

# RED LAKE WATERSHED DISTRICT

September 27, 2018

Agenda

9:00 a.m.

9:00 a.m.	Call to Order	Action
	Review and approve agenda	Action
	Requests to appear	Information
	September 13, 2018 Minutes	Action
	Financial Report dated September 26, 2018	Action
	Investment Summary	Action
	Pine Lake Project, RLWD Project No. 26	Information
	Judicial Ditch 5, RLWD Project No. 102-Update	Information
	Thief River Falls West Side FDR Project No. 178	Information
9:15 a.m.	East Polk SWCD-Lisa Erickson	Info./Action
	Approval of Extending Water Management Plan (10 Year Plan)	Information
	Permit No. 18112, David Balstad, Lessor Twp., Polk County	Action
	Permits: No. 18105, 18114-18124, 18126-18128	Action
	Enbridge Energy-Letter of No Objection	Action
	2018 MAWD Annual Meeting, November 29-December 1, 2018 MAWD Resolutions-RRWMB Support of Resolutions	Information Info./Action
	November 22, 2018 Board Meeting	Action
	Administrators Update	Information
	Legal Counsel Update	Information
	Managers' updates	Information
	Adjourn	Action

## UPCOMING MEETINGS

October 2, 2018	Marshall County Commissioners Meeting, 10:00 a.m.
October 11, 2018	RLWD Board Meeting, 9:00 a.m.
October 16, 2018	RRWMB Meeting, Roseau, 9:30 a.m.
October 25, 2018	RLWD Board Meeting, 9:00 a.m.
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 13, 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 Tiedemann, seconded by Page, and passed by unanimous vote that the Board approve the agenda. Motion carried.

The Board reviewed the August 23, 2018 minutes. Motion by Torgerson, seconded by Ose, to approve the August 9, 2018 Board meeting minutes as presented. Motion carried.

The Board reviewed the Financial Report dated September 12, 2018. Motion by Sorenson, seconded by Tiedemann, to approve the Financial Report September 12, 2018 as presented. Motion carried.

The District received the signed grant agreement from the Minnesota Department of Natural Resources for the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. The execution date for the grant is September 12, 2018, so any costs toward the project after that date will be reimbursed by the State. The City of Thief River Falls is proposing to install storms sewers within Pennington County Ditch 70 that is in the city limits and will be bid in conjunction with the District project. The City of Thief River Falls and Pennington County will work together for jurisdictional purposes on the public drainage system to assure proper hearings are had prior to the installation of the storm sewers. Future maintenance of the storm sewers will be the responsibility of the City of Thief River Falls. The Planning Work Group (PWG) will review the draft amendment to include the Water Management Districts for the Red Lake River 1W1P, to incorporate in the Thief River Falls Westside FDR Project as well as the Black River Impoundment. Upon approval of the PWG, the plan amendment will go out for the 60-day public comment period. The Board reviewed Task Order No. 2 from HDR Engineering, Inc., in the amount of \$515,420, for completion of final engineering on the Thief River Falls Westside Flood Damage Reduction Project. Engineer Nate Dalager, HDR Engineering, Inc., stated that this task order will get the project to the construction plans and specifications. Dalager noted that the City of Thief River Falls will reimburse the District for engineering related to the storm sewers project that is also included in Task Order #2. Motion by Ose, seconded by Dwight, to approve Task Order No. 2, from HDR Engineering, Inc. for engineering for the Thief River Falls Westside Flood Damage Reduction Project, RLWD Project No. 178. Motion carried.

Administrator Jesme stated that the NRCS RCPP funding has been exhausted for the Pine Lake Area Project, RLWD Project No. 26, with very little left to spend of the District's 30% match. The District requested an additional \$200,000 from the NRCS through the Red River Retention Authority to complete the Preliminary Engineer's Report. Discussion was held on various options and the future of the project.

At 9:30 a.m., President Nelson recessed the general meeting and called the 2019 General Fund Budget Hearing to order. President Nelson noted that the hearing was properly advertised and is on videotape and available for viewing at the RLWD office. The Board reviewed the proposed General Fund Budget and opened the hearing for public comment. Hearing no public comment, the hearing closed at 9:35 a.m. A motion was made by Tiedemann, seconded by Page, and passed by unanimous vote that the Board approve the following 2019 General Fund Budget:

	2019
	BUDGET
Manager's fees and salaries	\$ 20,000.00
Board of managers' expense	22,000.00
Staff salaries	472,500.00
Payroll taxes	36,146.000
Employee benefits	73,492.00
Travel and meetings	5,000.00
Audit	9,000.00
Legal	16,000.00
Office supplies	15,000.00
Office equipment	18,000.00
Appraisers and Viewers	2,000.00
Professional services	20,000.00
Dues and subscriptions	10,000.00
Insurance and bonds	25,000.00
Repairs and maintenance-building	10,000.00
Utilities	10,000.00
Advertising and publications	4,000.00
Telephone	11,000.00
Vehicle expense & maintenance	14,000.00
Engineering supplies	3,000.00
Engineering equipment	40,000.00
TOTAL	\$ 836,138.00
LESS: ESTIMATED OVERHEAD	(708,750.00)
LESS: MISCELLANEOUS REVENUE	(7,000.00)
2018 GENERAL FUND BUDGET	\$ 120,388.00

Staff member Arlene Novak stated that Koochiching County committed an error and failed to levy the 2018 RLWD levy to landowners within Koochiching County. The county will levy

their 2018 assessment with their 2019 assessment. Notice to landowners will be provided by the County.

Engineer Nate Dalager, HDR Engineering, Inc., suggested meeting with Managers Sorenson and Torgerson, for further discussion on the Pine Lake Area Project, RLWD Project No. 26. It was the consensus of the Board to have them present their recommendations to the Board at the September 27, 2018 meeting.

The Board reviewed Change Order No. 1 in the amount of \$3,825 for the Little Pine Lake WMA Structure, RLWD Project No. 26A to Red Lake Builders, Inc. Motion by Page, seconded by Torgerson, to approve Change Order No. 1 for \$3,825, to Red Lake Builders, Inc, for the Little Pine WMA Structure, 26A. Motion carried. The Board reviewed Pay Estimate No. 1 to Red Lake Builders, Inc., for the Little Pine Lake WMA Structure, RLWD Project No. 26A in the amount of \$103,675.50. Motion by Torgerson, seconded by Tiedemann, to approve Pay Estimate No. 1 in the amount of \$103,675.50 to Red Lake Builders, Inc., for the Little Pine Lake WMA Structure, RLWD Project No. 26A. Motion carried.

The Board reviewed correspondence from Dudley Township's legal counsel, and a response back from Legal Counsel Sparby, regarding the repair work ordered on Judicial Ditch 5, RLWD Project No. 102. Sparby stated that he will prepare a Stipulation for Dismissal and forward it to Karen Gebhardt's attorney for signature. In discussion with the other party's legal counsel, it was agreed that due to improper service, the court does not have proper jurisdiction. Sparby recommended that the District hire a contractor to perform the ordered repair work in the near future. Administrator Jesme stated that as part of the maintenance of the system, a beaver dam will need to be removed from the channel, upstream of the outlet culvert. The Board directed Administrator Jesme to hire a contractor to complete the ordered repair work, as the Township has had a reasonable time to do so, but has failed to perform the repair work requested. Jesme will inform the township that the work will be completed in the near future. Jesme will send correspondence to the MnDNR in regard to the ordered repair work.

Administrator Jesme stated that Houston Engineering, Inc. has been working with the landowner on the Blackduck Lake Outlet Structure, RLWD Project No. 50E, to haul additional fill in a low area of the project at an approximate cost of \$3,000. Motion by Dwight, seconded by Sorenson, to authorize the staff to hire a contractor to haul additional fill for the Blackduck Lake Outlet Structure, RLWD Project No. 50E. Motion carried.

Administrator Myron Jesme stated that Attorney John Kolb, Rinke Noonan, prepared information to amend the Red Lake River 1W1P to include the development of a Water Management District (WMD) for the Black River Impoundment Project, RLWD Project No. 176. Engineer Tony Nordby, Houston Engineering, Inc., stated that the MnDNR requested the District submit a letter regarding questions on the Environmental Assessment Worksheet (EAW). Nordby stated that the MnDNR submitted comments regarding; dam safety, Operation and Maintenance Plan and Final Engineers Report. Communication with the Corps of Engineers is moving forward regarding wetlands. Nordby estimated that the Final Engineers Report and Plans and Specifications are 90% complete. Funding mechanisms are the biggest obstacles as to

when actual construction can be scheduled. A hearing for the WMD will need to be held to approve the funding mechanism for maintenance on the ditches.

The following quotes were received for the Agassiz NWR-Wetland Habitat Quality and Management Enhancement Grant Project, RLWD Project No. 180A, for repairs to the Thief Bay Water Control Structure located within the Agassiz NWR: Triple D Construction and Leasing, \$23,000; Davidson Construction, \$31,000; Olson Construction TRF, Inc., \$47,900; and Spruce Valley Corporation, \$49,600. Motion by Torgerson, seconded by Tiedemann, to approve the low quote in the amount of \$23,000, from Triple D Construction and Leasing, contingent upon the final audit and review of the quotes for the Agassiz NWR-Wetland Habitat Quality and Management Enhancement Grant Project, RLWD Project No. 180A. Motion carried.

Administrator Jesme stated that he recently met with the Viewers for RLWD Ditch 16, RLWD Project No. 177. Engineer Jerry Pribula, Pribula Engineering, has been working with engineers from MnDOT regarding the need to cut Highway 220 for installation of a box culvert. Jesme estimated that the final hearing will be held in January with construction planned for Spring 2019.

Administrator Jesme reviewed the Buffer Law Implementation, refencing changes made by staff from Houston Engineering, Inc. The District will be using MN State Statute 103E but will also acknowledge MN State Statute 103F. Discussion was held on penalties for non-compliance. Local SWCD offices will notify the ditch authority if there is non-compliance. The ditch authority will then be responsible for enforcement. Under Statute 103E a landowner would be required to have a 16.5 feet buffer strip, 103E does not allow for alternative practices. Jesme requested revisions/comments from the Board within the next several weeks, with approval at the September 27, 2018 Board meeting. Once the document is approved, it will be submitted to BWSR. After the District receives BWSR's Final Determination of Adequacy, a hearing will be required to amend the District Rules and Regulations.

The Board reviewed a letter submitted to "Visit Thief River Falls" for inclusion of the Euclid East Impoundment, RWLD Project No. 60C and the Parnell Impoundment, RLWD Project No. 81 as new sites to the Pine to Prairie Birding Trail. Administrator Jesme stated that there has been some discussion to include the Burnham Creek Project/BR-6, RLWD Project No. 43 into the Pine to Prairie Birding Trail. Jesme noted that better access to the project would be required if this site is pursued.

Staff member Christina Slowinski discussed concerns of damaged side water inlet (SWI) culverts and flapgates discovered during maintenance inspection on District ditches. Recently while staff were inspecting Ditch 1, RLWD Project No. 115, a local landowner requested culvert markers indicating the location of a SWI to prevent damage during routine maintenance. Slowinski noted the need to identify the location when there is thick vegetation, or culverts under sediment/water/snow, etc. Slowinski recommended the installation of culvert markers. Culvert markers are a durable fiberglass rod secured in spring, which would return to an upright position if hit. Culvert markers are easily installed and are available in 4 feet or 5 feet, with optional reflective tape. Approximate cost with reflective tape is 4 feet markers, \$7.95 each; and 5 feet

markers, \$9.05 each. Motion by Tiedemann, seconded by Ose, to authorize District staff to proceed with the installation of culvert markers on District ditch systems, as needed. Motion carried.

Staff member Loren Sanderson stated that he attended a meeting with staff from the MnDNR, local officials and sportsman clubs regarding the use of the dike on the Moose River Impoundment, RLWD Project No. 13, as a possible ATV route. The District has previously submitted letters of support for the use of the Moose River Impoundment dike. The Moose River Impoundment is currently open for vehicle traffic from July 16<sup>th</sup> to September 15<sup>th</sup> and from freeze up until March 31<sup>st</sup>, but excludes the use of ATV's.

The Board reviewed letters submitted to seven landowners in Polk and Red Lake County's regarding well interference investigation as they pertain to Water Appropriation Permits authorized from the MnDNR. Local landowners are having well problems, which is correlated to irrigation of agricultural lands.

Staff member Loren Sanderson discussed after-the-fact permit, RLWD Permit No. 18112, David Balstad, Lessor Township, Polk County for the installation of tile drainage. Discussion was held on the continued lack of the contractor, Field Drainage, Inc., Brooks, MN, notifying their customers of the need to apply for a District permit, when Field Drainage, Inc. assisted the District in the development of a tile permit process. Discussion was held on the possible amendment of the Rules and Regulations to potentially include that the landowner shut off their tile until the project is approved by the District, and that the Contractor could be liable for non-compliance of District rules. The Board directed Legal Counsel Sparby to submit a letter to Field Drainage, Inc., and the landowner regarding the lack of non-compliance.

The Board reviewed the permits for approval. Motion by Ose, seconded by Torgerson, to approve the following permits with conditions stated on the permit: No. 18092, Tyler Zimmerman, Equality Township, Red Lake County; No. 18093, Dennis DeBoer, Andover Township, Polk County; No. 18094, Earl Pederson, Lake Pleasant Township, Red Lake County; No. 18095, Curtis Swanson, Bray Township, Pennington County; No. 18096, River Falls Township, Pennington County; No. 18097, Gary Novak, Rocksbury Township, Pennington County; No. 18098, Mitchell Stanley, Moylan Township, Marshall County; No. 18099, Polk County Highway Department, Onstad Township, Polk County; No. 18100, John Frahm, Goodridge Township, Pennington County; No. 18101, Lyle Anderson, Grand Plain Township, Marshall County; No. 18102, Craig Stroot, Brandt Township, Polk County; No. 18103, Michael Gasper, Crookston Township, Polk County; No. 18104, Joel Gasper, Crookston Township, Polk County; No. 18106 and 18107, Phillip Quam, Badger Township, Polk County; No. 18108, Luke Forness, Louisville Township, Red Lake County; No. 18109, Phillip Olson, Brandt Township, Polk County; No. 18110, Lessor Township, Polk County; No. 18111, Scott Tersteeg, Badger Township, Polk County; and No. 18113, Kyle Haake, Nesbit Township, Polk County. Motion carried.

The Board reviewed several 2018 MAWD Resolutions to be submitted for consideration at the 2018 MAWD Annual meeting. Discussion was held on the adoption of a resolution or letter of

support to the Wild Rice Watershed District resolution regarding obtaining MnDNR permits/permission as they relate to maintenance on public drainage ditches under the jurisdiction of a local watershed. The proposed resolution seeks to reinforce and re-state what the Rice Creek Watershed District believes is the DNR's role in evaluating and providing input to public drainage system repairs. Rice Creek and other Watershed Districts is experiencing (or have experienced in recent years), the DNR, as a matter of policy, has extended its authority by asserting authority to regulate, permit and restrict drainage system repairs. Most recently, the DNR issued guidance, in February 2018, which turns long-standing practices of the DNR and understanding of the interface of public waters law and public drainage law on its head. It was the consensus of the Board to support clarification of the role the DNR has on general maintenance of drainage system repairs.

Motion by Ose, seconded by Tiedemann, to accept the resignation of Staff member Brady Stanley. Motion carried.

Motion by Tiedemann, seconded by Sorenson, to appoint Staff member Christina Slowinski, as the Ditch Inspector for the District. Motion carried.

Staff member Arlene Novak stated that District staff will see a 4.9% increase in health insurance premiums. Novak attended a Northwest Service Cooperative Advisory Committee meeting and was informed of health insurance premium rate increase in a range of 4.9% to 14.9%. Due to the low usage by District staff, premiums should have seen a decrease, but since the District's health insurance is through a pool, a 4.9% increase was implemented. Novak stated that a new wellness program will be coming out. Dental insurance premiums will not change.

Discussion was held on spam emails the District Board members have been receiving. It was the wishes of the Board to have staff consult proper authorities to investigate the issue.

Discussion was held on the 2019 General Fund Budget and the amount levied to the Counties. The past several years, the District set their General Fund levy at zero and used reserve funds in the General Fund. Motion by Ose, seconded by Tiedemann, to set the 2019 General Fund Budget in the amount of \$120,388, to not levy the Counties for the 2019 General Fund Budget and use the District's General Fund reserve fund. Motion carried with Managers Torgerson and Dwight opposed.

#### Administrators Update:

- Jesme and Manager Ose will attend the RRWMB meeting on September 18<sup>th</sup> in Ada.
- Jesme will participate in the NW Minnesota Administrators meeting after the RRWMB meeting in Ada on September 18<sup>th</sup>.
- The Red Lake River 1W1P Planning Work Group (PWG) met via telephone conference to discuss the budget for all LGU partners concerning the approved BWSR Clean Water Funds Grant. The intent of the meeting was to better develop an internal budget document for the LGU's to assist in their planning and funding in the future. A PWG

meeting with BWSR and MPCA staff will be held on September 17<sup>th</sup> to discuss a potential MPCA 319 Grant application.

- The Thief River PWG met at the Pennington SWCD to go over the Thief River 1W1P action document that was developed by Houston Engineering, Inc. This document was an attempt to put in action items from all LGU plans, into the Thief River 1W1P.
- Staff member Hanson attended the Pennington County WRAC meeting on September 10<sup>th</sup>.
- Staff member Hanson attended the Polk County WRAC meeting on September 11<sup>th</sup>.
- Staff members Hanson, Hitt and Slowinski participated in the Pennington County SWCD Outdoor Education Day for area youth in Pennington County.
- Jesme participated in a phone conference with staff from HDR Engineering and MnDNR regarding the Burnham Creek Wildlife Management Area structure to discuss alternatives for the replacement of the outlet structure.
- Jesme may participate in a Minnesota Association of District Administrators meeting in St. Cloud on September 25<sup>th</sup>.
- Manager Dwight will attend the September 11<sup>th</sup> Beltrami County Commissioners meeting to present the 2017 Annual Report.

