

Red River Watershed Management Board

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Board of Managers

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RED RIVER WATERSHED MANAGEMENT BOARD MEETING

September 26, 2000

Roseau River Watershed District, Roseau, Minnesota

The RRWMB met on Tuesday, September 26, 2000, at the Roseau River Watershed District Office, Roseau, Minnesota.

In the absence of the President and Vice President, Farrell Erickson-Secretary called the meeting to order.

Members present were: Harlan Solberg Vernon Johnson
Daniel Wilkens Robert Wright
Curtis Nelson Jerome Deal

Others present were: Don Ogaard, Executive Director
Naomi Jagol, Administrative Assistant, Sand Hill River WD
Dick Nelson, Financial Coordinator
Rick St. Germain, Engineer, Houston Engineering
Ron Adrian, Administrator, Middle River-Snake River WD
Charlie Anderson, Engineer, JOR Engineering
Rob Sando, Administrator, Roseau River WD
Jerry Bennett, Administrator, Wild Rice WD
Dave Lanning, Administrator, Red Lake WD
Jim Moench, Executive Director, Red River Basin Board
Manfred Holm, Roseau River WD, Citizen Advisory Committee

Ogaard requested that an addition be added to the Executive Director report regarding the membership of the individual watershed district project teams.

The minutes of the August 22, 2000 meeting were read and approved with minor corrections. **Motion** to approve the minutes as written by Manager Johnson, **Seconded** by Manager Deal, **Carried**.

The Treasurer's report was presented and it was approved as read. **Motion** by Manager Nelson, **Seconded** by Manager Deal, **Carried**. A one-page handout of monthly bills to be approved was distributed. Manager Wilkens stated that a bill was received from USGS regarding stream gage cost share reimbursement, however, additional information is needed prior to submitting payment. The board authorized Wilkens to pay the bill once clarification is received. **Motion** to approve and pay bills by Manager Deal, **Seconded** by Manager Solberg, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

Due to a heart attack experienced by Manfred Holm (Roseau River WD Citizen Advisory Committee member), the RRWMB recessed briefly to allow for the emergency personnel to transport Mr. Holm to the hospital. Mr. Holm did not survive the heart attack.

Report on the Red River Basin Flood Damage Reduction Work Group (RRBFDRWG) Meeting

Manager Wilkens stated that direction from the RRWMB is needed regarding how to submit funding requests to the RRBFDRWG for preliminary engineering grants. Manager Deal concurred with Wilkens.

Manager Johnson noted his concern relative to the state completing projects once they've begun. Ogaard responded that Flood Damage Reduction funds are a priority with the state and noted that a long history of completing projects is documented.

D. Nelson stated that a deadline of January 10, 2001 was established for funding RRBFDRWG approved projects. He added that since the upcoming year is not a bonding year, only emergency projects would receive funding.

Manager Wilkens added that the dates of the March Conference have been scheduled for March 15-16, 2001. Manager Deal noted that the RRBFDRWG had discussed the possibility of a three-day conference.

Financial Coordinator Report – Dick Nelson

D. Nelson reported on the status of the Public Law 566 Project (Snake River Watershed). The project has been authorized in the Senate and remains to be authorized in the House. At least one or two opportunities exist this month to get this accomplished. The Senate side of the Agricultural Appropriations bill included \$4,000,000 for the project and is sponsored by Rod Grams. He noted that he was confident that this bill would get passed.

D. Nelson discussed the Hay Creek Project of the Roseau River WD. He explained that this project is also on the Senate side of Appropriations and sponsored by Rod Grams. He noted his uncertainty about the passing of this legislation, however, the funding of the \$500,000 for the remainder of the feasibility should pass because of the small dollar amount needed and the commitment of the sponsor. He added that this project is a USACE 206 project and has authorization from CAP.

D. Nelson explained that the Red River Reconnaissance Study is for \$500,000 for the USACE to conduct a Red River Basin-wide study to identify project needs and areas for potential development to reach those goals. The study has support from both Minnesota and North Dakota and has recently been supported by Senator Dorgan for an amendment when the bill goes to conference or the floor in an Omnibus Bill. The Minnesota side is apprehensive due to a potential conflict of interest with the City of Crookston's 205 project. He noted that there are no new projects or studies being allowed.

