

# Red River Watershed Management Board

70S Fifth Street West Ada, MN 56510 Phone: (218)784-4156, Fax: (218)784-2015

## 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 RIVER WATERSHED MANAGEMENT BOARD MEETING

November 17, 1998

Red Lake Watershed District, Thief River Falls, Minnesota

The RRWMB met on Tuesday, November 17, 1998, at the Red Lake Watershed District Office, Thief River Falls, Minnesota.

In the absence of the Chairman, Vice-chairman Finney called the meeting to order.

Members present were: Curtis Nelson Harley Younggren  
Farrell Erickson Daniel Wilkens  
Jerome Deal Vernon Johnson

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  
Rick St. Germain, Engineer, Houston Engineering  
Charlie Anderson, Engineer, JOR Engineering  
Jon Roeschlein, Administrator, Bois de Sioux WD  
Lowell Enerson, Administrator, Red Lake WD  
Bob Beduhn, Engineer, HDR Engineering  
Brent Johnson, Engineer, Houston Engineering  
Nolan Baratono, MPCA-Basin Coordinator

Minutes of the October 29, 1998, meeting were read and approved with minor corrections. **Motion** to approve the minutes by Manager Younggren, **Seconded** by Manager Erickson, **Carried**.

The Treasurer's report was presented and it was approved as read. Nelson inquired whether the State Bank of Waubun was included on the list of banks that participate in the bidding process for investment funds. Wilkens responded that over 100 banks were contacted that reside within the counties of the watershed districts in the RRWMB regarding their desire to participate in a bidding process for investment funds. Approximately 50 banks responded that they would like to participate in this process. No response was received from the State Bank of Waubun. **Motion** by Manager Nelson, **Seconded** by Manager Deal, **Carried**.

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

**USGS Mercury Study Agreement for 1999** - Don Ogaard

Ogaard reviewed a contract received from the USGS regarding the Mercury Study for 1999. The letter received noted that USGS would commit to funding half of the contract for 1999 which is \$31,900. Ogaard stated that the previous month's minutes had indicated a desire to explore funding potential from MPCA for the second half of the funds agreed to be funded by the RRWMB. Ogaard stated that he would contact Nolan Baratono, MPCA-Basin Coordinator, to inquire on the status of that request.

Deal inquired whether the amount of \$31,900 referred to earlier was for the total portion of mercury study, or if the RRWMB had agreed to fund one-half of this amount with the possibility of funding potential from MPCA. Ogaard responded that the RRWMB had agreed to fund one-half of \$31,900. Manager Wilkens suggested tabling this discussion until Nolan Baratono joined the RRWMB following the TAC meeting coinciding with the present RRWMB meeting.

Nolan Baratono concluded the meeting with the TAC and updated the RRWMB on the status of the funds requested from MPCA. He stated that prior to the previous meeting, he had visited with Mark Brigham regarding the funding request. He added that he had also talked to the St. Paul division in MPCA who indicated that these funds could be budgeted for in 1999. **Motion** by Manager Erickson to sign the contract and request additional funds from MPCA, **Seconded** by Manager Johnson, **Carried**.

**USGS Stream Gaging Agreement for 1999** - Don Ogaard

A stream gaging contract for the period of October 1, 1998 to September 30, 1999, was received in the amount of \$42,340. **Motion** by Manager Nelson to authorize the payment of the stream gaging contract in the amount of \$42,340, **Seconded** by Manager Erickson, **Carried**.

**Lake Traverse Task Force Update** - Jon Roeschlein

Roeschlein discussed the action taken by the Red River Basin Board (RRBB) at their meeting on December 3, 1998. He stated that the RRBB endorsed the recommendation by the Lake Traverse task force to proceed with a reconnaissance study sponsored by the U.S. Army Corps of Engineers (USACE). He noted that the Bois de Sioux Watershed District (BdSWD) is apprehensive about proceeding with this study. The District would rather investigate all possible upstream storage areas prior to researching the construction of an additional structure at White Rock.

