

SAND HILL RIVER WATERSHED DISTRICT Minutes—

September 3, 1991 Regular Meeting

1. Attendance: Roland Gullekson, President, called the September 3, 1991 meeting to order at 8:00 a.m. District Managers present were Roger Hanson, Or ley Jevning, Francis LaVoi and Dan Wilkens. The District's Consulting Engineer Lawrence Woodbury and Executive Secretary Wayne Goeken were in attendance .

2. Minutes : Wilkens read the minutes of the August 13 SHRWD meeting. It was noted on page 2, item 5. a., line 5 that the word "received" should be changed to "committed." It was also noted that on page 3 in the second full paragraph that the third sentence referring to water flows from Kittleson Creek rising should be deleted. Motion by Hanson, seconded by LaVoi to approve the August 13, 1991 meeting minutes as mailed with these corrections being made. Motion carried unanimously.

3. Treasurer's Report: Hanson reported on financial transactions made in the past month including closing out the District's savings account with American Federal and purchasing of an alternative note with Edward D. Jones. Motion by LaVoi and seconded by Wilkens that the current vouchers be paid. Motion carried unanimously.

Fertile Journal-mtg notice & office supplies	5.66
U.S. Postal Service-100 stamps	29.00
Mac's Cafe-dinners	28.00
U of M-Crookston-Wetlands workshop	120.00
1st State Ins. Agency-Position Schedule Bond	239.00
Lois Plante-custodial	18.47
Wayne Goeken-Secretarial, office & mtg expenses	565.34
Roland Gullekson -Meet ings & expenses	561.64
Roger Hanson-Meetings & expenses	208.92
Or ley Jevning-Meetings & expenses	59.93
Francis LaVoi-Meetings & expenses-June*	62.38
Dan Wilkens-Meetings & expenses	211.36
Monthly Total	<u>\$2.109.70</u>

4. Winger

Gullekson reported on a meeting held August 26, 1991 in St. Paul. Meeting participants included Roland Gullekson and Dan Wilkens of the Sand Hill River Watershed District; Senator Roger Moe and his Chief of Staff Vie Moore; Ben Wopat and Paul Richert of the Corps of Engineers; Jim Breyen, Charlotte Kohn, and Ron Nargang of the MN DNR and Ted Rockwell of the U.S. Environmental Protection Agency. Ted Rockwell from the EPA contended that the EIS done by the DNR was inadequate because not enough alternatives were identified and explored. Paul Richert of the U.S. Army Corp agreed with this contention. MDNR Planner Charlotte Kohn defended the EIS process that the DNR followed and the resultant EIS. Ron Nargang, DNR Assistant Commissioner-Waters Division disagreed with the EPA,

questioning whether the EPA had reviewed the project. Rockwell stuck to his contention that the EIS was inadequate due to the need to evaluate further alternatives, but did not identify specific alternatives. They are more inclined to choose the dry dam concept which was not acceptable to local landowners. The bottom line is that the Federal agency can reject the EIS that has already been done by the MDNR.

The water quality studies done by the SHRWD have satisfied the needs of the PCA, but the EPA may raise similar concerns. The 2B classification of the Sand Hill River was deemed inappropriate by Nargang as river segments should be evaluated on case by case basis rather than giving blanket categorization. EPA's Rockwell disagreed. EPA and PCA representatives indicated that they had not received the water quality test results produced by the SHRWD. (SHRWD Consulting Engineer later showed letter of transmittal dated February 6, 1991 indicating that these documents had been specifically provided to Richert, Rockwell and other agency reps.)

Richert further stated that the mitigation proposed by the SHRWD was not enough. Nargang mentioned the reactivation of the HEP team. Wopat of the Army Corp responded that they don't use HEP analysis or HEP teams anymore—they deal only on a one for one basis, i.e. replace one acre for every acre lost of the same type of habitat.

The USFWS reportedly will not participate further in the project at this time until other alternatives are more thoroughly examined. Sen. Roger Moe expressed frustrations with the lack of cooperation throughout this permitting process and the need to develop a more uniform permitting process. It was agreed that a meeting will be held September 6 to further review these matters.

Gullekson then handed out a letter dated August 28 from Ben Wopat, Army Corp. which further identified issues that would likely be discussed at the September 6 meeting in St. Paul. These issues included further defining the project's purpose and need, alternatives and mitigation measures. It was noted that these items have been identified in several studies and documents already produced by the SHRWD. It is suspected that the agency staff have these documents, but have not put the time or energy into reviewing them. The SHRWD Board discussed options for addressing these issues at the Sept. 6 meeting. Consulting Engineer Woodbury will bring along extra copies of all documents that have been previously provided to the regulatory agencies.

