

TWO RIVERS WATERSHED DISTRICT

IN THE MATER OF THE ENVIRONMENTAL ASSESSMENT WORKSHEET FOR THE KLONDIKE CLEAN WATER RETENTION PROJECT

FINDINGS OF FACT, CONCLUSIONS, & ORDER

The above-entitled matter came on for decision before the Board of Managers of the Two Rivers Watershed District at their regular monthly meeting on the 2nd day of March, 2023 in the District Office in the Kittson County Courthouse, Hallock, Minnesota.

The following members of the Board of Managers were present at the meeting: President Rick Sikorski, Vice President Roger Anderson, Secretary Daryl Klegstad, Treasurer Jerry Olsonawski, Manager Bruce Anderson, and Manager Scott Klein. Manager Mark Langehaug was absent.

The Board of Managers were represented by Jeff Hane of Brink, Sobolik, Severson, Malm & Albrecht, P.A. of Hallock, Minnesota, Attorney for the Two Rivers Watershed District, Project Engineer Jake Huwe from HDR Engineering of Thief River Falls, Minnesota, Tyler Coffield Technician for the Two Rivers Watershed District and Dan Money, Administrator for the Two Rivers Watershed District.

The Two Rivers Watershed District (TRWD) has been designated the Responsible Governmental Unit (RGU) for the Environmental Assessment Worksheet (EAW) for the Klondike Clean Water Retention Project. Minnesota Rules Chapter 4410 govern the environmental review process. The RGU has prepared and distributed the EAW as required. The public comment period expired on February 23, 2023. One set of comments from the MN DNR was received. There were no other comments.

After receiving all evidence and hearing all testimony of people in attendance, including the written comments of the DNR, the board deliberated this matter. Upon review of all the records, exhibits, files, and proceedings herein and otherwise being fully advised in the premises, the Board of Managers of the Two Rivers Watershed District upon a **motion** by Manager R. Anderson, **second** by Manager B. Anderson, and **unanimous vote**, hereby makes its Findings of Fact, Conclusions, and Order;

FINDINGS OF FACT

- I. An Environmental Assessment Worksheet is necessary under MN Rule 4410.4300 subpart 27 (B) because a portion of the project lies within a FEMA delineated floodplain.
- II. The project will impact wetlands, rivers, streams, ditches, water quality, and the extent and duration of flooding. Potential beneficial impacts will outweigh potential negative impacts resulting in a net improvement of environmental conditions.
- III. There are no known future projects that would cause or contribute to any cumulative impacts of the project.
- IV. Mitigation of specific impacts is regulated mainly through state and federal wetland permits, state and local laws regarding ditches and roads, and state and federal clean water laws.
 - Approximately 350 acres of wetland will need to be mitigated for wetland impacts caused by construction activities. A wetland restoration site has been identified where these acres will be mitigated.
 - Alterations of existing legal ditches will be reviewed through required hearings under Minnesota ditch law.
 - Construction impacts to water quality will be reviewed and permits required to be approved.
 - Various laws with regard to erosion control, noxious weeds, and invasive species are required to be followed.
- V. Several studies and plans have been completed on the federal, state, and local levels to document existing conditions, anticipate future changes, and promote management activities that will improve conditions. These include effects to prairies, fens, fisheries, flooding, and water quality. These plans will help to anticipate environmental effects and generally improve conditions over time. The facts set forth in the Project's 53 page EAW (plus Appendices A-D), together with the plans (including the Beaches Lake Area Fen Plan), engineering, and modeling as set forth in the EAW, support the facts listed above.

CONCLUSIONS

1. Based upon the above findings of fact, all pertinent information contained within the EAW documentation, and criteria contained within MN Rules 4410.1700 Subpart 7, the Board Managers of the Two Rivers Watershed District hereby concludes that an Environmental Impact Statement is not needed.

ORDER

1. Notification of this decision shall be posted to the TRWD's website. The notice of decision and response to comments received shall be provided to all federal, state, and local agencies and others who are listed on the EAW distribution list.
2. The record of decision shall be prepared and filed as required.

I do hereby certify that the foregoing findings of fact, conclusion, and order is a true and correct and was presented to and adopted by the Two Rivers Watershed District Board of Managers at a duly authorized meeting thereof held on 2nd day of March, 2023.

TWO RIVERS WATERSHED DISTRICT

By 
Dan Money, District Administrator