Roeschlein referred to the recent legislation passed to include all the counties in the BdSWD in the jurisdiction of the RRWMB. He explained that the District obtained support for this legislation under the assumption that the increase in tax base would allow for additional holding structures to be constructed in both upstream and downstream locations of the watershed. The proposed study would focus on the installation of an additional structure at White Rock, which is a downstream location. The District is concerned that should this study proceed, the citizens would support the findings of this study, rather than exploring additional upstream storage possibilities.

Roeschlein stated that the District would prepare a letter noting their opposition to proceeding with the study and will forward it to the RRBB. He requested support from the RRWMB in this matter. Finney requested Deal to bring a copy of the letter to the next RRWMB regular meeting for review.

### District Reports

- The Red Lake WD reported that hearings are currently being conducted on ditch petition improvements. Two ditch petition projects already in progress, as well as several ring dikes, are winding down prior to the onset of winter weather.
- The Two Rivers WD reported that the District has been working with Kittson County North schools to develop a water sampling program on the North Branch of the Two Rivers. The school district has secured a grant which enables them to acquire geographic information system (GIS) information software, global positioning systems (GPS), water quality monitoring equipment, and other equipment needed to do field work and data collection. They have approached the District requesting technical assistance in designing and carrying out monitoring and data collection programs. Sampling sites can be located using GPS equipment and then transferred into GIS computer software. The school will benefit from the hands on experience and the District will benefit from the quality of data and state of the art equipment.
- The Roseau River WD reported that the Board has scheduled an informational meeting with landowners for the proposed Hay Creek Project on December 8, 1998. Members of the Flood Control Committee and Roseau County Commissioners are expected to be in attendance.

Manager Farrell Erickson was appointed as the District's delegate to attend the water quality meetings sponsored by the Minnesota Pollution Control Agency.

- The Sand Hill River WD reported that Commissioner Bakken discussed at their regular monthly meeting that the County would be conducting an informational meeting prior to year end, regarding turning the ditches over to the watershed district. Bakken stated that the commissioners are not concerned with this proposal since the watershed districts have been designated by the County to manage surface water. Bakken added that once the informational meeting is conducted, the County would have a better sense of which would be the most acceptable alternative.

Manager Wilkens reported that the District received a favorable ruling regarding a lawsuit filed by a renter within Project #12 - County Ditches 98 & 148. The lawsuit was filed by the renter to request crop damages received during the construction of the project. The court found that damages were paid by the District to landowners for both permanent and temporary damages, and that the renter would need to seek reimbursement from the landowner based on the rental contract regarding any damages incurred.

- The Bois de Sioux WD reported that no action has occurred by the District since they have not had a regularly scheduled meeting to discuss the proposed action to be taken by the Red River Basin Board (RRBB) regarding the Lake Traverse task force. The Board has noted its concern regarding the direction that the RRBB is taking with the investigation requests submitted to increase storage on the Lake Traverse Project and also downstream. As Jon Roeschlein discussed at the last RRWMB, the BdSWD feels that the requests submitted by the Lake Traverse task force might be damaging to the efforts of the District to be conducted upstream from Traverse.
- The Middle River-Snake River WD reported that the District is working with the Natural Resources Conservation Service (NRCS), the City of Warren, and others to develop the planned flood control works on the Snake River. The NRCS, through the District, has retained Houston Engineering of Fargo to do the topographic mapping for the proposed off-channel impoundment. The survey will be conducted utilizing

Global Positioning Technology to determine the horizontal and vertical points required for the survey. The survey is expected to be completed the month of November.

**Red River Joint Water Resources Board/RRWMB Annual Meeting** - Don Ogaard The Annual Meeting of the Red River Joint Water Resources Board and the RRWMB is scheduled for Wednesday, January 13, 1999, at the Comfort Inn, Highway #2, East Grand Forks, MN. Ogaard suggested that an item to be included on the agenda would be an update on the mediation process conducted in the Red River Valley. Members of the environmental interest groups and also the DNR would be invited to participate in the presentation as well. Ogaard stated that a report would also be given on the activities of the RRWMB during the past couple of years.

