

RED LAKE WATERSHED DISTRICT

July 25, 2024

9:00 a.m.

Agenda

9:00 a.m.	Call to Order	Action
	Review and approve agenda	Action
	Requests to appear	Information
	July 11, 2024 Minutes	Action
	Financial Report dated July 24, 2024	Action
	Dakota Heritage Bank - CD's- Designate Depository	Info/Action
9:30 a.m.	Hearing on Petition for Inclusion – Tyler, Ryan, & Quinten Nelson	Action
	Turtle Cross Connection, RLWD Project No. 114	Info/Action
	West Polk SWCD Erosion Control Funds, RLWD Project No. 164	Information
	Zammert CRP Revision & Signature Authority for the District	Info/Action
	RRWMB 2025 Levy Resolution	Info/Action
	2024 MN Watersheds Resolutions	Information
	Tabled Permit No. 24075, Louisville Township, Red Lake County	Info/Action
	Permit Extension: RLWD Permit No. 23208, Bygland Twp, Polk Cty	Info/Action
	Permits: 24074, 24077, 24079, 24080, 24087, and 24088	Action
	2024 Wetland Conservation Act Statute Changes	Information
	Upper/Lower Red Lake 1W1P, RLWD Proj. No. 149B – Timeline	Information
	Water Quality Equipment	Info/Action
	Budget and Salary Recommendations	Info/Action
	Set Hearing Date – August 22, 2024	
	Administrators Update	Information
	Legal Counsel Update	Information

Managers Updates

Information

Adjourn

Action

UPCOMING MEETINGS:

July 25, 2024

RLWD Board Meeting, 9:00 a.m.

July 31, 2024

Thief River Area Subwatershed Project Team Meeting, 9:00 a.m.

August 8, 2024

RLWD Board Meeting, 9:00 a.m.

August 20, 2024

RRWMB, Ada, 10:00 a.m.

August 22, 2024

RLWD Board Meeting, 9:00 a.m.

October 22, 2024

Upper/Lower Red Lake Public Hearing

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 11, 2024

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

Managers Present: Gene Tiedemann, LeRoy Ose, Gene Tiedemann, Brian Dwight, Allan Page, and Grant Nelson. Manager's Absent: Terry Sorenson. Staff Present: Tammy Audette, Elaine Rychlock, Lindsey Kallis, Erick Huseh, Nate Koland, Lauren Palmer, Melissa Bushy and Legal Counsel, Delray Sparby.

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

The Board reviewed the June 28, 2024, minutes. Motion by Anderson, seconded by Nelson, to approve the June 28, 2024, Board meeting minutes, as presented. Motion carried.

The Board reviewed the Financial Report dated July 10, 2024. Staff member Rychlock reviewed current CD rates with area banks. Motion by Anderson, seconded by Ose, to approve the Financial Report dated July 10, 2024, as presented, to approve the purchase of a \$500,000 seven-month CD @ 5.17%, and a \$500,000 nine-month CD @ 5.25% at Dakota Heritage Bank in Red Lake Falls, MN. Motion carried.

Administrator Audette stated that Engineer Nate Dalager, HDR Engineering, Inc., plans to present the Preliminary Engineers Report for the Turtle Cross Connection Project, RLWD Project No. 114 at the July 25, 2024, board meeting

Tony Nordby, Houston Engineering Inc, and Delray Sparby, Legal Sparby have reviewed the documents from lowest bidder ACM LLC for the Drees/Stock Stabilization, RLWD Project No. 149A. Nordby stated they will start discussions soon on a possible start date – looking at late July or early August.

Administrator Audette provided an update on District Impoundments.

Staff member Kallis review the draft RLWD Scholarship Application. Scholarship eligibility and criteria were discussed. The board asked Administrator Audette to check with Matt Fischer, BWSR, asking for written approval from BWSR if we move forward with a scholarship program

The Board reviewed the permits for approval. Motion by Anderson, seconded by Ose, to approve the following permits with conditions stated on the permit: No. 24065, Andrew Zavoral, Bygland Township, Polk County; No. 24066, Andrew Zavoral, Bygland Township, Polk County; No. 24069, Richard Yaggie, Equality Township, Red Lake County; No. 24070, Richard Yaggie, Equality Township, Red Lake County; No. 24071, Tim Sedlacek, Bray Township, Pennington County; No. 24073, Lee Tate, Euclid Township, Polk County; No. 24075, James Abeld, Louisville Township, Red Lake County; No. 24076, Marshall County Highway

Dept., Excel Township, Marshall County; No. 24078, Ross Rindahl, Star Township, Pennington County; No. 24081, Erwin Wetekamp, Louisville Township, Red Lake County; and No. 24082, Jeanette Kliner, Euclid Township, Polk County. Motion carried with Manager Tiedemann abstaining.

Motion by Ose, seconded by Page, to table RLWD Permit No. 24075 to the July 25, 2024, board meeting pending more information. Motion carried.

Administrator's Report:

- **Judicial Ditch 1:** Landowner Greg Hilgeman held a meeting at the District office on July 9th. Approximately 20 landowners were in attendance. Managers Nelson and Page also participated, along with staff from Pennington and Red Lake County. Hilgeman did a very nice job of explaining the Petition for Improvement process as it relates to MN Statutes 103E.
- **RRWMB:** I plan to attend the RRWMB meeting in Ada on July 16th. A funding application was submitted to the RRWMB for their Water Quality Base Funding for the 3 bank stabilization projects on the Thief River.
- **Baird Beyer Dam:** Manager Page received a call from a local landowner regarding the Baird Beyer Dam, and amount of water within the impoundment. District staff will inspect the site and talk with the landowner.
- **Odney-Flaat:** Loren Sanderson informed the District that a beaver was making a dam against the trash rack at the Odney-Flaat structure. A trapper removed two beavers and a local contractor will be removing the dam in the near future.
- **Black River Impoundment-Diversion Ditch:** Replacement of the 18" culvert with a 30" culvert that was approved at the last Board meeting was installed on July 8th.
- **Ditch 16, RLWD Project No. 177:** Higher Ground plugged the abandoned culverts and repaired the road slopes on RLWD Ditch 16 on June 26th.
- **Four-Legged Lake, RLWD Project No. 102:** District staff was informed that beaver plugged the outlet culvert near 233rd Avenue and also at County Road 23 on the Four-Legged Lake Project. Staff member Huseth removed a portion of the dam on County Road 23 on the inlet side (outlet of East Four-Legged Lake) to allow for water movement. Huseth has contacted a local trapper and will have the dams removed once the beaver has been trapped.
- **Ditch Maintenance:** District ditches are currently being mowed. Contractors are making good progress considering the rain events we have had.
- **Water Quality Update:** District staff have begun testing area lakes for blue green algae on July 9th and will continue to monitor the various sites as needed.

Legal Counsel Sparby stated that the City of Thief River Falls is working on easements for the Chief's Coulee Project, RLWD Project No. 46S. Sparby indicated that the Minnesota Supreme Court has not ruled on the Improvement to Polk County Ditch 39, RLWD Project No. 179 Appeal.

Manager Page questioned the timeline for the repairs to the Knutson Dam. Engineer Tony Nordby, Houston Engineering, Inc., stated that he will have an update at the July 25, 2024, meeting.

Manager Anderson stated that he looked at the Pine Lake-Phase II Project, stating that the project looked good.

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

LeRoy Ose, Secretary

RED LAKE WATERSHED DISTRICT
Financial Report for July 25, 2024

Ck#	Check Issued to:	Description	Amount
online	EFTPS	Withholding FICA, Fed & Medi (pp 7-17-24)	\$ 5,345.28
online	MN Department of Revenue	Withholding Taxes (pp 7-17-24)	\$ 945.67
online	PERA	pp 7/17/2024	\$ 2,730.56
41338	Les Cota	VOID Check	\$ (760.00)
41348	Les Cota	reissued check #41338 to correct amount	\$ 2,135.00
41349	Myron Jesme	Mileage	\$ 73.70
41350	Dakota Heritage	CD's for 7 & 9 month - approved 7-11-24	\$ 1,000,000.00
41351	Brooke Haman	Beaver Removal project #102	\$ 300.00
41352	Corporate Technologies	Managed IT & 365 Office	\$ 1,980.00
41353	Erik Haman	Beaver Removal project #102	\$ 500.00
41354	HDR	**see below	\$ 41,886.49
41355	Higher Ground	Backhoe to smash pipe project #177	\$ 830.00
41356	Houston Engineering	Red Lake 1W1P project management	\$ 2,977.75
41357	Kristie Huseth	Cleaning Office	\$ 577.50
41358	L & M Fleet	Fasteners and bug repellant	\$ 154.88
41359	League of MN Cities	Work Comp coverage premium	\$ 3,845.00
41360	MADI	Fall Conference fee for Erick	\$ 50.00
41361	Matrix	Deferred Comp	\$ 750.01
41362	Nate Koland	Mowing building grounds	\$ 200.00
41363	Quality Spray Foam/Anderson	Mowing and maintenance	\$ 4,005.00
41364	Red Lake County SWCD	**see below	\$ 79,704.00
41365	Red River Watershed Mgmt Board	Mud & Turtle Facilitation Cost Share	\$ 547.79
41366	RMB	Water quality testing & courier fees	\$ 10,605.00
41367	Thief River Falls Times	Advertising for hearing project #2	\$ 278.15
41368	Red River Watershed Mgmt Board	1st half 2024 taxes	\$ 1,248,883.75
direct	Tom Anderson	Mileage	\$ 150.08
direct	City of Thief River Falls	Utilities	\$ 522.22
direct	WEX	Medical FSA	\$ 24.19
direct	Les's Sanitation	Garbage Services	\$ 38.74
direct	Sun Life Financial	Staff Life Insurance	\$ 144.64
direct	Pure Water	Office H2O	\$ 38.00
direct	WEX	Medical FSA	\$ 60.00
direct	Intuit - Quick Books	Monthly Fee	\$ 416.50
direct	Staff & Board Payroll	pp 7/17/24	\$ 18,891.17
	Total Checks		\$ 2,428,831.07

****HDR** *Turtle Cross project management* *\$17,551.35*
Mud River project management *\$17,260.00*
Pine Lake box culvert construction - *\$7,075.14*
(Phase II) ***\$41,886.49***

****Red Lake** *Construction East of City of RLF* *\$79,704.00*
County SWCD *Streambank & Shoreline for* ***\$79,704.00***
 2023 Clearwater 1W1P

Banking	Northern State Bank		
	Balance as of July 11, 2024		\$ 2,100,262.43
	Total Checks Written		\$ (2,428,831.07)
	Receipt #12238	Pennington County	\$ 450,803.42
	Receipt #12237	RRWMB Reimbursement Beich & Fladeland	\$ 66,325.04
	Receipt #12239	Transfer from American Federal for 7 mo. CD	\$ 500,000.00
	Receipt #12240	Transfer from American Federal for 9 mo. CD	\$ 500,000.00
	Balance as of July 25, 2024	Current interest rate is 3.25%	\$ 1,188,559.82
	American Federal Bank-Fosston		
	Balance as of July 11, 2024		\$ 5,276,192.42
CD's	Receipt # 12239 & 12240		\$ (1,000,000.00)
	Balance as of July 25, 2024	Current interest rate is 3.40%	\$ 4,276,192.42
	Edward Jones		
	Balance	12 month CD 5.45%	\$ 237,000.00
		Expiry 9-18-24	
	Edward Jones		
	Balance	12 month CD 5.5%	\$ 237,000.00
		Expiry 9-27-24	
	Edward Jones		
	Balance	12 month CD 5.5%	\$ 33,000.00
		Expiry 9-27-24	
	Edward Jones		
	Balance	12 month CD 4.85%	\$ 237,000.00
		Expiry 12-20-24	
	Edward Jones		
	Balance	12 month CD 4.55%	\$ 50,000.00
		Expiry 1-2-25	
	Edward Jones		
	Balance	12 month CD 4.75%	\$ 237,000.00
		Expiry 1-2-25	
	Edward Jones		
	Balance	12 month CD 4.9%	\$ 238,000.00
		Expiry 1-30-25	
	Edward Jones		
	Balance	12 month CD 4.9%	\$ 237,000.00
		Expiry 2-14-25	
	Edward Jones		
	Balance	12 month CD 5.2%	\$ 243,000.00
		Expiry 5-09-25	
	Edward Jones		
	Balance	12 month CD 5.15%	\$ 237,000.00
		Expiry 5-09-25	
	Dakota Heritage		
	Balance	7 month CD	\$ 500,000.00
		Expiry 2-24-25	
	Dakota Heritage		
	Balance	9 month CD	\$ 500,000.00
		Expiry 4-24-25	

Total CD Investments	\$ 2,986,000.00
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Total Cash (NSB + AFB + CD's)	\$ 8,450,752.24
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**Cash that has been received and
earmarked for projects: 5/08/24**

2022 Grant Thief River 1W1P Proj. #149A	\$ 626,536.80
2023 Grant Clearwater 1W1P Proj. #149B	\$ 1,016,044.43
2024 Grant Red Lake River 1W1P Proj. #149	\$ 321,779.72
Mid Point Grant Proj. #149	\$ 24,867.92
Chief Coulee Proj. #46S	<u>\$ 214,375.00</u>
	\$ 2,203,603.87

Payables committed to by board action:

Chief Coulee Proj. #46S	<u>\$ 800,000.00</u>
	\$ 800,000.00

Total accessible cash (Est)	\$ 5,447,148.37
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West Polk Soil & Water Conservation District

528 Strander Avenue
Crookston, Minnesota 56716-2912
Telephone: 1-218-281-6070
www.westpolkswcd.org

AN EQUAL OPPORTUNITY EMPLOYER

07/22/2024

Red Lake Watershed District Board

Re: Cost Share

Attached you will find invoice #2215, in the amount of \$12,985.50.

These two projects were presented to your board 09/24/2021 and received approval of 75% cost share.

Construction on these projects were completed in the fall of 2021. Cost share was paid to the landowner by West Polk SWCD district funds 12/20/2021.

On behalf of the West Polk SWCD, the district is requesting reimbursement of the total amount of \$12,985.50 for these two completed projects.

Please contact me with any questions.

Sincerely,

Nicole Bernd
District Manager
West Polk SWCD

RECEIVED

JUL 22 2024

Initial:

West Polk Soil and Water Conservation District



528 Strander Ave
Crookston, MN 56716
Phone: 218-281-6070

INVOICE

INVOICE #2215
DATE: JULY 22ND, 2024
**CONTRACT# DF(RLWD) 05-21 AND
DF(RLWD) 06-21**

TO:

Red Lake Watershed District
1000 Pennington Ave S
Thief River Falls MN 56701

FOR:

Reimbursement of cost share on two grade
stabilization projects.

DATE	DESCRIPTION	TEMS	RATE	AMOUNT
12/21/2021	J. Sorenson; Bygland twp., sec 1 One side water inlet (pipe), construction and materials			\$7,790.25
12/21/2021	BTN Farms Inc; Fisher twp., sec 7 One side water inlet (pipe), construction and materials			5,195.25
			TOTAL	\$12,985.50

Make all checks payable to **West Polk Soil and Water Conservation District**

Total due in 35 days. Overdue accounts are subject to a service charge of 1.5% per month.

Thank you for your business!

West Polk SWCD Project Cost Share Requests

Name	Location	Pratice	Estimated Cost	Cost Share Request @ 75%
Sorenson	Sec 1 Bygland Twp	Grade Stablization	\$12,000.00	\$9,000.00
BTN Farms	Sec 7&18 Fisher Twp	Grade Stablization	\$7,000.00	\$5,250.00
Total Cost Share Request				\$14,250.00

The Board reviewed two grade stabilization funding requests from the West Polk SWCD, for landowner, BTN Farms, located in Fisher Township and Sorenson Farms, Inc., located in Roome Township. The total project cost for the BTN Farms Grade Stabilization is \$7,000, with a cost share request from the District in the amount of \$5,250. The Sorenson Farms, Inc. Grade Stabilization Project has a total project cost of \$12,000, with a cost share request of \$9,000. Administrator Jesme stated that funding could come through the District's Erosion Control Funds, RLWD Project No. 164, or from the RRWMB Base Funding for Water Quality Projects, RLWD Project No. 46. Motion by Tiedemann, seconded by Sorenson, to approve the cost share request in the amount of \$5,250 for the BTN Farms Grade Stabilization Project, from the District's RRWMB Water Quality Base Funding, RLWD Project No. 46. Motion carried. Motion by Tiedemann, seconded by Ose, to approve the cost share request in the amount of \$9,000 for the Sorenson Farms, Inc. Grade Stabilization Project, from the District's RRWMB Water Quality Base Funding, RLWD Project No. 46. Motion carried.

The Board reviewed Pay Estimate No. 3, in the amount of \$5,578.75, to Taggart Contracting, Inc., for construction of the Threatt Ring Dike, RLWD Project No. 129AS. Motion by Sorenson, seconded by Tiedemann, to approve Pay Estimate No. 3, to Taggart Contracting, Inc., for construction of the Threatt Ring Dike, RLWD Project No. 129AS. Motion carried. Motion by Ose, seconded by Sorenson, to set the Final Payment Hearing to Taggart Contracting, Inc., for construction of the Threatt Ring Dike, RLWD Project No. 129AS, for 9:30 a.m., on October 13, 2021 at the District office. Motion carried.

Engineer Nate Dalager, HDR Engineering, Inc., discussed the construction on the Pine Lake Flood Damage & Fish Habitat Project, RLWD Project No. 26B. The contractor has completed the in-channel work, with plans to place the rock riffles and structure next week. Administrator Jesme discussed the permitting comment period and public review. At the request of the Red Lake Band of Chippewa Indians, the Department of Natural Resources completed a Phase 1 archaeological review, noting that nothing was found within the project area.

Engineer Zach Hermann, Houston Engineering, Inc., and Administrator April Swenby, Sandhill River Watershed District (SHRWD), participated in the meeting via zoom to discuss the shared watershed district boundary along MN State High 102 in Onstad Township, Polk County. Hermann stated that he reviewed the effects if the culverts were removed, looking at the culvert sizes and flowlines. After discussion by the Board, it was the recommendation to remove the culvert near Polk County Road 41, which would add 40 acres to the RLWD and set the new watershed district boundary at the old railroad grade, with continued coordination with the U.S. Fish and Wildlife Service on the "off-take" ditch. The SHRWD will work with landowners on removal options of the culvert and remaining three locations.

Engineer Tony Nordby, Houston Engineering, Inc., and staff member Nick Olson discussed downstream repairs to the outlet of the Schirrick Dam, RLWD Project No. 25. Nordby reviewed two alternatives to armor 600 feet of the east side bank, recommending Alternative 2 at an approximate cost of \$88,720, as the best option. Motion by Tiedemann, seconded by Page, to authorize Houston Engineering, Inc., to complete Plans and Specifications using Option 2 for the downstream repairs to the Schirrick Dam, RLWD Project No. 25. Motion carried.

Melissa Bushy

From: Long, Megan - FPAC-FSA, MN <megan.long@usda.gov>
Sent: Friday, July 12, 2024 8:52 AM
To: Melissa Bushy
Cc: Long, Megan - FPAC-FSA, MN
Subject: Zammert CRP Revision & Signature Authority for the District
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Importance: High

Good morning Melissa,

Attached is the revised CRP-1 & Conservation Plan that the District needs to sign on for the Zammert CRP revision.

We also need signature authority documentation for the Red Lake Watershed District to know who can sign for the District. I don't see that we have any documentation on file for this.

Please have whoever can sign for the District:

On the attached CRP-1, sign, title & date where indicated under #11 Participants On the attached Conservation Plan, sign, title & date where indicated in 2 places on page 4 & 7.

Once completed, please return the signature authority documentation, CRP-1 & Conservation Plan to me as soon as you can.

If you have any questions, just let me know.

Thanks much!
Have a great day!

Megan Long
Program Technician
West Polk County Office

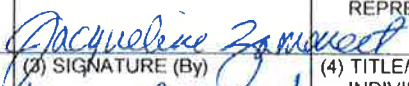



2211 Sahlstrom Dr Suite D, Crookston, MN, 56716
p: (218) 281-2809 ext. 100
e: megan.long@usda.gov | w: www.fsa.usda.gov/state-offices/Minnesota/index

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-----Original Message-----

From: megan.long@usda.gov <megan.long@usda.gov>
Sent: Friday, July 12, 2024 8:29 AM
To: Long, Megan - FPAC-FSA, MN <megan.long@usda.gov>
Subject: Scanned from a Xerox Multifunction Printer

CRP-1 (01-08-24) U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation		1. ST. & CO. CODE & ADMIN. LOCATION 27 120		2. SIGN-UP NUMBER 46	
CONSERVATION RESERVE PROGRAM CONTRACT		3. CONTRACT NUMBER 11058B		4. ACRES FOR ENROLLMENT 28.74	
5A. COUNTY FSA OFFICE ADDRESS (Include Zip Code) WEST POLK COUNTY FARM SERVICE AGENCY 2211 SAHLSTROM DRIVE, SUITE D CROOKSTON, MN56716-0000		6. TRACT NUMBER 12091		7. CONTRACT PERIOD FROM: (MM-DD-YYYY) 10-01-2014 TO: (MM-DD-YYYY) 09-30-2029	
5B. COUNTY FSA OFFICE PHONE NUMBER (Include Area Code): (218) 281-2809 x2		8. SIGNUP TYPE: Continuous			
THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the Contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges receipt of a copy of the Appendix/Appendices for the applicable contract period. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PARTICIPANTS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; and, CRP-2, CRP-2C, CRP-2G, or CRP-2C30, as applicable.					
9A. Rental Rate Per Acre \$ 100.99		10. Identification of CRP Land (See Page 2 for additional space)			
9B. Annual Contract Payment \$ 2,902.00		A. Tract No. 12091	B. Field No. 1	C. Practice No. CP23A	D. Acres 26.14
9C. First Year Payment \$ 2,902.00		12091	2	CP23A	E. Total Estimated Cost-Share \$ 2,875.00
(Item 9C is applicable only when the first year payment is prorated.)		12091	2	CP23A	\$ 286.00
11. PARTICIPANTS (If more than three individuals are signing, see Page 3.)					
A(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code) JACQUELINE C ZAMMERT 504 LINCOLN AVE CROOKSTON, MN56716 2030		(2) SHARE 50.00 %	(3) SIGNATURE (By) 	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY (5) DATE (MM-DD-YYYY) 7-11-2024	
B(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code) ANTHONY C ZAMMERT 2930 LEGEND LN GRAND FORKS, ND58201-8222		(2) SHARE 50.00 %	(3) SIGNATURE (By) 	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY (5) DATE (MM-DD-YYYY) 7-10-2024	
C(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code) RED LAKE WATERSHED DISTRICT 1000 PENNINGTON AVE THIEF RIVER FALLS, MN56701-4013		(2) SHARE 0.00 %	(3) SIGNATURE (By) 	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY (5) DATE (MM-DD-YYYY) 	
12. CCC USE ONLY		A. SIGNATURE OF CCC REPRESENTATIVE			B. DATE (MM-DD-YYYY)
NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334), the Further Continuing Appropriations and Other Extensions Act, 2024 (Pub. L. 118-22), and the Conservation Reserve Program 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.					
Paperwork Reduction Act (PRA) Statement: The information collection is exempted from PRA as specified in 16 U.S.C. 3846(b)(1). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.					

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov USDA is an equal opportunity provider, employer, and lender.



CROOKSTON SERVICE CENTER
528 STRANDER AVE
CROOKSTON, MN 56716-2912
2182811445 ext. 3

RANDY HUELSKAMP
CONSERVATION PROGRAM MANAGER

Conservation Plan

ROBERT ZAMMERT
26402 130TH ST SW
EUGLID, MN 56722

Carole Zammert
5821 Fountain Vista Dr.
Grand Forks ND 58201

RED LAKE WATERSHED DISTRICT
1000 PENNINGTON AVE
THIEF RIVER FALLS, MN 56701

Jacqueline C Zammert
504 Lincoln Ave
Crookston, MN 56716

Anthony C Zammert
2930 Legend Ln
Grand Forks, ND 58201

Crop

Tract: 12091

Conservation Cover

(CP-23 Wetland Restoration Buffer)

This practice establishes vegetative cover adjacent to restored wetlands to reduce erosion and sedimentation, improve water quality, and enhance wildlife habitat. Grasses will be established according to an NRCS approved seeding plan. Operation and maintenance will be performed in accordance with the attached job sheet for the CP23 practice.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	20.92 ac	5	2015		
2	2.08 ac	5	2015		
Total:	23 ac				

Operation and Maintenance

Operation and Maintenance

Operation and maintenance will include but not limited to the following:

1. Prevent disturbance of cover during the primary nesting season for wildlife established by FSA.
2. Control noxious weeds as identified by state and local laws by:
 - a) Treating with chemicals per label directions.
 - b) Spot mow before seed heads form.
3. When possible, delay use of control measures until after August 1st to protect nesting wildlife. Spot treatment on problem areas may be authorized by FSA during the primary nesting season.
4. Prohibit and protect the enrolled acres from harvesting, haying and grazing unless specifically authorized in the contract.
5. Re-seed any areas that do not have adequate permanent cover.
6. Do not use the contract area for field borders, field roads, or other uses that will damage or destroy the cover.
7. Do not use the field for disposal of livestock or organic waste unless that use is authorized in the additional specifications and remarks.
8. Control rodent infestations that adversely affect the perennial ground cover.
9. Use all chemicals according to label instructions.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	26.14 ac	5	2015		
2	2.6 ac	5	2015		
Total:	28.74 ac				

Upland Wildlife Habitat Management

(Mid-contract Grassland Management - Mowing)

Mowing is beneficial during the contract period to remove build-up, control undesirable species, and improve plant vigor. Mid-contract management actions will be scheduled and applied in accordance with an approved CRP grassland mid-contract management plan.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	26.14 ac	8	2023		
2	2.6 ac	8	2023		
Total:	28.74 ac				

Wetland Restoration

(CP-23A Wetland Restoration – Non-Floodplain)

Restore the functions and values of wetland ecosystems that have been devoted to agricultural use. The wetland restoration(s) will be completed according to an approved plan developed by the NRCS. See the attached restoration plan for shaping, grading, and construction details. Any associated upland buffer areas will be seeded according to an approved seeding plan. Operation and maintenance will be performed according to the attached job sheet for the CP23 practice and CP1, CP2 or CP3 as appropriate.

