

Minutes of a Meeting of the Outdoor Heritage Fund Advisory Board  
Held on October 26, 2023 at 9:00 a.m. CST  
ND State Capitol – Room 327C, 3<sup>rd</sup> Floor, Judicial Wing

Present: Robert Kuylen, OHF Advisory Board Chairman  
Brian Amundson, OHF Advisory Board (Online)  
Dr. Joseph Carlson, OHF Advisory Board  
Patsy Crooke, OHF Advisory Board  
David Dewald, OHF Advisory Board  
Tyler Dokken, OHF Advisory Board  
Tyler Jacobson, OHF Advisory Board (Online)  
Randy Kreil, OHF Advisory Board  
Rachel Retterath, OHF Advisory Board  
John Weinand, OHF Advisory Board  
Jeremy Eckroth, OHF Advisory Board  
Tom Claeys, OHF Advisory Board (Non-voting)  
Rhonda Kelsch, OHF Advisory Board (Non-voting)  
Jeb Williams, OHF Advisory Board (Non-voting)  
Cole Garman, OHF Advisory Board (Non-voting)

Others Present: Reice Haase (NDIC), Brenna Jessen (NDIC)

Also Present: A complete list of attendees is available in the Commission files. The meeting was also available by Microsoft Teams so not all attendees are known.

Chairman Robert Kuylen called the meeting of the Outdoor Heritage Fund Advisory Board (“Board”) to order at 9:05 a.m. CST with a quorum being present.

**It was moved by Rachel Retterath and seconded by Randy Kreil that the Board approve the June 16, 2023, meeting minutes. The motion carried unanimously.**

Mr. Reice Haase gave presented the Outdoor Heritage Fund Project Management and Financial Report. There have been 224 cumulative projects to date, with 88 of those projects still being active. There is currently \$39,367,281.39 committed and \$1,128,091.01 available to commit to new projects.

Chairman Kuylen asked the Board to complete their Conflicts-of-Interest Forms.

The Grant Round 23 Presentations began.

23-1: North Dakota Prairie Management Toolbox, Audubon Great Plains – OHF funding request: \$747,400, Total Project Costs: \$1,206,512.26. Project Summary: Provide financial assistance to private landowners in eastern ND and collaborate to implement regenerative grassland management practices including invasive woody vegetation removal on 600 acres and grazing infrastructure on 4,400 acres.

(A copy of the PowerPoint presentation is available in the Commission files).

In response to questions, the application stated: they will get metrix of costs associated with the removal/planting so that OHF has some metrix of costs for future projects that are similar.

23-2: Mayville Dam #2 Reconstruction & Recreation Project, City of Mayville – OHF funding request: \$396,595.48, Total Project Costs: \$3,050,000. Project Summary: Remove the failed low head dam, reestablish the eroded riverbank, and construct a new dam in the form of rock riffle structures to facilitate fish passage, enable more natural sediment transport and reduce sediment buildup, develop fish habitat, and allow access within the Goose River.

(A copy of the PowerPoint presentation is available in the Commission files).

In response to questions, the application stated: They will utilize a new rock/rippled bank design and that the dam did flood, but the dam itself failed so is no longer functioning as intended.

23-3: Napoleon Recreation Trail, City of Napoleon – OHF funding request: \$1,050,000, Total Project Costs: \$1,400,000. Project Summary: Develop a recreation trail to connect facilities and provide a safe route. The trail parallels a creek and wildlife educational plaques will be displayed along the trail.

(A copy of the PowerPoint presentation is available in the Commission files).

In response to questions, the application stated: The local financial commitment is huge for this project. Engineering and construction will take up about 75% and topographic survey, prelim design, work with DOT on highway crossing, and final design and bidding will be the other 25%. It was also mentioned that a local company is giving them materials for a discount for the trail.

23-4: Japanese Gardens Revitalization at Sertoma Park, Grand Forks Park District – OHF funding request: \$149,859, Total Project Costs: \$199,813. Project Summary: Revitalize the Japanese Gardens in Sertoma Park using principles of traditional Japanese landscape design and incorporating native plants to establish an immersive educational environment.

(A copy of the PowerPoint presentation is available in the Commission files).

In response to questions, the applicant stated: They included lighting and security because they are accessed by classes (university and high school projects) so they want lighting for at night and cameras as there is vandalism in the area.

The Board took a 10-minute break at 10:18 a.m.

23-5: Lost Lake Dam Fish Passage, McLean County Water Resource District – OHF funding request: \$66,735.53, Total Project Costs: \$88,980.70. Project Summary: Removing four barriers to fish migration in the lower portion of Painted Woods Creek with a 305-mile watershed.

(A copy of the PowerPoint presentation is available in the Commission files).

