

From: [Bill Becker](#)
Cc: [Heather Koop](#); [Sandy Smith](#)
Subject: FW: Update on the Marsh Lake Project - M.L. 2012, Chapter 264, Article 1, Section 2, Subd 4(f)
Date: Friday, May 30, 2014 2:02:01 PM
Attachments: [UMRWD Notice of Public Hearing.pdf](#)
[Klobuchar Marsh Lake.docx](#)
[34 projects authorized by Water Resources Reform and Development Act.docx](#)

Members,

Here is the latest information on the progress on the Marsh Lake Project. It looks like we are making some progress. If you would like more information let me know and I will contact Bob W.

Bill

From: Welsh, Bob J (DNR) [mailto:bob.welsh@state.mn.us]
Sent: Friday, May 30, 2014 10:29 AM
To: Bill Becker
Cc: Lien, Ricky (DNR); Markle, Jami (DNR); Boggess, Ed (DNR); Telander, Paul B (DNR); Wilson, Grant (DNR)
Subject: FW: Update on the Marsh Lake Project - M.L. 2012, Chapter 264, Article 1, Section 2, Subd 4(f)

Good day Bill,

I thought I would give you an update on the status of the Marsh Lake project and efforts to move forward. As you recall, there were two key aspects for the project to move forward that were in the works: 1) identification of a non-federal sponsor of the project in light of the constitutional language prohibiting the State of Minnesota acting as the non-federal sponsor, and 2) passage of the Water Resources Reform and Development Act (WRRDA) authorizing the Marsh Lake project (among others). I am encouraged to share that both of these issues are well on their way to being resolved.

Attached you'll find a letter from the Upper Minnesota River Watershed District (UMRWD) Board of Managers to DNR Commissioner Landwehr and the public notice for a project hearing to discuss the Marsh Lake Ecosystem Restoration Project on June 10, 2014. The Joint Powers Agreement with the UMRWD has been agreed to by all parties and upon favorable outcome of the hearing, we anticipate that parties can move forward with the design phase of the project. I would point out that the project hearing notice states that, "The Manager's propose to fund the District's portion of the Project cost (approximately \$3,760,000) through a grant from the Minnesota Department of Natural Resources obtained through the Lessard-Sams Outdoor Heritage Fund). Note that both parties are aware that the entire amount has not been recommended by the Council nor appropriated by the legislature. All parties acknowledge that to date, \$2.63 million has been authorized, and the remaining non-federal share (~\$1.13 million) will need to be requested from the LSOHC or funded through other non-federal sources.

Also attached, you'll find a news release from Senator Klobuchar and StarTribune article that highlight passage of the WRRDA bill by the Senate and that it is headed for the President's desk. In Senator Klobuchar's news release you'll also see that the "Marsh Lake ecosystem restoration

project can move forward.” Our understanding is that the FY15 federal budget does not contain the construction dollars for the project. The St. Paul District of the Army Corp of Engineers currently has \$800K in their local budget to move ahead with the design phase of the project and that the \$6.7 million authorized by WRRDA would come in a federal FY16 budget request for new construction.

Thank you again for the continued support for this very important ecosystem restoration project. We are excited by the progress made to clear the way to begin the design phase of the project. If you have any questions of clarification, please don't hesitate to contact me.

	<p>Bob Welsh Minn Dept of Nat'l Resources Wildlife Habitat Program Manager FAW - Central Office</p> <p>(651) 259-5169 Work</p> <p>500 Lafayette Rd, Box 20 St Paul MN 55155-4020 bob.welsh@state.mn.us</p>
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NEWS RELEASES

KLOBUCHAR: FINAL WATER INFRASTRUCTURE BILL PASSES SENATE, HEADS TO PRESIDENT'S DESK TO BE SIGNED INTO LAW

May 22, 2014

Bipartisan legislation will help keep invasive carp out of Minnesota's waterways, ensure the long-term viability of the inland waterway system, including the Mississippi River, address port and harbor maintenance on the Great Lakes, and advance key flood protection projects

Washington, DC – U.S. Senator Amy Klobuchar announced today that the *Water Resources Reform and Development Act (WRRDA)* has passed the Senate and will now head to the President's desk to be signed into law. The final legislation contains several key provisions Klobuchar fought to include that will help strengthen Minnesota's water infrastructure and economy. The bipartisan agreement will help keep invasive carp out of Minnesota's waterways, ensure the long-term viability of the inland waterway system, including the Mississippi River, address port and harbor maintenance on the Great Lakes, and advance key flood protection projects.

