

## PROJECT TEAM MEETING MINUTES

March 9, 2004

1. **ATTENDANCE:** Daniel Wilkens – Sand Hill River Watershed Administrator, April Swenby – Sand Hill River Watershed Administrative Assistant, Roger Hanson – Sand Hill River Watershed District Board Chairman, Harold Vig - Sand Hill River Watershed District Board Manager, Gordon Sonsteli - Sand Hill River Watershed District Board Manager, Gary Lee – East Polk SWCD, Penny Doty – West Polk SWCD, Gary Huberty – DNR Fisheries, Randy Huelskamp – NRCS, Mike Vavricka – MPCA, Dan Grunhovd – Landowner, Jim Courneya – MPCA feedlots (DL), Brian Dwight – BWSR, and Tom Raster – Corp of Engineers.
2. **AGENDA REVIEW:** No new items were added to the agenda. Wilkens gave an overview of the minutes. The February 10, 2004 meeting minutes were approved with minor changes.
3. **FISH PASSAGE:** Raster informed the project team that the 1135 funding will be placed on hold until next fall due to funding shortages at the COE. The SHR 1135 is just one of many studies/projects that are affected. The points that Corps' headquarters wants to stress in our communications on this subject include the following: Annual funding for the Corps' Section 1135 authority is limited to \$25,000,000 for the entire country. That is insufficient to cover all the demands across the country. Therefore, the Corps has been forced to give priority to (a) completing ongoing construction and (b) completing ongoing plans & specifications leading to construction. All studies not specifically added by Congress will be terminated or deferred. Guidance on starting, continuing, or completing Congressional add-ons are pending at headquarters. This might suggest that a Congressman could add an 1135 study or, in our case, new-start PDA. However, if one Congressman succeeds in adding his pet project, that might trigger an avalanche of others which is plainly impracticable. Raster doubted this strategy will be encouraged. Raster suggested the following alternatives:

Option 1 -- The Board could contact its Congressional Delegation to ask for a line item in a bill that would allow the non-Fed cost for advance construction of the Texas and West Mill crossings to be creditable toward the non-Fed cost share of the overall project cost. [Note: Based on Larsen's 11/12/02 estimate, that advance construction will consume the entire DNR \$200,000 plus additional funds from the SHRWD.]

Option 2 -- The Board could notify the DNR that the SHRWD would give up the \$200,000 due to sunset June 30, 2005, with the understanding that the SHRWD would get a new \$200,000 commitment with a later sunset date when the Corps gets funds to commence work on the SHR 1135 PDA. [Note: This is basically what is reflected in the OLD SCENARIO above.]

Option 3 -- The Board could use the DNR's \$200,000 for advance construction of the Texas and West Mill crossings prior to the June 30, 2005 sunset date without that advance construction getting credit toward the non-Fed cost share for the overall project. [Note 1: This is the NEW SCENARIO above.] [Note 2: Before going ahead with this option, the Board should verify that the DNR's \$200,000 commitment isn't contingent on the Corps concurrently proceeding with the rest of the project.]

Option 4 -- The Board could notify the Corps that it was withdrawing support for the SHR 1135 project at this time, thus terminating it at no cost to the SHRWD. [Note: This leaves open the question of whether the DNR's \$200,000 could be used by the SHRWD for some of the proposed fish passage work, e.g., fixing the Texas and West Mill crossings etc.]

Raster answered the questions regarding a non-Fed sponsor getting credit for early construction. Specifically, if the SHR 1135 fish passage project is delayed by a shortage of Corps funding and if that delay means that the DNR's \$200,000 commitment would sunset could the SHRWD go ahead before the Corps gets its PDA and/or construction funds and instead, use that \$200,000 to fix the Texas crossing and West Mill crossing and get \$200,000 credit toward the non-Fed 25% cost share of the overall project. Raster checked with his chain of command and verified that their regulations wouldn't allow credit to the SHRWD for work-in-kind done on the SHR 1135 prior to signing of the Project Cooperation Agreement (which would occur late in (or after) the PDA phase). One possible avenue is to seek an exception to the rule by asking your Congressional representatives to add a line item in a bill with that line item allowing credit toward the non-Fed cost share for advance work-in-kind for this specific project, as in Option 1 listed above. [Bill language that would allow across-the-board amnesty for such work-in-kind would almost certainly crash and burn. So, if you opt to try this avenue, just go for a one-time/special exemption for the SHR 1135 project.]

