



Mission: To protect and enhance the quality of water in the lakes within its jurisdiction....ensure wise decisions are made concerning the management and related land resources which impact these lakes.

**PELICAN RIVER WATERSHED DISTRICT
MEETING ANNOUNCEMENT**
Public Hearing on Buffer Compliance Rules
Regular MONTHLY MANAGERS' MEETING

Thursday, July 19, 2018

6:15 PM

WATERSHED DISTRICT OFFICE
Wells Fargo Bank, 2nd Floor Conference Room
211 Holmes Street West, Detroit Lakes, MN
(218) 846-0436 www.prwd.org

AGENDA

- | | |
|----------------|---|
| 6:15 PM | 1. Public Hearing – Buffer Compliance Rules |
| 6:25 PM | 2. Approval of Agenda and Consent Agenda (Administrator's Report; Secretary's Report –June 18, 2018 Regular Meeting Minutes; May 24, 2018 Public Hearing Minutes for Impoundment of Waters of Becker County Ditch 13, Rules/Permitting Report; Ditch Inspector's Report) |
| 6:30 PM | 3. Committee Updates
a. Personnel, RMP/Rules, Citizen Advisory |
| 6:35 PM | 4. New Business
a. Adopt Pelican River Watershed District 103E Systems Only Buffer Rule
b. Set Public Hearing for 2019 Preliminary Budgets and Levies/Assessments and Fees
c. Water Management Rules - Violations Update & Projects – Park Core/Floyd Lake Toy Box Development
d. Cost Share Program – Lillquist Application |
| 7:45 PM | 5. Old Business
a. Rice Lake Project Progress
b. Flowering Rush Treatments
c. MAWD Summer Tour |
| 8:15 PM | 6. Treasurer's Report
a. Approve July 2018 Bills
b. Approve 2 nd Quarter Manager Per Diems & Expenses
c. Approve Fund transfer
d. Review January-June 2018 Revenue & Expenses – to be filed and subject to audit. |
| 8:30 PM | 7. Public Forum (5 minutes) |
| 8:35 PM | 8. Attorney's Report
9. Engineer's Report
10. Pulled Consent Agenda Items |
| 8:40 PM | 11. Announcements |
| 8:45 PM | 12. Meeting Adjournment |

(action items in bold face)



211 Holmes St. West, Suite 201
Detroit Lakes, MN 56501
(218) 846-0436
www.prwd.org

Public Notice

A public hearing will be held at the next regularly scheduled meeting of the Pelican River Watershed District Board of Manager's, which will occur at 6:15 PM on Thursday, July 19, 2018, in the second floor conference room of the Wells Fargo Bank Building located at 211 Holmes St. West, Detroit Lakes, MN to discuss enacting an ordinance pursuant to Minnesota Statutes 103F.48 for the enforcement of riparian vegetated buffers.

The purpose of the proposed ordinance is to coordinate the implementation and enforcement of the water resources riparian protection requirements of Minn. Stat. 103F.48 (the buffer law) with the existing rules and regulations adopted by the Pelican River Watershed District, and to provide efficient and effective direction to landowners via local control of the State's statutory mandates in order to avoid adverse impact upon the health, safety, and general welfare of the county.

If you have any comments or questions regarding this matter, please contact the Pelican River Watershed District office by telephone at (218) 846-0436 or in writing at *Pelican River Watershed District, 211 Holmes St.. West, Suite 201, Detroit Lakes, MN 56501.*

DATED: June 28, 2018

A handwritten signature in black ink, appearing to read "Tera Guetter", written over a horizontal line.

Tera Guetter, Administrator
Pelican River Watershed District

**Pelican River Watershed District
Administrator Monthly Report
July 13, 2018
www.prwd.org**

MAIN DISTRICT WATER QUALITY INITIATIVES

Targeted Watershed Nutrient Reduction Grant/Rice Lake Project. The wetland replacement credit application for the road and structures has been submitted to BWSR. Detroit Township held a public input meeting on July 10th regarding Anchor Road improvements. Kral and Guetter attended the meeting. The Board of Supervisors is exploring partially abandoning the road between the Entrikin and Lage/Buschette properties and having two cul-de-sacs. Kral reaffirmed to the Township Supervisors the District will pay for the road improvements, but ongoing maintenance is TWP's responsibility and also the road will still flood out at times. Questions were asked regarding the longevity and performance of the geotextile products and if the road will continue to sink due to the additional material weight. PRWD will find out more information and get back to the supervisors. Guetter explained the project's financing (Grant and local match via the Utility fund and loans). Kral stressed to the supervisors the District is moving ahead, but if they decide to abandon part of the road, then the District will need a decision in the short term and not a few months from now. There were residents for and against the partial abandonment. The TWP requested residents to send an email with their input.

Otter Tail Basin Watershed Restoration and Protection Strategies (WRAPS). Lorilynn Clark, Mn DNR will be reviewing the Campbell Creek streambank erosion issues later this month or early August. We have requested to assist with the review.

Pelican River Watershed District 103E Systems Only Buffer Rule– At last month's meeting, the Board of Managers approved the draft PRWD 103E Systems Only Buffer Rule, which follows the state model Rule. A notice for the public hearing was placed in the DL Newspaper, on the District's website, and place of business. Guetter submitted the proposed draft Rule to Board of Soil and Water Resources for their review and received a letter on June 29th which stated the agency did not have any initial comments since the Rule utilizes the model buffer rule. The District has not received other comments from the State, local governments, or residents. The public hearing is scheduled for Thursday, July 19 at 6:15 PM, Wells-Fargo Bldg, Second Floor Conference Room, 211 Holmes Street West, Detroit Lakes, MN.

St. Clair Lake. Alcott contacted Joe Bischoff of Wenck Associates to request a bid to conduct a feasibility study for both an in-lake ALUM treatment to reduce intern phosphorus loading and the potential for additional removal in Ditch 14 prior to discharge to the Pelican River.

WATER MANAGEMENT RULES

Permits - see enclosed report.

MONITORING

Stream Monitoring– Over the past month, there have been several high intensity summer rainfall events. Storms on June 17th, 28th, and July 8th all produced rainfall between 1 – 2 inches, increasing stream levels and flow velocities on the Pelican River. After the June 17th event, Rice Lake Wetland water levels rose over 1-foot, stream velocity increased from 11CFS – 32CFS, and phosphorus concentration increased from 70 ppb to 100 ppb.

