

# ***BUFFALO-RED RIVER WATERSHED DISTRICT***

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## MEDIATION PROJECT TEAM MINUTES

July 26, 2012

The Buffalo-Red River Watershed District (BRRWD) Mediation Project Team (PT) held a meeting on Thursday, July 26, 2012, at 7:00 PM at the Minnesota State University Moorhead (MSUM) Science Center, Glyndon, MN.

Attending were: Curtis M. Nelson, Gerald L. Van Amburg, Roger G. Ellefson, Breanna Paradeis Kobiela, and John E. Hanson, BRRWD Managers; Bruce E. Albright, BRRWD Administrator and Houston Engineering, Inc. (H.E.); Erik S. Jones, Engineer, H.E.; Brian Winter, Program Director, The Nature Conservancy (TNC); Pete Waller, Board Conservationist, Minnesota Board of Water and Soil Resources (BWSR); Jack Frederick, Minnesota Pollution Control Agency (MPCA); and Ross Aigner, Landowner/Wilkin Soil and Water Conservation District (SWCD).

Members absent were: Shawn May, Detroit Lakes Wetland Management District (WMD) and United States Fish and Wildlife Service (USFWS); Doug Wells, USFWS and Fergus Falls WMD; Keith Weston, Basin Coordinator, Natural Resources Conservation Service (NRCS); Julie Aadland, Area Hydrologist, Minnesota Department of Natural Resources (DNR); Dave Barsness, Fisheries Specialist, DNR; Emily Siira, Area Hydrologist, DNR; Robert A. Zimmerman, Engineer, City of Moorhead; Don Schultz, Area Wildlife Manager, DNR; Lynn Foss, Clay SWCD; Henry VanOffelen, Natural Resource Scientist, Minnesota Center for Environmental Advocacy (MCEA); Ryan Frohling, Detroit Lakes WMD and USFWS; Audubon Dakota; Brian Dwight, Board Conservationist, BWSR; Craig O. Evans, PM-D, Army Corps of Engineers (COE); Leo Grabowski, Project Manager, COE; Tony Nelson, Farm Bill Biologist, Pheasants Forever (PF); Brad Grant, Becker SWCD; and Edward J. Musielewicz, District Conservationist (DC), NRCS.

Albright called the meeting to order at 7:05 PM.

### **Business brought before the group included:**

**Meeting Minutes.** The 05/24/12 meeting minutes were distributed with the meeting notice. **Motion** by Waller to approve the minutes. **Seconded** by Winter. **Approved.**

**Long Term Flood Study (LTFS), Briefing Paper #2, Subsurface Drainage Presentations.** The group discussed presentations given by Lance Yohe, Executive Director, Red River Basin Commission (RRBC) and Rick St. Germain, Engineer, H.E., at the 5/24/12 meeting regarding the RRBC's LTFS and 20% retention goals for the BRRWD. Chuck Fritz, Executive Director, International Water Institute (IWI) also gave an update regarding a study they worked on regarding water management options for subsurface drainage (tiling). Albright reported that the BRRWD has received a targeted drainage water management grant from BWSR for \$70,000 to control, reduce, or prevent chemical and nutrient runoff, soil erosion, sedimentation of materials that affect human or aquatic systems and health, which is targeted to tile drainage practices. The Board discussed managing/operating tiling projects within the BRRWD and the description of an "adequate" outlet. Frederick commented that agricultural tiling is one of the most important issues that the Board will need to address in the near future. The BRRWD plans to review their

Rules regarding the installation/operation of tiling this winter. Aigner said it would be nice if the BRRWD had a data base system, so the location of all permitted tiling projects could be documented.

**Project No. 54, Whiskey Creek Tributaries.** Albright noted that the project was in operation and the impoundment site was holding water following the recent 4"-5" rainfall event. Overall, the project has worked nicely, and there are a few maintenance items to complete this fall.

**Project No. 56, Manston Slough Restoration.** The BRRWD held the Final Hearing on 5/22/12, which was recessed. Albright discussed the hearing testimony. The Appraisers recently met and addressed the landowner concerns raised at the hearing. A revised Appraisers' Report should be completed by the end of August. There are still a few easements options to acquire. Wilkin County has approved the BRRWD Conditional Use Permit (CUP). The 75% funding package is now in place with hopes that BWSR will provide Wetlands Reserve Program (WRP)/Reinvest In Minnesota (RIM) money to cover the remaining \$650,000. The Lessard-Sams Outdoor Heritage Council (LOHC) Conservation Partners Legacy Grants (CPLG) Program funding (\$350,000) was extended to 6/30/13. The DNR funding was also extended 6/30/14.

**Project No. 58, Riverton Township Retention.** Winter noted that TNC allowed pasturing of cattle on the site this summer. Based on his observations, no damage to the site occurred because of the cattle.

**Project No. 49, Oakport Flood Mitigation.** Albright reported that we received approximately \$800,000 from the State and will be able to complete work on Phase 3 this year. It doesn't appear there will be State funding for the final phase this year. We will need another \$6.5 million to complete the final phase, hopefully in 2013.

**Highwater Outlets.** Albright and Jones briefly discussed the status of the highwater outlet projects, which have been completed and are operational. With the drier conditions last winter and this spring/summer, there doesn't appear to be any more pending projects.

