

MEETING MINUTES OF THE
RED RIVER JOINT WATER RESOURCE DISTRICT
FULL BOARD MEETING
VIRTUAL/PHONE CONFERENCE
ORIGINATING AT THE OFFICE OF THE CASS COUNTY HWY DEPT.
WEST FARGO, ND
JANUARY 13, 2021 ~ 9:30AM

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

ROLL CALL

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

ORDER OF AGENDA

Michael Wyum moved to approve the order of the agenda. Arv Burvee seconded the motion. Upon roll call vote, the motion carried unanimously.

MEETING MINUTES

Michael Wyum moved to approve the December 2, 2020 amended special meeting minutes and the December 9th, 2020 as presented. Rodger Olson seconded the motion. Upon roll call vote, the motion carried unanimously.

2021 EXECUTIVE COMMITTEE ELECTIONS

In accordance with Article XIII, Section 1, of the By-Laws, the full Joint Board must elect Managers to serve on the Executive Committee for 2021. Gary Thompson nominated Ben Varnson, Larry Tanke, and Josh Ihry to serve full-time positions on the Executive Committee for 2021 with Tom Perdue to serve as alternate. Arv Burvee moved to cease nominations. Larry Tanke seconded the motion. Roll call was taken and all counties voted aye.

In 2021, the Board elected Gary Thompson and Dan Jacobson for full-time positions on the Executive Committee, and Jim Haugen as an alternate. Jim Haugen has retired and the Richland County WRD appointed Arv Burvee as their Red River Joint WRD representative. In light of Jim's retirement mid-way through his term, the Chair must appoint his replacement for the remainder of Jim's term at which time Chairman Gary Thompson appointed Arv Burvee to serve as the Richland County WRD representative for the remainder of 2021 in place of Jim Haugen.

The full-time positions held by Gary Thompson and Dan Jacobson will be up for election in January 2022.

TREASURER'S REPORT

Treasurer Carol Harbeke Lewis presented the RRJWRD financial report. Ben Varnson moved to approve the treasurer's report as presented. Tom Perdue seconded the motion. Upon roll call vote, the motion carried unanimously.

LEGISLATIVE UPDATES

Sean Fredricks stated that the drain tile permitting process continues to move forward in simplifying tile permit requests and timelines and he is hopeful that the proposed bill will ultimately increase the application fee to cover the costs of project evaluation, etc.

Sean described the additions and changes to a bill that they are putting together for the assessment drain bill. Jack Dwyer said that he is waiting for revision information and he is unsure if there will be 2 or 3 bills. Sean encouraged water managers to continue to reach out to State Water Commissioners, legislators, and senators asking them to reconsider their recent decision to deny cost-share requests for drainage projects so that reconstruction costs can become eligible again for state cost-share. The bill will be heard on January 21, 2021 before the Senate Agriculture Committee.

Discussion was held on the ND Ag Coalition matters who is a federation of organizations representing specific agricultural commodities with an interest in agriculture. After further discussion, Mr. Gary Thompson indicated that he would be interested in applying for a membership with the Coalition. Bylaws require that each potential member be sponsored for consideration by at least three current ND Ag Coalition members, one of which must be livestock, row crop, or cereal crop entity.

FARGO-MOORHEAD DIVERSION PROJECT

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

Mr. Olson said that they continue to work with landowner's land rights for the project.

Sealed bids for the construction of the Property Structure Mitigation – Phase 50 D.1 project will be received until January 20th, 2021.

U.S Army Corps of Engineers 2021 Work Plan Includes \$115 Million Appropriation for FM Area Diversion Project. Today Senators John Hoeven and Kevin Cramer announced that the Fiscal Year 2021 Work Plan for the U.S. Army Corps of Engineers (Corps) includes a record-breaking \$115 million in federal funding for the FM Area Diversion Project.

