

RED LAKE WATERSHED DISTRICT

April 27, 2023

9:00 a.m.

Agenda

9:00 a.m.	Call to Order	Action
	Review and approve agenda	Action
	Requests to appear	Information
	April 13, 2023 Minutes	Action
	Financial Report dated April 26, 2023	Action
	Financial Investments	Info./Action
	General Fund Budget as of March 31, 2023	Information
	Impoundment Update - Present Operation Status	Information
9:15 a.m.	Petitioners-Improvement to Polk County Ditch 39, RLWD Proj. 179	Information
	Thibert Dam, RLWD Project No. 50 – Repair	Info./Action
	Turtle Connection Cross Lakes, RLWD Project No. 114 Landowner Meeting Presentation	Information
	RLWD Board of Managers Handbook-Revisions	Information
	Permits: No. 23017, 23018, 23022-23024, 23026, 23028	Action
	Minnesota Watersheds (MAWD) Summer Tour	Information
	Staffing Update	Info./Action
	Administrators Report	Information
	Legal Counsel Update	Information
	Managers' updates	Information
	Adjourn	Action

UPCOMING MEETINGS

April 27, 2023	RLWD Board Meeting, 9:00 a.m.
April 27, 2023	Grand Marais Creek Joint Powers Board meeting
May 5, 2023	Mud River Project Team meeting, 10:00 a.m.
May 11, 2023	RLWD Board Meeting, 9:00 a.m.
May 25, 2023	RLWD Board Meeting, 9:00 a.m.
June 20-21, 2023	MN Watersheds (MAWD) Summer Tour, Albert Lea

DRAFT

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
April 13, 2023

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: Managers: Dale M. Nelson, Gene Tiedeman, Terry Sorenson, Tom Anderson, LeRoy Ose, Brian Dwight, and Allan Page. Absent: Staff Present: Myron Jesme, Tammy Audette, and Legal Counsel, Delray Sparby.

The Board reviewed the agenda. A motion was made by Page, seconded by Ose, and passed by unanimous vote that the Board approve the agenda as printed. Motion carried.

The Board reviewed the March 23, 2023, minutes. A motion by Sorenson, seconded by Anderson, to approve the March 23, 2023, Board meeting as presented. Motion carried.

The Board reviewed the Financial Report dated April 12, 2023. Motion by Sorenson, seconded by Ose, to approve the Financial Report dated April 12, 2023, as presented. Motion carried.

Administrator Jesme updated the Board on recent impoundment activity due to the Spring flood event, stating that District staff have been monitoring impoundments daily. Local contractors were hired to remove snow from problem areas on the Black River Impoundment and Euclid East Impoundment. Elm Lake/Farmes Pool and Lost River Pool drainage areas had over 4" of moisture content in the snow, which triggers the District to request additional operation to release water at both impoundments to allow for spring runoff. Jesme indicated that the gage on Highway 89 increased substantially, so District staff is currently enroute to the Moose River Impoundment to determine any changes that may need to be made. Manager Ose stated that he was at Elm Lake/Farmes Pool yesterday, requesting that the District pull additional stoplogs to get rid of early water, noting that the two impoundments will be able to capture water when it is released from the Moose River Impoundment to replenish their pools. Jesme indicated that we are operating Farmes Pool/Elm Lake structure in accordance with the operating plan. There were also concerns from James Graham, Agassiz NWR, that the gate on Farmes Pool does not seal well, so the gate may need to be replaced.

The Board reviewed the snow survey map completed by District staff as of April 6, 2023.

Northern State Agency notified the District, that they currently do not have an agent to process the District's League of Minnesota Cities policy, therefore North Risk Partners has agreed to manage processing of the insurance. Administrator Jesme stated that Northern State Agency receives a 2% brokerage fee, whereas North Risk Partners requires a 10% brokerage fee. Both agencies are the only two in this area that are authorized by the League of Minnesota Cities to broker their insurance. North Risk Partners agreed, for this time, to remain at the 2% brokerage fee. The District will monitor if/when Northern State Agency has a new agent. Motion by Ose,

seconded by Anderson, to approve transferring the District's League of Minnesota Cities policy to North Risk Partners. Motion carried.

Administrator Jesme stated that there was good landowner attendance at the Turtle-Connection-Cross Lakes landowners meeting held on April 13, 2023 at the Embassy in Fosston. Various landowners would like to see the elevation raised on Turtle Lake, with one landowner against it. Jesme indicated that Minnesota shoreline laws are: if you want to raise the lake elevation, you must have 100% landowner approval. A questionnaire was given to the landowners, so we are hoping to receive some feedback. Jesme will present additional information at the next Board meeting.

Engineers, Dillion Nelson, and Nate Dalager, HDR Engineering, Inc., stated that permits have been submitted for Phase 2 of the Pine Lake Project, RLWD Project No. 26B, which will replace the culvert downstream of the Pine Lake Outlet Structure. Once all agencies have had a chance to comment, the Final Plans and Specifications will be put out for bids. Nelson indicated that the end construction date will be August 2024, due to the availability of the box culvert.

The District was notified that the Fladeland Ring Dike, RLWD Project No. 129AX was awarded \$77,750, and the Beich Ring Dike, RLWD Project No. 129AY, was awarded \$80,000 through the MnDNR from a LCCMR Grants program. Motion by Sorenson, seconded by Page, to approve the development of the Plans and Specifications for the Fladeland Ring Dike, RLWD Project No. 129AX and the Beich Ring Dike, RLWD Project No. 129AY. Motion carried.

It was noted that the Red Lake River 1W1P, RLWD Project No. 149, 2020 Watershed Based Funding grant is completed and closed out.

Motion by Ose, seconded by Dwight to table the following permits for further review: No. 23021, Knute Knutson, Gervais Township, Red Lake County; No. 23022, Zavod Zuprod, Badger Township, Polk County; No. 23023 and 23024, Erik Roed, Hill River Township, Polk County; No. 23025, MnDOT, Polk County; No. 23026, Pam Paradis, Poplar River Township, Red Lake County; No. 23027, Brandon Maygra, Kertsonville Township, Polk County; No. 23028, Clearwater County Highway Department, Leon Township, Clearwater County; No. 23029, Richard Vraa, Goodridge Township, Pennington County; No. 23030, Kolstoe Farms, Garnes Township, Red Lake County; and No. 23031, Curt Johnson, Star Township, Pennington County. Motion carried.

Administrator Jesme indicated that currently the District's health insurance benefits are not effective for new employees until 30 days of employment. Jesme requested changing the District's policy to include insurance coverage effective the first day of employment. Motion by Page, seconded by Tiedemann, to approve changing the District's insurance benefit to become effective the first day of full-time employment with the District. Motion carried.

Administrator Jesme noted that the District has received a certification of compliance for the 2022 Pay Equity Report as required by the MN Management and Budget.

Manager Sorenson discussed the application process and interview process for the Natural Resource Technician position with the recommendation of hiring Lindsey Kallis at a Step 1 pay scale level. Administrator Jesme stated that her fulltime employment date will be June 1, 2023, but that she is available to help out on a part-time status as she finishes college. Motion by Dwight, seconded by Sorenson, to approve hiring of Lindsey Kallis for the Natural Resource Technician position at a Step 1 pay scale level, plus benefits. Motion carried.

Administrators update:

- Jesme and Manager Tiedeman will participate in the RRWMB meeting on April 18, 2023.
- Jesme will participate in the Drainage Workgroup (DWG) meeting on April 24, 2023 in Alexandria.
- There will be a Mud River Steering Committee meeting held on April 14, 2023 with a Project Team meeting on April 21, 2023.
- A Clearwater River 1W1P Policy Committee meeting was held on March 29, 2023 in Bagley. 50% of the Watershed Based Implementation Grant in the amount of \$487,363 was received, so we are officially able to start working on the implementation of the plan.
- The Upper/Lower Red Lake 1W1P Policy Committee will meet on April 17, 2023 at the Red Lake DNR office. The agenda for the meeting was included in the packet.
- Included in the packet was a City of TRF Municipal Power Dam Hydroelectric Stakeholder comment letter regarding licensing of the dam.
- Staff member Hanson will be participating in a Surface Water Assessment Grant (SWAG) Training hosted by the MPCA on April 19, 2023.
- Included in the packet was a Minnesota Watersheds Legislative update.

Manager Dwight indicated that the legislature has included a bill for the “Keep It Clean” campaign.

President Nelson read a letter presented by Administrator Jesme, informing the Board of his retirement effective June 30, 2023. Motion by Sorenson, seconded by Tiedemann, to accept the letter of retirement from Administrator Myron Jesme, effective June 30, 2023. Motion carried. The Board thanked Jesme for his years of service to the District, wishing him the best in retirement.

Legal Counsel Sparby received notice that a decision will be received by 10:00 a.m. on April 17, 2023, regarding the District’s Appeal for the Improvement to Polk County Ditch 39, RLWD Project No. 179.

Motion by Ose, seconded by Dwight, to adjourn the meeting. Motion carried.

LeRoy Ose, Secretary

RED LAKE WATERSHED DISTRICT
Financial Report for April 26, 2023

Ck#	Check Issued to:	Description	Amount
online	EFTPS	Withholding FICA, Fed & Medicare (4-12-23 payroll)	\$ 4,217.47
online	MN Department of Revenue	Withholding taxes (4-12-23 payroll)	\$ 742.70
online	WEX	Employee HSA (4-12-23 payroll)	\$ 142.00
online	EFTPS	Withholding FICA, Fed & Medicare (4-19-23 payroll)	\$ 349.51
online	MN Department of Revenue	Withholding taxes (4-19-23 payroll)	\$ 52.99
online	Public Employers Retirement Assn.	PERA (4-26-23 payroll)	\$ 2,630.01
40671	Jason Bruggeman	Clean & Detail 5 vehicles	\$ 500.00
40672	American Engineering Testing	Geotechnical Exploration & Review. Proj. #149	\$ 6,990.00
40673	Brault Construction Inc.	Clean snow from ditches Proj. #81, #117, #169, #60C	\$ 6,507.00
40674	Corporate Technologies	Managed IT and Office 365	\$ 1,515.00
40675	GP Excavating	Clean snow from ditches Proj. #135	\$ 1,920.00
40676	HDR, Inc.	Engineering fees on Proj. #149- CD 99 Slope Repair	\$ 6,546.63
40677	Kim Nordheim	Lunch: Grand Marais Joint Board Meeting. Proj. #60F	\$ 400.00
40678	Marco	Telephone expense	\$ 339.14
40679	NCPERS Group Insurance	Staff Life Insurance	\$ 128.00
40680	Pennington SWCD	Expenses for Proj. #149 and #149A	\$ 4,407.19
40681	Pitney Bowes	Postage machine rent	\$ 124.53
40682	Quality Spray Foam/Anderson	Clean snow Proj. #176 and #176A	\$ 3,560.00
40683	Quill Corporation	Office supplies	\$ 79.96
40684	Rinke-Noonan	Draft & prepare Audit response. Proj. #001	\$ 141.00
40685	Sun Life Financial	Staff Life Insurance	\$ 147.84
40686	Tammy Sandness	Clean offices	\$ 140.00
online	Purewater Technology	Office H2O	\$ 38.00
online	Card Member Services	* see details below	\$ 2,587.83
online	WEX	Monthly fee	\$ 11.00
online	MN Energy	Heating expense	\$ 31.91
online	Quick Books	Monthly fee	\$ 411.00
online	AT& T Mobility	Cell phone expense	413.42
direct	Tom Anderson	Mileage	\$ 235.80
direct	Dale Nelson	Mileage	\$ 55.02
	Staff & Board Payroll	4-19-23 and 4-23-23	\$ 15,569.26
	Total Checks		\$ 60,934.21

*** Card Member Services**

Eng. Supply - stream gages	\$	1,143.75
Lunch/Per. Committee- Interviews	\$	43.70
Amazon- 2 external hard drives	\$	179.98
Water sampling supplies	\$	1,220.40
	\$	<u>2,587.83</u>

Banking Northern State Bank

Balance as of April 12, 2023	\$ 484,753.49
Total Checks Written	\$ (60,934.21)
Receipt #25069 State of MN - 1st 50% Grant Chief Coulee Proj. #46S	\$ 214,375.00
Balance as of April 26, 2023	<u>\$ 638,194.28</u>

Current interest rate is .20%

American Federal Bank-Fosston

Balance as of April 12, 2023	\$ 5,172,825.68
Receipt #25067 Reimbursement for expenses Proj. #149B	\$ 3,835.12
Receipt #25068 NW Mn Service Coop - 2023 Wellness Program	\$ 50.00
Balance as of April 26, 2023	<u>\$ 5,176,710.80</u>

Current interest rate is 2.45%

Investments

Edward Jones Balance	12 month CD 3.45% Expiry 9-15-23	<u>\$ 241,000.00</u>
Edward Jones Balance	12 month CD 3.7% Expiry 9-22-23	<u>\$ 240,000.00</u>
Edward Jones Balance	12 month CD 3.7% Expiry 9-22-23	<u>\$ 17,000.00</u>
Edward Jones Balance	12 month CD 4.8% Expiry 12-15-23	<u>\$ 238,000.00</u>
Edward Jones Balance	12 month CD 4.8% Expiry 12-15-23	<u>\$ 238,000.00</u>
Edward Jones Balance	12 month CD 4.8% Expiry 12-15-23	<u>\$ 24,000.00</u>
Total Cash		\$ 6,812,905.08

**Cash that has been received and
earmarked for projects:**

2022 Grant Red Lake 1W1P Proj. #149	\$ 535,575.00
2022 Grant Thief River 1W1P Proj. #149A	\$ 264,946.00
2023 Grant Clearwater 1W1P Proj. #149B	\$ 487,363.00
Chief Coulee Proj. #46S	<u>\$ 214,375.00</u>
	\$ 1,502,259.00

Payables committed to by board action:

TRF Reservoir Water Intake Proj. #63	\$ 38,400.00
Chief Coulee Proj. #46S	<u>\$ 108,935.00</u>
	\$ 147,335.00

Total accessible cash (Est) \$ 5,310,646.08

Our Rates at a Glance

April 18, 2023

Whatever your specific income needs, Edward Jones can help determine which investments may be right for you. Below are some examples of the many income investments Edward Jones offers.

FDIC-insured Certificates of Deposit ¹	
Term	APY
3 months	4.85%
6 months	4.85%
9 months	4.90%
1 year	4.95%
2 years	4.75%
3 years	4.55%
4 years	4.50%
5 years	4.40%

Maturities and/or rates may not be available in all states.

Consumer Price Index (YOY)	
5.00%	Rate effective: March 31, 2023

Prime Rate	
8.00%	Rate effective: March 23, 2023

Personal Line of Credit ⁶	
Pricing Group Assets Under Care	Rate
Less Than \$100,000.00	10.00%
\$100,000.00 to \$249,999.99	9.75%
\$250,000.00 to \$499,999.99	9.25%
\$500,000.00 to \$999,999.99	8.75%
\$1,000,000.00 to \$2,499,999.99	7.50%
\$2,500,000.00 to \$4,999,999.99	7.25%
\$5,000,000.00 to \$9,999,999.99	7.00%
\$10,000,000.00 and over	6.75%

Rates effective: March 23, 2023

The margin interest rate is variable and is established based on the higher of a base rate of 4.00% or the current prime rate.

Treasury Bills, Notes & Bonds ²			
3-month	4.63%		YTM ¹⁰
6-month	4.57%		YTM ¹⁰
1-year	4.54%		YTM ¹⁰
2-year	4.01%		YTM ¹⁰
5-year	3.54%		YTM ¹⁰
10-year	3.45%		YTM ¹⁰
30-year	3.69%		YTM ¹⁰

Insured Bank Deposit ⁷		
Effective Date of the INSD Rate		3/23/2023
Insured Rate Tier	Pricing Group Range	Interest Rate
1	Less than \$250,000	1.00%
2	\$250,000 to \$499,999.99	1.70%
3	\$500,000 to \$999,999.99	1.70%
4	\$1,000,000 to \$9,999,999.99	2.25%
5	\$10,000,000 and above	2.75%

Government-sponsored Enterprise Notes ³				
Fannie Mae, Freddie Mac, TVA	3.63%	to	5.10%	YTM ¹⁰

Corporate Bonds ⁴				
Investment Grade	3.26%	to	5.40%	YTM ¹⁰

Interest on Uninvested Cash Balances ⁸	
Retirement	1.00%
Non-retirement	1.00%

Tax-free Bonds ⁵				
AAA	1.31%	to	3.75%	YTM ¹⁰
AA	1.44%	to	4%	YTM ¹⁰
A	1.35%	to	4.20%	YTM ¹⁰

Edward Jones Money Market Fund ⁹	
7-day Current Yield	
Investment Shares	4.13%
Retirement Shares	4.14%

Rates effective: April 17, 2023 *

* Restricted availability. See page 2, footnote 9.

Updated as of market close April 18, 2023. Rates and Yields shown are subject to availability and change without notice. Rates are provided for informational purposes only and should not be deemed a solicitation for any specific investment.

Please see page 2 for important disclosure information.

Kevin Roberts
Financial Advisor

RECEIVED

APR 20 2023

Initial: MJ

2023 GENERAL FUND BUDGET

as of March 31, 2023

(unaudited)

	2023 BUDGET	2022 Exp	(over) under	
		TO 3-31-23		1st Qtr
Manager's fees, salaries	40,000.00	7,042.23	32,957.77	10,000.00
Board of Manager's expense	24,200.00	5,306.92	18,893.08	6,050.00
Staff salaries	601,305.00	124,911.03	476,393.97	150,326.25
Payroll taxes	45,999.83	9,633.83	36,366.00	11,499.96
Employee benefits	160,166.00	37,323.64	122,842.36	40,041.50
Travel and meetings(mileage & exp.)	7,500.00	2,807.18	4,692.82	1,875.00 1
Audit	9,450.00	0.00	9,450.00	2,362.50
Legal	16,000.00	2,232.00	13,768.00	4,000.00
Office supplies	20,000.00	1,884.55	18,115.45	5,000.00
Office equipment	30,000.00	12,326.13	17,673.87	7,500.00 2
Appraiser/Viewer Expense	2,000.00	0.00	2,000.00	500.00
Professional services (inc. Eng. Fees)	25,000.00	4,755.00	20,245.00	6,250.00
Dues and subscriptions	10,000.00	7,910.00	2,090.00	2,500.00 3
Insurance and bonds	45,000.00	0.00	45,000.00	11,250.00
Repairs and maintenance-Building	15,000.00	2,617.76	12,382.24	3,750.00
Utilities	12,000.00	2,714.43	9,285.57	3,000.00
Advertising and publications	4,000.00	1,980.05	2,019.95	1,000.00 4
Telephone	11,000.00	2,358.64	8,641.36	2,750.00
Vehicle expense and maintenance	15,000.00	1,284.23	13,715.77	3,750.00
Engineering supplies	3,000.00	0.00	3,000.00	750.00
Engineering equipment	40,000.00	9,893.98	30,106.02	10,000.00
Interest	0.00	0.00	0.00	-
TOTAL	1,136,620.83	236,981.60	899,639.23	
Less: Overhead	901,957.50	175,030.15	(726,927.35)	
Less: Miscellaneous revenue	3,000.00	200.00	(2,800.00)	
General Fund Budget	231,663.33	61,751.45	169,911.88	

		TO 3-31-23
January 1, 2023 Beg. Balance	270,675.00	270,675.00
County levies revenue	0.00	17,039.05
Misc. revenue		0.00
Gross balance with revenue		<u>287,714.05</u>
Less net expenses		<u>(61,751.45)</u>
Subtotal- General Fund w/o interest		225,962.60
Plus interest earned-if allocated to GF 100%		28,781.98
General Fund Balance 3-31-23		<u><u>254,744.58</u></u>

1-Staff & Board attended more conferences
2-Barracuda \$11,117

3- MAWD \$7500
4- Advertising for Natural Resource tech

**STATE OF MINNESOTA
IN COURT OF APPEALS
A22-1163**

In the Matter of Keystone Township, et al.,
Respondents,

vs.

Red Lake Watershed District,
Appellant,

Paul Novacek, et al.,
Appellants.

**Filed April 17, 2023
Reversed and remanded
Bjorkman, Judge**

Polk County District Court
File No. 60-CV-20-1387

Mark A. Grainger, Neil Law Firm, P.C., East Grand Forks, Minnesota (for respondents)

Delray Sparby, Ihle Sparby & Haase PA, Thief River Falls, Minnesota (for appellant Red Lake Watershed District)

Gerald Von Korff, John C. Kolb, Rinke Noonan, Ltd., St. Cloud, Minnesota (for appellants Paul Novacek, et al.)

Louis N. Smith, Charles B. Holtman, Smith Partners PLLP, Minneapolis, Minnesota (for amici curiae Minnesota Association of Watershed Districts and Red River Watershed Management Board)

Considered and decided by Bjorkman, Presiding Judge; Larkin, Judge; and Frisch, Judge.

SYLLABUS

1. Under Minn. Stat. § 103D.625, subd. 4 (2022), a petition to improve a drainage system that is located within the physical boundaries of a watershed district must

be filed with the watershed district, regardless of whether the watershed district previously acted as drainage authority for the system. A directive from a county drainage authority to “take over” the system under Minn. Stat. § 103D.625, subd. 1 (2022), is not a prerequisite to the watershed district establishing jurisdiction with respect to the improvement.

2. Proceedings to improve a drainage system under Minn. Stat. § 103D.625, subd. 4, “conform to chapter 103E” when watershed district officers and employees follow the procedures specified in that chapter.

OPINION

BJORKMAN, Judge

Appellants challenge the district court’s grant of summary judgment reversing respondent watershed district’s order approving a ditch-improvement petition, arguing that the district court erred by concluding that the watershed district lacked jurisdiction to consider the petition. Because the district court erred in identifying the statutory procedures required for the watershed district to establish jurisdiction and respondents’ claims of procedural errors do not establish alternative grounds for summary judgment, we reverse and remand.

FACTS

Appellants Paul Novacek, et al. (collectively, the Novacek parties) and respondents Owen Peterson, et al. (collectively, the Peterson parties) own land in the drainage area of Polk County Ditch 39, which is located entirely within the boundaries of Polk County (the county) and appellant Red Lake Watershed District (RLWD). In October 2017, the Novacek parties filed a petition with RLWD seeking to improve Ditch 39 because it “needs

enlarging or extending to furnish sufficient capacity or a better outlet.”¹ The petition recognized that the county had been the drainage authority for Ditch 39 and requested that, upon completion of the improvement, the operation and maintenance of “the entire” ditch be “turned over” to RLWD.