Field	Planned Amount	Month	Year	Applied Amount	Date
1	5.22 ac	5	2015		
2	0.52 ac	5	2015		
Total	5.74 ac				

CERTIFICATION OF PARTICIPANTS

Robert Zammert 9-10-14
ROBERT ZAMMERT DATE

Myron Jeanne 9-11-14
RED LAKE WATERSHED DISTRICT DATE

CERTIFICATION OF:

CONSERVATION PROGRAM MANAGER
Randy Huelskamp 9-17-14
RANDY HUELSKAMP DATE
Arthur Hunter 2/8/21

CONSERVATION DISTRICT
Susan C. Leitch 9-17-14
WEST POLK SOIL & WATER CO DATE
Deanne Leitch 2-4-21

PUBLIC BURDEN STATEMENT

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0578-0013. The time required to complete this information collection is estimated to average 45/0.75 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection information.

PRIVACY ACT

The above statements are made in accordance with the Privacy Act of 1974 (5 U.S.C 552a). Furnishing this information is voluntary; however failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other state or federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

USDA NON-DISCRIMINATION STATEMENT

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USDA Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW.
Washington, DC 20260-9410

Or call toll free at (866) 832-9992 (voice) to obtain additional information, the appropriate office or to request documents. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay service at (800) 877-8339 or (800) 845-6136 (in Spanish). USDA is an equal opportunity provider, employer, and lender. Persons with disabilities who require alternative means for communication of program information (e.g., Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

Carole Zammert 2-3-21
Carole Zammert date

Jacqueline C Zammert 7-11-24
Jacqueline C Zammert Date

Anthony C Zammert 7-10-24
Anthony C Zammert Date

[illegible]

NOTES: A. All items numbers on form NRCS-CPA-1155 must be carried out as part of this contract to prevent violation.
B. When established, the conservation practices identified by the numbered items must be maintained by the participant at no cost to the government.
C. All cost share rates are based on average cost (AC) with the following exceptions:
AA = Actual costs not to exceed average cost. FR = Flat rate. PR = Payment rate. NC = Non cost-shared. AM = Actual cost not to exceed the specified maximum.
D. By signing, the participant acknowledges receipt of this conservation plan including this form NRCS-CPA-1155 and agrees to comply with the terms and conditions here of.

Signature Robert Zammert Date 9-10-14
ROBERT ZAMMERT Police Lake Watershed District 9-11-14 Date

NRCS Approving Official
Signature *Randy Huelskamp* 9-17-14
Randy Huelskamp
Date *2/8/21*

Approved by Conservation District Representative
Signature *[Signature]*
Date 9-17-14 *[Signature]* 2-4-21

FSA Approving Official
Signature *[Signature]* 2/9/21
Date 7/6/19

Carole Zammit 2-3-21

Carole Zammit date

Red Lake Watershed District date

Jacqueline C Zammert 7-11-24
Jacqueline C Zammert Date

Anthony C Zammert 7-10-24
Anthony C Zammert Date

2024 WETLAND CONSERVATION ACT

STATUTE CHANGES

Summary of Key Statute Changes with Explanations

This summary includes excerpts from Laws of MN 2024, Chapter 90, Article 3. It includes only the relevant Wetland Conservation Act (WCA) statutory subdivisions and paragraphs that contain changes, listed by the corresponding section numbers from the Chapter 90 session law. See the Office of the Revisor of Statutes website for complete statutes and session law: <https://www.revisor.leg.state.mn.us/laws/current/>. Underlined text indicates new language, ~~strikeout~~ indicates repealed language. This summary was prepared by the Minnesota Board of Water and Soil Resources (BWSR). All changes take effect August 1, 2024 unless otherwise noted.

Sec. 75. Minnesota Statutes 2022, section 103G.005, subdivision 14d, is amended to read:

Subd. 14d. **Project.** "Project" means a specific plan, contiguous activity, proposal, or design necessary to accomplish a goal as defined by the local government unit. As used in this chapter, a project may not be split into components or phases for the ~~sole~~ purpose of gaining additional exemptions.

Effect of Change: Clarifies that the restriction applies even when the gaining of additional exemptions was not the *sole* purpose for splitting a project into components or phases.

Sec. 76. Minnesota Statutes 2022, section 103G.005, subdivision 17b, is amended to read:

Subd. 17b. **Wetland type.** "Wetland type" means a wetland type classified according to *Wetlands of the United States*, United States Fish and Wildlife Service Circular 39 (1971 edition), ~~as summarized in this subdivision~~ or A Hydrogeomorphic Classification for Wetlands, United States Army Corps of Engineers (August 1993), including updates, supplementary guidance, and replacements, if any, as determined by the board.

~~(1) "Type 1 wetlands" are seasonally flooded basins or flats in which soil is covered with water or is waterlogged during variable seasonal periods but usually is well-drained during much of the growing season. Type 1 wetlands are located in depressions and in overflow bottomlands along watercourses, and in which vegetation varies greatly according to season and duration of flooding and includes bottomland hardwoods as well as herbaceous growths.~~

~~(2) "Type 2 wetlands" are inland fresh meadows in which soil is usually without standing water during most of the growing season but is waterlogged within at least a few inches of surface. Vegetation includes grasses, sedges, rushes, and various broad-leaved plants. Meadows may fill shallow basins, sloughs, or farmland sags, or these meadows may border shallow marshes on the landward side.~~

~~(3) "Type 3 wetlands" are inland shallow fresh marshes in which soil is usually waterlogged early during a growing season and often covered with as much as six inches or more of water. Vegetation includes grasses, bulrushes, spikerushes, and various other marsh plants such as cattails, arrowheads, pickerelweed,~~

and smartweeds. These marshes may nearly fill shallow lake basins or sloughs, or may border deep marshes on the landward side and are also common as seep areas on irrigated lands.

(4) "Type 4 wetlands" are inland deep fresh marshes in which soil is usually covered with six inches to three feet or more of water during the growing season. Vegetation includes cattails, reeds, bulrushes, spikerushes, and wild rice. In open areas, pondweeds, naiads, coontail, water milfoils, waterweeds, duckweeds, waterlilies, or spatterdocks may occur. These deep marshes may completely fill shallow lake basins, potholes, limestone sinks, and sloughs, or they may border open water in such depressions.

(5) "Type 5 wetlands" are inland open fresh water, shallow ponds, and reservoirs in which water is usually less than ten feet deep and is fringed by a border of emergent vegetation similar to open areas of type 4 wetland.

(6) "Type 6 wetlands" are shrub swamps in which soil is usually waterlogged during growing season and is often covered with as much as six inches of water. Vegetation includes alders, willows, buttonbush, dogwoods, and swamp privet. This type occurs mostly along sluggish streams and occasionally on floodplains.

(7) "Type 7 wetlands" are wooded swamps in which soil is waterlogged at least to within a few inches of the surface during growing season and is often covered with as much as one foot of water. This type occurs mostly along sluggish streams, on floodplains, on flat uplands, and in shallow basins. Trees include tamarack, arborvitae, black spruce, balsam, red maple, and black ash. Northern evergreen swamps usually have a thick ground cover of mosses. Deciduous swamps frequently support beds of duckweeds and smartweeds.

(8) "Type 8 wetlands" are bogs in which soil is usually waterlogged and supports a spongy covering of mosses. This type occurs mostly in shallow basins, on flat uplands, and along sluggish streams. Vegetation is woody or herbaceous or both. Typical plants are heath shrubs, sphagnum moss, and sedges. In the north, leatherleaf, Labrador tea, cranberries, carex, and cottongrass are often present. Scattered, often stunted, black spruce and tamarack may occur.

Effect of Change: Allows for use of the Hydrogeomorphic Classification for Wetlands (HGM) for determining wetland type. MN Rules Chapter 8420 (WCA Rule) will be amended to incorporate the use of HGM. Circular 39 remains in statute as an optional wetland typing method and is relevant to the identification of public water wetlands under Minn. Stat. 103G.005, Subd. 15a. Deletion of the "Wetland type" summary does not affect the use of Circular 39. More information about HGM can be found at: [HGM Approach \(dren.mil\)](https://www.dnr.state.mn.us/dren/hgm/hgm_approach.html)

Sec. 77. Minnesota Statutes 2023 Supplement, section 103G.005, subdivision 19, is amended to read:

Subd. 19. **Wetlands.** (a) "Wetlands" means lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, wetlands must have the following three attributes:

(1) have a predominance of hydric soils;

(2) are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and

(3) under normal circumstances support a prevalence of such vegetation.

(b) For the purposes of regulation under this chapter, the term wetlands does not include public waters wetlands as defined in subdivision 15a.

(c) Notwithstanding paragraph (a), wetlands includes deepwater aquatic habitats that are not public waters or public waters wetlands. For purposes of this paragraph, "deepwater aquatic habitats" has the meaning given in *Corps of Engineers Wetlands Delineation Manual*, United States Army Corps of Engineers (January 1987).

Effect of Change: WCA regulatory authority will now apply to deepwater habitats that are not designated as public waters. All replacement requirements, exemptions, application procedures, etc. will apply to projects involving these deepwater habitats. Deepwater habitats are permanently flooded lands lying below the deepwater boundary of wetlands (generally greater than 8.2 feet of water depth) as defined in the "Classification of Wetlands and Deepwater Habitats of the United States" (adapted from Cowardin et al., 1979), which is available here: [Classification of Wetlands and Deepwater Habitats of the United States](#)

Sec. 78. Minnesota Statutes 2022, section 103G.222, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** (a) Wetlands must not be drained or filled, wholly or partially, unless replaced by actions that provide at least equal public value under a replacement plan approved as provided in section 103G.2242, a replacement plan under a local governmental unit's comprehensive wetland protection and management plan approved by the board under section 103G.2243, or, if a permit to mine is required under section 93.481, under a mining reclamation plan approved by the commissioner under the permit to mine. Project-specific wetland-replacement plans submitted as part of a project for which a permit to mine is required and approved by the commissioner on or after July 1, 1991, may include surplus wetland credits to be allocated by the commissioner to offset future mining-related wetland impacts under any permits to mine held by the permittee, the operator, the permittee's or operator's parent, an affiliated subsidiary, or an assignee pursuant to an assignment under section 93.481, subdivision 5. For project-specific wetland replacement completed prior to wetland impacts authorized or conducted under a permit to mine within the Great Lakes and Rainy River watershed basins, those basins ~~shall be~~ are considered a single watershed for purposes of determining wetland-replacement ratios. Mining reclamation plans ~~shall~~ must apply the same principles and standards for replacing wetlands that are applicable to mitigation plans approved as provided in section 103G.2242. The commissioner must provide notice of an application for wetland replacement under a permit to mine to the county in which the impact is proposed and the county in which a mitigation site is proposed. Public value must be determined in accordance with section 103B.3355 or a comprehensive wetland protection and management plan established under section 103G.2243. Sections 103G.221 to 103G.2372 also apply to excavation in permanently and semipermanently flooded areas of ~~types 3, 4, and 5~~ wetlands.

Effect of Change: Removes Circular 39 wetland type from consideration in determining whether excavation in permanently and semi-permanently flooded areas of a wetland is an impact.

(d) If a wetland is replaced under paragraph (c), or drained under section 103G.2241, ~~subdivision 2, paragraph (b) or (c),~~ subdivision 1, clause (1), the local government unit may require a deed restriction that prohibits nonagricultural use for at least ten years. The local government unit may require the deed restriction if it determines the wetland area drained is at risk of conversion to a nonagricultural use within ten years based on the zoning classification, proximity to a municipality or full service road, or other criteria as determined by the local government unit.

Effect of Change: Applies the deed restriction prohibiting agricultural use for at least ten years to the new prior-converted cropland exemption (see changes to 103G.2241 subdivision 1). The reference to 103G.2241 subdivision 2(b-e) has been deleted, as those paragraphs were removed from statute.

(m) A replacement plan for wetlands is not required for individual projects that result in the filling or draining of wetlands for the repair, rehabilitation, reconstruction, or replacement of a currently serviceable existing state, city, county, or town public road necessary, as determined by the public transportation authority, to meet state or federal design or safety standards or requirements, excluding new roads or roads expanded solely for additional traffic capacity lanes. This paragraph only applies to authorities for public transportation projects that:

(1) minimize the amount of wetland filling or draining associated with the project and consider mitigating important site-specific wetland functions on site;

(2) except as provided in clause (3), submit project-specific reports to the board, the Technical Evaluation Panel, the commissioner of natural resources, and members of the public requesting a copy at least 30 days prior to construction that indicate the location, amount, and type of wetlands to be filled or drained by the project or, alternatively, convene an annual meeting of the parties required to receive notice to review projects to be commenced during the upcoming year; and

(3) for minor and emergency maintenance work impacting less than 10,000 square feet, submit project-specific reports, within 30 days of commencing the activity, to the board that indicate the location, amount, and type of wetlands that have been filled or drained.

Those required to receive notice of public transportation projects may appeal minimization, delineation, and on-site mitigation decisions made by the public transportation authority to the board according to the provisions of section 103G.2242, subdivision 9. The Technical Evaluation Panel ~~shall~~ must review minimization and delineation decisions made by the public transportation authority and provide recommendations regarding on-site mitigation if requested to do so by the local government unit, a contiguous landowner, or a member of the Technical Evaluation Panel.

Except for ~~state~~ public transportation projects that occur on state roads, for which the state Department of Transportation is responsible for the wetland replacement, the board must replace the wetlands, and wetland areas of public waters if authorized by the commissioner or a delegated authority, drained or filled by public transportation projects on existing roads.

Public transportation authorities at their discretion may deviate from federal and state design standards on existing road projects when practical and reasonable to avoid wetland filling or draining, provided that public safety is not unreasonably compromised. The local road authority and its officers and employees are exempt from liability for any tort claim for injury to persons or property arising from travel on the highway and related to the deviation from the design standards for construction or reconstruction under this paragraph. This paragraph does not preclude an action for damages arising from negligence in construction or maintenance on a highway.

Effect of Change: Clarifies that the Minnesota Department of Transportation is responsible for wetland replacement on public transportation projects that occur on state roads, regardless of who the project sponsor or co-sponsor is.

Sec. 79. Minnesota Statutes 2022, section 103G.2241, subdivision 1, is amended to read:

Subdivision 1. **Agricultural activities.** A replacement plan for wetlands is not required for:

~~(1) activities in a wetland that was planted with annually seeded crops, was in a crop rotation seeding of pasture grass or legumes, or was required to be set aside to receive price support or other payments under United States Code, title 7, sections 1421 to 1469, in six of the last ten years prior to January 1, 1991;~~

~~(2) activities in a type 1 wetland on agricultural pasture land that remains in the same use, except for bottomland hardwood type 1 wetlands, and activities in a type 2 or type 6 wetland that is less than two acres in size and located on agricultural pasture land that remains in the same use;~~

(1) impacts to wetlands on agricultural land labeled prior-converted cropland and impacts to wetlands resulting from drainage maintenance activities authorized by the United States Department of Agriculture, Natural Resources Conservation Service, on areas labeled farmed wetland, farmed-wetland pasture, and wetland. The prior-converted cropland, farmed wetland, farmed-wetland pasture, or wetland must be labeled on a valid final certified wetland determination issued by the Natural Resources Conservation Service in accordance with Code of Federal Regulations, title 7, part 12, as amended. It is the responsibility of the owner or operator of the land to provide a copy of the final certified wetland determination to, and allow the Natural Resources Conservation Service to share related information with, the local government unit and the board for purposes of verification;

~~(3)~~ (2) activities in a wetland conducted as part of normal farming practices. For purposes of this clause, "normal farming practices" means farming, silvicultural, grazing, and ranching activities such as plowing, seeding, cultivating, and harvesting for the production of feed, food, and fiber products, but does not include activities that result in the draining of wetlands;

~~(4)~~ (3) soil and water conservation practices approved by the soil and water conservation district, after review by the Technical Evaluation Panel;

~~(5)~~ (4) wetland impacts resulting from aquaculture activities, including pond excavation and construction and maintenance of associated access roads and dikes, authorized under, and conducted in accordance with, a permit issued by the United States Army Corps of Engineers under section 404 of the federal Clean Water Act, United States Code, title 33, section 1344, but not including construction or expansion of buildings;

~~(6)~~ (5) wetland impacts resulting from wild rice production activities, including necessary diking and other activities, authorized under and conducted in accordance with a permit issued by the United States Army Corps of Engineers under section 404 of the federal Clean Water Act, United States Code, title 33, section 1344; or

~~(7)~~ (6) agricultural activities on agricultural land that is subject to the swampbuster provisions of the federal farm program restrictions consistent with a memorandum of understanding and related agreements between the board and the United States Department of Agriculture, Natural Resources Conservation Service.

Effect of Change: Eliminates the exemption from WCA replacement requirements for activities that impact wetlands on agricultural land that is cropped 8 of the last 10 years, and on pasture land meeting certain wetland type and acreage requirements. Establishes an exemption for impacts to prior-converted cropland as labeled by the USDA Natural Resources Conservation Service (NRCS) and for impacts resulting from drainage maintenance activities on areas labeled by the NRCS as farmed wetland, farmed-wetland pasture, and wetland. Changes to items 4 and 5 clarify that only those wetland impacts authorized under a U.S. Army Corps of Engineers permit are exempt.

Sec. 80. Minnesota Statutes 2022, section 103G.2241, subdivision 2, is amended to read:

Subd. 2. **Drainage.** (a) For the purposes of this subdivision, "public drainage system" means a drainage system as defined in section 103E.005, subdivision 12, and any ditch or tile lawfully connected to the drainage system.

~~(b) A replacement plan is not required for draining of type 1 wetlands, or up to five acres of type 2 or 6 wetlands, in an unincorporated area on land that has been assessed drainage benefits for a public drainage system, provided that:~~

~~(1) during the 20-year period that ended January 1, 1992:~~

~~(i) there was an expenditure made from the drainage system account for the public drainage system;~~

~~(ii) the public drainage system was repaired or maintained as approved by the drainage authority; or~~

~~(iii) no repair or maintenance of the public drainage system was required under section 103E.705, subdivision 1, as determined by the public drainage authority; and~~

~~(2) the wetlands are not drained for conversion to:~~

~~(i) platted lots;~~

~~(ii) planned unit, commercial, or industrial developments; or~~

~~(iii) any development with more than one residential unit per 40 acres, except for parcels subject to local zoning standards that allow for family members to establish an additional residence on the same 40 acres.~~

~~If wetlands drained under this paragraph are converted to uses prohibited under clause (2) during the ten-year period following drainage, the wetlands must be replaced under section 103G.222.~~

~~(c) A replacement plan is not required for draining or filling of wetlands, except for draining types 3, 4, and 5 wetlands that have been in existence for more than 25 years, resulting from maintenance and repair of existing public drainage systems.~~

~~(d) (a) A replacement plan is not required for draining or filling of wetlands, except for draining wetlands that have been in existence for more than 25 years, resulting from maintenance and repair of existing drainage systems other than, including public drainage systems.~~

~~(e) A replacement plan is not required for draining agricultural land that:~~

~~(1) was planted with annually seeded crops before July 5, except for crops that are normally planted after that date, in eight out of the ten most recent years prior to the impact;~~

~~(2) was in a crop rotation seeding of pasture grass, cover crop, or legumes, or was fallow for a crop production purpose, in eight out of the ten most recent years prior to the impact; or~~

~~(3) was enrolled in a state or federal land conservation program and met the requirements of clause (1) or (2) before enrollment.~~

~~(f) The (b) A public drainage authority may, as part of the repair of a public drainage system, as defined in section 103E.005, subdivision 12, install control structures, realign the ditch, construct dikes along the ditch, or make other modifications as necessary to prevent the drainage of the wetland wetlands.~~

~~(g) Wetlands of all types that would be drained as a part of a public drainage repair project are eligible for the permanent wetlands preserve under section 103F.516. The board shall give priority to acquisition of easements on types 3, 4, and 5 wetlands that have been in existence for more than 25 years on~~

public drainage systems and other wetlands that have the greatest risk of drainage from a public drainage repair project.

Effect of Change: Eliminates the drainage exemptions in subdivision 2, except for the drainage of wetlands that have existed for 25 years or less resulting from maintenance and repair of existing drainage systems. The amended exemption eliminates wetland type as a consideration for eligibility and applies to both public and private drainage systems. Paragraph (b) clarifies that certain activities associated with repairs completed by public drainage authorities only apply to public drainage systems as defined under 103E.005 Subdivision 12 – this information was previously located in the now deleted paragraph (a).

Sec. 81. Minnesota Statutes 2022, section 103G.2241, subdivision 6, is amended to read:

Subd. 6. **Utilities; public works.** (a) A replacement plan for wetlands is not required for wetland impacts resulting from:

(1) new placement or maintenance, repair, enhancement, realignment, or replacement of existing utility or utility-type service, including pipelines, ~~if:~~ when wetland impacts are authorized under and conducted in accordance with a permit issued by the United States Army Corps of Engineers under section 404 of the federal Clean Water Act, United States Code, title 33, section 1344, and

~~(i) the direct and indirect impacts of the proposed project have been avoided and minimized to the extent possible; and~~

~~(ii) the proposed project significantly modifies or alters less than one-half acre of wetlands;~~

(2) activities associated with operation, routine maintenance, or emergency repair of existing utilities and public work structures, including pipelines, provided the activities do not result in additional wetland intrusion or additional draining or filling of a wetland either wholly or partially; or

(3) repair and updating of existing subsurface sewage treatment systems necessary to comply with local, state, and federal regulations.

(b) ~~For maintenance, repair, and replacement, the local government unit may issue a seasonal or annual exemption certification or the utility may proceed without local government unit certification if the utility is carrying out the work according to approved best management practices. Work of an emergency nature may proceed as necessary, and any drain or fill activities shall~~ must be addressed with the local government unit after the emergency work has been completed.

Effect of Change: Eliminates the acreage-based condition of the utilities exemption, and now subjects the exemption to a requirement that the wetland impacts be authorized by and conducted in accordance with a U.S. Army Corps of Engineers Section 404 permit. A local government unit can no longer issue a seasonal or annual exemption for a public utility as the exemption is now dependent on a Corps permit.

Sec. 82. Minnesota Statutes 2022, section 103G.2241, subdivision 9, is amended to read:

Subd. 9. **De minimis.** (a) Except as provided in paragraphs (d), (e), (f), (g), (h), and (i), a replacement plan for wetlands is not required for ~~draining or filling~~ impacts to the following amounts of wetlands, excluding the

permanently and semipermanently flooded areas of wetlands, as part of a project outside of the shoreland wetland protection zone:

~~(1) 10,000 square feet of type 1, 2, 6, or 7 wetland, excluding white cedar and tamarack wetlands, one-quarter acre of wetland in a greater than 80 percent area;~~

~~(2) 5,000 square feet of type 1, 2, 6, or 7 wetland, excluding white cedar and tamarack wetlands, one-tenth acre of wetland in a 50 to 80 percent area, except within the 11-county metropolitan area; or~~

~~(3) 2,000 square feet of type 1, 2, 6, or 7 wetland, excluding white cedar and tamarack wetlands, one-twentieth acre of wetland in a less than 50 percent area, except within the 11-county metropolitan area; or~~

~~(4) 100 square feet of type 3, 4, 5, or 8 wetland or white cedar and tamarack wetland.~~

(b) Except as provided in paragraphs (e), (f), (g), (h), and (i), a replacement plan for wetlands is not required for ~~draining or filling the following amounts of~~ up to 100 square feet of impacts to wetlands as part of a project within the shoreland wetland protection zone beyond the shoreland building setback zone.

~~(1) 400 square feet of type 1, 2, 6, or 7 wetland; or~~

~~(2) 100 square feet of type 3, 4, 5, or 8 wetland or white cedar and tamarack wetland.~~

~~In a greater than 80 percent area, the de minimis amount allowed under clause (1) may be increased up to 1,000 square feet if the wetland is isolated and is determined to have no direct surficial connection to the public water or if permanent water runoff retention or infiltration measures are established in proximity as approved by the shoreland management authority.~~

(c) Except as provided in paragraphs (e), (f), (g), (h), and (i), a replacement plan for wetlands is not required for ~~draining or filling up to 20 square feet of wetland impacts to wetlands~~ as part of a project within the shoreland building setback zone, as defined in the local shoreland management ordinance. The amount in this paragraph may be increased to 100 square feet if permanent water runoff retention or infiltration measures are established in proximity as approved by the shoreland management authority.

(d) Except as provided in paragraphs ~~(b)~~, (c), (e), (f), (g), (h), and (i), a replacement plan is not required for ~~draining or filling amounts up to 400 square feet of~~ impacts to the permanently and semipermanently flooded areas of wetlands as part of a project.

