# Lac qui Parle-Yellow Bank Watershed District
# Meeting Minutes #633
# November 1, 2022

## Call to Order

The meeting was held in the Lac qui Parle County Annex, 422 5th Avenue, Madison, MN, with a virtual ZOOM login option. The meeting was officially called to order by Chairman Darrel Ellefson at 4:30 p.m. **Managers Present**: Chairman Darrel Ellefson, Vice Chairman John Cornell, Secretary David Craigmile, Treasurer Andrew Weber and Publicity Michael Frank arrived 15 minutes late. **Managers absent**: none. **Staff present**: Administrator Trudy Hastad, Environmental/Feedlot Specialist Abby Van Kempen, Environmental/HHW Specialist Jennifer Schuelke, Ditch Specialist Cindy Brehmer, Ditch Inspector Jared Roiland, Coordinator Mitch Enderson, and Park Manager Ron Fjerkenstad. **Staff Absent:** none **Others present**: None.

## Approval of the Agenda

Chairman Ellefson asked for additions to the agenda. There being no additions to the agenda, Manager David Craigmile motioned to approve the agenda, seconded by Manager Andrew Weber. Upon roll call vote, motion passed 4-0.

## Staff Reports:

**Environmental/Feedlot Specialist**: Abby VanKempen gave her monthly report.

- Marg and I attended the MACPZA (MN Association of County Planning & Zoning Administrators) conference in Grand Rapids.
- Working on updating some sections/wordage in our land use ordinance along with getting a solar ordinance in place, and changing some of our mining & extraction sections wordage. The planning commission will meet and discuss these and get their ideas and input.
- We had a request to amend a conditional use permit and a landowner came in for a variance.
- Been a busy few weeks with septic systems. I have two systems left to observe and then I can submit my paper work and get my official septic inspector certification.
- Feedlots have been pretty quiet lately, except for calling in to report pumping of their manure pits and spreading.
- I will be attending the regional feedlot meeting in Marshall tomorrow.

**PARK REPORT**: Ron Fjerkenstad

- Park is almost cleaned up for the winter.
- We should consider marketing for hunters to camp as he took in $500 in October. The hunters stay in the overflow, use the pit bathrooms, & the faucet at the house. He can hold up to 15 campers in that area.
- The docks have come out, but people are still fishing.
- Working on new fees for the 2023 camping season. Thinking the daily & yearly park passes are ok, but the seasonal should be adjusted to keep up with electricity & trash costs.
- The cart has been working very well since it was repaired.

**Environmental/HHW Specialist**: Jennifer Schuelke

- Submitted the quarterly HHW report. The MPCA Greater MN Planning Coordinator visited our office to go over our recycling programs and get an idea what LQP County does for their program and if she might be of help with future programs and projects.
- We will be starting our Holiday Lights Collection this month and will be contacting local businesses and schools to get the bins in place. We will again be working with the DAC in Canby, who will process the lights for recycling and resale.
- We submitted the quarterly benchmark monitoring report also known as the Industrial Stormwater Report to MPCA.

- The last electronic waste collection was held on October 8th. In order to continue to use the building as a collection site we had to submit a Permit by Rule request to MPCA to re-permit the building for use as a Transfer Station which has been completed and we are waiting for them to inspect the building. It should be a smooth transition.

**Ditch Specialist**: Cindy Brehmer

- Updated the ditch assessment worksheet to assess cash balances of the ditch systems. Worked on the Group 2 ditch system redetermination of benefits on special assessments to get the ditch balances to be around $10,000 with exception of smaller ditch balances to be $3,000-$5,000.
- Working on sending out letters for the Group 2 ROB except for CD #13 and Laterals A-M. The letters will go out in the mail tomorrow. Also, I will be enclosing a letter stating the easement payment with the W9 all being mailed together. The total assessments for this grouping are $770,000. Judicial Ditch #21 letters were mailed and on October 27th, I mailed the JD #21 landowners that have easement payments a letter with the W9 and their amounts.

