

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
ST. PAUL, MINNESOTA 55155
WEDNESDAY, OCTOBER 23, 2013**

BOARD MEMBERS PRESENT:

Joe Collins, Jack Ditmore, Chris Elvrum, MDH; Rebecca Flood, MPCA; Christy Jo Fogarty, Paul Langseth, Tom Landwehr, DNR; Tom Loveall, Brian Napstad, Judy Ohly, Tom Schulz, Faye Sleeper, MES; Steve Sunderland, Gene Tiedemann, Gerald VanAmburg, Matt Wohlman, MDA

BOARD MEMBERS ABSENT:

Sandy Hooker

STAFF PRESENT:

Mary Jo Anderson, Mike Anderson, Angie Becker Kudelka, Jason Beckler, Adam Beilke, Donna Caughey, Tim Dykstal, Matt Fischer, Travis Germundson, Tom Gile, Tim Gillette, Jim Haertel, John Jaschke, Al Kean, Julie Krebs, Jeff Nielsen, Bill Penning, DeAnne Pierzinski, Mary Peterson, Ron Shelito, John Voz, Tom Wenzel, Dave Weirens, Marcey Westrick, Brad Wozney

OTHERS PRESENT:

Brad Redlin, Josh Stamper, Marcey McLaughlin, Rob Sip, MDA

BWSR Meeting Minutes
October 23, 2014
Page Two

Chair Napstad called the meeting to order at 9:00 AM

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA – Chair Napstad stated that ‘Conflict of Interest Declaration’ was inadvertently listed on the agenda; there are no items today to declare as conflict of interest. ******
Moved by Paul Langseth, seconded by Christy Jo Fogarty, to adopt the agenda as amended.
13-83 *Motion passed on a voice vote.*

INTRODUCTION OF NEW BWSR EMPLOYEES

- Mike Anderson, Engineering Technician, Willmar
- Adam Beilke, Board Conservationist, New Ulm
- Tom Gile, Board Conservationist, Rochester
- Julie Krebs, Grants Compliance Specialist, Mankato
- John Voz, Easement & Working Lands Specialist, Detroit Lakes
- Jason Beckler, Farm Bill Partnership Coordinator, Marshall
- DeAnne Pierzinski, Grants Compliance Specialist, Brainerd

Ron Shelito recognized Donna Caughey’s attendance at the meeting today. Chair Napstad welcomed the new employees to BWSR.

****** **MINUTES OF SEPTEMBER 25, 2013 BOARD MEETING** - Moved by Jack Ditmore, seconded
13-84 by Paul Langseth, to approve the minutes of September 25, 2013 as circulated. *Motion passed on a voice vote.*

REPORTS

Chair’s Report – Brian Napstad reported that he attended the EQB meeting. Discussions at the meeting included the Silica Sand Subcommittee will hold meetings to gather public input on model standards and criteria for silica sand projects; and a new silica sand website for tracking state agencies’ activities regarding the mining, processing, and transporting of silica sand.

Executive Director’s Report – John Jaschke reported that BWSR is working with the Governor’s office, DNR, and the U of M regarding the tax valuation of RIM conservation easements, working lands, and forest easements. For both the assessors and landowners the easement document will need administrative clarification.

John reported that BWSR, DNR, PCA, MDH, MDA, MES, and other stakeholders met on October 21, 2013, an initial meeting on the Clean Water Fund Roadmap; leading to a cost effective and ecological measures for water quality trends, and also communicating and charting work in progress and ahead.

John reviewed information in board member packets. The MASWCD, MAWD, and AMC annual meetings will be held in December; if board members are interested in attending, contact Mary Jo Anderson today or Sherri Johnson by November 1st.

BWSR Meeting Minutes
October 23, 2013
Page Three

John reported that BWSR's communication manager Jen Maleitzke's last day was yesterday; she has taken a position in the private sector. The communications manager position is posted and the hiring process will begin. Angie Becker Kudelka is the point person for communications during the vacancy.

Judy Ohly suggested a flow chart of the Clean Water Fund; the general public is not aware of the appropriations process. John Jaschke stated that public outreach is needed.

Dispute Resolution Committee (DRC) – Travis Germundson provided a status report of appeals. Travis reported that the DRC attended a training workshop on September 25, 2013, facilitated by the Attorney General's Office. Travis stated that it would be useful to offer a refresher session again in the future. Chair Napstad attended the workshop; he stated it was a valuable session and thanked board members for attending.

Grants Program & Policy Committee – Paul Langseth reported that the Grants Program & Policy Committee met last night; recommendations are on the agenda later today.

