



## 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

October 27, 2009

Wild Rice Watershed District, Ada, Minnesota

The RRWMB met on Tuesday, October 27, 2009 at the Wild Rice Watershed District, Ada, Minnesota.

In the absence of the President, Orville Knott-Vice President called the meeting to order.

Members present were:

Todd Miller	Dan Money
Ron Osowski	Daniel Wilkens
Diane Ista	Jerome Deal

Others present were:

- Naomi Erickson, Administrator
- Ron Harnack, Project Coordinator
- Dan Thul, Red River Coordinator
- Mark Meister, CR\*CS
- Julie Goehring, Communications Coordinator, RRBC
- Sharon Josephson, Congressman Peterson's office
- Nate Dalager, Engineer, HDR Engineering
- Chuck Fritz, Director, International Water Institute
- Paul Wannarka, MNDNR Red River Basin Coordinator
- Jim Ziegler, Unit Supervisor-MPCA
- Nick Drees, Administrator, Middle Snake Tamarac Rivers WD
- Myron Jesme, Administrator, Red Lake WD
- Rob Sando, Administrator, Roseau River WD

**Motion** by Manager Wilkens to dispense with the reading of the minutes and approve as written, **Seconded** by Manager Money, **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 Deal, **Seconded** by Manager Miller, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer's Report.

### **Public Information Initiative**

Mark Meister reported on the public information initiative. Meetings were conducted with Henry VanOffelen and Erika Johnson to finalize the video project. Filming has been conducted and the final editing is occurring.

The development of an annual calendar was discussed. Manager Money suggested that the eight member watershed districts could be featured each month on the calendar, and suggested that the remaining months could highlight various initiatives or organizations that have affiliation with the board. **Motion** by Manager Deal to proceed with the development of an annual calendar, **Seconded** by Manager Osowski, **Carried**.

### **Project Coordinator Report**

Ron Harnack reviewed the Project Coordinator Report. The Senate Bonding Tour is scheduled for later this afternoon at the Ada High School with presentations scheduled by the following: City of Ada, Wild Rice Watershed District, and the board. The PowerPoint presentation developed for the Senate Bonding Committee was distributed.

Habitat funding for fiscal year 2011 through the Lessard-Sams Outdoor Heritage Council (LSOHC) was discussed. Applications for funding will be submitted from the Bois de Sioux WD for North Ottawa and Redpath, and from the Red Lake WD for the Grand Marais. **Motion** by Manager Deal to draft a letter of support to the LSOHC in conjunction with the Red River Basin Flood Damage Reduction Work Group in support of the above-referenced applications, **Seconded** by Manager Miller, **Carried**.

### **Red River Basin Commission**

Julie Goehring, Communications Coordinator – RRBC, reported that the RRBC is hosting a series of public forums throughout the Red River Basin as part of a Long Term Flood Solutions project. The purpose of the forums is to gather citizen experiences, concerns and ideas to report to the North Dakota and Minnesota legislatures to promote future flood control actions. The 2009 Minnesota and North Dakota state legislatures each appropriated \$500,000 for the RRBC to develop a comprehensive plan to address flood solutions in the Red River Valley.

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

In the absence of Wayne Goeken, the project monitoring monthly report was distributed. Coordination continues with the International Water Institute (IWI) and the board regarding the transition of the River Watch and overall monitoring programs from the RRWMB to IWI. The Tri-College board is scheduled to meet on November 13<sup>th</sup> to take action on approving the transfer. Plans are for the transfer of personnel and responsibilities to be effective mid November with the IWI assuming financial and program management duties at that time.

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

Thul reported that the Technical Advisory Committee (TAC) met on October 21, 2009 in Fargo, ND. The purpose of the meeting was to review proposals for work tasks that could be included in the U.S. Army Corps of Engineers (USACE) Watershed Feasibility Study. The USACE requested direction on what activities the two local boards sponsoring the study would like to see included as part of the USACE cost-share portion. An additional \$750,000 of federal cost-share money was recently awarded to the USACE to be used towards the study. With the recent additional appropriation, nearly \$2 million of USACE cost-share funding is available for the study.

A list of possible work items for use of federal cost-share dollars was developed. Additional discussion and consideration by the sub-committee of the two sponsoring boards is needed prior to recommendation to the USACE. Some of the tasks suggested to be included in the study are as follows: a basin-wide study on drainage ditch design relative to flooding impacts; how drainage in the Red River watershed impacts flooding; a basin-wide economic analysis on flooding impacts; and the research of storage opportunities within the basin through the development of a modeling tool.

Thul distributed a briefing paper addressing the local perspective regarding USACE involvement in project development and funding. The paper discusses defining a new approach for federal cost-share for flood damage reduction projects where federal participation would be 50% of construction costs with state and local picking up the remaining 50%.

