

BUFFALO-RED RIVER WATERSHED DISTRICT

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MEDIATION PROJECT TEAM MINUTES

September 25, 2014

The Buffalo-Red River Watershed District (BRRWD) Mediation Project Team (PT) held a meeting on Thursday, September 25, 2014, at 7:00 PM at the BRRWD office, Barnesville, MN.

Attending were: Gerald L. Van Amburg, John E. Hanson, Mark T. Anderson, and Peter V. Fjestad, BRRWD Managers; Bruce E. Albright, BRRWD Administrator, and Erik S. Jones, Engineer, Houston Engineering, Inc. (HEI); Don Schultz, Area Wildlife Manager, Minnesota Department of Natural Resources (DNR); Julie Aadland, Area Hydrologist, DNR; Pete Waller, Board Conservationist, Minnesota Board of Water and Soil Resources (BWSR); Robert A. Zimmerman, Engineer, City of Moorhead; Larry Martin, United States Fish and Wildlife Service (USFWS) and Fergus Falls Wetland Management District (WMD); Mandy Erickson, Fisheries, DNR; Tara Mercil, Minnesota Pollution Control Agency (MPCA), Alice Klink, State Wetland Restoration Biologist, Natural Resources Conservation Service (NRCS), Lynn Foss, Clay Soil and Water Conservation District (SWCD); and Brian Winter, Program Director, The Nature Conservancy (TNC). Others present included: John Voz, Reinvest in Minnesota (RIM) Easement and Working Lands Specialist, BWSR; and landowners: Caroline Swenson, Deric Swenson, and Melissa Swenson.

Members absent were: Troy E. Larson, Breanna L. Paradeis Kobiela, and Cathy L. Affield, BRRWD Managers; Shawn May, Detroit Lakes WMD and USFWS; Keith Weston, Red River Retention Authority (RRRA)/NRCS; Henry Van Offelen, Red River Basin Coordinator, DNR; Ross Aigner, Landowner/Wilkin SWCD; Ryan Frohling, Detroit Lakes WMD and USFWS; Audubon Dakota; Brian Dwight, Board Conservationist, BWSR; Craig O. Evans, PM-D, Army Corps of Engineers (COE); Kevin Kassenborg, District Manager, Clay SWCD; Keith Mykleseth, Assistant Regional Manager, Division of Ecological and Water Resources, DNR; Edward J. Musielewicz, District Conservationist, Becker NRCS; Larry Puchalski, Project Manager, COE; Emily Siira, Area Hydrologist, DNR; Anthony Nelson, Farm Bill Biologist, Pheasants Forever (PF); and Don Bajumpaa, District Manager, Wilkin County SWCD.

Albright called the meeting to order at 7:00 PM. He introduced Mark T. Anderson, who is the new BRRWD Manager from Clay County. Group introductions were made, and Albright discussed the history and function of the Mediation PT process. A sign-up sheet was passed to record attendance.

Meeting Minutes. The 06/26/14 meeting minutes were distributed with the meeting notice. One minor correction was noted. **Motion** by Foss to approve the minutes, subject to correction. **Seconded** by Aadland. **Approved.**

South Branch of the Buffalo River. Albright noted that the Swenson Family was in attendance to find out the status of a comprehensive project for the South Branch of the Buffalo River in Wilkin County and a possible smaller project to address the breakout flows/erosion affecting their property in the NE¼, Section 6, Manston Township, Wilkin County. Albright gave a brief history of the flooding/breakouts concerns in the upstream reaches of the South Branch in Wilkin County and the studies for a comprehensive project to address these issues. The BRRWD held an informational meeting with a group of landowners affected by the South Branch flooding problems in 2009 to discuss a possible comprehensive project for the area. One of the goals for a project in this area must include reducing flows at the Clay/Wilkin County line by approximately 10%-20%. The BRRWD has received two BWSR grants for work on the South Branch, which were partially used to conduct a channel survey. The survey results show that the old channel is

aggrading, or filling up with sediment, to depths of 4'-5' in some areas. Landowners have compensated for the decreased channel capacity by constructing dikes along the river bank to attempt to keep the water in the channel, especially near Wilkin County Road (C.R.) No. 30. With the continuing wet cycle, the channel has continued to aggrade and break out, creating new channel alignments on cropland. Albright discussed possible project design options: to combine setback levees similar to the Deerhorn Creek project, which if constructed in conjunction with a series of upstream retention/detention/Wetlands Reserve Program (WRP)/RIM sites, and/or channel restoration wouldn't cause a stage increase at the County line. Albright has made some landowner contacts recently regarding possible retention sites. He added that given the scope of the necessary retention sites, a comprehensive project will be very costly to develop.

