

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, JUNE 26, 2013**

BOARD MEMBERS PRESENT:

Jack Ditmore, Chris Elvrum, MDH; Christy Jo Fogarty, Sandy Hooker, Paul Langseth, Tom Loveall, Keith Mykleseth, Brian Napstad, Judy Ohly, Tom Schulz, Faye Sleeper, UME; Steve Sunderland, Gene Tiedemann, Gerald Van Amburg, Doug Wetzstein, MPCA; Matt Wohlman, MDA

BOARD MEMBERS ABSENT:

Joe Collins
Tom Landwehr, DNR

STAFF PRESENT:

Mary Jo Anderson, Angie Becker Kudelka, Brian Dwight, Bill Eisele, Tim Fredbo, Travis Germundson, Barbie Hogan, John Jaschke, Al Kean, Tim Koehler, Les Lemm, Kristi Mack, Polly Remick, Ron Shelito, Gwen Steel, Sarah Strommen, Doug Thomas, Dave Weirens, Marcey Westrick, Wayne Zellmer

OTHERS:

Sheila Vanney and Ian Cunningham, MASWCD
Rob Sip, MDA
Don Baloun, NRCS
Julie Westerlund, DNR
Ray Bohn, MAWD

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CALL MEETING TO ORDER – Chair Napstad called the meeting to order at 9:05 a.m.

PLEDGE OF ALLEGIANCE

****** **ADOPTION OF AGENDA** – Chair Napstad noted the addition of Conflict of Interest
13-38 Declaration on the agenda. Moved by Paul Langseth, seconded by Sandy Hooker, to adopt the amended agenda as presented. ***Motion passed on a voice vote.***

****** **MINUTES OF MAY 22, 2013 BOARD MEETING** – Paul Langseth noted his attendance
13-39 at the May 22, 2013 Board meeting. Moved by Paul Langseth, seconded by Matt Wohlman, to approve the amended minutes of May 22, 2013 as circulated. ***Motion passed on a voice vote.***

RECOGNITION OF BOARD MEMBER – John Jaschke acknowledged Keith Mykleseth's state service as a BWSR board member for four years as a non-metro city representative. John and Chair Napstad presented Keith with a Distinguished Service Award plaque for his dedicated service to Minnesota's water and soil resources from 2009- 2013. Keith is now DNR Ecological & Water Resources Assistant Manager in Bemidji. Keith stated that he enjoyed serving on the Board. Chair Napstad thanked Keith for his service and membership on the Board.

INTRODUCTION OF NEW BOARD MEMBERS

Judy Ohly, citizen member, term 5/23/13 – 1/02/17
Tom Schulz, SWCD member, term 5/23/13 – 1/02/17

INTRODUCTION OF NEW BWSR EMPLOYEES

Brian Dwight, Clean Water Specialist, previously board conservationist
Barbie Hogan, Office & Administrative Specialist
Kristi Mack, Easement Acquisition Specialist Senior, previously easement processor
Polly Remick, Easement Section Program Analyst, previously realty specialist
Gwen Steel, Land & Water Specialist
Marcey Westrick, Clean Water Coordinator, previously clean water specialist

CONFLICT OF INTEREST DECLARATION - Chair Napstad explained that the conflict of interest declaration process is being used today on the FY'14 Natural Resources Block Grant Allocations; the FY'14 SWCD Program & Operations Grant Allocations; and the Farm Bill Assistance Program Authorization. The Conflict of Interest Declaration forms need to be submitted.

REPORTS

Chair's Report – Brian Napstad attended the EQB meeting last week. Discussion included an update on the silica sand activities. Chair Napstad reported that the Governor's Institute on Community Design (GICD) held a follow-up session last week; nine policies developed to improve environmental plans. BWSR was well represented, Travis Germundson attended the GICD session.

Administrative Advisory Committee (AAC) – Brian Napstad reported that the Administrative Advisory Committee met this morning, items discussed included the Ag Wetland Banking

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Memorandum of Understanding. John Jaschke stated the NRCS legal staff in Washington, D.C. requested additional review of the MOU. John explained that the state portion of the MOU is good to go and will be on the agenda later today. The AAC also discussed the emergency haying and grazing on conservation lands; BWSR committee appointments; and the BWSR Board tour in August.

