



Red River Watershed Management Board

Board of Managers

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RED RIVER WATERSHED MANAGEMENT BOARD MEETING **February 18, 2014** **Red Lake Watershed District, Thief River Falls, Minnesota**

The RRWMB met on Tuesday, February 18, 2014 at the Red Lake Watershed District, Thief River Falls, Minnesota.

President John Finney called the meeting to order.

Members present were: LeRoy Carriere Dan Money
 Ben Kleinwachter Orville Knott
 Greg Holmvik Jerome Deal

Others present were: Naomi Erickson, Administrator
Ron Harnack, Project Coordinator
Dan Thul, Red River Coordinator
Heidi Hughes, Public Information Officer
Congressman Collin Peterson
Sharon Josephson, Congressman Peterson's office
Charlie Anderson, Engineer, WSN Engineering, Inc.
Nick Drees, Administrator, Middle Snake Tamarac Rivers WD
Jerry Bents, Engineer, Houston Engineering, Inc.
Nate Dalager, Engineer, HDR Engineering, Inc.
Don Baloun, Minnesota NRCS State Conservationist
Keith Weston, Red River Basin Coordinator, USDA-NRCS
Pat Downs, Executive Director, RRRRA
Brian Dwight, Clean Water Specialist, BWSR
Jim Zeigler, Unit Supervisor-MPCA
Jeff Lewis, Executive Director, RRBC
Kevin Ruud, Administrator, Wild Rice WD
Myron Jesme, Administrator, Red Lake WD
Henry Van Offelen, MDNR Red River Basin Coordinator
Chuck Fritz, Director, International Water Institute
Morrie Lanning, Barr Engineering, Inc.
Blake Carlson, Engineer, WSN Engineering, Inc.
Ron Adrian, Engineer, Houston Engineering, Inc.
Tracy Halstensgard, Administrator, Roseau River WD
Ron Osowski

An update from Manager Money regarding the Board of Water and Soil Resources' (BWSR) *One Watershed, One Plan* program was added to the agenda under *Other Issues*. Manager Finney requested Congressman Collin Peterson to review Farm Bill 2014 under the *Red River Retention Authority* section of the agenda.

Motion by Manager Money to dispense with the reading of the minutes and approve as written with minor corrections, **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 Holmvik, **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.

Red River Retention Authority (RRRA)

Congressman Peterson reported that after nearly four years of work, the 2014 Farm Bill passed with a bipartisan 251 - 166 vote on January 29, 2014. The provisions of the bill were explained. The legislation creates a new partnership program that furthers the conservation, restoration and sustainable use of soil, water and wildlife on a regional scale. The new regional partnership system consists of five priority areas, including the Red River of the North. Approximately \$1.3 billion is included for regional partnerships, with over \$220 million available during the first year. The federal appropriation will be administered by the Natural Resources Conservation Service (NRCS).

The Congressman urged Watershed Districts to apply for funding through partnership agreements and conservation program contracts. The regional partnerships will use existing conservation programs to help address water retention in the Red River basin and other areas of the country. The new Regional Conservation Partnership Program (RCPP) funding will provide \$100 million each year for the next five years, plus the potential for an estimated \$100 to \$120 million in additional funding from other conservation programs.

The Congressman explained that Anne Simmons, a Senior Professional Staff member on the House Agriculture Committee's Democratic staff, will assist in the rule making process for the legislation. He encouraged Watershed Districts to finalize project designs so when the rule making process is complete, projects are ready for construction.

R. Harnack inquired whether the federal cost-share would be 50/50 for projects. The Congressman responded that project proposals will be considered on an individual basis and depending on the circumstance even a higher level of funding could be available for projects that meet certain qualifications.

R. Harnack questioned if federal cost-share is available for planning, design, land acquisition and administration. The Congressman explained that administrative costs are ineligible for federal cost-share, however, the Red River basin has an advantage over other designated priority areas since the RRRA structure is in place.

P. Downs distributed a monthly report of activities. He reported that he attended the resource providers meeting on Farm Bill implementation strategy and needs. A letter was drafted and forwarded from the RRRA to NRCS and Congressional Staffs relative to the rule making process for the Farm Bill legislation.