**Ditch Inspector**: Jared Roiland

- Trudy, Darrel, & I met with Houston Engineer to review the televising data for Br 3 CD #4 Improvement project. There are approximately 20 minor locations that the engineer feels need to be repaired with the rest of the system in very good shape. We expect the repairs to be completed this fall and can hopefully have the closeout hearing this winter.
- Trudy, Cindy, & I attended our drainage committee meeting. Discussed the televising information for Br 3 CD #4. Discussed the status of the CD #42 improvement project. Also discussed who would attend the pre-conference drainage meeting for MAWD with Commissioner Tufto possibly attending along with WS staff.
- Mitch, Rhyan (SWCD), & I took elevation shots along a branch of CD #5 in section 1, Mehurin Township. We took these shots to determine a grade line for the cleanout and how much it would impact a type 3 wetland along the branch.
- Washed the pickup and Roxor and have an appointment to get them serviced and winterized at LQP Coop.
- Met with a landowner and DNR to discuss a proposed project in section 6, Hamlin Township along CD #69. The landowner will put a project plan together and then we would go from there as far as what process we need to complete.
- Talked to the YM County weed inspector about R-6 and Lazarus. He couldn't get the aerial spraying company he originally had in mind lined up and was trying another aerial spraying company from Flandreau, SD. Another thought was trying goats as goats eat the stuff cattle won't touch.
- We moved back down to our office and have everything temporarily set up until the new desks arrive.
- Trudy & I have been going through file cabinets and maps and sorting & organizing so everything is in one spot.

**COORDINATOR REPORT**: Mitch Enderson gave his monthly report:

- The 1W1P steering team met on the 5th to discuss steps to work on during the public review and before the end of the year so we are ready to bring the plan to BWSR in early 2023. We also set a tentative date of December 15th, 2023 for the public hearing which would be after the review period and discussed how to conduct the meeting.
- The 1W1P sub-steering committee met to work on a draft of cost-share policies and agency agreements. I have incorporated discussion into a draft, and we are close to having that ready. I have also been working with SWCDs on a draft of the By-Laws and will begin with workplan drafting soon.
- We will be updating finances and submitting a request to receive another 40% of our planning grant as we have surpassed the initial 50% received.
- The Del Clark/Canby Creek projects are completed and the grant will expire at the end of the year.
- We have had seven applications for SSTS with six systems being paid. Four of the applications were under our previous loan and three under the new loan.
- Two septic systems loans were paid off this month.
- Working on the final report for the previous SSTS loan and will get it completed once I receive the final disbursement request.

- We have had 13 people submit photos for the photo contest. The pictures will be set up in the Courthouse breakroom tomorrow for voting. Does the Board want us to make calendars for 2023? Discussion followed with Board giving their approval to make the 2023 calendars.
- We submitted the Canby Creek retention project to MAWD for the project awards and was selected to submit a more detailed application as a finalist for project of the year.
- Attended BWSR academy last week. There were some interesting sessions.
- The No child left inside application period is open and I would like to apply for it with the application deadline of December 7th. The grant's goal is to get children outside for recreational/educational experiences. We have been brainstorming and are going to have a meeting with Rhyan at SWCD to figure out more specific details and begin filling out the grant application. Some ideas are: holding a one day event or leaning more towards a 3-4 part series one day a month during the summer with one session on Water, one session on Fishing/Wildlife, and one session on Hiking/Vegetation, Camping/Survival Skills/Astronomy. The grant scores better for ideas that aren't just one-time events. If we are successful in the grant we would get kayaks/fishing poles/tents and could make this an annual event and move around to Lake Hendricks/County Park/State Park, etc.
- We all moved the offices back down to our new space beginning of the month.

**WCA REPORT**: Mitch Enderson gave the WCA monthly report:

- We need to resurvey a branch of CD #5 and will do this on Thursday morning along with the LQP SWCD.
- Met onsite with a landowner and upon review of the site, we found the work conducted to be acceptable.
- Reviewed a site that we had a complaint on and did not find an issue with the work performed.
- Doug Adelman/Mark Ninneman submitted a joint application for installing an intake in a wetland in the NE ¼, Section 4, Yellow Bank Township to keep it from growing. He applied for a No-Loss to have the TEP make a recommendation in order for the watershed to approve the permit. The TEP met and found a LIDAR contour that almost exactly follow the pool elevation of the wetland and the TEP recommends approval of the No-Loss exemption and that LGU staff verify final elevation of intake when project is finished. (Attached Exhibit A).

Manager Craigmile motioned to approve a no-loss exemption to Doug Adelman/Mark Ninneman for installing an intake in the NE1/4 section 4, Yellow Bank Township, seconded by Manager John Cornell. Upon vote, motion passed 5-0.

**OTHERS:** None.

**TREASURER'S REPORT:** The Treasurer's report was read by Manager Andrew Weber.

Manager Andrew Weber motioned to approve a transfer of $50,000 from the First Security Bank park deposit account to the United Prairie Bank general account and also to approve the secretary report as read, seconded by Manager Michael Frank. Upon vote, motion passed 5-0.

