

# RED LAKE WATERSHED DISTRICT

October 11, 2018

Agenda

9:00 a.m.

9:00 a.m.	Call to Order	Action
	Review and approve agenda	Action
	Requests to appear	Information
	September 27, 2018 Minutes	Action
	Financial Report dated October 10, 2018	Action
	Investment Summary/Certificate of Deposits	Action
	General Fund Budget Update	Information
	League of MN Cities Policy Renewals	Information
	Pine Lake Project, RLWD Project No. 26 State Federal LGU Permitting Agencies-Site Tour	Information
	Judicial Ditch 5, RLWD Project No. 102-Update	Information
	Thief River Falls West Side FDR Project No. 178 Landowner Meeting-October 29, 2018	Information
	RLWD Ditch 16, Project No. 177-Update	Information
	Red Lake River 1W1P, RLWD Project No. 149 Draft Amended Plan-60 Day Review-November 30, 2018 BWSR Northern Region Board Mtg.-January 2, 2018	Information
	Thief River 1W1P, RLWD Project No. 149A Water Management District-Plan Section 5	Information
	Clearwater County SWCD-Other Watercourses	Information
	Buffer Law Implementation	Action
	City of Crookston-Wellhead Protection Plan	Information
	Permit No. 17169, MnDOT Permit Extension	Action
	Permit No. 18112, David Balstad, Lessor Twp., Polk County	Action
	Permits: No. 18129-18141	Action

Administrators Update	Information
Legal Counsel Update	Information
Managers' updates	Information
Adjourn	Action

**UPCOMING MEETINGS**

October 16, 2018	RRWMB Meeting, Roseau, 9:30 a.m.
October 25, 2018	RLWD Board Meeting, 9:00 a.m.
November 8, 2018	RLWD Board Meeting, 9:00 a.m.
November 27, 2018	RLWD Board Meeting, 9:00 a.m. (Note Change of Date)
Nov. 29-Dec. 1, 2018	MAWD Annual Meeting, Alexandria
Jan. 15-17, 2019	Red River Basin Land & Water International Summit Conference, Grand Forks
March 20-21, 2019	Joint Annual RRWMB & FDRWG Conference, Moorhead

# DRAFT

RED LAKE WATERSHED DISTRICT  
Board of Manager's Minutes  
September 27, 2018

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

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

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

The Board reviewed the September 13, 2018 minutes. Motion by Sorenson, seconded by Dwight, to approve the September 13, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated September 26, 2018. Motion by Tiedemann, seconded by Page, to approve the Financial Report September 26, 2018 as presented. Motion carried.

Staff member Arlene Novak reviewed the Investment Summary as of September 26, 2018, stating that a Certificate of Deposit will mature on October 2, 2018. Manager Sorenson stated that several Certificate of Deposits will mature in October, recommending that the Board authorize District Staff to receive quotes, purchase the Certificate(s) of Deposit, and report back to the Board. President Nelson stated that he would like to see the purchase of Certificate of Deposits be presented to the Board prior to the purchase. Motion by Sorenson, seconded by Torgerson, to invest the maturing Certificate of Deposit with Unity Bank North-Red Lake Falls at 2.20% for a 12-month Certificate of Deposit. Motion carried.

Manager Torgerson discussed various aspects of the Pine Lake Project, RLWD Project No. 26. Torgerson shared his desire to have a meeting to learn and better understand the funding structure of the District. Discussion was held on holding a Pine Lake Project Work Team meeting on October 19, 2018. Engineer Nate Dalager, HDR Engineering, Inc., recommended holding a meeting with environmental review and permitting agency staff members to determine what would be permissible. Torgerson recommended contacting the local landowners to inquire of the interest of landowner participation in the project. Administrator Jesme stated that he will be meeting with Keith Weston, Red River Retention Authority, Deb Walchuk, NRCS, Managers Torgerson and Sorenson, and Engineer Nate Dalager following today's meeting to discuss potential funding.

Lisa Newton and Kelsey Hedlund, East Polk SWCD, presented the Shayne Munter Water and Sediment Basin project located in Section 35, Hill River Township, Polk County, which enters directly into the Hill River. Newton stated that four berms with tile would be installed, which

would allow for subsurface drainage instead of surface runoff, reducing erosion into the Hill River. Project cost is estimated to be \$32,979.60. Newton stated that they have 50% of cost share funds, with the landowner contributing 25% of the project costs. Newton requested 25% from the District's 2018 Erosion Control Funds in the amount of \$8,244.90. Manager Dwight questioned the Clean Water Fund Grant application for the Clearwater River Watershed and Cameron Lake that the Board supported at their August 23, 2018 meeting. Newton stated that they did not apply for the Cameron Lake grant at this time. Motion by Dwight, seconded by Sorenson, to contribute 25% of the project costs up to \$10,000 for the Shayne Munter Water and Sediment Basin Project, from the District's 2018 Erosion Control Funds, RLWD Project No. 164. Motion carried.

Administrator Jesme stated that he contacted a local contractor to lower the outlet culvert on Judicial Ditch No. 5, RLWD Project No. 102. Jesme stated that Rodney Rhen, Dudley Township, indicated that the township would replace and lower the outlet culvert, with the township covering the costs of the culvert repair. District staff has set stakes and will be on-site when the culvert is lowered and installed. Jesme stated that he received a call from landowner Patty Olson. The Board reviewed correspondence from Ms. Olson, requesting additional maintenance on the system to allow for water to flow properly. Jesme recommended lowering the outlet culvert, allow the system to dewater, and then determine what additional maintenance could be done from that point. It was the consensus of the Board, to authorize Jesme to submit a letter to Ms. Olson stating the strategy in place.

Engineer Nate Dalager, HDR Engineering, Inc. discussed the coordination of the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178, with MnDOT, City of Thief River Falls and Pennington County. As part of the Red Lake River 1W1P, RLWD Project No. 149, Attorney John Kolb, Rinke-Noonan, drafted an amendment to the Red Lake River 1W1P, which will be submitted for a 60-day review comment period, followed by a hearing for the potential development of a Water Management District. Dalager recommended holding a landowner meeting in October. Administrator Jesme contacted several landowners regarding soil borings which will take place soon. It was the consensus of the Board, to authorize staff to schedule a landowner meeting.

The Board reviewed correspondence from BWSR, regarding the approval of the RLWD Watershed Management Plan Extension. The District has until 2025 to complete all Watershed Management Plans.

Legal Counsel Delray Sparby presented a letter he submitted to landowner David Balstad and Field Drainage, Inc., regarding the non-permitted installation of tile drainage in Section 34, Lessor Township, Polk County. The Board reviewed an after-the-fact Permit No. 18112, from landowner David Balstad for installation of the tile. Motion by Tiedemann, seconded by Sorenson, to table RLWD Permit No. 18112, David Balstad, Lessor Township, Polk County, for further review. Motion carried.

The Board reviewed the permits for approval. Motion by Sorenson, seconded by Ose, to approve the following permits with conditions stated on the permit: No. 18105, Michael Gasper,

Northland Township, Polk County; No. 18114, Craig Stroot, Crookston Township, Polk County; No. 18115, Wayne Vettleson, Equality Township, Red Lake County; No. 18116, Mike LaSalle, Rocksbury Township, Pennington County; No. 18117, Anthony Engelstad, Godfrey Township, Polk County; No. 18118, Brian Wellman, Highlanding Township, Pennington County; No. 18119, U.S. Fish and Wildlife Service, Queen Township, Polk County; No. 18120, John Barrett, Northland Township, Polk County; No. 18121, Dave Faldet, Lessor Township, Polk County; No. 18122 and 18123, Shirley Strand, Poplar River Township, Red Lake County; No. 18124, Brent Strand, Lessor Township, Polk County; No. 18126, Pat Wichterman, Emardville Township, Red Lake County; No. 18127, Jason Odberg, North Township, Pennington County; and No. 18128, MnDNR-Forestry, Minnie Township, Beltrami County. Motion carried.

The Board reviewed a letter to Enbridge Energy, Limited Partnership, regarding the Line 3 Replacement Project permit requirements as it relates to crossing the Lost River. Motion by Tiedemann, seconded by Page, to authorize President Nelson the authority to sign the letter to be submitted to Enbridge Energy, regarding permit requirements. Motion carried.

The Board reviewed proposed MAWD resolutions and changes recommended by Attorney John Kolb, Rinke-Noonan. Administrator Jesme discussed submitting resolutions to the RRWMB requesting their support of the proposed MAWD resolutions. Motion by Ose, seconded by Torgerson, to draft resolutions and submit them to the RRWMB asking for their support in MAWD's effort to get the resolution's through the legislative process. Motion carried.

Administrator Jesme indicated that the November 22, 2018, Board meeting date falls on Thanksgiving Day. Motion by Ose, seconded by Dwight, to change the November 22, 2018 Board meeting to November 27, 2018 at 9:00 a.m. at the District office. Motion carried.

#### Administrator's Update:

- Jesme and Manager Ose attended the September 18, 2018, RRWMB in Ada. One of the discussions at the meeting was the Wild Rice office improvements.
- Jesme attended the NW MN Administrators meeting on September 18, following the RRWMB meeting.
- The MN Association of Watershed District Administrators fall meeting was held on September 25<sup>th</sup> in St. Cloud. Jesme was unable to attend, but Rob Sib provided meeting notes which were included in the packet.
- The Red Lake River Planning Workgroup met on September 17<sup>th</sup> with staff from BWSR and MPCA to discuss the potential MPCA 319 Grant application. Prior to the meeting with the MPCA, the Planning Workgroup reviewed and approved the draft Red Lake River 1W1P Plan Amendment, to include Water Management Districts for both the Thief River Falls Westside FDR Project and the Black River Impoundment Project.
- Jesme will participate in a Thief River 1W1P Planning Workgroup meeting after today's meeting to review the funding table as well as a Section 5 review.
- Staff Members Hanson, Hitt and Slowinski participated in the NW Minnesota Water Festival event in Warren and Fertile.

- Manager Dwight and Staff Member Novak presented the 2017 Annual Report to the Beltrami County Commissioners on September 18<sup>th</sup>. Jesme and Manager Ose will present the report to the Marshall County Commissioners on October 2, 2018.

Manager Dwight reported on the Beltrami County Commissioners meeting he attended on September 18, 2018, to present the 2017 Annual Report, along with Staff Member Arlene Novak. Dwight stated that discussion was held on the participation of the Red Lake Nation on the District Board.

Discussion was held on the Good Lake Impoundment, RLWD Project No. 67, and lack of having secured a current Special Land Permit with the Red Lake Nation for operation and inspection of the project. Manager Dwight stated that he will ask Beltrami County Commissioner, Tim Sumner, if he could be of assistance in the matter.

Manager Torgerson reported on the RRWMB meeting he attended on September 18, 2018 in Ada. Torgerson shared with the Board his travel schedule for the winter months.

Discussion was held on hosting a booth at the MAWD Annual Meeting. Keith Weston stated that the Red River Retention Authority has a booth, and that the District is welcome to have a pamphlet at their booth. Discussion was held about having a River Watch booth.

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

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LeRoy Ose, Secretary

**RED LAKE WATERSHED DISTRICT**  
**Financial Report for October 10, 2018**

<b>Ck#</b>	<b>Check Issued to:</b>	<b>Description</b>	<b>Amount</b>
online	EFTPS	Withholding for FICA, Medicare, and Federal taxes	\$ 3,371.09
online	MN Department of Revenue	Withholding taxes	616.02
online	Public Employees Retirement Assn.	PERA	2,260.79
online	EFTPS	Withholding for payroll taxes	233.32
36085	Northwestern Mutual Financial	Deferred Compensatioin	554.10
36086	Unity Bank North	Purchase 12 month CD at 2.3%	200,000.00
36087	City of Thief River Falls	Electricity, water, sewer, etc.	724.36
36088	Les's Sanitation, Inc.	Garbage pickup	33.70
36089	Sjoberg's Cable TV	Internet expense	96.95
36090	Tammy Audette	Clean offices in September and mow lawn & trim	445.00
36091	Farmers Union Oil Company	Gas for vehicles	259.41
36092	HDR, Inc.	*Engineering fees	96,525.55
36093	High Country Ag Marketing, Inc.	800 Culvert markers with reflective tape and shipping	7,475.00
36094	Houston Engineering, Inc.	**Engineering fees (see below)	17,525.25
36095	Hugo's #7	Water quality and meeting supplies	112.79
36096	Knott's Gravel	24 yards screened gravel for Latendresse Dam	288.00
36097	League of Minnesota Cities	Municipal Liability, Vehicle and Excess Liability insurances	19,314.00
36098	Lunke's Inc.	Hoe,dozer, disk, bales, seeding-State Ditch 83	12,620.00
36099	Marco	***See below for explanation	2,175.05
36100	MCI	Long distance telephone expense	56.57
36101	MN Energy Resources Corp	Heating expense	23.88
36102	NCPERS	Life insurance premium	112.00
36103	Northdale Oil Inc.	Gas and vehicle wash for vehicles	181.44
36104	Northland Fire Protection	Service, maintenance & recertify fire extinguishers & bldg.exits	294.50
36105	Pitney Bowes Global Financial	Postage meter rental	84.00
36106	Peterson Lumber	Tubes of plastic cement for roof of kiosks at Parnell & Euclid East	36.60
36107	Polk County Highway Department	18" band and handling fee-Ditch 15	38.30
36108	Rinke Noonan	****Legal services (See below for explanation)	2,930.00
36109	RMB Environmental Laboratories	Lab analysis for water quality samples	3,111.00
36110	Gerald Rychlock	Read and observe North and South pools of Moose River Imp.	225.00
36111	Speedee Delivery	Shipment expense for water quality samples	31.59
36112	TD Ameritrade Trust Company	Deferred Compensatioin	519.46
36113	Gene Tiedemann	Mileage	358.59
online	Blue Cross Blue Shield	Health insurance premium	4,510.50
direct	Brian Dwight	Mileage	310.65
direct	Terry Sorenson	Mileage	170.57
direct	Les Torgerson	Mileage and per diem meal	263.42
	<b>Payroll</b>		
	Check #11512 -11521		11,335.13
	<b>Total Checks</b>		<b>\$ 389,223.58</b>

**\* HDR, Inc.**

Proj. 26 Pine Lake	1,049.80
Proj. 26A Little Pine Lake WMA	2,186.36
Proj. 102 Four Legged Lake JD 5	1,284.00
Proj. 121 Louisville Parnell	612.50
Proj. 178 TR West Side FDR	<u>91,392.89</u>
<b>TOTAL</b>	<b>96,525.55</b>

**\*\*Houston Engineering, Inc.**

Proj. 149A TR 1W1P	2,796.00
Proj. 149AA PTMapp	991.00
Proj. 176 Black River Impoundment	<u>13,738.25</u>
<b>TOTAL</b>	<b>17,525.25</b>

**\*\*\* Marco**

Monthly copier maintenance	452.92
15 Microsoft Office 365	375.00
Managed IT services	<u>1,347.13</u>
<b>TOTAL</b>	<b>2,175.05</b>

**\*\*\*\* Rinken Noonan**

Monthly legal services retainer	200.00
Proj. 176 Black River Impoundment	1,755.00
Proj. 178 TRF Westside FDR	<u>975.00</u>
<b>TOTAL</b>	<b>2,930.00</b>

**Financial Institutions:****Northern State Bank**

Balance as of September 26, 2018	\$ 206,642.27
Total Checks Written	(389,223.58)
Receipt #414408 State of Minnesota-Cost share of water quality project	2,487.50
Receipt #414410 Transfer from American Federal-Fosston	200,000.00
Receipt #414412 Northern State Bank-Monthly interest	195.71
Receipt #414414 CDARS (Unity Bank) Monthly interest on CDS	2,263.23
Receipt #414415 State of Minnesota-Grant payment for Agassiz NWR, Proj. 180A	100,801.50
Receipt #414417 Peterson Lumber-Reimburse for returned merchandise (kiosk roof cement)	<u>19.56</u>
Balance as of October 10, 2018	<u><u>\$ 123,186.19</u></u>

**Border State Bank**

Balance as of August 31, 2018	\$ 18,174.73
Receipt #414413 Monthly interest	<u>5.68</u>
Balance as of September 30, 2018	<u><u>\$ 18,180.41</u></u>

