



1303 4<sup>TH</sup> Ave. NE  
Barnesville, MN 56514  
218-789-3100  
www.brrwd.org

## Upper Buffalo River Restoration Informational Meeting Minutes

Monday November 13, 2023

**Managers Present:** Peter Fjestad; Catherine Affield; John Hanson; William Davis; Curtis Stubstad.

**Managers Absent:** Troy Larson; Gerald Van Amburg (attended remotely as citizen).

**Staff Present:** Kristine Altrichter, Administrator; Matthew Schlauderaff, Watershed Specialist.

**Consultants Present:** Erik Jones, Engineer; Bennett Uhler, Engineer, Houston Engineering, Inc. (HEI).

**Others Attending:** Jerry Matter; William Steffl; June Steffl; Daniel Donley; Gregg Larson; Jon Lowry; Don Daive; John McArthur; Phil Doll, Becker Soil and Water Conservation District (SWCD); Bryan Malone, Becker SWCD.

President Fjestad called meeting to order at 5:00 PM.

Altrichter noted that meeting is held to provide landowners with project updates on the Upper Buffalo River Restoration. Uhler will complete presentation and all parties are invited to provide comment.

Project is located in Sections 11, 12, 13, 15, 16, and 21, Riceville Township and Section 7, Callaway Township, Becker County. Currently, channel is carrying excess sediment and cutoff channel continues to be a significant source of sediment. Breakout flows result in significant erosion and sedimentation downstream. Buffalo River currently has poor water quality and limited natural resources and habitat due to degraded conditions. Project is proposed to improve habitat along Buffalo River.

At informational meeting held on March 28, 2022 landowners requested BRRWD investigate sediment downstream of County Road (CR) 105. Survey was completed and found grade line to be adequate. Landowners also asked if sediment would be removed from the historic channel. It was determined that cattails will need to be removed through the west half of the historic channel to help facilitate better conveyance. Landowners also asked about water surface elevations in north ponds. Modeling showed a small increase in water elevations (0.2' to 0.5') in north ponds during 100-year storm event. Easements will be acquired in areas where increase occurs. Modeling shows proposed 100-year storm event is contained within existing grassed area.

Uhler presented project design including engineered channel bottom and meandering channel.

BRRWD hired Natwick Appraisers to determine land values for easement acquisition. Appraiser will be on site in late November or early December. Once appraised land value is determined, landowners will be able to decide if they would like to receive the appraised value for their land or enroll land in Reinvest in Minnesota (RIM). If landowners opt into the RIM program, BRRWD will offer an additional 20 percent of the RIM purchase prices. If property already has existing permanent conservation easement, such as the Wetland Reserve Program (WRP), easements will be purchased at the appraised value.

Additional survey will also need to be completed. Surveyors will be on site after December 1.

Estimated project cost is \$4.2 million. BRRWD has received \$1.8 million from the Lessard-Sams Outdoor Heritage Council (LSOHC) Outdoor Heritage Fund (OHF) to utilize RIM for land acquisition. BRRWD anticipates receiving \$2 million from the Minnesota Department of Natural Resources (DNR) Stream Habitat Program. BRRWD anticipates forming a water management district (wmd) which will be assessed to landowners in the watershed. This account is anticipated to cover \$400,000.00.

BRRWD anticipates design will be finalized and appraisals will be completed in winter 2023. BRRWD will then begin acquiring easements. BRRWD will run analysis to determine local assessment mechanism. Then permitting will be finalized and Final Hearing will be held. If Board of Managers approve an Order for the project, it will be put out for bid and the project will be constructed.

Gregg Larson asked if landowner assessment would be assessed to impacted landowners or if it was County or Township-wide. Uhler explained that a wmd would be established for the project watershed boundary. Assessment rates are determined by change in land use. Land that is currently in grassland will have a low assessment or no assessment. Farmsteads will be classified at a specific assessment rate and farmland will be assessed at another rate. Larson asked if the watershed boundary would include land that drains into Buffalo Lake to the Red River. Uhler noted the downstream end of project, and therefore the watershed boundary for the project, would likely be CR 105. Altrichter noted that the assessment would be similar to a ditch benefiting area where benefitted landowners are assessed. Larson asked if an assessment range has been determined for the project. Uhler noted that analysis has not been completed. Assessment information will be included at the Project Hearing. Uhler noted the goal is to pay for construction with grant funding and assessment will be used for future maintenance. Board of Managers will annually determine assessment based on project needs. Jones noted that maintenance needs expected to include blockages in the channel and beaver management. Larson asked if there was a current assessment. Uhler noted that currently there is no assessment for the channel. Larson noted that he felt an open-ended assessment could result in negative impacts in the future if landowners are assessed more than anticipated. Jones stated that assessment rates for previous wmds established by BRRWD have ranged from \$0.25 to \$2.50 per acre. Larson requested a cap to the assessment. Jones noted that there would be a cap for the wmd annual assessment.