The following warrants were presented for approval:

| Number | Vendor | Details 9/06/2022 to 10/04/2022 | |
|---|---|---|---|
| **General Klein Account:** | | | |
| 6218 | Mark or Jessica Larson & Monnens Excavating | SSTS Loan | $4,937.50 |
| 6219 | Mark & Kami Schoenfeld/Wollschlager Excavating | SSTS Loan | $16,937.00 |
| 6220 | Houston Engineering | IWIP Consulting | $1,851.50 |
| | | **TOTAL** | **$23,726.00** |
| **Park Expense Account:** | | | |
| 1558 | Frontier Communications | park office phone, internet, fax | $301.88 |
| 1559 | Kockelman Construction | class 2 base ¾" material | $597.93 |
| 1560 | LQP County Environmental Office | park cell phone | $41.19 |
| 1561 | Canby Builders Supply | lumber | $295.83 |
| 1562 | Running's Supply | 1 1b staples, antifreeze, chicken wire | $78.17 |
| 1563 | Ag Plus Cooperative | 135 gallons Fmaster, 241.9 unleaded | $1,615.88 |
| 1564 | Canby Print Shop | 1000 daily permits, envelopes, 600 '23 park permits | $1,220.47 |
| 1565 | Laleman's Septic & Drain Cleaning | pumped pit toilets, flushed dump station | $350.00 |
| 1566 | Doug's Service & Marine | chain saw, lawn mower blades, pulley | $377.63 |
| 1567 | Olson Sanitation | October trash | $154.44 |

| | | | |
|---|---|---|---|
| 1568 | Lincoln Pipestone Rural Water | October rural water | $419.34 |
| 1569 | Lyon-Lincoln Electric Cooperative | October electricity | $655.29 |
| | | **TOTAL** | **$6,108.05** |

**UPB GENERAL ACCT:**

| | | | |
|---|---|---|---|
| 22158-22162 | semi-monthly payroll | Sept 1-15 payroll | $9,452.55 |
| 22164 | Darrel Ellefson | per diem, mileage | $437.92 |
| 22165 | David Craigmile | per diem, mileage | $437.92 |
| 22166 | Michael Frank | per diem, mileage | $280.88 |
| 22167 | John Cornell | per diem, mileage | $395.52 |
| 4370 | LQP-YB Liability | semi-monthly PERA | $1,861.18 |
| 4371 | LQP-YB Liability | Federal withholding | $3,072.82 |
| 4372 | MPCA | SSTS loan repayments | $56,418.56 |
| 4373 | City of Madison | shop electricity, garbage, sewer | $125.41 |
| 4374 | Rinke Noonan Attorney @ Law | monthly retainer, CD #42 legal fees | $11,065.50 |
| 4375 | LQP Coop Oil Company | pickup fuel | $160.50 |
| 4376 | Houston Engineering | construction administration | $3,221.13 |
| 4377 | Nelson Oyen Torvik | Stoks confession of judgement final payment | $935.00 |
| 4378 | Gary Redepenning | 23 nuisance beaver | $460.00 |
| 4379 | Mitchell Enderson | stamp for WCA conditions | $14.94 |
| 4380 | LQP-YB Liability Acct | State withholding | $1,118.00 |
| 4381 | LQP County Auditor/Treasurer | health insurance | $8,776.19 |
| 4382 | LQP County Auditor/Treasurer | October postage | $43.71 |
| 22168-22173 | semi-monthly payroll | Oct 16-31 payroll | $9,452.54 |
| 22174-22178 | monthly payroll | October park payroll | $5,283.25 |
| 4384 | LQP-YB Liability Acct | Federal withholding | $4,266.20 |
| 4385 | LQP-YB Liability Acct | monthly & semi-monthly PERA | $2,444.88 |
| | | TOTAL | $119,724.60 |

**DITCH ACCT**

**TOTAL** **$-0-**

Manager Andrew Weber motioned to approve the warrants as presented, seconded by John Cornell. Upon roll call vote, motion passed 5-0.

**Secretary's Report:** Trudy Hastad reviewed Secretary report #632 as mailed.

Manager Michael Frank motioned to approve meeting minutes #632 as mailed, seconded by Manager David Craigmile. Upon roll call vote, motion passed 5-0.

