



AGENDA

Dakota County Soil and Water Conservation District Board Meeting

Thursday, June 8, 2023 - 9:00 a.m.

Meeting Room 1 – Dakota County Extension and Conservation Center

4100 220th 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 May 11, 2023 Meeting Minutes
6. Approval of June 8, 2023 Accounts Payable
7. Acceptance of May 2023 Finance Report
8. Authorization to Amend Joint Powers Agreement with the Minnesota Department of Agriculture to Support Implementation of the Nitrogen Fertilizer Management Plan and Groundwater Protection Rule within the Hastings Drinking Water Supply Management Area

REGULAR AGENDA

9. Authorization to Execute Two Contracts with Wayne Peterson for Establishment of Cover Crop (1-year) Action
10. Authorization to Execute Contract with City of Burnsville for Installation of Grade Stabilization Structure Action
11. Authorization to Execute Contract with Noah and Cathy Blaha for Installation of Native Prairie with Pollinator Habitat Action
12. Authorization to Execute Contract with Janelle and Jim Cikanek for Installation of Native Prairie with Pollinator Habitat Action
13. 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

14. Upcoming Events

- June 8, 2023 Dakota County Soil and Water Conservation District Board Meeting
Extension and Conservation Center, 4100 220th 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.
- June 14, 2023 Lower Mississippi River Watershed Management Organization Meeting
Mendota Heights City Hall, 1101 Victoria Curve – 3:00 p.m.
- June 20, 2023 Eagan-Inver Grove Heights Watershed Management Organization Meeting
Eagan Maintenance Facility, 3501 Coachman Point – 5:30 p.m.
- June 21, 2023 Black Dog Watershed Management Organization Meeting
Burnsville Maintenance Facility, 13713 Frontier Court, Burnsville – 5:00 p.m.
- June 21, 2023 Lower Minnesota River Watershed District Meeting
Chaska City Hall, Once City Hall Plaza 2nd Floor – 7:00 p.m.
- June 22, 2023 Vermillion River Watershed Joint Powers Board Meeting
Extension and Conservation Center, 4100 220th Street West, Farmington – 1:00 p.m.
- July 12, 2023 Lower Mississippi River Watershed Management Organization Meeting
Mendota Heights City Hall, 1101 Victoria Curve – 3:00 p.m.
- July 13, 2023 Dakota County Soil and Water Conservation District Board Meeting
Extension and Conservation Center, 4100 220th Street West, Farmington – 9:00 a.m.

15. Adjourn



MEETING MINUTES

BOARD OF SUPERVISORS MEETING

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Thursday, May 11, 2023

9:00 a.m.

4100 220th 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

Others Present:

Nikki Stewart, Dakota County
Dain Olson, DCAO
Mark Zabel, VRW JPO
Matt Lundberg, NRCS
Lizzy Dawson, NRCS

1. Call to Order and Roll Call

Chair Zanmiller called the meeting to order at 9:03 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

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

CONSENT AGENDA

5. Approval of April 13, 2023 Meeting Minutes

The April 13, 2023 meeting minutes were presented.

6. Approval of May 11, 2023 Accounts Payable

The May 2023 accounts payable was presented.

7. Acceptance of April Finance Report

The April finance Report was presented.

8. Authorization to Adopt Resolution Accepting Certain Wetland Conservation Act responsibilities from Marshan Township.

Resolution from Marshan Township to delegate certain Wetland Conservation Act Responsibilities was presented.

9. Authorization to Adopt Resolution Accepting Certain Wetland Conservation Act responsibilities from Empire City.

Resolution from Empire City to delegate certain Wetland Conservation Act responsibilities was presented.

23.036 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

10. Authorization to Execute Four Contracts with Pat Maher for Establishment of Cover Crop (1-year).

Pat Maher is proposing to establish a cover crop on four different fields totaling 225 acres located in Marshan and Ravenna Townships in the Vermillion River Watershed. Each field will have a separate contract. Project funds are available through our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization.

23.037 Motion by Chamberlain, second by Johnson to execute four contracts with Pat Maher (23-IPP-08, 23-IPP-09, 23-IPP-10 & 23-IPP-11) not to exceed \$2,100, \$2,520, \$1,960 and \$1,295 for establishing cover crop. Members voting in favor: Skog, Johnson, Dee, Chamberlain, and Zanmiller. Motion carried.

11. Authorization to Execute Four Contracts with Rodney Kimmes for Establishment of Cover Crop (1-year).

Rodney Kimmes is proposing to establish a cover crop on four different fields totaling 323 acres; one field is located in Hampton Township in the Cannon River Watershed and three fields are located in Marshan Township in the Vermillion River Watershed. Each field will have a separate contract. Project funds are available through our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization.

23.038 Motion by Chamberlain, second by Johnson to execute four contracts with Rodney Kimmes (23-IPP-12, 22-IPP-13, 23-IPP-14 & 23-IPP-15) not to exceed \$3,150, \$2,660, \$2,520 and \$2,975 for establishing cover crop. Members voting in favor: Johnson, Dee, Chamberlain, Zanmiller, and Skog. Motion carried.

12. Authorization to Execute Two Contracts with Ken Betzold for Establishment of Cover Crop (3-year).

Ken Betzold is proposing to establish a cover crop on two different fields totaling 121 acres; 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. Project funds are available through our FY21 Cannon WBIF, FY21 Vermillion WBIF and FY22 CWF Drinking Water Protection grants.

23.039 Motion by Johnson, second by Skog to execute two contracts with Ken Betzold (23-IPP-16 & 23-IPP-17) not to exceed \$8,910 and \$7,425 for establishing cover crop. Members voting in favor: Dee, Chamberlain, Zanmiller, Skog, and Johnson. Motion carried.

13. Authorization to Execute Contract with Terry Fischbach for Installation of Native Prairie with Pollinator Habitat.

Terry Fischbach is proposing installation of a native prairie with pollinator habitat in Ravenna Township in the Vermillion River Watershed. The total eligible costs of the project are estimated at \$7,600 and project funds are available through our agreement with Dakota County and the Vermillion River Watershed Joint Powers Organization. Staff is recommending approval at 85% not to exceed \$6,460.

23.040 Motion by Chamberlain, second by Johnson to execute contract with Terry Fischbach (23-IPP-18) not to exceed \$6,460 for the installation of a native prairie with pollinator habitat. Members voting in favor: Chamberlain, Zanmiller, Skog, Johnson, and Dee. Motion carried.

