



**DITCH COMMITTEE OF THE WHOLE  
PUBLIC HEARING MINUTES-COUNTY DITCH 24  
WRIGHT COUNTY DRAINAGE AUTHORITY**

4/27/2021

10:50 AM

**DATE APPROVED:**

Christine Husom, District 1  
Darek Vetsch, District 2  
Mark Daleiden, District 3  
Mary Wetter, District 4  
Michael Kaczmarek, District 5

**Present:** Commissioner Husom, Commissioner Wetter, and Commissioner Vetsch, Commissioner Daleiden, and Commissioner Kaczmarek

**Others present** Matt Detjen, Ditch Coordinator; via Teams: Brian Asleson-WC Attorney, Jennifer Hildebrand-MN. DOT, Scott Hasburgh-Contractors Representative for HcPCi, LLC

***Public Hearing on the Petition from MN. DOT to make a minor alteration or change to the culvert going under interstate 94 in relation to County Ditch 24***

Meeting was called to order by Commissioner Daleiden at 10:50 am

Detjen opened by stating the following:

This is a public hearing on a Petition from the Commissioner of the Minnesota Department of Transportation to make a minor alteration or change in the culvert going under Interstate 94 in relation to Wright County Ditch 24. This public hearing has been scheduled pursuant to Minnesota Statute section 161.28.

The purpose of this hearing is to gather information from the Commissioner's representative and the public as to whether the alteration or change will affect or impair the efficiency of the drainage system.

Minnesota Statute section 161.28 states that if the drainage authority determines after hearing from the public that the alteration or change will **not** affect the efficiency that it **shall** approve the petition.

If the petition is approved by the drainage authority the cost of the alternation or change will be at the sole expense of the Commissioner.

Though information may be presented regarding the current condition of the drainage system, this hearing is not an appropriate time to discuss issues related to possible, future actions such as a repair. If such actions are warranted, the Drainage Authority will initiate separate proceedings to discuss those issues.

However, if you have an immediate concern, please contact Matt Detjen, WC Agriculture and Drainage Coordinator, after the meeting.

The purpose of this hearing is to review the petition and determine whether the proposed alteration or change will affect the efficiency of the drainage system.

***Scott Hasburgh-Overview of Proposed Site Management Plan***

This plan pertains to the replacement of two existing reinforced concrete box culverts carrying

Silver Creek under Interstate 94 east of Hasty. The existing structure is a cast in place reinforced concrete twin cell box culvert. Each of the cells of the box culvert are 10 feet in span or horizontally and 6 feet in rise crossing I-94. The proposal is to replace that structure. The culvert barrels will be replaced in kind, with some minor changes in the length. The proposed extension of the barrels would increase the length by 16-feet from 178-feet to 194-feet. The elevation of the culvert itself will remain the same as the elevation that currently exists. On the upstream apron of the culvert, there is a curb that helps maintain the level of water on Locke Lake. That curb will be provided on the new proposed culvert also. The upstream invert of the barrels will have an elevation of 956.80-feet, leading to an outlet invert with a barrel elevation of 956.80-feet. The curb structure at the inlet of the existing culvert is also at elevation of 958.0-feet. The proposed plan matches the existing flow characteristics with the proposed box culverts and maintains that spillway elevation of Locke Lake as it exists today. Commissioner Kaczmarek inquired as far as a legal standpoint the county has experienced in the past from some of these ditch culvert replacements, where the experts felt they were installing the new culverts at the correct elevations. Then years later a firm comes in and inspects the culverts and comes up with a different elevation. So, my question is what was the confirmation that the proposed culverts should be input at the same elevation as the existing culverts.

Detjen stated that it was more than a year ago that MNDOT notified me that they were going to replace these culverts and that it was going to be an in-kind replacement. With that information, the County hired Houston Engineering to complete soil borings along the ditch system to verify the elevation that currently exist and would not cause any issues and was close to the as constructed system.

Daleiden opened the Public Hearing at 10:57 to the public.

**John Pippert, 14570 Devitt Ave NW, Monticello MN (Locke Lake property owner)**

*"I am glad to hear that the elevation of the new culverts is going to be the same. The main concern of the Locke Lake association is, during construction if there is a big rain event, will the contractors be prepared. I believe the Locke Lake association is one of the last six lakes in the drainage system. The landowners on the lake have really been affected by big rain events. Landowners on the east side of the lake have been flooded in the past. One clarification I would like to know is where the extension of*

*the 16 feet is going to be. So, the extension of the 16 feet, the elevations, and being prepared for a big rain event are my main concerns.”*

Hesburgh understanding is that the 16 feet is split evenly with 8-feet to the lakeside and 8-feet to the outlet side of extension. The culverts will be replaced one at a time and specifically starting with the western culvert box first and under I-94 westbound first. One culvert box will be always kept open, which will be able to handle fifty percent of the flow. I am not a hydraulic expert. I can offer to get some additional information if needed. As far as the type of storm one culvert would handle, it would be a significant rain event. There would also be additional pumping capacity as well.