Executive Director's Report – John Jaschke reported that MPCA is conducting a media event at 10:30 this morning regarding the nitrogen study in Minnesota. John will attend; Sarah Strommen will attend the Board meeting on John's behalf. The One Watershed One Plan (1W1P) workshop will be held immediately following adjournment of the Board meeting today.

John attended the MAWD summer tour June 21 in New Ulm and the RRBC tour in Fargo on June 5. John informed board members that BWSR received a petition from Polk County regarding redistribution of managers of the Middle-Snake-Tamarac Rivers Watershed District. John reviewed information in board members' packets.

Dispute Resolution Committee (DRC) – Travis Germundson reported that the DRC Committee report is current as distributed. Travis stated that a training session with the Attorney General's office will be held when new board member appointments are complete and committee assignments have been made. Travis stated that Brian Dwight has been instrumental in bringing the affected counties together to discuss the Polk County petition for redistribution of watershed managers. Chair Napstad reported that according to statute, a county commissioner is required on the DRC; Tom Loveall accepted the appointment to the Dispute Resolution Committee.

Wetlands Committee – Gerald Van Amburg reported that the Wetlands Committee has not met. Dave Weirens stated that the Wetlands Committee will likely meet prior to the August Board meeting.

Grants Program & Policy Committee – Paul Langseth reported that the Grants Program & Policy Committee met and has recommendations on the agenda later today.

Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth reported that the Committee met last night; the Committee will meet again in October. Chair Napstad thanked Keith for serving as Chair of the Committee. Jack Ditmore has accepted the appointment as chair of the Public Relations, Outreach & Strategic Planning Committee.

Drainage Work Group – Al Kean distributed the Drainage Work Group Report and summarized the topics of discussion from the meeting on June 13, 2013. The next meeting of the Drainage Work Group is August 8, 2013.

COMMITTEE RECOMMENDATIONS
Northern Water Planning Committee

Crow Wing County Water Plan Update – Brian Napstad reported that Crow Wing County submitted their revised Local Water Management Plan for state review and comment. Crow Wing County has taken a leadership role and has done an outstanding effort in the water

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** management plan. Chair asked that the Crow Wing County bring their water management plan before the Board. The Northern Water Planning Committee met on June 12, 2013; reviewed the Plan and recommends approval. Moved by Brian Napstad, seconded by Sandy Hooker, to approve the Crow Wing County Local Water Management Plan June 26, 2013 – June 26, 2023 with a required update of the Implementation section to be completed by December 31, 2018.

** Matt Wohlman stated that the Findings of Fact, section 6, item C., Department of Agriculture is listed twice; Chris Elvrum stated that the Department of Health is not listed. Discussion followed. It was decided to delete C. and re-letter the list. Moved by Tom Loveall, seconded by Gerald Van Amburg, to amend the Order with the deletion of C. and re-letter the list. **Amendment passed on a voice vote.**

13-40
13-41 **Motion to approve the Crow Wing County Local Water Management Plan passed on a voice vote.**

** **Kanabec County Comprehensive Local Water Management Plan Amendment** – Gerald Van Amburg reported that the Northern Water Planning Committee met on June 12, 2013, reviewed the plan amendment and recommends approval of the update through August 2017. Moved by Gerald Van Amburg, seconded by Matt Wohlman, to approve the Kanabec County Comprehensive Local Water Management Plan Amendment. **Motion passed on a voice vote.**

** **Koochiching County Local Water Management Plan Amendment** – Gene Tiedemann reported that the Northern Water Planning Committee met on June 12, reviewed the plan amendment and recommends approval of the five-year plan amendment through December 31, 2017. Moved by Gene Tiedemann, seconded by Sandy Hooker, to approve the Koochiching County Local Water Management Plan Amendment. **Motion passed on a voice vote.**

** **Pope County Local Water Management Plan Amendment** – Gene Tiedemann reported that the Northern Water Planning Committee met on June 12, 2013, reviewed the plan amendment and recommends approval of the Pope County Local Water Management Plan Update. Moved by Gene seconded by Gerald Van Amburg, to approve the Pope County Local Water Management Plan Amendment. **Motion passed on a voice vote.**

Southern Water Planning Committee

** **Renville County Comprehensive Water Plan Update** – Paul Langseth reported that the Southern Water Planning Committee met on June 12, 2013, reviewed the Renville County Local Water Management Plan Update and recommends approval. Moved by Paul Langseth, seconded by Keith Mykleseth, to approve the Renville County Local Water Management Plan Update. Paul reported that the Department of Health provided comments, a recommendation of approval, after the deadline.