Manager Money inquired whether local watershed districts would apply for designation as a Critical Conservation Area (CCA) in order to be eligible to receive funding through the new RCPP. P. Downs responded that up to six geographical areas can be designated as CCAs and the RRRA plans to apply for this designation. P. Down further explained that after the RRRA is approved as a CCA they would represent watershed districts and water resource districts.

P. Downs distributed a handout comparing the costs of leasing the existing RRRA office with the proposed co-location with the RRBC. The annual cost of rent and utilities for the existing location is \$22,920 per year, including the NRCS rental contribution. The estimate of costs to co-locate the RRRA with the RRBC, excluding the NRCS, is currently \$38,833 for Suite B (which includes an office for P. Downs but not a conference room to host regular meetings). For the 2014 calendar year, the RRBC received approval for a one-year commitment of \$15,000 each from the RRWMB and the Red River Joint Water Resources District (RRJWRD) to supplement their lease. An option to lease Suite C is currently under consideration which would provide additional space for a conference room following reconfiguration. The option to lease Suite C, is an additional cost of \$23,275 per year, for a total cost of \$62,108 for the co-location option with the RRBC.

Manager Kleinwachter inquired whether the RRRA would be losing autonomy by co-locating with other organizations. P. Downs responded that each entity has its own individual purpose. J. Lewis added that most of the current occupants with the RRBC receive an annual contribution from the RRWMB. J. Lewis further noted that the RRRA is contributing 50% of the cost of the lease which is an increase of ~ \$7,000 from the current lease. Manager Money suggested that each occupant should pay the same amount per square foot of leased office space.

D. Baloun, Minnesota NRCS State Conservationist, reviewed the RCPP provision in the 2014 Farm Bill. This provision consolidates four existing programs into one that will support projects that improve soil quality, water quality, or wildlife habitat in a specific area or region. Consolidated programs include: Chesapeake Bay Watershed Initiative, Cooperative Conservation Partnership Initiative, the Agricultural Water Enhancement Program, and the Great Lakes Basin Program.

D. Baloun explained that projects will be implemented through partnership agreements and directly through contracts with eligible producers. The partners are to provide a significant portion of the overall costs of the project. D. Baloun added that NRCS is anticipating watershed districts to complete the design and engineering associated with projects. R. Harnack noted that funding constraints have delayed project development.

D. Baloun stated that projects will be selected through a competitive, merit-based process, and producers are encouraged to leverage partner resources to achieve common goals. It is important to note that areas designated as a CCA include a component that funds projects in areas with particularly significant water quality and quantity issues facing natural resource regulatory pressures.

C. Fritz inquired about a situation where a project is progressing, however, in order to proceed certain issues need to be reconsidered. He questioned whether the costs incurred to obtain clarification would be eligible project costs. D. Baloun responded that these would seem to be eligible costs, but an item of greater concern regarding funding eligibility would be whether the land rights have been secured for a project.

Manager Money referred to the various committees organized during the establishment of the RRRA and suggested forwarding their recommendations to NRCS for consideration during the rule making process. D. Baloun requested that these recommendations, along with other items of concern, be sent to K. Weston.

The Critical Conservation Area designation is based on the degree to which an area (1) includes multiple States with significant agriculture production; (2) is covered by an existing regional, State, bi-national, or multistate agreement or plan with established objectives, goals and work plans and is adopted by a Federal, State, or regional authority; (3) has water quality concerns; (4) has water quantity concerns; or (5) is subject to regulatory requirements that could reduce the economic scope of agricultural operations within the area.

D. Baloun stated that the program has three funding pools: 1. 40 percent of the funding is used for national projects, 2. 25 percent of the funding is used for State level projects, and 3. 35 percent of the funding is used for Critical Conservation Areas. The Congressman noted the importance of obligating the \$220 million available during the first year since the groundwork developed in the Red River of the North priority area through the RRRRA provides an advantage over other priority areas.

Project Coordinator Report

R. Harnack reviewed the Project Coordinator Report. The legislative session begins on February 25, 2014 and will be very brief with firm bill deadlines. Key actions for this year's session include a bonding bill and revised tax bill.