**Administrator Report/Old & New Business: Trudy Hastad**

- The office remodel is done and we moved into the office the week of October 17, 2022. The desks have not arrived yet, but staff are working on tables. The office flow seems to be going well.
- Discussed the Corey Hoffman pasture/hayland lease. The crops were removed but not sure if the corn stalks were baled and the Board wanted to have them baled. Hastad will contact Corey to see if he planned to bale them, if not, Manager Cornell would talk to neighbor to see if he would bale. Hastad will contact Hoffman and also request what tillage was done, what spray was used so we have a record for the HEI violation and when re-seeding back to grassland in the spring. Discussed what attorney to use to draw up the 2023 leases and what enforcement language needed to be in the lease. Hastad reported Bjornson's did not have their cattle off the Lazarus Creek land by October 15 as was stated in the lease. Discussion followed. The managers also discussed hiring the LQP County SWCD to reseed the land in YM as the YM SWCD does not have a drill.

Manager Michael Frank motioned to hire the LQP SWCD to do the seeding in the spring of 2023 and bill the seeding to Corey Hoffman, seconded by Manager Andrew Weber. Motion passed 5-0

- Paul Tol contacted us to renew lease for a wind tower on the Lazarus Creek land. I sent the new contract to John Kolb for review and Paul will meet with us at the December 6th meeting to review and sign.
- MAWD Annual meeting is scheduled for Dec 1-3rd. Will need to know who plans to attend and then need to appoint two delegates and one alternate. Discussion followed.

Manager Michael Frank motioned to appoint Andrew Weber and David Craigmile as delegates to the MAWD annual meeting with Manager John Cornell as alternate, seconded by Manager David Craigmile. Upon vote, motion passed 5-0.

Managers Craigmile, Weber, & Cornell will attend the annual MAWD meeting along with staff of Hastad, Brehmer, Roiland, & Enderson. Hastad will set up rooms & register for MAWD, except Manager Craigmile will do his own.

- Area II annual meeting will be November 3, 2022 at Currie, MN. Manager Craigmile will attend.
- We need to set an advisory board meeting date. Discussion followed.

Manager Craigmile motioned to set the Advisory Board meeting date of December 7, 2022 at 6:00 p.m. in the LQP County Commissioner Room, seconded by Manager Cornell. Upon vote, motion passed 5-0.

- The MAWA (Minnesota Association of Watershed Administrators) will be meeting on November 4, 2022 at Fergus Falls, MN.

PERMITS- The following permit applications were applied for:

| | | | | |
|---|---|---|---|---|
| 13786 | Doug Adelman | Yellow Bank, 4 | seepage, main line w/intake | 11/01/22 AW |
| 13787 | Jim Call | Augusta, 20/21 | clean ditch | 11/01/22 DE |
| 13788 renew 12900 | Doug Haas | Manfred 33/34 | seepage, main tile, intakes & terraces | 11/01/22 DE |
| 13789 | Doug Haas | Freeland, 32 | seepage, main tile | 11/01/22 DE |
| 13790 | Eldon Haas | Manfred, 11 | seepage lines, pumps | 11/01/22 DE |
| 13791 | K & R Farms | Fortier, 23 | seepage lines | 11/01/22 MF |
| 13792 | Mike Knutson | Fortier, 7/8 | seepage & main tile | 11/01/22 MF |
| 13793 | Redgy Matthies | Agassiz, 28 | seepage lines | 11/01/22 AW |
| 13794 | Jon Olson | Madison, 2 | seepage, main tile | 11/01/22 DE |
| 13795 | Gerard Radermacher | Walter, 3 | main tile, move approach | 11/01/22 AW |
| 13796 | Gordon Rangaard | Norman, 1 | seepage, main tile | 11/01/22 MF |
| 13797 | Kade Robertson | Providence, 21 | seepage lines | 11/01/22 DC |
| 13798 | Kade Robertson | Providence, 8 | seepage lines | 11/01/22 DC |
| 13799 | Joe Roggenbuck | Perry, 28 | clean ditch | 11/01/22 DE |
| 13800 | Jerome Schuelke | Baxter, 31 | main tile | 11/01/22 DC |
| 13801 | Jerome Schuelke | Ten Mile Lake, 20 | seepage lines | 11/01/22 DC |
| 13802 | Jerome Schuelke | Baxter, 31 | seepage lines, intakes | 11/01/22 DC |
| 13803 | Jerome Schuelke | Riverside, 36 | install ditch | 11/01/22 DE |
| 13804 Renew | Milton Schutte & Sons | Riverside, 35 | seepage, main tile, intakes | 11/01/22 DC |
| 13805 | Charles Shellenbarger | Camp Release, 25 | seepage lines | 11/01/22 DC |
| 13806 | Joe Spors | Walter, 4 | seepage lines, intakes | 11/01/22 AW |
| 13807 | Joe Spors | Walter, 3 | seepage, main tile, intakes | 11/01/22 AW |
| 13808 | Mike Unzen | Walter, 25 | seepage lines, pump | 11/01/22 AW |
| 13809 | Jon Wager | Hamlin, 25 | clean ditch | 11/01/22 DE |
| 13810 | Bart Wittnebel | Walter, 26 | stock pond | 11/01/22 AW |

Permits Denied: none.

