



Regular Board Meeting - Wednesday, November 18, 2015

The regular meeting of the Becker Soil and Water Conservation District Board of Supervisors was held on Wednesday, November 18th in the Conference Room of the USDA Ag Center Building located at 809 8th Street SE, Detroit Lakes, MN.

Those present were Supervisors Tony Beck, Jerome Flottesmesch, Travis Schauer, Eugene Pavelko and Chairperson Kathy Stenger. Others present include BSWR Board Conservationist Brett Arne, Planning & Zoning Supervisor Eric Evenson, PRWD Administrator Tera Guetter, District Administrator Peter Mead, Admin Assistant Jen Wentz, NRCS District Conservationist Ed Musielewicz, District Technician AIS/Water Quality Coordinator Karl Koenig and Ag Inspector/Shoreland Specialist Marsha Watland.

Call to Order – Chairperson Stenger called the meeting to order at 8:33 a.m.

Approval of October Meeting Minutes

Motion (Pavelko, Beck) to approve October meeting minutes as written. Affirmative: Unanimous. Carried.

Financial Reports and Bills for Approval – reviewed by Peter Mead.

Motion (Beck, Flottesmesch) to approve October financials and November bills for payment. Affirmative: Unanimous. Carried.

District Reports

District Conservationist – Ed Musielewicz

- CSP payments will be finished by the end of this week. All 2015 payments must be requested by December 4th.
- EQIP scoring signup deadline ends this Friday. We have 41 applications to rank. Many consist of basins and grazing plans with some that are rather large for this area.
- We have 3 CNMPs (Comprehensive Nutrient Management Plan) for dairy farmers.
- He will attend training tomorrow re: payment schedules and recent changes. We still don't have a deadline for Red River Basin funds. Most monies we distribute come from these funds. We may need to use general EQIP dollars for many upcoming projects.
- Ranking deadline for EQIP is February 26th. Plans will be prepared after that time.

District Administrator – Peter Mead

- Marsha celebrated her 10 year anniversary with the District on 11/2/2015.
- BWSR Academy was attended by all District employees at the end of October.
- Photos of the Hein-Hendrickson project just south of Boyer Lake were reviewed with before and after shots.
- Building addition for the storage room is nearly finished; however, this has caused some concerns with NRCS in St. Paul. Ed Musielewicz reviewed the details. There will be a meeting December 3rd regarding this. FSAs leasing agent and the building landlord will be in attendance. Concerns arose with converting our storage space to office space. However, the space is shared between SWCD and NRCS with a separate lease for each. Separate and distinct rules specified by NRCS and USDA will be a challenge to overcome.
- Area 1 meeting in Hallock was canceled due to lack of participation.
- As mentioned last month, the zoning ordinance advisory committee continues to examine data in consideration of amending zoning requirements for natural environment lakes.

Evenson noted that the ordinance review committee will speak in regards to this in Thursday's meeting. Using science to predict future changes is and will continue to be the best method for working through the issues. This will be incorporated into the County's zoning ordinance. A timeframe has not been established.

Program Updates

Structural Practices and Wetlands – Ed Clem

- Construction season is complete. Amazing fall weather has led to this.
- He will have a presentation of projects next month; we completed 70 projects including 46 WASCBS, 3 grade stabilization structures, 14 wetland restorations and 6 critical area seedings. Almost all were financed with combined CWL and federal EQIP cost-share dollars.
- He, Claire and Aaron surveyed county ditch 20 in Lake Eunice Township. Approximately 5-7 miles in length with about half that was walkable. It was rough territory with sediment and beaver dams throughout. PRWD will perform the final inventory from Campbell Creek and north as well as ditch 13 from Big Detroit to Little Floyd.
- He is currently reviewing some recent county ditch issues that involve placing structures between Anderson Lake and the Buffalo River and another long ditch cleanout. Both projects are under review in regards to the new buffer law; these are DNR protected water streams that will involve DNR permits.
- He and Claire performed another wetland delineation for the County Highway department on a two mile stretch of County Road 118 east of Frazee.
- The airport project has circulated back to our organization. Recent meetings have included some top agencies such as Chicago EPA, USACOE, MNDOT and FAA. They are now working with purpose and need of the project, which could potentially impact 30+ acres of wetland. Wetland authority for the MN Wetland Conservation Act falls to our office which is why we are involved again.
 - Since 2013, the city of DL has been designated from an intermediate airport to a key airport which requires a minimum 5,000 foot runway with a certain number of hangers. This will be a precision runway with specific lighting, etc.
 - Mitigation of wetland credits, especially enough to cover their project, will be the biggest issue.
 - The TEP will be addressing this at the December TEP meeting.