Raster also answered the agenda question regarding the need for a State EAW. Should the EAW be coordinated with the PDA in order to use the PDA report as the EAW document or should the EAW be on a separate track? Raster contacted Don Buckhout for guidance. Synopsizing his feedback: An EAQ is triggered if the proposed project changes the course, current, or cross section of 1 acre or more of public waters, e.g., from riprap or excavation below the ordinary HWM. If Corps' funding woes force postponement of the PDA, but the SHRWD moves ahead with the crossing upgrades to spend the \$200,000 before that money sunsets June 30, 2005, the SHRWD will first need an EAW even if the crossing fixes don't reach the 1-acre threshold because you're not allowed to break a project into smaller parts to avoid an EAW. Therefore, if the overall project would require an EAW (which we believe is true), you have to do an EAW of the overall project before constructing part of the project. It would be preferable to coordinate the PDA and EAW because the PDA would have info that would help fill out the EAW; but if the PDA is delayed, then the EAW would have to be prepared independently if the SHRWD wants to move ahead with the crossings. Raster's opinion is in the absence of the detailed design information that the PDA would give us; the only source of information on the overall project is what was generated for the PRP. We'll have to fill out the EAW with information extracted (and, if necessary, extrapolated) from the PRP.

Brian Dwight suggested designing the specs for the projects by someone other than the corp. He suggested having the project ready to go and use the DNR's money in hopes that the 1135 will supply the funding. Chairman Hanson said he was not in favor of that plan because the DNR is supplying that money based on the overall plan. If the 1135 fails, funding to complete the overall plan would be difficult, meaning, we may not be able to hold up our end of the bargain to the DNR.

The following is the updated table for the Fish Passage. Highlighted in red are the changes and additions from the previous months meeting.

<b>To be Completed:</b>	<b>Start:</b>	<b>Finish:</b>	<b>Person(s) Responsible:</b>
Provide profile <i>(reviewing the decisions that brought us to this point)</i>	ASAP to Raster <b>DONE!</b>		SHRWD (Houston engineering) & Roger (history)
Prepare PRP ~ Preliminary Restoration Plan	July 1, 2003	August 2003? <b>DONE!</b>	USACE (Tom Raster) [SHRWD "monitor progress"]
PDA	<b>Restart October 2004</b>		USACE (Tom Raster) [SHRWD "monitor progress"]

Fisheries data (species...i.e. lake sturgeon) to inform ERR/EA	ASAP	August 2003 <b>DONE!</b>	MNDNR (Luther Aadlund) to send to Tom Raster
Funding Identified (cost-share [75/25] with USACE and/or MNDNR [\$200,000]) Watershed balance – possible \$50,000		<b>DONE!</b>	SHRWD
<b>NOTE: Ideal to use MNDNR funds during summer 2004</b>			
<b>EAW ~ probably needed based on description from Don Buckhout (July 2003)! Raster will coordinate with Don Buckout. <b>DONE!</b></b>			
When does DNR \$200,000 expire		March 9, 2004 <b>DONE!</b>	Gary Huberty
Pursue special agreement determining construction on West Mill/Texas Crossing		March 9, 2004 <b>Unable to do!</b>	Tom Raster
<b>Speak with congressional reps: Maynard Pick, Dick Nelson, Val Gravseth. RRWMB</b>		<b>April Meeting.</b>	<b>Wilkens</b>
<b>Pursue other funding</b>		<b>April Meeting</b>	<b>PL 566 Process – NRCS- Randy Huelskamp</b>
<b>Ask DNR for future \$200,000 replacing current set aside</b>		<b>April Meeting</b>	<b>Wilkens</b>
Permits *DNR Waters? *NPDES Construction Permit~MPCA) *MPCA 401 Water Quality			SHRWD and USACE
Monitoring Plan			
Pre-construction monitoring	Summer 2002		DNR Fisheries and RRV WQ team
Post-construction monitoring			Some funds available from USACE
Start building		Summer 2005	
Project completed		Fall 2005	