Lake Monitoring – Three rounds of sampling have been completed on this year's monitored lakes (Big, North, and Little Floyd, Big and Little Detroit, Sallie, Melissa, Pearl, Abbey, Brandy, Lind, St. Clair). In lake water temperatures continue to rise (77 degrees on Detroit on 7/11) and can cause increased algae production, however, as of July 11, Detroit water clarity maintained at 12 feet. Lake Sallie is significantly above average to this time of year at 13 feet (typical clarity is 7-8 feet in early July), which may be attributed to Zebra mussel algae filtering which can increase water clarity. Alternately, Lind Lake water clarity markedly decreased from 10.5 feet (6/20) to 4.5 feet (7/2).

Special Project Monitoring

Chlorides. Chloride levels from Ditch 14 to the Pelican River remain consistent, ranging from 110-130 mg/L. Annual load to the Pelican River will be calculated after the sampling season ends.

EDUCATION

KDLM Radio – Alcott and summer interns Disse and Chalberg were guest on Hodge Podge on Friday, June 15. The Interns introduced themselves and gave their backgrounds including where they are from, college attending and course work. They also spoke about their tasks around the District and some of the things they have learned so far. Alcott gave updates on the successful Curly-leaf Pondweed Treatment and the upcoming Flowering Rush Treatment. He also mentioned

Aqua Chautauqua Event- Karen Terry, University of Minnesota Extension Office, continues to lead the organizations in planning this event for **Thursday, August 9, from 5:00-8:00 PM in Dunton Locks park**. Watershed District staff wrote for a grant for the event to help pay for artists, entertainers and tents. We are looking at hosting a booth for children around the theme "Swimmable, Drinkable, Fishable". The next planning meeting will be held at Dunton Locks on Friday, July 13.

Becker County Fair – The Fair is scheduled for July 25-28. We will be hosting a booth in the MN DNR building once again this year. Moses has ordered a button maker and has come up with some aquatic pictures that the kids can color to make their buttons. Temporary tattoos with butterflies, bugs, frogs, etc. have also been ordered for fun and entertainment.

Peer to Peer Outreach Learning Network. A WebEx meeting was held on July 10th which discussed why types of learning should an Outreach P2P learning network support, online platform learning features, and types of platforms.

GENERAL ADMINISTRATION

2019 Budget – Moses has begun to compile information for the spreadsheet to be reviewed at the August Board meeting

AQUATIC INVASIVE SPECIES MANAGEMENT

MN DNR AIS Advisory Committee Meeting. Nothing further to report, the committee meets next in August.

Aquatic Invasive Plant Rapid Response Plan. Alcott has begun to draft a plan will be ready for Manager review at the August meeting.

2018 Curly-leafed pondweed (CLP). Staff surveyed all treatment areas on Detroit, Sallie, Melissa, and Muskrat to assess the effectiveness of this year's treatment and were pleased with the results. Of the 95 points that were surveyed only 10 were found that had any amount of CLP growth, the plants are which appeared to be significantly damaged by the treatment. There was one location on the southwest area on Lake Sallie where 5 of the 19 points in the treatment area still contained growth. Staff will look into alternative treatment options for this area in future years.

2018 Flowering Rush Treatment. The first treatment was delayed a couple of days due to weather conditions, but was administered on Wednesday and Thursday, June 27 & 28 on lakes Big and Little Detroit, Sallie, Melissa, and Muskrat. The nearshore treatment site at Sallie rapids area does not appear to be damaged much, however further offshore the treatment appear to be working. MN DNR sent some photos of bulrush browning, however, it is not clear whether it's a natural process or due to the recent treatments.

Floyd Lake Zebra Mussel Infestation-After receiving a report from the Watershed District staff, the MN DNR sent divers to Floyd Lake where they were able to confirm the presence of adult zebra mussels. The lake was officially designated as infested on July 2.

Roadside Pickup – Anderson reported the pickup is running smoothly. They are removing about 1.5 loads of vegetation a week from area lakes. He reported there was no-to little Curlyleafed pondweed or Flowering rush in the piles, mostly northern milfoil.

Cost Share Applications – Staff is disappointed in the number of applications received for shoreline work or rain garden projects. To date there has only been one application received for shoreline restoration on Lake Melissa. The work is still in progress and no receipts have been submitted for reimbursement.

DRAINAGE SYSTEM REPORT

July 2018

Ditch 11/12 – After receiving a phone call from a resident, interns Ali and Eli investigated the report of a blockage upstream of Whiskey Creek Drive. They located a small dam which they removed. They will return to see if there is any activity before a work order is issued to trap any beaver. Josh Campbell is trapping beaver on Ditch 11.

Ditch 13 – Interns investigated a possible beaver dam after observing high water level at the Rice Lake Outlet. No blockages were observed. The high water was most likely due to recent rains. Staff will return to the area to verify that was return to base flow levels.

Ditch 14 – Nothing to report.



THE PELICAN RIVER WATERSHED
DISTRICT OF
BECKER AND OTTERTAIL
COUNTIES

MINUTES OF THE REGULAR MEETING

June 18, 2018

Managers Present: Kral, Imholte, Okeson, Michaelson, Refsland, Deede

Managers Absent: Haggart

Staff: Administrator Guetter, Alcott, Moses

Consultants: Engineer Mackowick

Advisory Committee: John Okeson, Becker County Commissioner **Others:** Summer Interns Eli Disse & Ali Chalberg

The Regular Managers' meeting was called to order by President Kral at 2:05 PM.

Oath of Office: The Becker County Board of Commissioners appointed Orrin Okeson to serve a three-year term (May 2021) on the PRWD Board of Managers. The "Oath of Office" was taken by Manager Orrin Okeson, attached hereto.

CONSENT AGENDA. The consent agenda (*except Rules of Enforcement - Surety/Bond discussions for violations; New Business addition WRAPS/Campbell Creek Update, Summer Intern Update*) including the June 2018 Administrator Report; Secretary's Report –May 17, 2018 Regular Managers' Meeting Minutes; June 2018 Rules/Permitting Report and June 2018 Ditch Inspector's Report (Kral, Michaelson), carried unanimously.

PROGRESS REPORTS.

Personnel Committee –no business to report.

Rules/Revised Management Plan (RMP)- nothing further to report.

Citizen Advisory Committee –Imholte noted seeing Flowering Rush by a wetland area near 1200 South Shore Dr. where people have been depositing lake vegetation over several years.

