

Amended

Public Waters Work Permit

Expiration Date: 06/27/2028
Permit Number

1987-3002

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below. This permit supersedes the original permit and all previous amendments.

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| Project Name: N/A | County: Wright | Watershed: North Fork Crow River | Resource: Lake: Pulaski (86005300) |
| Purpose of Permit: Water Level Control Structure | | Authorized Action: Retain all facilities and structures originally constructed below the Ordinary High Water Level under permit 1987-3002 and 1987-3033, for the purpose of operating a pumped outlet on Pulaski Lake (86-53). Construct and maintain a filtration system as depicted in the submitted plans dated April 10, 2023. | |
| Permittee: PULASKI LAKE IMPROVEMENT DISTRICT CONTACT: TANK, JON PO BOX 332 BUFFALO, MN 55313 (612) 965-9901 | | Authorized Agent: JUSTIN KANNAS 2040 HWY 12 E. WILLMAR, MN 56201 (320) 905-2704 justinka@bolton-menk.com | |
| Property Description (land owned or leased or where work will be conducted): UTM zone 15N, 432004m east, 5004469m north, SWNW of Section 20, T120N, R25W Part of Government Lot 1, Section 20, T120N, R25W | | | |
| Issued Date: 06/27/2023 | Effective Date: 06/27/2023 | Expiration Date: 06/27/2028 | |
| Authorized Issuer: James Bedell | Title: Area Hydrologist | Email Address: james.bedell@state.mn.us | Phone Number: 320-223-7850 |

This permit is granted **subject to** the following **CONDITIONS**:

APPLICABLE FEDERAL, STATE, OR LOCAL REGULATIONS: The permittee is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

NOT ASSIGNABLE: This permit is not assignable by the permittee except with the written consent of the Commissioner of Natural Resources.

NO CHANGES: The permittee shall make no changes, without written permission or amendment previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.

SITE ACCESS: The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

TERMINATION: This permit may be terminated by the Commissioner of Natural Resources at any time deemed

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necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

COMPLETION DATE: Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the Commissioner of Natural Resources.

WRITTEN CONSENT: In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

PERMISSIVE ONLY / NO LIABILITY: This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

EXTENSION OF PUBLIC WATERS: Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.

WETLAND CONSERVATION ACT: Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

CONTRACTOR RESPONSIBILITY: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: https://bwsr.state.mn.us/sites/default/files/2019-01/Wetland_WCA_Contractor_Responsibility_Form.doc

INVASIVE SPECIES - EQUIPMENT DECONTAMINATION: All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf. Contact your regional Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. A list of designated infested waters is available at www.mndnr.gov/invasives/ais/infested.html. A list of prohibited invasive species is available at www.mndnr.gov/invasives/laws.html#prohibited.

MAINTENANCE: Maintenance of this project to originally authorized conditions may be authorized by amendment to this permit.

STRUCTURES - SAFE MATERIALS: The structure shall be constructed with materials that will not have a detrimental impact on aquatic organisms or water quality.

PROHIBITED PUMPING: No pumping is authorized when Buffalo, Deer, Goose, Mink Lakes are ice covered unless two public notice are published one week apart, and appropriate signage is posted around the open iced area. No pumping is authorized when Buffalo lake (86-90) exceeds its Ordinary High Water Level of 915.5 NGVD 1929

PUMPING AUTHORIZATION REQUIRED: The permittee shall coordinate operations of the pumping system with the Area Hydrologist. Under "normal" hydrologic conditions the permittee shall not pump the outlet system when water levels are below 966.0 NGVD 1929. However, pursuant to M.S. Chapter 103G.405, when hydrologic conditions are wetter than normal and there is sufficient hydrologic evidence to warrant additional drawdown, the permittee may request authorization from the Area Hydrologist to conduct additional drawdown to elevation 964.5 NGVD 1929. The permittee shall indicate the specific conditions that are present justifying the need for the additional pumping. No pumping below elevation 966.0 shall commence prior to written approval of the Department. For the purpose of this condition, it is anticipated that exercise of

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this authority will generally be limited to fall drawdown typically commencing after September 15 of any given year.

ANNUAL OPERATION REPORT: The permittee shall provide an annual report of the outlet operations detailing the hours of operation and estimated volumes pumped for the calendar year and itemized by month. This report shall be submitted via MPARS through the permit communication tab by January 15 of each year. The permittee shall also schedule an annual meeting with the Area Hydrologist prior to March 31 of each year to review the annual report and discuss any issues that have arisen through the previous years pumping.

AIS TRANSPORTATION: The permittee shall insure that very reasonable precaution is taken on the outlet system to prevent the transportation of Aquatic Invasive Species. In addition to any other reasonable efforts, the outlet shall be screened such that all water discharged through the system is filtered through a screen with mesh no larger than 0.3 mm. Any modifications to the filtering system will require an amendment to the permit 1987-3002.

REVIEW OF PERMIT : The Department of Natural Resources EWR reserves the right to review this permit as additional hydrologic data becomes available and to issue any further order as may become necessary to protect the public interest.

FILTRATION MONITORING PLAN: All procedures shall be followed in the attached filtration monitoring plan.

PUMPING RATE: The maximum pumping rate shall not exceed 8,000 gallons per minute or 18 cubic feet per second.

WATER LEVEL CHANGE: Pumping shall be conducted in a manner that causes only slow and gradual changes in the level of receiving waters, so as to avoid sporadic changes in water levels.

FALL AND WINTER PUMPING : Notice must be given to the Area Hydrologist to pump after October 15. All weather related safety measures must be followed as recommended by the Area Hydrologist.

COFFERDAMS: Any cofferdams or temporary access facilities placed within water bodies must be installed and maintained in a manner that does not allow sediment to leave the worksite. If cofferdams will be constructed using earthen material then sheet piling, armoring with riprap, or a synthetic cover must be included to prevent erosion. Upon removal of the cofferdam or temporary access facility, the affected area must be restored to pre-project conditions within 30 days of completion of the project.

cc: Tim Crocker, EWR District Manager
Clint Fitzgerald, Conservation Officers, Buffalo
Liz Rasmussen, DNR Regional Environmental Assessment Ecologist, Region 3
Melissa Collins, DNR Regional Environmental Assessment Ecologist, Region 3
Joe Stewig, DNR Fisheries, Sauk Rapids Area
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