### **Administrator Report**

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

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

#### **B) Financial Projections**

N. Erickson reported that she and R. Harnack are developing a financial plan depicting income and expenses for the next few years to be utilized for distribution during the upcoming legislative session as well as for financial planning purposes. A draft was distributed for review.

Following discussion, the board agreed that a Finance Committee should be developed to assist with planning for future financial obligations. **Motion** by Manager Deal to appoint a Finance Committee at the prerogative of the President, **Seconded** by Manager Money, **Carried**.

#### **C) Upcoming Meetings/Conferences**

1. **Red River Basin Flood Damage Reduction Work Group**, October 29, 2009, Becker County Courthouse, Detroit Lakes, MN.
2. **MAWD Annual Meeting & Trade Show**, December 3-5, 2009, Arrowwood Conference Center, Alexandria, MN. Register online at [www.mnwatershed.org](http://www.mnwatershed.org) by November 20, 2009.
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. An online registration form and pre-conference brochure are available at [www.redriverbasincommission.org](http://www.redriverbasincommission.org).

## District Reports

- The Roseau River WD reported on the Hay Creek/Norland Project. Phase 1 (set-back levees) and Phase 3 (connection channel) have started construction and will be almost completed by this fall. The Board of Managers awarded three outlet control structures for Phase 2 (Norland Impoundment), two to Wagner Construction and one to ICS Construction. Construction on the three sites will begin this fall with a completion scheduled of 07/30/10.

The District reported that the construction of one ring dike was completed this fall. An additional two ring dikes are being planned through the EQIP and rural ring dike programs with construction plans to begin next summer.

- The Red Lake WD reported on the Parnell Impoundment. Construction on the modification of the impoundment has been substantially completed with the exception of seeding. The seeding will be completed following the spring runoff event.

A preliminary hearing for the Pennington County Ditch No. 75 Petition was held on October 22, 2009. The project calls for the construction of a new ditch which includes the existing five-mile legal drainage system and the construction of an additional 2 ¼ miles of a new ditch. After the close of the hearing, the Board of Managers directed the District engineer to make a detailed survey with plans and specifications for the proposed project and submit a detailed survey report. The Board also appointed three disinterested landowners to view the project. The final hearing on the project is planned for early in the spring of 2010.

## District's Funding Requests

### 1. Wild Rice WD / Funding Request / Rural Ring Dikes

Harnack reported that the following motions were authorized at the June 16, 2009 board meeting: **Motion** by Manager Wilkens to authorize the farmstead ring dikes cost-share as follows: EQIP Engineering 100%, EQIP Construction 75%, Watershed District 0-12.5% as determined by the local watershed district, and landowner 12.5-25% (RRWMB 0% unless there are special/unique engineering/construction issues, then up to 12.5% upon request of the local watershed district), **Seconded** by Manager Knott, **Carried**. **Motion** by Manager Wilkens to authorize the rural ring dikes cost-share as follows: BWSR/DNR Construction & Engineering 50%, RRWMB Construction & Engineering 25%, remaining 25% to be divided between the individual watershed district and landowner as determined by the local watershed district, **Seconded** by Manager Knott, **Carried**.

In the absence of Jerry Bents, Harnack discussed the two rural ring dike funding requests submitted by the Wild Rice WD. The total estimated cost of the rural ring dike in Prussia Township is \$84,670.95 with a total NRCS payment of \$61,191.65. The NRCS percent of total estimated cost is 72%, therefore, a shortfall of ~ 3% for engineering/construction costs exist.

**Motion** by Manager Deal to authorize the funding request of \$2,311.56 for the shortfall in engineering/construction costs, **Seconded** by Manager Money, **Carried**.

The total estimated cost of the rural ring dike in Roesch Township is \$134,377.25 with a total NRCS payment of \$57,656.00. The NRCS percent of total estimated cost is 43%, therefore, a shortfall of ~ 32% for engineering/construction costs exist. **Motion** by Manager Deal to authorize

funding for the shortfall in engineering/construction costs not to exceed 12.5%, **Seconded** by Manager Money, **Carried**.

## **2. Bois de Sioux WD / Funding Advance / Redpath Project**

The following motion was authorized at the June 16, 2009 board meeting: *The original preliminary RRWMB commitment authorized in the Step I submittal was \$2,175,000. Roeschlein distributed a revised cost breakdown which estimates the revised RRWMB commitment at ~ \$4,500,000. Following discussion, the board agreed to reallocate the local share of natural resource enhancements previously authorized for the North Ottawa Impoundment Project on May 15, 2007 to be used towards land acquisition for the Redpath Project along with an additional \$750,000 to match state funding. **Motion** by Manager Deal to authorize the reallocation of the \$1,000,000 previously authorized for the local share of natural resource enhancements for the North Ottawa Project and also an additional \$750,000 to be used towards land acquisition for the Redpath Project for a total of \$1.75 million required to match state funding, **Seconded** by Manager Money, **Carried**.*

Since the June board meeting additional information was provided that responds to the board's funding procedures. **Motion** by Manager Deal to reconsider the decision made at the June 16, 2009 board meeting to authorize \$1.75 million to match state funding to the Bois de Sioux WD for the Redpath Project, **Seconded** by Manager Ista, **Carried**.