**Motion** by Manager Younggren for the RRWMB to sponsor the 1999 Annual Meeting, **Seconded** by Manager Johnson, **Carried**.

### **Red River Coordinator/TAC Report** - Dan Thul

Minutes of the TAC meeting conducted on September 21, 1998 were distributed.

Thul stated that Brent Johnson updated the TAC on the 1997 modeling effort. A graph was distributed to the TAC regarding the gaging stations routed to Emerson. Thul noted that Johnson explained that minor revisions are needed on the model regarding the routing coefficients. Thul explained that the procedure used to route flows downstream on the model is a "black box" type of procedure. The optimization of routing the coefficients is difficult. Thul added that an updated version of the model would be presented at the next monthly meeting.

Thul stated that the TAC discussed a request received regarding the 10-year, 24-hour storm protection agreed upon by the mediation panel. The participants requested an estimate regarding how much agricultural land would be flooded and how much storage would be required for the protection agreed upon. Thul stated that the TAC had a good discussion regarding the various options to arrive at this estimate, however, he stated that each watershed district engineer would be responsible for calculating this number.

Ogaard added that this information is needed for distribution prior to the 12/09/98 meeting, in order to assemble the information and submit it to the facilitators for review. He stated that the mediation panel has directed the DNR to implement a policy for flood damage reduction initiatives. He noted that the agreed upon protection pertains to intensively farmed agricultural land and the mediation panel agreed to use the BWSR definition for this requirement.

Brent Johnson questioned whether a range could be developed rather than a specific estimate. He stated that the Red Lake Watershed District (RLWD) developed a range of 11 - 22%. Ogaard noted that a range could be developed if each watershed district developed a range as well.

Anderson stated that the Roseau River Watershed District (RRWD) would be difficult to estimate. Manager Erickson suggested contacting the ASCS office in order to determine the priority areas in the RRWD. Anderson inquired whether CRP land would be treated as a continuous crop. Ogaard responded that CRP land should be considered a continuous crop.

Nolan Baratono presented an update to the TAC regarding the water planning effort currently being conducted by MPCA in order to develop a Red River Basin Water Quality Plan. Thul stated that Baratono explained that one basin committee has been identified, along with four local committees established. Thul noted that the intent of the basin committee is to develop a plan based on the water quality issues identified by the local committees.

Nolan Baratono addressed the RRWMB and added that the effort was currently in the preliminary stages. He noted that he greatly appreciated the support of the members of the RRWMB and stated that should anyone desire to be on the mailing list regarding the water quality effort, to contact him and their names would be added.

Thul added that, regarding the modeling initiative, a committee had been appointed consisting of Ogaard, Wilkens, and Deal. He requested that this committee meet prior to the next regular monthly meeting in order to initiate discussion on the model criteria. Anderson noted that the modeling effort proved to be an excellent tool in the mediation process. Anderson stated that the model allows individuals to obtain the same perspective with regard to decision making.

#### "Mediation" Committee Report - Don Ogaard

Ogaard stated that a major accomplishment in the mediation process was the agreement to provide protection for agricultural land for a 10-year, 24-hour storm event. This agreement would be developed in policy statements of the DNR and will have a major impact on future decisions.

Ogaard discussed the other major outcome of the mediation process was the utilization of the RRWMB's Annual March Conference. He explained that the newly adopted format would provide for each watershed district to discuss the problems identified in their district with all of the agencies participating in the conference. He noted that the process will be awkward at first, but would develop as time goes on. He added that a major concern to watershed districts are the projects that are currently waiting to receive a permit in order to proceed. He recommended that a parallel process be developed that would include the discussion of new problems, along with a review of projects already waiting to receive a permit. He noted that the mediation process has elevated watershed districts as the primary local avenue for accomplishing water management initiatives. The next major task will involve the upgrading of all the overall plans for all the districts. This update would involve quantifying the flood damage reduction assessments needed within each district.