In response to questions, the applicant stated: Katz Dam has already started being surveyed so this project will bid early next year, and construction can start early summer 2024.

23-6: Painted Woods Lake Flood Protection & Recreation Project McLean County Water Resource District – OHF funding request: \$916,825, Total Project Costs: \$4,900,000. Project Summary: Construct a parking lot and kayak/canoe launch, build a new dam, and construct two box culverts to facilitate walk-in access across the creek channel and a gravel access path that leads to the dam within the Painted Woods Lake Wildlife Development Area (WDA).

(A copy of the PowerPoint presentation is available in the Commission files).

In response to questions, the applicant stated: They do not need the money today and would gladly take it in June as they do have some flexibility and that no other funding has been secured yet other than locally by the county.

23-7: Wildlife and Livestock Dams – Wetlands Creation, Restoration, and Enhancement II, North Dakota Natural Resources Trust – OHF funding request: \$267,750, Total Project Costs: \$520,500. Project Summary: Assist landowners with approximately 20 wetland dam creations, dam repairs, and drain ditch plugs throughout the state impacting 112 surface acres of wetland habitat.

(A copy of the PowerPoint presentation is available in the Commission files).

In response to questions, the applicant stated: These areas are breached and no longer functional – it is repair that is necessary, not maintenance.

23-8: MonDak Pheasants Forever 619 NWND 2024-2026 Habitat Project, Pheasants Forever, Inc. – OHF funding request: \$250,000, Total Project Costs: \$400,000. Project Summary: Incentivize 2,500 acres of new grass plantings and an additional 2,500 acres of new CRP enrollments with hunting access to increase new wildlife habitat development and hunting access in Williams and Divide counties.

(A copy of the PowerPoint presentation is available in the Commission files).

In response to questions, the applicant stated: They will put up OHF signage in the area and the area will be 50/50 between CRP and non-CRP.

23-10: TMBCI Fishing/Boat Access Project, Turtle Mountain Band of Chippewa – OHF funding request: \$109,800, Total Project Costs: \$146,400. Project Summary: Purchase seven handicapped accessible fishing/boat access docks to be installed at five tribal lakes for the purpose of expanding recreational opportunities as well as providing lake access for water quality testing.

(A copy of the PowerPoint presentation is available in the Commission files).

In response to questions, the applicant stated: They have not decided who they will contract with and are open to suggestions from the Board or others.

The Board took a 45-minute lunch break at 11:50 a.m.

**Chairman Kuylen opened it up to public comments on applications to which there were none.**

Chairman Kuylen mentioned that there was only one conflict of interest noted by Brian Amundson.

**It was moved by Randy Kreil and seconded by Rachel Retterath to allow Brian Amundson to vote on that application noted with the conflict. It was voted unanimously by the Board that he will be allowed to vote.**

	Yes	No
<b>Brian Amundson</b>	X	
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>	X	
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	12	0

**The OHF Advisory Board filled out their scoring sheets for the Grant Round 23 applications at this time.**

Chairman Kuylen listed the one application that received less than 7 votes for funding which include application number 23-04.

**It was moved by David Dewald and seconded by Patsy Crooke that the following application not be forwarded to the Commission for funding:**

- 23-4 Japanese Gardens Revitalization at Sertoma Park, Grand Forks Park District – \$149,859

**All board members voted aye. The motion carried unanimously.**

23-1: North Dakota Prairie Management Toolbox, Audubon Great Plains – OHF funding request: \$747,400

- Discussion was had about how many open projects they already have.

**It was moved by David Dewald and seconded by Patsy Crooke that the North Dakota Prairie Management Toolbox, submitted by Audubon Great Plains, be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of \$747,000.**

**On a role vote, Carlson, Crooke, Dewald, Dokken, Jacobson, Kreil, Kuylen, and Weinand voted aye, and Amundson, Eckroth, Kaldor, and Retterath voted nay. The motion carried.**

	Yes	No
<b>Brian Amundson</b>		X
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	

<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>		X
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>		X
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>		X
<b>John Weinand</b>	X	
Total	8	4

23-2: Mayville Dam #2 Reconstruction & Recreation Project, City of Mayville – OHF funding request: \$396,595.48

- It was noted that US Fish and Wildlife Service have dollars available right now with the “Fish Passage”.
- It was mentioned that they have no recreation there now because the dam was washed out.
- Contingency is always a concern.
- Mobilization prices and percentages are high in some of the requests listed.