~~(1) 2,500 square feet of type 1, 2, 6, or 7 wetland, excluding white cedar and tamarack wetlands, outside of the shoreland wetland protection zone in a 50 to 80 percent area within the 11-county metropolitan area; or~~

~~(2) 1,000 square feet of type 1, 2, or 6 wetland, outside of the shoreland wetland protection zone in a less than 50 percent area within the 11-county metropolitan area.~~

~~For purposes of this subdivision, the 11-county metropolitan area consists of the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright.~~

(e) The amounts listed in paragraphs (a), (b), ~~and (c)~~, and (d) may not be combined on a project.

~~(f) This exemption no longer applies to a landowner's portion of a wetland when the cumulative area drained or filled of the landowner's portion since January 1, 1992, is the greatest of:~~

~~(1) the applicable area listed in paragraph (a), (b), or (c), if the landowner owns the entire wetland;~~

~~(2) five percent of the landowner's portion of the wetland; or~~

~~(3) 400 square feet.~~

(f) When the total area of impacts to wetlands as part of a project exceeds the applicable amount in this subdivision, a replacement plan is required for the entire amount.

(g) This exemption may not be combined with another exemption in this section on a project.

(h) Property may not be divided to increase the amounts listed in paragraph (a), (b), (c), or (d).

(i) If a local ordinance or similar local control is more restrictive than this subdivision, the local standard applies.

Effect of Change: Thresholds based on wetland type (Circular 39) and thresholds specific to the 11-country metro area have been eliminated from the de minimis exemption. Thresholds are now based on presettlement area (<50, 50-80, >80), shoreland zone, shoreland building setback zone, and permanently/semi-permanently flooded water regimes. Statute now clarifies that if project wetland impacts exceed the applicable de minimis threshold, all wetland impacts require replacement. The exemption restrictions related to the landowner's portion of the wetland and the cumulative area drained/filled since 1992 have been eliminated. Additional restrictions have been added to statute to prevent increasing de minimis amounts by dividing property. The statute now refers to all wetland impacts as opposed to just impacts caused by draining and filling.

Sec. 83. Minnesota Statutes 2023 Supplement, section 103G.2242, subdivision 1, is amended to read:

Subdivision 1. **Rules.** (a) The board, in consultation with the commissioner, shall adopt rules governing the approval of wetland value replacement plans under this section and public-waters-work permits affecting public waters wetlands under section 103G.245. These rules must address the criteria, procedure, timing, and location of acceptable replacement of wetland values and may address the state establishment and administration of a wetland banking program for public and private projects, including provisions for an in-lieu fee program; mitigating and banking other water and water-related resources; the administrative, monitoring, and enforcement procedures to be used; provisions that protect, or mitigate impacts to, intermittent and perennial watercourses upstream of public waters identified under section 103G.005, subdivision 15, paragraph (a), clause (9) or (10); and a procedure for the review and appeal of decisions under this section. In the case of peatlands, the replacement plan rules must consider the impact on carbon. Any in-lieu fee program established by the board must conform with Code of Federal Regulations, title 33, section 332.8, as amended.

(b) After the adoption of the rules, a replacement plan must be approved by a resolution of the governing body of the local government unit, consistent with the provisions of the rules or a comprehensive wetland protection and management plan approved under section 103G.2243.

(c) If the local government unit fails to apply the rules or fails to implement a local comprehensive wetland protection and management plan established under section 103G.2243, the government unit is subject to penalty as determined by the board.

(d) When making a determination under rules adopted pursuant to this subdivision on whether a rare natural community will be permanently adversely affected, consideration of measures to mitigate any adverse effect on the community must be considered.

Effect of Change: Authorizes BWSR to amend the WCA rules to regulate reaches of intermittent and perennial watercourses that are not identified as public waters. The regulation of these watercourse reaches does not become effective until BWSR develops and adopts specific rules related to their protection and mitigation.

Sec. 84. Minnesota Statutes 2022, section 103G.2242, subdivision 2, is amended to read:

Subd. 2. **Evaluation.** (a) Questions concerning the public value, location, size, or type of a wetland ~~shall~~ must be submitted to and determined by a Technical Evaluation Panel after an on-site inspection. The Technical Evaluation Panel ~~shall~~ must be composed of a technical professional employee of the board, a technical professional employee of the local soil and water conservation district or districts, a technical professional with expertise in water resources management appointed by the local government unit, and a technical professional employee of the Department of Natural Resources for projects affecting public waters or wetlands adjacent to public waters.

(b) ~~For wetland boundary determinations, the panel shall use the "United States Army Corps of Engineers Wetland Delineation Manual", United States Army Corps of Engineers (January 1987), including updates, supplementary guidance, and replacements, if any,". For wetland type determinations, the panel must also use "Wetlands of the United States" (United States Fish and Wildlife Service Circular 39, (1971 edition), and "Classification of Wetlands and Deepwater Habitats of the United States" (1979 edition); "Classification of Wetlands and Deepwater Habitats of the United States, United States Fish and Wildlife Service (August 2013 edition); or A Hydrogeomorphic Classification for Wetlands, United States Army Corps of Engineers (August 1993), according to rules authorized under this part and including updates, supplementary guidance, and replacements, if any, for any of these publications.~~

Effect of Change: The edits update references to the Corps of Engineers wetland delineation manual and associated U.S. Fish and Wildlife Service wetland/deepwater habitat classification system. The statute now allows for the use of the HGM wetland classification system in wetland boundary/type determinations according to rules adopted by BWSR (WCA rules). The language also clarifies that future updates, supplements, and replacements of referenced documents can be used.

Sec. 85. Minnesota Statutes 2022, section 103G.2242, subdivision 2a, is amended to read:

Subd. 2a. **Wetland boundary or type determination.**

(c) The local government unit decision must be made in compliance with section 15.99. Within ten calendar days of the decision, the local government unit decision must be mailed or sent by electronic transmission to the landowner, members of the Technical Evaluation Panel, the watershed district or watershed management organization, if one exists, and individual members of the public who request a copy. Notwithstanding section 15.99, subdivision 2, the board must establish by rule timelines for project review and comment for wetland banking projects.

Effect of Change: For wetland banking projects only, statute now directs BWSR to establish review and comment period timelines in WCA rule. These timelines will not take effect until formally adopted in rule. Once adopted, these review and comment period timelines for wetland banking projects would no longer be subject to Minnesota Statutes 15.99. This provision, however, does not apply to other WCA application types such as exemptions or replacement plans.

Sec. 86. Minnesota Statutes 2022, section 103G.2242, subdivision 3, is amended to read:

Subd. 3. Replacement completion.

(b) The board may establish, sponsor, or administer a wetland banking program, which may include provisions allowing monetary payment to the wetland banking program for impacts to wetlands. The board may acquire land in fee title, purchase or accept easements, enter into agreements, and purchase existing wetland replacement credits to facilitate the wetland banking program. The board may establish wetland credit and in-lieu fee payment amounts and hold money in an account in the special revenue fund, which is appropriated to the board to be used solely for establishing replacement wetlands and administering the wetland banking program.

Effect of Change: Clarifies BWSR's authority to develop, sponsor, and administer the wetland banking program, including an in-lieu fee program and/or the associated collection of payments. It also clarifies BWSR's ability to establish fee payment amounts and hold money associated with deposited wetland credits and in-lieu fee payments.

Questions regarding the statute changes included in this summary can be directed to any the following staff of the Minnesota Board of Water and Soil Resources:

Ken Powell
WCA Operations Supervisor
ken.powell@state.mn.us
651-666-0082

Lewis Brockett
Wetlands Policy Coordinator
lewis.brockett@state.mn.us
651-308-3280

Les Lemm
Wetlands Section Manager
les.lemm@state.mn.us
651-341-4208

Background

Amendments to WCA Statutes since the current rule was adopted (2009)

- 2011
- 2012
- 2015
- 2017
- **2024**

Some amendments require the completion of rulemaking before they become effective, others have been effective since passage.

We will discuss specifically the 2024 amendments, of which most are effective on August 1, 2024.

P (BWSR) (Unverified)

Non-PW Deepwater Habitats Now Regulated by WCA

- Water bodies that are too deep to be wetlands (generally >8.2 feet deep) and are not big enough to meet the criteria for Public Waters (>2.5 ac in metro, >10 ac non-metro) are now subject to WCA regulations.
- This change is effective August 1. Most of these water bodies include a fringe of wetland that was already regulated by WCA.

Non-PW Deepwater Habitats Now Regulated by WCA

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- This change is effective August 1. Most of these water bodies include a fringe of wetland that was already regulated by WCA.

Regulatory Authority for Non-PW Intermittent/Perennial Streams added to WCA

- BWSR can adopt rules that protect or mitigate impacts to watercourses that are upstream of Public Waters watercourses (drainage area >2 sq miles).
- This change is not effective until rules are adopted in a future rulemaking when the necessary resources and expertise are acquired to implement it.



Agricultural Exemption

The following provisions were removed from the agricultural exemption:

- Agricultural activities impacting a wetland that was planted, in a crop rotation, or set aside program in six of the 10 years prior to 1991.
- Agricultural activities impacting a wetland on ag pastureland remaining in the same use (restricted to certain wetland types and sizes).

Agricultural Exemption

The following provisions were added to the agricultural exemption:

- Impacts to wetlands on agricultural land labeled as prior-converted cropland (PC) by the USDA Natural Resources Conservation Service (NRCS).
- Impacts to wetlands on agricultural land resulting from drainage *maintenance* activities authorized by NRCS where labeled as prior-converted cropland (PC), farmed wetland (FW), farmed-wetland pasture (FWP) or wetland (W).

Drainage Exemption

The following provisions were removed from the drainage exemption:

- Draining wetlands (certain type restrictions) in an unincorporated area on land that has been assessed drainage benefits for a public drainage system (with various requirements).
- Wetland impacts on lands that were planted with annually seeded crops, in a crop rotation, or set aside 8 or the last 10 most recent years.

Drainage Exemption

- The public and private drainage maintenance exemptions have been combined.
- The provision that exempts impacts to wetlands, except for type 3, 4, and 5 wetlands that have existed for more than 25 years, resulting from maintenance/repair of existing public drainage systems has effectively been modified.
- Now impacts to any wetland that has existed more than 25 years will require replacement, regardless of type or ownership of the system.

Simplified Example (Public Drainage Maintenance). Must determine if project will result in wetland drainage and which wetlands that will be drained have been in existence for more than 25 years.



Utilities Exemption

- WCA exempts impacts to wetlands resulting from the installation, maintenance, repair or replacement of utility lines meeting certain requirements including a ½ acre threshold.
- This exemption now requires that the project be authorized under a permit issued by the U.S. Army Corps of Engineers. The ½ acre threshold was eliminated.
- The repair and updating of existing subsurface sewage treatment systems to comply with state/federal/local requirements is also exempt and is unchanged.

De Minimis Exemption

WCA has a de minimis which exempts relatively small wetland impacts associated with a project. The threshold for this exemption varied by many factors. The exemption was changed as follows:

- Eliminated thresholds based on wetland “type” and on location in the 11-county metro area.
- Clarifies that if project wetland impacts exceed the applicable de minimis threshold, all wetland impacts require replacement.
- Additional restrictions added to prevent dividing property to increase de minimis amounts.
- Eliminated previous restrictions related to the landowner's portion of the wetland and the cumulative area drained or filled since 1992.
- Changed thresholds.

De Minimis Exemption

De Minimis Threshold is now the lowest of any of these applicable amounts for wetland impacts as part of a single project:

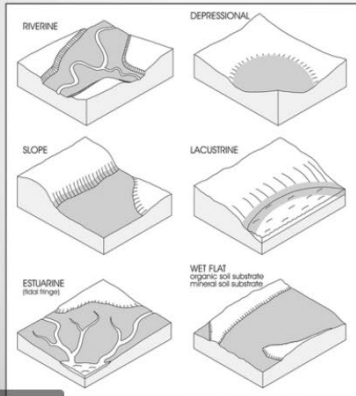
- **20 sf** – in shoreland building setback zone (can be increased to **100 sf** if permanent water runoff/retention/infiltration measures established).
- **100 sf** – in shoreland wetland protection zone.
- **400 sf** – in permanently/semi-permanently flooded areas of wetlands.
- **1/20th acre** - <50% area of state.
- **1/10th acre** – 50-80% area of state.
- **1/4 acre** - >80% area of state.

Splitting Projects to Gain Exemptions

- WCA exempts some impacts/activities meeting certain requirements from having to be replaced (mitigated).
- WCA does not allow exemptions to be combined on a project (i.e. only one exemption allowed per project).
- Previously, statute said that projects can't be split for the *sole* purpose of gaining exemptions. *Sole* was deleted. This means that projects can't be split to gain exemptions even if that was not the sole purpose of the split.

Hydrogeomorphic Classification System for Wetlands

A *Hydrogeomorphic Classification for Wetlands* (HGM for short) was added as an option for identifying “Wetland Type”. HGM will be incorporated into WCA rules for implementation and Circular 39 removed.



HGM is a relatively simple system that classifies wetlands based on their position in the landscape (depression, slope, floodplain, etc.) and their source of water (flooding from stream, lake bounce, seep, etc.).

P (BWSR) (Unverified)

Wetland Replacement Responsibility – State Roads

- WCA requires that BWSR provide replacement for wetland impacts associated with public transportation projects meeting certain requirements, except for projects that Minnesota Department of Transportation (MnDOT) is responsible for.
- Statute now clarifies that MnDOT is responsible for wetland replacement on public transportation projects that occur on state roads, regardless of who the project sponsor or co-sponsor is.

Wetland Banking – Review and Comment Timelines

- As with all WCA decisions, a decision on a wetland bank plan must be made in compliance with Minnesota Statutes 15.99 which generally requires a decision within 60 days.
- Statute directs BWSR to establish review and comment period timelines in WCA rule for wetland banking projects. Once adopted, the review timelines would no longer be subject to MS 15.99.
- Does not apply to other WCA application types.

More Information

- For information on rulemaking, see the rulemaking page on the BWSR website: <https://bwsr.state.mn.us/wca-rulemaking>.
- For information on the statute changes, see:
<https://bwsr.state.mn.us/2009-wetland-conservation-act-rule-and-2011-2024-statute-changes>
 - ❖ includes a written summary and narrated presentation.

Questions about Implementation of the 2024 Statute Changes?

❖ Live webinar – 9:00 am, July 22, 2024.

1. Review the narrated presentation cited on the previous page.
2. Email questions to: Lewis.Brockette@state.mn.us
3. Questions must be submitted by no later than July 15th.
4. BWSR staff will provide information to answer preselected questions pertaining to implementation.

Expanded Rulemaking Public Notice: [Minnesota State Register Volume 49 Number 02 \(mn.gov\)](#) Published on July 8; 30-day comment period.

If anyone has questions about this, BWSR is happy to meet one-on-one.

Timeline to Completion

July 23

- Wrap up internal review
- PC meeting
- Set Public Hearing date
- Discuss Implementation Structure

By August 2

- Start 60 Day
- PC Approve July 23

October 1

- End 60 Day

October

- PC Meeting and Public Hearing after Oct 22 at 9am

Nov/Dec

- Local board approval
- Submit plan to BWSR

Jan

- BWSR North Committee Jan 8
- BWSR Board Jan 22

Permit # **23-210**Status Report: **Tabled****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Ryan & Quinten Nelson		29839 Center St East Oklee, MN 56742		tel: 218-686-4248 mobile: fax:

General Information

(1) The proposed project is a:

Tilling

(2) Legal Description

(3) County: **Pennington** Township: **Deer Park** Range: **40** Section: **6 1/4**:(4) Describe in detail the work to be performed. **pattern tile/lift station pump**

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

Status

Status	Notes	Date
Tabled	P.A. #23-210 – Ryan and Quinten Nelson Pennington County – Deer Park Township – Section 6 The Red Lake Watershed District (RLWD) recommends tabling this permit to allow applicant to petition land into benefitted area of RLWD Project 2. T.O.	Nov. 8, 2023
Received	None	Oct. 27, 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 # **23-210**Status Report: **Denied****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Ryan & Quinten Nelson		29839 Center St East Oklee, MN 56742		tel: 218-686-4248 mobile: fax:

General Information

(1) The proposed project is a:

Tiling

(2) Legal Description

(3) County: **Pennington Township: Deer Park Range: 40 Section: 6 1/4:**(4) Describe in detail the work to be performed. **pattern tile/lift station pump**

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

Status

Status	Notes	Date
Denied	The Red Lake Watershed District (RLWD) recommends denying this permit due to land needing to be petitioned with Pennington County into the Benefitted Area of JD 1. After this process is complete, we will have the applicant re-apply for the drain tile project. T.O.	None
Tabled	P.A. #23-210 – Ryan and Quinten Nelson Pennington County – Deer Park Township – Section 6 The Red Lake Watershed District (RLWD) recommends tabling this permit to allow applicant to petition land into benefitted area of RLWD Project 2. T.O.	Nov. 8, 2023
Received	None	Oct. 27, 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.

RED LAKE WATERSHED DISTRICT PERMIT NUMBER 23210

In the matter of the application of: Ryan & Quinten Nelson, 29839 Center Street East, Oklee, MN 56742
Pursuant to Minnesota Statutes Chapter 103D, the Permit and Drainage Rules of the Red Lake Watershed District, and on the basis of the statement and information contained in the permit application submitted by applicant, including all letters, maps, and other supporting data furnished by applicant, all of which are made a part hereof by reference, permission is hereby granted to Ryan & Quinten Nelson address for the purposes of notice and other communications pertaining to this permit is 29839 Center Street East, Oklee, MN 56742 the purpose of doing the work applied for with the following exceptions, changes, and/or special conditions:

This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. This permit is granted subject to the following provisions:

The Red Lake Watershed District (RLWD) recommends denying this permit due to land needing to be petitioned with Pennington County into the Benefitted Area of JD 1. After this process is complete, we will have the applicant re-apply for the drain tile project.

- 1) ~~This permit is permissive only and shall not release the permittee from any liability or obligation imposed by Minnesota Statutes, Federal Law or Local Ordinances and shall be subject to all conditions and limitations now or hereafter imposed by law. The Red Lake Watershed District makes no representations to the applicant in granting the permit that the proposed work complies or does not comply with the existing law. No liability shall be imposed upon or incurred by the District or any of its officers, agents or employees, officially or personally, on account of the granting of this permit, or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees or contractors relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claim or right of action of the District against the permittee, its agents, employees, or contractors for violation of or failure to comply with the provisions of the permit or applicable provisions of law.~~
- 2) ~~Work authorized under this permit shall be completed by December 14, 2024, unless extended by the District.~~
- 3) ~~The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the District for inspection of the work authorized by this permit.~~
- 4) ~~This permit may be terminated by the District without notice at any time deemed necessary for the management of the water resources of the District, or in the interest of the public health and welfare, or for violation of any of the provisions of this permit.~~

Dated this 14th day of December, 2023.

Red Lake Watershed District



Tammy Audette, Administrator

P.A. No. 23210

RED LAKE WATERSHED DISTRICT
Subsurface Tile Drainage Application

Landowner Name: Ryan Nelson and Quinten Nelson Phone: 218-686-8335
218-686-4248

Address (Street, City, State, Zip): 29839 Center St E. Oklee, MN 56742

Name of designer: Field Drainage, Inc. Phone: 218-698-4628

Name of installer: Field Drainage, Inc. Phone: 218-698-4628

Legal description and site map and/or GPS coordinates to accurate scale showing location of all tiles, surface water inlets, outlet(s), lift stations, pumps, and flow control devices; (attach maps): _____

Section # 6 Township (Name & #) Deer Park 152 Range # 40 County Pennington

Land area to be tiled (acres): 232

Type of tiling (circle) Pattern Tile Random Tile

Type of outlet (circle) Lift Station/Pump Gravity Other _____

Date proposed plan submitted: Month 10 Day 26 Year 2023

Pump/lift station outlet flow capacity (GPM) 1100 GPM

- All subsurface tile drainage systems must protect from erosion and include RLWD approved erosion control measures.
- All subsurface tile outlets including lift station pumps, must be located out of a legal drainage system and governmental roadway right of way unless approved by District and must be visibly marked.
- It is recommended that after harvest, tile outlet controls, including lift station pumps, be opened or turned on to remove water from the system unless downstream culverts are freezing.
- Obtaining a permit from the RLWD Managers does not relieve the applicant from the responsibility of obtaining any other additional authorization or permits required by law. (Ex: NRCS, SWCD, Township, County, State, etc.)
- Upon completion of the project, "As Built" plans must be provided to the District.
- Consideration must be made for turning off pumps for short period of times during the summer so maintenance can be performed on public, legal and private drainage ways, such as road ditches or private natural field drains.

EXHIBITS. The following exhibits may be requested to accompany the permit application. Two copies, (standard paper size of 8.5 inches by 11 inches), which include:

Signature of Owner Quinten Nelson Date: OCT 26, 2023

RLWD staff use:

Permit # 23-210 Date received: _____

Drain tile outlets to: _____

Legal System (Benefited Area): _____

Culvert size upstream and downstream of tile outlet: _____ Initial: CR

RECEIVED

OCT 27 2023

5/20/24

Tyler Nelson
DeerPark 6E

1"

2"

3"

4"

5"

6"

8"

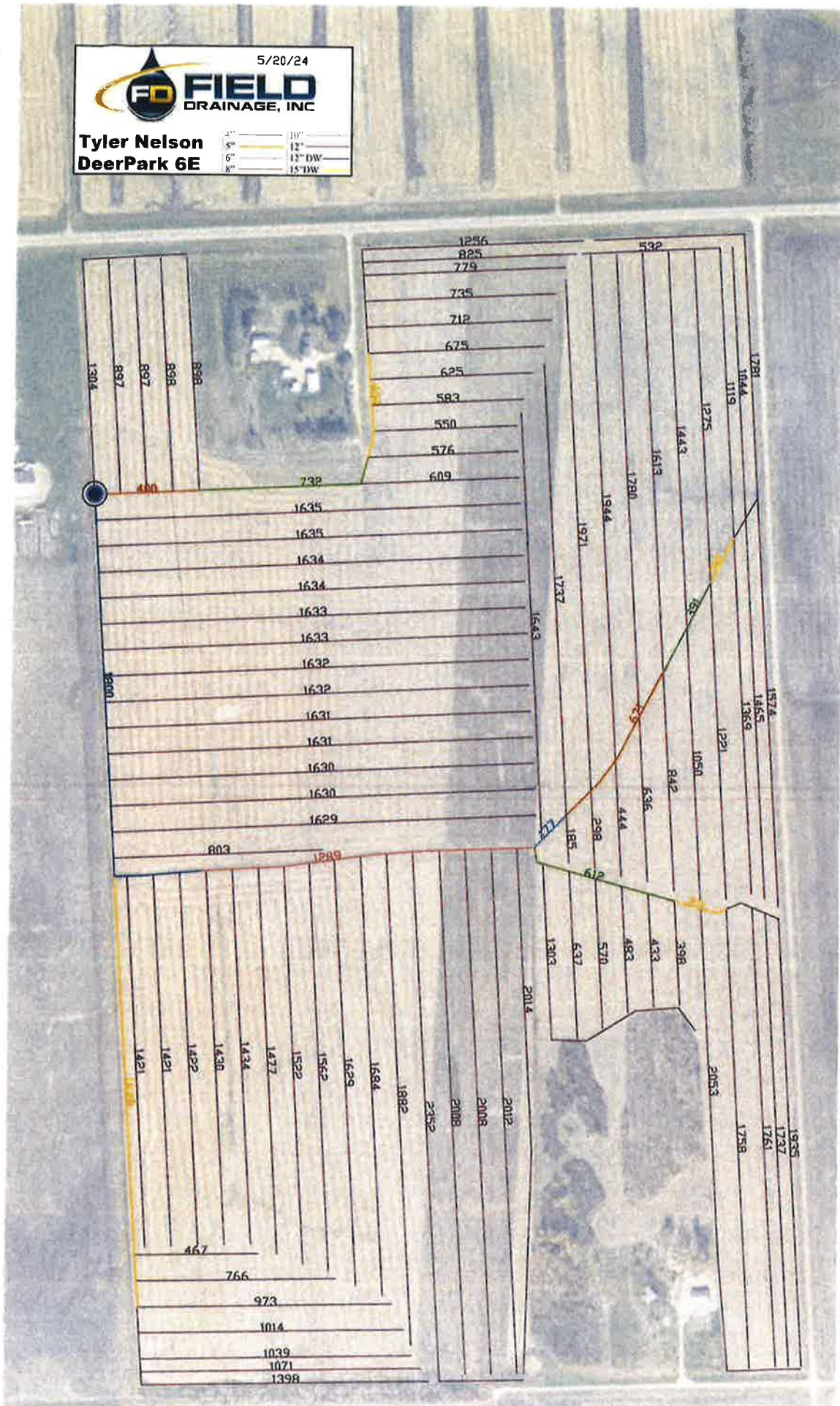
10"

12"

12" DW

15" DW

Tyler
Nelson





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Deer Park Twp Section 6

Pennington County



1:16,849

Date: 12/11/2023

This map is not a substitute for accurate field survey or for location, actual property lines and any adjacent features.