Manager John Cornell motioned to approve the permits except those denied, seconded by Manager David Craigmile. Upon roll call vote, motion passed 5-0.

Meeting adjourned at 6:45 p.m.

Darrel Ellefson, Chairman

Attest:

David Craigmile, Secretary

Minutes prepared by Hast

The next regularly scheduled meeting of the Lac qui Parle-Yellow Bank Watershed District is Tuesday, December 6, 2022 at 4:30 p.m. in the LQP County Commissioner Room, Courthouse, Madison, MN.

BOARD OF WATER AND SOIL RESOURCES

# Minnesota Wetland Conservation Act Technical Evaluation Panel Form

**This form can be used to document TEP findings and recommendations related to WCA decisions, determinations, enforcement and pre-application reviews.**

| | |
|---|---|
| **Local Government Unit:** LqP-YB Watershed District | **County:** Lac qui Parle |
| **Landowner/Applicant:** Mark Ninneman | **Agent/Representative(s):** Doug Adelman |
| **Project Name:** Adelman No-Loss | **Project No. (if any):** |
| **Project Location:** T120N R46W, Section 4, NE 1/4 | |

**Purpose of TEP Findings/Recommendation** - check all that apply and describe

☐ Pre-application review ☒ Application Review (related to WCA Decision)
☐ Local Government Road Wetland Replacement Program Eligibility ☐ WCA Determination Request
☐ Other (specify):
**Describe:**

**Meeting Type** – check all that apply and specify dates as applicable

☐ In-Person Meeting(s), Date(s): ☒ Electronic Exchanges (email, skype, etc.)
☐ Onsite Review(s), Date(s): ☐ Other (specify):

**Findings and Recommendations**

**The TEP finds that an intake with a riser set at an elevation sufficient to not drain but maintain non-exempt pool elevation and to avoid wetland expansion will qualify for a No-Loss under the WCA. Water drained through the intake will outlet through solid pipe until at least outside TEP indicated setbacks. The shortest length of non-perforated tile in the wetland must be used to achieve the set elevation. Joints must be properly sealed according to manufacturer's recommendations to ensure no leakage. Any excavated soil must be properly separated and replaced over the buried tile, level with the surrounding ground. Any excess soil must be hauled to an upland location. Upon determination of the wetland boundary, members of the TEP will determine necessary pool elevation for riser to be set and leave a stake set to determined elevation. Initial in office review of LIDAR indicates an elevation of 1054 ft ASL, but this may be adjusted by in field measurements. TEP will also stake setback location. TEP recommends that LGU staff verify final elevation when project is finished.**

☒ Attachment(s) (specify): No Loss Joint Application

**DNR Protected Waters and Shoreland Protection Zone**

Will the project/activity affect DNR public waters, DNR public waters wetlands or wetlands within the shoreland protection zone? ☐ Yes ☒ No If yes, DNR representative is a member of the TEP.

