

TURTLE CREEK WATERSHED DISTRICT 2017 ANNUAL REPORT



1408 21st Ave NW Ste. #2 Austin, MN 55912
(507) 434-2603 www.turtlecreekwd.org



2017 Board of Managers

**Jeff
Ravenhorst**
Member

**Pete Van
Erkel**
Secretary

**Dave
Vanderploeg**
Vice President

Jon Erichson
Treasurer
(not pictured)

Michelle Miller
President

Nancy Finley
*Recording
Secretary*



The following Officers for 2018 were elected:

| | |
|---------------|------------------|
| Chairperson | Michelle Miller |
| Vice Chairman | Dave Vanderploeg |
| Treasurer | Jon Erichson |
| Secretary | Peter Van Erkel |
| Manager | Jeff Ravenhorst |

*Turtle Creek Watershed District Advisory Committee
elected March 1994:*

| | |
|------------------|-----------------------------|
| Larry Reynen | Hollandale, Mn. 56045 |
| Allen Ravenhorst | Hollandale, Mn. 56045 |
| Barry Hoffman | Hollandale, Mn. 56045 |
| Dean Reed | Hollandale, Mn. 56045 |
| John Angell | Blooming Prairie, Mn. 55917 |
| Arlen Schamber | Austin, Mn. 55912 |
| Thomas Butler | Blooming Prairie, Mn. 55917 |

Turtle Creek Watershed District

Established: November 14th, 1968

Mailing Address: 1408 21st Ave NW Suite 2
Austin, Mn. 55912

Meeting Date: 3rd Tuesday of each month 0700 PM
City of Hollandale and Riceland Township Government Center
Hollandale, Mn. 56045

Attorney; Kurt A. Deter—Rinke-Noonan
1015 W. St .Germain St. Suite 300 PO Box 1497
St. Cloud, Mn. 56302
320-251-6700 email: Kdeter@rnoon.com

Recording Secretary Nancy K. Finley
24701 515th Ave
Austin, Mn. 55912
507-433-4819 email: nancykfinley@gmail.com
507-438-4473

Terms: 3 years

| | | |
|-------------------|---|----------------------|
| Michelle Miller | 28933 872nd Ave Austin, Mn. 55912 507-438-1939 email: shell.ann@outlook.com | Freeborn 11-13-18 |
| Jeff Ravenhorst | 82329 290th St. Hollandale, Mn 56045 507-383-6428 email: jeffRaven@hotmail.com | Freeborn 11-13-20 |
| Jon Erichson | 911 18th St. SW Austin, Mn. 55912 507-438-2339 email: jon.erichson@austinhra.org | Mower 11-13-19 |
| Dave Vanderploeg | 28674 810th Ave Hollandale, Mn. 56045 507-383-4981 email: daveandkarenpv@gmail.com | Freeborn 11-13-19 |
| Peter H. VanErkel | 27843 825 th Ave Hollandale, Mn. 56045 507-383-3079 email: phvanerk@gmail.com | Freeborn 11-13-20 |

The Turtle Creek Watershed Board of Managers held 12 regular meeting during the year 2017.

The following permit applications were approved by the Managers during this year:

26 tiling permits, 1 pump installation, 1 ditch cleaning, 2 wetland restoration, 1 bank stabilization, 2 replace culvert and bridge construction, and 1 install water pump for wetland water control system.

The budget for the year 2018 is as follows:

| | |
|--|-----------------|
| 1. Attorney Fees (Rinke Noonan) | \$11,800.00 |
| 2. Recording Secretary and Expenses | \$ 4600.00 |
| 3. Managers | \$ 5000.00 |
| 4. Administrative Services (Mower SWCD) | \$15,000.00 |
| 5. Audit and Monthly Financial Services | \$ 5700.00 |
| 6. Viewers Association and MAWD Dues | \$ 1700.00 |
| 7. Insurance | \$ 2200.00 |
| 8. Advertising and Postage | \$ 1500.00 |
| 9. Rent | \$ 625.00 |
| 10. Water Monitoring and Water Plan | \$10,000.00 |
| 11. Incentives, Cost Share and Project Funding | \$16,500.00 |
| 12. Tree Removal | \$20,000.00 |
| 13. Beaver Tails | \$ 1500.00**** |
| 14. Clean Water Legacy | \$15,000.00**** |
| | <hr/> |
| | \$111,125.00 |

January 2017 started with a planning work shop for the coming year with a draft proposal of the goals the Managers wished to prioritize in 2017 and a summary of the accomplishments in the 2016 plan.

