

RED LAKE WATERSHED DISTRICT

August 8, 2024

9:00 a.m.

Agenda

9:00 a.m.	Call to Order	Action
	Review and approve agenda	Action
	Requests to appear	Information
	July 25, 2024 Minutes	Action
	Financial Report dated August 7, 2024	Action
	Moose River Impoundment, RLWD Project No. 13	Information
	Knutson Dam, RLWD Project No. 50F	Info/Action
	Clearwater River Stabilization Project, RLWD Project No. 149B	Info/Action
	Elm Lake, RLWD Project No. 144A Pay Estimate #1	Info/Action
	Ring Dikes Payment, RLWD Project No. 129BC Cardinal, RLWD Project No. 129BB	Information
	Thief River Area/SD 83 Flooding Concerns Project Team Meeting	Information
	Upper/Lower Red Lake 1W1P, RLWD Project No. 149C	Information
	Burnham Creek Channel, RLWD Project No. 43B	Info/Action
	Ditch 11, RLWD Project No. 166	Info/Action
	Withdrawn Permit: RLWD Permit No. 24098, Esther Twp, Polk Cty	Action
	Tabled Permit: RLWD Permit No. 24063, Equality Twp, Red Lake Cty	Action
	Permits: 24024, 24067, 24068, 24084, 24085, 24086, 24092, 24093, 24094, 24096, and 24100	Action
	Staff Update - Consultant	Info/Action
	Minnesota Watersheds Annual Event & Trade Show December 2-6, 2024, Grand View Lodge Nisswa, MN	Information

Administrators Report	Information
Legal Counsel Update	Information
Managers Updates	Information
Executive Session – Staff Sick Leave Policy	Info/Action
Adjourn	Action

UPCOMING MEETINGS:

August 8, 2024	RLWD Board Meeting, 9:00 am
August 20, 2024	RRWMB, Ada, 10:00 am
August 22, 2024	RLWD Board Meeting, 9:00 am
September 2, 2024	Labor Day Holiday – RLWD Closed
September 9, 2024	Thief River 1W1P Policy Committee Meeting, 9:00 am
September 12, 2024	RLWD Board Meeting, 9:00 am
September 17, 2024	RRWMB, Ada, 10:00 am
September 26, 2024	RLWD Board Meeting, 9:00 am

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
July 25, 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, Terry Sorenson, Brian Dwight, LeRoy Ose, Grant Nelson, and Tom Anderson. Managers Absent: Allan Page. Staff Present: Tammy Audette, Melissa Bushy, Elaine Rychlock, Lindsey Kallis, Tony Olson, Nate Koland, and Legal Counsel, Delray Sparby.

The Board reviewed the agenda. Administrator Audette asked to add an item to the agenda. The 2024 BWSR Estimated Market Values for Watershed Districts was added to the agenda. A motion was made by Ose, seconded by Dwight, and passed by unanimous vote that the Board approve the agenda. Motion carried.

The Board reviewed the July 11, 2024, Board meeting minutes. Motion by Nelson, seconded by Anderson, to approve the July 11, 2024, Board meeting minutes. Motion carried.

The Board reviewed the Financial Report dated July 24, 2024. Motion by Anderson, seconded by Sorenson, to approve the Financial Report dated July 24, 2024. Motion carried.

A motion was made by Ose, seconded by Nelson, that Dakota Heritage Bank in Red Lake Falls be designated as a depository for the RLWD. Motion carried.

At 9:30 a.m., President Gene Tiedemann recessed the general meeting and called the hearing to order for the Petition for Use of Red Lake Watershed District Project No. 2, Red Lake River Drainage System as an Outlet submitted by Tyler, Ryan, and Quinten Nelson. Staff member Tony Olson stated that the landowners submitted a permit to tile an area that did not pay benefits into RLWD Project No. 2. Landowners were recently informed of a potential ditch improvement project that will alleviate the need to petition the RLWD Project No. 2 system. After much discussion, landowner Tyler Nelson officially withdrew his petition request. The hearing was adjourned.

Engineer Nate Dalager, HDR Engineering, Inc. presented the Engineers Report for the Turtle Connection and Cross Lake Flood Damage Reduction Project, RLWD Project No. 114. After fielding questions by the Board, motion by Sorenson, seconded by Anderson, to approve the Engineers Report for the Turtle Connection and Cross Lake Flood Damage Reduction Project.

The Board reviewed a request for payment from the West Polk SWCD for Erosion Control Funds, RLWD Project No. 164 that had previously been approved in 2021. Audette stated that the West Polk SWCD determined that they had not billed the District for two projects; the Sorenson project in the amount of \$7,790.25 and the BTN Farms, Inc. project, in the amount of \$5,195.25 that had been completed. It was the consensus of the Board to submit payment on the previously approved projects.

Administrator Audette presented the Carol Zammert CRP revision and signature authority for the District Farm Service Agency is requesting documentation as to the authority for signature on CRP contracts on behalf of the District. Motion by Sorenson, seconded Ose, to authorize Administrator Tammy Audette the authority signature authority for the District. Motion carried.

At their July 16, 2024 meeting, the RRWMB set their 2025 Red River Levy at 75 percent (0.0003627).

The Board reviewed the Minnesota Watersheds' 2024 Resolutions Process.

Staff member, Tony Olson, discussed RLWD Permit No. 24075 in Section 18, Louisville Township, Red Lake County. The recommendation was to approve the tabled permit. A motion was made by Sorenson, seconded by Anderson, to approve RLWD permit No. 24075. Motion carried.

Staff member, Tony Olson, discussed RLWD Permit No. 23208 in Section 1, Bygland Township, and Section 6, Fisher Township, Red Lake County. The recommendation was to grant the permit extension request. A motion was made by Dwight, seconded by Anderson, to approve the permit extension request for RLWD permit no. 23208. Motion carried.

The Board reviewed the permits for approval. Motion by Nelson, seconded by Sorenson, to approve the following permits with conditions stated on the permit: No. 24074, JTO Inc, Excel Township, Marshall County; No. 24077, Everett Reitmeier, Fairfax Township, Polk County; No. 24079, Kevin Sanders, Grand Plain Township, Marshall County; No. 24080, Kevin Sanders, Cloverleaf Township, Marshall County; No. 24087, Marshall County Highway Dept, Eckvoll Township, Marshall County; and No. 24088, Enbridge Energy, Leon Township, Clearwater County. Motion carried.

Administrator Audette reviewed the 2024 Wetland Conservation Act Statute Changes handout.

Administrator Audette reviewed the Upper/Lower Red Lake 1W1P, RLWD Project No. 149B Timeline to Completion document.

A motion was made by Ose, seconded by Dwight, to approve the battery replacement of HOB0 Dissolved Oxygen loggers Water Quality Equipment. Motion carried.

Motion by Sorenson, seconded by Anderson, to authorize the purchase amount for Administrator Audette at \$2,500, without Board approval. Motion carried. Audette stated that she would keep the Board informed of purchases made.

Administrator Audette reviewed the BWSR 2024 Estimated Taxable Market Values for Watershed Districts. This is the taxes payable 2024 estimated & taxable market values for Watershed Districts in Minnesota.

The Proposed 2025 Budget and Salary recommendations and General Fund Budget was presented by Administrator Audette. Audette presented a worksheet of descriptions of what expense is included in each line item of the budget. The proposed salaries are based on employee steps, along with the 3.5% COLA for each employee, and 10% for the 2025 salary structure adjustments. Motion by Dwight, seconded by Sorenson, to approve the proposed 2025 General Fund Budget, in the amount of \$251,573.50, and set the 2025 General Fund Budget hearing for 9:15 a.m. on Thursday, August 22, 2024, at the Red Lake Watershed District office. Motion carried.

Administrators Update:

- **RRWMB:** Included in the packet was a letter from the RRWMB to the Clean Water Council regarding Clean Water Funds.
- **DNR Well Interference Letters:** Included in the packet was a Well Interference Investigation Report for the Noyes Property located in Poplar River Township, Red Lake County.
- **RRWMB Administrators Meeting:** On Friday, July 19th, Audette participated in the RRWMB Administrators meeting. The agenda with notes from the meeting were included in the packet.
- **RLWD Scholarships:** Audette sent an email to Matt Fischer, BWSR 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 not 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.

