

Red River Watershed Management Board

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Board of Managers

John Finney, President-Humboldt Farrell Erickson, Vice Pres.-Badger Dan Money-Hallock Ron Osowski-Oslo
Orville Knott-Red Lake Falls Daniel Wilkens, Treasurer-Fertile Robert Wright, Secretary-Felton Jerome Deal-Wheaton
Naomi Erickson, Administrator-Detroit Lakes

RED RIVER WATERSHED MANAGEMENT BOARD MEETING

February 21, 2006

Sand Hill River Watershed District, Fertile, Minnesota

The RRWMB met on Tuesday, February 21, 2006, at the Sand Hill River Watershed District, Fertile, Minnesota.

Chairman John Finney called the meeting to order.

Members present were: Farrell Erickson Dan Money
Ron Osowski Orville Knott
Daniel Wilkens Robert Wright
Jerome Deal

Others present were: Naomi Erickson, Administrator
Dan Thul, Red River Coordinator
Nate Dalager, Engineer, HDR Engineering
Nick Drees, Administrator, Middle-Snake-Tamarac Rivers WD
Ron Adrian, Engineer, Houston Engineering
Jerry Bents, Engineer, Houston Engineering
Myron Jesme, Administrator, Red Lake WD
Diane Ista, Wild Rice WD
Maynard Pick, Congressman Peterson's office
Steve Dalen, Administrator, Wild Rice WD
Jim Skaurud, Wild Rice WD
Wayne Goeken, Monitoring Coordinator
Joe Courneya, Red River Center for Watershed Education
Tracy Halstenggaard, Admin. Asst., Roseau River WD
Alvin Nybladh, Middle-Snake-Tamarac Rivers WD

No additional items were added to the agenda.

Motion by Manager Money to approve the minutes as written with minor corrections, **Seconded** by Manager Erickson, **Carried**.

Motion by Manager Erickson to dispense with the reading of the Treasurer's Report and approve as written, **Seconded** by Manager Knott, **Carried**. A one-page handout of monthly bills to be approved was distributed. **Motion** to approve and pay bills by Manager Erickson, **Seconded** by Manager Osowski, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

Legislative Report

Manager Finney reported that due to D. Nelson's recent health issues and passing, Ray Bohn offered to assist the board with their legislative efforts. A letter was received from Mr. Bohn to confirm the agreement concerning Media & Government Affairs (MGA) and the RRWMB. While the agreement remains in effect, MGA shall perform the following legislative services: work with the RRWMB to develop priorities, strategies, and legislative positions; monitor and analyze proposed legislation; report to the chair and board on legislative activities and action items; serve as spokesperson at the legislature; and coordinate legislative policy related activities of the RRWMB. The term of the contract shall be in effect from January 31, 2006 until May 31, 2006 for a total of \$20,000 payable at the rate of \$5,000 per month. **Motion** by Manager Wilkens to authorize the contract with Media & Government Affairs for legislative services, **Seconded** by Manager Deal, **Carried**.

Diane Ista, Wild Rice WD, added that Bruce Kleven serves as the lobbyist for the Red River Valley Sugar Beet Grower's Association and is interested in providing legislative services to the board. Manager Finney responded that the board plans to develop a job description and advertise for the position of Financial Coordinator.

Manager Deal reported that Rep. Rick Hansen, author of the bill creating the buffer strip study and a participant with the stakeholders group, is considering authoring a bill to require reporting on ditch buffers by drainage authorities. He added that he has been in contact with Ray Bohn regarding the proposed bill.

Manager Finney added that the eminent domain legislation proposed by Rep. Jeff Johnson and Sen. Tom Bakk presently exempts Chapter 103D & 103E eminent domain authority from any changes, but does not for chapter 117. The issue with chapter 117 legislation for watershed districts and drainage authorities is that the recent trend has been for judges to ask watershed districts to utilize chapter 117 for their eminent domain proceedings rather than 103D & 103E, due in part because they are generally more familiar with that statute and 103D & 103E tend to be more cumbersome to deal with. Ray Bohn is working with the authors and eminent domain coalition to remove watershed districts from the chapter 117 changes as well.