D. Nelson stated that the CARA funds, which are received from offshore oil payments, are supposed to go towards environmental and recreational use rather than into the general budget as in the past. A strong movement is underway to use the funds for their original purpose. He added that these funds could be used for environmental enhancements on flood control projects and would be of great use to the RRWMB as far as getting projects on the ground in a timelier manner. Minnesota's share is \$38,500,000 a year for up to 15 years, although it has been suggested to fund the program for only five years. He noted that a concern exists for fiscal implications of this bill by the Appropriations and Budget Committees in both Houses.

Report on ND/MN Summer Tour

Ogaard stated that due to the tour being scheduled during harvest, several individuals who had signed up for the tour had to cancel. He noted that several individuals from North Dakota had requested that he conduct a personal tour when their schedules permit.

Executive Director Report – Don Ogaard

A) IFMI (International Flood Mitigation Initiative) Proposal for Basin-wide Water Issue Governance

The RRWMB endorsed the position of the RRBB at the previous monthly meeting. Jim Moench-Executive Director RRBB distributed copies of the final version of the RRBB's response to the Governance Proposal of the IFMI.

B) Otter Tail Watershed Meeting

The last meeting included a presentation from MPCA regarding water quality issues. He noted that the next meeting is scheduled for October 5, 2000 and will include a presentation from the DNR fisheries division.

C) Draft Position Paper on Budget Issue

A draft copy was distributed to the board for review. **Motion** by Manager Wilkens to approve the policy budget issues paper, **Seconded** by Manager Johnson. Discussion followed. Manager Wilkens noted that the individuals who had requested that the RRWMB develop a budget should discuss the issue with their boards. As there was no further discussion a vote was taken. **Motion carried.**

D) Membership of the Individual Watershed District Project Teams

Ogaard explained the composition of the project teams within the individual watershed districts. He stated that the WD is the entity that determines the participants on the project team. He added that agencies have delegated specific individuals to attend the project team meetings within each WD. He explained that problems are occurring within several of the WD's regarding the composition of the project teams and suggested that a position paper be developed by the RRWMB.

Ogaard requested the board to comment on the membership of the project teams and how many individuals should be invited to participate from each agency and/or organization. Manager Wilkens stated that a predetermined group of participants on a project team must be recognized in order for the process of consensus to operate as intended.

Adrian stated that the Middle River-Snake River WD's project team has encountered problems with absentee project team members. He explained that certain members of the project team rarely attend meetings, however, vote on the issues without having been included in the discussions of the project team.

D. Nelson added that the process of consensus does not mean that the members of the project team will totally agree on each issue. He noted that the issue could progress by allowing a dissenting opinion to be noted in the concept paper.

Ogaard stated that the order of progression of a project would begin by the project team submitting a recommendation to the WD who would make the final decision. The WD's could then seek funding from the RRWMB and the RRBFDROWG.

D. Nelson discussed the problems encountered by the project team for the Snake River Flood Damage Reduction project (Helgeland Site). He stated that a member of the RRBFDROWG who also identifies

herself as a member of the MRSRWD project team, has not attended several of the project team meetings and now states that she will oppose the project claiming that the consensus process was not followed.

Ogaard stated that nearly all agencies work under a directed system and have never worked with the decision making process within a WD. He suggested that a checklist be developed as a guide for the WD's and project teams.

St. Germain suggested that an item on the checklist should designate the responsible party for developing a report from the project team and when the report should be developed. Manager Wilkens stated that the WD should prepare the concept paper for the project after receiving the proposed solutions from the project team.

Ogaard noted that uniformity is needed regarding the membership for all the project teams for the individual WD's. He added that the issue of absenteeism should also be addressed and suggested that should project team members be absent for two meetings in a row they be replaced.