Engineer's Report/Rules Report.

Engineer Mackowick discussed several sites that have submitted storm water management plans or have recently been approved

- a. Detroit Lake - South Shore Drive PUD (Tomlinson-Schultz Partners)
- b. Detroit Lake- Lake Forest Addition (Marty Solomon)
- c. Floyd Lake- Park Core Storage Units (Kuehne, Gunderson). Staff provided a brief overview of the project – the overall storm water management plan for the site, storage units with individual ownership, holding tanks and water hydrants. Each land/lot unit area will be sold on an individual basis and buildings will be constructed on the lot area. Concerns were discussed regarding the potential for raising the lot elevation and filling the area to the lot unit boundary and causing flooding on adjacent lot units. A typical cross section which depicts a maintained swale between the buildings on the unit lot lines was suggested to be included on the storm water plan to clarify the conveyance of the storm-water to the treatment areas.
- d. Detroit Lake –Planned Unit Development/Lemmon Road (Bob Spillman)
- e. Becker County Road 131 – The county needs to provide the modeling calculations for the reconstruction area. Becker County Commissioner John Okeson reported the County contracted with Apex Engineering for the work.
- f. Waste Water Treatment Plant (City of DL)

Rule Violations

a. Permitted Sites

1. 4 Seasons Car Wash –Non-implementation of permit.
2. U Storage/HWY Ten – Non-implementation of permit

Requirement for Escrow, Surety Bond, or Letter of Credit. Motion to exercise the option to secure escrow, surety bond or letter of credit, in an amount determined by District Engineer, if the projects are not completed by August 1, 2018 to implement the storm water plans for the 4 Seasons Car Wash and U Storage projects (Kral, Imholte) carried unanimously.

3. Golden Bay Shores – Alcott reported the required work is nearly completed.



THE PELICAN RIVER WATERSHED
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MINUTES OF THE REGULAR MEETING

- b. **Swansons' Repair/Kubota of the Lakes** –the District has not received permit application. Work with Swansons' Repair and if a permit application and site plan has not been submitted by the July Manager meeting, it will be placed on the July agenda.

NEW BUSINESS.

- a. **MAWD Area 2 Consideration** – There was limited discussion regarding if our Watershed District was better suited to be part of Region 2 rather than Region 1. Region 1 (Red River Valley area) is flood and drainage oriented while Region 2 (North Central) is rural/urban and lake focused, similar to the Middle Fork/Crow River, Sauk River, etc). Currently, there is no pressing reason to request a change in region, but in the future if the organization starts to hold regular regional meetings or trainings, then the managers may revisit this matter. Guetter passed out a suggested MAWD dues structure she recently received via email from another watershed district. The managers generally did not support the suggested increases for the smaller and mid-sized Districts and the decreases for the Metro and larger districts. Guetter will take the managers input to the upcoming Administrator meeting.
- b. **Campbell Creek** – Manager Okeson gave an update of his Campbell Creek inspection (Campbell Lake to 230th Street) after the recent 3.5" rainfall event. He was generally pleased with how the field structures and buffers operated and noted there are a couple of areas where modest improvement could be made to reduce silt. Water quality monitoring is conducted at 230th Street, downstream Campbell/Field area, and at Cty Road 149.
- c. **Intern Update** – the interns gave introductions and reported on the monitoring and assessments they are conducting.

OLD BUSINESS.

- a. **Rice Lake Progress Report** - No further additions from recent Administrator Report.
- b. **MAISRC Event Update** - Approximately 125 people attended the event from Becker, Otter Tail and Hubbard Counties, MN DNR, MPCA, and local government units. Senator Kent Eken and Representative Steve Green attended the Legislative Listening Session. The District received positive feedback from MAISRC presenters and event attendees. There is interest in hosting this event in another 2-3 years in the region (Park Rapids, Fergus Falls, Detroit Lakes).
- c. **Buffer Compliance Rules/Public Hearing Date** –The District will use the recently updated Board of Soil and Water Resources model Rule buffer enforcement template for drainage systems. Okeson and Imholte recommended adopting the minimum enforcement fine amounts which are consistent with the Becker County Buffer compliance ordinance. **Motion to schedule the Public Hearing for the Pelican River Watershed District Buffer Enforcement Rule for drainage systems within its jurisdiction on July 19, 2018 at 6:15 PM in the Wells Fargo Bank Second Floor Conference Rm (Michaelson, Okeson) carried unanimously.**

TREASURER'S REPORT

- a. **Approval of June 2018 Claims.** Manager Michaelson reviewed the monthly bills with the managers. **Motion to pay June 2018 claims (Checks #14463-14480 and EFT 721-729) in the amount of \$77,652.30 (Michaelson, Refsland), carried unanimously.**
- b. **June 2018 Fund Transfers.** \$105,000 is needed to cover monthly expenses. **Motion to transfer \$105,000 from Bremer Bank savings account to the checking account (Michaelson, Deede), carried unanimously.**
- c. **Financial Report.** The January-May 2018 Revenues and Expenses Report was reviewed by the managers. **Motion to approve the January-May 2018 R & E Report (Michaelson, Imholte), carried unanimously.** The report will be filed for audit.



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MINUTES OF THE REGULAR MEETING

PUBLIC FORUM -- Nothing further to report

ATTORNEY REPORT- Nothing further to report.

ANNOUNCEMENTS

MAWD Summer Tour. The Minnesota Association of Watershed Districts Summer Tour is in Chanhassen, MN from June 20-22. Five managers are registered to attend. Guetter will attend the Administrator meeting and tour.

Buffer Compliance Rule Public Hearing. The Public Hearing for Buffer Compliance Rules set for July 19 at 6:15 PM to be followed by monthly manager's meeting.

ADJOURNMENT. Motion to adjourn the meeting at 5:11 PM (Kral, Okeson), carried unanimously.