Public Relations, Oversight & Strategic Planning Committee – Jack Ditmore reported that the Public Relations, Oversight & Strategic Planning Committee met last night; the Committee reviewed materials for the One Watershed One Plan (1W1P) guiding principles. The Committee will meet again and bring recommendations before the Board at the December 18 meeting. Jack stated that the Strategic Plan Report Card will come before the Board in 2014. Jack and Chair Napstad thanked the Committee for all their work.

RIM Reserve Management Planning Committee – Gene Tiedemann reported that the RIM Reserve Management Planning Committee will meet in December.

Drainage Work Group – Tom Loveall stated that the Drainage Work Group did not meet in October; three sub-groups were developed. Al Kean reported that the three sub-groups met; he provided a summary of the recent discussions. The next meeting of the Drainage Work Group is scheduled for November 14, 2013. Discussion followed. Chair Napstad thanked Tom and Al for their report.

Tom Landwehr entered the meeting at 10:05 a.m.

COMMITTEE RECOMMENDATIONS

Metro Region Committee

Boundary Change for Coon Creek Watershed District – Mary Peterson reported that the Coon Creek Watershed District submitted a Petition to change the boundary of the District pursuant to Minn. Stat. § 103B.215. The Petition proposes to transfer 290 acres in the City of Coon Rapids from the Lower Rum River WMO to the Coon Creek WD. The City, WMO and WD concur in the Petition. There is no opposition to the proposed boundary change in the record. The Metro Region Committee met on October 1, 2013 and unanimously recommends approval of the boundary change. Moved by Joe Collins, seconded by Faye Sleeper, to approve the Coon Creek Watershed District boundary change. *Motion passed on a voice vote.*

**

BWSR Meeting Minutes
October 23, 2013
Page Four

Ramsey-Washington Metro Watershed District Management Plan Amendment – Mary Peterson reported that the current watershed management plan was approved by the Board on April 25, 2007. In June 2012, by Board Order, the Ramsey-Washington Metro WD (RWMWD) boundaries were enlarged to include the area of the former Grass Lake WMO (GLWMO) and the RWMWD was furthered ordered to amend the watershed management plan to include the new area in the Plan. This Amendment incorporates the former GLWMO area into the RWMWD's Watershed Management Plan and makes minor plan text and map changes to reflect the portion of the Cities of Shoreview and Roseville that are now part of the RWMWD. The Amendment also reflects recent changes in the lakes and creeks listed by the MPCA as impaired acknowledging the planning efforts currently underway or being planned to address these impairments. The Metro Region Committee met on October 1, 2013. After review of the information, the Committee unanimously voted to recommend approval of the Amendment.

**
13-86 Moved by Joe Collins, seconded by Christy Jo Fogarty, to approve Ramsey-Washington Metro Watershed District Management Plan Amendment. *Motion passed on a voice vote.*

Northern Region Committee

Hubbard County Water Plan Extension Request – Tom Schulz reported that Hubbard County submitted a resolution requesting a two-year extension of their County Water Plan on October 1, 2013. The Hubbard County Local Water Management Plan would expire on January 25, 2014. Ron Shelito stated that staff and the Northern Region Committee met on October 9, 2013, and recommends approval of the two-year extension of the Hubbard County Water Management Plan until October 23, 2015. Moved by Tom Schulz, seconded by Gene Tiedemann to approve the Hubbard County Water Plan extension until October 23, 2015. Jack Ditmore expressed his concern that this is effectively a three-year extension. Chair Napstad explained that Hubbard County wanted to include the new watershed data and methodology consistent with other plans in the Upper Mississippi River Basin. Discussion followed. *Motion passed on a voice vote.*

**
13-87

Stearns County Five Year Plan Amendment – Tom Schulz reported that on January 23, 2008, the Board of Water and Soil Resources approved Stearns County's Comprehensive Local Water Management Plan for a ten year period from 2008-2017 with a required amendment by 2013. On April 11, 2012, Stearns County passed a resolution to begin the amendment process. The amended plan was submitted to the BWSR Brainerd office on June 24, 2013. The Northern Region Committee met on October 9, 2013, reviewed the plan amendment and recommends approval of the update through December 2017. Moved by Steve Sunderland, seconded by Matt Wohlman, to approve the Stearns County five-year plan amendment. *Motion passed on a voice vote.*

