



## AGENDA

### Dakota County Soil and Water Conservation District Board Meeting

Thursday, May 11, 2023 - 9:00 a.m.

Meeting Room 1 – Dakota County Extension and Conservation Center

4100 220<sup>th</sup> Street Farmington, MN 55024

1. Call to Order
2. Pledge of Allegiance
3. Audience  
*Anyone wishing to address the Board regarding an item that is not on the agenda may come forward at this time. Comments are limited to five minutes.*
4. Approval of Agenda (Additions/Corrections/Deletions)

#### CONSENT AGENDA

*To be adopted under one motion unless a request is made to move an item to Regular Agenda for discussion*

5. Approval of April 13, 2023 Meeting Minutes
6. Approval of May 11, 2023 Accounts Payable
7. Acceptance of the April 2023 Finance Report
8. Adopt Resolution Accepting Certain Wetland Conservation Act Responsibilities from Marshan Township
9. Adopt Resolution Accepting Certain Wetland Conservation Act Responsibilities from Empire City

#### REGULAR AGENDA

10. Authorization to Execute Four Contracts with Pat Maher for Establishment of Cover Crop (1-year) Action
11. Authorization to Execute Four Contracts with Rodney Kimmes for Establishment of Cover Crop (1-year) Action
12. Authorization to Execute Two Contracts with Ken Betzold for Establishment of Cover Crops (3-year) Action
13. Authorization to Execute Contract with Terry Fischbach for Installation of Native Prairie with Pollinator Habitat Action
14. Authorization to Execute Contract with Andy Winter for Installation of Harvestable Cover Action
15. Announcements and Reports
  - Natural Resources Conservation Service
  - Dakota County
  - Cannon River Watershed Joint Powers Board
  - Vermillion River Watershed Joint Powers Organization
  - Metropolitan Conservation Districts Joint Powers Board
  - Minnesota Association of Soil and Water Conservation Districts
  - District Managers Report
  - Board of Supervisor Announcements

16. Upcoming Events

- May 10, 2023 Lower Mississippi River Watershed Management Organization Meeting  
First Calvary Baptist Church, 5495 Robert Trail, Sunfish Lake – 3:00 p.m.
- May 11, 2023 Dakota County Soil and Water Conservation District Board Meeting  
Extension and Conservation Center, 4100 220<sup>th</sup> Street West, Farmington – 9:00 a.m.
- May 17, 2023 Black Dog Watershed Management Organization Meeting  
Burnsville Maintenance Facility, 13713 Frontier Court, Burnsville – 5:00 p.m.
- May 17, 2023 Lower Minnesota River Watershed District Meeting  
Chaska City Hall, Once City Hall Plaza 2<sup>nd</sup> Floor – 7:00 p.m.
- May 25, 2023 Vermillion River Watershed Joint Powers Board Meeting  
Extension and Conservation Center, 4100 220<sup>th</sup> Street West, Farmington – 1:00 p.m.
- June 8, 2023 Dakota County Soil and Water Conservation District Board Meeting  
Extension and Conservation Center, 4100 220<sup>th</sup> Street West, Farmington – 9:00 a.m.
- June 13, 2023 Minnesota Association of Soil and Water Conservation Districts – Metro Area Meeting  
Pleasant Valley Orchard, 17325 Pleasant Valley Road, Shafer – 9:00 a.m.

17. Adjourn

*NOTE: The Board will convene the USDA annual Local Work Group meeting to assist the Natural Resources Conservation Service with identifying conservation needs and resource concerns at 10:30 a.m. or following the Board meeting. This meeting is open to the public. No Board actions will be taken.*



## MEETING MINUTES

### BOARD OF SUPERVISORS MEETING

#### DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, April 13, 2023

9:00 a.m.

4100 220<sup>th</sup> Street W, Suite 102  
Farmington, Minnesota

**Board Members Present:**

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

**SWCD Staff Present:**

Brian Watson  
Pam LaValle  
Curt Coudron  
Matthew Sorvig  
Ashley Gallagher  
Todd Matzke  
Lindsey Albright

**Others Present:**

Brad Becker, Dakota County  
Dain Olson, DCAO  
Mark Zabel, VRW JPO  
Brynne Spangler, Student ISD 196

**1. Call to Order and Roll Call**

Chair Zanmiller called the meeting to order at 9:01 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. Presentation**

Brynne Spangler, Student of ISD 196 and mentor participant provided a summary of her mentorship experience. Brynne was mentored by Lindsey Albright, Water Resource Specialist and her experiences included aquatic invasive species awareness, monitoring surface and groundwater flow, social media outreach and Landscaping for Clean Water Program research. The Board thanked Brynne for her interest in environmental studies and wished her the best as she pursues a post-high school degree.

**5. Approval of Agenda**

**23.026** Motion by Chamberlain, second by Johnson to approve the agenda. All members voting in favor. Motion carried.

## CONSENT AGENDA

**6. Approval of March 9, 2023 Meeting Minutes**

The March 9, 2023 meeting minutes were presented.

**7. Approval of April 13, 2023 Accounts Payable**

The April 2023 accounts payable was presented.

**8. Acceptance of March Finance Report**

The March finance Reports were accepted.

**9. Adopt 2022 Annual Report**

The 2022 Annual Report was adopted.

**10. Authorization to amend contract with WSB and Associates for Model Mining Ordinance Project.**

The WSB Associates Contract for Model Mining Ordinance was amended.

**23.027** Motion by Skog, second by Johnson to approve the consent agenda items. Members voting in favor: Zanmiller, Skog, Johnson, Dee, and Chamberlain. Motion carried.

## REGULAR AGENDA

**11. Authorization to Execute Contract with Mark Malecha for Installation of two Water and Sediment Control Basins.**

Mark Malecha is proposing to install two water and sediment control basins in Greenvale Township in the Cannon River Watershed. The total eligible costs of the project are estimated at \$17,100 and project funds are available through our agreement with Dakota County and the North Cannon River Watershed Management Organization. Staff is recommending approval at 85% not to exceed \$14,535.

**23.028** Motion by Dee, second by Johnson to execute contract with Mark Malecha not to exceed \$14,535 for the installation of two water and sediment control basins. Members voting in favor: Skog, Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

**12. Authorization to Execute Contract with Carol Leifeld for reconstruction of an existing grassed waterway.**

Carol Leifeld is proposing reconstruction of an existing grassed waterway in Hampton Township in the Cannon River Watershed. The total eligible costs of the project are estimated at \$24,500 and project funds are available through our FY21 Cannon WBF grant. Staff is recommending approval at 85% not to exceed \$20,825.

**23.029** Motion by Johnson, second by Chamberlain to execute contract with Carol Leifeld not to exceed \$20,825 for the reconstruction of an existing grassed waterway. Members voting in favor: Johnson, Dee, Chamberlain, Zanmiller, and Skog. Motion carried.

**13. Authorization to Execute Contract with Mary Schwendig for installation of two grassed waterways.**

Mary Schwendig is proposing installation of two grassed waterways in Hampton Township in the Vermillion River Watershed. The total eligible costs of the project are estimated at \$16,800 and project funds are available through our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization. Staff is recommending approval at 85% not to exceed \$14,280.

**23.030** Motion by Chamberlain, second by Johnson to execute contract with Mary Schwendig not to exceed \$14,280 for installation of two grassed waterways. Members voting in favor: Dee, Chamberlain, Zanmiller, Skog, and Johnson. Motion carried.

**14. Authorization to Execute Contract with Arthur Kalmes for installation of native prairie with pollinator habitat.**

Arthur Kalmes is proposing installation of a native prairie with pollinator habitat in Burnsville in the Minnesota River Watershed. The total eligible costs of the project are estimated at \$1,900 and project funds are

available through our agreement with Dakota County. Staff is recommending approval at 85% not to exceed \$1,500.

**23.031** Motion by Johnson, second by Dee to execute contract with Arthur Kalms not to exceed \$1,500 for the installation of a native prairie with pollinator habitat. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, and Dee. Motion carried.

**15. Authorization to Execute Contract with Jeff Hoffman for installation of native prairie with pollinator habitat.**

Jeff Hoffman is proposing installation of a native prairie with pollinator habitat in Rosemount in the Vermillion River Watershed. The total eligible costs of the project are estimated at \$8,600 and project funds are available through our agreement with Dakota County. Staff is recommending approval at 85% not to exceed \$5,700.

**23.032** Motion by Skog, second by Johnson to execute contract with Jeff Hoffman not to exceed \$5,700 for the installation of a native prairie with pollinator habitat. Members voting in favor: Zanmiller, Skog, Johnson, Dee, and Chamberlain. Motion carried.