Manager Ose stated that he participated in the Red River Basin Commission tour on September 5, 2018.

Manager Sorenson requested that the Board meet in Executive Session, when the District receives the results of the Fox (Gallagher) Lawson results, rather than a review of just the Budget and Salary Committee. Jesme indicated that Ms. Olson, (Gallagher), has indicated that she will give a teleconference update to the Board during one of our meeting, if requested. It was the consensus of Board, to have the full Board review the results in Executive Session once the report is received.

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

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LeRoy Ose, Secretary



**RED LAKE WATERSHED DISTRICT**  
**Financial Report for September 26, 2018**

<b>Ck#</b>	<b>Check Issued to:</b>	<b>Description</b>	<b>Amount</b>
online	EFTPS	Withholding for FICA, Medicare, and Federal taxes	\$ 3,603.96
online	MN Department of Revenue	Withholding taxes	658.66
online	Public Employees Retirement Assn.	PERA	2,346.66
online	EFTPS	Withholding for payroll taxes	245.06
online	MN Department of Revenue	Withholding taxes	50.00
36063	Red Lake Builders, Inc.	Pay estimate #1-Little Pine Lake WMA	103,675.50
36064	Ameripride Services Inc.	Office rug rental	35.43
36065	Jerry Bennett	Appraisers fees, mileage and meals-RLWD Ditch 16	1,155.07
36066	Brault Construction LLC	Brush Mowing of Odney Flaad Dam	2,310.00
36067	Cenex Credit Card	Gas for vehicles	411.69
36068	Delta Dental	Dental insurance premium	437.45
36069	Further	FSA Account fees	8.85
36070	Corey Hanson	Reimburse for overpayment of health insurance	489.00
36071	HDR Engineering, Inc.	Little Pine Lake WMA construction administration	4,044.51
36072	Houston Engineering Inc.	Drainage Base training for Brady and Christina	365.50
36073	The Journal	2019 General Fund Budget hearing ad	167.80
36074	Lafayette High School	River Watch expenses	425.88
36075	Farmers Publishing Company	Annual M-Files Maintenance	2,087.50
36076	Dale M. Nelson	Mileage	80.11
36077	Arlene Novak	Mileage	100.28
36078	Northwest Beverage, Inc.	H2O for office	22.50
36079	LeRoy Ose	Mileage	313.89
36080	Rinke Noonan	Legal services for Thief River Westside FDR Proj.	5,608.00
36081	RMB Environmental Services	Lab analysis of water quality samples	647.00
36082	Speedee Delivery	Shipment of water quality samples	12.54
36083	Sun Life Financial	Life insurance premium	123.73
36084	Win-E-Mac School	River Watch expenses	156.70
online	Cardmember Services	*see below for explanation	300.64
direct	Al Page	Mileage	166.77
direct	Les Torgerson	Mileage and per diem meals	244.54
	<b>Payroll</b>		
	Check #11501 -11511 & 7440		11,701.15
	<b>Total Checks</b>		<b>\$ 141,996.37</b>

**\*Cardmember Service**

AT&T-cell phone expense	275.29
River Walk Public House-meals 149A	<u>25.35</u>
<b>TOTAL</b>	<b>300.64</b>

**Financial Institutions:**

**Northern State Bank**

Balance as of September 12, 2018	\$ 209,049.36
Total Checks Written	(141,996.37)
Receipt #414402 First National Bank-Bemidji-Quarterly interest on CD	529.32
Receipt #414403 NRCS (RCPP)- Final cost share payment-Pine Lake	260.17
Receipt #414404 NRCS (RCPP) Final cost share payment-Four Legged Lake	38,247.17
Receipt #414406 Transfer in from American Federal	100,000.00
Receipt #414407 Reimbursement for 3 water quality grants	<u>552.62</u>
Balance as of September 26, 2018	<u>\$ 206,642.27</u>

**Border State Bank**

Balance as of August 22, 2018	\$ 18,170.10
Receipt #016595 Monthly interest	<u>4.63</u>
Balance as of August 31, 2018	<u>\$ 18,174.73</u>

**American Federal Bank-Fosston**

Balance as of September 12, 2018	\$ 1,794,469.42
Receipt #414405 Pennington SWCD-Reimburse for SWI grant	8,996.08
Receipt #414406 Transfer to Northern State Bank	<u>(100,000.00)</u>
Balance as of September 26, 2018	<u>\$ 1,703,465.50</u>

Red Lake Watershed District  
as of September 26, 2018

<u>Name of Institution</u>	<u>Purchase</u>	<u>Int. Rate</u>	<u>Mat. Date</u>	<u>*Maturity Amount</u>
10010 Northern State Bank (checking)	\$ 206,642.27	0.70%		\$ 206,642.27
10020 Border State Bank (Investor savings) Thief River Falls	\$ 18,174.73	0.30%		\$ 18,174.73
10030 American Federal Bank Fosston	\$ 1,703,465.50	1.43%		\$ 1,703,465.50
10760 Ultima Bank Minnesota-Fosston (1076) #16623 12 month CD semi-annual int.	\$ 200,000.00	1.00%	10/2/2018	\$ 201,002.74
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	\$ 200,000.00	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
	<u>\$ 4,528,282.50</u>			<u>\$ 4,545,008.79</u>

**Quotes received:**

	<u>3 mos.</u>	<u>6 mos.</u>	<u>12 mos.</u>
Ultima Bank-Fosston		1.75%	2.00%
Unity Bank North-Red Lake Falls	1.80%	2.00%	2.20%

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**From:** patty olson <the\_willows@hotmail.com>  
**Sent:** Wednesday, September 26, 2018 10:22 AM  
**To:** Myron Jesme <Myron.Jesme@redlakewatershed.org>  
**Subject:** Ditch maintenance 09/26/2018

Myron : Red Lake Watershed Board of Directors

Please share with Red Lake Watershed board of directors.

It is my understanding that the lowering of the culvert at the Southwest Basin will take place sometime in the month of October 2018.

I am requesting your consideration at this time to do the much needed maintenance on the complete drainage system. Given the current conditions of the system, it is not able to properly flow as a gravity system. Causing higher elevations on the, Northeast Basin.

If the board has any questions on the, CRP acreage that was brought to there attention at the last public hearing. I will make available to them, all of the documentation from the USDA office, Clearwater County.

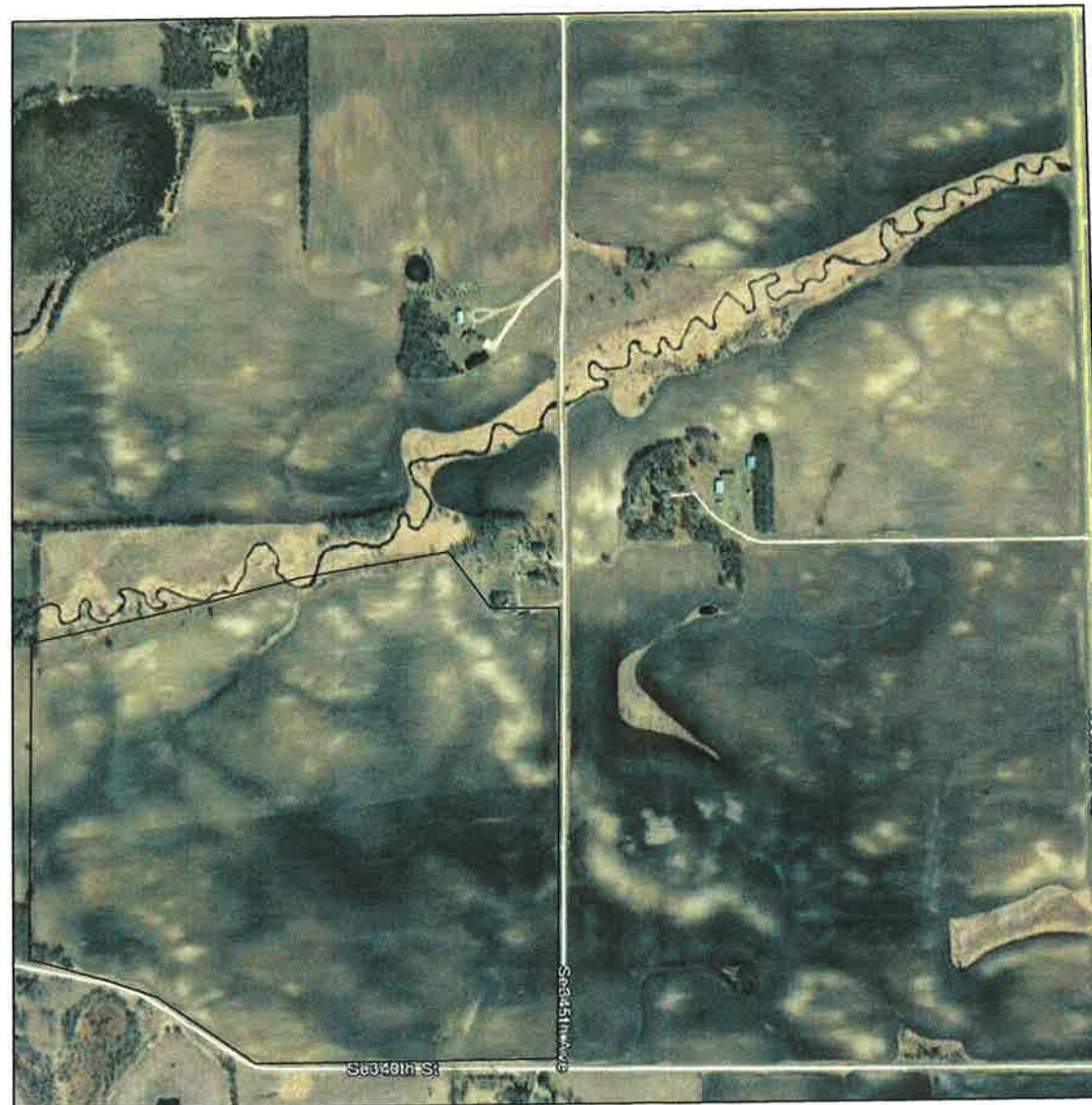
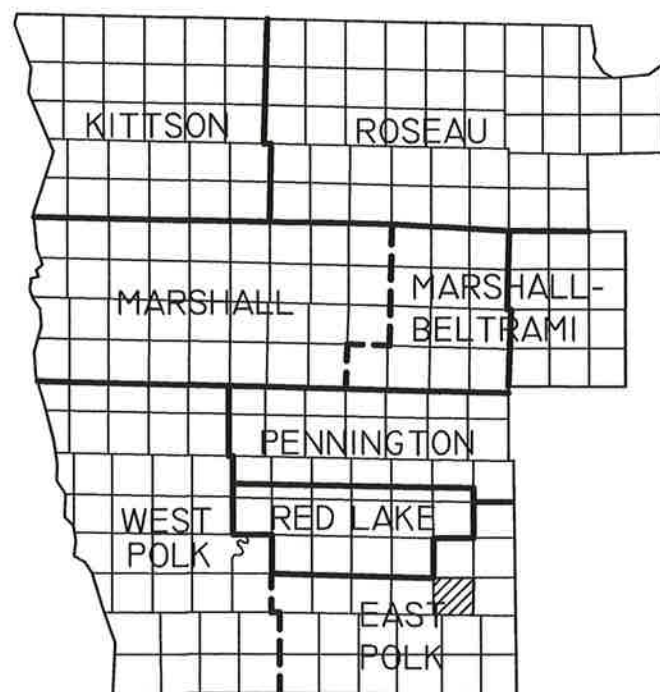
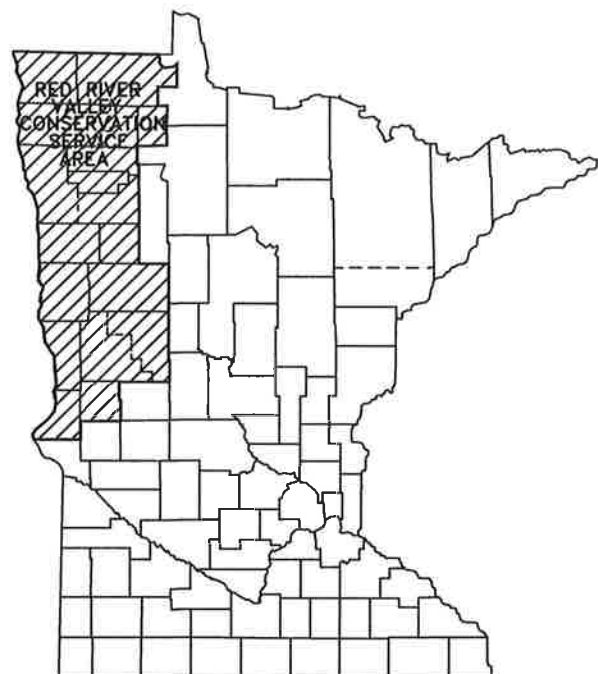
Respectfully,

Patty Olson  
Landowner  
Northeast Basin



# SHAYNE MUNTER

## WATER & SEDIMENT BASINS



T 149 N R 40 W  
SECTION 35  
HILL RIVER TWP.

LOCATION MAP

TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, JUDGMENT AND BELIEF, THESE PLANS MEET APPLICABLE NRCS STANDARDS AND SPECIFICATIONS.

BEFORE START OF CONSTRUCTION, THE OWNERS OF ANY UTILITIES INVOLVED MUST BE NOTIFIED. THE EXCAVATOR IS RESPONSIBLE FOR GIVING THIS NOTICE BY CALLING "GOPHER STATE ONE-CALL" AT (651) 454-0002 (TWIN CITIES METRO AREA) OR (800) 252-1166 (ALL OTHER LOCATIONS) AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION.

THE OWNER IS RESPONSIBLE FOR OBTAINING LAND RIGHTS AND ALL PERMITS OR OTHER PERMISSION NECESSARY TO PERFORM AND MAINTAIN THE PROJECT.

-- GOVERNING SPECIFICATIONS --

THE CONSTRUCTION AND MATERIALS SPECIFICATIONS PREPARED FOR THIS PROJECT SHALL GOVERN. THESE SPECIFICATIONS ARE PART OF THE PLAN.

CHANGES IN THE DRAWINGS OR SPECIFICATIONS MUST BE AUTHORIZED BY THE OWNER AND THE RESPONSIBLE ENGINEER.

THE OWNER IS RESPONSIBLE FOR CONTACTING THE RED RIVER VALLEY CONSERVATION SERVICE AREA AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION.

### SHEET INDEX

SHEET NO.	TITLE
1	SHEET INDEX, LEGEND, & LOCATION MAP
2	PLAN AND QUANTITIES
3	PROFILE - LINE A
4	PROFILES - LINE B & C
5	BERM AI
6	BERM AI
7	BERM BI
8	BERM CI

### LEGEND

SURVEY POINT _____	△ INST.#1
SOIL BORING _____	● TH#1
BUILDING _____	□
WELL _____	○ WELL
BENCH MARK, TEMPORARY _____	✦ TBM#1
ORIGINAL GROUND _____	— · · · —
CONTOUR, INDEX _____	— 90 —
FENCE, EXISTING _____	— x — x —
FENCE TO BE CONSTRUCTED _____	—   —   —
FENCE TO BE REMOVED _____	— [ ] —
DIVERSION _____	— [ ] —
STREAM _____	— · · · —
MARSH _____	— [ ] —
COMMON EXCAVATION _____	⊖
EARTHFILL, CLASS C COMPACTION _____	⊕
EXISTING TILE LINE _____	— ○ —
PLANNED TILE LINE _____	— [ ] —
CENTERLINE OF IMPROVEMENTS _____	— + —
BASE LINE _____	— — —
DECIDUOUS TREE _____	⊙
CONIFEROUS TREE _____	⊙*
IRON PIPE _____	— · —
EMBANKMENT _____	— [ ] —
RIPRAP _____	— [ ] —
UTILITY POLE _____	— [ ] —

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

JAMES HEST  
Signature: *James Hest*  
Date: 4/19/10 Reg. No. 24511

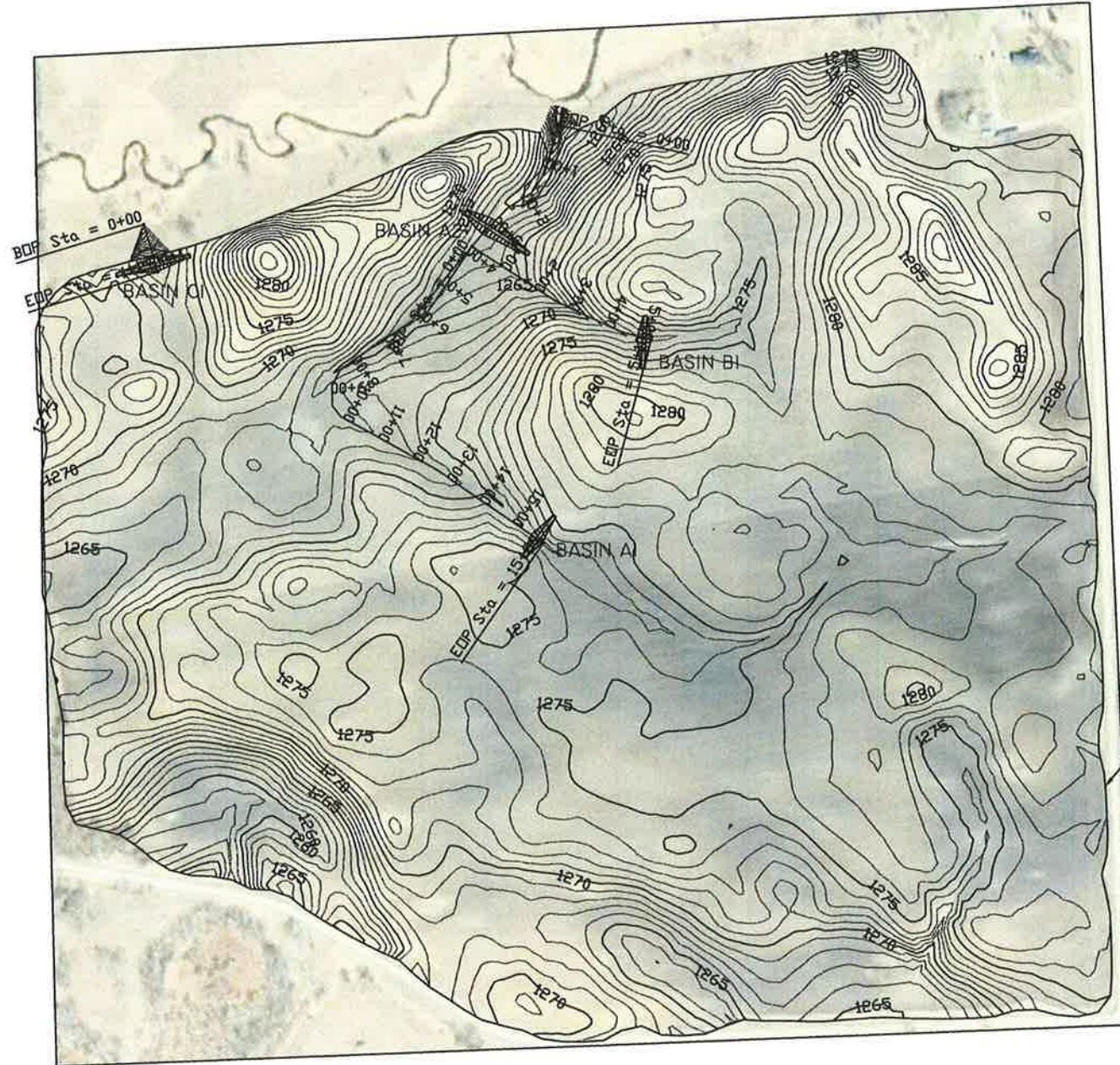
### SHEET INDEX, LEGEND AND LOCATION MAP

East Polk Soil & Water Conservation District  
Polk County, Minnesota

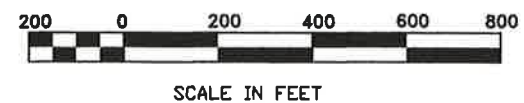
PREPARED BY

RED RIVER VALLEY CONSERVATION SERVICE AREA  
P.O. Box 16 GRYGLA, MINNESOTA 56727 (218) 294-6142

Drawn by JAH | Checked by JAH | Date 06-19-18 | Sheet 1 of 5



**PLAN VIEW**



**ESTIMATED QUANTITIES**

Quantities are measured in place according to neat-line shown on the plans. No allowance is made for shrinkage, overlapping, connecting bands, joints, etc.

