

BUFFALO-RED RIVER WATERSHED DISTRICT

BARNESVILLE, MINNESOTA 56514

114 FRONT STREET SOUTH – PO BOX 341

PHONE 218-354-7710

MEDIATION PROJECT TEAM MINUTES

June 23, 2011

The Buffalo-Red River Watershed District (BRRWD) Mediation Project Team (PT) held a meeting on Thursday, June 23, 2011, at 7:30 PM at the Minnesota State University Moorhead (MSUM) Science Center, Glyndon, MN.

Attending were: Bruce E. Albright, BRRWD Administrator, and Houston Engineering, Inc. (H.E.), Erik S. Jones and Zachary Herrmann, Engineers, H.E.; Roger G. Ellefson, Curtis M. Nelson, and Gerald L. VanAmburg, BRRWD Managers; Pete Waller, Board Conservationist, Minnesota Board of Water and Soil Resources (BWSR); Robert A. Zimmerman, Engineer, City of Moorhead; Robert Honeman, Area Resource Conservationist, Natural Resources Conservation Service (NRCS); Shawn May and Scott Kahan, Detroit Lakes Wetland Management District (WMD) and United States Fish and Wildlife Service (USFWS); and Brian Winter, Program Director, The Nature Conservancy (TNC).

Members absent were: BRRWD Managers John E. Hanson and Breanna L. Paradeis Kobiela, Audubon Dakota; Lynn Foss, Clay Soil and Water Conservation District (SWCD); Doug Wells, USFWS and Fergus Falls WMD; Paul Wannarka, Red River Basin Coordinator, Minnesota Department of Natural Resources (DNR), Jim Woulters, DNR, Jack Frederick, Minnesota Pollution Control Agency (MPCA), Keith Weston, NRCS Basin Coordinator; Don Schultz, Area Wildlife Manager, DNR; Henry VanOffelen, Natural Resource Scientist, Minnesota Center for Environmental Advocacy (MCEA); Dave Barsness, Fisheries Specialist, DNR; Brian Dwight, Board Conservationist, BWSR; Craig O. Evans, PM-D, Army Corps of Engineers (COE); Leo Grabowski, Project Manager, COE; Wally Sparby, Staff Assistant, Congressman Collin Peterson's Office; Brad Grant, Becker SWCD; Josh Kavanaugh, Ducks Unlimited (DU).

Albright called the meeting to order at 7:40 PM. He thanked the group for their attendance.

Business brought before the group included:

Meeting Minutes. The 4/28/11 meeting minutes were distributed via e-mail with today's meeting notice.

Motion by Waller to approve the minutes. **Seconded** by Zimmerman. **Approved.**

Project No. 54, Whiskey Creek Tributaries. Albright reported that the project is working as designed. Luther Aadland, DNR, viewed the area this spring as part of a stream restoration class on Whiskey Creek. Waller said that the restored meander channel on east tributary looked good. The Nichol Wetlands Reserve Program (WRP) site along Trunk Highway (T.H.) No. 34 near the Galaxie Supper Club east of Barnesville seeps west along T.H. No. 34 and freezes during the winter in the ditches/culverts, causing water to back up into a nearby residence. The BRRWD is working with the NRCS, landowner, and Humboldt Township to address this situation. The Fergus Falls NRCS office conducted a survey to determine what could be done to help alleviate the seepage. The information has been sent to the landowner. An overflow culvert could be installed to take water north in the road ditch along C.R. No. 25, which may also need some minor cleaning. The NRCS may have to consider drawing down the wetland in the fall to allow for spring bounce. They did draw it down somewhat this fall, but because of the high water table in this area, it filled up during the winter and spilled into the ditch.

Project No. 56, Manston Slough Restoration. Jon Voz, DU, and Albright are scheduled to meet with landowner Dennis VanWechel to discuss the WRP/BRRWD options. Albright noted that there are concerns about moving forward with any of our ongoing projects in light of a possible state government shutdown. Currently, there is no 2011 money allotted for Flood Damage Reduction (FDR) projects. We will have to wait to see how the Legislature resolves this issue before we can move forward with this project.

