

**MEETING MINUTES  
RED RIVER JOINT WATER RESOURCE DISTRICT  
FULL BOARD MEETING  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, ND  
OCTOBER 10, 2018 ~ 9:30AM**

Chairman Thompson called the meeting to order at 9:30am.

**ROLL CALL**

Water Resource Districts present were: Maple River (phone), Richland, Walsh, Traill, Southeast Cass, Rush River, Nelson, Barnes, and Steele. Member counties absent were: North Cass, Ransom, Grand Forks, Sargent & Pembina. Also present were: Attorney Sean Fredricks; Treasurer Carol Harbeke Lewis; Secretary Nettie Johnson; Randy Gjestvang, State Water Commission; and those whose name appears on the attached roster.

**APPROVE ORDER OF AGENDA**

Larry Tanke moved to approve the order of the agenda. Lance Yohe seconded the motion. Upon roll call vote, the motion carried unanimously.

**MEETING MINUTES**

Larry Tanke moved to approve the full Board's June 27, 2018 meeting minutes as presented. Ben Varnson seconded the motion. Upon roll call vote, the motion carried unanimously.

**COST-SHARE REQUESTS**

The Sargent County WRD submitted a request for cost-share for the Brummond-Lubke Dam Improvement project. The purpose of the Brummond-Lubke Dam Improvement project is to repair the existing flood control structure so it will continue to serve as flood protection for properties along the tributary and the Wild Rice River. A preliminary design has been completed and includes repairing eroded areas within the embankment and installing riprap along the upstream face of the dam embankment. Erosion has occurred due to wave action. Mr. Randy Gjestvang provided a recommendation and is as follows: Brummond-Lubke Dam is an existing detention structure that provides downstream flood damage reduction by temporarily holding flood water. The dam safety repair project is needed to extend the life of the project, and to maintain the volume of temporary detention. It does fit the eligibility for cost-share criteria outlined by the RRJWRD. Upon the recommendation by the Executive Committee, Ben Varnson moved to approve 65% cost-share of the non-federal, non-state share of the cost for the project not to exceed \$79,877.85. Larry Tanke seconded the motion. Upon roll call vote, the motion carried unanimously.

The Walsh County WRD submitted a request for cost-share for the Forest River Dam No. 1 (Matejcek Dam) Rehabilitation project. The dam was constructed for the purpose of flood control, wildlife and recreation. It has available temporary flood storage of about 5,000 acre-feet. Recent review of the structure indicated Dam Safety deficiencies related to hydrologic capacity, structural issues with the principal spillway, and potential geotechnical concerns with the earthen embankment. Mr. Randy Gjestvang provided a recommendation and is as follows: Matejcek Dam is an existing detention structure that provided downstream flood damage reduction by temporarily holding flood water. The rehabilitation project is needed to extend the life of the project, and to maintain, or possibly increase the volume of temporary detention. The proposed

plan is one of the steps required to complete the rehabilitation. Upon the recommendation by the Executive Committee, Lance Yohe moved to approve 65% cost-share of the non-federal, non-state share of the cost of the rehabilitation plan, not to exceed \$60,613.00. Robert Rostad seconded the motion. Upon roll call vote, the motion carried unanimously.

### **TREASURER'S REPORT**

Treasurer Carol Harbeke Lewis presented the RRJWRD financial report for the full Board to review. Josh Ihry moved to approve the financial report as presented. Bruce Anderson seconded the motion. Upon roll call vote, the motion carried unanimously.

### **LEGISLATIVE ISSUES**

Mr. Sean Fredricks said that Chad Engels met with the Water Topics Overview Committee and presented the snagging and clearing bill which appeared to be received in an encouraging manner.

Mike Dwyer explained two proposed bills he is urging the Red River Joint Water Resource District to support:

- 1) During the 2017 legislative session, Rep. Jim Schmidt sponsored HB 1374, a water policy bill that included provisions that prohibits the State Water Commission from providing cost-share for snagging and clearing projects. Snagging and clearing is critical for communities in eastern North Dakota, and the cost-share prohibition has effectively prevented communities from maintaining rivers and watercourses. As a result, the rivers and watercourses are causing significant erosion, water is backing up on adjacent communities and properties, and sheet water is not adequately draining, to the detriment of Ag producers. Mike prepared a draft bill to eliminate the snagging and clearing cost-share prohibition.
- 2) HB 1374 also contained an economic analysis requirement for flood control and “water conveyance” projects “expected to cost more than one million dollars.” Under this provision, the State Water Commission cannot consider cost-share for flood protection and drainage projects until reviewing the economic analysis for those projects. The State has not finalized the economic analysis process and WRDs are concerned about the potential delays and costs this process could impose on water management projects. WRDs must already conduct their own cost-benefit analysis as part of the assessment process under North Dakota law; in addition, landowners must vote to tax themselves for these projects and they are critical of taxing themselves without benefit. Mike prepared a draft bill to eliminate the economic analysis process. In addition, Zach Herrmann has sample cost-benefit analysis from recent projects he can provide to Sean and Mike as an example of the analysis water resource districts already conduct.

Mike circulated a sign-up for water managers to indicate what legislators from their areas they can contact to discuss these two bills. Ideally, our water managers will convince area legislators to co-sponsor these two bills during the legislative session. Keely from Mike's office will call the managers within the next few weeks to check on progress with area legislators, and can then follow-up with the legislators themselves to discuss the specifics of co-sponsoring the bills. Water manager advocacy will be critical in convincing legislators to support these bills.