RLWD accepted the improvement petition and appointed an engineer for the project. The engineer submitted a preliminary report in January 2019, opining that the proposed project is necessary, feasible, and practical, and recommending that RLWD proceed with the project. The following month, the Minnesota Board of Water and Soil Resources (BWSR) and Minnesota Department of Natural Resources (DNR) submitted advisory reports largely agreeing with the engineer’s assessment. After notifying affected landowners and the county, RLWD conducted a preliminary public hearing in April 2019. RLWD then issued an order finding the proposed improvement necessary and feasible and directing the engineer to move forward with project planning. RLWD also appointed viewers to assess the proposed improvement’s benefits and damages.

In January 2020, the viewers submitted a report that estimated the benefits of the proposed improvement to nearby land, including privately held tracts, conservation areas, roadways, and upstream Polk County Ditch 66. They opined that the benefits would exceed the damages to be paid for permanent right-of-way easements and temporary construction easements. That same month, the engineer submitted a final report detailing plans and costs for the project. At the end of February, DNR issued a final advisory report

¹ Improvement means “the tiling, enlarging, extending, straightening, or deepening of an established and constructed drainage system.” Minn. Stat. § 103E.215, subd. 2 (2022).

that approved the engineer's plan for the project. After notifying affected landowners and the county, RLWD conducted a final public hearing on the petition in late July 2020 and approved the improvement project as set forth in the engineer's plan. In its written order, RLWD explained that the matter was "properly before [it]" under Minn. Stat. § 103D.625, subd. 4, and the improvement's estimated benefits exceed its total estimated costs, including damages.

The Peterson parties and respondent Keystone Township (the township) appealed to the district court. They challenged RLWD's order on various grounds, including that (1) RLWD lacked jurisdiction to approve the petition under Minn. Stat. § 103D.625, subd. 4, because the county never transferred jurisdiction over Ditch 39 to RLWD; and (2) the proceeding did not "conform to chapter 103E," as required under Minn. Stat. § 103D.625, subd. 4.² They moved for summary judgment on both grounds, and the parties submitted stipulated facts.

The district court granted summary judgment on the first ground. It noted that Minn. Stat. § 103D.625, subd. 4, requires a petition to improve a drainage system "in the watershed district" to be filed with the watershed district but does not define the phrase "in the watershed district." It concluded that it is unclear whether the phrase refers to the watershed district's physical boundaries or its jurisdiction. The court reasoned that the phrase must refer to jurisdiction because Minn. Stat. § 103D.625, subd. 1, provides a mechanism for a watershed district to "take over" a drainage system, making such a transfer

² The county received notice of the district court appeal but did not participate, and it is not a party to this appeal.

a prerequisite to a watershed district conducting a drainage-improvement proceeding. Since the county did not transfer jurisdiction over Ditch 39 to RLWD, the court concluded that RLWD lacked jurisdiction to consider the petition.

The Novacek parties and RLWD appeal. We granted leave to the Minnesota Association of Watershed Districts and the Red River Watershed Management Board to submit a brief as amici curiae.

ISSUES

- I. Did RLWD have jurisdiction to consider the improvement petition under Minn. Stat. § 103D.625, subd. 4?
- II. Did the improvement proceeding conform to chapter 103E?

ANALYSIS

We review summary judgment de novo “to determine if the district court erred in its application of the law.” *City of Circle Pines v. County of Anoka*, 977 N.W.2d 816, 822 (Minn. 2022). In granting summary judgment on undisputed facts, the district court interpreted and applied Minn. Stat. § 103D.625 (2022). Statutory interpretation presents a question of law, which we review de novo. *In re Bd. of Managers of Bois de Sioux Watershed Dist.*, 818 N.W.2d 583, 586 (Minn. App. 2012).

Our goal in interpreting a statute is to “ascertain and effectuate” the legislature’s intent. *Circle Pines*, 977 N.W.2d at 823. The first step is to examine the statute’s language to see if it is ambiguous. *State v. McReynolds*, 973 N.W.2d 314, 318 (Minn. 2022). In assessing ambiguity, we read the whole statute, not simply the disputed language. *Moore v. Robinson Env’t*, 954 N.W.2d 277, 280-81 (Minn. 2021). And we construe words and

phrases “according to their common and approved usage.” Minn. Stat. § 645.08(1) (2022). We may glean that usage from dictionary definitions, *Shire v. Rosemount, Inc.*, 875 N.W.2d 289, 292 (Minn. 2016), but we also consider how context affects a term’s meaning, *Getz v. Peace*, 934 N.W.2d 347, 355 (Minn. 2019). If we can clearly discern the legislature’s intent from the statute’s plain language, we apply that unambiguous meaning. *McReynolds*, 973 N.W.2d at 318. But if the statute is susceptible of multiple reasonable interpretations, the next step is to “look to other tools to interpret its meaning.” *Circle Pines*, 977 N.W.2d at 823.

I. RLWD had jurisdiction to consider the drainage improvement petition under Minn. Stat. § 103D.625, subd. 4.

The Minnesota Legislature regulates the state’s water through a comprehensive statutory scheme known as the Minnesota Water Law, Minn. Stat. §§ 103A.001-103G.801 (2022). The water law includes one chapter—Minn. Stat. §§ 103E.005-.812, commonly known as the “drainage code”—devoted to the creation and management of drainage systems such as ditches. *See Petition for Imp. of Cnty. Ditch. No. 86, Branch 1 v. Phillips*, 625 N.W.2d 813, 817 (Minn. 2001). The entity with “jurisdiction”³ over a drainage system or a drainage project is known as the “drainage authority.” Minn. Stat. § 103E.005,

³ The term “jurisdiction” appears frequently in the drainage code. As we have previously noted, the term “jurisdiction” refers to limits on judicial powers but is often used “in reference to nonjurisdictional concepts and doctrines.” *Bd. of Managers*, 818 N.W.2d at 586 n.2. Because drainage proceedings “are purely statutory and their validity depends upon a strict compliance with the [controlling] statute,” *Hagen v. Martin County*, 91 N.W.2d 657, 660 (Minn. 1958), jurisdiction serves as a useful analogy, *Bd. of Managers*, 818 N.W.2d at 586 n.2. Given its utility and frequent application in drainage cases, we continue that practice here.

subd. 9; see *Minch v. Buffalo-Red River Watershed Distr.*, 723 N.W.2d 483, 487 (Minn. App. 2006), *rev. denied* (Minn. Jan. 24, 2007). For a drainage system located in a single county outside the metropolitan area, either a county or a watershed district⁴ may serve as the drainage authority. Minn. Stat. § 103E.005, subs. 4, 9; *Minch*, 723 N.W.2d at 487.

Part of a drainage authority’s work is to conduct proceedings to address petitions to improve existing drainage systems. See Minn. Stat. § 103E.011, subd. 1. But the drainage authority “does not retain perpetual jurisdiction” to conduct drainage proceedings. *Bd. of Managers*, 818 N.W.2d at 586 (citing *Johnson v. Steele County*, 60 N.W.2d 32, 37 (Minn. 1953)). Rather, a drainage authority must comply with applicable statutory procedures to establish jurisdiction for each proceeding. *Johnson*, 60 N.W.2d at 37; see also *Hagen*, 91 N.W.2d at 660 (stating that drainage proceedings require “strict compliance with the [controlling] statute”).

Our task here is to determine what statutory procedures must be followed to give a watershed district jurisdiction to order improvement of a county ditch. Most procedures for a drainage-improvement proceeding—including who must sign petitions, where to file them, and how much must be paid as bond—are set forth in the drainage code. See Minn. Stat. §§ 103E.202, .215. But Minn. Stat. § 103D.625 specifically addresses drainage systems in watershed districts. It first provides that a watershed district “shall take over a . . . county drainage system within the watershed district and the right to repair and maintain the drainage system if directed by . . . a county board,” but only after the county

⁴ Watershed districts are political subdivisions established for the purpose of conserving the state’s natural resources. Minn. Stat. §§ 103D.201, .225, subd. 6.

“has held a hearing on the transfer.” Minn. Stat. § 103D.625, subd. 1(a), (b). Thereafter, the drainage system is “part of the works” of the watershed district but still generally subject to the drainage code. *Id.*, subds. 2-3. As to drainage system improvements and new construction, Minn. Stat. §103D.625 provides:

Construction of new drainage systems or improvements of existing drainage systems *in the watershed district* must be initiated by filing a petition with the managers. The proceedings for the construction or improvement of drainage systems in the watershed district must conform to [the drainage code], except for repairs and maintenance done pursuant to section 103D.621, subdivision 4.

Id., subd. 4 (emphasis added).

The parties dispute the meaning of the phrase “in the watershed district.” The Novacek parties and RLWD argue that it refers simply to the physical boundaries of a watershed district; as such, the filing of a drainage-code compliant petition with the watershed district alone permits the watershed district to establish jurisdiction over a proceeding to improve a drainage system within its physical boundaries, regardless of whether the watershed district previously acted as drainage authority for the system. The Peterson parties and the township argue that the phrase refers to the watershed district’s jurisdiction as drainage authority and implicitly points to subdivision 1, requiring a transfer from the county before a watershed district can establish jurisdiction over a drainage-improvement proceeding.

We look first to the disputed statutory language. The term “in” means “[w]ithin the limits, bounds, or area of.” *The American Heritage Dictionary of the English Language* 885 (5th ed. 2018). Physical spaces have limits or bounds, but so do concepts like

jurisdiction. A watershed district, like other political subdivisions, has both physical boundaries and limits to its authority. *See* Minn. Stat. § 103D.225, subds. 3(4) (requiring that order establishing watershed district state “the boundaries of the watershed district”), 6 (describing a watershed district as a “political subdivision” with prescribed “power, authority, and duties”). Consequently, a drainage system “in the watershed district” could mean one within the watershed district’s physical boundaries or one within the watershed district’s authority or jurisdiction.

To determine whether both interpretations are reasonable in context, we next consider the rest of the statute. Several factors favor the physical-boundaries interpretation. First, subdivision 4 addresses both improvements to existing drainage systems and the creation of new systems; reading the phrase “in the watershed district” as jurisdictional creates an impossibility—a drainage system yet to be created cannot be under the jurisdiction of the watershed district. Second, even for an existing drainage system under a county’s authority, reading subdivision 4 as implicitly requiring a transfer under subdivision 1 for the system to be “in the watershed district” ignores that subdivision 1 expressly focuses on *repair* and *maintenance*, while subdivision 4 addresses *creation* and *improvement*; they are related but independent concepts, suggesting that the two subdivisions are independent.⁵ Third, subdivision 1 addresses transfer of authority for a

⁵ The amici argue that Minn. Stat. § 103D.625 provides two different procedures for a watershed district to assume the role of drainage authority—through a transfer from the county at any time under subdivision 1 or attendant to a creation or improvement proceeding under subdivision 4. The issue whether an improvement proceeding under subdivision 4 means that the watershed district acts as drainage authority for the improved system thereafter is outside the scope of this appeal. RLWD’s order did not expressly

drainage system “within the watershed district,” plainly referring to the watershed district’s physical boundaries; we doubt that the legislature intended the nearly identical phrase “in the watershed district” in subdivision 4 to mean something different.

Nonetheless, we cannot simply dismiss the notion that “in the watershed district” in subdivision 4 means in the jurisdiction of the watershed district. To do so would require us to ignore its broader context. *Getz*, 934 N.W.2d at 355 (stating that a term’s meaning “depends on the context in which the term is used”). Subdivision 4 is part of a statute that is largely about jurisdiction—specifically, a county’s right under subdivision 1 to determine whether to transfer jurisdiction over a drainage system to a watershed district and what happens thereafter. To read subdivision 4 as permitting a watershed district to consider a petition to improve an existing county drainage system just because the system is located within the physical boundaries of the watershed district effectively divorces it from this context. It is reasonable to conclude that the legislature did not intend such a result.

In sum, the disputed language is susceptible of more than one reasonable interpretation. The reference to a drainage system “in the watershed district” in Minn. Stat.

address it, the notice of appeal to the district court did not address it, and the district court did not decide it. Consistent with that procedural history, the parties allude to this issue in their briefs but do not substantively analyze it. And the amici’s argument cannot place the issue before us. *See Hegseth v. Am. Fam. Mut. Ins. Grp.*, 877 N.W.2d 191, 196 n.4 (Minn. 2016) (stating that appellate court “generally will not consider arguments raised for the first time on appeal” or “decide issues raised solely by an amicus”). Accordingly, we do not decide in this opinion whether the county or RLWD is or should be the drainage authority for Ditch 39 going forward.

§ 103D.625, subd. 4, could reasonably mean a system within the physical boundaries of the watershed district or a system within the jurisdiction of the watershed district.

To resolve this ambiguity, we turn to interpretive tools beyond the statute's language. *Circle Pines*, 977 N.W.2d at 823. These include the occasion and necessity for the law, the object to be attained, legislative history, administrative interpretations of the statute, and the consequences of a particular interpretation. Minn. Stat. § 645.16 (2022); *Circle Pines*, 977 N.W.2d at 823. We may also consider opinions of the attorney general interpreting the statute. *City of Brainerd v. Brainerd Invs. P'ship*, 827 N.W.2d 752, 756-57 (Minn. 2013).

Looking first to legislative history, we note that the legislature created watershed districts and enacted Minn. Stat. § 112.65, the precursor to Minn. Stat. § 103D.625, in the 1950s. 1959 Minn. Laws ch. 240, § 1, at 322 (adopting Minn. Stat. § 112.65); 1955 Minn. Laws ch. 799, §§ 1-52, at 1232-58 (providing for establishment and regulation of watershed districts). The precursor statute provided that a watershed district would “take over” a drainage system, “with the right to repair, maintain and *improve* the same,” upon a county's direction. Minn. Stat. § 112.65, subd. 1 (1960) (emphasis added). And it required petitions to construct or improve drainage systems “within the district” to be filed with the watershed district. *Id.*, subd. 2. The legislature later amended subdivision 1 to remove the reference to improvement authority but left subdivision 2 unaltered. 1967 Minn. Laws ch. 634, § 15, at 1288. This change suggests that the legislature intended for subdivision 1 to address the procedure for transfer of drainage authority only with respect to repair and

maintenance and for subdivision 2 to establish a separate procedure for establishing a watershed district's jurisdiction in proceedings to create and improve drainage systems.

The Minnesota Attorney General endorsed this interpretation in two opinions issued in the 1980s. The first stated that it was “clear” that under Minn. Stat. § 112.65, subd. 2, “authority for all improvements lies with the watershed district.” Op. Att’y Gen. 206A (Aug. 4, 1983). And the second similarly concluded that the plain language of Minn. Stat. § 112.65 means that “authority for new construction and improvements lies with the watershed district and that, until a formal takeover occurs, authority over repair and maintenance remains with the . . . county board.” Op. Att’y Gen. 206A (Feb. 5, 1988). The legislature implicitly adopted these interpretations when it later recodified Minn. Stat. § 112.65 as Minn. Stat. § 103D.625 but made no substantive changes to the statute. 1990 Minn. Laws ch. 391, art. 4, § 49; *see State v. Loge*, 608 N.W.2d 152, 157 n.5 (Minn. 2000) (stating that non-substantive legislative amendments following an attorney-general interpretation “is evidence of legislative intent to adopt” that interpretation).

BWSR has likewise applied this interpretation in its role as the state's principal water-management agency. *See* Minn. Stat. § 103B.101, subd. 9(a) (providing nonexclusive list of BWSR powers). The Minnesota Public Drainage Manual (MPDM), which BWSR maintains, explains that “[a] watershed district does have jurisdiction over all new drainage systems and improvements to existing systems within its boundaries.”⁶

⁶ The Peterson parties and the township argue that the MPDM actually supports the jurisdictional interpretation that they urge, pointing to one sentence in the manual that states that a petition to improve a drainage system must be filed with a watershed district if the system is “located within the jurisdiction of a watershed district.” MPDM, Ch. 2,

MPDM, Ch. 2, Sec. II, Par. C, http://drainage.pca.state.mn.us/index.php/C._Determining_the_Correct_Drainage_Authority [<https://perma.cc/2FDC-U5DZ>]. Similarly, in its more abridged drainage guidance for practitioners, BWSR explains that when a drainage system “is located within one county, the jurisdictional authority typically is the county board of commissioners,” but “[w]here there is an organized watershed district, the watershed district board of managers is the jurisdictional authority for new . . . drainage systems and improvement of existing drainage systems, in accordance with [Minn. Stat.] § 103D.625.” Minn. Bd. of Water & Soil Res., *Understanding Minnesota Public Drainage Law: Handbook*, 9 (Apr. 2020), <https://bwsr.state.mn.us/sites/default/files/2020-08/UMPD%20Handbook.pdf> [<https://perma.cc/9TV7-E3EC>]. And consistent with this general guidance, BSWR stated in its February 2019 advisory report to RLWD that Minn. Stat. § 103D.625, subd. 4, “requires that a petition for establishment or improvement of a . . . drainage system, where there is a watershed district, is to be filed with the watershed district managers.”

Despite the multitude of indicia favoring the physical-boundaries interpretation, the Peterson parties and the township contend that such interpretation is contrary to legislative intent because then watershed districts would be able to make decisions regarding a drainage system under county authority without “notice” to the county. We are not persuaded. As discussed below, a watershed district conducting an improvement

Sec. III, Par. C, https://drainage.pca.state.mn.us/index.php?title=C._Improvement_of_Drainage_System [<https://perma.cc/MR52-PCBA>]. But the term “jurisdiction” is paired with the term “located” and therefore is plainly a colloquial reference to the watershed district’s physical boundaries.

proceeding under Minn. Stat. § 103D.625, subd. 4, must “conform” the proceeding to the drainage code. This means it must provide notice of the preliminary and final hearings to affected landowners and political subdivisions, including the county. Minn. Stat. §§ 103E.261, subd. 1, .325, subd. 3. And RLWD undisputedly did so here. We recognize that this is not the same as allowing the county to decide whether or not the watershed district should be involved, as it does under Minn. Stat. § 103D.625, subd. 1. But we cannot doubt that this was the legislature’s intent, given the legislative history, attorney-general opinions, and BWSR’s administrative guidance.

In sum, the language of Minn. Stat. § 103D.625, subd. 4, its broader context and legislative history, and agency and attorney-general opinions persuade us that a proceeding to improve an existing drainage system that lies within the physical boundaries of a watershed district must be initiated by filing a petition with the watershed district, regardless of whether the watershed district previously acted as the system’s drainage authority. The district court erred by concluding that RLWD lacked jurisdiction to consider the improvement petition because the county had not transferred Ditch 39 to RLWD under Minn. Stat. § 103D.625, subd. 1.

II. The improvement proceeding substantially conformed to the drainage code, and minor deviations from statutory procedures do not invalidate RLWD’s decision.

We will affirm summary judgment if it can be sustained “on any ground presented to the district court.” *All, Inc. v. Hagen*, 970 N.W.2d 681, 684 (Minn. App. 2021). The Peterson parties and the township argue that summary judgment is warranted on the alternative ground that RLWD’s proceeding did not “conform” to the drainage code, as

required by Minn. Stat. § 103D.625, subd. 4. They assert three nonconformities: (1) the county officials referenced in the drainage code were not involved in the proceeding, (2) RLWD failed to comply with drainage-code requirements as to property owners' reports, and (3) RLWD failed to comply with drainage-code requirements as to the final hearing.⁷ We address each assertion in turn.

Involvement of County Officers

The Peterson parties and the township focus principally on the lack of county involvement in the improvement proceeding. They do not dispute that RLWD's officers and employees completed the procedures specified in the drainage code. But they argue that the proceeding did not conform to the drainage code because (1) Minn. Stat. § 103E.215, subd. 4(b), requires that an improvement petition be "filed with the auditor" but the petition was never filed with the county auditor; (2) Minn. Stat. § 103E.215, subd. 5, requires that the auditor then present the petition to "the board" but the petition was never presented to the county board; and (3) Minn. Stat. § 103E.202, subd. 4, requires the petitioners to file a bond with "the auditor" but they never filed a bond with the county auditor.⁸

⁷ While the district court did not address these arguments, the parties agree they were presented to the district court and urge us to decide whether they are alternative grounds for affirming summary judgment.

⁸ They also claim error in RLWD's failure to obtain the county auditor's certification of the improvement petition under Minn. Stat. § 103D.211, which requires that an auditor who "receives a copy of an establishment petition must determine if the petitioners are resident owners." But that statute applies to a petition to establish a watershed district, not one to improve a ditch within a watershed district. Minn. Stat. § 103D.011, subd. 11.

All of these arguments turn on whether “conform[ing]” to the drainage code requires literal compliance with all drainage statutes, including those that require county officers to perform certain acts. We agree that the code provisions often refer specifically to county officers, such as the “auditor” which means the county auditor. Minn. Stat. § 103E.005, subd. 3. But we are not persuaded that the only way to “conform” to these provisions is for county officers to perform the specified procedures.

The term “conform” refers to “be[ing] or act[ing] in accord with a set of standards, expectations, or specifications,” and is synonymous with “correspond.” *American Heritage, supra*, at 386. It connotes alignment, not literal compliance. Accordingly, an improvement proceeding before a watershed district “conform[s]” to the drainage code when the filing, review, bond, hearing, notice, and other requisite procedures are completed by the appropriate watershed district officers and employees. *See* Minn. Stat. § 103D.315, subd. 3 (listing watershed district officers), .325, subd. 1 (permitting watershed districts to hire engineers and other employees).

This interpretation finds further support in the unreasonableness of the alternative, under which petitioners would be required to file the improvement petition with the watershed district managers under Minn. Stat. § 103D.625, subd. 4, and also with the county auditor under Minn. Stat. § 103E.215, subd. 4(b). Indeed, the Peterson parties and the township insist this double filing would be required even if the county had previously transferred the drainage system to the watershed district under Minn. Stat. § 103D.625, subd. 1. Moreover, the drainage code requires the county attorney to review each drainage petition for compliance with statutory requirements, Minn. Stat. § 103E.238, but literal

compliance with that requirement is problematic. If the county attorney conducts this review for the county, which lacks any authority in the proceeding, the exercise merely duplicates the review that the watershed district must conduct; if the county attorney conducts this review for the watershed district, they will violate Minn. Stat. § 103E.071, which prohibits the county attorney appearing in a drainage proceeding except as counsel for the county. In short, reading the term “conform” to require county officers’ involvement makes the procedures in the drainage code redundant and sometimes contradictory.

