

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD NORTH
LOWER LEVEL BOARD ROOM
ST. PAUL, MN 55155
WEDNESDAY, SEPTEMBER 22, 2021**

BOARD MEMBERS PRESENT:

Joe Collins, Jill Crafton, Andrea Date, Jayne Hager Dee, Kathryn Kelly, Neil Peterson, Rich Sve, Gerald Van Amburg, Ted Winter, LeRoy Ose, Kelly Kirkpatrick, Eunice Biel, Todd Holman, Ronald Staples, Mark Zabel, Katrina Kessler, MPCA; Joel Larson, University of Minnesota Extension; Jeff Berg, MDA; Steve Robertson, MDH; Sarah Strommen, DNR

BOARD MEMBERS ABSENT:

STAFF PRESENT:

John Jaschke, Angie Becker Kudelka, Rachel Mueller, Kevin Bigalke, Tom Gile, Travis Germundson, Chad Severts, Brittany Polzin, Rick Ingli, Sharon Doucette, Teressa Pickar, Jeremy Olson, Dave Weirens, Ryan Hughes, John Voz, Ed Lenz, Marcey Westrick

OTHERS PRESENT:

Brian Martinson, AMC; Emily Javens, MAWD; Karl-Christian Johannessen, Minnesota Association of Townships; Sheila Vanney, MASWCD; Alex Trunnell, Megan FitzGerald, Zach Gutknecht

Chair Gerald VanAmburg called the meeting to order at 9:02 AM

PLEDGE OF ALLEGIANCE

21-34 **ADOPTION OF AGENDA** - Moved by Kathryn Kelly, seconded by Jill Crafton, to adopt the agenda as presented. ***Motion passed on a voice vote.***

21-35 **MINUTES OF AUGUST 26, 2021 BOARD MEETING** – Moved by Jayne Hager Dee, seconded by Jill Crafton, to approve the minutes of August 26, 2021, as amended. ***Motion passed on a voice vote.***

PUBLIC ACCESS FORUM

No members of the public provided comments to the board.

INTRODUCTION OF NEW BOARD MEMBER

Chair VanAmburg welcomed new board member Mark Zabel, soil and water conservation district.

INTRODUCTION OF NEW STAFF

Jeremy Olson introduced new employee Teresa Pickar Financial Analyst.

Sharon Doucette introduced two new Easement Acquisition Specialists Rick Ingli and Brittany Polzin.

CONFLICT OF INTEREST DECLARATION

Chair Van Amburg read the statement:

“A conflict of interest, whether actual, potential, or perceived, occurs when someone in a position of trust has competing professional or personal interests, and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to declare conflicts of interest they may have regarding today’s business. Any member who declares an actual conflict of interest must not vote on that agenda item. All actual, potential, and perceived conflicts of interest will be announced to the board by staff before any vote.”

Chair VanAmburg and Executive Director Jaschke stated if a member has a conflict during the vote they may recuse themselves.

REPORTS

Chair & Administrative Advisory Committee – Chair Gerald Van Amburg reported the committee has not met.

Chair Van Amburg attended the September 15 EQB meeting where approval was given for a resolution to implement a pilot program for integrating climate change information into the Environmental Review Program. Chair Van Amburg stated EQB’s new Chair is Margaret Anderson Kelliher.

Executive Director’s Report - John Jaschke reported the Climate Subcabinet is working to engage with the citizens of Minnesota on a framework that is an outline of what the state should or could do going forward. Agencies who are members of the Climate Subcabinet have been starting that effort both together and separately and it will continue over the next few months. There is a website set up with a portal for interested parties to contribute ideas or questions.

John stated there have been more opportunities to attend activities similar to the BWSR Board tour in August. The Soil and Water Conservation Districts are having Area meetings and some have included a tour. The Red River Basin Commission had a meeting and tour of the Fargo Morehead Diversion Project. The Clean Water Council had a tour in southwest Minnesota. The Legislative Bonding Committee is touring this week in northwest Minnesota.

John also stated BWSR is beginning to work on the process of developing ideas to be considered by the Governor and the Legislature in 2022.

