

BUFFALO-RED RIVER WATERSHED DISTRICT

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MINUTES FOR MANAGERS' MEETING December 14, 2015

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held their regular meeting on Monday, December 14, 2015, at 7:00 PM in the Barnesville office. BRRWD Managers present were Gerald L. Van Amburg, Mark T. Anderson, Breanna L. Kobiela, John E. Hanson, Troy E. Larson, Catherine L. Affield, and Peter V. Fjestad. BRRWD Staff attending included: Bruce E. Albright, BRRWD Administrator, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI). Other attending included Spencer McGrew, Red River Basin Commission (RRBC).

Chairman Van Amburg called the meeting to order at 7:00 PM and announced that the proceedings were being recorded to aid in the preparation of the minutes.

Secretary's Report. The Board reviewed draft minutes for the 11/23/15 regular meeting. **Motion** by Affield to approve the minutes. **Seconded** by Fjestad. **Approved.**

Treasurer's Report. The Board reviewed the BRRWD's monthly financial statements, including the project account balance sheet, administrative disbursements, summary of income, and the accounts receivable report. Cash on hand is \$1,171,172.98. Administrative disbursements for the year total \$328,167.59. Current accounts receivable total \$992,574.61. Our total income to date is \$4,855,489.67. Income this month totals \$727,045.07, primarily from 2015 2nd property/ditch tax proceeds from Becker, Clay (property taxes only), Wilkin, and Otter Tail Counties. Albright commented that Clay County typically remits their 2015 2nd half projects/ditch system tax proceeds by the end of December. Other income came from the Minnesota Pollution Control Agency (MPCA) for the Upper Red River Total Maximum Daily Load (TMDL) Study (\$8,420.50). **Motion** by Anderson to approve the Treasurer's Report. **Seconded** by Kobiela. **Approved.**

RRBC Aquatic Invasive Species (AIS) Survey. Spencer McGrew, RRBC, presented a report to the Board regarding the RRBC's Northwest Minnesota Regional AIS Prevention Pilot: Riparian Audience Knowledge, Attitude, and Interest Survey. As part of their watershed approach to AIS prevention and management, the RRBC developed a survey to help determine the current knowledge, attitude, and interest in AIS issues affecting Minnesota's lakes region. The first round of the survey was administered by mail to property owners, recreational water users, and businesses who benefit from this region's diverse surface water resources within a defined "lake level watershed survey" on Cormorant Lake Chain in Becker County and Rose Lake watershed in Otter Tail County. In addition, electronic mobile tablets were made available at three lakes area businesses between June 1, 2015, and September 30, 2015 in Becker and Otter Tail Counties. The results from the initial survey (350 responses) were combined in their report to provide an overall summation of the response to the AIS issues in this region. McGrew displayed graphs showing the responses to the survey questions and discussed the survey results.

Knowledge

- 90% of respondents recognized the "clean, drain, dry (CD2) from the Stop Aquatic Hitchhikers campaign. 9% did not recognize the CD2 message.
- 72% of respondents would be able to identify a zebra mussel.
- 75% would know how to report a potential AIS problem
- 59% of respondents have spent time researching AIS information.

Attitude

- 79% of the respondents disagree with the negative view that there is nothing we can do about the AIS problem, and 70% disagree with the negative view that we can't prevent AIS.
- 79% agreed in the need for more access restrictions
- 78% supported lake management aimed at lake protection
- 74% supported watercraft inspections
- 67% supported strategies to chemically treat newly infested lakes
- 64% supported placing lake protection as a higher priority than recreation or lakeshore resident interests

Interest

- 91% of respondents expressed interest in doing their part to prevent the spread of AIS
- 85% agreed that all it is all lake users' responsibility to reduce the spread of AIS
- 86% would be willing to share prevention information
- 76% would be willing to pay for local AIS management support
- 44% were interested in knowing about lake associations or volunteering

Threat Ranking (5-point scale)

- Zebra Mussel-4.78
- Asian Carp-4.41
- Eurasian Water Milfoil-4.34
- Curly Leaf Pondweed-4.04
- Spiny Water Flea-3.95
- Mystery Snail-3.84
- Flowering Rush-3.77
- Rusty Crayfish-3.74
- Yellow Iris-3.56

Information Source Preference

- 52% Internet
- 49% Printed Media
- 39% Newspaper/Magazine
- 35% Radio/Television
- 20% Smart Phone/Mobile Device
- 19% Class/Workshop

The respondents were split 38% female and 62% male, 31% of the respondents were over 65 years of age, and an average of approximately 70% were Minnesota residents. McGrew discussed maps showing other lakes the respondents from the Rose Lake and Cormorant Lake watersheds use. He also included survey participants' comments from the two pilot watersheds (Cormorant and Rose) at the end of the report. McGrew noted that RMB Environmental Laboratories, Inc. has produced a risk assessment study to calculate the viability of particular species. This study, added to the RRBC's survey results, can be used to track dissemination of the AIS information and assist in decision making regarding combating the spread of AIS.