**
13-88

Traverse County Water Plan Synchronization – Gerald VanAmburg reported that Traverse County wishes to synchronize their planning and implementation efforts with the three Watershed Restoration and Protection Strategies (WRAPS) and the two Watershed Districts efforts, and requests BWSR extend their Local Water Plan expiration date. Gerald stated that BWSR needs to be flexible if the 1W1P effort is to be successful. The Northern Region Committee recommends approval of the synchronization. Moved by Gerald VanAmburg; seconded by Tom Loveall, to approve the Traverse County plan synchronization, extends the Plan expiration date until the end of the calendar year following the Bois de Sioux Watershed

**
13-89

BWSR Meeting Minutes
October 23, 2013
Page Five

District Plan amendment or December 31, 2017. Jack Ditmore questioned the extension dates. Discussion followed. John stated that the alignment schedules and data are being synchronized. *Motion passed on a voice vote.*

Wilkin County Local Water Plan Synchronization – Gerald VanAmburg reported that Wilkin County requests to synchronize their planning and implementation efforts with the three Watershed Restoration and Protection Strategies (WRAPS) and the two Watershed Districts efforts. Wilkin County requests BWSR to: 1) rescind the BWSR Order which extended the required five-year update of the local water management plan to December 31, 2014; 2) waives the five-year required plan update; and 3) extends the Wilkin County Local Water Plan expiration date to December 31, 2018. The Northern Region Committee recommends approval. Moved by Gerald VanAmburg, seconded by Gene Tiedemann, to hereby rescind its September 26, 2012, Order which extended the required five-year update of the Local Water Management Plan to December 31, 2014, waives the five-year required Plan update, and extends the Plan expiration date until one year following the last Watershed District Plan Amendment or December 31, 2018, as per BWSR Resolution #12-85 dated September 26, 2012. Discussion followed. Paul Langseth questioned the extension date. Ron Shelito explained the effectiveness in staggering the dates. Joe Collins stated that flexibility is needed; adjustments need to be included in the principles of the strategic planning. Tom Landwehr requested to see a finished WRAP and tailor Plans accordingly. Rebecca Flood stated that a presentation can be provided in 2014. *Motion passed on a voice vote.*

**
13-90

Revised Watershed Management Plan Hearing for the Sauk River Watershed District – Gene Tiedemann reported that the Northern Region Committee met on October 9, 2013 and recommended that a public hearing be held within 45 days after receiving the Department of Natural Resource's recommendation on the revised plan. The Northern Region Committee will preside over the public hearing, the Executive Director will set the date, time and location of the public hearing after coordinating with the appropriate parties. Moved by Gene Tiedemann, seconded by Tom Schulz, to order a public hearing be held within 45 days after receiving the DNR's recommendation on the revised Plan for the Sauk River Watershed District to be presided over by the Northern Region Committee at a date and location to be determined by the Executive Director. Discussion followed. *Motion passed on a voice vote.* John Jaschke will work with staff in scheduling the date, time and location.

**
13-91

Public Hearing for Redistribution of Managers of the Middle-Snake-Tamarac Rivers Watershed District – Gene Tiedemann reported that a public hearing date has been set for the petition for the redistribution of Managers of Middle-Snake-Tamarac River Watershed District submitted to BWSR by Polk County. The Northern Region Committee set the hearing date of Wednesday, November 13, 2013; starting at 6:00 p.m., adjourning no sooner than 7:30 p.m., at the Bremer Bank Community Room, 202 West Johnson Avenue, Warren, MN 56762.

Chair Napstad called for a break in the meeting at 10:47 a.m. The meeting reconvened at 11:00 a.m.

Grants Program & Policy Committee

Targeted Watershed Demonstration Program – Paul Langseth reported that the Grants Program and Policy Committee met October 22, 2013. Marcey Westrick reported that staff are requesting authorization to initiate the Targeted Watershed Demonstration Program as provided for in the 2013 Clean Water Fund appropriations. Marcey reviewed the revisions made at the Committee meeting last night and explained the application approach and granting process. Dave Weirens reported that the Grants Program and Policy Committee recommends authorizing staff to finalize, distribute and promote a Request for Information (RFI). Paul Langseth stated that this a pilot project. Moved by Paul Langseth, seconded by Steve Sunderland, to authorize staff to finalize, distribute and promote the Request for Information (RFI) for the Targeted Watershed Demonstration Program consistent with the provisions of appropriations enacted in 2013, Minn. Stat. 103B.3369. Discussion followed. Faye Sleeper supports the RFI granting approach. Matt Wohlman asked for clarification regarding eligible applicant areas. Staff will make adjustments and modifications to the RFI hydrologic unit. John stated that the match requirements are a significant workload; need to find ways in this unique approach to assist in the process of the demonstration program. *Motion passed on a voice vote.*