**American Federal Bank-Fosston**

Balance as of September 26, 2018	\$ 1,703,465.50
Receipt #414409 American Federal-Receipt only to record interest on CD-\$354.13	-
Receipt #414410 Transfer to Northern State Bank-TRF	(200,000.00)
Receipt #414411 American Federal-Monthly interest on account	1,851.29
Receipt #414416 Ultima Bank-Matured CD with interest	<u>201,002.74</u>
Balance as of October 10, 2018	<u><u>\$ 1,706,319.53</u></u>



## Red Lake Watershed District

as of October 10, 2018

<u>Name of Institution</u>	<u>Purchase/ Current Value</u>	<u>Int. Rate</u>	<u>Mat. Date</u>	<u>*Maturity Amount</u>
10010 Northern State Bank (checking)	\$ 123,186.19	0.70%		\$ 123,186.19
10020 Border State Bank (Investor savings) Thief River Falls	\$ 18,180.41	0.38%		\$ 18,180.41
10030 American Federal Bank Fosston	\$ 1,706,319.53	1.42%		\$ 1,706,319.53
10770 CDARS-Bank of China, NY Interest direct deposited monthly	\$ 243,500.00	1.50%	10/18/2018	\$ 243,500.00
10770 CDARS-Great Plains National Bank Interest direct deposited monthly	\$ 113,000.00	1.50%	10/18/2018	\$ 113,000.00
10770 CDARS-MainStreet Bank Interest direct deposited monthly	\$ 243,500.00	1.50%	10/18/2018	\$ 243,500.00
10830 Edward Jones-Morgan Stanley Interest paid at maturity	\$ 200,000.00	1.50%	10/30/2018	\$ 203,000.00
10650 First National Bank-Bemidji-12 mos. CD #94230 Qtrly interest-direct deposit(1065)	\$ 200,000.00	1.05%	12/12/2018	\$ 200,523.55
10660 CDARS-Amarillo National Bank, TX 12 mos. CD, int. paid monthly	\$ 146,500.00	1.50%	1/17/2019	\$ 146,500.00
10660 CDARS-Conway, AR 12 mos. CD, int. paid monthly	\$ 53,500.00	1.50%	1/17/2019	\$ 53,500.00
10860 American Federal-Fosston 6 month monthly interest compounded	\$ 200,000.00	1.95%	1/24/2019	\$ 203,900.00
10470 CDARS-Bank of America, Charotte, NC monthly interest payment via ACH	\$ 200,000.00	1.95%	3/5/2019	\$ 200,000.00
10740 CDARS-Signature Bank, New York monthly interest payment via ACH	\$ 200,000.00	2.05%	7/18/2019	\$ 200,000.00
10740 CDARS-Valley National Bank monthly interest payment via ACH	\$ 159,000.00	2.05%	7/18/2019	\$ 159,000.00
10740 CDARS-Signature Bank, New York monthly interest payment via ACH	\$ 41,000.00	2.05%	7/18/2019	\$ 41,000.00
10870 American Federal-Fosston-12 month monthly interest compounded	\$ 200,719.02	2.10%	7/26/2019	\$ 204,200.00
10260 CDARS-SmartBank, Pigeon Forge, TN (int.pd quarterly via ACH)	\$ 200,000.00	2.05%	9/5/2019	\$ 204,100.00

1071 CDARS-BOKD, National Assn., Tulsa (int.pd monthly via ACH)	<u>\$ 200,000.00</u>	2.33%	10/3/2019	<u>\$ 200,000.00</u>
	<u>\$ 4,448,405.15</u>			<u>\$ 4,463,409.68</u>

Red Lake Watershed District  
Rates for October 10, 2018

For maturing \$600,000 CDARS CDs (Unity Bank North) 1.5%; October 18

Bank Name	Amount	Rate	APY	TERM	Accrued Int. Compounded
<b>Ultima Bank</b> Fosston	600,000.00	2.52	2.54	1 yr.	comp. semi-annually
<b>RiverWood Bank</b> Bagley	600,000.00	2.35	2.37	12 mos.	Comp. quarterly *
<b>Citizens State Bank</b> Roseau	600,000.00 600,000.00	2.25 2.35	2.26 2.36	12 mos. 2 year	comp. semi-annual comp. semi-annual
<b>Unity Bank North-CDARS</b> Red Lake Falls	600,000.00	2.20	2.20	12 mos.	Int. paid monthly via ACH
<b>First National Bank</b> Bemidji	600,000.00	1.90	1.91	12 mos.	Paid quarterly comp. or paid ACH
<b>American Federal Bank</b> Fosston	200,000-600,000	1.884	1.90	12 mos.	comp. monthly
<b>Security State Bank</b> Oklee	600,000.00	1.20	1.20	12 mos.	annual
<b>Northern State Bank</b> Thief River Falls	600,000.00	1.00		1 year	
<b>Northern Sky Bank (formerly Crookston National Bank)</b>					
Crookston	240,000.00	2.10	2.10	12 mos.	Paid semi-annual
<b>First National Bank</b> Bagley	250,000.00 (\$235,000)	2.05		12 mos.	compounded semi-annual
<b>American State Bank of Grygla</b> Grygla	245,000.00	1.55	1.55	1 year	paid qtrly or monthly

24 quote request sheets faxed/emailed to financial institutions

\* New bank request

2018 GENERAL FUND BUDGET

as of September 30, 2018

(unaudited)

	2018 BUDGET	2018 Exp.	(over) under
		TO 9-30-18	
Manager's fees, salaries	20,000.00	13,173.80	6,826.20
Board of Manager's expense	22,000.00	15,393.03	6,606.97
Staff salaries	461,000.00	337,178.93	123,821.07
Payroll taxes	35,266.50	24,851.27	10,415.23
Employee benefits	108,368.50	54,772.86	53,595.64
Travel and meetings(inc. mileage & exp.	5,000.00	2,634.74	2,365.26
Audit	9,000.00	9,000.00	0.00
Legal	15,000.00	6,680.00	8,320.00
Office supplies	15,000.00	15,640.47	(640.47) *
Office equipment	18,000.00	2,086.00	15,914.00
Appraiser/Viewer Expense	2,000.00	910.47	1,089.53
Professional services (inc. Eng. Fees)	20,000.00	13,069.78	6,930.22
Dues and subscriptions	10,000.00	8,849.08	1,150.92
Insurance and bonds	25,000.00	2,706.00	22,294.00
Repairs and maintenance-Building	15,000.00	10,291.81	4,708.19
Utilities	10,000.00	7,436.53	2,563.47
Advertising and publications	4,000.00	3,320.61	679.39
Telephone	11,000.00	7,002.07	3,997.93
Vehicle expense and maintenance	14,000.00	8,889.74	5,110.26
Engineering supplies	3,000.00	4,884.87	(1,884.87) **
Engineering equipment	40,000.00	2,455.00	37,545.00
Interest	0.00	0.00	0.00
<b>TOTAL</b>	<b>862,635.00</b>	<b>551,227.06</b>	<b>311,407.94</b>
Less: Overhead	691,500.00	508,732.62	(182,767.38)
Less: Miscellaneous revenue	7,000.00	8,598.67	1,598.67
<b>General Fund Budget</b>	<b>164,135.00</b>	<b>33,895.77</b>	<b>130,239.23</b>

TO 9-30-18

January 1, 2018 Beg. Balance	327,947.46	327,947.46
County levies revenue	0.00	0.00
Misc. revenue		0.00
Gross balance with revenue		327,947.46
Less net expenses		(33,895.77)
Subtotal- General Fund		294,051.69
Plus interest earned		31,057.93
<b>General Fund Balance 9-30-18</b>		<b>325,109.62</b>

\* Colored copies used exceeded budgeted amount for 3 months totalling \$2600.73  
(Jan. \$664.10, Apr. \$1654.56, July \$582.07)

\*\* for ROW stakes purchased (\$3,475)-will be allocated to projects where stakes are installed at year end



## LEAGUE OF MINNESOTA CITIES INSURANCE TRUST 2017-18 COVERAGE CHANGES

### 2017-18 CHANGES

Every year, the League of Minnesota Cities Insurance Trust (LMCIT) [Board of Trustees](#) reviews LMCIT's coverages to ensure those coverages respond to the unique exposures faced by Minnesota's cities. Many suggestions come from LMCIT members and their insurance agents. This year, the Trustees are pleased to announce several enhancements to address cities' ever-changing needs. Changes go into effect for property/casualty coverages renewing on or after Nov. 15, 2017 and for workers' compensation coverage renewing on or after Jan. 1, 2018.

### CONTACT

If you have questions about the coming year's coverage changes, or if you have ideas for future coverage enhancements, contact your assigned underwriter at (651) 281-1200 or (800) 925-1122.

### AUTO PHYSICAL DAMAGE COVERAGE

#### **Auto physical damage caused by a hacker or a virus**

A change was made to the auto physical damage coverage to ensure coverage of auto damages caused by a computer virus or hacking attack.

### EQUIPMENT BREAKDOWN COVERAGE (OPTIONAL COVERAGE)

#### **Various enhancements**

A few low-limit enhancements have been added to the equipment breakdown coverage. First, coverage now includes 10 percent, or up to a \$10,000 maximum, for the cost to improve power quality after a loss. Second, up to \$5,000 is in place for the loss of perishable goods after loss, if the property holding the perishables can be resolved by calibrating, resetting, tightening, adjusting, or cleaning. Third, coverage includes up to \$25,000 for the loss or damage to some types of mobile property that may be temporarily located away from a covered location (e.g., portable generators, chainsaws, jaws of life, portable air compressors, and push lawnmowers).

### LIABILITY COVERAGE

#### **Data and computer system security breaches**

The existing liability coverage protects against damages stemming from a data security breach claim involving the unauthorized acquisition of data that compromises the security of personal or confidential information. A \$3 million annual aggregate limit applies for claims that fall within the data security breach definition. This limit now applies for other types of system security breach claims that don't necessarily involve the unauthorized acquisition of personal or confidential data, such as a member's failure to prevent a hack into an emergency dispatch, traffic light, or water tower system (coverage applies even if the system doesn't necessarily contain personal or confidential information).

## **ABOUT LMCIT**

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LMCIT's unique partnership with the League of Minnesota Cities results in a holistic, one-stop-shop of services for members. In addition to workers' compensation and property/casualty coverage, services provided range from loss control, to legal guidance, to advocacy, to media relations assistance.

## **CONTACT**

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If you have questions about the coming year's coverage changes, contact your assigned underwriter at (651) 281-1200 or (800) 925-1122.

### **Joint powers entities**

In those cases when governmental entities in other states are acting on behalf of a joint powers entity who is an LMCIT member, the out-of-state entity will be considered a covered party by LMCIT only if allowed by pooling or insurance laws of the other state.

### **Land use coverage**

The intent of the land use and special risk litigation coverage is reinforced to state that it does not respond if litigation is brought by an LMCIT member against a regulatory entity when that member's own property is not affected.

### **Pollution exclusion and limited contamination**

The coverage form is restructured to make it easier to evaluate which claims are excluded under the pollution exclusion and which claims are covered under the limited contamination coverage. That is, there's a broad exclusion in the liability coverage for any pollution claim, but there are a few exceptions. One of those exceptions is any limited contamination claim, which is defined by a list of pollution-type or contamination-type exposures. Examples include claims arising out of pesticide or herbicide application operations, lead and asbestos claims, mold claims, claims arising from disease-producing organic agents, and sewer backup claims. There is a \$3 million annual aggregate limit for all damages and defense costs incurred in a single coverage term for all limited contamination claims.

### **Wastewater lagoon embankments**

There's an exclusion in the liability coverage for damages arising out of the failure of any dike, levee, or similar structure, or Class I or Class II dams as defined by the Minnesota Department of Natural Resources, although coverage can be granted for certain structures upon review by LMCIT. Coverage intent is clarified to state that damages arising out of the failure of a wastewater lagoon embankment is not subject to this exclusion.

## **PROPERTY COVERAGE**

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### **Power surges**

Coverage intent is clarified to state that damage due to a *naturally caused power surge*, such as lightning, is covered under the property coverage; while damage due to an *artificially caused power surge*, such as arcing between two electrical wires, is covered under the equipment breakdown coverage. However, because the equipment breakdown coverage is optional to members, a nominal amount of coverage - \$25,000 per occurrence, per location for artificially caused power surge claims - is now

included in the property coverage as a fallback for members who have not purchased equipment breakdown coverage.

## **WORKERS' COMPENSATION COVERAGE**

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### **Infectious disease diagnostics testing**

OSHA requires that an employer provide diagnostic testing to an employee who has been exposed to, but hasn't contracted, an infectious disease such as AIDS, hepatitis, tuberculosis, or anthrax. Since this type of situation isn't considered an injury or occupational disease under workers' compensation, most standard insurance policies won't pay for the diagnostic testing. LMCIT does provide coverage for diagnostic testing, and the limit is increased to \$5,000 per employee per infectious exposure incident.



## LEAGUE OF MINNESOTA CITIES INSURANCE TRUST 2017-18 PREMIUM RATES

### 2017-18 RATES

The League of Minnesota Cities Insurance Trust (LMCIT) [Board of Trustees](#) annually reviews members' projected losses and expenses to determine premium rates. Rates are then designed to fund these costs. Usually a contingency margin is also incorporated to cover extra costs in case losses turn out to be more than projected. Funds not needed for claims, expenses, or reserves are returned to members as a dividend.

### RATE IMPACT

This year's rate changes don't necessarily mean your premiums will increase or decrease by that exact amount. That's because premiums are also affected by changes in city expenditures, property values, payrolls, experience rating, and other exposure measures.

### PROPERTY/CASUALTY PROGRAM

The following rate changes will go into effect for property/casualty coverages renewing on or after Nov. 15, 2017.

Coverage	Rate Change
Average liability rates	0%
Per household rate (land use liability)	-10%
Per sewer connection rate (sewer backup liability)	-10%
Per police officer rate (police liability)	5%
Per employee rate (employment liability)	5%
Annual expenditure rate (all other liability)	5%
Bond rates	-5%
Liquor liability rates	-5%
All other coverage rates	0%

LMCIT is also changing its rating methodology for auto physical damage coverage, which means some members' premiums will increase and others will decrease because of the transition to the new rating method. [Learn more about the new auto physical damage rating system.](#)

For a member with a perfectly average mix of exposures, the average rate for all property/casualty coverages (property, liability, and auto) will remain flat. However, specific rates within each of the liability classes (as shown in the table) will fluctuate.

The rate changes for 2017-18 reflect changing loss patterns in recent years, as well as the LMCIT Board's decision to lessen the contingency margin that LMCIT holds to keep rates as low as possible for members. Because LMCIT holds a very strong fund balance, a solid contingency margin still remains.



## **ABOUT LMCIT**

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The premium rates set by LMCIT are not influenced by volatile market swing, and a healthy fund balance is maintained to help members avoid rate fluctuations. New coverages are continually added to reflect the unique exposures faced by Minnesota's cities.

In addition to keeping premiums low, LMCIT offers voluntary risk management programs and training that helps to keep municipal employees safe, reduce liability claims, and avoid property losses.

## **CONTACT**

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If you have questions about the coming year's premium rates, contact your assigned underwriter at (651) 281-1200 or (800) 925-1122.

## **WORKERS' COMPENSATION PROGRAM**

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Members with renewals on or after Jan. 1, 2018 will see a 2 percent average increase in overall workers' compensation rate levels. In addition to the average increase, rates for volunteer firefighters will increase an additional 2 percent.

One of the main reasons for the 2 percent increase is because of rising medical costs, which account for about 60 percent of LMCIT's total workers' compensation costs. Rates for 2018 assume medical costs will increase about 8 percent, which significantly outpaces the increase in wage levels. Wage levels have only been increasing at a rate of about 2-3 percent and except for volunteer firefighters, wage levels are what LMCIT uses to calculate premiums. Another reason for the increase is because a contingency margin was built into the workers' compensation rates. The margin held for workers' compensation coverage is smaller than what is built into the property/casualty rates because losses in the workers' compensation program are typically much more predictable from year to year.

Rates for volunteer firefighters will increase an additional 2 percent because rates are based on the population volunteer firefighters serve, rather than wage levels. Because population doesn't increase with inflation like payrolls do, an additional adjustment is needed to keep volunteer firefighter rates from gradually falling behind the rates for other employee classes.

