



# Minutes

## Vermillion River Watershed Planning Commission Meeting

June 14, 2023 – 4:30 p.m.

In-person and Microsoft Teams Videoconference

### WPC Members in Attendance

Linda Larson Brad Blackett  
Josh Borton Andy Riesgraf  
Steve Hamrick

### Staff in Attendance

Brita Moore-Kutz, VRWJPO  
Travis Thiel, VRWJPO  
Mark Zabel, VRWJPO

### Others in Attendance

Curt Coudron, Dakota County SWCD  
Nikki Stewart, Dakota County (V)  
Mark Henry, Citizen  
Melissa Bokman-Ermer, VRWJPO (V)

### 1. Call to Order

The meeting was called to order by Josh Borton at 4:31 p.m.

### 2. Roll Call

All members present except Jim Kotz and Sandra Weber.

### 3. Audience Comments on Items Not on the Agenda

Commissioner Blackett asked how he should handle contacts that come to him with concerns about the watershed. Mark Zabel responded that he should direct them to himself as the Administrator or to any of the VRWJPO staff for their response or processing.

### 4. Approval of Agenda

Vice-Chair Borton asked for approval of the agenda.

Commissioner Riesgraf joined the meeting in person at this time.

*Motion by Commissioner Larson, second by Commissioner Blackett, to approve the agenda as distributed. The agenda was approved by a 5-0 vote.*

### 5. Approval of Minutes from the April 12, 2023 Meeting

Vice-Chair Borton requested any adjustments to the minutes as presented.

*Motion by Commissioner Larson, second by Commissioner Hamrick, to approve the minutes of the April 12, 2023 meeting, as presented. The minutes were approved by a 5-0 vote..*

## 6. Business Items

### a. Report on Measurable Outcomes as Identified in the 2016-2025 Vermillion River Watershed Management Plan

Brita Moore-Kutz highlighted information from the executive summary of the Report on Measurable Outcomes for 2022. Some areas noted were: fish monitoring results including trend lines of index of biotic integrity for fish at the various monitoring sites, tables listing Capital Improvement Projects and the reductions of pollutants expected from those projects (the Landscaping for Clean Water projects are shown separately), buffer tracking, lake monitoring, (Commissioner Blackett asked if the points shown in the graphics reflect all samplings? Travis Thiel responded that the points shown reflect the average summertime values. Travis also summarized that most lakes being monitored are showing improving trends with the exception of Lake Rebecca which is heavily influenced by the Mississippi River), groundwater quality results, irrigation audit program results, website use, subscription to social media which is up, WHEP participation, Minnesota Water Stewards participation, and a new inclusion of Adopt-A-Drain participation, Standards compliance, temperature mitigation, Landscaping for Clean Water projects, Vermillion Corridor acquisitions, in-stream restorations. There are two more years for the current Vermillion River Watershed Management plan and the tracking of these measurable outcomes. Mark Zabel added that the measurable outcomes were put together as part of the planning process as a means of answering the “so what” question for the goals and actions of the plan, i.e. we do all this stuff, what does it get us.

Commissioner Larson asked if the full report is available on the website. Brita mentioned that she would be posting it to the website after its presentation to the Vermillion River Watershed Joint Powers Board which will meet June 22, 2023.

Commissioner Blackett commented that the Landscaping for Clean Water program for the area in Apple Valley also includes a grant opportunity from the City of Apple Valley that has a maintenance agreement associated with it. Commissioner Blackett noted that the maintenance agreement is a disincentive for some and they choose not to apply for the grant because of it. Commissioner Blackett asked if these landowners were following through and applying for project funding through the SWCD and implementing their projects. Curt Coudron responded that most people who apply for the Apple Valley grant also apply for the SWCD/VRWJPO grant and of those that opt out of the Apple Valley grant many still apply to the SWCD/VRWJPO grant. The SWCD/VRWJPO does not include a long-term contract and follow up visits have found that the vast majority of projects are still in place several years after their installation. It is generally more of the technical assistance and guidance that landowners are interested in that leads to projects and less so the financial assistance. Brita noted that the SWCD also annually provides free maintenance workshops to assist landowners with keeping their projects in good shape. Curt added that the SWCD also tries to get new owners information about the workshops when properties are turned over so that the new owners are aware of the project and what they are getting.

Commissioner Riesgraf asked about practices for areas of septic drainfields. Curt mentioned that they have had some interest for native plantings in this area, there isn't a specific program for this but there is some interest. Commissioner Riesgraf shared some of his own experience with planting in a septic drainfield.

Commissioner Blackett noted that the information in the Measurable Outcomes Report is valuable but is a bit overwhelming and perhaps presentation of the information could be improved through use of graphics or other means.

**b. Report on June 8, 2023 Special Meeting of the Vermillion River Watershed Joint Powers Board**

Mark Zabel noted that he will be retiring from his position as a Dakota County employee and Administrator for the Vermillion River Watershed Joint Powers Organization as of July 14, 2023. Mark commented that the announcement of his retirement has precipitated some unexpected things one of which led to the Special Meeting of the Vermillion River Watershed Joint Powers Board on June 8, 2023. The special meeting was called to discuss the hiring of the replacement of the Administrator of the VRWJPO and to discuss the potential for restructuring.

Mark presented the five options addressing potential organizational structure for the Vermillion River Watershed that were presented to the Vermillion River Watershed Joint Powers Board. Commissioner Riesgraf asked if these options were a result of discussions at the meeting or if these were brought to the meeting. Mark Zabel responded that these options were brought to the meeting for discussion. Mark added that there was much discussion before the options were presented and during the presentation. Ultimately the VRWJPB agreed that option 2 was the preferred approach and upon further discussion chose to retain the current empowering Joint Powers Agreement but add a service agreement that would define the roles and responsibilities of the Administrator in relation to the VRWJPB and the VRWJPO. The draft service agreement will be presented at the June 22, 2023 meeting of the VRWJPB for their consideration.

