

Goose Prairie Project Team

Regular Meeting

April 27, 2016

A meeting of the Goose Prairie Project Team was held on Wednesday, April 27, 2016, at the Wild Rice Watershed District (WRWD) Office. Those in attendance included: Brett Arne, Board of Water and Soil Resources (BWSR); Tammy Baden, Department of Natural Resources (DNR); Jerry Bents, Houston Engineering; Jim Courneya, Minnesota Pollution Control Agency (MPCA); Duane Erickson, Wild Rice Watershed District (WRWD) Manager; Ryan Frohling, US Fish and Wildlife Service; Lynn Foss, SWCD; Joe Gerner, Landowner; Mark Harless, Landowner; Rodger Hemphill, DNR; Tara Jensen, WRWD staff; Curt Johannsen, WRWD Manager; Kevin Kassenborg, Clay County Soil and Water Conservation District (SWCD); Nathan Olson, DNR Fisheries; Larry Puchalski, US Army Corps of Engineers; Kevin Ruud, WRWD Administrator; Don Schultz, DNR; Henry Van Offelen, DNR.

Engineer Bents offered an overview of the project, history of the area, technical work completed and preliminary project plans. He added that the Environmental Assessment Worksheet (EAW) was completed by the DNR. The process was complete in January 2016 with finding no significant effects.

The three project components were reviewed: channel repair, control structure implementation, and new ditch construction between the pool and the proposed control structure.

Wetland Conservation Act (WCA) permitting was discussed by Lynn Foss. Foss commented that the ditch repair would be exempt from a WCA standpoint. The road work not directly associated with the control structure would likely be part of the local road wetland replacement program. Wetland impacts associated with the water level control structure need to be treated separately if the structure is adjacent to the road. A delineation of temporary and permanent impacts associated with the structure will be needed. The Goose Prairie Marsh itself is a public water so DNR needs to be the RGU for that portion. The local SWCD could pass their interest to the DNR with approval from the commissioner. Consensus was that a meeting between the DNR and SWCD is needed to discuss who should be the overall RGU or if there should be multiple.

Puchalski reviewed the three project areas, stating that his initial conclusion would be that the project would require one exemption (ditch repair) and two general permits (road and remaining work) based on information currently presented. He added that general permits for transportation can have up to 3 acres of wetland impact. There is currently no threshold on the impacts for the general permit associated with wildlife enhancement projects. General permits are able to be signed and issued by Puchalski. Delineation would be required regardless of what is being done.

Hemphill added that in a protected wetland a DNR permit would be issued instead of a WCA permit. Frohling stated that his involvement would be limited to within the cleanout area located on USFWS property.

Discussion was held with Schultz about DNR involvement with the land acquisition process. The current estimate shows approximately 270 acres of private land that could potentially be affected by a 100 year event. At minimum a flowage easement would need to be acquired for land impacted. More discussion and research will be held at a later time regarding land acquisition, flowage easements, and programs available to assist with the process. Once more information regarding the process is available, a landowner meeting will be scheduled.

Possibilities for funding partners for various stages of the process was discussed. Discussion was held regarding the Lessard Sams Outdoor Heritage Council funding availabilities and the application process. Discussion was also held regarding the potential for CPL, Red Board, WRWD, and State Flood Hazard Mitigation Funding. Consensus of the group was that additional funding research would be completed by the Van Offelen and DNR staff in advance of the next meeting.

Engineer Bents reviewed the next steps in the process that will be worked on prior to another Project Team meeting. The following is a summary of the list:

1. WRWD to complete delineation of wetlands adjacent to the existing roadway and along the proposed ditch alignment that will be impacted by the project based on the preliminary design.
2. WCA and DNR staff should conduct a permit coordination meeting to develop a recommendation on who should be the RGU for the project and WCA requirements.
3. Land Acquisition Process
 - a. DNR (Shultz) to review the proposed minimum acquisition boundary that was shared at the meeting. Based on this review, DNR (Shultz) to provide suggested revisions to WRWD. DNR (Shultz) also to provide maps (shapefile) of proposed DNR minimum/maximum interest areas for acquisition. Bents to project GIS shapefile that was proposed on the original map during the meeting.
 - b. BWSR to review RIM and CREP eligibility of land that is encumbered first with a flowage easement.
 - c. WRWD to work with appraiser to determine approximate value what would be paid simply for a flowage easement (with and without requirement that permanent vegetation be established/maintained on easement)
 - d. USFWS to provide WRWD with shapefile of land that is currently under USFWS easements in the area.
 - e. USACE to provide WRWD with a shapefile of land that was previously enrolled in wetland bank in the area.
4. Van Offelen and DNR staff to research additional funding opportunities (for both design and construction/land acquisition) in advance of the next meeting. (CPL, LSOHC, Others....).
5. WRWD and Bents to develop estimate of future design costs for the project.
6. Landowner meeting to be scheduled in the future once more information on land programs and acquisition process and project funding is determined.