

**MEETING MINUTES  
RED RIVER JOINT WATER RESOURCE DISTRICT  
FULL BOARD MEETING  
RAMKOTA HOTEL  
BISMARCK, ND  
DECEMBER 5, 2019 ~ 12:15PM**

Chairman Thompson called the meeting to order at 12:15pm.

**ROLL CALL**

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

**AGENDA**

Darrell Nottestad moved to approve the order of the agenda. Andy Neset seconded the motion. Upon roll call vote, the motion carried unanimously.

**MEETING MINUTES**

Ben Varnson moved to approve the June 12<sup>th</sup>, 2019 and September 25, 2019 meeting minutes as presented. Rich Axvig seconded the motion. Upon roll call vote, the motion carried unanimously.

**TREASURER'S REPORT**

Treasurer Carol Harbeke Lewis presented the RRJWRD financial report. Dan Jacobson moved to approve the treasurer's report as presented. Ken Lougheed 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, Ken Lougheed moved to approve 65% cost of the non-state share up to and not to exceed \$62,000.00. Bret Fehr 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, James Burvee moved 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). Dick Sundberg seconded the motion. Upon roll call vote, the motion carried unanimously.

### **2019-2020 USGS Monitoring Program**

Joel Gallaway, Hydrologist with the USGS, met with the full Board 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, Darrell Nottestad moved to approve up to and not to exceed \$137,670.00 for FY 2019-2020. Josh Ihry seconded the motion. Upon roll call vote, the motion carried unanimously.

### **Lake Tobiason Improvement Project (Steele County WRD)**

Lake Tobiason is located adjacent to Spring Creek, a tributary to the Goose River, in Beaver Creek Township of Steele County. It is currently being managed by the Steele County WRD.

The existing project was originally constructed as part of the Works Progress Administration (WPA) in 1934 to improve an existing slough into a lake by constructing a dam and diverting water from Spring Creek into what is now known as Lake Tobiason.

The inlet and outlet structures are deteriorating and pose a safety risk to a local road. The proposed project will repair the deficiencies and increase the design life of the project. The damaged CSP will be replaced with a concrete pipe. Without the improvements, the safety issues would force the sponsor to consider abandoning the project. This would eliminate the amount of flood water storage that currently occurs.

Total estimated cost of the project is \$250,000.00. The sponsor has secured \$86,000.00 funding from the ND Outdoor Heritage Fund. Many local entities have also pledged funding in order to keep the project operable. \$86,190.00 is being requested from the RRJWRD. This amounts to approximately 52.6 % of the non-federal, non-state share of the project.

Ben Varnson moved to approve 65% cost-share of the non-federal, non-state share up to and not to exceed \$86,190.00 for the project. Dan Jacobson seconded the motion. Upon roll call vote, the motion carried unanimously.

### **Lower Red River Basin Regional Detention Study**

Randy 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~~ \$92,584.50 is needed in order to complete the study with the proposed scope of work. After

further discussion, Ken Lougheed moved to approve the request for additional funding for the study up to and not to exceed \$93,000.00. Andy Neseet seconded the motion. Upon roll call vote, the motion carried unanimously.

### **LEGISLATIVE UPDATES**

Discussion continued on Economic Analysis issues. It is defined as an estimate of economic benefits and direct costs that result from the development of a project. There is \$1 million for flood control and water conveyance projects and none for water supply projects to conduct Life Cycle Analysis. The SWC could adopt a policy to require economic analysis for all flood control and water conveyance projects. Recently, the ND SWC delayed funding decisions for drainage projects under \$1M and required economic analysis for those projects. This process is expensive and could ultimately render smaller, less expensive projects cost prohibitive. The ND Water Users Association sent a letter in October to the ND SWC to express opposition to the “economic analysis” requirements for water conveyance projects.

Regulatory obstacles relating to permitting due to State Water Commission understaffing was discussed. Sean Fredricks suggests WRD’s take a more tactical approach with the SWC when dealing with permitting and other issues. He added that it may be a good idea to consider supporting funding full-time positions to assist in the overflow of permitting and other important matters.

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

Dan Jacobson reported on the work that is being done on the Wild Rice outlet structure. The U.S. Army Corps of Engineers, St. Paul District, awarded a \$59,448,550.00 contract to Ames Construction, Inc. of Burnsville, Minnesota, to complete the Wild Rice River Control Structure. The contract is the second construction contract to be awarded by the federal government for the Fargo-Moorhead Area Diversion Project.

### **RED RIVER RETENTION AUTHORITY**

Keith Weston, Executive Director for the RRRRA, reported on several meetings and activities he has been involved with.

Mr. Weston said that 4 RCPP watershed agreements have expired. NRCS has suggested further refinement of benefit cost analysis to make sure existing and environmental benefits are accounted for. Another suggestion was to do an “environmental quality” account alternative.

Mr. Weston has secured a space for RRRRA at the 2019 Prairie Grains Conference at the Alerus Center in Grand Forks on DECEMBER 12<sup>TH</sup>. He will be attending the RRRRA quarterly meeting at 2:00pm.

The Rush River WRD Amenia flood protection project has been completed.

Mr. Weston expressed his thoughts on benefit cost analysis and strategic planning issues for projects.

### **RED RIVER BASIN COMMISSION**

Ted Preister, Executive Director, provided updates on RRBC’s activities to include outreach meetings and drainage integrated projects.

Mr. Preister commented on the Lower Pembina River Dike situation. A meeting was held with the task team and the Canadian Government in October to continue to attempt to find solutions to this ongoing impasse.

Mr. Preister reminded the Board of the RRBC's 37<sup>th</sup> Annual Red River Basin Land and Water International Summit Conference being held January 14-16, 2020 in Fargo, ND.

**RANDY GJESTVANG REPORTS & UPDATES**

Mr. Randy Gjestvang provided a report on meetings and inspections that he has been involved with from September 25 through December 4, 2019.

Randy suggests an update to the RRJWRD Water Management Strategy Report in 2020 when WRD's can provide an updated project list for the SWC Development Plan to see how projects from RCPP plans are progressing.

Cost-share policy revisions and standard operating procedures were discussed during the November 7<sup>th</sup> SWC policy meeting. SWC staff had provided documents that included alternatives for when the Economic Analysis would be required. They also provided alternatives for how the results of the EA would be used by the Commission in cost-share determinations.

The cost-share policy revisions and standard operating procedures will be discussed further at the December 6<sup>th</sup> meeting.

**OTHER BUSINESS**

Josh Ihry moved to approve the 2020 RRJWRD meeting schedule as presented. Darrell Nottestad seconded the motion. Motion carried.

The next RRJWRD full Board meeting will be held in West Fargo on January 8<sup>th</sup>, 2020.

**ADJOURNMENT**

Having no further business to discuss, the meeting adjourned at 1:30pm without objection.

APPROVED:

ATTEST:

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Gary Thompson, Chair

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Nettie Johnson, Secretary

