Heron Lake Watershed District (HLWD)
Regular Meeting
September 17, 2019

1. Call to Order
Bruce Leinen called the meeting to order at 7:00 p.m.
Managers present: Bruce Leinen, Harvey Kruger, Wayne Rasche, Jim Buschena, and Mark Bartosh
Staff: Jan Volt and Catherine Wegehaupt
Others present: Jacob Rischmiller, ISG; Kevin Stevens, Cottonwood County; Jim Eigenberg, Jackson County; Mona Henkels, Murray Soil and Water Conservation District (SWCD); and Jerry Christopherson

2. Agenda
Harvey Kruger made a motion to approve the agenda. Jim Buschena seconded this. Motion carried unanimously.

3. Minutes
Harvey Kruger made a motion to approve the minutes of the August 20 budget hearing and regular meeting. Wayne Rasche seconded this. Motion carried unanimously.

4. Treasurer’s Report and Bill Payment
Jan Voit presented the treasurer’s report and bills payable. Jim Buschena made a motion to approve the treasurer’s report and pay bills. Harvey Kruger seconded this. Motion carried unanimously.

Discussion was held regarding the lines of credit for drainage systems. A letter will be sent to all banks designated as depositories to determine if there is interest in providing financing.

5. Jackson County Judicial Ditch (JD) 19 Time Extension
Jacob Rischmiller was present to explain the request from Svoboda Excavating, Inc. for a time extension. The project completion deadline was September 1, 2019. The request is to extend the deadline to June 30, 2020. The reasons for the request include the extra time required for electrical crossings, wet springs and summers, and continuing rain events. He explained that the contractor has done an adequate job of working whenever possible. Last year, the soils at the pond were wet. To minimize damage, they have worked when soil conditions were appropriate. They have been careful to not work in conditions that are not good. Electrical crossings have taken longer than originally anticipated. There are 13 of the 17 completed. Tile installation is 49% complete, but needs to be televised. Installation methods were done to specifications. ISG does not anticipate any problems with the construction. If the contractor was working in wet conditions, there would be more damages and more material used, which would increase costs. From ISG’s perspective, Svoboda’s request is reasonable and should be accepted.

Discussion topics included:
• Progress from now until completion. If weather conditions are favorable, the project should be 75% if not complete by freeze up. The reason for June deadline request is based on the spring and late summer conditions for the past construction season, and the possibility of a wet fall. ISG would like to have the extension be a long enough time period so that they don’t have to ask for another extension in January.
• Winter construction. This crew did a little, but not much winter construction. Other crews on Jackson County projects worked all winter long. ISG did not have an opinion on their work mentality.
• Pond. A lot of earthwork was necessary for the pond. The final grade can’t be done until soil conditions are good and definitely not when the soil is frozen. The Minnesota Pollution Control Agency was not happy with the work on the pond last year, resulting in a fine. The pond was mostly complete last year. It is done now and taking water.
• Project deadline. If the project is not complete until June 30, then the deadline may as well be December. A crop cannot be planted after June 30. If the deadline was a month earlier, a crop could be planted after the contractor finishes leveling. The contractor believes that if conditions are good they could possibly be done in December.

Jim Buschen made a motion to extend the contract deadline to May 30, 2020. Wayne Rasche seconded this. Motion carried unanimously.

6. **Des Moines River One Watershed, One Plan (1W1P)**
At a meeting on August 26, local government entities within the WFDNR watershed agreed to proceed with the 1W1P process. The first step in the process is to secure resolutions from each entity. Murray County has offered to be the lead for the day-to-day activities. Jan Volt will be participating in all of the 1W1P meetings. The resulting report will replace the HLWD’s existing Watershed Management Plan.

Harvey Kruger gave an update on the Board of Water and Soil Resources (BWSR) 1W1P meeting. For this funding round approximately $21 million was available. Of that $6 million was allocated to the metro watersheds and $15 million to greater Minnesota watersheds. The minimum amount per planning area is $250,000. The sooner the Des Moines plan is in place, the sooner implementation funds can be accessed. Funding for 1W1P is through the sales tax increase that Minnesota residents approved several years ago. As long as there are Clean Water Fund (CWF) dollars available, 1W1P efforts will receive money. This is an opportunity to learn from others, work together with government entities in the Des Moines Watershed, and develop a good plan. Local entities will be required to provide a 10% match.

