

MEETING MINUTES  
RED RIVER JOINT WATER RESOURCE DISTRICT  
FULL BOARD MEETING  
**VIDEO/PHONE CONFERENCE**  
ORIGINATING AT THE OFFICE OF THE CASS COUNTY HWY DEPT.  
WEST FARGO, ND  
JUNE 10, 2020 ~ 9:30AM

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

**ROLL CALL**

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

**AGENDA**

Rodger Olson moved to approve the order of the agenda as amended. Tom Purdue seconded the motion. Upon roll call vote, the motion carried unanimously.

**MEETING MINUTES**

Dan Jacobson moved to approve the April 8, 2020 meeting minutes as presented. Bruce Anderson 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. Josh Ihry seconded the motion. Upon roll call vote, the motion carried unanimously.

**COST-SHARE REQUESTS**

Walsh County WRD has requested cost-share by the RRJWRD for a USGS gauge on the City of Grafton Diversion Channel in Grafton Township, Walsh County. The gauge would monitor river flows going through the City of Grafton's diversion channel that reduces flooding to the citizens of Grafton. The Walsh County WRD is requesting the RRJWRD to approve 65% of the \$4,500 annual cost, up to \$2,925 of operation and maintenance of the seasonal stream gage. The City of Grafton has agreed to provide 35% of the annual cost, up to \$1,575. It is also recommended that the RRJWRD request that the gauge site be included in the joint funding agreement with the USGS for continued stream gauge monitoring for future years. Chris Laveau, USGS, concurs with everything proposed. If the RRJWRD approves the Walsh County WRD request the USGS will submit new FY20 Joint Funding Agreements to the RRJWRD (\$2925) and City of Grafton (\$1575) following the 65/35 split proposed. He added that a five-year commitment is not required. Upon the recommendation by the Executive Committee to approve the funding request, Michael Wyum moved to approve up to \$2,925.00 which is 65% of the \$4,500.00 annual cost of the stream gauge. Rodger Olson seconded the motion. Upon roll call vote, the motion carried unanimously.

Robert Thompson and Chris Gross updated the full Board on a cost-share request submitted on behalf of the Elm River Joint Water Resource District. The Joint WRD currently owns and

operates three dams in Traill, Cass, and Steele Counties. Two of the dams have been determined to be in disrepair or insufficiently sized for the watershed draining into them. The purpose of the Project is to evaluate alternatives to address the deficiencies of the existing dams. The alternatives to be evaluated will include breaching of one or both dams, improving one or both dams to meet current ND dam design standards, and potential relocation of the upstream dam (Steele County Dam No. 1) to increase its storage potential. The Project will include the development of an HEC-RAS model to evaluate the downstream impacts of various alternatives. The total estimated cost of the Study is \$120,000.00. The Elm River JWRD has submitted a request for cost-share to the SWC to approve 60% cost-share, up to \$72,000.00. Upon a recommendation by the Executive Committee, Ben Varnson moved to approve 65% cost-share of the non-federal, non-state share, up to \$31,200.00. Larry Tom Perdue seconded the motion. Upon roll call vote, the motion carried unanimously.

Sean Fredricks informed the full Board that a decision was made by the Executive Committee at their May meeting that all non-member entity cost-share requests must be approved by the full Board as well as the Executive Committee from now on, regardless of the amount of the request.

### **RED RIVER WATERSHED MANAGEMENT BOARD UPDATES**

Rob Sip, Executive Director, provided a summary of activities the RRWMB has been involved with over the last several months. Mr. Sip told the Board that their office has plans of opening next week. He then provided updates which comprised of the RRWMB 2019 Year in Review along with additional information pertaining to water quality issues, projecting implementation, the protection of farmland, legislative matters, flood damage reduction, the 2021 budget, and a variety of other topics.

There will be a Mn Legislative Session scheduled for Friday, Jun 12<sup>th</sup> to discuss a bonding bill along with several funding incentives and opportunities.

For more information, please visit [www.rrwmb.org](http://www.rrwmb.org)

### **LEGISLATIVE UPDATES**

Sean Fredricks reported on matters occurring in the legislative realm. He said that there are several issues that are concerning and may have an impact on how WRD's construct legal drains in the future.

