

Red River Watershed Management Board

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Board of Managers

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RED RIVER WATERSHED MANAGEMENT BOARD MEETING

March 21, 2006

Wild Rice Watershed District, Ada, Minnesota

The RRWMB met on Tuesday, March 21, 2006, at the Wild Rice Watershed District, Ada, Minnesota.

In the absence of the President, Vice President and Secretary, Daniel Wilkens-Treasurer called the meeting to order.

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

Others present were: Naomi Erickson, Administrator
Dan Thul, Red River Coordinator
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
Tracy Halstenggaard, Admin. Asst., Roseau River WD
Ruth Lewis, Basin Coordinator, Red River Basin Commission
Joe Belford, Ramsey County Commissioner

Additional items were added to the agenda. A resolution to accept a request from the Middle-Snake-Tamarac Rivers WD to intervene in litigation regarding the Agassiz Valley Water Management Project was added to the agenda under *Administrator Report*. An update on the Devils Lake outlet was added to the agenda under *Other Issues*.

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

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

Treasurer Wilkens turned the meeting over to Secretary Wright who presided over the remainder of the meeting.

Legislative Report

A report was distributed from Ray Bohn of Media & Government Affairs (MGA). Bills have been introduced this session to elect managers instead of appointment by the county board and another to recall managers. Threats to eminent domain authorities have been ever present this session in pending bills. In addition, there are several bills dealing with watershed districts' relationships with the state auditor and citizen audit requests.

Red River Basin Commission

Ruth Lewis-Basin Coordinator reported that the committee previously called the *Plan Management Committee* has changed their name to the *Plan Implementation Committee*. The Plan Implementation Committee is charged with addressing how to develop partnerships in relation to implementing the Natural Resource Framework Plan (NRFP).

Lewis discussed the *Time for Action Water Management Workshop* scheduled for Wednesday, April 19, 2006 at the Grand Forks Holiday Inn. She stated that the workshop is intended for all levels of local leaders to provide information on water quality issues and provide solutions to upgrade the health of the shared water resources. The workshop will focus on the effects of excess phosphorus, nitrogen and sediment in the tributaries and mainstem of the Red River which presents a significant human and environmental health hazard. She requested that the RRWMB provide endorsement for the workshop in terms of assisting with distributing a notice of the workshop in the monthly newsletter publication "*News & Views.*" **Motion** by Manager Deal to provide endorsement from the RRWMB for the Time for Action Water Management workshop, **Seconded** by Manager Knott, **Carried**.

Water Quality Project Monitoring Report

Wayne Goeken, Monitoring Coordinator, distributed a handout regarding Flood Damage Reduction, Condition & TMDL Monitoring and River Watch activities. The 2006 River Watch Forum was held March 13th at UMC. Approximately 190 students and teachers from 24 schools attended. Nearly all schools had displays set up with four schools giving oral presentations. Skills building sessions were presented to all the RW teams including online data entry, communications/marketing, and citizen stream monitoring protocols. Awards were presented to the top displays and to programs exhibiting leadership beyond the regular River Watch activities.

Administrator Report

A) Agassiz Valley Water Management Project Litigation

N. Erickson reported that a Reference Order dated March 6, 2006, and entered as part of ongoing litigation in Minnesota District Court, Marshall County, before the Hon. Donald J. Aandal, referred to BWSR the determination of various factual issues relating to Appellants' challenge to the validity of the Agassiz Valley Water Management Project.

The determinations that BWSR will make in these referred proceedings will necessarily implicate broad issues of public policy relevant not only to the Agassiz Valley project, but to the scope of legal authority granted to watershed districts and the RRWMB under Minnesota law, and their prospective ability to undertake water management and flood control projects necessary to fulfill their statutory mandates.

N. Erickson distributed a resolution to accept a request from the Middle-Snake-Tamarac Rivers WD to intervene in the Agassiz Valley Water Management Project litigation.

Motion by Manager Deal, **Seconded** by Manager Wilkens, that the following resolution be adopted: *That the Red River Watershed Management Board (RRWMB) hereby accepts the request of the Middle-Snake-Tamarac Rivers WD Board of Managers that the RRWMB seek to intervene and otherwise participate and expend funds on litigation concerning the Agassiz Valley Water Management Project, and related legal issues, including data practices, and other related matters; and be it further resolved that the RRWMB direct its legal counsel to take appropriate action consistent with this resolution and keep the RRWMB apprised of any related issues or developments.* **Motion carried.**

B) Committee Meeting / River Watch

N. Erickson stated that at the regular monthly meeting conducted on February 21, 2006 at the Sand Hill River Watershed District office, the board appointed a committee consisting of Jerome Deal, Ron Osowski, Dan Money, and Orville Knott.

