

# Lac qui Parle-Yellow Bank Watershed District

## Meeting Minutes #636

### February 7, 2023

#### Call to Order

The meeting was held in the Lac qui Parle County Commissioners' Room, Courthouse, Madison, MN with a virtual ZOOM login option. The meeting was officially called to order by Vice- Chairman John Cornell at 4:30 p.m. **Managers Present:** Chairman Darrel Ellefson joined late via zoom, Secretary David Craigmile, Treasurer Andrew Weber, & Publicity Michael Frank. **Managers absent:** None. **Staff present:** Administrator Trudy Hastad, Environmental/Feedlot Specialist Abby VanKempen, Environmental/HHW Specialist Jennifer Schuelke, Ditch Specialist Cindy Brehmer, Ditch Inspector Jared Roiland, Coordinator Mitch Enderson. **Staff Absent:** Park Manager, Ron Fjerkenstad. **Others present:** Attorney John Kolb via zoom, Kyle Mangel, Douglas Mangel, Randy Fales, Shawn VanDerostyne, Lucas Bjornson, Darby Hemish, Denver Noyes, Randy Brown, Beau Doom, Morgan Kauth, Danielle Kauth, Kevin Verhelst, Justin Driessen, Dustin Otten, Corey Hoffman.

#### Approval of the Agenda

Vice-Chairman Cornell 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:

##### Park Report: Ron Fjerkenstad

- The Canby Firemen & Sportsman held their annual fishing contest at Del Clark the end of January. There were over 230 ice houses on the lake. The weather was cold but still a good turnout. Countryside Health made signs monitoring behavior in and out of the park. Manager Frank was concerned with the walleye count as only six caught, but DNR fisheries said there is a good number in Del Clark but they have plenty of food sources so probably not biting as the gill net numbers were good. A 40" Northern was caught.
- Except for ice-fishing, the park has been quiet.

##### Environmental Feedlot/Planning & Zoning/ SSTS Specialist: Abby VanKempen

- Working on a solar ordinance for the County. Attorney Stolz reviewed the draft and approved with minor changes and we will present at the next Planning Commission meeting. Once they approve or make any changes, it can go to the LQP County Board for approval.
- Have two CUP's renewals for the Planning Commission on Wednesday, Feb 15, 2023 for Duininck's Inc. Gravel pit operation on Highway 212 outside of Montevideo. One hearing is for the mining and excavation and one is for the processing of the materials. They have to renew every three years.
- Received a complaint last week about manure application too close to a wetland. The complainant sent pictures and it looked like manure was spread close to a wetland. I asked Mitch if the specific wetland was a DNR protected wetland and upon review noted it was not. Went out and viewed the site (windchill was -20). Manure was spread near the wetland, but not a violation because the setbacks didn't apply to that type of wetland. I called the applicator and let him know about the complaint and reminded him of the winter setbacks and recommended he stay 300 feet away from all wetlands while applying as it is a more sustainable practice.
- The passport acceptance facility was approved to be LQP-YB Watershed District (was Lac qui Parle County Environmental Office). We sent in five applications last month and helped with 10 renewals.

Manager Darrel Ellefson joined the meeting via zoom.

**Environmental/HHW Specialist:** Jennifer Schuelke

- Finished up the Holiday Lights collection at the end of January. We collected approximately 1,450 lbs. of lights! I've contacted the Canby DAC and they'll set up a time to come and pick up the lights.
- Trudy & I met with Jason Olson with Olson Recycling to discuss a new recycling contract for LQP County. The current five- year contract ends March 1, 2023. Jason is proposing a 2-year contract to give him some flexibility to change from 2-sort to single sort recycling. This will be taken to the County Board for final approval.
- Worked with SEH to complete the demo-landfill report.
- Completed the fourth quarter HHW Education report.
- Sent out letters to businesses, schools, and organizations in the County requesting the types and amounts of materials they recycled in 2022 to use for the recycling portion of the SCORE report which is due the end of February.