At the January 2017 meeting a motion was made to confirm the terms and objections of the engagement of the audit contract with CliftonLarsonAllen LLC for the annual audit for the year ending 2017.

At the February 2017 meeting Steve Penkava distributed a copy of the Freeborn County Crop Damage rate for 2017. It is a policy of Freeborn County to set a rate of pay for crop damages that may occur due to repair, improvement, or construction projects. This is done at the beginning for the year for the entire year. The yield is determined by using a three year average yield for Freeborn County from data received from the USDA(National Agricultural Statistics Services). The sale price is determined by using an average sale price for corn and beans from four local elevators on January 5th, 2016.

Corn damage rate 175.6 bushels @ \$3.18 = \$588 per acre

Bean damage rate 50.2 bushels @ \$9.28 = \$466 per acre

After discussion Pete made a motion to accept this rate seconded by Jon and carried. This rate form has been signed by Drainage ditch viewers Chris Christianson, Mark Behrends and Robert M. Hanson and Pat Martinson Freeborn County Auditor/Treasurer.

At the March 2017 meeting Steve Lawler provided registration information for the MAWD Legislative Breakfast and Day at the Capital for March 29-30, 2017.

Also at the March meeting The Cedar River Watershed One Watershed One Plan was discussed. Steve thanked Pete for his commitment as a Policy Committee member and his input at the first meeting on March 2nd, 2017. Steve explained how the Grant money works and the number of Watersheds it involves. For those who wish to monitor the progress of this water planning process you can visit the Mower SWCD website at <http://www.mowerswcd.org>.

At the April 2017 meeting Steve Lawler presented each Manager with a copy of the Geneva Lake Management Plan and a copy of the power point that was used for the meeting in March 2017.

The DNR hosted a Lake Geneva advisory committee meeting on March 23rd, 2017. Jon and Dave attended this meeting and stated it was very well presented and informative. After discussion Jon made a motion for the TCWD to support the DNR staff for dropping the lake level as recommended by 6-12 inches with removal of two logs at the dam. Dave seconded the motion and carried.

At the May 2017 meeting at 07:15 P.M. the regular meeting was suspended to call to order the public hearing.

Att'y Kurt Deter made introductions and stated that the Turtle Creek Watershed District, as Drainage Authority for the Deer Creek Branch of JD 24, has received a Petition to do a partial abandonment of Branch 1 open ditch between Stations 87+00 to 96+04. Although this appears it would only affect the Petitioner, Dennis Magnuson, a public hearing is held for any public comments or concerns about this partial abandonment.

Hearing no public comment or concerns and no further discussion from the Managers, Pete made a motion to abandon a portion of Branch 1 to Deer Creek. This motion was seconded by Jon and carried.

In June 2017, Steve Lawler shared the Resolution For Jurisdiction for the Minnesota Buffer Law.

On May 30, 2017 Governor Dayton signed two bills (tax bill and environment omnibus bill) authorizing Riparian Aid to counties and watershed districts that elect jurisdiction to enforce the Riparian Protection (Buffer) Law. In fiscal year 2018 (which begins July 1, 2017) the amount available is \$8 million and in fiscal year 2019, and annually thereafter, the amount is \$10 million.

The law prescribes informing BWSR by July 1st the miles of ditch jurisdiction and a resolution to carry out compliance provisions. We informed BWSR of our miles of 103E ditches, and they informed us of the amount of annual buffer aid TCWD would receive if you choose to keep jurisdictional responsibility of maintaining compliance for buffers on JCD J24. Total estimated annual aid would be \$24,990.33.

| County | Miles of 103E Ditch in TCWD | Estimated Buffer Aid Payment |
|----------|-----------------------------|------------------------------|
| Freeborn | 74.8 | \$23,776.84 |
| Mower | 3.8 | \$1213.49 |

TCWD has a Resolution for Jurisdiction for the Minnesota Buffer Law, which Jon made a motion to approved at this meeting, which will affirm TCWD jurisdiction through the Buffer Law to carry out the compliance provisions regarding riparian vegetated buffers along the 103E ditch system. The Managers do not think this compliance responsibility is any different than what the District has already been doing for years as part of ditch law. The motion was seconded by Pete and carried.