The board charged the committee with two primary tasks:

- 1) to address whether the board should offer funding assistance to procure a project manager in an effort to expedite project implementation, and
- 2) whether the board should enter into an agreement with the USACE to provide funds for additional regulatory staff.

In response, a meeting was scheduled on March 13, 2006 in conjunction with the Eleventh Annual River Watch Forum at the U of M-Crookston.

Following discussion, the committee members agreed on the following recommendations to the board with regard to project management:

1. Member watershed districts should complete the Project Schedule and Reporting Procedures document.
2. Member watershed district will name a project manager to be included in the Project Schedule.
 - A. Staff
 - B. Engineer
 - C. Board member
3. Costs incurred with project management will be added to the cost of the project.

The committee discussed the points of concurrence developed by the USACE. It was agreed that the project teams should comply with the concurrence points in an effort to expedite the USACE permitting process. The committee further agreed that additional regulatory staff with the USACE would not be needed at this time, as long as the project teams continue to implement the points of concurrence. **Motion** by Manager Deal to approve the minutes as written, **Seconded** by Manager Money, **Carried.**

C) Red River Basin Commission

N. Erickson stated that a funding request from the Red River Basin Commission (RRBC) was received for \$75,000 for RRBC activities for 2006. The amount is part of the Minnesota local base funding of the RRBC base budget which is equally provided by North Dakota, Minnesota and Manitoba local governments.

Motion by Manager Deal to authorize the \$75,000 funding request for RRBC activities for 2006, **Seconded** by Manager Osowski, **Carried.**

D) Upcoming Meetings/Conferences

1. 2006 MAWD Legislative Breakfast & Day at the Capitol, Thursday, March 23, 2006 at the Kelly Inn in St. Paul, MN.
2. Red River Basin Flood Damage Reduction Work Group, March 29, 2006, 6:30 p.m., Northland Inn, Crookston.
3. March Conference, Thursday, March 30, 2006, Northland Inn, Crookston, MN.
4. Time for Action, (Red River Basin Commission) Wednesday, April 19, 2006, 10:00 – 4:00 p.m., Holiday Inn, Grand Forks, ND.

District Reports

- The Roseau River WD reported that a project team meeting has been scheduled for April 3rd to discuss a proposed outlet on the west end of the Roseau River Wildlife Management Area project. The District was awarded a State Flood Damage Reduction grant with 75/25 cost share for the project.
- The Two Rivers WD reported on the Ross No. 7 project. Wetland permit applications were submitted to the U.S. Army Corps of Engineers (USACE) and the Roseau Soil & Water Conservation District (SWCD) on February 17, 2006 and are currently in the review and comment phase. Another permit is needed from Roseau County to impound water on Roseau County Ditch #13 which is also in the review phase. Additional permits are needed from the Minnesota Pollution Control Agency and the Minnesota Department of Natural Resources.

All of the land that needed to be purchased for the project has been acquired. Several parcels were also identified as needing easements, with landowner negotiations in progress on these parcels.

JOR Engineering is completing plans and specifications for the project and once the necessary permits have been obtained, bids will be let. The project is expected to be completed in two phases, the first phase including construction of several ring dikes and the other the main impoundment project components. Plans are to begin construction this summer.

- The Sand Hill River WD reported on the Union Lake Flood Control and Erosion project. The District recently received a signed a grant agreement from the Board of Water & Soil Resources (BWSR) for \$50,000 (50/50 cost share). Plans and specifications have been developed for the project which will consist of five rock drop structures to address a 20-foot drop within 900 feet. The landowner and also the renter of the farmland have agreed to place the area in the Conservation Reserve Program (CRP). Changing the cover in the upstream area should help control the erosion that has occurred. The project team plans to meet with all affected parties onsite following snowmelt in order to discuss various alternatives for the portion of the project that abuts the lake.
- The Wild Rice WD reported that an advertisement for bids has been published for the repair of Project No. 30 – Green Meadow Dam. The project involves repairing the existing erosion and seepage damage to the embankment. Bids for the project will be opened on April 14th and construction work is scheduled to occur between July 1st and September 15th.
- The Bois de Sioux WD reported that structure “C” of the North Ottawa Impoundment project is under repair. When the forms were removed after the concrete was poured in January, there was significant honeycombing found. The contractor has brought in technical expertise to conduct the repairs. Plans are being prepared for the next phase of construction with bidding to take place in April.

