

BUFFALO-RED RIVER WATERSHED DISTRICT

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BUFFALO-RED RIVER WATERSHED DISTRICT WOLVERTON CREEK/COMSTOCK COULEE CLEAN WATER LEGACY PROJECT Minutes for Landowner/Agency Informational Meeting April 23, 2009

The Board of Managers, Buffalo-Red River Watershed District (BRRWD), held an informational meeting to discuss the Wolverton Creek/Comstock Coulee Clean Water Legacy (CWL) project, on Thursday, April 23, 2009, at 8:00 PM, at the Comstock Community Center. BRRWD Managers present included Gerald L. VanAmburg, Roger G. Ellefson, Curtis M. Nelson, E. Robert Olson, and John E. Hanson. Others attending included: Bruce E. Albright, BRRWD Administrator, Erik Jones, Engineer, and Zach Herrmann, Engineer, Houston Engineering, Inc. (H.E.); Kevin Kassenborg, Craig Halverson, and Lynn Foss, Clay Soil and Water Conservation District (SWCD), Donald Bajumpaa, District Administrator, Wilkin SWCD, Ross Aigner, Supervisor, Wilkin SWCD, Pete Waller, Minnesota Board of Water and Soil Resources (BWSR), Jack Frederick, Minnesota Pollution Control Agency (MPCA), and landowners: Hugh Trowbridge, Darin Brandt, Gail White, Steven White, Bradley Nelson, Carl Nord, Mark Askegaard, Jay Nord, Dennis VanWechel, Michael Aigner, Donald Hoppe, Paul Israelson, Jeff Nord, Warren Niesche, Donald Bohner, Luther Blilie, Bryan Kritzberger, Mark T. Anderson, Harold Quinnild, and Ted Olsgaard.

BRRWD Chairman Roger Ellefson called the meeting to order at 8:00 PM. He introduced the BRRWD Board and H.E. staff.

Albright introduced the agency personnel who were present. He passed an attendance sheet, and gave a brief overview of the meeting agenda, which includes a discussion regarding the project funding, completed work, and work that needs to be finished before the grant is tentatively scheduled to expire on 6/30/09. He noted that H.E. conducted a channel survey of Wolverton Creek/Comstock Coulee. There is time set aside on the agenda for audience questions and comments. The group will also discuss the next steps for the project.

Albright gave a brief history of the BRRWD and the Wolverton Creek/Comstock Coulee area. He said that the Wolverton Creek/Comstock Coulee is a valuable resource for the BRRWD, as it is not only an important local agricultural drainage outlet, but is also the outlet for several BRRWD drainage systems. In the 1950s, the Soil Conservation Service (SCS) studied the area for a possible Public Law (PL) 566 project to address the watershed's problems. More recently, the BRRWD met with some of the landowners regarding water related concerns, and formed a landowner committee to follow up on those issues. Albright explained that the upstream end of the channel is aggrading, or filling up with sediment, and needs to be cleaned. The middle reaches of the channel are in pretty good shape, but the downstream end is degrading, or eroding as it flows toward the Red River. Wolverton Creek could soon be included on the Minnesota Pollution Control Agency's (MPCA) Impaired Waters list for turbidity (excess sediment). Albright explained that the BRRWD has been chosen to receive a grant from the MPCA to conduct a watershed based water quality improvement project, in association with their Total Maximum Daily Load (TMDL) water quality

study. The Wolverton Creek/Comstock Coulee is part of the Upper Red watershed drainage unit of the Red River Basin, and at this time, it is not part of the Buffalo River TMDL study. The Clay and Wilkin SWCD's were successful in procuring the current CWL grant. The purpose of tonight's meeting is to update the landowners about how the grant funding has been spent, and what we plan to accomplish prior to the grant expiration on 6/30/09. He pointed out that the Wolverton Creek/Comstock Coulee watershed covers approximately 100 square miles (sq. mi.) and 98% of it is agricultural.

Before making his presentation regarding the CWL project, Kevin Kassenborg, Clay SWCD, encouraged the landowners to contact their SWCDs and the Natural Resources Conservation Service (NRCS) if they have erosion from washouts, debris in their fields, etc., caused by the 2009 Spring Flood. If there is a demonstrated need for emergency assistance, funding could be made available through the Emergency Watershed Protection (EWP) program. The SWCD also plans to send out a newsletter tomorrow regarding this issue.