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

LeRoy Ose, Secretary

RED LAKE WATERSHED DISTRICT
Financial Report for August 7, 2024

Ck#	Check Issued to:	Description	Amount
online	EFTPS	Withholding FICA,Fed & Medicare(7/31/24 pp)	4641.54
online	MN Department of Revenue	Withholding Taxes (7/31/24 payroll)	814.14
online	PERA	from 7/3 pp	\$ 3,222.85
41370	Blue Sky Blading	Mowing Moose River Proj. #13	\$ 4,950.00
41371	Brad Lunke	Mileage - PWT #181	\$ 21.44
41372	Darrold Rodahl	Mileage - PWT #181	\$ 21.44
41373	David Rodahl	Mileage - PWT #181	\$ 13.40
41374	Dyrdal Construction	Beaver Dam Removal Proj. 102 - 4 Legged Lake	\$ 180.00
41375	Farmers Union Oil	Gas for vehicles	\$ 1,262.24
41376	HDR	**see below	\$ 41,107.75
41377	Hugo's	Meeting Supplies	\$ 236.52
41378	Jeremy Nelson	Mileage - PWT #181	\$ 20.10
41379	Jeremy Rychlock	Read, Observe & Mileage Moose River	\$ 2,736.26
41380	Les Cota	Mowing Projects #171 & 171A	\$ 1,635.00
41381	Marco	Office Phones	\$ 378.21
41382	Northern Motors	Replaced solinoid in Traverse	\$ 203.12
41383	Oil Boyz Express Lube	Oil change in Ericks truck	\$ 85.46
41384	Patrick Erickson	Mileage - PWT #181	\$ 132.66
41385	Pennington County Hwy Dept.	Replaced SWI & flap gate @ Black River	\$ 3,773.31
41386	Pennington SWCD	**see below	\$ 3,416.05
41387	Pitney Bowes	Postage machine lease	\$ 124.53
41388	Red Lake County SWCD	**see below	\$ 4,686.29
41389	RMB	Lab analysis & courier fees on H2O testing	\$ 5,601.00
41390	Robert Wagner	MN Viewers Assn Meeting in Ottetail	\$ 167.04
41391	Station 59	Car Washes	\$ 160.00
online	Northwest Service Coop	Health Insurance	\$ 10,100.02
online	Cardmember Service	Credit card expenses	\$ 3,128.22
online	Vestis/Aramark	Office Rug Rental	\$ 74.00
online	Delta Dental	Dental Insurance Premium	\$ 597.05
online	Aflac	Staff Paid Premium	\$ 489.36
online	WEX	Medical FSA	\$ 800.00
online	WEX	Medical FSA	\$ 405.00
online	Brian Dwight	Mileage	\$ 519.92
online	Grant Nelson	Mileage	\$ 64.32
online	Terrance Sorenson	Mileage	\$ 201.00
Total Checks			\$ 95,969.24

**HDR	<i>Turtle Cross project management</i>	\$20,977.46
	<i>Mud River project management</i>	\$18,692.79
	<i>Nelson Tile Permit #90</i>	<u>\$1,437.50</u>
		\$41,107.75

**Pennington	<i>Clearwater 1W1P Admin.</i>	\$135.49
SWCD	<i>Red Lake River 1W1P fees</i>	\$3,171.16
	<i>Thief River 1W1P</i>	\$54.70
	<i>Midpoint Admin RLR 1W1P</i>	<u>\$54.70</u>
		\$3,416.05

**Red Lake	<i>Reimbursement for Direct Expenses</i>	<u>\$4,686.29</u>
County SWCD	<i>for Clearwater 1W1P</i>	\$4,686.29

Northern State Bank-TRF

Balance as of July 31, 2024		\$ 1,813,000.26
Total Checks Written		\$ (95,969.24)
Receipt #12254	Beich Ring Dike	\$ 2,184.09

Balance as of August 7, 2024	Current interest rate is 3.25%	\$ 1,719,215.11
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American Federal Bank-Fosston

Balance as of July 31, 2024		\$ 4,291,460.50
Balance as of August 7, 2024	Current interest rate is 3.40%	\$ 4,291,460.50

CD's

Edward Jones		
Balance	12 month CD 5.45%	<u>\$ 237,000.00</u>
	Expiry 9-18-24	
Edward Jones		
Balance	12 month CD 5.5%	<u>\$ 237,000.00</u>
	Expiry 9-27-24	
Edward Jones		
Balance	12 month CD 5.5%	<u>\$ 33,000.00</u>
	Expiry 9-27-24	
Edward Jones		
Balance	12 month CD 4.85%	<u>\$ 237,000.00</u>
	Expiry 12-20-24	
Edward Jones		
Balance	12 month CD 4.55%	<u>\$ 50,000.00</u>
	Expiry 1-2-25	
Edward Jones		
Balance	12 month CD 4.75%	<u>\$ 237,000.00</u>
	Expiry 1-2-25	
Edward Jones		
Balance	12 month CD 4.9%	<u>\$ 238,000.00</u>
	Expiry 1-30-25	
Edward Jones		
Balance	12 month CD 4.9%	<u>\$ 237,000.00</u>
	Expiry 2-14-25	
Edward Jones		
Balance	12 month CD 5.2%	<u>\$ 243,000.00</u>
	Expiry 5-09-25	

Edward Jones

Balance	12 month CD 5.15% Expiry 5-09-25	<u>\$ 237,000.00</u>
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Dakota Heritage

Balance	7 month CD 5.17% Expiry 2-24-25	<u>\$ 500,000.00</u>
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Dakota Heritage

Balance	9 month CD 5.25% Expiry 4-24-25	<u>\$ 500,000.00</u>
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Total CD Investments	\$ 2,986,000.00
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Total Cash (NSB + AFB + CD's)	\$ 8,996,675.61
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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.)	\$ 5,993,071.74
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Moose River/JD21 Outlet SWI Inventory
Aug-24

Landowner	Site	Diameter	Length	Condition	Comments
Reed Engelstad	1	N/A	N/A	N/A	No SWI in place.
	2	N/A	N/A	N/A	No SWI in place.
	3	N/A	N/A	N/A	No SWI in place. Look at combining
	4	24"	40'	?	Condition unknown. Needs trap.
	5	18"	?	?	Condition unknown. Needs trap.
	6	N/A	N/A	N/A	No SWI in place.
Tim Foss	7	18"	40'?	Bad	Pipe needs replaced. No trap.
	8	N/A	N/A	Bad	I believe there is a culvert here and needs to be replaced.
Matt Hennen	9	N/A	N/A	N/A	No SWI in place.
	10	18"	40'	?	
Darwin Hagen	11	36"	38'	?	Condition unknown. Needs trap.
	12	18"	44'	?	Condition unknown. Needs trap.
	13	18"	36'	?	Condition unknown. Needs trap.
	14	N/A	N/A	N/A	No survey data.
	15	18"	38'	?	Condition unknown. Needs trap.
	16	18"	38'	?	Condition unknown. Needs trap.
	17	18"	38'	?	Condition unknown. Needs trap.
	18	N/A	N/A	N/A	No SWI in place. Open ditch currently. Needs review.

Quality Spray Foam LLC/dba Anderson Excavating
11374 215th Street NW
Thief River Falls, MN 56701



Client Project No.
HEI Project No. 3655-0110
Project: Elm Lake/Farmes Pool Sluice Gate Replacement
Location: Section 9, Agder Township, Marshall County
Contractor: Quality Spray Foam LLC/dba Anderson Excavating

PAY ESTIMATE	
Page 1 of 1	
PAY ESTIMATE #:	1
SUBMITTED:	8/8/2024
BEGIN DATE:	7/22/2024
END DATE:	7/30/2024

ITEM NO.	DESCRIPTION	UNIT	CONTRACT			CURRENT PAY ESTIMATE		PREVIOUS PAY ESTIMATES		PAY ESTIMATES TO DATE	
			QUANTITY	PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
Original Contract Items											
2021.501	MOBILIZATION	LUMP SUM	1.	\$ 10,000.00	\$ 10,000.00		\$ -		\$ -		\$ -
2104.501	REMOVE SLUICE GATE	LUMP SUM	1.	\$ 2,750.00	\$ 2,750.00		\$ -		\$ -		\$ -
2106.601	DEWATERING	LUMP SUM	1.	\$ 5,000.00	\$ 5,000.00		\$ -		\$ -		\$ -
2411.601	3' X 3' SLUICE GATE	LUMP SUM	1.	\$ 27,500.00	\$ 27,500.00		\$ -		\$ -		\$ -
Totals											
Original Contract Amount					\$ 45,250.00						
Extra / Change Order Amount					\$ -						
Work Completed							\$ -		\$ -		\$ -

Client Project No.
HEI Project No. 3655-0110
Project: Elm Lake/Farnes Pool Sluice Gate Replacement
Location: Section 9, Agder Township, Marshall County
Contractor: Quality Spray Foam LLC/dba Anderson Excavating

PAY ESTIMATE

PAY ESTIMATE #:	1
SUBMITTED:	8/8/2024
BEGIN DATE:	7/22/2024
END DATE:	7/30/2024

STORED MATERIAL SUMMARY

INVOICE NO.	INVOICE DATE	BID ITEM NO.	SUPPLIER	MATERIAL DESCRIPTION	STORED JOB TO DATE				INCORPORATED IN WORK				MATERIALS REMAINING IN STORAGE (\$)
					QUANTITY	UNIT PRICE	Tax	AMOUNT (\$)	DATE (MO/YR)	QUANTITY	UNIT PRICE	AMOUNT (\$)	
240259TE	7/22/2024	2411.601	orthwestern Power Equipment Co. Inc	Sluice Gate assembly and Stem gaurds	1.	\$ 16,815.00	\$ 1,156.03	\$ 17,971.03			\$ 17,971.03	\$ -	\$ 17,971.03
TOTALS:								\$ 17,971.03				\$ -	\$ 17,971.03



Please remit to:
Northwestern Power Equipment Co. Inc.
779 County Road B2 W (residence)
P.O. Box 131180
Roseville, MN 55113
Phone: (651) 628-0683 / Fax: (651) 447-2158

Invoice

Date	Invoice #
7/22/2024	240259TE

Bill To
Anderson Excavating 11374 215th Street NW Thief River Falls MN 56701

Ship To
Anderson Excavating 11374 215th Street NW Thief River Falls MN 56701

P.O. Number	Ship	Terms	Project
Elm Lake	7/15/2024	Net 30 Days	

Item	Description	Ordered	Back Ordered	Invoiced	Unit Price	Total
Lot Fontaine/Aquanox	Model: S11-P2B-36x36-A-FB-20 Certification: AWWA C561-12 Size: 36" x 36" (900mm X 900mm) Design Head Seating/Unseating: 20ft / 20ft (6m / 6m) Material: 316L stainless steel Setting: 12162" (308914.8mm) Actuator: gear-crank Wall Bracket: Yes Drawing No.: D50250-1-S11P2B3636AFB20	1	0	1	16,290.00	16,290.00T
S.S. Stem Guard	Lot S.S. Stem Guard for above.	1	0	1	525.00	525.00T

				Subtotal	\$16,815.00
				Sales Tax (6.875%)	\$1,156.03
				Total	\$17,971.03
				Balance Due	\$17,971.03

ORIGINAL

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



Beltrami Soil and Water Conservation District

FOR IMMEDIATE RELEASE

Date: August 1st, 2024

Contact: Katelyn Bergstrom

Phone: (218) 333-4157

BELTRAMI, CLEARWATER, KOOCHICHING, AND ITASCA COUNTIES REQUEST COMMENTS ON THE PROPOSED UPPER/LOWER RED LAKE COMPREHENSIVE WATERSHED PLAN

The Beltrami Soil and Water Conservation District (SWCD) and planning partners request public comment on the proposed Upper/Lower Red Lake Comprehensive Watershed Plan. To view the Plan, visit <https://www.beltramiswcd.org/about-5>

Written comments will be accepted until **Monday, September 30th, 2024, at 4:30 PM.** Comments can be submitted to Beltrami SWCD for all Upper/Lower Red Lake Watershed Residents (see attached map). E-mail comments to Katelyn Bergstrom: Katelyn.bergstrom@co.beltrami.mn.us and CC, Chad Severts: chad.severts@state.mn.us. You may also mail comments to 701 Minnesota Ave. Suite 113 Bemidji, MN 56601.