**Red Lake
Watershed District**

**Project 2
Red Lake River**

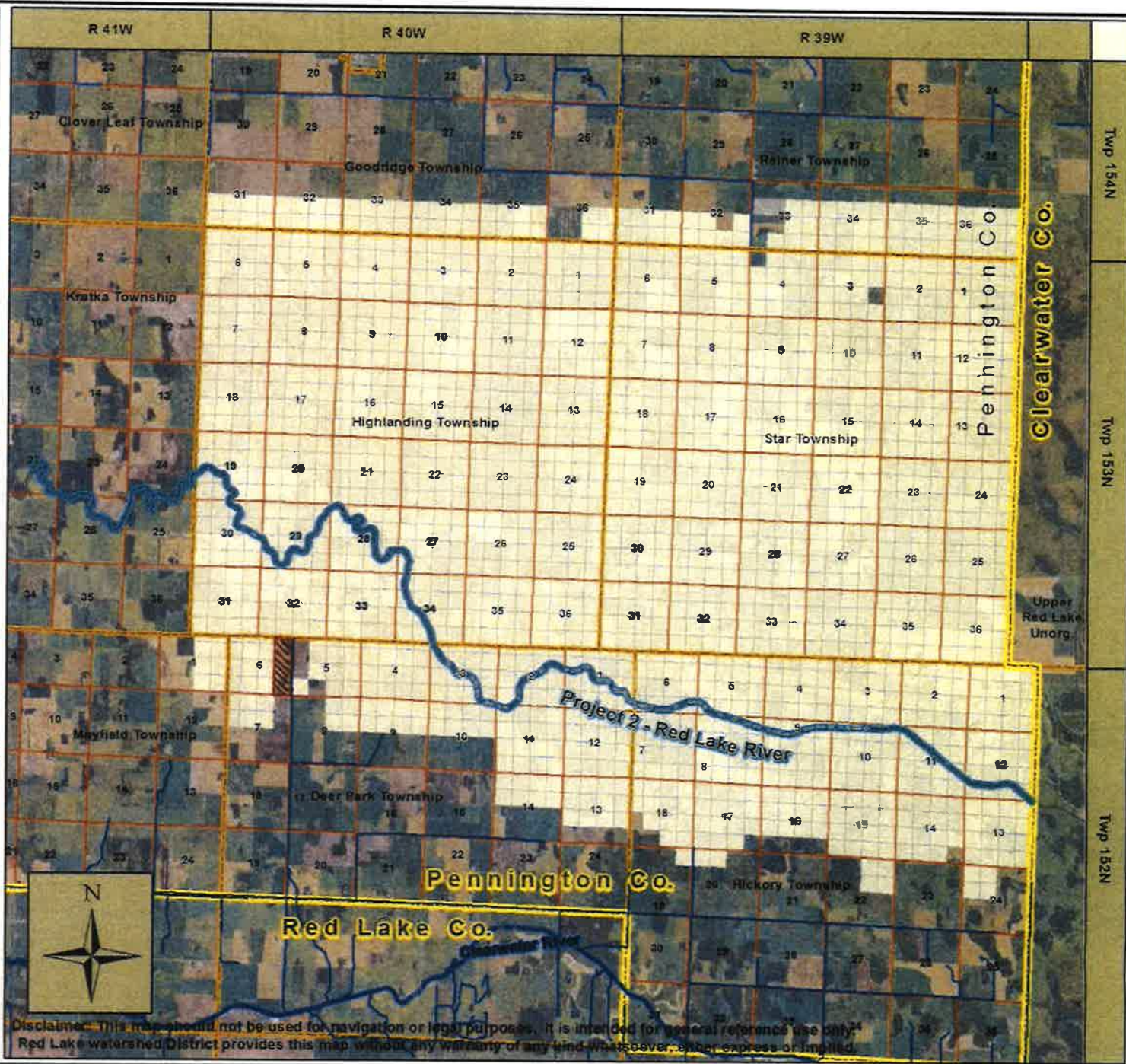
Pennington County

Red Lake River
Subwatershed

Scale: 1:128,500

-  RLWD Project 2
-  Benefitted Areas
-  County Boundaries
-  Township Boundaries
-  Section Boundaries

00.375 0.75 1.5 2.25 3 Mi





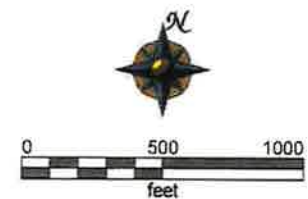
Deer Park 6E

Pipe



4" Perf	105287.41 ft
5" Perf	590.66 ft
6" Perf	1123.47 ft
8" Perf	952.75 ft
10" Perf	398.80 ft
12" Perf	398.69 ft
12" Perf DW	1934.58 ft
< Unassigned >	1.89 ft

Client: Tyler Nelson
Farm: Deer Park 6E
Field: Deer Park 6E
Name: Drainage - Planned



Red lake watershed,

Tyler, Ryan, and Quinten nelson would like to petition the East ½ of the East ½ of section 6 of deer park to be part of the drainage beneficiary of red lake watershed project 2.

Thank you

Tyler Nelson



Ryan Nelson



Quinten Nelson

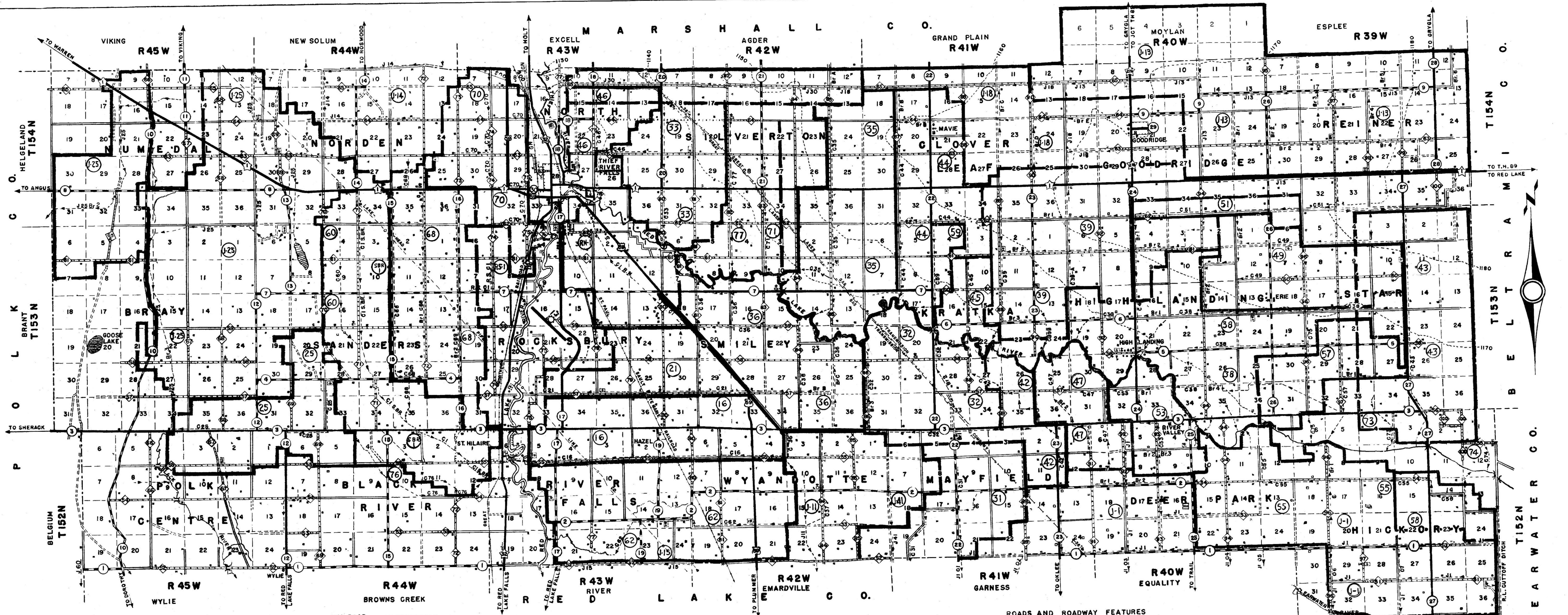


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NOV 13 2023

Initial:

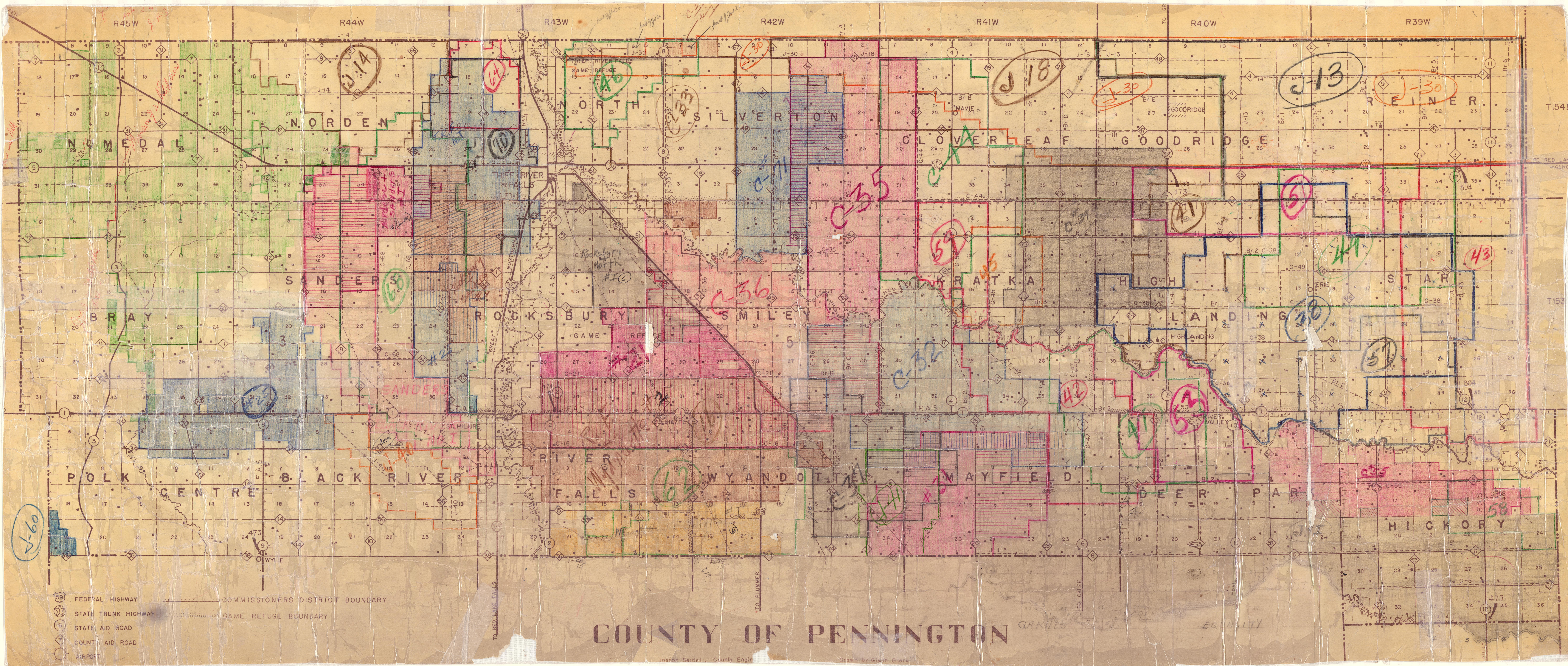
fa.



COUNTY OF PENNINGTON

January 1, 1977

- ROADS AND ROADWAY FEATURES
- PAVED AND BITUMINOUS SURFACE
 - GRAVEL SURFACE (S.A. HIGHWAY)
 - GRAVEL SURFACE (CO. - ROADS)
 - TOWNSHIP ROADS
 - UNIMPROVED ROADS AND CARTWAYS





Engineers Recommendation

Permit: Nelson Tile Outlet Petition	RLWD Permit No.: #23210 (RLWD Project 2)
Watershed District: Red Lake Watershed District	Applicant Name: Ryan Nelson
Location: Deer Park Township, Pennington County, MN	Date: July 24, 2024

Description:

I have reviewed the petition for a tile system proposing to outlet into RLWD Project 2, in which a *portion* of the proposed tile systems parcel(s) are not currently included in the RLWD Project 2 drainage system benefitted area. Approximately 112 acres are included in RLWD Project 2, and the remaining 120 acres of the proposed tile system are the subject of this petition. The petition proposes an RLWD tile permit to outlet into Pennington County Ditch 47 (PCD 47), which drains to RLWD Project 2. The entire proposed area lies within the benefitted area of PCD 47.

Data:

Tile system parcel description: Fields totaling approximately 232 acres in E ½ of the E ½ of Section 6, T152N, R40W (Deer Park Twsp), Pennington County

Proposed tile system drainage area to be added: Approximately 120 acres

Tile system proposed discharge rate for added area: Less than 1,100 GPM

Receiving local ditch capacity between proposed tile outlet and RLWD Project 2: Unknown (PCD 47)

Receiving ditch drainage area: Approximately 1.5 square miles

Receiving legal ditch cross section and legal grade at proposed outlet location: Unknown (PCD 47)

Receiving legal ditch capacity @ 2 yr frequency event: Unknown (PCD 47)

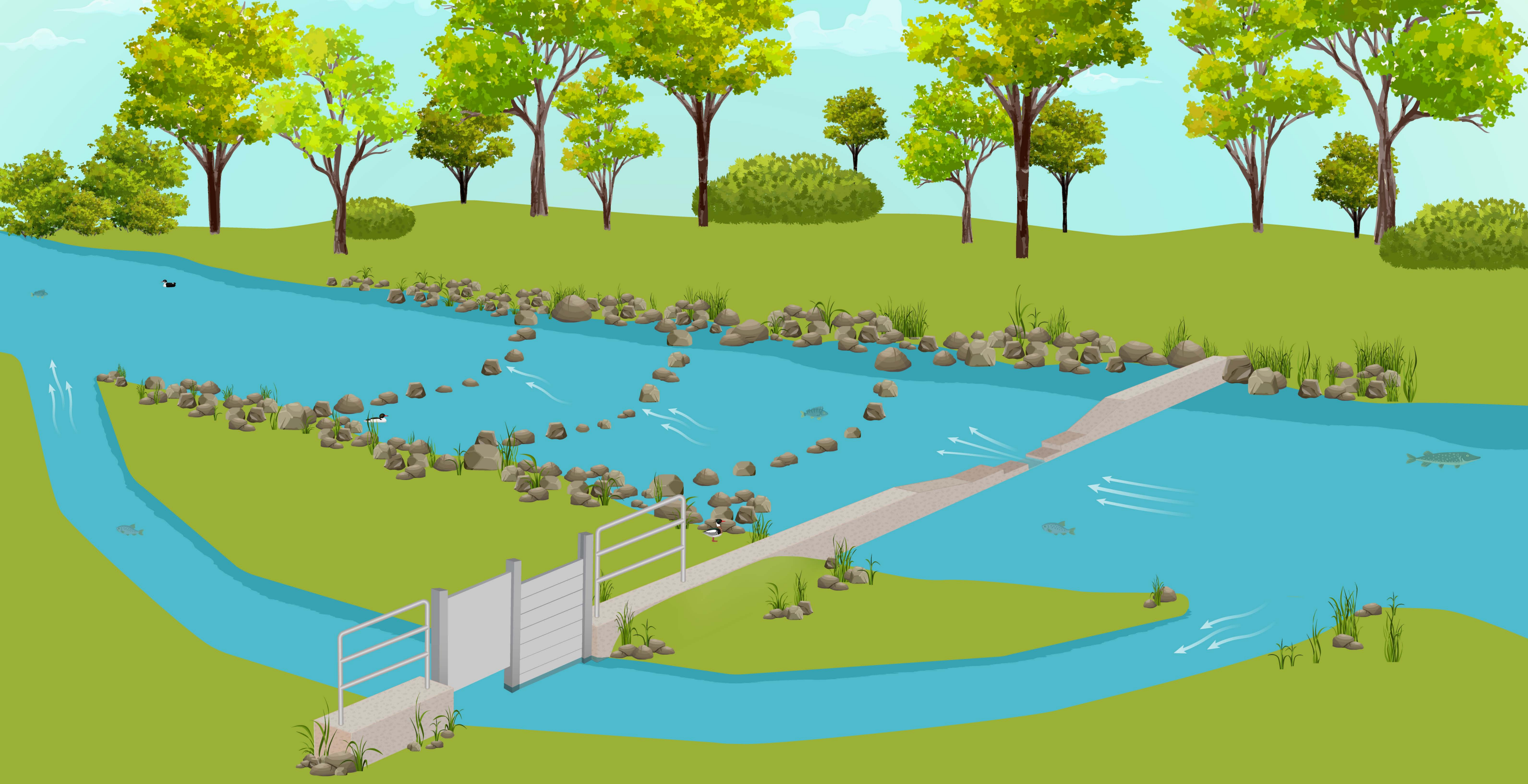
Receiving legal ditch capacity when full (approx. event frequency %): Unknown (PCD 47)

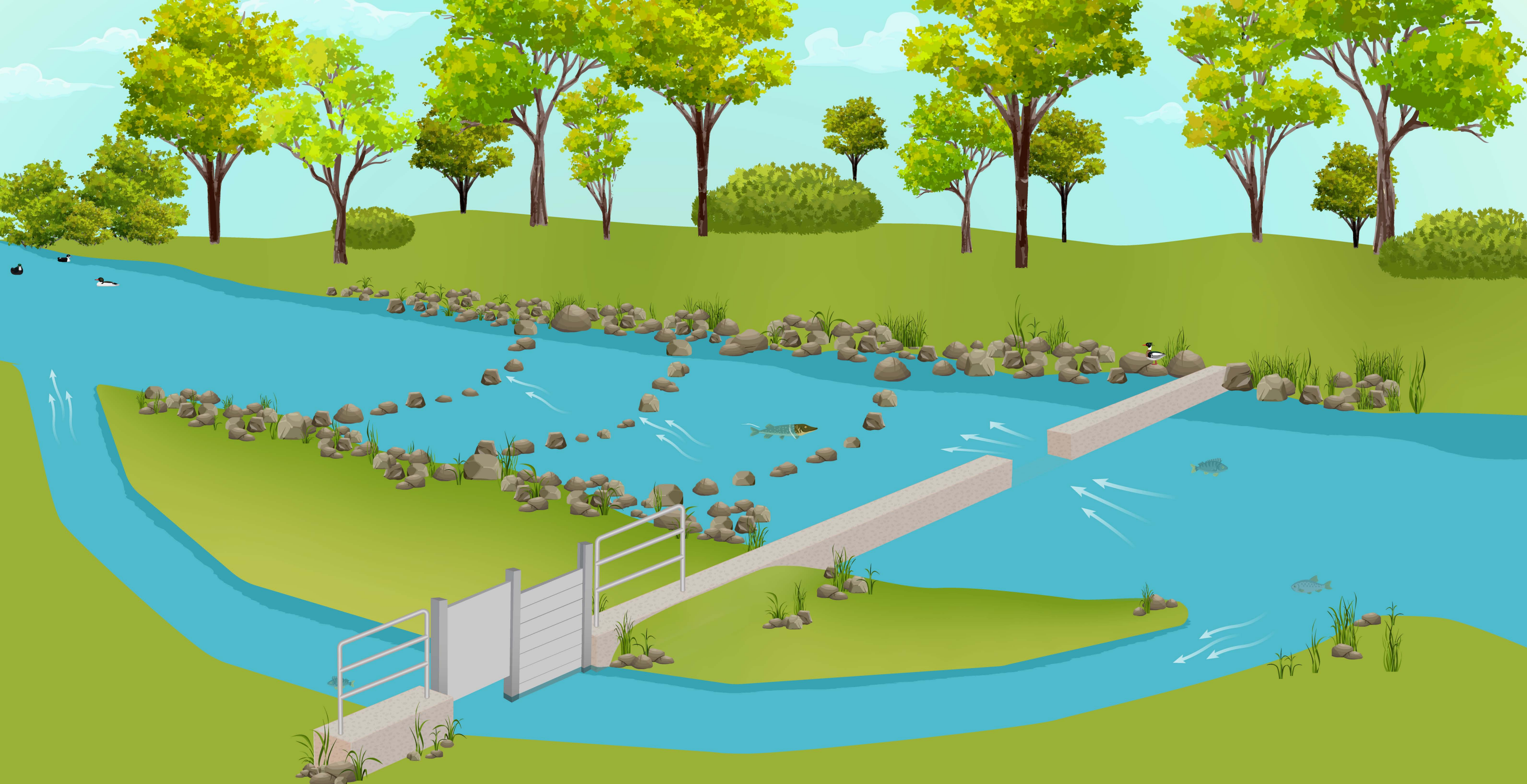
Known capacity problems with RLWD Project 2: none identified

Recommendations

RLWD Project 2 (Red Lake River) is an adequate outlet for the proposed tile system, with the caveat that the tile system shall not be in operation during times of downstream flooding. In addition, the system shall not be operated if the local drainage system, Pennington County Ditch 47, is backing up into adjacent fields. Lastly, the RLWD may wish to consider an outlet fee for the proposed tile system outlet, payable into RLWD Project 2.

July 24, 2024





http://redlakewatershed.org/PDF_Files/RLWD%20Turtle%20Connection%20Cross%20Lake%20Engineers%20Report.pdf



Engineer's Report

Turtle Connection and Cross Lakes
Flood Damage Reduction Project

Prepared For:
Red Lake Watershed District

July 23, 2024

MEMORANDUM



DATE: July 1, 2024
TO: Minnesota Watersheds Members
FROM: Linda Vavra and Jamie Beyer, Resolutions Committee Co-Chairs
RE: **2024 REQUEST FOR MINNESOTA WATERSHEDS RESOLUTIONS**

It is the time of year for Minnesota Watersheds members to submit their policy recommendations through our resolutions process. This is YOUR organization and policy statements start with YOU! Here are the next steps and timeline:

- | | |
|-------------------------|--|
| July / August | Members write, discuss, and approve resolutions at your WD/WMO meetings. The more detail you can provide, the easier it will be for the committee to make a recommendation. |
| September 1 | Administrators submit resolutions and background information documents to Jan Voit, Executive Director at jvoit@mnwatersheds.com by September 1 . If more time is needed, please contact her so the Resolutions Committee is aware that another resolution may be submitted. The latest possible date to submit a resolution is 60 days before the annual meeting (October 4). We ask that resolutions be submitted according to the described timeframe to ensure distribution to members for discussion by your boards in November.

NOTE: If all the requested information is not included, the Resolution will NOT be accepted. |
| October | The Resolutions Committee will review the resolutions, gather more information, or ask for further clarification when deemed necessary; work with the submitting watersheds to combine similar resolutions; reject resolutions already active; discuss and make recommendations to the membership on the passage of resolutions. |
| October 31 | Resolutions (with committee feedback) will be emailed to each organization by October 31 .

NOTE: If possible, please hold a regional meeting to discuss the Resolutions BEFORE the annual conference. |
| November | Members should discuss the resolutions at their November meetings and decide who will be voting on their behalf at the annual meeting (2 voting members and 1 alternate are to be designated per watershed organization) |
| December 6 | Delegates discuss and vote on resolutions at the annual resolutions hearing. Please be prepared to present and defend your resolution. |
| December | The Legislative Committee will review existing and new resolutions and make a recommendation to the Minnesota Watersheds Board of Directors for the 2025 legislative priorities. |
| December | Minnesota Watersheds Board of Directors will finalize the 2025 legislative platform. |
| January 14, 2025 | First day of the 1 st half of 94 th legislative biennium. |

NOTE: Resolutions passed by the membership will remain Minnesota Watersheds policy for five years after which they will sunset. If a member wishes to keep the resolution active, it must be resubmitted and passed again by the membership. Enclosed with this memorandum are the **active resolutions** and **those that will be sunset on 12/31/24**. Also enclosed is the **Legislative Platform** that was adopted in 2023. If you have questions, Please feel free to contact co-chairs at lvavra@fedtel.net or 320-760-1774, bdswd@runestone.net or 701-866-2725, or our Executive Director at jvoit@mnwatersheds.com or 507-822-0921.

THANK YOU FOR YOUR EFFORTS IN OUR POLICY DEVELOPMENT!

Background Information

2024 Minnesota Watersheds Resolution

Proposing Watershed: _____

Contact Name: _____

Phone Number: _____

Email Address: _____

Resolution Title: _____

Background that led to the submission of this resolution:

Describe the problem you wish to solve and provide enough background information to understand the factors that led to the issue. Attach statutory or regulatory documents that may be helpful.

Ideas for how this issue could be solved:

Describe potential solutions for the problem. Provide references to statutes or rules if applicable.

Efforts to solve the problem:

Document the efforts you have taken to try to solve the issue. For example: have you spoken to state agency staff, legislators, county commissioners, etc.? If so, what was their response?

Anticipated support or opposition:

Who would be willing to partner with our watershed or state association on the issue? Who may be opposed to our efforts? (Ex. other local units of government, special interest groups, political parties, etc.)?

This issue: (check all that apply)

_____ Applies only to our district
_____ Applies only to 1 or 2 regions
_____ Applies to the entire state

_____ Requires legislative action
_____ Requires state agency advocacy
_____ Impacts Minnesota Watersheds bylaws or MOPP
(MOPP = *Manual of Policies and Procedures*)

Active Minnesota Watersheds Resolutions

December 1, 2023



FINANCE

Capacity

2021-01A: Support SWCD Capacity Fund Sources

Minnesota Watersheds supports SWCD capacity funds to come from county and state general funds.

2021-01B: Support Clean Water Funds for Implementation, Not Capacity

Minnesota Watersheds supports Clean Water Funds being used for implementation and not for capacity.

2021-02: Support Capacity Funding for Watershed Districts

Minnesota Watersheds supports capacity base funding resources directed to non-metro watershed district who request this assistance, to implement the activities as outlined in approved watershed district watershed management plans or comprehensive watershed management plans.

Grant Funding

2021-07: Support Metro Watershed-based Implementation Funding (WBIF) for Approved 103B Plans Only

Minnesota Watersheds supports BWSR distribution of metro WBIF among the 23 watershed management organizations with state-approved comprehensive, multi-year 103B watershed management plans. Those plans implement multijurisdictional priorities at a watershed scale and facilitate funding projects of any eligible local government unit (including soil and water conservation districts, counties, cities, and townships).

