

BUFFALO-RED RIVER WATERSHED DISTRICT

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MEDIATION PROJECT TEAM MINUTES

August 25, 2011

The Buffalo-Red River Watershed District (BRRWD) Mediation Project Team (PT) held a meeting on Thursday, August 25, 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.; Curtis M. Nelson and Breanna Paradeis Kobiela, BRRWD Managers; Pete Waller, Board Conservationist, Minnesota Board of Water and Soil Resources (BWSR); Henry VanOffelen, Natural Resource Scientist, Minnesota Center for Environmental Advocacy (MCEA); Robert A. Zimmerman, Engineer, City of Moorhead; Robert Honeman, Area Resource Conservationist, Natural Resources Conservation Service (NRCS); Shawn May and Ryan Frohling, Detroit Lakes Wetland Management District (WMD) and United States Fish and Wildlife Service (USFWS); Jack Frederick, Minnesota Pollution Control Agency (MPCA), Lynn Foss, Clay Soil and Water Conservation District (SWCD); Don Schultz, Area Wildlife Manager, Minnesota Department of Natural Resources (DNR); Keith Weston, NRCS Basin Coordinator; and Dave Barsness, Fisheries Specialist, DNR.

Members absent were: BRRWD Managers John E. Hanson, Gerald L. VanAmburg, and Roger G. Ellefson, Audubon Dakota; Doug Wells, USFWS and Fergus Falls WMD; Paul Wannarka, Red River Basin Coordinator, 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; Brian Winter, Program Director, The Nature Conservancy (TNC); and Josh Kavanaugh, Ducks Unlimited (DU).

Albright called the meeting to order at 7:30 PM. He thanked the group for their attendance. He gave a brief history of the Mediation Agreement and the Project Team development process.

Business brought before the group included:

Meeting Minutes. The 6/23/11 meeting minutes were distributed via e-mail with today's meeting notice. **Motion** by Honeman to approve the minutes. **Seconded** by Barsness. **Approved.**

Project Planning and Permit Complexity Tool/LiDAR. Henry VanOffelen, MCEA, made a PowerPoint presentation about the use of a Light Detection and Ranging (LiDAR) tool to plan projects. He identified the funding sources for the project, including the States of Minnesota and North Dakota via the Red River Basin Commission. Some of the funding also comes from the Long Term Flood Solutions (LTFS) plan. Local sponsors include the Southeast Cass Water Resource District (SCWRD) and the BRRWD. He discussed the importance of the LiDAR data to develop projects. The LiDAR development is also referred to as "Phase 6" of the Red River Basin Decision Information Network (RRBDIN), associated with the International Water Institute (IWI). It is also Phase 3 of the Red River Basin-Wide Feasibility Study, sponsored by the Army Corps of Engineers (COE), to develop a basin-wide decision support system for local land and water managers to develop projects that incorporate water quality, ecosystem restoration, flood damage reduction, and water supply. Project outcomes include providing a clean and consistent process for project development, standardized documentation of project planning and alternatives analysis

consistent with permit requirements, identify opportunities to develop projects with a high level of consistency and transparency by the public, legislators, funding partners, board members, and elected officials, and online decision support.

VanOffelen discussed the features of the LiDAR tool on the RRBDIN/IWI website. His main focus for discussion was the web-based project planning and permit evaluation tool. He explained how data collected from two pilot projects were used to create products that project planners can use to develop projects that satisfy the COE's Feasibility Study criteria. As part of the feasibility study, a conditional digital elevation model (DEM) was developed by inputting existing culvert and bridge LiDAR data. By removing certain structures, the model is able to identify potential storage sites.

VanOffelen explained that two outcomes of the project are the data products that identify where there are potential opportunities for water storage and an online decision support system that provides LiDAR data products that will allow project planners to start with the problem identification phase and move through the development process to site selection and eventually a completed project. The goal is to provide information that is easily accessible to "streamline" the water retention project planning process. The planning steps to develop projects that address flood damage reduction, natural resource enhancements, and water quality problems, include problem identification, assess watershed conditions, establish goals/objectives, identify/evaluate strategies, and site selection. Mapping tools and a document reference library will also be included to assist in permit application preparation. Users will be required to set up an account to store the information they generate on the site, if they intend to reuse it.