ITEM	QUANTITY	UNIT
Compacted Earth Fill (Class C)	900	Cu. Yd.
Salvage and Spreading Topsoil	1	Job
6" Hickenbottom (top and bottom)	2	Each
8" Hickenbottom (top and bottom)	2	Each
10" CMP With Rodent Guard	1	Each
15" CMP With Rodent Guard	1	Each
Tees, Reducers and Couplers	1	Job
Corrugated thermoplastic tubing, 8" Dia. Dual-Wall, Non-Perforated	10	Lin. Ft.
Corrugated thermoplastic tubing, 6" Dia. Heavy Duty, Perforated (Narrow Slot)	635	Lin. Ft.
Corrugated thermoplastic tubing, 10" Dia. Single-Wall, Perforated (Narrow Slot)	1180	Lin. Ft.
Corrugated thermoplastic tubing, 12" Dia. Single-Wall, Perforated (Narrow Slot)	400	Lin. Ft.

SHAYNE MUNTER - HILL RIVER 35  
WATER & SEDIMENT BASINS

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

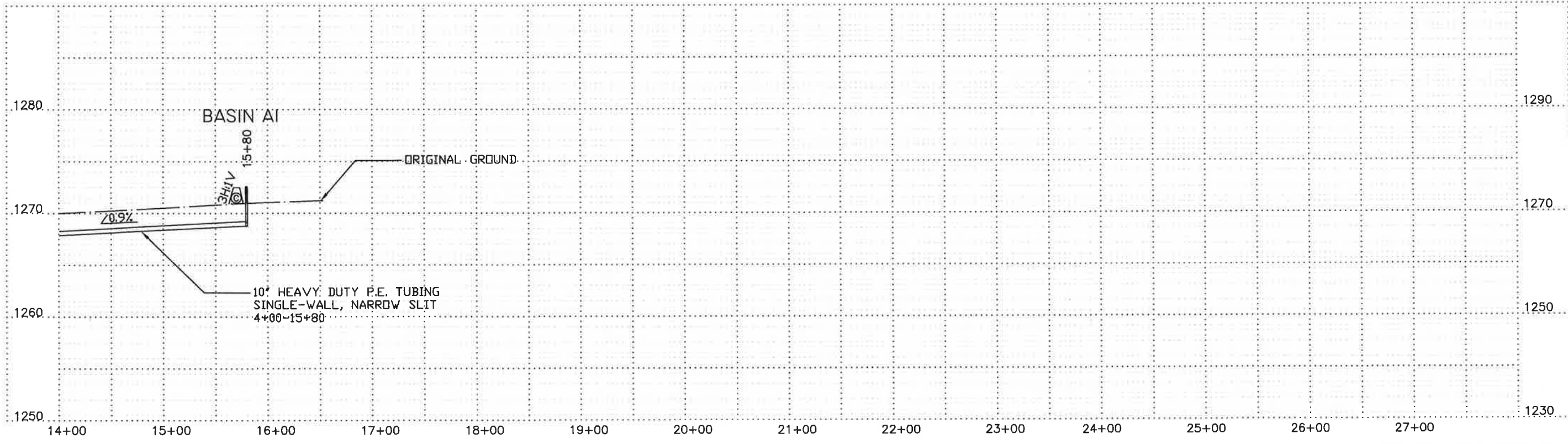
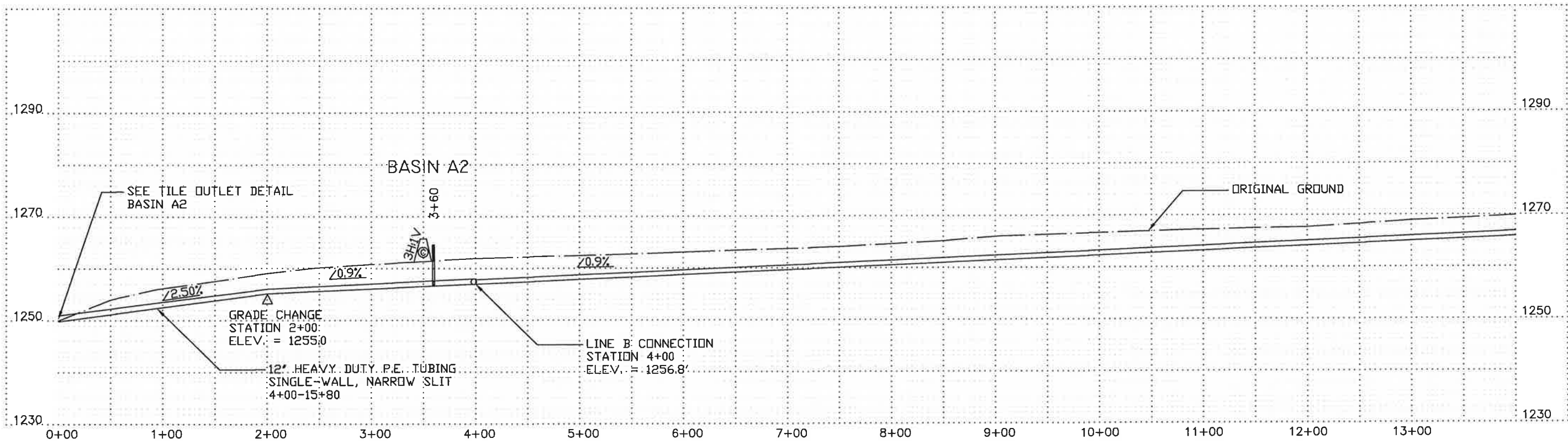
JAMES HEST  
SIGNATURE: *James Hest*  
Date: 6/19/10 Reg. No. 24311

**PLAN AND QUANTITIES**

East Polk Soil & Water Conservation District  
Polk County, Minnesota

PREPARED BY  
RED RIVER VALLEY CONSERVATION SERVICE AREA  
P.O. BOX 16 CRYGLA, MINNESOTA 56727 (218) 294-6142  
Drawn by JAH Checked by JAH Date 06-19-10 Sheet 2 of 8





SHAYNE MUNTER - HILL RIVER 35  
WATER & SEDIMENT BASIN

NOTES:

1. THE CONSTRUCTED HEIGHT OF EACH BERM SHALL BE AT LEAST 5% GREATER THAN THE DESIGNED HEIGHT TO ALLOW FOR SETTLEMENT.

2. A MINIMUM SOIL DEPTH COVER OF 2.5 FEET MUST BE MAINTAINED OVER THE TOP OF THE P.E. TUBING.

0+00 - 2+00 MIN. GRADE = 0.25%  
2+00 - 15+80 MIN. GRADE = 0.6%

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

JAMES WEST  
Signature: *James West*  
Date: *4/19/18* Reg. No. 24511

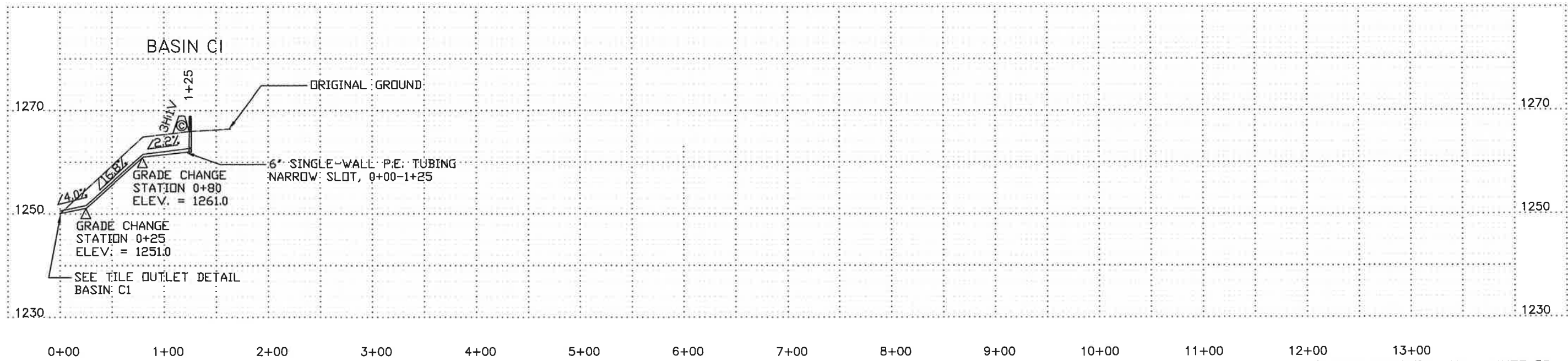
**PROFILE - LINE A**

East Polk Soil & Water Conservation District  
Polk County, Minnesota

PREPARED BY  
SWCD TECHNICAL SERVICE AREA 1  
P.O. BOX 16 GRYGLA, MINNESOTA 56727 (218) 294-6142  
Drawn by JAH | Checked by JAH | Date 6-19-18 | Sheet 3 of 8



**LINE B**  
0+00 - 5+10 MIN. GRADE = 1.0%



**LINE C**  
0+00 - 1+25 MIN. GRADE = 0.2%

SHAYNE MUNTER - HILL RIVER 35  
WATER & SEDIMENT BASINS

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

Signature: *James Hest*  
Date: *6/19/10*

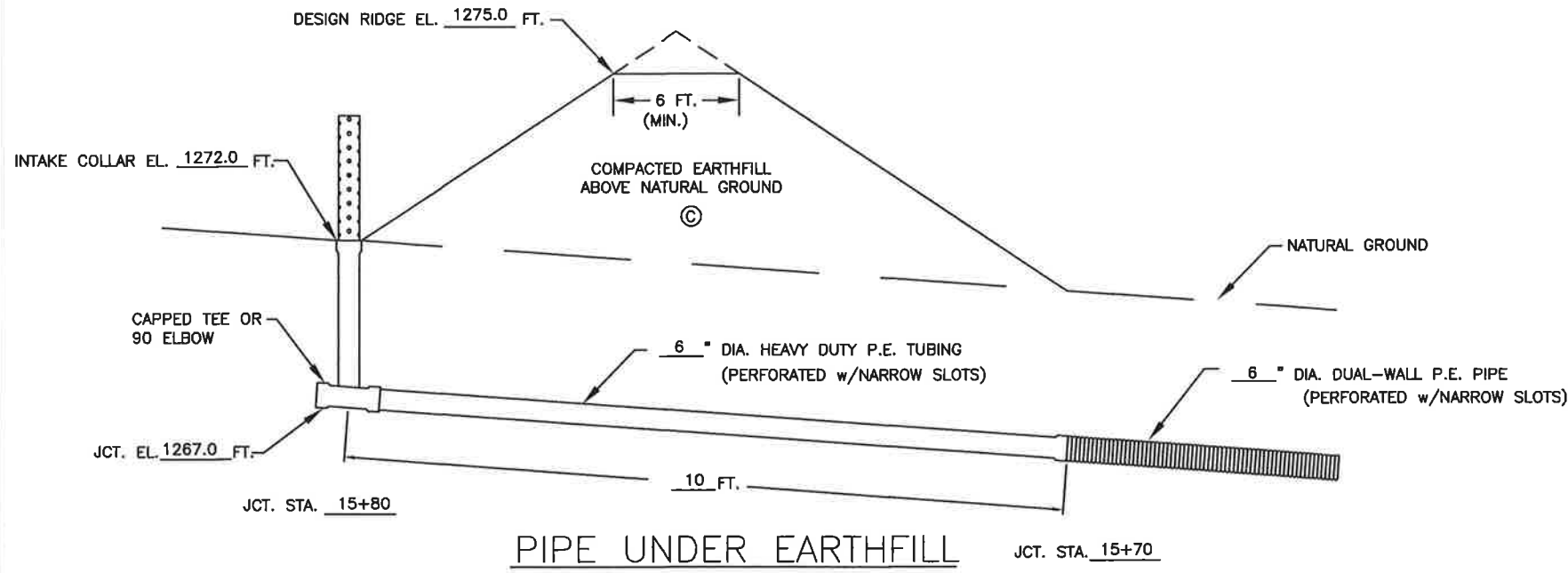
JAMES HEST  
Reg. No. 24511

**PROFILES**  
**LINE B & LINE C**

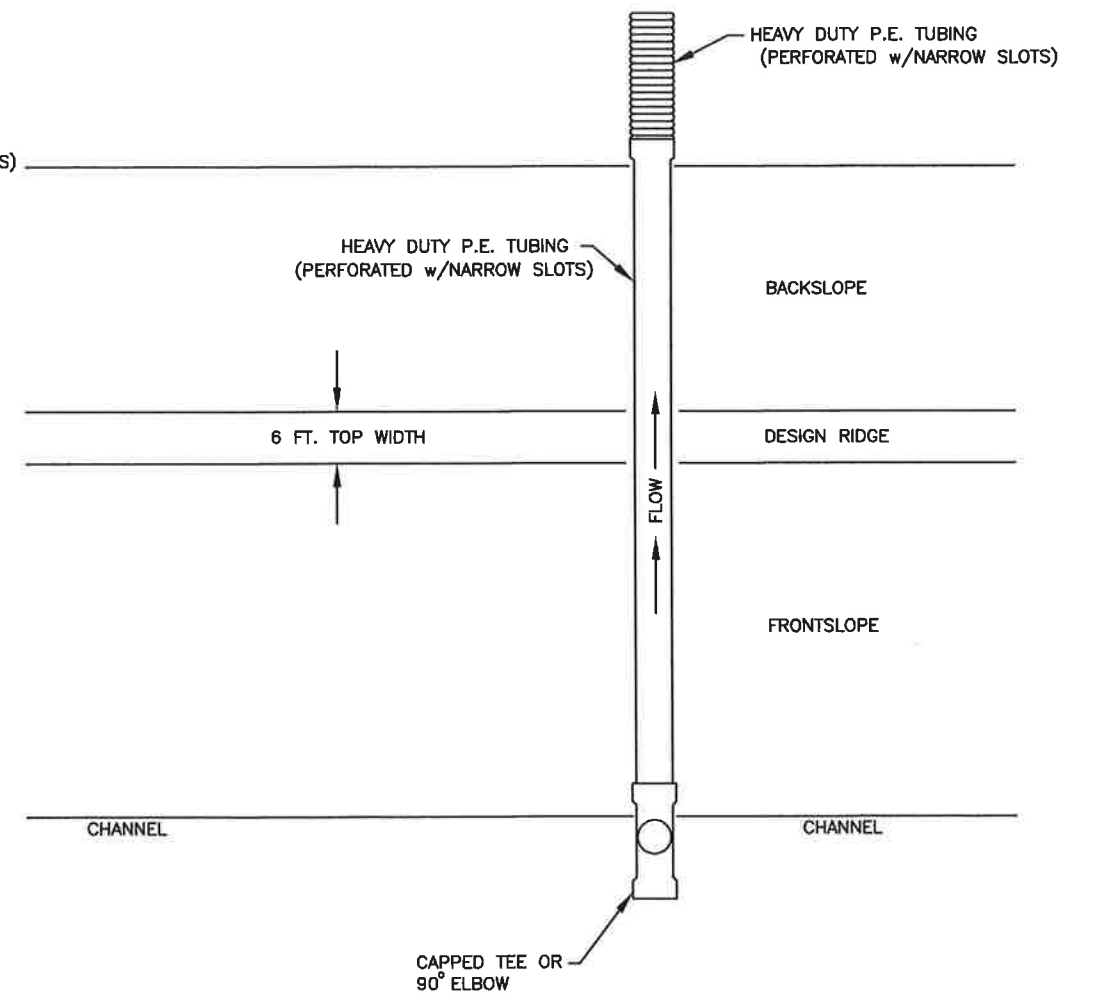
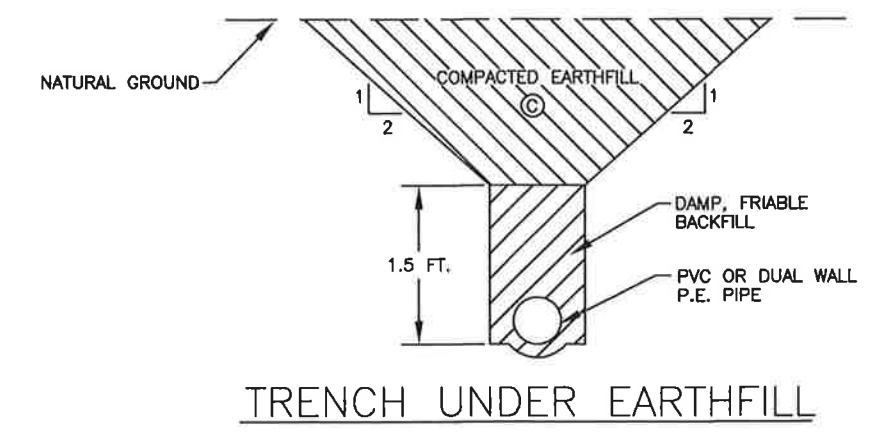
East Polk Soil & Water Conservation District  
Polk County, Minnesota