# *Red Lake Watershed District*

**President**

Dale M. Nelson

**Vice President**

Gene Tiedemann

**Treasurer**

Terry Sorenson

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**Secretary**

LeRoy Ose

**Managers**

Les Torgerson

Allan Page

Brian Dwight

Date: September 28, 2018

To: Red Lake River Watershed Stakeholders

From: Red Lake River Planning Group

Re: Red Lake River One Watershed, One Plan Project, submittal of draft Amended Plan for 60-day review.

The Red Lake River Planning Group, on behalf of the members, is pleased to submit the Amendment to the Red Lake River One Watershed, One Plan for 60-day review. The Red Lake River Planning Group invites all recipients of this notice to submit comments on the Amendment by November 30, 2018. A copy of the Amendment can be found on the West Polk Soil & Water Conservation District website: <http://westpolkswcd.com/1w1p.html>. History and background information about the project can also be found at: <http://westpolkswcd.com/1w1p.html>.

Please submit written comments to both (comments may be submitted electronically):

Myron Jesme  
Administrator  
Red Lake Watershed District  
1000 Pennington Avenue South  
Thief River Falls, MN 56701  
218-681-5800  
[RLWD@redlakewatershed.org](mailto:RLWD@redlakewatershed.org)

Peter Nelson  
Red Lake River 1W1P Coordinator  
Pennington SWCD  
201 Sherwood Avenue South  
Thief River Falls, MN 56701  
218-683-7075  
[Peter.nelson@mn.nacdnet.net](mailto:Peter.nelson@mn.nacdnet.net)

After completion of this review period, a summary of comments received will be provided to all who commented and the Red Lake River Planning Group will hold public hearings on dates yet to be determined.

Thank you on behalf of the members of the Red Lake River Planning Group:

Polk County  
West Polk Soil & Water Conservation District  
Red Lake County  
Red Lake County Soil & Water Conservation District  
Pennington County  
Pennington Soil & Water Conservation District  
Red Lake Watershed District

Proposed Amendment to Section 8.1.3 of the plan at page 8-5 (per BWSR Recommendation)

### **Water Management Districts**

The RLWD may create a Water Management District to provide a mechanism for funding watershed projects addressing local resource concerns and priorities. Fee and funding formulas are developed on the basis of a benefit or contribution with respect to how the project addresses a flood problem or water resource issue. Appendix J includes information on and a map of the existing Water Management District in Thief River Falls that was established in 2010. Appendix N includes the procedure for amending this plan to create new Water Management Districts and contains all existing Water Management Districts.

# Appendix N - Water Management Districts

## Section 1 – General Authority and Process

### Overview

Pursuant to section 8.1.3 of this plan, the Red Lake Watershed District (RLWD) plans on using Water Management Districts (WMD) as one of several funding mechanisms for the implementation of activities to solve local and regional problems and issues. The provisions for collection of charges (MS 103D.729 and 444.075) allow a watershed district, through the amendment of its plan or during a plan update, the authority to establish one or more WMDs for the purpose of collecting revenues and paying the costs of projects initiated under MS 103B.231, 103D.601, 103D.605, 103D.611, or 103D.730. Appendix J of this plan contains the Board of Water and Soil Resources (BWSR) guidance for the establishment of WMDs and includes the previously established Thief River Falls Flood Damage Reduction Project Water Management District. Appendix J, however, includes several unrelated items of importance to this plan including RLWD Rules and Soil and Water Conservation District (SWCD) statutory authority, chapter 103C. This appendix N is dedicated solely to WMDs established or to be established by further amendment to this plan. Section 1 of this appendix N outlines the authority and processes for establishment of WMDs, including review of proposed WMDs and plan amendments by the One Watershed One Plan (1W1P) planning and policy committees. Current and future WMDs will be included as subsequent sections to this appendix N.

To establish a WMD, a plan update or amendment must describe the area to be included, the amount of the necessary charges, the methods used to determine the charges, and the length of time the WMD will remain in effect. After adoption, the plan update or amendment must be filed with the county auditor and county recorder of each county affected by the WMD. The WMD may be dissolved by the same procedures as prescribed for the establishment of the WMD – i.e. by plan update or amendment.

A distinguishing element of the WMD charge over an assessment, or ad valorem tax is that the watershed district exercises authority, similar to that of a municipality, to establish and impose a system of charges based on a prescribed method, such as a property's contribution of storm water and/or pollutants to a receiving body of water, conveyance or management system; or the extent of relief or protection afforded to property by an impoundment, conveyance or diversion. Thus, funds generated by utilizing a WMD charge can be based upon a mechanism related to the cost of the project in managing a burden created by the property or in providing protection to the property rather than the value of the property (ad valorem tax) or special economic benefit conferred (assessment). Ultimately the WMD provides a supplemental financing tool, within a prescribed area, for the RLWD and is especially useful in situations where project components are required to address a locally generated need or problem.

### Review and Establishment Process

Because this plan is a 1W1P based plan, WMD establishment, whether as part of a 10-year plan update or as a plan amendment, must follow the guidance provided in the BWSR One Watershed, One Plan Operating Procedures, version 2.0, effective 3-28-2018 (Board Decision #18-14) or its successor. The amendment process must also be consistent with the Operating Agreement for this plan which specifies the role of the Planning Workgroup and Policy Committee, confers upon the Planning Workgroup authority to develop and recommend plan amendments and confers upon the Policy Committee authority to review and adopt amendments as approved by the BWSR.

For WMD establishment by amendment, the following procedure will be followed:

1. **Initial Review by the Planning Workgroup:** The Planning Workgroup, as established in the Operating Agreement for this plan, consists of representatives from each SWCD partially or wholly within the 1W1P area and representatives of the RLWD. The Planning Workgroup shall either develop or be provided a copy of the proposed amendment for initial review. After review, the Planning Workgroup shall provide notice of the proposed amendment to the Plan Review Authorities and the public.
2. **Notice to Plan Review Authorities and Public:** Plan Review Authorities, including the Department of Agriculture, the Department of Health, the Department of Natural Resources, the Pollution Control Agency, the Board of Water and Soil Resources, SWCDs, other watershed districts and counties, cities, and towns partially or wholly within the One Watershed Plan area shall be provided notice and a copy of the proposed amendment along with a request for comments to be provided to the Planning Workgroup within 60 days of the notice. The public shall be noticed of the proposed amendment by publication in a newspaper in general circulation within the 1W1P area. The publication must state the general nature of the proposed amendment, provide the public information on how to obtain or view a copy of the proposed amendment and state that comments on the proposed amendment may be provided to the Planning Workgroup.
3. **Final review and referral by the Planning Workgroup:** Upon expiration of the 60 day comment period, the Planning Workgroup will conduct a final review of the proposed amendment and make necessary revisions based on the comments received, if any. The Planning Workgroup may adopt responses to the comments received. After final review and revisions, the Planning Workgroup shall refer the proposed amendment, along with all comments and responses, to the Policy Committee along with the Planning Workgroup's recommendation on approval. A copy of the Planning Workgroup's referral shall also be transmitted to the BWSR.
4. **Hearing of the Policy Committee:** The Policy Committee, as established in the Operating Agreement for this plan, will schedule and hold a public hearing on the proposed amendment no sooner than 14 days after receiving the Planning Workgroup's referral and recommendation. Notice of the public hearing shall be given by mail to the BWSR, Plan Review Authorities and the Planning Workgroup. Notice of the public hearing shall also be published in a newspaper in general circulation within the 1W1P area. A record shall be kept of the hearing to include an audio recording of the proceedings and copies of all written correspondence, comments or responses generated in the proceedings.
5. **Notice to Plan Review Authorities:** Following the public hearing, the Policy Committee shall provide a copy of the final proposed amendment along with its findings and recommendation regarding plan approval to the Plan Review Authorities and request that final comments, if any, be submitted to BWSR in advance of the BWSR consideration of the proposed amendment.
6. **Referral and Recommendation to BWSR:** Following the public hearing, the Policy Committee shall submit the final proposed amendment to BWSR for final review and approval. The submittal to BWSR must include the audio recording of the public hearing, a copy of all written comments and responses received on the proposed amendment and the Policy Committee's findings and recommendation on approval of the proposed amendment. After review, the BWSR Board, or a committee thereof, shall render a decision approving or disapproving the amendment in accordance with its operating procedures.
7. **Local Adoption:** If BWSR approves the proposed amendment, the Policy Committee, according to the authorities granted to it in the Operating Agreement for this plan, shall adopt a resolution, within 120 days of BWSR Board approval, adopting the amendment. A copy of the resolution to adopt the amendment must be sent to BWSR. Notice of the adopted amendment shall be published in a newspaper in general circulation within the 1W1P area along with notice of appeal rights as outlined below. Unless appealed, the plan amendment is effective 30 days after first publication of the Policy Committee resolution adopting the amendment.

## Implementation of Charges

Prior to implementing any charges within a WMD established in this plan, the Policy Committee must file a copy of the WMD plan amendment with the county auditor and county recorder of each county affected by the water management district. Along with the amendment, the Policy Committee may provide additional information to the auditors or recorders that is necessary to identify properties subject to charges within the water management district. With the consent of a city, charges to properties within the jurisdictional boundary of a city may be consolidated and presented to the city for payment.

Prior to the imposition of charges, the RLWD shall hold a public hearing in conjunction with a project's establishment. At the public hearing, the RLWD Board shall present the amount of the necessary charges, the methods used to determine charges, and the length of time the WMD will remain in force. The RLWD Board shall also provide information on the amount of charges to individual parcels within the WMD. In addition to other notices required by statute, the RLWD Board must, ten days prior to a hearing or decision on projects to be paid in whole or in part by WMD charges, provide notice to the city, town, or county within the WMD. The city, town, or county receiving notice shall submit to the managers concerns relating to the implementation of the project. The managers shall consider the concerns of the city, town, or county in the decision on the project.

WMDs established under this plan are intended to be perpetual for the life of this plan and any subsequent revisions, unless dissolved by plan amendment or update. Initial charges, if any, will be effective for a duration consistent with the time necessary to repay the capital cost of projects to be paid for, in whole or in part by charges within the WMD. Thereafter and upon hearing, WMD charges may be reinitiated to generate revenue to pay for project maintenance.

## Local Appeal

Local Appeal Procedure: Because WMDs established under this plan are proposed to be perpetual, the following local appeal procedure is established from the resolution adopting a plan amendment establishing a WMD:

1. Upon receipt of the Order of the BWSR authorizing a plan amendment establishing a WMD, the Policy Committee shall publish notice of its resolution adopting the plan amendment in a newspaper in general circulation in the part of the 1W1P area where the WMD is located.
2. Any landowner affected by the WMD may, within 30 days of first publication of notice of the resolution, appeal the establishment of the WMD to the Policy Committee by filing a letter stating the basis for the appeal.
3. Within 30 days of receiving a letter of appeal, the Policy Committee shall hold a hearing on the appeal, giving the appellant an opportunity to be heard and to present evidence why the WMD should not be established. The hearing shall be noticed as required for a special meeting under statutes chapter 103D.
4. The hearing shall be recorded in order to preserve a record for further review. The record of the appeal shall include the recording, any documentary evidence provided by the appellant and all records related to the establishment of the WMD.
5. Within 30 days of the hearing, the Policy Committee shall adopt and mail findings and an order on the appeal to the appellant and the BWSR.
6. Further appeal, if any, shall be as provided in Statutes Chapter 103D and existing authorities and procedures of the BWSR Board.

# Section 2 – Thief River Falls Flood Damage Reduction Project Water Management District

The following is reprinted from Appendix J, pages J-29 to J-32



## Memo

To:	Red Lake Watershed District Board of Managers		
From:	Nate Dalager, P.E.	Project:	Plan Amendment – Water Management District
cc:			
Date:	November 10, 2010	Job No:	131515

**Re: Plan Amendment - Establishment of a Water Management District for the Thief River Falls Flood Damage Reduction Project**

### ***Introduction***

Pennington County Ditch #1 (CD 1) has been a source of agricultural and urban flooding problems for years. Since its construction 100 or more years ago, the ditch has routinely flooded out of its banks in spite of cleanouts and culvert replacements. In 2005, the Pennington County Board of Commissioners, Thief River Falls City Council, RLWD, and others requested that HDR Engineering conduct a drainage study and provide a report of findings. Due to funding limitations and procedural uncertainties related to Minnesota (MN) ditch law, no entity was able to advance the project forward until a landowner ditch improvement petition was received by the Red Lake Watershed District (RLWD) in 2009.

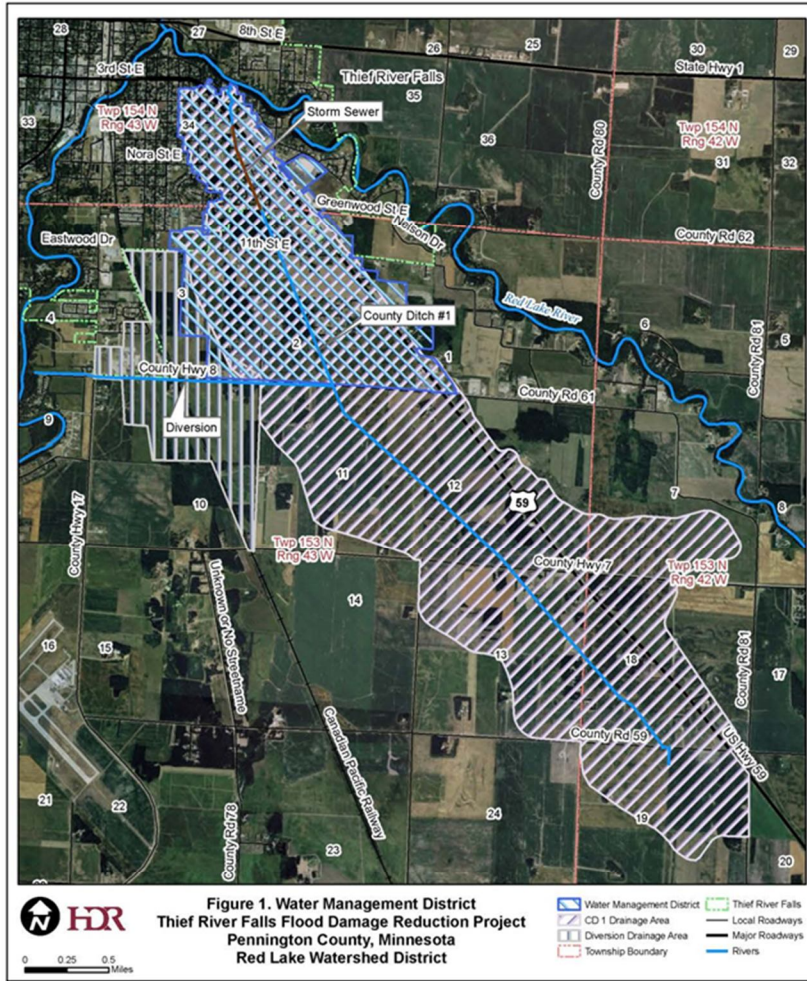
In response to the landowner petition, the RLWD has approved the Preliminary Survey Report and Detailed Survey Report in accordance with MN Statute 103E. These reports explain the project in detail and are available for review from the RLWD upon request.

Because of the severity of the flooding problem and the complexity and cost of the proposed CD 1 improvement within the urban environment, the RLWD established the Thief River Falls Flood Damage Reduction (FDR) Project in accordance with MN Statute 103D.605. As part of the funding strategy for the project, the RLWD is hereby proposing to amend Section 7.1.6.2 of its watershed plan in accordance with MN Statute 103D.411 to establish a Water Management District (MN Statute 103D.729) with the purpose of collecting revenue and paying for a portion of the costs of the Thief River Falls Flood Damage Reduction Project. This memo will outline the following as required by the amendment procedure:

- Area included in the Water Management District (WMD)
- The amount of the necessary charges
- The method used to determine the charges
- The length of time that the Water Management District will remain in force

**Water Management District Area**

The area encompassed by the proposed Water Management District extends from CSAH 8 at the south (upstream) end, to the northern extents of CD 1 outletting into the Red Lake River within the City of Thief River Falls. The outer boundary of the WMD follows property lines, because any property that has partial drainage or protection benefits from the project will be included in the Water Management District. The WMD is approximately 1,070 acres in area and is a mix of agricultural, commercial, industrial, and residential properties. See Figure 1 below for a map of the WMD boundary.