Shoreland and Ag Inspector – Marsha Watland
County Ag Inspector

- Industrial hemp production has passed.
- MDA seed reports note the Teff plant which is originally for Africa has a site in Minnesota. The concern is if it will become a weedy species.
- Native grass producers for seed production; we will know more in February when seed inspections begin.
- MDA Ag waste collection with existing residential collection sites near counties that already accept hazardous waste. Counties will receive reimbursement for supplies and dollars per pound of collections. More details to come.
- Bio-security under MDA pesticides; testing will coincide with this.
- CAI executive board is December 9th in St. Paul. NRCS plant committee is on the same date.
- Becker County annual report is being compiled; township weed inspectors have been a great help on this.
- CWMA meeting is December 17th. We are the oldest entity in the state with this agreement.

Shoreland Specialist

- BWSR Academy went well; she was able to take away some great information from the sessions.
- She's been involved with some recent tree removal issues. PRWD, Becker County Planning & Zoning and private removal agencies have kept her well-informed.
- She and Aaron will attend a webinar this afternoon regarding native seeding for Conservation Practices..
- She and Claire are performing site evaluations, most in eastern Becker County.
- She has been offering site preparation assistance for native garden projects without design plans.
- She and Claire attended a Brock White workshop on November 6th for all new products which was very beneficial for shoreline & erosion control programs. Hydro-seeding erosion has been a problem in the past, but many of their new products will reduce this.
- Native plant kits are being formulated with the following nurseries: MN Native Landscapes in Otsego and Prairie Restoration in Duluth.
- Design plans are still being requested. She will always have a list of landowners needing assistance.

Aquatic Invasive Species – Karl Koenig

- He has developed a proposed plan that the COLA team needs to review. He would like to follow 2016 budget guidelines as much as possible. This needs to be in DNR hands by the end of December.
- He's been reviewing 2015 data from inspector collections – reporting hours worked and findings as well as individual lake association information.

- Planning and recruiting staff by the end of January and February. He needs qualified inspectors in order to make the program work. He hopes to hire an inspector supervisor for 300-400 hours during the season. This person would work directly with him and staff.

It was proposed to update monthly statistics and separate visitors from local residents and lakeshore owners. Most inspections include fishing boats in comparison to recreational boats. Another interesting statistic to explore – the percentage of boat owners that traveled from infested waters to non-infested waters.

Committee Reports

Personnel Committee – Mead reviewed what was discussed last month. We will table this until our annual planning session and board retreat in January.

Open Forum / Additions

2016 Tree Order Form – varieties didn't change much; there were some apple tree substitutions and changes in pricing for some species. Tree order forms will be ready on the web and in the office immediately. Native plant order forms should be ready in December.

Motion (Flottemesch, Beck) to approve the 2016 tree order form varieties and pricing. Affirmative: Unanimous. Carried.

Buffer Law Compliance and Provisions

Brett Arne spoke on behalf of the recent changes in buffer law for the state. He distributed noncompliance policy information which is still in draft status. Grant agreements were distributed to all SWCDs last week. Becker received \$25,000 to promote the buffer program and assist landowners with ideas that work. Side water inlets and the combination of grade stabilizations will work in conjunction with buffer legislation. This will incorporate waters that are suggested by SWCDs. Two entities that have an opportunity to provide regulations: counties and watershed districts. They will be allowed to adopt an administrative penalty order for any and all complaint issues. This applies to Ag land as well as lakeshores. Determinations regarding public waters and ditch regulations: 50' average and 30' minimum; however, the minimum will not apply in most instances. Final draft will be submitted by July 2016. We are waiting on DNR to finish their mapping on this project. County and Watershed Districts develop this APO; however, there are other options to just strictly placing buffers. The authority will assist in cases where the landowner chooses to do nothing.

Buffers or alternative water quality practices must be in place by November 1, 2017 for public waters and November 1, 2018 for public drainage systems.

Until November 1st of 2017, any landowner that has not received a noncompliance notice will be eligible for farm program funding. After this date, regardless of compliance, there will be no farm program funding available.

Our District will email a drafted landowner letter to board members. Once approved, we will distribute this letter to affected landowners as well as mapping of the potential areas of concern.

Planning & Zoning and Ordinance Review

Eric Evenson introduced himself to the board and reiterated what Tera mentioned earlier, he appreciates our knowledgeable staff and the great working relationship we have with local agencies including the County and Watershed Districts.

He is currently working with the zoning ordinance to provide more clarity and easier to understand definitions. He will continue to push for consistency throughout his department. He would also like to boost the customer service experience felt in his office. Government offices can be well known for their opposition, but he sees this as an opportunity for change.

Shoreline rules have been a past and current issue. Rules will need to be updated as many of them are outdated. He would also like to review dog kennels, gravel pits and interim permits (conditional use zoning) with a specific end date and time. His office is by nature, complaint driven with many landowners not understanding the permitting process; however, developers can be the biggest obstacle.

