

**MEETING MINUTES  
RED RIVER JOINT WATER RESOURCE DISTRICT  
FULL BOARD MEETING  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, ND  
APRIL 10, 2019 ~ 9:30AM**

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

**ROLL CALL**

Water Resource Districts present were: Maple River, Richland, Grand Forks, Traill, Barnes (by phone), Nelson, North Cass, Rush River, Southeast Cass, and Steele. Member counties absent were: Ransom, Sargent, Pembina, and Walsh. 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**

Dave Middleton moved to approve the order of the agenda. Ben Varnson seconded the motion. Upon roll call vote, the motion carried unanimously.

**MEETING MINUTES**

Dick Sundberg moved to approve the full Board's January 9, 2019 meeting minutes as presented. Lance Yohe seconded the motion. Upon roll call vote, the motion carried unanimously.

**COST-SHARE REQUESTS**

Mike Opat, Moore Engineering, Inc. described a cost-share request submitted by the Maple-Steele Joint Water Resource District for the reconstruction of failed side slopes, removing unsuitable material, and riprapping the channel on the Upper Maple River Dam Outlet Channel. The estimated total cost is \$147,000.00 for the channel improvement. Upon the recommendation by the Executive Committee on March 13<sup>th</sup>, 2019, Lance Yohe moved to approve 65% of the non-federal, non-state share of the cost of the project, not to exceed \$52,552.50. Dick Sundberg seconded the motion. Upon roll call vote, the motion carried unanimously.

**2020 BUDGET**

Sean Fredricks presented a Resolution for the proposed budget for 2020 which include funds necessary for the Joint Board's operations and cost-share to member districts and other projects. The Joint Board's member districts may annually levy (via their respective county commissioners) up to two 2 mills as payment of their membership fees to the Joint Board, separate from and in addition to the four maximum mills members districts may levy for purposes of operating their own water resource districts. Upon a recommendation by the RRJWRD Executive Committee on March 13, 2019, Lance Yohe moved that the Joint Board adopt a 2020 budget equivalent to 1.5 mills (or the pro rata equivalent of 1.5 mills for those member districts where the contributing watershed into the Red River Basin is less than 100 percent) from each member district, and that the Joint Board sets 2020 membership fees at the rate of 1.5 mills or equivalent pro rata share. Dave Middleton 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. Dick Sundberg moved to approve the financial report as presented. James Haugen seconded the motion. Upon roll call vote, the motion carried unanimously.

## **LEGISLATIVE ISSUES**

Sean Fredricks brought the full Board up to date on the status of several Senate and House bills that have been presented through the North Dakota Legislation session this year.

WRD's have been fighting to ensure that cost-share funds are available for water resource district projects. A few weeks ago, it was believed WRD's would have \$34M available to in the 'general water management' bucket in SB 2020, but recent changes have reduced that number to \$8M for 'water conveyance' projects (all drainage and snagging & clearing projects). It also appears to be heading back to the flood control bucket. This will be addressed again in the near future when it goes back to the conference committee.

HB 2139 is the Snagging & Clearing bill we support (to allow the State Water Commission to, once again, provide cost-share for snagging and clearing projects). WRDs did a great job of reaching out to local Senators to advocate for the passage of this bill. In addition, there was a great showing in Bismarck for the hearing on this bill on the Senate side. The bill passed convincingly in the Senate (41-5).

The hearing for SB 2139 was set for Friday, March 1, at 9:30 a.m., before the House Energy & Natural Resources Committee.

Mr. Fredricks will keep us informed of any legislative actions being taken in the future and reiterated the necessity of water managers to be engaged with legislators by appearing to testify and contacting members of the various committees when necessary.

## **RED RIVER WATER MANAGEMENT BOARD**

Robert Sip, Executive Director, Red River Watershed Management Board, was here to present an overview of RRWMB activities and progress throughout this past year.

The Mission of the RRWMB is to institute, coordinate, and finance projects and programs to alleviate flooding and assure the beneficial use of water in the watershed of the Red River of the North and its tributaries.

Mr. Sip described his position with the Board and the activities his office has been involved with including interaction with several different entities regarding water issues in Minnesota.

Legislative efforts were explained to include legislative funding and policy priorities.

## **FARGO-MOORHEAD DIVERSION PROJECT**

Rodger Olson updated the full Board on the status of the FM Diversion Project.

U.S. District Court Judge John A. Tunheim modified the injunction to allow all requested construction to proceed on the FM Area Diversion Project.

The ruling was made after motions requesting modifications to the September 2017 injunction were filed earlier this year by the Diversion Board of Authority.

The motions to modify the injunction were based on the 2018 permit issued for the project by the Minnesota Department of Natural Resources (DNR). The Diversion Authority, the U.S. Army Corps of Engineers (Corps), and the DNR filed briefs supporting building the project due to public safety benefits it can provide. The Richland/Wilkin JPA previously filed briefs opposing commencement of construction.

Sealed Bids for the construction of the Property Structure Mitigation – Phase 50A (WP-50A) will be received at the office of the Cass County Auditor, 211 9th Street South, Fargo, ND 58108-2806, until 3:00 pm local time on April 23, 2019 at which time the Bids received will be publicly opened and read. The Project consists of property demolition of 8 single family residential homes, including out buildings, foundations, walkways, driveways, landscaping and other components in Cass County, North Dakota.

