

RED LAKE WATERSHED DISTRICT
Board of Manager's Minutes
May 22, 2014

Vice-President Gene Tiedemann called the meeting to order at 9:00 a.m. at the Red Lake Watershed District office, 1000 Pennington Avenue South, Thief River Falls, MN.

Present were: Managers Gene Tiedemann, LeRoy Ose, Orville Knott, Albert Mandt and Les Torgerson. Absent: Dale M. Nelson and Lee Coe. Staff Present: Myron Jesme and Tammy Audette and Legal Counsel Delray Sparby.

The Board reviewed the agenda. A motion was made Knott, seconded by Mandt, to approve the agenda. Motion carried.

Motion by Ose, seconded by Torgerson, to dispense reading of the May 8, 2014 Board meeting minutes and approve them as printed. Motion carried.

The Board reviewed the Financial Report dated May 21, 2014. Motion by Mandt, seconded by Knott, to approve the Financial Report dated May 21, 2014. Motion carried. Administrator Jesme stated that payments for damages for the construction of RLWD Ditch 15, Project No. 175 were sent to the landowners.

Administrator Jesme stated that Unity Bank North requested the District to authorize a partial release of securities. Motion by Knott, seconded by Ose, to approve the signature for release of partial securities from Unity Bank North. Motion carried.

Vanessa Lane, University of Minnesota-Crookston presented further information on Professor Dan Svedarsky's Cattail Management proposal for wetland wildlife and bioenergy potential. Lane stated that a feasibility study will be completed to see what the economics would be of harvesting cattails. The study will concentrate on a hemi-marsh, which is an area of 50% water coverage and 50% cattails, which would benefit waterfowl habitat. Lane stated that a LCCMR grant was received, but funds are not available until July 1st. They are requesting \$9,250 from the District to help support the salaries and expenses for two employees until the grant is received. Motion by Knott, seconded by Mandt, to approve the request in the amount of \$9,250 to study Cattail Management for wetland wildlife and bioenergy potential. Motion carried with Manager Ose opposed.

Engineer Jeff Langan, Sam Umlauf and Tony Nordby, from Houston Engineering, Inc. were present to discuss Change Orders 2-6 on the Grand Marais Creek Channel Restoration Project No. 60F. Langan stated that Change Order No. 2 for the installation of treated timber on the railroad flat cars was previously approved at the May 8, 2014 Board meeting. Umlauf discussed various additions/deletions on Change Orders 3-6. Motion by Ose, seconded by Torgerson, to approve Change Order No. 3-6 for the construction of the Grand Marais Creek Channel Restoration Project No. 60F. Motion carried. The Board discussed the installation of railings or signage on the railroad flat car crossings. Legal Counsel Sparby recommended having the landowners sign a waiver or release form if they do not want railings installed on the crossings. It

was the consensus of the Board to have Administrator Jesme and Engineer Langan talk to the landowners to see if they would like some type of railing on the crossings, and if not have the landowner sign a release form which will be approved and reviewed by Legal Counsel Sparby.

Staff member Loren Sanderson discussed three dams that are in need of maintenance that were built by the NRCS (formerly SCS). Sanderson stated that he inspected the sites after the 2014 spring runoff and determined that two of the sites are in urgent need of repair as the structures are leaking. At the May 23, 2013 Board meeting, the Board authorized the hiring of an Engineering firm to estimate a cost for repairs. Engineer Tony Nordby, Houston Engineering, Inc. stated that the Latundresse Dam located two miles west of Red Lake Falls has downstream slope failure, the outlet structure is leaking and rusting, and the embankment profile is starting to sag. Nordby suggested completing a hydrologic analysis to complete the plans and specifications to include remove and replace the structure, pipe and outfall structure, reslope the downstream banks and restore the embankment to the original profile. The estimated total project cost is \$190,000 - \$230,000.

The BR-6 Impoundment is located southeast of Crookston near the Glacial Ridge. Nordby stated that the impoundment has bank failure in multiple places and the outlet pipe is cracked. Several possible sources of the bank failure could be attributed to a beaver dam which raised the water elevation and with high winds creating erosion, also seepage pushing out could have caused bank failure. Norby recommended replacing the pipe and completing a geotechnical study of the embankment to determine what actually caused the bank failure. Costs could vary all depending on what the geotechnical study results are. Sanderson stated that due to the Glacial Ridge restoring thousands of acres of wetlands upstream of this impoundment, the area is not getting the surge of water that it used to.