Meeting Approved: _____

Respectfully Submitted,
Acting Secretary, Brad Refsland

Pelican River Watershed District

Claims Paid


June 30, 2018

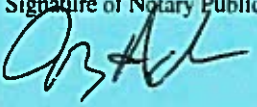
<u>Date</u>		<u>Num</u>	<u>Amount</u>
<u>Employee ACH</u>			
06/20/2018	*Alcott, Brent	EFT-721	220.80
06/20/2018	*Guetter, Tera	EFT-722	VOID
06/20/2018	*Guetter, Tera	EFT-729	186.00
06/20/2018	*Moses, Brenda	EFT-723	50.00
			<u>456.80</u>
<u>Vendor ACH</u>			
06/20/2018	Lakes Computer Repair & Consulting	EFT-724	200.00
06/18/2018	RMB Environmental Laboratories, Inc.	EFT-725	1,091.00
06/18/2018	Wells Fargo-Office Lease	EFT-726	1,299.58
06/18/2018	Wenck Associates, Inc	EFT-727	1,314.88
06/18/2018	Xerox Corporation	EFT-728	337.97
			<u>4,243.43</u>
<u>Vendor Checks</u>			
06/20/2018	Arvig	14463	56.85
06/20/2018	Bank of America	14464	1,573.43
06/20/2018	Central Market	14465	34.84
06/20/2018	County 6 Amoco & Bait	14466	344.46
06/20/2018	Erickson's Smokehouse Grill	14467	612.55
06/20/2018	Farnam's Genuine Parts, Inc.	14468	20.69
06/20/2018	Forum Communications	14469	306.00
06/20/2018	Holiday Companies/washes	14470	6.50
06/20/2018	Holiday/gas	14471	45.00
06/20/2018	Justin Clasen & Company Ltd	14472	4,900.00
06/20/2018	L & M Supply	14473	273.27
06/20/2018	La Barista	14474	170.00
06/20/2018	Midwest Printing, Inc.	14475	246.00
06/20/2018	Professional Lake Management	14476	49,347.02
06/20/2018	Swanson's Repair	14477	1,085.73
06/20/2018	Verizon	14478	40.16
06/22/2018	Office of Enterprise Technology	14480	98.04
			<u>59,160.54</u>
<u>Rice Lake Project</u>			
06/20/2018	Houston Engineering Inc.	14479	13,791.53
6/13/2018	Supplemental Benefits	EFT 711-713	2377.71
6/14/2018	Employee Payroll	EFT 714-720	6991.57
6/15/2018	Federal Withholding		2711.92
6/28/2018	Employee Payroll	EFT 730-736	7144.09
6/30/2018	Federal Withholding		2229.3
6/30/2018	MN HCSP		500.00
6/30/2018	MN Revenue		784.00
6/30/2018	NACO		1884.00
6/30/2018	PERA		2026.24
	Total June Expenses		<u><u>\$104,301.13</u></u>



Watershed District Managers

OATH OF OFFICE

OATH	
State of Minnesota	SS:
County of Becker	
<i>I, Orrin Okeson, do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Minnesota; uphold and carry out my duties under the Minnesota Watershed Act as a member of the Managers of the Pelican River Watershed District in the County of Becker; and faithfully discharge the duties of my office to the best of my judgment and ability.</i>	
Signature	

Subscribed and sworn to before me this <u>19th</u> day of <u>June</u> 2018.	
Signature of Notary Public	Date Commission Expires <u>01/31/2022</u>
	
Printed Name of Notary Public	County of Residence <u>Becker</u>
<u>Jeremy D. Anderson</u>	



RULES OF ENFORCEMENT

July



Permits Issued

<u>No.</u>	<u>Name</u>	<u>Address/Area</u>	<u>Approved Project</u>
18-19	Thilmony, Trevor	1849 Bridgeview Blvd Curfman	SIZ: Install pathway to lake and native vegetation.
18-20	Anstett, Paul/Marilyn	12867 W Lake Sallie Dr. Sallie	SIZ: Grind down storm damaged trees, repair rip rap.
18-21	Pettit, David/Leah	21762 Floyd Lake Dr. North Floyd	SIZ: Rip Rap
18-22	St. Mary's Regional Health Center	226 Oak St.	Stormwater management plan for Lincoln Park facility parking lot.
18-23	Maier, Terry/Michelle	132 Shorewood Dr. Detroit Lake	SIZ: Tree replacement, repair rip rap, native planting.
18-24	Barker Family Trust	24293 Cty Hwy 6 Munson	Replace failing retaining wall with boulder wall and plants.
18-25	St. Mary's Regional Health Center	114 Frazee St. East	Reconstruct existing parking lot.
18-26	Dooher, Tim	11930 Ravenswood Beach Rd. Melissa	SIZ: Remove sand blanket, plant grasses and shrubs
18-27	Hovland, Dawn/Kevin	401 North Shore Dr. Detroit	SIZ: Install rip rap, remove sand blanket, plant native buffer.
18-28	Evans, Olivia	405 North Shore Dr. Detroit	SIZ: Remove retaining wall, regrade shoreline. Install 4' walkway, native plants and sand blanket.

Permit Applications submitted

City of Detroit Lakes-WWTP—On 7/2, Alcott and Mackowick held conference call with Project Engineer from SEH to address filtration design standards. New plans have been received, but all requirements have still not been satisfied.

City of Detroit Lakes—Lake Forest 7th addition. Plan revisions received 7/9 and are currently being reviewed by Wenck. Alcott working with Apex on revisions.

Park Core—Storage condos near Floyd Lake. City-County conditional use procedure is under review for clarification of jurisdiction for conditional use approval.

Becker County Hwy Dept—County Hwy 131. Reconstruction of road from Hwy 59 to Tower Rd. Incomplete plans received 5/31. Rate control calcs have not been received. Apex is working on these.

Marilyn Cornforth—11484 Ravenwood Rd. Re-do rip rap and fix ice push.

Permit Applications expected

Swanson's Repair—Alcott talked with owner on 6/20 and informed him that plans were needed by 7/19 to avoid surety requirements. To date, these have not been received.

Historical Society Museum—Plans are being developed for both building and parking lot redevelopment.

Dallas Nesemeier—24017 County Hwy 22. Plans were received 7/10. Wenck currently reviewing.

Violations Under Remediation

Four Seasons Car Wash—Work is currently in progress and projected to be complete by 7/13.

Aabye, Marjean—20818 Clarks Grove Rd.. SIZ Violation in late 2017. Guetter met with owner on site 7/2 and agreed on plan. The south 25' of retaining wall will be removed and slope regraded with grass planted. They will retain 25' of sand blanket area on northern half of property. Work to be completed by mid September.

Bolling, Steve—20343 Victor Rd. A tree went down in 2017 storm. They removed damaged tree and regraded shoreline without erosion control in place. Alcott investigated and talked with owner. They put in erosion control the same day. Site is vegetated but they have never applied for "after the fact" permit. Alcott will follow up.