**16. Authorization to Execute Grant Agreement with Metropolitan Council to conduct water monitoring.**

A workplan with the Metropolitan Council under their Watershed Outlet Monitoring Program to conduct water monitoring services on the Vermillion and Cannon Rivers was presented. The agreement would include a not to exceed amount of \$32,000 and includes both monitoring locations with a two-year term of February 2, 2023 until December 31, 2024.

**23.033** Motion by Dee, second by Johnson to execute Grant Agreement with Metropolitan Council to conduct water monitoring. All members voting in favor. Motion carried.

**17. Announcements and Reports**

**Natural Resources Conservation Service**

Brian Watson presented a written NRCS report on behalf of Lizzy Dawson who is attending training. The report highlighted upcoming training and meetings and reported three additional EQIP applications have been preapproved. Staff updates include two new Soil Conservation/Urban Planners hired; one for the St. Paul office beginning on April 24<sup>th</sup> and the other for the Faribault office beginning May 21<sup>st</sup>.

**Dakota County**

The Dakota County report was provided by Brad Becker. Becker provided information on the Aquatic Invasive Species program.

Becker provided an update on the Thompson Oaks project in West St. Paul. It's an old golf course and they are re-building the wetland that use to exist on the site. They will be removing the contaminated debris before restoring the wetland. Then the site will be redeveloped into condominiums and a boardwalk thru the site connecting to a regional greenway.

Becker provided an update on the Byllesby turbine upgrade Project – they are replacing the turbines and doing so will double the electrical production at the site. Construction should be done this fall and they should be able to start selling power on the open market in the spring of 2024.

Becker reported the City of Randolph is transitioning to a municipal shared wastewater treatment plant. Homeowners are responsible for the cost of connecting to the sewer pipe with costs varying from \$5,000 - \$20,000. The County is providing a grant program for qualifying low-income homeowners; the grant will provide payment for 50% and the other 50% can be assessed to homeowners.

Mark Zabel, Administrator for the Vermillion River Watershed Joint Powers Organization reported he was requested by BWSR to participate in this year's annual tour on August 23, 2023 and they would like to partner with the SWCD. Discussions occurred regarding the number of attendees, the approach, and if previously

planned local tours of both the VRWJPO and SWCD should be combined. The SWCD legislative tour has typically been held in September.

Zabel provided a staff update; Mark Ryan has accepted a position as the Senior Water Resources Engineer with Dakota County so his position is open and they are currently seeking applications.

**Cannon River**

There was no Cannon River Watershed Joint Powers Board report. The next meeting is May 3.

**Metropolitan Conservation Districts Joint Power Board**

There was no Metropolitan Conservation Districts Joint Powers Board report.

**Minnesota Association of Soil and Water Conservation Districts**

Zanmiller reported on the Metro Area meeting held on March 30. The Metro Area summer meeting and tour will be hosted by Chisago SWCD on June 13. Watson highlighted a recent email from the MASWCD regarding the SWCD Aid Bill. The bill has been included in the House Tax Committee's Ominous Bill but funded at a lesser amount than what was hoped. There is less clarity on the status of the SWCD Aid Bill in the Senate.

**District Managers Report**

Watson reported he would like to schedule a Finance Committee meeting for the end of April or beginning of May. Watson noted that County staff has initiate an assessment to explore options that vacate the Extension and Conservation Center. Dakota County staff indicated that the assessment report is targeted to go to the County Board between mid-May and mid-June. Chamberlain and Dee will reach out to meet with Commissioner Slavik to discuss.

**Board of Supervisors Reports**

Dee reported that she and Pam attended a recent BWSR Treasurer's training event.

**18. Upcoming Events**

The upcoming events were reviewed.

**19. Adjourn**

**23.034** Motion by Dee, second by Skog to adjourn. All members voting in favor. Motion carried.

The meeting was adjourned at 10:25 a.m.

Respectfully submitted,

Chelsea Skog  
Secretary

**Dakota County SWCD  
Income and Expense Summary  
April 2023**

	Current Month	Year to Date
<b>Income</b>		
County Revenues	\$98,453.53	\$206,379.02
State Revenues	\$126,060.49	\$126,310.51
Local Revenues	\$64,852.91	\$69,298.91
Interest Earnings	\$2,058.49	\$3,361.65
Charges for Services	\$2,150.00	\$6,232.00
Tree Program Revenues	<u>\$5,081.92</u>	<u>\$29,147.96</u>
<b>Total Income</b>	<b>\$298,657.34</b>	<b>\$440,730.05</b>
<b>Expense</b>		
County Expenses	\$703.52	\$8,383.72
State Expenses	\$12,078.73	\$20,547.48
Local Expenses	\$2,561.30	\$6,254.83
Operating Expenses	\$1,339.70	\$18,513.79
Payroll/Personnel Expenses	\$103,204.31	\$389,445.78
Project Expenses	\$297.03	\$1,069.83
Tree Program Expenses	<u>\$88.98</u>	<u>\$465.26</u>
<b>Total Expense</b>	<b>\$120,273.57</b>	<b>\$444,680.69</b>
<b>Net Income</b>	<b><u>\$178,383.77</u></b>	<b><u>-\$3,950.64</u></b>

**Dakota County SWCD  
Balance Sheet  
April 2023**

**ASSETS:**

Checking , Savings, CD	\$	1,479,506.79	
<b>Total Cash:</b>			\$1,479,506.79

**Accounts Receivable:**

BWSR		2020 DC DW 10% Request	\$ 7,500.00
Cannon River Watershed JPO		Q1 Invoices for Services	\$ 4,622.00
DC Env Resources		Q1 Invoices for Services	\$ 42,187.37
DC Transportation		Q1 Invoices for Services	\$ 3,015.00
Eagan-Inver Grove Heights WMO		Q1 Invoices for Services	\$ 4,525.00
Lower Mississippi River WMO		Q1 Invoices for Services	\$ 18,500.00
LMR WMO - FY21 CWF WBF Grant		Q1 Invoices for Services	\$ 156.00
LMR WMO - CPLG FY22 Seidl Lake		Q1 Invoices for Services	\$ 1,935.00
Lower MN WD		Q1 Invoices for Services	\$ 1,845.00
MCD JPB		Q1 Invoices for Services	\$ 15,060.38
MAWQCP		Q1 Invoices for Services	\$ 111.00
VRW JPO		Q1 Invoices for Services	\$ 531.67
<b>Total Accounts Receivable:</b>			\$ 99,988.42

<b>TOTAL ASSETS:</b>			<b>\$ 1,579,495.21</b>
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**LIABILITIES AND EQUITY:**

**Current Liabilities**

Payroll Liabilities	\$	0.06	
Sales Tax Payable	\$	2,079.86	
			\$ 2,079.92

**Unearned Revenue:**

Buffer Law Funds 2022	\$	7,654.28	
Buffer Law Funds 2023	\$	17,000.00	
Conservation Delivery 2022	\$	6,907.97	
Conservation Delivery 2023	\$	21,240.00	
Local Capacity Services 2023	\$	114,162.50	
DC Drinking Water PP 2022	\$	50,560.50	
Soil Health Care FY23	\$	14,175.00	
State Cost Share 2022	\$	10,128.00	
State Cost Share 2023	\$	22,054.00	
WBIF 2021 Cannon River	\$	(31,426.01)	
WBIF 2022 Cannon River	\$	149,504.00	
WBIF 2021 Miss River East	\$	15,457.00	
WBIF 2021 MN River South	\$	8,233.38	
WBIF 2021 Vermillion River	\$	3,978.85	
WBIF 2022 Vermillion River	\$	77,100.00	
WBF 2022 Black Dog	\$	24,965.00	
WBF 2022 E-IGH	\$	37,500.00	
DC Natural Resources Block Grant	\$	33,882.50	
DC Operating Allocation	\$	287,534.68	
WOMP Deferred	\$	(1,821.74)	
<b>Total Unearned Revenue</b>			\$ 868,789.91

<b>Total Liabilities:</b>			<b>\$ 870,869.83</b>
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Fund Balance Beginning of Year			\$ 712,576.02
YTD Net Income/loss			\$ (3,950.64)
Fund Balance End of Current Period			\$ 708,625.38

<b>TOTAL LIABILITIES AND EQUITY:</b>			<b>\$ 1,579,495.21</b>
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**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Consent Agenda**

Request for Board Action

Roll Call Vote

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Meeting Date: 5/11/2023

Prepared by: Brian Watson

**PURPOSE/ACTION REQUESTED:**

Adopt resolution accepting certain Wetland Conservation Act (WCA) authorities from Marshan Township.

