

**BOIS DE SIOUX WATERSHED DISTRICT  
BOARD MEETING MINUTES  
March 21, 2024**

- CALL TO ORDER** The meeting was called to order by President Vavra at 9:00 a.m. Present in the District Office: Linda Vavra, Ben Brutlag, Doug Dahlen, Jerome Deal, Scott Gillespie, John Kapphahn, Steven Schmidt and Allen Wold. Absent: Jason Beyer. Also present: Engineer Chad Engels, Engineer James Guler, Engineer Technician Troy Fridgen, Attorney Lukas Croaker, and Administrator Jamie Beyer.
- AGENDA** Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the agenda was approved with the following changes: Approval of February 15, 2024 minutes and March 21, 2024 claims; addition of WCD #Sub-1 Railroad Update and addition of Redpath utility quote.
- CONFLICT OF INTEREST** Board Manager Kapphahn declared a conflict of interest with Lake Samantha.
- CONSENT AGENDA** Upon motion by Wold, seconded by Dahlen and carried unanimously, the Consent Agenda was approved.
- PUBLIC COMMENT** No public comment was received.
- TCD #51 HEARINGS & ORDERS** Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, to open the hearing to consider the petition from Dan Findlay to use Traverse County Ditch #51 as an outlet for Parcel # 02-0168001, E1/2SE1/4 of Section 36, Range 45, Clifton Township (127), Traverse County. Engineer James Guler provided a map of the drainage assessment area and watershed indicating that the parcel's surface water already utilizes the Traverse County Ditch #51 drainage system. The landowner was not present to answer questions about the project, but his brother, Gary Findlay, was present. Neighbor Michael Bartell stated that neither himself nor his father, Terry Bartell, are opposed to the project, but requested that the board consider whether the same parcel should be required to petition into TCD #7 and TCD #2. Attorney Lukas Croaker read the order, which includes: an outlet fee of \$2,055.86; hearing costs of \$390.75 and benefits of \$100.00. Upon motion by Schmidt, seconded by Dahlen and carried unanimously, the order was approved. Upon motion by Wold, seconded by Dahlen and carried unanimously, the hearing was closed.
- P.A. #24-005 M. TOELLE** Engineering staff presented the nature and location of the proposed tile drainage project, tracing the outlet of the project downstream, eventually utilizing Phase 1 of the Lake Traverse Water Quality Project/TCD #52. The property is currently included in the Lake Traverse Water Quality Water Management District, but is not included in the TCD #52 assessment district. No motion for a TCD #52 outlet petition requirement was made.
- WCD #39 OUTLET REPAIR** Engineering staff provided a description of the degradation of the outlet for WCD #39. Recommended repairs include: grade stabilization, flattening of side slopes, and seeding. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, engineering staff are authorized to provide a project schematic and estimate of repair cost.
- BCD #8** Board managers and engineering staff provided an update on the Big Stone County Ditch #8 landowner meeting held earlier in the month. Board Manager Gillespie reported overwhelming landowner support for a project that will add seasonal storage, deepen the channel upstream, stabilize slopes downstream, and provide a safer storage operation to add a level of flood protection for the cities of Graceville and Dumont. The project will also reduce sediment delivery to Lannon and Toqua Lakes, which are both impaired for nutrients, and have phosphorous reduction goals of 1,460 and 2,531 pounds per year, respectively. Board Manager Gillespie offered to carry a petition for landowner signatures. Upon motion by Kapphahn, seconded by Schmidt and carried unanimously, legal staff are authorized to prepare a draft improvement petition that petitioners may use, if desired. Once project details are developed further, staff will begin pursuit of outside grants.
- GCD #3 LAT. B4 PARTIAL ABANDONMENT** A petition was presented for partial abandonment of GCD #3, Lateral B4 on behalf of Sharon D. Anderson, Marshall Stenslie, and Douglas and Barb Olsen for the N1/2NE1/4 of Section 9 in Roseville Township, Grant County. Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, a hearing on the petition will be held on April 18, 2024 at 8:00 AM.