Progress Report

Golden Bay Shores—Retaining wall has been constructed as designed and meets City requirements. Reseeded stormwater ponds is complete. We will continue to monitor the site throughout the summer.

2018 The Friend of the Lake Award

In 1974 the Board of Directors, on behalf of the Lake Detroiters Association, began to select individuals who were deemed to have contributed significantly their service to the organization or to the protection of the lake. For example, the first recipient, Kay Grover began a clarity monitoring program on Big Detroit Lake, and in 1977 Joan Swanson was awarded for having completed 14 years as secretary of LDA. The award has been conferred to individuals 24 times in its 45 year history.

Twice previously, organizations have been honored as recipients; the **City of Detroit Lakes** was selected in 1975 for its attempts to improve lake water quality through sewers and stormwater control projects, and in 1997 the **Waterwatch Project**, was named for its development of a prize-winning Middle School interdisciplinary curriculum project on lake issues.

Now, in 2018, the Board has selected the **Pelican River Watershed District** as recipient of the award for its 50 years of efforts to improve lake water quality for area lakes, including Detroit and Curfman.

There are close historic links between the PRWD and Lake Detroiters. In 1964 long-time LDA President Tom Rogstad joined with Jim Dixon of the Melissa-Sallie Improvement Association, Attorney Bob Irvine, LDA's President at the time, and LDA member and DL City Engineer Winston Larson, as a delegation to St. Paul in search of an administrative arrangement to enable finding, funding, and implementing solutions to perceived lake problems such as diminished clarity, algae blooms, weed growth, inhibited boating, fishing and swimming, and declines of property values. Early in their search they were directed to a relatively new device – Minnesota's 1955 Watershed Act. But they had to convince legislators to amend the Watershed Act to accommodate lakes and water quality. In 1966 they were rewarded with the creation of the Pelican River Watershed District.

Lake Detroiters' Tom Rogstad became the first President of the PRWD; Jack Given was on the first Board of Managers (later to become the PRWD Executive Secretary), Robert Irvine the first PRWD attorney, and Winston Larson the first District Engineer.

Other Lake Detroiters have been directly involved with PRWD. Parnell Sanford, Clem TeVogt, and Tom Keenen were members of the PRWD's first Citizen's Advisory Committee. Over the years, Curt Cherry joined the advisory committee, then oversaw efforts leading to channel work improvements between Big and Little Detroit. Bill Briggs served for many years as the District's attorney. Roger Hesby and Tim Bergien served as Managers, and Ginny Imholte, former LDA board member now has served as PRWD manager for 28 years. There were many others.

But this award is really about accomplishments. It is a long list, so I'll focus on a couple of broad approaches that make PRWD unique and effective in protecting our lakes. First, PRWD energy has centered on applying science in understanding lake water quality issues. Early PRWD Managers realized that basic research was essential to accomplishing its goals. A series of early projects aimed at understanding aquatic plant growth and its connection to nutrients. From this work it was concluded that harvesting biomass from lakes was insufficient to reduce nutrient levels. An important byproduct was to establish that septic system effluents were primary sources of lake nutrients. Another component served as a partial justification of the construction of the City's first modern sewage treatment plant and traced its subsequent nutrient improvements. Later, with support from Minnesota's Pollution Control Agency the emphasis shifted to obtaining sufficient data to make specific diagnoses of water quality issues and their causes, and enable PRWD to qualify for grants and loans invested in stormwater treatment facilities. The findings also permitted the enactment of regulations aimed at decreasing nutrient runoff, increasing sediment detention, reducing shoreline damage, and more. The nearly complete Rice Lake Project also was a specific outcome of this research. The success in controlling Flowering Rush had a similar primary research underpinning.

Another approach that is tied to PRWD's effectiveness has been its commitment to working cooperatively with other entities to achieve its goals. As examples, PRWD facilitated the acquisition of Dunton Locks with the County. Working with the City, a series of large stormwater detention ponds were erected in the Industrial Park. It joined LDA and Melissa- Sallie Association to widen and deepen channels. It coordinates its regulatory activity with the DNR, the City, and the County. City money supplemented District investments in Flowering Rush control. Its monitoring program is coordinated with DNR and PCA programs. It assisted the DL Schools in support of the Waterwatch program. It continues to work closely with County officials on matters relating to preventing the spread of AIS. And more.

Perhaps it is not an accident that the PRWD's mission "to enhance the quality of water in the lakes within its jurisdiction" looks a bit like LDA's. In any case the similarities bespeak a common goal and so it is natural that an effective PRWD is one of LDA's *best friends*. For given the trends underway in the 1950's and 1960's, it is not hard to come to the conclusion that without PRWD's commitment to accurate analysis, reasoned judgments, and willingness to cooperate, that LDA members would be living on shorelines facing significantly degraded water bodies than now is the case. Indeed, the data show definite improvements in the condition of our lakes since the 1960's. And if there are to be continued improvements, and solutions to the new problems facing the lakes, and new ones to come, LDA members will almost certainly depend on the PRWD for those improvements and solutions.

Date: June 12, 2018

To: Residents and Landowners on Anchor Road

From: Detroit Township Board

Subject: Future of Anchor Road

The Detroit Town Board of Supervisors recently met with Tara Guetter of the Pelican River Watershed District regarding the west end of Anchor Road as it relates to the Rice Lake project. The board was requested to authorize the application for wetland credits due to the fact that some wetlands will be replaced in order to deal with the improvements on that portion of the road. She also indicated that the cost of improving that portion of the road would be \$650,000.00, which would be assessed back to all residents in the PR watershed. My guess is that that number is probably conservative. After hearing that figure, we felt that maybe we needed to revisit the issue of consideration of vacation of that stretch/portion of Anchor Road. Therefore, we are notifying all residents and owners of property on that road that we would request your input on that matter by attending our monthly July meeting (Tuesday, July 10, 7:00 p.m., Townhall on North Tower Road) to discuss that option. Placing this issue on the monthly meeting agenda reduces the need to schedule a special meeting which can generate considerable expenses to the township and still accomplishes our goal. If you cannot attend at that time, we certainly want your input by phone, mail, email, etc. The board is neutral on this issue, however after hearing the cost of the improvements as well as the continued unknown expense of maintenance in the future, we felt that we needed to revisit the issue of vacating a portion of the road and to get input from those primarily affected. We will see you in July.

