

Lessard-Sams Outdoor Heritage Council

MEMO: **Agenda Item #10B**
DATE: December 9, 2021
SUBJECT: Extension of time: Buffalo River Watershed Stream Habitat Program – Phase 1
 ML 2018, Ch. 208, Art. 1, Sec. 2, subd 5(n)

PRESENTER: Bennett Uhler and Erik Jones, Houston Engineering
 Kristine Altrichter, Buffalo Red-River Watershed District

Suggested Motion:

Motion by Member XX to approve a 2-year extension of time for ML 2018 Buffalo River Watershed Stream Habitat Program, Phase 1.

Background:

- This appropriation will expire on June 30, 2023. This program is requesting a 2-year extension of time to June 30, 2025. This would allow two construction seasons to complete work.
- The most recent Status Update stated, “R/E pre-construction work completed, schedule to begin work this year and be completed 2022” and showed 8% spent to date as of August. With an availability until June 2023, 1-year past the anticipated completion, it was assumed the program would complete on time.
- In the request for extension, the manager states “We believe we will start construction in 2022 for the project restoration and enhancement; however, to properly complete the full project restoration, construction may carry beyond June 30, 2023”.
- The anticipated construction date took longer than expected due to permitting delays with state agencies, single landowner holding out to better understand the project, and delayed process of MOU’s with state agencies. The extension would allow this project to ensure vegetation is fully established and would potentially complete more restoration than originally planned (excerpt from manager explanation on second page).

Current and Open Appropriations:

- The ML 17 appropriation for Wolverton Creek Habitat Restoration was successful and [final report](#) completed.
- This organization has a ML 2021 open appropriation of \$2.335m for Lower Otter Tail River Corridor Habitat Restoration.
- This organization has a ML 2022 recommendation for \$2.079m in the current OHF bill for Phase 2 of this project for which the extension is being requested.

Attachments:

- Detailed Manager explanation on second page.

Information provided by the Manager:

- The Buffalo-Red River Watershed District (BRRWD) has developed construction plans for the restoration of the South Branch of the Buffalo River upstream of MN Highway 9.
- Permitting is largely in place for construction. Only the construction stormwater permit is remaining, which will be obtained closer to the actual construction activity.
- The BRRWD worked several years with private landowner and then her heirs in middle of the project (Section 10, Manston Twp) to acquire easement/land rights, which took longer than expected. Ultimately, the landowner(s) decided that they wanted to sell their parcel. The BRRWD worked with the MN Prairie Chicken Society and Pheasants Forever to help make that happen. That parcel was purchase by Pheasants Forever & closed in January 2021.
- The BRRWD worked with Pheasants Forever, DNR, and BWSR to finalize an MOU and easement agreements on existing RIM land, which has taken longer than expected. MOU has recently been signed by PF and BWSR. The final signature by the BRRWD is expected to be made at their Board meeting on November 22, 2021.
- An extension will allow the BRRWD to ensure vegetation is fully established in the restored river channel footprint before flow is rerouted through the restored river channel. We expect this to improve conditions for a successful restoration.
- An extension will allow the BRRWD to potentially complete more restoration than originally planned. Bids for restoration projects have been favorable as of late; if this continues, the District will be able to complete more than the 3 miles listed in the accomplishment plan. We are anticipating that 4.6 miles of river restoration will be completed, depending on bids. If bids are very favorable additional miles of restoration could be completed in the second phase reach of the South Branch restoration downstream of Highway 9.