PREPARED BY  
RED RIVER VALLEY CONSERVATION SERVICE AREA  
P.O. BOX 16 GRYGLA, MINNESOTA 56727 (218) 294-6142

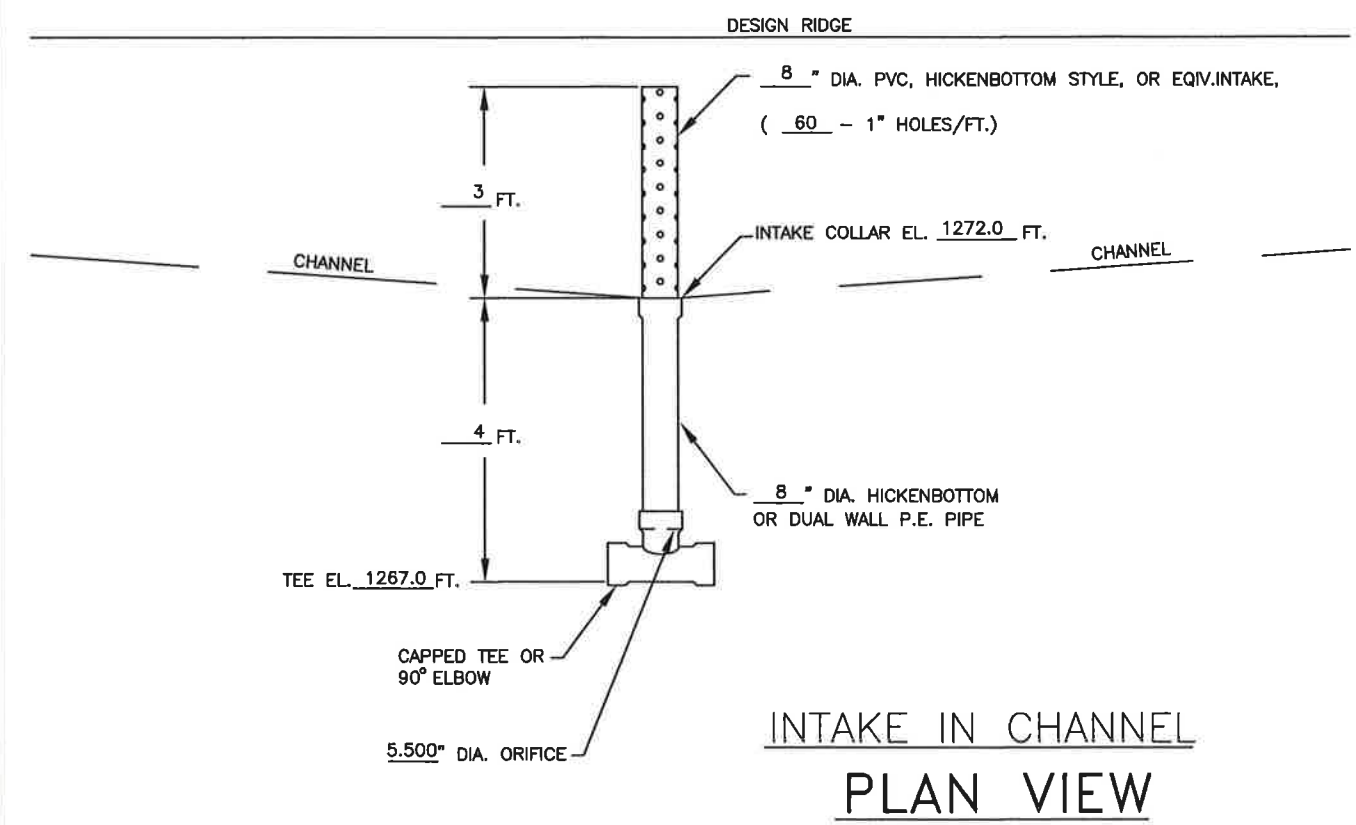
Drawn by JAH Checked by JAH Date 08-19-10 Sheet 4 of 8



NOTE: SEE PROFILE SHEETS FOR TILE SIZES/GRADES

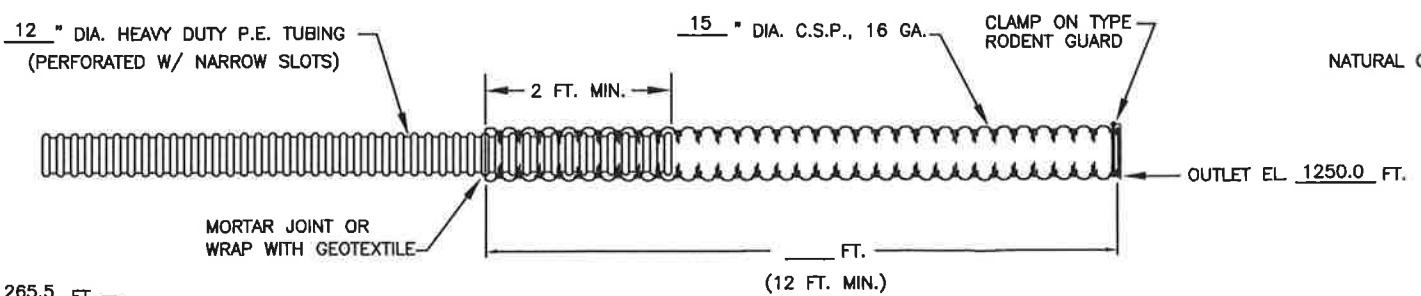


PLAN VIEW

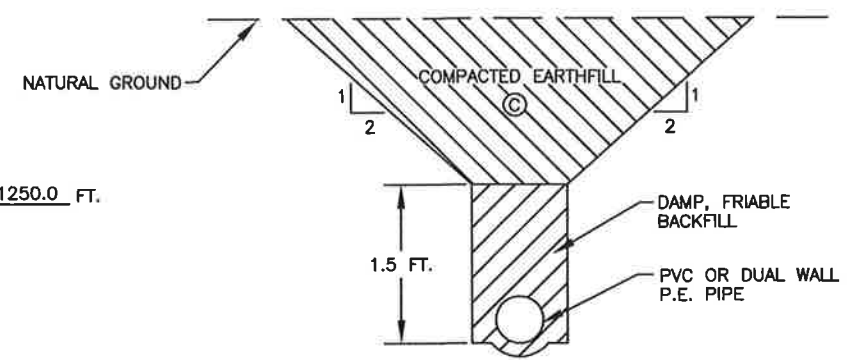


SHAYNE MUNTER - HILL RIVER 35  
 WATER & SEDIMENT BASINS

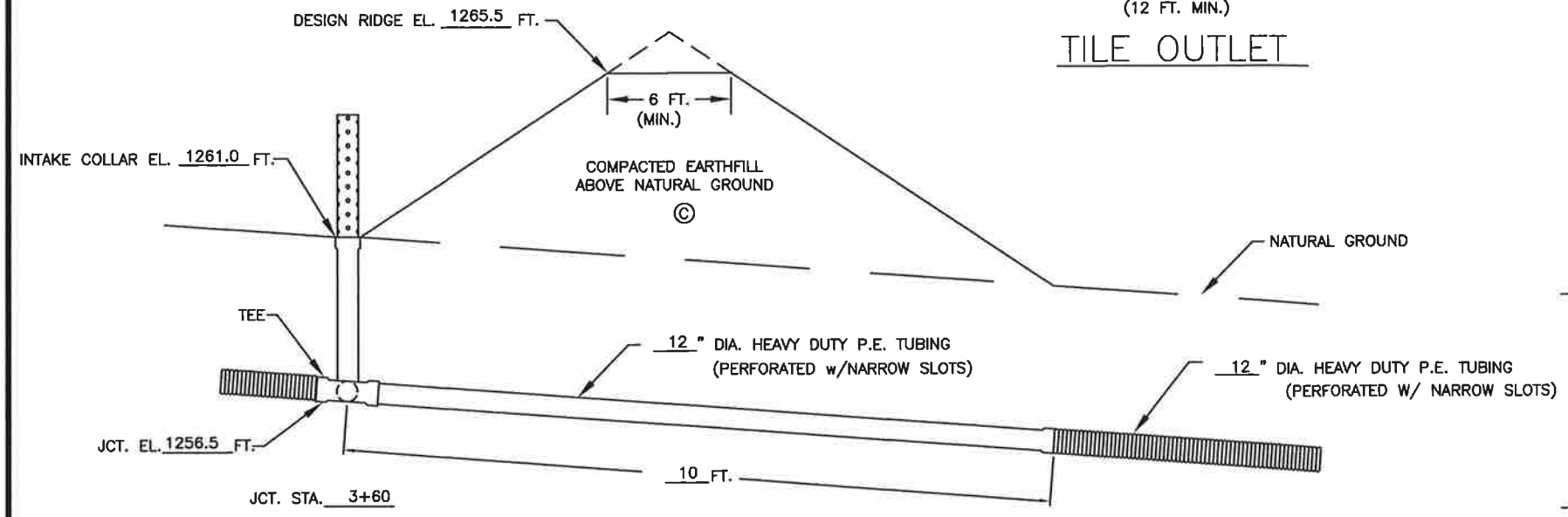
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota. JAMES HEST SIGNATURE: <i>James Hest</i> Date: <i>6/19/18</i> Reg. No. 24511	<b>BASIN A1</b>
	East Polk Soil & Water Conservation District Polk County, Minnesota
PREPARED BY RED RIVER VALLEY CONSERVATION SERVICE AREA P.O. BOX 16 GRYGLA, MINNESOTA 56727 (218) 294-6142	Drawn by JAH   Checked by JAH   Date 06-19-18   Sheet 5 of 8