**Amount of Charges**

The project has been estimated to cost \$3 million, and is broken down into two distinct components:

- ditch improvement; and
- flood damage reduction project

The ditch improvement consists of an improvement of the ditch grade, cross-section, and culverts, and is estimated to cost approximately \$1,000,000. The ditch improvement component of the project will be paid for by benefitted landowners as determined by the viewers in the re-determination of benefits process.

The flood damage reduction component is estimated to cost \$2,000,000, and consists of a diversion down the CSAH 8/Challenger roadside ditch and the installation of storm sewer through the City, from Greenwood Street to the TH 59/1<sup>st</sup> St E intersection. The FDR project component will be paid for by contributions from the RLWD, the State of Minnesota FDR program, and the funds that the Water Management District would ultimately collect. The charges collected by the Water Management District for the construction of its portion of the flood damage reduction component shall consist of 30% of all costs associated with the FDR project, not to exceed \$700,000.

Table 1 below describes the breakdown of the project funding.

**Table 1. Project Funding Breakdown**

Project Component	Funding Source
Ditch Improvement	Benefitted Landowners
	35% Red Lake Watershed District
Flood Damage Reduction	35% State of MN - FDR Program
	30% WMD charges

**Method for Determining Charges**

The method used to determine the amount of charges each parcel will pay to the Water Management District will closely follow the method that the City of Thief River Falls uses to determine its monthly storm water utility charges. The monthly charge is determined by an approximation of the volume of storm water runoff from a parcel. Runoff volume is a factor of the parcel’s area, and the portion of the area that has impervious surfaces, such as rooftops, parking lots, driveways, and sidewalks. Each parcel that falls within the WMD boundaries will be placed into a land use classification, and assigned a Residential Equivalency Factor (REF) for each classification as follows in Table 2 below.

**Table 2. Residential Equivalency Factor (REF)**

<b>Land Use Classification</b>	<b>Residential Equivalency Factor (REF)</b>
Single Family	1.0
Manufactured Home	1.0
Multi-Family Residential	1.5
Commercial/Industrial	1.5
Schools/Churches/Institutional	1.5
City-Owned Land	1.0
Vacant/Vegetative/Agricultural/Unimproved	0.1 with cap

Then, the formula for determining the monthly charge is as follows:

$$\text{Water Management District Charge} = (\text{REF}) \times \text{size of parcel (acres)} \times \text{fee per acre}$$

The fee per acre will be determined upon a more detailed analysis of the final charges.

***Length of Time in Force***

The initial charges for the WMD for construction of the TRF FDR Project shall be assessed and recovered over a period not to exceed 20 years. In addition to the initial cost recovery period of 20 years, the WMD will remain in-place perpetually in order to assess fees for maintaining the WMD’s share of the flood damage reduction portion of the project. The managers may assess all the parcels of property and municipal corporations previously assessed for project construction of the TRF FDR project, to establish a maintenance fund for the project. The assessment for the WMD maintenance fund may not be made when the fund exceeds 20 percent of the original cost of construction for the Thief River Falls Flood Damage Reduction project.

***Conclusion***

In accordance with MN Statute 103D.729, this plan amendment proposal shall be forwarded to the City of Thief River Falls, Pennington County, and appropriate state agencies for review and comment. The Board of Water and Soil Resources will hold a public hearing in conjunction with the RLWD to receive testimony on the proposed plan amendment providing for the establishment of a Water Management District.

# Section 3 – Thief River Falls – West Side Flood Damage Reduction Project Water Management District

## Introduction

Pennington County Ditch #70 (CD 70) is located north and west of the City of Thief River Falls (City). The system drains areas north and west of the City, as well as areas within the City. CD 70 currently provides an estimated 2-year or less level of service for drainage in agricultural areas and an estimated 10-year level of service for drainage in residential/commercial areas. Currently, much of the system does not completely drain following wet weather events due to the inconsistent grade, channel size, and excess vegetation in the ditch. These conditions result in long periods of inundation on adjacent agricultural and commercial land from minor rainfall events. Although much of the area may be located outside of the 100-year floodplain, there are vital properties within the 11 mile drainage area that must be protected from a 100 year event.

In 2017 the Red Lake Watershed District (RLWD) partnered with the City and Pennington County (County) to study alternatives that would alleviate the flooding along CD 70. Upon the completion of the Flood Damage Reduction Analysis, the City and County filed petitions under Minnesota Statute 103D.705 to the RLWD for the design and construction of a proposed flood damage reduction project.

The RLWD established the Thief River Falls Westside Flood Damage Reduction Project in accordance with Minnesota Statute 103D.605. As part of the funding strategy for the Project, the RLWD proposes to establish a Water Management District (WMD) for the project in order to provide an efficient mechanism for collecting a local share of project costs. This section outlines the following requirements for the establishment of a WMD:

- Area included in the Water Management District;
- The amount of the necessary charges;
- The method used to determine the charges; and
- The length of time that the Water Management District will remain in force.

## Water Management District Area

The area encompassed by the proposed Thief River Falls-West Side Flood Damage Reduction Project WMD extends from the north (upstream) end of CD 70, to the outlet into the Red Lake River, as well as portions of the County Ditch 1 drainage area. The outer boundary of the WMD follows the drainage area boundaries or the benefitted area property lines, whichever is greater, because any property that has partial drainage or protection benefits from the Project will be included in the WMD. The WMD is approximately 10,670 acres in area and is a mix of agricultural, commercial, industrial, and residential properties. See Figure N-1 for a map of the WMD location. A listing of parcels affected by the WMD is included under a separate heading below.

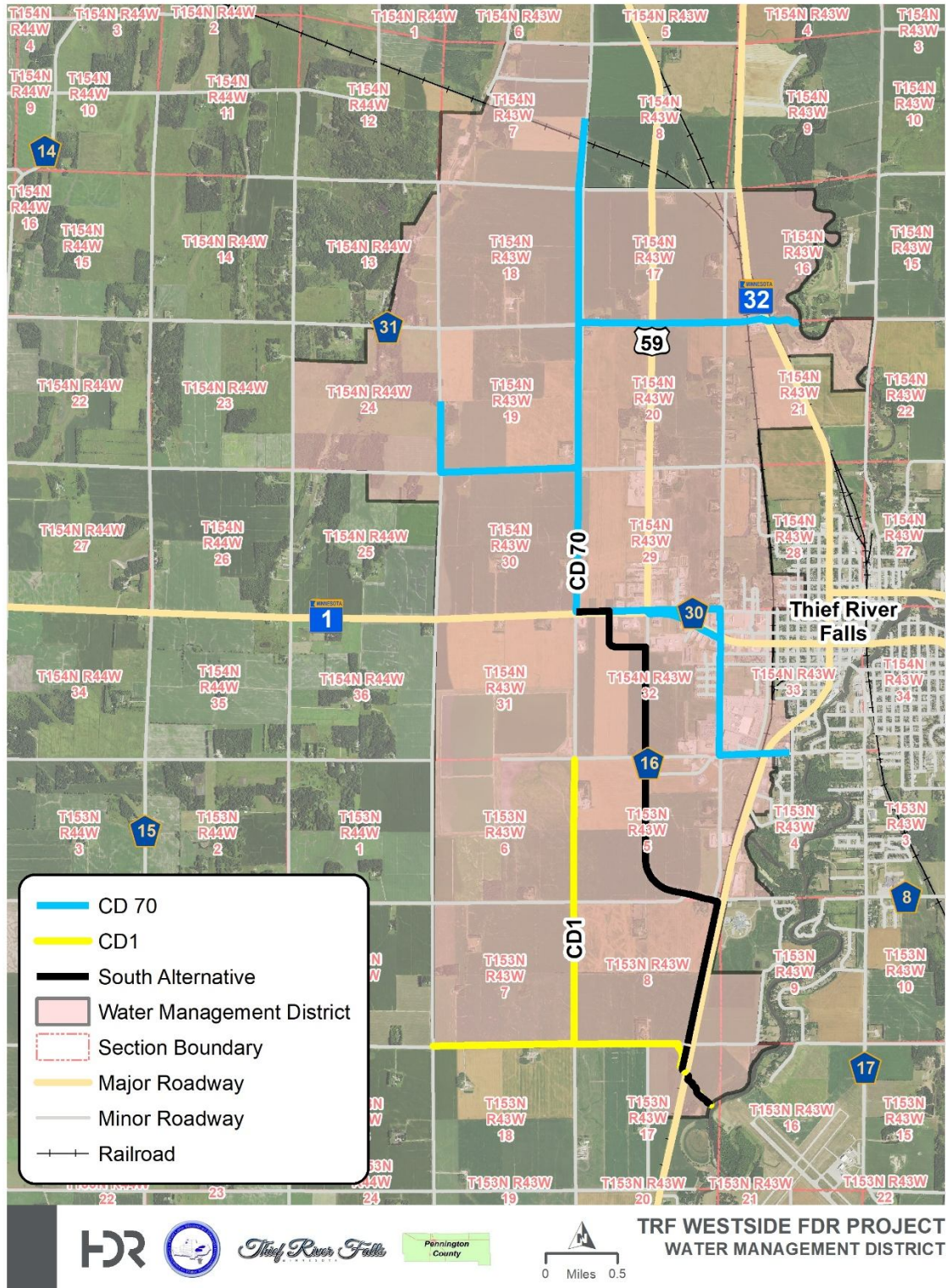


Figure N-1: Water Management District Location

## Amount of Charges

The Project has been estimated to cost \$6 million. The Project will be paid for by contributions from the RLWD, the State of Minnesota FDR program, Pennington County, the City of Thief River Falls, Minnesota Department of Transportation, and the funds collected from the WMD. The charges collected by the WMD for the construction of its portion of the flood damage reduction component shall consist of approximately 17% of all costs associated with the Project, not to exceed \$1,000,000. Table N-1 describes the breakdown of the Project funding.

Table N-1: Project Funding Breakdown

Funding Source	Project Participation
RLWD, City, County, MnDOT	\$2.5 Million (41.6%)
State of MN – FDR Program	\$1.5 Million (25%)
Red River Water Management Board	\$1.0 Million (16.7%)
Water Management District	\$1.0 Million (16.7%)

## Method for Determining Charges

The method used to determine the amount of charges each parcel will be assessed towards the WMD is based on the Pre-Project and Post-Project flood damage protection conditions (level of service) for each acre or fraction thereof in the water management district. The level of service is defined as the ability for a area of land to drain 12 hours after the storm event has ended. Subwatersheds within the drainage area of the Project were analyzed for a 2-year (2.49 inches), 10-year (3.77 inches), and 25-year (4.69 inches) 24 hour duration summer storm event. Based on the pre- and post-project level of service, a level of service factor (LSF) was assigned.

Table N-2: Level of Service Improvement Categories

Level of Service Improvement (LSI)	Level of Service Factor (LSF)
2 Year – 2 Year	Outlet Improvement (Base Rate = 1.0)
10 Year – 10 Year	Outlet Improvement (Base Rate = 1.0)
25 Year – 25 Year	Outlet Improvement (Base Rate = 1.0)
10 Year – 25 Year	2.0
2 Year – 10 Year	3.0
2 Year – 25 Year	4.0

The base rate will be determined by the following formula:

$$(Base\ Rate \times (Outlet\ Improvement\ LSF) \times Total\ LSI\ Parcels\ (Acres)) + (Base\ Rate \times (10Yr-25Yr\ LSF) \times Total\ LSI\ Parcels\ (Acres)) + (Base\ Rate \times (2Yr-10Yr\ LSF) \times Total\ LSI\ Parcels\ (Acres)) + (Base\ Rate \times (2Yr-25Yr\ LSF) \times Total\ LSI\ Parcels\ (Acres)) = \$1.0\ Million\ Max$$

The formula used for determining the total charge per parcel is as follows:

$$Water\ Management\ District\ Charge = (LSF) \times Base\ Rate \times Size\ of\ Parcel\ in\ Acres\ Contributing\ to\ the\ Project\ Drainage\ Area$$

## **Perpetual District; Duration of Charges, Subsequent Charges**

The water management district shall be perpetual for the life of this plan and any subsequent revisions, unless dissolved by plan amendment or revision. The initial charges for the WMD for construction of the Project shall be extended and recovered over a period not to exceed 20 years. In addition to the initial cost recovery period of 20 years. Subsequent maintenance charges within the WMD may be extended to establish and maintain a maintenance fund. The balance of a maintenance fund may not exceed 20 percent of the original cost of construction for the Project, consistent with the limitations found in statutes section 103D.631.

## **Affected Parcels**

The following is a list of parcels of record in the office of Pennington County Recorder that are included in the WMD:

(insert list of affected parcels that are included in the boundary of the WMD)

<The remainder of this page is intentionally blank>

# Section 4 – Black River Impoundment Project Water Management District

## Introduction

The Black River Impoundment Project's primary purpose is to provide flood damage reduction within the Black River sub-watershed. Reducing peak flows will reduce risk of flood damage to local public transportation facilities, erosion of agricultural and private lands upstream and downstream of the impoundment site, improve water quality, and improve the operation efficiency of the downstream Schirrick Dam on the Black River.

The Red River Watershed Management Board (RRWMB) funded a comprehensive plan for expanded distributed detention strategies for Minnesota membered watershed districts throughout the Red River Basin. This plan is summarized in the Red River Basin Commission's (RRBC) Long Term Flood Solutions (LTFS) Basin Wide Flow Reduction Strategy Report, and it concluded with a goal to reduce the Red River of the North (Red River) peak flow and volume by 20% during a flooding event comparable to the 1997 flood. To accomplish this, the report set forth guidelines while working with each of the watersheds to develop district specific strategies.

The Red Lake Watershed District's Expanded Distributed Detention Strategy recommended 58 locations of off channel retention and 8 locations of on channel retention to help achieve the goals set forth in the RRBC LTFS Basin Wide Flow Reduction Strategy Report. The Black River Sub-Watershed encompasses several of the identified 58 locations. To begin the development of a flood control impoundment project, the RLWD investigated preliminary alternatives for the Black River sub-watershed. Four preliminary impoundment site alternatives were reviewed within the Black River sub-watershed. The selected alternative was carried forward due to cooperation from local landowners and the potential storage capabilities of the site. Privately owned agricultural lands were made available by either fee title or permanent flowage easements to the RLWD for the impoundment site. The RLWD board proceeded with further engineering investigation of the selected alternative.

In addition to the impoundment site and associated structures, approximately 12 miles of diversion ditches are being proposed to efficiently direct runoff into the impoundment site; maximizing the impoundments contributing drainage area. All project costs associated with the impoundment and diversion ditches will be funded as part of the overall flood damage reduction project. The RLWD is proposing to establish a Water Management District (WMD) as part of an overall funding strategy for long term operation and maintenance of the project. See Figure N-2 for the locations of the project facilities and properties effected by the WMD.

The following section outlines the requirements for the establishment of a WMD:

- Define Water Management District Area
- Establish the amount of necessary charges
- Describe the method for determining charges
- Establish the length of time the WMD will remain in force

## Water Management District Area

The WMD area proposed for this project is generally bounded at the northerly limits by CSAH 7 and CSAH 12, a width approximately 1 mile east and 1 mile west of the intersection with CSAH 7, CSAH 13 and CSAH 12. The southerly limits are generally bounded by Pennington County Road 55 from the intersection with Pennington County Road 68, east for approximately 4 miles. The westerly limits of the proposed WMD is approximately Pennington County Road 68 from the intersection with CSAH 3, north approximately 3 miles, east 1 mile and north 1 mile along CSAH 12. The easterly limits follow the ridge line approximately 3 miles east

of Pennington County Road 68. The WMD area is bounded by either the limits of the drainage area or the limits of the benefitted area, whichever is greater. This is due to the opinion that any property having partial drainage or protection benefits will be include in the WMD. The WMD is approximately 10,288 acres of predominant agricultural land. Figure N-2 displays a more detailed boundary of the WMD area. A listing of parcels affected by the WMD is included under separate heading below.