R. Harnack distributed a list of upcoming bonding requests for projects slated for construction in fiscal years 2015 - 2016. The list has been developed in conjunction with Watershed District Administrators and reflects priority flood damage reduction funding requests for the Roseau River Wildlife Management Area (RRWMA) Project of the Roseau River WD and the Redpath Project of the Bois de Sioux WD.

R. Harnack discussed revisions to the Minnesota Public Drainage Law developed by the Drainage Work Group (DWG). Significant discussion has occurred over the last several months in order to reach a consensus. The changes are intended to provide better understanding and clarity; a greater opportunity for identifying outside resources to offer funding assistance for water quality and natural resource enhancement for drainage projects; to enhance local coordination in the early stages of drainage system establishment, improvement and repair; and to incorporate the concept of multi-purpose water management into the process. Plans are to introduce a bill consistent with the general consensus.

Administrator Report

A) Governing Documents' Revisions

N. Erickson stated that the proposed revisions to the publication have been completed by the Governing Documents Committee and distributed for review and comment. Following board approval, the Joint Powers Agreement will be forwarded to the member watershed districts to be executed by the respective governing bodies. **Motion** by Manager Money to approve the revisions to the Governing Documents publication, **Seconded** by Manager Deal, **Carried**.

B) Wilkin County Environmental Services

N. Erickson explained that at the January board meeting, the board discussed the Wilkin County Board request to the Wilkin County Environmental Services office to collect information to assist the board in analyzing the environmental and land use planning implications associated with floodwater storage. She stated that the Board of Managers directed her and R. Harnack to develop preliminary recommendations for consideration. Comments regarding possible amendments to the zoning ordinance were requested by January 31, 2014.

After further discussion with Manager Finney, it was agreed that any comments should be forwarded from the Work Group as it is their Project Teams that would be most affected by the proposal. As the Work Group is scheduled to meet on February 19, 2014 and any work authorized at this meeting would have to be approved at their following meeting on May 21, 2014, an extension of the comment period was requested until May 30, 2014.

C) Committees & Membership

N. Erickson distributed a handout of the RRWMB Committees and Membership. Due to Ron Osowski's retirement, several vacant positions on various committees and organizations need to be filled. Manager Finney requested board members to review the list and decide which committees they would consider participating in order to fill the vacant positions at the next monthly meeting.

D) Public Information Initiative

N. Erickson explained that the Public Information Committee met this morning prior to today's meeting. She explained that following earlier discussions with the Public Information Committee members, they agreed to meet with H. Hughes prior to today's meeting to discuss her interest in the board offering her the position of Public Information Officer (PIC). She noted that H. Hughes conveyed her interest in accepting the position and the committee members agreed to recommend that the Board of Managers extend an offer to H. Hughes.

Motion by Manager Holmvik to authorize N. Erickson to extend an offer to H. Hughes to provide public information consulting services to the board and coordinate the details of the arrangement with N. Drees of the Middle Snake Tamarac Rivers WD, **Seconded** by Manager Kleinwachter, **Carried**.

E) 16th Joint Annual Conference

N. Erickson distributed a draft conference agenda, a handout for the Tile Drainage and Rules & Regulations Pre-conference Workshop sponsored by the board, and an informational handout on Project Teams developed by the Minnesota Department of Agriculture.

F) Upcoming Meetings/Conferences

1. **River Watch Forum**, Tuesday, March 18, 2014 at the University of Minnesota - Crookston Campus. The March board meeting has been scheduled to coincide with the forum.
2. **MAWD Legislative Reception & Day at the Capitol**, March 19-20, 2014.
3. **Pre-conference Workshop, Tile Drainage and Rules & Regulations Update**, Tuesday, March 25, 2014, 9:00 a.m. to noon, Holiday Inn Detroit Lakes - Inn on the Lake, Detroit Lakes, MN.
4. **16th Joint Annual Conference (March Conference)**, Tuesday, March 25, 2014 - Wednesday, March 26, 2014.

Red River Basin Commission

J. Lewis, Executive Director, RRBC, distributed a handout of information regarding the Halstad Upstream Retention Study that was presented to the Fargo-Moorhead Diversion Board of Authority. The RRBC technical modeling team and peer review is underway for the report.

