

**Becker Soil and Water Conservation District
Board of Supervisors Regular Meeting
Wednesday, August 21, 2013**

The regular meeting of the Becker Soil and Water Conservation District Board of Supervisors was held on Wednesday, August 21, 2013 in the Conference Room of the Ag Center Building located at 809 8th Street SE, Detroit Lakes, Minnesota.

Those present were Supervisors Tony Beck, Duane Grossman, Kathy Stenger, Jerome Flottemesch, and Don Lefebvre. Others present include Becker County Commissioner Barry Nelson, District Administrator Peter Mead, District Administrative Assistant Jen Wentz, District Conservationist Ed Musielewicz and District Technicians Ed Clem and Marsha Watland. Also, Cormorant Lakes Watershed District Administrative technical specialist Tim Randt (RMB Laboratories).

Call to Order – Meeting was called to order at 8:06 a.m. by Chairman Beck.

Approve July Minutes –

Motion (Grossman, Stenger) to approve the July Board meeting minutes as written. Affirmative: Unanimous. Carried.

Financial Reports & Bills for Approval –The financial reports and bills for approval were presented by Peter.

Motion (Grossman, Flottemesch) to approve the financial statements and payment of bills. Affirmative: Unanimous. Carried.

Reports –

NRCS District Conservationist Ed Musielewicz reported on the following:

- Working on CRP and CSP this month. Contracts were approved for 10 and 15 years. We have 37 contracts in all. 4-5 are continuous. Status reviews were completed by Ed Clem. He notes that most are re-enrollments.
- CRP acres have been declining over time. Native grasses and forbs seem to be doing a better job of keeping out the invasive and noxious weeds. New CRP's are adding a lot of diversity. Ed has noticed that 50% cover will need inner plantings for CRP trees. Not much for re-seeding. Everyone in the office has been working on plans and landowner folders.
- The NRCS state office has hired 2 new people; they made a recent visit to the area. Rice Lake and Brink Lake projects were reviewed.
- 2 CSP contracts have been completed. He will review the Clay County contract after this meeting.
- Construction projects have been few as the late wheat harvest is still underway. Next week should bring more project start-ups which will continue into September. There will be more field work ahead.
- There was a recent EQIP bulletin from the state office concerning changes over the last few years. No local dollars are involved. All money will come from a statewide pool. A

meeting regarding these changes must be completed by September 6. A decision was made by the Board to hold the meeting on Wednesday, August 28 at 9:00 a.m.

- The contribution agreement for CRP will consist of 40 contracts through December 31, 2014. There will be 25 general and 15 continuous. No paperwork has been received yet.

Reports –

SWCD District Technician, Ed Clem reported on the following:

- CRP has been the main priority lately. Field checks were completed one week ago. Alisa has been working on the plans and has learned ArcMap rather well.
- He has been helping Marsha with shoreland plans.
- The Becker County Fair went well with someone on hand to answer questions at our booth most days.
- Construction was expected to start but the late harvest has slowed things down. Inspections will begin soon and into next month. One large project is coming soon and should continue for one month.
- WCA has been fairly slow. A restoration order was sent to a landowner on Hwy 34 and Highland Dr. The issue has been resolved.
- He noted that Marsha received a call from a landowner who has unresolved issues with Planning & Zoning. Runoff water from his driveway is causing erosion and water quality problems. This begins between a lot developer and a landowner many years ago. The case ended in court and the two walked away from the project. The new owner is now working with the District to settle the previous issues. Rain water has been washing out his driveway. He placed an addition without a permit which is where Planning & Zoning come in. Ed and Marsha will be working on a mitigation plan to overcome the issues by diverting and infiltrating. Asphalt will be removed and the District will build an infiltration into the other side of the lot with a natural, wooded ravine.

