



Board of Supervisors Meeting
Wednesday August 16, 2023
USDA Service Center Conference Room
809 8th Street SE, Detroit Lakes, MN 56501

Meeting Minutes

Supervisors Present:

Eugene Pavelko, Chair
Michelle Andresen, Vice Chair
Tony Beck, Treasurer
Curt Ballard, Secretary

Absent:

Travis Schauer, Public Relations

Staff Present:

Bryan Malone, District Administrator
Deana Westberg, Office Manager
Christy Johnson, Office Assistant
Ed Clem, Resource Technician
Colton Utecht, Shoreland Technician
Ed Musielewicz, NRCS District Conservationist

Guests:

Barry Nelson, County Commissioner
Wallace Danielson, Landowner
Hannah Passolt, Houston Engineering Scientist

Chairman Pavelko called the meeting to order at 8:30 a.m.

Agenda and Consent Agenda Items

July 19, 2023, Regular Meeting Minutes; Employee Program Reports

Motion (Beck, Ballard) to approve the July meeting minutes and employee program reports. All in favor, motion carried.

August 16, 2023, Agenda and Consent Agenda

Motion (Andresen, Ballard) to approve the Agenda and Consent Agenda as amended. All in favor, motion carried.

Financial Reports

Treasurers Report and Bills for Approval

Malone reviewed the Treasurers Report and Bills for Approval.

Motion (Andresen, Ballard) to approve the July Treasurer's Report and pay the August Bills. All in favor, motion carried.

Review/Approve 2024 Proposed Budget

Bryand Malone reviewed the FY24 budget:

- The Budget Committee - Malone, Westberg, Beck and Pavelko met on Wednesday August 9th and went over the proposed 2024 expenditures and revenues in detail.
- The anticipated GSA Pay Scale Cost of Living Increase of 3% and Step Increases are included in the salaries.

Motion (Ballard, Andresen) to approve the FY2024 Budget Draft. Affirmative: Unanimous. Carried.

Cost Share

Clean Water Fund Applications

- CWL-17-WR FoFa, WASCBS- Estimated Cost \$33,301.50; 90% State Cost-Share \$29,971.35
- CWF-04-FFBCII IsHj, Cover Crops- Estimated Cost \$5,341.50; Flat Rate State Cost-Share \$5,341.50

Motion (Beck, Andresen) to approve the Clean Water Fund Applications as presented. All in favor, motion carried.

Clean Water Fund Voucher

- CWL-01-TDII KeFa, WASCBS – Project cost \$64,256.46; Partial Payment 90% Cost Share \$15,500.12; \$42,330.69 EQIP

Motion (Ballard, Beck) to approve the Clean Water Fund payment as presented. All in favor, motion carried.

Watershed Based Funding Applications

- 1W1P-11-BR MiSc, WASCBS – Estimated Cost \$50,420.55; 90% Cost Share \$45,378.50; \$37,834.00 EQIP
- 1W1P-12-BR TjSc, WASCBS – Estimated Cost \$49,173.40; 90% Cost Share \$27,434.06; \$16,822.00 EQIP
- 1W1P-06-OT JaHa, Conservation Cover – Estimated Cost \$8,708.93; 50% Cost Share \$4,354.47

Motion (Andresen, Beck) to approve the Watershed Based Funding Applications as presented. All in favor, motion carried.

Watershed Based Funding Vouchers

- 1W1P-05-RE TePa, Pit Closure – Total Project Cost \$22,438.00; 75% Cost Share \$9,329.50; \$7,499.00 EQIP.
- 1W1P-05-BR VaJi, WASCBS – Project Cost to Date \$119,392.48; 90% Partial State Cost-Share \$53,091.48; \$54,361.75 EQIP.

Motion (Ballard, Andresen) to approve the Watershed Based Funding payments as presented. All in favor, motion carried.

State Cost-Share Voucher

- SCS-23-02 JoGu, Grassed Waterway – Total Project Cost \$1,051.47; 75% State Cost-Share \$788.60

Motion (Beck, Andresen) to approve final payment as presented. All in favor, motion carried.

SSTS Upgrade Grant Voucher

- SSTS-02-23 AdFI, SSTS Upgrade- Total Project Cost \$16,200.00; Maximum State Cost-Share \$7,500.00

Motion (Andresen, Beck) to approve the SSTS Upgrade payment as presented. All in favor, motion carried.

Comprehensive Watershed Management

Shoreland Technician Introduction: Colton Utecht, Shared Position with PRWD & CLWD was introduced. Bryan Malone explained Colton's duties would include permit application assistance to landowners, coordinating with the Becker County Planning and Zoning as well; helping landowners identify resource concerns, working on shoreland restorations and providing best management practices advice. Colton is from Grand Rapids, MN. He received his bachelor's degree in wildlife biology from Bemidji State. He worked at the Itasca SWCD and the USDA Wildlife prior to coming here. Colton officially began his duties on Monday August 14th.