Ogaard added that the mediation panel also discussed whether funding should be sought during the upcoming legislative session. An estimate of \$11,000,000 was discussed for flood damage reduction initiatives in the Red River Valley. He stated that further discussion occurred regarding whether funds should be matched on a local basis. The environmental interest groups indicated their concern that this amount of funding would be inadequate. Deal noted that it would be difficult for legislators to ignore this request when submitted by two normally adversarial groups.

Ogaard stated that he developed a handout for the mediation panel regarding flood damage reduction issues. He noted that his intent was to generate an open discussion on the issues among the participants. Instead, the mediation panel assigned a committee to review the issues and incorporate them into the agreement developed by the participants.

Ogaard discussed the opening paragraph for the agreement which included a history regarding the developments that led to the mediation process. He stated that he developed an explanation of events and then requested

comments from the National Audubon Society and the DNR. An introductory statement was agreed upon that depicted a chronological portrayal of the events that led to the mediation process in a non-editorial fashion.

Deal added that the agreement has developed into an excellent document and he commended the TSAC on their accomplishments.

Wilkens noted that Ron Harnack indicated that BWSR would be offering assistance to the watershed districts regarding updating their overall plans to include the natural resource goals developed in the mediation process. Wilkens explained that Harnack estimated the update of each overall plan to cost approximately \$75,000 to \$150,000. This estimate would include the development of a hydrologic model for each district.

Adrian inquired whether the funding sought from the legislature regarding the overall plan updates would be appropriated to BWSR. Deal responded that the funds would be appropriated to BWSR and then disbursed to the watershed districts.

Ogaard added that regarding the flood damage reduction strategies listed in the agreement, he would develop a description for each method included in the agreement in order to create a uniform understanding of the strategies.

Johnson noted that a panel has been scheduled to discuss the developments of the mediation process at the Minnesota Association of Watershed Districts (MAWD). Don Ogaard will present a brief summary of the mediation process on December 3, 1998, in order to update individuals prior to the panel discussion. The mediation panel is scheduled for December 5, 1998. The panel will include Don Ogaard-RRWMB, Jerome Deal RRWMB, Daniel Wilkens-RRWMB, Ron Nargang-DNR, Cheryl Miller-National Audubon Society, and Ron Harnack-BWSR.

Ogaard added that the mediation participants have agreed to continue meeting on a quarterly basis to monitor the progress of the newly developed agreement. He noted that the final meeting of the mediation process is scheduled for December 9, 1998, and will involve signing the final agreement developed by the panel. Motion by Manager Nelson to authorize Ogaard, Deal, Wilkens, and Johnson to sign the agreement on behalf of the RRWMB, Seconded by Manager Erickson, Carried.

Finney noted that he was pleased at the progress of the mediation group and suggested to discuss the developments of this process with the Red River Basin Board (RRBB). Ogaard stated that this issue is on the agenda for the next RRBB meeting scheduled for December 3, 1998.

Ogaard stated that a meeting has been scheduled for January 27, 1999, at the Northland Inn, Crookston, MN, in order to update the Red River basin on the mediation proceedings. Wilkens added that this meeting would be open to all watershed districts managers, county commissioners, agency representatives, and any interested citizens.

#### Executive Director Report - Don Ogaard

Ogaard stated that he has been meeting with all the individual watershed districts in the RRWMB to update them on the progress of the mediation process. To date, six meetings have been scheduled with only three watershed districts left to respond.

Ogaard noted that a "Drainage Forum" hosted by the Board of Water & Soil Resources (BWSR) has been scheduled for November 19-20, 1998, in St. Cloud, MN. He added that this meeting is in direct conflict with the **TIC** conference. He noted that he has been invited to participate in a panel discussion representing watershed districts in Minnesota.