McGrew explained that the RRBC plans to move forward from the pilot watersheds to a basin-wide effort to organize an "Asian Carp Summit" sometime this spring. Van Amburg asked about AIS efforts on the James River in North Dakota. McGrew discussed the North Dakota Game and Fish Department's work in the James River watershed to address the Asian Carp problem. They have installed electric fish barriers and hormonal products to disrupt movement and reproduction.

The Board briefly discussed the survey results, State funding allocation, and enforcement problems. Albright noted that the Red River of the North does have zebra mussels, but it appears that the river might

not be a good habitat for them because of the turbidity, but McGrew pointed out that zebra mussels are a remarkably adaptive species. McGrew also discussed the unique zebra mussel infestation in Big Cormorant where the mussels were only found in a few isolated pockets, unlike Lake Ida where mature mussels have been found throughout the lake. Cormorant Lakes Watershed Managers are concerned that lake service providers and the public on Big Cormorant might not be as diligent because of the small infestation. Rose Lake was also listed as infested in 2011, but no mussels have been found recently. Currently, there is no policy regarding delisting of infested waters. Depending on conditions, a zebra mussel can live out of the water for up to 21 days. The Board discussed boating equipment technology to address AIS transport. McGrew noted that the plan is to revise and distribute the final survey results by the end of the year.

Business brought before the Board included:

Permit No. 15-146, Roger J. Minch. Applicant proposes to install 47 acres of pattern tiling in the SE¼, Section 17, Humboldt Township, Clay County, outletting to Stony Creek. **Tabled**, pending the completion of a Natural Resources Conservation Service (NRCS) wetland delineation, which could modify the proposed tiling plan.

Scott McCaslin Tiling Outlet Concerns. Albright reported that Dwight Hanson contacted him to report that they removed the tile plug. Albright also checked with the upstream landowner, Scott McCaslin, who has confirmed that the Hansons did remove the block.

Bryan and David Henderson Waterway Concern. HEI is drafting the data from the survey the Board authorized at their 11/23/15 meeting to determine if Ron Conzemius' farming in the waterway in the SW¼, Section 27, on the north side of County State Aid Highway (CSAH) No. 26, actually restricts the natural flow of water from the Henderson property on the south side of the road in the NW¼, Section 34. Albright noted that this issue will probably result in a landowner meeting with all the affected parties this winter. Conzemius' farming is not in a DNR protected watercourse. Albright suggested that Wilkin County Highway Department could probably make some changes in the ditch along CSAH No. 26 to direct some of the low flow to go west to the Manston Slough Restoration Project.

Approach Removal Complaint. Albright plans to send the letter the Board authorized on 11/23/15 to Dan Nordick regarding his removal of a dry approach in the NE¼, Section 10, Deerhorn Township, Wilkin County, off from C.R. No. 32.

Duane Boeder Complaint. Frank Schindler removed an approach with a plugged 12" or 15" dia. culvert off 180th AVE S in Section 33, Barnesville Township, Clay County, which was an access point to Boeder's 120 acres of Conservation Reserve Program (CRP). There were two approaches near the south quarterline. Boeder called to complain that he had not been notified about the approach removal. Albright and Schindler conducted a field review on 12/08/15. Schindler is willing to do what it takes to address Boeder's concerns. Boeder can access his CRP using the approach (24" dia. culvert) on Schindler's property, or Schindler would clean up the site, or if necessary, install a new approach, which will need to have a 24" dia. culvert to match Schindler's approach. Albright will prepare a list of options to review with Schindler and then forward the options to Boeder for his input. Albright noted that the work should have been done via a BRRWD permit application, and could be construed as a Barnesville Township project in their road right-of-way (r-o-w), since Schindler is a Township Supervisor. The Board discussed the reasons for the complaint and possible solutions for the remaining approach location. This area is also part of the Barnesville Township Study.

Jim Thompson Drainage Concern. Jim Thompson is concerned that the work done by Greg Grommesh (Permit No. 15-116) to add a 42" dia. culvert along the County State Aid Highway (CSAH) No. 2 (Comstock Road) to provide a better outlet for Paul Quinnild. Grommesh also installed two lines of 48" dia. culvert in approaches along 140th ST S on the west line of Section 28, Barnesville Township, Clay

County, which will drain south to Clay County Ditch (C.D.) No. 54. Albright noted that excavation stopped when the backhoe reached the pipeline location. Thompson questions why the BRRWD would allow more water to be drained into his area to C.D. No. 54 by increasing the size of the upstream culverts. He thought that Grommesh should have directed the water north to Whisky Creek. Albright noted that the development of the Barnesville Township Area Drainage Study should address these issues. He told Thompson that by next spring, we should have a more defined plan for the area drainage problems and suggested that the BRRWD monitor the area next spring and be ready to take action to prevent downstream flooding, if necessary.