Respectfully,
Detroit Town Board

Eugene Pavelko: epavelko@arvig.net or 218-847-9575

Kevin Olson: bigrok@loretel.net or 218-439-3597

Charlie Jasken: jasken7@gmail.com or 218-847-2880

Detroit Township email: detroittownship@hotmail.com

**m BOARD OF WATER
AND SOIL RESOURCES**

June 29, 2018

Tera Guetter
Pelican River Watershed District
211 Holmes St. W. Suite 201
Detroit Lakes, MN 56501

Sent Via Email:

RE: 103E Buffer Rule Review, Pelican River Watershed District

Dear Ms. Guetter:

Thank you for sending a copy of the watershed district's (WD) draft buffer rule to the Board of Water and Soil Resources (BWSR) for review. This review is being conducted to provide the WD some initial comments for inclusion into the WD's draft rule prior to final adoption.

The WD's draft buffer rule is identical to the 103E systems only model rule and contains adequate provisions to ensure compliance and effective enforcement. Utilizing the model rule as a template ensures that the rule will be consistent with Minn. Stat. §103F.48 (the Buffer Law). As a result of this initial review, we have no comments for inclusion into the WD's draft rule at this time.

Following adoption by the watershed district board of managers and in accordance with Procedure 9: BWSR's Review of County and Watershed District Buffer Rules, Ordinances and Official Controls, please submit the rule and supporting documentation needed to make a final determination on adequacy and/or consistency as provided below:

Counties and watershed districts must submit the following information to BWSR, ideally to this email address buffers.bwsr@state.mn.us, at least 60 days prior to the effective date of the rule, ordinance or other official control which includes:

- i. The resolution or other formal decision of the county or watershed district governing body documenting adoption of the rule, ordinance or other official control;*
- ii. The rule, ordinance or other official control adopted by the county or watershed district governing body; and*
- iii. If applicable, a document that describes how the rule, ordinance or other official control departs from the model ordinance or rule developed by BWSR.*

Please note, if the DNR has any comments relative to their authorities as addressed by your rule, they will respond separately.

Thank you for your cooperation on this matter. Should you have any questions, please contact me at (651) 297-4958, or at travis.germundson@state.mn.us. Again, please keep in mind that this is not a final review of the watershed district's buffer rule.

Sincerely,



Travis Germundson
Appeals and Regulatory Compliance Coordinator

cc: Kyle Vareber, Becker County
Bill Kalar, Ottertail County
Peter Mead, Becker SWCD
Brad Mergens, West Ottertail SWCD
DNR- Jennifer Shillcox, Dan Petrik, Rodger Hemphill
BWSR: Dave Weirens, Tom Gile, Brett Arne, Darren Mayers

Bemidji Brainerd Detroit Lakes Duluth Mankato Marshall New Ulm Rochester St. Cloud St. Paul

St. Paul Office 520 Lafayette Road North St. Paul, MN 55155 Phone: (651) 296-3767

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DETROIT LAKES CITY ATTORNEY

114 Holmes Street West, Detroit Lakes, MN 56501

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Charles J. Ramstad • City Attorney
Karen Skoyles • Assistant City Attorney

July 13, 2018

Ms Tera Guetter, Administrator
Mr. Brent Alcott, Assistant Administrator
Pelican River Watershed District
211 Holmes Street West
Suite 201
Detroit Lakes, MN 56501

via U.S. Mail and e-mail at:
Brent.Alcott@arvig.net

RE: Proposed Ordinance
103 Systems Only Buffer Rule

Dear Ms Guetter and Mr. Alcott:

The City of Detroit Lakes acknowledges receipt of the Notice of Hearing and Proposed Ordinance described above.

The City asserts that lands within the municipal boundaries of the City are exempt from the provisions of this Ordinance under Minn. Stat. 103F.48 Subd. 5 (4) (I) because lands within the City are regulated and provide water resources riparian protection as a municipal separate storm sewer system (MS4) City.

If you disagree and believe the proposed ordinance would be enforceable within the City please respond and provide authority for that position so that the City can intervene and assert its position prior to adoption of the ordinance.

As a side note, it appears to me that the subsection reference in subsections 4.2 and 4.3 should be to subsection 4.1, not to subsection 3.1 as recited.

Sincerely,

RAMSTAD, SKOYLES & WINTERS, P.A.

Charles J. Ramstad

cc Kelcey Klemm
Larry Remmen

State of Minnesota
Pelican River Watershed District
103E Systems Only Buffer Rule

1.0 Policy

It is the policy of the Pelican River Watershed District Board of Managers to:

(a) Provide public drainage system ditches with vegetated buffers and water quality practices to achieve the following purposes:

- (1) Protect state water resources from erosion and runoff pollution; and
- (2) Stabilize soils, and banks.

(b) Coordinate closely with the District's landowners, soil and water conservation districts and counties, and utilize local knowledge and data, to achieve the stated purposes in a collaborative, effective and cost- efficient manner.

(c) Integrate District authorities under Minnesota Statutes §103D.341, 103E.021, and 103F.48 to provide for clear procedures to achieve the purposes of the rule.

(d) The District will implement and enforce buffers through the use of Drainage Law (Minnesota Statutes §103E.021 and 103E.351) and when that cannot be accomplished through the use of Administrative Penalty Order (APO) powers granted through Minnesota Statute §103F.48.

2.0 Definitions

BWSR: Minnesota Board of Water and Soil Resources.

Buffer: An area consisting of perennial vegetation, excluding invasive plants and noxious weeds.

Buffer Protection Map: means buffer maps established and maintained by the commissioner of natural resources.

Buffer law: Minnesota Statutes §103F.48, as amended.

Commissioner: Commissioner of the Minnesota Department of Natural Resources.

Cultivation farming: Practices that disturb vegetation roots and soil structure, or involve vegetation cutting or harvesting that impairs the viability of perennial vegetation.

District: Pelican River Watershed District.

Drainage authority: The public body having jurisdiction over a drainage system under Minnesota Statutes chapter 103E.

Landowner: means the holder of the fee title, the holder's agents or assigns, any lessee, licensee, or operator of the real property and includes all land occupiers as defined by Minn. Stat. §103F.401, subd. 7 or any other party conducting farming activities on or exercising control over the real property.

Parcel: means a unit of real property that has been given a tax identification number maintained by the County.

NRCS: U.S. Department of Agriculture, Natural Resource Conservation Service.

Responsible Party: A party other than a landowner that directly or indirectly controls the condition of riparian land subject to a buffer under the rule.

