

**BOIS DE SIOUX WATERSHED DISTRICT
BOARD MEETING MINUTES
April 20, 2023**

CALL TO ORDER The meeting was called to order by President Vavra at 8:00 a.m. Present in the District Office: Linda Vavra, Jason Beyer, Ben Brutlag, Doug Dahlen, Jerome Deal, Scott Gillespie, John Kapphahn, Steven Schmidt, Allen Wold. Also present: District Engineer Chad Engels, Engineer James Guler, Attorney Lukas Croaker (arrived later), Engineer Technician Troy Fridgen, and Administrator Jamie Beyer.

AGENDA Upon motion by Deal, seconded by Dahlen and carried unanimously, the agenda was approved with the following changes: additions of Permit Application #23-030, Flood Update, and Redpath Change Order and subtractions of 2022 Audit Presentation, Clean Water Cost Share Policy, and Culvert Sizing Cost Share Policy.

CONFLICT OF INTEREST No conflict of interest was declared.

CONSENT AGENDA Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, the Consent Agenda was approved.

PUBLIC COMMENT No public comment was received.

**PERMIT APP. #23-028
C. DAVISON** Mr. Chad Davison described the project on Permit Application #23-028, which includes the installation of a flap gate on an existing township road centerline culvert through 310th Street downstream of a previously approved resized culvert (the culvert has not been installed yet). The applicant made an appeal to the board to reverse the decision of staff to deny the permit application. The District Engineer, Chad Engels, explained why placing flap gates on culverts within river floodplains is counter to District flood management objectives. The board upheld the denial and recommended that the applicant seek to improve the road ditch on the north side of 310th Street from his previously approved culvert to the Rabbit River.

**PERMIT APP. #23-032
T. HOFER** The permit application is considered by the board because the proposed projects crosses a subwatershed boundary. The system would be controlled by a pump. Mr. John Tritz's letter of opposition was read and included concerns regarding the present condition of the downstream ditch. Several neighboring landowners voiced similar concerns. Gillespie motioned, seconded by Kapphahn and carried unanimously; the permit application is approved with the condition that sediment be removed from the first downstream mile.

**PERMIT APP. #23-029
T. ARENS** Mr. Tom Arens presented details of a drainage project, controlled with a pump, that would outlet to the section line between Sections 35 and 36 instead of flow being directed to the SW1/4 of the SE1/4 of Section 35. There is no change proposed to surface drainage flows. Mr. Arens stated that the farmsite in the SW1/4 of Section 36 did not flood this spring.

CROAKER ARRIVES Attorney Lukas Croaker arrived at the meeting.

**TCD #4 PETITION
V. FICKES** District Engineer Chad Engels stated that the addition of flapgates on road crossings changes the flow of water under spring flood conditions and decreases flood storage availability. Upon motion by Beyer, seconded by Kapphahn and carried unanimously, the permit application is approved with the conditions that sediment be removed from the first downstream mile and that authorization for boring be obtained from the respective township road authority. The flap gate was not approved in the motion.

**#23-030
T. FRISCH &
S. GRIMES** Upon motion by Gillespie, seconded by Beyer and carried unanimously, the hearing was opened to consider the petition from Virginia Fickes to use Traverse County Ditch #4 as an outlet for the following portion of Parcel # 09-0025-000, SE1/4 of Section 6, Range 44, Logan Township (127), Grant County. President Vavra opened the hearing. Attorney Croaker read Minn. Stat. § 103E.401, subd. 4. Engineer Engels provided an oral presentation of the existing condition of the ditch system along with a map showing the current assessment district. No questions and no public comment were presented. The proposed project is located within the TCD #4 drainage watershed. Engineering staff calculated the \$1,823.75 entrance fee and the \$296.00 benefitted amount. Gillespie motioned, seconded by Beyer and carried unanimously, to approve the order. Beyer motioned, seconded by Deal and carried unanimously, to close the hearing.

Engineer Technician Troy Fridgen recommended that the board consider permit application #23-030 for discussion. Manager Schmidt stated that projects can expose that downstream drainage ditches are not working effectively and have sediment affecting a workable grade. Upon motion by Beyer, seconded by Dahlen and carried unanimously, the permit application was approved.

2023 FLOOD UPDATE

Engineering staff presented 2023 Spring Flood conditions utilizing a new online tool to document stream gage readings, flood imagery, and the locations of preventative measures taken to remove snow and ice from drainage ditches. One significant factor that influenced the characteristics of the flood was 70-degree weather in Elbow Lake and 40-degree weather in Wheaton & Dumont. District Engineer Chad Engels stated that the vast majority of the public drainage systems were blocked with snow and ice, in addition they are not designed to carry spring flood flow volumes. Board Manager Steven Schmidt stated that in places where the drainage ditches were full of snow and ice, roads overtopped, eradicating the flood control that roads can provide. Engineer Technician Troy Fridgen stated that snow was packed in places as high as the drainage ditch is deep.