Project No. 58, Riverton Township Retention. Brian Winter, TNC, noted that the retention site remained full for several weeks this spring. He questioned if the project was working correctly. Albright said that the trash rack on the outlet culvert was plugged. Wade S. Opsahl, Technician, H.E., removed the rack and the water finally went down. Winter said the inlet was working, but thought it might work better if it were lowered. Albright noted that landowner Bud Beckett passed away this spring. Beckett was always very interested in the project and area drainage.

Albright mentioned that TNC has submitted preliminary plans for Hay Creek channel restoration. He has reviewed the report and returned comments with permitting recommendations. TNC will take the next steps to restore approximately 2,000' of the straightened channel to about 5,700' of natural meandering channel. Winter noted that TNC held an informational meeting about one year ago, and he thought that there was support for the project.

Albright noted that TNC has submitted regular annual reports regarding the elevations of their Williams Tract Wetlands restorations in relation to the neighboring Alm property. It appears that no significant seepage from the wetlands is affecting their buildings/property.

Project No. 49, Oakport Flood Mitigation. Albright reported that we received \$1.6 million from the DNR to complete the work currently under contract. An additional \$1.5 million is needed to complete the east Wall Street road raise. Albright explained that we would like to complete the Wall ST road raises in 2011, so we only have to close the road for one construction season. We also need \$4.5 million to finish the final Phase 4 work on Broadway ST NW. Funding will not be finalized until the State Legislature makes a decision regarding bonding bill allocations. Albright commented that because of the work that has already been completed, many homes within the project area were protected from the 2011 spring flood.

The BRRWD is working on three dike projects for smaller subdivisions in the Oakport area that will not be protected by the Oakport dike, including the McCann's Subdivision and Crystal Creek North/South. Instead of having to spend money to remove the emergency dikes in these areas, the residents requested that we use them to create permanent flood protection.

Project No. 17, Hamden Slough National Wildlife Refuge (NWR). Scott Kahan, USFWS, made a presentation regarding the Hamden Slough NWR. Using a map, he provided a brief history of the 3,000-acre NWR. In 1997, Congress mandated that the USFWS needed to develop a comprehensive plan for their NWRs. The Hamden Slough NWR is one of the last to start. One of the issues they are working on is a summary of their Contaminant Assessment Project (CAP) and how wetland restorations within the NWR could deal with this problem. Another item in the plan is hydrogeomorphic modeling, which is a way to look at the function of water within the NWR subwatershed with an eye toward management/restoration in relation to water storage and water quality. The USFWS is working with H.E. and their modeling tools to reach their management goals through the use of the new LiDAR data.

Kahan explained that they have held several public scoping meetings. Some of the areas of concern that came out of these sessions were water quality, flooding, and hunting opportunities. Kahan plans to be meeting with all of the landowners within the NWR in July/August to address the issue of land acquisition to complete restorations to provide flood storage, water quality, and wildlife habitat and help achieve some

of the goals put forward in the BRRWD's Revised Watershed Management Plan (RWMP). Kahan mentioned that the Refuge stored about 800 acre-feet of water during the 2011 spring runoff and added that there is a potential for more storage opportunities within the Refuge.

Albright discussed historic attempts to achieve retention/detention sites within the BRRWD, including Pierce Lake, and mentioned a possible new WRP project for Reep Lake. He talked about Michael Murphy's role in developing the Refuge. Albright referenced the RWMP goals for Project No. 23, Becker County Ditch No. 15, which is within the Refuge. Albright commented that public perceptions regarding retention projects have changed over the past several years.

Kahan discussed upcoming events at the Refuge, including the Birding Festival and the dedication of their new classroom facility on 8/13/11. The group discussed the facility renovation. Albright noted that the Red River Basin Commission toured the area a few weeks ago. Kahan mentioned that the Refuge is open to an annual one-day youth hunt, but is closed to public hunting. Kahan said that he will share future restoration plans with the PT.

Shawn May mentioned that the CAP work also included a water resources inventory. Ellefson discussed his wetland highwater concerns. He felt that all the agencies need to work together to restore our wetland resources so that they can be managed to provide flood damage reduction (fdr) benefits, in addition to wildlife habitat/water quality. Kahan agreed that wetlands have changed as a result of the current hydrologic/climatic changes. Ellefson added that one of the major objectives in the Red River Basin is retention, and managed wetlands could play a significant role in this effort.

Project No. 60, Swede Grove Lake. This project has been is on hold since Adam Phillips, DU, who was interested in the project, took a new position in Iowa.