Moving forward, he would like to take another look at site plans and be able to offer consistency between SWCDs, Watershed Districts and Planning & Zoning. Collaboration, especially in regards to Stormwater and erosion control plans

is a must for future office improvements. In order to implement this, he'd like to incorporate online permitting and property information necessary to smooth out the entire process.

Grant Submittals and Agreements for Approval

CY16 MN Conservation Corps Apprenticeship Program
CY16 MN Conservation Corps CWF Project

We are applying for 20 days with a labor crew of five people. Both agreements are due to the state in December.

Motion (Pavelko, Schauer) to approve the two applications for Conservation Corps assistance in project season 2016.
Affirmative: Unanimous. Carried.

Contract Amendments for Approval

#CWL-28-2013 Darwin Hendrickson, WSCBs. One basin was omitted from initial estimates; amendment will provide an additional \$13,912.23.

#CWL-8-BR Darwin Hendrickson, WSCBs. One basin was omitted from initial estimates; amendment will provide an additional \$10,698.77.

Motion (Beck, Schauer) to approve the above amendments and increased cost-share amounts. Affirmative: Unanimous. Carried.

Contract Cancellations

#13-12 David Larson, well sealing. 2013 state cost-share grant period expired 6/30/15; there have been multiple delays on the project; we cannot continue to hold the funds.

#13-19 Jeff Andersen, well sealing. 2013 state cost-share grant period expired 6/30/15; there have been multiple delays on the project; we cannot continue to hold the funds.

Motion (Pavelko, Beck) to approve cancellation of the above 2013 contracts, return this remaining cost-share money as well as the unused shoreline set-aside to the state. Total funds to be returned is \$1,748.26. Affirmative: Unanimous. Carried.

Contracts & Vouchers for Approval

2014 State Cost-Share

#14-11 Andrew Ingvalson, Ag waste system. Total project cost \$478,700.29; eligible voucher payment \$3,500.

Motion (Beck, Pavelko) to approve payment for the above voucher with 2014 state cost-share funds. Affirmative: Unanimous. Carried.

2013 Clean Water Legacy

#CWL-28-2013 Darwin Hendrickson, WSCBs. Total project cost \$111,339.51; eligible voucher payment \$29,846.23.

#CWL-29-2013 Bruce Hein, WSCBs. Total project cost \$27,162.25; eligible voucher payment \$8,896.

Motion (Schauer, Beck) to approve payment for the above vouchers with 2013 CWL funds. Affirmative: Unanimous. Carried.

2015 Clean Water Legacy

#CWL-3-BR Bruce Nelson, WSCBs. Total project cost \$15,226.47; eligible voucher payment \$4,794.12.

#CWL-4-BR Gary Myers, WSCBs. Total project cost \$3,811.17; eligible voucher payment \$1,553.19.

#CWL-8-BR Darwin Hendrickson, WSCBs. Total project cost \$111,339.51; eligible voucher payment \$40,770.77.

#CWL-9-BR Darwin Hendrickson, Filter strip/Incentive. Total project cost \$3,420; eligible voucher payment \$3,420.

#CWL-2-WR Keith Faus, Grade stabilization. Total project cost \$77,363.35; eligible voucher payment \$16,282.09.

#CWL-4-WR Richard Faus, Filter strip/Incentive. Total project cost \$4,842.20; eligible voucher payment \$3,697.

#CWL-5-WR Tom Bergren, WSCBs. Total project cost \$57,980.78; eligible voucher payment \$52,182.70.

Motion (Beck, Pavelko) to approve payment for the above vouchers with 2015 CWL funds. Affirmative: Unanimous. Carried.

#CWL-6-WR Tom Bergren, Filter strip/Incentive. Estimated project costs \$17,540; proposed cost-share \$7,507.

Motion (Schauer, Pavelko) to approve the above 2015 CWL contract. Affirmative: Unanimous. Carried.

Other

Tera Guetter spoke about their 10 year management plan update. They have hired Wenk Associates engineering firm to help with the planning which consists of two sections: Part A and Part B. Studies involving physical characteristics are currently being compiled and scanned. Monitoring data will also be available for incorporation. This should be completed by February 2016. Plan B consists of issue and listening sessions for the public and surrounding agencies. Groundwater pollution and control measures will be the main topic of discussion.

Upcoming Events:

MASWCD Annual State Convention, December 6-8 in Bloomington, MN

Being no further business, motion (Schauer, Pavelko) to adjourn meeting at 11:07 a.m. Affirmative: Unanimous. Carried.

Approved: Gene Pavelko, Becker SWCD Secretary

Date: December 16, 2015