Mr. Fredricks informed the full Board that there is an upcoming meeting regarding the Minnesota Viewer Process. This will be discussed further at the next Executive Committee meeting on July 15<sup>th</sup>.

Assessment district matters and right of way issues were also discussed.

Sean is hopeful that together we can educate the State Water Commission and ND Legislators on how WRD's conduct their projects. Sean, Lance Gaebe, and Pat Fridgen are working together on these issues and are in the process of developing formal recommendations.

### **STATE WATER COMMISSION**

Pat Fridgen, Planning and Education Division, and Duane Pool, Natural Resource Economist, joined the meeting to discuss Economic Analysis and Cost-Share Policy issues.

The implementation of guideline documents and models for economic analysis and water conveyance projects were described in length.

Duane Pool presented two options for consideration related to the use of EA results as part of cost-share considerations. After discussion, the Commission determined the benefit-to-cost (BC) ratio be used as a percentage of the maximum allowable cost-share percentage for those projects with a ratio of less than one (1). Projects with a BC ration of one (1) or greater are eligible for maximum cost-share, per policy. The Commission clarified it was able to deviate from policy and exceptions could be made according to SWC policy.

Pat Fridgen discussed further revisions made to the cost-share application which includes a checklist for sponsors to complete and submit with cost-share applications. Revisions to delineation of project costs were developed to provide additional details as requested by Commissioners. The revised checklist is available on the SWC website for sponsors' use.

A workshop will be planned for the future to continue discussion on guidelines documents and models for water conveyance projects.

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

Rodger Olson described a few of the current events transpiring with the FM Diversion Project.

Mr. Olson said that the construction progress continues at the Diversion Inlet & Control Structure south of Horace, ND. Sheet piling at the base of the structure helps control seepage through the soil underneath the structure when floodwaters are passing through into the Channel.

Contractors working to build the Wild Rice River Control Structure started moving dirt in May at the site just off Interstate 29 south of Fargo. The Corps selected Ames Construction of Minnesota to build the Wild Rice River Control Structure. The \$59 Million contract to build the structure was awarded in November of 2019.

Building the Wild Rice River Control Structure includes two gates that will regulate the river when the Project is in operation. The structure is a key component of the southern embankment, which will include three structures and nearly 20-miles of embankment. The embankment and structures will be used to help protect the community when the Red River exceeds 37 feet in Fargo-Moorhead.

The Cass County Joint WRD continues to correspond with the landowners involved in the land purchase process.

### **RED RIVER RETENTION AUTHORITY**

Keith Weston, Executive Director, for the Red River Retention Authority (RRRA) discussed with the RRJWRD Board the opportunity to renew NRCS Agreement 14-C-ND -669. He said the 2018 Farm Bill allows USDA to develop a process to allow for noncompetitive renewals of successful RCPP projects.

Lead partners interested in being considered for a FY 2021 renewal must enter the RCPP Partner Portal and submit a streamlined proposal no later than June 26, 2020.

He discussed renewal process

- NRCS plans to make available up to \$50 million for FY 2021 Renewals.
- Projects with an expiration date between 10/1/20 and 9/30/21 are eligible for a FY 2021 renewal.
- Lead State Conservationists must review each submission and, if they concur and support a project renewal, indicate their support using a form on the RCPP SharePoint.
- For multi-state projects, the lead State Conservationist should consult with the other relevant State Conservationists.
- The NRCS Chief makes the final renewal selections and will announce the provisional renewal offers no later than July 31, 2020.
- NRCS intends to complete RCPP Renewal partnership agreements in November or December 2020.

Mr. Weston reviewed the RCPP Renewals Criteria.

- Renewal funding requests are limited to the funding amount awarded for the existing project.
- Partner contributions for renewed projects must be of a ratio equal to or greater than the original negotiated contributions of the existing project.
- Renewed projects may continue the existing project or propose to expand the scope of the existing project if the scope expansion remains within the objectives and purposes of the original partnership agreement.
- Projects may be renewed for up to five years. The RCPP statute allows projects to be extended one time for up to 12 months.

