Representatives from the Natural Resources Conservation Service (NRCS) updated the Board of Managers, Buffalo-Red River Watershed District (BRRWD), regarding their work around the Manston Slough Restoration Project. The update occurred at the BRRWD’s meeting held on Monday, January 23, 2017, in their Barnesville office. The NRCS and the project contractor, Chris Tunheim, said that the work is going fairly well. The work is occurring on the lands enrolled in the Wetlands Reserve Program surrounding the core of the main project area. Work includes mowing of trees, habitat management, and wetland restorations. The contract is for three years, and will include burning and herbicide application. Late last fall, the NRCS asked the BRRWD to lower the water levels to aid in the completion of their work. As soon as we started to release water, the BRRWD recognized that there were downstream problems. A motion was approved to clean Wilkin County Ditch (C.D.) No. 13-Lateral. That work was not started due to the weather conditions, but it is expected that it will begin this spring. All boards on the north dam have now been removed to accommodate the NRCS work. NRCS asked that we keep the boards out of the structure for all of 2017, so they can complete their work. Bruce Albright, BRRWD Administrator, noted that if we have major flooding this spring, we may need to put the boards back in to utilize the flood control aspects of the project. The contractor said that he understands the BRRWD’s obligation in that regard. The NRCS has about 1,500 acres under this current contract. They are also going to look at grazing and possible haying of certain areas on an annual basis to help control future tree growth.

While the NRCS officials were still present, the Board discussed the Wolverton Creek Restoration Project. Hopes are that the NRCS could bring federal dollars to the project through their Agricultural Conservation Easement Program (ACEP). In particular, the Wetland Reserve Enhancement Partnership voluntary program signs agreements with eligible partners to leverage resources to carry out high priority wetland protection, restoration, and enhancement and to improve wildlife habitat. A meeting was held with NRCS officials on January 6, 2017. They indicated that since this is primarily a habitat program, they were concerned about the proposed widths of buffers strips along the restored channel. Erik Jones, Engineer, Houston Engineering, Inc. (HEI), has developed a right-of-way table for Phase I. Widths vary by parcel, but range between 250 and 720 feet based upon the topography next to the channel. If a landowner signs up for ACEP, they will also qualify for construction dollars. On Phase I, if every landowner participated, it appears the NRCS could bring close to $2.8 million to the project. The BRRWD has a permit to restore 26.2 miles of channel, at an estimated cost of $11 million dollars. To date, approximately $5 million has been secured through the Lessard-Sams Outdoor Heritage Council and the Minnesota Board of Water and Soil Resources (BWSR). The NRCS first requires an easement before they can bring project construction dollars to the table. We currently have four landowners signed up for the program. We will need to see if the federal program can work before going any further. NRCS has a Geographical Area Rate Cap (GARC) for Wilkin County of $2,956 for cropland and $1,264 for non-cropland. The 2015 Reinvest in Minnesota rates for Wolverton Township are $4,917.06 for cropland and $3,278.40 for non-cropland. The BRRWD may need to figure out a way to supplement landowners regarding their easement payment if we use the GARC rates.

Other business included:

- Regarding Permit No. 16-076, the applicant initially asked to install a new approach on the south line of Section 30, Nielson Township, Wilkin County, which would cross C.D. No. 12. The applicant has indicated that placement of the culvert at that location will not work. He wants to move the approach approximately 0.25 miles east.
Board agreed that this location would also be acceptable and that the approach expense (materials/installation) would be covered as a ditch system expense.

- Noting that in accordance with Minnesota Statues, Section 13.05, Subd. 5, the BRRWD has developed a policy for insuring security of not-public data. The policy includes a data inventory which identifies and described all not-public data on individuals maintained by the BRRWD.

- Noting that since the last meeting, Albright has met with a representative for the Fischer family regarding a storage material lease that we are trying to finalize regarding Project No. 49, Oakport Flood Mitigation. The initial lease on the stockpile of material ran out in 2013. Since that time, the BRRWD has been trying to work with the family to get the lease extended. The material was removed from the property last summer with the construction of Phase IV.