**Coordinator Report:** Mitch Enderson

- We will have another steering team meeting in Canby to go over updates to cost-share policies, bylaws, and workplan. There will also be discussion on the BWSR southern region meeting coming up. That will be a TEAMS virtual meeting.
- The Annual reporting for the Del Clark/Canby Creek grant was completed and submitted.
- The SSTS semi-annual reporting was completed and submitted.
- The assessment amortization schedules were sent out with maintenance booklets to landowners that received loans in 2022.
- Working on setting up a meeting with Pro West. GeoMoose is no longer being updated so the County needs a new public site. I have been working with Mark Volz and doing some additional research on quotes and pros/cons for different options.
- Working on digitizing a zoning map for LQP County. There is currently only an old inaccurate paper map which doesn't show shoreland. The new digital map will greatly reduce time to determine zoning and help with efficiency.
- We finally received modeling results on the Florida Creek. Floodplain areas are practically unchanged. Quintin, with the SWCD, and I had a call with Chris Domeier, DNR Fisheries, to discuss next steps. We are working on tweaking a potential construction easement.

**WCA:** Mitch Enderson

- We have a joint application for a no-loss determination for Branch 8 of CD #5 that the Board needs a decision on. Mitch read the TEP recommendations and asked the Board for approval. Discussion followed.

Manager David Craigmile motioned to approve the TEP findings and approve the No-Loss exemption for Branch 8 CD #5 (see attachment A), seconded by Manager Andrew Weber. Upon vote, motion passed 5-0.

- There is a potential bank site that a landowner inquired about this past year. The landowner has gotten in contact again and is working with a consultant on a prospectus for the site.
- Helped a landowner with questions on completing a Joint Application applying for a conservation project exemption.
- Permit that was denied was previously re-submitted with easement contracts showing creation of wetlands under the conservation easement. There is an exemption for draining wetlands that were created under a conservation easement that allows the landowner to restore to pre-project hydrologic conditions upon expiration of the easement.

**Ditch Report:** Jared Roiland

- We had a TEAMS meeting with the Engineer and Ag Tech Drainage, contractor who agreed to help with the CD #42 improvement project, to discuss repairs and how to best draw down the water. The Contractor will dig a tap ditch and put in an intake where pipe is working. He did this the second week of January and is working well.
- Ag Tech was on site of the Br 3, CD #4 improvement project on January 19, 2023 to relay a portion of the pipe that was off grade. They were able to locate the segment and get it laid on grade to the engineers' satisfaction.
- On January 24, 2023 I visited the CD #42 dewatering site to make sure the temporary intake was open and still draining. When I got there the trench was full of water and the intake was draining like a bathtub drain.
- I visited the CD #42 dewatering site on February 1 and the water level in the trench was below the temporary intake level, but water was still moving in the pipe and it looked like the water level had dropped below the two road and that our dewatering plan is working as planned.
- Trudy & I submitted a claim to the CD #42 contractor's bonding company for the County landfill invoice.
- Worked with Trudy on the pasture lease documents for the upcoming bid opening and sent letters to previous bidders.
- Submitted the yearly buffer report for the Watershed and the County.

**Ditch Specialist:** Cindy Brehmer

- I have been preparing audit reports for the Auditor-Treasurer's office. I have completed and balanced all the reports that need to be completed for the ditches.
- I worked on breaking out each ditch assessment by township for the A/T office to make sure that all of the ditch assessments were transferred correctly and the right amount entered into the tax system before they finalize the tax statements to be mailed out.
- Prepared a ditch financial report for the Drainage Committee of each ditch system.
- Jared & I worked on the consolidation report for CD #84 with Lateral A CD #84 and Lateral B CD #84.
- I have been working with Trudy on learning payroll in Quickbooks and helped to set up sick/vacation time tracking in Quick Books and am learning how to prepare and pay PERA, Federal withholding, State withholding, sales & use tax.
- Trudy has also been working with me on the balancing of bank statements for the Watershed District.

**OTHERS:** Kyle & Doug Mangel met with the Board to discuss their watershed permit up for approval. Discussion followed with the managers' approving the permit.

**TREASURER'S REPORT:** Manager Andrew Weber read the Treasurers' report.

CD #2 at Dawson Coop Credit Union is up for renewal in February. Manager Andrew Weber will call around for the rates. Discussion followed.