Kassenborg explained that the Wilkin and Clay County SWCDs applied for the CWL grant in the fall of 2006 for approximately \$289,000. They started with the outlet channel survey west of Trunk Highway (T.H.) No. 75, but the heavy snowfall in January 2007 delayed the work. The SWCDs worked with Luther Aadland, who is a stream biologist with the Minnesota Department of Natural Resources (DNR), to identify stream bank downcutting and channel sedimentation problems. The main focus of Aadland's work was from T.H. No. 75 downstream two miles to the channel outlet at the Red River of the North. Kassenborg noted that there is approximately 20' of fall in those two miles. Aadland's plan included the installation of rock riffles, which are rock dams used to break up the steep grade and slow down the erosion. In 2008, eleven riffles and four side inlet pipes were installed to address those concerns. Four landowners signed agreements to install bufferstrips along the waterway. This work was not completed due to the extremely wet conditions last fall. Hopes are to take advantage of the 10 and 15-year Conservation Reserve Program (CRP) contracts this year. Kassenborg said that they are offering incentives of \$500/acre for the 10-year contract and \$750/acre for the 15-year contract in addition to the CRP payments. He indicated that if landowners are interested, they should contact their SWCD office as soon as possible, so the staff can stake the acreage, and the Farm Service Agency (FSA) office can conduct a Global Positioning System (GPS) survey to determine the exact acreage. He stressed that the contracts need to be signed by the 6/30/09 deadline, as the CWL grant doesn't include an Act of God extension clause at this time. Kassenborg explained that they are trying to get an extension in light of the record precipitation last year and the 2009 Spring Flood. He felt there was good justification for a grant extension. The SWCDs contacted our State Legislators regarding this issue, but they have not yet had a response.

Pete Waller, BWSR, commented that because of the historic area flooding conditions, the Legislature might be persuaded to change the grant extension rules.

Kassenborg noted that if all the planned work is completed, there will be about \$1,800 left in the grant. Currently, there is about \$80,000 left to spend before 6/30/09. He felt they were doing as well as could be expected, considering the wet conditions. He noted that Erik Jones, Engineer, H.E., is working with the survey data H.E. acquired last fall.

Don Bajumpaa, Wilkin SWCD, noted that there is no way for us to control the weather, but that we need to look on the bright side of this issue. He felt that we need to appreciate the benefits of the agencies working together toward a common goal. He thought the project reflects well on the local

partnerships that have been forged. Without the landowners willing cooperation, this project would not have developed as it has. When Clay County applied for the CWL grant for the Wolverton Creek/Comstock Coulee watershed, Wilkin County had applied for similar funding for an area in Otter Tail County to study turbidity. Their study covered a variety of sediment loading sources, including wind erosion, runoff, flooding, stream erosion, etc. The Wilkin County staff worked with landowners to implement various conservation practices, including wind breaks, tillage methods, etc. Bajumpaa pointed out that the key to moving this program forward is for the landowners to take advantage of the existing programs and to work with their County SWCD staff to develop a detailed plan for their farm. He mentioned the survey work that H.E. completed, and added that he felt the SWCDs had received a lot of support from the state agencies to allow for adjustments in the work plan, so that the funding could be focused to areas most in need of work. Bajumpaa advised that the SWCDs should be ready with potential landowner participants with identifiable problem sites so that they will be eligible to receive more funding, should it become available. He was grateful for the good partnership Wilkin County has had with the Clay SWCD and the BRRWD. He observed that productive partnerships like this don't happen everywhere.

Albright mentioned that in conjunction with the BRRWD's Buffalo River TMDL project, the DNR is planning to conduct a High Resolution Low Level Topography (HRLLT) collect. This project will include low level aerial photography of rivers and streams within the BRRWD. Wolverton Creek/Comstock Coulee is on the survey list. The DNR would like to wait until the flood waters recede, but the flyover needs to take place before the trees leaf out. The resulting data will be another tool to use for projects in this area. Albright also discussed the International Water Institute's (IWI) Digital Elevation Model (DEM) data collection using Light Imaging Detecting Radar (LiDAR) for the entire Red River Basin in the United States. The data collect is being done in blocks. Albright noted that the BRRWD area collection has been mostly completed. The BRRWD contributed \$50,000 to the effort. The long range goal is to provide elevation data to both agencies and the general public. Jones commented that some of the data has already been used to generate maps with 1' contours, which can make it possible to view individual field ditches. Albright said that the collect contract required $\pm 6''$ accuracy, and some of the data is coming back within $\pm 3''$ accuracy.

Albright discussed the creation of watershed management districts (WMD) in conjunction with the BRRWD's Revised Watershed Management Plan (RWMP) that will be completed this year. The BRRWD was broken down into seven planning regions, with each region comprising a WMD. A WMD will be used to identify and finance local projects to address specific problem areas within the region, such as the Wolverton Creek/Comstock Coulee area. The assessment rate could be in the range of \$0.50-\$1.00/acre, or based on sediment or water contribution, which could be used to leverage federal and state funding. Another example of how the WMD could be used would be to establish a fund for beaver control in a region.