4. **LAKE SARAH WATERSHED STORAGE:** Gary Lee distributed a map containing landownership around Bradley Lake and gave a report on landowner status. He spoke with a landowner on Bradley Lake who stated he is not interested in raising the water elevation on the lake at this time. He and his father might consider a flood easement if adequate compensation is developed. He will only consider an easement to the property. He had several concerns regarding who would control the outlet and at what elevation, will marginal lands flood and keep adjacent areas wet, will farm access from one building site to another be lost, what is the benefit for him (he currently has lakeshore property that can be developed). Gary Lee suggested that raising the lake is not a good idea at this time.

A restorable wetlands map of the area was distributed to the project team. Brian Dwight thought there were significant size wetlands that could be restored. He pointed out an area just south of Bradley Lake that may be a good holding spot for water. NRCS will download the drained inventory map. State land in the area also needs to be identified. Property boundary lines need to be identified as well. NRCS would try to contact the appropriate people to implement the WRP program if significant wetland restorations can be found.

The following table has been adjusted to summarize the conversations of this months meeting. Highlighted in red are changes/additions from the previous month.

<b>To be Completed:</b>	<b>Start:</b>	<b>Finish:</b>	<b>Person(s) Responsible:</b>
Conversation with landowners		<b>DONE!</b>	SHRWD
Verify regulations about change in water levels and provide report		July 8, 2003 <b>DONE!</b>	Gary Huberty (will check with Bob Merritt)
Engineering (lake elevations and hydrology...drain-age area and runoff)		Report back July 8, 2003 <b>DONE!</b>	Houston
Determine possible spots to hold water		March 10, 2004 <b>DONE!</b>	Penny Doty & Gary Lee
<b>Find outside Boundary lines</b>		<b>April Meeting</b>	<b>Gary Lee</b>
<b>Make contact proposing WRP to landowners.</b>		<b>May Meeting</b>	<b>Randy Huelskamp – NRCS.</b>
<b>Mapping and overlay</b>		<b>April Meeting</b>	<b>NRCS, BWSR, SWCD</b>

5. **UNION LAKE DETENTION:** Lee reported a conversation with the landowner, Solberg, who stated he does not want to invest money into the project. Jenny Burrack is contacting the other landowner – Kretsbach about CRP. Dwight suggested asking Kresbach about considering a permanent easement.

Larsen is putting together boundary maps.

Dave Jones – NRCS conversed with Randy Huelskamp stating the structures and the dams were overkill for this project and would not hold a whole lot of water. Wilkens stating Jones needs to understand that this is a sediment control project, not a flood control project. Jones thought one structure would be sufficient and pipe should be used. Wilkens suggested having Jones speak with Larsen. Dwight suggested having the NRCS engineers looking at this project before Larsen goes any further with engineering.

The project team asked BWSR for funding possibilities. Dwight thought a challenge grant/Comprehensive Water Plans could be possible. He also said RIM may be a possibility. Huelskamp suggested checking into a Habitat Improvement Program.