Commissioner Riesgraf asked what the pros or cons of becoming a watershed district might be. Travis responded that watershed districts have independent boards and can raise funds through their levy authority independent of the County levy. Commissioner Blackett asked if there are legislatively set restrictions on how much that levy can grow each year. Mark responded that outside of the seven-county metropolitan area watershed district levies were restricted to \$250,000. That amount was raised by legislative action this year, but Mark didn't know what level it was raised to. The same restrictions do not apply to the seven-county metropolitan area. Mark commented that the con side of forming as a watershed district is that often to carry out the required functions also requires a larger staff complement. Some watershed districts contract for all their functional needs which can be expensive.

Commissioner Blackett asked what the service agreement provides. Mark responded that the service agreement is narrow in its scope and is specific to the actions and management of the Administrator position.

Commissioner Blackett asked about other Watershed Management Organizations (WMOs) in Dakota County and how the administrative role is handled with those entities. Mark responded that several of those WMOs contract with the SWCD to provide administrative services. They are contracting it isn't an employee situation for the County. There was some discussion about other WMOs and WDs in the seven-county metropolitan area.

## **7. Updates**

### **a. Chairperson's Report**

Acting Chair Borton noted Mark Zabel's service as Administrator and thanked him for his time with the VRWJPO.

### **b. Staff Updates**

Curt Coudron

Reported that the SWCD had contracted about 450 acres of cover crops in the Vermillion River Watershed. Three native prairie restoration projects are underway with a total of approximately six acres. These projects are in preparation with an expected fall seeding.

Travis Thiel

Reported on the Middle Creek at Dodd Boulevard projects which are being completed this summer. Travis showed the approximate locations for the work and noted that this is a continuation of previously completed restoration work immediately downstream of these projects. These projects will stabilize channels that have eroded over time. Bids on these projects came in under the engineers estimate which is a positive indicating that contractors are available and bidding competitively for this work.

Travis also reported on Long Lake in Apple Valley. Projects are planned for the Long Lake watershed to reduce phosphorus delivery to Long Lake and positively impacting Farquar Lake downstream. The City of Apple Valley is proposing to draw down Long Lake this coming year to try to reduce rough fish populations. The City of Apple Valley and VRWJPO are discussing means to control movement of rough fish from Long Lake to ponds upstream of the lake. Travis mentioned that there are stocking efforts in Farquar Lake and so rough fish control is desired to control those populations. Commissioner Riesgraf asked about the connection between Long and Farquar as Long Lake may be the nursery for rough fish moving in the system. Travis mentioned that barriers may be constructed on a temporary basis to control movement during critical periods. The City of Apple Valley will be contracting for electrofishing efforts in this system this year and results of those efforts will lead to consideration of potential management options. Mark commented that if drawdowns could be performed annually perhaps numbers could be reduced to manageable levels. Travis mentioned that DNR is not supportive of more frequent drawdowns.

Travis also reported that a public meeting is scheduled with the Cities of Apple Valley and Burnsville for July 20, 2023 at 6:00PM to discuss the alum treatment feasibility study for Alimagnet Lake.

Travis discussed crossings on North Creek. Commissioner Riesgraf asked about trees that had been planted by Minnesota Water Steward volunteers. Travis said some of those trees made it and are growing. Travis added that last year additional trees were planted in that same area with the help of a Conservation Corps of Minnesota crew to fill in and enhance the riparian planting. Travis mentioned that the area has been electrofished in the past. The area has caught too few fish to score in this area. The VRWJPO has identified several perched crossings downstream of this area. The DNR has indicated some funding available to address this type of issue. Commissioner Riesgraf if there is interest in continuing the remeandering of the stream. Travis said there is interest, however, the DNR funding available for that type of work requires either a conservation easement, a fishing easement, or be on public land. The riparian shore in this area is private land and it is unknown as to when this area might develop. Travis has requested a scope of work for feasibility associated with correcting these crossings.

Commissioner Larson asked about the VRWJO tour. Mark Zabel reported that the Minnesota Board of Water and Soil Resources (BWSR) approached the VRWJPO about coordinating the BWSR Board tour. Mark noted that the VRWJPO was planning the tour for its Board this year as well and asked if the BWSR would be interested in a combined tour. The BWSR agreed to a combined tour and so we are planning for a tour to take place August 23, 2023. Planning is in early stages dealing with logistics of hotel, meals, and tour stops. We expect the tour will need three coach buses to accommodate up to 150 people.

Brita reported that the interpretive signs are being printed by the contracted fabricator. Brita passed around a color test printed sample for members to view. Brita mentioned that she and Travis assisted students from the School of Environmental Studies in a planting project at the iron enhanced filter project at Jaguar Avenue in Lakeville.

Melissa Bokman updated the members on what is going on with the Niagara Bottling Project in the City of Elko New Market. On June 8, 2023 the City Council approved all items related to the Niagara Bottling Project. The project moving forward is now dependent on the DNR's approval of the amendment to the City's water appropriation permit. The DNR is requiring the City to do pump testing of their municipal wells and to determine any possible impact to aquifer and area wells. The City is in the process of putting the plan together for the pump tests now. The City has also made some amendments to their City Code in Ordinance 273 and 274 concerning water use and service to address large water use proposals in future. The City is now awaiting the DNR decision on the appropriation permit.

## **8. Adjourn**

*Motion by Commissioner Riesgraf, second by Commissioner Blackett, to adjourn the meeting at 5:52 p.m. The motion passed on a 5-0 vote.*