Project No. 50, Cromwell Township Highwater Investigation. Kahan signed the Memorandum of Understanding (MOU) and the Operation and Maintenance (O&M) Plan. Albright discussed the easement acquisition process. Albright briefly discussed our attempts to acquire the Wouters' easement and a possible condemnation proceeding. We have hired an appraiser to conduct an appraisal, but to date, she has not been able to gain access to the property.

Project No. 63, Grove Lake Outlet. Albright noted that the project is operating well. The lake is about 2' above the target elevation, but there have been no complaints. Albright mentioned that the USFWS has preliminary plans for a restoration project for the downstream Waterfowl Protection Area (WPA).

Project No. 67, HRBP Lakes Outlet. These lakes are outletting to Grove Lake, and the project is working well. Earlier this spring, the office received a few calls from landowners who felt Pete Lake was too low, so H.E. installed some stop logs to bring up the elevation. Albright noted that we will try to establish a target elevation for Pete Lake that will be satisfactory for all affected parties. The final hearing will be held this fall.

Project No. 68, Lake Jacobs/Annie Outlet. The BRRWD has secured 50% funding from the DNR for the Lake Jacobs project. Jones reported that we do not need permits from the DNR or the COE. Otter Tail County has issues a grade and fill permit for the project. We will need to obtain a permit from the County Highway Department for work on County State Aid Highway (CSAH) No. 21. Wade S. Opsahl, Technician, H.E., is working with the Appraisers to complete their report, but he recently broke his ankle and has been out for a few weeks.

Albright has drafted a petition for Norwegian Grove Township and Otter Tail County to add land adjacent to Lake Annie to the BRRWD. The Township and County Commissioners will take up this issue at their

upcoming meetings. Waller asked Albright to forward the draft petition to him for his review. If the County decides to proceed with the petition, they will submit it to BWSR.

Project No. 69, Lake Alfred Outlet. Albright discussed this lake north of Lake Jacobs where several landowners are experiencing high water problems. Homes and septic systems are in jeopardy. The landowners attended a BRRWD meeting last December to ask for help. H.E. has completed their preliminary area survey, and we are now waiting for the DNR to conduct an Ordinary High Water (OHW) survey.

Project No. 64, LaBelle/Boyer Lakes Outlet. Both lake outlets are in operation. There were some landowners' concerns about LaBelle Lake's elevation. H.E. installed stop logs to bring the lake up about 1'. The target elevation for Boyer Lake is about 4'-5' of drawdown.

Project No. 66, Ranum/Tansem Lakes Outlet. Albright discussed the project history regarding an outlet for these lakes that are located east of Barnesville along T.H. No. 34. One farmstead is almost completely surrounded by water. The BRRWD recently completed a buyout of this property with funding from the DNR, BRRWD, and the Department of Employment and Economic Development (DEED).

Project No. 65, County Line Outlet. Albright discussed the project history and the two options for lowering the wetland basins. He explained that the USFWS preferred plan would allow them to drain their wetland easement and WPA. The BRRWD plan would only lower the wetlands approximately 4'-5' and cost approximately \$240,000. The USFWS plan would cost an additional \$65,000, and at this time, they have no money for this work in their budget. The landowners have asked the BRRWD to hold another informational meeting. To date, the DNR has not allocated funding for this project. Ellefson discussed the wetland high water problems in the BRRWD.

Project No. 46, Turtle Lake Outlet. Albright discussed the siphon systems modifications. We removed the gate valve in both siphons, and the flow volume has increased significantly.

Wolverton Creek/Comstock Coulee. If there is a state government shutdown, work on the Wolverton Creek/Comstock Coulee Clean Water Fund (CWF) project will not be compensated by state funding.

Lawndale Trout Stream Restoration. The channel was constructed last winter on frost conditions. The DNR plans to install the actual diversion structure this summer, which will reroute all of the flows from the trout stream into the newly dug channel, and Wilkin County Ditch No. 40 downstream of the new channel would only act as an overflow outlet for high water.

Project No. 39, Georgetown Levee. Albright and Manager Nelson recently met with the Georgetown City Counsel and a number of landowners. They agreed that we should wait until state funding is secured before we proceed with any project buyouts. We will proceed with the preparation of plans and specifications. If the project could be built in the next year or so, the City might not have to remove the temporary levees. We could use the material from the temporary dikes to help build the permanent levees.