**SUMMARY:**

The Marshan Township Board passed a resolution at their December 20, 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 Marshan Township.

**EXPLANATION OF FISCAL/FTE IMPACT:**

It is anticipated that approximately 10 staff hours per year will be required under this delegation agreement. Staff costs to administer the program will be derived from a BWSR Natural Resource Block grant that Dakota County receives and transfers to the SWCD annually and from application fees established annually by the SWCD Board.

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**Supporting Documents:**

Marshan Township resolution delegating WCA authorities to the SWCD  
Draft SWCD resolution accepting delegated WCA authorities

**Previous Board Action:**

N/A

**TOWNSHIP OF MARSHAN, DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. 2022 - \_\_\_**

**A RESOLUTION REGARDING THE ADMINISTRATION  
OF THE WETLAND ACT OF 1991**

**WHEREAS**, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local governmental units (LGUs) to implement this law by adopting the rules and regulations promulgated by the Minnesota Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

**WHEREAS**, the BWSR has defined metropolitan area cities and townships as LGUs under the WCA; and

**WHEREAS**, the Township of Marshan acknowledged and accepted administrative responsibility for the WCA within its borders on February 17, 1994; and

**WHEREAS**, the LGU is responsible for following the WCA rules as stated in Minnesota Statute 8420.0200, Determining Local Government Unit Duties; and

**WHEREAS**, Minnesota Statutes, § 103G.005 permits an LGU to delegate some or all of its WCA authority to a qualified entity; and

**WHEREAS**, the Dakota County Soil and Water Conservation District has qualified personnel trained in application of the WCA and has indicated a willingness to accept a delegation of certain WCA administrative and technical responsibilities;

**THEREFORE BE IT RESOLVED THAT** the Township of Marshan hereby acknowledges and delegates its decision and administrative authority to the Dakota County Soil and Water Conservation District and their technical staff for the following purposes:

- Official Listing as LGU Contact
- Wetland Boundary and Type Decisions
- No Loss Decisions
- Exemption Decisions
- Providing State Required Annual WCA Reports

**DATE ADOPTED:** 12-20-2022

**SIGNATURE:** Melissa Pinka

**BY:** Chair, Marshan Township

**ATTEST:** Marjory Snyder

**BY:** Clerk, Marshan Township

**SWCD BOARD DATE ACCEPTED AND APPROVED:** \_\_\_\_\_

**SWCD BOARD SIGNATURE:** \_\_\_\_\_

**A RESOLUTION REGARDING ADMINISTRATION  
OF THE MINNESOTA WETLAND CONSERVATION ACT OF 1991**

**WHEREAS**, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local government units (LGUs) to implement this law by adopting the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

**WHEREAS**, the BWSR requests notification of an LGU's decision adopting or excepting administrative responsibility for another LGU in accordance with Minn. Rule 8420 which requires each local government unit of the State to acknowledge in writing to the BWSR that it is assuming its responsibilities under the Wetland Conservation Act; and

**WHEREAS**, the LGU is responsible for following the WCA rules as stated in 8420.0200, Determining Local Government Unit; Duties.

**NOW, THEREFORE, BE IT RESOLVED THAT THE Dakota County Soil and Water Conservation District as delegated by Marshan Township hereby accepts administrative responsibility as the LGU for the WCA within the legal boundaries of the Township of Marshan which lies within Dakota County as of May 12, 2023 within the guidelines as set forth by WCA rules.**

**ADOPTED:** May 11, 2023

**SIGNATURE:** \_\_\_\_\_  
**CHAIR, SWCD BOARD**

**ATTESTED:** May 11, 2023

**BY:** \_\_\_\_\_

**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Consent Agenda**

Request for Board Action

Roll Call Vote

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Meeting Date: 5/11/2023

Prepared by: Brian Watson

**PURPOSE/ACTION REQUESTED:**

Adopt resolution accepting certain Wetland Conservation Act (WCA) authorities from Empire City.

**SUMMARY:**

The Empire City council passed a resolution at their April 25, 2023 meeting to delegate its 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 limits of Empire.

Previously the SWCD received and accepted delegated WCA authorities from Empire Township. However, since the township incorporated into a city on February 28, 2023 it was necessary to have the City Council adopt a new resolution.

**EXPLANATION OF FISCAL/FTE IMPACT:**

It is anticipated that approximately 40 staff hours per year will be required under this delegation agreement. Staff costs to administer the program will be derived from a BWSR Natural Resource Block grant that Dakota County receives and transfers to the SWCD annually and from application fees established annually by the SWCD Board.

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**Supporting Documents:**

Empire City resolution delegating WCA authorities to the SWCD  
Draft SWCD resolution accepting delegated WCA authorities

**Previous Board Action:**

N/A

**EMPIRE CITY, DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. 2023 – 4C**

**A RESOLUTION REGARDING THE ADMINISTRATION OF THE WETLAND ACT**

**WHEREAS**, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local governmental units (LGUs) to implement this law by adopting the rules and regulations promulgated by the Minnesota Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

**WHEREAS**, the BWSR has defined metropolitan area cities and townships as LGUs under the WCA; and

**WHEREAS**, the Township of Empire was officially incorporated into the City of Empire on February 28, 2023; and

**WHEREAS**, the LGU is responsible for following the WCA rules as stated in Minnesota Statute 8420.0200, Determining Local Government Unit Duties; and

**WHEREAS**, Minnesota Statutes, § 103G.005 permits an LGU to delegate some or all of its WCA authority to a qualified entity; and

**WHEREAS**, the Dakota County Soil and Water Conservation District has qualified personnel trained in application of the WCA and has indicated a willingness to accept a delegation of certain WCA administrative and technical responsibilities.

**THEREFORE BE IT RESOLVED THAT** the City of Empire hereby accepts administrative responsibility for the WCA within its borders; and

**THEREFORE, BE IT FURTHER RESOLVED THAT** the City of Empire hereby acknowledges and delegates its decision and administrative authority to the Dakota County Soil and Water Conservation District and their technical staff for the following purposes:

- Official Listing as LGU Contact
- Wetland Boundary and Type Decisions
- No Loss Decisions
- Exemption Decisions
- Providing State Required Annual WCA Reports

**DATE ADOPTED:** 4/25/2023

**SIGNATURE:** \_\_\_\_\_

**BY: Mayor, City of Empire**

**ATTEST:** \_\_\_\_\_

**BY: Clerk-Administrator, City of Empire**

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**SWCD BOARD DATE ACCEPTED AND APPROVED:** \_\_\_\_\_

**SWCD BOARD SIGNATURE:** \_\_\_\_\_

**A RESOLUTION REGARDING ADMINISTRATION  
OF THE MINNESOTA WETLAND CONSERVATION ACT OF 1991**

**WHEREAS**, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local government units (LGUs) to implement this law by adopting the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

**WHEREAS**, the BWSR requests notification of an LGU's decision adopting or excepting administrative responsibility for another LGU in accordance with Minn. Rule 8420 which requires each local government unit of the State to acknowledge in writing to the BWSR that it is assuming its responsibilities under the Wetland Conservation Act; and

**WHEREAS**, the LGU is responsible for following the WCA rules as stated in 8420.0200, Determining Local Government Unit; Duties.

**NOW, THEREFORE, BE IT RESOLVED THAT THE Dakota County Soil and Water Conservation District as delegated by the City of Empire hereby accepts administrative responsibility as the LGU for the WCA within the legal boundaries of the City of Empire which lies within Dakota County as of May 12, 2023 within the guidelines as set forth by WCA rules.**

**ADOPTED:** May 11, 2023

**SIGNATURE:** \_\_\_\_\_  
**CHAIR, SWCD BOARD**

**ATTESTED:** May 11, 2023

**BY:** \_\_\_\_\_

**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Regular Agenda**

Request for Board Action

Roll Call Vote

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Meeting Date: 5/11/2023

Prepared by: Curt Coudron

**PURPOSE/ACTION REQUESTED:**

Authorize execution of four contracts with Pat Maher not to exceed \$2,100, \$2,520, \$1,960, and \$1,295 for the establishment of cover crop.

**SUMMARY:**

Pat Maher is proposing to establish a cover crop on four different fields. The fields are located in Marshan and Ravenna Townships, Vermillion River Watershed.

A seeding plan has been prepared and accepted for each field. Based on our adopted cost share policy, a landowner is eligible for up to \$35 per acre on a one-year contract.

Each field will have a separate contract. Under each contract, incentives for establishing the cover crop are as follows:

- 60 acres not to exceed \$2,100
- 72 acres not to exceed \$2,520
- 56 acres not to exceed \$1,960
- 37 acres not to exceed \$1,295

SWCD staff will certify cover crop establishment after installation.

**EXPLANATION OF FISCAL/FTE IMPACT:**

Project funds are available through our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization.

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**Supporting Documents:**

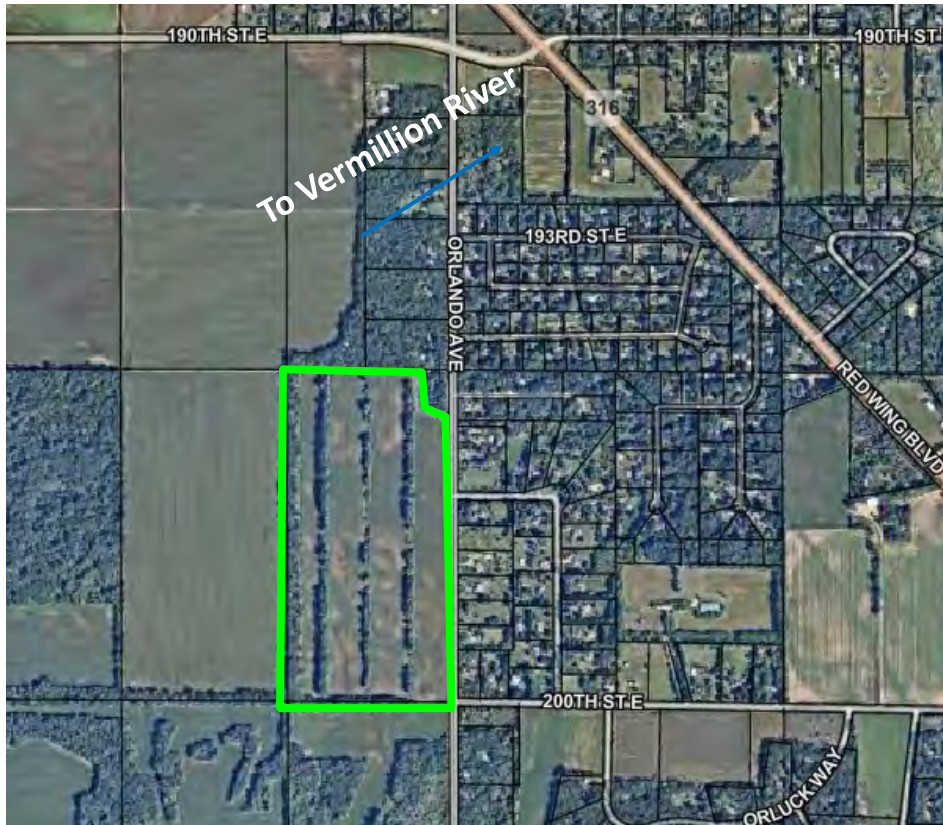
23-IPP-08 Maher, Pat CC Factsheet  
23-IPP-09 Maher, Pat CC Factsheet  
23-IPP-10 Maher, Pat CC Factsheet  
23-IPP-11 Maher, Pat CC Factsheet

**Previous Board Action:**

None



# PAT MAHER COVER CROP



### PRACTICE:

- Cover Crop

### BENEFITS:

- 2.4 tons of sediment per year prevented from traveling downstream
- 4 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

### PARTNERS:

- Vermillion River Watershed Joint Powers Organization
- Dakota County

### WATERSHED:

- Vermillion River

### RECEIVING WATERS:

- Vermillion River

### INSTALLATION:

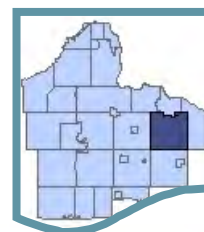
- Fall 2023

**PROJECT:** A winter cereal rye cover crop will be planted on 60 acres following soybean harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: \$2,100  
(60 acres x \$35 per acre x 1 year)



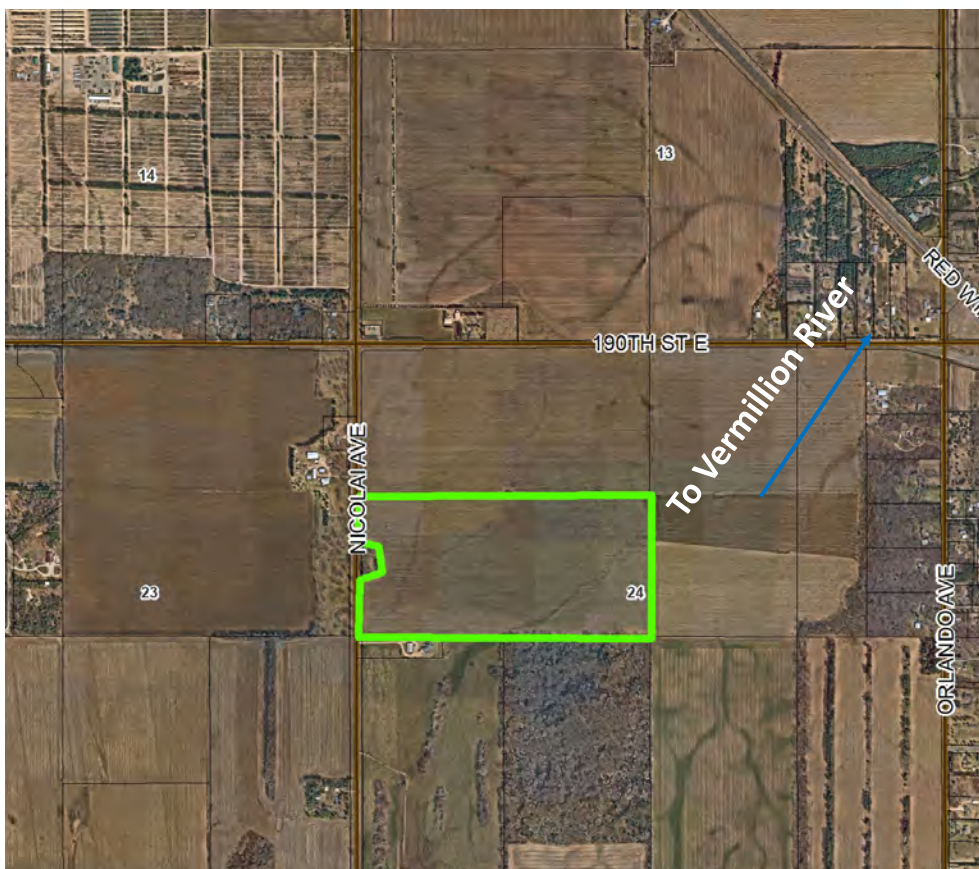
**LOCATION:**  
Marshan Township







# PAT MAHER COVER CROP



### PRACTICE:

- Cover Crop

### BENEFITS:

- 3 tons of sediment per year prevented from traveling downstream
- 5 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

### PARTNERS:

- Vermillion River Watershed Joint Powers Organization
- Dakota County

### WATERSHED:

- Vermillion River

### RECEIVING WATERS:

- Vermillion River

### INSTALLATION:

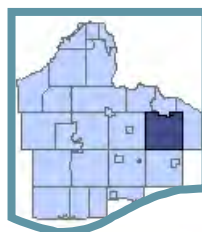
- Fall 2023

**PROJECT:** A winter cereal rye cover crop will be planted on 72 acres following soybean harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: **\$2,520**  
(72 acres x \$35 per acre x 1 year)