Roeschlein concurred that the Drainage **Forum** was in conflict with **the TIC** conference and added **that the** original format had been modified to break **into** regional drainage discussion groups. **The** four regional groups will include: Red River Valley, Upper Mississippi, Minnesota River, and Metro. Johnson encouraged attendance **at this** meeting in order for watershed districts to gain an understanding of drainage issues throughout the state.

### **District's Funding Requests:**

#### **1. Red Lake WD's Parnell and Louisville/Parnell - Cost Overrun Request - Bob Beduhn**

Enerson and Beduhn noted several changes to the previous monthly meeting minutes regarding the section, "Red Lake WD's Parnell and Louisville/Parnell - Final Cost Presentation." The following changes were discussed:

1. Page 10, Paragraph 1 - Last sentence. The embankment (change embankment to excavation) costs associated with this decision were significant.
2. Page 10, Paragraph 4 - Second sentence. He (change "he" to Beduhn) commented that the weir restricts **the** amount of water going south therefore, the water backflows into the impoundment in the west pool where the embankment is high.
3. Page 10, Paragraph 4 - Third sentence. He (change "he" to Beduhn) explained that this situation was somewhat of a political compromise since the local landowners did not believe the project would work.
4. Page 10, Paragraph 6 - Second sentence. He explained that the impoundment will hold (change "hold" to manage) 8.9 inches of runoff.

**Motion** by Manager Wilkens to amend the previously approved minutes, **Seconded** by Manager Johnson, **Carried**.

**Motion** by Manager Johnson to approve the recommended changes by Enerson and Beduhn, **Seconded** by Manager Younggren, **Carried**.

Beduhn explained that the Parnell Impoundment was developed as the first phase for a five-phase project. **The** project phases included:

- Phase 1 - Impoundment at Parnell Location
- Phase 2 - Repair Grand Marais outlet to Red River
- Phase 3 - Improve CD #2
- Phase 4 - Improve/Impound CD #66 & CD #126
- Phase 5 - Redirect Parnell West (from Crookston)

Beduhn discussed the east and west pool connection. He explained that water would be diverted to the west pool in order to redirect water away from Crookston. He noted that the ultimate goal was to use the Parnell Impoundment as a diversion tool to route water around Crookston, Fisher, and East Grand Forks.

Beduhn clarified the issue about gate operation. He stated that in the preliminary engineer's report, the design did not provide for the gate to be operated. The west gate would be set at 50% open which would divert water around Crookston. He added that if downstream flooding is not occurring, the pipe would be opened to allow the water to go west around Crookston.

Wilkins inquired whether the operation of the gate would strictly benefit the City of Crookston, or whether downstream benefits to the Red River would be recognized. Beduhn responded that although the project was designed to offer downstream benefits, the project was not designed for gate operation. He further stated that the impoundment could manage back to back storms without operating the gate structure. A total of three inches of storage are available if the gates are closed and would not cause water to go over the emergency spillway.

Wilkins stated the importance of downstream benefits to the Red River. Beduhn noted that the maximum downstream benefits would be recognized sequentially with the completion of each phase of the project initially developed.

Anderson noted that storage capability currently in place, additional downstream storage would not be needed in order to operate the gates. Beduhn responded that some minor improvements to the west outlets may be needed, and also the main two ditches should be reviewed to make sure the outlet is adequate. He further stated that the engineers that completed the final engineer's report had never proposed gate operation. He added that he would be in favor of exploring the possibility for full gate operation, but noted that at the present time, the project is not ready to begin opening and closing the gates. He stated that the project was constructed according to the original specifications and it is operating the way it was intended. He added that in a year or two, when operational data is available, a review could be conducted and improvements could be made.

Anderson inquired as to how many big floods have to be realized before maximum storage capabilities can be utilized. He further stated that maximum benefits need to be recognized as soon as possible.