The Odney Flat Wildlife Dam is located 12 miles southeast of Crookston. The dam has two outlet structures, with the second one being installed in 1997. Nordby stated that after the original project was built, water levels increased and washed out the dam. The project was re-designed and a second structure was built. Construction could include plugging or removing the original pipe and repairing the second structure. The corrugated metal pipe is coming to the end of its life and should be replaced with a concrete pipe. Nordby also indicated that upon review of this tributary, this site is part of a DNR Protected Waters. The estimated total project cost is \$110,000 - \$150,000.

Sanderson stated that in his opinion the Latundresse Dam and Odney Flat Wildlife Dam are more of an emergency and should be repaired as soon as possible. Sanderson also mentioned that neither site would flood anyone downstream, however if they wash out the costs would increase. Motion by Mandt, seconded by Knott, to approve the repairs of the Latundresse Dam and Odney Flat Wildlife Dam and authorize the completion of a geotechnical study for the BR-6 Impoundment. Motion carried.

Attorney Mike Jorgenson appeared before the Board on behalf of his client Vance Norgaard regarding the Pine Lake informational meeting that was held in Clearbrook on May 8th. Mr. Jorgenson stated that his client was unaware of the project and did not receive notice of the

meeting. His client is in favor of an additional meeting to find out more about the project. Legal Counsel Delray Sparby indicated that this is currently not a District project, but the landowners were asked if there was interest in the investigation of potential projects in the vicinity of Pine Lake. Engineer Nate Dalager, HDR Engineering, Inc. stated that the District needs to establish a project team to be able to get some frame work set up for a potential project. Discussion was held on having a more specific meeting for the upstream landowners. Manager Torgerson discussed his phone conversation with Mr. Norgaard. It was the consensus of the Board to gather information to identify upstream landowners to be invited to an additional informational meeting.

Engineer Tony Nordby discussed the Plans and Specifications for the Grand Marais Creek Channel Restoration Diversion Structure, Project No. 60F. Norby stated that the project will cut off the silt lenses and cut thru clay plugs to get the seepage out to the channel. Fractured rock will be used to allow it to stay together better. Nordby recommended starting the advertising for bids the end of May thru June with a late June bid opening date. Construction won't begin until the channel restoration is complete. Motion by Ose, seconded by Torgerson, to approve the Plans and Specifications for construction of the Grand Marais Creek Channel Restoration Diversion Structure, Project No. 60F, with a bid opening set for 9:30 a.m., June 26, 2014 at the District office. Motion carried.

Engineer Jim Hest, Red River Valley Conservation Service Area discussed Plans and Specifications of the Burnham Creek Project No.'s 43B, 43C and 43D. Hest stated that they split the project into four phases as there is a different funding source for each phase. Phase 1 is the Burnham Creek Channel Maintenance, Project No. 43B, which is a legal drainage system and will include common excavation and turf establishment. Phase 2 is the Grade Stabilization Structures, Project 43C, which will include the installation of rocks structures that will be fish passable. Phase 2 will be funded in part by a BWSR Clean Water Grant jointly applied for by the District and West Polk SWCD. Phase 3 is the NRCS Grade Stabilization Structure Modification, which includes both Project No. 43C & 43D, which will include the modification of the structure, installation of boulders and basin below the structure to enhance fish passage and stabilize the banks. Because of the Operation and Maintenance Plan that was signed with the NRCS in 1992 and expires in 2038, any changes to the structure has to be approved by the NRCS. Hest has submitted his design to the NRCS. Funding for Phase 3 will be provided by the District and Department of Natural Resources. Phase 4 is the Fish and Wildlife Project, Project 43D and will include the armoring of the side slopes and bottom, removal of a bridge and old sheet pipe dam. The toe will be armored with repair to the degraded area, with the installation of toe and sod mats. Funding for Phase 4 will be from the Department of Natural Resources and U.S. Fish and Wildlife Service. Motion by Ose, seconded by Torgerson, to approve the Plans and Specifications for construction of the Burnham Creek Project No.'s 43B, 43C and 43D, with a bid opening set for 10:00 a.m., June 26, 2014 at the District office. Motion carried.

Administrator Jesme stated that construction on RLWD Ditch 15, Project No. 175 has begun. Discussion was held on Polk County bonding for the project. Jesme also stated that in discussion with USACOE permitting staff, it was agreed that potential compensatory mitigation on wetlands not requiring State mitigation, could be mitigated at a 1:1 wetland replacement ratio. At this point it appears .36 acres of wetland impacts will be mitigated at a 2:1 ratio and that 3.16

acres will be mitigated at a 1:1 ratio. The District currently has two wetland bank sites with one being in Clearwater County and the other located in Louisville Parnell. The Corps has informed the District that they will not allow us to use the Louisville/Parnell wetland bank site since the Corps did not certify the site. Jesme stated that the Corps was part of the TEP panel when the District went thru the wetland banking process, but the Corps did not follow up with the certification of the site. Jesme has a request in to the State/WCA to allow us to use the Clearwater County wetland bank site but it appears unlikely since the impact is in a less than 50% county and the banks are in a greater than 80% county.

