

- Red River Watershed Management Board

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Board of Managers

John Finney-Humboldt Farrell Erickson-Badger Harley Younggren. Secretary-Hallock Ron Osowski, Chairman-Oslo Vernon Johnson-Clearbrook Daniel Wilkens. Treasurer-Fertile Robert Wright-Felton Curtis Nelson-Barnesville Jerome Deal-Wheaton Don Ogaard. Executive Director-Ada

RED RTVER WATERSHED MANAGEMENT BOARD MEETING

May 19,1998

Sand Hill River Watershed District Office, Fertile, Minnesota

The RRWMB met on Tuesday, May 19, 1998, at the Sand Hill River Watershed District Office, Fertile, Minnesota.

Chairman Ron Osowski called the meeting to order.

Members present were: Daniel Wilkens John Finney
Farrell Erickson Jerome Deal
Vernon Johnson Robert Wright
Harley Younggren

^Others present were: Don Ogaard, Executive Director
Naomi Jagol, Administrative Assistant, Sand Hill River WD
Dan Thul, Red River Coordinator
Ron Adrian, Engineer, Middle River-Snake River WD
Charlie Anderson, Engineer, JOR Engineering
Jon Roeschlein, Administrator, Bois de Sioux WD
Nolan Baratono, MPCA-Basin Coordinator
Jerry Bennett, Administrator, Wild Rice WD
Ginny Imholte, Pelican River WD/BWSR
Brent Johnson, Houston Engineering
Wayne Goeken, River Watch Coordinator

Additional items were added to the agenda. Jerry Bennett, Administrator, Wild Rice WD, requested to update the Board on a proposal received from MPCA.

Minutes of the April 21, 1998, meeting were read and approved with minor corrections. **Motion** to approve the minutes by Manager Johnson, **Seconded** by Manager Deal, **Carried**.

The Treasurer's report was presented and it was approved as read. **Motion** by Manager Younggren, **Seconded** by Manager Deal, **Carried**.

A **Motion** to approve and pay bills by Manager Erickson, **Seconded** by Manager Johnson, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

Red River Coordinator Contract

Don Ogaard reviewed a contract received from the Minnesota Department of Natural Resources. He explained that the contract with the State of Minnesota for a cost share with the RRWMB relating to Dan Thul's position was up for renewal. The coordinator position is funded by the two agencies as follows: 70% DNR and 30% RRWMB. The RRWMB's 30% cost share is \$24,000. The contract is identical to the previous year's contract. Ogaard added that the outcome of the mediation process will likely determine whether an on-going relationship with the DNR will continue. **Motion** to renew the Coordinator position contract by Manager Wilkens, **Seconded** by Manager Deal, **Carried**.

District Reports:

- The Middle River-Snake River WD reported that the District continues to develop flood control works on the Snake River under Public Law 566. The District is working with the City of Warren and the Natural Resources Conservation Service (NRCS) to develop a project to control floods on the Snake River. The project at this point includes an off-channel impoundment with 100-year storage at approximately 7,000-aci feet and a diversion around the City of Warren. The NRCS is in the process of doing the necessary survey and soils investigations for both these projects. These investigations are expected to be completed early the summer. It is still thought that the procedures to establish the impoundment will begin late in 1998 or early in 1999.
- The Sand Hill River WD reported that at the regular monthly board meeting, the Chairman of the Sand Hill Advisory Committee reviewed a petition requesting that Polk County turn over the county ditch system within the SHRWD to the district. The managers agreed the petition included all the necessary information. *The* advisory committee will circulate the petitions to obtain signatures and present the petition to the County board.
- The Joe River WD reported that the District is waiting for the completion of a ditch petition. The proposed ditch is approximately 2.5 miles long and provides an outlet for water which previously ran over neighboring farmland.
- The Roseau River WD reported that it is with regret that the District announces the resignation of Board member Kelman Kvien. Kelman served on the Board for 13 years, five of which he acted as Chairman. He will remain a member of the Roseau Flood Control Committee.

The District continues to make final preparations for the MAWD Summer Tour being hosted this year by the Joe River, Two Rivers, and Roseau River Watershed Districts.

- The Bois de Sioux WD reported that the first draft of a flood control strategy has been completed and the Board of Managers will review the draft at their next meeting on Thursday, May 21, 1998. A meeting is tentatively scheduled for June 10th for the purposes of describing the RRWMB legislation to the citizens and elected officials. After a satisfactory review of the Flood Control Strategy by the BdSWD Board of Managers, a meeting will be scheduled to obtain public participation. The District requests representation from the RRWMB at this meeting in order to answer questions and offer support. The meeting will be organized and moderated by BWSR.