TILE OUTLET

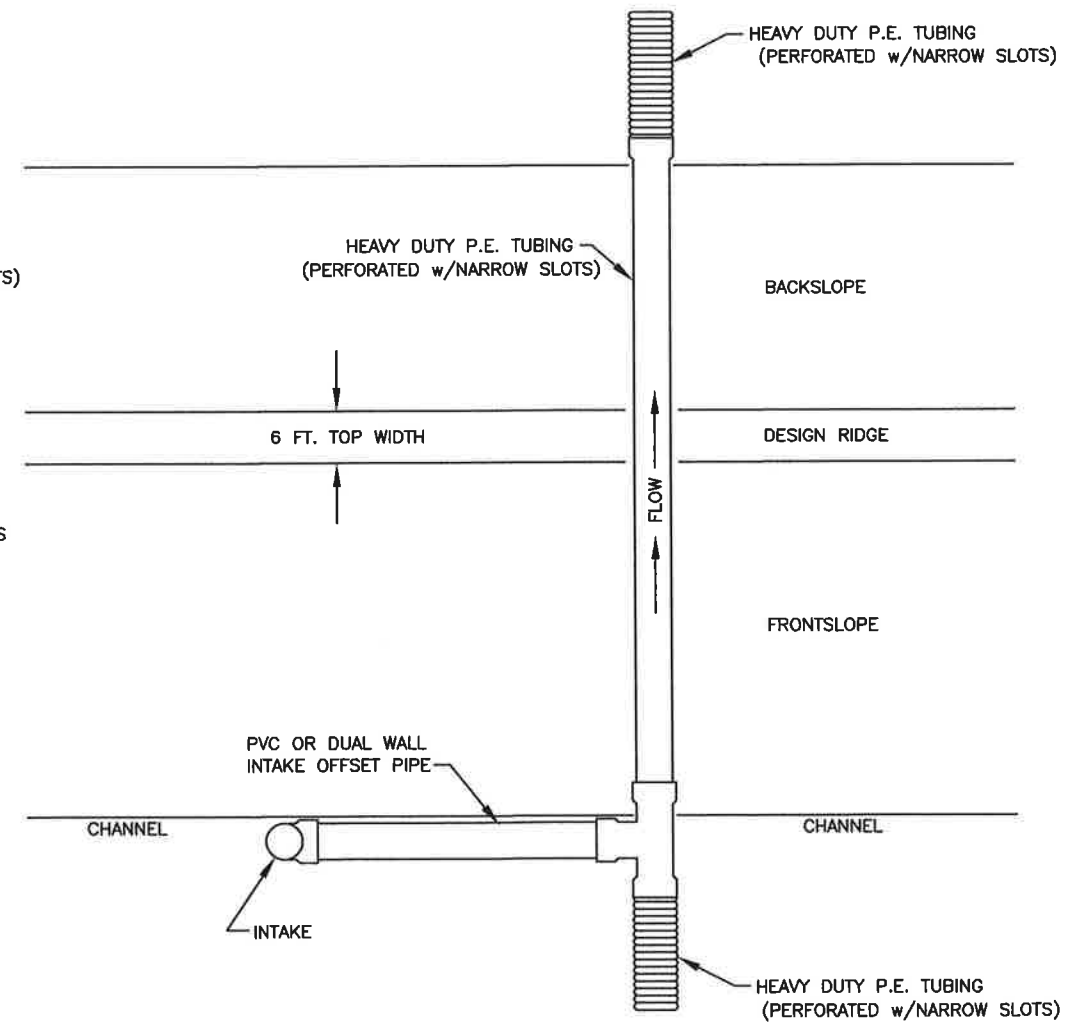


TRENCH UNDER EARTHFILL

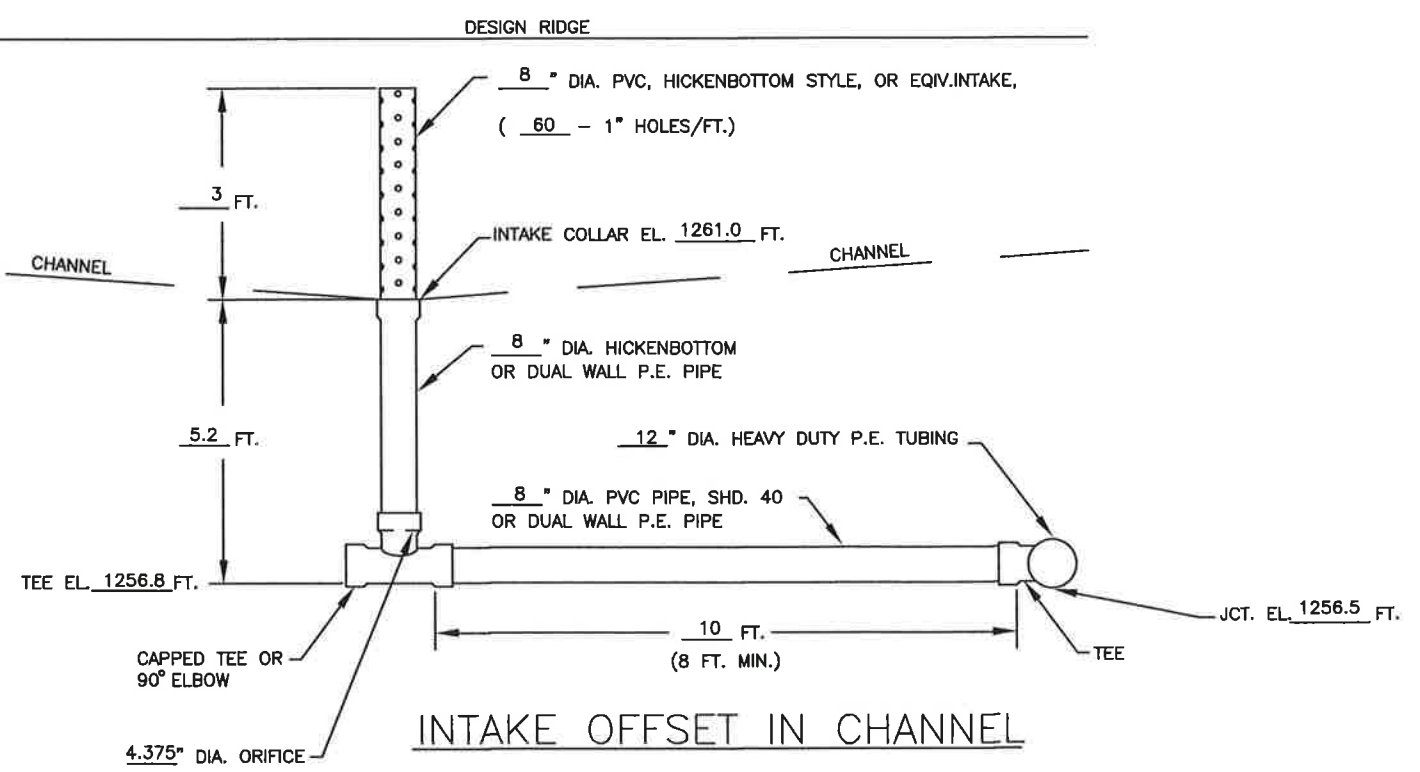


PIPE UNDER EARTHFILL

NOTE: SEE PROFILE SHEETS FOR TILE SIZES/GRADES



PLAN VIEW

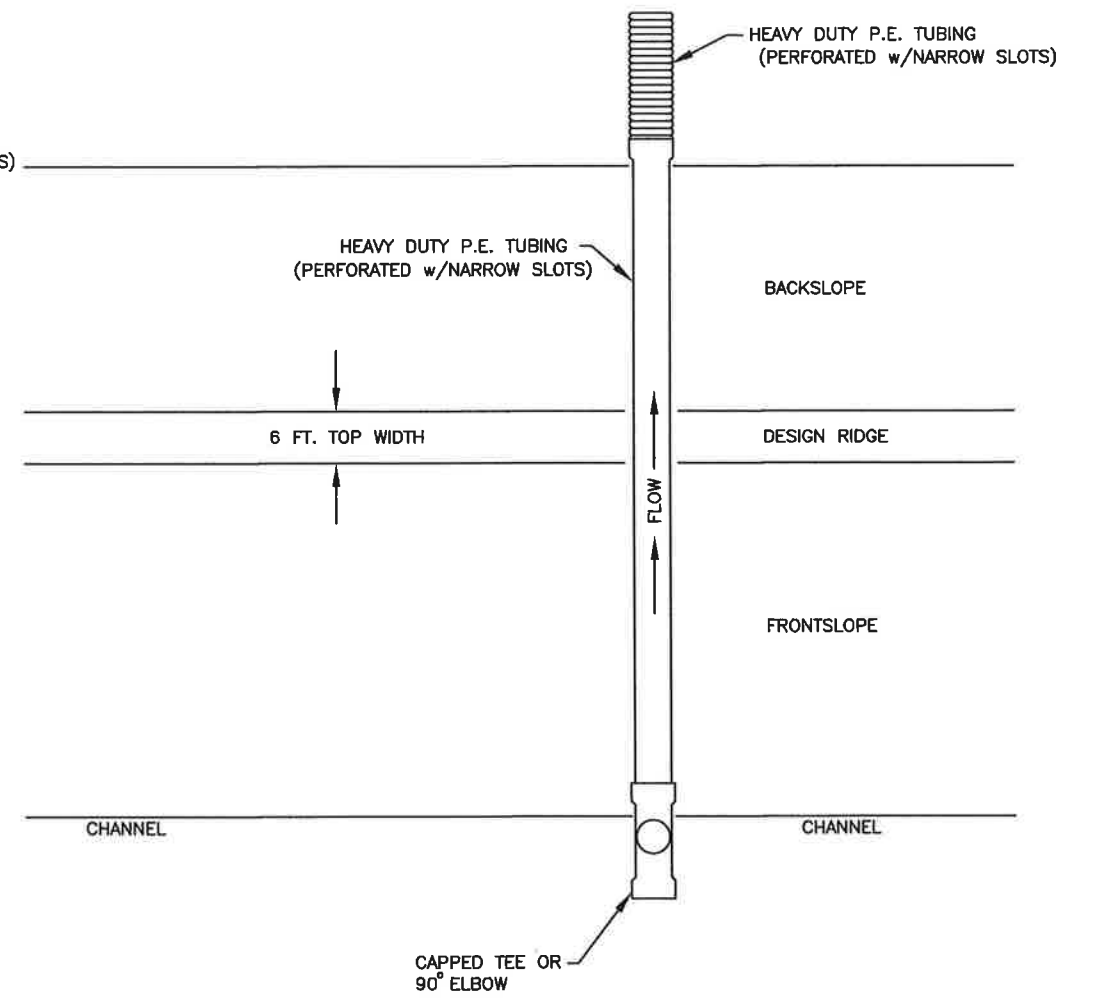
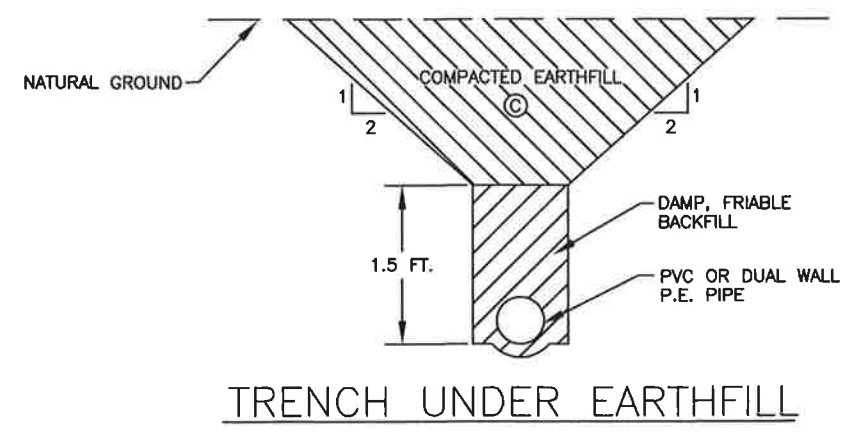
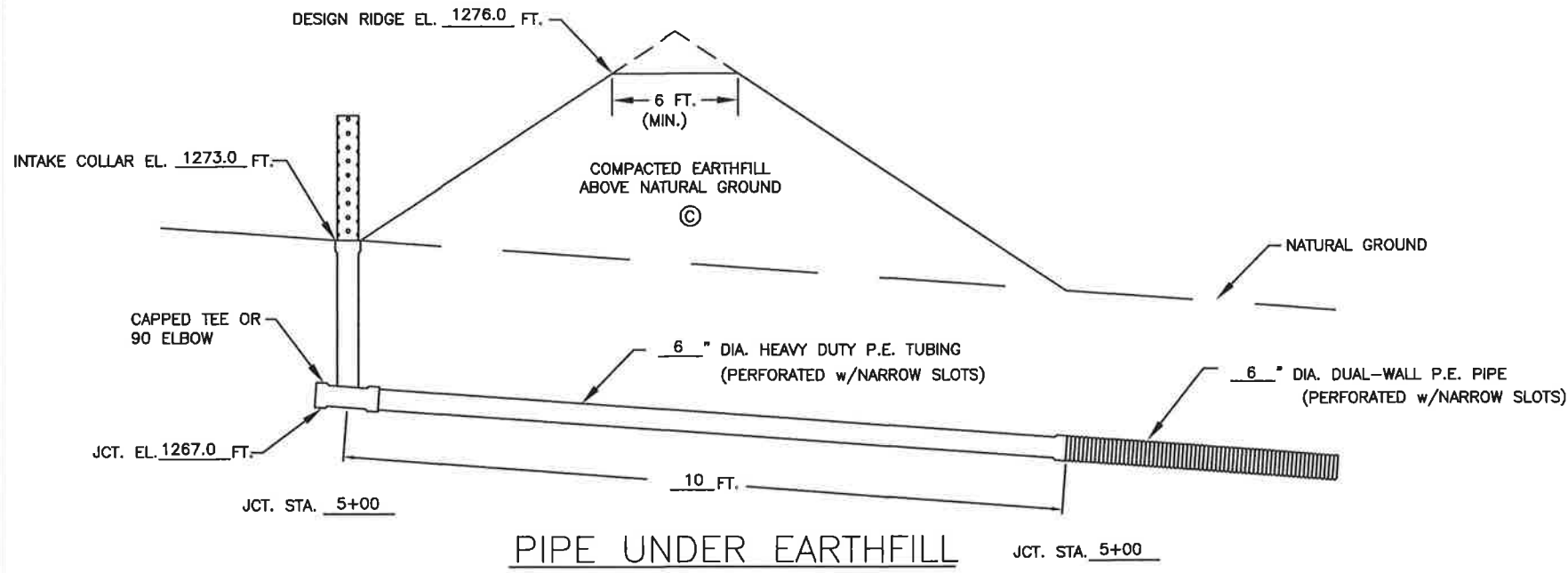


INTAKE OFFSET IN CHANNEL  
PLAN VIEW

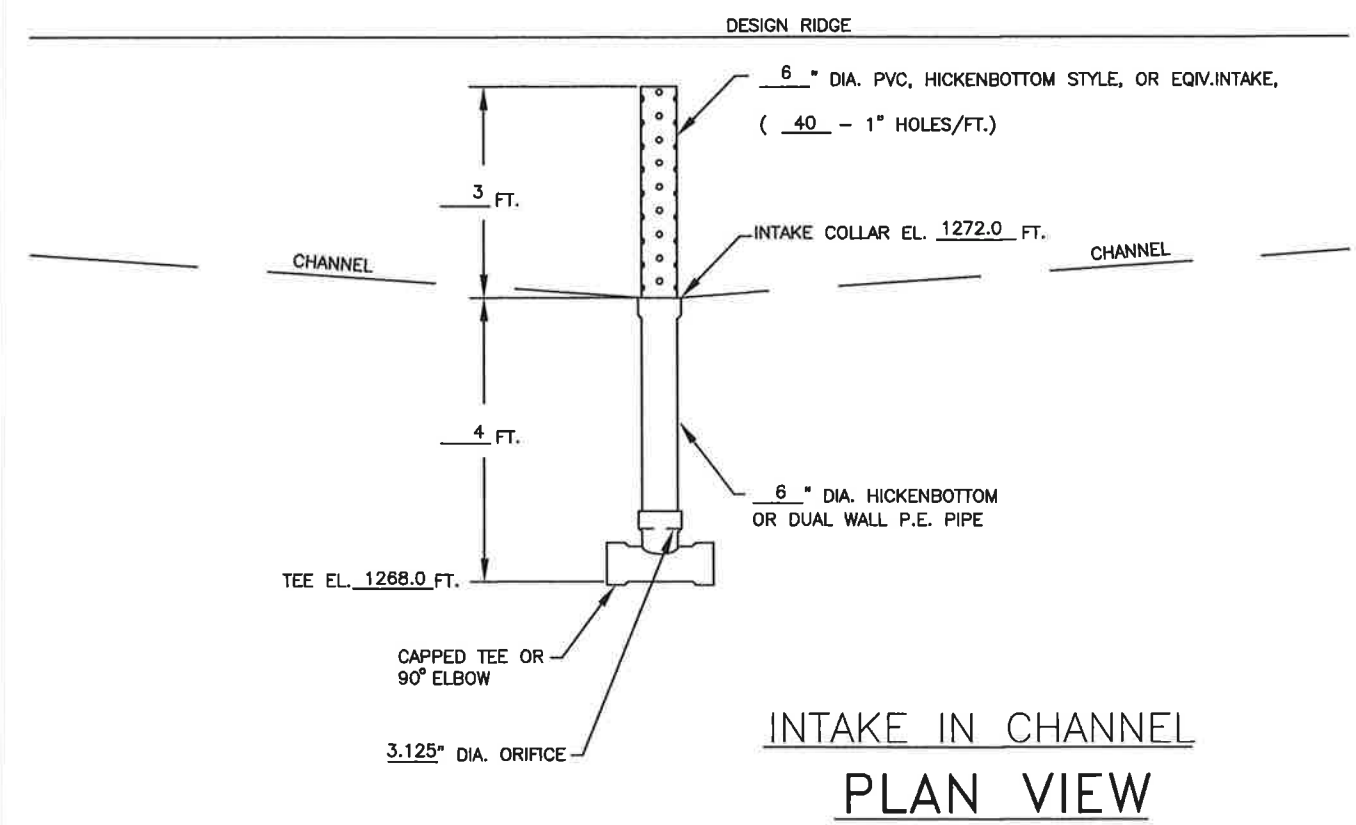
SHAYNE MUNTER - HILL RIVER 35  
WATER & SEDIMENT BASINS

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.  
 JAMES HEST  
 SIGNATURE: *James Hest*  
 Date: *6/19/16* Reg. No. 24511

**BASIN A2**  
 East Polk Soil & Water Conservation District  
 Polk County, Minnesota  
 PREPARED BY  
 RED RIVER VALLEY CONSERVATION SERVICE AREA  
 P.O. BOX 16 GRYGLA, MINNESOTA 56727 (218) 294-6142  
 Drawn by JAH Checked by JAH Date 06-19-18 Sheet 6 of 8



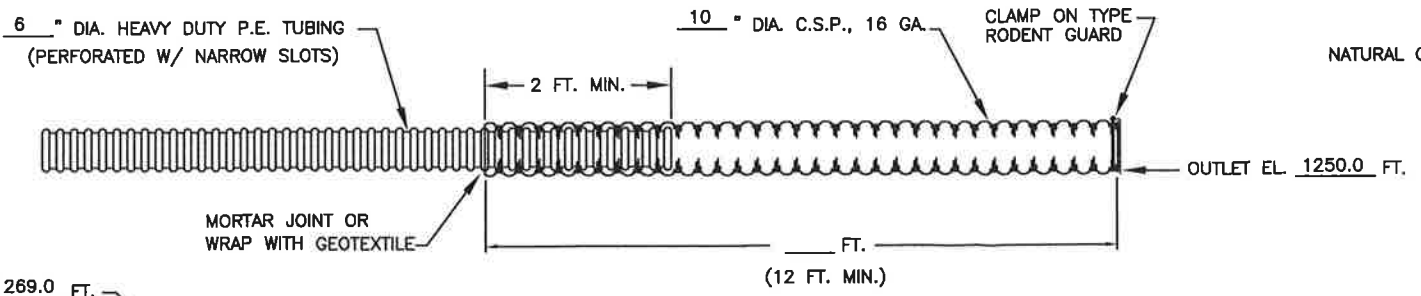
**PLAN VIEW**



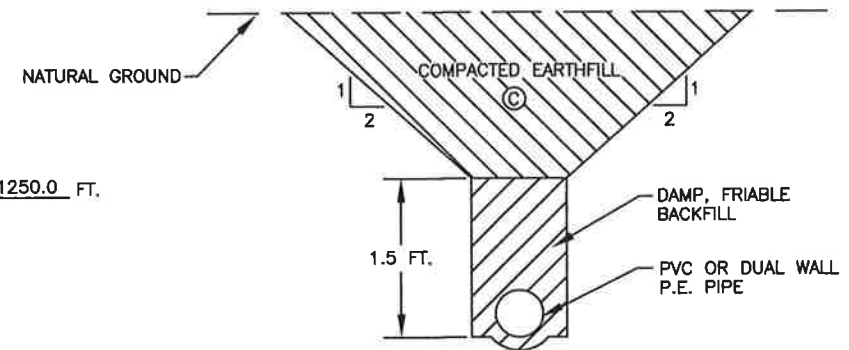
NOTE: SEE PROFILE SHEETS FOR TILE SIZES/GRADES

SHAYNE MUNTER - HILL RIVER 35  
 WATER & SEDIMENT BASINS

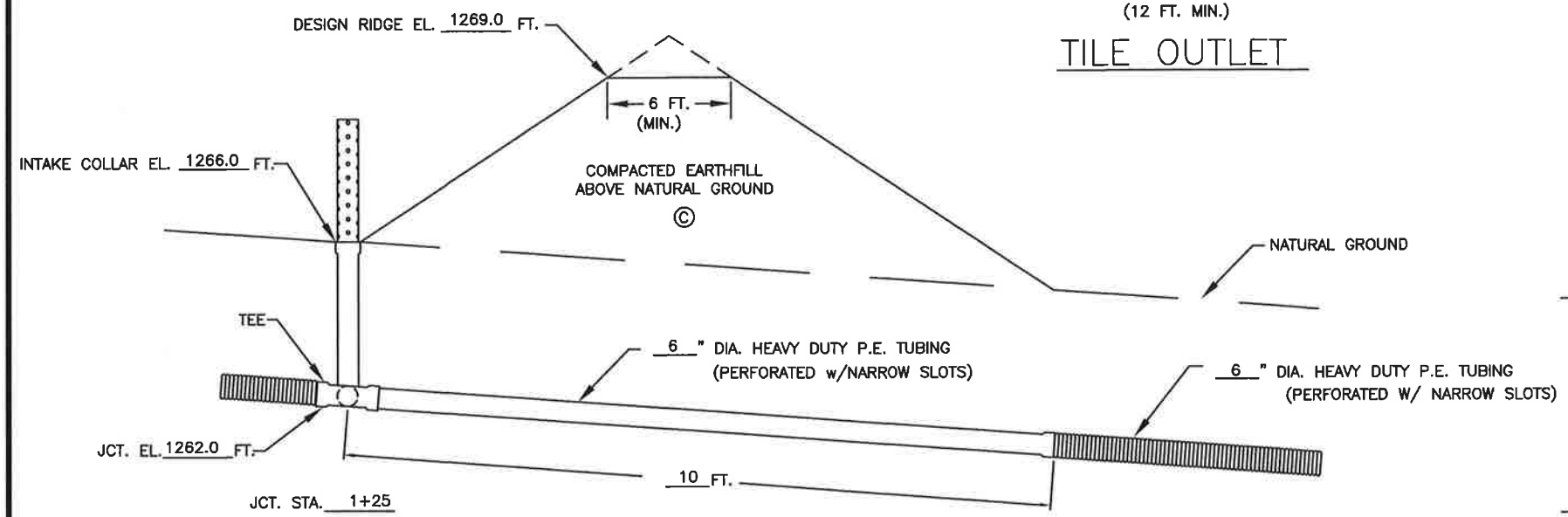
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota. JAMES HEST SIGNATURE: <i>James Hest</i> Date: <i>6/19/10</i> Reg. No. 24511	<b>BASIN B1</b>
	East Polk Soil & Water Conservation District Polk County, Minnesota
	PREPARED BY RED RIVER VALLEY CONSERVATION SERVICE AREA P.O. BOX 16 GRYGLA, MINNESOTA 56727 (218) 294-6142 Drawn by JAH Checked by JAH Date 06-19-10 Sheet 7 of 8