John reviewed the day-of-packet that included a board order for FY2022 SWCD Local Capacity Grants Program and FY2021 SWCD Local Capacity Grants Allocation Table. There was a resolution for RIM Reserve Riparian Programs Authorization: OHF Riparian Buffer Conservation Easement Program and CWF Pilot Working Lands Floodplain Program. The packet also included a BWSR staff listing, an updated organizational chart and October SnapShots. The phone list is no longer included in the packet as it can be located on the BWSR website.

Audit and Oversight Committee – Joe Collins reported the committee has not met.

Dispute Resolution and Compliance Report – Rich Sve reported the committee has not met. Travis Germundson reported there are three new appeals.

File 21-3 This is an appeal of a WCA Restoration Order in Mille Lacs County. The Restoration Order regards the unauthorized wetland impacts associated with the construction of a pole building and building pad. No decision has been made on the appeal.

File 21-2 This is an appeal of a WCA Restoration Order in Polk County. The Restoration Order is for the unauthorized wetland impacts associated with the construction of a ditch and placement of spoil material within a wetland bank easement site. They have met with staff and the LGU and has decided to restore the site. The appeal has been withdrawn and the case dismissed.

File 21-1 This is an appeal of a WCA Notice of Decision involving a no-loss determination in Kittson County. The appeal regards the denial of a no-loss determination for wetland impacts associated with the construction of road, ditch, and additional fill material. The appeal has been placed in abeyance for a submittal of a new application which will include components of restoration and replacement.

Buffer Compliance Status Update: BWSR has received Notifications of Noncompliance (NONs) on 93 parcels. Currently there are no active Corrective Action Notices (CANs) and 6 Administrative Penalty Orders (APOs) issued by BWSR that are still active. Of the actions being tracked, over 86 of those have been resolved.

Statewide 30 counties are fully compliant, and 51 counties have enforcement cases in progress. Of those counties (with enforcement cases in progress) there are currently 775 CANs and 59 APOs actively in place. Of the actions being tracked over 1,811, have been resolved.

Grants Program & Policy Committee – Todd Holman reported they've had three meetings where two of those meetings resulted in an action in the board agenda today. Will be having a committee meeting in October.

RIM Reserve Committee – Jayne Hager Dee reported they met on September 8 and have six recommendations for the board to take action on later in the agenda. There is an updated board resolution for one of the items included in the day of packet.

Jayne stated the Committee will be meeting in the future to consider an update in payment rates and will look at revising the formula for working lands, wellheads, and temporary easements. They will also discuss payments to SWCDs for their assistance. The Committee will also look at working lands and temporary easement options that may come out of the Clean Water Fund Buffers Program that will need to be developed.

Water Management & Strategic Planning Committee – John Jaschke reported the committee has not met. Staff will work with the Committee on a schedule for updating the agency’s Strategic Plan.

Wetland Conservation Committee – Jill Crafton reported the committee has not met.

Buffers, Soils & Drainage Committee – Kathryn Kelly reported the committee has not met.

Drainage Work Group (DWG) – Tom Gile reported there was an abbreviated Drainage Work Group meeting in September where they talked about the Multi-Purpose Drainage Management Grant Program and discussed potential updates to the Drainage Manual. At the October meeting they will bring back agenda items they didn’t get to at the September meeting and will have an updated draft of the Drainage Manual.

AGENCY REPORTS

Minnesota Department of Agriculture – Jeff Berg reported Commissioner Peterson is at the National Association of State Departments of Agriculture meeting. Jeff stated they are continuing to monitor the drought. They have been visiting farms and continue to update their drought webpage. The Rural Finance Authority Board has issued a Disaster Declaration for the State of Minnesota and now has no-interest loans available for Minnesota farmers. The Governor has waived the hours of service for transporting livestock, storage, water, etc. across the state to allow more transportation options for farmers. Jeff thanked BWSR and DNR for working with MDA to make land available for haying and grazing to those farmers needing it during the drought. Jeff stated there is an expected upcoming special session for workers with COVID and there may be a package to help livestock and specialty growers with drought issues.

The Ag Water Quality Certification Program has 800,000 acres with 1,100 producers. Jeff stated that with this program they can track different resources.

Minnesota Department of Health – No report provided.

Minnesota Department of Natural Resources – Sarah Strommen reported they are managing the drought conditions across Minnesota and with the rain we’ve received many of the restrictions and permits during the peak time of the drought have been removed. Stated she attended a Greenwood Fire morning briefing and thanked them for their work this fire season. The fire season has lasted longer than normal and the number of fires have been high this year.