Ogaard requested that the board list the agencies that should be eligible for membership on the project teams. Following discussion, the board determined that the following entities should be invited by the WD's to participate on the project teams: Minnesota Department of Natural Resources (DNR), Minnesota Pollution Control Agency (MPCA), Board of Water and Soil Resources (BWSR), U.S. Army Corps of Engineers (USACE), U.S. Natural Resource Conservation Service (NRCS), U.S. Fish and Wildlife Service (USFWS), County Board of Commissioners, Township officers, City Councils, local environmental organizations, regional, state or national environmental organizations, and WD board of managers.

Manager Deal requested to discuss the status of the RRBFDROWG funds. He explained that currently \$161,000 is undesignated and that BWSR and the DNR are trying to allocate these funds. He noted that guidelines have been developed by BWSR regarding the Red River basin set-aside program. He stated that the question regarding whether the USDA would allow water storage on CRP land was discussed by BWSR. He noted that the Red River basin set-aside program has no provisions for water storage. He added that BWSR is conducting a strategy session regarding water-based management since they are not comfortable with the state water plan. He stated that BWSR is attempting to determine their future role and also plans to move the state water plan down to the local levels to ensure efficient delivery of their programs.

Adrian stated that prior to March of last year water could be stored on CRP, however, now BWSR has indicated that water can't be stored on CRP. Anderson added that specific proposals are needed regarding storing water on CRP and that BWSR would consider these proposals on a case-by-case basis.

Ogaard stated that guidelines could be developed which would state that agencies should provide a delegate as well as a designated alternate that is involved with consensus decision making and would be entitled to one vote.

Bennett suggested that the RRWMB could obtain a list of the project team members from the individual WD's and then offer a recommendation for a minimum number of members from each agency. Ogaard responded that the suggested guidelines developed by the RRWMB would be only a suggestion to the individual WD's and would attempt to establish a core group for decision-making.

Motion by Manager Johnson to authorize Don Ogaard to develop a position paper regarding suggested guidelines for the project team selection and operation, **Seconded** by Manager Solberg, **Carried**.

E) RRBFDRWG Funding

Ogaard stated that the RRBFDWRWG discussed whether the legislative funds should be confined to RRWMB member WD's. Manager Wilkens added that the Tamarac River and Otter Tail watershed areas were mentioned as possibilities for the legislative funds.

D. Nelson noted his concern regarding individual project teams applying for RRBFDWRWG funds prior to presenting the request to the RRWMB. He suggested that the RRWMB establish a policy for submitting funding requests to the RRBFDWRWG.

Manager Erickson stated that the RRWMB was involved with the mediation process and should receive the benefits of the outcomes derived from the agreement. Manager Wilkens concurred and noted that should Tamarac or Otter Tail wish to be eligible for funding, they would need to become part of, or establish, a watershed district.

Ogaard inquired whether the position of the RRWMB was that only WD's are eligible for funding capability through the RRBFDWRWG. No objections were noted.

Manager Wilkens stated the need for the four representatives from the WD's on the RRBFDWRWG to present a united front at their meetings. He added that the issue must first be discussed at the RRWMB level, prior to presentation to the RRBFDWRWG for consideration. D. Nelson concurred with Wilkens.

Ogaard inquired whether a written policy statement should be developed regarding obtaining preliminary engineering grants. Following discussion, the board agreed that Ogaard should prepare a policy statement for review at the next monthly meeting.

Ogaard noted his concern that there is a general belief that natural resource enhancements could be accomplished on every site. Manager Wilkens stated that the mediation agreement outlines that not all projects would include natural resource components, but rather the WD would be viewed as a whole.

Bennett stated that \$200,000 is in the total annual budget for the RRBFDWRWG which would include providing \$20,000 grants to each project team. He added that he presented a funding request at the previous RRBFDWRWG meeting for reimbursement of preliminary engineering costs. He noted that the RRBFDWRWG did not consider his request due to the fact that no application procedures had been established for such a request. He encouraged the members of the RRBFDWRWG to resolve this issue at the next meeting in order for those funds to be expended.

