

RED LAKE WATERSHED DISTRICT

August 23, 2018

Agenda

9:00 a.m.

9:00 a.m.	Call to Order	Action
	Review and approve agenda	Action
	Requests to appear	Information
	August 9, 2018 Minutes	Action
	August 21, 2018 Minutes	Action
	Financial Report dated August 22, 2018	Action
	Investment Summary - Certificate of Deposit	Action
	Proposed 2019 Special Revenue Projects Levy	Action
	Resolution to Extend RLWD Watershed Management Plan	Info./Action
	Thief River Falls West Side FDR Project No. 178	
	Deficiency Resolution	Action
	Reimbursement Resolution	Action
	Soil Borings	Action
	Agassiz NWR-Wetland Habitat Quality & Mgmt Enhancement Grant	Info./Action
	RLWD Proj. 180A-Scope of Work/Structure Repairs	
9:30 a.m.	RRWMB-Rob Sip, Executive Director and Lisa Frenette, Lobbyist	Information
	Little Pine Lake WMA Structure, RLWD Project No. 26A	Information
	Ditch 16, RLWD Project No. 177-Update	Information
	Buffer Enforcement	Info./Action
	East Polk SWCD	Information
	Permits: No. 18071, and 18084-18091	Action
	Flu Shot Clinic-September 27, 2018	Information

Employee Resignation	Action
Employee Posting Ditch Inspector/Technician II	Info./Action
Administrators Update	Information
Legal Counsel Update	Information
Managers' updates	Information
Adjourn	Action

UPCOMING MEETINGS

September 3, 2018	Labor Day-Office Closed
September 4, 2018	Marshall County Commissioners Meeting, 9:30 a.m.
September 13, 2018	RLWD Board Meeting, 9:00 a.m.
September 18, 2018	RRWMB Meeting, Ada, 9:30 a.m.
September 27, 2018	RLWD Board Meeting, 9:00 a.m.

DRAFT

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
August 9, 2018

President Dale M. Nelson called the meeting to order at 9:00 a.m. at the Red Lake Watershed District Office, Thief River Falls, MN.

Present were: Managers Terry Sorenson, Gene Tiedemann, Dale M. Nelson, Allan Page, Les Torgerson, LeRoy Ose and Brian Dwight. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Sparby.

The Board reviewed the agenda. A motion was made by Tiedemann, seconded by Torgerson, and passed by unanimous vote that the Board approve the agenda. Motion carried.

The Board reviewed the July 26, 2018 minutes. Motion by Sorenson, seconded by Tiedemann, to approve the July 26, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated August 8, 2018. Motion by Tiedemann, seconded by Ose, to approve the Financial Report August 8, 2018 as presented. Motion carried.

Administrator Jesme stated that construction has begun on the Little Pine Lake WMA Outlet Structure Project, RLWD Project No. 26A. A temporary earthen dike was constructed to keep water away from the structure, the original structure was removed, and they are now pouring concrete for the new structure. Jesme was able to contact all but one landowner in the project vicinity.

Administrator Jesme stated that Engineer Nate Dalager, HDR Engineering, Inc. is assisting in preparation of a contract with the City of Thief River Falls to incorporate tasks specific to the city's portion of the Thief River Falls West Side FDR Project, RLWD Project No. 178. The Board will review the contract prior to approval.

Viewers for the proposed RLWD Ditch 16, RLWD Project No. 177 met with local landowners on August 1, 2018, to share their findings concerning drainage patterns, and to get landowner input. Administrator Jesme stated that that names and breakdowns of 40-acre tracts have been completed for the Viewers' Report.

The Board reviewed a Release of Claims and Indemnification and Hold Harmless Agreement for haying on District projects. Motion by Tiedemann, seconded by Page, to approve the Release of Claims and Indemnification and Hold Harmless Agreement for John Sorenson, on the RLWD Ditch 12, RLWD Project No. 169. Motion carried.

Administrator Jesme stated that since the quotes for the cattail spraying for the Agassiz NWR-Wetland Habitat Quality and Management Enhancement Grant Project, RLWD Project No. 180A, were lower than the estimate, an additional 700 acres of cattails will be sprayed without having to amend the grant application.

Administrator Jesme stated that he is working on drafting a Buffer Enforcement Policy for ditches under the jurisdiction of the District.

Staff member Loren Sanderson stated that the Euclid East Impoundment, Parnell Impoundment and Louisville/Parnell Impoundment need cattail spraying within the impoundment and the inlet ditches. Manager Tiedemann stated that the outlet of the Brandt Impoundment is also choked with cattails. Motion by Tiedemann, seconded by Sorenson, to authorize staff to proceed with cattail spraying for the Euclid East Impoundment, RLWD Project No. 60C; Parnell Impoundment, RLWD Project No. 81, Louisville/Parnell Impoundment, RLWD Project No. 121 and the Brandt Impoundment, RLWD Project No. 60D. Motion carried.

Staff member Loren Sanderson stated that when the MnDNR inspected the outlet structure of the Euclid East Impoundment, RLWD Project No. 60C, they identified the possible shift of a culvert due to the infiltration of soil within the structure. Sanderson requested the assistance of an Engineer to inspect and make possible recommendations, if repairs are required. It was the consensus of the Board, to authorize Engineer Nate Dalager, HDR Engineering, Inc. to assist with the inspection and review of the outlet structure for the Euclid East Impoundment, RLWD Project No. 60C.

The Board reviewed the permits for approval. Motion by Ose, seconded by Torgerson, to approve the following permits with conditions stated on the permit: No. 18046, Moylan Township, Marshall County; No. 18061, Jon Meyer, Onstad Township, Polk County; No. 18063, Darin Myron, Terrebonne Township, Red Lake County; No. 18064, Mike Tiedemann, Lowell Township, Polk County; No. 18065, Harlow Johnson, River Falls Township, Pennington County; No. 18066, Al Bauer, Knute Township, Polk County; No. 18067, Elizabeth Quick, Russia Township, Polk County; No. 18068, Bill Langlois, Louisville Township, Red Lake County; No. 18069, Earl Pederson, Greenwood Township, Clearwater County; No. 18070, Earl Pederson, Terrebonne Township, Red Lake County; No. 18072, Doug Barth, North Township, Pennington County; No. 18073, Paul Engelstad, Parnell Township, Polk County; No. 18074, Kevin Johnson, Northland Township, Polk County; No. 18075, Earl Pederson, Greenwood Township, Clearwater County; No. 18076, Jarod Peterson, Northland Township, Polk County; No. 18077, Richard Balstad, Bray Township, Pennington County; No. 18078, Peterson Farms Partnership, Wyandotte Township, Pennington County; No. 18079 and 18080, Josh Barrett, Northland Township, Polk County; No. 18081, Steve Adams, Esther Township, Polk County; No. 18082, Douglas Peterson, Sullivan Township, Polk County; and, No. 18083, Enbridge Energy, LP, Lambert Township, Red Lake County. Motion carried.

Staff member Arlene Novak reviewed the 2018 Taxable Market Values for Watersheds in Minnesota and the 2019 Taxable Market Value Work Paper.

At 9:30 a.m., President Nelson turned the meeting over to the Pennington County Commissioners for the Pennington County Judicial Ditch No. 25, Branch III Partial Abandonment Hearing. Pennington County Engineer, Mike Flaagan, presented information for the potential partial abandonment of Pennington County Judicial Ditch No. 25, Branch III

Abandonment, as it would relate to the proposed construction of the Black River Impoundment, RLWD Project No. 176. At 9:45 a.m., President Nelson reconvened the general meeting and called the Hearing for the proposed construction of the Black River Impoundment, RLWD Project No. 176. This hearing was held jointly with the Pennington County hearing. President Nelson turned the meeting over to Legal Counsel Sparby to address the hearing and its process. It was noted that the appropriate notices, as required by statute had been given. The MN DNR Director's Report and MN BWSR Advisory Report were read into the record and placed as part of the record. A letter was received from Greg Hallstrom, the letter is included in the packet which was made available to the public during the hearing. It was noted that Mr. Hallstrom does not own land within the project area. Engineer Tony Nordby, Houston Engineering, Inc., engineer for the project, presented the proposed Black River Impoundment Project and entertained questions from the Board and the audience. After all, in attendance were given a chance to ask question and/or make comments, the hearings were closed for public comment. The Pennington County hearing was adjourned. Nelson then opened the RLWD hearing for Board discussion. After discussion by the Board, a motion was made by Page, seconded by Tiedemann, that the project as designed by the Engineer will be conducive to public health, that the project as designed by the Engineer will promote the general welfare, and that the project as designed by the Engineer is in compliance with the watershed management plan and the provisions of chapter 103D and should be established. Motion carried.

Staff member Loren Sanderson and landowner Glen Hanson appeared before the Board to discuss a drainage issue near Pine Lake on land owned by Darrell Dolalie. Mr. Hanson stated that since he last appeared at a District Board meeting in May, Pine Lake Township has not resolved the drainage issue with the landowner. Sanderson discussed options that the township is considering, which would require a District permit.

President Nelson presented the Proposed 2019 General Fund Budget. Nelson stated that the Budget/Salary Committee members Nelson, Tiedemann and Sorenson had met previously to review the 2019 Budget and Salary recommendations. Administrator Jesme stated that the Gallagher Benefits study is not complete. Motion by Dwight, seconded by Sorenson, to approve a 3.5% raise for all employees effective January 1, 2019, but reserving the right to allow for increases based on the outcome of the Gallagher Benefits Report. Motion carried.

President Nelson stated that the proposed 2019 General Fund Budget is \$120,388. Nelson stated that Legal Counsel Sparby requested that his current hourly rate be increased to \$185.00 per hour, which would be a \$5.00 per hour increase for 2019 Motion by Torgerson, seconded by Ose, and passed unanimously to approve the proposed 2019 General Fund Budget, in the amount of \$120,388, to approve the \$5.00 per hour increase for Legal Counsel Sparby, and set the 2019 General Fund Budget hearing for 9:30 a.m. on Thursday, September 13, 2018 at the RLWD office.

Administrators Update:

- Jesme and Manager Ose will attend the RRWMB meeting at the District office on August 21st. The meeting will be followed by three tours of potential projects; one tour of a

Middle Snake Tamarac Watershed District near Newfolden, followed by tours of the Thief River Falls West Side FDR Project and the Black River Impoundment project.

- Jesme attended an inter-agency meeting concerning a drainage system of the Stoney Lake WMA, located in Brandt Township, Polk County. The meeting was initiated by the MnDNR and included staff from the West Polk SWCD and the Corps of Engineers.
- Included in the packet was information on the Red River Basin Tour on September 5th.
- District staff and staff from the Two Rivers WD and Roseau River WD participated in a CPR Certification Class held in the District office on August 7th.
- Due to the RRWMB tour on August 21st, Jesme will be unable to attend the Beltrami County Commissioners meeting with Manager Dwight to present the 2017 Annual Report. Jesme and Manager Ose will attend the September 4th Marshall County Board meeting.

Legal Counsel Sparby shared with the Board the “Answer” he prepared regarding the Complaint/Summons the District received from the Four-Legged Lakes Landowners and Affected Taxpayers.

Legal Counsel Sparby stated that the will follow-up with Clearwater County to confirm that notice was served to Dudley Township regarding the lowering of culvert under township road at the outlet of Judicial Ditch No. 5, RLWD Project No. 102. Dudley Township has until August 24, 2018 to lower the culvert to the elevation of 1426.

Manager Tiedemann discussed securing a retainage with Rinke Noonan, Attorneys at Law. Last year the District removed the retainer with Rinke Noonan due to the firm’s representing landowners on a proposed ditch petition system. This was done to assure there would be no conflict of interest with representation of Rinke Noonan during the petition and proposed establishment process of the ditch system. Motion by Tiedemann, seconded by Sorenson, to reinstate the retainage of Rinke Noonan, Attorneys at Law. Motion carried.