- The Red Lake WD reported that the Louisville/Parnell Impoundment Project bids were opened and the contract was awarded. The District has a considerable amount of construction under progress, however, due to all the rain received construction has been delayed.
- The Wild Rice WD reported that excessive rainfall within the Wild Rice/Marsh River Watershed over the past week caused river levels to rise to record levels. Thousands of acres of farmland in Lee and Mary Townships were inundated as floodwaters escaped the river channel. The Watershed District has been monitoring its flood control projects and levees along the Wild Rice River to insure their integrity. The District has received numerous requests for assistance to address the flood devastation.
- The Two Rivers WD reported that the District received a petition for a legal ditch system in Springbrook Township, Kittson County. The alignment will be along an existing coulee which is the downstream outlet to Kittson County Ditch #10, which is under the administration of the District. A preliminary survey has been completed and an informational meeting will be held with the petitioners later this month.
- The Buffalo-Red River WD reported that Curt Nelson, Board Manager of the BRRWD, stated that 4.6" of rainfall was measured on his farmstead on Friday, May 15, 1998. Nelson has measured 8" of rainfall from May 6th to May 16th. Similar reports are being heard in the Buffalo Red watershed near Hawley and Barnesville.

Report by Districts on May '98 Flood Damages

Ogaard reviewed an article in the Fargo Forum highlighting flooding occurring in the Wild Rice WD near Perley. He stated that 60,000 acres were under water in the downstream area of the Wild Rice River. Flood damages have occurred year after year throughout the district including the years 1993, 1996, 1997, and 1998.

Osowski added that \$21,000 has been raised by landowners in seven townships west of Warren for preliminary investigation of the potential for additional upstream floodwater storage. The proposed site is located next to a wildlife sanctuary operated by the Audubon Society. They have offered to cost share on the project due to the fact they are in need of a water supply.

The Middle River-Snake River WD has also been experiencing problems with the PL566 Project. Osowski explained that the DNR would like to reactivate a natural water channel within the project. The project requires mitigation based on a 6 to 1 acreage ratio since the wetland mitigation required is classified as "riverine".

Communication/Internet Committee Report - Daniel Wilkens

Wilkens stated the communication committee discussed several options in an effort to find the most effective means for providing and enhancing communication between the member watershed districts of the RRWMB.

Jon Roeschlein, Administrator, BdSWD, added that he discussed the proposal at the Association for District Administrator's meeting. He polled the audience and noted that only one member out of the twenty-five in attendance did not have Internet capabilities. He stated that the Internet is becoming the main form of communication and information sharing between agencies.

Motion by Manager Wilkens to fund the creating and maintenance of a web page for the Red River Watershed Management Board and each individual member watershed district, Seconded by Manager Johnson, Carried

Director's Report - on agenda

Ogaard reported that mediation between the RRWMB and the DNR is scheduled for May 27, 1998, at 9:00 a. m at the Northland Inn, Crookston, MN. He stated that representatives from the Center for Environmental Advocacy (CEA) and the Audubon Society will participate in the 16 member group. Ogaard added that the DNR proposed that each side alternate on paying the expenses associated with the mediation meetings. He stated that CDR recommended that Charlie Anderson be removed from the RRWMB panel and instead be utilized on the technical committee in order that adequate representation could be given from the southern region of the RRWMB. Ogaard explained that Gerry Van Amburg will also change positions and move from the technical committee to the regular panel. **Motion** by Manager Wilkens to replace the vacant alternate position left by Charlie Anderson with John Finney, **Seconded** by Manager Erickson, **Carried**. Ogaard distributed a handout regarding a proposal to engage a consultant to the RRWMB for the mediation process. He stated the importance of having a professional mediator in the audience to observe the actions and comments of the panelists and offer guidance. The proposed consultant has a direct connection with the Red River Valley and has had twenty years of experience in this field working primarily with state agencies. **Motion** by Manager Wilkens to engage the professional services of John Genereux as a professional mediation consultant to the RRWMB, **Seconded** by Manager Deal, **Carried**.

Discussion was held on the desired outcome of the mediation process. Manager Wilkens added it would be beneficial for the mediation participants to present written position statements. Ogaard concurred with this recommendation and added that the participants need to present a united front. Ogaard stated that the issues to be mediated have not yet been made public but will develop as the mediation process moves forward. Charlie Anderson stated it would be useful, as issues develop, to prepare a handout and distribute to mediation participants. The handout could describe the issue being discussed and state each side's position. **Motion** by Manager Erickson to authorize a response mechanism to prepare correspondence in order to keep the mediation participants informed on the issues being discussed, **Seconded** by Manager Younggren, **Carried**.