"Today's strong, bipartisan vote is a huge victory for Minnesota's waterways and our entire economy," Klobuchar said. **"I fought hard to include provisions that will help keep invasive carp out of our rivers, advance important flooding and water infrastructure projects, and address the dredging backlog on the Great Lakes. This bipartisan bill will protect**

our waterways, improve our infrastructure, and strengthen our economy, and now goes to the President to be signed into law.”

Klobuchar successfully worked to include a number of provisions in the final bill to support Minnesota’s water infrastructure:

Helps keep invasive carp out of Minnesota’s waterways:

The *Water Resources Development Act (WRDA)* includes a provision to help keep invasive carp out of Minnesota’s waterways. The provision, authored by Klobuchar in the Senate and led by Representative Keith Ellison in the House, will help fight the spread of invasive carp – also known as Asian carp – by closing the Upper St. Anthony Falls Lock within one year.

Ensures dredging and maintenance of the Port of Duluth-Superior and addresses the dredging backlog on the Great Lakes:

The final legislation ensures dredging and maintenance at the Port of Duluth-Superior and addresses the dredging backlog on the Great Lakes system. The legislation, which Klobuchar worked on with Senator Carl Levin (D-MI), ensures the Harbor Maintenance Trust Fund is used for maintaining the constructed widths and depths of commercial ports and harbors, which includes dredging on the Great Lakes. Currently, while the Harbor Maintenance Trust Fund has a balance of more \$5.7 billion, the fund isn’t being fully used to address critical maintenance needs of harbors and ports. The backlog of sediment due to insufficient dredging on the Great Lakes is more than 18 million cubic yards and is estimated to cost \$200 million.

Advances Fargo-Moorhead flood diversion project:

The final legislation includes a provision that authorizes the Fargo-Moorhead flood diversion project to move from the planning, engineering and design phase to the construction phase. Klobuchar has spoken with the President to push for more funding for the Fargo-Moorhead Diversion Project and has met with local officials in the Fargo-Moorhead region to assess flood preparation efforts and discuss permanent flood protection.

Authorizes funding for the Roseau flood diversion project and Marsh Lake ecosystem restoration project:

The final legislation includes provisions supported by Klobuchar and championed by Representative Collin Peterson in the House to authorize funding for the Roseau flood diversion project and the Marsh Lake ecosystem restoration project, ensuring that the Roseau flood diversion project can be completed and that the Marsh Lake ecosystem restoration project can move forward. While Roseau's project was included in the Army Corps of Engineers Work plan in March, the provisions included in the final legislation will help keep the project on track if there are construction delays due to weather or other circumstances.

Funds important construction projects for inland waterways:

The final water infrastructure bill includes provisions similar to legislation Klobuchar cosponsored — the *River Act* — which would help fund critical water construction projects, including rehabilitation of the locks and dams on the Mississippi River and also includes improvements to the project delivery process. According to the American Society of Civil Engineers, inefficiencies in infrastructure are expected to drive up the cost of doing business by an estimated \$430 billion in the next decade. Broadcast-quality video of Klobuchar's remarks on the bill is available [here](#).