Ellefson Ditching Complaint. The Ellefson family contacted Albright regarding work done by the renter (Paul Daugherty) of Stephen Anderson's property in the SW¹/₄, Section 11, Atherton Township, Wilkin County. The renter ditched across the property line through an old fence line ridge to the west onto land Brent Ellefson farms. The existing private ditch that runs north-south on the quarterline is full of trees and hasn't been maintained for many years. The property is assessed to Wilkin C.D. No. 41. Anderson has suggested that the private ditch needs to be cleaned. The Board reviewed photographs of the work. **Motion** by Fjestad to authorize Albright to send a letter to Anderson and his renter advising them that their work is in violation of BRRWD Rules. **Seconded** by Anderson. **Approved.**

BRRWD Permit Suite. Albright noted that he, Jones, and Opsahl had a 2015 workload wrap-up meeting on 12/11/15. During the meeting, they discussed the BRRWD permit application suite and agreed that the suite is generally working well and was a good investment. The Board discussed the use of the downstream landowner notification form. Jones explained that staff decides when to require the use of the form, based on the proposed work, and forwards the form to the applicant.

Project No. 77, Clay C.D. No. 51-Lateral No. 3. The Board reviewed the response from BRRWD Attorney Tami Norgard, Vogel Law Firm, to the Norby lawsuit. Albright reported that the BRRWD's insurance companies are working to determine which company will provide coverage.

Albright discussed information he received at a Data Practices workshop held on 12/04/15 during the Minnesota Association of Watershed Districts (MAWD) Annual Conference in Alexandria.

Project No. 75, Wilkin C.D. No. 31-Lateral. The project is now completed with the r-o-w staked and seeding/mulching finished. The next step is start working on Phase 2, as more work is needed on Whiskey Creek. This waterway is involved with the Upper Red River of the North Watershed (URRW) Total Maximum Daily Load (TMDL)/Watershed Restoration and Protection Strategies (WRAPS), as it has a perennial flow from upstream springs and is an important fish and other biota habitat. The Wilkin County Environmental Planning Office received an accelerated implementation Clean Water Fund (CWF) grant from the Minnesota Board of Water and Soil Resources (BWSR) for \$103,100 to continue work on Whiskey Creek. This funding could make it possible to complete further survey work and hold landowner informational meetings this winter. The survey results will be used to develop a final restoration model/plan to complete a comprehensive restoration project for this waterway.

Albright explained that the costs for the work in Section 14, Connelly Township, will be allocated to the Wilkin C.D. Nos. 1C, and 34 benefit areas, which use Project No. 75 as an outlet. When this project is finalized, a new project using the CWF grant will be initiated.

Project No. 61, Clay C.D. No. 11. Albright reported that the project is completed with some seeding and cleanup to do next spring. Jones submitted Pay Request No. 2 for \$2,906.33 and Change Order No. 1 for a decrease in the project contract of \$324.30. **Motion** by Anderson to approve the referenced pay request and change order. **Seconded** by Hanson. **Approved.** Landowner assessments for the total project costs (\$265,000) will be in effect for three years starting in 2016.

Project No. 49, Oakport Flood Mitigation. Albright reported that he has not received any response from the Fischer Family regarding the Board's stockpile lease offer to them.

Attorney Corey Elmer, Vogel Law Firm, has re-acquired 8 of the 11 needed construction easements. Because of inclement weather, Ulteig Engineers, Inc. (UEI) cancelled the preconstruction meeting scheduled for 12/01/15. They will reschedule the preconstruction meeting in the near future. UEI has done some staking on construction limits along the r-o-w. The contractor, R. J. Zavoral and Sons, Inc., hired American Enterprises, Inc., to do the tree clearing and grubbing, who will start that work this winter.

Project No. 39, Georgetown Levee. The project has been completed. HEI submitted a billing from Northern States Excavating, Inc. for \$11,173.75 for the final grading of the ball diamond. Albright reported that the Minnesota Department of Natural Resources (DNR) approved an amendment to the DNR grant that adds \$109,000 to cover the final costs to close out the project, which will expire on 03/31/16 to be sure all bills are processed. Currently, the project has a -\$290,000 account balance. Albright explained that the current DNR grant will cover about \$200,000 of those costs, and the balance will come from Federal Emergency Management Agency (FEMA) and the local assessments. **Motion** by Larson to authorize Albright to sign the grant amendment and forward it to the DNR. **Seconded** by Fjestad. **Approved.**

Project No. 38, Farmstead Ring Dikes. Opsahl and Thomas Eskro, Engineer, HEI, will meet with the six candidates for potential 2016 ringdike construction projects to determine their interest in a ringdike and to complete some preliminary survey work.