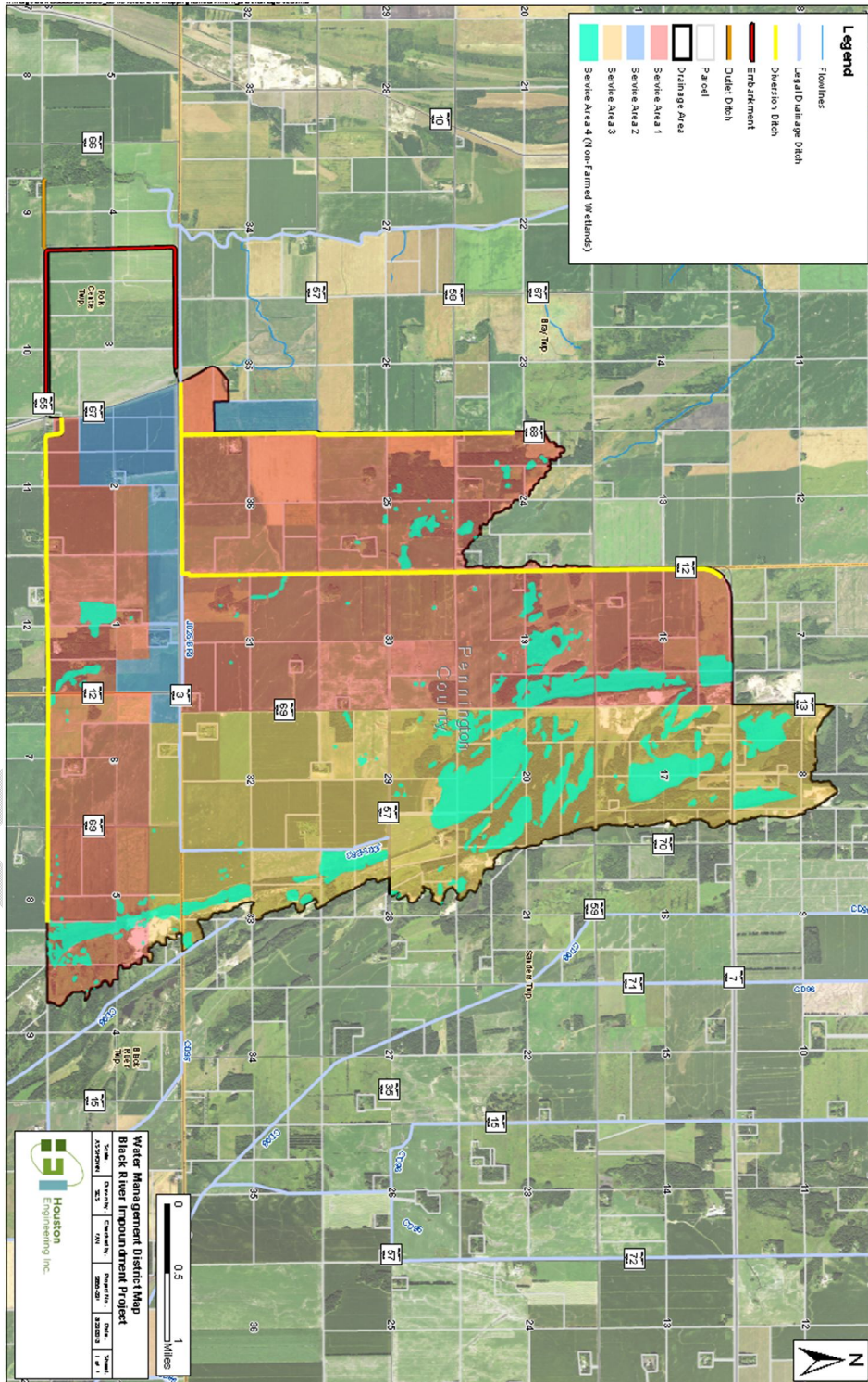


Figure N-2: Water Management District Location



## Amount of Necessary Charges

The construction of the Black River Impoundment Project is being proposed for funding through a combination of sources other than WMD Charges. These funding sources include the RLWD, State of Minnesota Flood Damage Reduction Program, and the RRWMB. However, for long term operations and maintenance of the project, the RLWD is proposing to use WMD charges as the primary funding mechanism.<sup>1</sup> Operations and maintenance is anticipated to include, but not be limited to, administration, inspection, vegetation management and mowing, repair, component replacement and reconstruction, and any other work deemed necessary by the RLWD to protect or preserve the function of the project. The RLWD anticipates a maximum annual operation and maintenance cost not exceed \$75,000 for the project. Thus, the total of annual WMD charges will not exceed \$75,000 during the life of the project.

## Method for Determining Charges

Landscape level land modification has contributed to the rate and volume of run-off within the project area and has created the need for regional rate and volume control in order to meet the rate and volume reduction goals of the RRBC LTFS Basin Wide Flow Reduction Strategy. Relative contribution to the need for the project was determined based on parcel proximity and parcel land use in relation to various conveyance infrastructure (diversion ditches) to the impoundment area. Parcel proximity with direct drainage to the diversion ditches are classified as Service Area 1. Service Area 1 reflects the highest level of service for the project, which correlates to the highest charge rate. Reduced charge rates were determined for parcels with limited access as outlined below. Parcels that have indirect drainage to the diversion ditches through culverts or modified drainage are classified as Service Area 2. Parcels that have no direct access to the diversion ditches but have indirect drainage along CSAH 3 or CSAH 12 are classified as Service Area 3. Parcels within Service Area 1 through 3 that are designated non-farmed wetlands as referenced under the National Wetland Inventory (NWI) are classified as Service Area 4. The WMD level of service summary is outlined in Table N-3 and Figure N-2.

Table N-3: Level of Service Summary Black River Impoundment

Service Area	Level of Service Factor (LSF)
1	5.33
2	4.00
3	2.67
4	1.00

The base rate will be determined by the following formula:

$$(Base\ Rate \times 5.33 \times Service\ Area\ 1\ (Acres)) + (Base\ Rate \times 4.00 \times Service\ Area\ 2\ (Acres)) + (Base\ Rate \times 2.67 \times Service\ Area\ 3\ (Acres)) + (Base\ Rate \times 1.00 \times Service\ Area\ 4\ (Acres)) = \$75,000\ Maximum$$

The formula used for determining the total charge per parcel is as follows:

$$Water\ Management\ District\ Charge = LSF\ Value \times Base\ Rate \times Size\ of\ Parcel\ Contributing\ to\ the\ Project\ Drainage\ Area\ (Acres)$$

<sup>1</sup> Long term operations and maintenance funding may be supplemented with other revenue sources as deemed appropriate by the RLWD Board of Managers.

## **Length of Time Water Management District Will Remain in Force**

No charged assessment will be made to the WMD for the initial project cost. In order to generate revenue for future operation and maintenance, the WMD shall be perpetual for the life of this plan and any subsequent revisions, unless dissolved by plan amendment or revision. The imposition of charges for future operations and maintenance is subject to the fund limitations found in Minnesota Statute 103D.631.

## **Affected Parcels**

The following is a list of parcels of record in the office of Pennington County Recorder that are included in the water management district:

(insert list of affected parcels that are included in the boundary of the WMD)

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## 5.2.2.1 Establishment of MS 103D.729 Water Management Districts

### 5.2.2.1.1 Overview

At the May 9, 2018 meeting in Grygla, MN, the Policy Committee authorized the establishment of eight Water Management Districts (WMD) through this plan. This funding option can only be used to collect charges to pay costs for projects initiated under MS 103D.601, 103D.605, 103D.611, or 103D.730. To use this funding method, Minnesota law (MS 103D.729) requires that the area to be included in the WMD be described, the amount to be charged identified, the methods used to determine the charges described, and the length of time the WMD is expected to remain in force specified.

### 5.2.2.1.2 Description of Water Management Districts

This plan established the eight planning regions (**See Section 1**) as the Water Management Districts. The District may create different Water Management Districts under future plan amendments.

### 5.2.2.1.3 Annual Charge Amount

The maximum WMD revenue limit within each WMD is based on 0.05% of the taxable market value within each planning region. This value will change each year as property values increase or decrease over time. **Table X.X** shows the total revenue generated by the Water Management District assuming an average of \$1.00 per acre fee.

**Table X.X: Potential Total Revenue by Water Management District.**

Planning Region	Area (acres)	Probable Per Acre Charge*	Probable Total Revenue
Judicial Ditch 30/18/13	42,426	\$1.00	\$42,426
Lost River (Branch 200 of Judicial Ditch 11)	42,013	\$1.00	\$42,013
Lower Thief River	62,266	\$1.00	\$62,266
Marshall County Ditch 20	134,055	\$1.00	\$134,055
Middle Thief River	90,029	\$1.00	\$90,029
Moose River	125,192	\$1.00	\$125,192
Mud River	126,347	\$1.00	\$126,347
Upper Thief River	47,795	\$1.00	\$47,795
<b>Total Revenue</b>			<b>\$670,123</b>

\* Probable charge per acre for illustration purposes only. The actual charge will be per parcel and determined in accordance with the procedures described within this section.

#### 5.2.2.1.4 Method to Determine Charges

**Table X.X** shows the total revenue generated by a Water Management District assuming a charge of \$1.00 per acre. The methods proposed to establish the charges will be based upon the proportion of the total annual runoff volume and/or solids load contributed by a parcel or may be based on the drainage area of the parcel, within a Water Management District.

**Option 1:** The runoff volume method will:

- Use soils and land use data to determine the existing curve number for each parcel within a Water Management District;
- Use the curve number for each parcel and the annual average precipitation depth to compute the annual runoff volume for each parcel;
- Sum the annual average runoff volumes for all parcels within a Water Management District to determine the total annual runoff volume;
- Compute the percentage of the annual runoff volume from each parcel as the ratio of the annual average runoff volume from the parcel and the total annual average runoff volume for the Water Management District (i.e., the “runoff ratio”).

**Option 2:** The solids load contribution method:

- Use the Revised Universal Soil Loss Equation and a sediment delivery ratio representing the portion of the solids and sediment reaching a watercourse, to compute the annual average sediment and solids load for each parcel;
- Sum the annual average solids and sediment loads for all parcels within a Water Management District to determine the total annual average sediment and solids load;
- Compute the percentage of the annual average sediment and solids load from each parcel as the ratio of the annual average sediment and solids load from the parcel and the total annual average sediment and solid load for the Water Management District (i.e., the “sediment ratio”).

**Option 3: The combination runoff volume and solids load method.** The method used to consider both runoff volume and solids load contribution would follow the methodologies listed above for both solids contribution and runoff volume.

Calculation of charges for **Options 1 through 3** would be determined as follows:

- Add the runoff ratio and/or the sediment ratio to compute the “charge ratio” for each parcel within the Water Management District. The amount charged to a specific parcel is the sum of the runoff ratio and the sediment ratio for the parcel, divided by the sum of the runoff ratio and the sediment ratio for all parcels within the Water Management District.

- Apply the charge ratio to the total amount of revenue needed for the Water Management District to carry out the storm water related projects, programs, and activities describe by the plan to achieve the storm water related goals within that Water Management District.

**Option 4:** The drainage area method will:

- Determine the drainage area of each parcel of land within the planning region.

Calculation of charges for **Option 4** would be determined as follows:

- The amount charged to a specific parcel is determined based on the charge ratio. The charge ratio is determined by taking the drainage area of that parcel within the planning region divided by the total area of the planning region.
- Apply the charge ratio to the total amount of revenue needed for the Water Management District to carry out the storm water related projects and programs described by the plan to achieve the storm water related goals within that Water Management District.

Selection of the appropriate process of determining charges will be determined and further refined in Step 3 of the process described in **Section 5.2.2.1.7**.

#### Section 5.2.2.1.5 Duration for Existence of the Water Management Districts

The Policy Committee anticipates that the Water Management Districts will provide funding to assist with the implementation of a variety of storm water (runoff and/or water quality) related projects. The Water Management Districts will remain in existence in perpetuity. Annual assessment of charges could vary from no charges to the maximum WMD revenue limit of the planning region.

#### Section 5.2.2.1.6 Use of Funds

The primary use of the funds collected from charges within Water Management Districts will support stormwater runoff and water quality projects that help achieve the goals of the planning regions which benefit residents within a Water Management District(s).

#### Section 5.2.2.1.7 Process to be Used to Create Water Management Districts

BWSR has provided draft guidance as to the process of creating a WMD. The process involves eight steps. The first two steps are addressed through the revision of the Watershed Management Plan. The remaining steps 3 through 8 must be completed prior to any collection of charges in any WMD.

**Step 1.** Amend Comprehensive Watershed Management Plan to create a water management district.

Amendment must include:

- Description of area to be in the water management district
- The amount to be raised by charges (total amount is necessary if fixed time for water management district to be in force, otherwise annual maximum (cap) amount)

- The method that will be used to determine the charges
- The length of time the water management district will be in force (perpetuity is acceptable)

**Step 2.** Approval of Plan amendment under M.S. § 103D.411 or as part of a revised Plan under M.S. § 103D.405.

- Revised Plan, or petition and amendment, sent to BWSR
- BWSR gives legal notice, and holds hearing if requested
- BWSR orders approval or prescribes plan or amendment
- BWSR notifies WD managers, counties, cities, SWCDs

**Step 3.** Policy Committee refines methodology for computing charges.

**Step 4.** Policy Committee determines and sets charges for all properties within the water management district after identifying scope of project and deciding method(s) of funding project.

**Step 5.** Policy Committee develops collection mechanism.

- Request County or Counties to collect, Contract with a private vendor (e.g. electric cooperative), or Billing and collection by Watershed District

**Step 6.** Policy Committee holds hearing, orders the establishment (implementation) of a project in the water management district, and initiates stormwater utility charges.

- Projects implemented must be ordered by the managers
- Order for project must specify funding method(s)
- Watershed District must notify counties, cities, and towns within the affected area at least 10 days prior to a hearing or decision on projects implemented under this section of statute

**Step 7.** Policy Committee establishes a separate fund for proceeds collected from the stormwater utility charges.

**Step 8.** Resolution of Disputes. Local governments may request BWSR to resolve disputes pursuant to M.S. § 103B.101, Subd. 10.

**Clearwater Soil and Water Conservation District  
Local Water Resources Riparian Protection in Clearwater County**

**Whereas;** Minnesota statues 103F.48 requires SWCDs in consultation with local water management authorities, to develop, adopt, and submit to each local water management authority within its boundary a summary of watercourses for inclusion in the local water management plan.

**Whereas;** The Board of Water and Soil Resources has adopted Buffer Law implementation Policy #6 'Local Water Resources Riparian Protection ("Other Watercourses") which identifies steps SWCDs are required to take in developing said inventory.

**Whereas;** Clearwater SWCD and the water management authorities within its jurisdiction discussed watershed data, water quality data and land use information as criteria in development of this list.

**Whereas;** Clearwater SWCD has assessed the water quality benefits that buffers, and alternative practices could provide and determined that current State and Federal programs have eligibility criteria for watercourses where water quality would benefit from the installation of a buffer or filter strip.

**Whereas;** Clearwater SWCD determined that there will be no addition of "other waters" to the Clearwater Local Water Management Plan.

**Therefore, be it resolved that;** the summary of watercourses in Clearwater County will be used to assist Clearwater SWCD staff in assessment of future project needs.

Motion by Illies to adopt the resolution and seconded by Nelson and it was declared passed upon the following vote:

Ayes: all Nays: none

I hereby certify that the foregoing motion is a true and correct copy of a motion presented to and adopted by Clearwater County at a duly authorized meeting thereof, on the 11th day of September, 2018 as shown by the minutes in my possession.

-----Certification-----

I hereby certify that the foregoing motion is a true and correct copy of a motion presented to and adopted by Clearwater County at a duly authorized meeting thereof, on the 11th day of September, 2018, as shown by the minutes in my possession.

CERTIFIED:

Emily McDougall  
Emily McDougall, County Board Coordinator



# WD 103E Systems Only Buffer Rule

## Buffer Law Implementation

DRAFT April 4, 2018

### 1.1 Policy

It is the policy of the Board of Managers to:

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

### 2.0 Definitions

**BWSR:** Minnesota Board of Water and Soil Resources.

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

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

**Commissioner:** Commissioner of the Minnesota Department of Natural Resources.

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

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

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

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



to a buffer under the rule.

