Diversity & Inclusion Program with a commitment to provide greater representation, diversity, inclusion and equity to CRWD operations, programs and activities.
- A community engagement program that integrates art and innovative methods to communicate with and educate residents.



- A commitment to develop relationships with audiences that have been and provide grant program outreach and implementation in underserved areas.
- Strengthening community resiliency and mitigating the impacts of climate change.
- Consideration of requirements for land-disturbances less than 1 acre, for chlorides and to incentivize green infrastructure.
- A diversified funding plan that recognizes cost savings through partnerships and coordination.

#### *Formal Plan Review Process*

The draft Plan was submitted to the Board, other state agencies, and local governments for the formal 60-day review on July 14, 2020 pursuant to Minnesota Statutes Section 103B.231, Subd. 7. The draft Plan was also made available for comment by the general public. The CRWD prepared a written response to the 60-day comments and then held a public hearing on August 19, 2020. Once the Plan revisions to address comments received were completed, the CRWD Board of Managers passed a resolution to send the revised draft Plan to BWSR (and State Review Agencies) for the final 90-day review and approval. This was received by the Board on September 9, 2020. Comments received during the 90-day review period indicated that the reviewers had no further comments.

#### *Recommendation*

On October 13, 2020, the Board's Central Region Committee and staff met with representatives from the CRWD in St. Paul and virtually via WebEx, to review and discuss the final Plan. The Committee's decision was to recommend approval of the CRWD Watershed Management Plan by the Board per the attached draft Order.

Jill Crafton thinks they've done a great job trying to work on water quality and water improvement.

Joe Collins wanted to recognize and thank Melissa for her work. Joe stated that Capitol Region is a great organization. They need active participation from public and private partners. Joe stated if we want to solve climate change we need community resiliency but also need community engagement. Van Amburg stated he agrees with Joe, we have to represent everyone and have everyone on board.

Tom Loveall asked for clarification in the board order item 13 where it talks of *underserved areas* in the Plan Summary. Joe stated it's an effort to make sure they reach all constituents, including lower income and diverse populations. Goal is to have more community resiliency.

Ted Winter asked if all the organizations that make up this watershed district have been on board and if any letters of support were received? Joe stated they worked closely with the city of St. Paul, Ramsey County, Ramsey County Commissioners, and with St. Paul's Water Resources Coordinator. Stated there was a Citizen Advisory Group that met and commented. Melissa King stated in the board order under item 5, it lists who submitted comments during the review period.

Harvey Kruger asked for clarification in the board order where number 4 shows the effective date through October 31, 2030 and not October 28. Executive Director Jaschke stated they usually use dates issued through the end of the month.

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20-50 Moved by Joe Collins, seconded by Kathryn Kelly, to approve the Capitol Region Watershed District Watershed Management Plan. ***Motion passed on a voice vote.***

***Roll Call Vote: Approval of the Capitol Region Watershed District Watershed Management Plan***

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins			X	
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman				X
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			
Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall	X			
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	16		1	3

## NEW BUSINESS

**2021 Proposed BWSR Board Meeting Schedule** – John Jaschke presented 2021 Proposed BWSR Board Meeting Schedule.

Meeting dates are being proposed for board meetings in 2021. Most meetings are the fourth Wednesday of the month, unless otherwise noted. The proposed calendar has meetings held in the following months: January, March, April, May, June, August, September, October, and December.

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20-51 Moved by Joe Collins, seconded by Jayne Hager Dee, to approve the 2021 Proposed BWSR Board Meeting Schedule. ***Motion passed on a voice vote.***

### ***Roll Call Vote: Approval of the 2021 Proposed BWSR Board Meeting Schedule***

Name of Board member	Affirmative	Opposed	Abstained	Absent
Joe Collins	X			
Jill Crafton	X			
Andrea Date	X			
Jayne Hager Dee	X			
Steven Robertson (MDH)	X			
Todd Holman				X
Katrina Kessler (MPCA)	X			
Kathryn Kelly	X			
Harvey Kruger	X			

Sarah Strommen (DNR)	X			
Joel Larson				X
Tom Loveall				X
Neil Peterson				X
Nathan Redalen	X			
Tom Schulz	X			
Thom Petersen (MDA)	X			
Rich Sve	X			
Paige Winebarger	X			
Ted Winter	X			
Gerald Van Amburg, Chair	X			
<b>TOTALS</b>	16			4

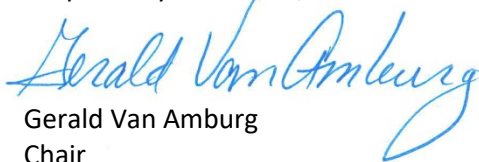
**UPCOMING MEETINGS**

- Next BWSR Meeting is scheduled for 9:00 AM, December 17, 2020 by WebEx.

John Jaschke stated open board positions will be posted in November.

Chair VanAmburg adjourned the meeting at 12:27 PM.

Respectfully submitted,



Gerald Van Amburg  
Chair