Mr. Weston provided a short PowerPoint presentation on what proposal items the RRRRA may want to consider when drafting a RCPP renewal proposal. Items discussed were:

- 1) Finish watershed plan designs
- 2) RCPP watershed outreach and education
- 3) New RCPP watershed plans
- 4) Acquire a watershed planning specialist
- 5) Project O&M plan development assistance
- 6) Project monitoring plan development and implementation
- 7) Commission work to identify watershed project benefits

Further discussion amongst the RRJWRD Board, Mary Podoll, NRCS, ND State Conservationist, Mr. Weston and meeting participants ensued. After considerable discussion it was determined the RRRRA should continue to pursue a RCPP Renewal proposal but keep its request to furthering project design.

Ben Varnson moved to direct Keith Weston to draft a Letter of Intent to the RRRRA to show the support of the RRJWRD for the RRRRA proposal to the NRCS Regional Conservation Partnership Program (RCPP). Josh Ihry seconded the motion. Upon roll call vote, the motion carried unanimously.

### **RED RIVER BASIN COMMISSION**

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

Mr. Preister described a first meeting that will take place in July or August with the newly formed Technical Advisory Committee. The Committee will be addressing Long Term Flood Solutions. The RRJWRD executive board will formally appoint members for the LTFS technical committee at their next meeting.

Strides with the Halstad downstream modeling continues to be made. RRBC is working with the Corps of Engineers on funding options for this project along with agreement issues.

Discussion was held on integrated drain projects. The RRBC has applied for a RCPP grant to bring to projects for water quality amendments.

### **INTERNATIONAL WATER INSTITUTE**

Chuck Fritz, Executive Director, provided an activity report from April - May 2020 focusing on watershed research, flood damage reduction, watershed pollutant load monitoring, and watershed education.

Mr. Fritz described an LCCMR Proposal which would establish a transferable water storage project implementation framework that includes metrics to quantitatively assess multiple benefits, both public and private, to achieve flood damage reduction, water quality, and habitat goals.

The 2020 Virtual River Watch Forum video series was a huge success as the videos were viewed over 2,400 times through social media and the IWI website.

River of Dreams in person activities with schools has stopped however, canoes from previous launches are being found with 18 sightings reported in May alone.

Scholarships are available to seniors who have participated in the River Watch Program for at least one year. Also, the Water & Natural Resource Scholarship is available to seniors from any high school in the Red River Basin who are pursuing a career in Water Resources, Natural Resources, Environmental Science, or another closely related field of study.

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

Mr. Randy Gjestvang provided a report on meetings and inspections that he has been involved with April 8 through June 9, 2020.

Lower Red River Regional Detention Analysis: Current Tasks:

- The RRJWRD submitted a letter to the SWC in March of 2020 requesting cost-share for anticipated cost overrun, increasing the SWC from \$45,000 to 77,904.50. On June 4, 2020, a letter was received by the SWC that they will be putting a hold on administrative approvals of \$75,000 or less due to revenue uncertainty.

- Conference calls are ongoing with the Corps to discuss the scope of work, federal budget, schedule, and a signed agreement. They need an agreement in place before a consultant's costs can be counted towards in-kind cost-share.

SWC 2021 Water Development Plan (2021-23 biennium and later)

- A list of proposed projects has been provided to the SWC and presented to the SWC Committee on June 1<sup>st</sup> and 2<sup>nd</sup>.

RRJWRD Water Management Strategy:

- Randy suggests the Boards provide the RRJWRD with a list of detention projects submitted for the SWC 2021 Development Plan. He will get a list of proposed detention projects submitted to the SWC for the 2021 Development Plan.

SWC Cost-Share Policy:

- Cost-share for cost overruns on a project that had been previously approved must be approved before incurring costs. It appears the SWC Commissioners may set policy to be able to approve cost-share at a reduced percentage, based on b/c ratio (if less than 1).

Mr. Gjestvang also provided updates on surface drainage permitting policies, current levels of Devils Lake, and Table of revenue provided to the SWC for project cost share from the oil extraction tax.

**OTHER BUSINESS**

The next RRJWRD full Board meeting will be held in West Fargo on September 23, 2020.

**ADJOURNMENT**

Having no further business to discuss, the meeting adjourned at 12:20pm without objection.

APPROVED:

ATTEST:

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Gary Thompson, Chair

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Nettie Johnson, Secretary