Doran Creek: Flooding occurred in the Rabbit River on and after April 16th. Today, WCD #Sub-1 is backed-up east of Highway 75, possibly because the outlet is full. Board Manager Beyer stated that the new Campbell city bridge needs a stream gage.

WCD #8 & #9: Runoff to WCD #8 came quickly. As Engineer Technician Troy Fridgen was documenting a breakout on the north-south stretch of WCD #9, the road washed out behind him. The Upper Rabbit River Tributary did not breach the ridge in Western Twp Section 32.

JD #11: Board Manager Wold stated that snow and ice in the JD #11 channel melted on April 19.

North Ottawa: Engineering staff emphasized how quickly melted snow and ice arrived in the area of the North Ottawa Impoundment, overtopping roads and overwhelming the frozen collection channel, threatening area farmsteads and a large dairy. Engineer Technician Troy Fridgen stated that each of the inlets on the Impoundment A cells had to be heated to open, and that the road down the center of the Impoundment hadn't been plowed, slowing access. The current elevation is 1012' and water is still coming in. The Impoundment is not discharging now. District Engineer Chad Engels stated that the District could consider raising the road next to the collection channel, along with the overflows (or eliminate them, some are very small). Board Manager Beyer stated that the stereotypical early-middle-late flood timing was flipped this event. Board Manager Brutlag stated that in one day, 1' of snow that covered the open farm fields rapidly melted away. Some areas experienced higher water than in 1997.

JD #14/Mustinka River: The channel was completely jammed with snow and ice; some water broke out and cut to the Rabbit River watershed. District Engineer Chad Engels stated that a ring dike will likely be needed at the Eggers farmstead, immediately upstream of the Redpath Flood Impoundment. Board Manager Beyer recommended that Traverse County submit a permit application to increase the size of a culvert that replaced a former bridge under County Road 16 by the Krenz farmstead. Some areas experienced higher water than in 1997.

Twelvemile Creek to Dumont: District Engineer Chad Engels stated that this event highlighted the lack of control over flooding in this watershed. Without the placement of sandbags on the Dumont levy April 14, floodwaters would have overtopped the levy. The Traverse County Highway and bridge in Dumont had 1.2 feet of headloss at the crest of the flood. Individuals on-site argued whether floodwaters should be kept on the east side of Highway 75, as it would go north if allowed to cross Highway 75. The creek remained at high levels from April 14 – 16, and it is anticipated that two additional surges will be experienced – following the opening of JD #4 and Moonshine. Improved flood risk reduction is needed for the City of Dumont.

Twelvemile Creek downstream of Dumont: Channels and ditches downstream of Dumont were frozen. A portion of flow broke out to Eighteenmile Creek, with significantly

smaller road culverts, eventually flooding at least 4 separate properties. Some areas experienced higher water than in 1997.

Moonshine: Snow and artificial blocks are currently holding floodwaters in storage. The gravel road bisecting the Moonshine Lakebed overtopped for $\frac{3}{4}$ of a mile. District Engineer Chad Engels suggested that a potential storage project may need equalizer culverts to protect the road; Board Manager Scott Gillespie stated that the road is a main travel route for neighboring landowners. Once discharge begins, the lakebed will empty in 2.5 days. Board Manager Scott Gillespie stated that if a future project includes the flattening of downstream ditch slopes, established grass will prevent future sedimentation and maintenance costs. JD #4 opened yesterday and is now south of Dumont.

TCD #52: The Phase 2 channel was partially opened; there appears to be minor damage to some vegetation. The upstream end of Phase 2 was at/near capacity due to downstream snow and ice pinching the full width of the channel. Phase 3 opened April 18.

Lake Traverse: Because the Mustinka River was frozen, a portion of the flow bypassed to the North of Wheaton and entered Mud Lake directly, from the east. Flows overtopped Highway 27 in at least two places on April 17 and receded April 18. Lake Traverse elevations are at 979'. The Reservation Dam was briefly open, but has been closed.

Board Manager Deal complimented Engineer Technician Troy Fridgen on his efforts and long hours, reporting that property in Clifton Township suffered minimal damage. Engineer Technician Troy Fridgen managed 63 sites (but not all the sites required work by a contractor).