URBAN STORMWATER

Stormwater Quality Treatment

2022-02 Limited Liability for Certified Commercial Salt Applicators

Minnesota Watersheds supports enactment of state law that provides limited liability protection to commercial salt applicators and property owners using salt applicators who are certified through the established state salt-applicator certification program and follow best management practices.

Water Reuse

2022-01 Creation of a Stormwater Reuse Task Force

Minnesota Watersheds supports administratively or legislatively including at least one Minnesota Watersheds member on the Minnesota Department of Health's workgroup to move forward, prioritize, and implement the recommendations of the interagency report on reuse of stormwater and rainwater in Minnesota.

WATER QUANTITY

Drainage

2022-03: Seek Increased Support and Participation for the Minnesota Drainage Work Group (DWG)

- Minnesota Watersheds communications increase awareness of the DWG (meeting dates and links, topics, minutes, reports) amongst members.

- Minnesota Watersheds training opportunities strongly encourage participation in the DWG by watershed staff and board managers (for watersheds that serve as ditch authorities or work on drainage projects) – for e.g., add agenda space for DWG member updates, host a DWG meeting as part of a regular event.
- In preparation for Minnesota Watersheds member legislative visits, staff add a standing reminder for watershed drainage authorities to inform legislators on the existence, purpose, and outcomes of the DWG, and reinforce the legitimacy of the DWG as a multi-faceted problem-solving body.
- During Minnesota Watersheds staff Board of Water and Soil Resources (BWSR) visits, regularly seek updates on how facilitation of the DWG is leading to improvements for member drainage authorities and convey this information to members.

2023-03: Support New Legislation Modeled after HF2687 and SF2419 (2018) Regarding DNR Regulatory Authority over Public Drainage Maintenance and Repairs

Minnesota Watersheds supports the introduction of new legislation modeled after HF2687 and SF2419 and commits its lobbying efforts toward promoting the passage of the bills in subsequent sessions.

Funding

2022-05: Obtain Stable Funding for Flood Damage Reduction and Natural Resources Enhancement Projects

Minnesota Watersheds supports collaborating with the Red River Watershed Management Board and state agencies to seek funding from the Minnesota Legislature to provide stable sources of funding through existing or potentially new programs that provide flood damage reduction and/or natural resources enhancements. A suggested sustainable level of funding is \$30 million per year for the next 10 years.

Flood Control

2021-05: Support Crop Insurance to Include Crop Losses Within Impoundment Areas

Minnesota Watersheds supports expansion of Federal Multi-Peril Crop Insurance to include crop losses within impoundment areas.

2023-04 Seeking Action for Streamlining the DNR Flood Hazard Mitigation Grant Program

Minnesota Watersheds seeks action requiring the DNR to establish transparent scoring, ranking, and funding criteria for the Flood Hazard Mitigation Program (M.S. Chapter 103F) and asking the Minnesota Legislature to fully fund the state's share of eligible projects that are on the DNR's list within each two-year bonding cycle. Information regarding scoring, ranking, and funding should be provided annually to project applicants.

Regulation

2020-04 Temporary Water Storage on DNR Wetlands during Major Flood Events

Minnesota Watersheds supports the temporary storage of water on existing DNR-controlled wetlands in the times of major flood events.

WATER QUALITY

Lakes

2022-06: Limit Wake Boat Activities

Minnesota Watersheds supports working with the Minnesota Department of Natural Resources (DNR) to utilize the research findings from the St. Anthony Falls Laboratory and seek legislation to achieve one or more of the following:

- Limit lakes and areas of lakes in which wake boats may operate;
 - Require new and existing wake boats to be able to completely drain and decontaminate their ballast tanks; and
 - Providing funding for additional research on the effects of wake boats on aquatic systems.
-

WATERSHED MANAGEMENT AND OPERATIONS

Watershed Duties

2023-05: Support Increased Flexibility in Open Meeting Law

Minnesota Watersheds hereby supports changes to the Open Meeting Law to provide greater flexibility in the use of interactive technology by allowing members to participate remotely in a nonpublic location that is not noticed, without limit on the number of times such remote participation may occur; and allowing public participation from a remote location by interactive technology, or alternatively from the regular meeting location where interactive technology will be made available for each meeting, unless otherwise noticed under Minnesota Statutes Section 13D.021; and that Minnesota Watersheds supports changes to the Open Meeting Law requiring watershed district to prepare and publish procedures for conducting public meetings using interactive technology.

Watershed Planning

2020-03 Soil Health Goal for Metropolitan Watershed Management Plans

Minnesota Watersheds supports amending Minnesota Rule 8410.0080 to include a goal for soil health in watershed management plans and ten-year plan amendments.

2023-06 Education and Outreach to Encourage Formation of Watershed Districts in Unserved Areas

Minnesota Watersheds, in consultation with its membership, develop a framework for education and outreach intended to encourage petition and advocacy for the formation of watershed districts in areas of the state not presently served by watershed-based public agencies.

AGENCY RELATIONS

Advocacy

2021-06: Support 60-day Review Required for State Agencies on Policy Changes

Minnesota Watersheds supports requiring state agencies to provide a meaningful, not less than 60-day review and comment period from affected local units of government on new or amended water management policies, programs, or initiatives with a response to those comments required prior to adoption.

Regulation

2023-01 Require Watershed District Permits for all State Agencies

Minnesota Watersheds supports amending Minnesota Statutes § 103D.345, Subd. 5 to read as follows: **Subd. 5. Applicability of permit requirements to state.** A rule adopted by the managers that requires a permit for an activity applies to all state agencies, including the Department of Transportation.

REGULATIONS

2020-01 Appealing Public Water Designations

Minnesota Watersheds supports legislation that would provide landowners with a more formal process to appeal decisions made by the DNR regarding the designation of public waters including the right to fair representation in a process such as a contested case proceeding which would allow landowners an option to give oral arguments or provide expert witnesses for their case.

NATURAL RESOURCES

No current resolutions in this category.

Resolutions to Sunset

Effective December 31, 2024

It should be noted that in July the sunseting deadline was extended for resolutions expiring in 2017 by two years due to the pandemic and its influence on lobbying efforts. **All 2017 resolutions have a sunset date of 2024.**

2017-02 Temporary Lake Quarantine Authorization to Control the Spread of Aquatic Invasive Species (AIS)

Minnesota Watersheds supports legislation granting to watershed districts, independently or under DNR oversight, the authority, after public hearing and technical findings, to impose a public access quarantine, for a defined period of time in conjunction with determining and instituting an AIS management response to an infestation.

2019-01 Streamline the DNR permitting process

Minnesota Watersheds supports legislation, rules, and/or agency policies to streamline the DNR permitting process by increasing responsiveness, decreasing the amount of time it takes to approve permits, providing a detailed fee schedule prior to application, and conducting water level management practices that result in the DNR reacting more quickly to serious, changing climate conditions.

2019-02: Add a Classification for Public Drainage Systems that are Artificial Watercourses

Minnesota Watersheds supports removal of the default Class 2 categorization for public drainage systems that are artificial watercourses and supports a default Class 7 categorization for public drainage systems that are artificial watercourses.

2019-03 Support for Managing Water Flows in the Minnesota River Basin Through Increased Water Storage and Other Strategies and Practices

Minnesota Watersheds supports efforts to manage the flow of water in the Minnesota River Basin and the Minnesota River Congress in its efforts to increase water storage on the landscape; and Minnesota Watersheds supports the Minnesota River Congress in its efforts to secure state and federal programs targeted specifically to increase surface water storage in the Minnesota River Watershed.

2019-04: Clarify County Financing Obligations and/or Authorize Watershed District General Obligation Bonding for Public Drainage Projects

Minnesota Watersheds supports legislation to achieve one or both of the following:

- a) To clarify that an affected county must finance a watershed district drainage project on project establishment and request of the watershed district; and
- b) To authorize watershed districts to finance drainage project establishment and construction by issuance of bonds payable from assessments and backed by the full faith and credit of the watershed district; and further provide for adequate tax levy authority to assure the watershed district's credit capacity.

2019-05 Watershed District Membership on Wetland Technical Evaluation Panels

Minnesota Watersheds supports legislation to allow technical representatives of watershed districts to be official members of wetland technical evaluation panels (TEPs).

2019-06: Oppose Legislation that Forces Spending on Political Boundaries

Minnesota Watersheds opposes legislation that establishes spending requirements or restricts watershed district spending by political regions or boundaries.

2019-07 Chinese Mystery Snail Designation Change and Research Needs

Minnesota Watersheds supports Chinese Mystery Snail prevention and control research and to change the Chinese Mystery Snail designated status in Minnesota as a regulated species to a prohibited species.



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

2024 LEGISLATIVE PLATFORM

Abstract

This document articulates clearly defined legislative policies so members and Minnesota Watersheds representatives on the Board of Water and Soil Resources Board, Clean Water Council, and Local Government Water Roundtable can accurately state our positions.

Adopted December 1, 2023

Contents

Purpose	2
Finance	2
1. Capacity	2
2. Grant Funding	2
Urban Stormwater	2
1. Stormwater Quality Treatment	2
2. Water Reuse	3
Water Quantity	3
1. Drainage	3
2. Funding	3
3. Flood Control.....	3
4. Regulation	4
5. Policy	4
Water Quality.....	4
1. Lakes.....	4
2. Wetlands	4
3. Rivers and Streams.....	4
4. Policy	4
Watershed Management and Operations	5
1. Watershed Powers	5
2. Watershed Duties.....	5
3. Watershed Planning.....	5
Agency Relations	5
1. Advocacy	5
2. Representation	6
3. Regulation	6
Regulations.....	6
Natural Resources	6
1. Planning.....	6
2. Policy	6
3. Habitat.....	6

Purpose

Minnesota Watersheds represents both watershed districts and watershed management organizations (collectively referred to as Watersheds). That representation underscores the necessity of protecting Watershed powers, duties, and planning responsibilities on a watershed basis.

This legislative platform outlines Minnesota Watersheds positions on legislative matters and serves as the foundation for our organization to support or oppose various local, state, and federal legislation. It also articulates clearly defined legislative policies so members and Minnesota Watersheds representatives on the Board of Water and Soil Resources Board, Clean Water Council, and Local Government Water Roundtable can accurately state our positions.

Finance

Watershed organizations are tasked with many responsibilities by Minnesota statute and the local priorities set by their boards. To effectively perform those duties, adequate funding is necessary. Although some Watersheds have levy authority, there are many other avenues of funding that are important for achieving local water management, as well as water quality and quantity goals.

1. Capacity

- a. Support Clean Water Funds for implementation, not capacity (Resolution 2021-01A and B)
- b. Support capacity funding for watershed districts (Resolution 2021-02)
- c. Support General Fund repayment of Soil and Water Conservation District capacity funds to the Clean Water Fund

2. Grant Funding

- a. Support metro watershed-based implementation funding for approved 103B plans only (Resolution 2021-07)
- b. Support a more equitable formula for watershed-based implementation funding in the metro
- c. Lobby for watershed-specific grant funding

Urban Stormwater

Watersheds and land use management partners work to reduce polluted stormwater runoff and/or increase infiltration from urbanization and hard surfaces. Many Watersheds in the state have adopted regulatory standards and/or official controls to successfully manage urban stormwater when land alterations occur. Watersheds also implement a variety of urban stormwater management practices to treat runoff before it enters our lakes, streams, and wetlands.

1. Stormwater Quality Treatment

- a. Support limited liability for certified commercial salt applicators (Resolution 2022-02)
- b. Support, partner/collaborate with a municipal separate storm sewer system (MS4s) (if/where appropriate) in permit compliance activities
- c. Support the use of green infrastructure and minimizing impervious surfaces, where practical, in urban development and planning
- d. Where it may exist, support removing duplication of urban stormwater regulatory standards and controls

- e. Support the rescission of the Department of Labor and Industry/Plumbing Board Final Interpretation of Inquiry PB0159, storm drainage surcharge to return to common engineering practice for stormwater pond design

2. Water Reuse

- a. Support creation of a Stormwater Reuse Task Force and for the Minnesota Department of Health to complete a review process (Resolution 2022-01)
- b. Support efforts to clarify and simplify State Plumbing Board rulings and requirements to facilitate more reuse of rainwater/stormwater

Water Quantity

Watersheds are directed by statute to conserve the natural resources of the state by land use planning, flood control, and other conservation projects. Specific purposes refer to flood damage reduction, stream flows, water supply, drainage ditches, to identify and plan for effective protection and improvement of surface water and groundwater, and to protect and enhance fish and wildlife habitat and water recreational facilities. Numerous past, present, and future legislative initiatives have affected how water quantity issues are managed at the local level. This very broad-based topic includes management of the volume of water (drought, flooding, water supply), the flow of water (drainage, channel restoration, habitat), and recreation (lakes, rivers, wetlands) activities like fishing, boating, and hunting.

1. Drainage

- a. Support the current statutory requirements for notification and coordination in the development of petitioned repairs, drainage improvement projects, and new drainage systems
- b. Support the addition of a classification for public drainage systems that are artificial watercourses (Resolution 2019-02)
- c. Seek increased support for and participation in the Drainage Work Group (Resolution 2022-03)
- d. Oppose the drainage registry information portal
- e. Oppose incorporating increased environmental, land use, and multipurpose water management criteria (M.S. 103E.015 requirements)
- f. Comply with the legislative mandate to review outlet adequacy and notification requirements in the Drainage Work Group
- g. Support new legislation modeled after HF2687 and SF2419 (2018) regarding DNR regulatory authority over public drainage maintenance and repairs (Resolution 2023-03)

2. Funding

- a. Obtain stable funding for flood damage reduction and natural resources enhancement projects (Resolution 2022-05)
- b. Clarify county financing obligations and/or authorize watershed district general obligation bonding for public drainage projects (Resolution 2019-04)

3. Flood Control

- a. Support crop insurance to include crop losses within impoundment areas (Resolution 2021-05)

- b. Seek action for streamlining the DNR Flood Hazard Mitigation Grant Program (Resolution 2023-04)

4. Regulation

- a. Support temporary water storage on Department of Natural Resources wetlands during major flood events (Resolution 2020-04)
- b. Support managing water flows in Minnesota River Basin (statewide) through increased water storage and other strategies and practices (Resolution 2019-03)
- c. Work with Minnesota Department of Transportation to support flood control and how to handle increased water volume issues along state and federal highway systems (example from Bemidji district of MnDOT)

5. Policy

- a. Support funding for watershed-based climate resiliency projects and studies
- b. Support funding for best management practices that protect and enhance groundwater supply

Water Quality

Protecting and improving the quality of surface and ground water in our Watersheds is an essential component of managing water resources on a watershed basis

1. Lakes

- a. Support limiting wake boat activities (Resolution 2022-06)
- b. Support designation change and research needs for the Chinese Mystery Snail (Resolution 2019-07)
- c. Support temporary lake quarantine authorization to control the spread of aquatic invasive species (Resolution 2017-02)
- d. Support streamlining permit applications for rough fish management
- e. Support dredging as a best management practice to manage internal phosphorus loads in lakes

2. Wetlands

- a. Support a statutory requirement for water level control structures in wetland restorations and wetland banks
- b. Support federal, state, and local funding for wetland restoration and protection activities

3. Rivers and Streams

- a. Support a statutory deadline for Department of Natural Resources Public Waters Work Permit (45-60 days)
- b. Support automatic transfer of public waters work permits to Watersheds (M.S. Chapter 103G.245 Subd.5)

4. Policy

- a. Support funding for watershed-based climate resiliency projects and studies
- b. Support funding for best management practices that protect groundwater quality

Watershed Management and Operations

Protecting, enhancing, defending, and supporting existing Watershed statutory powers, duties, and planning responsibilities is necessary for effective and efficient watershed management and operations. Specific Watershed powers, duties, and planning responsibilities are contained in Minnesota Statutes [Chapter 103B](#) and [Chapter 103D](#).

1. Watershed Powers

- a. Support and defend eminent domain powers for watershed districts
- b. Support Watershed powers to levy property taxes and collect special assessments
- c. Support a watershed district's power to accept the transfer of drainage systems in the watershed; to repair improve, and maintain the transferred drainage systems; and to construct all new drainage systems and improvements of existing drainage systems in the watershed
- d. Support a Watershed's power to regulate the use and development of land within its boundaries

2. Watershed Duties

- a. Support a Watershed's duty to initiate projects
- b. Support a Watershed's duty to maintain and operate existing projects
- c. Support increased flexibility in the open meeting law (Resolution 2023-05)

3. Watershed Planning

- a. Support a Watershed's ability to jointly or cooperatively manage and/or plan for the management of surface and ground water
- b. Support watershed autonomy during and following a One Watershed, One Plan development process
- c. Support the connection between watershed-based implementation and funding
- d. Support development of a soil health goal for metropolitan watershed management plans (Resolution 2020-03)
- e. Education and outreach to encourage formation of watershed districts in unserved areas (Resolution 2023-06)

Agency Relations

Watershed organizations work with many federal and state agencies to accomplish their mission. While relationships vary from administrative to funding and regulatory, agency policies and procedures can have a major impact on Watershed operations and projects. Maintaining strong, positive relations and ensuring Watersheds have a role in policy making is key to successful watershed management and operations.

1. Advocacy

- a. Require a 60-day review periods before state agencies adopt new policies related to water and watershed management (Resolution 2021-06)
- b. Increase collaborative efforts between Minnesota Watersheds and all state agencies involved in water management

2. Representation

- a. Support watershed district managers being appointed, not allowing county commissioners to serve as managers

3. Regulation

- a. Streamline the Department of Natural Resources permitting process (Resolution 2019-01)
- b. Require watershed district permits for all state agencies (Resolution 2023-01)

Regulations

Watershed representation on state and local panels and committees and the ability for Watersheds to regulate development and use of land within the organization's boundaries without prohibitive regulatory restrictions is necessary.

- a. Oppose legislation that forces spending on political boundaries (Resolution 2019-06)
- b. Support the ability to appeal public water designations (Resolution 2020-01)
- c. Seek Watershed membership on Wetland Technical Evaluation Panels (Resolution 2019-05)

Natural Resources

Minnesota Statutes direct Watersheds to conserve the natural resources of the state. Some of the purposes listed in statute are to conserve water in streams and water supply, alleviate soil erosion and siltation of water courses or water basins, regulate improvements by riparian property owners of the beds, banks, and shores of lakes, streams, and wetlands for preservation and beneficial public use; protect or enhance the water quality in water courses or water basins; and protect and preserve groundwater resources.

1. Planning

- a. Ensure timely updates to Wildlife Management Area plans (Resolution 2018-06)
- b. Support Watershed inclusion in development of state plans (i.e., Prairie Plan, State Water Plan, etc.) related to water and watershed management

2. Policy

- a. Support funding for climate resiliency

3. Habitat

- a. Clarify buffer rule issues
- b. Support funding to reduce erosion and sedimentation
- c. Support funding for the enhancement, establishment, and protection of stream corridors and riparian areas
- d. Support funding for the enhancement and protection of habitats

Permit # **24-075**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
James Abeld		1204 Walsh Street Crookston, MN 56716		tel:218-280-2196 mobile: fax:

General Information

(1) The proposed project is a:

Surface Drainage (New Ditch or Improvement)

(2) Legal Description

(3) County: **Red Lake** Township: **Louisville** Range: **45** Section: **18** 1/4:(4) Describe in detail the work to be performed. **clean ditch**(5) Why is this work necessary? Explain water related issue/problem being solved. **needs to be leveled back out****Status**

Status	Notes	Date
Approved	P.A. #24-075 – James Abeld and Wife Carol Red Lake County – Poplar River Township – Section 25 The Red Lake Watershed District (RLWD) approves to clean a ditch along 190th St. All excavation shall be consistent with the existing road and ditch slopes and there shall be no vertical excavation faces. Current flow patterns shall remain “as-is” and there shall be no additional drainage area or flows from the adjacent agriculture land routed to the ditch. Applicant shall ensure that all disturbed areas are supplied with black dirt and seeded with appropriate seed mixture. 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 when applicable. This permit 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.	July 2, 2024
Received	None	June 25, 2024

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.

APPLICATION FOR PERMIT
RED LAKE WATERSHED DISTRICT
1000 Pennington Avenue South, Thief River Falls, MN 56701
RLWD@redlakewatershed.org
218-681-5800

TO THE BOARD OF MANAGERS:

Landowner Name: <u>JAMES ABEL + WIFE CAROL</u>		Telephone Number: <u>218-280-2196</u>	
Address (Street, RFD, Box No., City, State, Zip): <u>1204 WALSH ST. CROOKSTON MN 56716</u>			
Project Location: Government Lot _____ Quarter Section(s) <u>SW 14</u> Section(s) <u>18</u>			
Township (Name & #) <u>LOUISVILLE 15N</u> Range # <u>45W</u> County <u>Red Lake</u>			
Type of Work Proposed:			
<input checked="" type="checkbox"/> Excavate	<input type="checkbox"/> Install	<input checked="" type="checkbox"/> Ditch	<input type="checkbox"/> Dike
<input type="checkbox"/> Fill	<input type="checkbox"/> Remove	<input type="checkbox"/> Culvert (Size _____)	<input type="checkbox"/> Erosion Control
<input type="checkbox"/> Drain	<input type="checkbox"/> Other	<input type="checkbox"/> Bridge (Size _____)	<input type="checkbox"/> Tile
<input type="checkbox"/> Construct	<input type="checkbox"/>	<input type="checkbox"/> Dam	<input type="checkbox"/> Other

Be sure to attach all necessary reports, maps, drawings, photos, other data, etc., to support permit application.

Description of work to be done: <u>Clean Ditch.</u>	
Estimated drainage area: acres _____ or sq. mile(s) _____	
Work is necessary because: <u>ROADS TO BE PROBLEMS BACK OUT</u> <u>DITCH HAS STANDING WATER WHICH SEEPS SOUTH</u>	

I hereby make application for a permit to proceed with the proposal described above and have attached all supporting maps, plans, and other information submitted with this application. The information submitted and statements made concerning this application are true and correct to the best of my knowledge. Obtaining a permit from the Managers does not relieve the applicant from the responsibility of obtaining any other additional authorization or permits required by law.

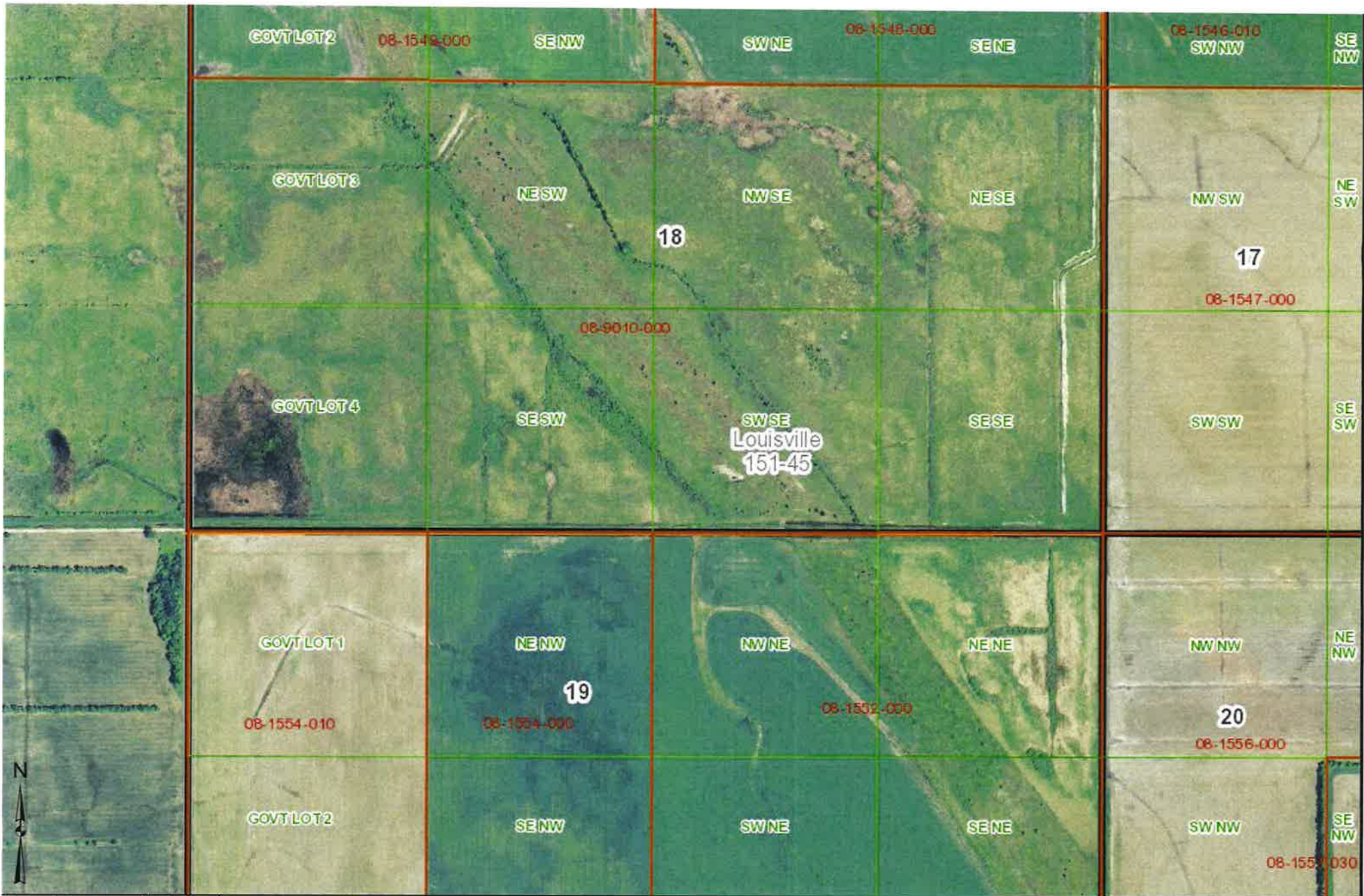
Signature of landowner: <u>James Abel +</u>	Date: <u>06-25-24</u>
--	--------------------------

RECEIVED

JUN 25 2024

Initial: _____

For Office Use Only P.A. No. <u>24075</u>
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These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

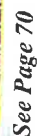
Jim Abeld

Red Lake County



Minnesota

1:9,000		Date: 6/25/2024
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.		