Property Owners’ Reports

A drainage authority must appoint viewers to “determine the benefits and damages to all property affected by the proposed drainage project.” Minn. Stat. §§ 103E.305, subd. 1, .311. A property may be benefited “immediately” by the project, or indirectly, such as by providing or improving a drainage outlet. Minn. Stat. § 103E.315, subd. 5(a). If the proposed project “furnishes an outlet to an existing drainage system,” the viewers must determine the “benefits [to] the property drained by the existing system” and assess those benefits either individually—“to each tract or lot drained by the existing drainage system”—or collectively—as “a single amount as an outlet benefit to the existing drainage system” or as “benefits on a watershed acre basis.” Minn. Stat. § 103E.315, subd. 6(a). Within 30 days after the viewers submit their report, the drainage authority must use “the information” therein to prepare “a property owners’ report” that compiles certain information “for each property owner benefited or damaged by the proposed drainage

project.” Minn. Stat. § 103E.323, subd. 1. The drainage authority “must mail a copy of the . . . report” to each affected property owner. *Id.*, subd. 2.

The Peterson parties and the township argue that RLWD did not satisfy the requirements concerning property owners’ reports because (1) it did not make or mail property owners’ reports to the owners of properties that lie within the benefited area of upstream Ditch 66 for which the improved Ditch 39 will provide an outlet; and (2) the property owners’ reports that it did send were untimely. Neither argument is availing.

First, the requirement to prepare property owners’ reports applies only if the information in the viewers’ report reflects that the project results in benefits or damages to specific property. *See* Minn. Stat. § 103E.323, subd. 1. When the viewers determine that the project benefits another drainage system, they may assess the benefit collectively to the drainage system, to be prorated among those benefited by the system. Minn. Stat. § 103E.315, subd. 6(a), (b). In that case, the viewers’ report contains no information as to benefits to specific properties and, therefore, no basis for issuing property owners’ reports to the owners. The record reflects, and the parties do not dispute, that the viewers assessed a collective outlet benefit to the Ditch 66 system of approximately \$170,000. Because the viewers did not assess the Ditch 66 outlet benefit to specific properties, RLWD did not err by not preparing and mailing property owners’ reports addressing that benefit.

As to their second argument, the Peterson parties and the township are correct that RLWD did not prepare reports for the individual property owners affected by the improvements to Ditch 39 within the 30-day deadline set out in Minn. Stat. § 103E.323. The viewers submitted their report on January 23, 2020, and RLWD did not prepare and

mail the property owners' reports until two months later. But the Peterson parties and the township identify no authority for the proposition that this delay invalidates RLWD's decision.

To the contrary, nothing in Minn. Stat. § 103E.323 provides a consequence for noncompliance. And the drainage code generally demonstrates a preference for procedural lenience. *See* Minn. Stat. §§ 103E.051(a) (“A party may not take advantage of an error in a drainage proceeding . . . unless the party complaining is directly affected.”), .261, subd. 3(b) (requiring that petitioners be afforded opportunity to correct petition that does not meet “legal requirements”). Since Minn. Stat. § 103E.323 merely defines the time for drainage authorities to “discharge their duties,” as a means of securing order and uniformity in drainage proceedings, it is directory. *See In re M.O.*, 838 N.W.2d 577, 583 (Minn. App. 2013) (quotation omitted), *rev. denied* (Minn. Oct. 23, 2013). As such, noncompliance with that statute's timing requirement does not warrant relief absent a showing of prejudice. *Riehm v. Comm'r of Pub. Safety*, 745 N.W.2d 869, 876 (Minn. App. 2008), *rev. denied* (Minn. May 20, 2008). The Peterson parties and the township have neither claimed nor demonstrated prejudice.

Final-Hearing Procedures

A drainage authority must conduct a final hearing on a proposed drainage project “[p]romptly” after receiving the viewers' and DNR's final reports. *See* Minn. Stat. § 103E.325, subd. 1. “The hearing must be set 25 to 50 days after the date of the final hearing notice.” *Id.*; *see also* Minn. Stat. § 103D.735(a) (requiring watershed district to

conduct final hearing within 35 days of engineer's final report). Notice of the hearing must be given "by publication, posting, and mail." Minn. Stat. § 103E.325, subd. 3.

The Peterson parties and the township contend that: (1) RLWD's notice of the final hearing was "defective" because it was not published and provided fewer than 25 days' notice, and (2) the final hearing was untimely because it was not held within 35 days of the engineer's final report. These contentions are factually correct. RLWD posted and mailed notice of the final hearing, but neither notice preceded the hearing by at least 25 days and there is no indication in the record that the notice was published. RLWD also received all final reports by the end of February 2020 but did not conduct the final hearing until five months later. But again the Peterson parties and the township have not demonstrated that these procedural shortfalls invalidate RLWD's decision.

As with the requirements regarding the timing of property owners' reports, the notice and hearing requirements are directory. There is no statutory consequence for noncompliance; to the contrary, there is a procedure for correcting a failure to provide notice or a defect in the notice. Minn. Stat. § 103E.325, subd. 4. And there is no claim that any deviation from the notice and hearing requirements prevented any landowner or political subdivision from participating in the hearing. Accordingly, we conclude that the minor deviations with respect to final-hearing procedure do not invalidate RLWD's decision.

DECISION

Because the improvement petition was properly filed with the watershed district under Minn. Stat. § 103D.625, subd. 4, the district court erred by granting summary

judgment on the ground that the watershed district lacked jurisdiction to approve the petition. Nor do the alternative grounds urged in favor of summary judgment warrant affirmance because none of the minor, nonprejudicial deviations from prescribed procedure invalidate the watershed district's decision. Accordingly, we reverse summary judgment and remand for consideration of any properly preserved challenges to the watershed district's decision.

Reversed and remanded.



Thibert Dam

Tributary of the Red Lk. River













Motion by Torgerson, seconded by Coe, to submit the Original Principal payment in the amount of \$543.54 to the Polk County Taxpayer Service Center for the construction of RLWD Ditch 15, Project No. 175. Motion carried.

The Board reviewed a Press Release from the Red Lake Band of Chippewa Indians regarding payment of 18.5 million dollars to the Band, from Enbridge for trespassing of land that is located within the Red Lake Band of Chippewa Indian's Four Legged Lake property. Enbridge will also designate one or more parcels of land within the 1863 treaty area/1889 agreement for Enbridge to purchase of behalf of the Red Lake Band of Chippewa Indians and will begin the fee to trust land exchange. Once the land exchange is complete, the Red Lake Band of Chippewa Indians will take possession. Administrator Jesme stated that this property is within the JD 5/Four Legged, Project No. 102 benefitted area, therefore future correspondence on the property may be with Enbridge and not the Red Lake Band of Chippewa Indians.

Administrator Jesme discussed the public hearing process for the Red Lake River One Watershed One Plan. In accordance to the Memorandum of Agreement, each party is responsible for their own public hearings of the plan. The Policy Committee members from the each County/SWCD have already indicated they will hold separate hearings in their respective counties. Jesme stated that the District could hold their own hearing or hold one in conjunction with one of the County/SWCD partners. It was the consensus of the Board, to hold the District's public hearing in conjunction with one of the County/SWCD partners at a location yet to be determined.

Staff member Loren Sanderson presented an update on eight SCS/NRCS structures that the District has jurisdiction over. Built in the early 1970's – 1980's, by the Soil Conservation Service (SCS) on tributaries to rivers and larger drainage ways to stabilize outlets, these projects were considered multi-purpose dams for erosion control, flood storage, habitat and water quality. Sanderson stated that at a previous meeting, the Board requested staff to prioritize maintenance concerns on each of the systems. Sanderson stated that bids for the Odney Flaot, RLWD Project 50A, have already been let and it is slated for repairs in 2016. Preliminary Plans and cost estimates were developed by Houston Engineering, Inc. for the Latundresse Dam, RLWD Project No. 50B. Brad Johnson, Houston Engineering, Inc. stated that the process has begun for DNR permitting on the Latundresse Dam, and will need to be started on the Miller Dam, RLWD Project No. 50C, in order for construction to be completed this summer. After considerable discussion by the Board, motion by Ose, seconded by Coe, to move forward with repairs for the Latundresse Dam, RLWD Project No. 50B and Preliminary Plans for the Miller Dam, RLWD Project No. 50C. Motion carried.

The Board reviewed a Landowner Maintenance Agreement/Easement for NRCS/SCS Structures that the District has jurisdiction over. Legal Counsel Sparby stated that the Maintenance Agreement/Easement would grant the District an easement for ingress or egress. The document would be recorded in the respective county of the location of the project. Motion by Torgerson, seconded by Coe, to approve the Maintenance Agreement/Easement form for NRCS/SCS Structures as presented. Motion carried.

The Drainage and Wetland Conference, sponsored by Rinke Noonan, will be held February 11, 2016 at the St. Cloud River's Edge Convention Center.

The 33rd Annual Red River Basin Land and Water International Summit Conference will be held January 19-21, 2016 in Grand Forks, ND.

The Board reviewed the permit for approval. Motion by Ose, seconded by Torgerson, to approve the following permit with conditions stated on the permit: No. 15183, Mark Strom, King Township, Polk County. Motion carried.

Administrators Update:

- Jesme and Managers Knott and Ose attended the Red River Watershed Management Board (RRWMB) meeting on December 15th. Following the meeting, a tour was held of the Roseau Lake Bottom. Points of interest from the meeting included: hiring of AE2S Communications Tea, Deron Selvig as the Public Relations Staff for the RRWMB; as well as the hiring of Chuck Fritz to the Project Coordinator position. Fritz will work with Ron Harnack, Financial Coordinator until Harnack retires from his position in 2017. Terms of the agreements for both positions was included in the packet.
- 1W1P planning meeting was held with LGU staff on December 21st. The workshop was intended to give LGU staff the opportunity to document priority resources and concerns from all watersheds within the Red Lake River 1W1P.
- Jesme attended a meeting with staff from Northland Community and Technology as well as Rex Hammarback, Director of the Northland Aerospace Foundation to discuss the Northland Community College Aerospace/Drone program. A draft agreement that would identify the roles of each partner will soon be available for the District to review. In the future the Board may want to appoint a Board member to sit at the table during discussions.
- Jesme and Engineer Jeff Langan will be attending the Lessard Sams Outdoor Heritage Council meeting on January 7th to present an update on the Grand Marais Creek Channel Restoration Project and other contributing projects.
- Included in the packet was the October 2015 Water Quality Report.

Discussion was held in regard to upgrading of several of the District's cell phones. Motion by Coe, seconded by Ose, to approve the upgrade of the District cell phones. Motion carried.

Legal Counsel Sparby requested that his currently hourly rate be increased from \$165.00 to \$175.00. Motion by Ose, seconded by Torgerson, to approve the hourly rate increase for Legal Counsel Sparby from \$165.00 per hour to \$175.00 per hour effective January 1, 2016. Motion carried.

Administrator Jesme stated that the District received one signed Flat Car Railroad Bridge Release Agreement from landowners on the Grand Marais Creek Restoration Project, RLWD Project No. 60F. Administrator Jesme questioned what the protocol would be if the District does not receive signed agreements from all the landowners. Legal Counsel Sparby stated that if a signed agreement is not obtained from the landowner, the District could or should install the

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

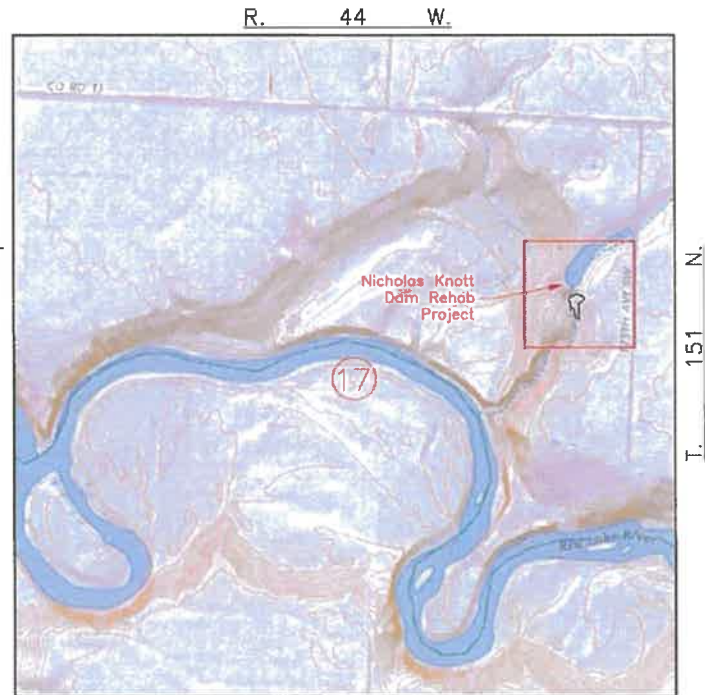
Detail Plans for
Nicholas Knott
Dam Rehab
Red Lake County, Minnesota



LOCATION IN MINNESOTA

INDEX OF DRAWINGS	
Sheet Number	Title
1	Cover Sheet
2	Plan View,
3	Structure Profile & Outlet Details
4	Embankment Profile & Cross Sections
5	Drain Tile Details
6	Drop Inlet Details
7	Drain Diaphragm and Outlet Details
8	Trash Rack w/Antivortex Baffle

ITEM NO.	WORK OR MATERIAL	QUANTITY	
1	Mobilization	1	L.S.
2	Salvaging and Spreading Topsoil (Approx. 350 Cu. Yd.)	1	JOB
3	Common Excavation	2,850	CU. YD.
4	Common Excavation of Sediment from Bottom of Pool Area	3,300	CU. YD.
5	Compacted Earthfill, Class C Compaction	3,200.0	CU. YD.
6	Dispose of Old Pipe Offsite	1.0	Job
7	Dewater Pond Area	1.0	Job
8	Drop Inlet 54" x 14", and Installation	1	Each
9	36" Helical Aluminized 14 ga. Type II Standard Corrugated Steel Pipe	100.0	LN. FT.
10	Concrete Base, 7' x 7'	2	CU. YD.
11	Rebar #4, (1/2" Dia)	95	LN. FT.
12	36" Watertight Connecting Bands, 2 Pc, 24" Width	5	Each
13	Sand Diaphragm & Outlet	53	CU. YD.
14	Seep Tile	300	LN. FT.
15	8" X 12' CMP W/Animal Guard	1	Each
16	Sand For Seep Tile	140	CU. YD.
17	Trash Rack w/ Anti Vortex Baffle	1	Each
18	Riprap MN DOT Class IV, 12" D50	100	CU. YD.
19	Riprap MN DOT Class II, 6" D50	10	CU. YD.
20	Geotextile, MNDOT Type IV, Nonwoven 8 oz.	240	SQ. YD.
21	Seeding	1.0	Acres
22	Mulching, Erosion Control Blanket Double Side Straw/Cocnut Blanket, NAG SC150 Blue Bag or Approved Equal	1,200	SQ. YD.
23	Silt Fence	100	LN. FT.



LOCATION MAP
Red Lake Falls Township
Scale in Miles

Minnesota specifications for conservation practices apply for all materials and construction work. These specifications are part of this plan.

Changes in the drawings or specifications must be authorized by the owner and the NRCS representative with the proper approval authority.

The owner is responsible for obtaining land rights and local, state, and federal permits or other permission necessary to perform and maintain the practice.

State law and NRCS policy require that the excavator contact Gopher State One Call at least 48 hours prior to the start of excavation work.

GSOC Number _____

I have reviewed and understand the construction plans and specifications and agree to complete the work accordingly. Failure to meet these plans and specifications may jeopardize any continued NRCS technical assistance or program financial assistance. I understand that it is my responsibility to secure all necessary permits and licenses, and to complete the work in accordance with all local, state, and federal laws. Modification of these construction plans or specifications must be approved by the NRCS before installation. I assume all responsibility for negotiations and contract agreements with the construction contractors.

COOPERATORS SIGNATURE _____

DATE _____

CONSTRUCTION CERTIFICATION

This installation meets NRCS standards and specifications. Yes No

Inspected by: _____

Certified by: _____

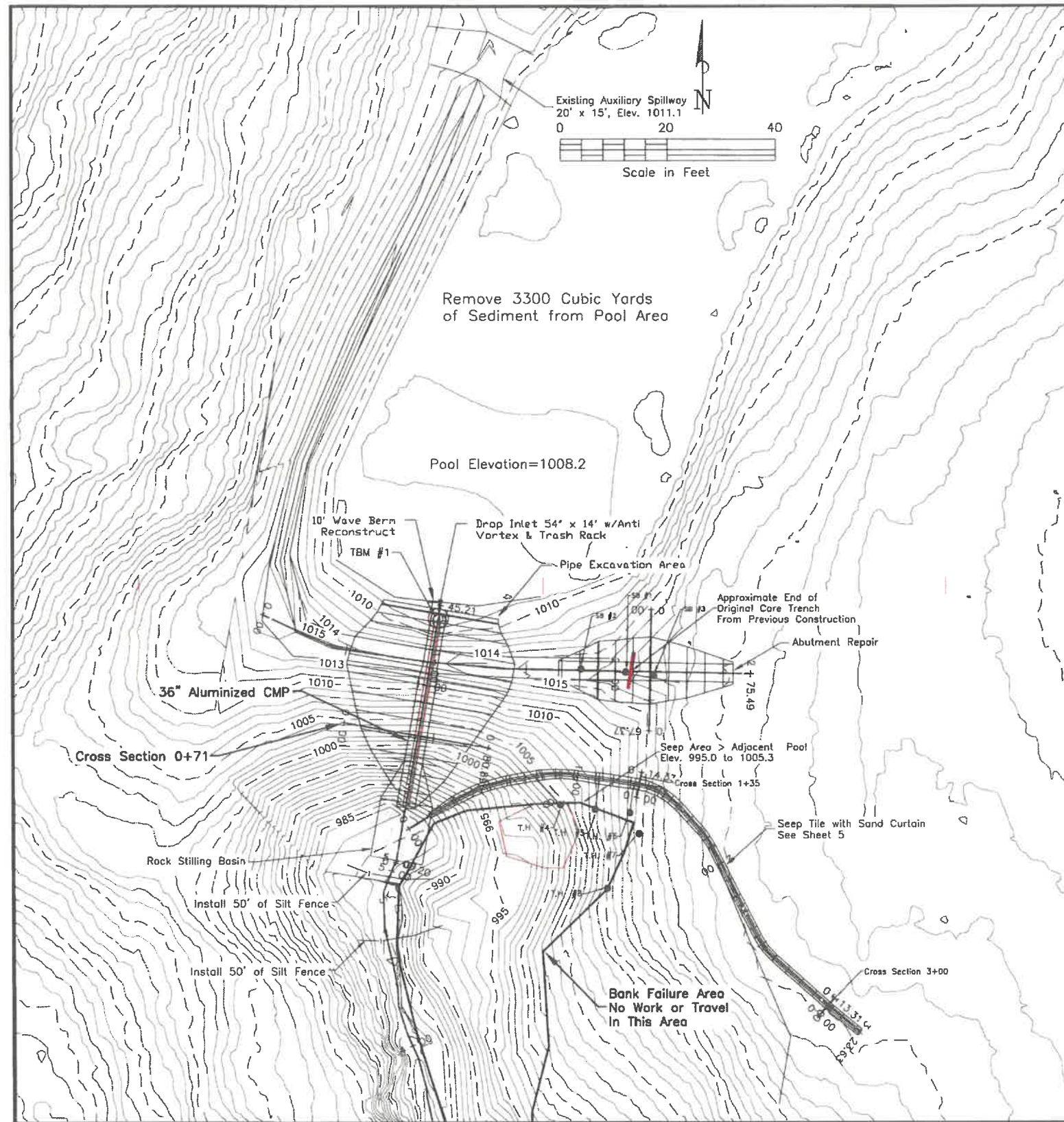
Date: _____

Date 02/2022
Designed S. Smith S. Girard
Drawn S. Girard
Checked [Signature]
Approved [Signature]

COVER SHEET
DAM REHAB PROJECT
NICHOLAS KNOTT
Sec. 17, Red Lake Falls Twp., Red Lake Co., Minnesota



File Name Knott.dwg
Eng. Job Class IV
3/30/2023
Sheet 1 of 8



****Note:**
Sediment removal—a planned disposal location will be identified prior to construction. Volume was estimated at 2 foot depth over one acre. This is an estimate and could be more or less.

