

**MEETING MINUTES
RED RIVER JOINT WATER RESOURCE DISTRICT
FULL BOARD MEETING
WALSH COUNTY WATER RESOURCE DISTRICT
GRAFTON, ND
JUNE 12, 2019 ~ 9:30AM**

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

ROLL CALL

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

MEETING MINUTES

Richard Axvig moved to approve the full Board's April 10, 2019 meeting minutes as presented. Josh Ihry seconded the motion. Upon roll call vote, the motion carried unanimously.

COST-SHARE REQUESTS

The Grand Forks County WRD submitted a request for the funding of a watershed rehabilitation project on the Upper Turtle River Dam No. 9 (Larimore Dam).

Larimore Dam is one of eight dams planned, designed, and constructed within the Upper Turtle River Watershed. The watershed work plan was finalized in 1969 with Larimore Dam identified as a medium (significant) hazard, multi-purpose structure, with the primary purposes being flood control and recreation. The dam has served in those capacities very well since its completion in 1979, and is recognized as a regional resource for recreation and has prevented significant flood control benefits to the local economy. It is now classified as a high hazard dam and thus the original design does not meet current dam safety criteria for a high hazard dam.

The Grand Forks County WRD also submitted a request to the State Water Commission to fund 75% of the Rehabilitation Plan for Dam #9, but the SWC responded that they will only be approving 50% cost share of federal portion, rather than 75%. The Grand Forks WRD requested cost share based on anticipated SWC cost share of 75%, for a dam safety project. SWC staff is now determining that it should be 50% cost share. The State Engineer's recommendation will be 50%, unless something changes. The SWC meeting is on June 19 where this will be discussed further.

Upon a recommendation by the Executive Committee, Ben Varnson moved to approve 65% cost-share of the non-federal, non-state share of the cost of the project up to and not to exceed \$59,670.00 (50% SWC Share) contingent on whether the SWC approves 50% or 75% funding. Larry Tanke seconded the motion. Upon roll call vote, the motion carried unanimously.

The Pembina County WRD presented a cost-share request for the rehabilitation of Tongue River Dam No. M-3, also known as the Senator Young Dam located in Cavalier County. 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. The structure is listed as a high hazard dam due to its height and potential loss of life if the structure were to breach. Engineer Randy Gjestvang provided a recommendation to the RRJWRD for approval and is as follows: Senator Young Dam is one of the series of dams on the Tongue River that provide flood damage reduction by temporarily holding flood waters. Benefits would be obtained on the Tongue River as well as downstream areas extending in various districts that are members of the RRJWRD. The total estimated cost for the study is \$861,400.00. They are anticipating 70% federal cost in the amount of \$602,980.00 and 75% of the non-federal share from the SWC in the amount of \$193,815.00. Upon a recommendation by the Executive Committee, Josh Ihry moved to approve 65% cost-share of the non-federal, non-state share of the cost of the project up to and not to exceed \$83,986.50 depending on whether the SWC approves 50% or 75% funding. Dan Jacobson seconded the motion. Upon roll call vote, the motion carried unanimously.

The Walsh County WRD presented a cost-share request for the rehabilitation of the North Branch Forest River Dam No. 1, also known as Bylin Dam located in Walsh County. 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. This structure is listed as a high hazard dam. Engineer Randy Gjestvang provided a recommendation to the RRJWRD for approval and is as follows: Bylin Dam is one of the series of dams on the Forest River that provide flood damage reduction by temporarily holding flood waters. Benefits would be obtained on the Forest River as well as downstream areas extending in various districts that are members of the RRJWRD. The total estimated cost of the study is \$875,800.00. They are anticipating 70% federal cost in the amount of \$613,060.00 and 75% on the non-federal share from the SWC in the amount of \$197,055.00. Upon a recommendation by the Executive Committee, Josh Ihry moved to approve 65% cost-share of the non-federal, non-state share of the cost of the project up to and not to exceed \$85,390.50 depending on whether the SWC approves 50% or 75% funding. Dan Jacobson seconded the motion. Upon roll call vote, the motion carried unanimously.

The Walsh County WRD presented a cost-share request for the rehabilitation of Middle South Branch Forest River Dam No. 4 as known as the Fordville Dam located in Grand Forks County. 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. This structure is listed as a high hazard dam. Engineer Randy Gjestvang provided a recommendation to the RRJWRD for approval and is as follows: Fordville Dam is one of the series of dams on the Forest River that provide flood damage reduction by temporarily holding flood waters. Benefits would be obtained on the Forest River as well as downstream areas extending in various districts that are members of the RRJWRD. The total estimated cost of the study is \$871,300.00. They are anticipating 70% federal cost in the amount of \$572,110.00 and 75% of the non-federal share from the SWC in the amount of \$183,893.00. Upon a recommendation by the Executive Committee, Josh Ihry moved to approve 65% cost-share of the non-federal, non-state share of the cost of the project up to and not to exceed \$79,686.75

depending on whether the SWC approves 50% or 75% funding. Dan Jacobson 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. Robert Rostad moved to approve the financial report as presented. Wes Ecker seconded the motion. Upon roll call vote, the motion carried unanimously.

