

**MEETING MINUTES
RED RIVER JOINT WATER RESOURCE DISTRICT
EXECUTIVE COMMITTEE MEETING
ORIGINATING AT THE OFFICE OF THE TRAILL COUNTY WRD
HILLSBORO, NORTH DAKOTA
NOVEMBER 13, 2019 ~ 9:30AM**

The Executive Committee meeting was called to order by Chairman Thompson on November 13, 2019 at 9:30am in Hillsboro, ND. Those present were: Chairman Gary Thompson; Vice-Chair Ben Varnson; Members: Larry Tanke, Robert Rostad, Josh Ihry, and Dan Jacobson. Also present were: Sean Fredricks, Attorney for the Board; Nettie Johnson, Secretary; Carol Harbeke Lewis, Treasurer; Randy Gjestvang, SWC; Chris Gross, Moore Engineering, Inc.; Zach Herrmann, Houston Engineering, Inc.; Keith Weston, RRRRA; Ted Preister, RRBC; Mike Bassingthwaite, Interstate Engineering, Inc., and Morrie Lanning, Barr Engineering, Inc.

ORDER OF AGENDA

Ben Varnson moved to approve the order of the agenda as amended. Robert Rostad seconded the motion. Upon roll call vote, the motion carried unanimously.

MEETING MINUTES

Josh Ihry moved to approve the August 14, 2019 Executive Committee meeting minutes as presented. 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 Committee to review. Ben Varnson moved to approve the report as presented. Robert Rostad seconded the motion. Upon roll call vote, the motion carried unanimously.

Larry Tanke moved to approve payment of check numbers 3723 – 3738 (check no. 3729 will be held until approved by the full Board on December 5th) along with the electronic funds transfers. Robert Rostad seconded the motion. Upon roll call vote, the motion carried unanimously.

Larry Tanke moved to authorize the Treasurer to make any minor year-end transfers to balance the RRJWRD 2019 budget; to authorize Treasurer to make transfers to/from obligated funds if necessary; and to amend the RRJWRD 2018 budget. Josh Ihry seconded the motion. Upon roll call vote, the motion carried unanimously.

COST-SHARE REQUESTS

Maple River Dam Site T-180 Dam Safety Improvements

The Maple River WRD submitted a request for cost-share for the Maple River Dam Site T-180 Dam Safety Improvements. The T-180 Dam is located on a tributary of the Maple River and is owned and operated by the Maple River WRD. Since it was constructed, the dam has provided flood damage reduction for properties adjacent to the tributary and Cass County Highway 7. The purpose of the proposed project is to address safety issues at the dam as identified in the 2018 SWC inspection report. Upgrades to the principal spillway pipe are needed to avoid loss of

function and stability of the dam. Total estimated costs for the repairs \$320,000.00. It is anticipated that the SWC will consider cost-share of \$213,153.75 based on the policy for dam safety repairs but will not consider the request until their February or April 2020 meeting. Upon the recommendation provided by Randy Gjestvang, Josh Ihry moved to recommend to the full Board to approve 65% cost of the non-state share up to and not to exceed \$62,000.00. Ben Varnson seconded the motion. Upon roll call vote, the motion carried unanimously.

Lake Bertha Flood Control Project No. 75

The Cass County Joint WRD presented a request for an increase for the Lake Bertha Flood Control Project No. 75. The RRJWRD initially approved cost-share for the project on April 13, 2016. The original cost estimate was \$541,780.00. The RRJWRD approved 65% cost-share of the non-federal, non-state share, up to \$245,943.00. As of September 24, 2019 the RRJWRD has paid \$116,853.27 with a remaining balance of \$129,089.73. The project is now complete. Cost overruns are approximately 16% higher than the original estimate. Upon the recommendation provided by Randy Gjestvang, Josh Ihry moved to recommend to the full Board to approve up to and not to exceed \$32,440.55. This is an increase of the cap for the 65% cost-share of the non-federal, non-state share of the eligible items for this project. The cap would be an increase from \$245,943.00 to \$278,383.55. Robert Rostad seconded the motion. Upon roll call vote, the motion carried unanimously.

2019-2020 USGS Monitoring Program

Chris Laveau, Hydrologist with the USGS, met with the Committee today to describe the 2019-2020 Cooperative Monitoring Program. Upon review and discussion of the Joint Funding Agreement for the continued USGS cooperative streamflow monitoring programs with the RRJWRD for FY 2019-2020, Josh Ihry moved to recommend to the RRJWRD full Board to approve payment up to and not to exceed \$137,670.00 for FY 2019-2020. Larry Tanke seconded the motion. Upon roll call vote, the motion carried unanimously.

Mr. Laveau stated that eight Rapid Deployment gages were installed in a few places this year and added that they continue to update their datum at their sites which will aid and benefit engineers in their surveying practices.

A Water Quality Study was enacted this year by the St. Paul Corps.

VCULEK STATEWIDE SIGNIFICANCE APPLICATION

Attorney Sean Fredricks informed the Committee that he has been in contact with Brian Vculek and has requested property information from him in order to proceed in processing the application for the purposes of preparing “record” and providing the requisite notices for the “statewide significance process”. Mr. Fredricks will continue to keep us informed on the status of this application.