14. Authorization to Execute Contract with Andy Winter for Installation of Harvestable Cover.

Andy Winter is proposing to plant 20 acres of harvestable cover in Greenvale Township in the Cannon River Watershed. Project funds are available through our agreement with Dakota County.

23.041 Motion by Dee, second by Johnson to execute contract with Andy Winter (23-IPP-19) not to exceed \$2,100 for the installation of harvestable cover. Members voting in favor: Zanmiller, Skog, Johnson, Dee, and Chamberlain. Motion carried.

15. Announcements and Reports

Natural Resources Conservation Service

The Natural Resources Conservation Services (NRCS) report was provided by Lizzy Dawson. Dawson reported the local work group meeting will follow today's board meeting and provided a staff and programs update.

Watson reported he attended a virtual NRCS workshop on the Inflation Reduction Act and there will be no new programs developed with additional funds; just more funding to existing programs.

Dakota County

The Dakota County report was provided by Nikki Stewart. Stewart reported Dakota County appreciates the continuing working relationship with the SWCD staff on all the work done on the model ordinance which is part of the County's ground water plan.

Cannon River Watershed Joint Powers Board

The Cannon River Watershed report was provided by Ashley Gallagher. Gallagher reported there was a meeting held May 3 and discussions took place regarding the logo and dues. Both will be discussed again at the next meeting.

Vermillion River Watershed Joint Powers Board

The Vermillion River Watershed Joint Powers Board report was provided by Mark Zabel, Administrator for the Vermillion River Watershed Joint Powers Organization. Zabel provided a staff update and announced he is retiring July 14th but will remain on the board of the Carver County SWCD.

Metropolitan Conservation Districts Joint Power Board

There was no Metropolitan Conservation Districts Joint Powers Board report.

Minnesota Association of Soil and Water Conservation Districts

The Minnesota Association of Soil and Water Conservation Districts was provided by Laura Zanmiller. Zanmiller reported the State Directors meeting was held in April and she made available the 2023 focus areas of the Association.

District Managers Report

Watson provided a legislative update. The MASWCD Metro Area Summer Meeting and Tour will be held June 13th and hosted by the Chisago SWCD. Registration is due by May 31st and information is available in your board packet. Watson reported Lindsey Albright mentored a student from the School of Environmental Studies on water/well monitoring and her mentorship poster is available in the board packet. Watson reported all 12 Townships in Dakota County and 7 cities have delegated WCA responsibilities to the SWCD.

Board of Supervisors Announcements

Dee reported the finance committee met in April and minor changes were made to the financial reports included in board packets to simplify them. Dee reported on current RIM easement issues and stressed the important role SWCD's have and the role the board has to make sure we are doing our job accurately.

Chamberlain reported on a meeting held with Dee and Dakota County Commissioner Mike Slavik regarding the assessment to vacate the Dakota County Extension and Conservation Center. The report is scheduled to be presented to the Dakota County Board in June.

Chamberlain reported on a conversation he had with a resident regarding wind erosion. Watson reported that more inquiries regarding wind erosion have occurred over the last couple of years. Discussion occurred regarding ways to address wind erosion through more focused landowner outreach, a soil loss ordinance or ensuring compliance with the Metropolitan Ag. Preserves Program.

Zabel reported BWSR approved a new pilot Rural Investment to Protect Our Environment (RIPE) program and they are looking for up to 10 SWCD's to participate. Payments are a flat rate for climate smart activity and paid directly by Virginia Tech through the USDAs Partnerships for Climate-Smart Commodities Program. BWSR is allocating \$2.7 million to the program.

16. Upcoming Events

The upcoming events were reviewed.

17. Adjourn

23.042 Motion by Dee, second by Johnson to adjourn. All members voting in favor. Motion carried.

The meeting was adjourned at 10:17 a.m.

Respectfully submitted,

Chelsea Skog
Secretary

DRAFT

Dakota County SWCD
Balance Sheet
May 2023

7.0 May 2023 Finance Report

ASSETS:

Checking , Savings, CD	\$ 1,518,732.72	
Total Cash:		\$1,518,732.72

Accounts Receivable:

DC Env Resources	Q1 Invoices for Services	\$	42,187.37
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
VRW JPO	Q1 Invoices for Services	\$	531.67
Total Accounts Receivable:			\$ 67,835.04

Prepaid Items		\$ -
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TOTAL ASSETS:		\$ 1,586,567.76
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LIABILITIES AND EQUITY:

Current Liabilities

Payroll Liabilities	\$	0.12
Sales Tax Payable	\$	2,137.29
		\$ 2,137.41

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 2022	\$	-
Local Capacity Services 2023	\$	114,162.50
Soil Health Care FY23	\$	14,175.00
DC Drinking Water PP 2022	\$	50,560.50
State Cost Share 2022	\$	10,128.00
State Cost Share 2023	\$	22,054.00
WBIF 2021 Cannon River	\$	90,691.19
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	\$	-
WBF 2022 Black Dog	\$	24,965.00
WBF 2022 E-IGH	\$	37,500.00
WBF 2023 Vermillion River	\$	77,100.00
DC Natural Resources Block Grant	\$	33,882.50
DC Operating Allocation	\$	251,592.85
WOMP Deferred	\$	12,578.26
Total Unearned Revenue		\$ 969,365.28

Total Liabilities:		\$ 971,502.69
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Fund Balance Beginning of Year	\$	712,576.02
YTD Net Income/loss	\$	(97,510.95)
Fund Balance End of Current Period	\$	615,065.07

TOTAL LIABILITIES AND EQUITY:		\$ 1,586,567.76
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**Dakota County SWCD
Income and Expense Summary
May 2023**

	Current Month	Year to Date
Income		
County Revenues	\$ 35,941.83	\$ 242,320.85
State Revenues		\$ 126,310.51
Local Revenues		\$ 69,298.91
Interest Earnings		\$ 3,361.65
Charges for Services	\$ 3,575.00	\$ 9,807.00
Tree Program Revenues	\$ 806.11	\$ 29,954.07
Total Income	\$ 40,322.94	\$ 481,052.99
Expense		
County Expenses		\$ 8,383.72
State Expenses	\$ 9,947.75	\$ 30,495.23
Local Expenses	\$ 12.97	\$ 6,267.80
Operating Expenses	\$ 786.62	\$ 19,300.41
Payroll/Personnel Expenses	\$ 103,914.73	\$ 493,360.51
Project Expenses	\$ 135.07	\$ 1,204.90
Tree Program Expenses	\$ 19,086.11	\$ 19,551.37
Total Expense	\$ 133,883.25	\$ 578,563.94
Net Income	<u>\$ (93,560.31)</u>	<u>\$ (97,510.95)</u>

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Consent Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 6/8/2023

Prepared by: Ashley Gallagher

PURPOSE/ACTION REQUESTED:

Authorize amendment to joint powers agreement with the Minnesota Department of Agriculture (MDA) to assist with implementing the Nitrogen Fertilizer Management Plan and Groundwater Protection Rule within Hastings Drinking Water Supply Management Area.