WALSH COUNTY WRD PROJECTS

Larry Tanke and Engineer Zach Herrmann presented an overview of the projects and plans that are in progress in Walsh County. A list of the most current projects including snagging and clearing were also talked about.

Chair Gary Thompson left the meeting at 11:00am. Vice-chair Ben Varnson presided over the meeting.

FARGO-MOORHEAD DIVERSION PROJECT

Dan Jacobson updated the full Board on the status of the FM Diversion Project.

The U.S. Army Corps of Engineers said the re-start of operations at the Diversion Inlet and control structure should begin mid-June. Activities for 2019 will include dewatering, test pile program, and completion of channel excavation.

The USACE announced RFP for the Wild Rice control structure to be issued in this month. The final plans and specifications for the Wild Rice River control structure were completed May 1.

The City of Fargo is working on numerous flood protection projects in town this summer.

Land acquisitions are continuing.

STATE-WIDE SIGNIFICANT PERMITS

Sean Fredricks updated the Board on the status of the permit for the Helendale project from the State Engineer's Office. The Office of the State Engineer approved the permit and incorporated all of the conditions Chad Engels prepared and recommended by the Executive Committee; and the OSE added a few more (e.g., applicant must supply as-builts).

Richland County WRD still has to deal with some outstanding complaints, and the outcomes on those may hinge on whether or not the applicants actually comply with the terms of the permit.

There are still proceedings ongoing in Richland County but the Red River Joint WRD's role is now concluded.

RANDY GJESTVANG REPORTS & UPDATES

Mr. Randy Gjestvang provided a report on meetings and inspections that he has been involved with from April 10 through June 11, 2019.

- Provided recommendations for 4 recent cost-share requests in Pembina, Grand Forks, and Walsh Counties for the purpose of Renovation Studies. SWC staff explained their opinion that dam rehabilitation studies should be cost-shared as Flood Control-Water Retention projects at 50% cost-share rather than as a Flood Control-Dam Safety and Emergency Action projects at 75%.
- Recommended policy for economic analysis study. The SWC staff will provide results of economic analysis to the Commission.
- Discussed issues pertaining to SWC/USGS Monitoring Program and water quality matters.
- Updates were given on LiDAR collect within the Red River watershed. Late crops and early snow prevented collect in the fall of 2018. Approximately 30% of the basin has been collected in the spring of this year with the majority being along the Red River extending west. The plan is to have the data processed; QA/QC'd and delivered this fall. The County could cost-share to get collect of entire county if all is not in the Red River watershed.
- Discussion was held on hydrological questions regarding PTMapp for sites in Upper Sheyenne River portion of the watershed. Hydrology questions were investigated in the Page and Clifford areas.
- A final report has been received from the Corps at the beginning of June regarding the Red River Basinwide Feasibility Study. Models have been provided to the consultants for their review. The final meeting is planned for late July or August 2019.
- An Advisory Committee has been named for the Border dike issue near the Lower Pembina River area. Governor's staff continues to work with the RRBC to set up the first meeting in late June 2019. The Governor requested the SWC staff to obtain drone flights of affected areas which was done in April 2019. The Pembina River is not flooding by itself. Some backup of the Red River water is going into the lower Pembina River. USGS advised that funds may be available for the gage at the border.
- Devils Lake is currently at 1449.0 msl.
- Mr. Gjestvang went over several items within the SWC Cost-share Policy.

RED RIVER RETENTION AUTHORITY

Keith Weston, Executive Director for the RRRRA, reported on several meetings and activities he has been involved with since May 8th, 2019 to include the following:

- Attended a meeting on May 8th with NRCS Chief Matthew Lohr at the ND State School of Science in Wahpeton, ND. Keith provided a 7-minute overview presentation of the RRRRA's RCPP planning efforts.