Manager Michael Frank motioned to move the CD #2 funds to the bank with the highest interest rate, seconded by Manager David Craigmile. Upon vote, motion passed 5-0.

Manager David Craigmile motioned 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 01/06/2023 to 02/07/2023

**General Klein Account:**

6224	Houston Engineering	IWIP Consulting work	<u>\$9,452.50</u>
		<b>TOTAL</b>	<b>\$9,452.50</b>

**Park Expense Account:**

Transfer	to General	2/3/23 park payroll	\$2,359.60
1596	Ag Plus Cooperative	gas	\$38.98
1597	LQP Environmental Office	park cell phone	\$41.12
1598	Lincoln Pipestone Rural Water	January park water	\$34.89

1599	Frontier Communications	office phone, fax, internet	\$352.14
1600	Olson Sanitation	January park trash	\$19.89
1601	Lyon-Lincoln Electric Coop	January park electricity	\$765.92
1602	Canby Print Shop	desk calendar	\$5.60
1603	Kockelman Construction	January snow removal	<u>\$524.00</u>
<b>TOTAL</b>			<b>\$4,142.14</b>

**UPB GENERAL ACCT:**

4430	State Bank of Bellingham	open CD	\$107,724.13
23008-23013	semi-monthly payroll	January 20 <sup>th</sup> payroll	\$9,661.71
23014	Darrel Ellefson	per diem, mileage	\$132.47
23015	David Craigmile	per diem, mileage, expense	\$330.65
23016	Andrew Weber	per diem, mileage	\$129.85
23017	John Cornell	per diem, mileage	\$160.64
23018	Michael Frank	per diem, mileage	\$141.64
Debit Card	Intuit	2023 QB payroll subscription	\$694.69
4431	LQP-YB Liability	PERA – 1/20/23 payroll	\$1,953.00
4432	LQP-YB Liability	Federal withholding	\$3,005.32
23019-23024	semi-monthly payroll	February 5, 2023 payroll	\$9,661.74
23025	monthly payroll	January park payroll	\$2,359.60
4434	LQP-YB Liability	semi & monthly PERA	\$2,396.33
4435	LQP-YB Liability	Federal withholding	\$3,625.96
Debit card	Adobe	annual renewal	\$256.37
4436	MN Association of WS Districts	2023 dues	\$5,000.00
4437	Rinke Noonan Attorney's	monthly retainer, wind energy lease	\$632.00
4438	MN UI Fund	3 <sup>rd</sup> & 4 <sup>th</sup> quarter unemployment	\$13,625.57
4439	Houston Engineering	Br 3 CD #4 repairs	\$2,742.00
4440	Jared Roiland	mileage reimbursement	\$26.20
4441	City of Madison	shop electricity, garbage, sewer	\$113.06
4442	Dawson Sentinel	1 week pasture ad	\$64.55
4443	Buffalo Ridge Newspapers	2 week pasture ad	\$150.50
4444	LQP County Auditor/Treasurer	January postage	\$76.89
4445	Richard Mortenson	29 nuisance beaver	\$580.00
4446	Brent Mortenson	20 nuisance beaver	\$400.00
4447	Patrick Johnson	12 nuisance beaver	\$240.00
4448	Trudy Hastad	reimb for w-2, 1099, envelopes	\$154.67
4449	LQPYB Liability	State Withholding	\$1,006.00
4450	LQP County Auditor/Treasurer	Health insurance	\$9,167.27
4451	LQP County Auditor/Treasurer	Aflac, Dental, EyeMed, Life, LTD	\$689.69
4452	LQP-YB Liability	January sales & use tax	<u>\$44.00</u>
<b>TOTAL</b>			<b>\$176,946.50</b>

**DITCH ACCT**

**TOTAL      \$-0-**

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

**Secretary's Report:** Trudy Hastad reviewed Secretary report #635.

Manager Michael Frank motioned to approve meeting minutes #635, seconded by Manager Andrew Weber. Upon roll call vote, motion passed 5-0.