SWCD Aid

2023 Guidelines on use of SWCD Aid Payments Resolution effective July 20, 2023, as outlined in Minn. Stat. § 477 A.23, subd. 4(b).

- Malone explained the State SWCD Aid payments that will be used by the Becker SWCD board and staff to carry out the presented duties.
- The board recommended removing from page 1 line #11 “provide technical assistance for the agricultural land preservation program under chapter 40A” – this only applies to the Metro areas.
- In carrying out these duties, the Becker SWCD board and staff will use state aid payments to deliver the services as outlined in Minn. Stat. § 103C.332, subd. 2.

Motion (Beck, Andresen) to approve the SWCD Aid Resolution with the deletion of line #11. All in favor, motion carried.

Chairman Pavelko closed the regular meeting and opened the public hearing at 9:27 a.m.

Public Hearing – Wetland Conservation Act

Wallace Danielson Agricultural Wetland Banking Plan

Date of Application: 6/28/2023

SWCD Resource Technician Ed Clem explained that Wallace Danielson is seeking approval of a plan to restore a wetland in Richwood Township Section 3 for the purpose of depositing wetland credits into the Minnesota Wetland Banking Program. These credits would be eligible to be used and/or sold to others for mitigation of agricultural impacts to wetlands. The Becker SWCD Board of Supervisors, acting as LGU for the MN Wetland Conservation Act in Becker County, will take testimony in favor or against this plan at the hearing.

Hannah Passolt of Houston Engineering Inc, representing landowner and applicant Wallace Danielson, introduced the plan and discussed the timeline of producing the plan. A project scoping document was submitted to the Becker Technical Evaluation Panel (TEP) in 2018 and the TEP recommended proceeding to the Prospectus phase. A wetland delineation showing existing wetland boundaries was completed and submitted with the Project Prospectus in August 2020. Between August 2020 and March 2021 there were several TEP meetings and exchanges of correspondence between the applicant, TEP, and MN BWSR staff that resulted in several revisions of the plan.

A Draft Mitigation Plan was submitted in June 2021. Several more TEP meetings and exchanges of correspondence occurred between June of 2021 and March of 2022, with more recommendations of revisions by the TEP and BWSR. These revisions included the elimination of some wetland areas from credit eligibility and a reduction of the proposed easement boundary.

Another Mitigation Plan was submitted in May 2022. More TEP meetings and exchanges occurred after May 2022, which resulted in a BWSR technical memo being released in March 2023 recommending that the applicants pursue an Agricultural Wetland Bank rather than the Standard wetland bank to increase the likelihood of meeting less demanding vegetative and hydrologic performance standards. A final Agricultural Wetland Banking Plan was submitted on June 28, 2023.

Ed Clem then read the Findings and Recommendations of the Becker TEP, which consisted of the following:

The Becker TEP met on August 8, 2023, at 10:00 am in the SWCD conference room and via online conference to review the Wallace Danielson Agricultural Wetland Banking Plan. Those in attendance were Bryan Malone and Ed Clem of Becker SWCD, Steve Hofstad and Tom Wenzel of MN BWSR, Rodger Hemphill of MN DNR, and Hannah Passolt with Houston Engineering.

This Plan is a proposal to create a MN Wetland Bank for mitigation of agricultural impacts to wetlands. The project sponsors, Wallace, and Renee Danielson, propose to restore 65.3 acres of drained and/or partially drained wetlands and surrounding uplands within a 132-acre conservation easement area on their property. The main channel going through this wetland complex is a DNR Protected Public Water Course that was altered sometime in the early 1900s to improve drainage. The water course drains into the mainstem of the Buffalo River just downstream of the easement area. This bank project is intended to create up to an estimated 51.53 acres of mitigation credits for deposit into the Minnesota Agricultural Wetland Banking System.

The Plan describes historical and existing ecological conditions within the easement area. It also sets goals with performance standards for future conditions after the restoration actions are completed. These goals are specifically designed to meet hydrologic and vegetative performance standards for agricultural wetland banks. The Plan also presents a schedule for the incremental release of credit deposits into the State Agricultural Wetland Bank. The credit releases are tied to various stages of the project completion including an initial release and subsequent hydrologic and vegetative performance standards being met.

It must be noted that the Plan includes engineering designs and construction plans for 2 water control structures that are pending approval. These have been submitted to MN DNR State Waters and Engineering staff for review and issuance of DNR Public Waters and Dam Safety Permits. The Engineering designs and construction plans are also pending approval from MN BWSR. Therefore, the LGU's approval of this plan should be conditioned on the receipt of all necessary permits and a Final Technical Review Approval Memo from BWSR Engineering staff.