SUMMARY:

The SWCD has had an agreement with MDA since 2017 for work related to the State of Minnesota Nitrogen Fertilizer Management Plan and the Groundwater Protection Rule which includes coordination of the Local Advisory Team and technical assistance for implementing best management practices and alternative management tools for groundwater protection. The current agreement with MDA which became effective July of 2021, will expire on June 30, 2023.

Amending the current agreement would extend the expiration date to June 30, 2025 and include an additional \$10,394 for outreach and technical services. The new total not to exceed amount under the amended agreement would be \$18,330.

EXPLANATION OF FISCAL/FTE IMPACT:

Services to the MDA will be added to our budget and staff work plan for 2023 through 2025.

Supporting Documents:

MDA Joint Powers Agreement Amendment and Revised Work Plan

Previous Board Action:

Motion 21.056 on 6/10/2021
Authorization to execute MDA
Joint Powers Agreement



**State of Minnesota
Joint Powers Agreement
Amendment 1 to SWIFT Contract No. 194118**

Contract Effective Date:	07/01/2021	Total Contract Amount:	\$ <u>18,330.00</u>
Original Expiration Date:	06/30/2023	Original Contract Amount:	\$ 7,936.00
Current Contract Expiration Date:	06/30/2023	Previous Amendment(s) Total:	\$ 00.00
Requested Contract Expiration Date:	<u>06/30/2025</u>	This Amendment:	\$ <u>10,394.00</u>

This amendment is by and between the **State of Minnesota, acting through its Commissioner of Agriculture (“State”)** and **Dakota County Soil and Water Conservation District** whose designated business address is **4100 220th St W, Suite 102, Farmington, MN 55024 (“Governmental Unit”)**. State and Governmental Unit may be referred to jointly as “Parties.”

Recitals

The State has an Agreement with the **Dakota County Soil and Water Conservation District** identified as SWIFT Agreement Number 194118 (“Original Agreement”) to be a **partner to support the implementation of the Nitrogen Fertilizer Management Plan (NFMP) and Groundwater Protection Rule (GPR) within the Hastings Drinking Water Supply Management Area (DWSMA)**.

1. This agreement is being amended because there will be a balance remaining from the original agreement after the current expiration date. There will still be tasks to complete after this date which the funds will be used for. Furthermore, we are adding additional funding to this agreement, and asking for more deliverables to be met which were not included in the original agreement.
2. The State and the **Dakota County Soil and Water Conservation District** are willing to amend the Original Agreement as stated below.

Agreement Amendment

In this Amendment, changes to pre-existing Agreement language will use ~~strike through~~ for deletions and underlining for insertions.

REVISION 1. Clause 1.2 “Expiration Date” is being amended as follows:

- 1.2 Expiration date. ~~June 30, 2023~~ June 30, 2025, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

REVISIONS 2. Clause 2 “Agreement between Parties” is being amended as follows:

2. Agreement between the Parties

Governmental Unit will administer a project to provide nitrogen fertilizer outreach and education activities that are aimed at affirming crop producers in the Hastings Drinking Water Supply Management Area (DWSMA) using the nitrogen Best Management Practices (BMPs) created by the University of Minnesota and adopted by the Minnesota Department of Agriculture (MDA). The Governmental Unit will perform these duties in accordance with the duties described and specified in **Revised Exhibit A-1** Work Plan, which is attached and incorporated into this agreement, **and which replaces Exhibit A in its entirety.**

REVISION 3. Clause 3. “Payment” is being amended as follows:

2. Payment

Governmental Unit will be paid by the State of Minnesota after the Governmental Unit’s presentation of itemize invoices for services performed and the supporting documentation for the invoices and written acceptance of such services by the State’s Authorized Representative or the State’s Authorize Project Manager pursuant to paragraph 4. Invoices shall be submitted timely and in accordance with **Revised Exhibit B-1 Budget** which is attached and incorporated into this agreement **and which replaces Exhibit B in its entirety.**

Invoices for payment will be sent by the due dates listed in **Revised Exhibit B-1.**

Electronic format to: MDA.Accounts-Payable@state.mn.us

Reports should be submitted by the due dates listed in Exhibit B.

Electronic format to: MDA.PFMD.Contracts@state.mn.us

The total obligation of the State under this agreement will not exceed ~~Seven Thousand Nine Hundred Thirty six Dollars and 00/100 (\$ 7,936.00).~~ **Eighteen thousand three hundred and thirty dollars and 00/100 (\$ 18,330.00)**

The Original Contract and any previous amendments are incorporated into this amendment by reference. Except as amended herein, the terms and conditions of the Original Contract and all previous amendments remain in full force and effect.

1. State Encumbrance Verification

Individual certifies that funds have been encumbered as required by Minn. Stat. §§ 16A.15 and 16C.05

Print Name: _____

Signature: _____

Title: _____

Date: _____

3. Minnesota Department of Agriculture

With delegated authority

Print Name: _____

Signature: _____

Title: _____

Date: _____

SWIFT Contract No. 194118

PO Number: 39551

2. Governmental Unit

The Governmental Unit certifies that the appropriate person has executed the Agreement on behalf of the Governmental Unit as required by applicable articles, bylaws, resolutions, or ordinances.

