



Division of Ecological & Water Resources
Region 4 (Southern Region)
21371 Highway 15 South
New Ulm, MN 56073

January 7, 2026,

Board of Managers
Buffalo Creek Watershed District
PO Box 55
Glencoe, MN 55336

Subject: Final Engineer's Report for Improvement of Judicial Ditch No. 15 Lateral V Branch C, Renville County.

Thank you for the opportunity to review the proposed Judicial Ditch No. 15 Lateral V Branch C improvement project located in Renville County. This letter constitutes the Commissioner's Final Advisory Report in accordance with Minnesota Statutes §103E.301 on behalf of the Commissioner of the Minnesota Department of Natural Resources (DNR).

As required under Minnesota Statutes 103E.301, the DNR finds:

1. The detailed survey report is complete, and the plan appears to conform to the general requirements of Minnesota Statutes §103E;
2. The detailed survey report is an acceptable plan to drain the property affected.
3. The Commissioner does not approve or disapprove the plan. We do recommend that the Drainage Authority ensure the project is consistent with the South Fork Crow River Comprehensive Watershed Management Plan.
4. The proposed drainage appears to be of public benefit or utility under the environmental, land use, and multipurpose water management criteria in section 103E.015, Subd. 1.
5. The commissioner determines that a soil survey is not required for this project.

Discussion of the Improvement

- Within the FER, the narrative on page 1 states the approximate watershed size for Branch C of Lateral V is 250 acres, however table 1 & 2 (page 2-3) appear to indicate a larger watershed of 513 and 504 acres, respectively, was evaluated. Please clarify if the acreages in these tables are cumulative, or otherwise explain how the estimated watershed size was calculated within the FER report.
- The improvement information and scope of work detailed replacing existing tile with new tile installation, however no information was provided specifying what is to be done with the existing infrastructure. Please include detailed information explaining the method(s) proposed to render the existing infrastructure inoperable.
- The FER proposes a shift in the historic alignment for Branch C but does not provide a justification for this shift. Please provide this information.

Alternative Solutions

Wetland Restoration

- Its positive to see this improvement request utilizing a wetland restoration, in collaboration with BWSR, near the drainage system terminus to reduce low flow impacts and provide a pollutant sink prior to discharge into Buffalo Creek.
- Wetland restoration is discussed as a project alternative in the FER but dismissed due to cost. The report determined 12 acre feet of water storage is needed and this storage required 24 total acres to make wetland restoration a viable option. This requirement assumes that all restored wetlands must be maintained at one foot in depth and adjacent wet marginal land be included at a 1:1 acre ration to wetland area. We note that with a greater design depth, the footprint could be substantially reduced as well as the corresponding land cost. Created wetlands can extend beyond 1 ft in depth and oftentimes do not require matching acres ratios to account for marginal damp soils. Restricting the analysis to these assumptions artificially inflates the acreage required for wetland restoration, consequently driving up land acquisition costs. This generalized approach does not appear to reflect a site-specific design and may prematurely dismiss wetland restoration as a viable alternative.
- A more robust analysis incorporating varying wetland depths and types based on site-specific conditions would be beneficial, particularly in the upper portion of the watershed. Furthermore, viewing wetland restoration solely as an all-or-none alternative scenario does not evaluate scenarios where partial and/or smaller wetland restorations may be utilized to accept drainage water. These approaches could significantly reduce land acquisition costs by decreasing the wetland footprint, therefore making restoration a more competitive and feasible option than an improvement. These scenarios, after an evaluation, may potentially show wetland restoration is a viable option to attenuate the increased water delivery to this

system. While we understand that this option is also dependent on willing landowner participation, the reduction in size resulting from varying wetland characteristics and depth may provide a palatable alternative option to the improvement of the tile system.

Other Considerations

Alternative Measures

- Within the Alternative Measures section on page 7, it states that alternative measures identified within the Renville County Water Management Plan and Buffalo Creek Watershed District Water Management Plan have been considered, however excludes the most current and applicable watershed plan. The South Fork Crow River Comprehensive Watershed Management Plan (SFC CWMP), approved March 2024, has since replaced some of these historic plans. It is recommended this section be updated to reflect the most current watershed plan(s) active in this watershed area.

Please send the response to this letter and/or revised FER, meeting minutes, Finding of Fact, and any Order issued by the Drainage Authority regarding this proposed improvement to the DNR when they become available. In addition, please note that our agency continues to support the use of off-channel storage solutions, such as wetland restoration or similar water retention basins or impoundments, to help reduce flooding and erosion, and, in some cases, provide natural resource and ecological enhancements. The Drainage Authority should continue to pursue opportunities to retain surface water runoff within its existing drainage systems whenever and wherever possible.

Thank you for consideration of this report. Please submit the above-noted documents or any questions about this letter to the Regional Drainage email: Region4Drainage.dnr@state.mn.us.

Sincerely,

Ethan Jenzen, EWR Northern District Manager

EC:

Haley Byron, DNR, Regional Environmental Assessment Ecologist

Alan Gleisner, DNR, Area Hydrologist

Larry Phillips, Buffalo Creek Watershed District, President

Seth Sparks, Renville County, Drainage Systems Manager
Kyle Richter, Renville SWCD, Resource Conservationist
Shaun Luker, Bolton & Menk, Inc Project Engineer
Bill Helget, Bolton & Menk, Inc. Project Engineer
John Kolb, Rinke-Noonan, Attorney
Rita Weaver, BWSR, Chief Engineer
DNR Region 4 Drainage