5. Permits:

The following two permits were approved.

- 1991-8 J.R. Dale. NE quarter, Sec. 25 Garfield Twp., Polk County. Install a culvert to keep water from running across the road.

5. Permits (continued)

—1991-9 Dean Walker. SE quarter, Sec. 2 Rosebud Twp., Polk County. Install a ditch crossing on Polk County Ditch #48 with a 48 inch diameter culvert to provide access to an area of land bordered by the ditch, lowlands and another person's land.

Another ditching permit application from the U.S. Fish and Wildlife Service's Detroit Lakes District Office also was reviewed. This application relates to a wetlands restoration project using Ducks Unlimited funding that the USFWS is proposing approximately three quarters of a mile above Sand Hill Lake on property owned by Donald and John Juvrud. John Gunderson of the USFWS had visited with Board Manager Wilkens over the phone regarding the project at which time it appeared that it should be no problem. Upon receiving the permit application it appears to cover a surface acreage of 20 acres with an average depth of 1.75 feet. This is approaching the size limit where a DNR permit would be needed. With this large of a project a motion was made by Wilkens and seconded by LaVoi that at this time the application be tabled until further information is provided to the Board regarding the following issues: what are the upstream impacts of the project; what is the height of the embankments to be created; what will be the impact on the Sand Hill Lake or other downstream property owners including what measures will be taken during construction to prevent siltation into Sand Hill Lake; what amount of water will be held during proposed construction; and what is the structure's design to allow excess water to pass through during times of high water? Motion carried unanimously. In a related discussion regarding the actions of the U.S. Fish and Wildlife Service in not cooperating with the SHRWD on resolving mitigation needs for the Winger Dam, it was proposed on motion by Wilkens and second by Jevning that the SHRWD not grant further permits for wetland restoration projects proposed by the USFWS until mitigation issues are resolved for the Winger Dam. In discussion of this matter, it was noted that such a policy should not be set in black and white, but could be informally put into effect on a permit by permit basis. The above motion was voted down unanimously. It was noted that in the future greater attention needs to be made to ensure that sufficient detail is provided on all permits that come up for review by the Board.

6. Budget: The date for the public hearing on the proposed 1992 Sand Hill River Watershed District budget was set for September 25, 1991 at 8 a.m. at the District's office in Fertile. This will be advertised for two weeks prior to the hearing as required by law.

7. Other Business:

a. Wilkens reported on the past month's meeting of the Red River Watershed Management Board. Lance Yohe of The International

Coalition discussed Tie's newsletter and upcoming annual conference on land use. Wilkens reviewed a handout which he developed that identifies the Treasurer's duties and the investment policies and cash control for the RRWMB. This is a draft that is to be adopted by the RRWMB. It was suggested that this be modified to fit the SHRWD's situation and adopted by the SHRWD as well. Treasurer Hanson will make recommendations for changes in the draft at the next meeting.

b. Resource Conservation and Development District Conference:

Gullekson reported on the RC & D tour and conference that was held in Rochester on July 22 and 23 which he attended with Goeken. An interesting series of projects were displayed on the tour including shitake mushroom production, a Forest Resource Center, a recreation trail which has stimulated tourism and a green chip fed corn dryer. Seminars included developing project coalitions and how to secure funding for projects.

c. Upcoming Conferences/Workshops: Several upcoming conferences were reported on as follows:

-River Watch on October 3 & 4 at Wayzata. Motion by Wilkens and seconded by LaVoi to approve attendance by Goeken to this session. Motion carried unanimously.

-MN Lake Management Conference on October 27-29 at Alexandria. Motion by LaVoi and seconded by Wilkens to approve attendance by Goeken and a Board member. Motion carried unanimously.

d. Farmes Dedication: RSVP for the Robert E. Farmes dedication to be held Sept. 21 at Agassiz National Wildlife Refuge was requested. All Board members indicated they would attend, thus a response was sent in this regard.

6. Adjournment; The next regular monthly meeting of the Board is scheduled for October 1, 1991. As there was no further business to come before the Board, motion by Jevning, seconded by LaVoi to adjourn. Motion carried unanimously. Meeting adjourned at 12:05 p.m.

Daniel Wilkens, Secretary

Wayne R. Goeken, Exec. Secretary