

**THE BOARD OF MANAGERS OF THE
ROSEAU RIVER WATERSHED DISTRICT
MINUTES OF THE FINAL HEARING
REGARDING ESTABLISHMENT OF THE
ROSEAU RIVER WILDLIFE MANAGEMENT
AREA POOL 2 AND POOL 3 OUTLET PROJECT**

9:00 a.m. October 7th, 2015

A **motion** was made to open the public hearing by Manager Wensloff, seconded by Manager Schmalz. Motion carried unanimously. Chairman Carriere reviewed the Hearing agenda and Board members, consultants and staff introduced themselves. Chairman Carriere read the following statement:

“This is a public hearing to consider the proposed Roseau River Wildlife Management Area Pool 2 & Pool 3 Outlet Project. This Public Hearing is part of the legal procedure that the Roseau River Watershed District is required to follow regarding project implementation pursuant to Minnesota Statutes §103D.605 and any other applicable statute.

The final decision will ultimately be made by the Roseau River Watershed District Board of Managers, and will take into account what is said at this hearing.

The District Administrator will now read, for the record, the notice of this public hearing.”

Administrator Halstensgard read the following:

**“PUBLIC NOTICE BY THE
BOARD OF MANAGERS OF THE
ROSEAU RIVER WATERSHED DISTRICT
OF THE FINAL HEARING
REGARDING ESTABLISHMENT OF THE
ROSEAU RIVER WILDLIFE MANAGEMENT
AREA POOL 2 AND POOL 3 OUTLET PROJECT**

Pursuant to Minnesota Statutes §103D.605 and any other applicable statute, NOTICE IS HEREBY GIVEN that the Board of Managers of the Roseau River Watershed District will hold a final public hearing on Wednesday, October 7th, 2015, at 9:00 a.m., at the office of the Roseau River Watershed District located at 108 3rd Avenue Southwest, Roseau, Minnesota 56751, to determine and confirm the establishment of the Roseau River Wildlife Management Area Pool 2 and Pool 3 Outlet Project. The preliminary hearing was held on April 3rd, 2013, whereby the Board of Managers preliminarily approved the proposed project. The project, which is located within the Roseau River Wildlife Management Area in the northwest corner of Roseau County, consists of removal and replacement of

the Pool 2 and Pool 3 structure(s), construction of a new Pool 3 Outlet Structure, construction of a new Conveyance Channel, and construction of a new Outlet Channel from the new Pool 3 Outlet Structure to the Roseau River (State Ditch 51).

The general nature of the proposed project is flood damage reduction and natural resource enhancement.

The Preliminary and Final Engineer's Report have been prepared by the engineering firm retained by the Watershed District with respect to the proposed project and are available for inspection during regular business hours at the Watershed District office.

The Roseau River Watershed District (RRWD) has submitted a copies of the Preliminary and Final Engineer's Report to each of the Minnesota Board of Water and Soil Resources and the Director of Ecological and Watershed Resources of the Minnesota Department of Natural Resources.

The estimated cost of the proposed project is \$3,000,000.

The method by which the cost of the proposed project is to be paid is as follows:

- (1) Seventy-five percent (75%) of said cost is proposed by the RRWD to be paid by the State of Minnesota.
- (2) Twenty-five percent (25%) of said costs is proposed by the RRWD to be paid by the Roseau River Watershed District and the Red River Watershed Management Board.

At the public hearing on this project, the Board of Managers will hear all parties interested in commenting and/or inquiring about the proposed project.

Dated this 9th day of September 2015.

Roseau River Watershed District

/s/ LeRoy Carriere
LeRoy Carriere, Chairman"

Chairman Carriere read the following:

Public Hearing Procedure and guidelines

- Only one person will be allowed to speak at any given time.
- Members of the public, when speaking, are requested to state for the record their name, address, and the name of the entity they represent, if applicable.

- Members of the public are asked to speak clearly as the proceedings are being recorded.
- At the discretion of the chair: Statements from the public should be limited to five minutes each. The Chair reserves the right to interrupt comments that extend beyond 5 minutes in order to afford everyone an opportunity to express an opinion

Chairman Carriere introduced Engineer Dalager and requested he begin the project presentation. Engineer Dalager stated that the presentation and any other documents would be available upon request. Attorney Moren asked Engineer Dalager to give a background on his employment history. Engineer Dalager discussed his history with the RRWD as well and his professional experience then proceeded with the presentation. The Engineer's recommendation was to move forward with Alternative 3A. The Preliminary Engineer's Report, Final Engineer's Report and Operation and Maintenance Plan were made part of the record of this hearing. Attorney Moren asked Engineer Dalager if it is his opinion that the project would be conducive to public health, promote the general welfare and is in compliance with the Roseau River Watershed District's Overall Plan; to which Engineer Dalager answered yes. Chairman Carriere asked if the members of the board had any questions for Engineer Dalager. Manager Wensloff asked about the maximum cfs outflow for natural recourse enhancement benefits. Engineer Dalager spoke about the RRWMA's management plan objectives and the operation of the new outlet as described in the Operation and Maintenance Plan.

The meeting was then opened for public comment. The following individuals commented on the project:

In Support

- Greg Nelson, Regional Director, MN DNR – read a letter of support for the record (included in written record)
- Dan Money, Two Rivers Watershed District Administrator – the proposed projects flood reduction benefit to ditches in Two Rivers Watershed.
- Al Braizer, Two Rivers Watershed District Manager – benefits of flood reduction measures and the inadequacy of the ditch systems in general.
- Ron Harnack, Red River Watershed Management Board Project Coordinator – spoke to long term flood damage reduction efforts in local watersheds as well as the Red River Valley and the funding of projects.

Opposed

- Blaine Schmalz, landowner – read a letter opposing the project operational levels, current deteriorated conditions of the channel downstream, landowner compensation in the event of damages.

- Duane Frislie, landowner – discussed the history of the Roseau River Wildlife Management Area
- Allison Frislie, landowner – spoke to a variety of issues including traps and side water inlets for landowners, holding water in Canada upstream and utilizing Two Rivers Watershed as an outlet.
- Faye Schmalz, landowner –read the Petition of Consideration into the record
- Elaine Rinvile, landowner –asked if the watershed was aware of the dredging that the US Army of Corps. Of Engineering did on the river and asked if that could be done again.
- Rodney Sikorski, landowner – was not necessary opposed to the project but didn't want to see something done that could harm anyone.

Dan Bodz, RM of Stuartburn, stated communication concerns with Canada during operation and the possibility of ice jams downstream

Written documents entered into the record were as follows:

- Letter of support from MN DNR
- Letter from Blaine Schmalz
- Landowner petition for consideration
- Project Team Consent form
- Public Hearing notices and Affidavits of Publication

Manager Diesen asked about the Gardenton Floodway downstream in Manitoba. Mr. Bodz stated that the rehabilitation was completed this year and the original floodway was constructed in the 1950's. Manager Magnusson stated that construction of this project is sound water management and it's a stepping stone to future projects. Manager Schmalz stated that the ability of the DNR to operate to the 2000 cfs level for natural resource enhancement for duck habitat over landowner interest is something the board needs to consider. Manager Wensloff made a motion to close the public hearing, seconded by Manager Magnusson. Motion carried unanimously.

Respectfully submitted,

Cody Schmalz, Secretary

Tracy Halstensgard, Administrator