Manager Wilkens explained that each project team has \$20,000 to operate on this year and these funds would be used to cover administrative and engineering costs of the project teams. He added that potential exists for each project team to obtain a total of \$60,000 in reimbursements since an additional \$20,000 each is available to cover the preliminary and final engineering costs.

St. Germain referred to item no. 4 on the handout titled, *Project Funding Criteria for Preliminary Engineering Grants*. He inquired why the project teams would present proposals to the RRBFDWRWG for consideration while the same agencies were represented on the project teams. Ogaard responded that the agency representative on the project team could be in agreement with the proposal while their superior may not.

D. Nelson stated that it would be very difficult to obtain a written indication from the USACE and other federal agencies. Bennett concurred with Nelson. Bennett added that the Wild Rice WD project team had approved a proposal for grant funding, however, NRCS would not agree to sign off on the proposal.

Manager Wilkens noted his concern regarding item no. 3 which states that the total project must include both flood damage reduction and natural resource enhancement components. Ogaard concurred with Wilkens.

Ogaard distributed a handout in response to item no. 3. Following discussion, the board authorized Don Ogaard to forward the response to Don Buckhout of DNR Planning.

F) Historic Information Report

Ogaard stated that a publication was developed in Norman County that discussed the history of the area. He suggested that such a publication be developed for each WD. He also noted that the publication included legal newspaper articles on major flood events in the past 100 years.

District Reports

- The Roseau River WD reported that Farrell Erickson-Chairman and Rob Sando-Administrator attended meetings in Washington, D.C. on September 12-16, 2000 with House and Senate representatives regarding the Hay Creek Project.
- The Two Rivers WD reported that the District is pursuing the purchase of land that is needed in Sections 32 & 33 of Ross Township for the Ross Impoundment Project. JOR Engineering has been gathering data and studying the gravel ridge that will be used on the north side of the impoundment. There is concern that seepage will occur through this ridge. Possible solutions for this potential problem include a cutoff ditch or a clay liner to prevent the seepage. A meeting will be scheduled with area landowners to review the impoundment plans and answer any questions. The project team has met and toured the site. Future meetings will focus on permits needed, the environmental review process, and potential funding.
- The Middle River-Snake River WD reported on the Public Law 566 (Snake River Watershed) Project. The comment period for the Environmental Assessment Worksheet (EAW) prepared in conjunction with the DNR expired on July 23, 2000. The Board of Managers issued a negative declaration for the preparation of an Environmental Impact Statement (EIS). The appeal period on this expires on September 27, 2000. The preparation of the appraiser's report is underway along with the final plans by the Natural Resource Conservation Service (NRCS).
- The Red Lake WD reported that a new Administrator/Engineer has joined the staff. Dave Lanning began his employment with the District on Monday, September 18th.
- The Sand Hill River WD reported on the status of Union Lake/Sarah. The electric pump is pumping with the lake elevation at 1.32 feet above the OHW as of September 25, 2000. On August 21, 2000 the lake was 2.24 feet above OHW. The lake has dropped .92 feet this past month. The only problems to date have been grass and leaves plugging the pump. To remedy this problem, the pump must be shut off to allow it to back flush the foreign material. Erosion control measures, fence around the pump, along with repair of the connection between Union Lake and Lake Sarah, remain to be completed. The engineers are working on a time delay switch that, in times of power outages, would not let the pump start at the same time as the entire system. A delay of several minutes would significantly decrease the starting load on the whole system.
- The Wild Rice WD reported that the Board of Managers received a report in August regarding the effect of a main stem storage facility on reducing flooding on the lower Wild Rice River area. Using the HEC 1 model, Engineer LeDoux provided another scenario of reducing flooding with

detention structures placed on the South Branch and Felton Ditch. A preliminary finding showed that detention areas closer to the Red River would have the greatest affect on preventing downstream flooding. The concept evaluated involved using off-channel storage on agricultural lands. In the upcoming months, the HEC 1 model will be used to further evaluate flood damage reduction alternatives for the flooding problems on the lower portions of the Wild Rice River.