WCD #SUB-1

Engineering staff have identified an additional culvert that should be considered for inclusion in the WCD #Sub-1 drainage project, at an estimated cost of \$30,000 - \$50,000, that would be paid for through the District's Culvert Sizing Cost Share Policy. Beyer motioned, seconded by Dahlen and carried unanimously, staff are authorized to create plans and specs for the culvert and create a subsequent change order for later approval. Engineering staff have packaged a construction agreement. Upon motion by Kapphahn, seconded by Beyer and carried unanimously, the Notice to Proceed was approved.

WCD #25

Board Manager Beyer continues to contact landowners. Engineering staff stated that a petition is needed ahead of a preliminary engineering report, which is needed in order to complete a Clean Water grant application (due July 2023 for construction in 2024).

LIGHTNING LAKE

Engineering staff met with DNR and township officials to identify property and maintenance rights. The DNR will own, operate and maintain all aspects of the project except the road crossing, which will be built within DNR public waters. The township will own and maintain the box culverts. The District will need to secure a temporary construction easement from the project area landowners. Engineer James Guler presented two price quotes for a culvert needed for the project; upon motion by Gillespie, seconded by Kapphahn and carried unanimously, the low price quote from Forterra in the amount of \$102,712.00 was approved.

MOONSHINE

District Engineer Chad Engels and Administrator Jamie Beyer met with DNR Representative Ryan Bjerke to discuss possible permitting scenarios for a Moonshine Impoundment and channel improvement project. Upon motion by Kapphahn, seconded by Dahlen and carried unanimously, staff are authorized to hold a landowner meeting with impoundment owners.

**REDPATH
PHASE #2**

Engineering staff have packaged a construction agreement. Upon motion by Beyer, seconded by Deal and carried unanimously, the Notice to Proceed was approved. A Request for Qualifications was delivered to three geotechnical services companies for site and compaction testing; only one company of the three responded. Upon motion by Dahlen, seconded by Beyer and carried unanimously, a service contract with Braun Intertec was approved.

**REDPATH
PHASE #1 /
TCD #35**

Grant County Highway staff reported that a culvert under a county road was damaged during the flood, near the outlet of TCD #35. The damage culvert is scheduled to be resized and replaced in the future during Redpath Impoundment phased construction, but changing the sizing now without adjacent site

**REDPATH
COLLECTION**

work could have unintended consequences. Staff will be directed to replace the culvert with no change in size.

Moore Engineering staff presented options for the future Redpath Collection Channel. Some work has been done to analyze the location of at least three possible routes, and the impact those locations have in relation to alleviating flood pressure on GCD #8 and Twelvemile Creek. Further analysis will be needed once modeling of Fivemile Creek has progressed further.

**DORAN CREEK
LSOHC RIM
APPLICATION**

Administrator Beyer stated that although staff are prepared to submit an application to the Lessard Sams Outdoor Heritage Council on behalf of a dedicated Doran Creek RIM award, discussions with BWSR staff have highlighted several advantages associated with a joint application under the RRWMB's leadership, including reduced grant reporting responsibilities and increased flexibility under a higher award. Attorney Lukas Croaker stated that under the joint application, his concern would be the eventual easement language. Upon motion by Dahlen, seconded by Beyer and carried unanimously, participation in the joint application was approved.

NORTH OTTAWA

Board managers reviewed a DNR North Ottawa dam safety report recently received that describes the condition of North Ottawa in August 2022. Engineer Technician Troy Fridgen identified which repairs have already been made since that time.

**COPELAND /
WESTERN 32**

Staff relayed a notice that closing on the Copeland / Western 32 land sale has been moved from April 14th to April 26th. Upon motion by Gillespie, seconded by Dahlen and carried unanimously, the purchase agreement closing date is extended to April 26, 2023, and President Vavra and Administrator Beyer are authorized to sign closing documents.

**WBIF GRANT
AMENDMENT &
REIMBURSEMENTS**

Administrator Beyer stated that the District will not utilize the \$25,000 budgeted for administration of Watershed Based Implementation Fund Grant #21-9685, and recommended that the budget be amended to move \$11,000 from grant administration to Doran Creek Project Development. Upon motion by Kapphahn, seconded by Beyer and carried unanimously, the proposed grant budget amendment and reimbursements (\$11,315.51 to Grant SWCD and \$4,890.95 to West Otter Tail SWCD, as included in the approved claims) were approved.

**2022 ANNUAL
REPORT**

Board managers reviewed the draft 2022 District Annual Report. Upon motion by Wold, seconded by Deal and carried unanimously, the report was approved.

**MPCA
PROFESSIONAL
JUDGEMENT
MEETINGS**

Administrator Beyer stated that MPCA has scheduled two Professional Judgement Group meetings on May 9th to discuss natural background factors for impairments. The District has not yet received any information on which waterbodies have been identified for discussion.

The meeting was adjourned.