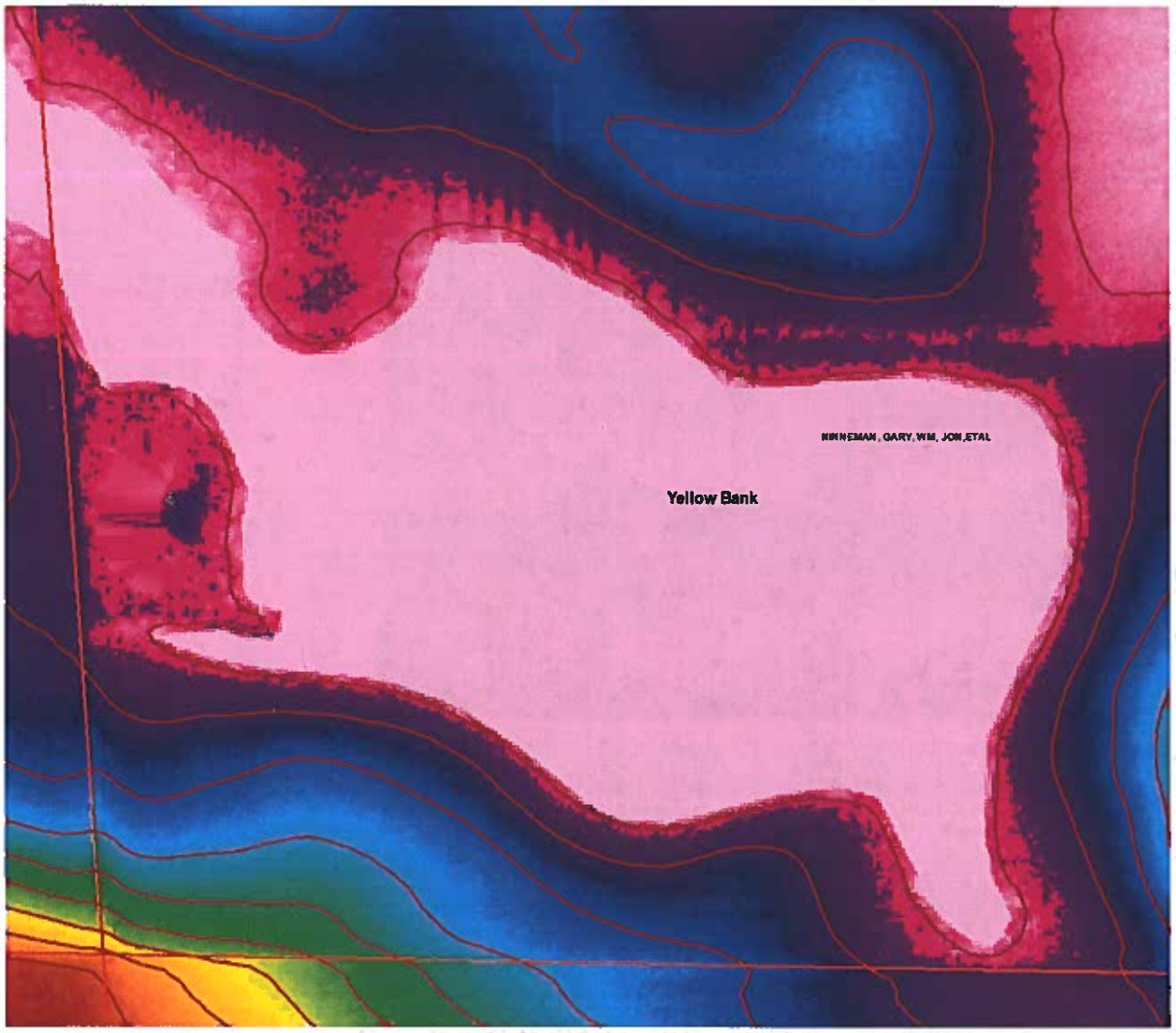
**Signatures**

☒ LGU TEP Member: Mitch Enderson — Agree with Findings & Recommendations: ☒ Yes ☐ No

Signature: *Mitch Enderson* — Date: 10/31/22

☐ SWCD TEP Member: — Agree with Findings & Recommendations: ☐ Yes ☐ No

Signature: — Date:


NINNEMAN, GARY, WM, JON, ETAL
Yellow Bank

Project Name and/or Number: Adelman No-Loss

# PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

**Applicant/Landowner Name:** Mark Ninneman
**Mailing Address:**
**Phone:** 320 305 4191
**E-mail Address:**

**Authorized Contact (do not complete if same as above):** Doug Adelman
**Mailing Address:** 1176 370th St, Bellingham, MN 56212
**Phone:** 320 808 7915
**E-mail Address:**

**Agent Name:**
**Mailing Address:**
**Phone:**
**E-mail Address:**

# PART TWO: Site Location Information

**County:** Lac Qui Parle **City/Township:** Yellow Bank
**Parcel ID and/or Address:** T120 R46 44-0022-000
**Legal Description (Section, Township, Range):** L1, Yellow bank, R46
**Lat/Long (decimal degrees):** -96.424/45.234
**Attach a map showing the location of the site in relation to local streets, roads, highways.**
**Approximate size of site (acres) or if a linear project, length (feet):** 6 acres

**If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:**

http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf

# PART THREE: General Project/Site Information

**If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted *prior to* this application then describe that here and provide the Corps of Engineers project number.**

**Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.**

Trying to maintain the wetland size so it doesn't get any larger. Water will go east into a tile line. Project will occur in fall 2022 or spring 2023 as conditions allow.