- The Buffalo-Red River WD reported that a fall tour was conducted on September 22, 2000 with members of the Advisory Committee. Project reviews included the Moorhead/Dilworth/Hawley EDA projects and the Turtle Lake siphon.
- The Bois de Sioux WD reported that the Board of Managers scheduled a preliminary hearing in Wendell, MN regarding the North Ottawa Impoundment in conjunction with their regular meeting on November 16, 2000. The hearing will meet the requirements of 103D and provide another opportunity for the public to respond to the proposal. Staff has been authorized to hire an appraiser to appraise the land yet to be acquired and potentially those lands available for trade. Staff has also been directed to contact the three landowners that hold the land inside the footprint of the impoundment to begin discussions about purchase or trade.

Red River Coordinator/TAC Report

In the absence of Dan Thul, no TAC report was presented. The monthly TAC committee meeting was also cancelled.

District's Funding Requests:

1. Middle River-Snake River WD / Agassiz Valley Water Resource Management Project (Helgeland) Project), Step I Submittal:

Adrian distributed copies of the Step I submittal to the board. He prepared a PowerPoint presentation but in the essence of time only reviewed the corresponding handouts.

He stated that the project meets both flood control and environmental objectives. The total cost of the project is estimated to be \$6,000,000. The Legislature has approved this project for a 75/25 cost share which means that the state portion of this project is estimated to be \$4,500,000, with the non-state portion estimated to be \$1,500,000. The District requested a one-third/two-third cost share on the non-state portion of this project. With the current estimate the RRWMB portion would be \$1,000,000 and the District portion of the project would be \$500,000.

Manager Erickson suggested that the project area be toured during the next monthly meeting. Adrian invited the board to conduct the next monthly meeting in Warren.

2. Roseau River WD / Hay Creek Project / Step I Submittal:

A tour of the Hay Creek Project was conducted following lunch. Sando distributed copies of the Step I submittal to the board for review.

Sando explained that the proposed project includes the following three elements:

- 1) Restoration of Hay Creek – Currently a 6 ½ mile straight deep ditch with confining road grades and spoil banks on both sides. This will be restored to a shallower channel meandering across a riparian floodway corridor bounded by setback levees.
- 2) Norland Impoundment – This area will be restored to a 3,000-acre wetland/upland complex. It will capture runoff from its own 34 square mile drainage area and will also store overflows from Hay Creek. High quality return flows from the wetland will provide stream flow maintenance on Hay Creek. The proposed impoundment would provide about 7,200 acre-feet of gate-controlled storage.
- 3) Ag Diked Storage – These areas will be built to store and confine flood flows during major flood events, controlling widespread overland flooding. They would be located off channel on agricultural land north of Hay Creek and would fill sequentially as required. The proposed ag pools would provide about 12,000 acre-feet of gate controlled flood storage.

Anderson discussed the design of the project. Ogaard inquired about the USACE involvement with the project. Anderson responded that the USACE has been involved as well as DNR fisheries. Anderson added that the USACE has indicated that they would prefer automatic control but have also discussed the possibility of culvert sizing in the Hay Creek channel.

D. Nelson added that Hay Creek funding is currently being worked on by Congressman Peterson's office. He noted that the USACE projects would be considered this week by the legislature.

Two Rivers WD / Ross 32 Impoundment Project

Manager Solberg referred to the Ross Impoundment Project and stated that an opportunity exists for the District to purchase some of the land needed for the project. He inquired about the possibility of the RRWMB providing funding assistance to purchase the land.

Ogaard responded that advances of this nature have been considered on a case-by-case basis. He added that the RRWMB has provided funding assistance of this type previously, however, a problem exists should a project not be constructed on the land purchased.

Manager Erickson suggested that this issue be discussed when a full board is in attendance.

Ogaard stated that a projection would be developed in the near future of committed funds of the RRWMB. Manager Wilkens noted that the projection should be prepared for the December 19th board meeting.

The next meeting will be on October 17, 2000, at 9:30 a.m. at the City Hall, Warren, Minnesota.

There being no further business, the meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Farrell Erickson
Secretary

Naomi L. Jagol
Administrative Assistant