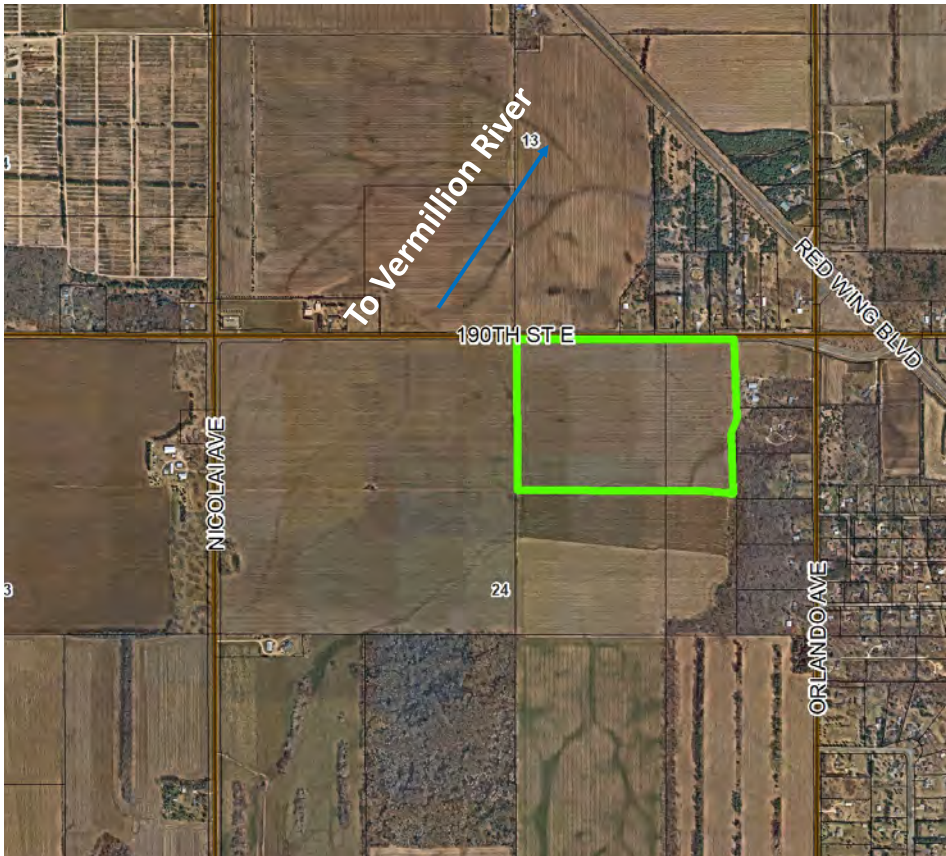


**LOCATION:**  
Marshan Township





# PAT MAHER COVER CROP

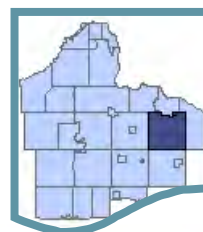


**PROJECT:** A winter cereal rye cover crop will be planted on 56 acres following soybean harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: \$1,960  
(56 acres x \$35 per acre x 1 year)



**LOCATION:**  
Marshan Township



### PRACTICE:

- Cover Crop

### BENEFITS:

- 2 tons of sediment per year prevented from traveling downstream
- 4 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

### PARTNERS:

- Vermillion River Watershed Joint Powers Organization
- Dakota County

### WATERSHED:

- Vermillion River

### RECEIVING WATERS:

- Vermillion River

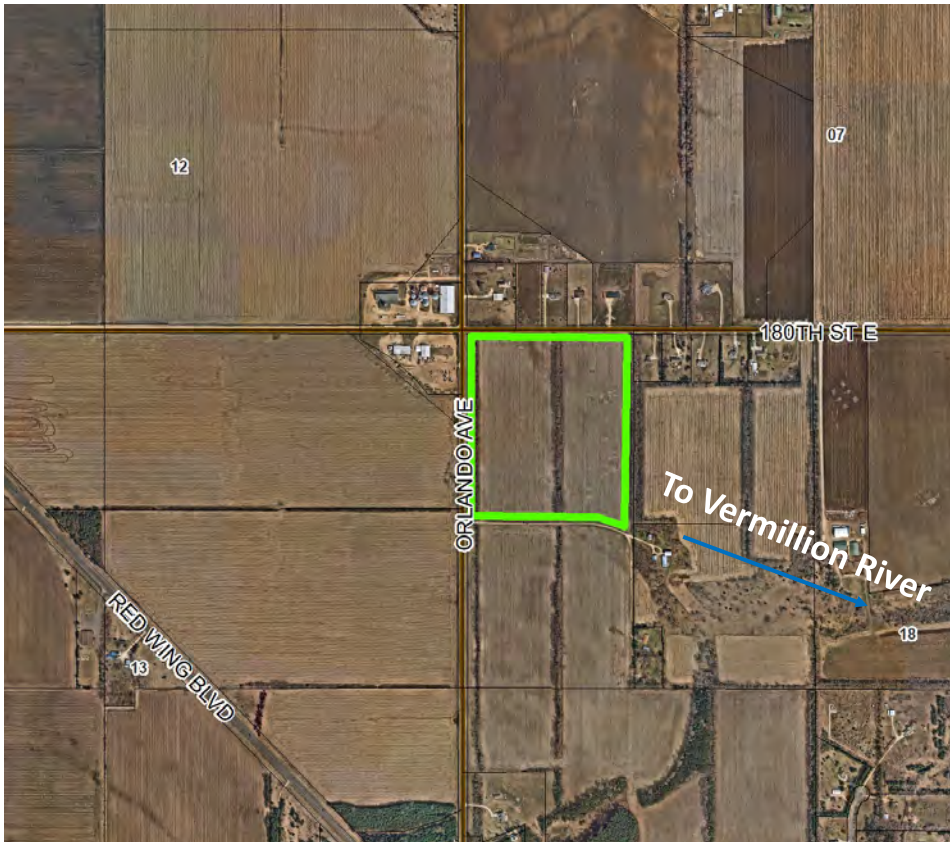
### INSTALLATION:

- Fall 2023





# PAT MAHER COVER CROP

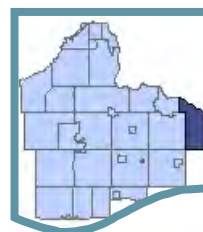


**PROJECT:** A winter cereal rye cover crop will be planted on 37 acres following soybean harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: \$1,295  
(37 acres x \$35 per acre x 1 year)



**LOCATION:**  
Ravenna Township



## PRACTICE:

- Cover Crop

## BENEFITS:

- 1 ton of sediment per year prevented from traveling downstream
- 1 lb. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

## PARTNERS:

- Vermillion River Watershed Joint Powers Organization
- Dakota County

## WATERSHED:

- Vermillion River

## RECEIVING WATERS:

- Vermillion River

## INSTALLATION:

- Fall 2023

**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Regular Agenda**

Request for Board Action

Roll Call Vote

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Meeting Date: 5/11/2023

Prepared by: Curt Coudron

**PURPOSE/ACTION REQUESTED:**

Authorize execution of four contracts with Rodney Kimmes not to exceed \$3,150, \$2,660, \$2,520, and \$2,975 for the establishment of cover crop.

**SUMMARY:**

Rodney Kimmes is proposing to establish a cover crop on four different fields. One field is located in Hampton Township, Cannon River Watershed and three fields are located in Marshan Township, Vermillion River Watershed.

A seeding plan has been prepared and accepted for each field. Based on our adopted cost share policy, a landowner is eligible for up to \$35 per acre on a one-year contract.

Each field will have a separate contract. Under each contract, incentives for establishing the cover crop are as follows:

- 90 acres not to exceed \$3,150
- 76 acres not to exceed \$2,660
- 72 acres not to exceed \$2,520
- 85 acres not to exceed \$2,975

SWCD staff will certify cover crop establishment after installation.

**EXPLANATION OF FISCAL/FTE IMPACT:**

Project funds are available through our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization.

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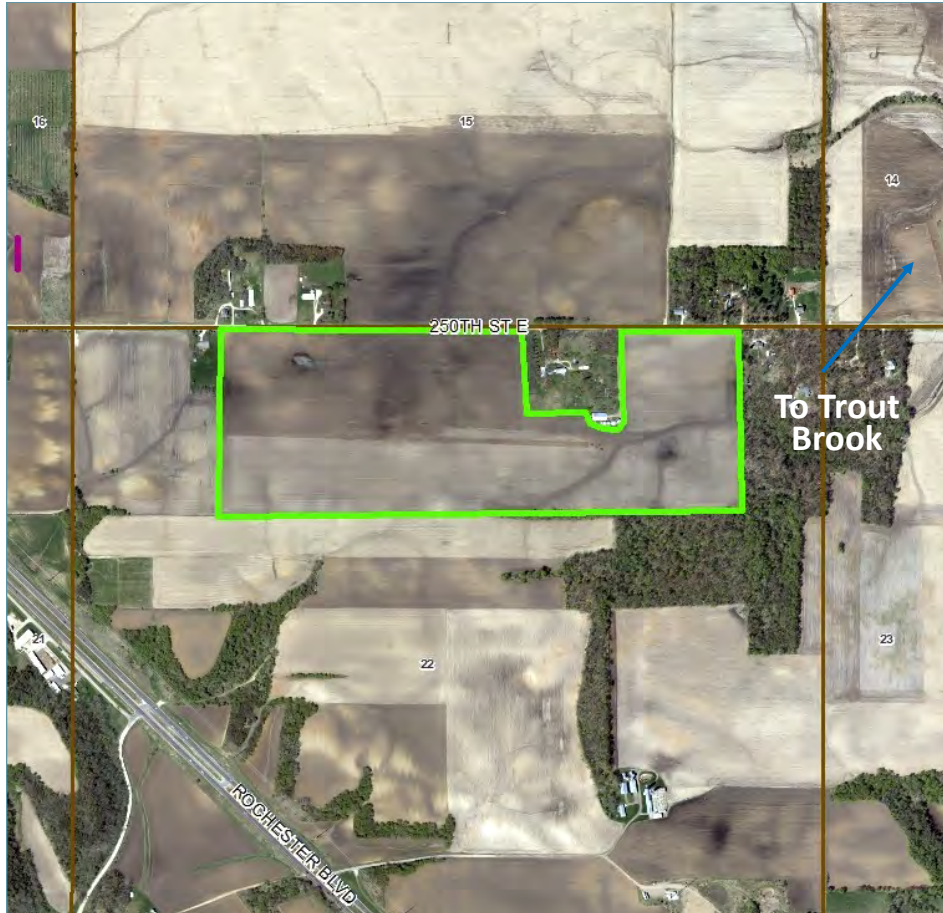
**Supporting Documents:**