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

- Discussed advertising for the park manager position the end of February so applications can be reviewed at the March meeting to set up interviews.
- Joe Voit contacted the WS to see about fixing up the boy scout camp at Del Clark. Discussion followed, with the Board in favor as long as the Administrator/park manager are kept informed.
- Discussed possibly updating WS rules in 2023. Discussion followed.

- Reviewed a notice from City of Madison about a street/storm water project that outlets into CD. Discussion followed. Felt they should get a WS permit so info is on file in the office.

At 6:00 p.m. Vice-chairman John Cornell asked if sealed bids were received for the pasture/hay ground up for a three-year lease. Administrator Hastad reported receiving eleven sealed bids. Attorney Kolb reviewed that the leases would be for three years for the years 2023, 2024, & 2025. Administrator Hastad opened the bids. Once bids were opened, the bidders were offered an opportunity to raise their bids. Hastad asked that they state their name and then amount they wished to bid and bidding started with parcel 1 as follows:

Parcel 1 – R-6: High bidder Dustin Otten, Otten Farms at \$80/acre with second high bidder Randy Brown at \$77.50/acre.

Parcel 2 – Lazarus Creek #1: High bidder Beau Doom at \$85/acre with second high bidder Kevin Verhelst @ \$80/acre.

Parcel 3 – Lazarus Creek #2: High bidder Luas Bjornson @ \$85/acre with second high bidder Kevin Verhelst @ \$80/acre.

Parcel 4 – Boy Scout Camp: High bidder Corey Hoffman @ 250/acre with second high bidder Beau Doom @ \$245/acre.

Parcel 5 – R-1/R-4: High bidder Beau Doom @ \$110/acre with second high bidder Justin Dressen @ \$105/acre.

A resolution (attached item B) approving award and execution of hay and pasture land lease agreements was made by Manager Andrew Weber and seconded by Manager Michael Frank. Upon vote motion passed 5-0

Hastad will contact the high bidders once she receives the completed lease agreements from the Attorney for signature. They will be given one week to accept or reject the proposed lease. If rejected, the lease shall be transmitted to the second high bidder.

Hastad asked for the addresses and phone numbers of the bidders.

#### PERMITS:

13817 Renew	Barbara Larson	Providence, 23	seepage, main tile	02/07/23 DC
13818	Trent Jorgenson	Camp Release N, 31	seepage, main tile, intakes	02/07/23 DC
13819	Rick Hersom	Riverside, 8	seepage lines	02/07/23 DE
13820	Kyle Mangel	Walter, 24	seepage, main tile, intakes	02/07/23 AW
13821 Renew	Gary Robertson	Providence, 34	seepage lines, intakes	02/07/23 DC
13822 Renew	Gary Robertson	Providence, 34	seepage lines, intakes	02/07/23 DC
13823 Renew	Gary Robertson	Providence, 25	seepage lines	02/07/23 DC
13824 Renew	Gary Robertson	Providence, 14	seepage, main tile	02/07/23 DC
13825	Scott Wittnebel	Perry, 19	seepage, main tile, pump	02/07/23 DE

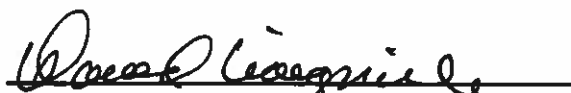
#### Permits Denied:

Manager David Craigmile motioned to approve the permits, seconded by Manager Andrew Weber. Upon roll call vote, motion passed 5-0.

Meeting adjourned at 7:10 p.m.

  
Darrel Ellefson, Chairman

Attest:

  
David Craigmile, Secretary

The next regularly scheduled meeting of the Lac qui Parle-Yellow Bank Watershed District is Tuesday, March 7, 2023 at 4:30 p.m. in the LQP County Commissioner Room, Courthouse, Madison, MN.