Print Name: _____

Signature: _____

Title: _____

Date: _____

4. Commissioner of Administration

As delegated to The Office of State Procurement

Print Name: _____

Signature: _____

Title: _____

Date: _____

Admin ID: 71956

DRAFT

**Revised Exhibit A-1 Work
Plan**

**Dakota County Soil and Water Conservation District
Implementing the Nitrogen Fertilizer Management Plan (NFMP) in
The Hastings Drinking Water Supply Management Area**

Dakota County Soil and Water Conservation District (SWCD)

Brian Watson, District Manager
4100 220th St West, Suite 102
Farmington, MN 55024
651-480-7777

Minnesota Department of Agriculture (MDA)

Travis Hirman, Project Manager
625 Robert Street North
St. Paul, MN 55155-2538
651-201-6566

Dates:

Beginning: **July 1, 2021** (or the date the State obtains all required signatures)

End: ~~June 30, 2023~~ **June 30, 2025** (or until all obligations have been satisfactorily fulfilled, whichever occurs first).

Quarterly reports and invoices are due in accordance with the schedule listed below:

Report 1: FY22 Quarter 1: October 30, 2021
Report 2: FY22 Quarter 2: January 30, 2022
Report 3: FY22 Quarter 3: April 30, 2022
Report 4: FY22 Quarter 4: July 30, 2022
Report 5: FY23 Quarter 1: October 30, 2022
Report 6: FY23 Quarter 2: January 30, 2023
Report 7: FY23 Quarter 3: April 30, 2023
Report 8: FY23 Quarter 4: July 30, 2023

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Objective:

There is one main objective of this Joint Powers Agreement (JPA) between the Minnesota Department of Agriculture (MDA) and the Dakota Soil and Water Conservation District (SWCD). This objective is to support the implementation of the Nitrogen Fertilizer Management Plan (NFMP) and Groundwater Protection Rule (GPR) within the project area defined. The goal of the NFMP and GPR is to protect and improve the quality of groundwater. To accomplish this the MDA needs assistance identifying nitrogen fertilizer best management practices (BMPs) and alternative management tools (AMTs) that can protect groundwater in this area as well as promoting the implementation of these BMPs and AMTs in targeted vulnerable cropland acres to protect groundwater.

Background:

While the MDA is the state's lead agency in responding to groundwater concerns related to commercial nitrogen fertilizer use, we recognize that close partnership with county-level agencies is critical in this effort. The Nitrogen Fertilizer Management Plan (NFMP) and associated Ground Water Protection Rule (GPR) are the state's blueprint for preventing or minimizing impacts of nitrogen fertilizer on groundwater. These documents outline a process to respond in areas with elevated nitrate levels in groundwater. County-based agencies, such as soil and water conservation districts, have established relationships and trust with area crop producers through their everyday activities and the programs they administer. Those established relationships will be key to implementing the NFMP and GPR and engaging farmers, agronomists, crop advisors, local government and other local stakeholders who make commercial fertilizer use decisions across the vulnerable acres identified.

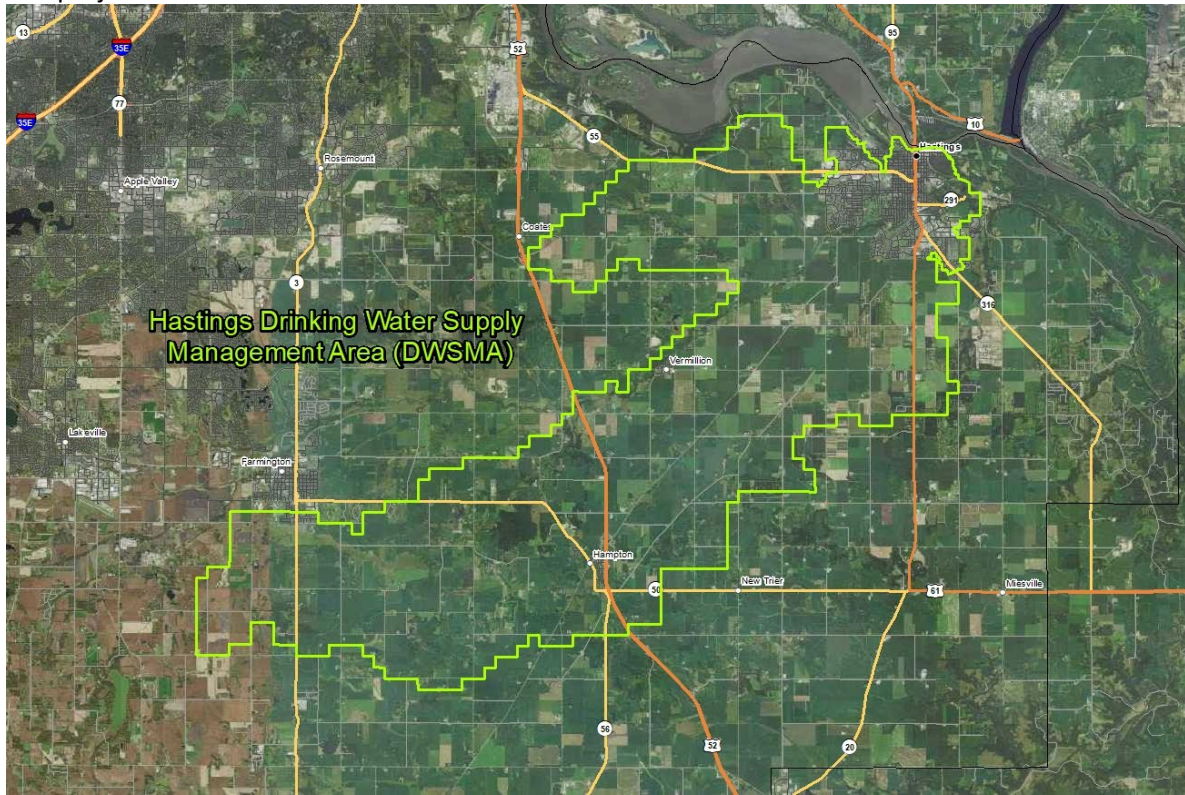
Elevated levels of nitrate in drinking water can cause serious health concerns for infants drinking formula made with this water. The Minnesota Department of Health's Health Risk Limit (HRL) for nitrate in drinking water is 10 mg/L. Although nitrate is a common contaminant across Minnesota, it is more common in areas of the state with vulnerable aquifers (shallow aquifers below sandy soils, karst or limestone deposits below row-crop agriculture).

The Groundwater Protection Act of 1989 (Minnesota Statutes, section 103H) directed MDA to develop groundwater protection goals, enhanced regulatory authority for fertilizer practices within the MDA, and called for the creation of the NFMP. The original NFMP was written in 1990 and revised in 2015. The revised NFMP provides guidance on how to address concerns related to commercial nitrogen fertilizer use in areas with groundwater vulnerable to contamination. Based on the NFMP, the GPR was developed and approved in June 2019.