23-IPP-12 Kimmes, Rodney CC Factsheet  
23-IPP-13 Kimmes, Rodney CC Factsheet  
23-IPP-14 Kimmes, Rodney CC Factsheet  
23-IPP-15 Kimmes, Rodney CC Factsheet

**Previous Board Action:**

None

# RODNEY KIMMES COVER CROP



**PRACTICE:**

- Cover Crop

**BENEFITS:**

- 30 tons of sediment per year prevented from traveling downstream
- 42 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

**PARTNERS:**

- Dakota County

**WATERSHED:**

- Cannon River

**RECEIVING WATERS:**

- Trout Brook

**INSTALLATION:**

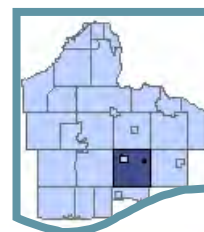
- Fall 2023

**PROJECT:** A radish and oat cover crop mix will be planted on 90 acres following sweet corn harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: **\$3,150**  
(90 acres x \$35 per acre x 1 year)

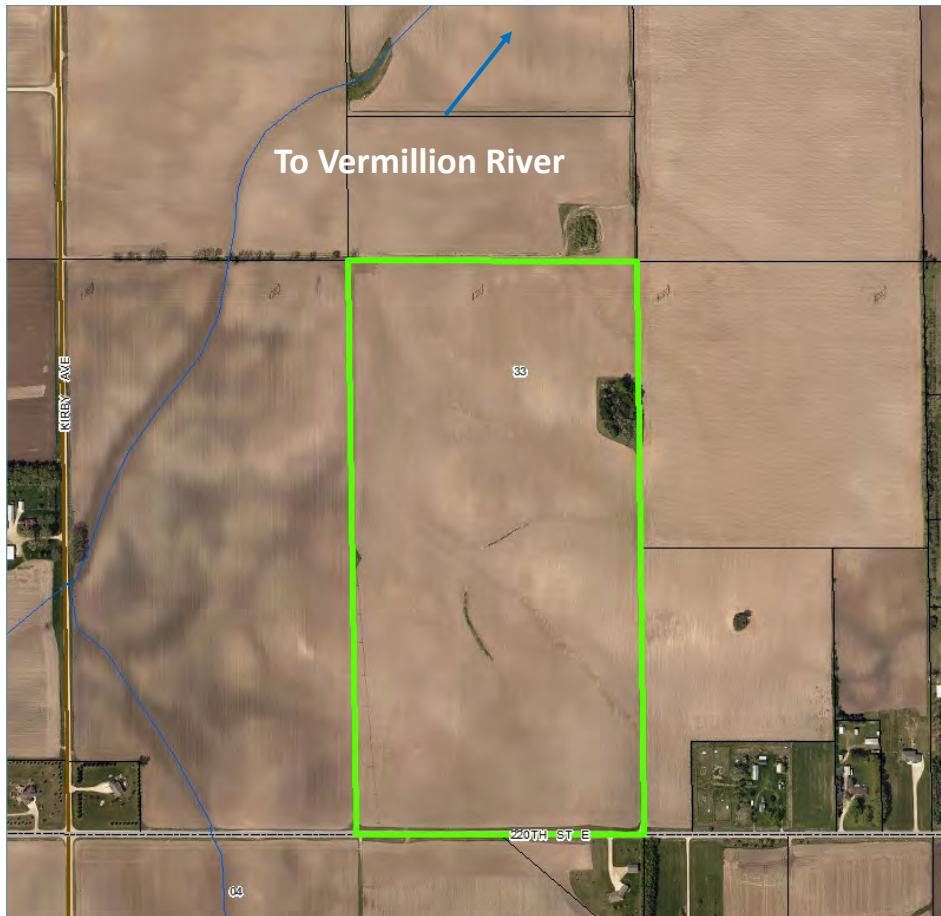


**LOCATION:**  
Hampton Township





# RODNEY KIMMES COVER CROP



### PRACTICE:

- Cover Crop

### BENEFITS:

- 20 tons of sediment per year prevented from traveling downstream
- 29 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

### PARTNERS:

- Vermillion River Watershed Joint Powers Organization
- Dakota County

### WATERSHED:

- Vermillion River

### RECEIVING WATERS:

- Vermillion River

### INSTALLATION:

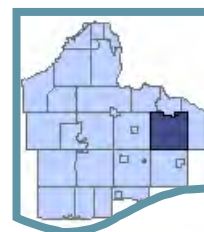
- Fall 2023

**PROJECT:** A radish and oat cover crop mix will be planted on 76 acres following sweet corn harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: \$2,660  
(76 acres x \$35 per acre x 1 year)

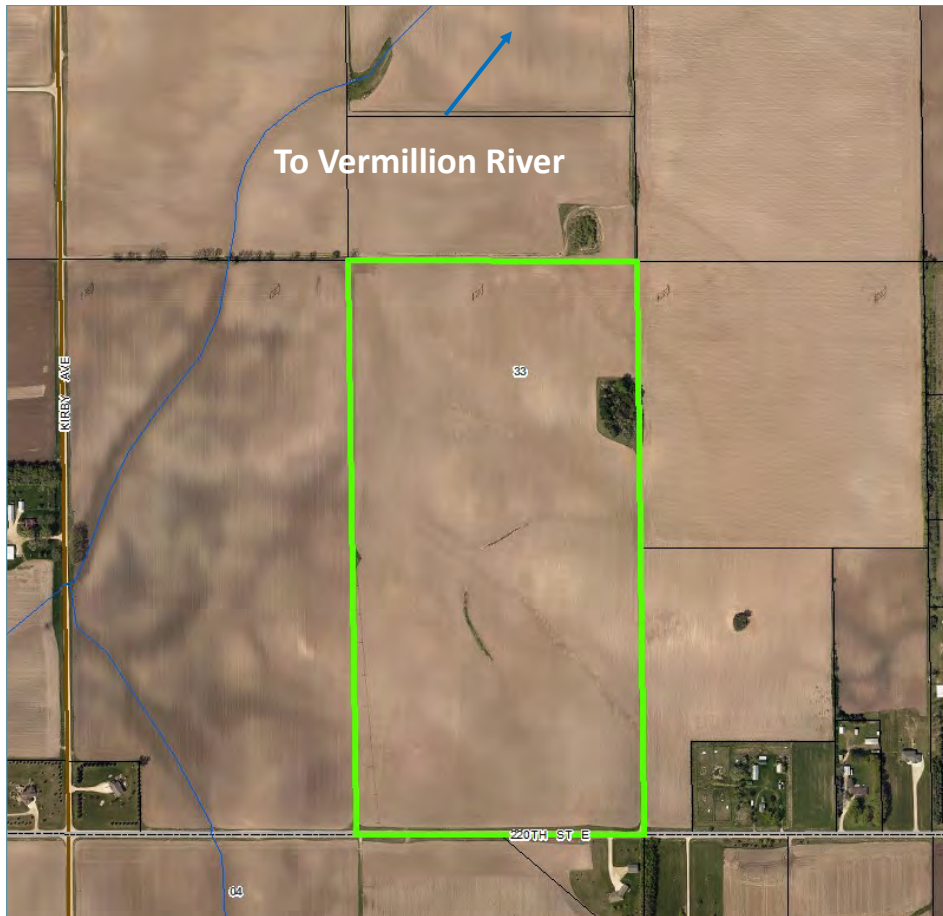


**LOCATION:**  
Marshan Township





# RODNEY KIMMES COVER CROPS



### PRACTICE:

- Cover Crops

### BENEFITS:

- 20 tons of sediment per year prevented from traveling downstream
- 29 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