Discussion was held on adjourning the Board meeting to August 21, 2018 at 1:30 p.m. to allow the Board to participate in the RRWMB Tour of area projects. Motion by Ose, seconded by Sorenson, to adjourn to the August 21, 2018, RRWMB Tour at 1:30 p.m. at the RLWD Office at 1000 Pennington Avenue South, Thief River Falls, MN 56701. Motion carried.

LeRoy Ose, Secretary

DRAFT

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
Red River Watershed Management Board (RRWMB) Meeting
Red Lake Watershed District Office
August 21, 2018
9:30 a.m.

Present were: Managers Terry Sorenson, Allan Page, and LeRoy Ose

Secretary LeRoy Ose called the meeting to order. Since there was no quorum present, Secretary Ose adjourned the meeting

LeRoy Ose, Secretary

RED LAKE WATERSHED DISTRICT
Financial Report for August 22, 2018

Ck#	Check Issued to:	Description	Amount
online	EFTPS	Withholding for FICA, Medicare, and Federal taxes	\$ 3,763.31
online	MN Department of Revenue	Withholding taxes	695.08
online	Public Employees Retirement Assn.	PERA	2,505.65
online	EFTPS	Withholding for FICA, Medicare, and Federal taxes	72.66
36988	Biff's Kitchen	RRWMB meeting expense	200.00
36989	Aflac	Staff paid insurances	634.46
36990	Ameripride Services Inc.	Rug rental for office	35.43
36991	Roger Beiswenger	Viewers expense for RLWD #16, Proj. 177	1,049.85
36992	Ben Meadows	Buffer and calibration solution and swivel dipper ladle	177.50
36993	Raymond Benson	Mileage for TR1W1P meeting	59.95
36994	Cenex Credit Card	Gas for vehicles in July/Aug.	346.64
36995	Clean Cut Maintenance	**Mowing of watershed ditches	4,500.00
36996	Delta Dental	Staff dental insurance	437.45
36997	Farm and Home Publishers, Ltd	Printed and online plat books for Pennington and Red Lake cour	215.60
36998	Further	FSA account fees	8.85
36999	Garden Valley Telephone	Telephone expense	136.54
37000	Jody Gudvangen	1 beaver removed from BR-6 Impoundment in Polk Co.	75.00
37001	HDR, Inc.	***Engineering fees	8,899.07
37002	Houston Engineering, Inc.	Engineering fees for Black River Impoundment	16,615.78
37003	Curtis Hunt	Mileage	111.18
37004	Larson Helicopters	**** Spray ditch systems	16,971.50
37005	MCI	Long distance telephone expense	54.16
37006	MN Dept. of Natural Resources	Water permit fee	150.00
37007	Dale M. Nelson	Mileage	22.89
37008	Northwest Beverage, Inc.	H2O for office	8.50
37009	Northwestern Mutual Financial	Deferred Compensation	346.31
37010	LeRoy Ose	Mileage	246.32
37011	Purchase Power	Postage and fee	503.50
37012	Rinke Noonan	Legal fees for Proj. 178	682.50
37013	RMB Environmental Laboratories	Lab analysis of water quality samples	1,811.00
37014	Speedee Delivery	Shipment of water quality samples	21.53
37015	Steamagic of TRF	Clean carpets and clean and wax tiled floors	1,385.00
37016	Sun Life Financial	Staff life insurance	139.12
37017	Thibert Chevrolet & Buick	Evaporator repairs and oil change on 15 Chev. Pickup	669.07
37018	Robert Wagner	Viewers expense for MN Viewers Assn. meeting July 19, 2018	444.63
online	Centurylink	Telephone expense	279.49
online	Cardmember Service	*see below for explanation	1,581.95
direct	Al Page	Mileage	56.68
	Payroll		
	Check #11472 -11481 & 7439		12,581.86
	Total Checks		\$ 78,496.01

***Cardmember Service**

AT&T-cell phone expense	275.29
Walmart-grill for Wellness program	56.51
Abraxis-Microcystins(blue greenalgae	505.00
Onset-Dissolved Oxy.sensor caps	425.00
Pizza Hut-mtg.exp. for Proj.#178	85.40
Walmart-Cleaning supplies	165.68
Walmart-Meeting supplies	17.90
Walmart-totes for recycling	29.82
Amazon-Cable to connect 2 monitors	<u>21.35</u>
TOTAL	1,581.95

**** Clean Cut Maintenance**

Proj. 53 Krostue Petition	240.00
Proj. 60F Grand Marais Restoration	720.00
Proj. 135 Polk Co. Dt. 33	300.00
Proj. 169 RLWD Ditch 12	<u>3,240.00</u>
TOTAL	4,500.00

***** HDR, Inc.**

Proj. 26 Pine Lake	834.25
Proj. 26A Little Pine Lake WMA	4,307.32
Proj. 43A BR-6 structure	2,925.00
Proj. 102A Four Legged Lake	<u>832.50</u>
TOTAL	8,899.07

****** Larson Helicopters**

Proj. 5 RLWD Ditch 1	2,114.00
Proj. 7 RLWD Ditch 3	1,071.00
Proj. 20 RLWD Ditch 7	4,011.00
Proj. 53 Krostue Petition	612.50
Proj. 60C Euclid East	2,030.00
Proj. 81 Parnell Impoundment	759.50
Proj. 117 Johnson Petition	350.00
Proj. 122 Challenger Ditch	87.50
Proj. 134 Polk County Ditch 63	262.50
Proj. 135 Polk County Ditch 33	1,218.00
Proj. 161 RLWD Ditch 10	630.00
Proj. 166 RLWD Ditch 11	1,400.00
Proj. 169 RLWD Ditch 12	1,050.00
Proj. 171 RLWD Ditch 14	1,095.50
Proj. 171A TR FDR Proj.	<u>280.00</u>
TOTAL	16,971.50

Financial Institutions:**Northern State Bank**

Balance as of August 8, 2018	\$ 315,391.07
Total Checks Written	(78,496.01)
Receipt #016583 CDARS-Unity Bank-Monthly interest on CDs	1,838.60
Receipt #016584 CDARS-Matured CD with interest	200,061.38
Receipt #016585 State of Minnesota-50% of Red Lake River 1W1P grant	338,776.00
Receipt #016586 State of Minnesota-Grant funds from 3 water quality grants	<u>1,265.00</u>
Balance as of August 22, 2018	<u>\$ 778,836.04</u>

Border State Bank

Balance as of July 31, 2018	\$ 18,170.10
	-
Balance as of August 22, 2018	<u>\$ 18,170.10</u>

American Federal Bank-Fosston

Balance as of August 8, 2018	\$ 1,376,542.53
Receipt #016581 Polk County-First half of 2018 Riparian aid	6,667.50
Receipt #016582 Marshall County-First half of 2018 Riparian(State Ditch 83)	1,614.00
Receipt #016587 Beltrami County-Public hunting	306.86
Receipt #016588 RRWMB-Reimburse for RRWMB meeting meals	<u>316.09</u>
Balance as of August 22, 2018	<u>\$ 1,385,446.98</u>

Red Lake Watershed District

as of August 22, 2018

<u>Name of Institution</u>	<u>Purchase</u>	<u>Int. Rate</u>	<u>Mat. Date</u>	<u>*Maturity Amount</u>
10010 Northern State Bank (checking)	\$ 778,836.04	0.70%		\$ 778,836.04
10020 Border State Bank (Investor savings) Thief River Falls	\$ 18,170.10	0.30%		\$ 18,170.10
10030 American Federal Bank Fosston	\$ 1,385,446.98	1.35%		\$ 1,385,446.98
10550 Citizens State Bank, Roseau #59137 18 mos.(int.pd semi-annually)	\$ 200,000.00	1.05%	9/3/2018	\$ 200,525.00
10760 Ultima Bank Minnesota-Fosston (1076) #16623 12 month CD semi-annual int.	\$ 200,000.00	1.00%	10/2/2018	\$ 201,002.74
10770 CDARS-Bank of China, NY Interest direct deposited monthly	\$ 243,500.00	1.50%	10/18/2018	\$ 243,500.00
10770 CDARS-Great Plains National Bank Interest direct deposited monthly	\$ 113,000.00	1.50%	10/18/2018	\$ 113,000.00
10770 CDARS-MainStreet Bank Interest direct deposited monthly	\$ 243,500.00	1.50%	10/18/2018	\$ 243,500.00
10830 Edward Jones-Morgan Stanley Interest paid at maturity	\$ 200,000.00	1.50%	10/30/2018	\$ 203,000.00
10650 First National Bank-Bemidji-12 mos. CD #94230 Qtrly interest-direct deposit(1065)	\$ 200,000.00	1.05%	12/12/2018	\$ 201,052.87
10660 CDARS-Amarillo National Bank, TX 12 mos. CD, int. paid monthly	\$ 146,500.00	1.50%	1/17/2019	\$ 146,500.00
10660 CDARS-Conway, AR 12 mos. CD, int. paid monthly	\$ 53,500.00	1.50%	1/17/2019	\$ 53,500.00
American Federal-Fosston 6 month monthly interest compounded	\$ 200,000.00	1.95%	1/24/2019	\$ 203,900.00
10470 CDARS-Bank of America, Charlotte, NC monthly interest payment via ACH	\$ 200,000.00	1.95%	3/5/2019	\$ 200,000.00
10740 CDARS-Signature Bank, New York monthly interest payment via ACH	\$ 200,000.00	2.05%	7/18/2019	\$ 200,000.00
10740 CDARS-Valley National Bank monthly interest payment via ACH	\$ 159,000.00	2.05%	7/18/2019	\$ 159,000.00
10740 CDARS-Signature Bank, New York monthly interest payment via ACH	\$ 41,000.00	2.05%	7/18/2019	\$ 41,000.00

American Federal-Fosston-12 month monthly interest compounded	<u>\$ 200,000.00</u>	2.10%	7/26/2019	<u>\$ 204,200.00</u>
	<u><u>\$ 4,782,453.12</u></u>			<u><u>\$ 4,796,133.73</u></u>

Quotes received:

	<u>6 mos.</u>	<u>12 mos.</u>
Citizens State Bank-Roseau	0.80%	1.25%
Unity Bank North-Red Lake Falls	1.70%	2.05%
American Federal-Fosston	1.80%	1.95%