Commissioner Strommen stated the DNR Future Funding Initiative will look at funding conservation and outdoor recreation in Minnesota. She also stated they will be celebrating Climate week with a few activities.

Jill Crafton asked with the focus on climate could we come up with some metrics for private landowners. Commissioner Strommen stated the Climate Cabinet has a public engagement experience open to talk about a Draft Climate Plan and some of the metrics that we want to focus on as a state around climate.

Minnesota Extension – Joel Larson reported the Minnesota Water Resources conference is October 19 and 20 and will be held virtually.

Joel stated they are working on agreement with Lower Saint Croix Watershed Partnership to provide funding for an extension educator, focusing on agriculture and water management issues. Part of their effort is to implement their comprehensive watershed management plan. Joel stated it will be a potential model to help connect watersheds with the University as they move forward from planning to implementation of their watershed plans.

Minnesota Pollution Control Agency – Katrina Kessler reported State Agencies are leading the development of a climate action framework under Governor Walz’s Executive Climate Order and from the direction of the Climate Change Subcabinet. Available on the DNR website, you can read about the topics they have listed, share your ideas, and see ideas proposed by others. The ideas and solutions contributed will help create a platform for climate action.

Katrina stated there is a Climate Conversations Tool Kit also found on the DNR website. It allows anyone to bring a group of people together and host a conversation about climate change.

Katrina attended the DNR emerald ash borer tree planting event on Monday. She stated yesterday they hosted an event with the city of Faribault where they visited local leaders, business representatives, and nonprofits representatives about how they are working as a community to build resilience. They also visited projects in their city.

Katrina stated during the last legislative session they received new money to develop a grant program for local units of government, tribes, watershed districts, and soil and water conservation districts to help them with their resilience planning. They are developing the criteria and will be putting a request for proposals out by the end of the year.

They are anticipating the passing of the Federal Infrastructure Bill at the national level. They are hopeful that the work being done at state and local levels will prepare and help everyone be competitive when the federal infrastructure package is released.

Jill Crafton asked if there is a contact person for the prioritizing of resiliency. Katrina stated she is the lead in the Resilience and Adaptation Action Team where they are primarily focused on building resilience in infrastructure while overlapping with the Natural Working Lands Team.

ADVISORY COMMENTS

Association of Minnesota Counties – Brian Martinson thanked BWSR for the great board tour last month. Stated AMC had their fall Policy Conference last week, which marks the beginning of their policy and priority development for next year. Over the coming months they’ll be working with members to update the policy platform where it will be voted on at annual conference in December. They have designated five new priorities for the Environmental Natural Resources Policy Committee that will go out to the districts to be voted on and will also be approved at the annual meeting in December.

AMC continues work to support cleanup of forfeiture sites.

AMC continues to seek a resolution to the DNR Public Waters Inventory work. Brian stated they would like to see a thorough review of changes being made to the inventory and find a resolution with DNR over the coming months.

Brian stated on the agenda today the Board will be considering the Natural Resources Block Grant. One addition to that appropriation is a new investment in grants to address failing septic systems. This is being incorporated in the grant funding and is also administered by BWSR with MPCA grant funds for the same purpose. They have additional requirements that could complicate it but wanted to thank BWSR and MPCA staff for their efforts.

Brian stated the Local Government Water Roundtable met and talked about their work together in support of implementation funding for One Watershed One Plan. They were happy to see an increased investment this past session and are discussing strategies on how to better market the program and the need for continued growth to adequately fund these plans in the future.

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

Minnesota Association of Soil & Water Conservation Districts – Sheila Vanney reported their annual convention is planned as an in person meeting December 12th through the 14th in Bloomington. Sheila stated there is an action item on the agenda today for SWCD Capacity Grant Authorization and wanted to thank BWSR staff Marcey Westrick and Kevin Bigalke for their work.

Minnesota Association of Townships – Eunice Biel reported Minnesota Association of Township (MAT) staff are offering Township Tuesday virtual calls on the first and third Tuesday of the month. The purpose of these calls to connect MAT staff on updates and ask questions about any topics. In October MAT is offering training around the state and also offer online classes. Eunice stated the American Rescue Plan Act was signed in March of 2021 by President Biden. It provides stimulus to individuals, businesses, and government entities to assist with COVID. MAT will receive a portion of the \$350M to help townships that need it.