Jennifer Hildebrand, MNDOT, added additional information regarding a temporary de-watering plan MNDOT developed, during construction. In addition to the measures Scott Hasburgh addressed, MNDOT also looked at the duration or length of time with which this work will commence. MNDOT is trying to consolidate the placement and area of active and open soil surrounding this activity. So that construction limits any potential risks regarding big rain events. Should there be a significant weather event during construction, MNDOT is monitoring that area 24-hours a day, 7-days a week. This gives MNDOT the ability to alter or change the need for pump capacity and for the ability to divert water around that work area. MNDOT does not want to have any water impacts and we most certainly do not want to have any water quality impacts. There is a water appropriation permit for the de-watering activity that will occur in this area. The permit has been provided to the County Ditch Authority for your review and comments.

Hildebrand stated one thing he did forget to mention is that the plans include installing rip rap at both ends with compost grouting to provide vegetation and help support habitat.

**John Pippert** *“I wanted to add and to go on record for the Lake association that the landowners did request a short concrete barrier along the whole stretch of the lake. Considering they moved the additional lane to the lakeside. Especially with the proposed culvert coming in another 8-feet into the lake. The lake association thinks it would be prudent to construct a 3 to 4-foot concrete wall along the lake to eliminate cars from going in.”*

Daleiden inquired if there was going to be guardrails installed in the area by the lake. Hildebrand stated that the safe zone was looked at carefully on the roadside. For much of the lake there will not

be guardrails since it is potentially a safety hazard. There will be guardrails added, in advance, at the approaching of each end, the lakeside and at the outlet side to protect the culvert itself. So, the drop-off to the lakeside will be protected by guardrails but not a concrete wall.

**Johann Massmann, 14518 Devitt Ave NW, Monticello, MN**

*“This is important property to me, and I have been there for 25 years. County Ditch 24, years ago before existence, was Silver Creek. As these big important decisions are being deliberated, decisions can have 50-year implications. I am respectfully asking the Commissioners to take into consideration the long-term history also. During the permitting process, I was involved and have heard time and time again that the culverts will be an in-kind replacement. I would argue that an in-kind replacement is throwing out the permitting process by making a substantial change. I may have thought differently if I had received the drawings presented today sooner than 24-hours ago.” I think 8-feet closer to the lake is a significant change. I think it is important that the Commissioners to pause and allow the lake association and the township to look at the drawings provided now and be able to address issues or concerns that may impact the lake for 50-years. If the DOT would consider a lane shift to the East bound lanes from mile marker 183.7, so mile 185 approximately some of the concerns I would have for the ditch would be eliminated. Runoff from the impervious surface would run more to the center of the I-94 ditch and then empty into CD 24. My concern is, as MnDOT goes toward the lake, especially on the eastbound side, there would be more runoff and more garbage going into Locke Lake.” My only recourse is if this decision is made today, would be to sue. If a simple lane change could be made, then why not pause and make the change.”*

Daleiden inquired as to how much additional runoff will occur regarding the widening of the lanes Hesburgh stated there is a slight amount of additional runoff due to the added impervious services. I do not have the calculation because I do not know that exact drainage area in the vicinity related to the addition of pavement. There will be an additional 12-feet of pavement sloping towards the outside of the roadway. The new lane that will be added will be on the outside of the roadway verses the inside of the roadway and slope into a grassy area on each side of the roadway. The drainage patterns are not anticipated to change in this area. The water that is currently flowing into the lake will still do so. There was an extensive discussion with MnDOT to work through the environmental process with Federal Highways Administration regarding realigning the eastbound lane into the median. This was

different than what is shown and what is proposed. However, through all the analysis there were other factors involved such as reducing that median or shifting more roadway that were unfavorable of making that shift just eastbound. There needs to be a standard median width through this area, which promotes safety. It also provides a wider median for absorption of storm water, with a wide flat bottom ditch in the median.

**Kent Holme, 14554 Devitt Avenue NW, Monticello, MN (via Teams)**

*“Locke Lake fluctuates a lot and can go up as much as 3-feet if we get a 6-inch rainfall. That is the lake association’s biggest concern along with the level of the culvert and preparing for a large rain fall.”*

Hildebrand clarified that when MNDOT manages construction for de-watering, such as the I-94 project, MNDOT manages the project with the same amount of detail that MNDOT does design for ponding or detention systems. So, the DOT along with everyone else that does land disturbance has to comply with Minnesota Pollution Control Agency standards. Those standards include a 2-year, 24-hour rain event and a 10-year, 24-hour rain event and a 100-year, 24-hour rain event. That helps the DOT make decisions numerically based on the quantity of water and as Scott Hesburgh indicated, the drainage area that is contributing to that amount of water. The DOT is also very concerned with the flash or the change of water levels within Locke Lake and within Silver Creek both during construction and after construction is complete.

The Public comment portion of the hearing was closed as there were no further comments.

Motion was made by Husom to direct staff to prepare an order consistent with the proceedings to [APPROVE/DENY] the petition for an alteration or change pursuant to Minnesota Statute section 161.28 and that we continue this matter to the Board’s regular meeting on May 18, 2021, or by adjournment to an appropriate time on the Board’s agenda, at which meeting we will consider the order and I would also move that the record in this matter be closed to all further written and oral comments. Second by Wetter. Motion carried unanimous.

Hearing was adjourned at 11:40 AM

***Meetings prepared by: Janice D Edmonson, Drainage Administrator***