2018, PAYABLE 2019, PROPOSED RLWD SPECIAL REVENUE PROJECTS

Pjt.#	Project Name	Fund Balance As of 01-01-18	Total '18 Exp. As of 7-31-18	2018 Levy	2018 Revenue to 7-31-18	Remain. '18 levy to collect	Anticipated Expenses	Potential Fund Balance Dec.2018	PROPOSED 2019 LEVY	
2	Red Lake River	58,047.34	(690.00)		3,814.00	0.00		61,171.34	0.00	
3	Clearwater River	13,194.54	(157.50)		6,476.22	0.00		19,513.26	0.00	
4	Lost River	4,850.54	(220.00)		1,340.50	0.00		5,971.04	0.00	
5	RLWD Ditch No. 1	5,162.11	(462.50)		534.63	0.00	2,114.00	3,120.24	0.00	
7	RLWD Ditch No. 3	5,423.53	(1,625.00)		490.50	0.00	1,071.00	3,218.03	0.00	
14	State Ditch 83	(13,473.93)	(4,080.05)	50,000.00	39,936.20	10,063.80		32,446.02	50,000.00	(16,000 revenue from State) w/\$50,000 levy
20	RLWD Ditch No. 7	6,383.04	(2,244.73)		2,904.68	0.00	8,211.00	(1,168.01)	6,000.00	
35	Pine Lake Maintenance	(2,372.06)	(2,798.27)	4,000.00	2,828.51	1,171.49	600.00	(1,770.33)	4,000.00	
36	RLWD Ditch No. 8	2,789.98	(27.50)	1,000.00	102.00	898.00		3,762.48	1,000.00	
39	RLWD Ditch No. 9	736.40	(559.38)		0.00	0.00	350.00	(172.98)	1,000.00	
41	J.D. No. 72	(24,177.90)	(14,409.76)	9,000.00	2,937.13	6,062.87		(29,587.66)	9,000.00	Waiting for response from Polk County
43B	Burnham Creek	5,782.70	(7,794.38)	20,000.00	12,004.52	7,995.48		17,988.32	0.00	
45	Wild Rice Allocation	699.60	(708.97)	9,000.00	7,884.72	1,115.28	2,000.00	6,990.63	0.00	
48	JD 2 Br. A & Br. 1 of A	1,042.18	(445.00)	1,000.00	708.62	291.38	500.00	1,097.18	1,000.00	
49	JD 2 Main Upstream Anderson Lake Laterals B & C	1,353.81	(192.50)	2,500.00	1,864.10	635.90	1,500.00	2,161.31	1,500.00	
51	JD 2 Main (Eck Pet) Downstream Anderson Lake	(2,727.93)	0.00	5,000.00	2,992.13	2,007.87		2,272.07	1,500.00	
53	Krostue Petition	(4,196.00)	(2,223.75)	7,500.00	86.00	7,414.00	852.50	227.75	2,500.00	
101	JD 4	1,421.22	(82.50)	500.00	376.18	123.82		1,838.72	0.00	
102	JD 5 (4 Legged Lake)	(801.27)	(1,514.29)	1,000.00	619.33	380.67		(1,315.56)	1,500.00	
103	County Ditch 1	798.27	(254.16)		0.00	0.00		544.11	0.00	double check-was this abandoned? No, but we should however
109	Arveson Petition	5,782.78	(135.00)		444.00	0.00	1,400.00	4,691.78	0.00	
113	Winsor-Hangaard	8,356.89	(317.50)	5,000.00	3,431.77	1,568.23	4,900.00	8,139.39	0.00	
115	RLWD Ditch 1 Lat. C	2,309.13	(973.75)		824.52	0.00	1,000.00	1,159.90	1,500.00	
117	Kenneth Johnson Pet.	2,779.50	(1,318.75)		637.52	0.00	1,350.00	748.27	2,000.00	
119	Polk Co. Dts Improv.	(2,363.03)	(5,510.00)	5,000.00	3,428.76	1,571.24		(2,873.03)	5,000.00	
122	Challenger Ditch	1,128.57	(373.75)		89.00	0.00	387.50	456.32	500.00	
123	Scott Baatz Petition	1,135.35	(743.75)	1,000.00	74.50	925.50	500.00	891.60	1,000.00	
134	Polk Co. Dt. 63	4,946.54	(2,955.00)		147.50	0.00	262.50	1,876.54	5,000.00	
135	Polk Co. Dt. 33	3,187.01	(2,025.00)		282.81	0.00	1,518.00	(73.18)	5,000.00	
161	RLWD Ditch No. 10	21.29	(2,699.07)	5,000.00	5,167.33	(167.33)	3,130.00	(807.78)	5,000.00	
166	RLWD Ditch No. 11	26,934.13	(2,560.00)		322.75	0.00	1,400.00	23,296.88	0.00	
169	RLWD Ditch No. 12	5,030.31	(8,730.96)	10,000.00	6,297.12	3,702.88	4,290.00	2,009.35	7,500.00	
170A	RLWD Ditch No. 13	1,891.25	(110.00)	500.00	412.00	88.00	700.00	1,581.25	0.00	
171	RLWD Ditch No. 14	(3,375.30)	(1,757.33)	2,000.00	893.00	1,107.00	1,095.50	(4,228.13)	5,000.00	
171A	TRF FDR Proj.	(23,376.67)	(2,945.46)	25,000.00	4,580.52	20,419.48	280.00	(1,602.13)	0.00	
175	RLWD Ditch No. 15	84,162.74	(11,336.76)		672.75	(672.75)		72,825.98	0.00	
177	RLWD Ditch No. 16	(1,280.19)	(39,549.96)		0.00	0.00		(40,830.15)	0.00	
179	Improv. To Po.Co. #39	(3,421.00)	(16,281.01)		0.00	0.00		(19,702.01)	0.00	

2018, PAYABLE 2019, PROPOSED RLWD SPECIAL REVENUE PROJECTS

	Fund Balance	Total '18 Exp.	2018	2018 Revenue	Remain. '18	Anticipated	Potential Fund	PROPOSED
TOTALS	173,785.47	(140,813.29)	164,000.00	115,605.82	66,702.81	39,412.00	175,868.81	116,500.00

**

* have not received 2018 ditch assessment \$ from Pennington County yet this year

** Some Revenue received in 2018 is for Riparian aid and not from levies

**Resolution to Extend
the Red Lake Watershed District
Watershed Management Plan**

WHEREAS, Minnesota Statutes, §103D.401 and §103D.405, require watershed districts to adopt a Watershed Management Plan and revise that plan at least once every ten years, and

Whereas, Red Lake Watershed District currently has a state approved Watershed Management Plan that covers the period of May 2006 through October 2018, and

WHEREAS, Red Lake Watershed District has developed and adopted a Comprehensive Watershed Management Plan for the Red Lake River and Grand Marais Creek watersheds, and is currently developing a Comprehensive Watershed Management Plan for the Thief River watershed through the One Watershed, One Plan Program, and

WHEREAS, Red Lake Watershed District is participating in and intending to utilize the Minnesota Pollution Control Agency's ten-year approach to monitoring, assessing, and developing Watershed Restoration and Protection Strategies (WRAPS), and

WHEREAS, Red Lake Watershed District assures continued effort toward transition to Comprehensive Watershed Management Planning, and

WHEREAS, the Minnesota Board of Water and Soil Resources has authorization to grant extensions pursuant to Minnesota Statutes §103B.3367;

NOW, THEREFORE, BE IT RESOLVED, the Red Lake Watershed District requests from the Minnesota Board of Water and Soil Resources an extension of the effective date of the current Red Lake Watershed District Watershed Management Plan until December 31, 2025, in order to transition to Comprehensive Watershed Management Planning in accordance with Minnesota Statutes §103B.801.

CERTIFICATION

State of Minnesota
Office of Red Lake Watershed District
County of Pennington

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the Red Lake Watershed District Board of Managers at a duly authorized meeting thereof held on the 23rd of August 2018.

Dale M. Nelson
President

STATE OF MINNESOTA
RED LAKE WATERSHED DISTRICT

The matter of the petitions of the City of Thief River Falls and Pennington County to establishment of the Thief River Falls-West Side Flood Damage Reduction Project (RLWD Project No. 178)

DEFICIENCY RESOLUTION

At the regular meeting of the Board of Managers of the Red Lake Watershed District, on August __, 2018, Manager _____ moved, seconded by Manager _____ for adoption of the following Resolution:

1. On September 28, 2017, the Board of Managers of the Red Lake Watershed District received the petitions of the City of Thief River Falls and Pennington County for establishment of the Thief River Falls-West Side Flood Damage Reduction Project pursuant to Minnesota Statutes Chapter 103D.
2. The Board, initiated establishment proceedings, assigned project number 178 and appointed HDR Engineering and Nate Dalager, P.E. as project engineer.
3. Pursuant to statute, the Board directed the project engineer to develop a project plan and file said plan with the Minnesota Department of Natural Resources and Board of Water and Soil Resources for review and comment.
4. The Board received the agency review comments by letters dated July 18 and 23, 2018.
5. As part of each petition, the City and County agreed to be responsible for all costs of the proceedings if the project is not established or if a contract for the project, or any component thereof, is not let.
6. Until establishment of the proposed project, the District may advance funds incurred in the proceedings. The City's and County's commitment will secure the funds advanced by the District. However, if the Board establishes the project, all costs, including the costs of proceedings prior to establishment, must be paid from the proceeds of assessments to benefitted properties, charges or ad valorem taxes – as set forth in the establishment order. The Board must incur costs on behalf of the proposed project prior project establishment and prior to any bonding for the project.
7. If established, the Board may levy assessments against property benefitted by the project; impose charges pursuant to statutes section 103D.729; or levy ad valorem taxes with the District, payable to the treasurer of Pennington County.

8. Because of the interest rate limitations, prepayment of assessments and delinquencies, it is possible that the collection of revenues to pay the principal and interest on potential bonds will be less than that required to meet the repayment obligations.
9. Despite possible deficiencies in the proposed revenues collected to pay the principal and interest on the bonds, the obligation to repay the bonds remains a cost and obligation of the District.

Based on the foregoing, the Board Resolves:

- A. Should the proposed project be established and Pennington County issue bonds to cover the costs of the project, the District obligates itself to pay to Pennington County the amount in each year by which the project revenues collected by the County in such year are insufficient to pay the principal and interest on the bonds. Such deficiency payment shall be paid from the reserve account and debited against the project account from which the deficiency originates.
- B. Funds transferred from the reserve account shall be repaid by additional annual assessments, charges or levied certified against property in the debited project area or District.

After discussion, the President called the question. The question was on the adoption of the Resolution and there were __ yeas and __ nays.

Upon vote, the President declared the Resolution _____.

 Dale M Nelson, Board President

Dated: August __, 2018

* * * * *

I, _____, Secretary of the Red Lake Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this __ day of August 2018.

 LeRoy Ose, Secretary

STATE OF MINNESOTA
RED LAKE WATERSHED DISTRICT

The matter of the petitions of the City of Thief River Falls and Pennington County to establishment of the Thief River Falls-West Side Flood Damage Reduction Project (RLWD Project No. 178)

REIMBURSEMENT RESOLUTION

At the regular meeting of the Board of Managers of the Red Lake Watershed District, on August __, 2018, Manager _____ moved, seconded by Manager _____ for adoption of the following Resolution:

1. On September 28, 2017, the Board of Managers of the Red Lake Watershed District received the petitions of the City of Thief River Falls and Pennington County for establishment of the Thief River Falls-West Side Flood Damage Reduction Project pursuant to Minnesota Statutes Chapter 103D.
2. The Board, initiated establishment proceedings, assigned project number 178 and appointed HDR Engineering and Nate Dalager, P.E. as project engineer.
3. Pursuant to statute, the Board directed the project engineer to develop a project plan and file said plan with the Minnesota Department of Natural Resources and Board of Water and Soil Resources for review and comment.
4. The Board received the agency review comments by letters dated July 18 and 23, 2018.
5. As part of each petition, the City and County agreed to be responsible for all costs of the proceedings if the project is not established or if a contract for the project, or any component thereof, is not let.
6. Until establishment of the proposed project, the District may advance funds incurred in the proceedings. The City's and County's commitment will secure the funds advanced by the District. However, if the Board establishes the project, all costs, including the costs of proceedings prior to establishment, must be paid from the proceeds of assessments to benefitted properties, charges or ad valorem taxes – as set forth in the establishment order. The Board must incur costs on behalf of the proposed project prior project establishment and prior to any bonding for the project.

Based on the foregoing, the Board Resolves:

- A. Payment of costs in the current proceedings may be paid from the reserve account, or from interim financing from the County or District, until such time as alternative financing or bonding is in place to cover costs.
- B. If the project is established, the District may bond for project costs, including the costs of proceedings for establishment of the project.
- C. If the project is not established, the costs of proceedings shall be recovered pursuant to the City's and County's obligations.
- D. Payment of costs may be reimbursed by the issuance of tax exempt bonds, issued pursuant to statutes sections 103D.355, D.901 and D.905.

After discussion, the President called the question. The question was on the adoption of the Resolution and there were __ yeas and __ nays:

Upon vote, the President declared the Resolution _____.

 Dale M Nelson, Board President

Dated: August __, 2018

* * * * *

I, _____, Secretary of the Red Lake Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this __ day of August 2018.