The GPR contains two parts. Part 1 restricts the use of commercial nitrogen fertilizer in the fall and on frozen soils in areas with vulnerable groundwater. Part 2 responds to public water supply wells with elevated nitrate levels. Under part 2 vulnerable areas in drinking water supply management areas (DWSMA) where groundwater recharges the public water supply are designated at mitigation levels depending on the nitrate concentrations found in the public wells. A level 1 DWSMA is designated when the nitrate-nitrogen concentrations in the public well(s) has been greater than or equal to 5.4 mg/L, but less than 8.0 mg/L at any point in the previous ten years. A level 2 DWSMA is designated when nitrate-nitrogen concentrations in the public well(s) has been greater than or equal to 8.0 mg/L at any point in the previous ten years OR is projected to exceed the health risk limit in the next ten years. In level 2 DWSMAs a local advisory team (LAT) will be formed to review and advise the MDA on appropriate practices or requirements to reduce nitrate in the public water supply.

Project Area:

The project area for this JPA is



the Hastings Drinking Water Supply Management Area (DWSMA), which was designated at level 2 on January 15, 2020.

The primary focus for this contract will be NFMP and GPR implementation support within the Hastings DWSMA, where a LAT has been formed, and implementation of identified BMPs and AMTs are especially critical to protect these public water supplies. In these areas, nitrogen fertilizer management outreach and education activities will be focused to ensure crop producers in these DWSMAs are aware of the practices that are needed to protect groundwater. In addition to this DWSMA, supplemental outreach and education may extend to surrounding areas in Dakota County, particularly where fall nitrogen use restrictions are in place under part 1 of the GPR.

Project Partners:

Organization name	Role	Contact
<i>Dakota County Soil and Water Conservation District</i>	<i>Administrator</i>	Brian Watson District Manager Brian.Watson@co.dakota.mn.us 651-480-7777
<i>University of Minnesota Extension</i>	<i>Project Support</i>	<i>Greg Klinger</i> <i>U of M Extension Educator</i> <i>gklinger@umn.edu</i> <i>507-536-6300</i>

Project Activities:

Activities planned to meet the objectives include:

In coordination with local MDA staff, form LATs in the level 2 mitigation DWSMAs consisting of people who are from the area including farmers and their crop advisors/consultants, local fertilizer dealer staff, representatives for the public water supply system, government or university staff who can provide technical or financial support, and the MDA. The majority of these members **must** be local farmers and their crop advisors/consultants.

- 1) Provide administrative support to hold LAT meetings.
 - a. LAT members including farmers, agronomists, crop advisors, and owners of row crop production land that make fertilizer use decisions within the DWSMA will be participating at LAT meetings. These members play a critical role in helping develop and implement appropriate activities to address elevated nitrate in their groundwater because they control the land use. They will provide guidance to the MDA on current nitrogen management practices in place, nitrogen BMPs and AMTs that can further protect groundwater in the DWSMA, and the most appropriate methods to share this information with all ag stakeholders within the DWSMA.
- 2) Present to the LAT on local grants, projects, or programs supporting the study or implementation of nitrogen BMPs and/or AMTs whenever appropriate.
- 3) In coordination with local MDA staff, work with LAT members to determine the most appropriate list of nitrogen BMPs to protect groundwater within the DWSMA. Where possible, work with LAT members and DWSMA producers to consider AMTs that offer additional protection from nitrogen fertilizer loss to groundwater.
- 4) In coordination with local MDA staff and consultation from the LAT, develop a list of nitrogen fertilizer BMPs that the MDA Commissioner can consider for the protection of groundwater within the DWSMA.
- 5) Promote nitrogen fertilizer BMPs and any possible AMTs approved by the MDA Commissioner within the DWSMAs throughout the duration of this contract.
- 6) Whenever possible, consider the MDA endorsed nitrogen fertilizer BMPs and AMTs in other activities, programs, or funding proposals you are a part of during your normal course of work.
- 7) Share progress of the LAT activities with all landowners, operators and their crop advisor/consultants within the DWSMA at least once/year.
 - a. Possible avenues to share progress could include direct mailings, newsletter, magazine, or newspaper articles, web-based materials, social media, presentation to area volunteer organizations, lake associations, local farm organizations, producer field days, local fertilizer dealer meetings or county and township board meetings.
 - b. Conduct in person visits with individual farmers to educate them on the options to achieve compliance with the Hastings BMP list. This will take place after or shortly before the BMP list is approved by the commissioner and published by MDA.

Project Staff Supported: Staff to administer and implement this project will be located in the Dakota County SWCD office. 0.1 FTE (full time equivalent) will be supported by this agreement.

Performance Measures:

The Dakota County local advisory team was formed as a pilot project in December 2017 as a township-based LAT. LAT membership has been changed based on the Hastings DWSMA to coincide with the level 2 DWSMA determination on January 15, 2020. The Hastings DWSMA LAT has met ~~seven~~ ten times as of ~~February 2021~~ August 2022.

- 1) ~~At least 1 LAT meeting should take place in in the Hastings level 2 DWSMA in 2021. Before the end of this two-year agreement at least 3 LAT meetings are held for the DWSMA. The LAT has met 3 times during the first two years of this agreement. At least 2 additional meetings should be held.~~
- 2) A list of recommended nitrogen fertilizer BMPs and possible AMTs specific to the DWSMA is provided to the MDA for the DWSMA.
- 3) The final nitrogen BMPs selected by the Commissioner of Agriculture are promoted in the DWSMA via best methods suggested by LAT members.
 - a. Progress of LAT activities is shared with all landowners, operators, and their crop advisor/consultants within the DWSMA at least once/year.
- 4) Presentation on NFMP/GPR implementation underway made at least once per year to the county SWCD board, DWSMA public water supplier, and county commissioner board.