Red River Basin Commission

Manager Wilkens reported that the Executive Committee met and is in the process of finalizing the Natural Resources Framework Plan (NRFP). A Water Management Workshop is scheduled for April 19, 2006 at the Holiday Inn, Grand Forks to address water quality and water management issues.

Manager Deal inquired whether the RRBC is considered a *commission* or an *authority* for legal purposes. He added that direct federal funding can be included in a base budget if an organization is considered an authority. Manager Wilkens responded that this issue has been referred to Lance Yohe-Executive Director.

Water Quality Project Monitoring Report

Wayne Goeken- Monitoring Coordinator distributed an invitation to the Eleventh Annual River Watch Forum on March 13th at the University of Minnesota – Crookston Campus. This will be the first basin-wide River Watch Forum to be held with schools representing Minnesota, North Dakota, and Manitoba portions of the basin. High school students involved with water quality monitoring of rivers throughout the Red River basin will share their perspectives and findings on the health of the Basin's waters via displays and presentations.

Joe Courneya, Red River Center for Watershed Education, discussed the Red River and You Teacher's Institute scheduled for July 16-20, 2006 at Lake Region State College, Devils Lake, North Dakota. The course objective

is to help educators understand and incorporate Red River of the North watershed education activities into their learning outcomes.

Administrator Report

A) Agassiz Valley Water Management Project Litigation

N. Erickson reported that a letter dated February 13th was received from the Commissioner of Administration regarding an advisory opinion that was requested from a citizen relative to whether the board complied with Minnesota Statute, Chapter 13.03 (Access to Public Data) concerning a request dated August 29, 2005 to inspect public data relative to financial records showing payments to the Middle-Snake-Tamarac Rivers WD for the above-mentioned project. Based on the facts and information provided, the Commissioner determined that the RRWMB complied with Minnesota Statutes.

N. Erickson explained that a second letter dated February 15th was also received from the Commissioner of Administration regarding another advisory opinion requested from a citizen relative to whether the board complied with Minnesota Statute, Chapter 13.03 (Access to Public Data) concerning a request dated August 25, 2005 to inspect public data that shows the specific area that the Agassiz Valley Water Management Project provides flood protection for. The opinion regarding the facts of this situation was that the Commissioner was unable to determine whether the RRWMB complied with Chapter 13 in communicating what data did or did not exist.

B) Project Management

N. Erickson stated that discussion has occurred whether the RRWMB should offer funding assistance to procure a project manager in an effort to expedite project implementation for projects progressing in member watershed districts. Following discussion, the board appointed a committee consisting of Jerome Deal, Ron Osowski, Orville Knott, and Dan Money to address whether the board should offer funding assistance to procure a project manager in an effort to expedite project implementation.

Manager Erickson referred to the West Interceptor project and stated that the Economic Development Authority (EDA) has requested a resolution with regard to project financing. The estimated cost for the wetland restoration portion of the project is ~ \$500,000, with a 50% cost-share request to be submitted to the RRWMB. Manager Finney suggested that the TAC should review the project prior to authorizing a funding commitment from the RRWMB. The board agreed to direct the TAC to review the West Interceptor project.

C) USACE Regulatory Branch Position

N. Erickson reported that at the January board meeting, Robert Whiting, USACE Regulatory Branch Chief, St. Paul District discussed various coordination opportunities between the board and the USACE regarding project teams in the Red River Basin.

The options included: 1) the board could enter into an agreement with the USACE to provide funds for additional regulatory staff time; 2) the board could hire a consultant to serve as a liaison between USACE regulatory and project teams; or 3) the USACE could use a third party hiring process to obtain a consultant to serve as a liaison between the USACE and project teams.

Following discussion, the board requested that the committee that was developed to address the issue of project management should also consider whether the board should enter into an agreement with the

USACE to provide funds for additional regulatory staff. The board requested N. Erickson to schedule the committee meeting on March 13th in conjunction with the Eleventh Annual River Watch Forum.

D) Logo Update

Previously the board authorized Kris Versdahl & Associates to update the RRWMB website. The budget for the development of the new webpage (\$2,700.00) did not include revising the logo. Revising the logo would involve an additional \$500.00. Following discussion, the board determined that they would keep the current logo with minor revisions to the shaded areas of the jurisdiction of current member watershed districts.