At the June meeting Steve Penkava reported on the bank stabilization situation North of the Oakland Avenue bridge in Austin that is eroding into a yard and has undermined a City storm sewer outlet. Steve has gotten an estimate on the project from Freeborn Construction in the amount of \$42,500.00. After several questions from the managers Pete made a motion to direct Steve Penkava and Steve Lawler to coordinate a meeting for further discussion and cost share on this project. The meeting invitations will include the property owners, Nels Rasmussen and Steve Lang from the City of Austin, Jon Erichson, and Freeborn Construction. Jeff seconded this motion and it was carried.

At the July 2017 meeting the following motion was made:

Jon made a motion for the Turtle Creek Watershed District to approved the following on the ditch repair project:

1. The Turtle Creek Watershed District will repair approximately 330 feet of ditch bank behind the Nancy Beck, Mark Nellermoe and Jonathan Caporale residence. The repair involves removing downed trees and placing geotextile fabric and rip rap on the west ditch bank.
 2. The City of Austin will repair the storm sewer outlet.
 3. The homeowners will provide access to the site, generally following the existing storm sewer easement between the Beck and Nellermoe residence.
 4. After construction the homeowners are responsible for all lawn, landscaping and turf restoration costs.
- Dave seconded the motion and carried. Steve Lawler and Steve Penkava will draft a letter of the project responsibilities of each party for the homeowners, Contractor and City of Austin.

Also at the June meeting the Management Representation letter for Turtle Creek from Doug Blanchan was received to sign, without this form they cannot release the reports or the State Auditing Reporting form. this form was signed and forwarded to Pat Martinson Freeborn County Auditor-Treasure for her signature.

An email update on Geneva lake was received from Jeanine Vorland as follows:

"We had an excavator clean the outlet on May 24th and removed about 80 yards of debris. Cleared minor build up again last week and will be back to do the same this week. Lake water clarity is worse than last year – when we cleared the outlet in May it was averaging about 1.5 to 2' Secchi where last year it was clear to the bottom. Fisheries netting has documented some carp, but not many. Aquatic plant sampling showed widespread submersed aquatics, but we are still in a wait and see mode on how well the submersed plants will grow. All stop logs were returned before the end of May (per our permission from DNR Waters). Lake levels remains stubbornly high. We will be doing further fish and plant monitoring the 2nd week of July."

From the Managers perspective the concern is: we are at a vulnerable time of the season and the lake is still too high to give any flood protection to the downstream Turtle Creek Watershed. It was the managers understanding that with continued monitoring of down stream flows, the boards would remain out until the lake was closer to its normal level.

As a watershed, we can create holding areas all through the watershed, but the impact is minimal compared to having are largest reservoir and defense against filling our ditches already at capacity.

The Managers directed Steve Lawler to contact Jeanine and encourage her to get permission to remove the boards ASAP.

In July 2017 Michelle signed the letter of Intent to Partner in accordance with the requirements of the Request for Proposal of the FY 2018 BWSR CWF Multipurpose Drainage Management (MDM) Competitive Grants program, the Turtle Creek Watershed District hereby states the intent to partner with the Freeborn Soil and Water Conservation District for the purposes of applying for the subject grant program and to implement the proposed project, if the grant application is selected for funding. Steve Lawler states the application deadline is August 9th 2017. The surveying site is an active gully above CD #8 for as a potential project site.

On August 15th 2017 a public hearing was held on Mud Creek.

Chairperson Michelle called the hearing to order for the acceptance of the Construction Contract for Mud Creek. Att'y Kurt read the statute for acceptance for the Managers.

At this point Steve Penkava discussed a handout prepared for the project summary for construction of Mud Creek Lateral Extension to JCD J24 completed by Forsberg Drainage Excavation LLC. The summary provides a project timeline, summary of costs construction issues, and recommendations. The bid amount was \$304,313.60, actual cost was \$264,845.45

The main concerns voiced by landowners are Seeding, Spoil Bank leveling, rock picking, and FEMA. Steve's recommendations are as follows:

1. Approve final payment for Forsberg Drainage & Excavation LLC, in the amount of \$19,060.00
2. Recommend leaving the ditch slopes alone as vegetation will fill in overtime similar to the Deer Creek project.
3. Recommend leveling and re-seeding rough spoil bank areas as a routine ditch repair. Work can be done this fall after harvest by a local contractor.
4. Recommend installing additional side inlet as requested by Randy Anderson after harvest. This work can be done as a routine ditch repair as well.
5. The grass strip policy was provided at tonight's meeting. I would recommend mailing the policy to landowners along the open ditch again in 2018.