After nearly two years of collaborative planning, the comprehensive watershed management plan is nearly complete. This watershed plan aligns water planning along watershed boundaries and enhances existing county water plans. It sets goals and actions for the next 10 years to help prioritize and fund projects with the purpose of maintaining and improving water quality in this area.

Facts about the Upper/Lower Red Lake Watershed:

- The Upper/Lower Red Lake Watershed spans 1,940 square miles.
- Upper and Lower Red Lake combined is the largest lake (288,800 acres) in Minnesota.
- Primary communities include Red Lake Nation Reservation, Kelliher, Blackduck, and Funkley.
- Parts of Beltrami, Koochiching, Itasca, and Clearwater Counties.

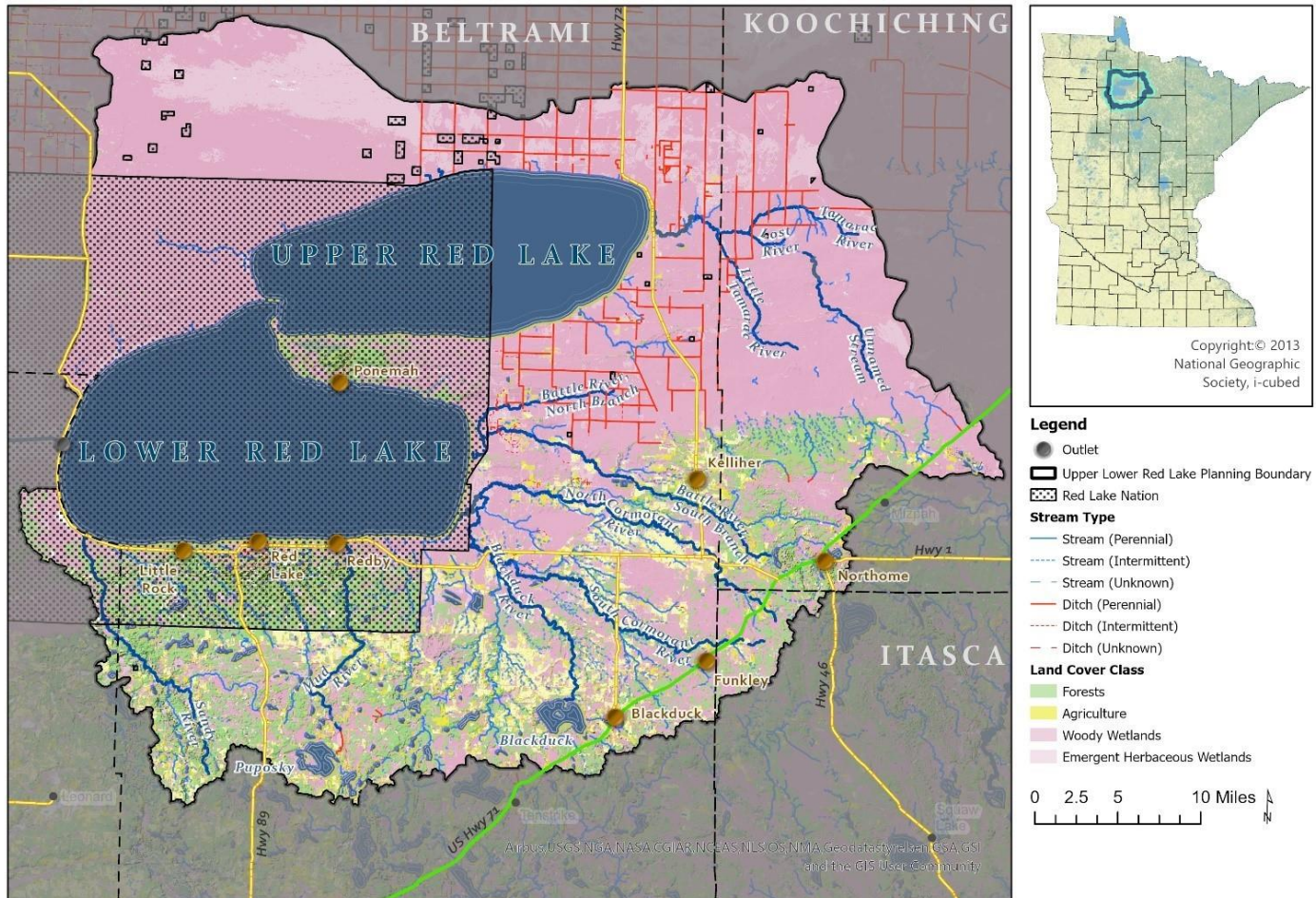
This voluntary program is administered through the Board of Water and Soil Resources. Red Lake Nation and Beltrami SWCD teamed up to develop this plan. A voluntary technical advisory committee helped develop the Plan. Partners will complete plan action items that are measurable and trackable to improve and protect soil and water in this area.

For more information on the plan and map of the watershed, visit <https://www.beltramiswcd.org/about-5>

Contact Beltrami SWCD at (218) 333-4157 or katelyn.bergstrom@co.beltrami.mn.us.

Program funded through the Board of Water Soil Resources One Watershed One Plan and the Clean Water Land and Legacy Amendment.

Upper/Lower Red Lake Watershed Planning Area



Burnham Creek- Project 43b

Ditch potentially out of capacity

Project History:

- Constructed around 1989
- Partnered with East and West Polk SWCD and NRCS
- 100,795.4 benefitted acres
- 4 different bank stabilization repairs
- Ditch is 14.43 miles long

Burnham Creek Project 43B

- **1982** (Feb.) Final Environmental Impact Statement Report- Project to include
 - Impoundment
 - Main Channel: 8.2 miles in length and one grade stabilization structure
 - County Ditch 15: 3.3 miles in length
 - County Ditch 106: 2.9 miles in length
 - Replacement of two culverts, relocation of one culvert, installation of one new culvert.
 - Typical Cross Section: 4 to 5 foot bottom width, 4:1 or 6:1 side slopes
- **1988** Multi-purpose flood control project known as the BR-6 Impoundment
 - Contained upland habitats, a restored marsh, and a flood storage impoundment, designed to reduce flooding in the Burnham Creek Watershed.
 - Soil Conservation Service, RLWD, West Polk SWCD, MnDNR
 - October an Operation and Maintenance agreement was made.
- **1990**
 - Bid Opening
 - Salvage of 192 linear ft of 115 inch span concrete pipe arch culvert
 - Salvage 6- 115 inch span concrete pipe arch aprons
 - Furnish and install 2- 115 inch span concrete pipe arch aprons.
 - Completed Part 2 (channels Main-1 & CD 15) in September.
- **1992**
 - June- a Biological Inventory of a Multi Purpose Flood Control Impoundment in Northwest MN and Potentials for Nongame and Game Bird Management report completed.
 - August 18, 1992 Preconstruction meeting (start Part 3?)
- **1993**
 - Texas Crossing?
 - Part 3 (channels Main-2 & C.D. 106) completed in July
- **1995**
 - Bid Opening
- **1996**
 - Jan. 25th board sent letter of completion to NRCS of the Burnham Project
- **2014**
 - Construction of Burnham Creek Project Phase 1-4
 - Consists of excavation, erosion control, bridge removal, dam removal, streambank protection, random riprap and turf establishment.
 - Final payment Nov 25th 2014

