

Crow Wing County TEP Minutes

July 11, 2023

9:30am – 10:00am – Eugene Moritz – general discussion regarding wetland drainage concerns near subject parcel (PID: 60360511), Fairfield TWP

TEP Members Present: Dilan Christiansen (CWC), Jacob Frie (DNR), Matthew Johnson (BWSR), Melissa Berg (SWCD)

Others Present: Nicole H (CWC), Mitch H (CWC), Thomas R (CWC), Joel Lemberg (DNR), Matt Boyer (DNR), Gene Moritz

Project Scope Discussion:

- Property has been in the family over 100 years
- There is a ditch that was created by the township (Moritz Road) and the water is feeding up north to his parcel
- Reviewed the GIS Map for this area and discussed the ditch that was created
 - Un-named creek review
- Discussion on moving drainage so it is no longer draining on his property
- Discussion on what happens when Bass Lake gets too high and opening of the beaver dam
- Applicant has discussed issue with Township before

TEP Comments:

- Discussion with applicant from DNR perspective as this is state land
 - Request is to re-route or modify “DNR administered lands” for the purposes to redirecting flowage
 - This is considered a drainage issue
- Discussion if this is a civil matter or a WCA matter
 - From a WCA it is a feature that is there now and it’s for the DNR to pursue any trespass issues
- TEP passed the “baton” on this topic to the DNR that were in attendance
 - This appears to be a civil matter
 - Comments from Joel – to make this situation even more confusing, the DNR is a trustee land administrator of this land, this is school trust land which is managed for the school districts of Minnesota, so this makes this different
 - The new ditch is at least 32 years old. It is present on the 1991 aerial photos but not on the 1939 photos
 - It can be called a trespass because there is no verification that permission was granted but things were not always done in the proper format in the past
 - From a forestry standpoint is they did not create the ditch. They are not opposed to someone making things right, but Forestry is not going to pay for corrections
 - No additional comments from Matt B.
- Applicant should work with DNR on this issue and the Township
 - DNR has their own TEP review team
- Applicant is requesting the water be stopped from going on his property
 - Matt asked if the water is flowing north or south
 - From Bass Lake it flows south but the beavers are stopping it from flowing south so now it is going north which is impacting his property
- Additional discussion on ditch and water flow

- Reviewed contours and plugging of ditch on GIS map
- DNR did not dig the ditch, so township needs to be involved with this discussion
 - This would impact the road if plugging of ditch

TEP Recommendations:

- Contact Township for a resolution
- Work with DNR
 - Set up meeting with DNR to discuss