



MEETING MINUTES

BOARD OF SUPERVISORS MEETING

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, February 10, 2022

9:00 a.m.

4100 220th Street W, Suite 102
Farmington, Minnesota

Board Members Present:

Laura Zanmiller, Chair
Kevin Chamberlain, Vice Chair
Jayne Hager Dee, Treasurer
Chelsea Skog, Secretary
Bruce Johnson, Information Officer

SWCD Staff Present:

Brian Watson
Lana Rotty
Curt Coudron

Others Present:

Jill Trescott, Dakota County
Chris Schmidt, NRCS

1. Call to Order and Roll Call

Chair Zanmiller called the meeting to order at 9:00 a.m.

2. Pledge of Allegiance

Chair Zanmiller led the Board of Supervisors in the Pledge of Allegiance.

3. Audience

Chair Zanmiller asked if there was anyone in the audience that wished to address the Board on an item that is not on the agenda. Nobody came forward.

4. Approval of Agenda

22.013 Motion by Johnson, second by Skog to approve the agenda. All members voting in favor. Motion carried.

CONSENT AGENDA

5. Approval of January 13, 2022 Meeting Minutes

The January 13, 2022 Meeting Minutes were presented.

6. Approval of February 10, 2022 Accounts Payable

The February 10, 2022 Accounts Payable were presented.

7. Authorization to Enter into Engagement Letter with Peterson Company Ltd for Conducting 2021 Financial Audit

Authorization to accept engagement letter with Peterson Company Ltd. for conducting 2021 financial audit at cost not to exceed \$4,000.

22.114 Motion by Johnson, second by Skog to approve the consent agenda items. All members voting in favor. Motion carried.

REGULAR AGENDA

8. Authorization to Provide Final Payment to Leonard Brochman for Installation of Grassed Waterway and Four Water and Sediment Control Basins

Leonard Brochman has completed the installation of a grassed waterway and four water and sediment control basin in Greenvale Township, Cannon River Watershed. The project was approved for funding at the October 14, 2021 Board meeting at 75% cost share not to exceed \$27,075 based on a cost estimate of \$36,100. Final eligible project cost was \$23,858.98.

22.115 Motion by Dee, second by Johnson to approve final payment to Leonard Brochman (21-IPP-32) for installation of a grassed waterway and four water and sediment control basins in Greenvale Township, Cannon River Watershed at a total of \$17,894.24 from the agreement with Dakota County and State FY21 State Cost Share grant funds. Members voting in favor: Zanmiller, Skog, Johnson, Dee. Motion carried.

9. Authorization to Provide Final Payment to City of Burnsville for Shoreline Restoration

The City of Burnsville has completed restoration of 985 linear feet of shoreline on Crystal Lake. This included the installation of coconut fiber logs and native plantings to stabilize the shoreline from wave action and reduce erosion potential. The City of Burnsville owns this section of shoreline which includes public access in the northwest corner of the lake and a fishing pier on the east end of the project site. The project was approved for funding at the May 13, 2021 Board meeting at 75% cost share not to exceed \$25,000 and based on a cost estimate of \$56,900. Final eligible project cost was \$39,330.

22.116 Motion by Johnson, second by Skog to approve final payment to City of Burnsville (21-CIF-01) for shoreline restoration on Crystal Lake, City of Burnsville at \$25,000 from annual agreement with Dakota County. Members voting in favor: Zanmiller, Skog, Johnson, Dee. Motion carried.

10. Adopt Resolution Accepting Certain Wetland Conservation Authorities from City of Hampton

The City of Hampton passed a resolution at their January 11, 2022 meeting to delegate decision and administrative authority to the SWCD for the following WCA purposes: Official Listing as WCA Contact, Wetland Boundary and Type Decisions, No Loss Decisions, Exemption Decisions, Providing State Required Annual Reports. With adoption of this resolution, the SWCD would perform these delegated authorities within the City of Hampton.

22.117 Motion by Dee, second by Johnson to accept Wetland Conservation Act authorities from City of Hampton as delegated. All members voting in favor. Motion carried.

Supervisor Chamberlain joined the meeting.