** Moved by Sandy Hooker, seconded by Faye Sleeper, to amend the Renville County Local Water Management Plan Update to include the Department of Health's recommendation of approval. Discussion followed. **Amendment passed on a voice vote.**

13-45

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- 13-46 **Motion to approve the Renville County Local Water Management Plan Update passed on a voice vote.**

John Jaschke left the meeting; Sarah Strommen served as acting executive director.

Wetland Committee

BWSR-NRCS Agricultural Wetland Banking Memorandum of Understanding (MOU) – Les Lemm reported that BWSR and NRCS have been working together on enhancing coordination of the Wetland Conservation Act (WCA) and Swampbuster under an agreement for more than two years. Les presented information and stated that one of the of the key accomplishments has been the implementation of the Agricultural Wetland Bank. This memorandum of understanding is being proposed to establish details of the operations of this Bank including the use of the Bank under the WCA agricultural exemption. Les thanked Don Baloun and Mark Oja, NRCS, for their assistance and partnership on the MOU. Don thanked John Jaschke, Les Lemm, and Paul Flynn for their efforts in making the joint effort happen.

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13-47 Moved by Matt Wohlman, seconded by Paul Langseth, to authorize Chair Napstad to make any minor edits that may be needed and sign the interagency Agricultural Wetland Banking MOU with NRCS. Jack Ditmore made note of an edit on page 3. **Motion passed on a voice vote.** Chair Napstad and Don Baloun signed the interagency Memorandum of Understanding.

Administrative Advisory Committee

Emergency Haying & Grazing on Conservation Lands – Sarah Strommen explained that Governor Dayton sent a letter to USDA Secretary Vilsack on June 14th requesting Federal action to support the livestock forage and feed shortage due to inclement spring weather in Minnesota. Authorization for emergency haying and grazing on state conservation lands may be considered pending related action. Matt Wohlman noted that the Department of Agriculture is waiting additional information from USDA. Moved by Matt Wohlman, seconded by Chris Elvrum, that the Board hereby authorizes staff to inform and educate easement holders and local SWCD staff on the provisions for vegetative management for conservation management purposes as stated in RIM Policy dated December 17, 2008, and to coordinate actions with local, state and federal partners on specific guidelines and provisions related to emergency haying and grazing. Discussion followed. **Motion passed on a voice vote.**

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13-48

CONFLICT OF INTEREST DECLARATION - Chair Napstad explained that the conflict of interest declaration process is being used today on the FY'14 Natural Resources Block Grant Allocations; the FY'14 SWCD Program & Operations Grant Allocations; and the Farm Bill Assistance Program Authorization. The Conflict of Interest Declaration forms need to be submitted.

Chair Napstad 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.”

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Chair Napstad asked board members to submit their completed Conflict of Interest Declaration forms to Sarah Strommen. The Conflict of Interest Declaration documents will be filed for the grant decision item. All board members are eligible to vote.

Grants Program & Policy Committee

FY'14 Natural Resources Block Grant Allocations – Wayne Zellmer reported that the Natural Resources Block Grant (NRBG) provides assistance to local governments to implement state natural resource programs. These programs are: Comprehensive Local Water Management, the Wetland Conservation Act, the DNR Shoreland Management, the MPCA County Feedlot, and the MPCA Subsurface Sewage Treatment Systems. The Grants Program & Policy Committee recommends Board approval of the Proposed FY '14 Natural Resources Block Grant allocations.

Wayne presented the allocations:

LWM	\$1,139,152
WCA	\$1,906,485
DNR Shoreland	\$377,369
MPCA Feedlot Base	\$(to be determined by MPCA)
MPCA SSTS	\$1,599,600

And, for Local Water Management, Wetland Conservation Act, and DNR Shoreland Programs, Local Governmental Units will have the flexibility of determining the amount of the total of these three BWSR Programs, to allocate to each of their programs locally.

