



## ENVIRONMENTAL GROUP SUES KITTSON COUNTY

*Grand Forks Herald (ND)*  
July 17, 2007

The Minnesota Center for Environmental Advocacy, a St. Paul-based nonprofit environmental advocacy organization, is suing Kittson County, its board of commissioners and Glenn Anderson Construction for excavating, deepening and widening ditches, an act Kittson County Commission Chair Dr. Joe Bouvette says never happened.

The MCEA alleges that in the act in question, the environment of rare and threatened plant species in area wetlands was disrupted. The lawsuit alleges the county applied for permits from the state in 2004 to build an off-road vehicle trail through the Beaches Lake Wildlife Management Area. The permits were denied, according to the MCEA, on the grounds of the high diversity and habitat quality of the area.

The county did not apply for the permits, however. The ATV club applied for them, according to Kittson County

Engineer Kelly Bengtson. The permits mentioned in the lawsuit have nothing to do with the four ditches in question, he said.

The MCEA says the county went ahead and excavated, deepened and widened the ditches in 2006, causing some wetlands to fill with dirt and rocks and drained surrounding wetlands.

Bouvette, however, said the ditches were not excavated and widened to his knowledge, as that would have required petitions and a public hearing.

"That is classified as an improvement and can't be done without a hearing. The ditches were cleaned," he said. "That is done all the time. They were made to function as they are supposed to."

"Kittson County has well over 300 miles of ditches under its control," Bengtson said. "We follow all the regulations. We do protect the environment. This ditch maintenance was just like any other minor ditch maintenance."

Bouvette said it is very easy for rocks and dirt to be relocated during cleaning, as it is a process to make the water move more easily through the ditches, as is the ditches' function.

The county still is unsure about the specifics of the suit and why it was filed in the first place, according to Bouvette.

"It is a complete surprise," Bouvette said. "I think it's really unnecessary. To my knowledge, the ditches are under our control, and MCEA definitely does not have any control over them."

He added that he is unsure how the MCEA got the impression that the ditches were altered.

An open meeting will be held with the Department of Natural Resources today (July 17, 2007) at 1 p.m. in the Meeting Room of the courthouse in Hallock, Minn.

"We will find out more about it then," Bouvette said.

*(This article was reprinted courtesy of the Grand Forks Herald.)*

### RRWMB MEETING HIGHLIGHTS

*At its regularly scheduled July meeting, the RRWMB:*

- *Discussed the FY 2008 RRWMB tax levy rate and approved maintaining the levy at 100%.*
- *Authorized a letter to the Administrative Law Judge regarding comments relating to the Minnesota Department of Natural Resources' (DNR) proposed rules governing drainage projects impacting state-owned lands in consolidated conservation (con-con) areas.*
- *Discussed the progress of the public information initiative with Mark Meister of CR\*CS.*

*The next scheduled meeting of the RRWMB will be held at the Red Lake Watershed District, 1000 Pennington Ave. S, Thief River Falls, MN, on August 21st, starting at 9:30 a.m.*

## WATERSHED DISTRICT DEVELOPMENTS

### ROSEAU RIVER WD

The Roseau River WD reported that the Board of Managers have met several times with Roseau County concerning con-con lands. Testimony was given by both the District and Roseau County at the June 27th public hearing in Warroad, MN. The Board of Managers are working in conjunction with Roseau County to develop a legal opinion to forward to the Administrative Law Judge by July 18th.

### TWO RIVERS WD

The Two Rivers WD reported on the Ross No. 7 project. Gladen Construction is underway working on the main dike and ridge dike. Weather permitting, the District is hopeful that the project will be substantially completed this year. Finishing work and final inspections would be completed in 2008.

A funding shortfall is expected on this project of approximately \$840,000. The Minnesota Department of Natural Resources (DNR) has committed an additional \$418,000 for their share of 50%. At this time, the District is requesting an addi-

tional commitment from the RRWMB of \$272,000 for the 32.5% commitment.

### MIDDLE-SNAKE-TAMARAC RIVERS WD

The Middle-Snake-Tamarac Rivers WD reported on the Public Law 566 (Snake River Watershed) project. The District's "Wetmoor" mitigation site, the Native Grass Planting site and the Tree Mitigation site have all been approved by the U.S. Army Corps of Engineers (USACE). Project implementation and monitoring will begin this summer.

### WILD RICE WD

The Wild Rice WD reported on the South Branch Project No. 42. The Board of Managers are currently investigating

the main stem of the South Branch River for possible sites to store water.

### BOIS DE SIOUX WD

The Bois de Sioux WD reported that the District received a grant from Minnesota Waters after participating in a workshop for writing a monitoring plan for the River Watch program. Jon Roeschlein, along with three teachers, attended the 3-day workshop and developed the monitoring plan for the District. The funds were used to purchase another YSI data sonde and other sampling equipment to assist with the coordination of sharing equipment between schools.

### RED LAKE WD / PROJECT NO. 60 - GRAND MARAIS PROJECT

The Board of Managers of the Red Lake Watershed have scheduled a dedication ceremony for Project No. 60 - Grand Marais, Euclid East and Brandt Impoundments for Tuesday, August 21, 2007. The ceremony will be conducted in conjunction with the Red River Watershed Management Board meeting being hosted in the new office of the Red Lake WD, Thief River Falls, MN.

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