

STATE OF MINNESOTA

WILD RICE WATERSHED DISTRICT

In Re The Matter of the Establishment  
Of Project #42 - Upper Becker Dam  
#42 Enhancement Project

**Order of the Board of Managers  
Establishing Project**

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1. Pursuant to Minnesota Statutes §103D.605, the Wild Rice Watershed District held a public hearing to consider the establishment of Project #42-Upper Becker Dam Enhancement Project.

2. The managers provided notice by publication in the official newspapers of the District as provided by law and affidavits of publication were presented to the Board of Managers and incorporated into these Findings by reference.

3. The managers held the public hearing on February 17, 2010, at 10:00 a.m. at the VFW at 415 W. Main Street in Ada, Minnesota. The board heard all parties interested in the proposed project, but as the local share of funding for the proposed project was to be paid with a water management district, and BWSR had not yet acted on the watershed district's petition to amend its water management plan to allow a WMD, the board recessed that meeting and noticed that it would reconvene on March 25, 2010, at 1:00 p.m. at the Wild Rice Watershed District Office at 11 East 5th Avenue, Ada, Minnesota.

4. The managers again provided notice by publication in the official newspapers of the District, together with affidavits of publication thereof which are incorporated into these findings by reference, of the reconvening of the recessed meeting on March 25, 2010. At that meeting, the board concluded that the proposed WMD method of financing Project #42 was no longer acceptable and that instead the project be funded with up to 75% from the State of Minnesota, that up to a 10% maximum local share by the existing Wild Rice Watershed District Red River Construction account, and the balance be funded through the Red River Water Management Board or other outside sources. Accordingly, the Board of Managers again recessed the establishment hearing to April 21, 2010.

5. The managers again provided notice by publication in the official newspapers of the District as provided by law, together with related affidavits of publication which are incorporated into these findings by reference, regarding the reconvening of the Project #42 Establishment Hearing until April 21, 2010, at 10:00 a.m. at the Wild Rice Watershed District Office at 11 East 5th Avenue, in Ada, Minnesota.

6. At the hearing on April 21, 2010, the board again heard all parties interested in the proposed project regarding any additional/new comments/information which such interested parties desired to present in light of the change in financing for said Project #42.

7. At the April 21, 2010, public hearing, there were two board members absent and the Board of Managers concluded that a recess of the meeting would be in order until May 12, 2010, with the hope that all seven members of the Board of Managers be present at the meeting. Accordingly, the meeting was again recessed until May 12, 2010, at the Wild Rice Watershed District Office at 11 East 5th Avenue in Ada, Minnesota, with the managers providing notice by publication in the official newspapers of the District as provided by law, together with affidavits of publication relative to said notice being incorporated into these findings by reference.

8. Members of the public were present at the public hearing on February 17, 2010, at the reconvened meeting on March 25, 2010, at the reconvened meeting on April 21, 2010, and at

the reconvened meeting on May 12, 2010.

9. Minutes were held of the Project Hearing, with separate minutes relating to the February 17<sup>th</sup>, March 25<sup>th</sup>, April 21<sup>st</sup>, and May 12<sup>th</sup> public hearings of the establishment hearing and the minutes of said hearings are incorporated into this order by reference.

10. The board has considered the presentations made by the District's engineer on February 17<sup>th</sup>, March 25<sup>th</sup>, April 21<sup>st</sup>, and May 12<sup>th</sup> regarding the project and a copy of the engineer's computer/projector presentation at each of said meetings are incorporated into this order by reference.

11. The board concludes that due to significant flooding and erosion problems within the Wild Rice Watershed District, as well as a desire for natural resource enhancement.

12. The general nature of Project #42 is a flood control, stormwater management project located within the South Branch watershed area of the WRWD and said project will provide flood control, help maintain property values, reduce erosion, and protect public and private infrastructures.

13. Having evaluated numerous alternative methods to reduce flood damages and improve natural resources in the South Branch sub watershed, the board, with the assistance of the District's engineer, has identified a number of components consistent with the flood damage reduction initiative regarding Project #42, and the District's water management plan.

14. The project is part of an incremental approach to flood control within the WRWD, with the board recognizing that no single project will accomplish the objectives for flood control and natural resource enhancement, but that each project, including Project #42, will be part of an incremental approach to the District's water management plan and flood damage reduction initiatives.

15. Project #42, Upper Becker Dam Enhancement Project will involve the construction of a flood control reservoir so that flood waters from the contributing drainage area can be held until downstream channel conditions can accommodate the flows. The proposed project will consist of a 6,100 foot long earthen dam designed to contain run-off from the approximately 38.4 square miles of the South Branch watershed prior to discharging flows into the South Branch of the Wild Rice River and the Wild Rice River. The storage area will have a total capacity of approximately 10,410 acre feet of water, of which 7,940 acre feet will be gated to provide detention times in excess of thirty (30) days if needed, with the size of the flood pool to range from 0 acres to approximately 900 acres at the emergency spill-way crest elevation. A copy of the engineer's report which has been filed with the District is incorporated into this Order by reference.

16. The proposed Project #42 design as set forth in the engineer's report is the most advantageous design for the District's purposes, with the Board of Managers having considered other alternative designs suggested by the engineer and/or members of the public.

17. The board concludes that the proposed project is in conformance with the District's watershed management plan and that reports have been received from both BWSR and the DNR and the board has considered those reports and related comments.

18. The board has reviewed the proposed project with the Red River Watershed Management Board and concludes the proposed project is in conformance with the RRWMB's mission statement, as well as the goals and objectives of the RRWMB's governing documents.

19. The total estimated cost of the project is \$10.585 million dollars per the engineer's report with the project costs to be paid as follows: up to 75% of the project costs is to be paid by the State of Minnesota Flood Damage Reduction Program, up to 10% of the total Project Costs. paid from the WRWD Red River construction account; and the balance of the project costs to be paid by the Red River Water Management Board or other outside sources.

20. Based upon the foregoing, Manager \_\_\_\_\_ moved, and

Manager \_\_\_\_\_ seconded the motion that the managers establish the project.

21. After discussion, it was found by the board that the project is conducive to the public health, promotes the general welfare, and is in compliance with the District's water management plan.

22. The project was established by a majority vote of those managers present at the meeting.

Dated: May 12, 2010

WILD RICE WATERSHED DISTRICT

BY: \_\_\_\_\_  
Michael Christensen, its President

The foregoing Order was adopted by the Board of Managers at its public hearing held May 12, 2010, at the Wild Rice Watershed District Office in Ada, Minnesota.

Dated this \_\_\_\_\_ day of May, 2010.

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Diane Ista, Vice Chairman