

MINUTES OF MEETING
RED RIVER JOINT WATER RESOURCE DISTRICT FULL BOARD
BISMARCK HOTEL AND CONFERENCE CENTER
BISMARCK, NORTH DAKOTA
DECEMBER 7, 2023

A meeting of the Red River Joint Water Resource District (RRJWRD) Full Board was held on December 7, 2023, at 12:00 p.m.

Present were Josh Ihry, Tor Bergstrom, Greg Thykeson and Tasha Krueger, Steele County Water Resource District; Bruce Anderson, Barnes County Water Resource District; Robert Drees and Tom Durkin, Grand Forks County Water Resource District; Ben Varnson, Nelson County Water Resource District; Robert Thompson, North Cass Water Resource District; Don Kemp and LuAnn Kemp, Pembina County Water Resource District; Arv Burvee, Richland County Water Resource District; Richard Sundberg, Rush River Water Resource District; Michael Wyum, Sargent County Water Resource District; Keith Weston, Southeast Cass Water Resource District; Gary Thompson, Andy Neset and Jessica Spaeth, Traill County Water Resource District; Nina Stone, Accountant; Melissa Hinkemeyer, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; April Walker, North Dakota State Water Commissioner; John Paczkowski, Randy Gjestvang and Cory Drevecky North Dakota Department of Water Resources (NDDWR); Ernie McCoy and Karen Ryberg, United States Geological Survey (USGS); Brian Fuder, Red River Retention Authority (RRRA) Executive Director; Ted Preister, Red River Basin Commission (RRBC) Executive Director; Zach Herrmann and Mike Opat, Houston Engineering, Inc.; Chris Korkowski, HDR, Inc.; Kurt Lysne, Lyndon Pease, Alexa Ducioame and Nathan Trosen, Moore Engineering, Inc. Maple River, Ransom County and Walsh County Water Resource Districts were absent.

Agenda

It was moved by Manager Anderson, seconded by Manager Kemp and unanimously carried to approve the agenda, as presented.

Minutes

It was moved by Manager Varnson, seconded by Manager Weston and unanimously carried to approve the minutes of the September 13, 2023, meeting.

Treasurer's report

It was moved by Manager Burvee and seconded by Manager Thompson to approve the Financial Report, as presented. Upon roll call vote, the motion carried unanimously.

USGS Joint Funding Agreement for streamflow monitoring for the period of October 1, 2023, through September 30, 2024 (FY 2024)

Karen Ryberg discussed the USGS *Joint Funding Agreement* for cost-share on 17 stream gages in the Red River Basin for the period of October 1, 2023, through September 30, 2024 (FY 2024). Randy Gjestvang stated the RRJWRD has partnered with the USGS in the cost-share of stream gages in the Red River Basin for several years. The data gathered by the stream gages is valuable to determine real-time river levels during events and is useful in other applications as well. Mr. Gjestvang recommended approval of the \$145,800 cost-share requested and stated the RRJWRD Executive Committee also recommended approval of the cost-share request.

It was moved by Manager Wyum and seconded by Manager Thompson to approve and authorize the Chairman to sign the *Joint Funding Agreement* with the USGS for streamflow monitoring for the period of October 1, 2023, through September 30, 2024 (FY 2024) in the amount of \$145,800. Upon roll call vote, the motion carried unanimously.

Letter of support to the Natural Resources Conservation Service (NRCS) – dam rehabilitation projects

Randy Gjestvang stated the NRCS requested a letter of support to continue the Environmental Assessment (EA) process for the ongoing dam rehabilitation projects in the Red River Basin instead of completing the Environmental Impact Statement (EIS) process. Shifting to the EIS process would delay the projects by an estimated one year.

It was moved by Manager Weston, seconded by Manager Sundberg and unanimously carried to approve and authorize the Chairman to sign a letter of support to the NRCS to continue the EA process for the ongoing dam rehabilitation projects in the Red River Basin.

Member WRDs project reports

Member Water Resource Districts reported on current activities in their districts.

Manager Anderson reported Barnes County Water Resource District is permitting subsurface water management systems, obtaining permits for an upcoming project, and work on the 10 Mile Lake Water Management Feasibility Study.

Grand Forks County Water Resource District permitted many subsurface water management system permits this year, is coordinating with FEMA on legal assessment drain repair of damages, and is completing redetermination of benefits on a few legal assessment drains.

Manager Varnson reported Nelson County Water Resource District continues to be involved in Regional Conservation Partnership Program project efforts with the Upper Sheyenne River Joint Water Resource District, snagging and clearing projects and is considering improvements to McVille Dam.

Manager Thompson said North Cass Water Resource District is working on maintenance and reconstruction projects of various legal assessment drains. Manager Thompson also updated the Board on the improvement projects at Elm River Dam Nos. 1, 2 and 3. Updates on the Metro Flood Diversion Project can be found at www.fmdiversion.gov.

Pembina County Water Resource District is working on construction of a new legal assessment drain, finishing coordinating with FEMA on repair projects from 2022 and completed the Bourbonis Dam project.

Manager Burvee reported Richland County Water Resource District is conducting routine maintenance of various facilities and a major maintenance project on one legal assessment drain, as well as permitting for subsurface water management systems. Richland County Water Resource District is also in the process of advertising to fill the vacant Secretary-Treasurer position.

Manager Sundberg said Rush River Water Resource District continues to be involved in the RCPP – Rush River Watershed Plan design and is also addressing landowner concerns such as access and drainage related to construction of the Diversion Channel and Associated Infrastructure of the Metro Flood Diversion Project. Rush River Water Resource District activities also include maintenance of facilities and permitting of subsurface water management systems.

Manager Wyum reported Sargent County Water Resource District is permitting subsurface water management systems, working on maintenance and improvement projects and conducting legal drain reassessments.