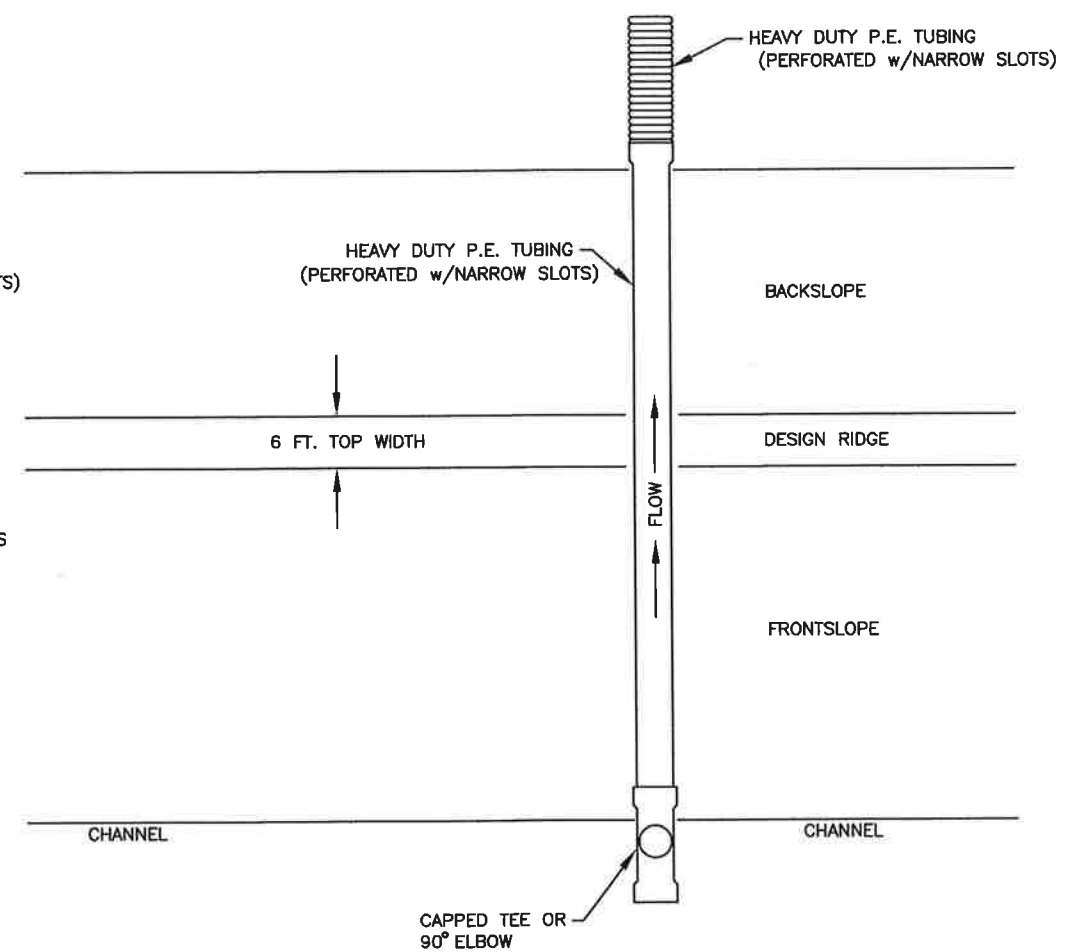
TILE OUTLET



TRENCH UNDER EARTHFILL

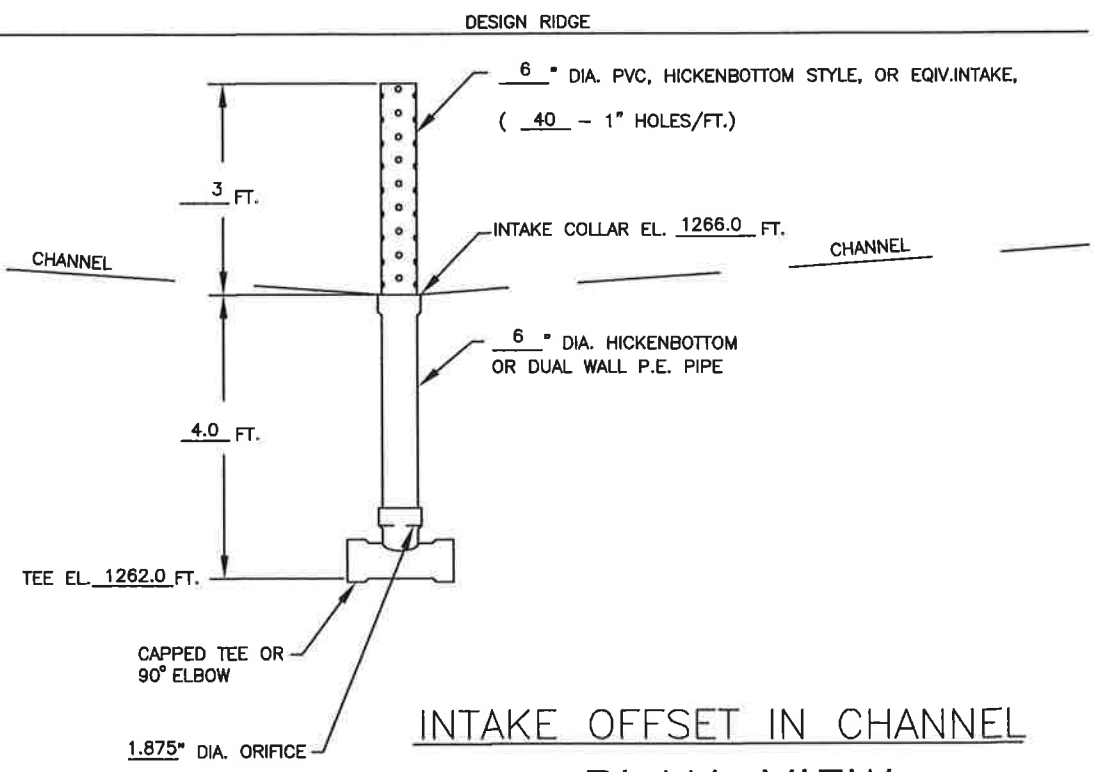


PIPE UNDER EARTHFILL



PLAN VIEW

NOTE: SEE PROFILE SHEETS FOR TILE SIZES/GRADES



INTAKE OFFSET IN CHANNEL  
PLAN VIEW

SHAYNE MUNTER - HILL RIVER 35  
WATER & SEDIMENT BASINS

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.  SIGNATURE: <i>James Hest</i> Date: <i>6/19/10</i> Reg. No. 24511	<b>BASIN C1</b>
	East Polk Soil & Water Conservation District Polk County, Minnesota  PREPARED BY <b>RED RIVER VALLEY CONSERVATION SERVICE AREA</b> P.O. BOX 16 GRYGLA, MINNESOTA 56727 (218) 294-6142 Drawn by JAH Checked by JAH Date 06-19-10 Sheet 8 of 8

September 25, 2018

Red Lake Watershed District Board of Managers  
c/o Myron Jesme, Administrator  
1000 Pennington Ave S  
Thief River Falls, MN 56701

**RE: Approval of the Red Lake Watershed District Watershed Management Plan Extension**

Dear Red Lake Watershed District Board of Managers,

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Red Lake Watershed District Watershed Management Plan extension was approved on September 25, 2018. Attached is the signed Board Order that documents approval of the extension and indicates the Plan meets all relevant requirements of law and rule.

Please contact your Board Conservationist Matt Fischer at 218-755-2683 or [matt.fischer@state.mn.us](mailto:matt.fischer@state.mn.us) for further assistance on this matter.

Sincerely,



John Jaschke, Executive Director  
Minnesota Board of Water and Soil Resources

Enclosure: BWSR Board Order

CC: Jeff Berg, MDA (via email)  
Jenilynn Marchand, MDH (via email)  
Barbara Weisman, DNR (via email)  
Nathan Kestner, DNR (via email)  
Juline Holleran, MPCA (via email)  
Jim Courneya, MPCA (via email)  
Ryan Hughes, BWSR (via email)  
Matt Fischer, BWSR (via email)  
Annie Felix-Gerth, (via email)

Minnesota Board of Water and Soil Resources  
520 Lafayette Road North  
St. Paul, Minnesota 55155

---

In the matter of Extending the Watershed Management Plan for Red Lake Watershed District pursuant to Minnesota Statutes, Section 103B.3367.

---

**ORDER  
EXTENDING WATERSHED  
MANAGEMENT PLAN**

**Whereas**, on June 28, 2006, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Red Lake Watershed District (District) Watershed Management Plan (Plan) effective until September 28, 2017; and

**Whereas**, on September 26, 2012, as per Board Resolution #12-85, the District Plan was extended to October 31, 2018, to allow synchronization with the Watershed Restoration and Protection Strategies (WRAPS) processes; and

**Whereas**, the Board has authorization to grant extensions pursuant to Minnesota Statutes Section 103B.3367; and

**Whereas**, the Board adopted Resolution #16-54 *Local Water Plan Extension and Amendment Policy* on June 22, 2016;

**Now Therefore**, the Board hereby makes the following Findings of Fact, Conclusions, and Order:

**FINDINGS OF FACT**

1. On August 29, 2018, the Board received a petition from the District requesting an extension of their Plan. The effective date will change from the current date of October 31, 2018, to a new date of December 31, 2025. The following are the reasons for the request.
  - A. The District requests this extension in order to transition to Comprehensive Watershed Management Planning through the One Watershed, One Plan (1W1P) program consistent with Minnesota Statutes 103B.801 for the Red Lake River, Grand Marais Creek, Thief River, Clearwater River, and Upper and Lower Red Lake watersheds for watershed-scale planning efforts.
  - B. The District has completed a Comprehensive Watershed Management Plan (CWMP) for the Red Lake River watershed and the portion of the Grand Marais Creek watershed within the District, which was approved by the Board on April 26, 2017. The District is currently a participant in the development of a CWMP through the 1W1P program for the Thief River watershed planning area, which is scheduled to be completed by August 28, 2019.



## CONCLUSIONS

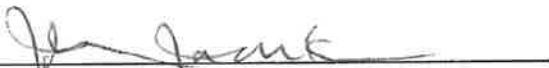
1. All relevant substantive and procedural requirements of law have been fulfilled.
2. The Board has proper jurisdiction in the matter of extending Comprehensive Local Water Management Plans, pursuant to Minnesota Statutes, Section 103B.3367.
3. The Red Lake Watershed District Watershed Management Plan extension request is in conformance with the requirements of Minnesota Statutes, Section 103B.3367 and the Board's *Local Water Plan Extension and Amendment Policy* dated June 22, 2016.

## ORDER

The Board hereby approves the extension of the Red Lake Watershed District Watershed Management Plan until December 31, 2025.

Dated at St. Paul, Minnesota, on September 25, 2018.

**MINNESOTA BOARD OF WATER AND SOIL RESOURCES**



BY: John Jaschke, BWSR Executive Director



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.

BALSTAD TILE  
LESSOR TWP.-34



9-6-18-th / Ld 9:45a.m.  
SPOKE W/ ♀ @ FARM# THEY WILL SEND PERMIT  
& I SAID I WILL SEND LETTER

RICHARD BOLSTAD } No- HE SAID  
218-556-9316 }  
DAVEY 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