Enerson stated that additional funding would be necessary in order to incorporate gate operation into the plan. Manager Johnson added that the current design specification was the original design of the project. Johnson agreed that a review could be conducted in order to develop a method for improving the benefits of the project.

Wilkins explained that when the RRWMB was established in 1976, the members recognized a need for a basin-wide approach to water management. He recommended that a review should be conducted of the Project Evaluation Manual in order to avoid a similar situation occurring in the future. He added that the TAC should also develop criteria or standards for future projects.

Enerson noted that over the years, he has received criticism for various projects constructed by the Red Lake Watershed District (RLWD). He added that he did not believe changes were necessary to the Project Evaluation Manual. He stated that the Parnell Impoundment may not be a perfect project, but the RLWD did see it through the construction phases and encouraged the RRWMB members to approach the cost overruns with an open mind. Wilkins responded that he could understand the difficulties in constructing a project, however, he suggested that the RRWMB guidelines should be worked into the various project plans.

Enerson stated that in the past, once a project has been approved for funding by the RRWMB, additional funding requests regarding cost overruns have not been submitted to the RRWMB as they occur. Enerson added that should the RRWMB approve to revise the Project Evaluation Manual, the RLWD would follow the procedures outlined therein.

Deal suggested that, in the future, the RRWMB should be kept informed on any overruns. He stated that these particular issues could have a significant impact regarding tax levy requirements for the upcoming year.

Wilkins stated that two types of overruns occur with a project. They involve bidding and construction costs. Wilkins stated that typically, only construction overruns have occurred.

Finney inquired why the RLWD did not reject the original bids received and re-bid the project. Erickson questioned whether both the RLWD managers and the RRWMB members understood that additional storage capacity was added after the project was approved. Beduhn responded that no additional dirt was included in the cost overrun, and that the bid price was in at 24% above the engineer's estimate. Enerson added that revisions were made to the original estimate in order to save the RLWD money in the long run.

Finney requested clarification on the 30% rule for the bidding process. Wilkins explained that if bids received exceed 30% of the engineer's estimate, then bids must be rejected by law and the project re-bid.

Ogaard stated that the issue in question relates to whether a substantial change in either project design or costs should be brought before the RRWMB after project approval is obtained. Enerson responded that the RLWD followed the procedures according to the Project Evaluation Manual.

Johnson added that he would encourage the development of such a policy in the Project Evaluation Manual. Nelson noted that a committee was developed previously to review the Project Evaluation Manual.

Enerson explained that the cost overruns for the projects include:

1. Parnell Impoundment - \$503,454 (RRWMB - 85%, RLWD - 15%)
2. Louisville/Parnell - \$56,131.50 (50/50)

Finney inquired to Manager Wilkins, Treasurer, regarding the impact of absorbing a cost overrun of this significance. Wilkins responded that the RRWMB brings in approximately \$800,000 in tax levies and interest income each year.

Finney inquired whether the RLWD would consider absorbing a larger share of the overrun, and develop a new proposal for the RRWMB for the next month. Johnson responded that the proposal presented to the RRWMB was supported by the RLWD and should be considered for approval.

**Motion** by Manager Johnson to approve the funding request submitted by the RLWD for the cost overruns for the Parnell Impoundment and the Louisville/Parnell Impoundment, **Seconded** by Manager Nelson, **Carried**.

Nelson discussed the establishment of the Project Evaluation Manual review committee. The board determined that only Manager Wilkins had been previously appointed to chair the committee. Finney stated that additional members need to be added to the committee.

**Motion** by Manager Erickson to add Nelson and Osowski to the Project Evaluation review committee, **Seconded** by Manager Deal. Carried.

The next meeting will be on December 15, 1998, at 9:30 a.m. at the Sand Hill River WD office in Fertile, Minnesota.

There being no further business, the meeting was adjourned at 2:25 p.m.

Respectfully submitted,

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E. Harley Younggren  
Secretary

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Naomi L. Jagol  
Administrative Assistant