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Permalink:

<http://www.klobuchar.senate.gov/public/2014/5/klobuchar-final-water-infrastructure-bill-passes-senate-heads-to-president-s-desk-to-be-signed-into-law>



UPPER MINNESOTA RIVER WATERSHED DISTRICT

www.umrwd.org

211 2nd Street SE
Ortonville, MN 56278

Phone: 320-839-3411
Fax: 320-839-3313

May 19, 2014

Tom Landwehr
DNR Commissioner
500 Lafayette Road
St. Paul, MN 55155-4040

**Re: Marsh Lake Ecosystem Restoration Project
Notice Under Minnesota Statutes Section 103D.605**

Dear Commissioner Landwehr:

The Upper Minnesota River Watershed District Board was recently approached by the U.S. Army Corps of Engineers, St. Paul District and the Minnesota Department of Natural Resources to serve as the local, non-federal sponsor of a project to restore the ecosystem at Marsh Lake. The goal of the project is to return the Marsh Lake area ecosystem to a less degraded and more natural and functional condition.

Pursuant to subdivision 3 of Minnesota Statute 103D.605, this letter serves as providing the Director with a copy of the project hearing notice for the Marsh Lake ecosystem Restoration Project.

If you have any questions concerning this notice please contact Dianne Radermacher, UMRWD Administrator, at 320-839-3411 or dianne.radermacher@midconetwork.com.

Sincerely,

Upper Minnesota River Watershed
District Board of Managers

Enclosure

Cc: Shahin Khazrajafari, Project Manager, St. Paul District COE
Jami Markle, Wildlife Operations and Development Consultant, St. Paul DNR
Kale R. Van Bruggen, Attorney, Rinke Noonan

Public Notice
(Official Publication)
NOTICE OF HEARING
Minnesota Statutes § 103D.605

UPPER MINNESOTA RIVER WATERSHED DISTRICT
BOARD OF MANAGERS

MARSH LAKE ECOSYSTEM RESTORATION PROJECT

NOTICE HEREBY IS GIVEN that the Upper Minnesota River Watershed District Board of Managers will hold a public hearing at 1:00 p.m., June 10, 2014, at the office of the Upper Minnesota River Watershed District located at 211 2nd Street SE, Ortonville, Minnesota 56278, to discuss the Marsh Lake Ecosystem Restoration Project.

The Managers of the Upper Minnesota River Watershed District desire to for the District to serve as the local, non-federal sponsor of the Marsh Lake Ecosystem Restoration Project ("Project"). The goal of the Project is to return the Marsh Lake area ecosystem to a less degraded and more natural and functional condition. The Project proposes: to reroute a portion of the Pomme de Terre River into its former channel in a meander loop upstream of Marsh Lake Dam and into the longer former channel downstream of the Marsh Lake Dam in order to reduce sediment loading, restore floodplain processes in the delta downstream of the Marsh Lake Dam, and restore connectivity between Lac qui Parle and Pomme de Terre River; breaching the dike at the abandoned fish pond to allow water levels within it to be the same as in the upper end of Lac qui Parle and allow fish to access the area, which will also provide shorebird habitat; construction of a drawdown water control structure in the existing overflow spillway area to provide controlled discharge capacity to enable a drawdown; construction of gated culverts at the Louisburg Grade Road to manage water levels in the upper part of Marsh Lake separately from the main body of the lake, particularly in drawdown conditions, which will provide flooded marsh habitat in the spring upstream of the Louisburg Grade Road for fish spawning; and modification of the Marsh Lake Dam with a fishway structure to provide a passive weir that will increase water level variability, attain the target water level regime and to allow year-round fish passage.

The U.S. Army Corps of Engineers ("Corps") completed a reconnaissance study in December 2004, approved in January 2005, resulting in finding of federal interest in potential solutions to several existing water resources problems that warrant feasibility studies, including ecosystem restoration at Marsh Lake. The Minnesota Department of Natural Resources ("DNR") and the Corps, St. Paul District, initiated the feasibility phase of the study on February 2, 2006. Through the planning process, the Corps and DNR determined that the measures noted above provided the greatest increase in benefits at the least cost. The feasibility report was conducted in conjunction with the Director, Division of Waters, Minnesota Department of Natural Resources. The feasibility report was filed with the Minnesota Board of Water and Soil Resources for review. The Board is expected to soon file with the Managers its advisory report approving the Project as being a practical plan. The project is located within the Lac qui Parle Wildlife Management Area managed by DNR. To facilitate the project, the Upper Minnesota River Watershed District may