The TEP finds that,

- All documents, maps, and other components required in a MN Wetland Banking Plan have been completed and included in the plan, except for final approved engineering designs and construction plans.
- The Plan clearly explains historical and existing altered conditions of the site and the premise of restoring the ecology and hydrologic regime to a more natural condition is sound.
- The proposed credit actions, credit amounts listed, performance standards, and credit release schedule are reasonable and achievable.
- Wallace and Renee Danielson intend to create a Conservation Easement with the State of Minnesota which should ensure long term sustainability of the project. The proposed easement boundaries appear reasonable and should create adequate buffer to protect the site.
- The vegetation establishment plan is satisfactory and the longer-term monitoring plan for the vegetative communities throughout the site has the potential to ensure compliance with the listed performance standard goals.
- Engineering designs, construction plans, and DNR permits are pending approvals, so the TEP offers no findings for those currently.

The TEP recommends that,

- Becker SWCD, serving as LGU for the MN Wetland Conservation Act in Becker County, approve the Wallace Danielson Agricultural Wetland Banking Plan.
- The approval of that plan be conditioned on the receipt of a DNR Dam Safety Permit, and all other permits required by Federal, State, and local agencies.
- The approval of that plan to also be conditioned on a Final Technical Review Memo from MN BWSR Engineering staff approving the designs and signed construction plans.

Following the presentation of TEP Findings and Recommendations, Chairman Pavelko asked for any other comments in favor or against the application. Hearing none, the public hearing was closed, and the regular board meeting was reopened at 10:11 a.m.

Discussion: Clem noted that the SWCD Board, serving as LGU for the MN Wetland Conservation Act in Becker County, should make findings in favor or against approval of this application.

Findings: The LGU concurs with the TEP's findings, recommendations, and conditions for approval for the Wallace Danielson Agricultural Wetland Banking Plan.

Motion (Beck, Ballard) for the SWCD serving as WCA LGU, to approve the Wallace Danielson Agricultural Wetland Banking Plan, pending receipt of an approved DNR Dam Safety Permit, a Final Technical Review Memo from MN BWSR Engineering staff recommending approval, and all other permits required by Federal, State, and local agencies. All in favor, motion carried.

Open Forum –

Barry Nelson mentioned there is a tour at Buck's Mills dam August 17,2023, at 10 am for anyone interested in learning about the removal of the dam and what it will look like going forward.

Staff Reports

District Administrator - Bryan Malone

1W1P – Colton Utecht will start with us on August 14th as the Shoreland Technician working between us, Pelican River WD, and Cormorant Lakes WD. Attended the Crow Wing River Watershed tour and presented at Straight Lake, a grazing system and dairy system in Becker County. It was a long day as it is a large watershed where we started in Motley, over to Nisswa, up to Nimrod, Hubbard, then to Osage before going south to Clarissa and back to Motley. Otter Tail Team meeting to update the group on how the first implementation grant is going. Redeye Planning Team meeting to determine budget as first grant expires the end of 2023. We will apply for an extension on the Redeye. Held Local Forestry Team meeting on the Redeye LCCMR grant. Attended the first Crow Wing Advisory Committee meeting.

Projects – So far this year we have 7 AgBMP loan applications for septic systems for a total of \$178,000. Should complete the Flath SSTS replacement yet this fall. Terry Paurus pit closure finished getting seeded and mulched. Put together vouchers for payment for the Board meeting. Brandon completed the plot seeding for our Soil Health field day scheduled for September 21st at Andresen’s. Visited a couple sites with County Hwy Engineer Jim Olson on the outlet of Lake Maud and a ditch crossing on Co Rd 7 in Walworth Twp. Construction checks on Flicek SSTS upgrade as it was installed in their front yard, so had a lot of concerns.

Meetings and Other – Completed the NACD quarterly report. Submitted a Wild Rice WBIF workplan revision moving funds around the categories. Attended the quarterly FAC meeting. Nothing new on the building lease process. Held nitrate water testing clinic at our booth during the fair. Also gave a short presentation at the fair celebrating our 75th Anniversary and announcing our 2023 Outstanding Conservationist. Met with Gene and Tony to review the 2024 Proposed Budget. WCA TEP finishing up the Finding of Fact for Wally Danielson’s Ag Wetland Bank application. Did our quarterly grant log review with Christy and Deana. Applied for next round of NACD Conservation Planning grant.

TSA – Completed the 2024 proposed budget and agenda for the August 3rd Board meeting. Also provided each SWCD that receives TSA funds, a spreadsheet for their quarterly reports.

Adjourn

Seeing no further business, Chairman Pavelko adjourned the meeting at 10:47 am.

Curtis R. Ballard
Board Secretary
09-20-23
Date

Bryan E. Malone
District Administrator
9/20/2023
Date