Ogaard updated the Board on the COE Environmental Advisory Board Annual Planning Conference conducted on April 28-30, 1998, in St. Paul that he attended along with Naomi Jagol. He stated that although the meeting focused on the Mississippi River, he tried to observe characteristics that could be related to the Red River Basin. He noted that there are five states involved with monitoring the Mississippi River, however, none of these five claim ownership to the river. With regard to planning initiatives, Ogaard explained that the COE has completed several studies, but none have been implemented. Members of the COE expressed extreme frustration with the current planning process due to the fact that in one case, a \$10,000,000 plan was completed and never used. Ogaard stated the COE is seeking a connection to foster implementation and needs local governmental units to assist in this process. Jagol stated the need to develop an element of trust between the key players in the planning process is vital to the establishment of grass roots participation.

The North Dakota/Minnesota joint summer tour was discussed. Ogaard stated that this year it is Minnesota's responsibility to conduct the tour and inquired whether the Board was interested in doing so. Manager Wilkens encouraged the Board to continue the tour in order to further the relationship with North Dakota. Ogaard added that the tours are usually conducted in July and the last tour was of Lake Traverse in the Bois de Sioux Watershed District. Several possible tour destinations were discussed which included ring dikes in the Middle River-Snake River WD, the Louisville/Parnell Impoundment in the Red Lake WD, and off-stream storage sites. After discussion, the Board decided to conduct a tour with a tentative route of East Grand Forks, Warren, and Thief River Falls to highlight ring dikes and off-stream storage. **Motion** by Manager Johnson to authorize a summer tour hosted by the RRWMB on behalf of the RRWMB, **Seconded** by Manager Younggren, **Carried**.

The video prepared by Pro Video of the public informational meetings conducted by Susan Gilbert was discussed. Ogaard stated that the 25 videos prepared contain a few minor errors and inquired whether the Board would desire to have the errors edited out of the video. Motion by Manager Wilkens to authorize Ogaard to engage the services to Pro Video to edit the minor errors in the video, Seconded by Manager Deal, Carried.

Ogaard stated a response was received from the COE regarding the legal challenge on March Creek #6. He noted that the Center for Environmental Advocacy (CEA) had filed a legal challenge in the Court of Appeals and by the end of next week papers will need to be filed. To date, \$25,000 in legal fees have been expended. Ogaard added that an offer was made by the CEA to drop the legal challenge if the issue could be included in the mediation proceedings with the MnDNR. The offer was not accepted.

Red River Coordinator Report - Dan Thul

The minutes from the TAC meetings conducted on April 21st and SO[^]were distributed and reviewed by Thul.

Thul stated that at the TAC meeting conducted prior to the RRWMB meeting, the committee discussed the Maple River Dam Project in North Dakota. He stated that Brent Johnson used data received from Moore Engineering to route a hydrograph to Halstad and to Grand Forks. Thul noted that Johnson determined a 2,500 cfs reduction and also that the downstream timing was quite good considering there were no gated controls. Ogaard inquired on the plan design including a 30-day draw-down requirement. Thul responded that the plan include this requirement.

The STAR value method for evaluating wetland restorations was discussed by the TAC. The committee is trying to determine how to increase the value of wetland restorations for flood storage by the Board providing financial incentives. Thul stated that the TAC has a preliminary estimate of \$10 per acre-foot per day value for storage. He added that the TAC suggested assigning Charlie Anderson the task of developing a system to allow for a method of determining dollar values for wetland restorations. Motion by Manager Wilkens to authorize Charlie Anderson to develop a system in concert with the TAC, Seconded by Manager Erickson, Carried.

The TAC discussed proposed changes to the Drainage Law in the next legislative session. A handout was distributed to the board for review. Thul stated the TAC is available to review the proposed changes in detail and make a recommendation to the board on how to proceed. He further added that legal counsel may be required to review the changes. Ogaard concurred with the suggestion to retain legal counsel for review of the changes since even subtle language modifications can have several different connotations. Ogaard stated the need for the board to be aware of legal as well as technical modifications. Finney inquired as to what exactly the proposed modifications entail. Charlie Anderson responded that proposed changes include modifications to procedures dealing with repair, lands that are held for purposes other than agricultural, and downstream impacts. Anderson explained the four types of areas affected include: 1) Metro, 2) Drain tile systems, 3) Surface gravity ditch systems, and 4) Transitional. Jon Roeschlein added that MAWD is organizing a group for discussion purposes on the proposed changes to the Drainage Law. This group will need legal, technical, and administrative support to examine the issues and make recommendations. Manager Johnson encouraged the RRWMB to coordinate with MAWD in the review of the proposed changes in order to avoid a duplication of efforts. Ginny holte, Pelican River WD/BWSR, added that she recommends supporting MAWD in the review process since watershed districts could benefit on a statewide basis from their recommendations. Motion by Manager Wilkens to retain Kurt Deter as legal counsel and authorize two technical committee members and one board representative to participate in the review process through a panel established by MAWD, Seconded by Manager

Younggren, **Carried**. Ginny Imholte stated that a representative from the Association for District Administrators would be on the panel and suggested including a ditch viewer as well. Ogaard stated that a representative could be obtained from the viewer's association.

