Minutes

Vermillion River Watershed Planning Commission (VRWPC) Meeting

July 12, 2017
Dakota County Western Service Center, Room 334, Apple Valley, MN

WPC Members in Attendance
Tony Wotzka
Jim Guttmann
Chuck Clanton
Jeanie Fredlund

Staff in Attendance
Mark Ryan, VRWJPO
Jen Dullum, VRWJPO

Others in Attendance
Brian Rohrenbach
Carolyn Miller
Mark Henry

1. Call to Order.
The meeting was called to order by Chair Guttmann at 3:36 p.m., and opened with the recital of the Pledge of Allegiance.

2. Approval of the Agenda
   Motion by Commissioner Fredlund, second by Commissioner Henry, to approve the agenda noting that item 4a was revised. The agenda was unanimously approved.

3. Approval of the Minutes
   Motion by Commissioner Clanton, second by Commissioner Wotzka, to approve the minutes of the June 14, 2017, meeting as presented. The minutes were unanimously approved.

4. Business Items
   a. Board delegation of permit approval authority to Staff
      Mark Ryan reminded Commissioners that in January 2017, the Vermillion River Watershed Joint Powers Organization (VRWJPO) took over its permitting authority for Eureka Township. Currently, the VRWJPO has permitting authority only in Eureka Township; all other local government units (LGU) implement VRWJPO Standards through local controls. Other jurisdictions could choose to have the VRWJPO administer permitting authority at any time. Allowing time for paperwork, processing, and approval by the Vermillion River Watershed Joint Powers Board (VRWJPB), the potential wait time for a permittee could be up to six weeks. During an open discussion between staff and the VRWJPB, the VRWJPB concluded their role should be to set policy and identify priorities for the VRWJPO, not with day-to-day operations such as the permitting process. The item before you is to recommend to the VRWJPB the delegation of permit approval authority to staff. The stipulation to the recommendation is that the VRWJPB would still review and approve permits of the following types: variance requests, land disturbance greater than 40 acres, sites with greater than 1 acre of new impervious surface, or sites where grading constitutes a drainage alteration. Routine permitting would go directly to staff for consideration and approval. The criteria that the VRWJPO bases permitting on was questioned. Mark Ryan responded that the VRWJPO set standards that cities and townships have to meet. A question was asked about MNDOT projects and requirements, to which the response was that local standards are generally applied to those projects, although some issues enforcing local standards did occur years ago. Another question revolved around LGUs following the standards and to what degree that
has been happening. This should be determined during annual standards meetings with LGUs that are beginning this week. Mark Ryan plans to provide an update later this year. Commissioner Guttmann was glad to see staff pursue this change, believes it assigns the right responsibility to the right place and hopes it will increase responsiveness to our residents.

Motion by Commissioner Fredlund, second by Commissioner Henry, to recommend delegation of permit approval authority to staff. The motion was unanimously approved.

5. Updates
   a. Chairman’s Report
   Commissioner Guttmann discussed the vacant WPC position. Both candidates were viable and agreed to be interviewed for the opening after the WPC put forth both candidates for an interview at the June meeting. The interview would have included the JPB Chair, WPC Chair and Watershed Administrator. Due to unforeseen conflicts, Mike Greco withdrew his application. Josh Borton, being the solo remaining candidate, will now be forwarded on to the VRWJPB on July 27, 2017, for final consideration.

   New this month is a request to RSVP whether WPC members will attend or not attend the WPC meetings by noon the Tuesday just prior to the monthly meeting. If an RSVP is not received, it will be assumed you will not be in attendance, which could result in a lack of a quorum.

   b. Staff Updates
   Jen Dullum updated the WPC on the new VRWJPPO Facebook page. This page highlights volunteer opportunities, meetings, events, and more. Search Vermillion River Watershed Joint Powers Organization on Facebook to find us.

   Mark Ryan described two upcoming stream projects in Farmington: Rambling River Park and South Creek. Bids were received in June and accepted for contracting by the VRWJPB at the June meeting. Both projects include stabilization and habitat restoration. There is a tight timeframe for these projects, as no work can occur within the stream after August 31. The same contractor was selected for both projects and they could start as early as this week.

   With the new buffer law, Dakota County will be enforcing buffers. It is early on in the discussion, but staff is talking about ways to incentivize planting and maintaining native vegetation in buffers. One suggestion involves the County purchasing native seed to either give to landowners for them to plant or utilizing the Soil and Water Conservation District for planting assistance. County ordinance requires the establishment of buffers, alternative practices are not considered. The County ordinance supersedes the State Buffer Law where the County ordinance applies.

   The County Road 78 project and the related South Branch Nitrate Reduction project for which the VRWJPPO has grant money has just started. Pond excavation work and seeding will happen late season around November based on the contractor’s updated schedule. A warranty or keeping the area off-line will be explored so that vegetation will have time to establish, due to late planting.

6. Adjourn
   Motion by Commissioner Fredlund, second by Commissioner Miller, to adjourn the meeting at 4:20 p.m. The motion was unanimously approved.

   Next meeting: Wednesday, August 9, 2017, at 3:30 p.m.
   Dakota County Western Service Center, Room 334, Apple Valley, MN