

MINUTES OF VIRTUAL / CONFERENCE CALL MEETING
RED RIVER JOINT WATER RESOURCE DISTRICT EXECUTIVE COMMITTEE
ORIGINATING AT THE CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
JULY 13, 2022

A virtual / conference call meeting of the Red River Joint Water Resource District (RRJWRD) Executive Committee was held on July 13, 2022, at 9:30 a.m.

Present were Gary Thompson, Traill County Water Resource District; Ben Varnson, Nelson County Water Resource District; Dan Jacobson, Southeast Cass Water Resource District; Josh Ihry, Steele County Water Resource District; Tom Perdue, Grand Forks County Water Resource District (alternate for Larry Tanke); Arv Burvee, Richland County Water Resource District (alternate); Carol Harbeke Lewis, Secretary-Treasurer; Nina Stone, Accountant; Melissa Hinkemeyer, Administrative Assistant; Sean M. Fredricks, Ohnstad Twichell, P.C.; Bruce Anderson, Barnes County Water Resource District; Don Kemp and LuAnn Kemp, Pembina County Water Resource District; Sindhuja Pillai-Grinolds and Randy Gjestvang, North Dakota Department of Water Resources (NDDWR); Rochelle Nustad, United States Geological Survey (USGS); Danni Halvorson, International Water Institute (IWI); Zach Herrmann, Mike Opat and Paul LeClaire, Houston Engineering, Inc.; Kurt Lysne, Lyndon Pease and Nathan Trosen, Moore Engineering, Inc.; Morrie Lanning, Barr Engineering, Co.; Jack Dwyer and Dani Quissell, North Dakota Water Users Association. Larry Tanke, Walsh County Water Resource District, was absent.

Minutes

It was moved by Manager Jacobson, seconded by Manager Varnson and unanimously carried to approve the minutes of the May 11, 2022, meeting.

Treasurer's report

Manager Ihry moved to approve the Financial Report, as presented. Manager Perdue seconded the motion. Upon roll call vote, the motion carried unanimously.

2023 Audit

Manager Jacobson moved to approve the 2021 Audit of the Red River Joint Water Resource District. Manager Ihry seconded the motion. Upon roll call vote, the motion carried unanimously.

Pledges of Assets

It was moved by Manager Varnson and seconded by Manager Ihry to approve the following Pledges of Assets:

- Alerus Financial - as per agreement dated April 20, 2012
- Federal Home Loan Bank of Des Moines \$2,000,000
Bremer) - Letter of Credit dated May 10, 2022
- Dakota Heritage Bank \$1,145,000
- Goose River Bank (Bank of North Dakota) \$6,430,000
- Stock Growers Bank – Forman \$ 115,000
- Choice Bank – Grafton - as per agreement dated July 8, 2021

Upon roll call vote, the motion carried unanimously.

Bills

Manager Jacobson moved to approve the payment of wire transfers, as presented. Manager Perdue seconded the motion. Upon roll call vote, the motion carried unanimously.

Elm River Dam No. 3 Improvements – cost-share request

Lyndon Pease discussed the proposed Elm River Dam No. 3 Improvements Project. The project would address a failing principal spillway culvert and erosion above the culvert which is compromising the earthen embankment at the Dam. Traill County Water Resource District is requesting the RRJWRD provide 90% of the cost-share on the non-federal, non-state share of the project, not to exceed \$168,300. Mr. Fredricks indicated Section X of the RRJWRD *Cost-Share Policies and Procedures* states the RRJWRD may vary from its cost-share policies and procedures on an individual or case-by-case basis if deemed necessary by the RRJWRD. Randy Gjestvang recommended approval of the cost-share request from Traill County Water Resource District.

It was moved by Manager Varnson and seconded by Manager Perdue to recommend the RRJWRD Full Board approve the request from Traill County Water Resource District for 90% cost-share of the non-federal, non-state share regarding the Elm River Dam No. 3 Improvement Project, not to exceed \$168,300, in accordance with Article X of the RRJWRD *Cost-Share Policies and Procedures*. Upon roll call vote, the motion carried unanimously.