River Watch Program - Wayne Goeken

A handout was distributed regarding a River Watch exchange program between students from Fosston, Minnesota and Chelyabinsk, Russia. The main purpose of this exchange program is to provide training in how to establish and make use of a school and community based river monitoring program as a means to broaden environmental awareness. Goeken explained that this opportunity is partially funded through a grant from the U.S. Information Agency which is primarily underwriting costs for the Russian group and providing about half of the transport costs for the U.S. students. A slide presentation was given on the River Watch program which is funded by the RRWMB. The current River Watch program is based out of the Sand Hill River Watershed District and includes the schools in Fosston, Win-E-Mac, Fertile, and Climax. Goeken stated the River Watch program is currently expanding to include several schools within the Red Lake Watershed District and noted that other schools throughout the Red River Valley have expressed an interest in this program. Manager Wilkens stated that a request was made at the previous board meeting for the board to consider funding assistance for this program. Manager Finney stated that the RRWMB is the primary sponsor for the River Watch program and, as such, has contributed a total of \$60,000 to be paid in three annual installments of \$20,000. Finney noted his concern as to where does the responsibility end for supporting the program. Manager Johnson stated that water quality monitoring is a major concern and suggested the River Watch program addresses this issue. Goeken stated his appreciation to the RRWMB for being the major sponsor of the River Watch program. He noted that a raffle is underway and local service clubs are being contacted to secure their financial support. The board decided not to contribute to this effort at this time.

Discussion on Guideline Paper

At the previous monthly board meeting a handout prepared by Don Ogaard was distributed to generate discussion on the present and future workload of the RRWMB and the TAC. The Managers agreed to discuss the handout with their respective districts and then these issues could be addressed again by the RRWMB.

Minnesota Pollution Control Agency Proposal - Jerry Bennett, Administrator, Wild Rice WD

Bennett explained that the Minnesota Pollution Control Agency (PCA) received a one-time appropriation from the Minnesota Legislature to look at the cost of implementing environmental regulations and the associated benefits of these regulations. The PCA has convened a task force composed of representatives from industry, municipalities, watershed management groups and environmental groups to hire a third party to conduct a scoping study. The Wild Rice Watershed District (WRWD) requested the RRWMB's assistance in underwriting the costs associated with participation on the task force since Jerry Bennett was invited to participate on behalf of watershed management groups. Bennett added that direct costs of participation are estimated at approximately \$3,900 and updates on the progress of the task force utilizing a cost benefit model to achieve cost effective environmental regulations would be provided to the RRWMB. Ogaard commended Bennett on being appointed to the task force due to the distinguished nature of the participants. After discussion, the Board

decided that since the scoping study is of the utmost importance to all the watershed districts within the RRWMB, the cost of Bennett's participation in the task force should be entirely funded by the RRWMB. **Motion** by Manager Wilkens to fund the cost of Bennett's participation on the task force, **Seconded** by Manager Johnson, **Carried**.

District's Funding Requests:

No requests for funds were submitted this month. However, the Middle River-Snake River WD did state that a revised Step I submittal will be forthcoming shortly.

MPCA Update on Water Quality Monitoring - Nolan Baratono

Baratono stated that a meeting was conducted at the Sand Hill River Watershed District on May 13, 1998, between representatives from MPCA and Wayne Goeken-River Watch Coordinator, and Dan Wilkens-RRWMB. The meeting included discussions on how to expand the River Watch program and also possible methods for standardizing water quality monitoring procedures. A survey was distributed to the Board in order to obtain information necessary to compile an inventory of water quality monitoring activities that are being conducted in the Red River basin. Baratono requested each manager forward the survey to their respective district offices for completion. Ogaard inquired whether other agencies will accept the standardization process and the data it provides as credible. Baratono stated that, in time, other agencies will accept the data provided as a credible resource.

A summary document was distributed by Baratono of the National Water-Quality Assessment (NAWQA) Program. To obtain a copy of the study conducted, a request can be submitted to:

District Chief
U.S. Geological Survey
Water Resources Division
2280 Woodale Drive
Mounds View, MN 55112

The next meeting will be on June 16, 1998, at 9:30 a.m. at the Red Lake WD office in Thief River Falls, Minnesota.

There being no further business, the meeting was adjourned at 1:55 p.m.

Respectfully submitted,

E. Harley Younggren
Secretary

Naomi L. Jagol
Administrative Assistant