### PARTNERS:

- Vermillion River Watershed Joint Powers Organization
- Dakota County

### WATERSHED:

- Vermillion River

### RECEIVING WATERS:

- Vermillion River

### INSTALLATION:

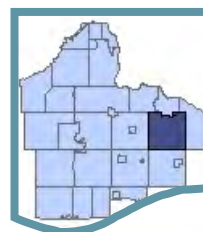
- Fall 2023

**PROJECT:** A winter cereal rye crop will be planted on 72 acres following snap bean harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: \$2,520  
(72 acres x \$35 per acre x 1 year)

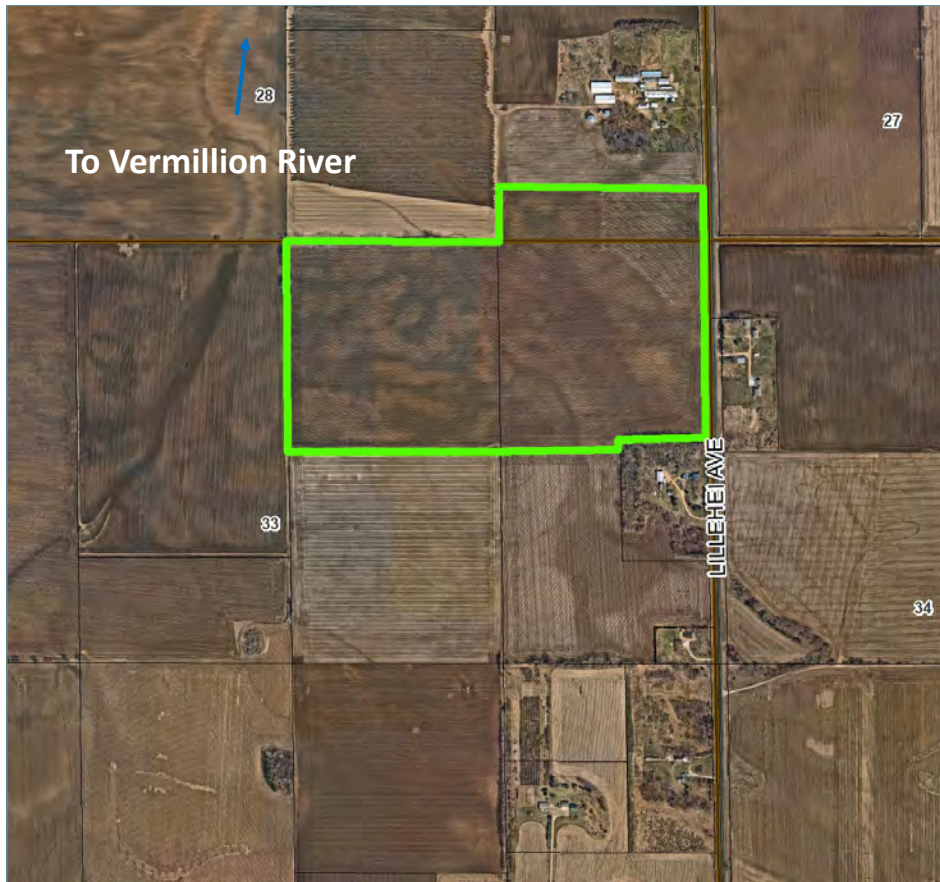


**LOCATION:**  
Marshan Township





# RODNEY KIMMES COVER CROP



### PRACTICE:

- Cover Crop

### BENEFITS:

- 15 tons of sediment per year prevented from traveling downstream
- 23 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

### PARTNERS:

- Vermillion River Watershed Joint Powers Organization
- Dakota County

### WATERSHED:

- Vermillion River

### RECEIVING WATERS:

- Vermillion River

### INSTALLATION:

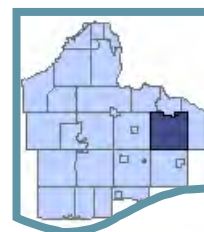
- Fall 2023

**PROJECT:** A radish and oat cover crop mix will be planted on 85 acres following sweet corn harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: \$2,975  
(85 acres x \$35 per acre x 1 year)



**LOCATION:**  
Marshan Township





**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Regular Agenda**

Request for Board Action

Roll Call Vote

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Meeting Date: 5/11/2023

Prepared by: Curt Coudron

**PURPOSE/ACTION REQUESTED:**

Authorize execution of two contracts with Ken Betzold not to exceed \$8,910 and \$7,425 for the establishment of cover crops.

**SUMMARY:**

Ken Betzold is proposing to establish cover crops on two different fields. One field is located in Castle Rock Township in the Cannon River Watershed and the second field is located in Castle Rock Township in the Vermillion River Watershed.

Each field will have a separate contract that will require establishment of a cover crop for three consecutive years. Based on our adopted cost share policy, a landowner is eligible for up to \$45 per acre per year on a three-year contract.

Under each contract, incentives for establishing the cover crop are as follows:

- 66 acres not to exceed \$8,910
- 55 acres not to exceed \$7,425

Seeding plans have been prepared and accepted for each field. Under District cost share policy, payment for the first year will be made upon certification of the installation and District Board approval. Payments for additional years will be made annually when the cover crop seeding has been completed for that year and certified by District staff.

**EXPLANATION OF FISCAL/FTE IMPACT:**

Project funds are available through our FY21 Cannon WBIF, FY21 Vermillion WBIF, and FY22 CWF Drinking Water Protection Phase 2 grants.

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**Supporting Documents:**

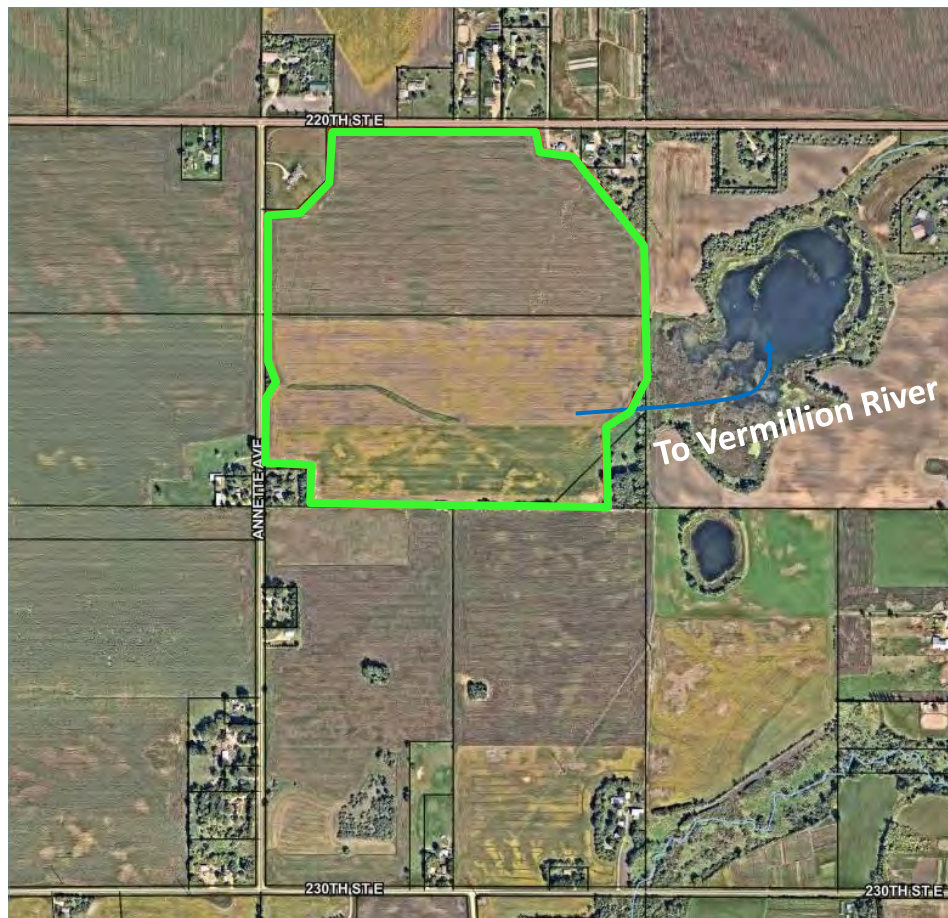
23-IPP-16 Betzold, Ken CC Factsheet  
23-IPP-17 Betzold, Ken CC Factsheet

**Previous Board Action:**

None



# KEN BETZOLD COVER CROPS



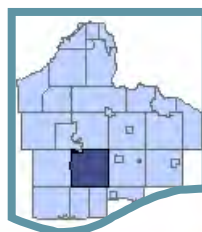
**PROJECT:** A rye cover crop will be planted on 66 acres following soybean harvest and will be planted for two additional years. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: \$8,910  
(66 acres x \$45 per acre x 3 year)



*Clean Water Fund:*  
Protecting and restoring  
Minnesota's waters for  
generations to come.