Permit # **23-208**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Nate Schroeder	Enbridge Energy	11 East Superior St Suite 125 Duluth, MN 55802		tel:218-522-4683 mobile: fax:

General Information

(1) The proposed project is a:

Other

(2) Legal Description

(3) County: **Polk** Township: **Bygland** Range: **49** Section: **1 1/4**:(4) Describe in detail the work to be performed. **Replace a section of pipeline**

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

Status

Status	Notes	Date
Approved	P.A. #23-208 – Enbridge Energy Limited Partnership/Nate Schroeder Polk County – Bygland/Fisher Township – Section 1/6 The Red Lake Watershed District (RLWD) approves to install a new section of pipeline via horizontal directional drilling and abandon in place the existing section of pipeline at the Line 81 pipeline crossing of the Red Lake River in Polk County, Minnesota. The proposed HDD pipeline installation will measure approximately 1527 feet in length. It will parallel the existing Line 81 pipeline approximately 20 feet to the north, and will cross beneath the Red Lake River to an approximate depth of 64feet. (See Attached). 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 when applicable. Applicant shall ensure that all disturbed areas are seeded with appropriate seed mixture and that consideration for rock riprap with filter fabric is placed at the tile/culvert outlets. This permit 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.	Nov. 7, 2023
Received	None	Nov. 1, 2023

Conditions**Adam J. Birr with Barr engineering has requested an extension on this permit to allow enough time to complete the project.**

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.

Tony Olson

From: Adam J. Birr <ABirr@barr.com>
Sent: Tuesday, July 23, 2024 8:40 AM
To: Melissa Bushy
Cc: Tony Olson; Nate Schroeder
Subject: RE: RLWD permit no. 23208
Attachments: 4580_001.pdf

Hi Melissa,

Would it be possible to extend RLWD Permit No. 23208 to the end of the year (12/31/2024)? Work is planned to continue into December based on the current construction schedule.

Adam J. Birr

Senior Environmental Permitting Specialist

Duluth, MN office: 218.788.6366

ABirr@barr.com

www.barr.com



If you no longer wish to receive marketing e-mails from Barr, respond to communications@barr.com and we will be happy to honor your request.

From: Melissa Bushy <Melissa.Bushy@redlakewatershed.org>
Sent: Friday, November 17, 2023 9:02 AM
To: Adam J. Birr <ABirr@barr.com>
Subject: RLWD permit no. 23208

CAUTION: This email originated from outside of your organization.

Good morning. Attached you will find a copy of permit no. 23208 which was approved at our board meeting last week.

Melissa Bushy
Office Manager
Red Lake Watershed District
1000 Pennington Ave South
Thief River Falls, MN 56701
Office: 218-681-5800

Permit # **24-074**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
JTO Inc.		13748 230th St NE Thief River Falls, MN 56701		tel:218-686-0114 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Marshall** Township: **Excel** Range: **43** Section: **16 1/4**:(4) Describe in detail the work to be performed. **replace existing culvert**(5) Why is this work necessary? Explain water related issue/problem being solved. **rusted out****Status**

Status	Notes	Date
Approved	P.A. #24-074 – JTO INC. Marshall County – Excel Township – Section 16 The Red Lake Watershed District (RLWD) approves to replace a failed/plugged 18" culvert with a new 18" culvert. Install the new culvert at the current invert elevations. All excavation shall be consistent with the existing road and ditch slopes and there shall be no vertical excavation faces. Current flow patterns shall remain "as-is" and there shall be no additional drainage area or flows from the adjacent agriculture land routed to the ditch. Applicant shall ensure that all disturbed areas are seeded with appropriate seed mixture and that consideration for rock riprap with filter fabric is placed at the outlet end of the permitted culverts. 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 when applicable. Directly downstream of the outlet, applicant shall ensure that adequate grade and drainage is provided. This permit 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.	July 22, 2024
Received	None	June 25, 2024

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 # **24-077**Status Report: **Received***Approved - T.O***Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Everett Reitmeier		24543 339th St SW Crookston, MN 56716		tel:218-289-1924 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Polk** Township: **Fairfax** Range: **46** Section: **32 1/4**:(4) Describe in detail the work to be performed. **replace culvert**(5) Why is this work necessary? Explain water related issue/problem being solved. **plugged****Status**

Status	Notes	Date
Approved	P.A. #24-077 – George Meyer Inc/Everett Reitmeier Polk County – Fairfax Township – Section 32 The Red Lake Watershed District (RLWD) approves to replace a failed 12" culvert with a new 18" culvert. Install the new culvert at the current invert elevations. All excavation shall be consistent with the existing road and ditch slopes and there shall be no vertical excavation faces. Current flow patterns shall remain "as-is" and there shall be no additional drainage area or flows from the adjacent agriculture land routed to the ditch. Applicant shall ensure that all disturbed areas are seeded with appropriate seed mixture and that consideration for rock riprap with filter fabric is placed at the outlet end of the permitted culverts. 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 when applicable. Directly downstream of the outlet, applicant shall ensure that adequate grade and drainage is provided. This permit 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.	July 22, 2024
Received	None	July 1, 2024

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 # **24-079**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Kevin Sanders		19385 250th Ave NE Goodridge, MN 56725		tel:218-686-3462 mobile: fax:

General Information

(1) The proposed project is a:

Surface Drainage (New Ditch or Improvement)

(2) Legal Description

(3) County: **Marshall** Township: **Grand Plain** Range: **41** Section: **9** 1/4:(4) Describe in detail the work to be performed. **clean ditch**(5) Why is this work necessary? Explain water related issue/problem being solved. **ditch doesn't work****Status**

Status	Notes	Date
Approved	P.A. #24-079 – Kevin Sanders Marshall County – Grand Plain Township – Section 9 The Red Lake Watershed District (RLWD) approves to have a ditch cleaned along the East side of section 9 for 1/2 of a mile South from 210th St. Applicant will take all spoil onto his land All excavation shall be consistent with the existing road and ditch slopes and there shall be no vertical excavation faces. Current flow patterns shall remain "as-is" and there shall be no additional drainage area or flows from the adjacent agriculture land routed to the ditch. Applicant shall ensure that all disturbed areas are seeded with appropriate seed mixture. 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 when applicable. This permit 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.	July 22, 2024
Received	None	July 2, 2024

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 # **24-080**Status Report: **Received**
*Approved T.O.***Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Kevin Sanders		19385 250th Ave NE Goodridge, MN 56725		tel: 218-686-3462 mobile: fax:

General Information

(1) The proposed project is a:

Surface Drainage (New Ditch or Improvement)

(2) Legal Description

(3) County: **Pennington** Township: **Cloverleaf** Range: **41** Section: **15 1/4**:(4) Describe in detail the work to be performed. **clean ditch**(5) Why is this work necessary? Explain water related issue/problem being solved. **ditch doesn't work****Status**

Status	Notes	Date
Approved	P.A. #24-080 – Kevin Sanders Pennington County – Cloverleaf Township – Section 15 The Red Lake Watershed District (RLWD) approves to have a ditch cleaned along the south side of section 15 for 1/2 of a mile East from 260th Ave SW. Applicant will take all spoil onto his land All excavation shall be consistent with the existing road and ditch slopes and there shall be no vertical excavation faces. Current flow patterns shall remain “as-is” and there shall be no additional drainage area or flows from the adjacent agriculture land routed to the ditch. Applicant shall ensure that all disturbed areas are seeded with appropriate seed mixture. 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 when applicable. This permit 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.	July 22, 2024
Received	None	July 2, 2024

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 # **24-087**Status Report: **Received***Approved - T.O.***Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Marshall County Highway Dept		447 South Main St Warren, MN 56762		tel: 218-201-1424 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification

(2) Legal Description

(3) County: **Marshall** Township: **Eckvöll** Range: **40** Section: **29** 1/4:(4) Describe in detail the work to be performed. **replace culvert**(5) Why is this work necessary? Explain water related issue/problem being solved. **culvert failed****Status**

Status	Notes	Date
Approved	P.A. #24-087 – Marshall County Highway Department/Mark Reiersen. Marshall County – Eckvöll Township – Section 29/32 The Red Lake Watershed District (RLWD) approves to replace a failed 30" culvert with a new 30" culvert. Install the new culvert at the current invert elevations. All excavation shall be consistent with the existing road and ditch slopes and there shall be no vertical excavation faces. Current flow patterns shall remain "as-is" and there shall be no additional drainage area or flows from the adjacent agriculture land routed to the ditch. Applicant shall ensure that all disturbed areas are seeded with appropriate seed mixture and that consideration for rock riprap with filter fabric is placed at the outlet end of the permitted culverts. 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 when applicable. Directly downstream of the outlet, applicant shall ensure that adequate grade and drainage is provided. This permit 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.	July 22, 2024
Received	None	July 12, 2024

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 # **24-088**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Amber Senn	Enbridge Energy	1600 2nd Avenue SW Suite 16 Minot, ND 58701		tel: 701-340-4140 mobile: fax:

General Information

(1) The proposed project is a:

Culvert Installation / Removal / Modification**Other**

(2) Legal Description

(3) County: **Clearwater** Township: **Leon** Range: **37** Section: **29** 1/4:(4) Describe in detail the work to be performed. **clean ditch**

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

Status

Status	Notes	Date
Approved	P.A. #24-088 – Enbridge Energy, Limited Partnership/Amber Senn. Clearwater County – Leon Township – Section 29 The Red Lake Watershed District (RLWD) approves to cleanout debris from a blocked culvert that crossed an abandoned railroad. All excavation shall be consistent with the existing road and ditch slopes and there shall be no vertical excavation faces. Current flow patterns shall remain "as-is" and there shall be no additional drainage area or flows from the adjacent agriculture land routed to the ditch. Applicant shall ensure that all disturbed areas are seeded with appropriate seed mixture and that consideration for rock riprap with filter fabric is placed at the outlet end of the permitted culverts. 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 when applicable. Directly downstream of the outlet, applicant shall ensure that adequate grade and drainage is provided. This permit 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.	July 22, 2024
Received	None	July 15, 2024

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.

Tammy Audette

From: Corey Hanson
Sent: Tuesday, July 2, 2024 2:09 PM
To: Tammy Audette
Subject: HOBO Dissolved Oxygen Logger Battery Replacements

Tammy,

I found that the batteries on all 5 of oldest HOBO dissolved oxygen loggers have been depleted and need to be replaced. The batteries are good for about 5 years of monitoring. The cost is \$250/each.

ONSET

CONTINUE SHOPPING






Welcome corey.hanson@rediakewatershed.org | Log Out | Account

ONSET BRANDS HOBO InTemp

Shopping Cart

Do you have a promo code?:

APPLY

Part Number		Description	Requested Ship Date	Qty	Your Price	Extended Price*
 CustBatt	Serial #: 10513800	Service Order Battery Replacement	7/2/2024	1	\$250.00	\$250.00
 CustBatt	Serial #: 10513799	Service Order Battery Replacement	7/2/2024	1	\$250.00	\$250.00
 CustBatt	Serial #: 10316203	Service Order Battery Replacement	7/2/2024	1	\$250.00	\$250.00
 CustBatt	Serial #: 10513798	Service Order Battery Replacement	7/2/2024	1	\$250.00	\$250.00
 CustBatt	Serial #: 10513801	Service Order Battery Replacement	7/2/2024	1	\$250.00	\$250.00

Subtotal \$1250.00
Order Total \$1250.00

CONTINUE SHOPPING

PROCEED TO CHECKOUT

Rapid Order Entry

$$\begin{array}{rcl} 5 @ \$250^{00} & = & \$1250^{00} \\ 2 @ \$540^{00} & = & 1080^{00} \\ \hline & & \$2330^{00} \end{array}$$

Tammy Audette

From: Corey Hanson
Sent: Monday, July 22, 2024 4:09 PM
To: Tammy Audette
Subject: FW: SRO WB00107066

Importance: High

Is this okay? I think it doubles the price on 2 of the 5 loggers – at least it wasn't all of them.

-Corey

From: Paula Murphy <Paula_Murphy@onsetcomp.com>
Sent: Monday, July 22, 2024 4:07 PM
To: Corey Hanson <Corey.Hanson@redlakewatershed.org>
Subject: SRO WB00107066
Importance: High

Hi Corey,

I have received word from our service team that the loggers with serial numbers 10513800 and 10513799 will need to have a full tune-up service.

The charge for this service will be \$540.00 per logger and will include a battery replacement in this price point.

Please let me know how you would like to proceed.

Looking forward to your reply,
Paula

2 @ 540⁰⁰ = \$ 1080⁰⁰

Paula Murphy
Sr Technical Support Representative

HOB0 Data
Loggers

470 MacArthur Blvd. Bourne, MA 02532

Phone: 508-759-9500

Direct: 508-743-3175

Submit a new case [Here](#)

Website: <https://www.onsetcomp.com/>

The proof is in the data

Delivering the power of data today
to help you build a better tomorrow



HOB0
Data Loggers
an Onset brand



APPROVED 2025 OPERATING, PROGRAM, AND PROJECT BUDGET

The Red River Watershed Management Board (RRWMB) Managers approved the 2025 Operating, Program, and Project Budget on July 16, 2024. Information about the 2025 Budget is illustrated in the table below and a pie chart is attached further depicting this information.

2025 Budget Categories	Approved Amount	% of Total
Payroll Taxes	\$ 21,100	0.20
Executive Payroll and Benefits	\$ 295,508	2.82
Employee Expenses	\$ 8,000	0.08
Manager Expenses	\$ 81,700	0.78
Professional Services ¹	\$ 247,300	2.36
Office Operations	\$ 101,700	0.97
Coordinating Services ²	\$ 77,000	0.73
Public Relations	\$ 55,500	0.53
Technical Expense ³	\$ 456,235	4.35
Program Funding ⁴	\$ 451,800	4.31
Water Quality Program	\$ 1,590,000	15.17
Water Storage and Flood Mitigation Projects ⁵	\$ 7,095,000	67.69
Total 2025 Approved Expenditures	\$ 10,480,843	100.00

¹Professional Services includes legal counsel, legislative services, contract administrative assistance, and the RRWMB allocation for the shared Red River Basin Coordinator position with the Minnesota Department of Natural Resources.

²Coordinating Services is the annual allocation to the Red River Retention Authority (RRRA) and the RRWMB is part of the RRRA via a joint power's agreement with the Red River Joint Water Resource District in North Dakota.

³Technical Expense is primarily for the development of LiDAR derived products, with raw LiDAR data being collected in 2021. Regular activities of the RRWMB Technical Advisory Committee are also included in Technical Expense. Funding for 10-year floodplain mapping and the USACE Feasibility Study are included.

⁴Program Funding is for the River Watch Program, USGS stream gaging efforts, annual allocation to the Red River Basin Commission, and the International Water Institute for the River Watch Program

⁵Funding for farmstead ring dikes is included in Flood Mitigation Projects.

Approved on July 16, 2024 by the RRWMB Managers.

RRWMB Mission:

To institute, coordinate, and finance projects and programs to alleviate flooding and assure the beneficial use of water in the watershed of the Red River of the North and its tributaries.

Contact Information:

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

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

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

Website:

www.rrwmb.us

Youtube:

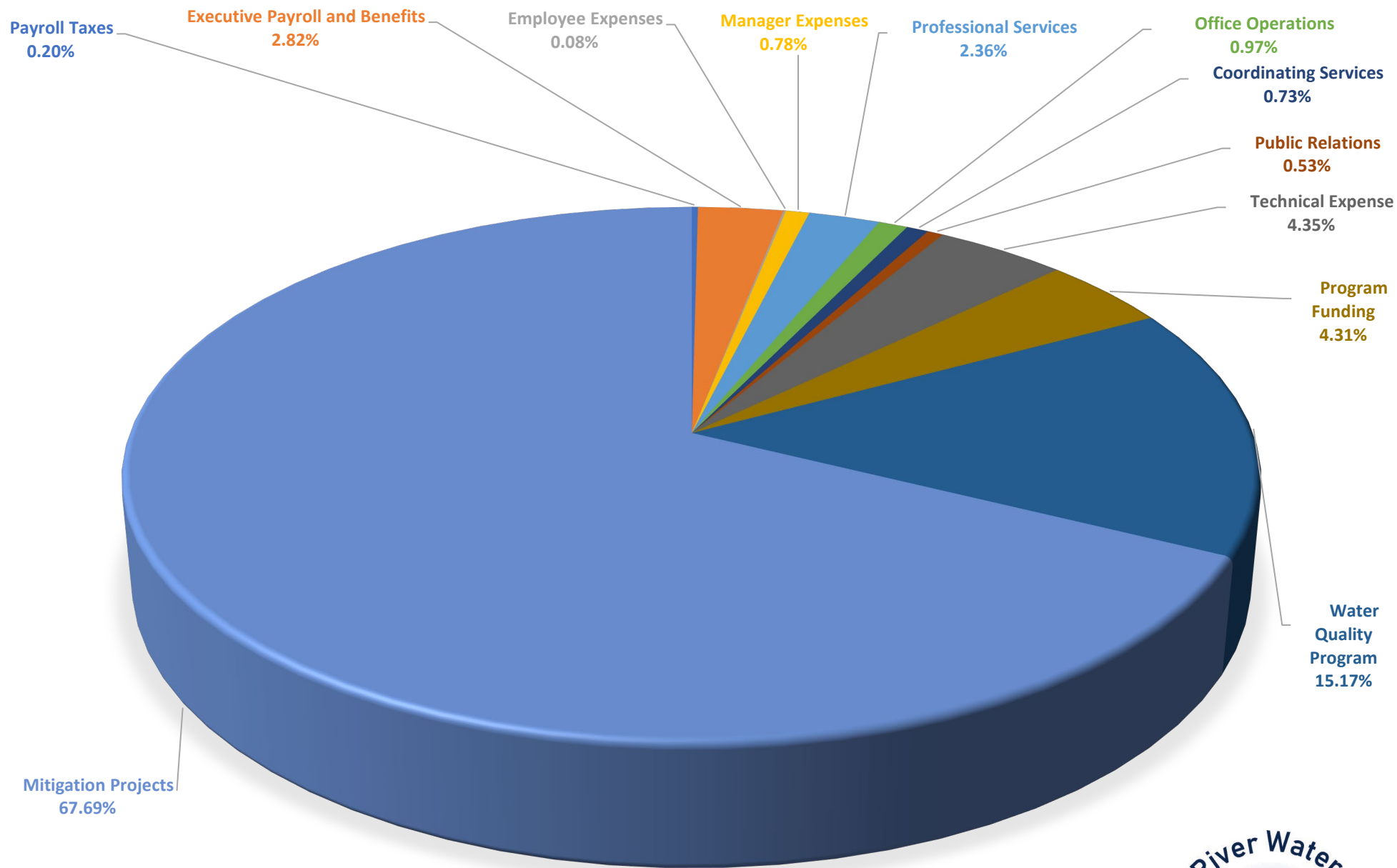
<https://www.youtube.com/@RRWMB>

Find us on Facebook:

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

NOTE: Contact RRWMB staff to obtain more detailed information about the 2025 Operating, Program, and Project Budget.

Investing in and Managing the Watershed of the Red River Basin



2025 OPERATING, PROGRAM, AND PROJECT BUDGET - APPROVED JULY 16, 2024





RESOLUTION 2024R-14

Resolution to Approve the 2025 Red River Watershed Management Board Operating, Program, and Project Budget

WHEREAS, the Red River Watershed Management Board (RRWMB) of Managers have determined that the 2025 Operating, Program, and Project Budget is critical to implementing the RRWMB Strategic Plan, vision, mission, purposes, and strategic goals;

WHEREAS, the RRWMB has given careful consideration to the various budget and financial requirements needed to continue appropriate staff levels to fulfil its Strategic Plan, vision, mission, purposes, and strategic goals; maintain an office in a public setting; and to operate for purposes of providing and enhancing services to its member watershed districts for calendar year 2025 in accordance with RRWMB policies, enabling legislation, and the RRWMB Joint Powers Agreement;

WHEREAS, the RRWMB has approved an Internal Controls and Treasurers Policy Manual to ensure that taxpayer dollars are efficiently and prudently utilized as the 2025 Operating, Program, and Project Budget is implemented and managed;

WHEREAS, the RRWMB has thoughtfully discussed and carefully considered the need to provide funds for annually funded projects, programs, and initiatives that meet the Strategic Plan, vision, mission, purposes, and strategic goals of the organization for calendar year 2025 including water storage, flood mitigation, habitat, and water quality projects;

WHEREAS, the RRWMB Budget and Finance Committee reviewed and discussed the proposed 2025 Operating, Program, and Project Budget on June 25, 2024 and is recommending that the attached Operating, Program, and Project Budget be approved by the RRWMB Board of Managers as reviewed by the full board on July 16, 2024;

THEREFORE, BE IT RESOLVED that the RRWMB Board of Managers hereby adopts the 2025 Operating, Program, and Project Budget to be effective on January 1, 2025; and

BE IT FURTHER RESOLVED that the RRWMB Board of Managers grants the Executive Director the authority to implement, manage, monitor, and report on the 2025 Operating, Program, and Project Budget and to consult as necessary with the RRWMB Treasurer, Budget and Finance Committee, Investment Committee, and legal Counsel.



Resolution Number 2024R-14 was moved by Manager Braaten, and seconded by Manager Petersen.

The question was on the adoption of the resolution and there were 6 yeas and 0 nays as follows:

WATERSHED DISTRICT (WD)	YEA	NAY	ABSTAIN	ABSENT
Bois de Sioux WD:				
• Linda Vavra (Delegate)	X			
• Jason Beyer (Alternate)				
Joe River WD:				
• John Finney (Delegate)	X			
• Shane Stewart (Alternate)				
Middle-Snake-Tamarac Rivers WD:				
• Bill Petersen (Delegate)	X			
• Lein Schiller (Alternate)				
Red Lake WD:				
• LeRoy Ose (Delegate)	X			
• Gene Tiedemann (Alternate)				
Roseau River WD:				
• Jason Braaten (Delegate)	X			
• LaVerne Voll (Alternate)				
WATERSHED DISTRICT (WD)	YEA	NAY	ABSTAIN	ABSENT
Two Rivers WD:				
• Roger Anderson (Delegate)	X			
• Dan Money (Alternate)				
Wild Rice WD:				
• Greg Holmvik (Delegate)				X
• Raymond Hanson (Alternate)				

Upon vote, the Chair declared the Resolution:

☒ Passed

☐ Failed


Dated: July 16, 2024



* * * * *

I, LeRoy Ose, Secretary of the Red River Watershed Management Board, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the Board and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this 16th day of July 2024.



LeRoy Ose, Secretary



RRWMB RESOLUTION 2024R-15

Resolution to Recommend the 2025 Red River Levy to Member Watershed Districts

WHEREAS, the Red River Watershed Management Board (RRWMB) of Managers have determined that the 2025 Operating, Program, and Project Budget is critical to implementing the RRWMB Strategic Plan, vision, mission, purposes, and strategic goals, and approved the Budget on July 16, 2024, which will be effective on January 1, 2025;

WHEREAS, the RRWMB has given careful consideration to the various budget and financial requirements needed to continue appropriate staff levels to fulfil its Strategic Plan, vision, mission, purposes, and strategic goals; maintain an office in a public setting; and to operate for purposes of providing and enhancing services to its member watershed districts for calendar year 2025 in accordance with RRWMB policies, enabling legislation, and RRWMB joint powers agreement;

WHEREAS, the RRWMB has given careful consideration to current funding commitments and financial needs of its member watershed districts as they plan water storage, flood mitigation, habitat, and water quality projects related to the RRWMB Strategic Plan, vision, mission, purposes, and strategic goals of the RRWMB;

WHEREAS, the RRWMB has thoughtfully discussed and carefully considered the need to provide funds for annually funded projects, programs, and initiatives that meet the Strategic Plan, vision, mission, purposes, and strategic goals of the RRWMB for calendar year 2024 including water storage, flood mitigation, habitat, and water quality projects;

WHEREAS, the RRWMB Budget and Finance Committee reviewed RRWMB finances and funding commitments on June 25, 2024 and recommended that the 2025 Red River Levy be set at 75 percent or 0.0003627 times the taxable market value on all taxable property within RRWMB member watershed districts;

THEREFORE, BE IT RESOLVED that the RRWMB Board of Managers hereby requests that member watershed districts operating pursuant to the RRWMB joint powers agreement levy an ad valorem tax (Red River Levy) for calendar year 2025 in the amount of 0.0003627 times the taxable market value on all taxable property within their respective districts in accordance with provisions of Minnesota 1976 Sessions Law, Chapter 162, Section 1; as amended by laws of 1982, Chapter 474, Section 1; laws of 1983, Chapter 338; and laws of 1989 First Special Session, Chapter 1, Article 5, Section 45;



BE IT FURTHER RESOLVED that in accordance with said law each member watershed district retains one-half of the proceeds of said 2025 Red River Levy crediting those funds to the individual district's construction fund to be used for the development, construction, and maintenance of projects and programs of benefit to the district; and the proceeds from the remaining one-half of this levy be transmitted to the Red River Watershed Management Board, Robert L. Sip, Executive Director, 11 5th Avenue East, Suite B, Ada, MN 56510, to be credited to the general fund of the Red River Watershed Management Board and to be used for the development, construction, and maintenance of projects and programs of benefit to the Red River basin.