11. Authorization to Delegate Multiple-Year Contract Payments to the District Manager after First-Year Payment

Incentive payments for cover crops and harvestable covers are now made annually after certification of practice installation and approval by the Board. For multiple-year contract payments, and under the current and proposed cost share policy, this process could occur for up to five years. Staff is recommending that after the Board approves the first year incentive payment, future payments are delegated to the District Manager. This would reduce administrative time with developing subsequent Board action requests and bringing the same project to the Board multiple times after the initial year. This delegation would still require that practice installations are certified by staff prior to the annual incentive payment. Over the last couple of years, the number of contracts that involve multi-year incentive payments have expanded through cover crop programs and it is anticipated this trend will continue. If any changes to the practice installed or requests are made to modify the contract, incentive payments would be brought back to the Board for discussion and action. Policy under the Minnesota Board of Water and

Soil Resources (BWSR) Grants Administration Manual allows for delegation of signature authority to approve actions, expenditures and sign documents as long as the delegation of this authority is supported by a documented local board action, such as a motion, resolution, or adoption of a policy or on a contract-by-contract basis.

22.118 Motion by Dee, second by Johnson to allow District Manager to approve multi-year incentive payment contracts, after the first-year installation has been approved by the District Board. All members voting in favor.

12. Adopt 2022 Cost Share Policies

Cost-share programs offered through the SWCD are recommended to remain. There are five cost share programs currently available to residents and landowners of Dakota County: Citizen Conservation Stewards (CCS), Conservation Initiative Funding (CIF), Community Conservation Partnership (CCP), Landscaping for Clean Water (LCW), Incentive Payment Practices (IPP).

Several changes are proposed from last year's policy. Highlights of the proposed changes include:

- Updating of staff credentials.
- For multi-year cover crop or harvestable cover projects that have been approved by the District Board after the first year of installation, allowing the District Manager to approve payments for following years
- Providing the option to designate "Priority Locations" for all cost share programs. Previously, "Priority Locations" were only included in the IPP program.
- Recording some conservation practices with the property title based on the amount of cost share funding received.
- Standardizing compliance inspections for projects under contract.
- Ability to require use of wildlife-friendly erosion control products when appropriate.
- Updating in-kind rates for materials, labor, and equipment provided by the applicant.
- Increasing the cost share percentage from 75% to 85% for most projects and increasing combined cost share percentage from 85% to 95% for projects involving EQIP.
- Updating application deadlines, completion deadlines, and project criteria for the Landscaping for Clean Water Program.
- Adjusting Harvestable Cover policy to maintain eligibility for use of state funding.
- Clarifying field criteria for cover crops and harvestable covers.

22.119 Motion by Chamberlain, second by Johnson to adopt 2022 Cost Share Policies as presented. All members voting in favor.

13. Update on 2022 Landscaping for Clean Water Program

The 2022 LCW classes will be held virtually again this year although we plan to evaluate things in the spring to see if hosting some in-person classes will be feasible. Beginning in early March, there be three live Introduction classes and two live Maintenance classes via Zoom. Watershed co-hosts will be involved with the classes. As in 2021, city staff will be invited to participate in breakout sessions at the conclusion of each Introduction class to allow them to meet with residents and answer city-specific questions as they would at an in-person class.

The Design Course classes will be offered as a series of pre-recorded videos with project materials available to participants via virtual method. We will again provide predetermined "office hours" to provide virtual project consultations and one-on-one design recommendations as well as answer any project installation questions.

Registration for the Landscaping for Clean Water program will take place on-line through the SWCD website. As in past years, there will be three rounds for submitting LCW grant applications, residents must

attend an Introduction and Design Course before submitting a grant application. Grant awards will again be up to \$250 per project installed.