Water Quality Project Monitoring

C. Fritz distributed the IWI Monitoring and Education Activity Report. The arrangements at UMC are being finalized for the River Watch Forum scheduled on March 18, 2014. A pilot program to expand the River Watch program in North Dakota is being developed. Several teachers in North Dakota were

invited to this year's Forum where they can experience first-hand the opportunities from River Watch and be able to interact with teachers who have been involved in the program.

Red River Coordinator/TAC Report

D. Thul reported that the TAC met prior to today's meeting and discussed the RRBC's Halstad Upstream Retention Study. A performance-based level of funding would target an 8-day priority detention period to reduce peak discharge at Fargo, ND and Halstad, MN. The detention of floodwaters within that 8-day window incorporates 4 days before and 4 days after the peak discharge.

D. Thul noted the TAC's concern that the proposed 8-day detention period may be insufficient if compared to historical peak flow durations. He added that the RRBC's Technical Modeling Team will compare historic floods with the current model to determine if the proposed 8-day detention period should be extended to better reflect historical peak flow durations.

D. Thul stated that the TAC also discussed the HMS models developed for the USACE Watershed Feasibility Study (WFS). Following discussion, the TAC agreed that the RRWMB may want to consider authorizing the development of a similar process utilizing the criteria of the STar value method.

District Reports

- The Red Lake WD reported that plans and specifications are being completed for the bypass/diversion structure for the Grand Marais Creek Outlet Restoration Project. Plans are to open bids in late April or early May, with expectations to complete project construction by summer/fall of 2014.
- The Two Rivers WD reported that their District submitted a response to BWSR's *One Watershed, One Plan* suggested boundary map. The Board of Managers reviewed the proposed map and developed several suggestions for consideration.
- The Middle Snake Tamarac Rivers WD reported that an agreement has been signed with Agassiz Audubon Society (AAS) to turn over all their assets to the District. These assets include 440 acres of property adjacent to the Agassiz Valley Water Resource Management Project. AAS plans to continue in an advisory role with the District.

District's Funding Requests

No requests for funds were submitted this month.

Other Issues

Manager Money discussed BWSR's vision for *One Watershed, One Plan* to align local water planning on major watershed boundaries with state strategies towards prioritized, targeted and measurable implementation plans. The following three types of plans are proposed to be tested through pilot watershed programs: 1) Water Quality Implementation Plan, 2) Priority Concerns Watershed Implementation Plan, and 3) Comprehensive Watershed Management Plan. Planning boundaries for the proposed plan types will be consistent with the BWSR adopted Suggested Boundary Map.

Manager Money distributed the draft Suggested Boundary Map and explained that the watershed district boundaries identified on the map were inaccurate for the watershed districts located in the northern part of the Red River basin. B. Dwight responded that BWSR will use the state's delineated major watersheds as 8-digit hydrologic unit codes (HUC8) as the starting point for defining the preferred scale for the planning effort. Manager Holmviik suggested that the planning effort should be based on hydrologic boundaries of watershed districts. B. Dwight added that currently plans are to use watershed boundaries, not necessarily watershed districts since watershed districts don't encompass the entire state.

B. Dwight noted that BWSR has distributed preliminary information on the *One Watershed, One Plan* concept for review and comment and revisions will be made to the various components based on comments received. J. Ziegler added that local governments are at the forefront of water management and the *One Watershed, One Plan* initiative is intended to utilize the existing structures of counties, soil and water conservation districts, watershed districts, and metropolitan watershed management organizations by increasing collaboration across political boundaries.

B. Dwight reported that BWSR recently received a petition from Polk County to consider the redistribution of watershed managers in the Middle Snake Tamarac Rivers WD. Following a hearing, but prior to developing a recommendation, Polk County forwarded another request to BWSR to table their decision and schedule a public meeting to obtain input. A meeting is planned for early March.

Closed Session / Personnel Evaluation

Manager Finney stated for the record that the Board of Managers would go into closed session for the evaluation of Pat Downs, Executive Director of the RRRRA, and providing direction to the Board's representatives on the RRRRA for this evaluation.

The next meeting has been scheduled to coincide with the River Watch Forum at UMC on Tuesday, March 18, 2014.

There being no further business, the meeting adjourned at 3:45 p.m.

Respectfully submitted,

Jerome Deal
Secretary

Naomi L. Erickson
Administrator