LEGEND

- SOIL BORING
- BENCH MARK, TEMPORARY
- CONTOUR
- CONTOUR, INDEX
- BORROW AREAS

TBM#1
 TBM#1
 90

BENCH MARK DESCRIPTIONS

TBM #1 (IP): Elev = 1008.27
Top of Existing CMP Drop Inlet South Edge.
N=17423168.2 E=825514.5990

TBM #2: Elev = 1024.54
Top of Southend of 36" RCP Under County Road 13.
N=17424784.84 E=826903.8740

NOTE:

US Survey Feet

GEOID 18

Horizontal datum is assumed based on:
UTM Zone 15 North, NAD 1983 CONUS

Vertical Datum:
Assumed

REVISIONS		
DATE	APPROVER	TITLE

Date 02/2022
Designed S. Smith S. Girard
Drawn S. Girard
Checked [Signature]
Approved [Signature]

SITE PLAN
 DAM REHAB PROJECT
 NICHOLAS KNOTT
 Sec. 17, Red Lake Falls Twp., Red Lake Co., Minnesota

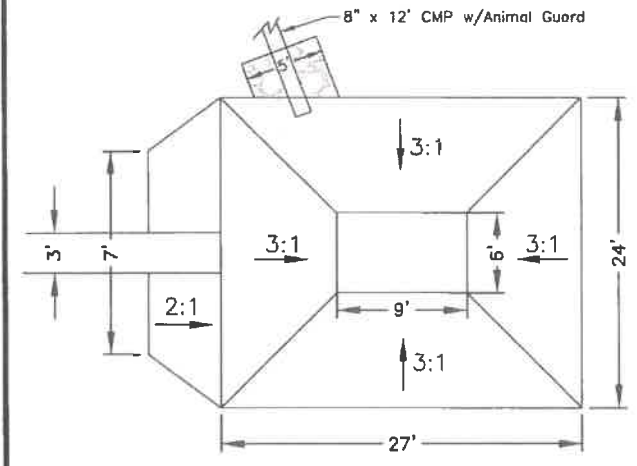
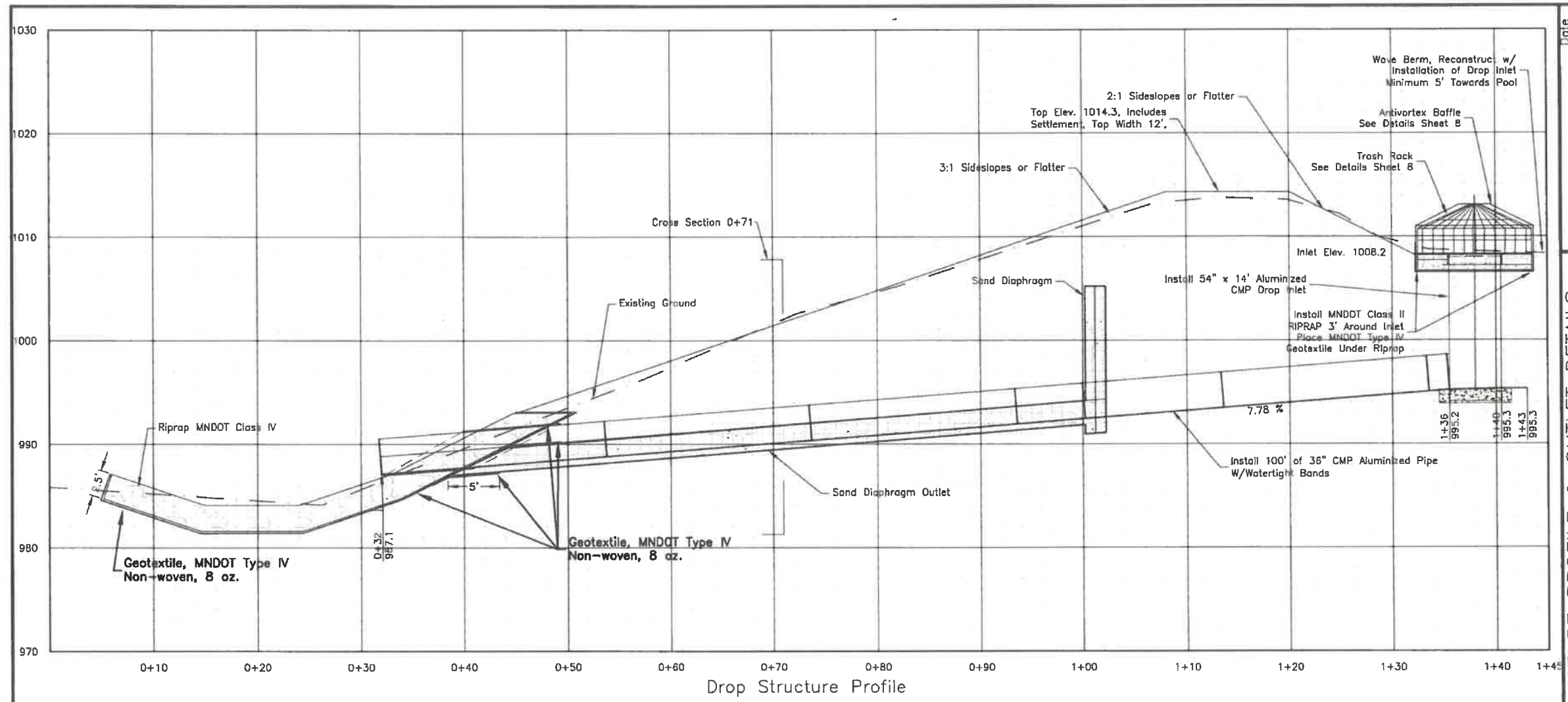


File Name
knotl.dwg

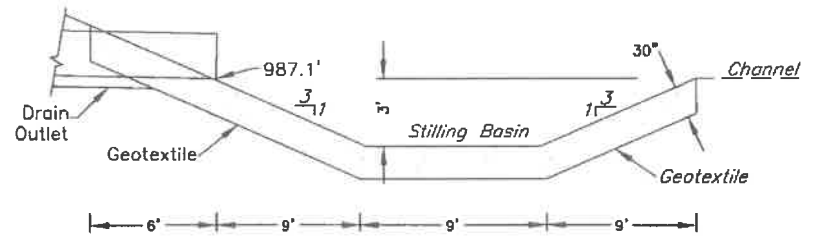
Eng. Job Class
IV

3/24/2023

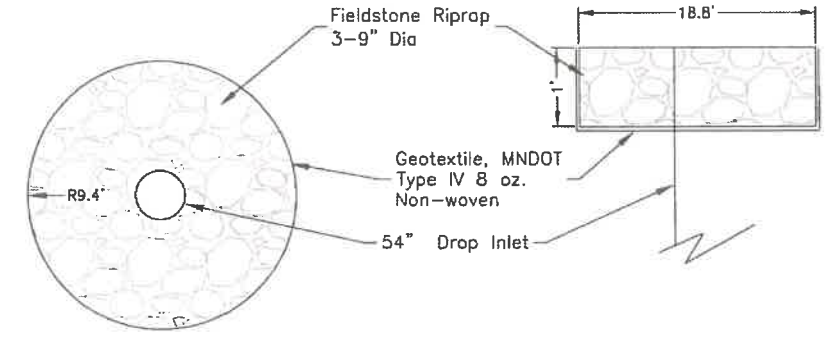
Sheet 2 of 8



STILLING BASIN PLAN



CROSS-SECTION ALONG C PIPE
(Not to Scale)



INLET PROTECTION PLAN

CROSS SECTION

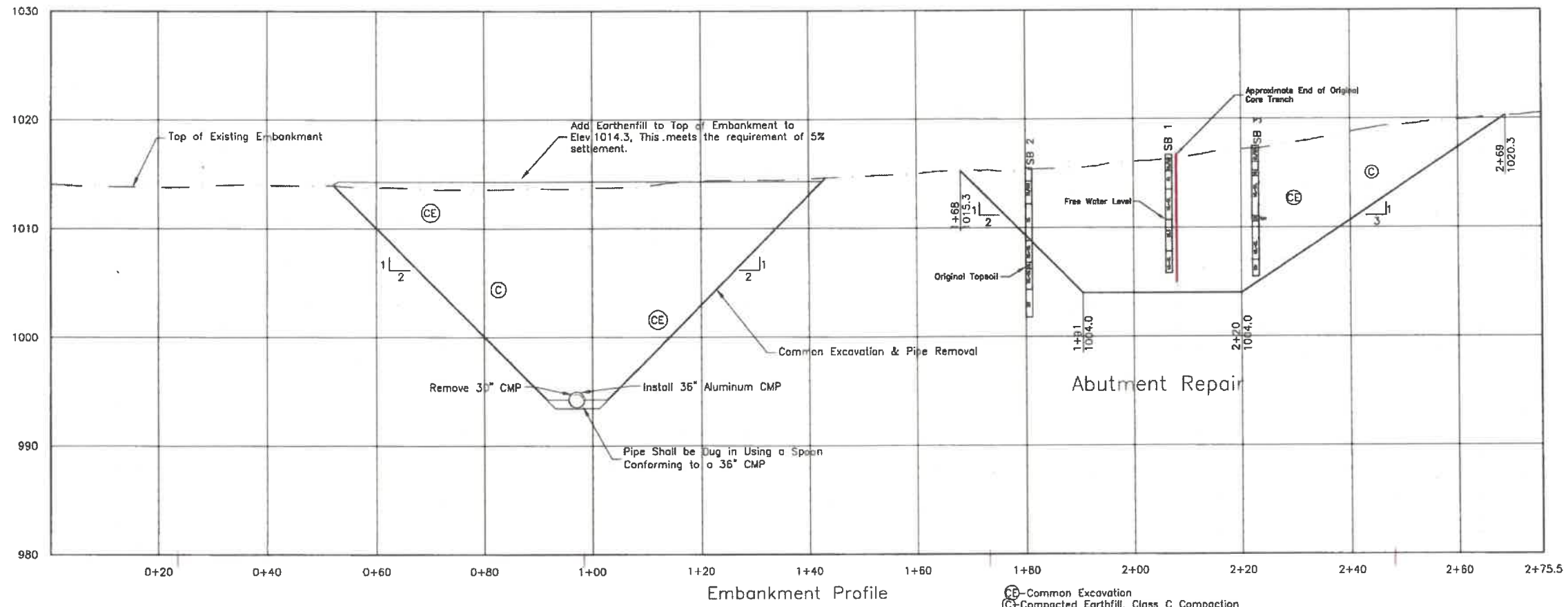
REVISIONS		
DATE	APPROVER	TITLE

Date 02/2022
 Designed S. Smith S. Girard
 Drawn S. Girard
 Checked J. Smith
 Approved J. Smith

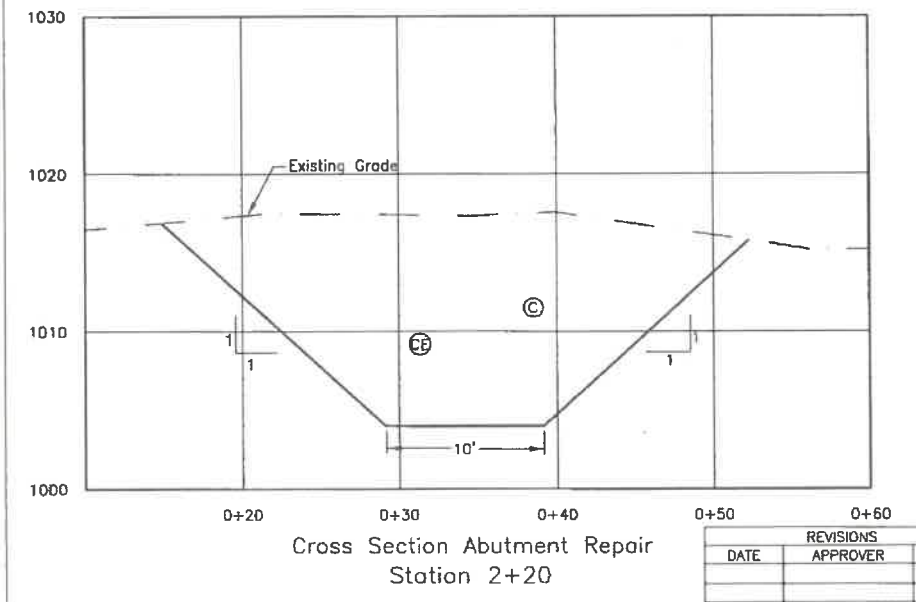
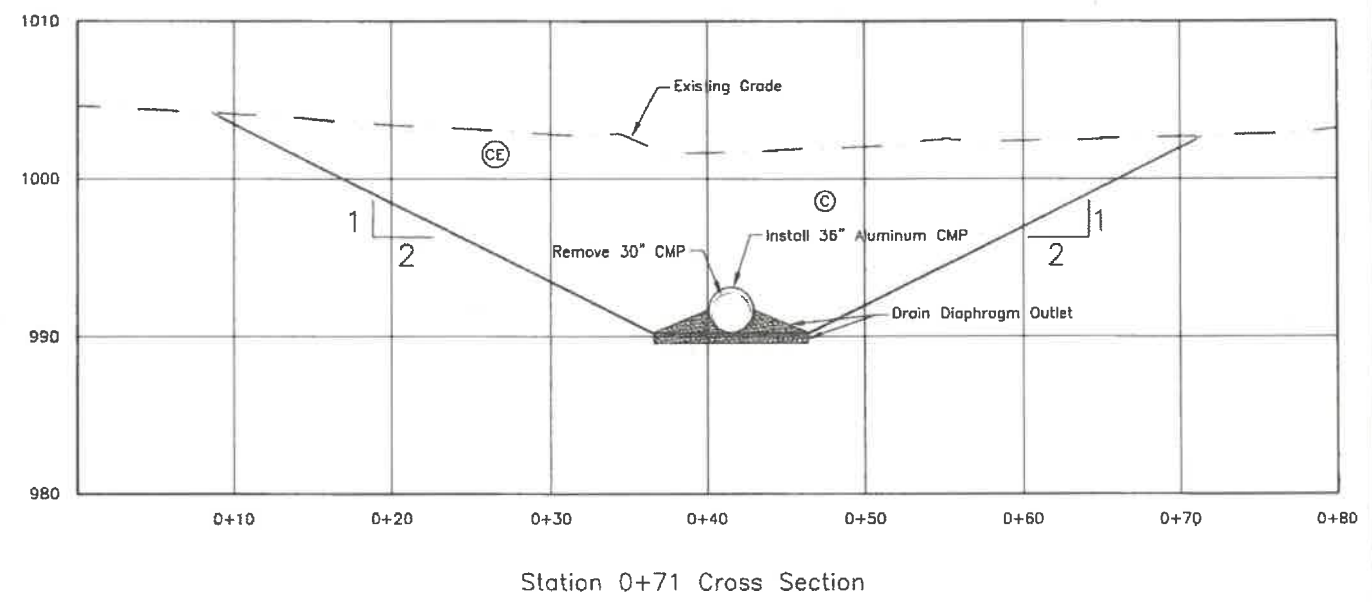
STRUCTURE PROFILE & OUTLET DETAILS
DAM REHAB PROJECT
NICHOLAS KNOTT
 Sec. 17, Red Lake Falls Twp., Red Lake Co., Minnesota

USDA United States Department of Agriculture
Natural Resources Conservation Service

File Name Knott.dwg
 Eng. Job Class IV
 4/3/2023
 Sheet 3 of 8



(CE) Common Excavation
 (C) Compacted Earthfill, Class C Compaction



REVISIONS		
DATE	APPROVER	TITLE

Date 02/2022
 Designed S. Smith S. Girard
 Drawn S. Girard
 Checked Yamirka
 Approved Justin Brink

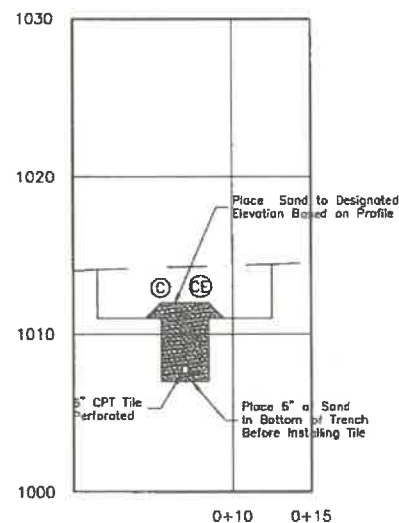
EMBANKMENT PROFILE & CROSS SECTIONS
 DAM REHAB PROJECT
 NICHOLAS KNOTT
 Sec. 17, Red Lake Falls Twp., Red Lake Co., Minnesota

United States Department of Agriculture
 Natural Resources Conservation Service

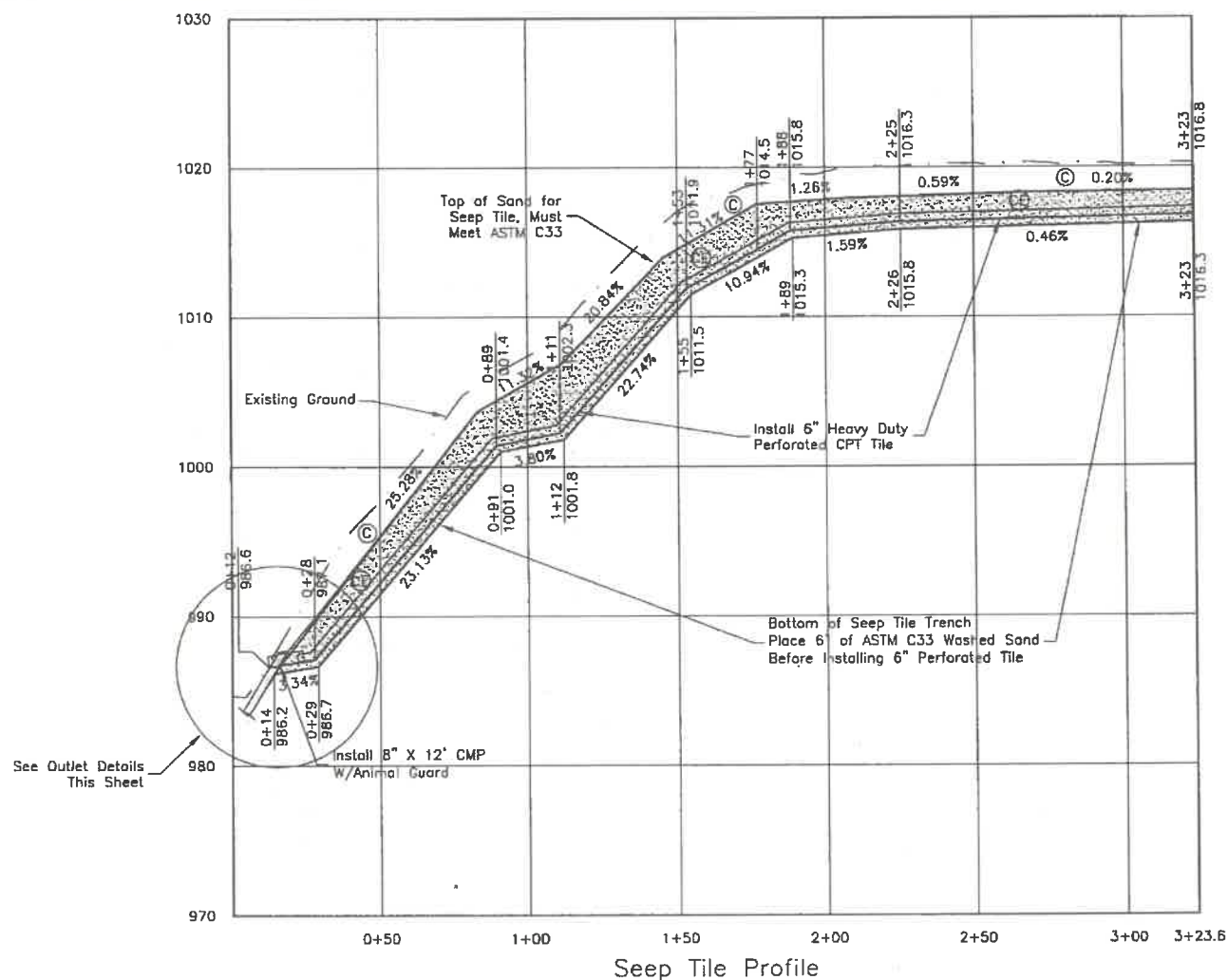
File Name Knott.dwg
 Eng. Job Class IV
 3/24/2023
 Sheet 4 of 8

****CONSTRUCTION NOTES****

1. Place 6" of sand in trench bottom before installing 6" CPT Tile.
2. Place sand to elevations shown or as directed by NRCS Representative.

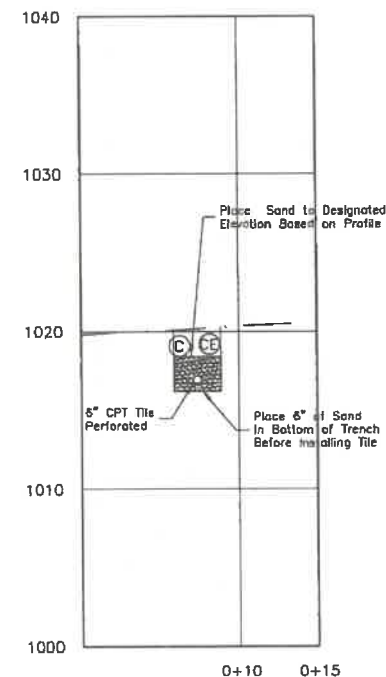


Cross Section 1+35

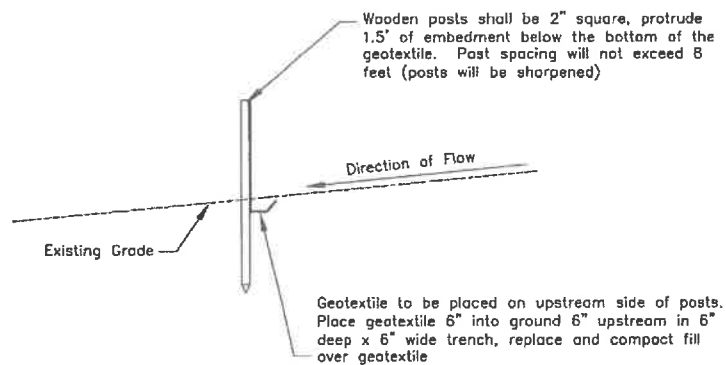


Seep Tile Profile

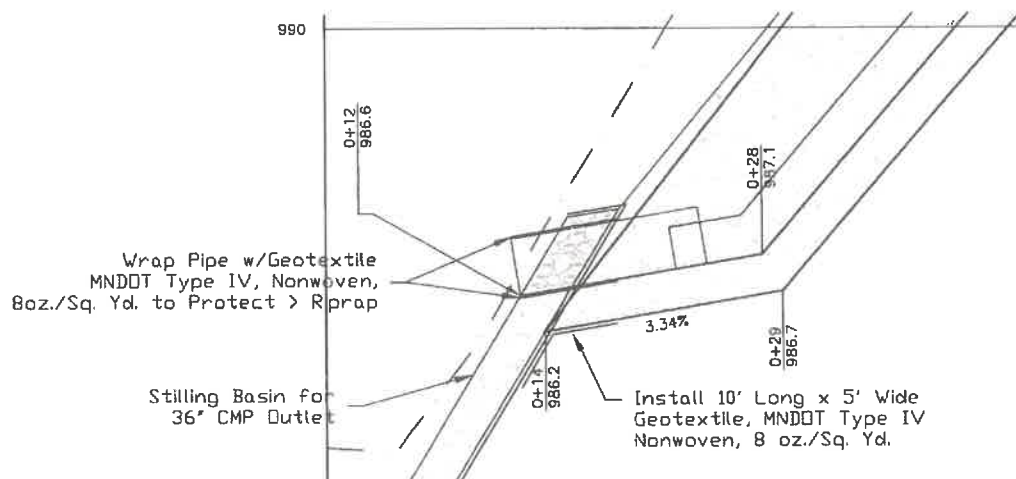
Ⓢ Common Excavation
Ⓢ Compacted Earthfill, Class C Compaction



Cross Section 3+00



SILT FENCE DETAIL
Not to Scale



Seep Tile Outlet Detail

REVISIONS		
DATE	APPROVER	TITLE

Date 02/2022
Designed S. Smith S. Girard
Drawn S. Girard
Checked [Signature]
Approved [Signature]

TILE PROFILE & CROSS SECTIONS/INLET DETAIL
DAM REHAB PROJECT
NICHOLAS KNOTT
Sec. 17, Red Lake Falls Twp., Red Lake Co., Minnesota