**REDPATH PH. 2B  
BIDS**

Engineering staff presented the bid results of Redpath Phase 2B, identifying John Riley Construction, Inc. as the apparent low bidder with a submission of \$9,469,652.50 for both the one-year and two-year project options. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the one-year bid from John Riley Construction was approved, and President Vavra is authorized to sign the Notice of Award and Contract documents contingent upon a legal review.

**GCD #3  
REPAIR REPORT**

Upon motion by Dahlen, seconded by Kapphahn and carried unanimously, the GCD #3 public hearing was opened pursuant to Minn. Stat. § 103E.715, subd. 4. Attorney Lukas Croaker introduced the purpose of the hearing, to present the Engineer's repair report and receive public comment. Engineering staff described the project, which includes correction of sizes and grades of GCD #3 mainline culverts. Information was presented on affected culvert crossings. Engineer James Guler requested that landowners consider the current quantity and locations of private culverts, and whether there are opportunities to eliminate or consolidate crossings. Roseville Township officials were in-attendance, and requested consideration to reuse culverts that will be replaced (if possible on this project or future projects). Roseville Township officials requested that their portion of the cost of the project be included in the total amount that is bonded for. Administrator Beyer will continue to work with Grant County officials on a bond issuance.

Attorney Lukas Croaker read the Findings and Order, describing that the Bois de Sioux Watershed District serving as the drainage authority, has determined from the repair report and evidence presented that the repairs recommended are necessary for the best interests of the property owners. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the Findings and Order were approved, directing staff to prepare bid plans and specifications, contingent upon Grant County bond funding. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the hearing was closed.

**WCD #SUB-1  
RR CULVERT**

Legal and engineering staff continue to finalize the license agreement and insurance terms of boring and culvert replacement under a BNSF railroad track for the WCD #Sub-1 improvement project.

**SPRAY QUOTES**

Engineer Technician Troy Fridgen received two spray quotes for drainage ditch vegetation control. The quotes differ in charging methods – a quote from LM Road Services was provided by the hour, and would utilize ground application; a quote from Nick Persing was provided by the mile and would utilize drone application. The District has utilized services from LM Road Services in the past, and has been satisfied with the results of vegetation treatment. A test application of drone service was conducted last year, but the results can't be evaluated until spring/summer. Engineer Technician Troy Fridgen recommended a larger test of the drone application, and has identified TCD #52 as a location because a portion of the system is located diagonally, cutting through agricultural fields. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, staff recommendation to utilize LM Road Services for the bulk of treatment and Nick Persing services for treatment of TCD #52, was approved.

**REDPATH PH. 2B  
UTILITY  
RELOCATION**

Staff received Traverse Electric price quotes (\$47,550 and \$119,245) for relocation of existing three phase power that is currently in the proposed footprint of the Redpath Impoundment. The price quotes are not itemized and lack substantive information about quantities and types of materials and labor. Staff have found on past projects that the pre-project price quotes tend to underestimate the amount that is ultimately billed to the District. Traverse Electric has requested pre-project payment. Board Manager Ben Brutlag offered to speak with Traverse Electric staff to get more information on the price quotes. Upon motion by Dahlen, seconded by Brutlag and carried unanimously, the quotes were approved and Brutlag is authorized to negotiate downward terms of the price quotes.

**RRWMB  
BASE GRANT:  
DORAN CREEK**

Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, staff are authorized to submit an RRWMB Base Grant application on behalf of the Doran Creek Restoration Project development.