VanOffelen displayed a slide showing modeling samples of landscape depressions where possible retention sites could be located. The group reviewed examples and discussed how the modeling tool could be used for analysis and evaluation of potential storage sites. He used the ARC View tool to display how road elevation data could be manipulated to affect water storage modeling. VanOffelen discussed how the permitting process could be revised to incorporate the LiDAR tool features. Three factors influence the complexity of project permitting: stream type, wetland category, and biodiversity significance. These factors can be ranked and scored with the LiDAR modeling process for project permit preparation. VanOffelen noted that the Natural Resources Conservation Service (NRCS) has developed a reservoir estimation tool using the LiDAR data. He noted that if the PT members have questions or suggestion regarding the LiDAR project, he would appreciate their input. Someone mentioned that it might be useful to include landowner/parcel information incorporated into the data. The goal of the LiDAR project is to make the data products accessible to a wide variety of users. Next steps include incorporation of additional tools, continue field verification, outreach, evaluate desktop vs. web interface, and expansion to entire Red River Basin.

Reep Lake Wetlands Reserve Program (WRP). The group briefly discussed developing retention projects in the BRRWD. Jones discussed a possible new WRP project for Reep Lake in Becker County. Albright noted that two of the three landowners involved with this site have expressed an interest. He displayed two maps showing the project drainage area and a storage site summary. The first map shows that there is about 21 square miles (sq. mi.) of water contributing to the area. Based in LiDAR elevation data, the map provided information about rainfall events/runoff amounts in inches and acre-feet. The Reep Lake site would be useful for a spring runoff event, but not as effective for summer events. Jones explained how the outlet structure could be adjusted to provide optimum storage/flood control. The group discussed possible RIM/WRP acquisition rates and implementing projects. Marketing conservation projects will be more difficult given the current high prices for land/commodities/rental rates. The group also discussed the BRRWD's right of condemnation as a "last resort" to acquire land for retention projects. Water retention is a stated goal in the BRRWD's Revised Watershed Management Plan (RWMP). The BRRWD is aware of several other potential sites, including one on Becker County Ditch No. 9, and on

along Trunk Highway (T.H.) No. 108 in Otter Tail County. Albright felt it will Technical Advisory Committee (TAC) a "unified" front to sell these projects to landowners.

Project No. 54, Whiskey Creek Tributaries. Albright reported that the NRCS plans to draw down the Nichol Wetlands Reserve Program (WRP) site along T.H. No. 34 sooner this fall to meet the targeted elevation goal. The past several winters, we have had downstream icing problems with water leaving the site.

Project No. 56, Manston Slough Restoration. We continue to make headway on project development. Jon Voz, DU, and Albright met with landowner Dennis VanWechel to discuss the WRP/BRRWD easement options. VanWechel came to the BRRWD office and signed his easement yesterday. Albright plans to meet with the Chief of the NRCS, Dave White, and his staff, on 8/31/11, when they are in the area to tour the project. Albright discussed the next steps to develop the project. The BRRWD hopes to be able to start the project construction next spring.

Project No. 58, Riverton Township Retention. The project is in operation and working well. Albright was not sure if Brian Winter, TNC, had completed all of the seeding, due to the wet site conditions.

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 was acquired to complete the east Wall Street road raise (Phase 3C). 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. We will need approximately \$4.5 in addition from the 2012 bonding bill to complete the project (Phase 4).

Project No. 50, Cromwell Township Highwater Investigation. Albright discussed the easement acquisition process. He briefly discussed the successful easement negotiations that took place with Kenneth Wouters. We expect to get this work completed this fall. The final hearing to complete the project and assessment process will be held this winter.

Project No. 67, HRBP Lakes Outlet. These lakes are outletting to Grove Lake, and the project is working well. Albright noted that we will try to establish a target elevation for Pete Lake that will be satisfactory for all affected parties. Some would like lower and some want higher elevations. The final hearing will be held this winter.

Project No. 68, Lake Jacobs Outlet. The final hearing will be held Thursday, September 8, 2011. The bid opening is scheduled for 9/12/11. If all goes well, we plan to have the project under construction yet this fall.