Deliverables:

Roles/tasks for SWCD		Estimated Hours (total)	Timeline Target Dates
<p>#1 Identify potential advisory team members</p> <p>Note: Page 76 of the NFMP manual lists the types of persons who should comprise the LAT.</p>	<ul style="list-style-type: none"> • The SWCD will help maintain the roster of farmers on the local advisory team (LAT). • The MDA will follow-up with those individuals and share more information regarding the LAT and NFMP. MDA will poll individuals for time-of-day meeting preferences and relay to SWCD. • The SWCD and MDA will keep a few spots open on the LAT for late coming interested individuals. 	5	
<p>#2 Assist in meeting organization</p>	<ul style="list-style-type: none"> • The SWCD will schedule LAT meetings and arrange for the meeting space, mail invitation letters, and procure provisions for meeting attendants • One meeting may be a public meeting. • The SWCD will have one staff (sometimes 2) at each LAT meeting. For planning purposes allowing time for meeting prep and clean-up, meeting time may be closer to 3 hours for MDA and SWCD staff. 	24 <u>40</u>	3 <u>5</u> meetings before the end of contract

	<ul style="list-style-type: none"> The SWCD will take minutes (notes) at the LAT meetings. 		
#3 Assist with BMP list development	<ul style="list-style-type: none"> The SWCD will facilitate the development of an appropriate list of BMPs for the DWSMA guided by the LAT for MDA consideration. 	15	
#4 Assist with NFMP/GPR education and outreach activities	<ul style="list-style-type: none"> The SWCD will maintain a mailing list of all owners and operators operating in identified DWSMA(s). The SWCD will assist with the distribution of NFMP/GPR education materials to landowners in the DWSMA via associated mailings, newsletters, publications, and other media. The SWCD will assist with distribution of NFMP/GPR mailings. Potential mailings would be meeting-related materials to landowners and operators, as well as mailings to all residents within the DWSMA. The SWCD will likely receive inquiries about the NFMP and GPR Implementation underway. Phone calls and in-person conversations are expected to take staff time away from their usual tasks. An estimate of 1-3 hours/week could be budgeted for this task. The SWCD will distribute NFMP/GPR information to local fertilizers dealerships, co-ops, agronomists, and ag advisors. Promotion including radio announcements when available, newspaper articles, and educational meetings to explain the NFMP, GPR, nitrogen BMPs, and AMTs recommended. <u>The SWCD will conduct approximately 50 in-person visits with separate farms in the project area. The purpose of these meetings will be to educate farmers on the Hastings BMP list and associated AMTs. Following these meetings, farmers should have a greater understanding of the required practices and what options they have in order to comply with the GPR.</u> 	90 <u>240</u>	Duration of JPA Periodically unless interval is listed
#6 Provide local data and expertise	<ul style="list-style-type: none"> The SWCD will share local data on current or past project work relevant to the NFMP and GPR goals. This can take place both informally with local MDA field staff and more formally during LAT meetings. 	Included	Duration of JPA

	<ul style="list-style-type: none"> • The U of M will provide expertise on nitrogen BMPs and AMTs appropriate in identified DWSMAs. • The SWCD may enlist the NRCS, BWSR, or other funding sources to promote perennial and annual crops within the DWSMAs targeted in this contract. 		
TOTAL HOURS		134 <u>300</u>	

Budget: A detailed project budget summary is attached as Revised Exhibit B-1.

DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 6/8/2023

Prepared by: Curt Coudron

PURPOSE/ACTION REQUESTED:

Authorize execution of two contracts with Wayne Peterson not to exceed \$805 and \$700 for the establishment of cover crop.

SUMMARY:

Wayne Peterson is proposing to establish a cover crop on two different fields. The fields are located in Greenvale Township, Cannon 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:

- 23 acres not to exceed \$805
- 20 acres not to exceed \$700

SWCD staff will certify cover crop establishment after installation.

EXPLANATION OF FISCAL/FTE IMPACT:

Project funds are available through our agreement with Dakota County.

Supporting Documents:

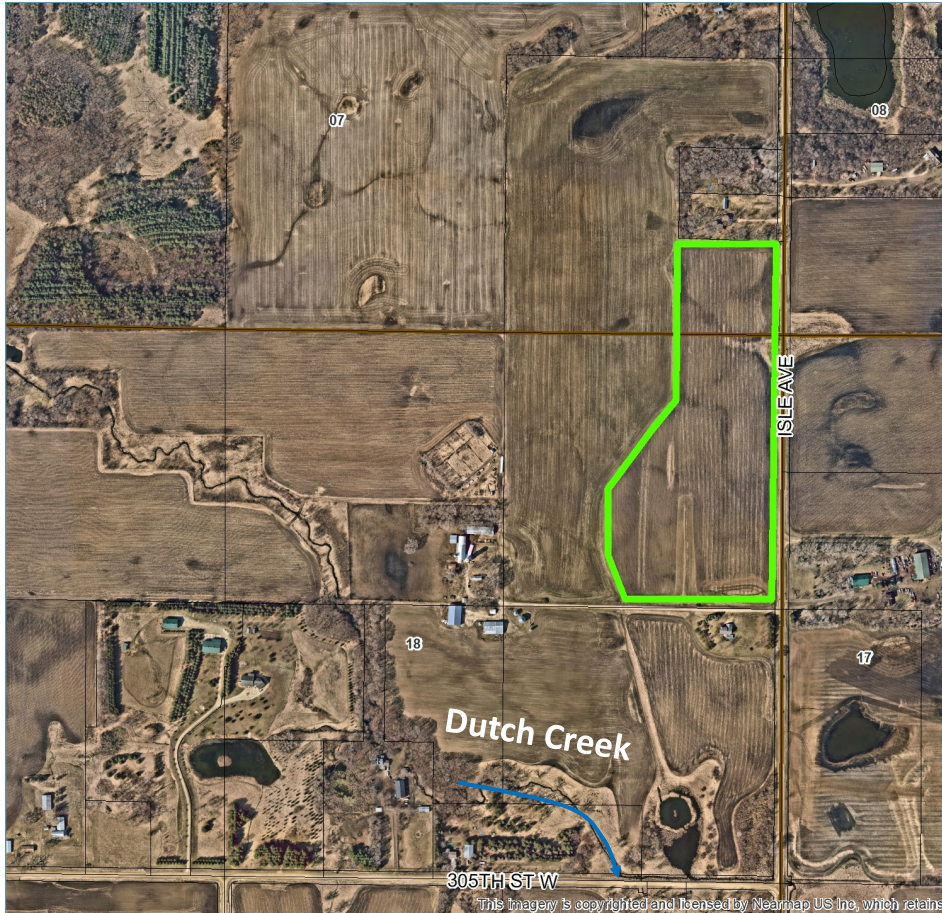
23-IPP-21 Peterson, Wayne CC Factsheet
23-IPP-22 Peterson, Wayne CC Factsheet