Albright discussed Caroline Swenson's erosion problems on her property in the NE $\frac{1}{4}$, Section 6, Manston Township, caused by breakouts on the South Branch of the Buffalo River. Area landowners have been frustrated that it has taken so long (since 2009) for the BRRWD to develop a comprehensive project, and it has been suggested that the problems could be addressed with smaller projects that could be developed faster to give the landowners some relief from their current flooding/erosion problems. Albright also discussed erosion problems on the Deutsch family land that Terry Czichotzki operates in Section 11, Manston Township, where the river channel is full of sediment and water is also breaking out. In meetings with the area landowners, the BRRWD has investigated a couple of smaller projects that could address this issue and not impact a comprehensive plan for the area, plus give the landowners some immediate relief to their erosion concerns. Albright noted that the Board will not lose sight of a comprehensive project for the South Branch of the Buffalo River, but they realize that it is going to take time to develop, and they want to assist Swenson and Czichotzki with their current problems.

Jones distributed an overall map of the upper reaches of the South Branch of the Buffalo River and a handout with an analysis of the impacts of two possible retention sites in the S $\frac{1}{2}$, Section 5 and the SE $\frac{1}{4}$, Section 11, Manston Township, at six different locations along the South Branch: at Trunk Highway (T.H.) No. 9, 230th AVE, C.R. No. 30, Wilkin C.D. No. 13 at C.R. No. 30, and the Swenson erosion area in Section 6 to C.D. No. 13. The projects would be similar to the Riverton Township Retention project built near Glyndon that reduced flows to Clay C.D. No. 12 and could handle the 25-50-year events. The analysis showed that setback levees as a stand-alone channel project would cause increased flows at the County line and create more breakouts to the south and west, sending water overland to C.D. No. 13. The project would be more beneficial if developed in tandem with upstream retention sites along the South Branch. A potential storage site in Section 5 on the south side of the river to allow overflow in and out of the site in the SW $\frac{1}{4}$ would allow for the construction of setback levees on the Reinvest In Minnesota (RIM) easement sites all the way to C.R. No. 30. Albright explained that Jones' recommendations were offered as a means to provide short term relief for Czichotzki and Swenson while the BRRWD develops a long term project to address the chronic sedimentation/breakout problems on the upper reaches of the South Branch of the Buffalo River in Wilkin County.

Albright noted that the John Voz, BWSR, had also looked at this area and had come up with a proposal for a larger RIM/WRP project involving a three-sided ringdike of the SE $\frac{1}{4}$, Section 11, Manston Township. The group had an extended discussion regarding Jones' and Voz's designs for the potential site. The cost estimate was approximately \$700,000. Jones' first alternative would provide about 345 acre-feet of storage, handling about 2" of runoff, and the second alternative, which would include more acreage, would create about 452 acre-feet of storage, handling about 2.5" of runoff. Jones thought that the either option would provide significant potential benefit to the downstream watershed. Albright has been in contact with the landowners in Section 11 (Rumsey/Neumann), who are interested in working with the BRRWD on a possible easement or even sale of the property.

Alice Klink noted that there could be potential impacts to wetland plants from the proposed detention designs. She wanted to know if an Operation and Maintenance (O&M) agreement could be put in place to

allow for waterfowl habitat impacts. Albright said that we have had experience negotiating agreements for a number of projects to address similar issues, and it would be no problem to do the same with this proposal. Klink offered to work with Jones to review project proposals in regards to the National Environmental Protection Act (NEPA)/NRCS conservation planning regulations to be proactive in the design process. Albright also discussed the development of a number of the BRRWD's possible retention sites with funding from the new Farm Bill. He pointed out that BWSR, through the RIM program, has more dollars for easements than NRCS. However, he acknowledged that the BRRWD still has to work with NRCS regarding their regulations, and we would like to collaborate with all the agencies involved to get our projects built. Albright suggested that he and Jones meet with Klink and a few of the Managers to look at specific proposed retention sites to see what we can do to move project development forward.