Pete made a motion to accept Steve's recommendations and accept the Construction Contract for Mud Creek seconded by Dave and carried.

At the September meeting Pat Martinson Freeborn County Auditor-Treasure attended the meeting to present a report on total costs of the Mud Creek project, assessment examples and recommendations on Bond interest rates and terms available for consideration by the Board. After discussion Pete made a motion to go with the 8 year plan at 5% interest seconded by Dave and carried. The handout Pat shared is only an estimate to use as an example.

In September 2017 Justin Hanson attended the meeting to help facilitate a discussion on the status of the Cedar River One Watershed One Plan. One Watershed planning Value: Connects the board to future state funding. This funding helps fulfill the mission and objectives of the Watershed District. The District can build watershed projects and have initiatives that serve the public, while limiting the local tax burden to do so. The Board does not give up authority to manage the district maintain complete autonomy. The Watershed Planning board is developed to assure coordination for planning efforts and the project funding that will follow. Several excellent questions and concerns led to good discussion and the Board thanks Pete for serving on this Board. Justin and Att'y Deter assured the Managers they would always be available for further questions and discussion.

Steve Lawler shared Jeanine Vorland's September update on Geneva Lake as follows:

"The lake levels reached normal run out at the beginning of September and both stop logs were replaced on September 2nd. Water levels have continued to slowly decline and the lake is a little below normal run out as I type this.(September 15th 2017) We are hoping to effect repairs to the fish barrier soon (before the water comes back up.)"

The reason for having the lake level low this winter is the confirmation of adult carp in the lake last spring. Having the lake low puts us in a better position if winter kill conditions develop it will be more likely to be hard

enough to see carp mortality. However, the lake did clear up in late summer and water clarity and submersed aquatic vegetation is looking quite good in much of the lake. Carp populations are not high enough yet to be having a serious deleterious impact on the lake, but, that can change very quickly. We are still awaiting some results from the water quality and fisheries study and so have not finalized any water management recommendation for the winter season.

The October 2017 meeting included a report from Jeanine on Geneva Lake, the 2017 annual meeting of the Minnesota Counties Intergovernmental Trust in St Cloud, the MAWD annual meeting and Trade show in Alexandria and also Jon signed the Certification of Repair Fund assessment in the amount of \$180,000.00 for Pat Martinson Freeborn County Auditor-Treasurer.

At the November meeting Steve Lawler handed out copies of the Memorandum of Agreement for the Watershed Management Plan. As a partner of the watershed planning effort we should be thinking about how our water plan should be managed down the road. The Policy Committee has been looking at various methods, including the one Steve handed out. This is a MOA that utilizes the Policy Committee as an advisory body. Responsibility for any decisions on grants or allocations of project funds, etc, would occur at the staff level. Other ideas at the Policy Committee include giving more responsibility to elected officials to make these decisions. A decision on this will not be necessary probably until 2019 but, we should begin talking about the future of our plan.

In December Steve included the entire work plan for the One Watershed One Plan for each Manager with estimated time schedules for each task. Pete and the Policy Committee have already done a lot of work on this agreement. Steve encouraged the Managers to communicate with Pete on questions, concerns and/or suggestions as this is a crucial time to work on the plan.

Jeff Ravenhorst and Peter VanErkel were both re-elected for another 3 year term on the TCWD Board in December 2017.

Also in December the following motion was made:

After discussion regarding the Winter meeting schedule, Jon made a motion to move the January, February and March 2018 monthly meetings to an earlier start of 5 P.M. instead of 7 P.M seconded by Pete and carried. Nancy will publish the meeting notice of time change in the Austin Daily Herald in Mower County and Albert Lea Tribune in Freeborn County.

Other topics of discussion through out the year included tree removal, brush control, buffer regulation, grass strip inspection and water sampling by Jones, Haugh, Smith, Inc.

Several area landowners, Viewers, and other interested parties attended meetings during the year.

During the year 2017 the District paid out for 32 beaver tails at \$100.00 each tail.

This concludes the annual report for the year 2017.

Thank You,
Respectfully Submitted,

Nancy K. Finley
Recording Secretary
Turtle Creek Watershed District