acquire temporary easements from the State of Minnesota to access the Lac qui Parle Wildlife Management Area. The DNR has agreed to provide the Upper Minnesota River Watershed District access to the property to complete the Project. The DNR has agreed to be responsible for operation and maintenance of the Project; therefore, no assessment for the Project is required. The feasibility report and environmental assessment for the Project are on file at the District office located at 211 2nd Street SE, Ortonville, MN 56278 and is subject to public inspection.

The estimated cost of the Project is \$10,7430,000. The Upper Minnesota River Watershed District, as the non-federal, local sponsor of the Project, would be responsible for thirty-five percent of Project, with the remainder of the cost-share covered by federal funding through the Corps. The Manager's propose to fund the District's portion of the Project cost (approximately \$3,760,000) through a grant from the Minnesota Department of Natural Resources obtained through the Lessard-Sams Outdoor Heritage Fund.

All parties interested in the Project are to appear before the Managers at the time and place stated above to show why the Mangers should not find that the project will be conducive to public health, promote the general welfare, be in compliance with the watershed management plan and the provisions of Minnesota Statutes chapter 103D, and order that the Project be established and the Project constructed, with or without modification.

Dated: May 13, 2014

**BY ORDER OF THE BOARD OF MANAGERS
UPPER MINNESOTA RIVER WATERSHED DISTRICT**

/s/ Brent Hasslen
Brent Hasslen, President

(May 20, 27, 2014)

34 projects authorized by Water Resources Reform and Development Act

- Article by: THE ASSOCIATED PRESS , Associated Press
- Updated: May 22, 2014 - 4:38 PM

Congress sent the Water Resources Reform and Development Act to the White House Thursday, authorizing 34 water projects across the country at a total cost of \$12.3 billion over the next 10 years. The projects are:

NAVIGATION

- Sabine Neches Waterway, Texas and Louisiana, \$748 million.
- Jacksonville Harbor, Mile Point, Jacksonville, Florida, \$27.8 million.
- Savannah Harbor, Savannah, Georgia, \$492 million.
- Freeport Harbor, Freeport, Texas, \$121 million.
- Canaveral Harbor, Cape Canaveral, Florida, \$29.2 million.
- Boston Harbor, Boston, Massachusetts, \$216.4 million.
- Lake Worth Inlet, Palm Beach County, Florida, \$57.5 million.
- Jacksonville Harbor, Jacksonville, Florida., \$362 million.

FLOOD-RISK MANAGEMENT

- Topeka, Kansas, \$17.3 million.
- Natomas Basin, California, \$760.6 million.
- Cedar Rapids, Iowa, \$73.1 million.
- Fargo, North Dakota, and Moorhead, Minnesota, \$846.7 million.
- Ohio River Shoreline, Paducah, Kentucky, \$13.1 million.
- Springfield, Missouri, \$13.5 million.
- San Joaquin River Basin, California, \$23.6 million.
- Sutter Basin, California, \$255.2 million.
- Truckee Meadows, Nevada, \$181.6 million.

HURRICANE AND STORM DAMAGE RISK REDUCTION

- West Onslow Beach and New River Inlet, North Carolina, \$99 million.
- Surf City and North Topsail Beach, North Carolina, \$206 million.
- San Clemente shoreline, California, \$51 million.
- Walton County, Florida, \$42 million.
- Morganza to the Gulf, Louisiana, \$6.6 billion.

HURRICANE AND STORM DAMAGE RISK REDUCTION AND ENVIRONMENTAL RESTORATION

- Mississippi Coastal Improvement Program, Hancock, Harrison and Jackson counties, Mississippi, \$693.3 million.