Jerry Matter stated he would like the river to stay as it is on his property west of Becker County Ditch No. 21. He does not want the river to be out of the current banks. Matter stated that prior to straightening the river, he had issues with beavers and now that it is straight he does not. Matter stated he dug river deep and there were fish in the river and after 10 years the river filled in with sediment. Matter stated that the straightened portion of river became a settling pond for sediment. Uhler noted that DNR has designated this portion of river as Public Water. BRRWD must obtain a permit from DNR to complete project. Project design with meanders reflects standards that DNR will find acceptable for permitting. Uhler also noted presented project design brings state funding to the project, reducing local cost. Jones noted with project design including meanders, project would be within the existing river banks and existing grassed area. Matter said he had to enroll large area into Conservation Reserve Program (CRP) and vegetate the area because after cleaning out the river it filled in with sediment and that land was wet and was no longer able to be farmed. Uhler noted the straightened part of the river fills up with sediment because it is straight. Proposed project design with meanders helps move water and sediment through the channel. Matter stated the reason the channel fills up is because of the elevation east of them that becomes flat just east of his property. Matter stated that the project should be designed to create areas where sediment settles out and then BRRWD could routinely remove sediment from the river. Jones noted that meandering the channel opens project up to outside funding and reduces local share. Matter stated BRRWD should have cleaned river in 2022 or 2023 when river stopped flowing. Uhler noted that BRRWD cannot clean river per DNR requirements.

Jon Lowry inquired on the timeframe for next steps. Uhler noted easement acquisition could start any time. Landowners can work with Becker SWCD for RIM easements any time. Uhler stated optimistically, construction could start in fall of 2024, but likely will start in 2025. Lowry asked if two project areas will be completed as one project. Uhler confirmed. Jones noted intention would be for one contractor to bid both portions at the same time. BRRWD may phase project if needed for funding. Upstream reach will be completed first because sediment in downstream reach is caused by erosion issue in upstream reach. Lowry asked if channel in upstream reach would be cleaned out. Jones noted plans include reestablishing channel. Jones noted at the last informational meeting, landowner expressed concern about water backing up into tile lines. Jones stated that when HEI completed survey work, beaver activity was backing water into those tile lines. Jones stated project could address concern by opening channel and improving conveyance. Lowry asked if easement documents have been prepared. Uhler noted preliminary boundary has been complete and landowners can contact the Becker SWCD office for assistance with the RIM easements. Jones noted legal survey would begin in December and maps will be refined once legal survey is complete. Uhler noted preliminary boundaries and acres are based on County records not legal boundary.

Larson asked if historic channel would be able to handle additional flow when river is reconnected to historic channel. Larson noted historic channel has experienced low flows for a long time and capacity has diminished. Larson confirmed

BRRWD planned to remove cattails. Larson asked how far channel would be cleaned out. Uhler stated work would be completed through Section 13, Riceville Township where historic channel reconnect with existing channel. Larson confirmed assessments would ensure this area remains clear of future blockages. Larson asked if wmd would cover blockages downstream of project area in Section 14, Riceville Township. Uhler noted BRRWD Board of Managers would decide what wmd will cover. BRRWD would have to work with United States Fish and Wildlife Service (USFWS) for access. Larson asked if BRRWD would have conversations with USFWS before project is constructed. Jones noted BRRWD could meet with USFWS. Larson noted landowners have concerns because they do not know if there will be negative outcomes.