**It was moved by John Weinand and seconded by Randy Kreil that the Mayville Dam #2 Reconstruction & Recreation Project, submitted by the City of Mayville, be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of \$396,595.**

**On a roll call vote, Carlson, Crooke, Dewald, Dokken, Eckroth, Jacobson, Kaldor, Kreil, Kuylen, Retterath, and Weinand voted aye, and Amundson voted nay. The motion carried.**

	Yes	No
<b>Brian Amundson</b>		X
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>	X	
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	11	1

23-3: Napoleon Recreation Trail, City of Napoleon – OHF funding request: \$1,050,000

- There was a debate between asphalt and concrete costs.

- There was discussion around what has changed since their previous application last grant round that was denied. It was noted that they did not mention the local support or local concrete person willing to provide the concrete at the price of asphalt.
- The engineering costs are high for this project (over 5%)
- The parking lot to get onto the trail was below the nursing home but would still be far from the lake.

**It was moved by Rachel Retterath and seconded by Tyler Jacobson that the Napoleon Recreation Trail, submitted by the City of Napoleon, be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of \$750,000, with the contingency that the trail stops in town rather than at the nursing home.**

**On a roll call vote, Carlson, Crooke, Dewald, Eckroth, Jacobson, Kreil, Kuylen, Retterath, and Weinand voted aye, and Amundson, Dokken, and Kaldor voted nay. The motion carried.**

	Yes	No
<b>Brian Amundson</b>		X
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>		X
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>		X
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	9	3

23-5: Lost Lake Dam Fish Passage, McLean County Water Resource District – OHF funding request: \$66,735.53

- It was mentioned that the whole series of projects around this county and Painted Woods Lake is phenomenal and is all about access and conservation.

**It was moved by Randy Kreil and seconded by Joseph Carlson that the Lost Lake Dam Fish Passage, submitted by the McLean County Water Resource District, be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of \$66,735.53.**

**On a roll call vote, Carlson, Crooke, Dewald, Dokken, Eckroth, Jacobson, Kaldor, Kreil, Kuylen, Retterath, and Weinand voted aye, and Amundson voted nay. The motion carried.**

	Yes	No
<b>Brian Amundson</b>		X
<b>Dr. Joseph Carlson</b>	X	

<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>	X	
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	11	1

23-6: Painted Woods Lake Flood Protection & Recreation Project, McLean County Water Resource District – OHF funding request: \$916,825

- It was stated that they do not need the funds right now and could potentially come back next grant round and request the fund once they are ready.
- They are ready to go with the recreation point. They could at least get partial funding to start that portion of the project that is ready.

**It was moved by Randy Kreil and seconded by Jeremy Eckroth that the Painted Woods Lake Flood Protection & Recreation Project, submitted by McLean County Water Resource District, be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of \$50,250 for the parking lot dirt work and kayak launch.**

**On a roll call vote, Carlson, Crooke, Dewald, Dokken, Eckroth, Jacobson, Kaldor, Kreil, Kuylen, Retterath, and Weinand voted aye, and Amundson voted nay. The motion carried.**

	Yes	No
<b>Brian Amundson</b>		X
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>	X	
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	11	1

23-7: Wildlife and Livestock Dams – Wetlands Creation, Restoration, and Enhancement II, North Dakota Natural Resources Trust – OHF funding request: \$267,750

- It was mentioned that it is not a large amount of money but will have a huge impact.
- It was also noted that the 1–2-acre wetlands are far more important than the 5-10-acre wetlands.

**It was moved by Patsy Crooke and seconded by Joseph Carlson that the Wildlife and Livestock Dams – Wetlands Creation, Restoration, and Enhancement II, submitted by North Dakota Natural Resources Trust, be recommended to the Industrial Commission for Outdoor Heritage Fund funding in the amount of \$267,750.**

**On a roll call vote, Carlson, Crooke, Dewald, Dokken, Eckroth, Jacobson, Kaldor, Kreil, Kuylen, Retterath, and Weinand voted aye, and Amundson abstained. The motion carried.**

	Yes	No
<b>Brian Amundson</b>		
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>	X	
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	11	0

23-8: MonDak Pheasants Forever 619 NWND 2024-2026 Habitat Project, Pheasants Forever, Inc. – OHF funding request: \$250,000

- It was stated that access is tremendous with this one, and if we don't have places for people to hunt then we will not have hunters anymore.
- It was noted that PRC is not good for the agriculture community.
- It was also mentioned that a lot of this land is highly erodible land which is not great for grazing and that there is a place for CRP and a place not for CRP.