Announcements and Reports

Natural Resources Conservation Service

The Natural Resources Conservation Service report was provided by Chris Schmidt. He is reporting today, as Matthew Lundberg is attending a training class. Minnesota NRCS offices will be staffed at 25% through the end of March due to COVID case numbers. The Soil Conservationist position in Faribault is still vacant with no timeline on a job announcement. The District Conservationist position in Farmington is vacant, a job announcement should be seen soon. All annual Conservation Stewardship Program (CSP) payments were approved by the deadline. The first FY2022 EQIP batching period deadline was November 19, 2021. There are 36 applications for Dakota County, 32 are unfunded applications from 2021 and four are new 2022 applications. Field office staff are working on designs, planning, assessments, and ranking, with a March 4, 2022 deadline. They received four FY2022 RCPP-Land Management applications in Dakota County for the MAWQCP. Staff are working on planning and ranking those, as that deadline is also March 4, 2022. Staff have been busy modifying contracts and submitting payments for completed practices. With the Environmental Quality Incentive Program, a new conservation incentive contract program was announced for Minnesota in late December 2021. The Cannon River Watershed was selected as a priority area. Half of the approved projects will be in the priority watershed. This year, the eligibility was limited to non-structural practices, seeking mostly management practices. The deadline for applications was January 21, 2022. They have requested the priority watershed remain the same for a few consecutive years to provide adequate time to reach out to landowners.

Dakota County

The Dakota County report was provided by Jill Trescott of the Groundwater Protection Unit. Trescott provided a presentation on the Agricultural Chemical Reduction Effort (ACRE). She noted that the SWCD has been very involved with this planning, Ashley Gallagher is part of the team that meets weekly. When the implementation plan is written, it will define the tasks the SWCD will carry out. She provided an overview of the research conducted, stakeholder engagement summary, draft ACRE goal, proposed strategies, and the next steps. She said the DWSMA for Hastings is also a priority concern. Chemical contamination includes nitrate, crop herbicide, and rising chloride levels. Pesticides and chloride are secondary concerns. There has been extensive stakeholder outreach. 300 stakeholder surveys were received with responses to voluntary practices.

The draft ACRE goal is "Groundwater and drinking water that are free from agricultural chemical that threaten human health or the environment".

Trescott stated the ACRE plan should be available for public review in mid-2022 and adopted by year end.

Chamberlain asked what is considered a shallow well? Trescott responded 20 feet or less the level of the water table. The focus is on shallow groundwater wells because they have the highest level of pollutants and will show changes the fastest.

Johnson asked what percentage of private wells have been tested? Trescott stated that approximately 30% have been tested, with several contaminated with nitrates.

She further stated that a public "townhall" meeting is scheduled for March 2 to allow residents the opportunity to provide input on the plan and a public sector meeting is scheduled for March 9.

Vermillion River Watershed Joint Powers Organization

There was no Vermillion River Watershed Joint Powers Organization report.

Cannon River Watershed Joint Powers Board

The Cannon River Watershed Joint Powers Board report was provided by Chamberlain. He stated that met on January 19, 2022. The officer positions remained the same, with Commissioner Slavik on the Executive Committee. They will be holding four meetings this year, the next one is Scheduled for April 6, 2022. Two projects have been completed, they are located in Rice and Steel counties.

Metropolitan Conservation Districts Joint Power Board

There was no Metropolitan Conservation District Joint Powers Board (JPB) report. Next meeting scheduled for February 23, 2022.

Minnesota Association of Soil and Water Conservation Districts

Watson noted that the MASWCD webinar for members begins at 10:30 today, and when this meeting is adjourned, we will join the webinar. They will be reviewing the details of the SWCD Aid proposal, provide advocacy coaching, and distribute a toolkit with sample messaging for meeting with legislators.

He added that the annual legislative briefing is scheduled for March 9, 2022 and the decision to hold the even virtually or in-person will be made soon. The Day at the Capitol will be Mach 10. He has not heard if the legislative representatives will be meeting in person or prefer a virtual option.

The consensus was to keep SWCD Board meeting on March 10, 2022 and meet with legislators after adjournment.

District Manager Reports

Watson stated that the MASWCD newsletter sent out yesterday highlighted the Fasbender project. The vacancy announcement for the Resource Conservationist position closes this Friday. Tree sales have been going okay with approximately 50% of the trees being sold. Any tree cancellations need to be made by late February and staff will be reviewing the need to make any cancellations.

Board of Supervisors Reports

Supervisor Chamberlain stated that with the tree program update, he noted that on his way in today, he noted many fields with windbreaks that purchased trees through the SWCD program many years ago. He also noted that there appears to be more wind erosion off the fields this winter.

20. Upcoming Events

The upcoming events were reviewed.

21. Adjourn

22.120 Motion by Johnson, second by Chamberlain to adjourn the meeting. All members voting in favor. Motion carried.

The meeting was adjourned at 11:00 a.m.

Respectfully submitted,

Chelsea Skog
Secretary