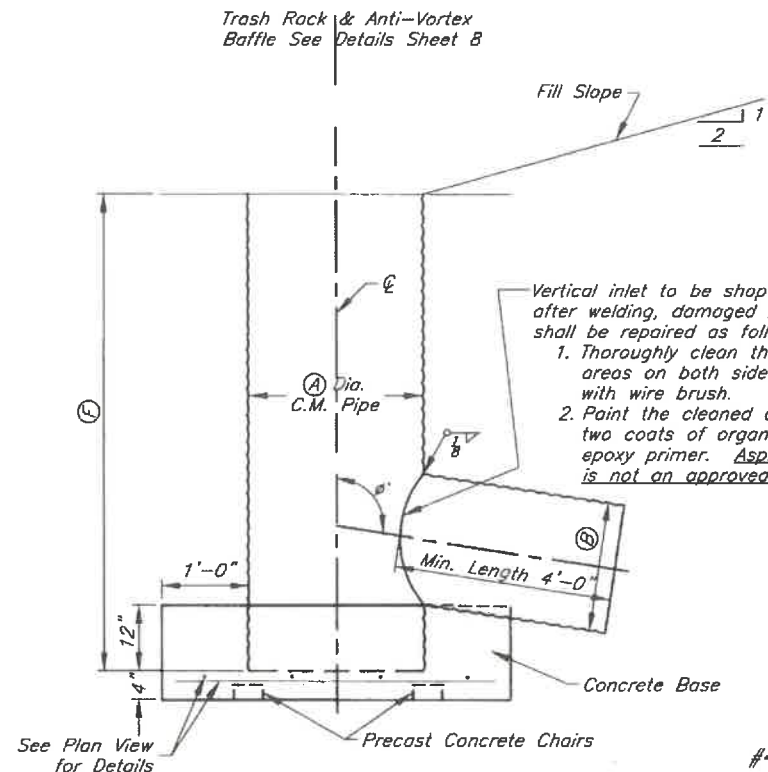
United States Department of Agriculture
Natural Resources Conservation Service

File Name
Knott.dwg

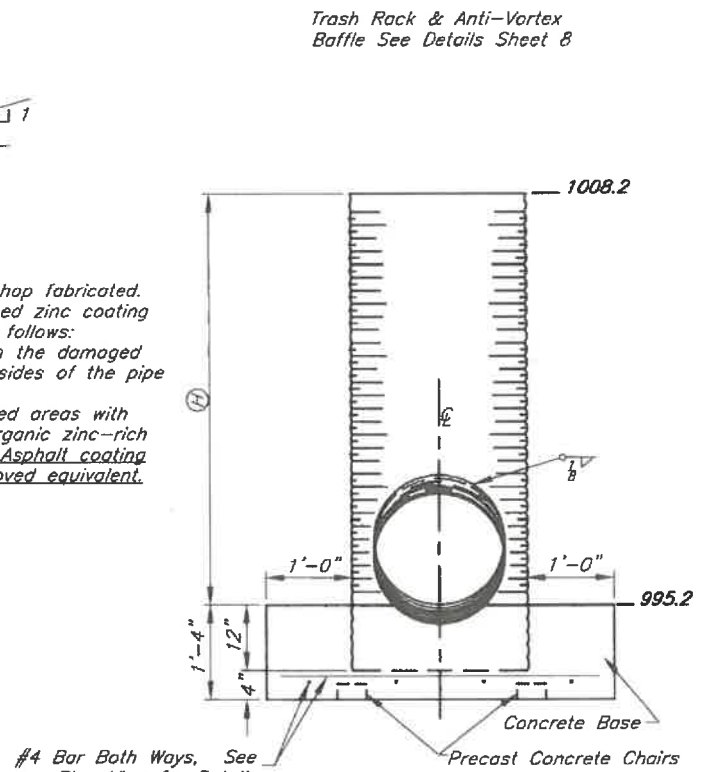
Eng. Job Class
IV

3/24/2023

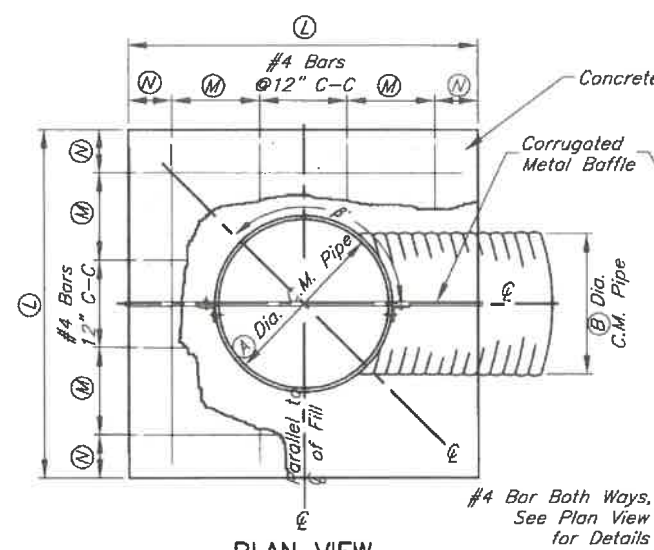
Sheet 5 of 8



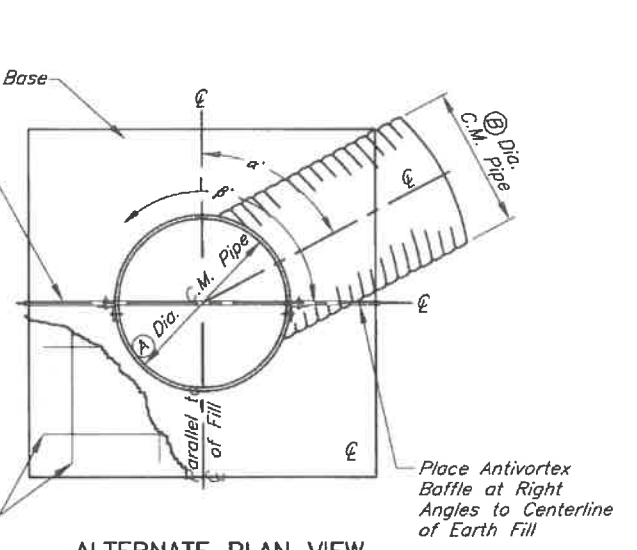
SECTION ELEVATION ON CENTERLINE



DOWNSTREAM ELEVATION



PLAN VIEW



ALTERNATE PLAN VIEW (Use When Pipe is Skewed)

TABLE SHOWING DIMENSIONS AND MATERIAL	
Structure Number	
Gully or Lateral	
Station	
DIMENSIONS	
A	54"
B	36"
C	See Details for Trash Rack & Antivortex Baffle Sheet B
D	
E	14'
F	16'11"
G	13'
H	
I	
J	
K	
L (Equals A Plus 2 ft.)	6.67'
M	11"
N	6"
P	N/A
C.M. Pipe Thickness for A Dia.	0.138" 10 Ga.
C.M. Pipe Thickness for B Dia.	0.109" 12 Ga.
C.M. Sheet Thickness for Baffle	0.109" 12 Ga.
MATERIAL ITEMS	
2 1/2" X 2 1/2" X 1/4" Angles x (J), Galv.	
(D) x (C) Corrugated Metal Sheets, Galv.	See Details for Trash Rack & Antivortex Baffle Sheet B
1/2" x 1 1/4" Steel Cadmium Plated Machine Bolts	
1/2" Steel Split Lock Washers	
1/2" Steel Cadmium Plated Nuts	
#4 Reinforcing Steel Bars, Lin. Ft.	87'
#4 Reinforcing Steel Bars, Lb.	58.1
Volume of Concrete, Cu. Yd.	2.5
a Degrees-Angle	94.5
a' Degrees-Angle	90
b Degrees-Angle	N/A
Slope of B Dia. Pipe in ft./ft.	.0779
QUANTITY REQUIRED	

REQUIREMENT TABLE	
x in Box Indicates Detail Needed	
Antivortex Baffle Shown is Required	<input type="checkbox"/>
Antivortex Baffle Shown is not Required	<input type="checkbox"/>
Trash Rack With Baffle is Required	<input checked="" type="checkbox"/>
See Sheet _____ for Details	
Safety Guard is Required	<input type="checkbox"/>
See Sheet _____ for Details	

Corrugated metal pipe shall be either helical corrugations with lock seam construction or annular corrugations with close riveted, caulked seam construction.

- NOTES
- All holes for bolts shall be 9/16" dia.
 - Precast concrete chairs shall be used to support the reinforcing steel bars. Precast concrete chairs shall be manufactured of 3000 psi concrete and shall have tie wires securely anchored in the chair or a V-shaped groove at least 3/4 inch in depth molded into the upper surface to receive the steel bar at the point of support. Precast concrete chairs shall be moist at the time concrete is placed.
 - When L is full foot:
 (M) = 12", (N) = 6"
 When L is full foot plus 6 inches:
 (M) = 11", (N) = 6"
 - Length of reinforcing steel bars is (L) minus 6 inches

Date 3/2022
 Designed S. Girard
 Drawn MAK
 Revised GRH
 Approved J. M. M. M.
 6/96
 4/04
 4/22

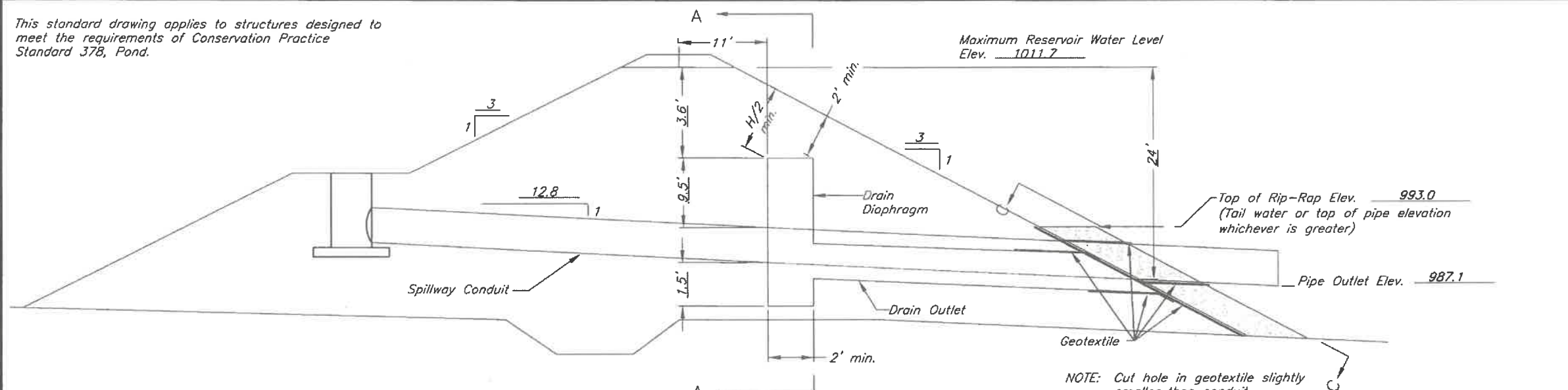
Red Lake County, Minnesota

CORRUGATED METAL PIPE VERTICAL INLET
 GRADE STABILIZATION STRUCTURE

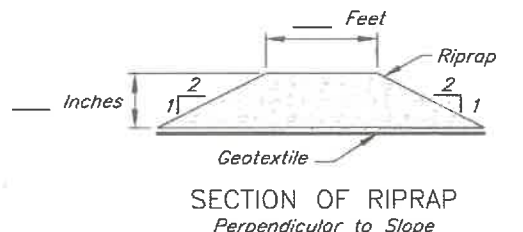
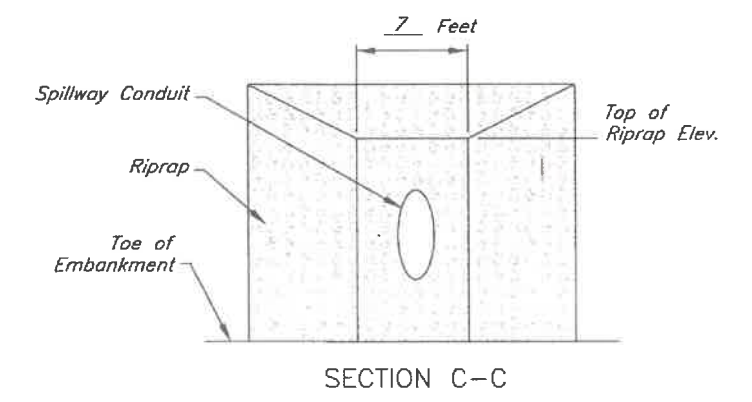
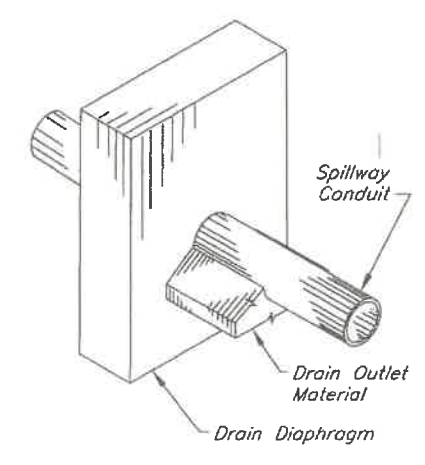
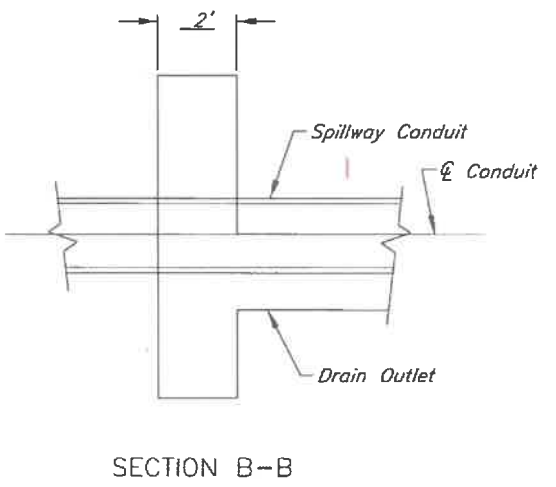
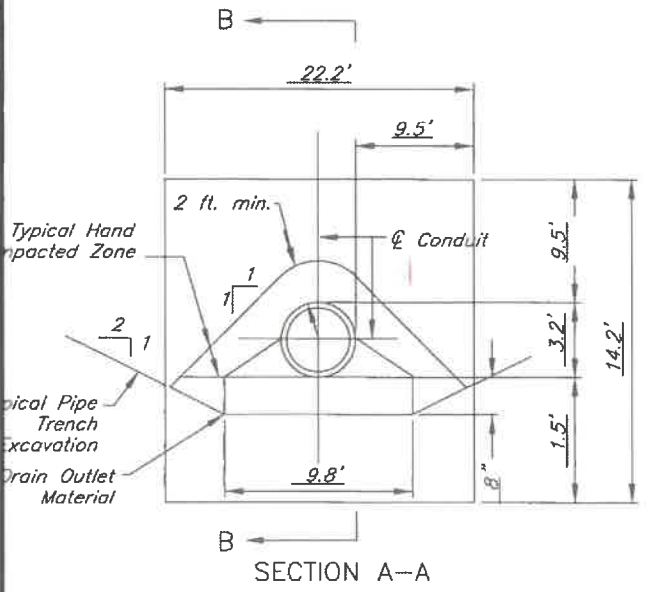
NRCS
 National Resources Conservation Service
 United States Department of Agriculture

Drawing Name MN-ENG-305
 Eng. Job Class IV
 Sheet 6 of 8

This standard drawing applies to structures designed to meet the requirements of Conservation Practice Standard 37B, Pond.



PROFILE ALONG ϕ OF CONDUIT



INSTRUCTION NOTES:

- Placement of the drain filter material shall be by one of the following methods:
 - The drain filter material shall be placed in 12 inch lifts. Each lift shall be saturated uniformly with approximately 1.2 gallons of water per cubic foot of loose drain material.
 - Drain filter material shall be moist sand and shall be compacted using 6-inch lifts with at least 2 passes over the entire surface with a portable plate vibrator exerting a vertical vibrating force of not less than 700 pounds per square foot at least 4,000 times per minute.
- Rock riprap shall be placed without damaging underlying geotextile.
- When the drain outlet material is placed on bedrock, additional geotextile may be placed under the drain outlet to prevent migration of the drain outlet material into fractures in the bedrock.

MATERIAL NOTE

Geotextile shall conform to the Class 1 requirements in Table 1 (woven) or Table 2 (nonwoven) material specification 592, except the percent open area of the woven shall be greater than 6%, and the porosity of the nonwoven shall be greater than 30%.

DRAIN FILTER GRADATION		RIPRAP GRADATION		
SIEVE SIZE	PERCENT PASSING	PERCENT SMALLER	WEIGHT RANGE (LBS.)	SIZE RANGE (IN.)
3/8	100	100		24
4	95-100	75		15
16	50-85	50		12
50	5-30	10		4
100	0-10			

ASTM, C-33 fine agg
 MNDOT 3126 fine agg
 MNDOT 3127 FA-1

Min. gradation
 MNDOT Class IV

ESTIMATED QUANTITIES

Drain Filter Material	5.3	Cubic Yards
Geotextile	1728	Square Feet
Rip-Rap	98.1	Cubic Yards

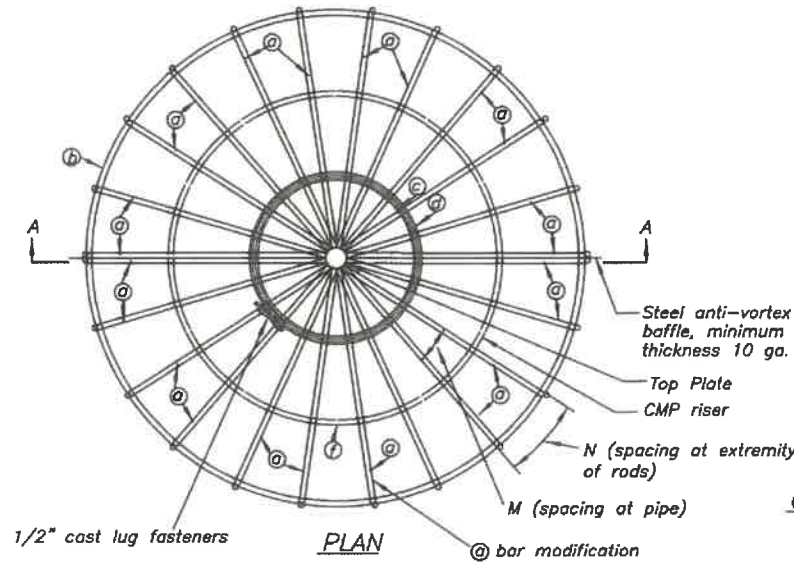
DATE 3/2022
 DESIGNED Smith, Girard
 DRAWN S. Girard
 CHECKED Yessoufi
 APPROVED Smith, Girard

DRAIN DIAPHRAGM AND OUTLET
 Layout for Drop-Inlet & Drain Filter

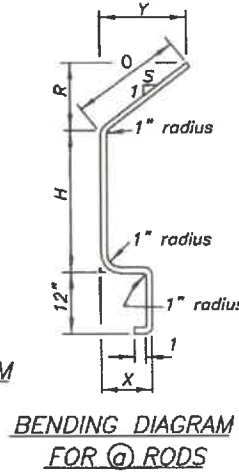


Drawing Name
 MN-ENG-301A
 Eng. Job Class
 IV
 3/24/2023
 Sheet 7 of 8

Weir flow (c.f.s.)	a) rods-3/4" dia.										Baffle plate				b) rods-3/4" dia.			c) rods-5/8" dia.			d) rods-1/2" dia.			e) rods-3/4" dia.			f) rods-5/8" dia.			Top plate Dia. Inches
	H Inches	R Inches	X Inches	Y Inches	S Inches	O Inches	Total Length	No. Req'd	N Inches	M Inches	L Inches	P Inches	F Inches	V Inches	No. Req'd	r Inches	Length Inches	No. Req'd	r Inches	Length Inches	No. Req'd	r Inches	Length Inches	No. Req'd	r Inches	Length Inches	No. Req'd	r Inches	Length Inches	
124	27	24 1/4	38	48 1/2	2	54	10'-4"	20	17 13/16	7 3/8	12	48	38	19	6	50	157 3/4	2	21	86 1/2	2	22 3/8	149	---	---	---	2	34	106 3/4	6
141	27	25 3/4	30	51 1/2	2	57 1/2	10'-7 1/2"	22	17 1/8	7 11/16	12	48	38	19	6	53	167 1/4	2	24	75 1/2	2	25 3/8	168	---	---	---	2	36	111 3/4	6
186	30	29 13/16	36	59 1/2	2	66 3/4	12'-1 3/4"	24	18 1/16	7 3/4	11-4	58	50	25	8	62 1/8	195 7/8	2	27	85 1/2	2	28 3/8	186	4	str.	46	2	42 1/4	133 3/8	8
239	33	31 8/16	48	75 1/2	2	81 3/4	14'-8 3/4"	30	17 13/16	6 7/8	14-8	68	57	24	8	70 1/8	245 1/2	2	30	95	2	31 3/8	206	2	str.	57	2	57 1/4	168	8

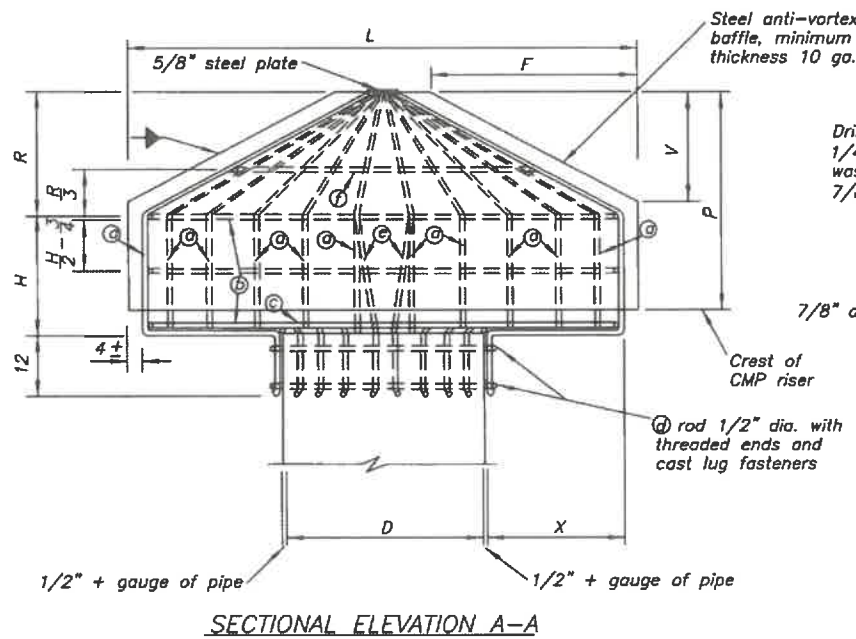


CONSTRUCTION DIAGRAM FOR a) RODS

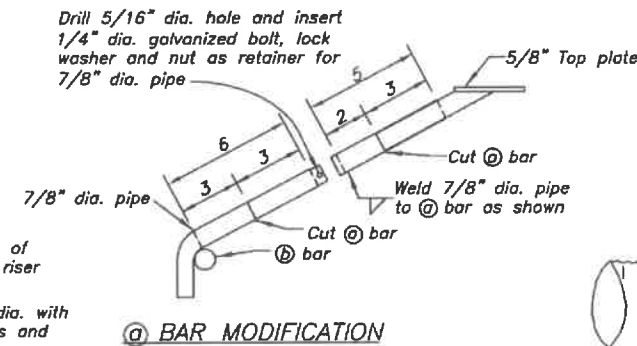


FABRICATION NOTES:

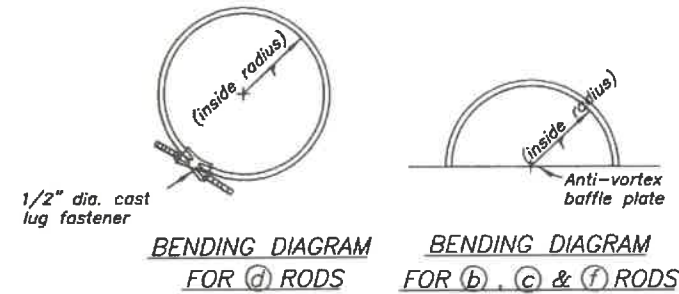
1. Weld 4 (b), (c) and (f) rods to (a) rods and weld (a) rods to top plate.
2. When (e) rods are used, weld them to the (a) rods that are perpendicular (or the two (a) rods most nearly perpendicular) to the anti-vortex baffle plate.
3. The trash rack may be fabricated in identical halves and attached to the baffle plate with 1/2 inch diameter U bolts spaced approximately 12 inches C-C along the vertical and inclined sections of the (a) rods next to the plate.
4. Q in the table is based on weir flow for indicated depth of flow (H), using a weir coefficient of 3.33.
5. Trash rack shown on this plan is for a 54 inch diameter CMP riser.
6. Trash rack to be fabricated from smooth round steel bars conforming to ASTM Designation A-36.
7. Trash rack to have one coat of paint.