Albright introduced Jones, who presented the results of the channel survey. He noted that the planning committee felt that completing the survey would put us in a position to leverage future funding by providing information that could be used to identify more problem areas.

Jones noted that in 2007, BWSR conducted a survey on Wolverton Creek from T.H. No. 75 downstream to the Red River. This survey was used to do the Phase I work. Phase II of the outlet project is scheduled to be completed by 6/30/09. Jones said that because of the wet conditions last fall, the survey work had to be done in December and January. The work encompassed the area

from T.H. No. 75 upstream (south) for about 21 miles of the channel. The crew took five cross-sections per mile, which were made wide enough to tie into the DEM LiDAR survey. He noted that the DEM had very good tolerances on bare earth ($\pm 2''$). In the channel, the accuracy is reduced to $\pm 5''$ because the grasses/debris, etc., interferes with the LiDAR. Jones talked about the work that the contractor, Adam Grothmann, Northern States Excavating, Inc., completed for the Phase I portion of the project, and displayed photographs of the work. Six rock riffles were installed on Wolverton Creek from T.H. No. 75 to the Red River at different locations in an attempt to control the channel grade and limit downcutting. Where a tributary enters the Creek, there was a large erosion gully, which was the source of sediment. The contractor installed a series of eight stair step rock riffles in the tributary channel. Each riffle takes about 1' of fall out of the channel. The riffles catch sediment, filling in the washout and preventing more sediment from entering Wolverton Creek. At Pete Livdahl's property on the Wolverton Creek outlet, there is basically a delta formed from the extensive sedimentation, part of which came from the washout area where the riffles were installed. Jones also discussed how the contractor installed side inlet controls on C.R. No. 59, which included metering pipes. There were four inlet pipes installed downstream of T.H. No. 75 at locations where there was sediment entering the river. A total of 13 rock riffles were installed.

Don Bajumpaa asked if the contractor had installed rocks on the inlet pipes. Jones said they did not use rock on the inlets, but did install some riprap at the outlet ends of the culverts.

Phase II will focus work to the west of C.R. No. 59, or the last 3,000' of Wolverton Creek channel before it reaches the Red River. To correct areas where the channel slope is slumping, Jones proposes to install a series of nine stream barbs. Weirs, or rock barricades, are built into the channel to direct water back to the center of the channel. Jones said that Pete Livdahl will be consulted regarding this work, which will also require an amended DNR permit. The cost for Phase II is estimated to be about \$25,000 and will take approximately 300 cubic yards (c.y.) of rocks. Jones displayed a diagram and discussed how the rock riffles function.

Kevin Kassenborg noted that since the grant expires on 6/30/09, he thought that because the site is still wet, maybe the rocks could be purchased now and then stockpiled. He questioned if the BRRWD would consider completing the work if it isn't done before the grant deadline. Jones suggested that the grant funds could be used to purchase the riprap, and the BRRWD could pay for installation as part of their grant match. Albright noted that the BRRWD could consider that option. He felt that it would be good to get the Phase II work completed, since we are so close to finishing. Pete Waller suggested that it might help for a few landowners to contact their Legislators to request a grant extension. He thought that an extension could be included in the Minnesota Recovers flood mitigation funding bill. Ellefson suggested that our Lobbyist, Joel Carlson, could also contact our Legislators in this regard.

Jones continued discussing the channel survey results. He explained that the previous survey work they completed in this area was not based on the same datum, so it was hard to relate the two survey's data. To rectify this problem, when they were collecting the recent survey data, they also surveyed culverts and bridges that crossed Wolverton Creek, totaling about 50 structures. In general, Jones thought the structure sizing seems to be proportioned correctly. His review of the cross-sections of the various reaches showed that from T.H. No. 75 to the outlet, the grade is about 5'/mile. Further upstream, between T.H. No. 75 and the Clay County line, the grades are flatter, but there is still almost 2.5'/mile fall. From the Wilkin County line to C.R. No. 30, the channel flattens out significantly, or less than 2'/mile. Jones noted that the culvert sizing seems to be reasonable, but

he hasn't had a chance to review crossings that overtop. He plans to use the LiDAR survey for this information. Jones said that as part of the survey last fall, they did identify 36 inlet locations where culverts could be installed. H.E. still needs to field verify the inlet elevations. Jones has started a list of inlets on Wolverton Creek where sediment structures could be installed using future grant funding.