← we officially
took over ditches

Sponsors

West Polk SWCD

East Polk SWCD

Polk Co Board of Commissioners

SCS

State of Minnesota

Soil Conservation Service



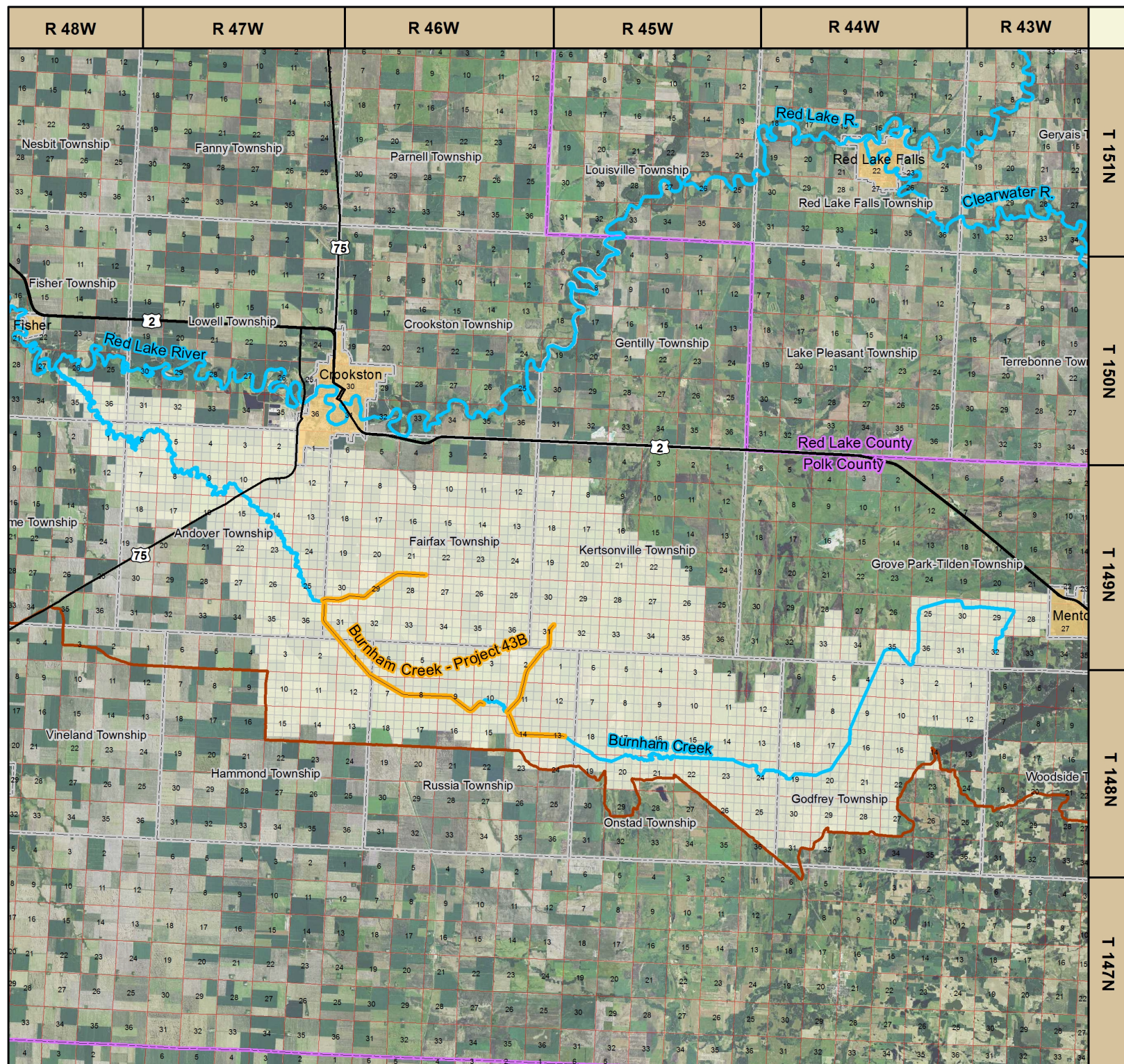
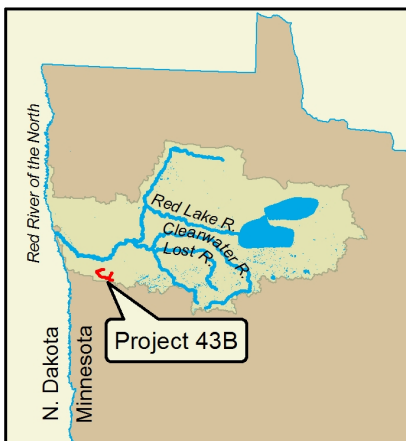
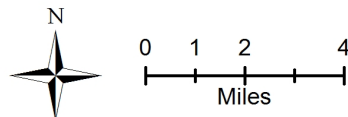
Red Lake Watershed District

RLWD Project 43B
Burnham Creek

Polk County

Red Lake River
Subwatershed

- Roads
- Project 43B
- River/Streams
- RLWD Boundary
- County
- Townships
- Sections
- Benefited Areas











































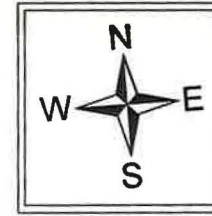
Polk Co. Ditch 40 improvement RLWD 11- Project 166

Landowners complain that the ditch is draining slower than originally constructed, especially on upper end

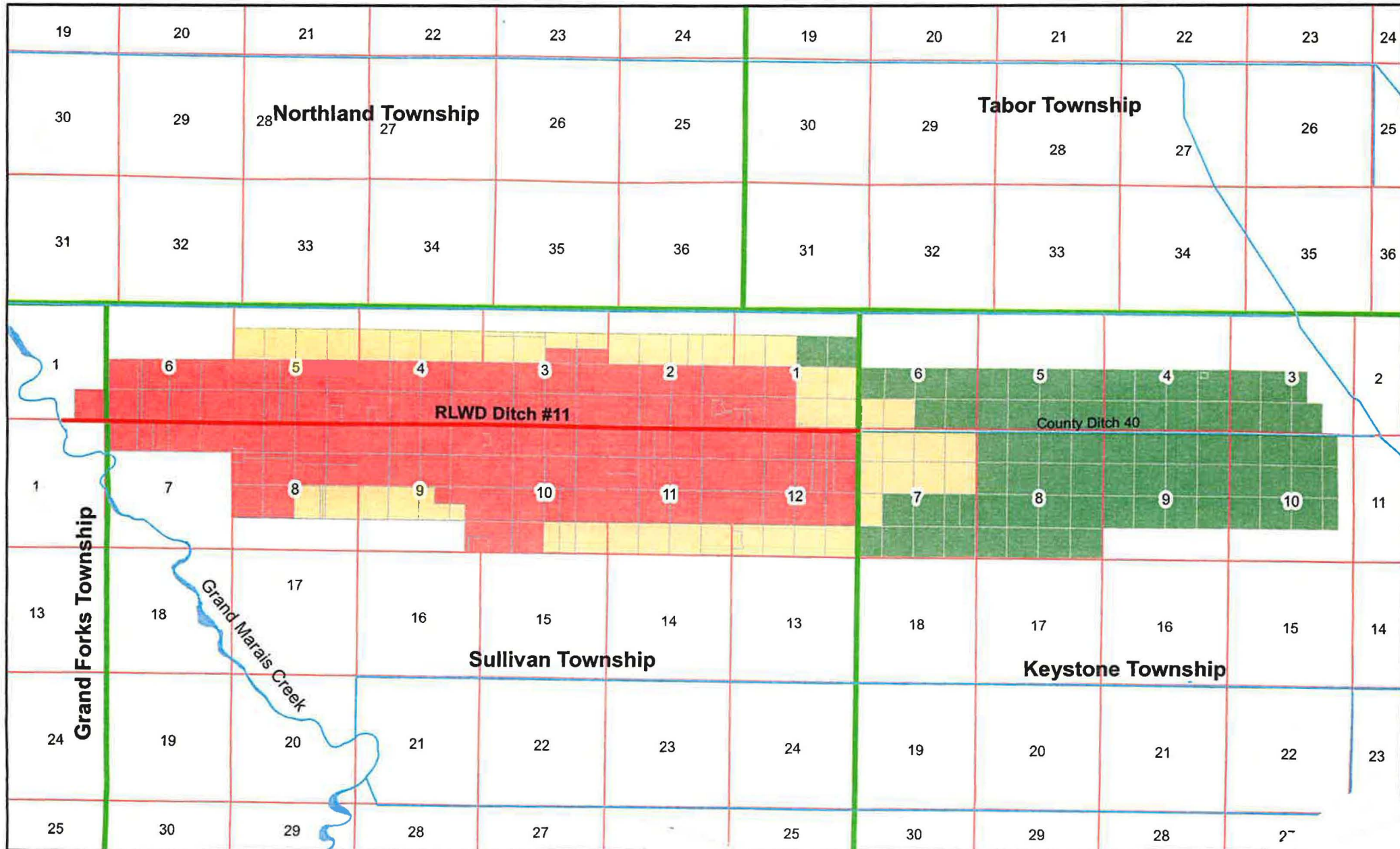
Project history:

- 10.1 sq mi drainage area
- Original Polk co ditch constructed in 1903
- Improved in 2006
- 6.36 miles in length
- No major repairs done since construction

Project 166 Benefitted Areas



- Proposed Project
- Township Boundary
- Section Boundary
- Rate
 - \$30
 - \$100
 - \$250









Permit # **24-098**Status Report: ~~Received~~
*Withdrawn - T.O.***Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Josh Barrett		44194 140th St SW East Grand Forks, MN 56721		tel: 218-779-4828 mobile: fax:

General Information

(1) The proposed project is a:

Other

(2) Legal Description

(3) County: **Polk** Township: **Esther** Range: **50** Section: **13 1/4**:(4) Describe in detail the work to be performed. **Construct a field approach**(5) Why is this work necessary? Explain water related issue/problem being solved. **the field does not have a approach.****Status**

Status	Notes	Date
Withdrawn	P.A. #24-098 – Josh Barrett. Polk County – Esther Township – Section 13 The Red Lake Watershed District (RLWD) withdraws this permit application as it is not in our boundary, therefore we don't have jurisdiction. 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.	Aug. 2, 2024
Received	None	July 18, 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 # **24-063**Status Report: **Tabled****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Clarence Gagner		PO Box 93 Brooks, MN 56715		tel:218-686-5702 mobile: fax:

General Information

(1) The proposed project is a:

Tiling

(2) Legal Description

(3) County: **Red Lake** Township: **Equality** Range: **40** Section: **35 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. **better drainage****Status**