Person: Individual or entity.

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

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

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

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

SWCD: Soil and Water Conservation District.

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

## 2.0 Data sharing/management

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

## 3.0 Vegetated Buffer Requirement

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

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

#### 4.0 Drainage System Acquisition and Compensation for Buffer

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

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

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

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

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

## 5.0 Action for Noncompliance

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

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

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

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

## 6.0 Enforcement

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

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

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

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

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

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

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

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

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

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

6.4 The administrative order will state:

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

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

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

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

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

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

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

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



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

## **7.0 Effect of Rule**

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

## PART II WELLHEAD PROTECTION PLAN COMMITTEE MEETING

Date: 10/3/2018

To: Mr. Brandon Carlson, Water Superintendent  
City of Crookston  
124 North Broadway  
Crookston, Minnesota 56716

Nicole Bernd, District Manager  
West Polk Sil and Water Conservation District  
528 Strander Avenue  
Crookston, MN 56716

Polk County Board  
408 Stuart Avenue  
Crookston, MN 56716

Corey Hanson, Water Quality Coordinator  
Red Lake Watershed District  
1000 Pennington Avenue South  
Thief River Falls, MN 56701

Charles Simpson, Chairperson  
Red Lake County Board  
20081 210<sup>th</sup> Street SE  
Plummer, MN 56748

Dr. Joe Bouvette, Chairperson  
NW Regional Development Commission  
115 South Main, Suite 1  
Warren, MN 56762

Tom McGlynn, J., Grove Park Township Board  
16794 315<sup>th</sup> Street SE  
Mentor, MN 56736

Jenilynn Marchand, Planner, Minnesota Dept. of Health  
705 5<sup>th</sup> St. NW, Suite A  
Bemidji, MN 56601-2933

Dave DeHaan, Chairperson, Lake Pleasant  
Township Board  
10057 230<sup>th</sup> Street SW  
Red Lake Falls, MN 56750

Gregory A. Knutsen, Refuge Manager  
U.S. Fish and Wildlife Service  
Glacial Ridge and Rydell NWRs  
17788 349<sup>th</sup> Street SE  
Erskine, MN 56535

Wayne Melbye, Mayor, City of Crookston  
307 E 5th St.  
PO Box 606  
Crookston, MN 56381

Tim Cowdery, Hydrologist  
U.S. Geological Survey, Minnesota Water-Science Ctr.  
2280 Woodale Drive  
Mounds View, MN 55112-4900

Minnesota Department of Health  
Attn: Trudi Witkowski  
Environmental Health Division  
Source Water Protection Unit  
P.O. Box 64975  
St. Paul, MN 55164-0975

Brian Winter  
The Nature Conservancy  
15337 28<sup>th</sup> Avenue S  
Glyndon, MN 56547

Stephanie Klamm  
Minnesota Dept. of Natural Resources  
246 125<sup>th</sup> Avenue NE  
Thief River Falls, MN 56701

From: Ty Fuglseth, WSN for the City of Crookston

Re: Wellhead Protection Plan Committee for the City of Crookston, Part II



The City of Crookston is in the process of developing a wellhead protection plan for its drinking water supply wells. The Part I Wellhead Protection Plan (WHPP) has been completed and approved by the MDH, with the drinking water supply management area being determined to be moderately vulnerable. With the completion of the Part I plan, which delineated the Drinking Water Supply Management Area (DWSMA),

the Part II plan can be started. The Part II plan will inventory potential contaminant sources within the DWSMA and identify strategies to minimize the risk of contamination of the City's water supply.

A meeting of the wellhead protection team will be on **October 22, 2018** from **1:30-3:30 PM** at **124 N. Broadway, Crookston, MN 56716**. You are invited to attend and provide input into the development of the plan. Comments or concerns can also be emailed to Paul Strong of WSN Email: [paul.strong@wsn.us.com](mailto:paul.strong@wsn.us.com) Phone: 218-316-3624), (Ty Fuglseth of WSN (Email: [ty.fuglseth@wsn.us.com](mailto:ty.fuglseth@wsn.us.com) Phone: 218-277-7407) or to Patrick Kelly (Email: [pkelly@crookston.mn.us](mailto:pkelly@crookston.mn.us) Phone: 218-281-1232).

We look forward to your participation.

## Tammy Audette

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**From:** Myron Jesme  
**Sent:** Wednesday, October 10, 2018 4:17 PM  
**To:** Tammy Audette  
**Cc:** Loren Sanderson  
**Subject:** FW: Permit Extension Request - Permit #17169  
**Attachments:** TH2\_Exhibit\_4-B\_Watershed Permit.pdf

\* Please change my e-mail in your address book from [jesme@wiktel.com](mailto:jesme@wiktel.com) to [myron.jesme@redlakewatershed.org](mailto:myron.jesme@redlakewatershed.org)

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

---

**From:** Tony Kaster <TKaster@alliant-inc.com>  
**Sent:** Wednesday, October 10, 2018 4:15 PM  
**To:** Myron Jesme <Myron.Jesme@redlakewatershed.org>  
**Cc:** shawn.groven@state.mn.us; ashley.grzybowski@state.mn.us; Brett Burfeind <bburfeind@alliant-inc.com>; Tony Luft <tluft@alliant-inc.com>  
**Subject:** Permit Extension Request - Permit #17169

Hi Myron,

Per our phone conversation earlier today, I am requesting a one-year extension for Red Lake Watershed District Permit #17169. The permit was issued for the TH2 & 59 rehabilitation project in Erskine. The expiration date of the permit is November 21, 2018, but construction activities will be conducted beyond this date.

Please let me know if you have any questions or need further information.

Tony

**Tony Kaster, PWS, CERP**  
ENVIRONMENTAL PLANNER  
Alliant Engineering, Inc.  
733 Marquette Ave, Ste 700, Minneapolis, MN 55402  
763.218.2743 CELL  
[www.alliant-inc.com](http://www.alliant-inc.com)

Any attached files are the property of Alliant Engineering, Inc. and are transmitted for your exclusive use and convenience. By accepting and using these files you assume all responsibility for the content. Hard copies, signed and dated, will govern over any electronic files furnished herein.

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

TH 2 + 59  
SP 6009-24  
in Erskine

TO THE BOARD OF MANAGERS:

Applicant's Name: <b>MnDOT, District 2</b> <b>John Wingard, Hydraulics Engineer</b>		Telephone Number: <b>218 755 6527</b>
Address (Street, RFD, Box No., City, State, Zip): <b>3920 Highway 2 West</b> <b>Bemidji, Minnesota 56601</b>		
Project Location: <b>TH 2 in Erskine from mile post 56.46 to</b> <b>milepost 58.68 and on TH 59 from</b> Section(s) <b>4</b> <b>milepost 323.6 to 323.8</b>		
Township (Name & #) <b>148N - finite</b> Range # <b>42W</b> County <b>Polk</b>		
Type of Work Proposed: <b>Grading, Concrete Pavement, storm sewer &amp; Culverts</b>		
<input type="checkbox"/> Excavate	<input type="checkbox"/> Install	<input type="checkbox"/> Channel
<input type="checkbox"/> Fill	<input type="checkbox"/> Remove	<input checked="" type="checkbox"/> Culvert (Size <b>18" to 36"</b> )
<input type="checkbox"/> Drain	<input type="checkbox"/> Other	<input type="checkbox"/> Bridge (Size _____)
<input checked="" type="checkbox"/> Construct storm sewer	<input checked="" type="checkbox"/> Clean Ditch	<input type="checkbox"/> Dike
		<input checked="" type="checkbox"/> Erosion Control
		<input type="checkbox"/> Other

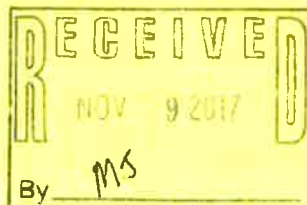
**Design Build, so preliminary plans are included.**  
Be sure to attach all necessary reports, maps, drawings, photos, other data, etc., to support permit application.

Description of work to be done: <b>ON TH 2 from west end of Erskine</b> <b>to east end of Erskine - replace concrete pavement,</b> <b>storm sewer and culverts. On TH 59 from south</b> <b>end of RR bridge to north across TH 2.</b>
Estimated drainage area: acres _____ or sq. mile(s)
Work is necessary because: <b>concrete Pavement has deteriorated</b> <b>and needs to be removed and replaced.</b>

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

Signature of owner or authorized agent <b>John Wingard</b>	Date <b>November 7, 2017</b>
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**MnDOT, District 2**



For Office Use Only P.A. No. <b>17169</b>
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RED LAKE WATERSHED DISTRICT PERMIT NUMBER 17169

In the matter of the application of: Minnesota Department of Transportation, 3920 Hwy 2 West, Bemidji, MN 56601

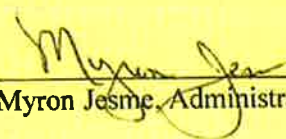
Pursuant to Minnesota Statutes Chapter 103D, the Permit and Drainage Rules of the Red Lake Watershed District, and on the basis of the statement and information contained in the permit application submitted by applicant, including all letters, maps, and other supporting data furnished by applicant, all of which are made a part hereof by reference, permission is hereby granted to Minnesota Department of Transportation address for the purposes of notice and other communications pertaining to this permit is 3920 Hwy 2 West, Bemidji, MN 56601 the purpose of doing the work applied for with the following exceptions, changes, and/or special conditions:

This permit is granted subject to the following provisions:

- 1) This permit is permissive only and shall not release the permittee from any liability or obligation imposed by Minnesota Statutes, Federal Law or Local Ordinances and shall be subject to all conditions and limitations now or hereafter imposed by law. The Red Lake Watershed District makes no representations to the applicant in granting the permit that the proposed work complies or does not comply with the existing law. No liability shall be imposed upon or incurred by the District or any of its officers, agents or employees, officially or personally, on account of the granting of this permit, or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees or contractors relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claim or right of action of the District against the permittee, its agents, employees, or contractors for violation of or failure to comply with the provisions of the permit or applicable provisions of law.
- 2) Work authorized under this permit shall be completed by November 21, 2018, unless extended by the District.
- 3) The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the District for inspection of the work authorized by this permit.
- 4) This permit may be terminated by the District without notice at any time deemed necessary for the management of the water resources of the District, or in the interest of the public health and welfare, or for violation of any of the provisions of this permit.

Dated this 21 day of November, 2017.

Red Lake Watershed District

  
\_\_\_\_\_  
Myron Jesme, Administrator

P.A. No. 17169



Permit # 18-112

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
David Balstad		45713 255th Avenue SE Winger, MN 56592		tel:218-938-4400 mobile: fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Polk** Township: **Lessor** Range: **41** Section: **34 1/4**:

(4) Describe in detail the work to be performed. **Install random tile with gravity outflow.**

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

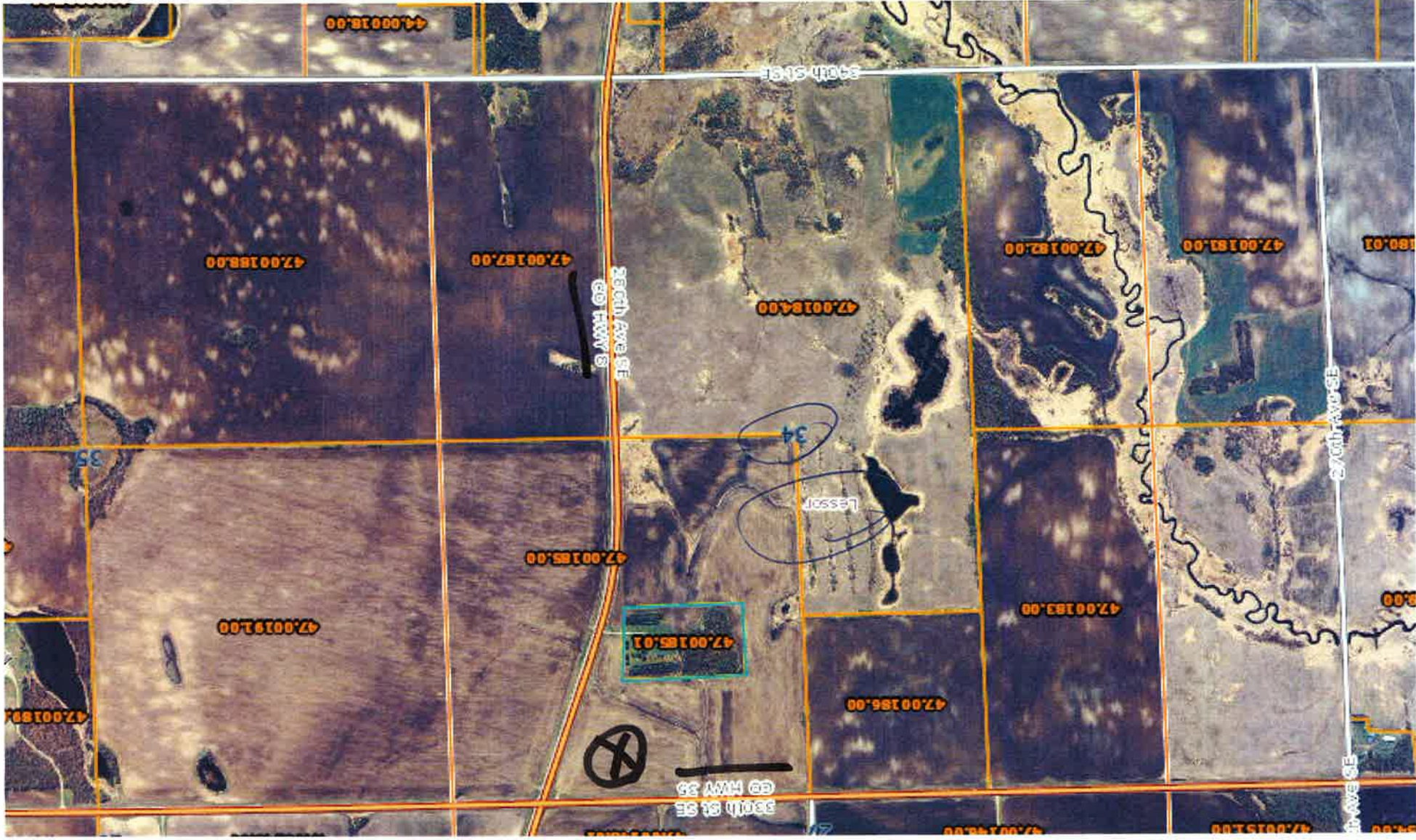
**Status**

Status	Notes	Date
Approved	None	Sept. 27, 2018
Received	None	Sept. 10, 2018

**Conditions**

**P.A. #18112 – Balstad – Tile – “After the fact” permit** The Red Lake Watershed District (RLWD) approves the pattern tile project with a ‘gravity’ outlet. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval, and must meet their specs/conditions. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. ■ **Note: Please be aware of, and review the ‘bullet points’ on the bottom half of the application. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



BAHSTAD TILE  
LESSOR TWP.-34

9-6-18-TH / @ 9:45 a.m.  
SPOKE w/ @ FARM # THEY WILL SEND PERMIT  
& I SAID I WILL SEND LETTER

RICHARD BOLSTAD } No-HE SAID  
318-556-9316 }  
DAVE & DALE BOLSTAD }  
218-938-4299 }  
218-945-3049 }  
FARM # 218-938-4400 }



# Red Lake Watershed District

**President**  
Dale M. Nelson

**Vice President**  
Gene Tiedemann

**Treasurer**  
Terry Sorenson

1000 Pennington Avenue South  
Thief River Falls, MN 56701  
218-681-5800  
218-681-5839 FAX  
e-mail: [rlwaters@wiktel.com](mailto:rlwaters@wiktel.com)  
[www.redlakewatershed.org](http://www.redlakewatershed.org)

**Secretary**  
LeRoy Ose

**Managers**  
Allan Page  
Brian Dwight  
Les Torgerson

September 7, 2018

Balstad Farms  
Dale Balstad, David Balstad  
45713 255 Ave. SE  
Winger, MN 56592

Re: Non-permitted work (subsurface drain tile) – Polk Co. – Lessor Twp. – NE ¼ - sec. 34

Dear Dale & David:

As directed by the Red Lake Watershed District (RLWD) Board of Managers, this letter is a first, and only warning, pertaining to unauthorized/unpermitted work. It is in reference to the installation of subsurface drain tile at the above mentioned location.