**
13-92

Soil Erosion and Drainage Law Compliance Program – Gene Tiedemann reported that the 2013 Minnesota Legislature appropriated Clean Water Funds to BWSR to be used for grants to local units of government to ensure compliance with Minnesota Statutes Chapter 103E (Drainage Law) and Sections 103F.401 to 103F.455 (state Soil Erosion Control provisions), including enforcement efforts. In response to this appropriation, BWSR created the Soil Erosion and Drainage Law Compliance Program. The program is to restore and protect surface water quality, particularly impaired waters, by supplementing local efforts to apply existing soil erosion reduction and drainage statutes across Minnesota. Moved by Gene Tiedemann, seconded by Paul Langseth, authorizes staff to finalize, distribute and promote a Request For Proposals (RFP) for the FY2014 Clean Water Fund Competitive Soil Erosion and Drainage Law Compliance Grants Program consistent with the provisions of appropriations enacted in 2013, Minn. Stat. 103B.3369. Al Kean explained the RFP, ranking criteria, applicable eligibility and activity for Subprogram 1 – Soil Erosion; Subprogram 2 – Drainage Ditch Inventory and Inspection; and Subprogram 3 – Redetermination of Benefits and Drainage Ditch Buffer Strips. Discussion followed. Matt Wohlman stated that the 103F.411 statute calls for model ordinance and review. John stated that advice is taken; staff will follow statute and review the model ordinance. *Motion passed on a voice vote.*

**
13-93

NEW BUSINESS

2014 Proposed BWSR Board Meeting Schedule – John Jaschke reported that the Board meets the fourth Wednesday of the month (unless noted); and presented the proposed meeting dates for 2014. Moved by Steve Sunderland, seconded by Paul Langseth, to adopt the 2014 Board meeting schedule. *Motion passed on a voice vote.*

**
13-94

Status Report on MN Ag Water Quality Certification Program (MAWQCP) – Matt Wohlman introduced MDA staff Brad Redlin, Josh Stamper, and Marcey McLaughlin. Matt presented an overview of the Minnesota Agricultural Water Quality Certification Program (MAWQCP) and provided the status of various program elements. This voluntary program is designed to accelerate adoption of on-farm conservation practices that protect Minnesota's lakes and rivers.

BWSR Meeting Minutes
October 23, 2013
Page Seven

Producers who implement and maintain approved farm management practices will be certified and in turn assured that their operation meets the state's water quality goals and standards for a period of 10 years. Josh Stamper explained the evaluation tool development and assessment and the logistics of local government program support and a certainty contract underway via an MDA team with support from BWSR, MPCA, DNR and NRCS. Discussion followed. Chair Napstad thanked Matt and Josh for their informative presentation.

AGENCY REPORTS

Minnesota Department of Health (MDH) – Chris Elvrum reported that MDH is involved in health risk assessments and the effects from human exposures to environmental hazards.

Minnesota Department of Natural Resources (DNR) – Tom Landwehr reported that the Governor's pheasant hunting opener was held October 11-12, in Madelia. The announcement of a new critical habitat pheasant license plate was unveiled during the pheasant opener, the ring-necked pheasant license plates will be available later this fall. Tom distributed the "Minnesota Walk-In Access Hunting Atlas 2013" a joint project with DNR, BWSR, and SWCDs.

Minnesota Extension Service – Faye Sleeper reported that the Climate Adaptation Conference will be held November 7, 2013, at the St. Paul Science Museum. Faye reported that attendance was down this year at the Water Resources Conference held October 19; need to look at dates and other variables in the future.

Minnesota Pollution Control Agency (PCA) – Rebecca Flood reported that the draft Nutrient Reduction Strategy is available for public review and comment until December 18, 2013; and the river unification standards 60-day comment period will be available mid-November.

UPCOMING MEETINGS

- BWSR Academy, October 28–30, 2013, Cragun's, Brainerd
- MASWCD Annual Meeting, December 1-3, 2013, Bloomington
- MAWD Annual Meeting, December 5-7, 2013, Alexandria
- AMC Annual Meeting, December 9-11, 2013, Minneapolis
- BWSR Board Meeting – December 18, 2013, St. Paul

**
13-95 Moved by Rebecca Flood, seconded by Judy Ohly, to adjourn the meeting at 1:00 p.m. *Motion passed on a voice vote.*

Respectfully submitted,



Brian Napstad
Chair