- Attended a ND and SD Conservation Partnership forum in Aberdeen, SD. Keith requested the Chief and NRCS allow additional flood storage on NRCS dam rehabilitation projects in the Red River Basin and allow flexibility for using the new RCPP program in the 2018 Farm Bill.
- Attended an RRWMB meeting on May 21st at the Crookston, MN campus and have a presentation on the NRCS's "Principles, *Requirements*, and Guidelines for Water and Land Related Resource Implementation Studies". This new PR&G is to be used for future water resource planning, such as PL83-566 Small Watershed and RCPP watershed plans.
- Attended the RRBC's Drainage Integration Project meeting in West Fargo on May 23rd. The project team members heard from NDSU staff specialists on water quality monitoring and parameters.
- On June 4th, drafted a letter from the RRRA to the ND State Water Commission and State Engineer Garland Erbele requesting they use cost-share policy for Flood Control/Dam Safety rather than Flood Control/Water Retention for the recent cost-share requests send in by Grand Forks, Walsh and Pembina counties for dam rehabilitation projects.
- On June 10th, finalized an outreach contract with Midwest Radio to do a radio segment and promotion on KFGO Radio regarding the Roseau River Wildlife Management POOL 3 Outlet Project Ribbon Cutting.
- Working on assembling the flood damage reduction information for the 6-month RCPP report to NRCS.
- Will be reviewing Federal Register dated May 6, 2019 as it relates to the Department of Agriculture NRCS and the Watershed Protection and Flood Prevention Program as it relates to the 2018 Farm Bill and the NRCS's authority to waive the watershed plan for works of improvement if the NRCS Chief determines that the watershed plan is unnecessary or duplicative, and the works of the improvement are otherwise consistent with applicable requirements.

RED RIVER BASIN COMMISSION

Ted Preister, Executive Director, provided handouts containing RRBC's activities.

Discussion was held on Integrated Drainage and the challenges in participation due to legislative actions. This has recently been resolved with this project moving forward again. Landowners for nearly 4000 acres have agreed to the concept, while landowners with approximately 3000 acres have stated they are not interested. Outreach efforts continue. On May 23rd the project team received a presentation by three researchers from NDSU who have agreed to draft research concepts for the long term. The researchers are from the Ag Engineering, Natural Research Management and Soils departments at NDSU. The presentation was very well received.

On June 3rd, the RRBC hosted a meeting with the five MN cities in the Basin that are pending renewal of their Wastewater Treatment Plant Discharge Permits and the Minnesota Pollution Control Agency. This meeting was specifically intended to address the way forward for permitting since the MPCA has agreed not to establish a phosphorus limit in this round of permits but still intends to foster improvements in nutrient reduction to the river.

Pembina Task Team: Discussions have been frequent between Manitoba and the ND Governor's Office regarding the concerns in the Governor's office about open meeting laws and ensuring ethics regulations are adhered to. The RRBC has been asked to facilitate a first meeting on June 24th to include a short tour of the road/dike area.

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.

Asher Kingery and Danni Halvorson provided updates to the River Watch Program which offers watershed education opportunities for local students through hands-on science, water quality monitoring, and river recreation activities designed to challenge students and to facilitate a better understanding of the Red River Basin's water resources.

The IWI proposes to expand the number of ND RW schools from 5 to 13 and to continue River of Dreams activities with current participants (16 schools). On April 10th, the full RRJWRD committed \$75,209.00 (2 year funding) pending cost-sharing from the NRCS and the SWC who have both declined to agree to cost-sharing these programs. Since funding from the NRCS and the SWC request was denied, Mr. Fritz is asking that the RRJWRD now fund the entire River Watch Program for one year (2020) in the amount of \$150,418.00 or by providing a second option of partial funding for \$97,560.00. After further discussion, several full Board members stated that they would like to table this discussion until it can be discussed further at the next Executive Committee meeting in July.

NATURAL RESOURCES CONSERVATION SERVICE

Debra Walchuk was present and provided a summary for ND RCPP PL-566 Plans to include:

2018 Farm Bill

The 2018 Farm Bill made several changes to USDA NRCS programs. On May 6th, NRCS published an interim final rule in the Federal Register to make existing regulations consistent with changes. Among the changes, NRCS is expanding the membership of the State Technical Committee, and NRCS is waiving the requirement for certain duplicative Or unnecessary watershed plans under the Watershed Protection and Flood Prevention Program.

RRB-ND RCPP – PL-566 Agreements

Christie Fisher, State Engineer, NRCS, Bismarck will be providing an update on the status of the Red River Basin RCPP agreements for North Dakota.

RRB-MN RCPP – PL566 Agreements

Watershed districts have requested the following agreements be amended to extend the term of the agreements one year. Whitney Lake Watershed, Beltrami Island S.F. Watershed, Moccasin Creek Watershed, So. Branch WRR Watershed, Green Meadow Watershed, JD#14 Watershed, JD#19 Watershed, and Klondike Clean Water Retention.

Ms. Walchuk provided handouts containing the meetings and conferences she has been involved with since April 2019.

Also included were RCPP PL-566 updates for Cass County WRD's, Park River Joint WRD, Richland County WRD, Walsh County WRD, and Pembina County WRD.

ADJOURNMENT

Having no further business to discuss, the meeting adjourned at 12:30pm without objection.

APPROVED:

ATTEST:

Gary Thompson, Chair

Nettie Johnson, Secretary