Reports –

SWCD Co Ag Inspector and Shoreland Technician, Marsha Watland reported on the following:

Co Ag Inspector

- She noted a few highlights from her attendance at the Minnesota Association of County Agricultural Inspectors meeting last month in Red Wing. Dr. Mark Seeley spoke on Climatology and noted the changes in surface hydrology that local watersheds will soon see. A new invasive plant committee is now a permanent feature. The pollinator program is being developed and will incorporate Co Ag Inspectors. USDA and best management practices will arise out of this new program to promote the growth and sustainability of bees.
- There was also a noxious weed unit at the meeting. A permit is no longer required for propagating parts. There was no new species added to the noxious weed list. There are only 9 counties in the state that have a noxious weed list. Removal of noxious weeds must be done with a black plastic bag or can be burned. However, there should never be burning of poison ivy, wild parsnip, or any other oil-based variety of poisonous weeds.
- Biological control for leafy spurge, spotted knapweed, and purple loosestrife is delivering results. Also, a soybean aphid is in the approval process for release and tansy is still being reviewed with federal programs.

- She noted that Mille Lacs County has a no-chemical use policy for their weed inspector. Costs have doubled because of this; however, they do use biological control efforts.
- While at the Association meeting in Red Wing, she attended a tour of the Upper Midwest Environmental Science Center. Aquatics research is pushing forward with controlling jumping Asian Carp. Zebra mussels are being studied for an enzyme in the stomach area that has been found to be very effective in halting their growth.
- Her semiannual inspection of Becker County gravel pits is almost complete. Two remain and two have been taken off the certification list. One newly certified gravel pit has been added.
- She has been handling many weed complaints and concerns. Spring has been tough; however, road treatments completed last fall have seen beautiful results. Anyone that waited for this spring to treat has seen low to no control. Herbicide treatment now can only be used on clipped areas with new growth. Otherwise, wait until late fall.
- MNDOT has been following through with weed treatments rather well and US Fish & Wildlife has taken care of their weed issues also.
- Bio-control for leafy spurge beetles went very well a few weeks back. She saw record collections in just a few hours. Spotted knapweed root weevils were collected this week with minimal results but were able to be deposited immediately afterward.

Shoreland Technician

- Designs for the 2011 Clean Water Legacy grant on Floyd Lake are completed. The District has helped with installations on McCrackin, Wegner, Lang, Tang, and West properties. The others will use outsourced contractors.
- There are two new contractors working shoreline implementations. Marsha will be working closely with them for install efforts and proper placement of materials and plants. White Earth Lake will use another new contractor. She has prepped them on the specifics of our area.
- She recently attended the Cormorant Watershed District meeting where a few of our programs were explained. The Berg site was discussed as riprap was chosen using curlex. She was invited to return to their meeting on August 5.
- She attended the Tullaby Lake Association meeting on August 3. The Jolly Fisherman site is looking really good.
- The Lang installation was completed on July 25. Peter and Ed Clem were able to help with this project.
- She met with Emily Siira yesterday on one of the sites for Floyd Lake. Emily was able to compile a graph for her of lake changes over the years.

Farm Bill Assistance Grant Agreement –

We have received the agreement from BWSR for the \$45,000 that was awarded to our District. We need to provide a total of \$5,000 match for these funds which should be \$2,500 from the District and \$2,500 from Buffalo-Red Watershed District. Peter mentioned the specifics of the grant agreement. The Board will need to sign the agreement and we can move forward with adding a new position. September should bring more information regarding this.

RRVCSA –

The 2014 Non-Point Engineering Assistance program grant agreement and the RRVCSA Lease Agreements were presented for signatures.

CWL Grant Targeting and Promotional –

Peter presented his work thus far on targeting area landowners as well as the letter that was distributed for the nine lakes that will be targeted under the 2013 CWL Grant. He used GIS and LiDAR data to focus on the areas involved, used their culvert and ditch data, and was able to pull their potential for soil erosion. With this information, he was able to construct a soil loss equation for the area. Catchments were noted and possibilities were discussed. From there, he associated a mean soil loss per catchment with connectivity. The letter targeted 157 landowners using the research he compiled, Alisa will be assembling a mailing list for the 104 Farm tracts in the shoreland zones for an additional mailing to any operators that were not included in the landowner mailing.