ENVIRONMENTAL RESTORATION

- Mid-Chesapeake Bay Island, Maryland, \$1.2 billion.
- Comprehensive Everglades Restoration Plan, Caloosahatchee River, Florida, \$313.3 million.
- Comprehensive Everglades Restoration Plan, Canal Western Project, Florida, \$87.2 million.
- Louisiana Coastal Area, Louisiana, \$1 billion.
- **Marsh Lake, Minnesota, \$6.7 million.**
- Biscayne Bay Coastal Wetland, Florida, \$98.5 million.
- Broward County Water Preserve Area, Florida, \$448 million.
- Barataria Basin Barrier, Louisiana, \$321.7 million.

- Neuse River Basin, North Carolina, \$23.8 million.
- Lynhaven River, Virginia, \$22.8 million.
- Willamette River Floodplain, Oregon, \$27.4 million.

[://www.startribune.com/politics/national/259996241.html?page=all&prepage=1&c=y#](http://www.startribune.com/politics/national/259996241.html?page=all&prepage=1&c=y#)

Each of the 34 water projects authorized by the House; Senate to consider the bill

- Article by: THE ASSOCIATED PRESS , Associated Press
 - Updated: May 20, 2014 - 3:05 PM
- On Tuesday, the House passed the Water Resources Reform and Development Act, which authorizes 34 water projects across the country. The Senate is expected to consider the bill later this week. A list of each of the projects, and the federal [funds](#) authorized for each:
- Navigation projects:
- Sabine Neches Waterway, Texas and Louisiana, more than \$748 million
 - Jacksonville Harbor- milepoint, Jacksonville, Florida, more than \$27.8 million
 - Savannah Harbor, Savannah, Georgia, \$492 million
 - Freeport Harbor, Freeport, Texas, \$121 million
 - Canaveral Harbor, Cape Canaveral, Florida, more than \$29.2 million
 - Boston Harbor, Boston, Massachusetts, more than \$216.4 million
 - Lake Worth Inlet, Palm Beach County, Florida, more than \$57.5 million
 - Jacksonville Harbor, Jacksonville Florida, \$362 million
- Flood risk management projects:
- Topeka, Kansas, more than \$17.3 million
 - Natomas Basin, California, more than \$760.6 million
 - Cedar Rapids, Iowa, more than \$73.1 million
 - Fargo, North Dakota and Moorhead, Minnesota, \$846.7 million
 - Ohio River Shoreline, Paducah, Kentucky, more than \$13.1 million
 - Springfield, Missouri, more than \$13.5 million
 - San Joaquin River basin, California, more than \$23.6 million
 - Sutter Basin, California, more than \$255.2 million
 - Truckee Meadows, Nevada, more than \$181.6 million
- Hurricane and storm damage risk reduction projects:
- West Onslow Beach and New River Inlet, North Carolina more than \$99 million
 - Surf City and North Topsail Beach, North Carolina, more than \$206 million
 - San Clemente shoreline, California, more than \$51 million
 - Walton County, Florida, more than \$42 million
 - Morganza to the Gulf, Louisiana, more than \$6.6 billion
- Hurricane and storm damage risk reduction and environmental restoration projects:
- Mississippi Coastal [Improvement](#) Program, Hannock, Harrison and Jackson County, Mississippi, more than \$693.3 million
- Environmental Restoration:
- Mid-Chesapeake Bay Island, Maryland, more than \$1.2 billion
 - Comprehensive Everglades Restoration Plan, Caloosahatchee River, Florida, more than \$313.3 million
 - Comprehensive Everglades Restoration Plan, Canal Western Project, Florida, more than \$87.2 million

- Louisiana Coastal Area, Louisiana, more than \$1 billion
- **Marsh Lake, Minnesota, more than \$6.7 million**
- Biscayne Bay Coastal Wetland, Florida, more than \$98.5 million
- Broward County Water Preserve Area, Florida, more than \$448 million
- Barataria Basin Barrier, Louisiana, more than \$321.7 million
- Neuse River Basin, North Carolina, more than \$23.8 million
- Lynhaven River, Virginia, more than \$22.8 million
- Willamette River Floodplain restoration, Oregon, more than \$27.4 million