 LeRoy Ose, Secretary

Red Lake Watershed District
TRF Westside FDR Project - Soil Boring
August 23, 2018
BID TABULATION

ITEM	UNIT OF MEASURE	QUANTITY	CONTRACTOR		
			NTI	Terracon	Inerstate Services
Drill Rig Mobilization/Demobilization	Each	1	\$700.00	\$1,500.00	\$1,800.00
Overland Borings	LF	160	\$3,200.00	\$2,120.00	\$2,880.00
Backfilling/Grouting of Boring	LS	6	\$600.00	\$150.00	\$1,200.00
Bulk Samples	Each	0	\$0.00	\$0.00	\$0.00
Permits	Each	6	\$720.00	\$540.00	\$0.00
3-inch Undisturbed Tube Samples	Each	2	\$60.00	\$0.00	\$90.00
Travel, Misc.	LS	-	\$0.00	\$975.00	\$0.00
Mileage	Mile	-	\$0.00	\$63.00	\$0.00
Hotel, Meals	LS	-	\$0.00	\$350.00	\$0.00
Moisture Content (ASTM D2216)	Each	22	\$110.00	\$264.00	\$275.00
Grain Size Analysis (ASTM D422)	Each	6	\$450.00	\$810.00	\$637.50
Atterberg Limits (ASTM D4318)	Each	6	\$600.00	\$600.00	\$637.50
Extrusion/Description of Undisturbed Samples	Each	2	\$60.00	\$0.00	\$87.50
Standard Proctor Compaction Test	Each	0	\$0.00	\$0.00	\$0.00
1-D Consolidation (16 load steps) (ASTM D2435)	Each	0	\$0.00	\$0.00	\$0.00
UU Triaxial (1 stresses) (ASTM D2850)	Each	1	\$250.00	\$350.00	\$362.50
CU Triaxial (3 stresses) (ASTM D4767)	Each	0	\$0.00	\$0.00	\$0.00
Hydraulic Conductivity (ASTM D5084)	Each	0	\$0.00	\$0.00	\$0.00
Sieve Analyses (ASTM D422) w/Hydrometer (ASTM D1140)	Each	0	\$0.00	\$0.00	\$0.00
Unconfined Compressive Strength of Cohesive Soil (ASTM D2166)	Each	0	\$0.00	\$0.00	\$0.00
Boring Logs	Each	6	\$0.00	\$0.00	\$180.00
Report	Each	2	\$0.00	\$0.00	\$290.00
Report PM	Hr	4	\$0.00	\$700.00	\$0.00
Report Staff	Hr	12	\$0.00	\$1,800.00	\$0.00
			\$6,750.00	\$10,222.00	\$8,440.00

*Note: NTI said that they did not include a bid item for a report deliverable. If they are chosen they would charge approximately \$400 for a report. We would want this.

Scope of Work

Thief Bay Water Control Structure

August 22, 2018

Thief Bay Water Control Structure Repair (October 1, 2018 – October 31, 2018)

Project will consist of rehabbing a double tube water control structure - removal and disposal of two 42 in. x 45 ft. corrugated metal culverts and replacing them with two – smooth steel 36 in. diameter culverts. The lengths of the two provided steel culverts are 40 ft. 8 in. and 42 ft. The two smooth steel 36 in. culverts will be provided by Agassiz NWR. Contractor will be required to haul the culverts from the Agassiz NWR Maintenance area to the job site, which is approximately 13 miles.

Contractor shall install the two new 36 in. diameter culverts inside the existing culvert opening of the control structure. Cement shall be used by the Contractor to completely seal the gap around the new culvert and the existing opening in the cement. Work shall include all the required forming and rebar needed for structural support for the concrete to the existing structure, removing all the old two 42 in. x 45 ft. corrugated pipes that might still be attached to the concrete and adding a Xypex (C500) brand waterproofing admixture to the cement (data sheet attached). **All work listed above (cement to seal gap, forming and rebar, removal of old pipe, adding water proofing mixture) shall be incidental.**

Once old culverts are removed, contractor shall prepare a minimum of 3 in. thickness compacted sand bedding under the culverts. Back fill for the new steel culverts shall be a Clay (CL) or Silty Clay (SC) material. The backfill shall be no less than 2 feet above the top of the culverts. Black dirt fill material will then be used to bring the grade up to meet existing slope. **Backfill is incidental to the new installation of culverts.**

Lifts shall not exceed 12 in. and compaction around the culverts must be completed by hand or mechanical packer. Use of excavator or back-hoe bucket for compaction will not be approved. Contractor shall place 30 cubic yards of MnDOT Class III, 100% fractured granite riprap around discharge end of culvert and in plunge pool. Finish grade shall be smooth and match existing slopes. **Geotextile filter fabric shall be installed prior to placing of riprap, this work shall be incidental to the riprap.**

The Contractor is responsible for re-establishing turf in all disturbed areas using MNDOT Seed Mix 25-141 at a rate of 60 lbs per acre.

The water control structure is located 7 miles northwest of the Agassiz Refuge headquarters on Thief River Road, Mud Lake TWP., Marshall Co., MN. Twp. 157N, R. 42W, Sec. 36.

Work will commence only after contractor receives notification to proceed. For project technical information, or to arrange a site visit, please contact Wildlife Refuge Specialist, Jim Graham, at 218-449-4115, ext. 205.



WD 103E Systems Only Buffer Rule

Buffer Law Implementation

DRAFT April 4, 2018

1.1 Policy

It is the policy of the Board of Managers to:

- (a) Provide public drainage system ditches with vegetated buffers and water quality practices to achieve the following purposes:
 - (1) Protect state water resources from erosion and runoff pollution;
 - (2) Stabilize soils, and banks.
- (b) Coordinate closely with the District's landowners, soil and water conservation districts and counties, and utilize local knowledge and data, to achieve the stated purposes in a collaborative, effective and cost-efficient manner.
- (c) Integrate District authorities under Minnesota Statutes §§103D.341, 103E.021, and 103F.48 to provide for clear procedures to achieve the purposes of the rule.
- (d) The District will implement and enforce buffers through the use of Drainage Law (Minnesota Statutes §§103E.021 and 103E.351) and when that cannot be accomplished through the use of Administrative Penalty Order (APO) powers granted through Minnesota Statute §103F.48.

2.0 Definitions

BWSR: Minnesota Board of Water and Soil Resources.

Buffer: An area consisting of perennial vegetation, excluding invasive plants and noxious weeds.

Buffer law: Minnesota Statutes §103F.48, as amended.

Commissioner: Commissioner of the Minnesota Department of Natural Resources.

Cultivation farming: Practices that disturb vegetation roots and soil structure, or involve vegetation cutting or harvesting that impairs the viability of perennial vegetation.

Drainage authority: The public body having jurisdiction over a drainage system under Minnesota Statutes chapter 103E.

NRCS: U.S. Department of Agriculture, Natural Resource Conservation Service.

Operator: A party other than a landowner that directly or indirectly controls the condition of riparian land subject

to a buffer under the rule.

Person: Individual or entity.

Public water: As defined at Minnesota Statutes §103G.005, subdivision 15, and included within the public waters inventory as provided in Minnesota Statutes §103G.201.

Riparian protection: A water quality outcome for the adjacent waterbody equivalent to that which would be provided by the otherwise mandated buffer, from a facility or practice owned or operated by a municipal separate storm sewer system (MS4) permittee or subject to a maintenance commitment in favor of that permittee at least as stringent as that required by the MS4 general permit in effect.

Shoreland standards: Local shoreland standards as approved by the Commissioner or, absent such standards, the shoreland model standards and criteria adopted pursuant to Minnesota Statutes §103F.211.

Structure: An above-ground building or other improvement that has substantial features other than a surface.

SWCD: Soil and Water Conservation District.

Commented [EJ1]: Delete and add to definition section of WD rules.

2.0 Data sharing/management

- 2.1 The District may enter into arrangements with an SWCD, a county, the BWSR and other parties with respect to the creation and maintenance of, and access to, data concerning buffers and alternative practices under this rule.
- 2.2 The District will manage all such data in accordance with the Minnesota Data Practices Act and any other applicable laws.

3.0 Vegetated Buffer Requirement

- 3.1 Except as subsection 3.3 or 3.4 may apply, a landowner must maintain a buffer on land that is adjacent to a public drainage system ditch identified and mapped on the buffer protection map established and maintained by the Commissioner pursuant to the buffer law.
 - 3.1.1 For a public drainage system ditch, the buffer must be of a 16.5-foot minimum width. This rule does not apply to the portion of public drainage systems consisting of tile.
 - 3.1.2 The buffer is measured from the top or crown of bank. [Where there is no defined bank, measurement will be from the normal water level.](#) The District will determine normal water level in accordance with BWSR guidance. For a public drainage system, the District will determine top or crown of bank in the same manner as for measuring the perennially vegetated strip under Minnesota Statutes §103E.021.

- 3.1.3 A buffer may not be used for cultivation farming, but may be grazed, mowed, hayed or otherwise harvested, provided permanent growth of perennial vegetation is maintained.
- 3.2 The requirement of subsection 3.1
Applies to all public drainage ditches within its boundary for which it is the drainage authority.
- 3.3 The requirement of subsection 3.1 does not apply to land that is:
 - 3.3.1 Enrolled in the federal Conservation Reserve Program;
 - 3.3.2 Used as a public or private water access or recreational use area including stairways, landings, picnic areas, access paths, beach and watercraft access areas, provided the area in such use is limited to what is permitted under shoreland standards or, if no specific standard is prescribed, what is reasonably necessary;
 - 3.3.3 Used as the site of a water-oriented structure in conformance with shoreland standards or, if no specific standard is prescribed, what is reasonably necessary;
 - 3.3.4 Covered by a road, trail, building or other structure;
 - 3.3.5 Regulated by a national pollutant discharge elimination system/state disposal system (NPDES/SDS) municipal separate storm sewer system, construction or industrial permit under Minnesota Rules, chapter 7090, and the adjacent waterbody is provided riparian protection;
 - 3.3.6 Part of a water-inundation cropping system; or
 - 3.3.7 In a temporary nonvegetated condition due to drainage tile installation and maintenance, alfalfa or other perennial crop or plant seeding, or a construction or conservation project authorized by a federal, state or local government unit.

4.0 Drainage System Acquisition and Compensation for Buffer

- 4.1 In accordance with Minnesota Statutes §103F.48, subdivision 10(b), a landowner owning land within the benefited area of and adjacent to a public drainage ditch may request that the District, as the drainage authority, acquire and provide compensation for the buffer strip required under this rule.
 - 4.1.1 The request may be made to use Minnesota Statutes §103E.021, subdivision 6, or by petition pursuant to Minnesota Statutes §103E.715, subdivision 1.
 - 4.1.2 The decision on the request is within the judgment and discretion of the District, unless the request concerns a buffer strip mandated by Minnesota Statutes §103E.021.
 - 4.1.3 If the request is granted or the petition proceeds, the requirements of the buffer strip and the compensation to be paid for its incorporation into the drainage system will be determined in accordance with the statutes referenced in paragraph 4.1.1 and associated procedures. When

[Model Watershed District Buffer Rule • Page 4](#)

the order establishing or incorporating the buffer strip is final, the buffer strip will become a part of the drainage system and thereafter managed by the District in accordance with the drainage code.

- 4.1.4 On a public drainage ditch that also is a public water subject to a 50-foot average buffer, the drainage system will be required to acquire only the first 16.5 feet of the buffer.
- 4.2 The District, on its own initiative pursuant to Minnesota Statutes §§103F.48 and 103E.021, may acquire and provide compensation for buffer strips required under this rule on individual or multiple properties along a public drainage system.

- 4.3 The District's decision to grant or deny a request under subsection 4.1 is not subject to appeal. A determination as to compensation or another term of the order may be appealed as provided for under the drainage code.
- 4.4 This section 4.0 supplements, and does not displace, the terms of Minnesota Statutes chapter 103E requiring or providing for drainage system establishment and acquisition of vegetated buffer strips along public ditches.