### **FARGO-MOORHEAD DIVERSION PROJECT**

Rodger Olson reported on recent developments concerning the Fargo-Moorhead Diversion Project.

Mr. Olson stated that they are still awaiting the permit from the Minnesota DNR and will hopefully hear something by the end of the year.

The General from the Corps of Engineers will be coming to inspect the project in the upcoming months.

### **RRJWRD WATER MANAGEMENT STRATEGY REPORT**

The full Board reviewed the updated copies of the Report that Randy Gjestvang and Melissa Maertens have been working on. The Board made a few suggestions and agreed to finalize the Report at the Executive Committee meeting on November 7<sup>th</sup> and have the finished copy prepared for the full Board to review and accept on December 6<sup>th</sup>. After further discussion, Lance Yohe moved to give the Executive Committee authority to finalize the documents and have 250 copies of the Report printed for distribution to all WRD members, commissioners, et al. Dick Sundberg seconded the motion. Upon roll call vote, the motion carried unanimously.

### **RANDY GJESTVANG REPORTS & UPDATES**

Mr. Randy Gjestvang provided a report on meetings and inspections that he has been involved with from June 27, 2018 through October 9, 2018.

Mr. Gjestvang described the items for discussion that were held at the State Water Commission meetings to include the Sheldon Subdivision Levee in Cass County, Valley City-Phase 3, the Matecjek Dam Rehab Study, Brummond/Lubke Dam Study, and a probable Maximum Precipitation Study.

Work on the RRJWRD website continues. Additional information has been obtained from sponsors and engineering firms for several of the completed projects.

LiDAR collect in the Red River watershed: QL2 level LiDAR is being collected for the Red River watershed in ND. FEMA and NRCS grants will be funding all of it. Raw data will be available on the SWC website. The County could receive cost-share to get collect of the entire county if all is not in the Red River watershed.

Secretary Johnson left the meeting. Sean Fredricks presided over the minutes.

Randy continued with his update. He indicated the Red River Basinwide Feasibility Study is nearing completion. He will keep the Board informed as to progress and updates. Randy also provided an update regarding Devils Lake levels (currently at 1448.4 msl).

### **RED RIVER RETENTION AUTHORITY**

Keith Weston indicated he is attempting to set-up a conference call soon with an NRCS economist. As WRDs continue their RCPP watershed plans, the economics will be a key aspect, and Keith noted the insight an NRCS economist could provide would be valuable for RCPP sponsors. He is hoping for a call in November, but he will keep the Board posted.

**NRCS UPDATES**

Debra Walchuk provided an update on her recent activities. The most significant update is the fact that there is no farm bill. Without a farm bill, there are no NRCS program sign-ups.

**RED RIVER BASIN COMMISSION**

Ted Preister provided an update on the Long Term Flood Solution. Ted indicated may need up to \$100,000 from the RRJWRD; however, Ted indicated he is reducing the request to RRJWRD to a total of \$80,000. The Executive Committee already approved \$12,500; Ted is seeking an additional commitment from RRJWRD of \$67,500, for a total of \$80,000, payable in 2020. If North Dakota and Minnesota provide more cost-share than anticipated, RRJWRD’s share will reduce even further. The Basin Commission will not submit any invoices to RRJWRD until 2020. The LTFS update will be finalized within two years. The Corps will complete its hydrology update in the next year.

Josh Ihry moved to authorize a commitment to RRBC in the amount of \$67,500 payable in 2020, contingent upon approval by the Minnesota Red River Watershed Management Board of their share of cost-share. Ben Varnson seconded the motion. Upon roll call vote, the motion carried unanimously.

**ADJOURNMENT**

Having no further business to discuss, the meeting adjourned at 12:25pm without objection.

APPROVED:

ATTEST:

\_\_\_\_\_  
Gary Thompson, Chair

\_\_\_\_\_  
Nettie Johnson, Secretary

ATTEST:

\_\_\_\_\_  
Sean Fredricks, Acting Secretary

FB  
10-10-18

# Please Sign In

Name	County/Organization
<u>GEOFF M. FREDRICKS</u>	<u>RRWRO</u>
<u>Carol Lewis</u>	<u>RICHMOND TOWNSHIP</u>
<u>Janet</u>	<u>SECASS</u>
<u>Don Wilmson</u>	<u>NCWRO</u>
<u>Bert J. Rosted</u>	<u>ACWR</u>
<u>Larry Tawice</u>	<u>W/CWRO</u>
<u>Zach Herrmann</u>	<u>Houston Engineering, Inc.</u>
<u>TED PREISTER</u>	<u>RRBC</u>
<u>Josh Howell</u>	<u>Mine Engineering Inc</u>
<u>Bruce D Anderson</u>	<u>RCWRO</u>
<u>Randy Giestvang</u>	<u>ND SWW</u>
<u>JENNIFER HRY</u>	<u>SCWRO</u>
<u>Monie Rainey</u>	<u>Bar Engineering</u>
<u>Chuck Frite</u>	<u>International Water Institute</u>
<u>Michael Anderson</u>	<u>State Water Commission</u>
<u>ARV BURVEE</u>	<u>RICHMOND COUNTY W/D</u>
<u>DICK SUNDBERG</u>	<u>RUSH RIVER</u>
<u>Dan Jacobson</u>	<u>SEC</u>
<u>Melissa Maertens</u>	<u>CASS CO. WRO</u>