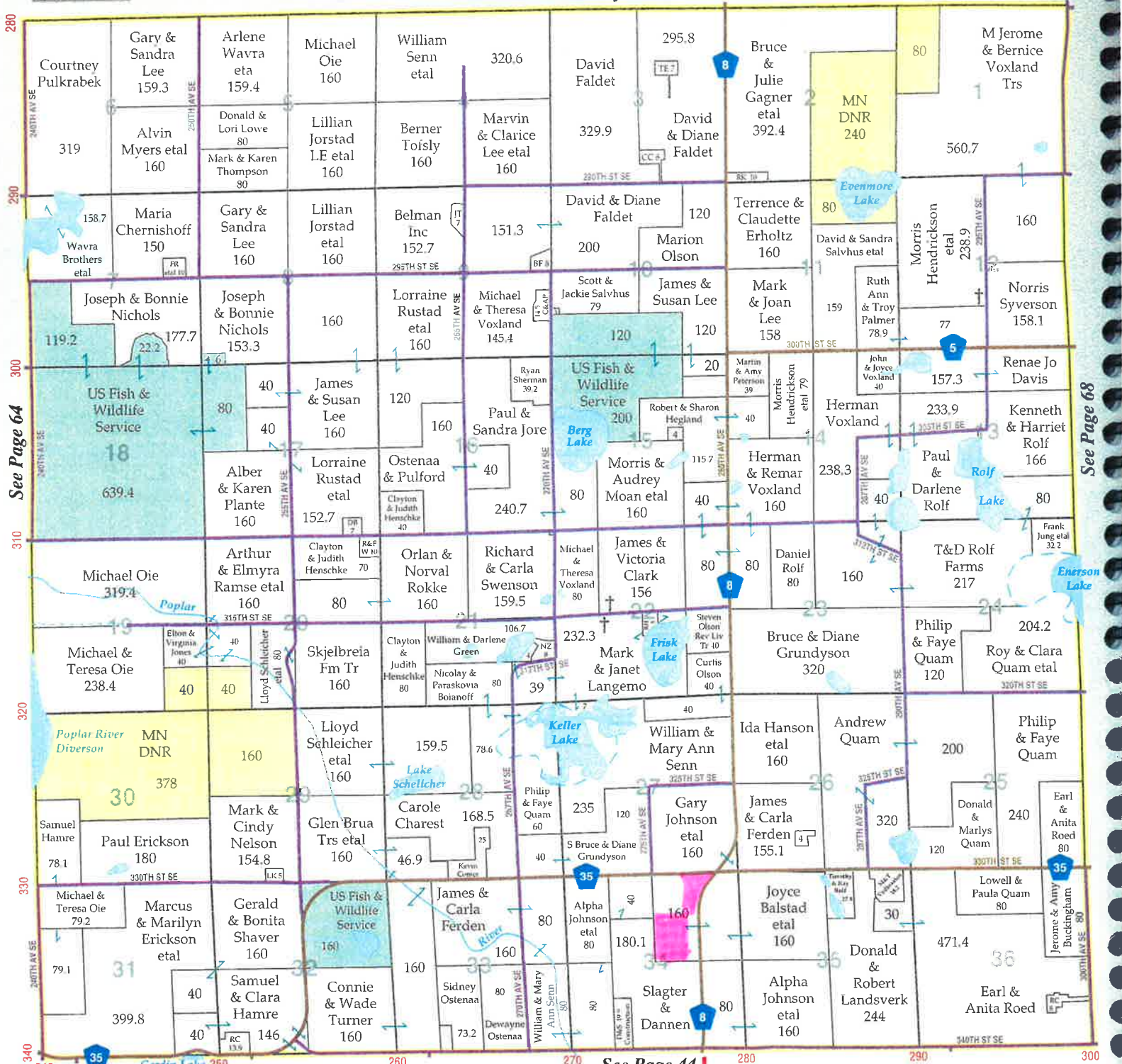
Drain tile outlets to: \_\_\_\_\_

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

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



Red Lake County



# KROX

the Voice of the Valley  
**1260**

FROM SITE  
4 MI. TO  
McINTOSH



208 S Main PO Box 620  
Crookston, MN 56716

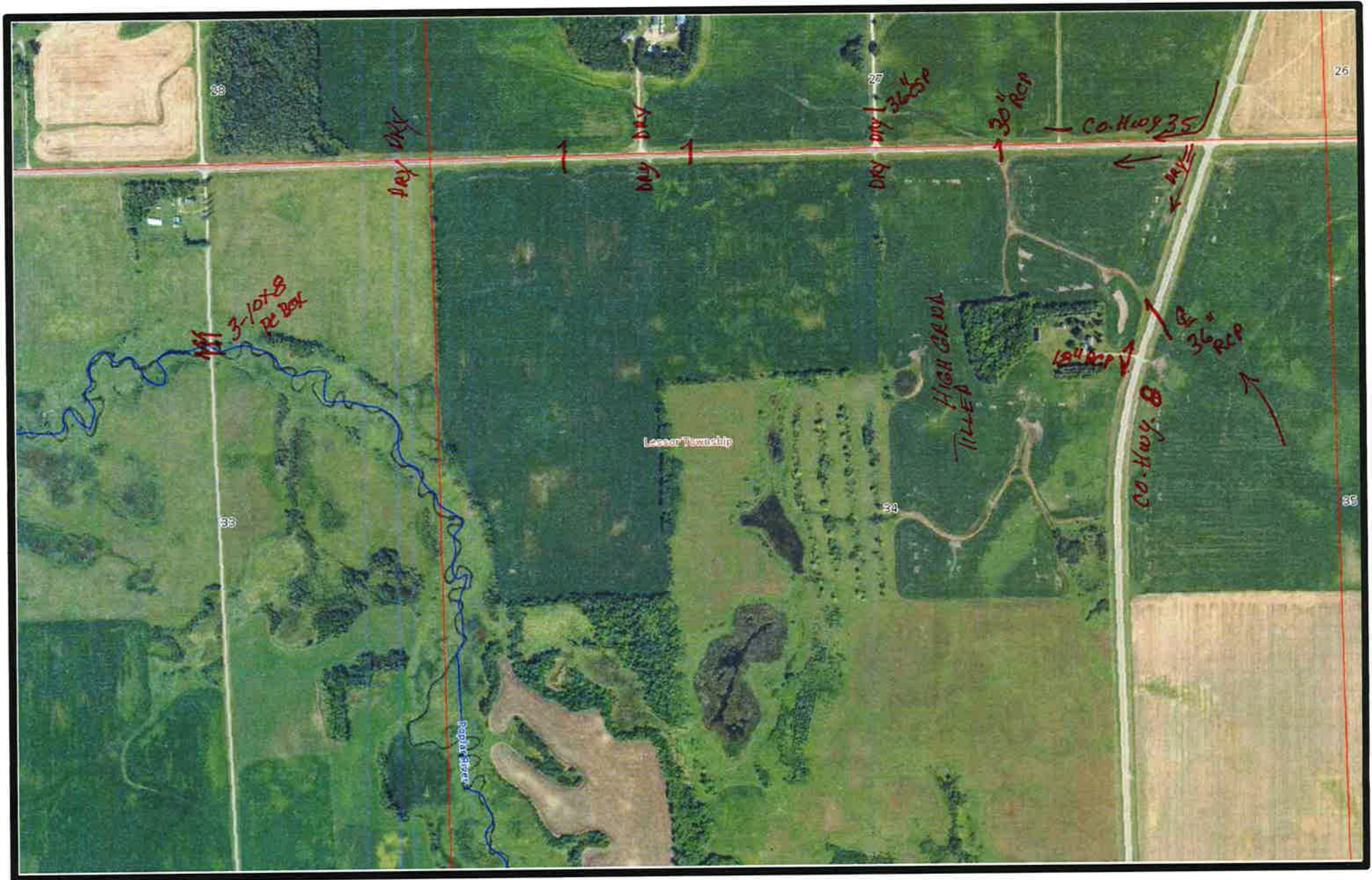
Phone: 218-281-1140  
Fax: 218-281-5036

www.kroxam.com

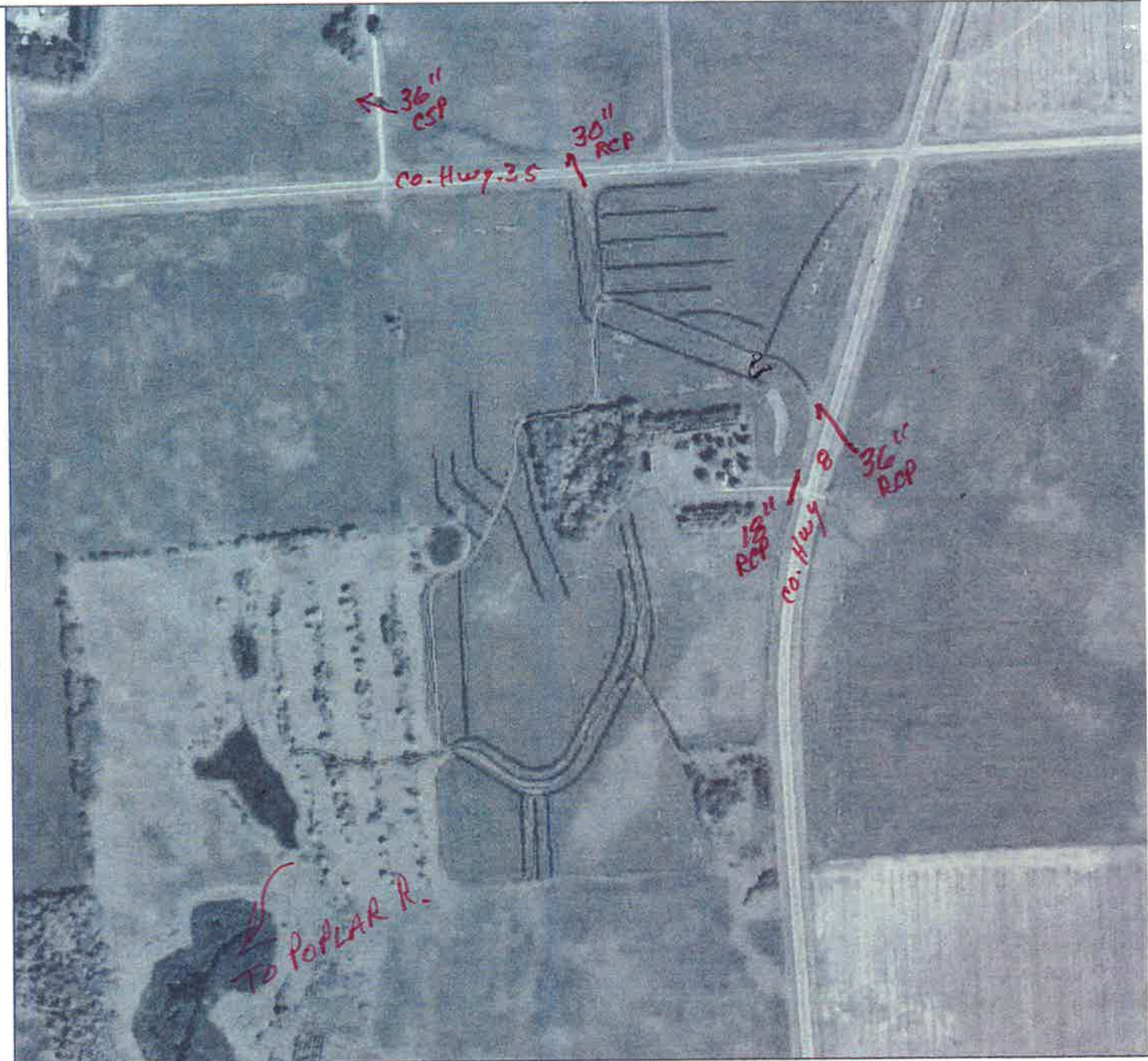
# Balstad s34



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 # 18-105

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Michael Gasper		27186 237th Avenue SW Crookston, MN 56716		tel: mobile: 218-289-0076 fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Polk** Township: **Northland** Range: **49** Section: **32 1/4: NE1/4**

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

(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	None

**Conditions**

**P.A. #18105** 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.



Permit # 18-114

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Craig Stroot		23388 265th Street SW Crookston, MN 56716		tel: mobile: 218-289-3415 fax:

**General Information**

- (1) The proposed project is a:  
**Culvert Installation / Removal / Modification**
- (2) Legal Description
- (3) County: **Polk Township: Crookston Range: 46 Section: 28 1/4: NE1/4**
- (4) Describe in detail the work to be performed. **Replace existing culvert and bring to grade.**
- (5) Why is this work necessary? Explain water related issue/problem being solved. **Wrong grade.**

**Status**

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

**Conditions**

**P.A. #18114 Red Lake Watershed District (RLWD) approval to replace 18 in. diameter driveway culvert with a 24 in. diameter culvert at approximately the same flowline elevation as the existing pipe, as per approval of Crookston 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 # 18-115

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Wayne Vettleson		20499 350th Avenue SE Trail, MN 56684		tel: mobile: 218-686-2143 fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Red Lake** Township: **Equality** Range: **40** Section: **35** 1/4: **SE1/4**

(4) Describe in detail the work to be performed. **Remove old existing 18" culvert and replace with longer pipe of same diameter at same elevation. Work is in road ditch of County Road #136.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Old culvert has deteriorated and is too short.**

**Status**

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

**Conditions**

**P.A. #18115 Red Lake Watershed District (RLWD) approval to replace and lengthen existing driveway culvert with an 18 in. diameter culvert, as per approval of Red Lake County specs/conditions; proposed work is in County Road #136 Right-of-Way. Contact person at Red Lake Co. Hwy. Dept. is Randy Konickson at 218-253-2697. 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 # 18-116

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Mike LaSalle		14477 Riverbend Trail Thief River Falls, MN 56701		tel: mobile: 218-686-0475 fax:

**General Information**

(1) The proposed project is a:

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

(2) Legal Description

(3) County: **Pennington** Township: **Rocksbury** Range: **43** Section: **9 1/4**:

(4) Describe in detail the work to be performed. **Slope ditch side to allow for maintenance.**

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

**Status**

Status	Notes	Date
Approved	None	Sept. 27, 2018
Received	None	Sept. 12, 2018

**Conditions**

**P.A. #18116 Red Lake Watershed District (RLWD) approval to re-slope (flatten) existing ditch bank for ease of maintenance/mowing. 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 # 18-117

Status Report: **Approved**

### Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Anthony Engelstad		3219 Count Hwy 1 Fertile, MN 56540		tel: mobile: 218-280-9027 fax:

### General Information

(1) The proposed project is a:

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

(2) Legal Description

(3) County: **Polk** Township: **Godfrey** Range: **44** Section: **19 1/4: NW1/4**

(4) Describe in detail the work to be performed. **Clean ditch on north side and east side of field. Install field crossing.**

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

### Status

Status	Notes	Date
Approved	None	Sept. 27, 2018
Received	None	Sept. 13, 2018

### Conditions

**P.A. #18117 Red Lake Watershed District (RLWD) approval to clean township road ditches, as per approval of Godfrey Township specs/conditions; proposed work is within township 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 # 18-118

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Brian Wellman		32343 120th Street NE Goodridge, MN 56725		tel: mobile: 218-689-8083 fax:

**General Information**

- (1) The proposed project is a:  
**Culvert Installation / Removal / Modification**
- (2) Legal Description
- (3) County: **Pennington** Township: **Highlanding** Range: **40** Section: **27 1/4: NE1/4 NW1/4**
- (4) Describe in detail the work to be performed. **Extend existing 18" culvert.**
- (5) Why is this work necessary? Explain water related issue/problem being solved. **Crossing is to narrow.**

**Status**

Status	Notes	Date
Approved	None	Sept. 27, 2018
Received	None	Sept. 14, 2018

**Conditions**

**P.A. #18118 Red Lake Watershed District (RLWD) approval to extend existing 18 in. diameter culvert as per approval of Pennington Co. Hwy. Dept. specs/conditions; proposed work is in County Road #58 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, 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 # 18-119

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
	U.S. Fish and Wildlife Service	1732 North Tower Road Detroit Lakes, MN 56501		tel:218-847-4431 mobile: fax:

**General Information**

(1) The proposed project is a:

**Wetland Restoration or Other Water Retention Related Structures**

(2) Legal Description

(3) County: **Polk** Township: **Queen** Range: **39** Section: **10 1/4: NW1/4 NW1/4**

(4) Describe in detail the work to be performed. **Build dike to restore existing wetland.**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Project will reduce runoff flowing downstream while providing wetland habitat for wildlife.**

**Status**

Status	Notes	Date
Approved	None	Sept. 27, 2018
Received	None	Sept. 17, 2018

**Conditions**

**P.A. #18119 – US fish & Wildlife Service Red Lake Watershed District (RLWD) approval of the Falkman Wetland Restoration project. Applicant must insure that all proposed work does not adversely impact any adjacent private lands, public drainage, roads, and railroad right of way and/or utilities.**

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 # 18-120

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
John Barrett		1003 10th Avenue SE East Grand Forks, MN 56721		tel:701-739-1530 mobile: fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Polk** Township: **Northland** Range: **49** Section: **27 1/4: NE1/4 SE1/4**

(4) Describe in detail the work to be performed. **Install field crossing with 48" culvert. Work is within County Road 62 ROW.**

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

**Status**

Status	Notes	Date
<b>Approved</b>	<b>None</b>	<b>Sept. 27, 2018</b>
Received	None	Sept. 17, 2018

**Conditions**

**P.A. #18120 Red Lake Watershed District (RLWD) approval to install a field entrance with a 48 in. dia. culvert, as per approval of Polk Co. Hwy. Dept. specs/conditions; proposed work within Polk Co. Road #62 Right-of Way. Contact persons at Polk Co. Hwy. Dept. is Engineer Rich Sanders at 218-281-3952 ext. 8253 or Asst. Engineer Darrin Carlstrom at ext. 8254. For proposed work on lands not owned by applicant, he/she must obtain, in writing, permission from the landowner(s) prior to the start of any 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 # 18-121

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Dave Faldet		27518 290th Street SE McIntosh, MN 56556		tel:218-280-1689 mobile: fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Polk Township: Lessor Range: 41 Section: 6 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	Sept. 27, 2018
Received	None	Sept. 18, 2018

**Conditions**

**P.A. #18121 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 # 18-122

Status Report: **Approved**

### Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Shirley Strand		3542 6th Street East West Fargo, ND 58078		tel: mobile: 218-686-7886 fax:

### General Information

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Red Lake** Township: **Poplar River** Range: **42** Section: **22 1/4: SW1/4**

(4) Describe in detail the work to be performed. **Replace two existing field entrance culverts off of County Road 132. Site 1-Section 22, SW1/2 18" culvert Site 2-Section 27, NW1/4 30" culvert**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Culverts are old and need to lengthen.**

### Status

Status	Notes	Date
Approved	None	Sept. 27, 2018
Received	None	Sept. 19, 2018

### Conditions

**P.A. #18122 Red Lake Watershed District (RLWD) approval to replace and lengthen existing field entrance culverts, as per the following; 1) entrance on the North side of Co. Rd. shall install an 18 in. diameter culvert, and 2) entrance on the South side of Co. Rd. shall install a 30 in. diameter culvert, as per approval of Red Lake County specs/conditions; proposed work is in County Road #132 Right-of-Way. Contact person at Red Lake Co. Hwy. Dept. is Randy Konickson at 218-253-2697. 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 # 18-123

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Shirley Strand		3542 6th Street East West Fargo, ND 58078		tel: mobile: 218-686-7886 fax:

**General Information**

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Red Lake** Township: **Poplar River** Range: **42** Section: **34 1/4: NE1/4**

(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	Sept. 27, 2018
Received	None	Sept. 19, 2018

**Conditions**

**P.A. #18123 Red Lake Watershed District (RLWD) approval to install afield entrance with a 36 in. diameter culvert, as per approval of Poplar River 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 # 18-124

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Brent Strand		3542 6th Street East West Fargo, ND 58078		tel: mobile: 218-686-7886 fax:

**General Information**

(1) The proposed project is a:

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

(2) Legal Description

(3) County: Polk Township: Lessor Range: 41 Section: 6 1/4: NE1/4

(4) Describe in detail the work to be performed. **Clean road ditch**

(5) Why is this work necessary? Explain water related issue/problem being solved. **Ditch has silted in and needs to be cleaned out. Work had been previously done under RLWD Permit No. 14215.**

**Status**

Status	Notes	Date
Approved	None	Sept. 27, 2018
Received	None	Sept. 18, 2018

**Conditions**

P.A. #18124 – this same scope of work was approved in 2014 - Per. #14215 Red Lake Watershed District (RLWD) approval as per approval of both Lessor and Lambert Townships specs/conditions; proposed work is within township road Right-of Way. Applicant must also obtain approval from Red Lake County Highway Dept. as a portion of the proposed work is in county road #7 Right-of-Way and must adhere to their specs/conditions. Contact person at Red Lake Co. Hwy. Dept. is Randy Konickson at 218-253-2697. 1) All excavation shall be consistent with the existing road slopes with no vertical excavation faces and no excavation within the in-slope of the roadway. 2) The ditch may have an approximate bottom width of 6 to 8 feet 3) Excavate the back-slope to a 4 foot horizontal to 1 foot vertical (4 to 1) slope (the existing topography is already quite steep and soils are very 'sandy') 4) Existing drainage/flow patterns shall not be changed or diverted and existing culverts shall remain "as – is" and not changed. 5) The entire area needs to be monitored for erosion; and vegetative cover is very important to get established immediately after excavation. 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 # 18-126

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
Pat Wichterman		18497 170th Street SE Plummer, MN 56748		tel: mobile: 1-701-400-4496 fax:

**General Information**

(1) The proposed project is a:

**Tiling**

(2) Legal Description

(3) County: **Red Lake** Township: **Emardville** Range: **42** Section: **8 1/4: NW1/4**

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

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

**Status**

Status	Notes	Date
Approved	None	Sept. 27, 2018
Received	None	Sept. 21, 2018

**Conditions**

P.A. #18126 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.



Permit # 18-127

Status Report: **Approved**

### Applicant Information

Name	Organization	Address	Email	Phone Number(s)
Jason Odberg		1115 Meadow Street Thief River Falls, MN 56701		tel: mobile: 218-686-0267 fax:

### General Information

(1) The proposed project is a:

**Culvert Installation / Removal / Modification**

(2) Legal Description

(3) County: **Pennington** Township: **North** Range: **43** Section: **28 1/4**:

(4) Describe in detail the work to be performed. **Install 15" culvert and entrance.**

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

### Status

Status	Notes	Date
<b>Approved</b>	<b>None</b>	<b>Sept. 27, 2018</b>
<b>Received</b>	<b>None</b>	<b>Sept. 24, 2018</b>

### Conditions

**P.A. #18127 Red Lake Watershed District (RLWD) approval to install a entrance with an 15 in. diameter culvert, as per approval of Pennington County specs/conditions; proposed work is in County Road #17 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 # 18-128

Status Report: **Approved**

**Applicant Information**

Name	Organization	Address	Email	Phone Number(s)
	Minnesota Department of Natural Resources Forestry	16945 State Hwy. 89 Wannaska, MN 56761		tel:218-425-7793 mobile: fax:

**General Information**

- (1) The proposed project is a:  
**Culvert Installation / Removal / Modification**
- (2) Legal Description
- (3) County: **Beltrami** Township: **None** Range: **36** Section: **6 1/4**: **NW1/4 SW1/4**
- (4) Describe in detail the work to be performed. **Retain culvert installed for emergency fire suppression operations.**
- (5) Why is this work necessary? Explain water related issue/problem being solved. **Would like to retain only culvert within four mile stretch on east side of road.**

**Status**

Status	Notes	Date
Approved	None	Sept. 27, 2018
Received	None	Sept. 24, 2018

**Conditions**

**P.A. #18128 Red Lake Watershed District (RLWD) approval to install an entrance with a 60 in. diameter culvert, on the East side of Dick's Parkway Forest Road in Beltrami Island State Forest. 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*

**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: [RLWD@redlakewatershed.org](mailto:RLWD@redlakewatershed.org)

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

**Secretary**

LeRoy Ose

**Managers**

Les Torgerson

Allan Page

Brian Dwight

September 27, 2018

Julianne Motis, PE  
Enbridge Energy, Limited Partnership  
26 East Superior Street  
Suite 313  
Duluth, MN 55802

RE: Line 3 Replacement Project-Statement of No Objection, Lost River Crossing Section 408  
Permission Request to US Army Corps of Engineers, dated September 21, 2018

Dear Ms. Motis:

Earlier this year, Enbridge Energy, Limited Partnership (“Enbridge”) contacted the Red Lake Watershed District (“RLWD”) regarding the Line 3 Replacement Project (“L3R” or “Project”) and RLWD permit requirements. At that time, Enbridge advised RLWD staff of the need for US Army Corps of Engineers (“USACE”) permission under 33 USC Section 408 (“Section 408”) for the Project’s proposed crossing of the Lost River in Red Lake County, Minnesota (“Lost River Crossing”). Section 408 authorizes the USACE to grant Section 408 permission for the alteration, occupation or use of a federally authorized civil works project (“USACE Project”) if the activity will not be injurious to the public interest or affect the USACE Project’s ability to meet its authorized purpose.