Public water: As defined at Minnesota Statutes §103G.005, subdivision 15, and included within the public waters inventory as provided in Minnesota Statutes §103G.201.

Riparian protection: A water quality outcome for the adjacent waterbody equivalent to that which would be provided by the otherwise mandated buffer, from a facility or practice owned or operated by a municipal separate storm sewer system (MS4) permittee or subject to a maintenance commitment in favor of that permittee at least as stringent as that required by the MS4 general permit in effect.

Shoreland standards: Local shoreland standards as approved by the Commissioner or, absent such standards, the shoreland model standards and criteria adopted pursuant to Minnesota Statutes §103F.211.

Structure: An above-ground building or other improvement that has substantial features other than a surface.

SWCD: Soil and Water Conservation District.

3.0 Data sharing/management

3.1 The District may enter into arrangements with an SWCD, a county, the BWSR and other parties with respect to the creation and maintenance of, and access to, data concerning buffers and alternative practices under this rule.

3.2 The District will manage all such data in accordance with the Minnesota Data Practices Act and any other applicable laws.

4.0 Vegetated Buffer Requirement

4.1 Except as subsection 4.3 may apply, a landowner must maintain a buffer on land that is adjacent to a public drainage system ditch identified and mapped on the buffer protection map established and maintained by the Commissioner pursuant to the buffer law.

- The buffer must be of a 16.5-foot minimum width. This rule does not apply to the portion of public drainage systems consisting of tile.
- The buffer is measured from the top or crown of bank. Where there is no defined bank, measurement will be from the normal water level. The District will determine normal water level in accordance with BWSR guidance. The District will determine top or crown of bank in the same manner as for measuring the perennially vegetated strip under Minnesota Statutes §103E.021.

4.2 The requirement of subsection 4.1 applies to all public drainage ditches within the legal boundary for which the District is the drainage authority.

4.3 The requirement of subsection 4.1 does not apply to land that is:

- Enrolled in the federal Conservation Reserve Program;
- Used as a public or private water access or recreational use area including stairways, landings, picnic areas, access paths, beach and watercraft access areas, provided the area in such use is limited to what is permitted under shoreland standards or, if no specific standard is prescribed, what is reasonably necessary;

- Used as the site of a water-oriented structure in conformance with shoreland standards or, if no specific standard is prescribed, what is reasonably necessary;
- Covered by a road, trail, building or other structure;
- Regulated by a national pollutant discharge elimination system/state disposal system (NPDES/SDS) municipal separate storm sewer system, construction or industrial permit under Minnesota Rules, chapter 7090, and the adjacent waterbody is provided riparian protection;
- Part of a water-inundation cropping system; or
- In a temporary non-vegetated condition due to drainage tile installation and maintenance, alfalfa or other perennial crop or plant seeding, or a construction or conservation project authorized by a federal, state or local government unit.

5.0 Drainage System Acquisition and Compensation for Buffer

5.1 In accordance with Minnesota Statutes §103F.48, subdivision 10(b), a landowner owning land within the benefited area of and adjacent to a public drainage ditch may request that the District, as the drainage authority, acquire and provide compensation for the buffer strip required under this rule.

5.2 The request may be made to use Minnesota Statutes §103E.021, subdivision 6, or by petition pursuant to Minnesota Statutes §103E.715, subdivision 1.

5.3 The decision on the request is within the judgment and discretion of the District, unless the request concerns a buffer strip mandated by Minnesota Statutes §103E.021.

5.4 If the request is granted or the petition proceeds, the requirements of the buffer strip and the compensation to be paid for its incorporation into the drainage system will be determined in accordance with the statutes referenced in paragraph 5.1 and associated procedures. When the order establishing or incorporating the buffer strip is final, the buffer strip will become a part of the drainage system and thereafter managed by the District in accordance with the drainage code.

5.5 On a public drainage ditch that also is a public water subject to a 50-foot average buffer, the drainage system will be required to acquire only the first 16.5 feet of the buffer.

5.6 The District, on its own initiative pursuant to Minnesota Statutes §103F.48 and 103E.021, may acquire and provide compensation for buffer strips required under this rule on individual or multiple properties along a public drainage system. The Board of Managers findings and order will be delivered or transmitted to the landowner.

5.7 This section does not displace, the terms of Minnesota Statutes chapter 103E requiring or providing for drainage system establishment and acquisition of vegetated buffer strips along public ditches.

6.0 Action for Noncompliance

6.1 When the District observes potential noncompliance or receives a third-party complaint from a private individual or entity, or from another public agency (such as the SWCD), it will determine the appropriate course of action to confirm compliance status. This may include communication with the landowner or his/her agents or operators, communication with the shoreland management authority, inspection or other appropriate steps necessary to verify the compliance status of the parcel. On the basis of this coordination, the SWCD may issue a notification of noncompliance to the District. If the SWCD does not transmit such a notification, the District will not pursue a compliance or

enforcement action under Minnesota Statutes §103F.48, but may pursue such an action under the authority of Minnesota Statutes §§103E.021 and 103D.341 and section 6 of this rule.

6.2 On receipt of an SWCD notification of noncompliance, or if acting solely under authority of Minnesota Statutes §103E.021 or 103D.341, the District will determine first whether sufficient public drainage system easement exists to establish the required vegetative buffer. If a sufficient easement does not exist, the District will attempt to acquire the necessary easements through incremental buffer establishment provided in §103E.021, subd. 6 or through a redetermination of benefits provided in Minnesota Statutes §103E.351 to establish the required buffers. The establishment of the required buffers will occur within 12 months of the determination that inadequate easement exists, and no more than 18 months from the receipt of a SWCD notification of noncompliance or the Watershed District decision to establish the required buffers.

6.3 If the District is unable to acquire the necessary easements through incremental buffer establishment provided in §103E.021, subd. 6 or through a redetermination of benefits, or if sufficient easement does exist and an established buffer has been adversely altered, the District will issue a corrective action list and practical schedule for compliance to the landowner or responsible party. The District may inspect the property and will consult with the SWCD, review available information and exercise its technical judgment to determine appropriate and sufficient corrective action and a practical schedule for such action. The District will maintain a record establishing the basis for the corrective action that it requires.

6.3.1 The District will issue the corrective action list and schedule to the landowner of record. The landowner may be the subject of enforcement liabilities under subsections 7.1 and 7.2. The District may deliver or transmit the list and schedule by any means reasonably determined to reach the landowner, and will document receipt. However, a failure to document receipt will not preclude the District from demonstrating receipt or knowledge in an enforcement proceeding under section 7.0.