LEGISLATION

Discussion was held on continued flooding concerns in eastern N.D.

The Committee talked about finding ways to take a more offensive and tactical approach when dealing with policy procedures relating to cost-overruns, economic analysis issues, the

involvement of Ag Commission and staff, and drainage projects. Having the WRD's compose mission statements for the State Water Commission and legislative members to evaluate was considered and encouraged.

WRD's are also encouraged to take pictures and collect data of inundated lands and then forward to Jack Dwyer and Lance Gaebe to present to the SWC and legislative members to assess and then assist in finding solutions to reduce flood damages within the Red River Basin.

Ben Varnson moved to create a Red River Joint WRD *Resolution of Support* for a County Disaster Declaration. Josh Ihry seconded the motion. Upon roll call vote, the motion carried unanimously.

RED RIVER RETENTION AUTHORITY

Keith Weston, Executive Director for the RRRRA, reported on several meetings and activities he has been involved with since September 25th to include the following:

Keith attended the National Watershed Coalition Conference in Lexington, Kentucky and met with NRCS Watershed staff about our Red River RCPP watershed planning process. Plans need to be completed and reviewed by the NRCS and NWMC before being able to utilize remaining RCPP funds.

Some of the topics that were addressed were:

- a. FY 2019 budget was \$160 million and the FY 2020 budget is \$150 million.
- b. The necessity of gathering state legislative support for watershed projects.
- c. Promoting PL566 and RCPP projects as infrastructure programs.
- d. \$2.6 billion in backlog of watershed projects.
- e. Over ½ of all PL566 watershed projects are beyond the design life.
- f. Dam Rehab programs need to be emphasized as rehabilitation and not delayed O&M.
- g. The NRCS will not be funding new watershed planning staff.
- h. The use of the new Principle, Requirements, and Guidelines will be finalized when the RCPP rule comes out next year.
- i. Funds need to be spent to show Congress that projects getting done.
- j. Anticipated changes to rule and policy won't be as restrictive on 250,000 acre watershed limitation and sponsors won't need Congressional approval of a plan until it exceeds \$25 million.

Mr. Weston hosted a meeting on October 22nd to discuss the need for a BTSAC to address BCA issues related to RCPP watershed planning efforts. He then held a follow-up meeting on November 6th to determine how best to address watershed planning in the future. BCA is only part of what should be a more comprehensive look at how we need to strategize to reduce flood damages in the Red River Basin.

RED RIVER BASIN COMMISSION

Ted Preister, Executive Director, was here to provide updates on the Natural Resources Framework Plan (NRFP), watershed management activities, long term flood solutions and several other issues pertaining to the Red River Basin Watershed.

Mr. Preister updated the Committee on his involvement with the Corps regarding the analysis of potential storage sites.

Budget and funding issues were talked about. Ted said that the recent staff changes have had significant impacts on their 2020 budget.

Long Term Flood Solutions and the work that needs to be resolved over the next month was discussed.

- The RRWMB has yet to authorize the commitment of the final \$66,500.00 to complete the work.

- The modelling work expected from US Corps of Engineers Comprehensive Feasibility Study on retention sites downstream of Halstad is still under review for amending to the LTFS update.

- It has been the intention since the initiation of the project to have an RRBC Technical Advisory Committee. To date, most of the effort has been Corps modelling.

Integrated drainage, Netly Libau March Restoration, LiDar, Water Quality Offset Working Group, Water Supply, Pembina Task Team, and Outreach updates were also provided by Mr. Preister.

RANDY GJESTVANG REPORTS AND UPDATES

Mr. Randy Gjestvang provided a report on meetings and inspections that he has been involved with from September 25 through November 12, 2019.

Mr. Gjestvang presented a Lower Red River Basin Regional Detention Analysis relating to the Red River Watershed Feasibility Study. All items have been completed except for Task 3 and 4, storage analysis for the area downstream of Halstad. This is a required step to determine the storage required for 20% reduction of peak flow on the main stem. Tasks 3 and 4 are expected to be added to the contract between the RRBC and the Corps and a draft scope has been prepared. The 2019 non-federal cost estimate for the ND share is \$189,200.00. \$62,500.00 is due to including analysis of the 200-year and 500-year events. An additional \$92,089.50 is needed in order to complete the study with the proposed scope of work. After further discussion, Larry Tanke moved to recommend to the full Board to approve the request for additional funding for the study up to and not to exceed \$93,000.00. Ben Varnson seconded the motion. Upon roll call vote, the motion carried unanimously.

Randy suggests updating the RRJWRD Water Management Strategy report in 2020 and provide an updated project list for the SWC Development Plan to see how the projects from the RCPP plans are progressing. The SWC will be requesting a list of projects for the 2021-2023 Development Plan in January 2020.

Mr. Gjestvang described the items for discussion that were held at the State Water Commission meetings to include cost-share issues relating to snagging and clearing projects and rural flood control. Funding and permitting questions were raised regarding these projects.

USGS updates were provided on the pumps, cfs discharge, and levels of the Devils Lake.

ADJOURNMENT

Having no further business to be considered by the Committee, the meeting adjourned at 11:40a.m.without objection.

APPROVED:

ATTEST:

Gary Thompson, Chairman

Nettie Johnson, Secretary