Pope SWCD CWL Grant and GIS Assistance –

The Pope SWCD is looking for GIS assistance regarding their target areas for CWL grant funding. Peter has worked for them in the past when he was with NRCS. He's researching the time constraints involved. He would charge them a similar fee as what we charge for other services.

Motion (Flottemesch, Stenger) to authorize the District Administrator to enter into a contract to provide Pope SWCD with GIS assistance according to his recommendation. Affirmative: Unanimous. Carried.

Cost-Share Contracts –

A new proposal for Chad West on Cotton Lake was brought forward for cost-share funding. Project costs are upwards of \$2,113. Marsha distributed her application to the landowner along with project costs. However, there is no cost-share contract signed by the landowner. Decision has been made to table Chad West until next month. The Board could approve this contract at next week's EQIP meeting if needed.

Discussion was made concerning CWL contracts with no landowner signature. It was noted that without landowner commitment, the District cannot commit to the release of cost-share funds. The landowner needs to make a commitment, by signing the contract, before we can allocate the funds. Once this has been completed, the landowner also needs to make progress on the project or will stand to lose the funds.

The following cost-share contracts were presented for consideration:

2011 CWL Floyd Lake allocation

Contract #CWL-11-16 with Lee Wegner, shoreline protection. Estimated cost \$2,117.53; eligible cost-share \$1,000.

Contract #CWL-11-15 with Wayne & Joselyn Tang, shoreline protection. Estimated cost \$2,538.25; eligible cost-share \$1,000.

Contract #CWL-11-14 with William & Marilyn Guy, shoreline protection. Estimated cost \$4,208.53; eligible cost-share \$1,600.

Motion (Grossman, Lefebvre) to approve the above listed cost-share contracts as presented and for the amounts listed using 2011 CWL funds set aside for Floyd Lake shoreline improvements. Affirmative: Unanimous. Carried.

2013 State Cost-Share

Contract #13-12 with Dave Larson, well sealing. Estimated cost \$480; eligible cost-share \$240.

Motion (Flottemesch, Grossman) to approve the above listed cost-share contract as presented and for the amount listed using 2013 state cost-share funds. Affirmative: Unanimous. Carried.

The following cost-share contracts were presented for payment:

2010 Native Buffer cost-share

Contract #NB-10-7 with Sid & Laurie Olson was presented for payment authorization. Total cost of project \$5,389.63; eligible cost-share payment \$3,331.

Contract #NB-10-8 with Donald Snobl & Anne Buelow was presented for payment authorization. Total cost of project \$2,207.96; eligible cost-share payment \$750.

Contract #NB-10-8 with Merle Zimmerman was presented for payment authorization. Total cost of project \$4,650; eligible cost-share payment \$1,062.94.

Motion (Flottemesch, Lefebvre) to authorize payment of the above mentioned 2010 Native Buffer cost-share contracts and for the amounts listed. Affirmative: Unanimous. Carried.

2013 State Cost-Share

Contract #13-11 with Irwin Kallin was presented for payment authorization. Total cost of project \$575; eligible cost-share payment \$240.

Motion (Grossman, Lefebvre) to authorize payment of the above mentioned 2013 cost-share contract for the amount listed. Affirmative: Unanimous. Carried.

Regular meeting of the Board recessed at 10:00 a.m. for the public hearing.

Public Hearing – Becker County Natural Resources Shell Lake Replacement Plan

Marty Wiley, Administrator with Becker County Natural Resources Management joins the meeting. Peter presented information on the public land in question and the need for access in Shell Lake Township. Packets were distributed to Board members with a map and description of the projects for consideration.

There is an 800-acre block due to private lands surrounding public land access. However, because the parcels were recently purchased by Becker County, they now have access on East Shell Lake Rd. The replacement plan would cover three impact sites in Shell Lake Township.

The first impact is a beaver dam, the second is where snowmelt and heavy rains subside, and the third impact is across an old corduroy road. These impacts were noted before the Wetland Conservation Act was in place.

Ed Clem speaks to the Board concerning the three main issues that need to be discussed: whether these impacts are avoidable, how the impacts can be minimized, and if the impacts need to be replaced. TEP has been involved and some questions have been raised. Calculation of the impacts, especially the furthest west on the old corduroy road was questioned. The Board should make a decision on the other sequencing items. Ed points out that there is no other environmentally less damaging entry to this piece of land. The official recommendation comes from the Board, not TEP.

Discussion was brought forward on the layout of the map and the parcel. Marty notes that the road will be available for public access and possibly public use recreational purposes. Ski and hiking trails have been discussed. A parking lot facility would be necessary. Those plans haven't been finalized. All ideas will be considered with WCA in mind. It was noted that there has been ATV use and/or misuse in this area, but the access road would be better controlled.

Marty Wiley noted that the County Board has been thinking about hiring a recreation planner for use on ski and hiking trails as well as camping facilities.

Local landowners may be the barrier involved in much of this project.

The access road top surface will be 12 foot wide with a base of 36 foot wide. The replacement plan proposal is to pull from the Becker County wetland bank created back in the mid 90's. This is a two and a half to one replacement. This area covers the Mississippi Watershed, not the Crow Wing Watershed.

Chairman Beck questioned the attendees if anyone was against the project. As there was no opposition, the Board will take action.

Chairman Beck adjourned the public hearing at 10:19 a.m. and re-opened the regular meeting at the same time.

Based on the findings of the public hearing, Motion (Flottemesch, Lefebvre) to approve the application with Becker County Natural Resources Management and the Shell Lake Replacement Plan.

Other –

Notice given of a public meeting in the city of Frazee, September 9 regarding their well head protection plan beginning development phase. They meet the standards but are in a vulnerable drinking water supply area.

There have been recent legislative changes in taxation regarding easements. BWSR has brought forward an information sheet and description of the changes. Easements are now prohibited from a reduction in property value unless they fall into one of the following categories:

1. Easements covering riparian buffers along lakes, rivers and streams that that are used for water quantity or quality control.
2. Easements in a county that has adopted, by referendum, a program to protect farmland and natural areas since 1999.
3. Easements entered into prior to May 23, 2013.

It was also noted that the RIM program is authorized in MN statute, and that under the statute (103F.511) riparian land is defined slightly broader as “lands adjacent to public waters, drainage systems, wetlands, or locally designated priority waters.”

There have been office rent and location change updates since early July. We will cease and desist on doing any new lease work with market surveys and such. They are so overwhelmed that doing so would lead to another investigation. At this point, we are looking at a two-year extension.

Notice from the Minnesota Association of Soil and Water Conservation Districts regarding the tree program evaluation. Districts must evaluate whether the programs meet critical value in their area and are being sold for water quality life and conservation management. Stearns SWCD adopted a resolution to encourage Districts to use native and non-invasive plants and trees. DNR, BWSR, NRCS, and the Districts are highly encouraged to re-evaluate the use of the program and its requirements on the land as well as the water.

Motion (Flottemesch, Grossman) to authorize the administration to move forward with a tree program evaluation. Affirmative: Unanimous. Carried.

Cell phone allowances. The county has adopted a new policy and Peter has received that documentation from Jack Ingstad, County Administrator. Discussion was made of what is covered, as well as approved and unapproved uses. Questions arose that if we move to this policy, is it necessary to hold an office cell phone. Administration will check into the contract with Verizon Wireless and remove the office cell phone if no pending fees are involved in doing so.

Being no further business, motion (Flottemesch, Grossman) to adjourn at 10:45 a.m. Affirmative: Unanimous. Carried.

Approved: Don Lefebvre, Becker SWCD Secretary

Date: September 19, 2013