**It was moved by Tyler Jacobson and seconded by Joseph Carlson that the MonDak Pheasants Forever 619 NWND 2024-2026 Habitat Project, submitted by Pheasants Forever, Inc., be recommended to the Industrial Commission for the Outdoor Heritage Fund funding in the amount of \$250,000.**

**On a roll call vote, Carlson, Crooke, Dewald, Dokken, Eckroth, Jacobson, Kreil, Kuylen, Retterath, and Weinand voted aye, and Amundson and Kaldor voted nay. The motion carried.**



	Yes	No
<b>Brian Amundson</b>		X
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>		X
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	10	2

23-10: TMBCI Fishing/Boat Access Project, Turtle Mountain Band of Chippewa – OHF funding request: \$109,800

- It was stated that this is a good project that is fishable.
- They have come more than once and have a nice comprehensive plan.
- It was also mentioned that the Board enjoys seeing a push in the tribes coming to OHF.

**It was moved by David Dewald and seconded by Tyler Dokken that the TMBCI Fishing/Boat Access Project, submitted by the Turtle Mountain Band of Chippewa, be recommended to the Industrial Commission for the Outdoor Heritage Fund funding in the amount of \$109,800.**

**On a roll call vote, Amundson, Carlson, Crooke, Dewald, Dokken, Eckroth, Jacobson, Kaldor, Kreil, Kuylen, Retterath, and Weinand voted aye. The motion carried unanimously.**

	Yes	No
<b>Brian Amundson</b>	X	
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>	X	
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	12	0

The Contract Amendment Request Presentations began.

Contract 013-138: City of Dickinson, Crooked Crane Trail – Request for \$960,000 additional funding for adding a boardwalk.

- There was a question asked related to where the trail was going and why they are not using asphalt. It was noted that the trail will be going about 400 feet across the water.
- There is 1.8 miles of paved trail once you connect across the trail on the other side of the lake.
- It was stated that this is a very large amendment request and really should come back as a completely new grant application.

**This amendment request died due to lack of a motion being made.**

Contract 017-172 ND Game and Fish Department, Red River Basin Wildlife and Water Quality Enhancement Pilot Program – request for amendment to decrease landowner cost-share from 50% to 40% and allow 5–10-year landowner agreements.

- It was noted that NDGF and DEQ will be paying these at 60% of the rental rate. Total match will not change, however the ratio will.

**It was moved by David Dewald and seconded by Tyler Dokken that the Red River Basin Wildlife and Water Quality Enhancement Pilot Program amendment, submitted by the ND Game and Fish Department, be recommended to the Industrial Commission for the purpose of adjusting the landowner cost-share from 50%-40% and allowing 5-10-year landowner agreements.**

**On a roll call vote, Carlson, Crooke, Dewald, Dokken, Eckroth, Jacobson, Kaldor, Kreil, Kuylen, Retterath, and Weinand voted aye, and Amundson abstained. The motion carried.**

	Yes	No
<b>Brian Amundson</b>		
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>	X	
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	11	0

Under other business, the previous discussion had at the Orientation and Policy Review meeting was mentioned, and a motion was made regarding In-kind match.

It was moved by John Weinand and seconded by David Dewald that the In-kind match amount have an annual adjustment based on the average of the numbers found in Independent Sector and the U.S. Bureau of Labor Statistics.

On a roll call vote, Amundson, Carlson, Crooke, Dewald, Dokken, Eckroth, Jacobson, Kaldor, Kreil, Kuylen, Retterath, and Weinand voted aye. The motion carried unanimously.

	Yes	No
<b>Brian Amundson</b>	X	
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>	X	
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	
Total	12	0

Under other business, the previous discussion had at the Orientation and Policy Review meeting was mentioned, and a motion was made regarding the breakdown of engineering, staffing and design.

It was moved by Randy Kriel and seconded by Tyler Dokken that future applications have a breakdown between engineering costs, staffing costs, and design costs when submitted their budget proposals.

On a roll call vote, Amundson, Carlson, Crooke, Dewald, Dokken, Eckroth, Jacobson, Kaldor, Kreil, Kuylen, Retterath, and Weinand voted aye. The motion carried unanimously.

	Yes	No
<b>Brian Amundson</b>	X	
<b>Dr. Joseph Carlson</b>	X	
<b>Patsy Crooke</b>	X	
<b>David Dewald</b>	X	
<b>Tyler Dokken</b>	X	
<b>Jeremy Eckroth</b>	X	
<b>Tyler Jacobson</b>	X	
<b>Dana Kaldor</b>	X	
<b>Randy Kreil</b>	X	
<b>Bob Kuylen</b>	X	
<b>Rachel Retterath</b>	X	
<b>John Weinand</b>	X	

Total	12	0
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Discussion was had around tentative dates and venue for the next OHF Advisory Board Meeting.

**Being no further business, it was moved by John Weinand and seconded by Tyler Dokken to adjourn the meeting of the Outdoor Heritage Fund Advisory Board. All members voted aye.**

The meeting adjourned at 4:45 p.m.



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**Robert Kuylen, Chairman**