Red River Coordinator/TAC Report

Thul stated that the Technical Advisory Committee (TAC) met Monday, March 6th, at the Red River Basin Commission (RRBC) office in Moorhead, MN. The TAC reviewed the draft mainstem modeling scenario identification project and the hydrologic scenario modeling reports developed by Brent Johnson. The reports address the impacts of each tributary regarding flooding on the mainstem of the Red River. The goal of the modeling effort is to assist the RRBC with developing a strategy for reducing flows on the Red River.

Following the review of the RRBC modeling effort, the TAC met with Chuck Fritz of the International Water Institute (IWI) to discuss the feasibility of the RRWMB contracting for a LiDAR collect for the basin. The collect would cover the entire basin with the exception of the area under the DNR/FEMA contract. The DNR/FEMA collect will be conducted by Sanborn Map Company of Colorado Springs, CO. Thul added that he contacted Sanborn Map Company and requested that an estimate be prepared for a LiDAR quote for a collect to encompass the entire Red River of the North watershed within Minnesota. A handout was distributed that indicated the product area of 18,000 square miles would cost ~ \$150.00 per square mile or \$2,700,000.00. Thul added that following discussion by the TAC, it was agreed that the cost estimate of \$2.7 million by Sanborn Map Company was beyond the capability of the RRWMB to fund at this time.

Thul distributed a second proposal received from Precision Partners, Inc. of Fergus Falls, MN to deliver a basin-wide Digital Elevation Model (DEM). The advantages of a Precision Partners basin-wide DEM include seamless measurement, unmatched accuracy, rapid collection, rapid delivery, and cost. The TAC recommended that the board consider the Precision Partners proposal should other agencies cooperate on a cost-share basis.

Thul stated that a request was received from the Two Rivers WD to appoint Blake Carlson of JOR Engineering to the TAC membership. The current membership is comprised of one engineer from each firm in the basin, not one engineer from each district with the exception of Ron Adrian whose continued involvement with the TAC after his retirement from the Middle-Snake-Tamarac Rivers WD was authorized due his previous experience. Following discussion, the board agreed to discuss this issue further at the next monthly meeting.

Devils Lake Outlet

Joe Belford, Ramsey County Commissioner, reported on the status of the Devils Lake outlet. The Devils Lake Basin is a 3,810 square mile closed basin in the Red River of the North Basin, in North Dakota. About 3,320 square miles of the total 3,810 square miles is a tributary to Devils Lake; the remainder is a tributary to Stump Lake. The Devils Lake Basin contributes to the Red River of the North Basin only when the level of Devils Lake is greater than 1,459 feet (ft) above sea level (asl).

At an elevation of about 1,447 ft asl, Devils Lake begins to spill into Stump Lake; and at an elevation of about 1,459 ft asl the combined lakes begin to spill through Tolna Coulee into the Sheyenne River (a tributary of the Red River).

From 1867 to 2005, the lake level has fluctuated between a maximum of 1,449.2 ft asl in 2005 and a minimum of 1,400.9 ft asl in 1940. In August 2005, the lake level was 1,449.2 ft asl, about 24.6 ft higher than the level recorded in February 1993.

The outlet will pump out of the lake over a 14-mile stretch of land, to the Sheyenne River. The water will flow through a series of open canals and pipes. The outlet permit has several restrictions, which are intended to

reduce the possibility of downstream flooding along the Sheyenne. The state may only pump water from May through November, and must stop when the lake recedes to 1,445 feet asl. The purpose of the outlet is to reduce the future rate of rise at Devils Lake.

FTJ FundChoice / Deferred Compensation

Jake Lauritsen of Lauritsen Financial distributed information regarding 457 Deferred Compensation plans. He explained that a deferred compensation plan is a payroll deduction supplemental retirement savings program that allows you to set aside a portion of your salary before income tax withholdings. This program offers the means to postpone taxes now, build savings and create a portfolio of investments that are well-balanced. Mr. Lauritsen offered to meet with any board managers who may be interested in establishing a deferred compensation account following the conclusion of the meeting.

District's Funding Requests

No requests for funds were submitted this month.

The next meeting will be on April 18, 2006, at 9:30 a.m. at the Sand Hill River Watershed District, Fertile, Minnesota.

There being no further business, the meeting was adjourned at 1:50 p.m.

Respectfully submitted,

Robert Wright
Secretary

Naomi L. Erickson
Administrator