Minnesota Association of Watershed Districts – Emily Javens reported she testified at the Subcommittee on Minnesota Water Policy on their need to have the Watershed District levy cap lifted or removed. Then they can accelerate implementation of projects identified in One Watershed One Plans. They are asking the legislators to consider capacity of all local water governments when they try to figure out the capacity funding issues of SWCDs.

Natural Resources Conservation Service – No report was provided. John Jaschke stated they meet monthly with LeAnn Buck and will include information in the Executive Director report in the future if Troy is unable to join us.

Gerald Van Amburg recessed the meeting at 10:33 a.m. and called the meeting back to order at 10:38 a.m.

COMMITTEE RECOMMENDATIONS

Grants Program and Policy Committee

Fiscal Year 2022 and 2023 Natural Resources Block Grants Authorization – Kevin Bigalke and Marcey Westrick presented Fiscal Year 2022 and 2023 Natural Resources Block Grants Authorization.

On June 23, 2021, the Fiscal Years 2022 and 2023 Provisional Natural Resources Block Grant Authorization was approved under Board Order 21-17. At the time of this authorization, the appropriation language was not finalized, and additional monies were included for the Natural Resources Block Grants under the Laws of Minnesota 2021, 1st Special Session, Chapter 6, Section 4(a). In addition to the fiscal year 2022 and 2023 LWM, WCA and DNR Shoreland Natural Resources Block Grant funds, BWSR also received \$1,400,000 for the first year to provide grants to rural landowners to replace failing septic systems that inadequately protect groundwater.

The Grants Program & Policy Committee (GP&P) reviewed the recommendations at their September 8th meeting and recommended approval of the order to the board.

Jill asked if the MPCA or someone has a mapping of upstream or downstream issues. Katrina Kessler stated they have maps and are using GIS data provided by counties.

Ted Winter asked how much money is given to an individual to update their septic system from the county? Kevin Bigalke stated there are two components with the new money. The first one BWSR received for SSTS upgrades that go directly to low income homeowners under 300% of the federal poverty guideline limit. There is a limit of \$5,000 or 35% of the cost of the system or whichever number is less. The second is for MPCA funds where they could potentially fund a whole system. BWSR SSTS money and MPCA money can be used together. Ted asked where the LWM Funding for each county goes. Marcey stated that it goes toward their local water management.

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21-36 Moved by Joe Collins, seconded by Kelly Kirkpatrick, to approve the Fiscal Year 2022 and 2023 Natural Resources Block Grants Authorization. ***Motion passed on a roll call vote.***

FY 2022 SWCD Local Capacity Grant Authorization – Marcey Westrick presented FY 2022 SWCD Local Capacity Grant Authorization.

The Grants Program and Policy Committee reviewed options for calculating the allocation formula and grants for the FY22 SWCD Local Capacity grants and is recommending approval.

Chair Van Amburg asked how the 2% allocation worked out. Marcey stated in the past for fiscal year 20-21 there was a 1% allocation and that has been increased to a 2%. John Jaschke stated that it's a statutory amount and is consistent with the necessary and direct requirements of other parts of the statute that use Legacy Funding and they also have to follow MMB's policy.

John Jaschke suggested in the board order under number five in the Findings of Fact/Recitals section to update the numbers to letters and add letter d) "an attenuation cap of $\pm 7.5\%$ as compared to a SWCD's FY21 Capacity grant."

Jill Crafton thought that was a great suggestion and thanked John and Marcey.

Rich Sve stated he sits on the Grants Committee and they had a good discussion yesterday. Stated they will be following up the 25% allocation based on public waters and that the shoreland of Lake Superior is left out of the formula as a public water – will look to address for the next biennium.

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21-37 Moved by Kathryn Kelly, seconded by Jill Crafton, to approve the FY 2022 SWCD Local Capacity Grant Authorization. ***Motion passed on a roll call vote.***

Southern Region Committee

Area II Minnesota River Basin Projects Biennial Plan & Area II Floodplain Management Grant – Ted Winter and Ed Lenz presented Area II Minnesota River Basin Projects Biennial Plan & Area II Floodplain Management Grant.

The funding provided to the Area II Board via specific legislation is targeted at administration of this nine-county joint powers board in the amount of \$140,000 each for fiscal years 2022 and 2023. This grant requires a 25% local match.