Through this process, we will still be the HLWD, this would be the Des Moines 1W1P. Jacob Rischmiller provided an analogy between 1W1P and how the HLWD currently operates with projects within its boundaries. 1W1P will bring funds to the entire Des Moines River watershed. Partners will determine where the funds will be allocated to get the best value for the dollars spent. The HLWD will still be their own entity and operate accordingly. 1W1P is in addition to that.

Discussion was held regarding supporting 1W1P and fiscal lead for that effort. Mark Bartosh made a motion to approve the following resolution.

**WHEREAS**, the Minnesota BWSR has developed policies for coordination and development of comprehensive watershed management plans, also known as One Watershed, One Plan, consistent with Minnesota Statutes, Chapter 103B.801, Comprehensive Watershed Management Planning Program; and

**WHEREAS**, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a local water management plan; and

**WHEREAS**, Minnesota Statutes, Chapter 103D.401, Watershed Management Plan, authorizes Minnesota Watershed Districts to develop and implement a watershed management plan; and

**WHEREAS**, Minnesota Statutes, Chapter 103C.331, subdivision 11, Comprehensive Plan, authorizes Minnesota Soil and Water Conservation Districts to develop and implement a comprehensive plan; and
WHEREAS, the counties, soil and water conservation districts, and watershed districts within the Des Moines River Watershed (34), as delineated in the attached One Watershed, One Plan Suggested Boundary Map, have interest in developing a comprehensive watershed management plan for this area.

NOW, THEREFORE, BE IT RESOLVED, that the HLWD recognizes and supports watershed-scale planning efforts consistent with Minnesota Statutes, Chapter 103B.801, also known as One Watershed, One Plan; and

BE IT FURTHER RESOLVED that the HLWD welcomes the opportunity to collaborate with the counties, soil and water conservation districts, and watershed districts within the Des Moines River Watershed for watershed-scale planning efforts in the future; and

BE IT FURTHER RESOLVED that the HLWD supports an application to the BWSR for a planning grant to develop a comprehensive watershed management plan and anticipates entering into a Memorandum of Agreement with the counties, SWCDs, and watershed districts within the Des Moines River Watershed, to collaborate on this effort, pending selection as a recipient of a planning grant.

Jim Buschena seconded this. Discussion was held regarding participation in the planning process, whether there will be a governing body, the need for a fiscal lead, the Watonwan 1W1P, decision-making authority, collaborating for success, and the importance of the HLWD being a part of this effort. The Des Moines River 1W1P will only be as good as the partnership. If entities cannot partner, it won't be successful. Motion carried unanimously.

7. Reports

District Administrator

Jan Voit reported on the Des Moines River 1W1P, Section 319 Small Watersheds Focus Grant, Minnesota Association of Watershed Districts (MAWD) annual conference planning session, Clean Water Fund grant application, Lessard-Sams Outdoor Heritage Council hearing, drainage management, HLWD Advisory Committee, and the Governance 101 conference.

Discussion was held regarding drainage management expenses including the costs incurred have been paid through the general operating levy, whether or not the costs should be charged back to ditch systems or if they are the cost of doing business, the perception that Nobles, Jackson, and Murray Counties want the HLWD to give up drainage authority, and bonding for current and future projects.

Reference was made to the Jackson County resolution requiring the HLWD to give up drainage authority in order for the county to bond for HLWD drainage projects. The resolution was rescinded at the Jackson County meeting on September 17.

Discussion was held regarding the responsibility to charge all time and expenses related to drainage systems as required by statute. The HLWD has been informed that Nobles, Jackson, and Murray Counties do not follow this requirement. There is also a statutory responsibility for a county to charge systems six percent interest to drainage systems when funds are loaned within the county. It is not known if this is being followed.

Jan Voit will contact other watershed districts to determine how they handle charging costs that are related to drainage, but not directly related to one particular system.

Watershed Technician

Catherine Wegehaupt provided an update on water sampling, stream and lake levels, Minnesota Department of Agriculture pesticide monitoring, 2018 water sampling data, cover crop soil
temperature data, Schindler pond cleanout, cover crop winter workshop, and cover crop grant request for proposals.

One suggested topic for the cover crop workshop was a demonstrations on how soil structure changes and if there is a measurable difference with cover crop implementation over a five-year period. Catherine will present this idea at the upcoming planning session.

Because of the recent rainfall, cleaning the Schindler pond this fall is going to be delayed. Catherine will contact the Murray SWCD and Fulda Game and Fish to let them know and determine if funds will be still be available next year. She will also contact the Dundee Rod and Gun Club regarding this project.

8. **Adjournment**
   The meeting adjourned at 8:09 p.m.

[Signature]
Harvey Kruger
Secretary