Project No. 30, Clay/Wilkin Judicial Ditch No. 1 (J.D. 1). The ditch cleaning has been completed. There are still three ditches left for outlet stabilization repairs (C.D. No. 53, 60, and J.D. No. 1) in conjunction with the Wolverton Creek/Comstock Coulee Restoration project. Albright will contact landowner Bryan Kritzberger regarding the status of a diversion petition to take water west along the County line to Wolverton Creek. Based on discussions with Attorney Norgard, the petition will be redrafted using a different statute under MN Drainage Law, Chapter 103E.

Project No. 24, Wilkin C.D. No. 44. Albright is still working on a draft petition for Manston Township to abandon the north ditch, remove the centerline pipe, and relocate the ditch on the south side of 170th ST as part of the legal ditch system in Sections 3 and 10, Manston Township. This project will require a hearing with all of the ditch system landowners. In conjunction with the Mediation Project Team (PT) discussions regarding a larger river restoration in this area, other parts of the ditch system might also be affected (separate proceedings).

Project No. 23, Becker C.D. No. 15. Contractor Chad Mattson has finished the C.D. No. 15 repairs, and William Nichol Excavating, Inc. finished the repairs on a larger excavation site on a branch of C.D. No. 15 in Section 21, Hamden Township. Jones noted that Mattson still has some tree/debris removal to finish. Albright noted that the entire 26 miles of the ditch have now been cleaned. The Board discussed possible buffer strip work on C.D. No. 15. Hanson commented that most of the ditch is grassed.

Project No. 1, Wilkin C.D. No. 22. The bufferstrips for all the ditches (C.D. Nos 5A, 26, and 22) have been staked and the r-o-w posts and signs are installed. William Nichol Excavating, Inc., has also completed his work on the outlet control structures on those ditch systems. HEI submitted the Final Pay Request for Nichol in the amount of \$7,903. **Motion** by Anderson to approve the referenced pay request. **Seconded** by Fjestad. **Approved.** HCI Commercial Landscape Contractors, Inc., will complete the buffer seeding next spring.

Mediation PT. The next PT meeting will be held on January 28, 2016, in the Barnesville office at 1:30 PM. The Board briefly reviewed discussions from the recent 12/10/15 PT meeting, including easement values.

Albright distributed a handout from the F-M Flood Diversion Authority (DA) regarding the new study that the North Dakota State University (NDSU) recently released detailing impacts on farmland due to the F-M Diversion project. The Study covered an initial assessment of the agricultural risk associated with "temporary" water storage.

The Board also reviewed a handout from BWSR and the University of Minnesota (U of M) with a listing of Reinvest In Minnesota (RIM) rates by township, dated 12/19/14. The rates (crop and non-crop) shown on the list are calculated on 90% of the averages based on land sales. Albright noted that RIM easements are permanent, meaning that the land can no longer be cultivated in the future. He noted that the Board could use the information on the handouts to determine easement values for future BRRWD projects. The Board had an extended discussion regarding the need to take into account fairness to the landowner and project feasibility when setting easement values. Albright volunteered to visit with other watershed districts about their easement rates. He will prepare an easement value fact sheet for the Board's review at a future special meeting.

South Branch of the Buffalo River. Albright reported that the PT discussed a larger regional project with possible new retention sites in Manston Township east of Trunk Highway (T.H.) No. 9. The South Branch of the Buffalo River channel was rerouted and channelized in this area to create Wilkin C.D. No. 44, formerly called Judicial Ditch No. 3. Ross Aigner, landowner and Wilkin Soil and Water Conservation District (SWCD) Supervisor, suggested that the BRRWD consider a project to restore the river and reroute it back to its historic location. Aigner mentioned that there might be a willing landowner in the area who owns a significant amount of the land needed for a potential project. HEI plans to review historic aerial photographs of the area to determine how much of the river could be rerouted back to its original location. Pete Waller, BWSR, had suggested at the PT meeting that a larger regional project concept might be a better candidate for 2016 Lessard-Sams Outdoor Heritage Council (LSOHC) Conservation Partners Legacy Grants (CPLG) Program funding.

The Board discussed the mixed messages from NRCS regarding the Environmental Quality Incentives Program (EQIP) funding availability for restoration projects. The Board also discussed the Regional Conservation Partnership Program (RCPP) funding, which the Red River Retention Authority (RRRA) determined the BRRWD was not eligible for since we are not Red River Watershed Management Board (RRWMB) members.