Previous Board Action:

None



WAYNE PETERSON COVER CROP

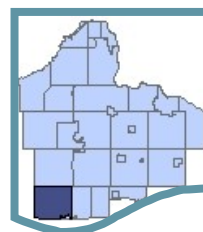


PROJECT: A winter cereal rye cover crop will be planted on 23 acres following soybean harvest. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

FUNDING: Incentive Amount: **\$805**
(23 acres x \$35 per acre x 1 year)



LOCATION:
Greenvale
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:

- Dakota County

WATERSHED:

- Cannon River

RECEIVING WATERS:

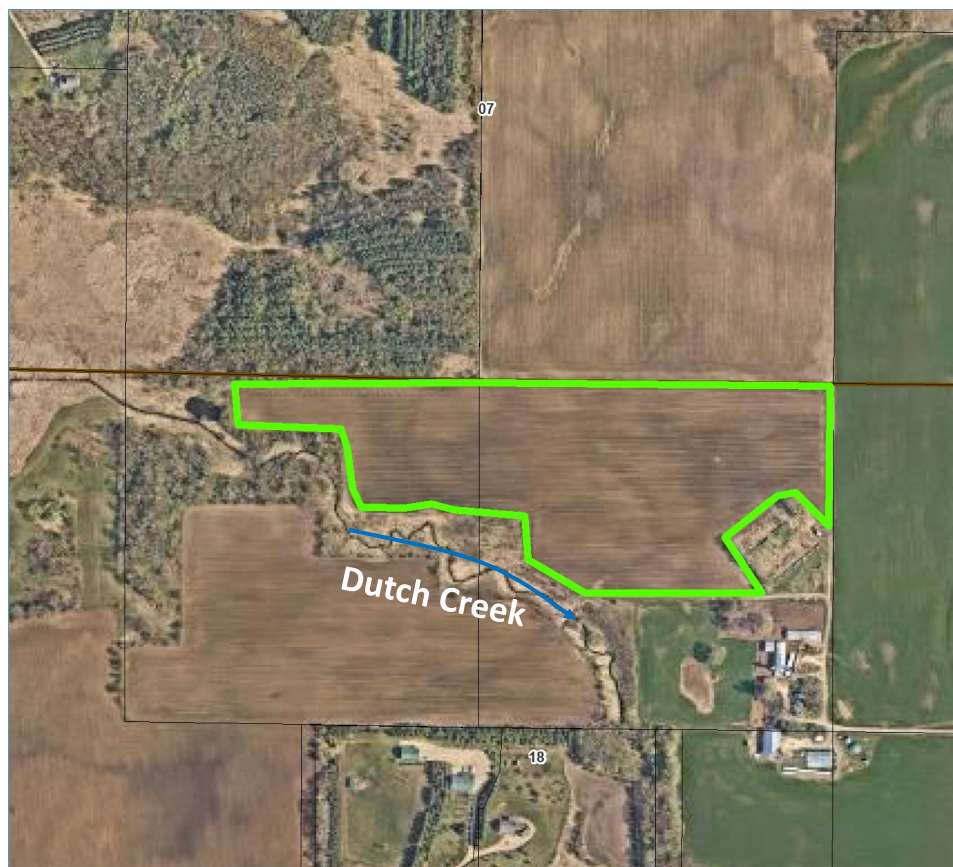
- Dutch Creek

INSTALLATION:

- Fall 2023



WAYNE PETERSON COVER CROP



PRACTICE:

- Cover Crop

BENEFITS:

- 6 tons of sediment per year prevented from traveling downstream
- 9 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:

- Dutch Creek

INSTALLATION:

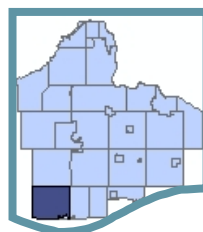
- Fall 2023

PROJECT: A winter cereal rye cover crop will be planted on 20 acres following corn silage. The cover crop will provide erosion control, reduce weed pressure, and prevent nutrient leaching.

FUNDING: Incentive Amount: \$700
(20 acres x \$35 per acre x 1 year)

LOCATION:

Greenvale
Township



DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 6/8/2023

Prepared by: Curt Coudron

PURPOSE/ACTION REQUESTED:

Authorize execution of a contract with the City of Burnsville not to exceed \$25,000 for the installation of a grade stabilization structure.

SUMMARY:

The City of Burnsville is proposing to construct a grade stabilization structure (detention basin) at Alimagnet Park in the Vermillion River Watershed. Surface water runoff is causing gullies to form near Alimagnet Lake. The basin will be constructed to capture runoff and slowly release it through an underground outlet.

Total cost of the project is estimated at \$29,800. Staff is recommending approval at up to 85% cost share not to exceed the program funding limit of \$25,000.

EXPLANATION OF FISCAL/FTE IMPACT:

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

Supporting Documents:

23-CIF-01 City of Burnsville Alimagnet Park Stabilization Factsheet

Previous Board Action:

None



CITY OF BURNSVILLE

ALIMAGNET PARK STABILIZATION



PRACTICE:

- Grade Stabilization Structure

BENEFITS:

- 2.7 tons of sediment per year prevented from traveling downstream
- 2.7 lbs. of phosphorous per year prevented from traveling downstream

PARTNERS:

- City of Burnsville
- Vermillion River Watershed Joint Powers Organization
- Dakota County

WATERSHED:

- Vermillion River

RECEIVING WATERS:

- Alimagnet Lake

INSTALLATION:

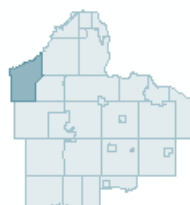
- Summer/Fall 2023

PROJECT: The City of Burnsville will install a grade stabilization structure (detention basin) at Alimagnet Park. The project will intercept and slow the flow of stormwater that is causing gully erosion near the shore of Alimagnet Lake.

FUNDING:	Final Project Cost:	\$29,800
	Cost Share Amount:	\$25,000
	Landowner Amount	\$4,800



LOCATION:
Burnsville, MN



DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 6/8/2023

Prepared by: Curt Coudron

PURPOSE/ACTION REQUESTED:

Authorize execution of a contract with Noah and Cathy Blaha not to exceed \$1,615 for the installation of native prairie with pollinator habitat.