Status	Notes	Date
Tabled	P.A. #24-063 – Clarence R. Gagner Red Lake County – Equality Township – Section 35 The Red Lake Watershed District (RLWD) will table the pattern tile project to be completed into a pumped outlet. There needs to be additional time to allow for the land to be petitioned into the benefited area. The public hearing is scheduled for September 10th, 2024. See Attachments. T.O.	Aug. 6, 2024
Received	None	June 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 # **24-024**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Knute Knutson		807 9th St NE Red Lake Falls, MN 56750		tel: 218-689-7681 mobile: fax:

General Information

(1) The proposed project is a:

Tiling

(2) Legal Description

(3) County: **Red Lake** Township: **Red Lake Falls** Range: **44** Section: **25 1/4**:(4) Describe in detail the work to be performed. **pattern tile - gravity outlet**(5) Why is this work necessary? Explain water related issue/problem being solved. **better drainage****Status**

Status	Notes	Date
Approved	P.A. #24-024 – Knute Knutson Red Lake County – Red Lake Township – Section 25 The Red Lake Watershed District (RLWD) approves the pattern tile project to be installed into the West portion of section 25 Red Lake Township contingent on approval from Red Lake County SWCD, as there are three Wascob outlets installed on this parcel of land. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval and must meet their specs/conditions. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. Applicant shall install appropriate erosion control measures for energy dissipation at the tile outlets. Applicant shall install appropriate markers to show the outlet end of the pipe, any damage caused by ditch maintenance will be at the expense of the landowner/applicant ■ Note: Please be aware of and review the 'bullet points' on the bottom half of the application. This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. If any of the work is done near adjacent wetlands or public watercourse, applicant shall contact the appropriate jurisdictional authority prior to the installation of the tile lines and meet their spec's/conditions. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	Aug. 1, 2024
Tabled	P.A. #24-024 – Knute Knutson Red Lake County – Red Lake Falls Township – Section 25 The Red Lake Watershed District (RLWD) Will table this permit due to concerns from RLWD and Red Lake SWCD. There has been a wascob project completed in this parcel that Ellingson will try to use for some of their outlets, and the outlets that will not be going to a wascob will get armored to prevent erosion. A new tile grid plan drawing will need to be submitted after Ellingson surveys the field to see what will work. T.O.	June 12, 2024
Received	None	April 16, 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 # **24-067**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Stan Tvedt		19462 US Hwy 59 SE Plummer, MN 56748		tel:218-686-8733 mobile: fax:

General Information

(1) The proposed project is a:

Surface Drainage (New Ditch or Improvement)

(2) Legal Description

(3) County: **Red Lake** Township: **Emardville** Range: **42** Section: **23 1/4**:(4) Describe in detail the work to be performed. **excavate ditch for better flow - water not moving**(5) Why is this work necessary? Explain water related issue/problem being solved. **to get water to move****Status**

Status	Notes	Date
Approved	P.A. #24-067 – Stan Tvedt Red Lake County – Emardville Township – Section 23 The Red Lake Watershed District (RLWD) approves to clean a ditch along Hwy 59 pending MNDOT approval. It is recommended that the applicant also contact the Railroad for their approval as they have ROW within the area to be cleaned. RLWD has conducted a survey. See attached. 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 31, 2024
Received	None	June 19, 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 # **24-068**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Jackson Falck		323 17th Ave N Wahpeton, ND 58075		tel:701-540-3832 mobile: fax:

General Information

(1) The proposed project is a:

Tiling

(2) Legal Description

(3) County: **Pennington** Township: **Mayfield** Range: **41** Section: **18 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. **better drainage****Status**

Status	Notes	Date
Approved	P.A. #24-068 – Jackson Falck Pennington County – Mayfield Township – Section 18 The Red Lake Watershed District (RLWD) approves the pattern tile project to be installed into the NW quarter section 18 Mayfield Twp contingent on approval from Pennington County SWCD, as there are possible wetlands on the parcel to be tiled. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval and must meet their specs/conditions. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. Applicant shall install appropriate erosion control measures for energy dissipation at the tile outlets. Applicant shall install appropriate markers to show the outlet end of the pipe, any damage caused by ditch maintenance will be at the expense of the landowner/applicant ■ Note: Please be aware of and review the 'bullet points' on the bottom half of the application. This application does not exempt the permit applicant from local, state, or federal authority that might require their approval. If any of the work is done near adjacent wetlands or public watercourse, applicant shall contact the appropriate jurisdictional authority prior to the installation of the tile lines and meet their spec's/conditions. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	Aug. 6, 2024
Received	None	June 18, 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 # **24-084**Status Report: **Approved****Applicant Information**

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

General Information

(1) The proposed project is a:

Tiling

(2) Legal Description

(3) County: **Red Lake** Township: **Garnes** Range: **41** Section: **30 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
Approved	P.A. #24-084 – Earl Pederson Red Lake County – North Garnes Township – Section(s)30 The Red Lake Watershed District (RLWD) approves the pattern tile project with lift station/pump outlet. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval and must meet their specs/conditions. Permit Holder shall contact the road authorities when cutting through roads when applicable. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. Prior to any work, we also recommend that you contact your local Soil and Water Conservation District (SWCD) office to inquire about possible wetland concerns. Applicant shall install appropriate erosion control measures for energy dissipation at the tile outlets. Applicant shall ensure that the tile outlet is visibly marked. Any damage caused by future ditch maintenance is the responsibility of the landowner. ■ Note: Please be aware of and review the 'bullet points' on the bottom half of the application. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	Aug. 5, 2024
Received	None	July 8, 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 # **24-085**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Ronald Hegge		2004 Northrop Ave Thief River Falls, MN 56701		tel: 218-683-5215 mobile: fax:

General Information

(1) The proposed project is a:

Tiling

(2) Legal Description

(3) County: **Red Lake** Township: **Garnes** Range: **41** Section: **25** 1/4:(4) Describe in detail the work to be performed. **pattern tile - gravity outlet**

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

Status

Status	Notes	Date
Approved	P.A. #247-085 – Ronald A Hegge Red Lake County – Gervais Township – Section(s) 25 The Red Lake Watershed District (RLWD) approves the pattern tile project with gravity outlet, contingent on approval from Red Lake County Hwy Department and Red Lake County SWCD. Highway department approval needed because the outlet is crossing a county road, and SWCD approval needed because of wetland concerns. 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 tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. Prior to any work, we also recommend that you contact your local Soil and Water Conservation District (SWCD) office to inquire about possible wetland concerns. Applicant shall install appropriate erosion control measures for energy dissipation at the tile outlets. Applicant shall ensure that the tile outlet is visibly marked. Any damage caused by future ditch maintenance is the responsibility of the landowner. ■ Note: Please be aware of and review the 'bullet points' on the bottom half of the application. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	Aug. 1, 2024
Received	None	July 8, 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 # **24-092**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Darren Wheeling	USFWS	35704 County Hwy 26 Rochert, MN 56578		tel: 218-850-0028 mobile: fax:

General Information

(1) The proposed project is a:

Wetland Restoration or Other Water Retention Related Structures

(2) Legal Description

(3) County: **Clearwater** Township: **Eddy** Range: **38** Section: **23 1/4**:(4) Describe in detail the work to be performed. **wetland restoration**(5) Why is this work necessary? Explain water related issue/problem being solved. **the landowner is interested in improving wildlife habitat on their property****Status**

Status	Notes	Date
Approved	P.A. #24-092 – U.S. Fish and Wildlife Service/Darren Wheeling/Jim Smyithe. Clearwater County – Eddy Township – Section 23/26 The Red Lake Watershed District (RLWD) approves the wetland restoration project. Earthen dams were originally constructed in 2006 and are in need of repair. USFWS will manage the project from start to finish. 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/spillways. 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.	Aug. 2, 2024
Received	None	July 17, 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 # **24-086**Status Report: **Received****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Scott Tersteeg		80829 County Road 13 Olivia, MN 56277		tel: 320-579-0314 mobile: fax:

General Information

(1) The proposed project is a:

Surface Drainage (New Ditch or Improvement)

(2) Legal Description

(3) County: **Polk** Township: **Badger** Range: **42** Section: **6 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. **water isn't flowing properly****Status**

Status	Notes	Date
Approved	P.A. #24-086 – Scott Tersteeg/David Zubrod Polk County – Badger Township – Section 6 The Red Lake Watershed District (RLWD) approves to clean a portion of ditch located on the South side of County Hwy 49 from 190th Ave SE to approximately 1.5 miles to the west, contingent upon approval from the DNR, as there are public waters/ditch and Polk County and Red Lake County as this highway is the boundary between both counties. 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.	Aug. 7, 2024
Received	None	July 10, 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 # **24-093**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Darren Wheeling	USFWS	35704 County Hwy 26 Rochert, MN 56578		tel: 218-850-0028 mobile: fax:

General Information

(1) The proposed project is a:

Wetland Restoration or Other Water Retention Related Structures

(2) Legal Description

(3) County: **Clearwater** Township: **Eddy** Range: **48** Section: **31 1/4**:(4) Describe in detail the work to be performed. **wetland restoration**(5) Why is this work necessary? Explain water related issue/problem being solved. **the landowners are interested in improving wildlife habitat on their property****Status**

Status	Notes	Date
Approved	P.A. #24-093 – U.S. Fish and Wildlife Service/Darren Wheeling/Nicole and Wade Evje. Clearwater County – Eddy Township – Section 31 The Red Lake Watershed District (RLWD) approves the wetland restoration project. Earthen dams were originally constructed in 2011 and are in need of repair. USFWS will manage the project from start to finish. 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/spillways. 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.	Aug. 2, 2024
Received	None	July 17, 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 # **24-094**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Darren Wheeling	USFWS	35704 County Hwy 26 Rochert, MN 56578		tel: 218-850-0028 mobile: fax:

General Information

(1) The proposed project is a:

Wetland Restoration or Other Water Retention Related Structures

(2) Legal Description

(3) County: **Clearwater** Township: **Eddy** Range: **38** Section: **30 1/4**:(4) Describe in detail the work to be performed. **wetland restoration**(5) Why is this work necessary? Explain water related issue/problem being solved. **The landowners are interested in improving wildlife habitat on their property.****Status**

Status	Notes	Date
Approved	P.A. #24-094 – U.S. Fish and Wildlife Service/Darren Wheeling/Lori and Raymond Sundborn. Clearwater County – Eddy Township – Section 30/31 The Red Lake Watershed District (RLWD) approves the wetland restoration project. Earthen dams were originally constructed in 2011 and are in need of repair. USFWS will manage the project from start to finish. 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/spillways. 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.	Aug. 2, 2024
Received	None	July 17, 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 # **24-096**Status Report: **Approved****Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Darren Wheeling	USFWS	35704 County Hwy 26 Rochert, MN 56578		tel: 218-850-0028 mobile: fax:

General Information

(1) The proposed project is a:

Wetland Restoration or Other Water Retention Related Structures

(2) Legal Description

(3) County: **Clearwater** Township: **Sinclair** Range: **36** Section: **35 1/4**:(4) Describe in detail the work to be performed. **wetland restoration**(5) Why is this work necessary? Explain water related issue/problem being solved. **the landowner is interested in improving wildlife habitat on his property****Status**

Status	Notes	Date
Approved	P.A. #24-096 – U.S. Fish and Wildlife Service/Darren Wheeling/Richard Abel. Clearwater County – Sinclair Township – Section 35 The Red Lake Watershed District (RLWD) approves the wetland restoration project. Earthen dams were originally constructed in the 1990's and are in need of repair. USFWS will manage the project from start to finish. 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/spillways. 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.	Aug. 2, 2024
Received	None	July 17, 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 # **24-095**Status Report: **Received***Approved - T.O.***Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Donald Stenberg		16636 Sorteberg Drive Thief River Falls, MN 56701		tel: 218-280-2787 mobile: fax:

General Information

(1) The proposed project is a:

Surface Drainage (New Ditch or Improvement)

(2) Legal Description

(3) County: **Red Lake** Township: **North Garnes** Range: **41** Section: **28** 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 is non existent****Status**

Status	Notes	Date
Approved	P.A. #24-095 – Donald J Stenberg. Red Lake County – North Garnes Township – Section 28 The Red Lake Watershed District (RLWD) approves to cleanout silt and remove a crossing along with adding pipe length to widen a crossing along the south side of Red Lake County Hwy 26, contingent on Red Lake County Highway Department approval. 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.	Aug. 1, 2024
Received	None	July 18, 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 # **24-100**Status Report: **Received**
*Approved - T.O.***Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Knute Knutson		807 9th St NE PO Box 277 Red Lake Falls, MN 56750		tel: 218-689-7681 mobile: fax:

General Information

(1) The proposed project is a:

Tiling

(2) Legal Description

(3) County: **Red Lake** Township: **Red Lake Falls** Range: **41** Section: **35 1/4**:(4) Describe in detail the work to be performed. **pattern tile - gravity outlet**(5) Why is this work necessary? Explain water related issue/problem being solved. **drainage****Status**

Status	Notes	Date
Approved	P.A. #24-100 – Knute Knutson Red Lake County – Red Lake Township – Section(s) 35 The Red Lake Watershed District (RLWD) approves the pattern tile project with gravity outlets, contingent on approval from Red Lake County Hwy Department as it appears the tile line will be close to Red Lake County Highway Department Right of Way on the south portion of the project. 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 tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. Prior to any work, we also recommend that you contact your local Soil and Water Conservation District (SWCD) office to inquire about possible wetland concerns. Applicant shall install appropriate erosion control measures for energy dissipation at the tile outlets. Applicant shall ensure that the tile outlet is visibly marked. Any damage caused by future ditch maintenance is the responsibility of the landowner. ■ Note: Please be aware of and review the 'bullet points' on the bottom half of the application. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166) T.O.	Aug. 1, 2024
Received	None	July 18, 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.

Administrator's Report

August 8, 2024

Moose River Impoundment Update: Due to heavy rainfall in the Grygla/Moose River area, both pools of the Moose River Impoundment were closed on Friday, July 26th at 9:00 p.m. Gates were opened on August 5th:

- South Pool: 2 – 36” gates fully open – current pool elevation 1216.15’ (+2.5’ above objective). Approximately 274 cfs release.
- North Pool: 1-36” gate $\frac{3}{4}$ open – current pool elevation 1213.74’ (+2.0’ above objective). Approximately 119 cfs release.

Lost River Pool Structure: I participated in a meeting regarding the Lost River Pool Structure with Tony Nordby and staff from the MnDNR (Doug Franke and Matt Olson). Olson reviewed various structure designs with the group. The next meeting will be held in early September.

RRWMB: I plan to attend the RRWMB meeting on August 20th, in Ada. Included in the packet are comments that the RRWMB drafted up regarding the WCA Rulemaking. I also included an email from Rob Sip and Jaime Beyer (Boise de Sioux WD) that contains some good comments.

RLWD Newsletter: Included in the packet is the June 2024 RLWD Newsletter.

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August 7, 2024

Lewis Brockette
Wetlands Policy Coordinator
Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St Paul, MN. 55155

Dear Mr. Brockette,

This correspondence is in regard to the request for comments by the Minnesota Board of Water and Soil Resources (BWSR) related to Wetland Conservation Act (WCA) rulemaking as noticed in the State Register on July 8, 2024. The Red River Watershed Management Board (RRWMB) appreciates the opportunity to comment and offers the following comments and recommendations:

1. **Section 75:** No comments as this is a minor change.
2. **Section 76:**
 - a. **Statute Changes:** The RRWMB supports this change, which has the potential to make wetland impacts and replacement easier to manage. This change will allow for greater ease in replacing ecological functions. We believe that the benefits of including the HGM Classification system will outweigh mitigation challenges.
 - b. **Rule Changes:** The RRWMB requests that BWSR clarify the rules to allow for in-kind mitigation for the same HGM category, and to allow for in-kind replacement of the same Circular 39 category if the HGM category is not available within the Bank Service Area.
3. **Section 77:**
 - a. **Rules Changes:** The RRWMB requests provisions be incorporated to allow deepwater habitat mitigation to be the same HGM type as adjacent wetlands. This would allow a deepwater habitat to be replaced in-kind with impacts to the fringe pothole wetland areas. There should also be provisions to clarify impacts to deepwater habitat as fill and excavation only. We believe that water level changes should not be identified as adverse impacts.



4. Section 78:

- a. Rule Changes:** The RRWMB recommends provisions that would allow impacts for sediment removal of ponds or channels, such as ditch repair projects.

5. Section 79:

- a. Statute Changes:** The RRWMB does not support this change. Local Governmental Units (LGU) will have to depend on the USDA Natural Resources Conservation Service (NRCS) to make permitting decisions and LGUs do not have access to farm program files. Depending on NRCS to make timely decisions will only exacerbate permitting delays.
- b. Rule Changes:** The RRWMB recommends provisions that direct LGUs to make exemption determinations based on NRCS rules if NRCS determinations are not available or were done incorrectly. The RRWMB requests that BWSR clarify that ditch cleanout activities allowed by NRCS also apply to legal drainage systems.

6. Section 80:

- a. Statute Changes:** The RRWMB does not support this change as drainage authorities are tasked with the responsibilities of maintaining legal drainage systems. Drainage authorities manage these systems both technically and financially. Drainage law includes process and procedure for maintenance activities and tax assessments to ensure these systems are maintained. This new rule leaves drainage authorities with no choice but to schedule ditch cleanouts of the entire system every 20 years regardless of need. The methodology for determining drainage impacts for sediment removal within an existing channel is not technically feasible or reproduceable. Impacted areas that would require mitigation must be able to be identified if replaced through mitigation – these areas could then be impacted without regulatory requirements, which highlights the limitations of this type of negotiated impact assessment.

In addition, there is no way to delineate wetland boundary changes that occurred 20 years ago versus 30 years ago. Under the current rule the wetland boundary is critical in determining "wetlands that existed for 25 years". Hydric soil boundaries and many primary and secondary hydrology indicators cannot be documented using historic aerial photography. Most wetland/upland boundaries adjacent to ditch systems within northwest Minnesota are annually tilled. Avoidance and minimization are not feasible when drainage is the primary purpose of the project.



- b. **Rule Changes:** The RRWMB recommends provisions that remove drainage as an impact in this section. Drainage is the primary purpose of these projects. Provide provisions that limit impacts in this section to fill material placed in wetlands. The RRWMB recommends pursuing additional legislation to exempt all repair activities under drainage law for consistency with the Clean Water Act Section 404 and Minnesota Protected Water Inventory Rules, and to prevent unintended consequences of repair work completed without need.

7. Section 81:

- a. **Statute Changes:** The RRWMB does not support the change as LGUs need to be able to make their own determination and process applications per WCA rule. Waiting for the United States Army Corps of Engineers (USACE) is time consuming and this will delay projects with no real benefit.
- b. **Rule Changes:** The RRWMB recommends provisions that direct the LGU to make the determination based on WCA rules or guidance if USACE permits are not processed within the timeline of the WCA (60-day rule).

8. Section 82:

- a. **Statute Changes:** The RRWMB does not support the revisions to the de minimus areas and we do not support removing "draining and filling". The de minimus exemptions depend on specific area determinations of impact. Qualitative impacts are not easily converted into a measurable area.
- b. **Rule Changes:** The RRWMB recommends provisions that clarify the de minimus exemption applies to wetland losses, converting wetlands to non-wetlands.