Project No. 69, Lake Alfred Outlet. H.E. has completed their preliminary area survey, and we are now waiting for the DNR to conduct an Ordinary High Water (OHW) survey. This project has been delayed in favor of the County Line Outlet project, which is further along in development.

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. 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 from its maximum elevation. The Board will hold a meeting with landowners and agencies to discuss shoreline restoration and a final lake elevation this winter.

Project No. 66, Ranum/Tansem Lakes Outlet. The BRRWD recently completed a buyout of the Hersch farmstead east of Barnesville along T.H. No. 34 with funding from the DNR, BRRWD, and the Department of Employment and Economic Development (DEED). Other landowners have now expressed an interest in an outlet.

Project No. 65, County Line Outlet. Albright reported that the BRRWD secured a \$150,000 DNR grant for the project. The bid opening is scheduled for 9/26/11. The BRRWD is still in negotiations regarding the two options for lowering the wetland basins. Jones noted that he has sent a draft Operation and Maintenance (O&M) and Memorandum of Understanding (MOU) to the USFWS for their review. Currently, the USFWS does not have funding, should bids come in higher for the option to completely drain the Waterfowl Protection Area (WPA).

Project No. 46, Turtle Lake Outlet. Albright reported that the project has reached its target elevation and has been stopped. He discussed the siphon systems modifications. We removed the gate valves in both siphons, and the flow volume increased significantly.

Wolverton Creek/Comstock Coulee. Albright reported that there was an agency meeting in Barnesville yesterday to discuss the status of this project. We were able to complete a two-mile channel restoration plan for the upstream end of the coulee with funding from DNR. H.E. is working on flood plain mapping to identify target areas for bufferstrips.

Lawndale Trout Stream Restoration. The channel was constructed last winter on frost conditions, and the actual diversion structure was in operation this summer, which reroutes all of the flows from Wilkin County Ditch No. 40 into the newly dug channel. Wilkin County Ditch No. 40 downstream of the new channel will now only act as an overflow outlet for high water.

Project No. 39, Georgetown Levee. Albright reported that to date, the DNR funding (\$3 million) is still not available. He discussed possible revision to the project plans to meet the budgeted grant amount. The project construction won't start now until next year. The Federal Emergency Management Agency (FEMA) allowed the City of Georgetown to leave the 2011 flood emergency diking in place, so there will be less work next spring to protect the City from potential flooding. Some of the temporary material could be used to construct the permanent levee project.

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 2010/2011 bufferstrip and sediment control basin contracts. They are in the process of finishing up those contracts. A reporter from Minnesota Public Radio will interview a landowner and the SWCD/NRCS staff regarding this conservation project.

South Branch of the Buffalo River CWF Project. Zach Herrmann, H.E., discussed his analysis for the Technical Assistance portion for the Upper South Branch Best Management Practices (BMP) project. He has completed the Strategic Plan Report and mapping data.

BRRWD Total Maximum Daily Load (TMDL)-Phase II. Jones reported that a training session was held earlier this summer regarding stressor identification through the use of the new LiDAR data and developing implementation plans for streams with high turbidity.

COE Fargo-Moorhead Metropolitan Feasibility Study. The COE has submitted their plan for review. Their final Environmental Impact Statement (EIS) report will be submitted late this year. The group discussed issues regarding funding, design, and land acquisition.

Hawley Buffalo River Stabilization. Albright reported that a meeting with the City of Hawley is scheduled for next week to discuss their long term plan to restore the natural channel alignment for a reach of the Buffalo River. The project will be broken down 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. Albright suggested that the PT invite Lance Yohe, RRBC, to discuss their study results.

Activities Update. The BRRWD held their annual budget hearing on 8/22/11. Harvest is progressing well with the dry weather. We have been able to complete much of the work that was delayed since for the last few years by wet conditions. He noted that most of the permit applications this year were for drainage tile installation.

Membership Changes. Ryan Frohling, Detroit Lakes WMD, USFWS, is filling in for Scott Kahan, who has taken a new position. Frohling briefly discussed restoration efforts on the Hamden Slough NWR.

Next Meeting. Albright said the next PT meeting is tentatively scheduled for Thursday, November 17, 2011, at 1:30 PM in the MSUM Science Center, Glyndon. The annual fall tour will be held October 29, 2011.

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