**Wolverton Creek/Comstock Coulee.** The BRRWD held a subproject team/committee meeting with landowners and agencies involved with the project. Robert Nord had flooding problems after the heavy rainfall that occurred around Memorial Day this summer. Jones discussed a concept plan H.E. prepared to address drainage problems in the Wolverton Creek/Comstock Coulee area. He distributed a drawing of the plan for the PT's review. Jones explained that their investigations included scenarios for the 2-year, 5-year, and 10-year floodplain to restore the channel, including side inlets and bufferstrips. In response to a question regarding setback levees, Jones explained that that design would not work because water doesn't breakout overland along this channel during highwater events. Albright suggested that in order to pay for the project, the BRRWD may consider organizing a watershed management district (wmd) to be able to assess the benefitting landowners for a share of the project costs/maintenance. Ellefson pointed out that by establishing a gradeline for the channel, we could also provide flood storage/retention in the channel. He added that the Fargo-Moorhead downstream area could also benefit from the project if it includes some type of retention. The BRRWD is working with the NRCS on possibly modifying the Vertin WRP site, located in the S½, Section 16, Mitchell Township, Wilkin County. This site could be modified to retain some additional runoff. Aigner mentioned that neighbors are concerned with Robert Nord's farming of the channel. Waller said a RIM easement might allow some grazing. Aigner also mentioned that the BRRWD has some bufferstrips to restore on Wilkin County Ditch No. 22.

**Lawndale Trout Stream Restoration.** The project is operating well. The group discussed a proposal to restore the channel on the north side of County State Aid Highway (CSAH) No. 30. Landowners would have to agree to install bufferstrips before the DNR would consider approving a channel

cleanout project. An informational meeting with the affected landowners was held on 7/02/12. It appears there is potential to improve the channel in this area, so that fisheries could be benefit.

**Project No. 39, Georgetown Levee.** Albright reported on the progress of acquisitions and easements. The Appraisers found \$5.1 million in benefits for the \$3.5 million project. There are a number of properties that still need to be acquired. The Final Hearing Continuation was held on 5/31/12. Albright noted that the H.E. was ready to let bids, which will be opened at the 9/24/12 BRRWD meeting.

**Hay Creek/Stinking Lake.** Albright reported that Brad Grant, Becker SWCD, is interested in applying for another Clean Water Fund (CWF) grant to continue their erosion control work. Clay County has not participated in this program. Waller suggested that the BRRWD could hire a staff person to work with landowners to help develop sediment control basins throughout the BRRWD.

**South Branch of the Buffalo River.** Albright reported that to date, the project is on hold. Aigner noted that the upstream landowners are very interested in seeing the project started. Albright explained that upstream work couldn't be done until downstream restoration areas have been identified and developed. He suggested that the affected landowners and agencies could meet this winter to continue work on this project. Aigner discussed the breakouts occurring in Manston Township. Ellefson questioned if retention could be installed on TNC lands in the area.

**BRRWD Total Maximum Daily Load (TMDL)-Phase II/Upper Red River Watershed Restoration and Protection Project (WRPP).** A kickoff meeting has been scheduled for 8/10/12 for Phase I of the Upper Red River WRPP. Work on the project includes parts of North Dakota and the City of Fargo.

**COE Fargo-Moorhead Metropolitan Feasibility Study.** Albright commented that at this point the COE is looking at alternatives/modifications for the project. The COE remains very interested in the Hawley Buffalo River Restoration project as a possible mitigation site for the Diversion project. Van Amburg mentioned that a meeting has been scheduled for 9/13/12 for all the agencies to review new information from the COE about project design.

**Activities Update.** Albright distributed copies of the latest BRRWD press release.

**Watershed District Enlargement.** Jones has prepared a map showing the new district boundary. A hearing/informational meeting will be held to define the eastern political boundary. The petition also asked the BRRWD to increase the number of Managers from 5 to 7, who will be appointed by their respective counties. The BRRWD has two years to update our Revised Watershed Management Plan (RWMP) to include the new area. Wilkin County is interested in transferring the County ditches over to the BRRWD. The Red River Basin Flood Damage Reduction Work Group (RRBFDRWG) will be approached for funding to help to do the plan updated for this new area.

**Wetlands Reserve Program (WRP).** The BRRWD is working with a number of landowners in Clay and Becker Counties on WRP projects. Reep Lake is one area where we have a willing landowner. We also have one landowner in Wilkin County who has already filed an application to participate in the program, but there are concerns about endangered plant species on his property.

**Manager Reappointment.** Albright noted that Clay County has reappointed Manager Breanna Paradeis Kobiela for another 3-year term on the BRRWD Board.

**2012 Fall Tour.** The BRRWD Fall Tour has been scheduled for Thursday, September 20, 2012, 1:00 PM at the Galaxie Supper Club, Barnesville. Notices and more information will be forthcoming.

**Next Meeting.** The next PT meeting is tentatively scheduled for Thursday, November 15, 2012, at 7:00 PM in the MSUM Science Center, Glyndon.

**Adjournment.** There being no further business to come before the group, Albright adjourned the meeting at 9:10 PM.

Respectfully Prepared and Submitted by

Bruce E. Albright, BRRWD Administrator