Sheyenne River Bank Stabilization Study – cost-share request

Mike Opat discussed a proposed bank stabilization study along the Sheyenne River downstream of Baldhill Dam to the confluence with the Red River. Mr. Opat indicated the first step for the project is to identify and inventory bank erosion issues along the Sheyenne River that impact public infrastructure. Barnes County Water Resource District is requesting up to 50% cost-share of the non-federal, non-state share of the project, not to exceed \$16,250. Mr. Fredricks indicated this type of project would fall under Section X of the RRJWRD *Cost-Share Policies and Procedures*. Mr. Gjestvang recommended approval of the cost-share request from the Barnes County Water Resource District.

It was moved by Manager Varnson and seconded by Manager Ihry to recommend the RRJWRD Full Board approve the request from Barnes County Water Resource District for up to 50% cost-share of the non-federal, non-state share regarding the Sheyenne River Bank Stabilization Study, not to exceed \$16,250, in accordance with Article X of the RRJWRD *Cost-Share Policies and Procedures*. Upon roll call vote, the motion carried unanimously.

Clausen Springs Dam EAP update – cost-share request

Mr. Opat discussed the spring melt at the high-hazard Clausen Springs Dam and indicated the Emergency Action Plan (EAP) was activated, but it became evident that revisions and improvements to the EAP were necessary. The EAP needs to be updated to ensure safety regarding future events at Clausen Springs Dam. Mr. Opat stated Barnes County Water Resource District is requesting up to 65% of the non-state share of the Clausen Springs Dam EAP update, not to exceed \$4,875. Mr. Gjestvang indicated EAPs are very valuable and the RRJWRD has previously approved cost-share for projects at Clausen Springs Dam, including a prior EAP update. Mr. Gjestvang recommended approval of the cost-share request from Barnes County Water Resource District.

It was moved by Manager Jacobson and seconded by Manager Ihry to approve and authorize the Chairman to sign the *Cost-Share Agreement* with Barnes County Water Resource District for up to 65% cost-share on the non-state share regarding the Clausen Springs Dam EAP update, not to exceed \$4,875. Upon roll call vote, the motion carried unanimously.

Bourbanis Dam partial decommission – cost-share request

Don Kemp and Zach Herrmann discussed the severe erosion that occurred during the spring melt at Bourbanis Dam. Due to the damage Bourbanis Dam incurred this spring, Pembina County Water Resource District has determined the best course of action is to partially decommission Bourbanis Dam at this time to remove the public safety risk to downstream and nearby property owners, including the City of Cavalier. Pembina County Water Resource District is currently completing a study of the dams in the watershed to determine a long-term plan for the watershed, including potential addition of storage to dams downstream of Bourbanis Dam. Mr. Herrmann discussed the Bourbanis Dam partial decommissioning project design and indicated Pembina County Water Resource District plans to bid the project in August with the project completed by the end of the year. Mr. Herrmann stated the Natural Resources Conservation Service is providing significant cost-share for the project and the Pembina County Water Resource District is requesting 65% of the non-federal, non-state share of the project, up to \$295,030. Mr. Fredricks indicated the RRJWRD could approve cost-share for the project under Section X of the RRJWRD *Cost-Share Policies and Procedures*. Mr. Gjestvang indicated the partial decommissioning of Bourbanis Dam is the most responsible approach Pembina County Water Resource District can take at this time as a breach of Bourbanis Dam would be disastrous. The Board indicated they hope Pembina County Water Resource District can enhance water storage in the watershed at a later date.

It was moved by Manager Ihry and seconded by Manager Varnson to recommend the RRJWRD Full Board approve the request from Pembina County Water Resource District for up to 65% cost-share of the non-federal, non-state share regarding the Bourbanis Dam partial decommissioning, not to exceed \$295,030, which includes the preliminary engineering cost already incurred (Total of \$40,229, with RRJWRD share of \$10,450), in accordance with Article X of the RRJWRD *Cost-Share Policies and Procedures*. Upon roll call vote, the motion carried unanimously.

First Amendment to Cost-Share Agreement for the RCPP - Shortfoot Creek Watershed Study

Nathan Trosen stated Sargent County Water Resource District is requesting a two-year extension of the *Cost-Share Agreement* with the RRJWRD to complete the RCPP – Shortfoot Creek Watershed Study.

A motion was made by Manager Jacobson and seconded by Manager Varnson to approve and authorize the Chairman to sign the *First Amendment to Cost-Share Agreement* with Sargent County Water Resource District regarding the RCPP - Shortfoot Creek Watershed Study. Upon roll call vote, the motion carried unanimously.