Jones continued his discussion of the retention site analysis for Sections 5 and 11, Manston Township. He described what could possibly be done to address the breakout/erosion problems on Caroline Swenson's property. Albright noted that a comprehensive project could include channel restoration with a 2-stage channel, which includes meanders. Jones pointed out that his design for the Czichotzki/Swenson properties would fit into the comprehensive project with 700-800 acre-feet of storage and would still meet our goals of stage reduction at the County line. Jones summarized his findings by stating that it appears that the proposed retention sites in both Sections 5 and 11 would have the most benefits where the set-back levees along the east bank of the South Branch in Sections 6, Manston Township, are going to be installed

Using the overhead monitors, Jones illustrated the erosion problems on the Swenson property in Section 6, Manston Township. The group discussed the issues involved with diking the river at that location. A stand-alone dike along the river could potentially create breakouts both up and downstream of that location, which brought Jones to the conclusion that any plan would have to include retention. Channel cleaning would add to the capacity/storage in the river itself on Swenson's property, but because of the depth of sediment in the channel, once the work reached Swenson's north property line, there would be about a 3' block in the river bottom where the cleanout stopped. Albright commented that the proposed project for the Swenson property is an attempt to stop the continuing erosion problems so they don't worsen, and allow some time while the BRRWD develops the more comprehensive project for the South Branch of the Buffalo River. The cost estimate for the diking option is approximately \$90,000. Albright noted that the BRRWD has a BWSR grant for work on the South Branch. Julie Aadland, DNR, agreed that the DNR would not require a permit for a dike in Swenson's field. The group discussed issues/funding regarding a larger project that would restore the channel up to C.R. No. 30. The BRRWD would like to get the smaller project to protect Swenson's property developed and completed by next year. Albright suggested that the Board could have more discussions with the Swensons and the downstream landowners regarding the proposed project.

Other Business brought before the group included:

Barnesville Township Area Drainage Study. The BRRWD has received \$10,000 grant from the Red River Basin Flood Damage Reduction Work Group (RRBFDRWG). The BRRWD authorized a survey of the project area as the first step in the project development. The grant will cover approximately 45% of the survey costs, which Jones estimated would cost approximately \$25,000. Once the survey has been completed, the PT will be able to analyze the problems in the project area, located southwest of the City of Barnesville, west of the beach ridge on an unnamed tributary to Whisky Creek in Barnesville and Alliance Townships, Clay County. Albright estimated that the survey could be ready for PT review at the 12/11/14 meeting.

WRP. Albright commented that the BRRWD will need to meet with the agencies regarding the new Farm Bill payment rates discrepancy between the different agencies/programs.

Stony Creek Off-Channel Retention Site. Albright noted that the BRRWD is in the process of developing repair projects for a number of the natural waterways within the BRRWD including Stony Creek and Hay Creek, and will present this topic to the PT for discussion when we have more information at a future meeting.

Project No. 56, Manston Slough Restoration. Albright reported on the status of the construction work for the project. The contractor has been making good progress. Another stakeholder meeting will be scheduled in the near future to address any final issues the affected agencies might have.

BRRWD Fall Tour. The BRRWD's Fall Tour will be held Thursday, October 9, 2014, at 1:30 PM at the Galaxie Supper Club east of Barnesville.

Wolverton Creek/Comstock Coulee. Albright noted that this project was not selected for BWSR's Targeted Watershed Demonstration Program. The archeological investigation has been completed, and nothing was found that would prevent the project from moving forward. A wetland delineation also has to be completed before freeze up. HEI is also investigating the creation of a water management district (wmd) to provide a local funding mechanism for potential future grant matches. The process to develop a wmd is outlined in Minnesota Statutes Annotated (M.S.A.) 103D.729.

Project No. 39, Georgetown Levees. The BRRWD is hoping to complete the project construction this fall, once the Greywind house and garage moves are completed.

COE F-M Diversion. Albright noted that following Governor Dayton's comments regarding the COE's work on the Oxbow/Hickson/Bakke (OHB) ringdike, work on the Diversion project appears to be on hold. Jones reviewed the impacts of the OHB ringdike on the Minnesota side of the Red River, and concluded that the COE's analysis was correct: there are no significant stage increase impacts on the Minnesota side. Albright noted that when the COE completes mitigation for the removal of a number of houses in conjunction with the ringdike work along the river, the stage increase could be improved from current conditions.

City of Glyndon "east tributary". Albright discussed this new project on the Buffalo River that needs channel repairs on the east side of Glyndon. The waterway in question is DNR protected waters.

Activities Update. Albright provided the 09/22/14 BRRWD meeting press release for the group's review.

Watershed District Enlargement. Albright noted that plans are to assemble the Citizen Advisory Committee (CAC) and Technical Advisory Committee (TAC) to start the Revised Watershed Management Plan (RWMP) effort for the new area. We will add two more planning regions to our current plan from the new watershed area. BWSR has set the revised completion deadline for 05/31/15. TAC and CAC meetings will be scheduled after field work is completed this fall.

Next Meeting. The next PT meeting is tentatively scheduled for Thursday, December 11, 2014, 1:30 PM, in the Barnesville office.

Adjournment. There being no further business to come before the group, Albright adjourned the meeting at 9:00 PM.

Respectfully Prepared and Submitted by

Bruce E. Albright, BRRWD Administrator