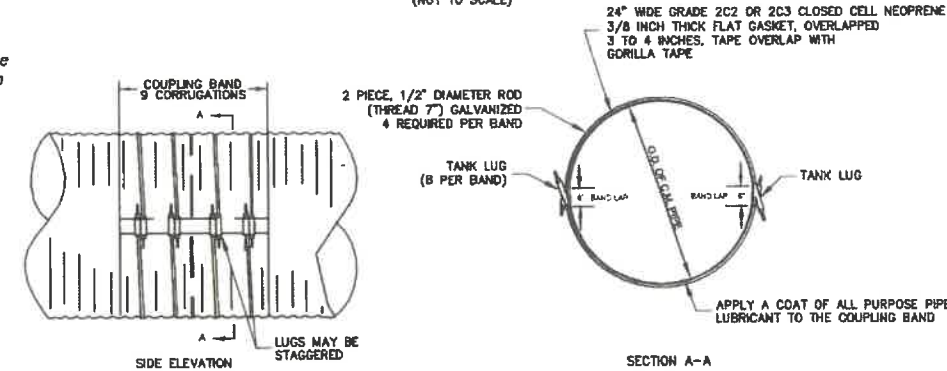
SECTIONAL ELEVATION A-A



a) BAR MODIFICATION



CONNECTING BAND DETAILS (NOT TO SCALE)



NOTES:

1. CORRUGATED METAL CONNECTING BAND TO BE FABRICATED IN TWO PIECES.
2. ROLL DIA. SHALL BE 1 INCH LARGER THAN PIPE DIA. TO ACCOMMODATE THE NEOPRENE FLAT GASKET.
3. ALL NUTS, BOLTS, RIVETS, AND WASHERS SHALL BE GALVANIZED, CADMIUM PLATED OR STAINLESS STEEL.

CONNECTING BAND LENGTH (2 PER BAND)	
PIPE DIA. (INCH)	CONNECTING BAND LENGTH (INCH)
36	64

Landowner:

42" TO 60" DIAMETER PIPE RISER
TRASH RACK AND BAFFLE PLATE
FOR CMP RISER
RED LAKLE COUNTY, MINNESOTA

Date: 04/2022
Designed: S. Smith
Drawn: S. Girard
Checked: [Signature]
Approved: [Signature]



File Name:
Drawing Name: 29-N-203
Sheet: 8 of 8

**COST ESTIMATE
NICHOLAS KNOTT
THIBERT DAM REHABILITATION
SEC. 17, RED LAKE FALLS TOWNSHIP
RED LAKE COUNTY, MINNESOTA**

Funding Source	Funding Amount
NRCS (EQIP)	\$37,220.00
Red Lake River 1W1P (WBIF)	\$43,221.00
RLWD	\$40,004.00
Total Project Cost	\$120,445.00

Thibert Dam Project
Red Lake County Minnesota
Red Lake Falls Township – Section 17
T – 151 – N R – 44 - W

Maintenance Agreement/Easement

This maintenance/easement agreement, entered into this _____ day _____, 2023, by and between property owners Nicholas and Kristin Knott, and the Red Lake Watershed District, a Watershed District duly organized under the laws of the State of Minnesota.

Both parties hereby acknowledge this agreement / and the conveyance of an easement for ingress and egress over said property, for the purpose of inspecting, repairing, operating, and maintaining the multi-purpose earthen dam and water control structure, located on a tributary to the Red Lake River, in the SE ¼ NW ¼ of Section 17, Red Lake Falls Township, in Red Lake County, Minnesota. (See attached location map/plat). Said easement is granted to the Red Lake Watershed District, its managers, engineer(s), employees, or agents acting on their behalf.

The Red Lake Watershed District Engineer, or designate, shall determine the estimated amount of repairs and maintenance necessary to maintain said structure(s), and to ensure their integrity and functional design. The property owner(s) shall be informed of the proposed work. In case of emergency maintenance or repair, the Red Lake Watershed District will use its best efforts to notify the landowner prior to entry.

The Red Lake Watershed District will be responsible for the repair and/or maintenance costs and restoration of any damage to the real property caused by the needed maintenance and repairs.

This easement shall be perpetual in term and shall run with the land during the time that any dam is located upon the easement area real property.

Property Owner(s)

Red Lake Watershed District

Dated:

Dated:

Nicholas Knott

President, Red Lake Watershed District

Dated:

Kristin Knott



Turtle-Cross-Connection Lakes Management

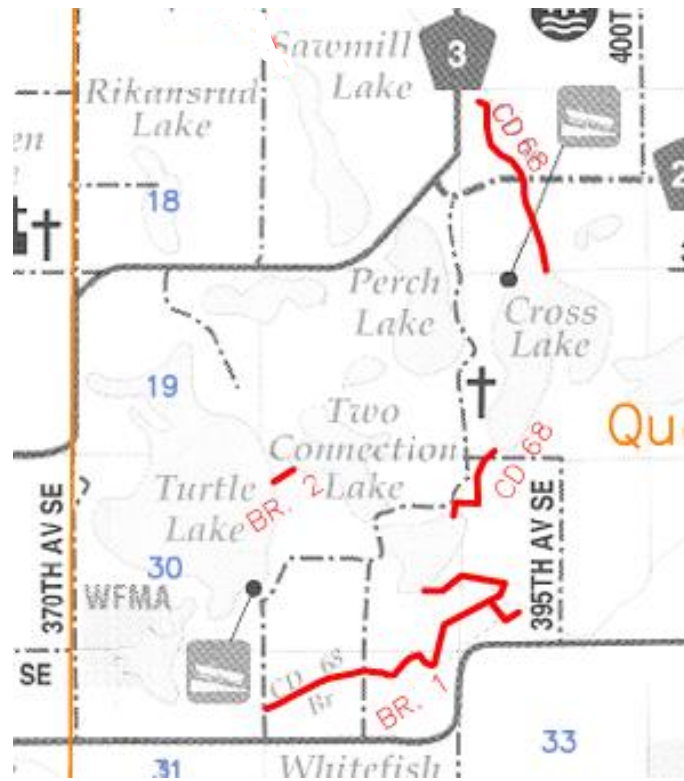
Nathan Olson | Area Fisheries Supervisor

Agenda

10:00 - 10:15 a.m.	Introductions
10:15 - 10:30 a.m.	Why are we here?
10:30 - 11:30 a.m.	Landowner Input
11:30 a.m.- 12:00 p.m.	Next Steps

Background

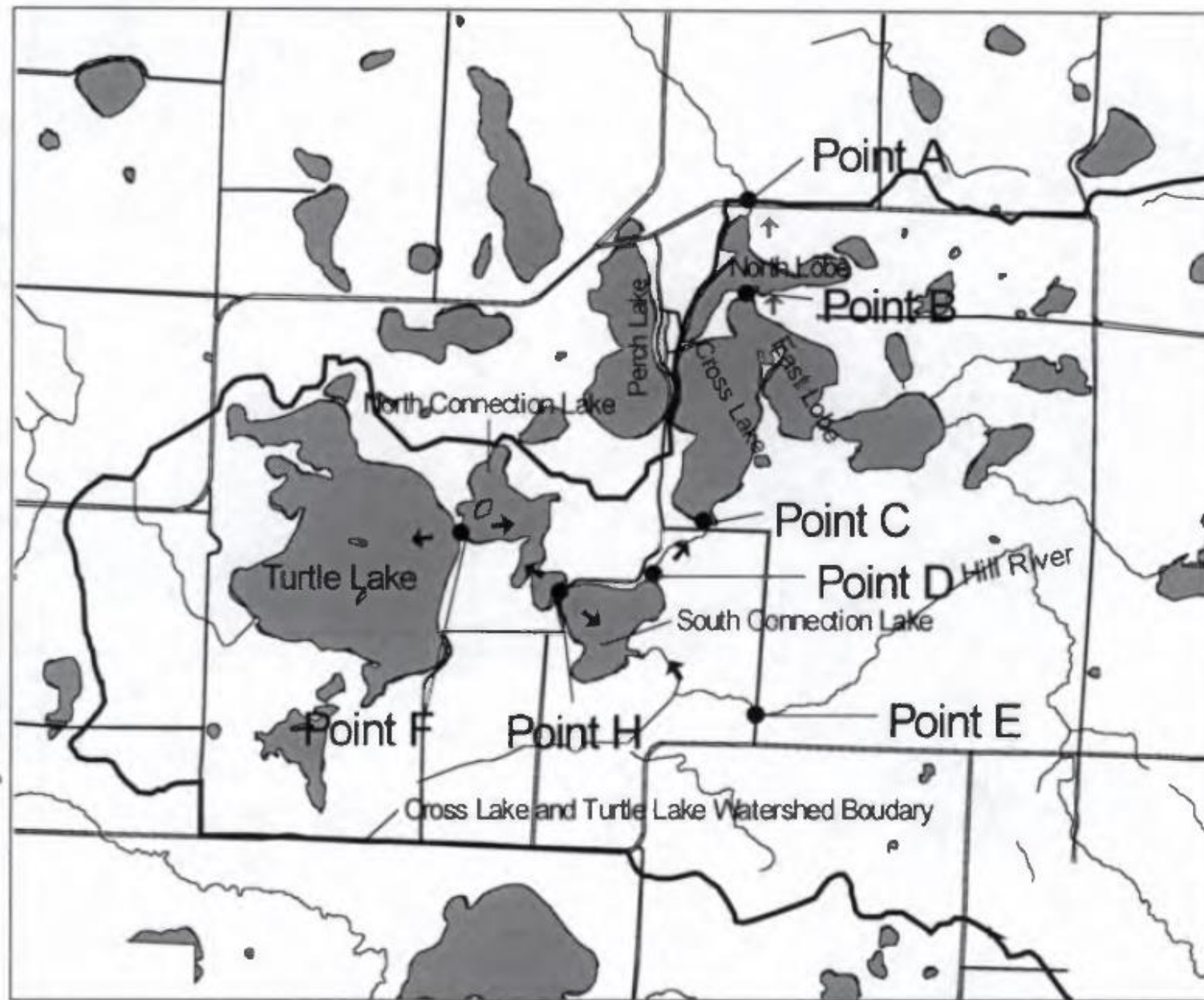
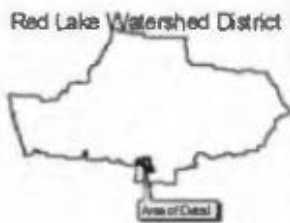
- Circa 1918: County Ditch #68 built to drain Turtle, Connections, & Cross.



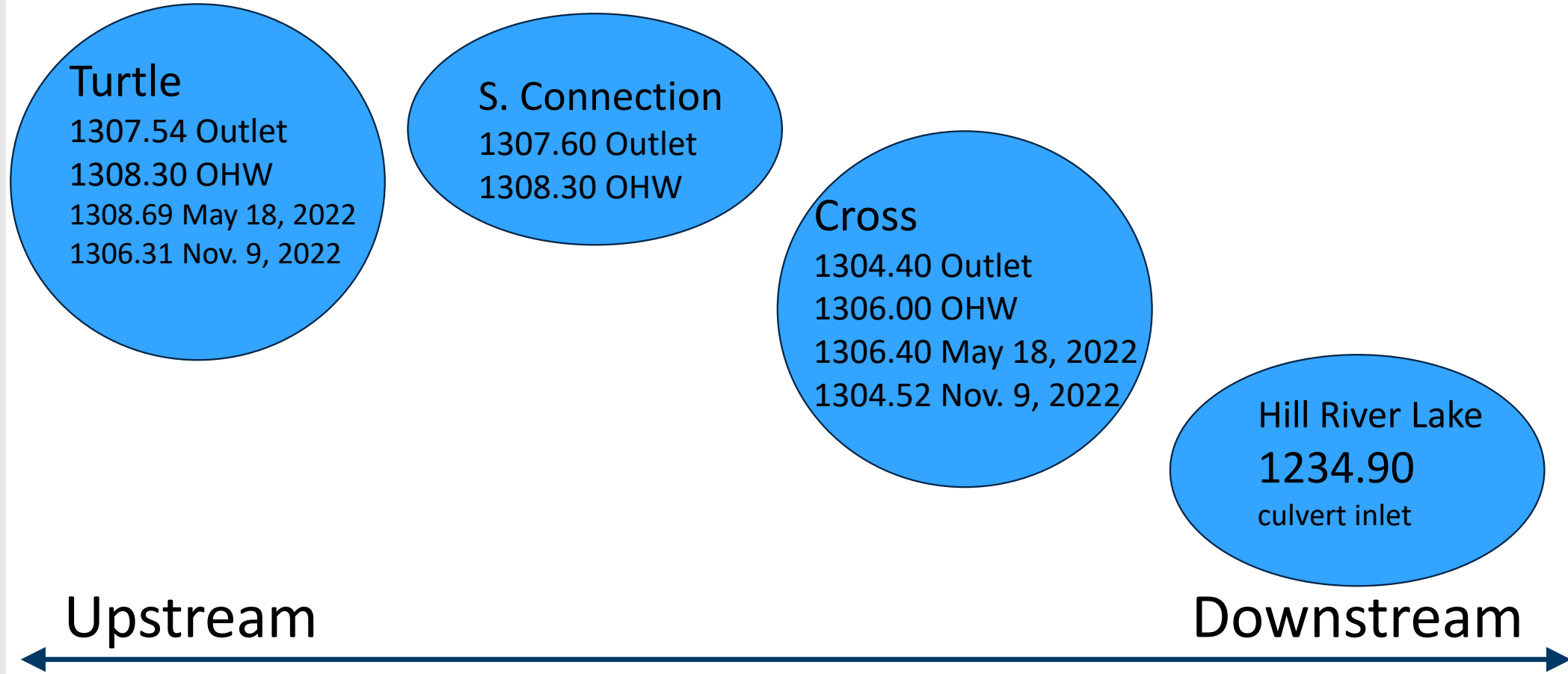
Background

- 1933: All three dams built, and water levels established by court order.
- 1934-1940: Much debate about removing the dams.
- Sometime between 1933 to 1991: Turtle Lake Dam washed out and has been non-functioning for years.
- Mid 1990s: Red Lake Watershed District completes *“Cross Lake and Turtle Lake Water Quality Study Report.”*
- Circa 2019: South Connection Lake Dam washed out.

Background



Background-Outlet & Ordinary High Water (OHW) Elevations 1988 Datum



Background



- DNR now has two dams that have failed (Turtle & South Connection).
- One dam (Cross Lake) that has no boards installed.



Background-Recommendations from *Cross Lake and Turtle Lake Water Quality Study Report*

Recommendations

Hydrologic

The Preliminary Study Design for the Turtle Lake and Cross Lake System study identified specific technical goals. Those goals are:

- 1) Determine the hydrology of the Cross Lake and Turtle Lake system;
- 2) Develop a hydrologic budget of the Cross Lake and Turtle Lake system;
- 3) Prepare a computerized hydrologic model of the Cross Lake and Turtle Lake system and use the model to evaluate water management options;
- 4) Develop a chronological history of lakeshore development within the watershed of the Cross Lake – Turtle Lake system;
- 5) Determine the present trophic status and identify the fisheries resources within the Cross Lake – Turtle Lake system;
- 6) Obtain qualitative information about the composition of the lake bottom through sediment coring and photography;
- 7) Inventory and map current land use within specific lake drainage areas and identify potential non-point pollution sources; and
- 8) Make future lake management and/or water quality monitoring recommendations based on results obtained from the preliminary (Phase I) water quality and hydrologic study.

The following recommendations are presented, based on meeting the original technical hydrologic goals for the project (Deutschman and Erickson 1999):

- 1) Continuous recording rain gages should be installed within the contributing drainage area. The gages should be strategically placed to allow for the development of drainage area specific rainfall-runoff relationships. The number of gages needed is approximately one gage per 5 square miles of watershed (i.e., ~ 5 gages).
- 2) A velocity transducer capable of determining direction and magnitude of discharge should be installed within the channel between Turtle Lake and North Connection Lake and potentially within the culvert between North and South Connection Lakes.
- 3) Stream gaging should be performed at each location 5-6 times during the ice-free period. These data can be used to adjust the rating curves developed using engineering equations.
- 4) Improved record keeping (in the field) would enhance the ability to reduce and interpret the hydrologic data.
- 5) Daily flow data with sufficient continuous record are needed to successfully obtain the technical goals. Should vandalism, animal damage and other human related factors continue to prevent the development of sufficient high quality data, the study should be terminated.

Background-Recommendations from *Cross Lake and Turtle Lake Water Quality Study Report*

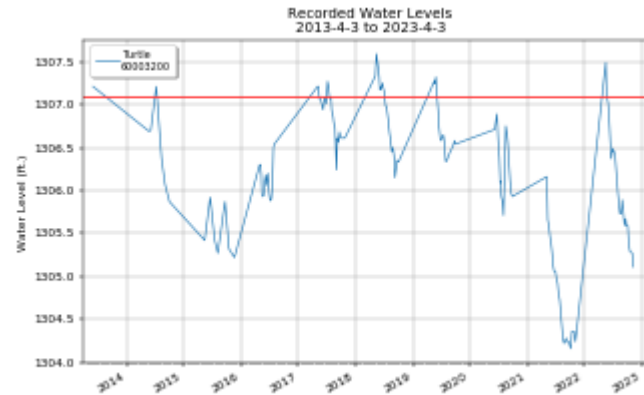
Water Quality

The study has accomplished the goal of determining the present trophic status. Recommendations for future monitoring include the following:

- 1) Inventory and map of current land use within specific lake drainage areas and identify potential non-point pollution sources. This information would aid in making current land use improvements.
- 2) Future water quality monitoring should include monitoring of nutrients and other parameters at inlet and outlet water sources to the Cross Lake and Turtle Lake systems. The monitoring should correspond with the flow monitoring sites listed above. This would determine the nutrient loading into the lake systems.
- 3) Permanent buoys or GPS coordinates need to be established at the maximum depths of Cross Lake, Turtle Lake and the east lobe of Cross Lake for more accurate monitoring of depth profiles and other water chemistry.
- 4) The monitoring should follow the “Standard Operating Procedures for Field Samplers” manual from the RLWD.
- 5) Identify fisheries resources (using DNR collected information or as an actual fisheries study).