Southeast Cass Water Resource District continues to coordinate with cities and businesses regarding legal assessment drains and facilities in urban areas, as well as coordinating with the Metro Flood Diversion Authority regarding transitions from legal assessment drains to the Diversion Channel of the Metro Flood Diversion Project. Southeast Cass Water Resource District also continues to prioritize snagging and clearing efforts on the Sheyenne River and Wild Rice River.

Steele County Water Resource District is continuing to permit subsurface water management systems, recently created a lateral to a legal assessment drain, is working with FEMA on site repairs from previous floods and addressing animal damage controls in their facilities. Steele County Water Resource District is also working on a legal drain reassessment.

Manager Thompson said Traill County Water Resource District is working on legal assessment drain reconstruction projects and maintenance of legal assessment drains.

RRRA update

Brian Fuder introduced himself as the new Executive Director of the RRRA. The next meeting of the RRRA is December 13, 2023, at 9:00 a.m. at the East Grand Forks City Council building in East Grand Forks, Minnesota. Mr. Fuder said the RRRA is currently

conducting a Flood Impacts Survey. Mr. Fuder encouraged all landowners and producers to participate in the survey, which can be found at www.redriverretentionauthority.net.

RRBC update

Ted Preister reported the 41st Annual RRBC Land and Water International Summit Conference is being held January 16-18, 2024, in West Fargo, North Dakota. The conference has a wide variety of speakers and topics, and registration for the conference is open.

Mr. Preister also reported the RRBC was a recipient of a new NRCS Partnership Program grant regarding soil health in North Dakota. The RRBC is very excited about the opportunity and is also interested in studying water quality in relation to soil health practices. The Board congratulated the RRBC on the grant.

RRJWRD 2023 activities

Mr. Gjestvang reported on RRJWRD activities this year including funding for 15 new NDAWN all-season weather gages and funding for the update of the International Water Institute LiDAR derived tools using the 2018/2019 NDDWR LiDAR data. The RRJWRD also continues to coordinate with the NRCS on the ongoing dam rehabilitation projects in the Red River Basin in North Dakota and also cost-shared on several projects in 2023 including Elm River Dams No. 1 and No. 2 Improvement Project No. 2022-01 and Elm River Dam No. 3 Improvements 2022 Project and International Water Institute's River Watch and River of Dreams programs.

NDDWR update

Mr. Gjestvang then updated the Board on NDDWR activities. The NDDWR is currently accepting comments on the draft administrative codes. The NDDWR will also be sending out letters soon requesting proposed projects for the 2025-2027 biennium to be compiled into the NDDWR Water Development Plan. Mr. Gjestvang noted the RRJWRD also uses the information in the Water Development Plan to help the RRJWRD plan for the future. Mr. Gjestvang also briefly discussed the new permit portal on the NDDWR website.

2024 meeting schedule

It was moved by Manager Varnson, seconded by Manager Burvee and unanimously carried to set the following as the regular meeting dates, times and places for the Red River Joint Water Resource District in 2024:

Red River Joint Water Resource District – Full Board **2024 Regular Meetings**

All meetings start at 9:30 a.m. at the Cass County Highway Department, 1201 West Main Avenue, West Fargo, North Dakota, unless otherwise noted. Virtual / in person meetings may be held.

Wednesday, January 10 (Executive Committee at 11:00 a.m.), West Fargo Public Works, 810 12th Ave NW, West Fargo, North Dakota

Wednesday, April 10
Wednesday, June 12
Wednesday, September 18
Thursday, December 5 at 12:00 p.m. at the Bismarck Hotel and Conference Center, 800
South Third Street, Bismarck, North Dakota

Red River Joint Water Resource District – Executive Committee
2024 Regular Meetings

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Wednesday, January 10 at 11:00 a.m. (Full Board at 9:30 a.m.) West Fargo Public Works, 810 12th Ave NW, West Fargo, North Dakota
Wednesday, March 13
Wednesday, May 8
Wednesday, July 10
Wednesday, August 14
Wednesday, November 13

Office staffing

Brief discussion was held on office staffing regarding the RRJWRD.

RRJWRD Logo

The Board briefly discussed creating a logo for the RRJWRD. The Board directed Brian Fuder to research potential opportunities for RRJWRD logo development and bring the information to a future meeting for further discussion.

National Watershed Coalition membership

A motion was made by Manager Varnson and seconded by Manager Thompson to approve membership to the National Watershed Coalition and payment of the annual dues in the amount of \$75. Upon roll call vote, the motion carried unanimously.

Office staff appreciation

Chairman Ihry thanked Carol Harbeke Lewis and Nina Stone for their time and dedication to the RRJWRD and wished them well in their next endeavors.

Thompson Varnson Steamboat Award

Chairman Ihry announced the RRJWRD Thompson Varnson Steamboat Award is named after Robert Thompson and Ben Varnson who were instrumental in the formation of the RRJWRD and continue to serve on various water resource districts in North Dakota. Managers Robert Thompson and Ben Varnson are the recipients of the award this year. Chairman Ihry thanked Managers Thompson and Varnson for their years of service and dedication to the RRJWRD and water resource districts in North Dakota.

Legislative updates

Sean Fredricks briefly discussed *Subsurface Water Management Permit* appeals by Burlington Northern Santa Fe Railway Company in Traill County and Maple River Water Resource Districts.

Mr. Fredricks then reported on legislative updates regarding water resource districts. Mr. Fredricks updated the Board on a working group formed with the NDDWR to discuss legislative and other water resource district - related items.

Adjournment

There being no further business to be considered by the Board, the meeting adjourned without objection.

APPROVED:

Josh Ihry
Chairman

ATTEST:

Melissa Hinkemeyer
Secretary