**
13-49 Moved by Paul Langseth, seconded by Faye Sleeper, to approve the FY'14 Natural Resources Block Grant Allocations as presented. Discussion followed. **Motion passed on a voice vote.**

SWCD Program & Operations Grant Allocations – Wayne Zellmer reported that the Grants Program & Policy Committee recommends approval of the FY'14 allocation recommendations for the Conservation Delivery, Easement Delivery, Non-Point Engineering Assistance, and Cost-Share Base Grant Programs. Wayne presented the allocations:

1. Staff to allocate grant funds to individual SWCDs up to the amounts listed below and as provided on the attached allocation spreadsheet, *Proposed FY '14 SWCD Programs and Operations Grants*:

State Cost Share Base Grants	\$1,199,999
Conservation Delivery Grants	\$1,765,001
Easement Delivery Grants	\$ 290,989

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2. Allocate the Non Point Engineering Assistance Grants to joint powers boards, up to \$1,060,000, as listed below:

NPEA Area	Base Grant	Host/Fiscal Agent SWCD	Equipment	Total Grant
1	\$120,000	\$10,000	\$0	\$130,000
2	\$120,000	\$ 5,000	\$0	\$125,000
3	\$120,000	\$10,000	\$0	\$130,000
4	\$120,000	\$ 5,000	\$20,000	\$145,000
5	\$120,000	\$10,000	\$0	\$130,000
6	\$120,000	\$ 5,000	\$0	\$125,000
7	\$120,000	\$10,000	\$20,000	\$150,000
8	\$120,000	\$ 5,000	\$0	\$125,000

3. Authorize SWCDs, to use all or part of their State Cost Share Base Grant allocation for technical assistance, when the following conditions exist:
- i. Other non-state funds will be leveraged and they couldn't do the project otherwise;
 - Or,
 - ii. Funds are used on a project(s) that is State Cost Share Program or EQIP eligible and their 2012 Financial Report indicates less than an 18-month fund balance; and
 - iii. Board Conservationist approval.

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 13-50 Moved by Gene Tiedemann, seconded by Tom Schulz, to approve the recommended allocations as presented and authorize staff to allocate grants funds to SWCDs. **Motion passed on a voice vote.**

Farm Bill Assistance Program Authorization – Dave Weirens reported that the Board is requested to authorize grants to selected SWCDs to continue the Farm Bill Assistance partnership between BWSR, DNR, Pheasants Forever, and SWCDs. Dave distributed additional information on the Farm Bill Assistance Partnership July 1, 2013 – June 30, 2014 and also a map showing the Farm Bill Assistance positions.

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 13-51 Moved by Tom Loveall, seconded by Gerald Van Amburg, to approve the Farm Bill Assistance Program authorization as presented. Jack Ditmore noted the editorial change needed on the resolution. The resolution will be corrected and ready Chair Napstad's signature. Discussion followed. **Motion passed on a voice vote.**

AGENCY REPORTS

Minnesota Extension Service – Faye Sleeper reported that Extension is in the process of hiring nutrient faculty; plan to be in place August 1.

Minnesota Pollution Control Agency – Doug Wetzstein reported that the nitrogen study is being released today with lots of press coverage.

ADVISORY COMMENTS

Minnesota Association of Soil & Water Conservation Districts – Ian Cunningham looks forward to attending the One Watershed One Plan workshop today. Ian reported that the MASWCD Leadership Institute will begin in August. An SWCD Governance 101 training session will be held September 4-5. Ian reported that he will be going to Washington, D.C. to attend the NACD Legislative Conference in July.

Minnesota Association of Watershed Districts – Ray Bohn reported that MAWD had a good summer tour.

UPCOMING MEETINGS

BWSR Board Tour/Meeting – August 28-29, 2013, Two Harbors

** Moved by Judy Ohly, seconded by Christy Jo Fogarty, to adjourn the meeting at 11:25 a.m.
13-52 ***Motion passed on a voice vote.***

Respectfully submitted,



Brian Napstad
Chair