9. Section 83:

- a. **Statute Changes:** The RRWMB does not support the change. Most of these areas are agricultural ditches or legal drainage systems, private ditch systems, or have subsurface drain tile. It is not clear how impact assessments will be determined. This will create regulatory burdens with little or no resource protection benefits. These areas are also not able to be delineated in the field. The boundaries are not clear and regulatory programs depend on clear identification of the resource to be regulated.



- b. Rule Changes:** The RRWMB recommends provisions that clarify and define the limits of intermittent and perennial watercourses. The RRWMB recommends provisions that exempt watercourses on agricultural fields, and impacts associated with installation and maintenance of public and private ditch or subsurface tile systems.

10. Section 84: No Comments.

11. Section 85:

- a. Statute Changes:** The RRWMB does not support the change as wetland banking projects have cost-benefit challenges making it costly to restore small wetland areas. Removing the banking process from the required timelines in Statute 15.99 will only add additional time and cost to the process. Efforts should be made to shorten and streamline the process rather than extend the timelines.
- b. Rule Changes:** The RRWMB recommends provisions that streamline and shorten the banking process.

12. Section 86:

- a. Statute Changes:** The RRWMB supports the change. An in-lieu fee program will allow credit purchases within Bank Service Areas that are short on credits allowing mitigation to be completed at a later date. This offers simplicity and efficiency for project permitting.
- b. Rule Changes:** The RRWMB recommends provisions that determine how the cost per credit will be determined. The RRWMB recommends provisions that prioritize Bank Service Areas with few credits to enable future restorations to be completed within the same Bank Service Area.

We have several multipurpose water storage projects in the RRWMB funding process in the Red River Basin (RRB) of Minnesota that will/have required wetland delineation and review, wetland monitoring, preservation plans, and replacement and/or mitigation. Once constructed, these projects will result in approximately 100,000 acre-feet of new water storage along with thousands of acres of new habitat and significant water quality benefits. In addition, our member watershed districts are involved with ongoing water quality projects in the RRB that involve public drainage systems. We estimate that our membership has spent \$4.375 million in permitting and environmental review costs just for water storage projects and this is conservative.



The citizens of the RRB and State of Minnesota both want habitat and clean water and the RRWMB is committed to working on the meet these needs along with water storage and flood mitigation. However, continued rulemaking by state agencies erodes our financial capacity and hinders the ability of our members to move forward on public drainage, water storage, flood mitigation, habitat, and clean water projects. We do expect that larger-scale projects will take time, extensive financial resources, and will involve permitting and environmental review.

Some of the larger water storage projects in the RRB can involve 18 permits and approvals from all levels of government. Public drainage projects also involve various levels of permitting, environmental review, and field investigations. The RRWMB believes that the changes to WCA will place additional permitting and regulatory burdens on our drainage authorities and the taxpayers in the Red River Basin of Minnesota. Should you have questions or need clarification of these comments, please contact me at rob.sip@rrwmb.us or via cell at 218-474-1084.

Sincerely,

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

Robert L. Sip
RRWMB Executive Director

CC: Red River Basin Legislators
RRWMB Managers
RRWMB Membership

Statute	Effect of Change	Comment on Statute Change	Comments on Rules
Sec. 75. Minnesota Statutes 2022, section 103G.005, subdivision 14d, is amended. Removes the word "sole purpose" to "purpose" relative to splitting projects to gain exemptions.	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.	Support	None
Sec. 76. Minnesota Statutes 2022, section 103G.005, subdivision 17b, is amended. Adds an option under the definition of wetland type to use the HGM classification system.	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)	Support the change, this has potential to make impact and replacement easier to manage. Better fit for replacing ecological functions. Benefits outweigh any mitigation challenges.	Clarify the rules to allow for in-kind mitigation for the same HGM category, and to allow for in kind replacement of the same Circular 39 category if HGM category is not available within the Bank Service Area.
Sec. 77. Minnesota Statutes 2023 Supplement, section 103G.005, subdivision 19, is amended. Adds deep water habitats to the wetland definition but excludes protected waters (PWI).	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.	Support the change from the context of 404 assumption. Some of these areas are currently regulated by the 404 program. The WCA may have to regulate these to complete the 404 assumption.	Provide that deepwater habitat (DH) mitigation is the same HGM type as adjacent wetlands, so a DH would be replaced in kind with impacts to the fringe pothole wetland areas. Provide rules to clarify impacts to deepwater habitat as fill and excavation only. Water level changes should not be identified as adverse impacts.
Sec. 78. Minnesota Statutes 2022, section 103G.222, subdivision 1, is amended. Removes the Type 3, 4, and 5 from the statement regarding excavation in permanently and semi permanently flooded areas in determining an impact.	Removes Circular 39 wetland type from consideration in determining whether excavation in permanently and semi-permanently flooded areas of a wetland is an impact. 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. 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.	Support	Provide rules that would allow impacts for sediment removal of ponds or channels, such as ditch repair projects.

<p>Sec. 79. Minnesota Statutes 2022, section 103G.2241, subdivision 1, is amended. Expands the Ag exemption to include PC's as determined by NRCS, allows maintenance activities as allowed by NRCS for FWs and Ws. Adds the deed restriction relative to nonagricultural use to the new ag exemptions.</p>	<p>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.</p>	<p>Do not support the change. LGU's would have to depend on NRCS to make permitting decisions and LGU's do not have access to farm program files.</p>	<p>Provide rules that direct the LGU to make exemption determination based on NRCS rules if NRCS determinations are not available or were done incorrectly. Clarify that ditch cleanout activities allowed by NRCS also apply to legal drainage systems.</p>
<p>Sec. 80. Minnesota Statutes 2022, section 103G.2241, subdivision 2, is amended. Removes the drainage exemptions for Type 1 wetlands or up to 5 acres of Type 2 or 6 wetlands in the benefitting area of public drainage systems. Removes the exemption for draining of Type 1, 2, 6, and 7 for repairs of legal drainage systems. The 25 year rule now applies to all wetlands and deepwater habitats. Eliminates exemptions for repairs of private drainage systems.</p>	<p>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).</p>	<p>Do not support the change, drainage authorities are tasked with the responsibilities of maintaining legal drainage systems. They manage these systems both technically and financially. Drainage law spells out a processes for maintenance actives and tax assessments to keep these systems maintained. This new rule leaves drainage authorities with no choice but to schedule ditch cleanouts of the entire system every 20 years regardless of need. The methodology for determining drainage impacts for sediment removal within an existing channel is not technically feasible or reproduceable. Impacted areas that would require mitigation must be able to be identified, if replaced through mitigation, these areas could then be impacted without regulatory requirements, this highlights the limitations of this kind of negotiated impact assessment. In addition, there is no way to delineate wetland boundary changes that occurred 20 years ago vs 30 years ago. Under the current rule the wetland boundary is critical in determining "wetlands that existed for 25 years". Hydric soil boundaries and many primary and secondary hydrology indicators can not be documented using historic aerial photography. Most wetland/upland boundaries adjacent to ditch systems within northwest Minnesota are annually tilled. Avoidance and minimization is not feasible when drainage is the primary purpose of the project.</p>	<p>Provide rules that remove drainage as an impact in this section. Drainage is the primary purpose of these projects. Provide rules that limit impacts in this section to fill material placed in wetlands. Recommend pursuing additional legislation to exempt all repair activities under drainage law for consistency with CWA Section 404 and PWI rules, and to prevent unintended consequence of repair work completed without need.</p>
<p>Sec. 81. Minnesota Statutes 2022, section 103G.2241, subdivision 6, is amended. Makes the utilities exemption dependent on getting a USACE permit. This is no longer an LGU decision.</p>	<p>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.</p>	<p>Do not support the change, LGU's need to be able to make their own determination and process applications per WCA rule. Waiting for the USACE can take time, this will delay projects with no real benefit. Further, exempt projects do not require an exemption ruling. This will encourage projects to move forward without agency consultation.</p>	<p>Provide rules that direct the LGU to make the determination based on WCA rules or guidance if USACE permits are not processed within the timeline of the WCA (60-day rule).</p>

Sec. 82. Minnesota Statutes 2022, section 103G.2241, subdivision 9, is amended. Revises the de minimus limits, removes wetland type references.	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.	Do support the revisions to the de minimus areas. Do not support removing "draining and filling". The de minimus exemptions depend on specific area determinations of impact. Qualitative impacts are not easily converted into a measurable area.	Provide rules that clarify the de minimus exemption applies to wetland losses, converting wetlands to nonwetlands.
Sec. 83. Minnesota Statutes 2023 Supplement, section 103G.2242, subdivision 1, is amended. BWSR will now regulate intermittent and perennial watercourses outside of the PWI, rules to be developed.	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.	Do not support the change. Most of these areas are ag ditches or legal drainage systems, private ditch systems or have drain tile. It is not clear how impact assessments will be determined. This will create regulatory burdens with little or no resource protection benefits. These areas are also not able to be delineated in the field. The boundaries are not clear and regulatory programs depend on clear identification of the resource to be regulated.	Provide rules that clarify and define the limits of intermittent and perennial watercourses. Provide rules that exempt watercourses on agricultural fields, and impacts associated with installation and maintenance of public and private ditch or tile systems.
Sec. 84. Minnesota Statutes 2022, section 103G.2242, subdivision 2, is amended. Clarifies guidance on delineation manuals and guidance on classification of wetlands and deepwater habitats.	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.	Support.	none
Sec. 85. Minnesota Statutes 2022, section 103G.2242, subdivision 2a, is amended. BWSR to establish wetland banking timelines for review and comment periods. Removes the banking process from the 60-day rule.	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.	Do not support the change, wetland banking projects have cost-benefit challenges making it costly to restore small wetland areas. Removing the banking process from the required timelines in Statute 15.99 will only add additional time and cost to the process. Efforts should be made to shorten and streamline the process rather than extend the timelines.	Provide rules that streamline and shorten the banking process.
Sec. 86. Minnesota Statutes 2022, section 103G.2242, subdivision 3, is amended. Allows BWSR to establish an in-lieu fee program.	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.	Support the change. An in-lieu fee program will allow credit purchases within Bank Service Areas that are short on credits allowing mitigation to be completed at a later date. This offers simplicity and efficiency for project permitting.	Provide rules that spell out how the cost per credit will be determined. Provide rules that prioritize Bank Service Areas with few credits to enable future restorations to be completed within the same Bank Service Area.