Field Drainage Inc. from Brooks, MN was the installer for your project. They are well aware that a permit was required, as they were involved in the planning process when the tile permit was developed in 2015.

In the future, if you plan to do any work that requires a permit application, submit to our office in a timely manner so appropriate inspection and review can be completed prior to the actual work. Permit applications are available via postal mail or on our web site at [www.redlakewatershed.org](http://www.redlakewatershed.org)

I have enclosed a copy of the RLWD permit and drainage rules, along with a permit application to complete and return to our office. Include all information required on the permit application as to not delay review. This will be considered an “after the fact” permit, and will be reviewed/ processed in the normal manner.

Please keep in mind, that if there is a second violation of work being done without a proper permit application, the RLWD Board of Managers permitting policy states, in part, that work done without a permit may be subject to Administrative fees and/or, that the work already done, be restored to its recent original condition.

If you have any questions, please call our office and speak to myself or Administrator Myron Jesme.

Sincerely,



Loren Sanderson  
Engineering Specialist

Enclosures:

Pc: Terry Sorenson - RLWD Board Manager – Polk Co.  
Clerk – Lessor Township  
Field Drainage Inc.

RED LAKE WATERSHED DISTRICT  
SUBSURFACE TILE DRAINAGE APPLICATION

Date: 9-6-2018

Applicant Name: David Balstad

Contact Address: 45713 255TH AVE SE Phone: 218-938-4400

Is applicant landowner?  (Y)  (N) (if no, list landowner & ph. #): WINGER MN 56592

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

Name of installer: Field Drainage, Inc Phone: '' ''

Legal description and site map and/or GPS coordinates to accurate scale showing location of all tiles, surface water inlets, outlet(s), lift stations, pumps, and flow control devices; (att.maps): T149 R41 S34

Land area to be tiled (acres): 65.0 Lessor Twp. Polk County

Type of tiling (circle) Pattern Tile  Random Tile

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

Date proposed plan submitted: Month 9 Day 6 Year 2018

Pump/lift station outlet flow capacity (GPM) \_\_\_\_\_

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

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

Signature of Owner or Authorized Agent David Balstad

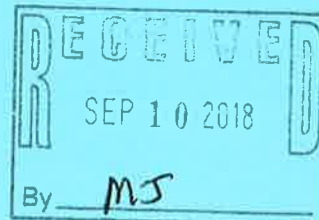
RLWD staff use:  
Permit # 18112

Date received: 9/10/18

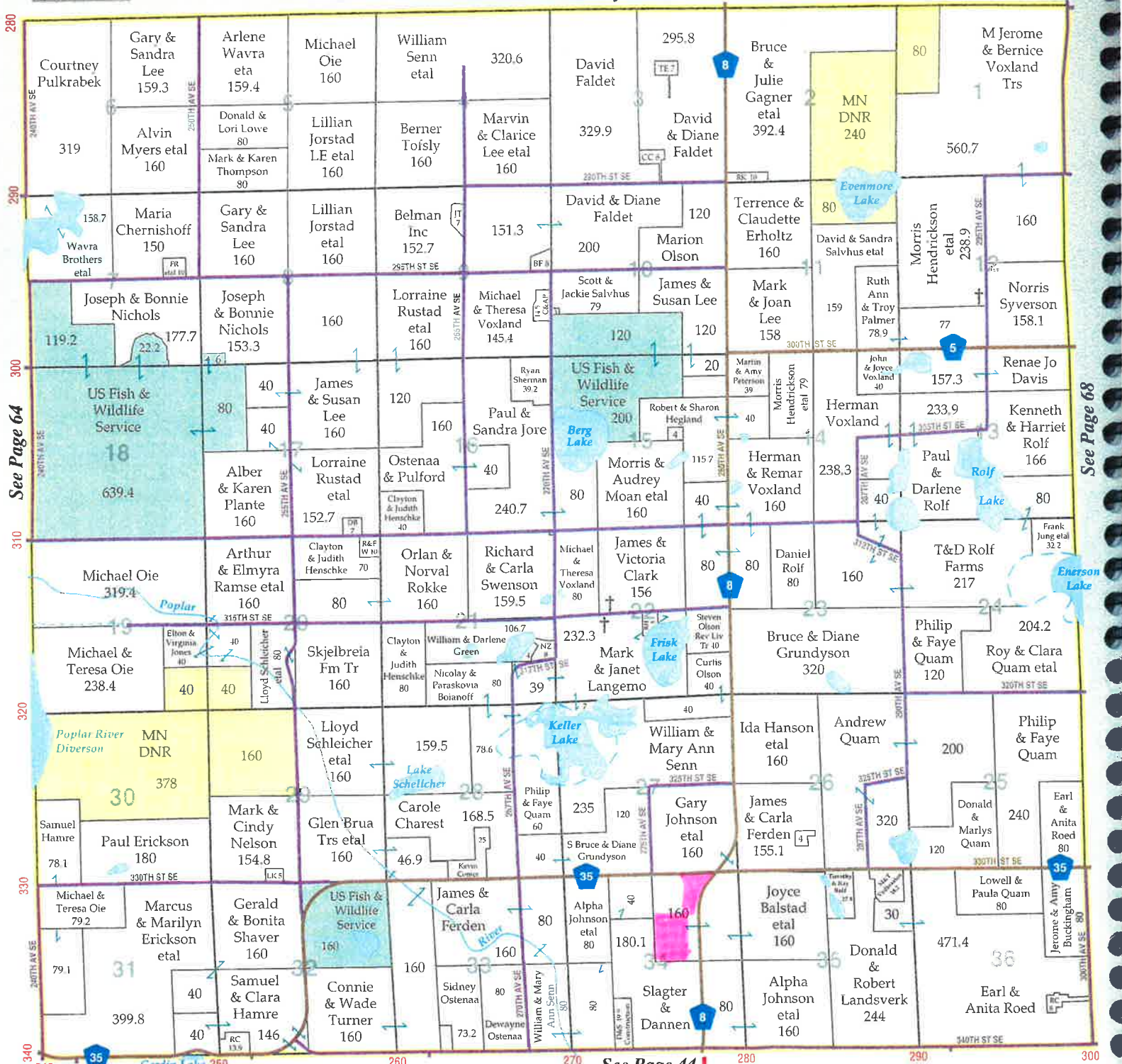
Drain tile outlets to: \_\_\_\_\_

Legal System (Benefited Area): \_\_\_\_\_

Culvert size upstream and downstream of tile outlet: \_\_\_\_\_



Red Lake County



Polk, MN

**KROX**

*the Voice of the Valley*  
**1260**

FROM SITE  
4 MI. TO  
McINTOSH



208 S Main PO Box 620  
Crookston, MN 56716

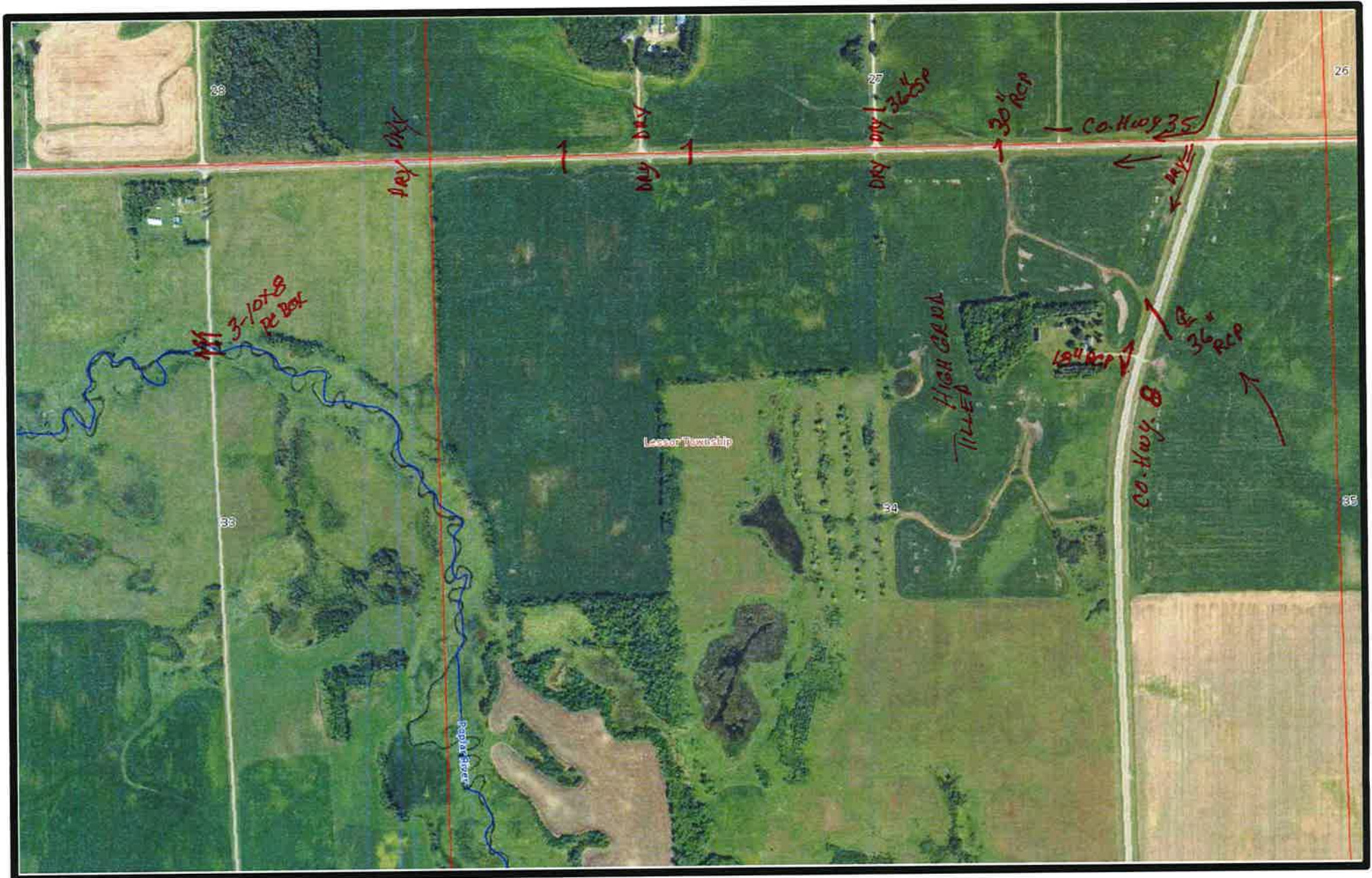
Phone: 218-281-1140  
Fax: 218-281-5036

www.kroxam.com

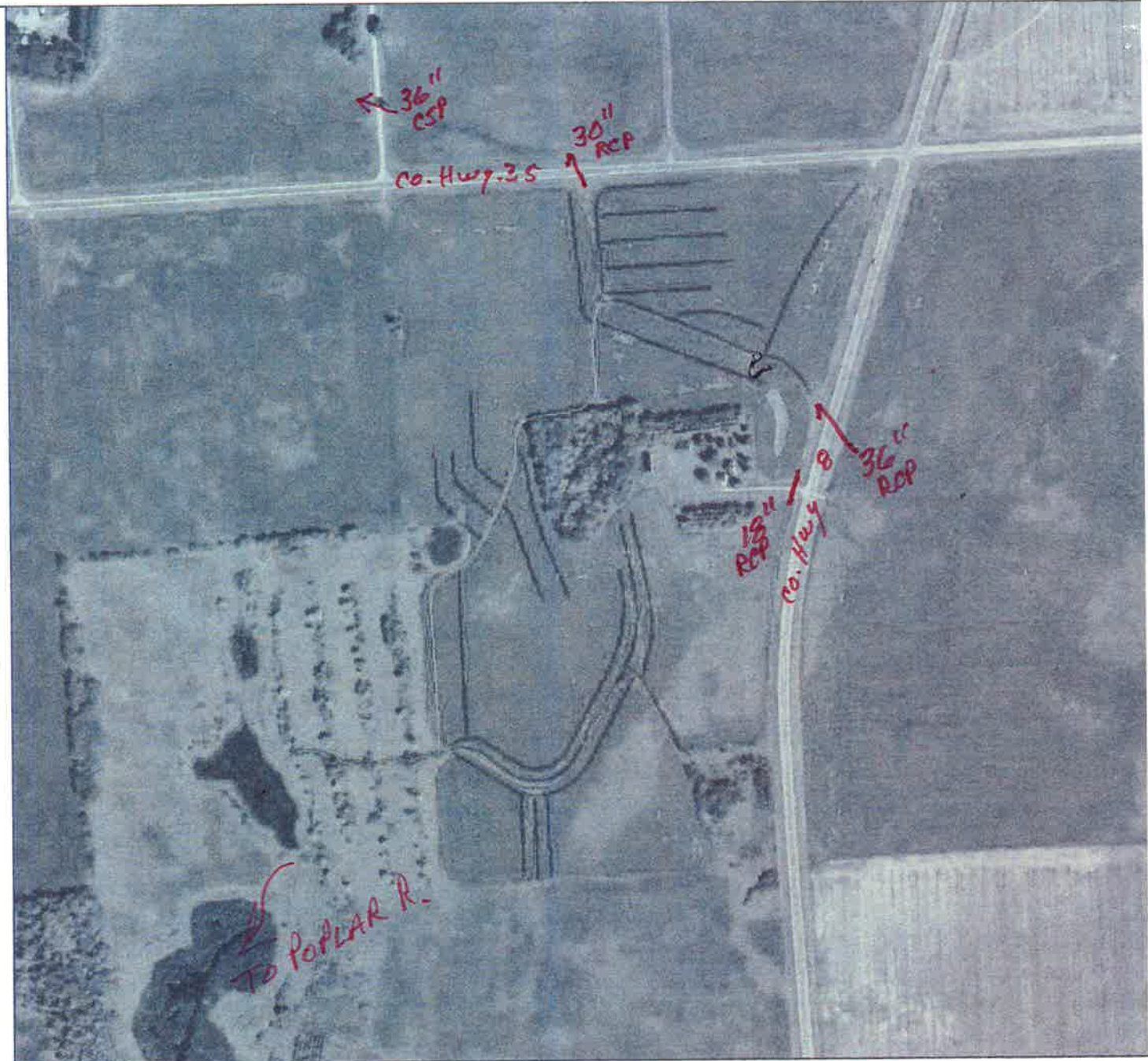
# Balstad s34



9-21-18 f / 80



David Dale Balsted  
Lessor 34 NE W80  
lessor\_34\_ne\_NEZ



— 04 inch Pipe - 14130 ft  
— 6 inch Main - 2037 ft  
— 8 inch Main - 619 ft





Permit # 18-129

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Dennis Salentiny		20830 140th Street SW Red Lake Falls, MN 56750		tel:218-281-4832 mobile: 218-289-4668 fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Pennington** Township: **Polk Centre** Range: **45** Section: **19 1/4: SE1/4 SW1/4**

(4) Describe in detail the work to be performed. **install field access**

(5) Why is this work necessary? Explain water related issue/problem being solved. **No current access.**

**Status**

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Sept. 27, 2018

**Conditions**

**P.A. #18129 Red Lake Watershed District (RLWD) approval to install a field entrance with a 30 in. diameter culvert, as per approval of Pennington County specs/conditions; proposed work is in County Road #1 Right-of-Way. Contact persons at Pennington Co. Hwy. Dept. are Engineer Mike Flaagen or Assistant Mike Stennes at 218-683-7017. For proposed work on lands not owned by applicant, For he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



Permit # 18-130

Status Report: **Approved**

### Applicant Information

Name	Organization	Address	Email	Phone Number(s)
John Garry		None		tel: mobile: 218-289-2238 fax:

### General Information

(1) The proposed project is a:

**Surface Drainage (New Ditch or Improvement)**

(2) Legal Description

(3) County: **Polk** Township: **Euclid** Range: **47** Section: **28 1/4: SE1/4**

(4) Describe in detail the work to be performed. **Clean ditch on south end**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Wind has blown dirt, filling ditch with dirt.**