The US Flood Control Act authorized a federal flood control civil works project on the Lost River (“Lost River USACE Project”) in 1966 that included the location of the Lost River Crossing. The former Red Lake Drainage and Conservancy District received federal funding for improvements on the Lost River, including channel clearing and snagging, deepening, widening, or straightening and appurtenant work. The RLWD is the current non-federal sponsor of the Lost River USACE Project.

Enbridge provided the RLWD a complete copy of its Section 408 Lost River permission request, dated September 21, 2018 (“Lost River Section 408 Request or “Request”). The RLWD understands the scope of the Lost River Section 408 Request and does not object to the USACE initiating its required evaluation of the Request. As the local non-federal sponsor of the Lost River USACE Project, the RLWD Board of Managers, at its September 27, 2018, meeting passed a motion stating that it does not object to Enbridge’s submittal of its Lost River Section 408 Request to the USACE for review.

If you have any questions, please feel free to contact our office. Sincerely,

Dale M. Nelson  
President



## Tammy Audette

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**From:** Myron Jesme  
**Sent:** Monday, September 24, 2018 10:59 AM  
**To:** Tammy Audette  
**Subject:** Fwd: 16266-0002: MAWD Resolution, Request for Support  
**Attachments:** DRAFT\_MAWD Resolution Background\_RCWD 2018 (2).docx; 2018 MAWD Resolution\_Draft(2).docx

FYI

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**From:** John Kolb <jkolb@rinkenoonan.com>  
**Sent:** Monday, September 24, 2018 9:37 AM  
**To:** John Kolb  
**Subject:** RE: 16266-0002: MAWD Resolution, Request for Support

Dear Watershed District Administrators, Managers and Consultants:

I recently learned that bills do not carry over from biennium to biennium. Therefore, with a new biennium starting in 2019, HF2687 and SF2419 are no longer active. They will either have to be reintroduced in the 2019-2020 biennium or new legislation, modeled after them, will have to be introduced.

The attached resolution and background sheet addresses this situation. The RCWD Board is expected to approve this for submission at its 9/26 regular meeting.

Thank you for considering this resolution.

JCK

John C. Kolb  
Attorney

**RINKE NOONAN**  
Suite 300, US Bank Plaza  
P.O. Box 1497  
St. Cloud, MN 56302  
(320) 656-3503 Direct  
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[website](#) | [email](#) | [bio](#) | [map](#)



For prompt assistance, please contact my paralegal,  
Julie Fincher at (320) 656-3527 or [jfincher@rinkenoonan.com](mailto:jfincher@rinkenoonan.com)

---

**From:** John Kolb  
**Sent:** Friday, September 21, 2018 10:08 AM

**To:** John Kolb <JKolb@rinkenoonan.com>

**Subject:** RE: 16266-0002: MAWD Resolution, Request for Support

Dear Watershed District Administrators, Managers and Consultants:

Please find the attached (draft) revisions to RCWD's proposed MAWD resolution discussed below. The RCWD Board is expected to approve this for submission at its 9/26 regular meeting. I am authorized to provide these to you in a word processing format if you like.

JCK

John C. Kolb  
Attorney

**RINKE NOONAN**

Suite 300, US Bank Plaza  
P.O. Box 1497  
St. Cloud, MN 56302  
(320) 656-3503 Direct  
(320) 656-3500 Fax

[website](#) | [email](#) | [bio](#) | [map](#)



RINKE NOONAN  
*attorneys at law*

For prompt assistance, please contact my paralegal,  
Julie Fincher at (320) 656-3527 or [jfincher@rinkenoonan.com](mailto:jfincher@rinkenoonan.com)

**From:** John Kolb

**Sent:** Wednesday, September 12, 2018 12:10 PM

**To:** John Kolb <JKolb@rinkenoonan.com>

**Subject:** 16266-0002: MAWD Resolution, Request for Support

Dear Watershed District Administrators, Managers and Consultants:

I am writing to ask you to consider (by request to your Board) joining the Rice Creek Watershed District in the attached, proposed MAWD resolution. The proposed resolution seeks to reinforce and re-state what we believe is the DNR's role in evaluating and providing input to public drainage system repairs. As many of you are experiencing (or have experienced in recent years), the DNR, as a matter of policy, has extended its authority by asserting authority to regulate, permit and restrict drainage system repairs. Most recently, the DNR issued guidance, in February 2018, which turns long-standing practices of the DNR and understanding of the interface of public waters law and public drainage law on its head. As this guidance was being developed, HF2687 and SF2419 were introduced to restate the protections given to drainage system repairs and to put the DNR on notice that the legislature was watching its actions. Action on the bills stalled upon the DNR's promise that its guidance would resolve the concerns being voiced by drainage authorities and benefitted landowners. Unfortunately the guidance did not address the concerns and, in practice, has proved to create more uncertainty in the public waters regulatory program and more expense and delay in even the most basic of drainage system repairs. For this reason, the Rice Creek Watershed District Board plans to advance the attached resolution. To the extent these same issues may be affecting your Boards as Drainage Authorities, we ask that you consider joining the resolution by adopting an independent resolution for your district, or by submitting a letter of support for the Rice Creek proposal.

The bills may be reviewed at the following links:

(HF 2687)

[https://www.revisor.mn.gov/bills/text.php?number=HF2687&version=0&session=ls90&session\\_year=2017&session\\_number=0](https://www.revisor.mn.gov/bills/text.php?number=HF2687&version=0&session=ls90&session_year=2017&session_number=0)

(SF 2419)

[https://www.revisor.mn.gov/bills/text.php?number=SF2419&session=ls90&version=latest&session\\_number=0&session\\_year=2017](https://www.revisor.mn.gov/bills/text.php?number=SF2419&session=ls90&version=latest&session_number=0&session_year=2017)

Feel free to contact me if you have any questions.

JCK

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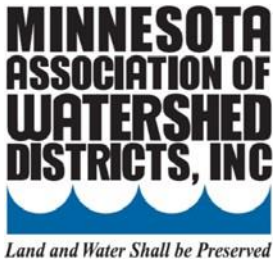
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# 2018 MAWD Resolutions

## Background Information

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Proposing District: Rice Creek Watershed District

Contact Name: Phil Belfiori

Phone Number: 763-398-3073

Email Address: pbelfiori@ricecreek.org

Resolution Title: MAWD Support of HF2687 and SF2419 Regarding DNR Regulatory Authority over Public Drainage Maintenance and Repairs

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### Background that led to the submission of this resolution:

The State enacted a number of laws related to water resources after the establishment of the public drainage systems. However, there was a commitment that these laws would not restrict existing rights including those related to the existence of, and obligation to, maintain public drainage systems.

The public waters inventory was never intended to restrict the right to maintain existing drainage systems. The legislature specifically exempted repairs from DNR permitting; gave the DNR a mechanism to ensure proposed work was repair; and directed the DNR to provide for the lawful function of public drainage systems that affected public waters. The DNR also adopted a rule exempting repairs from permitting and announced a policy in 1980 that stated repair of public drainage systems should be allowed without permits.

More recent DNR practices have departed from the 1980 policy. The agency has increasingly required permits, approvals, and conditions specifically contrary to current law and the 1980 policy. The DNR issued new guidance in February 2018 that has not addressed the public drainage authority concerns while creating more uncertainty, expense, and delays in the public waters regulatory program and for drainage system repairs.

HF2687 and SF2419 were introduced during the 2018 legislative session to restate the protections given to drainage system repairs. These bills were placed on hold in committee when the DNR indicated that its new guidance would address the concerns that drainage authorities had with its current practices (relating to permitting and permission requirements for work affecting public waters). **Though these bills were never withdrawn by their authors, the start of a new biennium (2019-2020) requires that they be reintroduced for consideration in the new biennium. These bills are still pending in committee and have not been withdrawn by the authors.**

The DNR policy and its implementation do not adequately address drainage authority concerns. **Reintroduction and approval of new legislation, modeled after HF2687 and SF2419 (during the 2019 legislative session)** would restate in clear terms the DNR's role in drainage system repairs.

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**Ideas for how this issue could be solved:**

Current issues with the DNR could be resolved through protracted litigation (least desirable course of action) or by clear legislative directive. New legislation, modeled after HF2687 and SF2419, will provide this clear legislative directive. The legislation would reinforce existing law regarding the DNR's and the drainage authorities' requirements when maintaining the public drainage systems.

**Anticipated support or opposition from other governmental units?**

All public drainage authorities (counties, watershed districts, and watershed management organizations) should support this legislation.

Non-governmental environmental organizations in the state and the DNR may oppose this legislation.

**This issue is of importance to (Check one)**

- To the entire state     XXX
- Only our region
- Only our district

## 2018 MAWD Resolution

Support of new legislation in the 2019-2020 biennium, modeled after HF2687 and SF2419 (2018),  
Regarding DNR Regulatory Authority over Public Drainage Maintenance and Repairs

**WHEREAS,** many watershed districts are drainage authorities 103E for all public drainage systems within their jurisdictional boundaries pursuant to statute chapter; and

**WHEREAS,** statute chapter 103E places an obligation on drainage authorities to maintain public drainage systems on behalf of benefitted landowners; and

**WHEREAS,** courts have identified the rights of benefitted landowners to have public drainage systems maintained as a property right; and

**WHEREAS,** the State enacted laws related to water resources after the establishment of the public drainage systems with the commitment that these laws would not restrict existing rights to maintain public drainage systems; and

**WHEREAS,** DNR practices have departed from past policy and extended its authority by regulating, permitting and restricting drainage system repairs; and

**WHEREAS,** HF2687 and SF2419 were introduced during the 2018 legislative session to restate the protections given to drainage system repairs and were placed on hold in committee to await new DNR guidance that would address the concerns of the drainage authorities; and

**WHEREAS,** the DNR issued new guidance in February 2018 that did not address the public drainage authority concerns and has created more uncertainty, expense and delays in the public waters regulatory program and for drainage system repairs; and;

**WHEREAS,** Though HF2687 and SF2419 were never withdrawn by their authors, the start of a new biennium (2019-2020) requires that they be reintroduced for consideration in the new biennium. HF2687 and SF2419 remain in committee and hearings could be requested during the 2019 legislative session.

**NOW, THEREFORE, BE IT RESOLVED** that Minnesota Association of Watershed Districts supports the introduction of new legislation, modeled after approval of HF2687 and SF2419, and commit its lobbying efforts toward promoting passage of the bills.

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

**September 27, 2018**

**Red River Watershed Management Board** – Leroy and I attended the RRWMB meeting held at the Wild Rice Watershed District office in Ada at 9:30 am, September 18, 2018. Some of the highlights were an update from Wild Rice on their office improvements. It appears due to the tariffs that have taken place, building materials have skyrocketed and their cost of remodeling have more than doubled.

**NW Minnesota Administrator** – Once every quarter the Administrators from NW Minnesota meet to discuss various issues, concerns and possible strategies that may be helpful to each District. This meeting was held Wednesday after the Red Board meeting September 18<sup>th</sup> in Ada.

**Minnesota Association of Watershed District Administrators** – MAWA held our fall meeting September 25<sup>th</sup> at the Stearns County History Museum in South St. Cloud. I was not able to attend the meeting, but Rob Sip attended and provided meeting notes which I have included in your packet.

**Red Lake River 1W1P** – Monday September 17<sup>th</sup> there was RLR1w1p Planning Workgroup meeting with BWSR and MPCA staff to discuss the potential MPCA 319 Grant application. Prior to the meeting with MPCA, the Planning Workgroup reviewed and approved the Draft RLR1W1P Plan Amendment, to include Water Management Districts for both the Thief River Falls Westside FDR Project and the Black River Impoundment. The notice was sent out yesterday to start the 60-day review period.

**Thief River 1W1P** - I have a telephone conference with other Planning Workgroup members at 3:00 this afternoon to go over the “Funding Table” as well as Section 5 review. This meeting will follow the 1:00 pm RCPP meeting with Keith Weston, Debra Walchuk, Nate Dalager and myself. I would also extend an invitation to Terry and Les if they choose to attend.

**Northwestern Minnesota Water Festival** – Tuesday, September 25<sup>th</sup>, Corey, Ashley and Christina Attended the NW Minnesota Water Festival in Warren. Wednesday, September 26<sup>th</sup>, they attended the same festival in Fertile.

**County Meetings** – Brian and Arlene attended the Beltrami Board on Tuesday, September 18<sup>th</sup>. I will have Brian give you an update of the meeting.

At 10:00 am, Tuesday October 2<sup>nd</sup>, LeRoy and I will attend the Marshall County Board meeting held in Warren. This will finally wrap up the County meeting for 2018.

**MAWA Meeting Notes**  
**September 25, 2018 - St. Cloud**

1. Approximately 23 people were in attendance. BRRWD was the only NW MN watershed district in attendance.
2. Officer Elections – Mark Doneaux is the new MAWA Secretary.
3. MAWD Awards – Discussion was held about awards that will be given at the conference.
4. Annual Conference Discussion – There will be pre-conference seminars and training that will be related to HR issues, drainage, and new managers orientation. Saturday morning of the conference will just be the business meeting and no other training or presentations will be done.
5. MAWD Budget – Dues do not cover all the costs of operations. People may not be aware of all the expenses related to the summer tour, annual conference, and other activities that result in expenditures that are not covered. The dues structure was briefly discussed along with a 6-month contingency fund in the event of an emergency. Discussion about funds for WDs for educational initiatives was also held.
6. MAWD Membership – A resolution this fall will be reviewed and voted on by MAWD for WMO voting membership. Next year a discussion of the MAWD name will be brought forward for potential change to better reflect the organization and membership.
7. Strategic Plan – A contract for lobbying services and successional planning were discussed along with better coordination with the RRWMB on legislative issues. Ray Bohn has indicated that he would like to work for 2two more legislative sessions (2019 and 2020).
8. Legislative Platform Development – Emily Javens gave an update on this process.
9. Salary Survey – MAWD may consider doing another survey and it is recommended that there be a cost structure for doing the survey based on number of employees at the WDs. Position descriptions based on the “Hay” system make be the best option and state agencies positions can be reviewed and compared to WD positions. A metro WD is interested in a benefits salary and a survey may be forthcoming. The League of MN Cities conducts a salary survey each year for its members and that can be reviewed.



10. Forms and Policies – Some WDs are interested in information about personnel reviews and policies for travel and related work expense reimbursements. MAWD may have a members-only section on their website for further sharing of information in the future. The League of MN Cities has an excellent on-line library for example forms, policies, and guidance.
11. Clean Water Council (CWC) – MAWD is sending the CWC a letter this week regarding implementation funding and concerns about what items and programs are being labeled as “implementation”. A brief overview was provided by Emily Javens about the CWC membership and their recommendation process to the legislature for the funds each year. MAWD recommended that Pam Blixt remain on the CWC given all the change in membership on the CWC to maintain a historical perspective and knowledge.

Pam Blixt was a Minnehaha Creek WD Manager but was not reappointed. A brief overview was given about the Clean Water Fund Roundtable and its workgroups and committees to the group by Emily Javens. Discussion was also held regarding the funding whitepaper that was developed to highlight concerns about state agencies and programs that are labeled as implementation but really are not. There was also discussion about how the CWC recommendations are considered by the legislature.

Concerns were also voiced about the numbers of state employees hired through CWC funds and possible lack of information that is available from the CWC about their decision making. There are concerns about the lack of information coming from WD representatives on the CWC. There was an April 2018 CWC stakeholder meeting but there was limited involvement in that meeting by watershed districts. The most vocal entities were metro voices at this stakeholder meeting and a majority of the comments focused on stormwater issues. MAWA and MAWD ultimately want more communication from the CWC about their process.

There may be more legislative bills introduced this coming session to readjust the membership of the CWC to possibly include more legislators and to focus more on projects similar to the LSOHC process. A MAWA Committee was created to address and discussion concerns with lack on Clean Water Funds that are allocated to local government and this Committee will provide information to the MAWD board. The Committee, MAWD, and Pam Blixt will work together on this issue.

12. Resolutions Discussion – Resolutions that have been prior approved are still valid. If there are changes to an existing resolution, those should be submitted ASAP to MAWD. A resolutions booklet was developed, and it was mentioned that MAWD members can submit resolutions at any point.
  - A. Heron Lake WD – Statute limits WDs from borrowing more than \$2 million dollars. The Heron Lake WD is submitting a resolution to increase this limit.
  - B. Sauk River WD – Resolution regarding grant administration issues between state agencies and varying requirements for mileage, match requirements, and several related issues.
  - C. Rice Creek – DNR public waters guidance (this is the correspondence from John Kolb that has been previously emailed out). The Sauk River WD is writing a letter of support on this issue.
13. WD Manager Code of Conduct – This was briefly discussed, and this issue is a result of some WD managers not being supportive of the local WD goals and comprehensive plan for the individual WD. A couple of specific examples were mentioned, and the League of MN Cities has a template that can be considered.
14. MAWA Website Update – Brief discussion ensued about the new website. Agendas, bylaws, committees, meeting minutes, and related information will be added to the website. A chatroom could be added, and policies can also be shared by MAWA members in the future. Videos and other items can be dropped into the website in the future.
15. MAWA Annual Meeting – November 28, 2018 at the Arrowwood Conference Center. A good topic would be how WDs in each region generate funds other than just levies. A small group of WD administrators has been tasked with developing the talk. Levies, water management districts (volume and pollution based), grants, loans, bonding, partnerships, and other options will be discussed. All funding mechanisms allowed in statute will likely be included in the discussion.