Barnesville Township Area Study. HEI has completed the pipeline survey and BRRWD Attorney Tami Norgard provided HEI with the minimum pipeline depths based on Federal and State Laws. The absolute minimum pipeline depth for interstate pipelines is 30". If the pipeline is newer than 1979, the State requires the line to be at least 4.5' deep. Jones reported that 70-80% of the pipeline in the study area is less than 30" deep. The Williams and the New Star pipelines are both interstate. Jones will continue to work with the pipeline companies regarding the depth of their facilities.

Stony Creek Comprehensive Project. Jones met last week with MNDOT regarding their requirements for installing a new culvert through Interstate-94 (I-94), and they indicated they were willing to work with the BRRWD on this project feature, but they are concerned about their potential project assessment. We are still waiting for a response from the DNR Dam Safety regarding the dam classification. The next step should be to hold an informational meeting with the Stony Creek watershed landowners, once the Board determines what the easement values will be. Albright discussed a three-phased approach to the comprehensive project: 1. Redetermination of benefits for Clay C.D. No. 31; 2. Funding search for retrofitting C.D. No. 31 into a two-stage channel using the Targeting Watersheds BWSR grant application (02/01/16-03/09/16); and possible development of the detention area.

Albright brought up the topic of RRWMB membership in regards to the Stony Creek project. He suggested that HEI could evaluate two different scenarios for the Stony Creek project: short term springtime flood storage vs. long-term flood storage to see how the project would rank according to the RRWMB's "Star

Value Method" calculations in terms of contributions to the main stem of the Red River. Albright pointed out that if the BRRWD is going to consider RRWMB membership, the Stony Creek project should be designed to maximize the highest Star Value rating to bring in the most potential RRWMB funding. He felt that there would be significant differences in the project designs/operation based on those two scenarios. Anderson commented that this proposal might a good exercise in comparing how our projects would have to be designed if we were RRWMB members vs. current design standards. The Board briefly discussed what it would cost for HEI to do the proposed analysis, and Jones thought it would cost less than \$1,000. **Motion** by Anderson to authorize HEI to prepare the referenced analysis. **Seconded** by Hanson. **Approved.**

Albright mentioned that the DA approved the Stony Creek funding request (\$86,000) for preliminary investigations at their meeting on 11/12/15. The BRRWD also submitted the Barnesville Township Area Drainage Study and the South Branch of the Buffalo River Study and the DA will consider those applications at their 12/17/15 meeting. The DA's Technical Committee has recommended funding approval for those two projects.

Albright forwarded a pay request to Henry Van Offelen, Red River Basin Flood Damage Reduction Work Group (RRBFDRWG), for the 1st quarter PT expenses (07/01/15-09/30/15). Albright, Jones, and Eddie Bernhardson attended the Prairie Grains Conference on 12/09/15. Discussion topics included flood control projects and landowner negotiations.

Elkton Township Wetland Restorations. Albright noted that Chuck Anderson is still waiting for a decision from the crop insurance company regarding his crop loss claim against Ziegler Construction, Inc.

Revised Watershed Management Plan (RWMP)/Watershed District Enlargement (WDE). Plans are to have the new RWMP completed for BWSR's review at the January 2016 Northern Executive Board meeting. Following this meeting, we will distribute the Plan to various agencies for a 60-day review. The next steps will be to hold the Citizen Advisory Committee (CAC) and Technical Advisory Committee (TAC) meetings.

Army Corps of Engineers (COE) F-M Diversion. Minutes from the last DA meeting was distributed to the Managers for their review. There is a meeting scheduled for tomorrow at 11:30 AM in the City of Fargo Commission Room for all six DA entities to discuss the proposed 2016 budget and a revised project cost estimate. Anderson noted that he planned to attend the meeting. Albright pointed out that all Managers were invited to attend. The Board briefly discussed past DA budgets. Van Amburg noted that following that meeting, there is a Land Management meeting at 2:30 PM. Van Amburg will not be able to attend. A video of the meeting will be available on the DA's website. Albright mentioned that the DNR is working through a review of the comments they received regarding the Draft Environmental Impact Statement (DEIS). The Board also briefly discussed their role on the DA.

Buffalo River TMDL/WRAPS. Tera Mercil, MPCA, has indicated that MPCA will have responses to the draft TMDL comments completed by the end of the year when they plan to close the project out.

Upper Red River TMDL. The grant has been extended until 06/30/16. MPCA has scheduled the public informational meeting for the Upper Red River TMDL Study on January 7, 2016, at 1:30 PM, in our Barnesville office. Notices will be sent this week.