Albright noted that Jones has provided area maps that the landowners can use to mark where they know water overtops the road. Jones also reported that he has identified approximately 21 inlet locations on Clay/Wilkin Judicial Ditch No. 1 (J.D. 1) in Section 18, Wolverton Township, where sediment structures could also be installed. There are also about seven inlets that could be done in Section 7, Wolverton Township.

Jeff Nord suggested that the culvert work should be done as a Project No. 30, Clay/Wilkin J.D. 1, repair, just so the coulee work can be completed. Later, if the funding is restored, or if another grant becomes available, the project account could be reimbursed. Albright thought the Board could consider Nord's suggestion. He noted that the landowner, Tom Arnhalt, is willing to allow access to his property for a contractor to work on J.D. 1 in this area. Ellefson commented that ditch law does allow the BRRWD to work within one mile of the project outlet. Albright pointed out that the outlet at Pete Livdahl's farm is beyond the one mile limit of J.D. 1. Jones felt that the baseline information they gathered with the survey can be used to identify problems areas if future funding becomes available.

Albright called for landowner comments/questions. He explained that the BRRWD and other participating agencies will continue to watch for funding possibilities as they become available. He added that there are existing programs, such as CRP, that landowners can take advantage of if they are interested.

Jeff Nord discussed the highlights of the Phase I and II outlet work and asked what work would be included in Phase III. Jones said that field reviews from T.H. No. 75 upstream would be conducted to determine proposed culvert sizings and locations. Hugh Trowbridge said more bufferstrips would be good. Don Bajumpaa commented that the installation of side inlet culverts significantly reduce washouts. He noted that in some locations where landowners didn't want inlets on their Otter Tail River project, there were washouts with 10'-12' wide gullies outletting their fields.

Jeff Nord discussed the need for a Watershed District in Otter Tail County. Someone brought up the topic of a management district that would oversee all the Watershed Districts in the Red River Basin. Nord thought this would just add another layer of unnecessary bureaucracy. He felt that the whole Red River Valley should be organized into Watershed Districts, and abandon the idea of an extra governing body over the existing Districts. He felt that a bureaucracy that involves both North Dakota and Minnesota would not be efficient. Since Fargo is larger than Moorhead, Nord felt funding would not be distributed equitably.

Ellefson felt Nord had made a good point regarding federal funding. He said there is going to be a lot of federal money coming into the area for flood damage mitigation. Nord claimed that the water that threatened the Fargo-Moorhead area came from the North Dakota side of the Red River. Ellefson agreed and noted that the area contributing spring runoff to the Bois de Sioux River didn't have as much snow as the area on the Wild Rice River in North Dakota. There was a discussion

regarding a proposal to build a diversion project on the Minnesota side of the Red River to direct water around Fargo-Moorhead.

Ross Aigner noted that there is a committee already formed in the non-watershed area south of the BRRWD boundary in Wilkin County. Aigner also noted that he understood that our Legislators (Paul Marquart/Morrie Lanning) had commented on the good work that BWSR, the SWCDs, etc., were doing, and they didn't support another level of oversight for Watershed Districts.

Jeff Nord asked if the City of Moorhead has to develop a flood plan before they build new housing developments. He feels that with the installation of non-permeable surfaces, etc., subdivisions divert water and increase flooding problems. Jack Frederick explained that developers must submit a stormwater plan. The BRRWD also has permitting requirements. The City of Moorhead adopted a regulation about 5 years ago, requiring that all new subdivision must include a stormwater retention pond with 3' of freeboard designed to hold the 100-year event. However, during the spring flood, the ponds filled up and there was no outlet. Jones also noted that the Cities of Fargo and Moorhead have a master drainage plan for water within the city limits.

Albright commented that to get control of water quality, the State agencies have mandated that all legal ditch systems must have a one-rod (16.5') grassed bufferstrip. He listed a few of the ditch systems that will need to acquire or reacquire bufferstrips. He discussed the Agricultural Watershed Enhancement Program (AWEP), which was included in the Farm Bill last fall by Congressman Collin Peterson. This program appropriates funds for major watersheds to get additional Environmental Quality Incentive Program (EQIP) funding through the NRCS. The Red River Valley was named as an area that was eligible for the AWEP funding. Local SWCD and NRCS agencies could receive up to \$750,000 to use for EQIP projects. The Red River Basin Commission has applied for the funding, which is still pending. Albright encouraged the landowners to notify their county SWCD about any erosion sites they may find on their property because there could be funding available through AWEP to address these problems. Albright reminded the landowners to mark the maps Jones provided to show where water overtopped road crossings this spring.

Ellefson asked if there was anyone who had further comments or information to present at tonight's informational meeting. Being none, he adjourned the meeting at 9:25 PM.

Respectfully submitted and prepared by,

Bruce E. Albright, BRRWD Administrator