Minutes
Vermillion River Watershed Planning Commission Meeting
September 11, 2019 - 3:30 p.m.
Dakota County Extension and Conservation Center, Room A, Farmington, MN

WPC Members in Attendance
Ken Betzold  Josh Borton
Chuck Clanton  Mark Henry
Bruce Rydeen  Tony Wotzka

Staff in Attendance
Mark Zabel, VRWJPO
Mark Ryan, VRWJPO

Others in Attendance
Curt Coudron, Dakota County SWCD

1. Call to Order
The meeting was called to order by Vice-Chair Henry at 3:32 p.m. and opened with the recital of the Pledge of Allegiance.

2. Audience Comments on Items Not on the Agenda
None

3. Approval of Agenda

   Motion by Commissioner Borton, second by Commissioner Betzold, to approve the agenda. The agenda was unanimously approved.

4. Approval of Minutes

   Motion by Commissioner Clanton, second by Commissioner Borton, to approve the minutes of the August 14, 2019. The minutes were approved unanimously.

5. Business Items

5a. Presentation of Comments on, and Recommendation to, Adopt Proposed Changes to Draft Vermillion River Watershed Joint Powers Organization Standards
Mark Zabel detailed the comments received on the draft Standards (attached) and opened up the discussion to the Commissioners.

Commissioner Clanton asked for clarification in the summary box on page 24 of the draft Standards between “building” and “agricultural building”. Mark Ryan replied that the summary box intent was to list routine permits that might be applied for within a City or Township. Both “building” and “agricultural building” are defined within the draft Standards. Mark Zabel explained that townships may issue permits for agricultural buildings that do not require a building permit, only verification of setback or other requirements.
Mark Zabel also noted that the draft Standards are in their final version. The draft Standards have been modified based on some of the comments received. Staff is requesting a recommendation to the Joint Powers Board to adopt the draft Standards in their final version.

Commissioner Clanton inquired on a comment received from Jim Sipe regarding exempting agricultural settings from the Standards. Commissioner Clanton noted that in general, agriculture is exempt. Mark Zabel stated that agricultural activity is exempt as a land disturbing activity in the Standards. Mark Ryan added that within the draft Standards, agriculture is not exempt when there is land disturbing activity for an agricultural building or for the stockpiling of fill material. Mark Zabel mentioned that Mr. Sipe’s concern is that agricultural activity disturbs large areas that are then prone to erosion so why would be concerned about a small area of disturbance in that same landscape. Mark Zabel noted that agricultural activity tilling soil leaves the soil bare for a period in the spring, however, building sites in agricultural areas could be open all year and experience runoff conditions with summer storms. Therefore, the VRWJPO adopted conditions under the land-disturbing activity, to differentiate between agricultural practices and other forms of land disturbance that could lead to adverse runoff conditions.

Commissioner Clanton asked what staff’s response was for why a 125 feet was chosen for the length of the driveway exemption. Mark Zabel replied that the Standard was sourced from another watershed and added that it takes about 100 cubic yards of fill material to create a 10-foot wide, 125-foot long driveway, at a 2-foot depth of fill.

Commissioner Clanton asked about the new-impervious Standard. Mark Ryan replied that clarifications were made by adding New Development and Redevelopment which have impervious thresholds wet within those definitions before permanent stormwater management would be required.

Mark Zabel noted that Megan Tasca from Scott County had comments on the 150-foot setback from wetlands and how that fits within that land disturbing activity. If a land disturbing activity is taking place within the 150-foot setback, a permit would need to be applied for from the municipality.

Motion by Commissioner Clanton, second by Commissioner Betzold, to recommend adoption of the Draft Vermillion River Watershed Joint Powers Organization Standards.

5b. Recommend Approval of Joint Powers Agreement with City of Hastings for Vermillion Falls Area and Ravine Projects
Mark Ryan began by reminding the commissioners that two projects encompassed in this Joint Powers Agreement (JPA) received 2018 Watershed-based funding (WBF). The projects will be funded through WBF grant, the City of Hastings, and the Vermillion River Watershed Joint Powers Organization (VRWJPO). Engineering for the project has begun, however construction will not start until later this fall. The projects will include rain gardens in Vermillion Falls Park and a dry basin and stabilization in the ravine.

Commissioner Henry asked for more detail about project costs. Mark Ryan replied that the total project cost is $240,000. $149,000 comes from WSB, $56,000 comes from the City of Hastings, and $35,000 is match from the VRWJPO.
Commissioner Rydeen asked if this was in the 2019 budget. Mark Zabel replied that this project is in the 2020 budget.

*Motion by Commissioner Rydeen, second by Commissioner Clanton, to recommend approval of the Joint Powers Agreement with the City of Hastings for Vermillion Falls Area and Ravine Projects.*

6. **Updates**

6a. **Chairperson’s Report**
Commissioner Henry updated the commissioners on resident concerns brought up at the last Castle Rock Township meeting on the County Road 78 nitrate treatment practice that is slated to be installed at the Township Hall. Members of the community have concerns ranging from flooding to maintaining tile discharge. Commissioner Henry discussed the elevated nitrates in the South Branch Vermillion with the concerned residents after the meeting. VRWJPO staff will be in attendance at the next township meeting and are working through the concerns with the residents.

6b. **Staff Updates**
Mark Zabel reminded the commissioners about the watershed tour on September 19 at 1:00 p.m. The tour will leave from the Dakota County Extension and Conservation Center.

Mark Ryan gave a brief project status report. The South Creek restoration at Buddy’s Kitchen continues. The in-stream work is complete. Work to stabilize the site should be finished by the tour. Staff recently applied for a Clean Water Fund grant for stream restoration work upstream of the Avonlea Development on Middle Creek in Lakeville.

Jen Dullum mentioned that there is an interpretive sign that was developed by the VRWJPO that will be installed along a trail in the restored area of the Avonlea site.

7. **Adjourn**

*Motion by Commissioner Betzold, second by Commission Rydeen, to adjourn the meeting at 4:16 p.m. The motion was unanimously approved.*