Project Name and/or Number:

## 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:** Lac qui Parle County Drainage Authority

**Mailing Address:** Courthouse 600 6<sup>th</sup> St Madison, MN 56256

**Phone:** 320-598-7061

**E-mail Address:** jared.roiland@lqpc.com

**Authorized Contact (do not complete if same as above):** Trudy Hastad

**Mailing Address:** Courthouse 600 6<sup>th</sup> St Madison, MN 56256

**Phone:** 320-598-3117

**E-mail Address:** trudy.hastad@lqpc.com

**Agent Name:**

**Mailing Address:**

**Phone:**

**E-mail Address:**

## PART TWO: Site Location Information

**County:** Lac qui Parle

**City/Township:** Mehurin

**Parcel ID and/or Address:** East of County Road 53 and approximately .3 miles north of 210<sup>th</sup> St

**Legal Description (Section, Township, Range):** Section 1, Township 117N, Range 46W

**Lat/Long (decimal degrees):** 44.969 N, 96.374 W

**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):** 3,548 feet

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](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.

The County Ditch 5 Branch 8 cleanout project is to mechanically remove vegetation in the ditch branch located primarily in the west ½ of section 1, Mehurin Township, extending east to the half mile line where the channel is flowing open to the outlet into the main of County Ditch 5. Lac qui Parle County is the Drainage Authority for CD 5 while the Lac qui Parle-Yellow Bank Watershed District is responsible for the maintenance. This application is being submitted strictly for vegetation removal. A

landowner on this branch has requested the county clean the branch and after analyzing field survey data, there seems to be an adequate amount of fall on the branch. The branch is clogged full of cattails and vegetation that prevent the branch from draining properly. The whole branch is just less than 5,000 linear feet, and the applicant only intends to perform work in the initial stages as necessary, at which point the channel is currently open and flowing without restriction.

## PART FOUR: Aquatic Resource Impact<sup>1</sup> 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) <sup>1</sup>	Size of Impact <sup>2</sup>	Overall Size of Aquatic Resource <sup>3</sup>	Existing Plant Community Type(s) in Impact Area <sup>4</sup>	County, Major Watershed #, and Bank Service Area # of Impact Area <sup>5</sup>
CD5 Br8	Tributary	Remove Vegetation	P	3,548'	NA	Shallow Marsh	LqP, 07020003,9

<sup>1</sup>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)".

<sup>2</sup>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).

<sup>3</sup>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".

<sup>4</sup>Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3<sup>rd</sup> Ed. as modified in MN Rules 8420.0405 Subp. 2.

<sup>5</sup>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: Benjamin P. County by: [Signature] Date: 12-6-2022  
[Signature] Ditch maintenance

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.

<sup>1</sup> 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.



## 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:

Chapter 8420.0415 Paragraph A: An activity that will not impact a wetland

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:

After collecting elevation data from the site and determining there is adequate grade on this branch, the drainage authority is proposing to conduct vegetation removal through a portion of the ditch that passes through Type 3 wetlands, believing the thick vegetation growth and accumulation is the primary hinderance to drainage. The survey data collected indicated additional sediment removal should not be necessary. Vegetation removal is not regulated under the wetland conservation act and thus activities limited to vegetation removal fall under the provisions of a No-Loss exemption.

# Aquatic Resource Map



## 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.

<b>Local Government Unit:</b> LqP-YB Watershed District <b>County:</b> Lac qui Parle	
<b>Landowner/Applicant:</b> LqP County Drainage Authority <b>Agent/Representative(s):</b> Jared Roiland/Trudy Hastad	
<b>Project Name:</b> CD 5 Branch 8 Cleanout	<b>Project No. (if any):</b>
<b>Project Location:</b> T117N, 46W, Section 1 (West ½) – Lac qui Parle County	

**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**

Following emails to review the No-Loss Application submitted for vegetation removal in County Ditch 5, Branch 8, the TEP held a formal discussion on 1/10/23. The TEP discussed thickness of the cattail/vegetative root mat observed during recent surveying in the fall of 2022. Members of the TEP surveyed the ditch and estimate the root mat thickness to be an avg. of 8 inches thick, with some areas more in the interior and less around the fringes of the wetland. The TEP finds that removal of the vegetation is exempt from WCA mitigation requirements according to WCA Rule Ch.8420.0420, Subp. 3,B (1), as the activity will not drain the type 3 wetland beyond what has existed for the past 25 years. The applicant must ensure that spoils are limited to vegetation and inform the LGU/TEP when performing the work to allow for inspection. Dirt removed during the cleanout should be limited to silt/sediment trapped in the vegetative mat. The spoils must be placed in the upland. The TEP further recommends as-built survey points be taken to compare with the survey points (acquired in the fall of 2022) and for reference for any future maintenance as there is currently a lack of maintenance records on the ditch branch.