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21-38 Moved by Todd Holman, seconded by Mark Zabel, to approve the Area II Minnesota River Basin Projects Biennial Plan & Area II Floodplain Management Grant. ***Motion passed on a roll call vote.***

Northern Region Committee

Mississippi River Headwaters Comprehensive Watershed Management Plan – Rich Sve presented Mississippi River Headwaters Comprehensive Watershed Management Plan.

The Mississippi River Headwaters Comprehensive Watershed Management Plan (Plan) planning area is in north central Minnesota, encompassing portions of Beltrami, Cass, Clearwater, Hubbard, and Itasca counties. The Plan was developed as part of the One Watershed, One Plan program. The Beltrami and Hubbard SWCDs were the lead preparers of the Plan with contributions from Technical Service Area 8 staff, Leech Lake Band of Ojibwe, Minnesota DNR, MPCA and BWSR staff.

On July 8, 2021, BWSR received the Plan, a record 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 September 1, 2021, the Northern Regional Committee met to review and discuss the Plan. The Committee’s decision was to recommend approval of the Mississippi River Headwaters Comprehensive Watershed Management Plan as submitted to the full Board per the attached draft Order.

Jill Crafton noted their willingness to look at future threats and thanked them for their work on this.

Joe Collins stated it was a well written and easily understood plan.

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21-39 Moved by Rich Sve, seconded by Jill Crafton, to approve the Mississippi River Headwaters Comprehensive Watershed Management Plan. ***Motion passed on a roll call vote.***

Central Region Committee

Mississippi Watershed Management Organization Watershed Management Plan – Steve Christopher and Joe Collins presented Mississippi Watershed Management Organization Watershed Management Plan.

Background: The Middle Mississippi WMO was established in 1985 and included the University of Minnesota. The first watershed management plan was published in December 1986. In 1997, a Joint and Cooperative Agreement, more commonly entitled “Joint Powers Agreement” across the metropolitan area, was entered into by the Cities of Minneapolis, St. Paul, Lauderdale, Falcon Heights,

St. Anthony, and the Minneapolis Park and Recreation Board. The agreement changed the name to Mississippi WMO and replaced the agreement executed in 1985 that created the original organization. In 1999, the MWMO's legal boundary was redrawn to exclude the City of Falcon Heights, which is now a part of the Capitol Region Watershed District. The second watershed management plan was approved by the Board in 2000. In 2001 the legislature granted MWMO the authority as a "special purpose taxing district" under Minnesota Statutes Section 275.066. In April 2011, the third-generation watershed management plan was approved by the Board. In 2012, following the dissolution of the Six Cities WMO, the Cities of Columbia Heights, Fridley and Hilltop were added.

The MWMO is located in Hennepin, Anoka, and Ramsey Counties in the heart of the Minneapolis – St. Paul seven county metropolitan area. It is bound on the west by the Shingle Creek and West Mississippi Watershed Management Organizations and Bassett Creek Watershed Management Organization, on the south by Minnehaha Creek Watershed District, on the east by the Capitol Region Watershed District, and on the north and east by the Rice Creek Watershed District. The MWMO consists of portions of the Cities of Lauderdale, Minneapolis, Saint Anthony Village, Saint Paul, Fridley, Columbia Heights, and all of Hilltop. An additional member of the MWMO is the Minneapolis Park and Recreation Board.

The current area is approximately 40 square miles with 75% of the area in the City of Minneapolis. The majority of the MWMO has been developed for commercial, industrial, or residential uses and covered in impervious surfaces. The Mississippi River is the primary water resource in the MWMO, however other water resources include Loring Park Pond – an eight acre, annually stocked recreational fishing lake, Mallard Marsh, Kasota Ponds, Sullivan Lake, and Highland Lake.. There are three dams with navigational locks on the Mississippi River within the MWMO. Subwatersheds in the region that were historically defined by topography are now defined by extensive networks of stormwater tunnels and pipes. Bassett Creek flows by way of a tunnel through the MWMO.