**DORAN CREEK  
EAW FINDINGS**

Project Manager Garrett Monson described the response to Bois de Sioux Watershed District's Environmental Assessment Worksheet for the Doran Creek Restoration Project with comment letters received from Minnesota Pollution Control Agency, Minnesota Department of Administration State Historic Preservation Office, and Minnesota Department of Natural Resources. A separate meeting was held with the Army Corps of Engineers to gather their comments. Overall, comments from the organizations did not identify a significant environmental impact, and no extensions were requested. Some comments were applicable to and will be addressed by final design considerations and permitting.

In consideration of whether the Bois de Sioux Watershed District, acting as the Regulating Government Unit, engineering staff recommend a finding of No Significant Environmental Impact.

Attorney Lukas Croaker read the proposed Findings of Fact and Record of Decision on the determination of Need for an Environmental Impact Statement. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the Doran Creek Restoration Project Findings of Fact and Record of Decision on the determination of Need for an Environmental Impact Statement was approved.

**SAMANTHA &  
ELBOW LAKE  
EAW**

Grant County Highway staff requested additional information for inclusion in their Environmental Assessment Worksheet for Samantha and Elbow Lake flood control. The District has provided environmental impact data for two scenarios: 1) Lowering the outlet of Samantha Lake by 18", and 2) Lowering the outlet of Samantha Lake by 18" and replacing a current culvert between the lakes. Grant County Highway staff request hydraulic data for two more scenarios: 3) Lowering the culvert between Samantha and Elbow Lakes, and 4) Lowering the culvert between Samantha and Elbow Lakes and keeping outlet gates closed on Samantha Lake.

**BUFFER  
ALTERNATIVE  
PRACTICE**

Attorney Lukas Croaker provided an update on efforts to discuss the District's Preferred Alternative Practice, for use by landowners, with SWCDs at the request of BWSR. Traverse SWCD staff requested an April date to meet with SWCD supervisors, and one staff person and one supervisor attended a meeting with Attorney Lukas Croaker to discuss alternative practice promotion and their feasibility to support the District's Preferred Alternative Practice. Quantitative comparisons were not offered for the District's 16.5' no-tile+cover crop recommendation. Upcoming meetings are scheduled with boards and staff for Grant SWCD and Wilkin SWCD.

**CAMPBELL  
SLOUGH**

Engineer Technician Troy Fridgen has been gathering information on behalf of Almond Township officials in regard to flooding of Campbell Slough in Big Stone County. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, staff are authorized to provide a letter detailing site findings and support for a review of the Campbell Slough Ordinary High Water Level designation.

**DISTRICT COST  
SHARE POLICY  
REVISIONS**

Staff presented changes to the District's Clean Water Cost-Share and Culvert Sizing Policies to recognize sediment reductions resulting from system-wide repairs and improvements to public drainage systems that include subsurface drainage features. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the revised policies were approved.

**AGRICULTURAL  
LEASES**

Rent payment on the District's agricultural lands was received on March 15, 2024, instead of on or before March 1<sup>st</sup> as required by the District's lease terms. Administrator Beyer stated that the lessee did provide periodic updates to the District on the timeframe by which payment would be provided, and that the lessee has been receptive to adapt farming plans as a result of changes proposed by the North Ottawa Project Team to facilitate a wild rice production pilot study. Upon motion by Gillespie, seconded by Kapphahn and carried unanimously, partial interest fees are waived in recognition of the consent of changes to the North Ottawa agricultural lease.

**JCWMP WBIF  
SUPPLEMENTAL  
FUNDS**

Administrator Beyer stated that the Bois de Sioux River & Mustinka River Watersheds Joint Comprehensive Management Plan has been allocated an additional \$424,163 through BWSR's Watershed Implementation Fund, and that the Policy Committee recommended a minimum amount of \$95,468 of that grant to be used to support development of the Doran Creek project; the balance of the funds are estimated to be applied to projects by the Soil and Water Conservation Districts. Upon motion by Dahlen, seconded by Schmidt and carried unanimously, the workplan was approved for submission to BWSR.

Board managers provided updates of their service on committees and organizations.

The meeting was adjourned.