Small Municipal Separate Storm Sewer Systems (MS4). Albright and Jones attended a video conference regarding the MS4 permitting program with the MPCA on 12/11/15. MS4 is a permitting program used to address water quality improvement for lakes and rivers that receive stormwater discharges from municipalities. The BRRWD was one of the first watershed districts in the State to be categorized as a MS4 because the BRRWD contains the urbanized areas created by the City of Moorhead and Dilworth based on the 2010 census. During the conference, Albright questioned if the City of Moorhead, Dilworth,

Clay County, and the BRRWD could adopt a Memorandum of Understanding (MOU) so that we could streamline the permitting process for all four entities. Through the MOU, the Cities would take on the BRRWD's MS4 permitting responsibilities, basically maintaining the current status quo. The BRRWD still needs to submit a MS4 plan to MPCA by 10/25/16 based our facilities, and plan implementation could take up to two years to complete.

Hawley Buffalo River Restoration-Phase 2. Jones reported that construction is underway on the Phase 2 work. He submitted Pay Request No. 1 for Sellin Brothers, Inc. in the amount of \$134,994.05. **Motion** by Fjestad to approve the referenced pay request. **Seconded** by Affield. **Approved.** Jones displayed aerial photographs of the site for the Board's review, and the group discussed the construction progress. Jones noted that we should also receive a future bill from the Hawley Golf Course for installing new turf and restoring the irrigation lines for approximately \$11,000. The Phase 2 DNR grant was for \$315,000. Albright mentioned that the office will submit a pay request to the DNR for current expenses. Jones expects construction to be nearing completion by the end of December with seeding and cleanup to do next spring.

RRBC Success Stories. The RRBC has asked for Success Stories from throughout the Red River Basin to publicize at their Conference in January. Albright decided to submit the Hawley Buffalo River Restoration project and the Minnesota Agricultural Water Quality Certification Program (MAWQCP) Whiskey Creek Pilot.

Elkton Township Wetland Restoration. As noted earlier, Chuck Anderson is still waiting for a response from the William Ziegler Construction's insurance company regarding his crop loss claim. Albright finally got a response from the insurance company, who explained that they are bringing in a different adjustor to review the claim calculations. They are also trying to contact the contractor. Albright will contact Corey Elmer, Attorney, Vogel Law Firm, who is handling the BWSR easements. He will provide a report for the Board at their next meeting.

Albright is working with the Briks family regarding the transfer of wetland mitigation credits in conjunction with the Elkton Township restoration project. Since the project is still not completed due to the easement acquisition delays, BWSR has not released our banking credits. The Briks family initially planned to buy 2.5 acres from the BRRWD (part of their Pj. 56, Manston Slough Restoration easement). Last spring, they wanted to purchase an additional 0.10 acres of credits for another wetland violation they have in Wilkin County. Albright provided a letter to the Wilkin County Farm Service Agency, documenting the Briks' attempts to complete the wetland credit purchase.

Wolverton Creek/Comstock Coulee. Albright suggested that the Board should start working on setting up the watershed management district (wmd). We also need to work with the Phase 1 landowners to submit NRCS EQIP application for funding for the federal share of the project costs. He thought we should give the landowners the maps showing whose property will be included in the Phase I project area and then encourage them to submit an EQIP application to the NRCS.

Jones and Albright will make a few adjustments to our funding application and resubmit it to the LSOHC early in 2016. Albright noted that we could have worked closer with our Lobbyist, Joel Carlson, and Senator Ingebriksen, who is on the LSOHC.

Lower Otter Tail River Restoration. The Restoration Steering Committee met on 12/08/15 at the DNR Fergus Falls office. The Wilkin SWCD application for CWF grant accelerated implementation funds was approved for \$203,000 to identify instream sediment sources where the Lower Otter Tail River is impaired. This funding is the match for part of the 319 MPCA grant cost share. The SWCD also received \$135,000 for their Otter Tail River Streambank Restoration and Protection project to be used for the Karlo Etten restoration site, and \$201,000 for their Otter Tail TMDL Water Quality Improvement project for the ditch systems that drain into the Otter Tail River (Wilkin C.D. Nos. 7 and 3-Lateral 3).

At the Steering Committee meeting, COE representatives suggested that the BRRWD approve a resolution to request the COE to conduct a study for a possible Section 1135 Habitat Restoration project to evaluate the section of the Otter Tail River that the COE channelized and straightened in the 1950s and to consider developing an ecosystem restoration project. The resolution and request would need to be submitted before January 1, 2016. Albright and Jones worked with Nathan Wallerstedt, COE, to prepare the request. Albright distributed a copy of the letter for the Board's review. The COE would fund the Section 1135 feasibility study up to \$100,000. Any remaining costs would be shared 50/50 by the COE and BRRWD according to the terms of a CAP Feasibility Cost Share Agreement (FCSA). The BRRWD would provide a minimum of 25% of the total project costs. **Motion** by Fjestad to approve a resolution to request the COE to consider a Section 1135 project, as referenced. **Seconded** by Kobiela. **Approved.**

Albright noted that the 319 and CWF grant funding should be available by March or April 2016. He also suggested that the Board schedule an informational meeting this winter to discuss a project with the affected landowners.