Minnesota Judge dismisses the Court Case after BRRWD approves permit for the FM Area Diversion Project (December 07, 2020) – The FM Area Diversion Authority received a permit from the Buffalo Red River Watershed District (BRRWD) on October 26, 2020 and pursuant to the Binding Term Sheet (settlement agreement) the appeal of the previous permit denial was dismissed in November 2020.

Agreement was reached to end lawsuits and compensate for impacts from the Fargo-Moorhead Area Diversion Project October 26, 2020 – A Settlement Agreement (Agreement) to resolve federal and state litigation related to the FM Area Diversion Project was signed October 26, 2020 by leaders of the Metro Flood Diversion Authority and a number of upstream entities.

RED RIVER RETENTION AUTHORITY

Keith Weston, Executive Director for the RRRRA, gave a brief update on meetings and activities he has been involved with since our last meeting.

The Board approved their 2021 RRB retention study priority list. This list along with an accompanying basin map will be put into a 4-page fact sheet or handout for use by individual WRD boards and staff.

The Board received a report from a RRRRA meeting with Minnesota and North Dakota NRCS State Conservationists to discuss development of an electronic watershed plan library. NRCS told the RRRRA their recent watershed project data is in the “Dam Watch database”. Older watershed documents will eventually be put into the database as well.

There has been discussion about a possible bonding bill in this ND legislative session. The Governor and a number of Senators are in favor of exploring a bonding bill. House passage may prove to be a more difficult effort.

RED RIVER BASIN COMMISSION

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

Strides with the Halstad downstream modeling continue to be made. RRBC is consulting with the Corps of Engineers on modeling efforts. Mr. Preister added that this endeavor could take up to 18 months to complete.

Manitoba is interested in doing a study of symmetry in the Red River in efforts to update the main stem.

The RRBC Annual Conference will take place on January 21, 2021 via video/phone. The conference will include keynote success stories from around the Basin, Q & A opportunities, and virtual trade show and more.

INTERNATIONAL WATER INSTITUTE

Asher Kingery provided updates on River of Dreams and River Watch activities. Staff is working on a virtual 2021 River Watch Forum. Activities will include assignments focusing on macro invertebrate, water quality and other water resource issue challenges. IWI staff continues work on a virtual program for the River of Dreams program and started coordination with teachers this month.

RANDY GJESTVANG REPORTS & UPDATES

Mr. Randy Gjestvang provided a report on meetings and inspections that he has been involved with from December 9, 2020 to January 12, 2021.

Lower Red River Regional Detention Analysis:

- A portion of the study was completed through the Red River Feasibility Study until federal funds were depleted. The remaining tasks are proposed to be added to the contract between the RRBC and the Corps for planning assistance to the States (section 22). Analysis of the 200 and 500-year events are being added to the study. Local costs are estimated to exceed the amount originally estimated. Total ND estimated cost is \$222,565.00. ND cost incurred at this time is \$32,905.00. Meetings have been held by the Corps of Engineers to discuss tasks/schedule. Finalizing the report could extend into early 2023.

Long Term Flood Study Update:

- A Technical Team is representing the RRJWRD. They have completed reviewing the first batch of draft documents and a second batch of draft documents will soon be available for review.

RRJWRD Water Management Strategy:

- The Report has been updated with a Proposed Project list and Summary of Needs to include detention sites, studies, final designs and/or construction, and dam (rehab) improvements along with developed graphs showing RRJWRD available funds with different scenarios.
- There has been a request to obtain an HEC-HMS model of the Sheyenne River. Barr Engineering made contact to request the model for an ongoing study. There had been previous discussion with the RRJWRD concerning Manitoba request to obtain models.

Mr. Gjestvang also provided updates on current levels of Devils Lake which is currently at 1448.5.

ADJOURNMENT

Having no further business to discuss, the meeting adjourned at 11:30am without objection.

APPROVED:

ATTEST:

Gary Thompson, Chair

Nettie Johnson, Secretary