SUMMARY:

Noah and Cathy Blaha are proposing to install a 0.6 acre native prairie with pollinator habitat in Vermillion Township, Vermillion River Watershed. Existing turf grass and disturbed areas from recent construction 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 \$1,900. Staff is recommending approval at 85% cost share not to exceed \$1,615.

EXPLANATION OF FISCAL/FTE IMPACT:

Project funds to install the project are available through our FY22 Drinking Water Protection Project grant and our agreements with Dakota County and the Vermillion River Watershed Joint Powers Organization.

Supporting Documents:
23-IPP-23 Blaha, Noah and Cathy Factsheet

Previous Board Action:
None

NOAH BLAHA

NATIVE PRAIRIE RESTORATION



PRACTICE:

- Restoration of Rare and Declining Communities

BENEFITS:

- 2.49 tons of sediment per year prevented from traveling downstream
- Improved wildlife habitat, in particular for pollinators

PARTNERS:

- Vermillion River Watershed Joint Powers Organization
- Dakota County
- Minnesota Board of Water and Soil Resources

WATERSHED:

- Vermillion River

RECEIVING WATERS:

- Vermillion River

INSTALLATION:

- 2023

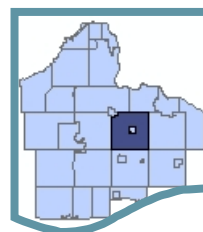
PROJECT: 0.6 acres of turfgrass will be restored to native prairie vegetation. The native prairie will improve infiltration, reduce erosion and provide wildlife habitat, particularly for pollinators.

FUNDING:	Estimated Project Cost:	\$1,900
	Cost Share Amount:	\$1,615
	Landowner Amount	\$285



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

LOCATION:
 Vermillion Township



DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT

Regular Agenda

Request for Board Action

Roll Call Vote

Meeting Date: 6/8/2023

Prepared by: Curt Coudron

PURPOSE/ACTION REQUESTED:

Authorize execution of a contract with Janelle and Jim Cikanek not to exceed \$1,615 for the installation of native prairie with pollinator habitat.

SUMMARY:

Janelle and Jim Cikanek are proposing to install a 0.6 acre native prairie with pollinator habitat in Sciota Township, Cannon River Watershed. Existing cool season grasses will be replaced with native prairie plants. The project will improve infiltration, protect water quality, and provide pollinator habitat.

Total eligible costs of the project are estimated at \$1,900. Staff is recommending approval at 85% cost share not to exceed \$1,615.

EXPLANATION OF FISCAL/FTE IMPACT:

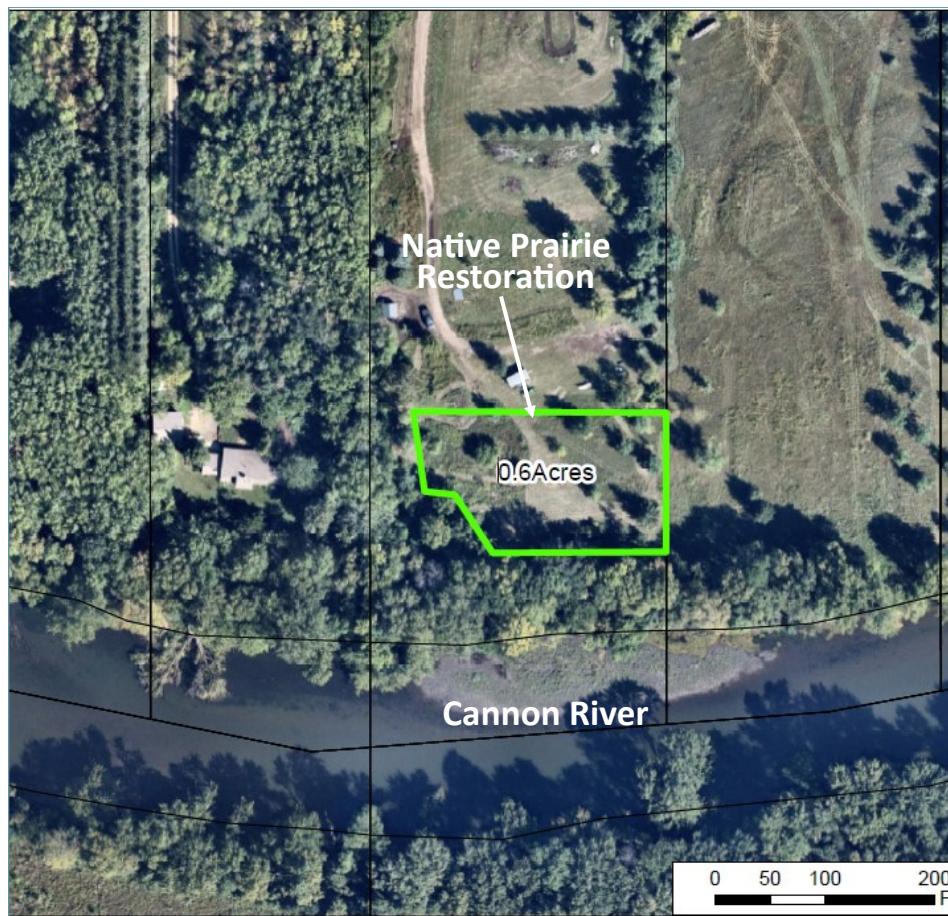
Project funds to install the project are available through our FY22 Drinking Water Protection Project grant and our agreement with Dakota County.

Supporting Documents:
23-IPP-24 Cikanek, Janelle and Jim Factsheet

Previous Board Action:
None



JANELLE AND JIM CIKANEK NATIVE PRAIRIE RESTORATION



PRACTICE:

- Restoration of Rare and Declining Communities

BENEFITS:

- Improved wildlife habitat, in particular for pollinators
- Improved infiltration and reduced surface water runoff

PARTNERS:

- Dakota County
- Minnesota Board of Water and Soil Resources

WATERSHED:

- Cannon River

RECEIVING WATERS:

- Cannon River

INSTALLATION:

- Fall 2023

PROJECT: 0.6 acres of old field will be restored to native prairie vegetation. The native prairie will improve infiltration, reduce erosion, and provide wildlife habitat, particularly for pollinators.

FUNDING:	Estimated Project Cost:	\$1,900
	Cost Share Amount:	\$1,615
	Landowner Amount	\$285



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

LOCATION:
Sciota Township