Hay Creek/Stinking Lake CWF Project. BWSR approved a Phase II funding (\$100,000), for the Becker SWCD and the Becker County NRCS to complete the current bufferstrip and sediment control basin contracts.

South Branch of the Buffalo River. The CWF grant funding will be delayed if the state shuts down. H.E. continues design work on the proposed wetland restoration project along the South Branch of the Buffalo River in Wilkin and Otter Tail Counties. Project options include setback levees, channel restoration, and downstream/upstream retention.

Zach Herrmann, H.E., distributed a map showing potential restoration sites that could be developed in the upstream reaches of Deerhorn Creek to alleviate breakouts on Deerhorn Creek and the South Branch of the Buffalo River by slowing down flow velocity and reducing water volume coming from the east. There are two sites in Atherton Township (Sections 25 and 26) that could provide potential storage area. The first site is in the Conservation Reserve Program (CRP) and could yield approximately 6,290 acre-feet of storage. Herrmann thought that the landowner might be interested in doing something with the property since it isn't in crop production. The second site is in Sections 11, 12, 13, Atherton Township. Herrmann explained that this land could be less productive land, as well. The group discussed potential benefits of these sites on the downstream drainage area.

Albright commented that this work item may be put on hold until we have more time. He noted that there was a significant amount of useful information generated by this study, and the landowners will continue to push for a project.

Honeman questioned which landowners would be the most receptive to a project on their property. Albright noted that high rent and property values tend to keep the land in production, despite the wet conditions. A landowner informational meeting would be the next step when funding is available and the BRRWD has time to follow through with a project.

BRRWD Total Maximum Daily Load (TMDL)-Phase II. Herrmann briefly discussed a training session that he attended this week for resource professionals. Topics included stressor identification through the use of the new LiDAR data. The group discussed using the Digital Elevation Modeling (DEM) to develop best management practice (bmp) applications for landowners. Eventually, the entire BRRWD will hopefully be mapped in relation to the stream power index.

Barnesville Township FDR Study. The BRRWD has been working with landowners in the area southwest of Barnesville in Sections 32, 33, 34, 35, and 36, Barnesville Township, Clay County, which has a drainage area of approximately 21 sq. mi., and has had significant water problems along a DNR protected watercourse. At this time, the BRRWD has to complete a number of other projects before we can continue with this effort.

COE Fargo-Moorhead Metropolitan Feasibility Study. A Metro Taskforce meeting was held today. The group discussed issues regarding funding, design, and land acquisition.

Hawley Buffalo River Stabilization. The City of Hawley's long term plan to restore the natural channel alignment for a reach of the Buffalo River did not receive funding from the LOHC CPLG Program for this funding cycle. Albright discussed the possible ways to breakdown the project into different phases to make the project more likely to be funded.

Red River Basin Commission (RRBC) Impoundment Study/Long Term Flood Study (LTFS). The RRBC is working on a modeling project for the Red River of the North to determine if it would be possible to meet a 20% long term flow reduction goal from the White Rock Dam in South Dakota to the Canadian border. The study should be completed this fall. Albright suggested that the PT invite Lance Yohe, RRBC, to discuss their study results.

Activities Update. Albright noted that the BRRWD has processed nearly 70 permit applications already this year. He distributed the BRRWD's recent press release. He briefly discussed the BRRWD's concerns about tiling system operation during downstream flooding and a possible revision of the BRRWD Rules regarding this issue. A test project is being developed in conjunction with North Dakota State University (NDSU) to investigate the use tiling not only for drainage but for sub-irrigation.

Membership Changes. Albright noted that Julie Aadland, Area Hydrologist, Fergus Falls, will be the new DNR Hydrologist representative.

Next Meeting. Albright said the next PT meeting is tentatively scheduled for Thursday, August 25, 2011, at 7:30 PM in the MSUM Science Center, Glyndon. The Fall Tour will be held sometime in September.

Wetlands Reserve Program (WRP) Guidance. Honeman noted that information should be available during the week of July 21, 2011 from the Secretary of Agriculture regarding the Red River WRP Initiative. Field offices should have criteria at that time to process WRP applications.

Adjournment. There being no further business to come before the group, Albright adjourned the meeting at 9:30 PM.

Respectfully Prepared and Submitted by

Bruce E. Albright, BRRWD Administrator