Beaver Control. There are numerous beaver dam complaints throughout the BRRWD, and Wade Opsahl, Technician, HEI, has been waiting for freezing temperatures to address this problem. A backhoe will be hired to remove the dams.

Bufferstrip Legislation. By November of 2018, the new State legislation requires that all legal county ditch systems must have one-rod grassed bufferstrips. Jones prepared a list all of the BRRWD's ditch systems to be used to provide a systematic approach to record the individual system's status/history and compliance with new bufferstrip legislation. A survey will have to be conducted for each system. Albright suggested that the Board should authorize HEI to start working on the necessary surveys. **Motion** by Hanson to authorize the referenced work. **Seconded** by Anderson. **Approved.**

Dave Leuthe, DNR, will be working with watershed districts to get copies of our ditch maps, etc., regarding the new bufferstrip requirements, and Albright will be the BRRWD contact person.

Log Jams. William Nichol Excavating, Inc. submitted an estimate of \$4,200 to remove a second 120' long log jam on the confluence of the South Branch of the Buffalo River and the Buffalo River near the Michael Tweeton residence. **Motion** by Fjestad to authorize the log jam removal. **Seconded** by Affield. **Approved.**

RRWMB. Albright provided the Board with copies of some handouts from the RRWMB he received when he attended the Prairie Grain Conference last week. Anderson questioned which state had jurisdiction over the Red River. Jones explained that Minnesota and North Dakota have joint jurisdiction on the River.

BWSR Audit. The BRRWD was selected for a BWSR grant verification audit to financially reconcile revenue and expenditures of BWSR grants issued in 2013. The Grants Compliance Specialist, Jeannette Austin, sent a letter advising the BRRWD that there was one finding where an itemized invoice was missing for a payment to a contractor. Jones explained that the missing invoice was related to a sediment control basin installation in Otter Tail County where additional work was done at the request of the landowner. He has asked Aaron Larson, Farm Bill Technician, West Otter Tail SWCD, for some backup documentation that Jones will forward to BWSR. The BRRWD made payments based on the cost share agreement with the SWCD, but BWSR wants the actual contractor invoices from the SWCD that are reflected on the cost share agreement billing.

Climate Adaptation Workshop. Albright attended a Climate Adaptation Workshop during the MAWD Annual Conference. He discussed some of the topics covered at the workshop regarding how make the best use of limited government resources to plan for severe weather events caused by documented climate change.

BRRWD Lobbyist. Ron Harnack, RRWMB, sent the Board a message regarding his work on the BRRWD's behalf. He forwarded the legislative project briefings we have on file, which need to be updated, and he advised the Board that he thought our Lobbyist should be handling this type of work for the BRRWD, since we are not RRWMB members. If the BRRWD wants Harnack to work on these updates and promote the BRRWD projects with the Legislators, he suggested that he could bill us for the work. The Board discussed our contract with our Lobbyist Joel Carlson, which lasts through 2016, and felt that we should work with Carlson on these issues.

Project No. 42, Clay C.D. No. 67. Jones submitted Pay Request No. 2-Final to Olson Construction of Lake Park, Inc. for \$43,647 and a Change Order to increase the contract by \$2,500 (downstream ditch cleaning). **Motion** by Anderson to approve the referenced pay request and change order. **Seconded** by Hanson. **Approved.**

Clay/Wilkin County Line Drainage Concerns. Jones reported that HEI has completed the survey the Board authorized at their 10/13/15 meeting regarding Luther Blilie drainage concerns on the west side of T.H. No. 75 along the Clay/Wilkin County line. The survey shows that there could be a better drainage outlet to the north than the south ditch along the County line. Albright explained that there are downstream landowner concerns regarding the recently approved pattern tiling project for Mark Askegaard (Permit No. 15-101) in the NW¼, Section 5, Wolverton Township, Wilkin County. Even though Askegaard obtained downstream landowner approval forms from three of his neighbors, area landowners were concerned about adding tile water to the already compromised natural waterway drainage area. Albright noted that a landowner informational meeting will be scheduled this winter to discuss area drainage alternatives.

Project No. 40, Clay C.D. No. 41-Outlet. Jones submitted his written repair investigation recommendations for Clay C.D. No. 41 that he presented at the 11/23/15 BRRWD meeting. Albright noted that the Board should schedule a meeting with American Crystal Sugar representatives to discuss the findings.

