

Cormorant Lakes Watershed District
Board of Managers, Permit Hearing Meeting
Tuesday, July 6, 2010

A Hearing by the Cormorant Lakes Watershed District (CLWD) Board of Managers was held on Tuesday, July 6, 2010 concerning a permit request submitted by Grant E. & Joyce M. Johnson to replace a failing culvert on their properties.

Those present were: Managers Beaudine, Moritz and Peterson; Inspectors Struble and Erickson, Co-Administrators Henrikson and Olson; Attorney Terry Karkela, Permit applicant Grant Johnson; Advisory committee members Maggie Metcalf, Gene Olson and Orvis Olson; Erik Jones from Houston Engineering.

Others signed in from the Middle Cormorant area included Chuck Dustrud, Donald R. Lawyer, Wayne Hartman, Jeff Highness, Ila Mae Lindstrom, Lori Olson and Steve Olson

The notice of the hearing, as given below, was published in the Detroit Lakes Tribune on June 17 and June 24.

NOTICE of PUBLIC HEARING: The Cormorant Lakes Watershed District will consider a permit application to replace a culvert under a private driveway between Middle Cormorant Lake and County Highway #5. The hearing will be at the Cormorant Community Center on July 6, 2010 starting at 6:30 P.M. Sherwood Olson, Co-administrator, Cormorant Lakes Watershed.

On request, a digital audio recording of the meeting was made.

Chairperson Peterson called the meeting to order. Erik Jones of Houston Engineering gave an overview of the culvert situation. He described the elevations and other information, and provided engineering estimates of the potential impact of the culvert replacement on downstream creek water levels. He said that the flow in the creek today is about 21 cubic ft/sec (cfs), and may increase to approximately 28 cfs after the culvert replacement. The replacement will cause, more or less worst case, about .13 ft. (1.6 ") temporary increase, or "bounce", in the pond between the Johnsons and the culvert under Swanson's driveway, and about .06 ft. (.72") bounce in the creek between the Swanson driveway culvert and the culvert under County 5. He stated that Middle Cormorant is typically 4"-6" higher than Big Cormorant; the difference is less during high water situations such as today and more during low water.

Mr. Johnson provided 134 signatures for a petition he had circulated supporting the culvert replacement.

Mr. Johnson will replace the culvert at his expense. Three of those from the local area spoke in favor of replacing the culvert, citing damage caused by high water on Middle Cormorant.

A motion was made by Beaudine, seconded by Peterson, to approve Grant Johnson's permit application, with the provision that Mr. Johnson provide an easement to travel over the (existing) road easement known as Grant's Road, as shown on Meadowland Survey drawing number T7792-15 dated March 4, 2009, from County Highway 5 to the location of the culvert that is the subject of the permit, for the purposes of inspecting, cleaning, maintaining, repairing and replacing the culvert, provided that the board will restore any damage caused by its actions.

On discussion, the motion was amended to note findings of fact: there is significant damage to the existing culvert, which has dropped in one area and is in need of replacement; Mr. Johnson has submitted all the necessary permit information; The "bounce" is estimated by Houston Engineering to

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be .13 (13 hundredths) foot on the pond between Mr. Johnson's property and the Swanson driveway; there is significant local support for the replacement as evidenced by the petition signatures and comments at the hearing; Mr. Johnson is in agreement to provide the easement as noted in the motion above; no negative remarks or opposition to granting the permit were heard at the hearing; one letter has been received earlier by the board from a landowner threatening to sue the Watershed if the permit is approved. The motion as amended carried unanimously.

Mr. Johnson noted that the approved permit he has received from the DNR runs to June 26, 2014, and asked that the Watershed permit term run concurrently with that. A motion was made by Moritz, seconded by Beaudine that the Watershed permit extend to June 26, 2014. Carried unanimously.

There being no further business, the Hearing meeting was adjourned.

Respectfully submitted

Jeff Moritz, Secretary

Prepared by Sherwood Olson, Co-Administrator