5.0 Action for Noncompliance

- 5.1 When the District observes potential noncompliance or receives a third party complaint from a private individual or entity, or from another public agency (such as the SWCD), it will determine the appropriate course of action to confirm compliance status. This may include communication with the landowner or his/her agents or operators, communication with the shoreland management authority, inspection or other appropriate steps necessary to verify the compliance status of the parcel. On the basis of this coordination, the SWCD may issue a notification of noncompliance to the District. If the SWCD does not transmit such a notification, the District will not pursue a compliance or enforcement action under Minnesota Statutes §103F.48, but may pursue such an action under the authority of Minnesota Statutes §§103E.021 and 103D.341 and paragraph 6.
- 5.2 On receipt of an SWCD notification of noncompliance, or if acting solely under authority of Minnesota Statutes §§103E.021 or 103D.341, the District will determine first whether sufficient public drainage system easement exists to establish the required vegetative buffer. If sufficient easement does not exist, the District will attempt to acquire the necessary easements through incremental buffer establishment provided in §103E.021, subd. 6 or through a redetermination of benefits provided in Minnesota Statutes §103E.351 and will establish the required buffers. The establishment of the required buffers will occur within 12 months of the determination that inadequate easement exists, and no more than 18 months from the receipt of a SWCD notification of noncompliance or the Watershed District decision to establish the required buffers. If sufficient easement does not exist and the District is unable to acquire the necessary easements through incremental buffer establishment provided in §103E.021, subd. 6 or through a redetermination of benefits, or if sufficient easement does exist and an established buffer has been adversely obliterated/~~altered~~, the District will issue a corrective action list and practical schedule for compliance to the landowner. The District may inspect the property and will consult with the SWCD, review available information and exercise its technical judgment to determine appropriate and sufficient corrective action and a practical schedule for such action. The District will maintain a record establishing the basis for the corrective action that it requires.
 - 5.2.1 The District will issue the corrective action list and schedule to the landowner of record. The landowner may be the subject of enforcement liabilities under subsections 6.1 and 6.2. The District may deliver or transmit the list and schedule by any means reasonably determined to reach the responsible party or parties, and will document receipt. However, a failure to document receipt will not preclude the District from demonstrating receipt or knowledge in an enforcement proceeding under section 6.0.
 - 5.2.2 The corrective action list and schedule will identify the tract of record to which it pertains and the portion of that tract that is alleged to be noncompliant. It will describe corrective actions to be taken, a schedule of intermediate or final dates for correction, a compliance standard against which it will judge the corrective action, and a statement that failure to respond to this list and

schedule will result in an enforcement action. The District will provide a copy of the list and schedule to the BWSR.

- 5.2.3 In addition, at any time a responsible party may supply information in support of a request to modify a corrective action or the schedule for its performance. On the basis of any such submittal or at its own discretion, the District may modify the corrective action list or schedule, and deliver or transmit the modified list and schedule in accordance with paragraph 5.32.1, or may advise the landowner in writing that it is not pursuing further compliance action.

- 5.2.4 The corrective action list and schedule for compliance may be modified in accordance with subsection 5.2, to extend the compliance timeline for a modification that imposes a substantial new action or significantly accelerates the completion date for an action.
- 5.2.5 At any time after the District has issued the list and schedule, a landowner, or authorized agent or operator of a landowner, may request that the SWCD issue a validation of compliance with respect to property for which the list and schedule has been issued. On District receipt of the validation: (a) the list and schedule will be deemed withdrawn for the purpose of subsection 6.2, and the subject property will not be subject to enforcement under that subsection; and (b) the subject property will not be subject to enforcement under subsection 6.1.
- 5.2.6 A corrective action list and schedule is not considered a final decision subject to appeal. An objection to a finding of noncompliance, or to any specified corrective action or its schedule, is reserved to the responsible party and may be addressed in an enforcement proceeding under section 7.0.

6.0 Enforcement

- 6.1 Under authority of Minnesota Statutes §§103E.021, 103D.545, and 103D.551, the District may seek remedies for noncompliance with section 3.0 against any responsible party including but not limited to: (a) reimbursement of District compliance costs under Minnesota Statutes §§103D.345 and 103E.021 and/or an escrow for same; (b) administrative compliance order; (c) district court remedy including injunction, restoration or abatement order, authorization for District entry and/or order for cost recovery; and (d) referral to county attorney for criminal misdemeanor prosecution..
- 6.2 In instances where existing vegetation on the ditch buffer easement has been ~~obliterated~~altered and has not been restored, the District may collect compliance expenses in accordance with Minnesota Statutes §103E.021 from a landowner for noncompliance with the corrective action list and schedule, as provided under paragraphs 5.2.1 and 5.2.2. The District will restore any ~~obliterated~~altered buffer and charge the landowner for the cost of the restoration if the landowner does not complete does not meet the requirements of the corrective action list and schedule.
- 6.3 In instances where a ditch buffer easement area cannot be established in a timely manner, the District may issue an administrative order imposing a monetary penalty against a landowner for noncompliance with the corrective action list and schedule, as provided under paragraphs 6.3.1 and 6.3.2. The penalty will continue to accrue until the noncompliance is corrected as provided in the corrective action list and schedule.

6.3.1 The penalty for a landowner on a single parcel that previously has not received an administrative penalty order issued by the District shall be:

- (a) \$0 for 11 months after issuance of the corrective action list and schedule;
- (b) \$200 per parcel per month for the first six (6) months (180 days) following the time period in (a); and
- (c) \$500 per parcel per month after six (6) months (180 days) following the time period in (b).

Commented [EJ2]: \$50-\$200 per parcel per month suggested by BWSR.

Commented [EJ3]: \$200-\$500 per parcel per month suggested by BWSR.

6.3.2 The penalty for a landowner on a single parcel that previously has received an administrative penalty order issued by the District shall be:

- (a) \$50 per parcel per day for 180 days after issuance of the corrective action list and

Minnesota Board of Water & Soil Resources • www.bwsr.state.mn.us

Commented [EJ4]: \$50-\$200 per parcel per day suggested by BWSR

- schedule; and
(b) \$200 per parcel per day for after 180 days following the time period in (a).

Commented [EJ5]: \$200-\$500 per parcel per day suggested by BWSR

6.4 The administrative order will state:

- i. The facts constituting a violation of the buffer requirements;
- ii. The statute and/or rule that has been violated;
- iii. Prior efforts to work with the landowner to resolve the violation;
- iv. For an administrative penalty order, the amount of the penalty to be imposed, the date the penalty will begin to accrue, and the date when payment of the penalty is due; and
- v. The right of the responsible party to appeal the order.

A copy of the APO must be sent to the SWCD and BWSR.

6.5 An administrative order under subsection 6.1 or 6.3 will be issued after a compliance hearing before the District Board of Managers. The landowner and any other responsible parties will receive written notice at least two weeks in advance of the hearing with a statement of the facts alleged to constitute noncompliance and a copy or link to the written record on which District staff intends to rely, which may be supplemented at the hearing. A responsible party may be represented by counsel, may present and question witnesses, and may present evidence and testimony to the Board of Managers. The District will make a verbatim record of the hearing.

6.6 After a hearing noticed and held for consideration of an administrative penalty or other administrative order, the Board of Managers may issue findings and an order imposing any authorized remedy or remedies.

6.6.1 The amount of an administrative penalty will be based on considerations including the extent, gravity and willfulness of the noncompliance; its economic benefit to the responsible party; the extent of the responsible party's diligence in addressing it; any noncompliance history; the public costs incurred to address the noncompliance; and other factors as justice may require.

6.6.2 The Board of Managers findings and order will be delivered or transmitted to the landowner and other responsible parties. An administrative penalty order may be appealed to the BWSR in accordance with Minnesota Statutes §103F.48, subdivision 9, and will become final as provided therein. The District may enforce the order in accordance with Minnesota Statutes §116.072, subdivision 9. Other remedies imposed by administrative order may be appealed in accordance with Minnesota Statutes §103D.537.

6.6.3 The Board of Managers may forgive an administrative penalty, or any part thereof, on the basis of diligent correction of noncompliance following issuance of the findings and order and such other factors as the Board finds relevant.

6.7 Absent a timely appeal pursuant to paragraph 6.6.2, an administrative penalty is due and payable to the District as specified in the administrative penalty order.

- 6.8 A landowner agent or operator may not remove or willfully degrade, wholly or partially, a riparian buffer, unless the agent or operator has obtained a signed statement from the landowner stating that written permission for the work has been granted by the District or that the buffer is not required as indicated in a validation of compliance issued by the SWCD.
- 6.9 Nothing within this rule diminishes or otherwise alters the District's authority under Minnesota Statutes, chapter 103E with respect to any public drainage system for which it is the drainage authority, or any buffer strip that is an element of that system.

7.0 Effect of Rule

- 7.1 If any section, provision or portion of this rule is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the rule is not affected thereby.
- 7.2 Any provision of this rule, and any amendment to it, that concerns District authority under Minnesota Statutes §103F.48 is not effective until an adequacy determination has been issued by the BWSR. Authority exercised under Minnesota Statutes chapter 103D and 103E does not require a BWSR adequacy determination.

March 16, 2018

Erik Jones, Engineer
Buffalo Red River Watershed District
1303 4th Ave NE, PO Box 341
Barnesville, MN 56514

Sent Via Email:

RE: Additional Review, Buffalo Red River Watershed District, 103E - Buffer Rule

Dear Mr. Jones,

Thank you for sending a revised version of the watershed district's buffer rule on January 19, 2018 to the Board of Water and Soil Resources (BWSR) for a final determination on adequacy.

We appreciate the watershed district's efforts in making changes to the rule in response to our initial comment letter (dated December 20, 2017). As a result, we offer some additional comments for inclusion into the watershed district's buffer rule as follows:

- The draft rule contains more than one Section 2. (Definitions and Data Sharing).
- In Section 3.1.2 the reference to measurement from edge of the normal water level is removed. Assuming that all ditches within the watershed district have a visible top or crown of bank the third sentence in that section referring to BWSR's guidance on determining normal water level is not needed. However, if that is not the case I would retain the language in the rule that refers to normal water level as an alternative measuring point.
- Section 5.2 indicates that the watershed district will attempt to acquire the necessary easements by utilizing authorities granted under 103E. The concern is that there are no specific timeframes described in 103E nor in the watershed district's draft rule regarding this process. A reasonable timeframe for action should be established in the rule. This section also mentions that if an established buffer has been "obliterated" the District will take corrective action. The law requires that buffers must be maintain. Therefore, any alteration to the required buffer width will require corrective action.
- Section 5.2.3 references paragraph (5.3.1) which does not exist in the district's draft rule.
- The term "obliterated" is also referenced in Section 6.2. As indicated above the threshold to take action should be associated with any alteration to the required buffer width.

Following adoption by the county board and in accordance with Procedure 9: BWSR's Review of County and Watershed District Buffer Rules, Ordinances and Official Controls, please submit the ordinance and supporting documentation needed to make a final determination on adequacy and/or consistency as provided below:

Counties and watershed districts must submit the following information to BWSR, ideally to this email address buffers.bwsr@state.mn.us, prior to the effective date, if possible, of the rule, ordinance or other official control which includes:

- The resolution or other formal decision of the county or watershed district governing body documenting adoption of the rule, ordinance or other official control;*
- The rule, ordinance or other official control adopted by the county or watershed district governing body; and*
- If applicable, a document that describes how the rule, ordinance or other official control departs from the model ordinance or rule developed by BWSR.*

Erik Jones
March 16, 2018
Page 2

On behalf of BWSR, I wish to extend our appreciation for the commitment of the watershed district's Board of Managers and all others associated with the development of this rule. Should you have any questions, please contact me at (651) 297-4958, or at travis.germundson@state.mn.us

Sincerely,



Travis Germundson
Appeals and Regulatory Compliance Coordinator

cc: Bruce Albright, BRRWD Administrator
Peter Mead, Becker County SWCD
Amanda Lewis, Clay County SWCD
Brad Mergens, West Ottertail SWCD
Don Bajumpaa, Wilkin County SWCD
DNR- Jennifer Shillcox, Dan Petrik, Roger Hemphill, Julie Aadlund
BWSR: Travis Germundson, Tom Gile, David Leuthe, Brett Arne, Pete Waller, Darren Mayers

Tammy Audette

From: Myron Jesme
Sent: Wednesday, August 22, 2018 11:26 AM
To: Tammy Audette
Subject: FW: Grant aps

* Please change my e-mail in your address book from jesme@wiktel.com to myron.jesme@redlakewatershed.org

Myron Jesme
Administrator - Red Lake Watershed District
1000 Pennington Avenue South
Thief River Falls, MN. 56701
myron.jesme@redlakewatershed.org
D : 218-681-5800
C : 218-686-9692

From: Lisa Newton <newtoneastpolk@gmail.com>
Sent: Wednesday, August 22, 2018 10:16 AM
To: Myron Jesme <jesme@wiktel.com>
Subject: Grant aps

Myron,

I am currently working on grant applications for the Clearwater River Watershed and Cameron Lake. I will be working with Jim Hest next Monday to get the practices and cost estimates together for Cameron. Corey is also reviewing both applications before submittal. I won't be able to make it to the board meeting this Thursday, but would like to include in the grants any assistance (financial or technical) that the RLWD would be willing to put towards the grants. The Sand Hill Watershed District put \$50,000 towards the water and sediment control basin grants we applied for. The landowner match, which was 25% would be split 20/80 (SHRWD providing 20% and the landowner 80% of the match). Just some thoughts. The Clearwater River Watershed grant the East Polk SWCD is applying for is \$250,000. I will get you the estimates for the Cameron Lake grant next week. Just some thoughts.