Turtle - 60003200
Polk County

Turtle Lake



**1929 NGVD Datum - Last 10 years of data, click to enlarge.

Water Level Data – NAVD 88 datum

Period of record: 05/02/1943 to 11/09/2022

of readings: 443

Highest recorded: 1309.35 ft (07/07/1997)

Lowest recorded: 1305.17 ft (01/23/1991)

Recorded range: 4.18 ft

Court Ordered El.: 1307.54 ft

Last reading: 1306.31 ft (11/09/2022)

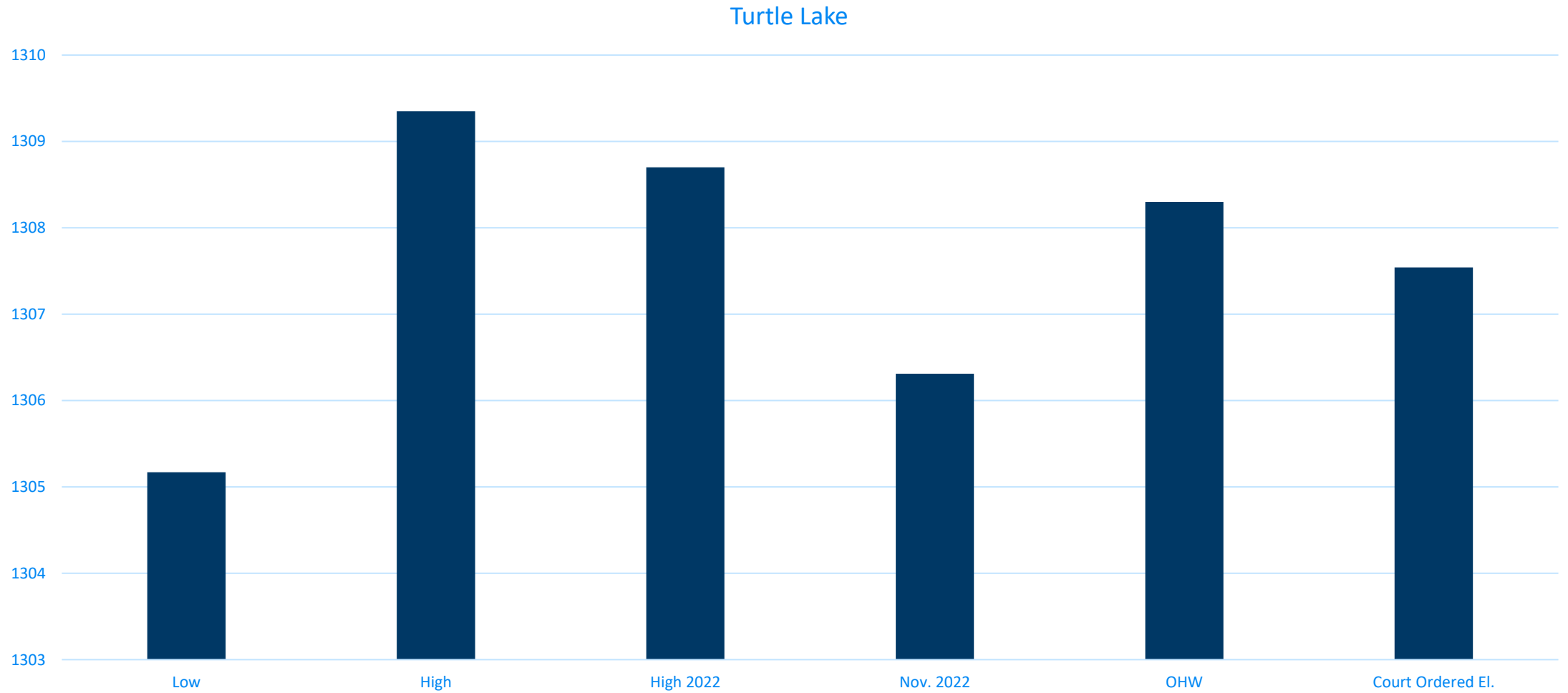
April – May 2022 High: 1308.70 ft

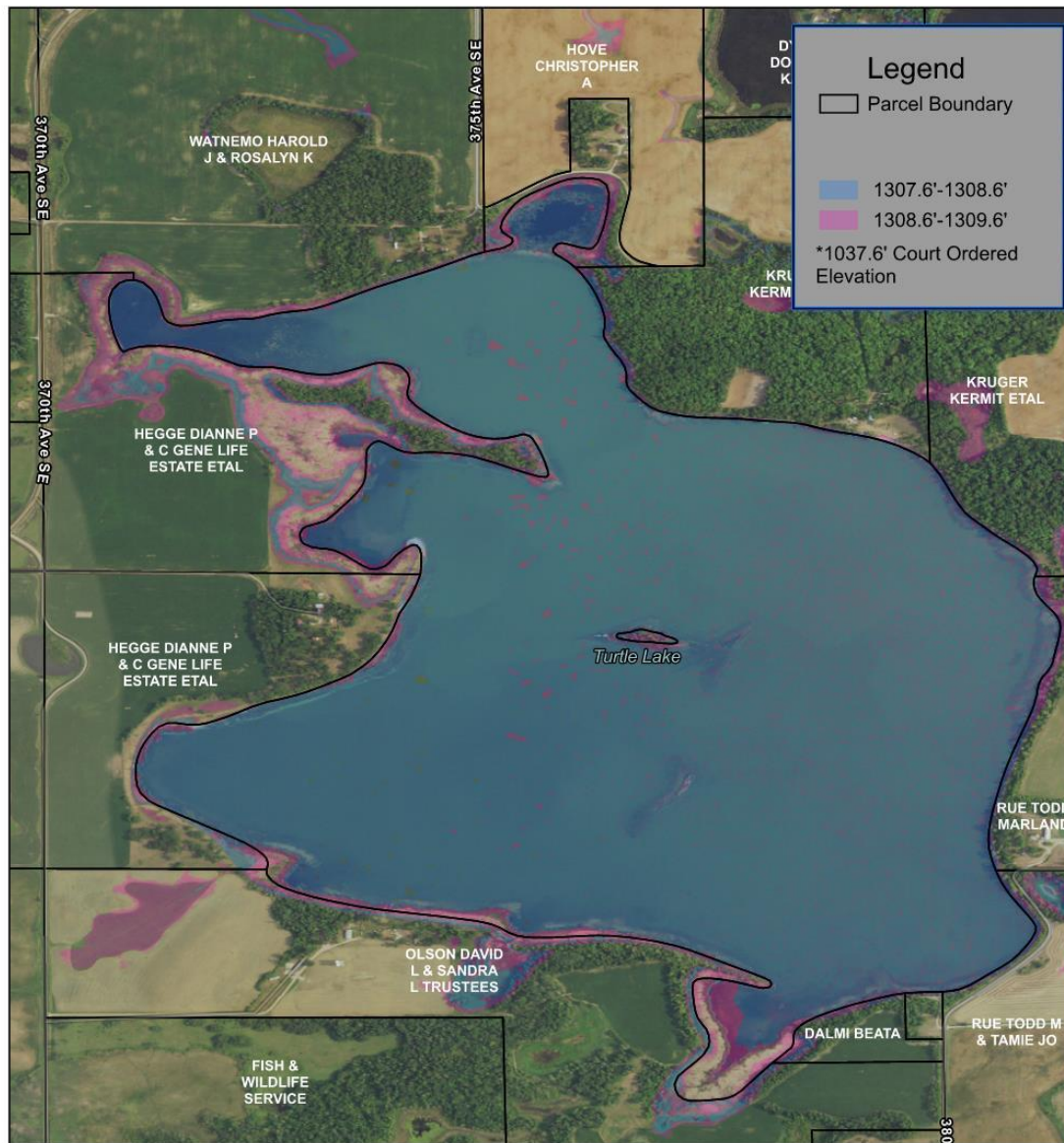
[Ordinary High Water Level \(OHW\)](#) elevation: 1308.3 ft

Datum: NAVD 88 (ft)

Lake Size: 621 acres

Turtle Lake Water Levels



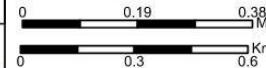


Turtle Lake Water Elevations

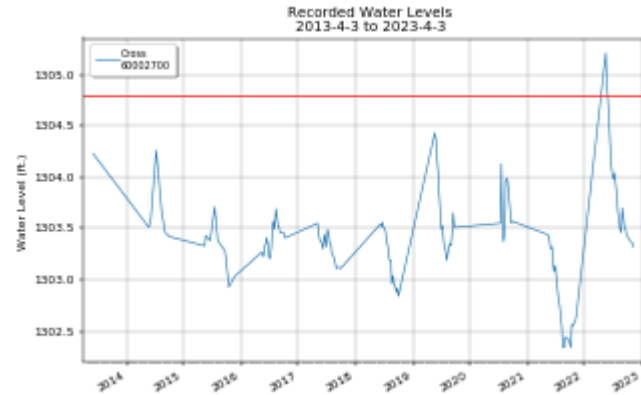
Esri, HERE, Garmin, Foursquare, FAO, METI/NASA, USGS, Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Earthstar Geographics, Maxar Polk County GIS, NAIP 2021 Imagery

April, 2023

Coordinate System: GCS WGS 1984
Vertical Datum: NAVD 88



Cross - 60002700 Polk County



**1929 NGVD Datum - Last 10 years of data, click to enlarge.

Water Level Data – NAVD 88 datum

Period of record: 10/02/1941 to 11/09/2022

of readings: 428

Highest recorded: 1306.93 ft (07/02/1944)

[Highest known](#) opens in a new browser tab: 1307.2 ft (01-23-91)

Lowest recorded: 1303.37 ft (10/04/2012)

Recorded range: 3.56 ft

Court Ordered El.: 1304.4 ft

Last reading: 1304.52 ft (11/09/2022)

April – May 2022 High: 1306.45

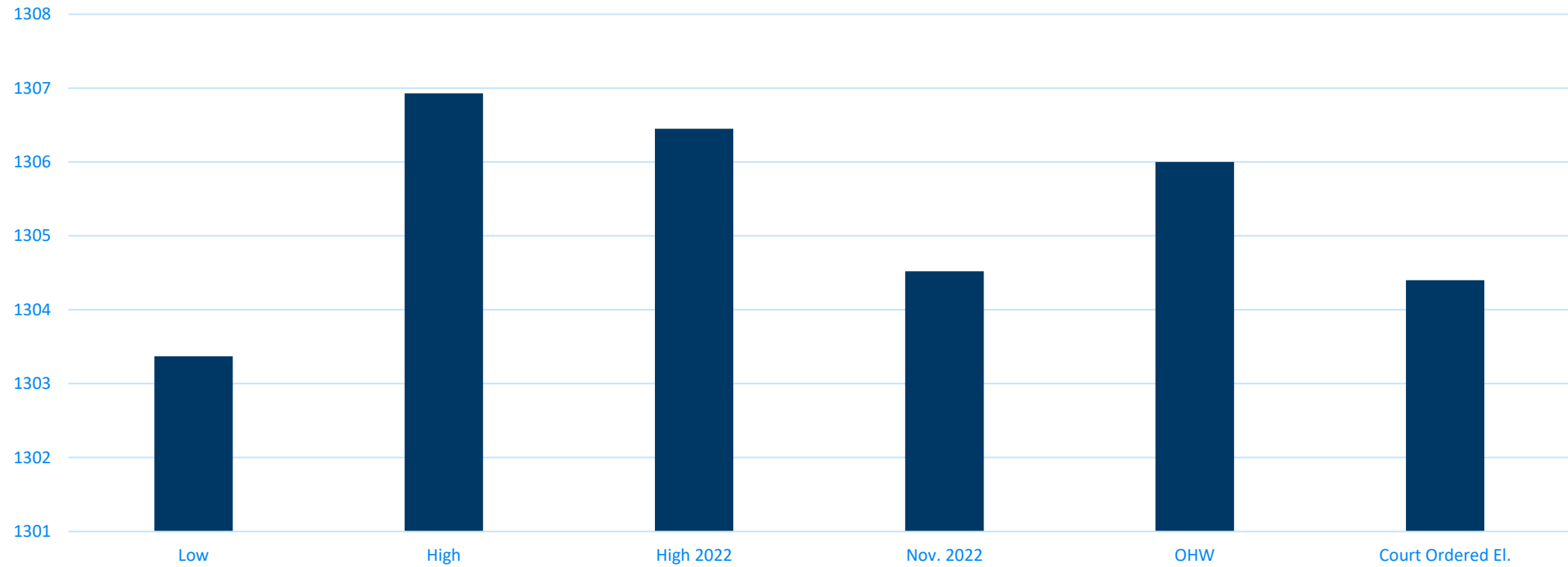
[Ordinary High Water Level \(OHW\)](#) elevation: 1306.0 ft

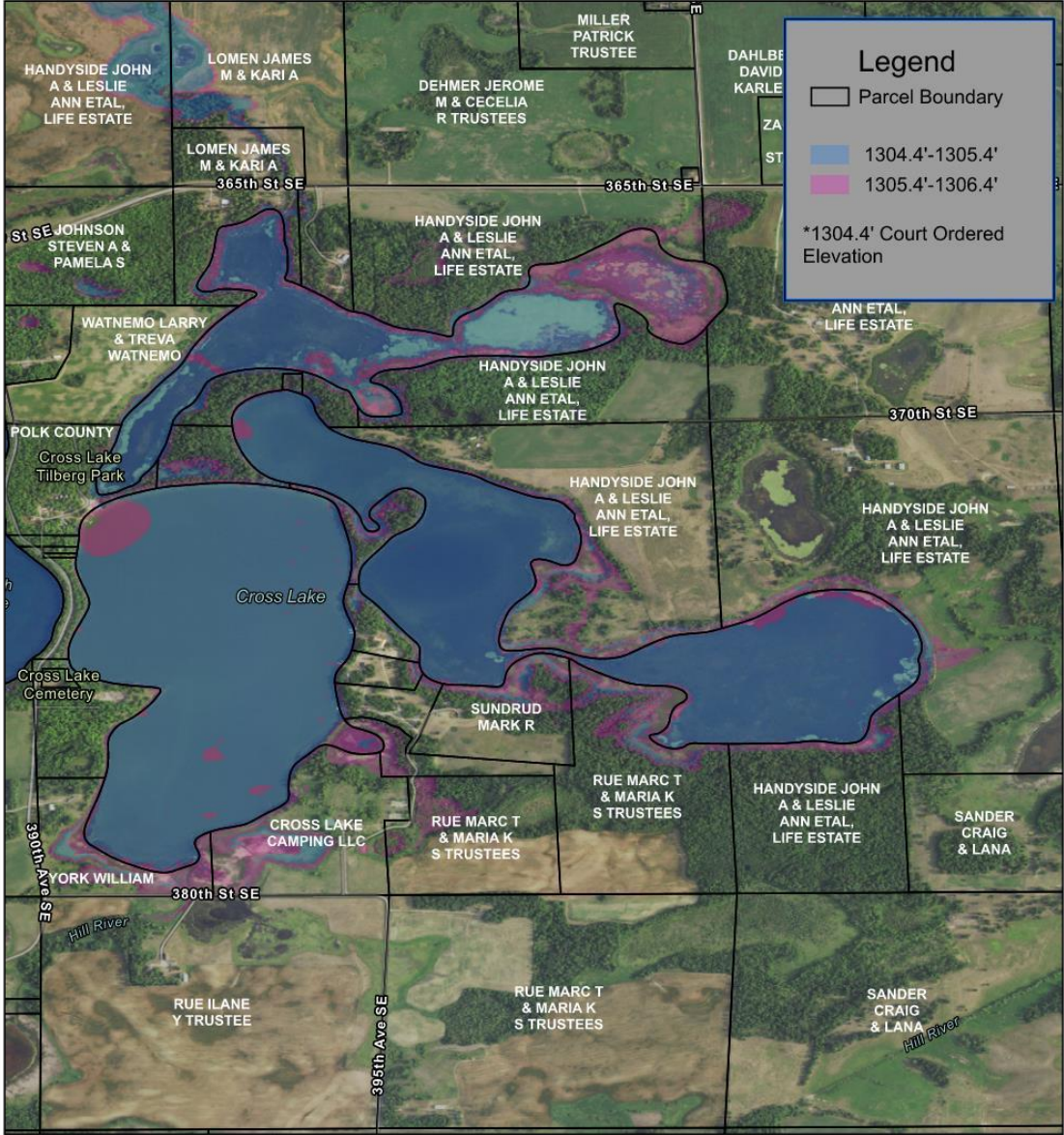
Datum: NAVD 88 (ft)

Lake Size: 480 acres

Cross Lake Water Levels

Cross Lake



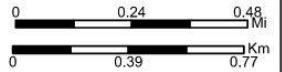


Cross Lake Water Elevations

Esri, HERE, Garmin, Foursquare, FAO, METI/NASA, USGS, Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Earthstar Geographics, Maxar Polk County GIS, NAIP 2021 Imagery

April, 2023

Coordinate System: GCS WGS 1984
Vertical Datum: NAVD 88



Two Connections - 60003500

Polk County

Water Level Data – NAVD 88 datum

Period of record: 01/22/1991 to 01/22/1991

of readings: 1

Highest recorded: 1305.47 ft (01/22/1991)

[Highest known](#) opens in a new browser tab: 1308.3 ft (08-27-58)

Lowest recorded: 1305.47 ft (01/22/1991)

Recorded range: 0 ft

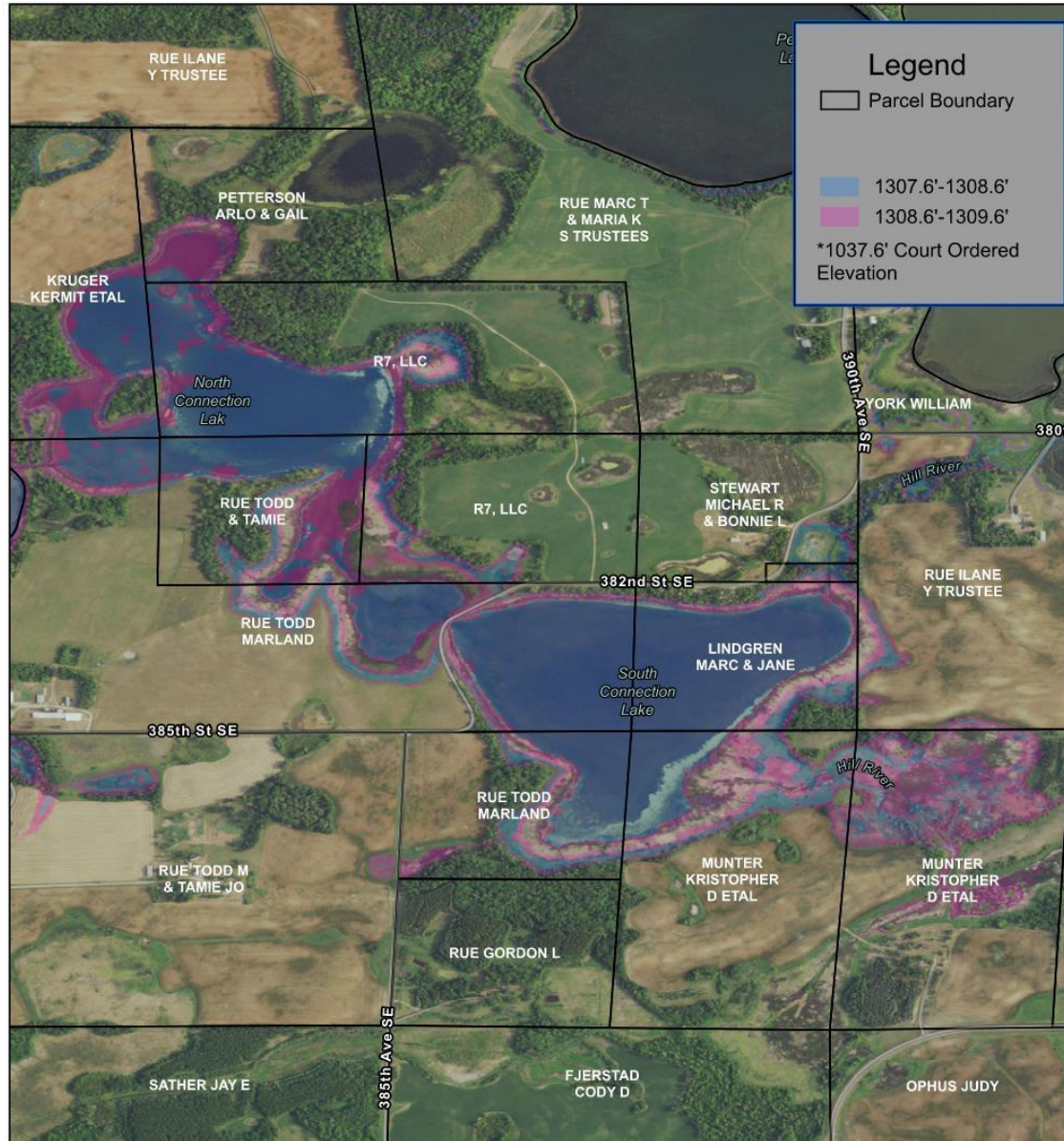
Court Ordered El.: 1307.60 ft

Last reading: 1305.47 ft (01/22/1991)

[Ordinary High Water Level \(OHW\)](#) elevation: 1308.3 ft

Datum: NAVD 88 (ft)

Lake Size: 197 acres



Legend

- Parcel Boundary
- 1307.6'-1308.6'
- 1308.6'-1309.6'

*1037.6' Court Ordered Elevation

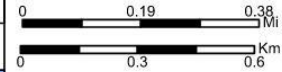


North & South Connection Lake Water Elevations

Esri, HERE, Garmin, Foursquare, FAO, METI/NASA, USGS, Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Earthstar Geographics, Maxar Polk County GIS, NAIP 2021 Imagery

April, 2023

Coordinate System: GCS WGS 1984
Vertical Datum: NAVD 88





Permit # 23-017

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Rick & Lorae Roed		33255 345th Ave SE Fosston, MN 56542		tel:218-686-0263 mobile: fax:

General Information

(1) The proposed project is a:

No work type selected.

(2) Legal Description

(3) County: **Polk** Township: **Hill River** Range: **40** Section: **35** 1/4:

(4) Describe in detail the work to be performed.

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

Status

Status	Notes	Date
Approved	P.A. #23-017 – Rick and Lorae Roed Polk County – Hill River Township Section 35 Red Lake Watershed District (RLWD) approval to install water and sediment control basin to stabilize erosion and reduce sediment run off in Hill River Township in the NW quarter of section 35. 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. Permit Holder shall contact the road authorities when cutting through roads. Applicant shall install appropriate erosion control measures for energy dissipation at the outlet of pipes. This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 26, 2023
Tabled	P.A. #23-017 – Rick and Lorae Roed Polk County – Hill River Township Section 35 Red Lake Watershed District (RLWD) Tabled due to amount of snow in ditch to accurately inspect the permit. Will revisit in the spring when allowed. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	March 21, 2023
Received	None	March 6, 2023

Conditions

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 # 23-018

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Rick and Lorae Roed		33255 345 Ave SE Fosston, MN 56542		tel:218-686-0263 mobile: fax:

General Information

(1) The proposed project is a:

Channel Stabilization or Restoration, Erosion Control, and Other Water Related Facilities

(2) Legal Description

(3) County: **Polk** Township: **King** Range: **41** Section: **1 1/4**:

(4) Describe in detail the work to be performed. **Install Grade Stabilization structure and 3 water plus sediment control basins with approximately 2650' of subsurface drain.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Stabilize Erosion and reduce sediment run off**

Status

Status	Notes	Date
Approved	P.A. #23-018 – Rick and Lorae Roed Polk County – King Township Section 1 Red Lake Watershed District (RLWD) approval to install water and sediment control basin to stabilize erosion and reduce sediment run off in King Township in the NE quarter of section 1. 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. Permit Holder shall contact the road authorities when cutting through roads. Applicant shall install appropriate erosion control measures for energy dissipation at the outlet of pipes. This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 26, 2023
Tabled	P.A. #23-018 – Rick and Lorae Roed Polk County – King Township Section 1 Red Lake Watershed District (RLWD) Tabled due to amount of snow in ditch to accurately inspect the permit. Will revisit in the spring when allowed. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	March 21, 2023
Received		March 6, 2023

Conditions

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 # 23-022

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
David Zuprod		1036 5th Street SW Valley City, None 58072		tel:701-845-0104 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: **19 1/4**:

(4) Describe in detail the work to be performed. **Replace plugged culvert with a new 50' culvert.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Culvert was plugged partially last spring; flooding the neighbors yard.**

Status

Status	Notes	Date
Approved	P.A. #23-022 – David Zubrod Polk County – Badger Township Section 19 Red Lake Watershed District (RLWD) approval to remove a failed 15" culvert and install a new 18" culvert in the SW quarter of section 19 along 320th St SE. 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. Permit Holder shall contact the road authorities when cutting through roads. Applicant shall install appropriate erosion control measures for energy dissipation at the outlet of pipes. This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 26, 2023
Tabled	P.A. #23-022 – David Zubrod Polk County – badger Township Section 19 Red Lake Watershed District (RLWD) Tabled due to amount of snow in ditch to accurately inspect the permit. Will revisit in the spring when allowed. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 6, 2023
Received	None	March 23, 2023

Conditions

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 # 23-023

Status Report: **Approved**

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Erik Roed		33892 330th Street SE Fosston, MN 56542		tel: mobile: 218-686-5272 fax:

General Information

(1) The proposed project is a:

Channel Stabilization or Restoration, Erosion Control, and Other Water Related Facilities

(2) Legal Description

(3) County: **Polk Township: Hill River Range: 40 Section: 13 1/4: NW/14**

(4) Describe in detail the work to be performed. **Install grade stabilization structure along with 778 feet of underground outlet and 160 feet of lined waterway.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Work will stabilize gully and reduce sediment runoff to surface water.**

Status

Status	Notes	Date
Approved	P.A. #23-023 – Erik Roed Polk County – Hill River Township Section 13 Red Lake Watershed District (RLWD) approval to install water and sediment control basin to stabilize erosion and reduce sediment run off in Hill River Township in the NW quarter of section 13. 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. Permit Holder shall contact the road authorities when cutting through roads. Applicant shall install appropriate erosion control measures for energy dissipation at the outlet of pipes. This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 26, 2023
Tabled	P.A. #23-023 – Erik Roed Polk County – Hill River Township Section 13 Red Lake Watershed District (RLWD) Tabled due to amount of snow in ditch to accurately inspect the permit. Will revisit in the spring when allowed. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 6, 2023
Received	None	March 23, 2023

Conditions

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.



Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Erik Roed		33892 330th Street SE Fosston, MN 56542		tel: mobile: 218-686-5272 fax:

General Information

(1) The proposed project is a:

Channel Stabilization or Restoration, Erosion Control, and Other Water Related Facilities

(2) Legal Description

(3) County: **Polk Township: Hill River Range: 40 Section: 14 1/4: NW1/4**

(4) Describe in detail the work to be performed. **Install four water and sediment control basins, along with approximately 1900 feet of underground outlet or subsurface drain.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Concentrated flow erosion exits. Work will stabilize erosion and reduce sediment run-off to surface water.**

Status

Status	Notes	Date
Approved	P.A. #23-024 – Erik Roed Polk County – Hill River Township Section 14 Red Lake Watershed District (RLWD) approval to install water and sediment control basin to stabilize erosion and reduce sediment run off in Hill River Township in the NW quarter of section 14. 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. Permit Holder shall contact the road authorities when cutting through roads. Applicant shall install appropriate erosion control measures for energy dissipation at the outlet of pipes. This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 26, 2023
Tabled	P.A. #23-024 – Erik Roed Polk County – Hill River Township Section 14 Red Lake Watershed District (RLWD) Tabled due to amount of snow in ditch to accurately inspect the permit. Will revisit in the spring when allowed. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 6, 2023
Received	None	March 23, 2023

Conditions

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.

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Pam Paradis		PO Box 56 Brooks, MN 56715		tel: 218-686-4546 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Red Lake** Township: **Poplar River** Range: **42** Section: **14 1/4: NW1/4 NW1/4**

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

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

Status

Status	Notes	Date
Approved	P.A. #23-026 – Pam Paradis/Nathan Steinkopf (Renter) Red Lake County – Poplar River Township Section 14 Red Lake Watershed District (RLWD) approval to install a recommended 18” culvert for access to field. 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. Permit Holder shall contact the road authorities when cutting through roads. Applicant shall install appropriate erosion control measures for energy dissipation at the outlet of pipes. This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 26, 2023
Tabled	P.A. #23-026 – Pam Paradis/Nathan Steinkopf (Renter) Red Lake County – Poplar Township Section 14 Red Lake Watershed District (RLWD) Tabled due to amount of snow in ditch to accurately inspect the permit. Will revisit in the spring when allowed. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 6, 2023
Received	None	March 28, 2023

Conditions

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.

Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Clearwater County Highway Department	Clearwater County Highway Department	113 7th Street NE Bagley, MN 56621		tel:218-694-6132 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Clearwater** Township: **Leon** Range: **37** Section: **22 1/4**: **NE1/4 NW1/4**

(4) Describe in detail the work to be performed. **Remove damaged culvert and replace with 36', 16'x7' RC Box culvert with aprons.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Existing culvert was damaged in the spring flood of 2022.**

Status

Status	Notes	Date
Approved	P.A. #23-028 – Clearwater County Highway Department Clearwater County – Leon Township Section 1 Red Lake Watershed District (RLWD) approval to replace a failed 14' X 8' cmp with a 16' X 7' RC Box culvert with aprons. 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. Permit Holder shall contact the road authorities when cutting through roads. Applicant shall install appropriate erosion control measures for energy dissipation at the outlet of pipes. This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 26, 2023
Tabled	P.A. #23-028 – Clearwater County Highway Department Clearwater County – Leon Township Section 22 Red Lake Watershed District (RLWD) Tabled due to amount of snow in ditch to accurately inspect the permit. Will revisit in the spring when allowed. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	April 6, 2023
Received	None	March 29, 2023

Conditions

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.

MINNESOTA WATERSHEDS SUMMER TOUR

Albert Lea, MN | June 20-21, 2023



**MINNESOTA
WATERSHEDS**
Connecting People. Protecting Water.



Tuesday, June 20

Location: Wedgewood Cove Golf Club, 2200 W 9th St, Albert Lea, MN 56007

- | | |
|-------------|--|
| 9:00—12:00 | MAWA Meeting |
| 12:00—12:30 | Grab and Go Lunch |
| 12:25—12:30 | Welcome |
| 12:30—1:30 | Agency Partner Updates |
| 1:30—5:00 | Educational Workshops |
| 1:30—2:15 | Common Carp
TBD, Minnesota Aquatic Invasive Species Research Center |
| 2:15—3:00 | Developing Stewardship Grant Opportunities for Enhanced Street Sweeping
Paige Ahlborg, Ramsey Washington Metro Watershed District
Michael McKinney, Barr Engineering Co. |
| 3:00—4:15 | Multi-purpose Drainage Management
Mark Origer, ISG |
| 4:15—5:00 | Partnerships with Private Industry
Brad Kramer, Shell Rock River Watershed District |
| 5:00—5:45 | Welcome Reception and Cash Bar |
| 6:00—6:45 | Dinner |
| 6:45—8:00 | Opening Remarks and Tour Overview |

Wednesday, June 21

Bus Tour Itinerary

8am – 4:30pm

8:30 a.m. Buses depart from Hotel (Country Inn and Suites, 2214 E. Main Street, Albert Lea, MN)

The project stops included in the tour are listed below in no particular order.

[Albert Lea Lake Dam](#)

The existing outlet structure and access bridge for Albert Lea Lake was installed in 1922 and needed repair. The SRRWD saw the opportunity to not only build a new dam but manage rough fish populations and aquatic vegetation by creating a 3-in-1 project. Groundbreaking for the construction of the new Albert Lea Lake Dam and Fish Barrier Project began in August of 2014, and consists of a dam, fish barrier, and draw down structure. The \$2 million-dollar project was funded by the Lessard-Sams Outdoor Heritage Fund.

[Upper Twin Lake Pump Station](#)

The pump station is intended to allow conjoined Upper and Lower Twin Lake's water levels to be managed independently of each other which can simulate drought conditions for rough fish management. Construction included the removal and installation of a box culvert under County Road 80. This project is funded by the Lessard-Sams Outdoor Heritage Council (LSOHC) and is a partnership between U.S. Fish & Wildlife Service, MN Department of Natural Resources, and Freeborn County. The pump station was commissioned on June 16, 2020.

[Miller, Orr, IC&E Project](#)

Building on a U.S. Fish & Wildlife Service acquisition and using funds from Lessard Sams Outdoor Heritage Council (LSOHC), the restored property, east of Alden, will add to over 250 acres of continuous native prairie and wetlands. Project plans include abandoning and rerouting public tile systems, creating wetlands via tile modifications, wetland scrapes, berm installations, and native prairie plantings.

[Confined Disposal Facility](#)

A Confined Disposal Facility (CDF) is a dewatering site in the dredging process. When dredging takes place, a mixture of water and sediment is pumped to the disposal facility and the CDF will be used to settle and siphon off the water. The Shell Rock River Watershed District (SRRWD) purchased the properties for the CDF in 2016. These properties are located adjacent to each other, north of Interstate 90 and 1 1/2 miles north of Fountain Lake.

[Edgewater Bay Pavilion and Fountain Lake Restoration Presentation](#) **Lunch will be served at this location**

The restoration of Fountain Lake is a multi-phased project. The SRRWD began active dredging in 2018, utilizing \$7.5 million in state funds and \$9.5 million in local option sales tax funds. Leveraged funding provided dredging and disposal of the first two phases of the project through 2021 and the removal of approximately 1.2 million cubic yards of accumulated sediment. The SRRWD is requesting \$9 million from the Minnesota Legislature in 2023 to complete the third and final phase of the Fountain Lake Restoration Project. In 2023, SF172 (Sen. Gene Dornink) and HF277 (Rep. Peggy Bennett) introduced bills to provide funding for the project, Phase 3 - Main Bay (East Basin), Bancroft Creek and parts of Bancroft Bay. It is critical for the success of the project to complete Phase 3, in the heart of Albert Lea.

[Van Erkel Farms](#)

The rich history of the Hollandale area, including early drainage management activities and the scope of vegetable production operations that existed here in the 1900's will be explained, as well as the critical role of the Turtle Creek Watershed District in guiding water management within the Hollandale basin and associated uplands.

[Dobbins Capital Improvement Projects \(CIPs\) and EPA 319 Grant Water Quality Research](#)

The Dobbins Creek watershed's high local priority for flood reduction and water quality will be described, as well as CIPs and best management practices (BMP) targeting that have improved water quality and reduced flows.

The water monitoring efforts that have and are currently taking place to evaluate the effects of intensive targeted BMP adoption in the Dobbins Creek watershed including surface water, macroinvertebrate IBI and fish IBI monitoring. The amount of work in Dobbins along with the monitoring makes this one of the most studied watersheds in the Midwest.

Jay C. Hormel Nature Center and Discover Austin

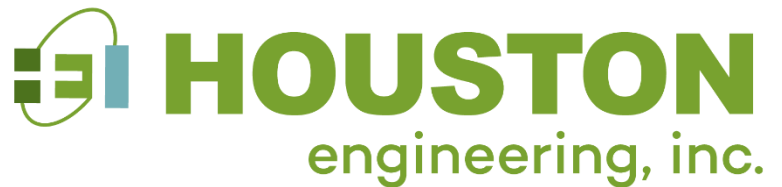
We will visit Austin’s city-owned Jay C. Hormel Nature Center, which was started more than 50 years ago and opened a \$7 million interpretive center in 2017. A naturalist will give a presentation about the center’s vibrant history and activities, including its growth from 123 acres to nearly 530 today. The Nature Center offers a sanctuary for people and features native prairie, woods, wetlands and wildlife. The Nature Center offers an environmentally based curriculum for preschool through high school students. Classes and courses are available for families, home school groups, and other public and private schools outside of Austin.

Nancy Schnable, Executive Director of Discover Austin, will give a presentation about what makes our community special in so many ways. Welcome bags will be provided that contain materials highlighting different attractions in the community. We will have some time to tour the nature center’s exhibit room that highlights many things, including soil health, wetlands, local animals, and a new exhibit on native mussels and the DNR’s efforts to restore them in the Cedar River State Water Trail.

On the drive back to Albert Lea a *Discover Austin* tour guide will introduce you to local points of interest and lesser-known quirky sites around Austin that may merit further attention.

4:30 p.m. Arrive back at the hotel (Country Inn and Suites)

Special THANKS to the Minnesota Watersheds 2023 Summer Tour Sponsors



Red Lake Watershed District - Administrators Report

April 27, 2023

Red River Watershed Management Board – LeRoy and I attended the Red Board meeting held at 10:00 am April 18, 2023, in Ada. LeRoy attended live and I attended via Teams. As part of the meeting, I gave an update on the Appeals Court ruling for the Improvement to Polk County Ditch #39. LeRoy can update the Board on other items as he sees fit.

Drainage Workgroup Meeting – I attended the Drainage Workgroup (DWG) meeting which was held at 9:30 am Monday April 24, 2023, at the Douglas County Public Works meeting room in Alexandria. This was our second meeting for the DWG sub-committee as it relates to Adequate Outlet for drainage systems.

Mud River Steering Committee – The Steering committee met at 10:00 am, Friday April 14th in preparation for the Project Team meeting which was to be held at 10:00 am Friday April 21st. Due to inclement weather, the meeting was postponed until May 5, 2023.

Thief River 1W1P – We have scheduled a planning workgroup/steering committee meeting for 1:00 pm May 1st. This meeting will be virtual and is just a check in with partners to see how project development is moving along and remind everyone where we are on the budget for the 2020 WBIF grant.

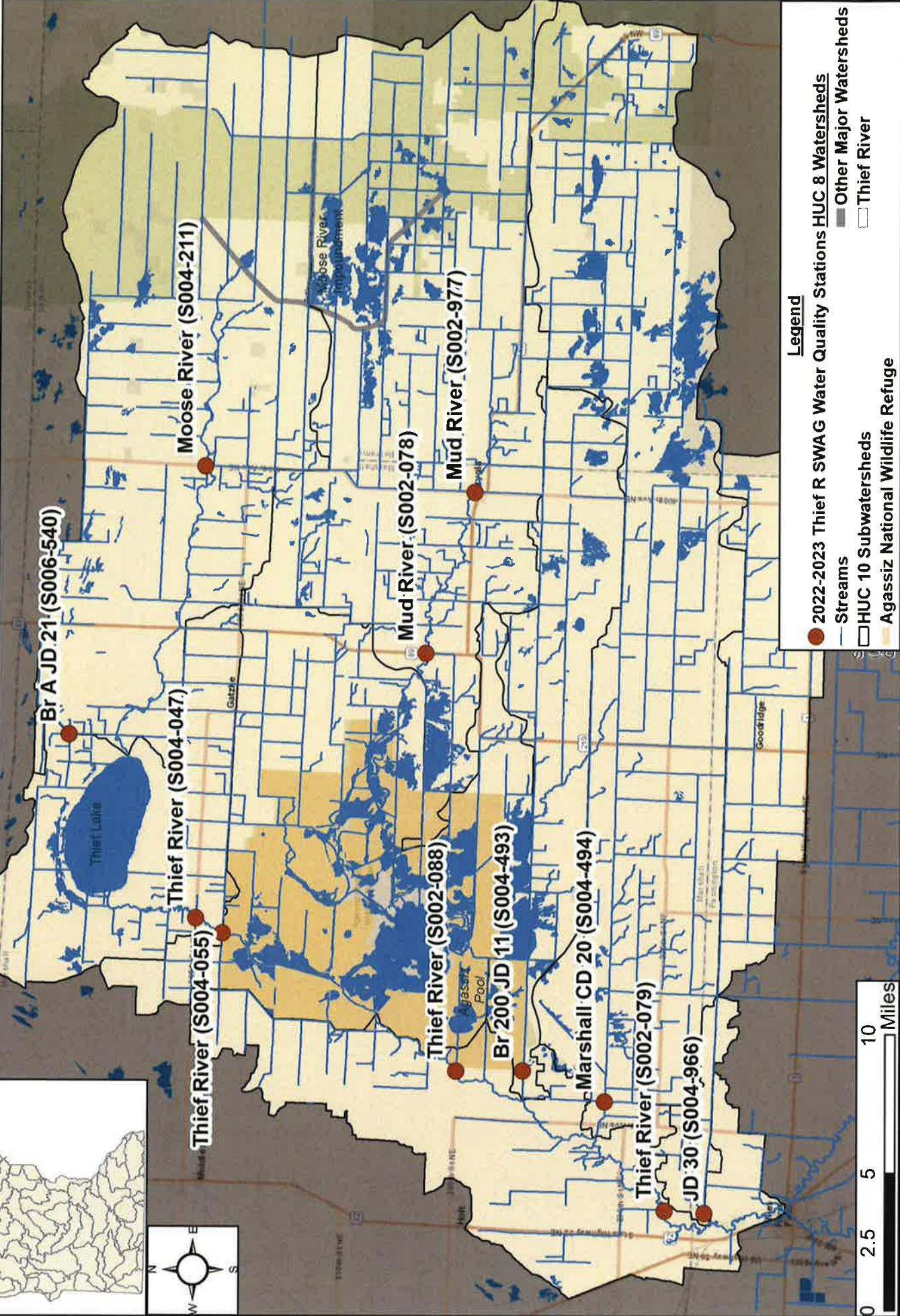
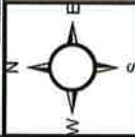
Upper/Lower Red Lake 1W1P – The Policy Committee meeting held their first meeting at 1:30 pm, Monday April 17th at the Red Lake DNR Office located at 15761 High School Drive, Red Lake MN. Brian and Tom attended live, Corey and I were going to attend remote but due to technical difficulties we were not able to attend. Brian can give an update during his manager's update if he so chooses.

Surface Water Assessment Grant Training – Corey, along with staff from the Pennington SWCD, met with the MPCA Project Manager, Kelly O'Hara, on April 19, 2023, and again on April 25th to discuss details of the District's Surface Water Assessment Grant (SWAG). The group reviewed the workplan, invoicing, sampling methods, sampling schedule, data management, and reporting. Sampling will be conducted in May through September of this year in the Thief River, Red Lake River, and Grand Marais Creek watersheds. Another meeting was held with statewide SWAG grant recipients and labs to review sample collection, handling, and paperwork procedures. I have included in your packet the sampling sites for both the Thief River Watershed as well as the Red Lake River and Grand Marais Watershed.

Pennington County Township Meeting – I will be attending the annual Pennington County Township meeting which will be held at 7:00 pm May 4th at the County meeting room here in TRF.

Lake Bronson Envirothon – Yesterday Corey participated in the Lake Bronson Envirothon which was sponsored by local Soil and Water Conservation Districts. The Minnesota Envirothon is an outdoor learning event for students grades 9-12. It is designed to promote natural resource involvement and education through hands-on competition. The event is coordinated by the Minnesota Soil and Water Conservation Districts. Corey's role in the event was to be on a panel of judges who hear the oral presentations. The 3 teams with the highest points after completing all 6 stations are the area winners and earn the right to advance to the state competition.

Thief River Watershed (09020304) 2022-2023 Surface Water Assessment Grant

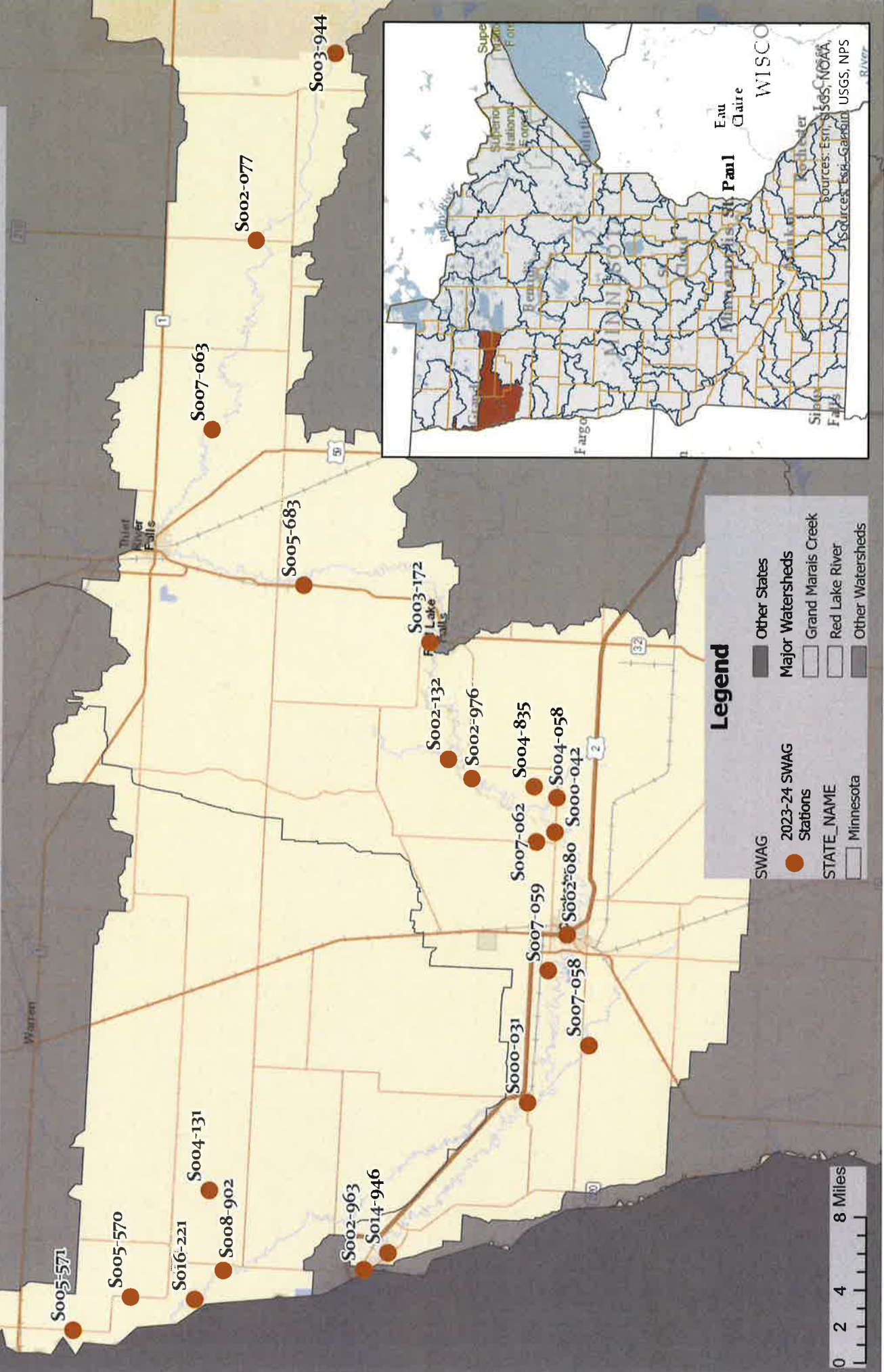


Legend

- 2022-2023 Thief R SWAG Water Quality Stations **HUC 8 Watersheds**
- Streams
- HUC 10 Subwatersheds
- Agassiz National Wildlife Refuge
- Other Major Watersheds
- Thief River



Red Lake River and Grand Marais Creek Watersheds 2023-2024 Surface Water Assessment Grant Water Quality Sampling Stations



0 2 4 8 Miles

Legend

- SWAG
 - 2023-24 SWAG Stations
- STATE_NAME
 - Minnesota
- Other States
- Major Watersheds
 - Grand Marais Creek
 - Red Lake River
 - Other Watersheds