Resolution Number 2024R-15 was moved by Manager Braaten, and seconded by Manager Ose.

The question was on the adoption of the resolution and there were 6 yeas and 0 nays as follows:

WATERSHED DISTRICT (WD)	YEA	NAY	ABSTAIN	ABSENT
Bois de Sioux WD:				
• Linda Vavra (Delegate)	X			
• Jason Beyer (Alternate)				
Joe River WD:				
• John Finney (Delegate)	X			
• Shane Stewart (Alternate)				
Middle-Snake-Tamarac Rivers WD:				
• Bill Petersen (Delegate)	X			
• Lein Schiller (Alternate)				
Red Lake WD:				
• LeRoy Ose (Delegate)	X			
• Gene Tiedemann (Alternate)				
Roseau River WD:				
• Jason Braaten (Delegate)	X			
• LaVerne Voll (Alternate)				
Two Rivers WD:				
• Roger Anderson (Delegate)	X			
• Dan Money (Alternate)				
Wild Rice WD:				
• Greg Holmvik (Delegate)				X
• Raymond Hanson (Alternate)				



Upon vote, the Chair declared the Resolution:

☒ Passed

☐ Failed

Dated: July 16, 2024

* * * * *

I, LeRoy Ose, Secretary of the Red River Watershed Management Board, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the Board and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this 16Th day of July 2024.



LeRoy Ose, Secretary

2025 GENERAL FUND BUDGET

DRAFT

	2025 BUDGET	2024 BUDGET	
Manager's fees, salaries	40,000.00	40,000.00	
Board of Manager's expense	24,200.00	24,200.00	
Staff salaries	623,395.00	551,515.00	3.5% increase, step changes & 10%, Myron/summer intern
Payroll taxes	47,690.00	42,191.00	
Employee benefits	168,481.00	178,097.00	added \$7500 for insurance increase don't know amount
Travel and meetings(inc. mileage & exp	7,500.00	7,500.00	
Audit	10,400.00	10,400.00	
Legal	16,000.00	16,000.00	
Office supplies	20,000.00	20,000.00	\$5,000-logo branding supplies
Office equipment	40,000.00	30,000.00	\$10,000 server (approx. server cost is \$20k) items over \$5,000
Appraiser/Viewer Expense	2,000.00	2,000.00	
Professional services (inc. Eng. Fees)	35,000.00	25,000.00	IT increase/ MS4 Front (\$6,000) transfer of permit data #90
Dues and subscriptions	10,000.00	10,000.00	
Insurance and bonds	40,000.00	40,000.00	
Repairs and maintenance-Building	15,000.00	15,000.00	
Utilities	12,000.00	12,000.00	
Advertising and publications	4,000.00	4,000.00	
Telephone	11,000.00	11,000.00	
Vehicle expense and maintenance	15,000.00	15,000.00	
Engineering supplies	3,000.00	3,000.00	
Engineering equipment	45,000.00	40,000.00	streamgaging rod, survey equipment - no new vehicle
Interest	0.00	0.00	
TOTAL	1,189,666.00	1,096,903.00	
Less: Overhead	935,092.50	827,272.50	Staff salaries x 1.5
Less: Miscellaneous revenue	3,000.00	3,000.00	
General Fund Budget	251,573.50	266,630.50	

Overhead is computed using 1.5 x salary

Administrator's Report

July 25, 2024

RRWMB: Included in the packet is a letter from the RRWMB to the Clean Water Council regarding Clean Water Funds.

DNR Well Interference Letters: Included in the packet is a Well Interference Investigation Report for the Noyes Property located in Poplar River Township, Red Lake County.

RRWMB Administrators Meeting: On Friday, July 19th, I participated in the RRWMB Administrators meeting. I have included the agenda with notes from the meeting.

RLWD Scholarships: I sent an email to Matt Fischer regarding the potential of the District offering a scholarship to Natural Resource students. Mr. Fischer stated that he is not aware of any reason that the District should be allowed to do this, but we should check with Legal Counsel. He is also aware of some SWCD's that offer scholarships. Fischer stated that, "The applicant pool for natural resources positions has been very limited in many rural areas of the state, especially in northwest MN. I think a connection to your plan(s) can easily be made for this expenditure to support your ability to build and maintain staff capacity". He also made it clear that this is NOT an eligible grant expense.

Thief River Subwatershed (SD 83): Included in the packet is the agenda, prior meeting notes, and project team progress for the Thief River Subwatershed Project Work Team. The next meeting will be held on July 31, 2024 at 9:00 a.m. at the District office.



Paul Gardner
Administrator
Clean Water Council
520 Lafayette Road North
St. Paul, MN 55155

Dear Mr. Gardner,

As a regional governmental entity representing several watershed districts that use Clean Water Funds for implementation, the Red River Watershed Management Board (RRWMB) appreciates the opportunity to provide input as the Clean Water Council (Council) begins to develop their FY26-FY27 recommendations. The RRWMB adopted a Water Quality Program in 2020 and since then almost 30 projects have been funded through our process with multiple funding partners.

At the end of 2023, the RRWMB had financial commitments of just over \$6 million, with an additional \$15 million coming from other sources including the Clean Water Fund (CWF). The RRWMB recently approved a Water Quality Program Report to highlight the work that has been accomplished by our member watershed districts in close coordination with other local and state partners. Here is a weblink to the report to better understand the type and scope of projects funded by the RRWMB: [Approved RRWMB Water Quality Program Report - March 19, 2024](#)

Our member watershed districts also use the CWF to help pay for clean water components of multipurpose water storage projects. The Red River Basin counts on long-term, stable funding from the CWF to assure that watershed districts are able to implement projects for clean water on behalf of the State of Minnesota. When we fund collaborative projects through the RRWMB Water Quality Program in conjunction with the CWF, it is a win for both the State of Minnesota and citizens of the Red River Basin.

We are willing to present the results of the RRWMB Water Quality Program to the Council and we invite members to visit projects funded jointly through the CWF, RRWMB, and our membership. It has been many years since the Council last visited the Red River Basin, but we would be happy to host the Council for a watershed tour in the future to highlight water quality projects in Northwest Minnesota. Without long-term, stable funding from the CWF, none of these efforts would be possible. We respectfully request that the Council continue to fully fund the Watershed-based Implementation Fund so that local governments can fulfill their responsibilities in carrying out the work for clean water on behalf of the State of Minnesota.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert L. Sip", with a stylized flourish at the end.

Robert L. Sip, Executive Director

Office Location • 11 5Th Avenue East, Suite B • Ada, MN 56510 • www.rrwmb.us • 218-784-9500 (Main Office)

Investing in and Managing the Watershed of the Red River Basin

Well Interference Investigation Report

Date: 6/28/2024
To: Claudia Hochstein, Well Interference Coordinator
From: Jennifer L. Rose, PG, Groundwater Specialist and Elle Fielding, Groundwater Hydrologist
Subject: Well Interference Investigation Report: Noyes, Poplar River Township, Red Lake County
Reviewed by: Amanda Yourd, Groundwater Specialist

PROFESSIONAL GEOLOGIST

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Geologist under the Laws of the State of Minnesota.

License No: 56562

Signature:

Jennifer L. Rose

Digitally signed by Jennifer L.
Rose

Date: 2024.06.28 14:24:50 -05'00'

Executive Summary

The James Noyes well interference complaint is valid for 2023 water supply issues. Collective pumping from nearby high-capacity wells in 2023 caused groundwater levels in the original flowing domestic well (100030120) to fall below the reach of the pump and the homeowner to run out of water. The timing of water supply issues in 2023 correlates with the highest groundwater use on record in this area. DNR did not have enough information (well driller documentation and water levels from Complainant well) to determine if water supply issues with receipts provided from 2019 to 2022 were valid or not.

Based on available information, pumping five irrigation wells within 2.4 miles of the Complainant's original well contributed to the well interference in 2023 (listed in numerical order):

- 2012-1282 Yaggie
- 2014-0797 Yaggie
- 2014-1861 Tersteeg
- 2017-1676 Yaggie
- 2021-0338 Quam

The water supply issue was resolved by drilling a new well (878810) and installing a submersible pump to 40 feet deep, which is adequate for the current permitted pumping volume. The original well could not be modified due to the small diameter and deterioration of the aging well casing. **The original well can now be sealed.**

Arsenic levels in the original and new wells are similar, and both exceed drinking water standards. The Minnesota Department of Health recommends a treatment system for drinking water.

Introduction

On December 27, 2023, the Minnesota Department of Natural Resources (DNR) received well interference complaint forms from a residence owned by James Noyes (referred to as the “Complainant” in this report). James Noyes’ son (Jonathan Noyes; also referred to as Complainant) lives at the residence with his family. The location of the home is in Poplar River Township (Section 35) of Red Lake County, 3.5 miles south of the City of Brooks (Figure 1). The Complainant has notified DNR of water supply and quality issues since 2017, and DNR provided well interference forms multiple times. The Complainant recently submitted complaint forms (Appendix A) after drilling a new domestic well (unique well number 878810 referred to as new well; well log in Appendix B). The older, now unused domestic well (unique well number 1000030120 referred to as original well) has not been sealed as of June 28, 2024.

DNR requested additional information from the Complainant in January 2024, including receipts for well work and a water quality sample from each well taken on the same day. Copies of receipts from well work from 2019 to 2023 were provided to DNR on April 12, 2024, during a site visit (Appendix A). DNR received additional water quality results on June 3, 2024 (Appendix B).

Permit holders within three miles were notified of this well interference complaint and investigation on May 24, 2024. DNR has no record of domestic well interference agreements with the Complainant (at this address) and nearby permit holders. Because of the Complainant’s pump type and flowing conditions, it was deemed high risk for well interference as per MN DNR (2023) as part of the 2021-0338 Quam permit application review, but no agreement was filed. However, the Complainant’s rental property (0.5 miles north of this address; unique well number requested) does have a well agreement with permit holder 2021-0338 Andrew Quam dated February 5, 2023.

This report summarizes the well interference complaint and the DNR investigation of potential water level declines in the Complainant’s original well from nearby high-capacity pumping wells. Conclusions and technical recommendations are provided.

Complaint Information

The Complainant’s family (multiple generations) has lived on this property for the last 70 years. A newer house was built around 2000, but a new well was not installed at that time. The Complainant started experiencing water supply issues (reduced pressure and flow) in September of 2017 (oral commun., April 12, 2024, and written commun., October 24, 2017). Water supply issues also occurred in 2019, 2020, 2021, 2022, and 2023. These issues resulted in the Complainant purchasing three new surface mounted jet pumps, a pressure tank, fittings, and eventually a new well (installed in August 2023) and water filters (oral commun., 2024). Receipts for the purchases from 2019 to 2023 are included in the Appendix A. The Complainant also submitted an invoice for time spent making repairs to the original well and water quality testing costs.

Site Investigation

No drilling record is available for the Complainant's original well. DNR obtained well information from:

- Site visits on May 4, 2018 and April 12, 2024
- Conversations with the Complainant
- Conversations with well driller, Kyle Anderson, Anderson Well Drilling and Repair, Inc.

The well driller did not summarize the well information on the Water Well Information Form (Appendix A; Figure A-1), but DNR was able to obtain the information through conversations after the well driller visited on July 17, 2023, and August 2, 2023. Table 1 contains well construction information for the new and original wells and Appendix B includes well logs and photographs. Information about the Complainant's original well pertinent to this investigation includes:

- **Well is over 100 years old:** The age of the well was estimated by the Complainant and well driller. The age of the well pre-dates Minnesota Department of Health well codes established in 1974.
- **Well depth is shallow:** DNR measured the well depth at 40.5 feet below top of casing or 39.9 feet below land surface on April 12, 2024. However, the Complainant thought the well was 65 feet deep. DNR did note the bottom of the well was soft, which could indicate the presence of fine sediment at the bottom of the well, but it is unknown if sediment is in the well. DNR was not able to measure the well depth in May 2018 as the pump equipment prohibited access.
- **Small well diameter:** The well is a 1.5-inch diameter steel well (measured by DNR on April 12, 2024). The well driller did not think this was the original well casing, but a smaller pipe inserted into the original casing as it deteriorated over time (Kyle Anderson, oral commun., 2023).
- **Flowing well conditions:** The Complainant relied on flowing well conditions (water level above land surface) to provide water for domestic use. According to the Complainant, a jet pump was added to the water supply system when the new house was built in 2000 (oral commun., 2018 and 2024). The flowing well naturally provided enough pressure to get the water to the jet pump intake, 3.15 feet above the pump house floor near the top of the well casing (measured by DNR in May 2018; see photograph in Figure B-2). The jet pump was located on top of the pressure tank and was used as the mechanism to let water into the pressure tank or go to an overflow pipe. The overflow pipe was discharged through a buried pipe to the garden. Overflow from the garden flowed into a ditch/intermittent stream that flows into the Poplar River to the northwest of the discharge.

DNR noted flowing well conditions during spring site visits in May 2018 and April 2024. DNR could not measure a water level since water flowed above the top of the casing, but did record flow discharge measurements. On May 4, 2018, the water was flowing at 1.4 gallons per minute from the garden hose connected to the overflow pipe (land surface to garden hose reel was 2.4 feet). On April 12, 2024, water was discharging at 3.6 gallons per minute from an extension (with a 90-degree elbow) on the top of the casing (2.25 feet above land surface).

- **Jet pump:** A one-inch pipe connected the jet pump to the top of the well casing which was approximately 3.15 feet long (measured by DNR in May 2018). No drop pipe extended below the top of the casing into well (that DNR is aware of) as the Complainant relied on flowing conditions. Therefore, this water supply system was not designed to lift water from below the top of the casing.

Table 1. Complainant original and new well construction information

Well Name	Complainant Original Well	Complainant New Well
Unique Well Number	1000030120	878810
Date Drilled	Unknown; Age of well estimated to be over 100 years (Complainant and well driller)	08/02/2023
UTM Easting *	274523 meters	274555 meters
UTM Northing *	5294561 meters	5294560 meters
Ground Elevation *	1151 feet	1149 feet
Measuring Point *	0.6 feet AGS (measured by DNR on 4/12/2024)	Unknown
Well Casing Type	Steel	Plastic
Diameter	1.5 inches	4 inches
Depth	39.9 feet BGS (measured by DNR on 4/12/2024) 65 feet BGS (Complainant stated and documented in communications to DNR dating back to 2018)	52 feet BGS
Screened Interval	Unknown	48 to 52 feet BGS
Static Water Level	Flowing (observed by DNR on 5/4/2018 and 4/12/2024); 1-foot BGS (measured on 7/17/2023 by well driller)	Flowing; 1-foot AGS (measured by well driller 8/2/2023)
Pump Type	Surface mounted jet pump first installed around 2008 (as per DNR site visit with Complainant in 2018); None (at time of visit by DNR on 4/12/2024)	Submersible (Pentair S10P05)
Pump Drop Pipe Depth	No drop pipe ever installed, relied on pressure from flowing conditions to reach jet pump	40 feet BGS
Pump Intake	3.15 feet above pump house floor which is near well top of casing (measured by DNR on 5/4/2018)	Approximately 45 to 46 feet BGS
Penetrated Aquifer+	QBAA Shallow Confined	QBAA Shallow Confined

Notes: * UTM locations are in NAD83, Zone 15N, elevations are relative to NAVD88. Locations are estimated from aerial imagery and elevations are estimated from LiDAR. Abbreviations: "BGS" Below ground surface and "AGS" Above ground surface.

+ Aquifer interpretations based on Lindgren (1996) depth-based classifications. There is no well log available for the Original well so the aquifer classification was based on the original well depth and new well log.

Water Supply Issues

Around 2016, the Complainant noticed reduced overflow from the original well where it was discharged in the ditch (oral commun., 2018). In September 2017, the Complainant experienced reduced water pressure to the house and replaced the check valve and hoses from the well (no receipts provided). The Complainant notified DNR of these issues in October 2017 (via letter), and DNR sent well interference forms, but the Complainant did not fill out the forms at this time. DNR visited the property on May 4, 2018, when there were no water supply issues (well was observed to be flowing) and provided well interference forms again. No water supply issues were reported during 2018.

The well stopped flowing at some point in 2019 and 2020 (unknown timing and duration; Complainant, oral commun., 2024). Jet pumps burned out and were replaced three times on December 15, 2019, December 14, 2020, and January 17, 2021 (Figures A-3 to A-5).

The Complainant experienced some well equipment issues in 2021 and 2022 but the well was believed to be flowing (oral commun., 2024). In June 2021, the house was losing water pressure although the well was flowing, so the Complainant purchased and installed a new pressure tank (Figure A-6). Anderson Well Drilling stopped out to the residence and changed the check-valve during the visit (no fee to Complainant and no well interference forms filled out). In November 2022, the pump was hot to the touch and some plastic fittings next to the pump started to leak. The Complainant replaced plastic fittings with metal fittings (Figure A-7 and A-8). In February 2023, the Complainants contacted DNR about water supply issues and DNR sent well interference forms.

The Complainant was out of water in July 2023. The water supply issues started in June 2023 as flowing conditions were reduced and eventually the water level was below land surface. The Complainant noted that around this time, there were rocks and sediment being pushed through the pump. The well driller visited the residence on July 17, 2023, to inspect and resolve the out of water issue. The well driller contacted DNR on July 18, 2023 and reported:

- **Water level was one foot below land surface** (measured by well driller). This means the well stopped flowing because the water level was below the reach of the jet pump intake.
- **Jet pump not getting suction.** The driller informed DNR that a hole in the casing was the cause of the jet pump not getting suction and the rocks and sediment getting in the water supply system. A hole in the well casing was patched (as a temporary measure) and the well driller saw evidence where the casing had been patched in the past. The patch applied to the hole in the casing at or near ground level is considered a temporary measure and therefore not a violation of well code (Chris Prokosch, MDH, oral commun., 2024). A spare jet pump (owned by driller) was hooked up (Figure A-9) to get water to the house as a temporary measure.
- **New well recommended.** The well driller recommended a new well to get access to water due to the deteriorating condition of the well casing. The water level went below the top of the casing and the jet pump could not get suction from the well casing.

Water supply issues were resolved on August 2, 2023, when the new well was installed by Anderson Well Drilling and Repair, Inc. (Figures A-9 and B-4) and wired by Eskell Electric LLC (Figure A-10). The New well was drilled to a depth of 52 feet, and a submersible pump was installed with 40 feet of drop pipe (intake five to six feet deeper). The well log reported that the new well was flowing in August 2023. The Complainant contacted DNR on October 18, 2023 as he tried to give the invoice to a nearby appropriator and was concerned the well was not drilled deeply enough to prevent future water supply issues. DNR sent well interference forms to the Complainant.

Setting

The Complainant's residence is in a rural area dominated by agricultural activity. The residence is located within the Clearwater River watershed and is 0.7 miles east of the Poplar River. The topography is predominantly flat with some gently rolling terrain created by former Glacial Lake Agassiz. Three miles south is a topographically higher area (glacial moraine) that consists of hills and depressions with many lakes and wetlands.

Geology and Hydrogeology

The geology of the area consists of glacial deposits (Lindgren, 1996) underlain by Precambrian bedrock (Jirsa, et al., 2011). Glacial materials at the Complainant's well are 350 feet thick (Retzler, 2023) and consist mostly of unconsolidated sand and glacial till. The local hydrogeologic setting was documented as part of a DNR well interference investigation (Yourd and Rose, 2021) located 0.5 miles northeast of the Complainant.

Confined aquifers make up a multilayered, buried-aquifer system that extends up to 400 feet deep in some locations (as seen in well log 824397 located 3.2 miles southwest of the Complainant's well; see hydrogeologic cross-sections in Appendix C). Confined aquifers consist of buried, collapsed channel deposits typically confined by glacial till (Harris, 2006). Water table aquifers are not observed locally, and bedrock is not used for water supply in this area.

Based on well logs, the Complainant's wells are completed in the same aquifer, referred to as Shallow Confined (Lindgren, 1996; aquifer classification based on depth to the top of each aquifer). The Shallow Confined aquifer is the uppermost confined aquifer in the buried system. Groundwater levels are above land surface in the Shallow Confined aquifer in this location.

Aquifer tests conducted in this area (summarized in Appendix C; Table C-1) as part of groundwater appropriation permit application requirements show:

- Buried aquifers are leaky confined and interconnected; pumping deeper aquifers lowers water levels in shallower aquifers.
- Pumping a single high capacity well can cause measurable drawdown in wells approximately two miles away.
- Water levels can be slow to recover after pumping in some aquifers. Recharge to shallower aquifers comes partially from the deeper aquifers, so recharge is limited in the shallower aquifers when the deeper aquifers are pumped.
- Buried channel aquifers with geologic barrier boundary conditions have been documented in the Intermediate and Deep Confined aquifers. Barrier boundaries can limit flow within the aquifer and between aquifers.

Groundwater Users

Groundwater is used for agricultural irrigation and domestic water supply in this area. Domestic wells typically source water from shallower aquifers such as the water table, Shallow or Intermediate Confined

aquifers while irrigation wells tend to be screened within the deeper aquifers (Intermediate, Deep, or Basal Confined; see cross sections in Appendix C).

Domestic Wells

Multiple residences with private domestic wells have experienced water supply problems in this area; there are four previous well interferences within one mile of the location. Water supply problems occur when combined domestic use and irrigation pumping cause water levels to fall below the intake of a submersible pump or a jet pump suction line or cause a flowing well with no pump to stop naturally flowing.

Permitted High-Capacity Wells

In 2023, there were ten permitted high-capacity wells within three miles of the Complainant well (Figure 1 and Table 1). The closest permit, 2021-0338 Quam, was issued in August 2023 but use was reported in June and July 2023 (Table 3). Water use in 2023 by Quam (2021-0338), Faldet (2020-3387), Yaggie (2017-1676), and Tersteeg (2014-1861), exceeded water use volumes from previous years (Table 3). The observed data in the monitoring wells show water levels in the deep and shallow wells were not as low in 2023 as they were in 2021, however, there isn't a monitoring well associated with the Quam (2021-0338) production well to show the impacts to the surrounding area from pumping from that production well.

In 2016, the combined permitted groundwater volume within 3 miles of the Complainant well was 210 million gallons per year and rose to 503 million gallons per year by 2023 (Table 3). Similarly, reported annual water use by permittees listed in Table 2 increased from 42 million gallons in 2016 to 300 million gallons in 2023 (Figure 2). Years with the highest reported water use correlate with years showing the lowest water levels in nearby monitoring wells (Table 3, Figure 2).

Table 2. Groundwater appropriation permits in 2023 within 3 miles of the Complainant

Permit Number and Landowner	Use Type	Permitted Volume, Rate, and Acres	Unique Well Number and Depth	Pumped Aquifer+	Distance and Direction to Complainant Original Well
2021-0338; Andrew Quam <i>Permit issued on August 9, 2023</i>	Ag Irrigation	42.6 MGY, 700 gpm, 131 acres	856216; 198 feet	QBAA – Intermediate Confined	1 mile southwest
2014-0797 Yaggie Farms	Ag Irrigation	47.9 MGY, 800 gpm, 176 acres	801957; 94 feet	QBAA – Shallow Confined	1.2 miles southeast
2012-1282 Michael Yaggie	Ag Irrigation	51.5 MGY, 800 gpm, 135 acres	788660; 169 feet	QBAA – Intermediate Confined	1.8 miles east
2019-3035 Brent Strand	Ag Irrigation	45 MGY, 1100 gpm, 265 acres	847224; 180 feet	QBAA – Intermediate Confined	1.8 miles southeast
2014-1861 Scott Terteeg	Ag Irrigation	35 MGY, 1000 gpm, 132 acres	817079; 304 feet	QBAA – Deep Confined	2 miles southwest
2015-2249 Brent Strand	Ag Irrigation	76 MGY, 1600 gpm, 420 acres	817065; 226 feet	QBAA – Intermediate/ Deep Confined	2.2 miles east
2017-1676 Yaggie Farms	Ag Irrigation	50 MGY, 700 gpm, 185 acres	824399; 219 feet	QBAA – Intermediate/ Deep Confined	2.4 miles north
2014-1862 Scott Tersteeg	Ag Irrigation	35 MGY, 600 gpm, 132 acres	817080; 105 feet	QBAA – Shallow/ Intermediate Confined	2.9 miles west
2020-3387 David Faldet	Ag Irrigation	70 MGY, 700 gpm, 250 acres	856210; 178 feet	QBAA – Intermediate Confined	2.9 miles southeast
2017-2088 Scott Tersteeg	Ag Irrigation	50 MGY, 550 gpm, 132 acres	824398; 249 feet	QBAA – Deep Confined	3 miles southwest

Notes: * gpm: gallons per minute; MGY: million gallons per year

Table 3. Reported monthly water use (in millions of gallons) in 2023

Permit Number and Landowner	May 2023	June 2023	July 2023	August 2023	September 2023	2023 Water Use Reported
2021-0338 Quam*	NA	6.5	10.6	3.0	0	20.1
2014-0797 Yaggie Farms	0	1.2	8.2	3.5	0	12.9
2012-1282 Yaggie	0	1.9	6.0	2.5	0	10.4
2019-3035 Strand	1.5	2.2	9.5	12.6	1.2	27.1
2014-1861 Tersteeg	0	0	18.8	7.4	1.9	28.2
2015-2249 Strand	0	20.0	22.9	11.8	3.0	57.6
2017-1676 Yaggie Farms	0	11.1	17.8	14.2	5.7	48.8
2014-1862 Tersteeg	0	0.7	5.9	2.8	1.1	10.4
2020-3387 Faldet	2.0	5.7	22.3	21.1	15.7	66.8
2017-2088 Tersteeg	0.5	0.8	9.9	5.6	1.5	18.3
TOTAL Volume Used (MG)	4.1	50.1	131.9	84.5	30.0	300.5

Notes: Table is ordered by distance from Complainant. * Permit issued on August 9, 2023. NA stands for not applicable. MG stands for millions of gallons.