- ☒ Attachment(s) (specify): Joint Application for Activities Affecting Water Resources

**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: 1/10/23

<input checked="" type="checkbox"/> SWCD TEP Member: Rhyan Schicker Signature: <i>Rhyan Schicker</i>	Agree with Findings & Recommendations: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: 01/11/2023
<input checked="" type="checkbox"/> BWSR TEP Member: John Hansel Signature: <i>John Hansel</i>	Agree with Findings & Recommendations: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: 1-11-2023
<input type="checkbox"/> DNR TEP Member: Signature:	Agree with Findings & Recommendations: <input type="checkbox"/> Yes <input type="checkbox"/> No Date:



## Resolution No. \_\_\_\_\_

**Resolution Approving Award and Execution of Hay and Pasture Land Lease Agreements  
Lac Qui Parle - Yellow Bank Watershed District**

At the Regular Meeting of the Board of Managers of the Lac Qui Parle - Yellow Bank Watershed District, on February 7, 2023, Manager Weber moved, seconded by Michael Finkto adopt the following:

**WHEREAS**, the Lac Qui Parle - Yellow Bank Watershed District owns, as part of its flood control projects, certain lands acquired with non-state-bonding funds; and

**WHEREAS**, in order to make use of the properties in a beneficial way that is not inconsistent with their purpose of flood control; and

**WHEREAS**, to establish and maintain habitat and natural resource values on the land, while preventing the generation of nuisance weeds, the District has historically offered hay and pasture land leases on the properties; and

**WHEREAS**, the District limits uses of the property to hay and pasture land (no cultivated row crops) and since production of forage crops typically requires fertilization and inter-seeding of pasture grasses and legumes, lease terms are offered for three years to allow for return of tenant investments and proper management; and

**WHEREAS**, the next term of leases commences on March 1, 2023 and ends on February 28, 2025; and

**WHEREAS**, the five properties are as follows:

**Site R-6:** Section 14, Township 114 N, Range 46 W (Fortier Township, Yellow Medicine County)

SE ¼ is 119.67 acres and SW1/4 is 95.53 acres for a total of 215.20 acres  
pasture/grass/hay land (numbers managed Livestock allowed)

**Site Lazarus Creek 1:** Section 10, Township 114N, Range 46W (Fortier Township, Yellow Medicine County)

W1/2 of the SW1/4 is 49.04 acres of pasture/grass/hay land (numbers managed Livestock allowed) except 14.78 spillway, hayed only)

**Site Lazarus Creek 2:** Section 9, Township 114 N, Range 46 W (Fortier Township, Yellow Medicine County)

Part S1/2 is 149.80 acres of pasture/grass/hay land (numbers managed Livestock allowed)

**Site Boy Scout Camp (South side Del Clark):** Sections 16 & 17, Township 114 N, Range 45 W (Norman Township, Yellow Medicine County)

E1/2NE1/4 §17 and part of NW1/4 §16 is 39.76 acres hay land (No livestock)

**Site R-1/R-4 (Del Clark):** Sections 5, 8 and 9, Township 114N, Range 45 W (Norman Township, Yellow Medicine County), 194.08 total acres of hay land (No livestock)

Part SE1/4 §8 is 46.23 acres hay land (No livestock)

Part NE1/4 §8 and part N1/2 §9 is 129.81 acres hay land (No livestock)

Part S1/2 §5 18.04 acres hay land (No livestock)

**WHEREAS**, the District posted public notice for the next lease term; and

**WHEREAS**, the District solicited proposals prior to its regular meeting on February 7, 2023, with the intent of awarding leases at its meeting; and