Lisa Erickson
East Polk SWCD
240 Cleveland Ave.
P.O. Box 57
McIntosh, MN 56556
Ph: 218-563-2777
Fax: 218-563-2778
Email: newtoneastpolk@gmail.com



Permit # 18-071

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Earl Pederson		3077 County Hwy 42 Bejou, MN 56516		tel: mobile: 218-790-4106 fax:

General Information

(1) The proposed project is a:

Tiling

(2) Legal Description

(3) County: **Polk** Township: **Badger** Range: **42** Section: **9 1/4**: **SE1/4**

(4) Describe in detail the work to be performed. **Install pattern tile with life station pump.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Improve drainage.**

Status

Status	Notes	Date
Approved	None	Aug. 23, 2018
Received	None	July 31, 2018

Conditions

P.A. #18071 The Red Lake Watershed District (RLWD) approves the pattern tile project and lift station, as per revised plan received on 8-10-2018, to have the lift station location on the west side of township road, and not on the east side. As part of the revised plan, the applicant shall excavate/grade the west road ditch, as per RLWD survey and proposed grades. Copy sent to applicant via email on 8-17-2018. Applicant shall contact Badger township for their approval, and must meet their specs/conditions. All excavation shall be consistent with the existing ditch slopes and there shall be no vertical excavation faces. Existing drainage/flow patterns shall not be changed or diverted. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. ■ Note: Please be aware of, and review the 'bullet points' on the bottom half of the application. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-084

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Wade Hruby		18462 250th Avenue NE Goodridge, MN 56725		tel: mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Pennington** Township: **Cloverleaf** Range: **41** Section: **20 1/4: SW1/4**

(4) Describe in detail the work to be performed. **Install culvert and field crossing. Work is within Pennington County Ditch 44/east ditch County Road #87 ROW.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Additional access is needed.**

Status

Status	Notes	Date
Approved	None	Aug. 23, 2018
Received	None	Aug. 9, 2018

Conditions

P.A. #18084 Red Lake Watershed District (RLWD) approval to install an entrance with a 36 in. diameter culvert, as per approval of Pennington Co. Hwy. Dept. specs/conditions; proposed work is within Penn. Co. Road #87 Right-of Way and Penn. Co. Ditch #44 Right-of Way. Contact persons at Pennington Co. Hwy. Dept. are Engineer Mike Flaagan or Asst. Engineer Mike Stennes at 218-683-7017 For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-085

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Pennington County Highway Department	250 125th Avenue NE Thief River Falls, MN 56701		tel: mobile: fax:

General Information

- (1) The proposed project is a:
Culvert Installation / Removal / Modification
- (2) Legal Description
- (3) County: **Pennington** Township: **Smiley** Range: **42** Section: **16 1/4**:
- (4) Describe in detail the work to be performed. **Replace existing 24" culvert.**
- (5) Why is this work necessary? Explain water related issue/problem being solved. **Culvert failure.**

Status

Status	Notes	Date
Approved	None	Aug. 23, 2018
Received	None	Aug. 9, 2018

Conditions

P.A. #18085 Pennington Co. Hwy. Dept. – Smiley Twp. – sec. 16, 21 - replace 24" dia. centerline culvert with same, at existing flowline elev. - approve

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-086

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Lee Farms Partnership, LLC	20711 310th Street SE Erskine, MN 56535		tel:218-289-5587 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Polk** Township: **Badger** Range: **42** Section: **7 1/4**: **SE1/4**

(4) Describe in detail the work to be performed. **Install 4 side water inlet culverts with flapgates.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Water is backing up into the the field causing flooding.**

Status

Status	Notes	Date
Approved	None	Aug. 23, 2018
Received	None	Aug. 10, 2018

Conditions

P.A. #18086 Red Lake Watershed District (RLWD) approval of EQIP project as per Natural Resources Conservation Service plan sheets submitted with permit application.

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-087

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Jarod Peterson		502 Prairie Rose Avenue Warren, MN 56762		tel: mobile: 218-201-0085 fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Polk** Township: **Keystone** Range: **48** Section: **5 1/4: NW1/4**

(4) Describe in detail the work to be performed. **Install 24" culvert and crossing.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Field access.**

Status

Status	Notes	Date
Approved	None	Aug. 23, 2018
Received	None	Aug. 13, 2018

Conditions

P.A. #18087 Red Lake Watershed District (RLWD) approval to install an entrance with a 24 in. diameter culvert as per approval of Keystone Twp. specs/conditions; proposed work is within township road Right-of Way. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-088

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Minnesota Department of Natural Resources	16945 State Hwy 89 Wannaska, MN 56761		tel:218-425-7793 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **None** Township: **None** Range: **44** Section: **31 1/4**: **SE1/4 NE1/4**

(4) Describe in detail the work to be performed. **Install approach into state land.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Access land for timber sale.**

Status

Status	Notes	Date
Approved	None	Aug. 23, 2018
Received	None	Aug. 13, 2018

Conditions

P.A. #18088 - MnDNR Red Lake Watershed District (RLWD) approval to install an entrance with an 18 in. or a 24 in. diameter culvert as per approval of poplar Grove Twp. specs/conditions; proposed work is within townshiproad Right-of Way. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-089

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Brian Stanley		27327 400th Avenue NE Grygla, MN 56727		tel:218-791-6155 mobile: fax:

General Information

(1) The proposed project is a:

Tiling

(2) Legal Description

(3) County: **Beltrami** Township: **Lee** Range: **38** Section: **8 1/4: NE1/4 NE1/4**

(4) Describe in detail the work to be performed. **Install pattern tile with gravity out flow.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Drainage**

Status

Status	Notes	Date
Approved	None	Aug. 23, 2018
Received	None	Aug. 13, 2018

Conditions

P.A. #18089 The Red Lake Watershed District (RLWD) approves the pattern tile project with a 'gravity' outlet. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval, and must meet their specs/conditions. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. ■ Note: Please be aware of, and review the 'bullet points' on the bottom half of the application. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-090

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
	Digi-Key Corporation	1600 Central Avenue NE East Grand Forks, MN 56721		tel:218-773-5641 mobile: fax:

General Information

(1) The proposed project is a:

Utility Installations

(2) Legal Description

(3) County: **Pennington** Township: **North** Range: **43** Section: **33 1/4: SW1/4**

(4) Describe in detail the work to be performed. **New parking lot catch basin to drain to ditch.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **New paved parking lot to prevent ponding on lot.**

Status

Status	Notes	Date
Approved	None	Aug. 23, 2018
Received	None	Aug. 13, 2018

Conditions

P.A. #18090 Red Lake Watershed District (RLWD) approval as per plan set submitted with permit application. Plans prepared by Dustin Fanfulik, Professional Engineer – Widseth, Smith, Nolting consulting firm Applicant shall also obtain approval from the city of Thief River Falls, (contact person is Public Works Director, Mark Borseth ph.# 218 – 681 - 8506) the outlet for the catch basin storm water is into a portion of County Ditch #70 that is maintained by the city. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.



Permit # 18-091

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Steven Rosten		16584 260th Avenue SE Plummer, MN 56748		tel:218-465-4452 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Red Lake** Township: **Garnes** Range: **41** Section: **4 1/4: SW1/4**

(4) Describe in detail the work to be performed. **Add 10' length to existing 18" culvert**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Wider crossing**

Status

Status	Notes	Date
Approved	None	Aug. 23, 2018
Received	None	Aug. 9, 2018

Conditions

P.A. #18091 Red Lake Watershed District (RLWD) approval to extend existing 18 in. diameter culvert as per approval of Red Lake Co. Hwy. Dept. specs/conditions; proposed work is in County Road #128 Right-of-Way. Contact person at Red Lake Co. Hwy. Dept. is Randy Konickson at 218-253-2697. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)

NOTE: This permit does not relieve the applicant of any requirements for other permits which may be necessary from Township, County, State, or Federal Government Agencies.

August 21, 2018

Myron Jesme
Red Lake Watershed District
1000 Pennington Avenue South
Thief River Falls, MN
56701

Dear Myron:

Please Accept this letter as notice that I am resigning from the position of Technician II/Ditch Inspector, as I have accepted a position with another company. I want to thank you and all of the staff for being so welcoming and willing to help me grow into my position over this year. I wish you all the best and thank you again for the opportunity I was given. Please use this letter as my 2 week notice of employment, as I am to start my new position Sept. 4, 2018.

Sincerely,



Brady Stanley

Red Lake Watershed District - Administrators Report

August 23, 2018

Red River Watershed Management Board – Leroy, Terry, Allan and I attended the RRWMB meeting held at the Red Lake Watershed District office board room at 9:30 am, August 21, 2018. The meeting was followed by tours of three potential projects. The first project we toured was directly on the east side of Newfolden to look at the Middle Snake Tamarac Rivers Watershed District potential FDR project. We then came back to TRF and toured the Thief River Westside FDR Project. From there we traveled out to the Black River Impoundment Project and returned to TRF around 4:30. I have included in your packet the RRWMB Newsletter dated July 25, 2018 as well as the RRWMB meeting highlights from yesterday's meeting.

Red Lake River 1W1P – There was a policy committee meeting held August 15, 2018 to discuss among other things a SWI Cost-Share Policy, other Clean Water Fund Grants, NACD Grant/Job Description, 319 Grant, and PTMApp Grant Update.

Black River Impoundment Letter to Editor – I have included in your packet an editorial in the Northern Watch dated August 15, 2018. This is the same letter that was referenced at the public hearing held for this project August 9th.

County Meetings - Due to the Red Board meeting held Tuesday, August 21st, I was not be able to attend the meeting we had scheduled with Beltrami County Commissioners. Good thing as there was a scheduling mix up with the Administrator from Beltrami County as the District was not included on the agenda for their meeting. We will try to schedule another date with them as well as Marshall County Commissioners but are running into various scheduling conflicts on my part.



Red River Watershed Management Board

Investing in the Red River Basin Since 1976

RRWMB Mission:

The principal objective of the Red River Watershed Management Board is to assist member watershed districts with the implementation of water related projects and programs. The purpose of these projects and programs is the reduction of local and mainstem flood damages and to enhance environmental and water resource management.

Contact Information:

11 5th Avenue East
Suite B
Ada, MN 56510
Phone: 218-784-9500
Fax: 218-784-9502

Robert L. Sip
Executive Director
Rob.sip@rrwmb.org
218-474-1084 (Cell)

Nikki Swenson
Executive Assistant
Nikki.swenson@rrwmb.org
218-784-9500 (Office)

Website:

www.rrwmb.org

Find us on Facebook:

<https://www.facebook.com/RedRiverWatershedManagementBoard>

Introduction – The Red River Watershed Management Board (RRWMB) was created in 1976 by the Minnesota Legislature and has been working with its member watershed districts to reduce flood damages to urban and rural areas, improve water quality, and to enhance natural resources. Projects, programs, and initiatives sponsored or funded by the RRWMB have provided many benefits to the residents of the Red River Basin. The RRWMB has invested continually in flood damage reduction efforts since 1976 and this document provides a brief overview of these efforts.