First Amendment to Cost-Share Agreement for the RCPP - Tongue River Watershed Study

Mr. Herrmann stated Pembina County Water Resource District is requesting a two-year extension of the *Cost-Share Agreement* with the RRJWRD to complete the RCPP – Tongue River Watershed Study.

A motion was made by Manager Ihry and seconded by Manager Jacobson to approve and authorize the Chairman to sign the *First Amendment to Cost-Share Agreement* with Pembina County Water Resource District regarding the RCPP – Tongue River Watershed Study. Upon roll call vote, the motion carried unanimously.

First Amendment to Cost-Share Agreement for the Matejcek Dam Improvement Project

Mr. Herrmann indicated Walsh County Water Resource District is requesting a two-year extension of the *Cost-Share Agreement* with the RRJWRD to complete the Matejcek Dam Improvement Project.

A motion was made by Manager Varnson and seconded by Manager Ihry to approve and authorize the Chairman to sign the *First Amendment to Cost-Share Agreement* with Walsh County Water Resource District regarding the Matejcek Dam Improvement Project. Upon roll call vote, the motion carried unanimously.

USGS – update on Red River Low Flow Study

Rochelle Nustad provided an update on the USGS Red River Low Flow Study. There has been a change of the primary modeler and some complications with the modeling that has delayed the project timeline and expended much of the remaining funding for the

project. Additional funding will be requested in the future to complete the study. Ms. Nustad noted the deadline for the study will also need to be extended to approximately September 2023.

Legislative updates

Discussion was held on legislative updates regarding water resource districts. Mr. Fredricks and Jack Dwyer updated the Board on the SB 2208 interim study.

It was moved by Manager Jacobson and seconded by Manager Varnson to approve and authorize the Water Resource District Engineers to provide professional services regarding legislative matters. Upon roll call vote, the motion carried unanimously.

Dani Quissell discussed the proposed changes to the North Dakota Department of Water Resources (NDDWR) cost-share policy. The North Dakota Water Resource Districts Association has provided comments on the proposed changes and is working to schedule a meeting with the NDDWR staff and State Water Commissioners.

Red River Basinwide Plan

Mr. Herrmann updated the Board on the Red River Basinwide Plan through the RRJWRD. Mr. Herrmann indicated data from the surveys returned identifying upcoming water conveyance projects in the Red River Basin and the associated costs and schedules is now being compiled to develop the Basin Wide Funding Plan. Once the project inventory is complete, a basinwide economic review will be completed. Completion of the Plan is projected before the next North Dakota legislative session.

Upper Sheyenne Joint Water Resource District pilot project

Manager Varnson briefly updated the Board on the status of the Upper Sheyenne Joint Water Resource District pilot project.

IWI report

Danni Halvorson reported on the recent activities of the IWI. Mr. Halvorson noted there are additional funds remaining in the grant from the North Dakota Department of Environmental Quality (NDDEQ) for the River Watch and River of Dreams programs. Mr. Halvorson indicated a request will be forthcoming to extend the previously approved *Letter Agreement* with the RRJWRD to match the NDDEQ grant that runs through December 31, 2022.

NDDWR / State Water Commission report

Mr. Gjestvang reported on recent meetings, activities he has participated in and provided project updates. He reported the NDDWR 2023 Water Development Plan has been posted to the NDDWR website for comments. Member water resource districts should view the Plan to ensure information related to their sponsored projects is correct.

Discussion was held on DWR PRESENS sensors that help measure the elevation of water at dams. The sensors are useful tools that could be implemented on all dams. The cost to make a sensor is approximately \$350 plus installation costs. Mr. Gjestvang

encouraged member water resource districts to evaluate the potential use for PRESENS sensors at their facilities, especially for facilities that are difficult to reach. The sensors are solar powered and can help save water resource districts time and money on monitoring facilities. The Board asked Mr. Gjestvang to invite a representative from the NDDWR to a future Full Board meeting to give a presentation with more information on the PRESENS sensors.

Next meeting

The next meeting of the RRJWRD Executive Committee will be held on August 10, 2022, at 9:30 a.m., originating at the Cass County Highway Department.

Adjournment

There being no further business to be considered by the Board, the meeting adjourned without objection.

APPROVED:

Gary Thompson
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer