



## **Red River Watershed Management Board**

### ***Board of Managers***

John Finney, President-Humboldt Steve Lee-Badger Dan Money-Hallock Ron Osowski-Oslo  
Orville Knott, Vice President-Red Lake Falls Daniel Wilkens, Treasurer-Fertile Diane Ista-Ada Jerome Deal, Secretary-Wheaton  
Naomi Erickson, Administrator-Detroit Lakes

## **RED RIVER WATERSHED MANAGEMENT BOARD MEETING**

**December 15, 2009**

**Sand Hill River Watershed District, Fertile, Minnesota**

The RRWMB met on Tuesday, December 15, 2009 at the Sand Hill River Watershed District, Fertile, Minnesota.

President John Finney called the meeting to order.

Members present were:

Rob Sando	Dan Money
Ron Osowski	Orville Knott
Daniel Wilkens	Diane Ista
Jerome Deal	

Others present were:

- Naomi Erickson, Administrator
- Ron Harnack, Project Coordinator
- Dan Thul, Red River Coordinator
- Lance Yohe, Executive Director, RRBC
- Julie Goehring, Communications Coordinator, RRBC
- Edward A. Thomas, Federal Emergency Management Agency (FEMA)
- Leah Thvedt, Conference Coordinator / Outreach Asst., RRBC
- Nate Dalager, Engineer, HDR Engineering
- Chuck Fritz, Director, International Water Institute
- Nick Drees, Administrator, Middle Snake Tamarac Rivers WD
- Myron Jesme, Administrator, Red Lake WD
- Wayne Goeken, Monitoring Coordinator
- Charlie Anderson, Engineer, JOR Engineering, Inc.
- Ron Adrian, Engineer, Houston Engineering, Inc.
- Blake Carlson, Engineer, JOR Engineering, Inc.
- Ann Lewandowski, UMN Water Resources Center
- Mark Dittrich, Minnesota Department of Agriculture
- Jim Ziegler, Unit Supervisor-MPCA
- Roger Hanson, Sand Hill River WD
- Steve Dalen, Pinnacle Water Management, Inc.
- Warren Seykora
- Tim Magnusson, Planning Director, Clay County Planning & Zoning
- Kelly Kukowski
- Ray Nelson

Manager Ista requested that Tim Magnusson, Planning Director – Clay County Planning & Zoning be added to the agenda under Project/Program Funding Requests.

**Motion** by Manager Osowski to dispense with the reading of the minutes and approve as written, **Seconded** by Manager Deal, **Carried**.

The Treasurer's report was presented and it was approved as read. **Motion** by Manager Deal to approve the Treasurer's Report, **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 Money, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

### **Public Information Initiative**

In the absence of Mark Meister, the public information monthly report was distributed. The video project is close to completion with final edits occurring. H. VanOffelen has assumed the lead on this project.

The calendar project is proceeding with cost estimates from Knight Printing as follows: 250 calendars, \$2,250 - \$2,400; 500 calendars, \$3,410 - \$3,500; and 1,000 calendars, \$6,000 – \$6,200. Following discussion, the board agreed that the Public Information Committee should schedule a conference call following the completion of the final draft and that printing 250 calendars would be sufficient. **Motion** by Manager Wilkens to authorize printing 250 calendars, **Seconded** by Manager Deal, **Carried**.

### **Red River Basin Commission**

Lance Yohe, Executive Director – RRBC, introduced Ed Thomas, keynote speaker and workshop presenter at the upcoming 27<sup>th</sup> Annual Red River Basin Land & Water International Summit Conference scheduled for January 19-21, 2010, at the Alerus Center, Grand Forks, ND. Mr. Thomas explained that he is a frequent lecturer on emergency management issues, especially the constitutional and legal aspects of floodplain regulations.

Yohe discussed the legislative mandate to develop Long Term Flood Solutions (LTFS). The RRBC is currently developing creative and effective pilot projects in conjunction with this effort which includes working with water managers on the front lines to identify key impediments to implementing projects and developing "outside the box" solutions to overcome them.

Steve Dalen, Pinnacle Water Management, Inc. distributed a pilot project concept for basin-wide flood damage reduction which will be presented to the RRBC Executive Committee for consideration as one of two possible projects constructed in North Dakota and/or Minnesota in conjunction with the LTFS project.

Yohe inquired about R. Harnack assisting Brenda Elmer, RRBC Project Coordinator with the identification of economic factors to consider when determining appropriate levels of flood protection goals for the Red River Basin. Manager Finney requested R. Harnack to offer his assistance.

### **Clay County Buyout**

Manager Ista introduced Tim Magnusson, Director - Clay County Planning and Zoning. She stated that the Wild Rice WD received a request for financial assistance from Clay County regarding the buyout for the Kelly Kukowski property.

Mr. Magnusson explained that the Planning and Zoning Office assists County residents in determining whether their property is affected by an officially mapped flood area. He stated that Clay County is providing all but 12.5% of the buyout for the Kukowski property. He noted that the Wild Rice WD was requested to provide the remaining 12.5% for the buyout which is \$19,668.75 as other watershed districts in Clay County have provided the local funding for similar buyouts. Manager Ista stated that the Wild Rice WD has not previously participated in buyouts and is concerned about setting precedent.

Following discussion, the Board of Managers determined that this request was not within the parameters of flood damage reduction projects or programs that were eligible for funding from the RRWMB. As a member district, half of the RRWMB levy stays with the local district to fund projects of this nature.

### **Project Coordinator Report**

Ron Harnack reviewed the Project Coordinator Report. He reported that he was invited by Louis Smith to participate on an advisory committee established by the Minnesota Environment and Natural Resources Trust Fund as recommended by the Legislative-Citizen Commission on Minnesota Resources (LCCMR). The committee will conduct an analysis of Minnesota Drainage Law and develop an evaluation problem statement and critical legal issues list. The legal structures governing public ditch systems, wetlands and surface water quality will be examined to identify obstacles in reaching the best outcome in a given situation.

R. Harnack discussed the proposed Red River Diversion project developed in response to the chronic flooding occurring in the Fargo/Moorhead area. He suggested forwarding a letter from the board to the U.S. Army Corps of Engineers (USACE) and the cities of Fargo and Moorhead regarding the flood storage loss and downstream stage and duration increases associated with the proposed project. A draft letter was distributed for review. Following discussion, the Board of Managers requested R. Harnack to collaborate with Mark Meister and N. Erickson to finalize the letter prior to distribution.

**Motion** by Manager Deal to forward a letter to the USACE and cities of Fargo and Moorhead regarding the proposed Red River Diversion project, **Seconded** by Manager Money, **Carried**.

R. Harnack referred to applications for habitat funding for the North Ottawa and Redpath projects of the BdSWD and the Grand Marais project of the RLWD submitted to the Lessard-Sams Outdoor Heritage Council (LSOHC) but not selected for further consideration. At their November board meeting, the board agreed that a letter should be forwarded jointly from the RRWMB and the Work Group addressing concerns relative to the appropriations. A draft letter was distributed for review.

### **Drainage Systems Management**

Ann Lewandowski, University of Minnesota Water Resources Center, and Mark Dittrich, Minnesota Department of Agriculture, discussed the Agricultural Drainage Systems Feedback Project. The impetus of the project is to increase implementation of conservation drainage to support agriculture and well-functioning ditches, streams and lakes. To do that effectively, a better understanding of the needs and knowledge of drainage experts around the state is needed. To obtain this information, stakeholders will be contacted throughout three various regions in the state with distinctive drainage issues. These regions include the Red River Basin, Central and Southern Minnesota. The stakeholders will include technical assistance providers, farmers and contractors, and local drainage authorities. The information learned will be used to direct drainage-related outreach activities.

### **Water Quality Project Monitoring Report**

Wayne Goeken reported that work continues with the International Water Institute (IWI) and RRWMB personnel to coordinate the transition of River Watch and the overall monitoring program from the RRWMB to IWI.

Chuck Fritz stated that IWI formed a sub-committee to discuss the various options regarding the River Watch transition, and requested that discussions continue with the sub-committee and representatives of the RRWMB. Currently, alternatives include transferring the program to either North Dakota or Minnesota Extension, or private non-profit organizations.

### **Red River Coordinator/TAC Report**

Thul reported that the Technical Advisory Committee (TAC) met prior to the board meeting and discussed the U.S. Army Corps of Engineers (USACE) Watershed Feasibility Study. Revisions to the scope of work developed by the sub-committee consisting of representatives from the co-sponsors of the initiative, the RRWMB and the North Dakota Red River Joint Water Resource Board (RRJWRB), for services to prepare and develop basin wide goals, development of strategies, and a watershed report regarding the feasibility study were discussed. **Motion** by Manager Money to authorize the proposed changes drafted by the sub-committee, **Seconded** by Manager Deal, **Carried**.

### **Administrator Report**

#### **A) Funding Commitments Worksheet**

A revised funding commitments worksheet as of November 30<sup>th</sup> was distributed.

#### **B) Red River Joint Water Resource Board / Reschedule Meeting**

A meeting of a sub-committee consisting of John Finney, Dan Wilkens, Ron Osowski, Ron Harnack and Dan Thul was previously scheduled with the Red River Joint Water Resource Board (RRJWRB) in October to discuss drainage issues. However, the meeting was canceled since several attendees were unable to attend.

The meeting has been rescheduled for **Monday, January 18, 2010 at 7:00 p.m.** at the Canad Inn, 1000 S. 42<sup>nd</sup> St, Grand Forks, ND.

#### **C) IRS Standard Mileage Rate**

Beginning January 1, 2010, the standard mileage rate for the use of a car (including vans, pickups or panel trucks) will be 50 cents per mile for business miles driven. The new rate for business miles compares to a rate of 55 cents per mile for 2009.

**D) Governing Documents Review**

N. Erickson reported that the last revision to the Governing Documents publication was authorized in March of 2004. At that time, a revision to Section 1 - Policy Manual included that the Governing Documents should be revised every five years. The Transition Team (Governing Documents Committee) consisting of Jerome Deal, Dan Money, Ron Osowski, and Daniel Wilkens agreed to schedule an upcoming meeting.

**E) Vacation Accrual**

The unused vacation days for N. Erickson, W. Goeken, D. Halvorson and E. Ashiamah-Finch were calculated for calendar year 2009. Any unused vacation days that were not carried over to 2010 were paid out to the employees.

**F) Upcoming Meetings/Conferences**

1. **Joint Meeting of the RRWMB and the RRJWRB**, January 18, 2010, 7:00 p.m., Canad Inn, Grand Forks, ND.
2. **RRWMB Regular Monthly Meeting**, Tuesday, January 19, 2010, 9:30 a.m., Grand Forks, ND.
3. **Red River Basin Commission's 27th Annual Red River Basin Land & Water International Summit Conference**, January 19-21, 2010, Alerus Center, Grand Forks, ND.

**District Reports**

- The Middle Snake Tamarac Rivers WD reported on the Agassiz Valley Water Resource Management Project. Construction is completed and the impoundment will be operational next spring (2010).

The Board of Managers established the Brandt-Angus Flood Control Project this summer after holding a hearing on May 18, 2009. An agreement has been reached with the principle landowner (640 acres of 800 total acres). The District is awaiting the authorization of a resolution to approve a funding advance from the RRWMB in order to proceed with land acquisition.

A meeting regarding the Comprehensive Watershed Management Plan Update is scheduled for December. Houston Engineering, Inc. is completing the hydraulic model this winter along with the draft plan. The date of completion for the plan update is scheduled for June 2010.

**District's Funding Requests**

**1. Bois de Sioux WD / Step II Submittal / Redpath Project**

The information required for a Step II submittal was distributed at the previous monthly meeting. The Redpath Project includes three separate but interrelated projects including the Mustinka River restoration, a multi-purpose impoundment and a collection channel. Based on funding breakdowns for similar projects with significant NRE benefits the following cost-share is proposed:

\$21,000,000 - State of Minnesota (75%); and \$5,000,000 – RRWMB and \$2,000,000 – BdSWD/local split for the remaining 25%.

Thul stated that the TAC reviewed the Step II Submittal and recommends approval of the project. **Motion** by Manager Deal to authorize the Step II submittal of the Redpath Project with a RRWMB commitment of \$5,000,000, **Seconded** by Manager Knott, **Carried**.

**2. Middle Snake Tamarac Rivers WD / Funding Advance / Brandt-Angus Flood Control Project**

A draft resolution was distributed for consideration.

**Resolution to Approve Funding Advance for the  
Brandt-Angus Flood Control Project  
of the  
Middle Snake Tamarac Rivers Watershed District**

**WHEREAS**, on August 21, 2007, the Red River Watershed Management Board (RRWMB) approved a Step I submittal from the Middle Snake Tamarac Rivers Watershed District (District) for the Brant Angus Impoundment and Flood Damage Reduction Project (Project), which would divert waters from an unnamed tributary of Polk County Ditch No. 44 (and Judicial Ditch No. 75) into an off-channel storage site and hold it for release during periods of less damaging flows; the proposed project involves the construction of approximately 3 miles of embankment, an inlet channel about 1 mile in length, an outlet channel; and the associated outlet works; it is anticipated that the structure would be gated so that most of the storage would be controlled by the operation of gates;

**WHEREAS**, the District's Step I submittal provided a preliminary outline of the Project's purpose and need, with the primary purpose to provide 50% reduction in the 10-year and a 30% reduction in the 100-year discharges from the Brandt Angus Coulee area, contributing to the Red River via Judicial Ditch 75; and secondary goals of reducing peak discharges, flood stages, and flood duration on the Red River of the North, providing a reduction in ditch bank erosion and sloughing along JD 75, streamflow augmentation from the Brandt Angus Impoundment pool, water quality enhancement, and wetland restorations;

**WHEREAS**, in August 2009, the District requested funding assistance for land acquisition for the Brandt Angus Project and on August 18, 2009 the RRWMB preliminarily approved a funding advance with conditions;

**WHEREAS**, the District has informed the RRWMB of an urgent opportunity to acquire approximately 640 acres of appropriate land within the footprint of the Brandt Angus Project, specifically Section 19 of Brandt Township in Polk County, and the District has further committed to complete project planning through a Step II Submittal in January 2010 for RRWMB consideration at its February 2010 meeting;

**WHEREAS**, although the Step II and Step III decisions have not yet been made to finalize the RRWMB's funding commitment for the project, as proposed, as presented to the RRWMB on December 15, 2009, the total estimated cost of the project is \$4.5 million, and the RRWMB share of the total project cost would be \$1,500,075;

**WHEREAS**, the District's watershed management plan provides that flood damage reduction is a priority goal for the District's projects;

**WHEREAS**, the RRWMB recognizes the importance of acquiring property in a timely, voluntary, and cost-effective manner for watershed district projects that meet the goals and policies of the RRWMB, and also seeks to promote effective planning of projects and wise stewardship of the RRWMB's financial resources;

**THEREFORE BE IT RESOLVED**, that the Red River Watershed Management Board hereby finds that the District has demonstrated an urgent need to acquire the Subject Property in Polk County; has provided a preliminary engineer's report that indicates that the Brandt Angus Project is in conformity with the District's watershed management plan, and has great potential for basin-wide benefits in the larger watershed of the Red River of the North;

**BE IT FURTHER RESOLVED**, that the RRWMB approves a funding advance in the amount of \$1,104,000.00 to the District in order to facilitate the timely acquisition of the Subject Property, subject to the following conditions:

1. The District will submit a Step II application for approval by the RRWMB no later than February 16, 2010. Failure to obtain RRWMB approval of a Step II application by February 16, 2010 shall obligate the District to repay the funding advance in full no later than February 15, 2011.
2. The District will submit a Step III application for approval by the RRWMB no later than December 15, 2010. Failure to obtain RRWMB approval of a Step III application by December 15, 2010 shall obligate the District to repay the funding advance in full no later than December 15, 2011.
3. The District will agree to repay this funding advance within three years, on or before December 31, 2012.
4. The District will execute an agreement to document these obligations with the RRWMB pursuant to the RRWMB's Funding Procedures.

The question was on the adoption of the resolution and there were 7 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
DEAL	X		
FINNEY			X
ISTA	X		
KNOTT	X		
SANDO	X		
MONEY	X		
OSOWSKI	X		
WILKENS	X		

Upon vote, the President declared the Resolution adopted.

The next meeting will be on January 19, 2010, at 9:30 a.m. at the Canad Inn, Grand Forks, North Dakota in conjunction with the 27<sup>th</sup> Annual Red River Basin Land and Water International Summit Conference scheduled for January 19-21, 2010, Alerus Center, Grand Forks, ND.

There being no further business, the meeting adjourned at 3:35 p.m.

Respectfully submitted,

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Jerome Deal  
Secretary

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Naomi L. Erickson  
Administrator