Plan Process and Highlights: As required by Minnesota Rules (MR) 8410, a specific process was followed to identify and assess priority issues. In July 2019, stakeholders were identified, and notices were sent to municipal, regional, and state agencies to solicit input for the upcoming Plan. The public input was accepted at the November 2019 MWMO Board meeting plan and staff began drafting the plan which included opportunities for members of the Citizen Advisory Committee to guide the update. The 60-day draft Plan was released in October 2020 which generated 169 comments. All comments on the draft Plan were addressed in writing. The MWMO held a public hearing on the draft Plan on July 13, 2021. Two comments were made during the public hearing which were addressed by the MWMO. The final draft Plan and all required materials were submitted and officially received by the Board on July 22, 2021. No additional comments were received during the 90-day review period.

The Plan has ten focus areas that are directly in-line with that of an urban watershed which include water quality, ecosystem health, and emergency preparedness & response. The Plan identifies a Purpose, Challenges, Target audiences, and Indicators & Measures of Performance for each Focus Area. The MWMO implements its Plan through the following work areas: Capital Projects, Outreach, Stewardship Grants, Communications, Monitoring, Planning, and Watershed Assessment.

The following is an excerpt of their Plan for the Emerging Issues Focus Area:

Purpose Implementation of Emerging Issues initiatives will develop awareness of new issues and address the related changing conditions, in order to protect water and natural resources.

Challenges: MWMO Watershed Management Plan 2021-2031 pg. 158 The MWMO's main challenge is the inherent newness of emerging issues. This compounds the difficulty of anticipating and identifying

potential impacts to water and natural resources, and possible solutions to these impacts. A history of systemic racism coupled with continued present-day land use patterns; infrastructure, operations, and maintenance patterns; have brought to the forefront unresolved social, economic, and environmental issues of climate change. These climate change impacts are generating greater inequity within communities of black, indigenous, and people of color. MWMO staff need to continue to build public and private partnerships with neighborhoods, governmental and private sector partners to engage early on in planning for new redevelopment activities that bolster the watershed's resilience to climate change; regain social and environmental equity neighborhoods have lost; and reduce long term infrastructure debt. Private site by site redevelopment and the separation of public and private infrastructure systems to support it has unwittingly contributed to today's issues of climate change, inequity, and infrastructure debt. The MWMO needs to continue to work with its member cities on new district, regional, and restorative infrastructure patterns that help resolve these issues. Staff need to continue to help partners promote and implement systems based designs that utilize stormwater to re-establish connected habitat corridors that has multiple benefits including: reduced crime rates, improved physical and mental health, cooling of the urban heat island, improved work place productivity, increased access to healthy food sources, improved social cohesion and community resilience; absorption of carbon emissions and other air pollutants; regained environmental and economic equity for neighborhoods; more extensive public spaces, lower public infrastructure debt, and lower long-term maintenance costs.

Target Audiences: The primary target audience for emerging issues implementation initiatives is MWMO staff and stakeholders with input on key emerging issues.

Indicators and Measures of Performance: The performance measure is the retrospective evaluation of how emerging issues were handled, the ability to build awareness and build partnerships and projects that implement corrective actions, the identification of secondary effects avoided, and the perceived preparedness for future changes in conditions.

The Plan acknowledges the benefits of collaboration in avoiding redundancies and expanding off MWMO partners to further leverage resources. This recognition as a key principle has allowed the MWMO to move to a systems-based approach where the interconnectedness of their work with less traditional watershed partners has realized benefits of other systems (e.g., energy, food, transportation, solid waste, cultural, social, and economic) alongside their own.

Jill Crafton stated they took it to a new level by factoring in the social issues that impact water quality and give back. Thought it was inspiring as a plan.

Jayne Hager Dee stated its not only a plan about water, but a plan about people and includes education engagement components. Stated it was a really impressive plan.

Kelly Kirkpatrick stated she appreciates the social component.

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21-40 Moved by Joe Collins, seconded by Jill Crafton, to approve the Mississippi Watershed Management Organization Watershed Management Plan. ***Motion passed on a roll call vote.***

RIM Committee

Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve – Targeted RIM Easement Program to the Individual Parcel: Pine & Leech Watersheds Phases 1 and 2 – Sharon Doucette presented Resolution Authorizing the RIM Reserve – Targeted RIM Easement Program to the Individual Parcel: Pine & Leech Watersheds Phases 1 and 2.