- Reviewed the BRRWD's financial status. In the last two weeks, the BRRWD has received income totaling $63,137.72. Cash-on-hand totals $2,308,783.85.

- Submitted applications to the Minnesota Department of Natural Resources flood damage reduction grant assistance program for Barnesville Township ($7.8 million), Upper South Branch ($1.39 million), and Stony Creek ($7 million). The amounts represent 50% of the current estimated project cost. Albright said depending upon scheduling, etc. the funds could be needed before 2020. The office will also work with our local Legislators to submit bills to the House and Senate regarding the funding requests.

- Noting that the legal paperwork has been completed with BWSR regarding the Elkton Township Wetland Mitigation Bank. The bank establishes 88.7 acres of state wetland credits. In order to obtain one of the necessary easements on the Manston Slough Restoration Project, the Board agreed to sell 2.6 acres of credits from the bank, once established. Albright will work with Mark Aanenson, Wetland Scientist, HEI, to transfer those credits. The Board has total project costs of $794,911. Divided by the total number of credits, that equals $8,961.79 per acre or 0.205 per square foot. The Board agreed to sell the credits regarding Manston Slough at the rate of $10,000 per acre. Future sales will be analyzed on an as needed basis.

- Noting that the office has revised a petition for a second outlet to Clay-Wilkin Judicial Ditch No. 1. The second outlet would be located on the south side of the Clay-Wilkin county line and would drain directly west into Wolverton Creek. The petition was revised based on comments from the BRRWD's Attorney, Tami Norgard, Vogel Law. Once the required number of signatures are obtained, the BRRWD can complete the preliminary Engineer's Report and hold the preliminary hearing with all of the affected parties.

- Noting that the next Mediation Project Team meeting has been changed from February 9 to February 16, 2017, due to a conflict. The meeting will begin at 1:30 PM in the BRRWD office in Barnesville. Active project discussions include Stony Creek, Barnesville Township, South Branch of the Buffalo River, and Wolverton Creek.

- Approved payment of bills totaling $191,428.43.
Agreed to pay a $1,478.75 cost overrun pertaining to the Otter Tail Riverbank Restoration Site located in Wilkin County. The amount represents 25% of a cost overrun for changes in quantities due to an unusable existing stockpile of woody material that was deemed unsuitable for construction. The landowners share of the project cost were capped at 25%.

Discussed the status of BWSR's Performance Review and Assistance Program Level II Assessment. A Level II Assessment evaluates progress on plan implementation, operational effectiveness, and partner relationships. The office is working on a tabulation of the BRRWD's goals and the accomplishments achieved to date. Also, surveys have been mailed out to our working partners. If everything goes well, the process should be completed by the end of March 2017.

Noting that the office continues to make progress regarding the update of the BRRWD's Rules. Sections have been added regarding the MS4 program and buffers. Once the draft is done, it needs to be submitted to the BWSR for a 45-day review. It also has to be noticed for review and comment to all public transportation authorities that have jurisdiction within the Watershed District at least 45 days prior to adoption. The BRRWD would then be required to publish notice of a hearing in all of the affected county legal newspapers. After adoption, the office should mail a copy of the Rules to the governing board of each municipality affected by the Watershed District. Albright will get the most recent draft out to the Managers prior to the 02/13/17 meeting. Hopes are that the draft Rules can be adopted at that time and submitted for further review.

Noting that a meeting will be held with the Clay Soil and Water Conservation District on February 1, 2017, at 10:00 AM, in their office in Moorhead, to discuss the new buffer law and who may assume the administrative penalty order process (enforcement). The meeting will also include representatives from the Wild Rice Watershed District in Ada, since Clay County is partially within their boundaries.

The Board of Managers, BRRWD, will hold their next meeting on Monday, February 13, 2017, at 7:00 PM in the BRRWD Office, located at 1303 4th AVE NE, Barnesville, MN. All meetings are open to the public. For more information about the BRRWD, please visit our website at www.brrwd.org.