



# Burleigh County Water Resource District

City/County Office Building - 221 North 5<sup>th</sup> Street  
Bismarck, North Dakota 58501-4028

## Project Status Report – November 4, 2013

*The following is a summary of the ongoing activities of the Burleigh County Water Resource District, which area provided in alphabetical order. This summary is not all-inclusive, as there are many details are not provided, and project status is continually changing.*

- **Apple Creek Industrial Park Flood Control Levee**

A request was made by several landowners with property located within the Apple Creek Industrial Park, regarding the ability to pursue certification of the existing flood control levee. This levee is being deaccredited under the updated floodplain mapping as it no longer meets current federal FEMA standards. The Board has requested and secured cost share funding for the feasibility study through the ND State Water Commission. Since the landowners have failed to post the required bond, which was been cut in half with the SWC cost share, the study is currently on hold.

- **Apple Valley Lagoon Rehabilitation**

This project has been completed and the special assessment district certified and cost data provided to the County Auditor.

- **Burnt Creek Floodway Damage Repairs**

The BCWRD has requested consideration by the Burleigh County Commission to establish a special assessment district to obtain the necessary funds to complete the 2011 flood repairs and deferred maintenance. SWC cost share funding for the eligible repairs has been secured. Without the assessment district funding the project is likely not to be completed. If the assessments are approved construction will be completed in 2014, with repayment, through the assessment district, taking around 11 years.

- **Burnt Creek Loop and Sandy River Drive Flood Mitigation**

It was determined the use of a levee system to protect this area was not economical. Subsequently, consideration was being given to developing an Emergency Response Plan, that would identify measures that could be taken at various flood levels rather than a permanent structural solution. Given the City's Ash and Ward Coulee Stormwater Management Plan (SWMP) study funds are to be redirected to insure adequate representation for the constituents located in this area from the potential adverse impacts associated with future urban development proposed in the SWMP. The City has requested cost share participation from the County to pay for the impact evaluation east of River Road. No water resource district funding has yet to be committed.

- **Drainage Complaints**

A number of drainage complaints continue to be filed with the Board. Several complaints have been dismissed and several others redirected to the City of Lincoln or Burleigh County Highway Department.

In one instance this year a landowner failed to comply with an Order by the Board, which resulted in enforcement through hiring a contractor and subsequently, assessing the compliance costs through property taxes.

There are currently around seven active complaints under various stages of review.

- **Fox Island Flood Control**

The Board has requested cost participation from Lincoln Township related to the completion of flood protection alternatives under consideration. An updated memorandum outlining these alternatives has been posted on the Board's web site ([www.bcwrld.org](http://www.bcwrld.org)). A meeting with the Fox Island Home Owners Association is currently being scheduled. After this meeting the preliminary engineering study will be finalized and the project will proceed to a vote of the residents.

- **Hay Creek and Apple Creek Gages**

Due to funding limitations the Board will be dropping funding for the Hay Creek Stream Gages. The USGS has requested the BCWRD to provide cooperative funding for the Apple Creek Gage near Menoken. A request was made to the Burleigh County Engineer to fund the Apple Creek gage, and to monitor the Hay Creek staff gages during high flows. The BCWRD will sign the agreement with the USGS for 2014 with funding provided by the Burleigh County Highway Department. Funding for the Apple Creek gage in 2015 has not been determined.

- **Hogue Island Flood Control**

All the structures that were purchased have been removed. Bohlman Trenching has been awarded the cleanup contract and have started the cleanup process. The majority of the site work is still projected to be completed by mid-November. The State Water Commission has declined to provide cost share assistance for bank stabilization in the major erosion area, unless it is required to protect a public facility like a flood control levee. Therefore, the Board is evaluating alternative nonstructural stabilization measures to protect the bankline. The Board intends to gage public support for further project development or access improvements after the cleanup has been completed. If there is minimal public support, project development efforts will be discontinued.

- **McDowell Dam and Recreation Area**

The number of annual users continues to increase. A new three sided building has been constructed to create covered outside storage of equipment and materials. A water permit has been applied for related to the potential future diversion of water from Apple Creek. This permit and project remains on the agenda, however development is on hold pending SWC action on the permit and the need for water. A six year land lease has been signed for the cropland associated with these properties.

- **Missouri River Correctional Center Flood Control**

Funding was included in the Missouri River Correctional Center budget for the levee by the North Dakota legislature. The Board conducted a second public informational meeting on September 17, 2013. We are now working with those landowners who will have a levee constructed on their property, to review easement or routing locations. The project is scheduled to proceed to a public hearing and vote later this year. The feasibility study and preliminary engineering reports will be posted on the Board website following the November 12<sup>th</sup> Meeting, ([www.bcwrdd.org](http://www.bcwrdd.org)).

- **Missouri River Snagging and Clearing Project**

A meeting of the stakeholders was held and project planning to apply for a COE and State Sovereign Lands permit is moving forward. Stakeholders included Burleigh and Morton County, the City of Bismarck and Mandan, the BCWRD, Lower Heart WRD and Morton County WRD. The State Engineer is supportive of the project and encourages further consideration of project implementation. The project would remove the deadfalls trees located in the Missouri River below the University of Mary and within the Tokach-Timberhaven area.

Due to funding limitations all project work will be halted after the draft permit application has been submitted and discussed with the agencies and stakeholder. The ability to secure the necessary permit and to fund the project remains undetermined.

- **Sibley Island Flood Control**

The feasibility study for this potential project has been completed. Due to funding limitations future efforts to develop this project have been placed on hold. The feasibility study report will be posted on the Board website following the November 12<sup>th</sup> Meeting, ([www.bcwrdd.org](http://www.bcwrdd.org)).

- **Sunnyview Subdivision Flood Control**

The Board is working to resolve specific landowner concerns related to the potential impacts associated with the diversion of runoff along the north side of 84<sup>th</sup> Avenue. If the affected landowners are ultimately unwilling to provide easements, the project might not proceed to a vote. A decision on the ability to proceed remains to be determined.

- **Various Solicitations of Views, Plat Reviews and Storm Water Management Plans**

Ongoing reviews as required or requested

The Country Creek Third subdivision has been a long standing problem area that is presently being evaluated. There are two new subdivisions upstream from this problem area, which are on hold pending the completion of the assessment and direction for a resolution to the recurring stormwater flooding problems.