**WHEREAS**, the District intends to identify a high and second high proposer for each property in the event the high proposer rejects the terms of the District's lease; and

**WHEREAS**, the high and second high proposers for each property are as follows:

Site	High Proposer/Terms	Second High Proposer/Terms
R-6	Name: <u>otton Farms</u> Term: \$ <u>80</u> /Acre/Year	Name: <u>Randy Brown</u> Term: \$ <u>77.50</u> /Acre/Year
Lazarus Creek 1	Name: <u>Beau Doom</u> Term: \$ <u>85</u> /Acre/Year	Name: <u>Kevin Verhelst</u> Term: \$ <u>80</u> /Acre/Year
Lazarus Creek 2	Name: <u>Lucas Bjornson</u> Term: \$ <u>85</u> /Acre/Year	Name: <u>Kevin Verhelst</u> Term: \$ <u>80</u> /Acre/Year
Boy Scout Camp	Name: <u>Corey Hoffmann</u> Term: \$ <u>250</u> /Acre/Year	Name: <u>Beau Doom</u> Term: \$ <u>245</u> /Acre/Year
R-1/R-4	Name: <u>Beau Doom</u> Term: \$ <u>110</u> /Acre/Year	Name: <u>Justin Bresser</u> Term: \$ <u>105</u> /Acre/Year

; and

**WHEREAS**, leases for each property shall be promptly prepared and transmitted to the high proposer on each property. Each high proposer shall be given one week to accept or reject the proposed lease. If rejected, the lease shall be transmitted to the second high proposer, if any.


**THEREFORE**, the Lac Qui Parle - Yellow Bank Watershed District finds it to be in the public interest and within the limits of its authority to offer the leases as indicated; and

**FURTHER**, the Lac Qui Parle - Yellow Bank Watershed District authorizes its President to execute the leases upon return from the successful proposer for each property.

After Discussion and upon a vote reflected in the minutes, the President declared the resolution adopted.

This 7<sup>th</sup> day of February, 2023.

**LAC QUI PARLE – YELLOW BANK  
WATERSHED DISTRICT**

  
By: David Craigmile, its Secretary

Lac qui Parle-Yellow Bank Watershed District

Watershed Board Meeting

7-Feb-23

1.) Print Name: David Craigmsle  
Signature: David Craigmsle

2.) Print Name: RON FIERIKENSTAD  
Signature: Ron Fierikensstad

3.) Print Name: John Cornwell  
Signature: John Cornwell

4.) Print Name: Andrew Weber  
Signature: Andrew Weber

5.) Print Name: Trudy Hasted  
Signature: Trudy Hasted

6.) Print Name: MICHAEL FRANK  
Signature: Michael Frank

7.) Print Name: Kyle Mangel  
Signature: Kyle Mangel

8.) Print Name: Douglas Mangel  
Signature: Douglas Mangel

9.) Print Name: Jen Schuelke  
Signature: Jen Schuelke

10.) Print Name: Jared Rohlnd  
Signature: Jared Rohlnd

11.) Print Name: Mitch Enderson  
Signature: Mitch Enderson

12.) Print Name: Abby VanKempen  
Signature: Abby VanKempen

Randy Fales

13.) Print Name: Cindy Brchner  
Signature: Cindy Brchner

14.) Print Name: Shawn VanDerstyn  
Signature: Shawn VanDerstyn

15.) Print Name: Lucas Rornten  
Signature: Lucas Rornten

16.) Print Name: Darby Hemish  
Signature: Darby Hemish

17.) Print Name: Denver Noves  
Signature: Denver Noves

18.) Print Name: Randy Brown  
Signature: Randy Brown

19.) Print Name: Beau Doon  
Signature: Beau Doon

20.) Print Name: Morgan Kauth  
Signature: Morgan Kauth

21.) Print Name: Danielle Kauth  
Signature: Danielle Kauth

22.) Print Name: Kevin Hyleist  
Signature: Kevin Hyleist

23.) Print Name: Justin Driessan  
Signature: Justin Driessan

24.) Print Name: Dustin Otter  
Signature: Dustin Otter

Greg Hogomer