Manager Torgerson stated that he has received some comments from landowners on Judicial Ditch 5 (Four Legged Lake), Project No. 102. There is potentially a group of landowners that may petition to leave the culvert as is and possibly abandon the ditch system. Several landowners questioned if the area would look like a lake or a marsh. Motion by Knott, seconded by Mandt, to proceed with forming of a Project Team and Flood Damage Reduction Work Group for the Judicial Ditch 5 (Four Legged Lake) Project No. 102.

The Board reviewed the Glacial Ridge, Project No.152 Grant Modification No. 5. Administrator Jesme stated that this project has been completed.

The Board reviewed the permits for approval. Motion by Mandt, seconded by Knott, to approve the following permits with conditions stated on the permit: No. 14014, Murray Engelstad, Smiley Township, Pennington County; No. 14024, Douglas Barth, North Township, Pennington County; No. 14033, Dan Trontvet, North Township, Pennington County; No. 14036, Raymond Kvalvog, Excel Township, Marshall County; No. 14037, Minnesota Northern Railroad, Andover Township, Polk County; No. 14038, Chris Kiesow, Moylan Township, Marshall County; No. 14039 and 14040, Queen Township, Polk County; No. 14041, Wade Hruby, Grand Plain Township, Marshall County; No. 14042, Gary Gabrielson, Gully Township, Polk County; No. 14045, Todd Mack, Sullivan Township, Polk County; No. 14046, Douglas Maynard, Garnes Township, Red Lake County; No. 14047, Corey Teie, Roxbury Township, Pennington County; and No. 14048, Don Lunke, Holt Township, Marshall. Motion carried.

Administrators Update:

- Manager Knott attended the RRWMB held in Ada on March 20th. Included in the packet was minutes from March 18, 2014 and April 15, 2014. Included in the packet was a letter from RRWMB Attorney Louis Smith, explaining the legality of Water District's contracting for agricultural use of flood mitigation project lands.
- Euclid East, Brandt and Parnell Impoundments are drawn down, with the Moose River Impoundment having a long way to go. Pine Lake in-flows have subsided and stop logs are at summer level. Staff member Loren Sanderson has included a spreadsheet showing levels of various impoundments.
- Jesme attended a One Water One Plan Local Government Water Roundtable Work group meeting on March 20th in St. Cloud. The meet was intended to assist in setting criteria or guidelines for future plan update applicants.

- Jesme attended a luncheon meeting on May 6th with Jim Leach and various other USFWS staff to discuss past, present and future projects that our two agencies have partnered in. The meeting was intended to assure that the line of communication remains strong between us as we move into the new year of project development.
- Please inform Tammy if you are attending the MAWD Summer Tour in Stillwater, June 18th and 19th.
- Included in the packet was a brief legislative update which includes changes to laws specific to Watershed District's. One of those changes is the tax exempt status that has been given to us which will become effective January 1, 2016.

Manager Knott stated that the Flood Damage Reduction Work Group meeting was held on May 21, 2014. Administrator Jesme was appointed to a Project Readiness Group.

Manager Knott inquired if the District was going to update our Five Year FDR Plan which is a requirement for Red River Flood Damage Reduction project acceleration grants. Administrator Jesme stated this request has also been asked for by the Red River Retention Authority. Jesme indicated that it is very difficult to put together costs associated with a five year plan when we don't have any particular projects identified. Jesme indicated that the best he could do is look at the costs of our last two impoundments and incorporate those numbers into a five year plan.

Manager Knott shared the discussion of the RRWMB which may allow each Watershed the latitude of reducing the District's portion of the Red River Watershed Management Board levy. At this point no criteria or rules are set up for such a reduction but was something the Red Board may entertain on a case by case basis. The RRWMB is currently working on policy to be put in place for 2014 or 2015.

Legal Counsel Sparby questioned if staff worked out the financial billings with the USGS. Administrator Jesme stated he hoped all questions are resolved and that the State has approved the District's first reimbursement request and are working on the second request.

Manager Tiedemann suggested placing weight limit signs on the flat bed railroad crossings on the Grand Marais Creek Channel Restoration, Project No. 60F.

Motion by Mandt, seconded by Knott, to adjourn the meeting. Motion carried.



LeRoy Ose, Secretary