Table 4. Reported annual water use from 2016 through 2023

Permit Number and Landowner	2016	2017	2018	2019	2020	2021	2022	2023
2012-1282; Michael Yaggie	8.6 MG	10.4 MG	18.7 MG	15.0 MG	6.3 MG	38.5 MG	7.5 MG	10.4 MG
2014-0797; Yaggie Farms	10.9 MG	13.8 MG	10.9 MG	16.8 MG	6.5 MG	13.3 MG	13.9 MG	12.9 MG
2014-1861; Scott Tersteeg	NA	12.8 MG	20.6 MG	20.4 MG	9.2 MG	21.1 MG	14.6 MG	28.2 MG
2014-1862; Scott Tersteeg	3.5 MG	0.0 MG	8.9 MG	6.2 MG	9.0 MG	22.4 MG	21.2 MG	10.4 MG
2015-2249; Brent Strand	19.2 MG	48.9 MG	49.4 MG	26.7 MG	31.3 MG	67.6 MG	44.0 MG	57.6 MG
2017-1676; Yaggie Farms	NA	21.8 MG	14.8 MG	8.5 MG	0	39.3 MG	3.0 MG	48.8 MG
2017-2088; Scott Tersteeg	NA	NA	9.5 MG	9.2 MG	1.8 MG	30.2 MG	30.5 MG	18.3 MG
2019-3035; Brent Strand	NA	NA	NA	NA	14.4 MG	37.3 MG	33.6 MG	27.1 MG
2020-3387; David Faldet	NA	NA	NA	NA	NA	6.9 MG	20.1 MG	66.8 MG
2021-0338; Andrew Quam	NA	NA	NA	NA	NA	1.6 MG*	4.4 MG	20.1 MG
TOTAL Volume Used (MG)	42.3	107.6	132.8	102.8	78.5	278.1	192.8	300.5
Permitted Volume (MGY)	210.4	318.4	345.4	345.4	390.4	390.4	503	503

Notes: Table ordered by issued date of permits issued. MG: million gallons, MGY: million gallons per year; Water use from MPARS (DNR, 2024a). NA stands for not applicable as permit was not issued at that time. *Pumped without permit but reported use as part of DNR well interference investigation (Yourd and Rose, 2021).

Groundwater Level Monitoring

Recent expansion of irrigated agriculture in Red Lake and Polk counties has led to increased groundwater use and water level declines during the growing season (Rose and Krog, 2022). Because of this, both DNR and permit holders are monitoring dedicated observation wells in this area (MN DNR, 2024b). There are two confined observation wells nests (two wells at each nest) associated with two permit holders, 2019-3035 Strand and 2014-1861 Tersteeg, located two miles east and 2.2 miles southwest of the Complainant, respectively (Figure 1). The Tersteeg observation wells (824346 and 824347) have the longest record (2017 to 2023), however, levels are not monitored during freezing temperatures as the wells are flowing (Figure 2). The DNR also monitored levels in an unused Shallow Confined well (830825) near permit 2017-1676 Yaggie located 2.4 miles north during 2018, 2022, and 2023 growing seasons. Long-term groundwater level monitoring and data collected in 2023 (Figure 2 and 3) indicates:

- Water levels decline during the growing season due to pumping nearby irrigation wells (Figure 2). Both deep and shallow monitoring wells show localized decreases in water levels in response to high-capacity appropriations each year during the irrigation season. The water levels frequently don't fully recover after the irrigation season until early spring of the following year. Full aquifer recovery between irrigation seasons is dependent on normal or above normal annual precipitation (Rose and Krog, 2022).
- Levels were lowest in the summer of 2021 in most observation wells within three miles except observation well 824347 Tersteeg Deep Confined where levels were lowest in 2023 (Figure 2). Pumping increased and groundwater levels decreased in 2021 due to exceptional drought conditions (Rose and Krog, 2022).
- In 2023, groundwater levels were lowest in the Tersteeg observation well nest (824347 and 824346) in mid to late July and lowest in the Strand observation well nest (824218 and 824219) in early September (Figures 2 and 3). Levels declined by approximately ten feet from the end of May to beginning of September 2023 in the Shallow Confined aquifer (849219 Strand).

Analysis

Comparison of Groundwater Levels and Use

The Complainant's original well relied on flowing conditions (water level above the top of the casing) for water supply. Based on the available information described above, **nearby high-capacity well pumping reduced water levels in this aquifer system. This caused the Complainant to be out of water in 2023** when the water level dropped below the top of the well casing and annual reported water was the highest on record. The water level was one foot below land surface in the Complainant's well on July 17, 2023, which correlated with peak high-capacity pumping (Figure 3). Groundwater levels in a nearby Shallow Confined observation well (849219 Strand) reduced by 9.5 feet from May 26 to July 17, 2023. Four nearby appropriators pumped more water in 2023 than previous years, including the closest appropriator which was not permitted to appropriate until August 2023 but did report use in June and July 2023.

Due to the age of the original well, small diameter, and deterioration of the casing, it couldn't be modified to install a drop pipe and the well driller deemed it necessary to drill a new well to resolve the water supply issues. The Complainant's original well was flowing on April 12, 2024, which shows the well is still connected to the aquifer and is not experiencing low flow due to well construction issues.

High-capacity pumping between 2019 and 2022 possibly caused flow to be reduced in the Complainant's well multiple times as evidenced by pressure loss and burned out pumps (Figure 2). Pumps were replaced in the winters of 2019 and 2020/2021 when levels were not likely fully recovered from the irrigation season pumping (levels increase in the following spring). **However, there are no water level measurements in the Complainant's well or well driller documentation to confirm.**

Drawdown Predictions

Predictive modeling was conducted to determine which high-capacity pumping wells (Table 2) contributed to a decrease in water levels at the Complainant original well in 2023. Drawdown was calculated in AQTESOLV (Duffield, 2007) using analytical solutions to simulate aquifers. Model inputs include aquifer parameters calculated from previous nearby well tests (Table C-1), and simulated pumping based on reported monthly records for the 2023-irrigation season (Table 3).

Wells That Did Not Contribute to Interference

Based on the hydrogeology and predicted drawdown, high-capacity wells associated with the following permitted users did **not** cause water level decline in the Complainant's original well:

- **2015-2249 Strand, 2019-3035 Strand, and 2020-3387 Faldet:** Hydrogeologic barrier boundaries were identified to the north and west of these wells (Rose, 2020 and Rose, 2022). Barrier boundaries inhibit the flow of groundwater. Since these barriers are located between the irrigation wells and the Complainant's original well, pumping from the irrigation wells likely did not contribute to water supply issues at the Complainant's original well.
- **2014-1862 and 2017-2088 Tersteeg** (and other high-capacity wells greater than approximately three miles from the Complainant well): These wells contribute to regional groundwater level declines by reducing levels locally; the drawdown caused by these wells at the Complainant's original well is estimated to be less than 0.5 feet. Based on previous experience in this area, this amount of estimated drawdown is not discernable over similar pumping durations because of the separation distance and the complexity of the glacial deposits. Therefore, pumping these wells did not likely contribute to the out-of-water situation at the Complainant's original well.

Wells That Contributed to Interference

Pumping from five high-capacity wells caused water levels to decline in the Complainant's original well in 2023. Drawdown estimates (rounded to nearest 0.5 feet) and associated permit numbers include:

- **2014-0797 Yaggie:** 2.5 feet of drawdown
- **2017-1676 Yaggie:** 1.5 feet of drawdown
- **2021-0338 Quam:** 1 foot of drawdown
- **2014-1861 Tersteeg:** 1 foot of drawdown
- **2012-1282 Yaggie:** 0.5 feet of drawdown

The total amount of predicted drawdown in the Complainant's original well from nearby pumping was 6.5 feet. It is unknown exactly how much water levels declined in the Complainant well during the 2023 irrigation season because water levels were not measured at the start of the irrigation season (other than that the well was flowing and then one foot below surface on July 17, 2023). However, this amount of drawdown is similar to (3 feet less) drawdown observed in the nearby Shallow Confined observation well (849219 Strand; Figure 3) that is closer to irrigation pumping wells.

Risk for Future Water Supply Issues

The Complainant's new well is at moderate risk for future water supply issues according to DNR guidance for assessing risk to well interference in the Red Lake and Polk County area (MN DNR, 2023). The reported water use for 2023 was only 60% of the total permitted volume for groundwater appropriation within three miles of the Complainant's domestic well (Table 3). If the nearby permit holders (Table 2) used the maximum water permitted volume, it would likely reduce groundwater levels by around 15.5 feet (estimated by using predictive modeling for each permitted well). There would still be at least approximately 25 feet of water above the Complainant's new well pump (as observed by flowing conditions in August 2023 and April 2024 and with 40 feet of drop pipe). If more permits are issued in this area, the risk of well interference would increase. However, at this time the available information indicates that the new well is not at high risk for future well interference.

DNR Groundwater Technical Unit (Rose, 2023) recommended installation of an observation well in the Shallow Confined aquifer to ensure levels remain above aquifer safe yield thresholds due to clustered high-capacity pumping in this area as part of the permit application review for 2021-0338 Quam. This observation well has not been drilled to date.

Water Quality

Arsenic exceeds drinking water standards in both the Complainant's new and original wells (Table 5). The arsenic level was 29.9 micrograms per liter after the well was drilled in August 2023 (well driller sampled; Figure B-5). The Complainant installed a water filter (Figure A-11 and A-12), but more recent water sample results taken in May 2024 at the point of use (after the filter system) show arsenic still exceeds drinking water standards (29.1 micrograms per liter). Minnesota Department of Health recommends a treatment system for arsenic in well water (Chris Prokosch, MDH, oral commun. 2024).

Water samples were also collected by the Complainant from the original and new wells (before filter) in May 2024 as per DNR's request. **The results show that the original well and new well have similar levels of arsenic, both exceeding drinking water standards** (31.7 and 32.7 micrograms per liter, respectively; Figures B-8, B-10, and B-12). Therefore, this is not a change in water quality at this residence. The Shallow Confined aquifer, which both wells source from, has elevated arsenic levels exceeding drinking water standards.

Table 5. Arsenic sample results in original and new wells

Well Name and Number	Date of Sample	Arsenic Concentration (micrograms per liter)
New well (878810)	8/2/2023	29.9
New well (878810)	5/22/2024	32.7
New well (878810)	5/22/2024 at point of use	29.1
Original well (1000030120)	5/22/2024	31.7

Conclusions and Recommendations

The James Noyes well interference complaint is valid for 2023 water supply issues. Collective pumping from nearby high-capacity wells in 2023 caused groundwater levels in the original flowing domestic well (100030120) to fall below the reach of the pump and the homeowner to run out of water. The timing of water supply issues in 2023 correlates with the highest groundwater use on record in this area. DNR did not have enough information (well driller documentation and water levels from Complainant well) to determine if water supply issues with receipts provided from 2019 to 2022 were valid or not.

Based on available information, pumping five irrigation wells within 2.4 miles of the Complainant's original well contributed to the well interference in 2023 (listed in numerical order):

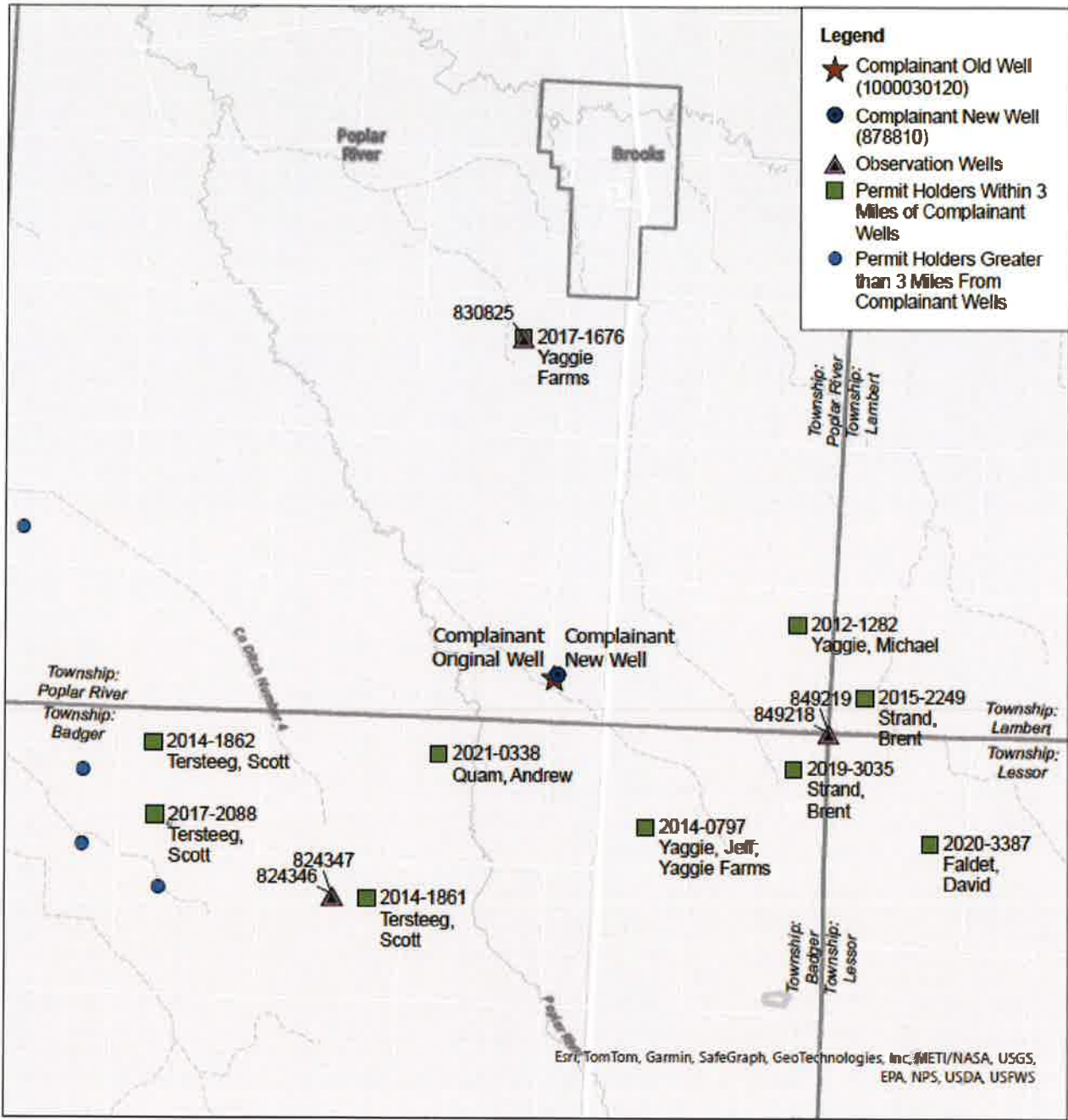
- 2012-1282 Yaggie
- 2014-0797 Yaggie
- 2014-1861 Tersteeg
- 2017-1676 Yaggie
- 2021-0338 Quam

The water supply issue was resolved by drilling a new well (878810) and installing a submersible pump to 40 feet deep, which is adequate for the current permitted pumping volume. The original well could not be modified due to the small diameter and deterioration of the aging well casing. **The original well can now be sealed.** Red Lake County Soil and Water Conservation District has a well sealing cost sharing program (call 218-253-2593 for information).

Arsenic levels in the original and new wells are similar and exceed drinking water standards. The Minnesota Department of Health recommends a treatment system for drinking water contact (Chris Prokosch at 218-308-2114 for information).

Figures

Figure 1. Location map



mn DEPARTMENT OF
NATURAL RESOURCES

Date: June 11, 2024

Miles 0 0.5 1 2



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**RRWMB Administrators meeting
Friday, July 19, 2024**

[Join the meeting now](#)

Meeting ID: 241 378 444 796

Passcode: j9PxFj

9:00 Call to Order

1. Approve agenda
2. Discussion topics:
 - a) WCA statute changes & rules development
 - a. RRWMB has authorized getting a professional to represent in the rule making process.
 - b. Clarify if WD's are to be included in TEPs moving forward and if there is a way to have them included in the rules.
 - b) BWSR Non-point Priority Funding Plan Comments
 - a. Rob discussed water storage being a part of the plan and providing comments stating our efforts to that end. Jan will collaborate with Rob on a letter/comments.
 - c) PWI Comments
 - a. Rob discussed the process (no law or rulemaking process) the DNR is undertaking in reevaluating public waters.
 - b. Concerns with the 2sq mi drainage area
 - c. Request monthly(??) updates
 - d. Rob & Jan will coordinate with ag groups and AMC
 - d) Clean Water Fund Comments
 - a. Jan discussed CWC meeting and funding projections. There was a request for letters of support for WBIF funding to the CWC.
 - b. Discussion on including RRBC
 - e) MN Watersheds resolutions / resolution process
 - a. Discussion on changing the resolution process. The resolutions meeting would possibly be held at the summer tour event.
 - b. Emphasize regional meetings to manage voting on resolutions.

f) Project funding: FHM bonding, RRWMB, other options

a. Discussion on funding challenges for phased projects

g) March conference topics & attendance

a. Planning meetings will be starting Aug 26th.

b. Suggest moving back to a more project based. More FDRWG focus.

h) Other items:

a. Dan requested presentations to the FDRWG on issues

b.

3. Adjourn

Upcoming Events, Meetings and Deadlines:

- July 31 – RRRA & RRWMB Partner Summit
- October 1 – Resolutions Submission Deadline
- December 3 – MAWA Meeting
- December 4 – 6 – Annual Conference

PROJECT TEAM AGENDA

Location:	Red Lake Watershed District 1000 Pennington Ave S, Thief River Falls, MN 56701
Date:	July 31, 2024
Time:	9:00 - 11:00 AM

AGENDA DETAILS

I. WELCOME & INTRODUCTIONS	10 MIN
II. REVIEW OF PREVIOUS MEETING NOTES	20 MIN
III. PROJECT DEVELOPMENT TABLE/TIMELINE	10 MIN
IV. DRAFT PURPOSE AND NEED	60 MIN
V. NEXT STEPS	10 MIN

CONVERSATION GROUND RULES:

1. Everyone participates; no one dominates.
2. There is not one "right" answer.
3. Keep an open mind.
4. Listen carefully to others.
5. Help keep the discussions on track.
6. Try hard to understand the views of those with whom you disagree.
7. Ask questions if you are uncertain of the meaning of someone else's comments.
8. It is okay to have friendly disagreements - everyone has a right to his/her own views.
9. To help bring closure to a discussion, use the "I can live with it" rule.

PROJECT TEAM MEETING SUMMARY

Location:	Red Lake Watershed District 1000 Pennington Ave S, Thief River Falls, MN 56701
Date:	June 18, 2024
Time:	2:00 – 4:00 PM
Participants	Mitchell Stanley, David Rodahl, David Myhrer, Patrick Erickson, Stephanie Klamm, Tony Nordby, Moriya Rufer, Randy Lawson, Nathan Bukowski, Trent Stanley, Grant Nelson, Jim Graham, Lonnie Larson, Lars Dyrud, Jeremy Nelson, Grand Runke, Doug Franke, Zach Gutknecht, LeRoy Ose, Darroll Rodahl, Pat Erickson, Andrew Graham, Dan Disrud, Wayne Johnson, Tammy Audette, Melissa Bushy

Summary

The meeting started with introductions and a reading of the ground rules. Then Andrew Graham gave an overview of the Project Team Process. His presentation was sent as a separate attachment.

Tony Nordby gave a description of the subwatershed and features such as lakes, rivers, drainage systems, and existing retention structures.

Moriya Rufer led the Project Team in a brainstorming exercise to describe the issues in the area. Meeting participants wrote their issues in the area on post it notes. Those responses are summarized in the list below. These responses will be used to develop the draft purpose and need statement for the project.

Issues Brainstorming – What are the issues in this area?

- CD 20 flooding
- Cedar/EV township water drains slowly after it hits the river. Causes road and crop damage.
- When Agassiz east gets rain it backs up on EV/Cedar Township and stays for days, weeks, or more.
- Possible flood mapping
- Thief River empties on lower end while flood increases by County Road 7
- Spring flood water
- Need 10 year flood protection for Ag land
- Need adequate drainage and help with flood protection
- Crop loss is happening more frequently
- Basically prevent flooding for all
- Pool/impoundment water level management
- Purpose – reduce severe flooding downstream of Agassiz Refuge
- Need – Build a levy on west side of Agassiz Refuge for flood damage reduction
- Sediment reduction

- Water quantity issues unique to project area creates drinking water treatment challenges for the city of Thief River Falls
- Need flood relief on ag lands
- Need bigger or straighter outlet?
- Mitigate and manage water volume
- How big of a rainfall do we see issues?
- Issues are a) it's a large watershed, b) heavy Ag influence, c) erosion/drainage ditch capacity
- Road damage
- Crop damage
- Lost income
- Property damage
- High flood insurance
- Water quality, erosion, sedimentation
- Need better outlet downstream from Agassiz
- Keep water from CD 20 from entering branch 200 JD 11
- Minimize infrastructure, increase ditch capacity, improve water quality

Project Team members were also given a questionnaire and map to submit responses to by July 19. Responses can be dropped off or sent to the Red Lake Watershed District. These responses will be used to develop the draft Purpose and Need statement.

Next Steps

The next meeting will be tentatively July 31 at 9:00am at the Red Lake Watershed District.

SD83 Subbasin Project

General Description of location and possible issues



Project Team Progress

Milestone	Steps	Anticipated Timeline
Form Project Team	Identify Issue	Complete
	Gather information	
	Form Project Team	
Initial Project Exploration	Develop purpose and need	Ongoing
	Define Project Area	
	Document potential solutions	
	Gather information (data and analysis)	
	Select approaches	
	Establish evaluation criteria	
Recommendation to RLWD Board	Project Team make a recommendation to proceed with project or terminate the effort	Summer 2025
Launch Formal Project	Initiate project under 103(d)	Winter 2025
	Develop multiple alternatives	
	Estimate project development and construction costs	
	Public Hearing	
	Begin land agreements	
Refine Project Definition and Cost Estimate	Evaluate alternatives	Spring 2026
	Prepare EAW and/or EIS (likely including NEPA)	
	Group consent on a recommendation to the WD Board	
	Decision: WD Board select preferred alternative and determine whether to proceed	
	Seek project funding from appropriate sources	
Final Design	Permitting	TBD
	Final plans and specifications	
	Finalize land agreements	
Final Permitting & Construction	Secure final permits	TBD
	Develop O & M plan	
	Construct Project	

We are here



Date: July 16, 2024

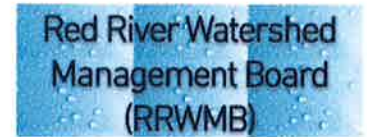
To: Red River Watershed Management Board (RRWMB) Member Watershed Districts

From: Robert L. Sip, RRWMB Executive Director

Subject: 2025 Red River Levy Notice

On July 16, 2024, the RRWMB Managers approved Resolution 2024R-15 (attached), requesting that its member watershed districts set the 2025 Red River Levy at 75 percent (0.0003627).

Final information about the approved 2025 Operating, Program, and Project Budget is forthcoming. In the coming months I will be attending your regular board meetings to present the 2025 Budget and Levy to your Managers. Should you have any questions about the 2025 Budget or Levy in the interim, please contact me.



2024 Red River Retention Authority Partner Summit!

Retention, a part of the Basin-Wide Solution

RSVP by July 15th • [Click Here to Register](#)

Join us to find out about our exciting plans for the Red River Basin

July 31, 2024 • 10 am – 3 pm

Lunch is provided & Registration is Free

East Grand Forks MN Eagles Club
(227 10th ST NW, East Grand Forks, MN)



With Guest Speaker Collin Peterson!

- | | |
|------------|--|
| 10:00 a.m. | Welcome, Introduction, Background, and Overview of the Red River Retention Authority (RRRA)
<i>Brian Fuder, Executive Director, RRRA</i> |
| 10:10 a.m. | Partner Updates:
Red River Joint Water Resource District (RRJWRD)
<i>Randy, Gjestvang, Engineer</i> |
| 10:25 a.m. | Red River Watershed Management Board (RRWMB)
<i>Robert Sip, Executive Director</i> |
| 10:40 a.m. | Red River Basin Commission (RRBC)
<i>Ted Preister, Executive Director</i> |
| 10:55 a.m. | Farm Bill, PL566, and Future Funding of Flood Mitigation and Water Storage Projects
<i>Collin Peterson, Midwest Council on Agriculture</i> |
| 12:00 p.m. | Lunch |
| 12:45 p.m. | Watershed Plan Updates and Funding Opportunities
<i>Christie Fisher FPAC ND, Natural Resources Conservation Service</i>
<i>Dave Jones FPAC MN, Natural Resources Conservation Service</i> |
| 1:15 p.m. | Facilitated Discussion of Issues and Priorities for the Future of Water Management in the Red River Basin
<i>Moriya Rufer (HEI) Facilitator</i> |
| 2:45 p.m. | Directions for the Future and Next Steps
<i>Brian Fuder, Executive Director, RRRA</i> |
| 3:00 p.m. | Adjourn |
- People with disabilities who plan to participate in the meeting and require special arrangements should contact the Red River Retention Authority at (701) 356-6644 or (701) 298-2381.