Regional Flood Control – Over 40 flood control projects have been constructed in the Minnesota portion of the Red River Basin since the late 1970s and early 1980s. These projects provide critical protection for urban centers, cities, rural areas and reduces risk for public and private infrastructure that has been constructed or improved. The map on the next page illustrates projects constructed since 1995. It should be noted that several additional projects are in various phases of planning, engineering, design, and permitting.

Rural Ring Dike Program – This program has resulted in over 270 individual ring dikes being constructed since 1997 to protect farmsteads and on-farm agricultural infrastructure such as certified seed storage, general grain storage, grain handling systems, chemical storage, machine sheds and shops, and related items. The total amount spent on this activity by the RRWMB during that time frame is approximately \$2,550,000. Other funding partners include:

- State of Minnesota at \$5.1 million dollars (50% cost-share).
- USDA NRCS at \$1.2 million dollars through the EQIP/AWEP programs at the federal level.
- Local watershed districts and landowners have also contributed approximately \$2 million to the cost of design and construction.

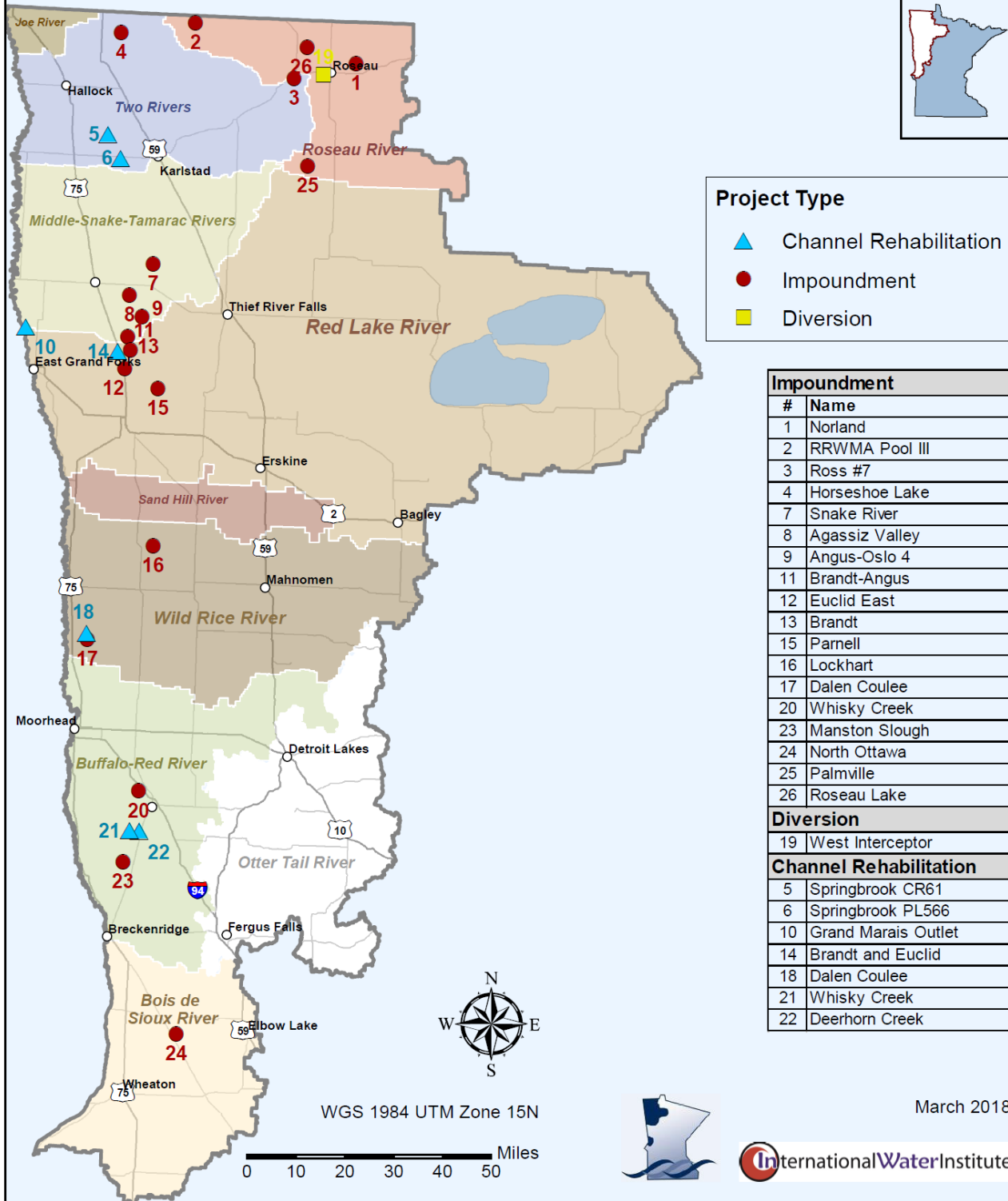
USGS Stream Gauge Program – This United States Geological Survey (USGS) program has been funded by the RRWMB for several years and provides funding to the USGS in partnership with its member watershed districts to monitor water levels in rivers and streams in the Red River Basin of Minnesota. This program provides real-time information to local watershed managers during times of flood. More information about water levels can be found at this website: <https://waterdata.usgs.gov/mn/nwis/rt>

Additional Investments – The RRWMB has allocated significant financial resources into other programs and efforts that include but are not limited to the following:

- Hydrology and Hydraulics Modelling and Studies
- LIDAR and GIS Technology
- Education and Outreach
- Coordination Efforts With Partners and Stakeholders
- Services to its Member Watershed Districts

Flood Damage Reduction Projects 1995 - 2018

Red River Basin



Responsiveness to Landowners – From 2014 to 2017, the RRWMB Managers reduced the annual levy rate to 75 percent. This three-year reduction in the levy provided some financial relief to landowners and farmers. The levy rate reverted back to 100 percent for 2018 due a number of factors including but not limited to reduced state and federal funding, increased land acquisition costs, and increasing construction costs for water retention and flood damage reduction projects.

March 2018



International Water Institute



Red River Watershed Management Board ***Meeting Highlights – August 21, 2018***

1. **River Watch Funding** – An updated funding agreement and resolution were approved by the Red River Watershed Management Board (RRWMB) Managers to provide funding to the International Water Institute (IWI) for the River Watch Program. Funding approved is \$125,000 per year for the Program, which has been funded by the RRWMB for several years. IWI Executive Director Chuck Fritz was in attendance and provided additional details about the River Watch Program
2. **Red River Basin Commission (RRBC) Funding** – A funding commitment for \$12,500 was approved by the RRWMB Managers for the RRBC to update the Long-term Flood Solutions Report from 2011. RRBC Executive Director Ted Preister was in attendance and provided additional details about the request and other potential funding partners.
3. **RRWMB Legislative Priorities** – Recommendations from the RRWMB Legislative Committee were presented to the RRWMB Managers for the 2019 Minnesota Legislative Session regarding funding and policy issues. The Committee will be working over the next four months to further refine the recommendations for priorities with input from member watershed districts.
4. **Audit** – The 2017 audit was presented to the RRWMB Managers. Brian Opsahl from Brady, Martz, and Associates presented the 2017 audit to the RRWMB Managers and indicated that the results were standard and similar to previous years. For a copy of the audit, please contact the RRWMB office.
5. **Internal Controls** – An Internal Controls document was approved by the RRWMB Managers and input on the document was also received from the Auditing firm during the development of the document. Information was also drawn upon from Minnesota Association of Watershed Districts Watershed Handbook and the League of Minnesota Cities.
6. **Reports** – Several written reports were provided by the Wild Rice Watershed District, Red River Retention Authority, Red River Basin Commission, IWI, RRBC, and other RRWMB partners and stakeholders.
7. **Tour** – The RRWMB Managers toured the proposed Middle River Subwatershed Flood Damage Reduction Project, which will provide flood protection for the City of Newfolden. Officials from the City of Newfolden and the Middle-Snake-Tamarac Watershed District also participated on the tour. In addition, the RRWMB toured the City of Thief River Falls Westside Flood Damage Reduction Project and the Black River Flood Impoundment Project that will be located southwest of Thief River Falls. Officials from the City of Thief River Falls and Red Lake Watershed District participated on the tour.
8. **Upcoming Meetings:**
 - Next RRWMB Board Meeting – September 18, 2018, Wild Rice Watershed District, Ada, MN.
 - Red River Basin Commission Fall Meeting and Tour – September 5 and 6, 2018, Moorhead.
 - International Red River Board Meeting – August 28 and 29, 2019, Detroit Lakes
 - Big Iron – September 11, 12, and 13, 2018, West Fargo Fairgrounds

Letters of interest to our readers

Drop the Black River Impoundment project

To the Editor:

What a waste of prime farmland! Yes, I am referring to the Black River Impoundment. While some of the land may have been underutilized in the past, it all has the potential to become some of the best farmland in Pennington County with a little ditching and/or tiling. If the Black River Impoundment is built, the land will essentially become barren wasteland. Any farmer knows that if land floods in the spring, it will be almost impossible to crop it that year because it will never dry out in time. Also, flooding will cover the land with

debris, which will also make it impossible to crop without extensive clean-up.

No, the affected landowners are not in agreement on the project. We, the members of Black River Lutheran Church, are totally disgusted that a row of pine trees on church property will have to be removed. These trees were donated many years ago by a member and they were moved in at his expense by a tree mover. They provide beauty for the church property as well as a much needed windbreak. And speaking of windbreak, many of the trees to the northeast of the church will have to be

removed also. Those windbreak trees are essential to keep out northeast winds and drifting snow.

We upstream landowners do not feel we should be penalized and have our property confiscated just because people downstream are foolish enough to build in a floodplain next to a river. A much better alternative to the Black River Impoundment would be to move homeowners in the Crookston, Fisher, East Grand Forks, and Grand Forks areas back a ways from the river. Let them suffer the consequences of their poor judgment rather than farmers and other land

owners upstream.

A natural impoundment already exists only a few miles west. Yes, I am referring to the Goose Lake area. But, it seems to some people that ducks and geese are more important than wheat, soybeans and corn.

Are we living in America or Russia? It is hard to tell these days when land can be confiscated for projects that benefit only people who used poor judgment in their place of choice to build. I urge that the Black River Impoundment project be dropped.

Sincerely,
 Greg Hallstrom
 Red Lake Falls



MAWD Quarterly Newsletter Summer 2018

Updates from the association committed to empowering effective local watershed management through education, advocacy, networking, and communications.

OUTREACH EVENTS

Summer Tour

When all told, nearly 250 people were involved in the MAWD Summer Tour this year and included many first-time guests, including those from the Legislative Water Commission and the Southwest Metro Local Leaders Water Institute. Networking and learning took place aboard a boat, on a bus tour, and right inside a watershed district office and learning center!



For more photos, visit our Facebook page! Remember to “like” our posts so they will pop up in more news feeds!

www.facebook.com/pg/mnwd46/photos/



A huge thank-you to:



Lower MN River WD for organizing the boat tour, **Carver County WMO** for organizing the morning stops of the bus tour, **Riley-Purgatory Bluff Creek WD** for organizing the afternoon bus stops and Friday’s technical training, and **Nine Mile Creek WD** for hosting Friday’s leadership session at their headquarters!



Legislative Water Commission Northeast Metro Bus Tour

The Legislative Water Commission asked three of our watershed districts to show them some examples of innovative stormwater management. Here is what they showcased. Thank you for sharing your stories!



Capitol Region WD

Forrest Kelly described the underground storage and stormwater reuse system built to moderate flows and irrigate a community ball field.



Ramsey Washington Metro WD

Tina Carstens highlighted the stormwater retrofits and outreach tools used at the Maplewood Mall. Senators Chuck Wiger and Chris Eaton had fun making music with the onsite cistern.