William Steffl asked if BRRWD completed cost benefit analysis on project. Jones noted benefits have been assessed to project. W. Steffl stated he thought a cost benefit analysis is required for project. Jones noted it is not a requirement for these types of stream restoration projects established through the Comprehensive Watershed Management Plan. W. Steffl said BRRWD must complete a cost benefit analysis and make methodology available to the public. W. Steffl stated he did not know how BRRWD could make cost benefit balance. Jones stated there is a head-cut, where the channel has down cut approximately 10 feet in the last 40 years. Jones stated sediment from this area is accumulating in the channel. W. Steffl stated he understands the problem and the history of the problem. W. Steffl stated he does not think project will increase land value proportionate to cost landowners will be assessed. W. Steffl stated BRRWD needed to make methodology available to the public. Altrichter noted the purpose of this informational meeting is to discuss the project and project design. The assessment methodologies will be made available to the public prior to the project Hearing. W. Steffl stated the Upper Buffalo River Restoration has already been given project status. Altrichter corrected that project status occurs during the Hearing and a hearing has not been held for the Upper Buffalo River Restoration. W. Steffl stated he agreed there was a problem and agreed that it needed to be fixed.

Matter asked if BRRWD would condemn land if landowners do not want to participate. Uhler noted BRRWD would prefer to work with landowners, but Board of Managers could make that decision. Matter stated he would give easement in river but does not want meanders installed. Uhler stated if BRRWD is unable to meander channel, BRRWD cannot complete project due to permit restrictions. Matter stated DNR has a process where the river can be cleaned. Matter stated the DNR allows the river to be cleaned out to allow water to flow out of county ditches. Uhler stated BRRWD would be required to receive authorization from permitting agencies. Uhler also noted if permits could be obtained, state funding would not be available and all expenses would be paid by benefited landowners. Uhler noted if the river needed to be routinely cleaned out, funding each cleanout would be the responsibility of the landowners. Matter stated BRRWD should install settling ponds and clean them every 10 years to maintain. Uhler stated BRRWD would not be able to obtain a permit for settling ponds. Matter stated BRRWD should clean outlet of Becker County Ditch No. 21 and eliminate downstream end of project. Jones noted he asked DNR if settling ponds would be permitted in the river and was told that would not be allowed.

Lowry stated that Hamden Slough is just a large settling pond. Jones noted that over time that is likely true. Jones stated with this project, there has been a large influx in sediment due to the erosion in the upstream end of the project.

W. Steffl asked if BRRWD had quantified how much sediment had washed downstream. Jones stated 3,200 tons of sediment per year are washed downstream. W. Steffl asked if the channel continues to cut lower. Jones confirmed and added downcutting causes steeper slopes which causes additional erosion problems. W. Steffl affirmed he sees the problem.

Larson explained background on river jumping the banks. Larson stated there were drainage ditches east of channel installed approximately 40 years ago. During large rain event, water jumped into drainage ditch and cut river bank. Straightened channel is about a mile and a half versus the historic channel, which was five times longer. Larson explained how elevation change over a mile and a half versus 6 miles impacted landscape and caused erosion problem. Larson stated project is an opportunity to fix the problem and achieve long-term goals. Larson said he is concerned that new problems could be created by project. Larson requested narrative of current conditions with large rain events and future conditions with large rain events so landowners know how their land will be impacted by project. Larson stated he understands need for assessments to ensure project continues to function into the future. Larson also requested narrative on how project will benefit habitat and water quality.

Fjestad stated he understands people do not want taxes to increase. However, in this case, there is a problem that needs to be fixed and there is funding available. Fjestad stated straightened rivers move water quickly and meanders reduce energy and thus reduce erosion.

Davis asked if there were any landowners that knew what the landscape with like before historic channel was cut off. Daniel Donley explained flood where historic channel was cut off. Donley stated there were a number of small channels moving water through system. Lowry stated landowners controlled beavers better in the past which greatly improved conditions. Lowry said beavers are currently out of control. Larson stated he is concerned water will be rerouted to the north through the historic channel and no one will manage beavers which will cause flooding issues. Larson stated there needs to be a maintenance plan. Donley stated everything has changed. Landowners managed beavers and cattle were grazed and kept area free of vegetation so water could flow. W. Steffl said beavers are mostly under control except in historic channel. W. Steffl questioned if beavers could be managed in this area. W. Steffl stated he did not think BRRWD could determine a legitimate benefit for beaver management for assessment.

Lowry stated something has to be done about erosion. Lowry stated fixing erosion upstream would solve some problems downstream. Lowry stated project would allow access to the river to remove dams and help manage beavers.

Stubstad asked if BRRWD has a bounty for beavers. Altrichter noted BRRWD has a beaver management policy.

President Fjestad adjourned meeting at 6:06 PM.

/s/ John E. Hanson  
Secretary