Senator John Hoeven, a member of the Senate Energy and Water Development Appropriations Committee, joined Col. Samuel Calkins, Commander of the St. Paul District for the Army Corps of Engineers, as well as state and local leaders at the signing of the new Project Partnership Agreement (PPA) for comprehensive flood protection in the Red River Valley. Hoeven detailed his work, including: Securing the new Project Partnership Agreement (PPA) with an increased federal funding level of \$750 million. Hoeven worked to advance the agreement with administration officials, including: Acting White House Chief of Staff Mick Mulvaney; Office of Management and Budget Acting Director Russ Vought; Assistant Secretary of the Army (ASA) for Civil Works R.D. James; and Army Corps Chief Todd Semonite. Following his efforts, the senator announced that ASA James approved the renegotiation of the agreement. The inclusion of a new \$150 million account in the President's budget for public-private partnership (P3) projects, including in the Red River Valley.

### **INTERNATIONAL WATER INSTITUTE**

Chuck Fritz, Executive Director, reported on annual highlights that are currently happening with watershed research, flood damage reduction, watershed pollutant load monitoring, and watershed education.

Discussion was held on the River of Dreams Program which provides integrated classroom and outdoor experiences for elementary students that build awareness of river ecosystems and watershed connections, increases student capacity to make informal decisions about their environment, and instills a sense of place about the historical, economic, and ecological uniqueness of their local watershed. Mr. Fritz also provided updates on the ND River Watch Program and the schools that are currently participating. The River Watch teams have created plans for a service project focusing on stewardship of local waterways. Mr. Fritz is requesting continued financial support from the RRJWRD for both programs. Upon a recommendation by the Executive Committee on March 13<sup>th</sup>, Ben Varnson moved to provide funding for both the

River of Dreams Program and the River Watch Program for two years for a total of and not to exceed \$75,209.00. Mr. Fritz will also approach the NRCS and the NDSWC for possible cost-sharing the program. Lance Yohe 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 January 9, 2019 through April 9, 2019.

Information was given on the topics discussed at the March 13<sup>th</sup>, 2019 Executive Committee which included funding that was approved by the RRJWRD for the repairs to the Goschke Dam on the Tongue River in Pembina County and the recommendation to the full Board to fund channel improvements to the Upper Maple River Dam Outlet.

Provided information on the topics that were discussed at the State Water Commission to include submitted cost-share requests for improvements, RRVWSP permit, and updates to the Economic Analysis Study.

Discussion on the 2019-2021 Legislation issues regarding SB 2358 (watercourse definition study).

Red River Basin wide Feasibility Study: HEC-HMS models are almost complete. Corps has asked for a delay in order to improve the models. An extension may be necessary. Requesting an additional \$47,000 in federal funding.

Advisory Committee for the Border dike near the lower Pembina River area has been named. Randy will supply technical support if needed.

### **RED RIVER RETENTION AUTHORITY**

Keith Weston, Executive Director for the RRRRA, reported on several meetings and activities he has been involved with since March 13<sup>th</sup>, 2019 to include the following:

- Participated in an Ag BMP teleconference on March 15<sup>th</sup> to finalize speakers, budget and logistics for the Red River Basin/Cold Climate Agricultural Nutrients BMP Workshop.
- On March 15<sup>th</sup>, held a teleconference with Gary Thompson, Chair of the RRJWRD, Julie Ellingson, ND Water Education Foundation, and Lance Gaebe of the ND Water Users Association to develop a “Lower Red River Basin” tour itinerary.
- Developed an outreach strategy with Roberta Quintero of Midwest Radio of Fargo-Moorhead for the purpose of outreach opportunities regarding RCPP watersheds in the Red River Basin.
- The RRRRA Board held its March 20<sup>th</sup>, 2019 quarterly meeting in Moorhead, MN. A letter of request to Mary Podoll, NRCS, State Conservationist was signed by Co-chairman Finney and Thompson requesting to extend and amend the NRCS agreement MOU.

- Attended the Amenia City Council meeting April 2<sup>nd</sup>. The city has requested input from its citizens to consider moving forward with the Rush River RCPP watershed plan and submitting it to the NRCS.
- Attended the RRBC's Drainage Integration Project landowner meeting in Harwood, ND on April 4<sup>th</sup>. Response from the landowners has been good.
- A joint meeting between MN and ND NRCS State Conservationists and RRRRA Co-chairman Finney and Thompson is planned for April 10<sup>th</sup> in Fargo.

**NATURAL RESOURCES CONSERVATION SERVICE**

Debra Walchuk and Christie Fisher were here and provided a summary for ND RCPP PL-566 Plans to include:

- Rush River (Cass) has submitted all required interim review documents, and ND is finishing up comments. Simply a matter of finishing up some small tasks, getting a final decision to move forward from the City and WRD, and final plan EA will be ready for submittal to NRCS. Expected by May/June. Within budget and ahead of current schedule.
- Maple River (Cass) is nearly as far along as Rush per the consultant, but still needs to finish up interim submittals to NRCS. Nearly out of funds, but within schedule and Sponsor intends to finish. Expect submittal of final by June/July.
- NB Park (Park River Joint) is on schedule and on budget. Expect submittal of final by June/July.
- Shortfoot Creek (Sargent) running ~2 months behind Maple and Rush. On schedule, close on budget. Expect submittal of final by August/September.
- Forest River (Walsh) is on budget, but behind schedule. Work largely stopped as additional field survey work and analysis is taking place for the Matecjek Rehab project within this watershed. Work to resume soon, final expected in spring 2020.
- Tongue River (Pembina) is on budget, but behind schedule. NRCS is working on one alternative, as well as a channel stability evaluation, and needs additional time which will also allow the planning effort to sync up with the Sen Young rehab project.
- NB Antelope Creek (Richland) is on budget, but behind schedule.

**ADJOURNMENT**

Having no further business to discuss, the meeting adjourned at 12:10pm without objection.

APPROVED:

ATTEST:

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Gary Thompson, Chair

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Nettie Johnson, Secretary