Tammy Audette

From: Rob Sip <rob.sip@rrwmb.us>
Sent: Wednesday, August 7, 2024 12:09 PM
To: 'bdswd@runestone.net'; 'Dan Money'; 'Tracy Halstensgard'; 'Morteza Maher'; Tammy Audette; Tara Jensen
Cc: ian@parkstreetpublic.com; 'Molly Jansen'; smith@smithpartners.com
Subject: RE: Draft RRWMB Comments - WCA Rulemaking

I'll ask Mark Aanenson to verify. He had some pretty good reasoning as to why HGM should be used but I'll defer to him. Once I get a response I'll share it.

From: Jamie Beyer <bdswd@runestone.net>
Sent: Wednesday, August 7, 2024 11:44 AM
To: Rob Sip <rob.sip@rrwmb.us>; 'Dan Money' <dan.money@tworiverswd.com>; 'Tracy Halstensgard' <Tracy@roseauriverwd.com>; 'Morteza Maher' <morteza.maher@mstrwd.org>; 'Tammy Audette' <tammy.audette@redlakewatershed.org>; Tara Jensen <tara@wildricewatershed.org>
Cc: ian@parkstreetpublic.com; 'Molly Jansen' <molly@parkstreetpublic.com>; smith@smithpartners.com
Subject: RE: Draft RRWMB Comments - WCA Rulemaking

Thanks for coordinating this, Rob. These decisions at the state level directly impact applications of County Shoreland Ordinances, and these obviously vary from County to County. Two of my six BdSWD counties have significant zoning regulations for wetlands that may now apply to new lands, and exacerbate flooding.

This picture of Type 1 wetlands may be worth 1,000 words. On row 7, these Type 1 wetlands are no longer exempted from mitigation and impacts for repairs and new public and private drainage systems. The land isn't graded like a giant urban lot, and there is no natural law that requires precipitation be metered out by the clouds in equal and complete balance to the ability of the soil to instantly absorb it.

Type 1 – Seasonally Flooded (Vernal Pools)

Soil is covered with water or is waterlogged during variable seasonal periods, but usually is well-drained during much of the growing season. This wetland type is found both in upland depressions and in overflow bottomlands. In uplands, basins or flats may be filled with water during periods of heavy rain or melting snow. Vernal pools consist of flats on basins such as those which occur in woodland settings. Colder vernal pools are important habitat for frogs and other species.



Row 11 – I would not support the implementation of the HGM Wetland system, but HEI should confirm if my understanding is correct: the current system includes considerations for **vegetation and soils to containing unique wetland characteristics**. The HGM is instead based on topography – and in the Red River Valley, our topography is some of the flattest in the world – subtle depressions like the one pictured above do not feature the unique soils and vegetation of a true wetland, and they certainly do not have definable bed and banks. This particular change to the HGM classification system makes little sense where we are, and is going to unnecessarily regulate activities on dry flatland.

Jamie

From: Rob Sip <rob.sip@rrwmb.us>

Sent: Wednesday, August 07, 2024 11:16 AM

To: 'Dan Money' <dan.money@tworiverswd.com>; 'Tracy Halstensgard' <Tracy@roseauriverwd.com>; 'Morteza Maher' <morteza.maher@mstrwd.org>; Tammy Audette <tammy.audette@redlakewatershed.org>; Tara Jensen <tara@wildricewatershed.org>; 'bdswd@runestone.net' <bdswd@runestone.net>

Cc: ian@parkstreetpublic.com; 'Molly Jansen' <molly@parkstreetpublic.com>; smith@smithpartners.com

Subject: Draft RRWMB Comments - WCA Rulemaking

Importance: High

FYI,

Mark Aanenson of HEI reviewed the WCA rules at the link below and he developed the attached table of comments. I then took the comments and placed them into the attached draft letter. If you have time, please review by 12:00 noon this Friday. I know its awfully short notice, but I'll be gone next Monday – Wednesday and won't be able to get the letter sent in. So, it'll have to be this Friday. Also, Mark will attend the RRWMB August 20, 2024 meeting to give a presentation on the rule changes. HE has a great set of aerial photos to explain what the changes will do or don't do. Thanks.

[2024 Statute Change Summary 6-18-24.pdf \(state.mn.us\)](#)

Robert L. Sip
Executive Director
Red River Watershed Management Board

Office Address:
11 5th Avenue East, Suite B
Ada, MN 56510

Rob.sip@rrwmb.us
www.rrwmb.us
<https://www.youtube.com/@RRWMB>
<https://www.facebook.com/RedRiverWatershedManagementBoard>
218-474-1084 (Cell)
218-784-9501 (Office)
218-784-9502 (Fax)

June, 2024

NEWSLETTER

Red Lake Watershed District



In this issue:

- ♦ Water Quality Monitoring
- ♦ One Watershed One Plan
- ♦ River Watch
- ♦ Lake Sampling
- ♦ Upcoming events

Stream Water Quality Monitoring

District staff sampled through the month of June at 75 stream sites throughout the Thief River, Red Lake River, Clearwater River, Upper/Lower Red Lakes, and Grand Marais Creek Watersheds for the district's long-term monitoring program. Though the month began with some exceptionally low (<1 mg/L) total suspended solids (TSS) at both ends of the watershed—even in Grand Marais Creek, heavy precipitation events throughout the month generated runoff that resulted high levels of TSS, *E. coli*, and phosphorous. District staff will collect another round of district-wide stream samples again in August.



One Watershed One Plan (1W1P), Stream Bank Stabilization

One Watershed One Plan initiatives integrate watershed management activities within major watersheds across Minnesota, ensuring coordinated efforts to protect and enhance water quality and water resource management. The District is a partner in the implementation phase of three 1W1P planning areas (Red Lake River, Thief River, and Clearwater River) and is a partner in the planning phase of a fourth: the Upper/Lower Red Lakes Watershed.

In 2024, three eroding sections of streambank along the Thief River will be stabilized as part of the Thief River Watershed 1W1P. The projects have been designed and bids were opened on June 28, 2024. The District awarded the project to ACM LLC (Alderink Construction Masters) from Princeton, MN, who had submitted the low bid of \$259,776.94. The RLWD Board of Managers also approved a request for 2024 RRWMB Base Water Quality Funding to help fund

Polk County, Polk County SWCD, and RLWD took steps toward planning a feasibility study for stabilization of the outlet of Judicial Ditch 60. This eroding drainage outlet is a highly visible ravine near the intersection of CSAH and CSAH 13, east of Crookston. District staff collected water quality samples above and below the eroding area and found the water quality changes dramatically as it flows through the eroding area. Water was clear at CSAH 11 (2.9 mg/L) in the June 7th sample and became muddy (40.8 mg/L) after traveling just one third of a mile downhill to the floodplain of the Red Lake River.

The District is planning a large channel and streambank stabilization project along the Clearwater River at the up-stream end of the channelized reach. Another round of surveying is planned for July.

For more information on the RLWD's ongoing projects and environmental initiatives, our their official website or contact the office directly.

Upcoming Events

Date: August 8, 2024

9:00 am,

RLWD District Office

Board Meeting

Open to the public. For more information call (218) 681 5800

Riverwatch

Recently, the Red River Watershed District hosted its annual River Watch Leadership Retreat, spanning from June 11 to June 12. This event brought together enthusiastic students from various schools, aiming to educate and inspire the next generation of environmental stewards. The retreat featured an engaging lineup of activities, including an educational presentation and a kayaking excursion. Participants also had the opportunity to explore practical aspects of water management, such as visiting the East Grand Forks Water Treatment Plant. This hands-on experience provided invaluable insights into the processes involved in transforming river water into clean, drinkable water.

Looking ahead, we are optimistic about increasing participation in future retreats, building on the success of this year's event. The River Watch Leadership Retreat not only fosters environmental awareness but also encourages active participation in conservation efforts within the Red River basin.

Check us out on
[Facebook](#) for
more information!



Lake Sampling

The RLWD relies on volunteers and the East Polk SWCD to collect lake water quality data throughout the district but also has a plan to fill in data gaps by sampling 2-3 additional lakes each year (lakes are sampled for two years to meet minimum data requirements). Initial, June, sampling results from the 3 lakes that are being sampled in 2024-25 (Lindberg Lake, First Lake, and Second Lake) all met [water quality standards](#).

Volunteer sampling of Bartlett Lake (near Northome) has indicated improved water quality compared to previous years, though it still exceeded the applicable standard for total phosphorus. This improvement could be attributed to continued [burial of nutrient-rich legacy sediment](#).

The Red Lake Watershed District will continue to monitor these lakes through September. Future updates on water quality assessments and ongoing initiatives can be found on the district's official website or by contacting their office directly.

Email: RLWD@redlakewatershed.org

Website: <http://www.redlakewatershed.org>

Phone: 218-681-5800