The following bills were presented for approval:

Accounts Payable	Description	Account	Amount
3D Specialties	#154145B, dike signage	Pj. 39, Georgetown	\$ 5,259.00
AmeriPride	#160322845, 11/30/15 billing - rugs	Admin.	\$ 53.44
Barnesville Phone Co.	11/25/15 billing	Admin	\$ 288.55
Beau Lofgren	2015 Hawley River Watch Meals	M.S.A 103D.905, Subd. 3	\$ 55.25
Bruce E. Albright	MAWD Lodging/meals	Admin	\$ 1,063.29
Carmen Pattengale	November Office Cleaning	Admin	\$ 130.00
Cathy Affield	Voucher #1536, 09/01/15-10/31/15	Varies	\$ 365.03
Cathy Affield	Voucher #1529, 07/01/15-08/31/15	Varies	\$ 486.61
City of Barnesville	09/29/15-10/31/15 Utilities	Admin.	\$ 485.27
Clay Co. Auditor/Treasurer	Becker Co. bond sale collections	Pj. 46, Turtle Lake	\$ 313.26
Finish Grade Const., Inc.	#035892, Ernst inlet	Clay C.D. No. 54	\$ 650.00
Finish Grade Const., Inc.	#035893, Thompson ditch	Pj. 54, WCT	\$ 1,680.00
Finish Grade Const., Inc.	#035894, Install culvert	Wilkin C.D. No. 41	\$ 3,350.00
Gopher Excavating	12/04/15 Statement-Culvert Work	Pj. Nos. 28/51	\$ 36,872.40
H.E.	November billing statement	Varies-see attached	\$ 124,240.56
Johnson Excavation	Erosion Repairs	Clay C.D. Nos. 10/49/59	\$ 20,973.45
MN Dept. of Health	#00000313908, lab fees	M.S.A 103D.905, Subd. 3	\$ 388.00
Northern States Excavating, Inc.	#812, ball diamond repairs	Pj. 39, Georgetown	\$ 11,173.75
Olson Const. Inc.	Pay Request No. 2-Final	Pj. 42, Clay C.D. No. 67	\$ 43,647.00
Petty Cash	Postage, supplies, etc.	Admin.	\$ 100.00
Premium Waters, Inc.	#366590 - 11/15	Admin.	\$ 41.62
Purchase Power	11/15/15 Postage	Admin.	\$ 100.00
RESPEC	#1115-258, 10/31/15-11/30/15	Red River Stressor	\$ 8,347.50

Riley Bros. Const., Inc.	Pay Request No. 2	Pj. 61 Clay C.D. No. 11	\$ 2,906.33
RRBC	Hanson Conference registration	Admin.	\$ 225.00
RRVCPA	11/01/15-12/01/15 service (3)	Pj. 49, Oakport	\$ 245.45
Sellin Brothers, Inc.	Pay Request No. 1, Phase 2	Hawley Buffalo River Rest.	\$ 134,994.05
Terracon	#T717375, Slope Repair	Pj. 61, Clay CD 11	\$ 3,073.05
Troy Larson	Voucher #1534, 07/01/15-08/31/15	Varies	\$ 388.60
TrueNorth Steel	#FP000008038, FES	Wilkin C.D. No. 34	\$ 177.96
Valley Excavating, LLC	Ditch Maintenance	Pj. 08, Stoney Creek	\$ 1,000.00
Wilkin Co. Hwy Dept.	11/30/15 billings	C.D. Nos. 2, 6, 7, 15, 31	\$ 6,997.14
Wm. Nichol Excavating, Inc.	#813, hauling backhoe	Pj. 23, Becker C.D. No. 15	\$ 1,859.00
Wm. Nichol Excavating, Inc.	#184, ditch repairs	Clay 53, Wilkin 5A/22, Becker 19	\$ 3,937.50
Wm. Nichol Excavating, Inc.	Pay Request No. 2-Final, outlet work	Wilkin C.D. No. 5A,22,26	\$ 7,903.00
WREC	10/18/15-11/18/15 service (2)	Pj. 46, Turtle Lake	\$ 123.61
Xcel Energy	10/24/15-11/23/15 Service (2)	Pj. 49, Oakport	\$ 79.07
Xcel Energy	10/22/15-11/23/15 Office Service	Admin.	\$ 67.91
			\$ 424,041.65

Motion by Fjestad to approve payment of the bills. **Seconded** by Affield. **Approved.**

MAWD 2015 Annual Meeting Awards. The BRRWD was named DNR's Watershed District of the Year at the MAWD Annual Meeting in Alexandria. We received a framed wildlife print for the office. Project No. 56, Manston Slough Restoration was also named the MAWD Project of the Year. The office will prepare a press release for the local newspapers regarding our awards.

Next Meeting. The BRRWD will hold their next regular meeting on Monday, December 28, 2015, at 7:00 PM in our Barnesville office. Special agenda topics will include an update of BRRWD Rules.

Adjournment. Chairman Van Amburg adjourned the meeting at 10:15 PM.

Respectfully submitted,

John E. Hanson, Secretary