**LOCATION:**  
Castle Rock  
Township



**PRACTICE:**

- Cover Crops

**BENEFITS:**

- 20 tons of sediment per year prevented from traveling downstream
- 24 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

**PARTNERS:**

- Dakota County
- Minnesota Board of Water and Soil Resources

**WATERSHED:**

- Vermillion River

**RECEIVING WATERS:**

- South Branch Vermillion River

**INSTALLATION:**

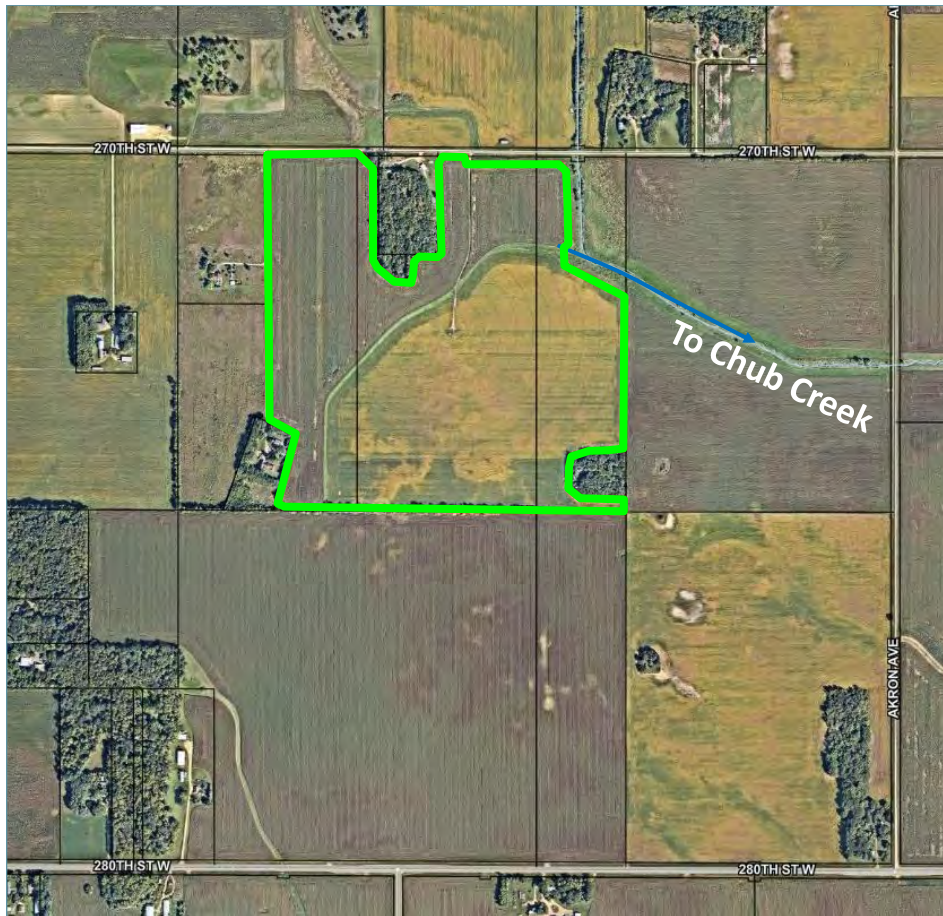
- Fall 2023





# KEN BETZOLD

## COVER CROPS



### PRACTICE:

- Cover Crops

### BENEFITS:

- 30 tons of sediment per year prevented from traveling downstream
- 32 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

### PARTNERS:

- Dakota County
- Minnesota Board of Water and Soil Resources

### WATERSHED:

- Cannon River

### RECEIVING WATERS:

- Chub Creek

### INSTALLATION:

- Fall 2023

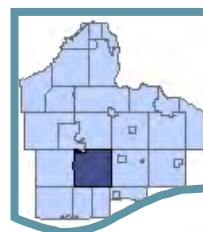
**PROJECT:** A rye cover crop will be planted on 55 acres following soybean harvest and will be planted for two additional years. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: \$7,425  
(55 acres x \$45 per acre x 3 year)



*Clean Water Fund:*  
Protecting and restoring  
Minnesota's waters for  
generations to come.

**LOCATION:**  
Castle Rock  
Township



**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Regular Agenda**

Request for Board Action

Roll Call Vote

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Meeting Date: 5/11/2023

Prepared by: Curt Coudron

**PURPOSE/ACTION REQUESTED:**

Authorize execution of a contract with Terry Fischbach not to exceed \$6,460 for the installation of a native prairie with pollinator habitat.

**SUMMARY:**

Terry Fischbach is proposing to install a 3.1 acre native prairie with pollinator habitat in Ravenna Township in the Vermillion River Watershed. Existing turf grass and cultivated field will be replaced with native prairie plants. The project will improve infiltration, protect water quality, and provide pollinator habitat.

The total eligible costs of the project are estimated at \$7,600. Staff is recommending approval at 85% cost share not to exceed \$6,460.

**EXPLANATION OF FISCAL/FTE IMPACT:**

Project funds to install the project are available through our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization.

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**Supporting Documents:**  
23-IPP-18 Fischbach, Terry NPR Factsheet

**Previous Board Action:**  
None





# TERRY FISCHBACH

# NATIVE PRAIRIE RESTORATION



### PRACTICE:

- Restoration of Rare and Declining Native Plant Communities

### BENEFITS:

- 0.27 tons of sediment per year prevented from traveling downstream
- 0.7 lbs. of phosphorous per year prevented from traveling downstream
- Improved wildlife habitat, in particular for pollinators.

### PARTNERS:

- Vermillion River Watershed Joint Powers Organization
- Dakota County

### WATERSHED:

- Vermillion River

### RECEIVING WATERS:

- Vermillion River

### INSTALLATION:

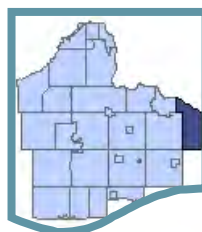
- Spring 2023

**PROJECT:** 3.1 acres of agricultural field and turfgrass will be restored to native prairie vegetation. The native prairie will improve infiltration, reduce erosion, and provide wildlife habitat, particularly for pollinators.

<b>FUNDING:</b>	<b>Estimated Project Cost:</b>	<b>\$7,600</b>
	<b>Cost Share Amount:</b>	<b>\$6,460</b>
	<b>Landowner Amount</b>	<b>\$1,140</b>



**LOCATION:**  
Ravenna Township



**DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**Regular Agenda**

Request for Board Action

Roll Call Vote

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Meeting Date: 5/11/2023

Prepared by: Curt Coudron

**PURPOSE/ACTION REQUESTED:**

Authorize execution of a contract with Andy Winter not to exceed \$2,100 for the installation of a harvestable cover.

**SUMMARY:**

Andy Winter is proposing to plant 20 acres of harvestable cover in Greenvale Township in the Cannon River Watershed. Alfalfa will be planted and maintained for 3 years.

A seeding plan has been prepared and accepted for each field. Based on our adopted cost share policy, harvestable covers are eligible for up to \$35 per acre per year on a three-year contract. Payment for the first year will be made upon certification of the installation and Board approval. Payments for additional years will be made annually after staff has verified harvestable cover meets operations and management requirements.

**EXPLANATION OF FISCAL/FTE IMPACT:**

Project funds to install the project are available through our agreement with Dakota County.

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**Supporting Documents:**  
23-IPP-19 Winter, Andy Harvestable Cover Factsheet

**Previous Board Action:**  
None



## ANDY WINTER

# HARVESTABLE COVER



### PRACTICE:

- Harvestable Cover

### BENEFITS:

- 2 tons of sediment per year prevented from traveling downstream
- 4 lbs. of phosphorous per year prevented from traveling downstream
- Reduced leaching of nitrate into groundwater on highly vulnerable and sensitive soils
- Retained nutrients and improved soil health.

### PARTNERS:

- Dakota County

### WATERSHED:

- Cannon River

### RECEIVING WATERS:

- Mud Creek

### INSTALLATION:

- Fall 2023

**PROJECT:** A harvestable perennial of alfalfa will be planted on 20 acres and remain there for 3 years. The perennial cover will provide over-winter protection of soils, erosion control, reduce weed pressure, and prevent nutrient leaching.

**FUNDING:** Incentive Amount: **\$2,100**  
(20 acres x \$35 per acre x 3 year)



**LOCATION:**  
Greenvale  
Township