The following table has been updated from the previous meeting. Highlighted in red are the changes/additions from last months meeting:

<b>To be Completed:</b>	<b>Start:</b>	<b>Finish:</b>	<b>Person(s) Responsible:</b>
Identify landowners		<b>DONE!</b>	E. Polk SWCD (Gary Lee)
Contact landowners to determine interest			
Information on EQIP and/or WRP, CRP to <b>Kretsbach</b>		<b>April 2004</b>	E. Polk SWCD (Gary Lee) and <b>Jenny Burrack</b>
Information on LID			Rolland Gagner
Information on Funding			LID
Easements from landowners possible?			
Alternative 3 – more engineering			Jim Larsen
<b>Identify property lines</b>		<b>April 2004</b>	<b>Jim Larsen</b>

Check on Challenge Grant/Comprehensive Water Plan and/or RIM		April 2004	Brian Dwight
Dave Jones converse with Jim Larsen		April 2004	NRCS & Houston Engineering
Check on Habitat Improvement Program		April 2004	Randy Huelskamp

6. **TEA LAKE:** It is rumored that there are two outlets on the North end of Tea Lake. Sonstelie stated that years ago, it flooded east up to Highway 59. It is common knowledge that a track hoe was spotted several years ago clearing out beaver dams in the area. Wilkens asked if the outlet could be cleaned again so the water will stay in the channel and not flood the area. This needs to be evaluated.
7. **GARDEN SLOUGH:** Jim Courneya began by stating Danny Grundhovd's main concern is mostly regarding expansion difficulties in the future. Courneya stated that current rules do not consider the temporary storage of water as a concern when developing feedlot plans. That is good news for our project and Grunhovd. Courneya confirmed that if the water does back up and comes close to his feedlot, MPCA may be concerned. Courneya told Danny it would be safest if he does expand, to go in the opposite direction from the water. Grunhovd currently does have an open lot near his barn. NRCS Engineers will brainstorm with Grunhovd about different possibilities for future expansion plans. Christianson will arrange the meeting. Dan Thul was supposed to report on the protected water status in the area but did not attend. Wilkens presented the protected waters map for the area which shows protected waters in part of the project. Doty discussed the Wetland Functional Value Assessment that uses MIN RAM (Minnesota Routine Assessment Methodology). They go through 100+ questions that assess the functional value of a wetland taking in such things as habitats, water quality, aesthetics, commercial use, etc. The end result is how much mitigation will be required. Doty thought we should wait until we have a better idea of what the project will entail.

The following table reflects changes and updates from the previous month. Highlighted in red are the changes and additions.

To be Completed:	Start:	Finish:	Person(s) Responsible:
Develop quad maps ( <i>max. storage site elevation, cross-section at dam site, water storage capacity, drainage area</i> )	February 2003	March 2003 DONE!	SHRWD to work with engineer (need landowner permission)
Maps and aerial photos		July 8, 2003 DONE!	Houston Engineering
Report on site evaluation (feedlot regulations)		July 8, 2003 DONE!	MPCA (Jim) and Dan Grunhovd
(shore line location determination)		Sept.15, 2003 DONE!	MPCA
Wetland Bounce vs. mitigation		Sept.30, 2003 DONE!	BWSR/IWG

Jim Courneya's question and answer session		March 10, 2004 <b>DONE!</b>	Mike Vavrika to invite him
Acquire exact figures regarding feedlot		May 2004	Mark Christianson – Norman Co. SWCD/ Feedlot officer
Wetland Functional Value Assessment	June 2004	July 2004	Penny Doty and Brian Dwight
TSAC Channel Worksheet	May 2004		Dan Thul – Henry Van Offelen
Protected water issues?		April Meeting	Dan Thul
<b>Brainstorm about different possibilities for future expansion plans</b>			<b>NRCS Engineers &amp; Dan Grunhovd</b>
PT review information available and brainstorm possible strategies			
Do we have a project?			
Initial Survey ( <i>based on "possible strategies" conversation at July meeting</i> )			

8. **RIVERWATCH UPDATE:** Wayne Goeken reported on various sites. He also informed the project team that samples at Garden Slough, Rindahl, & Kittleson Creek have been taken. No requests were made asking Goeken to monitor additional sites.
9. **ADJOURN:** Meeting was adjourned at 2:04 PM. The next meeting will be April 13, 2004 at 10:30 am at the Sand Hill River Watershed District office in Fertile, MN.

**Minutes respectfully submitted:**

**April Swenby, Administrative Assistant**