### **Resolution to Confirm Funding Advance for the Redpath Project of the Bois de Sioux Watershed District**

**WHEREAS**, on November 18, 2008 the Red River Watershed Management Board (RRWMB) approved a Step I submittal from the Bois de Sioux Watershed District (District) for the Redpath Project, which includes an impoundment to store 16,200 acre-feet of floodwater, or 1.5 inches of runoff from the 208 square mile drainage area, and included additional information from the District that describes the District's Overall Plan, storage as the preferred alternative for flood damage reduction, and a goal of constructing 150,000 acre-feet of additional flood storage capacity, 75,000 acre-feet should be located upstream from Lake Traverse, including in the drainage area of Judicial Ditch 14 in Redpath Township of Traverse County;

**WHEREAS**, the District's Step I submittal concluded that the Redpath Project is feasible, will provide significant local and regional flood control benefits by reducing flows on the Mustinka River, overflows to the Rabbit River, reduce flood levels on Lake Traverse, reduce flood flows on the Bois de Sioux River and the Red River of the North, while improving the adequacy of Judicial Ditch 14 and other drainage systems in the area;

**WHEREAS**, in June 2009, the District reported that the State of Minnesota has dedicated \$1.75 million for land acquisition for the Redpath Project and the District requested RRWMB consideration to match the state funding, and on June 16, 2009, the RRWMB preliminarily approved a funding commitment of \$1.75 million;

**WHEREAS**, thereafter, the District has informed the RRWMB of an urgent opportunity to acquire approximately 1,033 acres of appropriate land within the footprint of the Redpath Project, specifically Section 22 and S ½, Section 23 in Redpath Township, Traverse County (hereinafter the "Subject Property"), and the District has further committed to complete project planning

through a Step II Submittal in November 2009 for RRWMB consideration at its December 2009 meeting;

**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 Redpath Township, Traverse County; has provided a preliminary engineer's report that indicates that the Redpath 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, upon reconsideration of all of the information described above, hereby confirms its decision of June 16, 2009 to provide a cash advance to the District in the amount of fifty percent (50%) of the purchase price for the Subject Property up to \$1,750,000, subject to the following conditions:

1. The District will submit a Step II application for approval by the RRWMB no later than December 15, 2009. Failure to obtain RRWMB approval of a Step II application by December 15, 2009 shall obligate the District to repay the funding advance in full no later than December 15, 2010.
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 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 6 yeas and 0 nays as follows:

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

Upon vote, the Vice President declared the Resolution adopted.

3. **Middle Snake Tamarac Rivers WD / Funding Advance / Brandt-Angus Flood Control Project**  
Nick Drees, Administrator, reported that at the August 18, 2009 board meeting, the RRWMB authorized funding assistance for land acquisition utilizing a contract for deed, not to exceed five years, contingent upon the District obtaining an appraisal for property to be acquired in conjunction with the above-referenced project.

Drees reported that an appraisal was conducted on said property, however, the landowner has indicated a desire to sell the property above appraised value and also be entitled to receive the remaining Conservation Reserve Program (CRP) payments for the duration of the contract.

Following discussion, the board suggested that the District make a record of specific findings that justify an acquisition in excess of the appraised price, noting the necessity and any additional benefits or considerations for the District that support the purchase price. The Board of Managers further noted that this is primarily an issue for the watershed district. In most cases, the RRWMB approves a funding commitment for a project that is based on an engineer's estimate of project costs, including land acquisition, and then relies on the District's reasonable judgment in implementing the project, consistent with the funding available.

**Minnesota Association of Watershed Districts' (MAWD) Resolutions**

Several resolutions adopted by the Bois de Sioux WD to be considered at the MAWD Annual Meeting were distributed to the board for discussion. The resolutions addressed the following items: increasing the limit of funds that WD's are allowed to borrow, increasing the limit of District funds to be contributed to a project that has been initiated by resolution of the board from \$750K to \$2M, and removing the \$250,000 limit on the General Fund levy.

The November board meeting will be on November 17, 2009, at 9:30 a.m. at the Red Lake Watershed District, Thief River Falls, Minnesota. The December board meeting was scheduled for December 15, 2009 at 9:30 a.m. at the Sand Hill River Watershed District, Fertile, MN.

Respectfully submitted,

\_\_\_\_\_  
Jerome Deal  
Secretary

\_\_\_\_\_  
Naomi L. Erickson  
Administrator