E) Upcoming Meetings/Conferences

1. River Watch Forum, March 13, 2006, University of Minnesota – Crookston Campus, Crookston, MN.
2. 2006 MAWD Legislative Breakfast & Day at the Capitol, Thursday, March 23, 2006 at the Kelly Inn in St. Paul, MN.
3. Red River Basin Flood Damage Reduction Work Group, March 29, 2006, 6:30 p.m., Northland Inn, Crookston.
4. March Conference, Thursday, March 30, 2006, Northland Inn, Crookston, MN.

District Reports

- The Middle-Snake-Tamarac Rivers WD reported that the floodway on the Public Law 566 (Snake River Watershed) project has been completed with only backfilling of the diversion structure, some seeding and dike work north of the Snake River remaining for 2006. Wetland mitigation on the Off Channel Storage Site is progressing.
- The Red Lake WD reported on the Grand Marais Sub-Watershed Creek Project 60 project. Due to timing issues and the fact that groundwork and landowner contacts have not been completed, the district has decided not to seek funding for the restoration of the Grand Marais outlet at this time.
- The Sand Hill River WD reported on the Union Lake Flood Control and Erosion project. A signed grant agreement was received from the Board of Water & Soil Resources (BWSR) for \$50,000 (50/50 cost-share). Plans and specifications have been developed for the project. The project will consist of five rock drop structures to address a 20-foot drop in 900 feet. The landowner and renter of the upstream farmland have both agreed to enroll the land in the Conservation Reserve Program (CRP). Changing the cover in the upstream area will help to control the erosion that has been occurring. The project team is working with the downstream landowner regarding landscaping issues.
- The Wild Rice WD reported that a new Administrator for the district has been hired. The board offered the position to Steve Dalen of Georgetown. Dalen has served as an appointed manager on the board from Clay County since 1999.

Red River Coordinator/TAC Report

Thul stated that the Technical Advisory Committee (TAC) met prior to the board meeting and discussed the various options between the board and the USACE regarding project teams in the Red River Basin. The TAC

questioned the value of investing board funds to support a USACE position. The TAC agreed that should support be needed for project implementation, the board could consider hiring a consultant, but ultimately each member watershed district should be responsible for determining whether a consultant is needed.

Thul noted that discussion occurred regarding developing a purpose and needs paper in support of impoundments in the Red River basin. The paper could be used by member watershed districts when preparing step applications for consideration by the board. The board agreed that the TAC should continue discussion regarding the development of such a paper.

Comprehensive Water Management Plan Update

N. Erickson reported that the Sand Hill River Watershed District (SHRWD) submitted its work plan and budget for review and approval to the Board of Water and Soil Resources (BWSR). She indicated that Brian Dwight has reviewed the work plan and budget and recommended that BWSR prepare a grant agreement for signature.

The budget for this project has a total cost of \$206,200.00 of which BWSR will provide 50% funding (\$103,100.00). The remaining 50% will be the responsibility of the SHRWD. Previously, the RRWMB has financially assisted watershed districts plan update efforts by providing 50% of the local share, or 25% of the total planning budget. The Sand Hill River Watershed District requested that the RRWMB consider financially supporting this planning effort in the amount of \$51,550.00. **Motion** by Manager Erickson to authorize the 50% local match of \$51,550 for the Sand Hill River WD's comprehensive watershed management plan update, **Seconded** by Manager Money, **Carried**.

Board of Water & Soil Resources / Board Vacancy

Myron Jesme reported that a board member position is vacant on the BWSR board. The board consists of 17 members, including local government representatives that deliver BWSR programs, state agencies, and citizens. The board meets 9 times a year and members, including the board chair, are appointed by the governor to four-year terms.

District's Funding Requests

No requests for funds were submitted this month.

The next meeting will be on March 21, 2006, at 9:30 a.m. at the Wild Rice Watershed District, Ada, Minnesota.

There being no further business, the meeting was adjourned at 1:45 p.m.

Respectfully submitted,

Robert Wright
Secretary

Naomi L. Erickson
Administrator