Rice Creek WD

The RCWD Board welcomed guests during the stops in their district. Phil Belfiori and Kyle Axtell, along with several city representatives showcased a new water treatment facility, various stream monitoring techniques, permeable pavement, and an iron-enhanced sand filter system that treats flows from a public ditch.



Creek restoration shows success of Minnesota clean water fund

By Brad Dokken on Jun 10, 2018 at 11:20 a.m.



The Grand Forks Herald and the Bemidji Pioneer recently highlighted the Grand Marais Creek Restoration Project, completed by the **Red Lake Watershed District**. Administrator Myron Jesme discussed how more than a dozen funding partners, including the Clean Water Fund and the Lessard-Sams Outdoor Heritage Council, came together to reconnect the creek that had been cut off in 1905 with the construction of a drainage ditch that sent runoff more directly to the Red River. The 6.5-mile stream restoration project has a drainage area of 300-square-miles and used practices such as drop structures, toe wood installations, and native plantings to decrease sediment delivery and as a result, improved water quality and habitat. Video and story can be found here: www.bemidjipioneer.com/news/science-and-nature/4458059-creek-restoration-shows-success-minnesota-clean-water-fund

Please share your news stories with us and we will share on social media to keep our stories in the spotlight!

ADVOCACY EFFORTS

Over the past several months, MAWD has been busy advocating on behalf of watershed districts at meetings with various entities such as the Drainage Work Group, Clean Water Council, Legislative Water Commission, Board of Water and Soil Resources, etc. Here are some updates on two groups that are particularly active right now.

Drainage Work Group

Representatives: Tim Dritz, MAWD Board of Directors, **Yellow Medicine River WD**
Harvey Kruger, **Heron Lake WD**
Emily Javens, MAWD Executive Director

Meeting Schedule: 2nd Thursday of the month, June - December

Summary of Efforts: The Drainage Work Group (DWG) has resumed meetings with the close of the 2018 legislative session. We are currently working on the following priorities: (1) Finalize a charter that better describes member responsibilities and the process used to gain consensus within the group. (2) Finalize the 2019 Legislative Platform BEFORE Thanksgiving to allow it to be shared at various annual conventions. (3) Form a subcommittee that will prepare a communications plan and marketing materials that can be distributed to citizens, legislators, and the group's members that describe items we are sending to the legislature for consideration.

Accomplishments: **Good news! Problem Solved!**
Drainage Authorities now have a simple process to borrow money at 0% interest from the MN Department of Agriculture's (MDA) Ag BMP Loan Program to purchase public drainage system buffer easements. Previously, separate applications were required for each individual landowner with signatures from every impacted landowner. Now, only two submittals are required: a copy of the order establishing the buffers and a spreadsheet with details of the parcels impacted. This improvement is a direct result of efforts to pass legislation to simplify the requirements for drainage authorities to do this. If the legislation had passed, a little less paperwork would have been required, but this administrative solution should work well for drainage authorities. Thanks to the MDA for working with us to find a solution!

Clean Water Council

Representatives: Pam Blixt, former Minnehaha Creek WD manager

Meeting Schedule: 3rd Monday of the month

Summary of Efforts: The Clean Water Council has been reviewing funding recommendations for how to spend Clean Water Funds in Fiscal Years 20-21. The state agencies have been presenting their proposals and the Budget and Outcomes Committee has been working on making a recommendation to the full council for their August 20th meeting. MAWD has been closely following the process and has met with the Association of MN Counties and the MN Association of Soil and Water Conservation Districts to review proposals and offer feedback to the Council as deemed necessary.

Accomplishments: The latest budget proposal for Clean Water Funds sets aside nearly 60% to be spent on implementation projects (if you include conservation easements and water and wastewater infrastructure projects). Watershed Districts will be eligible for the following: \$33M – Surface and Drinking Water Protection / Restoration Projects Grants, \$29.4M – “Fund the Plan” grants, \$11.5M – Accelerated Implementation Grants, and \$3M – Drainage Water Management Grants. The total fund is estimated to have \$260M available in the next biennium.

MAWD COMMITTEES

MAWD committee work is coming up to speed this summer. So far, the governance subcommittees have met and completed their annual review of our governance documents. Next to meet: finance, annual meeting, and resolutions committees.

Governance Committee – Bylaws and MOPP Subcommittee

Representatives: Mary Texer, Chair, **Capitol Region WD**
Craig Leiser, **Brown's Creek WD**
Gary Ewert, **Heron Lake WD**
Shirley Reider, **Capitol Region WD**
Jamie Beyer, **Bois de Sioux WD**
Andy Henschel, **Shell Rock WD**
John Hanson, **Valley Branch WD**
Emily Javens, MAWD



Summary of Efforts: The Bylaws and Manual of Policies and Procedures Committee (MOPP) met July 16, 2018 from 3:30 to 5:00 at the offices of the Capitol Region Watershed District. The committee reviewed both the Bylaws and the MOPP. In addition to cleaning up the language to make the documents consistent both internally and with each other, the committee recommends adding language to allow for Water Management Organizations (WMOs) to join MAWD with full voting rights. Dues would be allocated using the same formula as used for Watershed District Members. Additional guidance was also provided regarding per diem policies for the Board of Directors.

Governance Committee – Strategic Plan Subcommittee

Representatives: Mary Texer, Chair, **Capitol Region WD**
Craig Leiser, **Brown's Creek WD**
Gary Ewert, **Heron Lake WD**
Shirley Reider, **Capitol Region WD**
Dan Money, **Two Rivers WD**
Michelle Overholser, **Yellow Medicine River WD**
Phil Belfiori, **Rice Creek WD**
Emily Javens, MAWD



Summary of Efforts: The Strategic Planning Committee met on July 23, 2018 from 3:30 to 5:00 at the offices of the Capitol Region Watershed District. The committee reviewed the 2016-2019 Strategic Plan and the 2016 MAWD Board of Directors Succession Plan to identify what has been accomplished and what remains outstanding. The committee decided that before writing a new Strategic Plan for 2020 to 2022 a new membership survey needed to be taken to identify membership priorities / needs. This survey would be announced at the 2018 Annual Meeting and administered in December 2018/January 2019. The results of the survey would be available to the MAWD Board by the March 2019 Board Meeting. The Strategic Planning Committee would have from April until the June 2019 Board Meeting to write a new Strategic Plan for review and approval by the Board no later than the September 2019 Board Meeting. The plan would be presented to the membership for a vote at the 2019 Annual Meeting.

Thank you to all committee members for their efforts to keep MAWD governance documents up to date!

MEMBER SERVICES

JOB POSTINGS

Don't forget to advertise your job openings on our job board. Here is a screenshot from earlier this summer. Check out how active we were with hiring! In the past 31 days, we've had 374 hits on the job board page! Here is the link if you want to check the latest postings: www.mnwatershed.org/watershed-district-job-opportunities/

About Watershed Districts

WHAT IS A WATERSHED DISTRICT?

ESTABLISHING A WATERSHED DISTRICT

WHAT DO WATERSHEDS DO?

WHERE IS MY WATERSHED DISTRICT?

WATERSHED DISTRICT MAP

MINNESOTA DRAINAGE

WATERSHED DISTRICT JOB OPPORTUNITIES

HERE IS A LIST OF CURRENT WATERSHED DISTRICT JOB OPPORTUNITIES IN MINNESOTA:

- Brown's Creek Watershed District: [Communications and Project Assistant](#)
- Buffalo Red River Watershed District: [Assistant District Administrator \(Barnesville, MN\)](#)
- Chippewa River: [Watershed Coordinator](#)
- Comfort Lake Forest Lake Watershed District: [Seasonal Technician](#)
- Comfort Lake Forest Lake Watershed District: [Watercraft Inspectors](#)
- Coon Creek Watershed District: [Water Resource Regulation Coordinator](#)
- Minnehaha Creek Watershed District: [Permitting Assistant and Accounting Clerk](#)
- Nine Mile Creek Watershed District: [Summer Intern](#)
- Valley Branch Watershed District: [Seasonal Watercraft Inspector](#)

HERE IS A LIST OF JOB BOARDS MAINTAINED BY OUR PARTNERS:

- [MN Association of Conservation District Employees](#)
- [MN Board of Water and Soil Resources](#)

Good news! Money Saved!

Earlier this year, **Yellow Medicine River WD** was able to obtain software licenses for ArcGIS products at significantly reduced costs. MAWD shared that information with members and at least two more WDs were able to save a significant amount of money!



From **Comfort Lake Forest Lake WD**: "Just wanted to let you know that we applied for this grant and received two advanced licenses with all extensions for \$600 each (\$1,200 total, no added hidden fees or anything). Not quite the deal Yellow Medicine received, but I think it's based on your WD's annual budget and perhaps some other considerations that ESRI staff weighs. We are still pretty excited about the grant. Definitely enabled us to purchase the software sooner than we otherwise would have. We appreciate that email you sent out about this last month, otherwise I'm not sure we would have heard about the program!"

From **Heron Lake WD**: "Jan Voit explained... To purchase the software that is available through this grant opportunity, the cost would be \$12,000. Through the grant, the HLWD can get this software for \$200 per computer per year. **That is a savings of \$11,800.**"

Please continue to share these types of stories with MAWD staff and we will get them out to all members!

LEGISLATIVE UPDATES

Guest speakers at the MAWD Summer Tour included several involved in this past year's legislative efforts. Look for more updates on this summer's legislative efforts in future publications.



Representative Dario Anselmo (left) was the chief author of the chloride legislation that provided limited liability protections to trained commercial chloride applicators.

Sue Nissen (right) was a volunteer deeply engaged in helping push this legislation forward. In her own words: the MAWD resolution “was pivotal in several of the strategies we used and was just plain an energy booster! I would like to share that story with the watersheds and encourage them to have their voices heard.”

Representative Peter Fischer (not pictured), as chief author, gave an update to attendees on the coordinated watershed management bill that we diligently worked on during the last legislative session.



REMINDER – Resolutions are due to the MAWD Office by October 1

The 2018 Resolutions packets have been emailed to the administrators – please see them for more information.

TRAINING UPDATES

UPCOMING CONFERENCES

MN AQUATIC INVASIVE SPECIES RESEARCH AND MANAGEMENT SHOWCASE: Wednesday, September 12, St. Paul. Learn the latest research on starry stonewort, zebra mussels, spiny water flea, invasive carp, harmful fish diseases, and much more. <https://www.cfans.umn.edu/news/events/2018-minnesota-aquatic-invasive-species-research-and-management-showcase>

UPPER MIDWEST INVASIVE SPECIES CONFERENCE: October 15-18, Rochester. Expected to be the largest invasive species conference in North America this year. <https://www.umisc.net/>

MINNESOTA WATER RESOURCES CONFERENCE: October 16–17, Saint Paul. See innovative, practical, and applied water resource engineering solutions, management techniques, and current research. <https://ccaps.umn.edu/minnesota-water-resources-conference>

2018 BWSR ACADEMY: October 29-31, Breezy Point. Provides high quality training for local government staff that maintains and improves the delivery of natural resource work and meets the shared expectations of BWSR and local resource management boards. <http://www.bwsr.state.mn.us/academy/>

MINNESOTA GROUND WATER ASSOCIATION FALL CONFERENCE: November 15, St. Paul. Abstracts are being accepted on regional groundwater planning until September 1, 2018. <http://www.mgwa.org/>

MAWD ANNUAL CONVENTION: November 29 – December 1, Alexandria. Stay tuned for more details!

UPCOMING MEETINGS

The following meetings are scheduled (or will be scheduled soon):

- | | |
|--------------------|---|
| August 30, 2018 | Local Government Water Round Table (St. Paul) |
| September 5, 2018 | Annual Meeting Committee (Little Canada) |
| September 10, 2018 | Finance Committee Meeting (Hopkins) |
| September 21, 2018 | MAWD Board of Directors Meeting (St. Cloud) |



Thank you to everyone who attended the
2018 MAWD Summer Tour!

See you next year!

For more information on any of the news items presented,
please contact Emily Javens, MAWD Executive Director, at
(612) 790-0700 or exec.mawd@gmail.com.