### Status

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Sept. 28, 2018

### Conditions

**P.A. #18130 Red Lake Watershed District (RLWD) approval as per approval of and Euclid Twp. specs/conditions; proposed work is within Twp. road Right-of Way. All excavation shall be consistent with the existing road and ditch slopes and there shall be no vertical excavation faces. Existing drainage/flow patterns shall not be changed or diverted. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



Permit # 18-131

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Dan Cymbaluk	Cymbaluk Farms, Inc.	23281 250th Avenue SW Crookston, MN 56716		tel: mobile: 218-289-0212 fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Polk** Township: **Lowell** Range: **47** Section: **7 1/4: NW1/4**

(4) Describe in detail the work to be performed. **Install 72" culvert in field approach. Work is within Polk County Ditch 34 ROW. Permit #16053 expired.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **No current access on north side of property.**

**Status**

Status	Notes	Date
<b>Approved</b>	<b>None</b>	<b>Oct. 11, 2018</b>
Received	None	Oct. 1, 2018

**Conditions**

**P.A. #18131 - re-apply of previously approved per. #16053 (expired) – new permit is for the same scope of work Red Lake Watershed District (RLWD) approval for a 72 inch dia. culvert, as per approval of Polk County Drainage Authority/County Board specs/conditions; proposed work is within Polk Co. Ditch #34 Right-of Way. Contact person at Polk Co. Hwy. Dept. is Drainage Inspector Jody Beauchane at 218-281-3952 ext. 8263. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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





Permit # 18-132

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Earl Pederson		4581 320th Avenue Bejou, MN 56516		tel: mobile: 218-790-4106 fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Red Lake** Township: **Terrebonne** Range: **43** Section: **35** 1/4: **NW1/4**

(4) Describe in detail the work to be performed. **Installation of tile with gravity outlet.**

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

**Status**

Status	Notes	Date
<b>Approved</b>	<b>None</b>	<b>Oct. 11, 2018</b>
Received	None	Oct. 1, 2018

**Conditions**

**P.A. #18132 The Red Lake Watershed District (RLWD) approves the pattern tile project with a 'gravity' outlet. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval, and must meet their specs/conditions. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. ■ Note: Please be aware of, and review the 'bullet points' on the bottom half of the application. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Jay Giroto	Adirondack Farmland Holdings GP	18 Key Beelevue, WA 98006		tel: mobile: fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Marshall** Township: **Moylan** Range: **40** Section: **20 1/4: SE1/4**

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

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

**Status**

Status	Notes	Date
<b>Approved</b>	<b>None</b>	<b>Oct. 11, 2018</b>
Received	None	Oct. 1, 2018

**Conditions**

**P.A. #18133 The Red Lake Watershed District (RLWD) approves the pattern tile project and lift station. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval, and must meet their specs/conditions. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. ■ Note: Please be aware of, and review the 'bullet points' on the bottom half of the application. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



Permit # 18-134

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Jay Giratto	Adirondack Farmland Holdings GP	18 Key Bellevue, WA 98006		tel:425-301-0728 mobile: fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Pennington** Township: **Cloverleaf** Range: **41** Section: **26 1/4: SE1/4**

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

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

**Status**

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Oct. 1, 2018

**Conditions**

P.A. #18134 The Red Lake Watershed District (RLWD) approves the pattern tile project and lift station. If any work is within a public road and/or public ditch Right-of-Way, applicant shall contact the appropriate road/ditch authority for their approval, and must meet their specs/conditions. Directly downstream of the tile and/or pump station(s) outlets, applicant shall ensure that adequate grade and drainage is provided. ■ **Note: Please be aware of, and review the 'bullet points' on the bottom half of the application. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



Permit # 18-135

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
	Red Lake County Highway Department	204 7th Street SE Red Lake Falls, MN 56750		tel:218-253-2697 mobile: fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Red Lake** Township: **Gervais** Range: **43** Section: **11 1/4: SE1/4**

(4) Describe in detail the work to be performed. **Install culvert through County Road 24, 1/4 mile north of County Road 23.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Snow blocks ditch on east side in spring, there is a culvert 1/2 mile north, ditch is blocked with snow and floods house on east side. Culvert would help equalize water.**

**Status**

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Oct. 1, 2018

**Conditions**

**P.A. #18135 Red Lake Co. Hwy. Dept. – Gervais Twp. – sec. 11, 12 - install 24” dia. centerline culvert in co. Rd. #24 – approve ■**  
**We recommend that the applicant contacts Red lake Co. Drainage Authority, concerning proposed culvert elevation; work is in, or near Branch #2 of County Ditch #60 Contact person at Red Lake Co. Drainage Authority is Kurt Casavan at 218-253-4121**  
**■ After culvert installation, monitor future runoff events for possible installation of a flap-gate**

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



Permit # 18-136

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Tyler Solberg		357 East Nelson Warren, MN 56762		tel: mobile: 218-201-0793 fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Pennington** Township: **Goodridge** Range: **40** Section: **9 1/4: SW1/4**

(4) Describe in detail the work to be performed. **Install culvert with flapgate through township road.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **To drain small area at bin site.**

**Status**

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Oct. 3, 2018

**Conditions**

**P.A. #18136 Red Lake Watershed District (RLWD) approval to install an 18 in. diameter centerline culvert in township road, as per approval of Goodridge Township specs/conditions; proposed work is within township road Right-of Way. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



Permit # 18-137

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Mike Tiedemann		27470 132nd Street SW Euclid, MN 56722		tel: mobile: 218-289-1301 fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Polk** Township: **Euclid** Range: **47** Section: **12 1/4**: **NE1/4**

(4) Describe in detail the work to be performed. **Install field entrance and 18" diameter culvert (west ditch - township road ditch).**

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

**Status**

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Oct. 8, 2018

**Conditions**

**P.A. #18137 Red Lake Watershed District (RLWD) approval to install a field entrance with an 18 in. diameter culvert, as per approval of Euclid Township specs/conditions; proposed work is within township road Right-of Way. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



Permit # 18-138

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Mike Tiedemann		27470 132nd Street SW Euclid, MN 56722		tel: mobile: 218-289-1301 fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Polk** Township: **Fanny** Range: **47** Section: **11 1/4: SE1/4**

(4) Describe in detail the work to be performed. **Install field entrance with an 18" diameter culvert (west ditch-township road).**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Better field access away from building site.**

**Status**

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Oct. 8, 2018

**Conditions**

**P.A. #18138 Red Lake Watershed District (RLWD) approval to install a field entrance with an 18 in. diameter culvert, as per approval of Fanny Township specs/conditions; proposed work is within township road Right-of Way. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



Permit # 18-139

Status Report: **Approved**

### Applicant Information

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

### General Information

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Polk** Township: **Grove Park** Range: **43** Section: **13 1/4: SE1/4**

(4) Describe in detail the work to be performed. **Install entrance with 24" diameter culvert (North ditch at road curve)**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Access to field (no road to west or north at this section corner(s))**

### Status

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Oct. 10, 2018

### Conditions

**P.A. #18139 Red Lake Watershed District (RLWD) approval to install a field entrance with a 24 in. diameter culvert, as per approval of local road authority either Grove Park or Badger Township specs/conditions; (site location is on township boundary – where there is no road to the North or West) however, proposed work appears to be within a township road Right-of Way. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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





Permit # 18-140

Status Report: **Approved**

**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:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: Polk Township: Grove Park Range: 43 Section: 25 1/4: NW1/4

(4) Describe in detail the work to be performed. **Install entrance with 24" diameter culvert (east ditch township road)**

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

**Status**

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Oct. 10, 2018

**Conditions**

**P.A. #18140 Red Lake Watershed District (RLWD) approval to install a field entrance with a 24 in. diameter culvert, as per approval of Grove Park Township specs/conditions; proposed work is within township road Right-of Way. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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



Permit # 18-141

Status Report: **Approved**

**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:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Polk** Township: **Grove Park** Range: **43** Section: **26 1/4: NE1/4**

(4) Describe in detail the work to be performed. **Install entrance with 18" diameter culvert (west ditch township road).**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Access to field (no longer CRP).**

**Status**

Status	Notes	Date
Approved	None	Oct. 11, 2018
Received	None	Oct. 10, 2018

**Conditions**

**P.A. #18141 Red Lake Watershed District (RLWD) approval to install a field entrance with an 18 in. diameter culvert, as per approval of Grove Park Township specs/conditions; proposed work is within township road Right-of Way. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the affected landowners to perform proposed work. Applicant is responsible for utility locates by calling Gopher 1. (1-800-252-1166)**

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

## **Red Lake Watershed District - Administrators Report**

**October 11, 2018**

**Red River Watershed Management Board** – Leroy and I will attend the RRWMB meeting held at the Roseau River Watershed District in Roseau at 9:30 am, October 16, 2018.

I have included in your packet the RRWMB “*A Brief Primer-Who We Are and What We Do*” newsletter for your review.

**Thief River 1W1P** – Meeting that was supposed to be held yesterday in Grygla, but was canceled due to the weather and distance some folks had to travel. The Planning Work Group hopes to set another date or at a minimum get more information ready for the next meeting.

**MAWD** – I have included in your packet, the MAWD Board of Directors Meeting Highlights from their meeting held in Sauk River WD dated September 21, 2018.

**County Meetings** – Tuesday October 2<sup>nd</sup> at 10:00 am, LeRoy and I met with the Marshall County Board meeting held in Warren. This concluded our County meetings for 2018.



# Red River Watershed Management Board

## *A Brief Primer - Who We Are and What We Do*

### **Enabling Legislation:**

The following is a reference to the enabling legislation that created the RRWMB in 1976 and subsequent changes to the legislation:

Laws 1976, chapter 162, section 1, as amended by Laws 1982, chapter 474, section 1, Laws 1983, chapter 338, section 1, Laws 1989 First Special Session chapter 1, article 5, section 45, and Laws 1991, chapter 167, section 1.

### **Contact Information:**

11 5<sup>th</sup> Avenue East  
Suite B  
Ada, MN 56510  
218-784-9500 (Phone)  
218-784-9502 (Fax)

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

Nikki Swenson  
Executive Assistant  
[Nikki.swenson@rrwmb.org](mailto:Nikki.swenson@rrwmb.org)

### **Facebook Page:**

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

### **Website:**

[www.rrwmb.org](http://www.rrwmb.org)

**Creation:** The Red River Watershed Management Board (RRWMB) was created by the Minnesota legislature in 1976 to focus on basin-wide flooding. Historically, the activities of the RRWMB have centered on flood control. Previous efforts in dealing with continued flooding within the Red River Basin consisted of single projects within a localized area, planned with primary regard to local benefits. The RRWMB actively promotes a basinwide perspective for water management and past legislative changes have allowed the RRWMB to focus on other efforts and initiatives that benefit the Basin.

**Mission:** The principal objective of the RRWMB is to assist member watershed districts with the implementation of water related projects and programs. The purpose of these projects and programs is the reduction of local and mainstem flood damages and to enhance environmental and water resource management.

**Supporting Objectives:** The RRWMB has adopted several supporting objectives that relate to coordination, financial support, basin planning, water quantity, water quality, erosion and sedimentation, education, research, public information, and conflict resolution. These objectives are in no order of priority.

**Governance:** The RRWMB operates and functions according to a set of "Governing Documents" that provide a framework to review and fund flood damage reduction projects, educational efforts, research initiatives, hydraulic or hydrologic modelling and related studies, water quality monitoring, and other programs are of benefit to the Red River Basin. The Governing Documents can be found at this website:

<http://www.rrwmb.org/Policies.html>

**RRWMB Members and Structure:** The RRWMB is a joint powers agreement between seven Watershed Districts (WD) including the Bois de Sioux WD, Joe River WD, Middle Snake Tamarac Rivers WD, Red Lake WD, Roseau River WD, Two Rivers WD, and Wild Rice WD. Each member WD appoints a Manager and an alternate to represent the local board on the RRWMB. The RRWMB meets monthly and has several internal committees that meet frequently. The RRWMB also has representation on several external boards and committees at the state, regional, and international level.

**RRWMB Levy:** Each of the local watershed district members of the RRWMB levy an "ad valorem" tax not to exceed 0.04836 percent of the taxable market value of all property within the district. The RRWMB sets the "Red River Watershed" levy each July and half of this levy is credited to the watershed district construction fund for the development, construction, and maintenance of projects and programs that benefit the local watershed district. The other half of this levy is credited to the general fund of the RRWMB to fund the development, construction, and maintenance of projects and programs that benefit the Red River Basin.

**Benefits of RRWMB Membership:** The RRWMB provides a unified voice for flooding, comprehensive water management, and natural resources issues at a basin level. The RRWMB provides lobbying services, tracking of regulatory issues, coordinates legal services for issues affecting all its members, and cost-shares for stream gauging efforts. The RRWMB has funded many efforts and projects over the last four decades and works collaboratively with its members.



## Minnesota Association of Watershed Districts Board of Directors Meeting Highlights September 21, 2018 at Sauk River WD

- Fiscal Year 2019 Budget** – The Board accepted the recommendation of the Finance Committee to propose a FY 2019 budget of \$339,500. This is down slightly from last year's budget of \$348,150.
- 2019 Dues** – The Board accepted the recommendation of the Finance Committee to make no changes to the formula that calculates dues for next year. Dues for some watershed districts may not stay exactly the same as last year since the formula is based on the Total Market Value (TMV) of the watershed and that number fluctuates annually.
- WMO Voting Memberships** – The Board accepted the recommendation of the Governance Committee to forward a bylaws amendment to the membership that would allow watershed management organizations (WMOs) full voting rights as members of MAWD. We will be voting on this issue on Friday, Nov. 30<sup>th</sup> at our annual convention.
- MOPP Changes** – The Board accepted the recommendations of the Governance Committee to make several changes to the Manual of Policies and Procedures (MOPP). These changes included cleanup of repetitive and sometimes contradictory statements between the bylaws and MOPP and added more details about director per diem policies.
- Co-location with Capitol Region WD** – The board reviewed terms for MAWD to be co-located with Capitol Region Watershed District, starting in January 2019. The agreement also sets up the potential to contract for staff support services throughout the year if needed and available. Discussions between both organizations will continue.
- 2019 Event and Communications Support Contract** – The Board reviewed proposals from Maddy Bohn to provide varying levels of service to MAWD for coordination of our events, website and social media efforts. The Board recommended moving forward with a smaller contract in 2019 since partners have expressed an ability to help with some tasks.
- Local Government Water Round Table Letter** – The Board agreed to sign on to a letter with the Association of Minnesota Counties and the MN Association of Soil and Water Conservation Districts that asks the Clean Water Council to continue to transition more Clean Water Funds to implementation of on-the-ground projects.
- Strategic Plan** – The Board reviewed the findings of the Strategic Plan Committee. The committee found that most of the activities in the current strategic plan (2016-2019) have been accomplished with one year remaining in that plan. They plan to reach out to members and have a new strategic plan ready when the existing one expires.
- Annual Convention Planning** – The Board accepted recommendations from the Annual Meeting Committee to make several changes to this year's event including changes to the agenda that will nearly double the number of technical trainings and reduces attendee commitments on Saturday. The Board also approved offering annual sponsorship opportunities for vendors in an effort to increase revenue and provide more value for our partners. Stay tuned for more exciting changes!

Feel free to contact your region board representative with questions or concerns. Phone numbers and email addresses can be found here:  
<https://www.mnwatershed.org/board-of-directors-2/>

### Future Dates:

- Resolutions Committee, Oct 11, 1-3 p.m. Minnehaha Creek WD, Minnetonka
- Metro MAWD, Oct 16, 7-9 p.m. Capitol Region WD, St. Paul
- MN Assoc. of Watershed Administrators Nov 28, Arrowwood, Alexandria
- MAWD Annual Convention & Trade Show, Nov 29-Dec 1, Arrowwood Conference Center, Alexandria

**10. Letter from Heron Lake WD** – The Board reviewed a letter from Heron Lake WD that expressed concerns about some of the statements made by a few speakers at the MAWD Summer Tour. They asked that the Board share those concerns with the speakers. The Board appreciated the feedback and agreed to follow up as requested.

**11. Executive Director Review** – Based on a favorable 6-month review, the Board accepted the recommendation of the personnel committee to provide a salary adjustment for Executive Director Emily Javens as outlined in the employment contract.