6.3.2 The corrective action list and schedule will identify the parcel of record to which it pertains and the portion of that parcel that is alleged to be noncompliant. It will describe corrective actions to be taken, a schedule of intermediate or final dates for correction, a compliance standard against which it will judge the corrective action, and a statement that failure to respond to this list and schedule will result in an enforcement action. The District will provide a copy of the list and schedule to the BWSR.

6.3.3 At any time a landowner or responsible party may supply information in support of a request to modify a corrective action or the schedule for its performance. On the basis of any such submittal or at its own discretion, the District may modify the corrective action list or schedule, and deliver or transmit the modified list and schedule in accordance with paragraph 5.2.1, or may advise the landowner in writing that it is not pursuing further compliance action.

6.3.4 At any time after the District has issued the list and schedule, a landowner, or authorized agent or operator of a landowner or responsible party, may request that the SWCD issue a validation of compliance with respect to property for which the list and schedule has been issued. On District receipt of the validation: (a) the list and schedule will be deemed withdrawn for the purposes of subsection 7.2, and the subject property will not be subject to enforcement under that subsection; and (b) the subject property will not be subject to enforcement under subsection 6.3.

6.3.5 A corrective action list and schedule is not considered a final decision subject to appeal. An objection to a finding of noncompliance, or to any specified corrective action or its schedule, is reserved to the landowner or responsible party and may be addressed in an enforcement proceeding under section 7.0.

7.0 Enforcement

7.1 Under authority of Minnesota Statutes §103E.021, 103D.545, and 103D.551, the District may seek remedies for noncompliance with section 4.0 against any landowner or responsible party including but not limited to: (a) reimbursement of District compliance costs under Minnesota Statutes §103D.345 and 103E.021 and/or an escrow, surety, Performance Bond or a Letter of Credit for same; (b) administrative compliance order; (c) district court remedy including injunction, restoration or abatement order, authorization for District entry and/or order for cost recovery; and (d) referral to the District attorney for criminal misdemeanor prosecution.

7.2 In instances where existing vegetation on the ditch buffer easement has been adversely altered and has not been restored, the District may collect compliance expenses in accordance with Minnesota Statutes §103E.021 from a landowner for noncompliance with the corrective action list and schedule, as provided under paragraphs 6.3.1 and 6.3.2. The District will restore any adversely altered buffer and charge the landowner for the cost of the restoration if the landowner does not complete the requirements of the corrective action list and schedule.

7.3 In instances where a ditch buffer easement area cannot be established in a timely manner, the District may issue an administrative order imposing a monetary penalty against a landowner or responsible party for noncompliance with the corrective action list and schedule, as provided under paragraphs 7.3.1 and 7.3.2. The penalty will continue to accrue until the noncompliance is corrected as provided in the corrective action list and schedule.

7.3.1 The penalty for a landowner on a single parcel that previously has not received an administrative penalty order issued by the District shall be:

- (a) \$0 for 11 months after issuance of the corrective action list and schedule;
- (b) \$50 per parcel per month for the first six (6) months (180 days) following the time period in (a); and
- (c) \$200 per parcel per month after six (6) months (180 days) following the time period in (b).

7.3.2 The penalty for a landowner on a single parcel that previously has received an administrative penalty order issued by the District shall be:

- (a) \$50 per parcel per day for 180 days after issuance of the corrective action list and schedule; and
- (b) \$200 per parcel per day for after 180 days following the time period in (a).

7.4 The administrative order will state:

- I. The facts constituting a violation of the buffer requirements;
- II. The statute and/or rule that has been violated;
- III. Prior efforts to work with the landowner to resolve the violation;
- IV. For an administrative penalty order, the amount of the penalty to be imposed, the date the penalty will begin to accrue, and the date when payment of the penalty is due; and
- V. The right of the landowner or responsible party to appeal the order.

A copy of the APO must be sent to the SWCD and BWSR.

7.5 An administrative order under subsection 7.1 or 7.3 will be issued after a compliance hearing before the District Board of Managers. The landowner and any other responsible parties will receive written notice at least two weeks in advance of the hearing with a statement of the facts alleged to constitute noncompliance and a copy or link to the written record on which District staff intends to rely, which may be supplemented at the hearing. A landowner or responsible party may be represented by counsel, may present and question witnesses, and may present evidence and testimony to the Board of Managers. The District will make a verbatim record of the hearing.

7.6 After a hearing noticed and held for consideration of an administrative penalty or other administrative order, the Board of Managers may issue findings and an order imposing any authorized remedy or remedies.

7.6.1 The amount of an administrative penalty will be based on considerations including the extent, gravity and willfulness of the noncompliance; its economic benefit to the landowner or responsible party; the extent of the landowner or responsible party's diligence in addressing it; any noncompliance history; the public costs incurred to address the noncompliance; and other factors as justice may require.

7.6.2 The Board of Managers findings and order will be delivered or transmitted to the landowner and other responsible parties. An administrative penalty order may be appealed to the BWSR in accordance with Minnesota Statutes §103F.48, subdivision 9, and will become final as provided therein. The District may enforce the order in accordance with Minnesota Statutes §116.072, subdivision 9. Other remedies imposed by administrative order may be appealed in accordance with Minnesota Statutes §103D.537.

7.6.3 The Board of Managers may forgive an administrative penalty, or any part thereof, on the basis of diligent correction of noncompliance following issuance of the findings and order and such other factors as the Board finds relevant.

7.7 Absent a timely appeal pursuant to paragraph 7.6.2, an administrative penalty is due and payable to the District as specified in the administrative penalty order.

7.8 Nothing within this rule diminishes or otherwise alters the District's authority under Minnesota Statutes, Chapter 103E with respect to any public drainage system for which it is the drainage authority, or any buffer strip that is an element of that system.

8.0 Effect of Rule

8.1 If any section, provision or portion of this rule is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the rule is not affected thereby.

8.2 Any provision of this rule, and any amendment to it, that concerns District authority under Minnesota Statutes §103F.48 is not effective until an adequacy determination has been issued by the BWSR. Authority exercised under Minnesota Statutes Chapter 103D and 103E does not require a BWSR adequacy determination.

Adopted by the Board of Managers of the Pelican River Watershed District this 19th day of July, 2018.

Dennis Kral, President

Janice Haggart, Secretary