

BUFFALO-RED RIVER WATERSHED DISTRICT

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BUFFALO-RED RIVER WATERSHED DISTRICT Project No. 23, Becker County Ditch No. 15 Impoundment of Drainage System Waters Hearing July 16, 2020

In accordance with Minnesota Statutes Annotated (M.S.A.) 103E.227, Subds. 1 through 3, Impounding, Rerouting, and Diverting Drainage System Waters, and any other applicable statutes, the Board of Managers, Buffalo-Red River Watershed District (BRRWD), held a hearing on the United States Fish and Wildlife Service (USFWS) Petition for Impoundment of Water on a Drainage System on Thursday, July 16, 2020, at 7:00 PM in the BRRWD Office, Barnesville, MN, for Project No. 23, Becker County Ditch (C.D.) No. 15. The meeting was held in accordance with COVID-19 restrictions with the following public attendance options: Conference call, written comments form, and limited office attendance via RSVP. BRRWD Managers attending: Peter V. Fjestad, Gerald L. Van Amburg, John E. Hanson, and Catherine L. Affield. BRRWD Staff attending: Interim Administrator Kathleen K. Fenger and Engineer Erik S. Jones, Houston Engineering, Inc. (HEI); and Jim Streifel and Doug McClain, Ducks Unlimited (DU).

Acting BRRWD President Fjestad called the hearing to order at 7:00 PM and introduced the BRRWD Managers and Staff. He announced that the proceedings were being recorded to aid in preparation of the minutes.

BRRWD Engineer Erik S. Jones explained that the hearing was being held to address a USFWS petition to replace the five structures within the "Big Six" wetland complex, initially constructed in 1994-1995, as part of the Hamden Slough National Wildlife Refuge (NWR) in Sections 1, 2, 11 and 12, Audubon Township, Becker County. The work associated with the petition includes maintenance, structure replacements, and improvements, including a 1' water level increase on the Homstad Lake basin to elevation 1262.0. The designers of the proposed project are Jim Streifel and Doug McClain, DU. Their Design Report (dated 11/7/19) concluded that the proposed structure replacements will cause no adverse change to the hydrology for the adjacent or downstream properties. According to Drainage Law, since three of the structures are located directly on Project No. 23, Becker C.D. No. 15-Branch 4, a ditch system hearing is required.

The Petition process requires the Board appoint an engineer to investigate the proposed work (12/9/19) and submit an Engineer's Report and Findings of Fact (2/10/20), which must be reviewed at a public hearing (M.S.A. 103E.261). The USFWS and DU propose to replace the outlet structures for Eagle Pond, Homstad Lake, Hass Wetland, Office (Northwest) Wetland, and Hesby Wetland. Three of the five basins (Eagle, Hesby, and Homstad) are on Branch 4 of C.D. No. 15. The existing outlet structures' runout elevations will not change, except for a 1' elevation rise on Homstad Lake. The original structures were corrugated metal pipes (CMP), which over the life of the project, have rusted out and need replacement. DU has proposed a sheet pile weir with a stoplog bay and welded steel outlet pipes as replacements to provide a longer design life, with riprap at the inlet and outlet ends to dissipate the energy of the water flow through the structures.

Jones discussed his findings and recommendations:

1. The proposed replacement structures do not adversely affect peak discharges from the wetland complex. Peak discharges are less than existing for the analyzed runoff events.
2. The proposed structure should have a significantly longer design life than the existing corrugated metal structure.

3. Increasing the full service level for the Homstad Lake structure does not adversely affect flood levels on adjacent properties. Only USFWS lands will be affected. Therefore, no additional flowage easements are required. Small elevation changes are expected for various events on Hass West Wetland and Hesby Wetland; however, the increase is limited to lands under USFWS control.
4. Given that this is replacement of the existing structures, and increases are limited to land that the USFWS currently owns or has easement on, no additional flowage easement of land rights should be required due to this project. The existing flowage agreements should be adequate.
5. Anticipated reductions in peak discharges downstream as a result of this project are expected to be small.
6. Based on the current design, the project should not impair the utility of the ditch system.

Jones discussed the project costs. Since USFWS is the project petitioner, they assume all the proposed project costs and all maintenance costs, including the petition and hearing expenses. There will be no costs attributed to the ditch system.

Jones opened up the floor to questions.

Van Amburg asked the DU representatives about the reason for raising the Homstad Lake elevation. USFWS wanted to see more water in a nearby wetland. Doug McClain, DU, explained that by raising Homstad Lake's elevation, the smaller upstream wetlands should backup more water. McClain noted that the current structures have achieved their anticipated design life and are difficult to maintain. He explained that following the spring runoff, the wetlands were being held at the proposed elevations because of beaver activity. DU anticipates that the new design will make the structures easier to maintain for issues like beavers or trash buildup and operate more efficiently. There was brief discussion regarding the wetland vegetation.

Acting President Fjestad commented being that there were no objections to the proposed petition, he called for a motion to approve an Order to issue a permit authorizing the installation of the impoundments as described in the Petition. **Motion** by Van Amburg to approve the work proposed in the USFWS petition, as referenced. **Seconded** by Hanson. **Approved** by unanimous roll call.

There being no further business to come before the Board, Acting President Fjestad adjourned the hearing at 7:15 PM.

Respectfully submitted by,

John E. Hanson, BRRWD Secretary