ML 2020, Ch. 104, Art.1, Sec. 2, Subd 5(f) and ML 2021, 1st Special Session, Ch. 1, Art. 1 Sect. 2. Subd. 5(i) designated funds “acquire and restore permanent conservation easements of high-quality forest, wetland, and shoreline habitat” (ML20) and “to acquire and restore land in fee and permanent conservation easements of high-quality forest, wetland, and shoreline habitat. (ML21). This project will utilize RIM easements to protect priority parcels in the Pine and Leech Watersheds which are important and threatened tributaries to the Mississippi River which provides high quality riparian and in-stream habitat and is the source water for numerous Twin City and rural communities. Note that fee title acquisition funds run through DNR to the SWCD and BWSR is not a part of that. This resolution authorizes staff to utilize these funds to develop and implement this program.

Jill asked since it’s Outdoor Heritage funding if easements would be permanent and protected. Sharon stated they are funded through Lessard Sams Outdoor Heritage Council and the council does require permanent easements in their statutory language. If we alter an OHF funded easement we would have to get approved from Lessard Sams Outdoor Heritage Council and stated it’s not a quick or easy process to request an alteration.

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21-41 Moved by Kathryn Kelly, seconded by Jill Crafton, to approve the Resolution Authorizing the RIM Reserve – Targeted RIM Easement Program to the Individual Parcel: Pine & Leech Watersheds Phases 1 and 2. ***Motion passed on a roll call vote.***

Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve - Riparian Habitat Protection in the Kettle and Snake River Watersheds – Sharon Doucette presented Resolution Authorizing the RIM Reserve - Riparian Habitat Protection in the Kettle and Snake River Watersheds.

ML 2021, 1st Special Session, Ch. 1, Art. 1 Sect. 2. Subd. 5(g) designated funds “to acquire and restore land in permanent conservation easements of high-quality forest, wetland, and shoreline habitat in the Kettle and Snake River watersheds.” This project will utilize RIM easements to protect priority parcels in the Kettle and Snake River Watersheds which are important yet threatened tributaries to the St. Croix River, a high-quality State and nationally designated Wild and Scenic River. This resolution authorizes staff to utilize these funds to develop and implement this program.

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21-42 Moved by Mark Zabel, seconded by LeRoy Ose, to approve the Resolution Authorizing the RIM Reserve - Riparian Habitat Protection in the Kettle and Snake River Watersheds. ***Motion passed on a roll call vote.***

Resolution Reauthorizing the RIM Rum River Watershed Protection Program – Sharon Doucette presented Resolution Reauthorizing the RIM Rum River Watershed Protection Program.

ML 2021, 1st Special Session, Ch. 2, Art. 2 Sect. 6(l) designated funds “to purchase permanent conservation easements to protect lands adjacent to public waters with good water quality but that are threatened with degradation”. This project will utilize RIM easements to protect priority parcels in the Rum River Watershed, an important and threatened tributary to the Mississippi River and the source water for numerous Twin City and rural communities while providing numerous other benefits. Initial funding for the program was approved by the Board in 2019. Those funds have been allocated and there is a waiting list of landowners who are interested in getting into the program. This resolution authorizes staff to utilize these funds to continue to implement this program.

Ted Winter asked how many miles the Rum River is or where it starts and where it ends. John Jaschke stated it starts at or near Mille Lacs Lake and empties into the Mississippi River in Anoka.

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21-43 Moved by Ted Winter, seconded by Jayne Hager Dee, to approve the Resolution Reauthorizing the RIM Rum River Watershed Protection Program. **Motion passed on a roll call vote.**

Reinvest in Minnesota (RIM) Wetlands Program – Sharon Doucette presented Reinvest in Minnesota (RIM) Wetlands Program.

This is the first time since 2015 that there has been a RIM (only) Wetlands appropriation and subsequent program. While the 2014 resolution (14-66) remains in effect for all RIM only wetland appropriations, it was deemed necessary to update the resolution for the current program.

ML 2021, 1st Special Session, Ch. 1, Art. 1, Sect. 2. Subd. 4(c) designated funds “to acquire permanent conservation easements and to restore wetlands and native grassland habitat under Minnesota Statutes, section 103F.515.” (OHF)

ML 2021, 1st Special Session, Ch. 1, Art. 2, Sec 6 (o) designated funds “for permanent conservation easements to protect and restore wetlands and associated uplands.” (CWF)

This project will utilize RIM easements to protect priority parcels and restore wetlands. This resolution authorizes staff to utilize these funds to develop and implement this program.