Project Name and/or Number: Adelman No-Loss

# PART FOUR: Aquatic Resource Impact[1] Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

| Aquatic Resource ID (as noted on overhead view) | Aquatic Resource Type (wetland, lake, tributary etc.) | Type of Impact (fill, excavate, drain, or remove vegetation) | Duration of Impact Permanent (P) or Temporary (T)[1] | Size of Impact[2] | Overall Size of Aquatic Resource [3] | Existing Plant Community Type(s) in Impact Area[4] | County, Major Watershed #, and Bank Service Area # of Impact Area[5] |
|---|---|---|---|---|---|---|---|
| W1 | Wetland | Drain | P | 0 | N/A | Shallow marsh | LqP, 24, 9 |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

[1]If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".
[2]Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).
[3]This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".
[4]Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.
[5]Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

# PART FIVE: Applicant Signature

☑ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature: Doug Adelman Date: 10/24/22

I hereby authorize _____ to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

_____

[1] The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

Project Name and/or Number: Adelman No-Loss

# Attachment B

## Supporting Information for Applications Involving Exemptions, No Loss Determinations, and Activities Not Requiring Mitigation

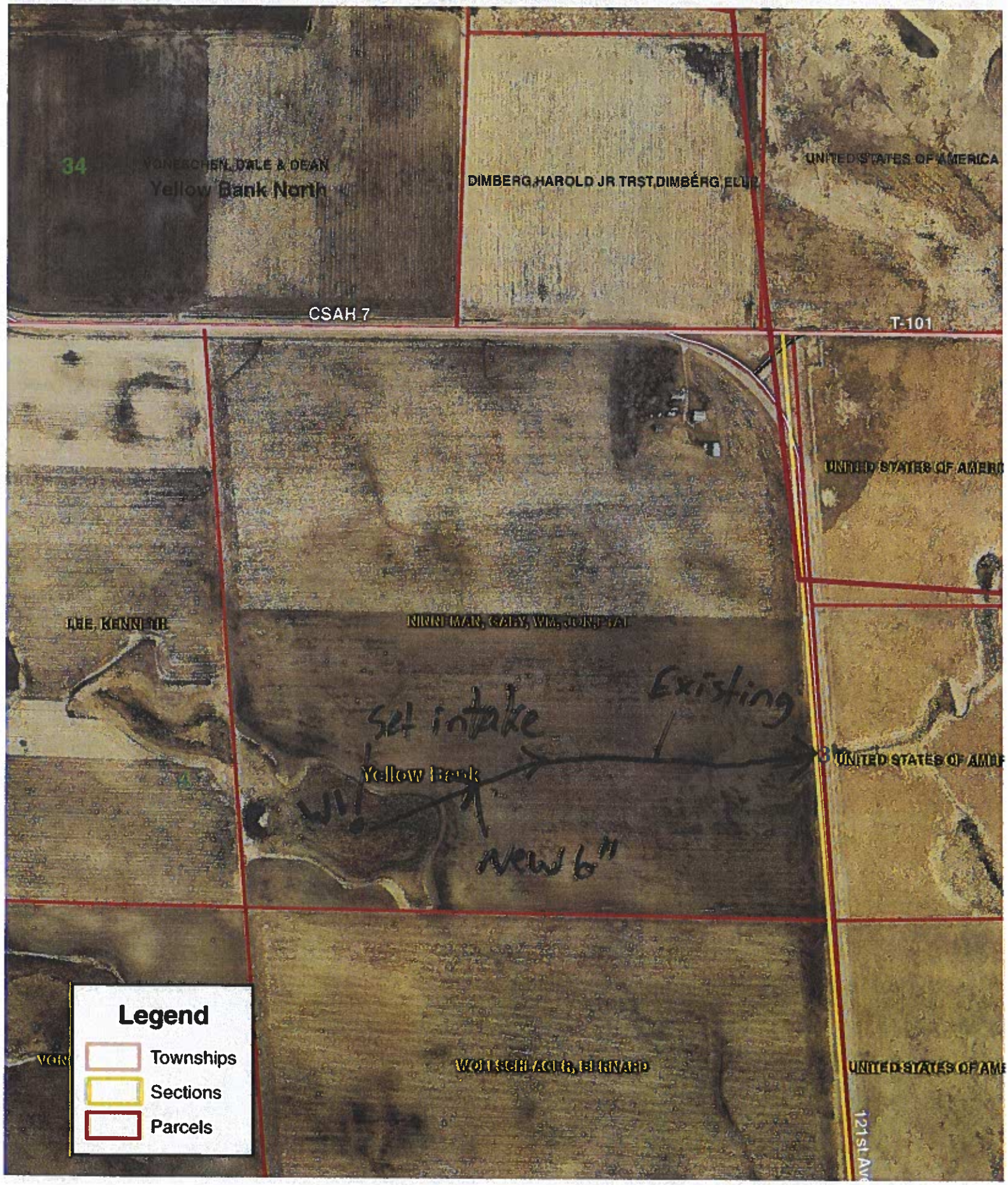
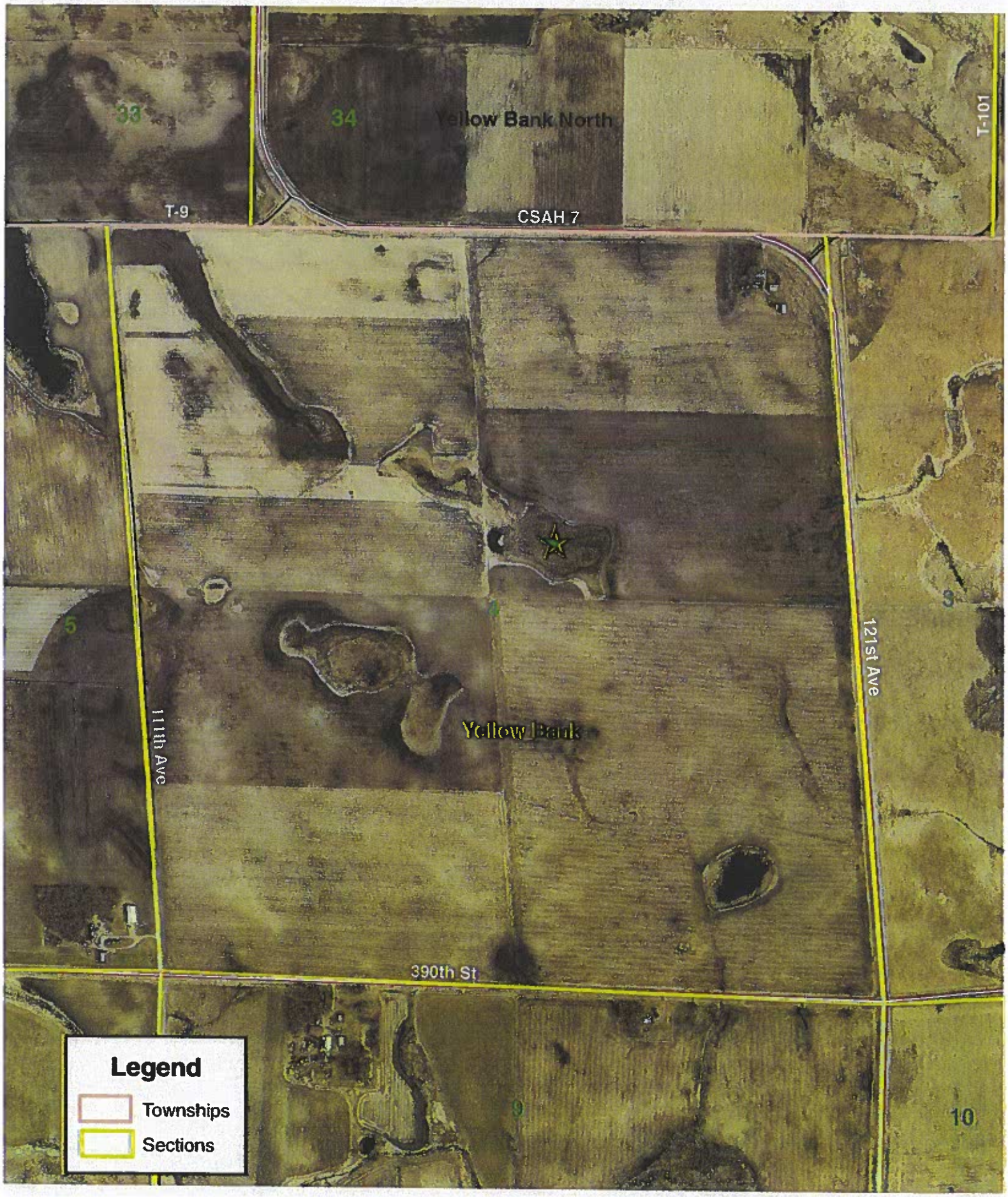
Complete this part *if* you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR *if* you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

Looking to get a elevation to maintain the depth of the wetland. Don't want to lower the water line by getting elevation. Will set intake at depth/elevation provided by TEP and use solid pipe within any applicable setbacks

# Yellow Bank 4



# Location Map