Ted Winter asked when and who will be developing the land rates and how will that determination be made. Sharon stated traditionally RIM easement payment rates for typical programs, not the Northern program, are established using the University of Minnesota’s Land Economics website. They look at the average tillable land value for an entire township, then that average township rate per acres is used for the starting point for the traditional RIM payment rates. They take 90% of that average value for crop land and that is how they establish the crop land rate and 60% for any non-crop areas that are included in an application. They are looking at whether they should continue using that rate or look at a couple other options to replace that process.

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21-44 Moved by Mark Zabel, seconded by Eunice Biel, to approve the Reinvest in Minnesota (RIM) Wetlands Program. **Motion passed on a roll call vote.**

Resolution Authorizing RIM Buffers Program – Sharon Doucette presented Resolution Authorizing RIM Buffers Program.

ML 2021, First Sp. Session, Ch. 1, Art. 1, Sec. 2, subd. 2(g) (Outdoor Heritage Fund) designated funds to “acquire permanent conservation easements and restore habitat under Minnesota Statutes, section 103F.515, to protect, restore, and enhance habitat, including by expanding the riparian buffer and floodplain program under the clean water fund for wildlife benefits from buffers on private land.”

ML 2021, First Sp. Session, Ch. 1, Art. 2, Sec. 6(f) (Clean Water Fund) designated funds to “to develop a pilot working lands floodplain program and to purchase, restore, or preserve riparian land and floodplains adjacent to lakes, rivers, streams, and tributaries, by conservation 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.”

This program will utilize RIM easements to protect priority floodplain parcels along lakes, rivers, streams, and tributaries either through a permanent or limited duration easement, dependent on funding source. Limited duration easements will utilize a modified RIM rate and pilot a working lands aspect. This resolution authorizes staff to utilize these funds to develop and implement this program.

Jill Crafton stated this is a great and has multiple benefits. Ted Winter agreed with Jill's comments.

**
21-45 Moved by Jill Crafton, seconded by Todd Holman, to approve the Resolution Authorizing RIM Buffers Program. **Motion passed on a roll call vote.**

Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve - Lower Otter Tail River Corridor Habitat Restoration – Sharon Doucette presented Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve - Lower Otter Tail River Corridor Habitat Restoration.

ML 2021, 1st Special Session, Ch. 1, Art. 1 Sect. 2. Subd. 5(c) designated funds “acquire and restore land in permanent conservation easements along the lower Otter Tail River.” This project will utilize RIM easements to protect priority parcels along the Lower Otter Tail River that are critical to implementing the Buffalo Red River Watershed District’s plans for restoration of the lower Otter Tail River. This resolution authorizes staff to utilize these funds to develop and implement this program.

Jill Crafton asked if this is part of a One Watershed One Plan. Gerry Van Amburg stated this falls within the One Watershed One Plan.

Jayne Hager Dee thanked Sharon and her staff for moving these forward.

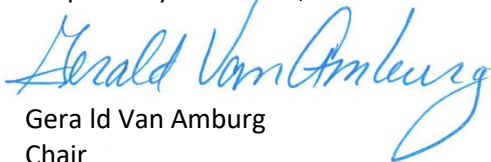
**
21-46 Moved by Mark Zabel, seconded by Ted Winter, to approve the Resolution Authorizing the Reinvest in Minnesota (RIM) Reserve - Lower Otter Tail River Corridor Habitat Restoration. **Motion passed on a roll call vote.**

UPCOMING MEETINGS

- Southern Region Committee is currently scheduled for October 7, 2021, at 9:00 a.m. Murray Soil & Water Conservation District (SWCD), 2740 22nd Street, Slayton and by phone or virtually.
- Grants Program and Policy Committee meeting is scheduled for October 8, 2021 at 12:30 p.m. 520 Lafayette Road, St. Paul and by WebEx.
- BWSR Board meeting is scheduled for October 27, 2021, at 9:00 a.m. in the Lower Level Conference Rooms at 520 Lafayette Road North, St. Paul and by WebEx.
- Northern Region Committee meeting is scheduled for November 3, 2021 at 2:00 p.m. Wild Rice Watershed District 11 5th Avenue East, Ada and by phone or virtually.

Chair VanAmburg adjourned the meeting at 12:23 PM

Respectfully submitted,


Gerald Van Amburg
Chair