



Red River Watershed Management Board

Board of Managers

John Finney, President-Humboldt LeRoy Carriere-Roseau Dan Money-Hallock Ben Kleinwachter, Vice President-Strandquist
LeRoy Ose-Thief River Falls Daniel Wilkens, Treasurer-Fertile Greg Holmvik-Ada Jerome Deal, Secretary-Wheaton
Naomi Goral, Administrator-Detroit Lakes

**RED RIVER WATERSHED MANAGEMENT BOARD MEETING
April 19, 2016
Sand Hill River Watershed District, Fertile, Minnesota**

The RRWMB met on Tuesday, April 19, 2016 at the Sand Hill River Watershed District, Fertile, Minnesota.

President John Finney called the meeting to order.

Members present were: LeRoy Carriere Dan Money
 Ben Kleinwachter LeRoy Ose
 Daniel Wilkens Greg Holmvik
 Jerome Deal

Others present were: Naomi Goral, Administrator
Dan Thul, Red River Coordinator
Chuck Fritz, Director – International Water Institute
Kevin Ruud, Administrator – Wild Rice WD
Jerry Bents, Engineer – Houston Engineering, Inc.
Nate Dalager, Engineer – HDR Engineering, Inc.
Daron Selvig, Advanced Engineering & Environmental Services, Inc. (AE2S)
Tamara Cameron, Deputy Chief Operations Division – USACE
Ben Cox, Northwest Section Chief – USACE
Keith Weston, Red River Basin Coordinator – USDA-NRCS
Rob Sip, Environmental Policy Specialist – MDA
Nick Brown, Fish & Wildlife Lakes & Red River Basin Specialist – MDNR
Theresa Olson, Regional Environmental Assessment Ecologist – MDNR
Wally Sparby, Congressman Peterson’s office
Keith Mykleseth, Assistant Regional Manager – MDNR
Jeff Lewis, Executive Director – RRBC
Morrie Lanning, Barr Engineering, Inc.
Myron Jesme, Administrator – Red Lake WD
Danny Omdahl, Administrator – Middle Snake Tamarac Rivers WD
Allen Wold, Manager – Bois de Sioux WD
Linda Vavra, Manager – Bois de Sioux WD
James Guler, Engineer – Moore Engineering, Inc.
Henry Van Offelen, Red River Basin Coordinator – MDNR
Ron Adrian, Engineer – Houston Engineering, Inc.
Blake Carlson, Engineer – WSN Engineering, Inc.
Phillip Swenson, Manager – Sand Hill River WD
Chris Laveau, Supv. Hydrologist – USGS

Roger Hanson, Manager – Sand Hill River WD
 April Swenby, Administrative Assistant – Sand Hill River WD

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

The bills to be approved as of April 19, 2016 were as follows:

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
04/19/2016	7986	ACS	Phone line, Fax/Internet	\$153.02
04/19/2016	7987	Adv. Engineering & Environmental Services	Public Information Consulting Services - Inv. No. 47858	\$7,078.42
04/19/2016	7988	Charles W. Fritz	Professional Services - 03-15 - 04-08	\$8,301.70
04/19/2016	7989	Courtyard by Marriott	Meeting Expense - Joint Annual Conf. (03/23-24, 2016)	\$19,509.15
04/19/2016	7990	Courtyard by Marriott	Meeting Expense - Board Retreat (03/22/16)	\$383.38
04/19/2016	7991	Courtyard by Marriott	Meeting Expense - RRRA Meeting	\$333.38
04/19/2016	7992	International Water Institute	PTMA C14-8916 (FY2014-15) Pay Req. No. 3 (FINAL)	\$23,525.00
04/19/2016	7993	International Water Institute	Distributed Detention Study - RRBDIN PPT	\$17,584.50
04/19/2016	7994	International Water Institute	BWSR - 1W1P Pay Req. No. 3 (FY15) FINAL	\$19,205.40
04/19/2016	7995	International Water Institute	BWSR - 1W1P AMENDMENT (FY15) FINAL	\$20,000.00
04/19/2016	7996	Jon Schauer/Consulting Unlimited Inc.	Invoice No. 3503	\$1,170.00
04/19/2016	7997	MCI	Long distance service	\$38.43
04/19/2016	7998	Middle Snake Tamarac Rivers WD	Webpage Maintenance - 2014, 2015	\$1,658.87
04/19/2016	7999	Naomi Goral	Reimbursed Expenses	\$746.71
04/19/2016	8000	Radio Fargo Moorhead, Inc.	Meeting Expense - Joint Annual Conf., KFGO Joel Heitkamp	\$3,000.00
04/19/2016	8001	Red Lake Watershed District	Webpage Maintenance - 2015	\$1,500.00
04/19/2016	8002	Ronald D. Harnack	Project Coordinator Exp. - April 2016	\$1,141.70
04/19/2016	8003	Smith Partners PLLP	Invoice No. 37797, March 2016	\$3,300.42
04/19/2016	8004	Two Rivers Watershed District	Webpage Design - 50% cost share	\$1,096.50
04/19/2016	8005	U.S. Geological Survey	Bill No. 90435307, Stream Gaging - Fiscal Year 2016	\$28,371.00
04/19/2016	8006	U.S. Postal Service	500 - 1st Class Postage	\$235.00
04/19/2016	8007	Virtual Systems	Invoice No. March 2016-21	\$330.00
04/19/2016	8008	Brandner Printing	Invoice No. 10782 - Governing Documents	\$3,631.61
				<u>\$162,294.19</u>

Motion to approve and pay bills by Manager Ose, **Seconded** by Manager Deal, **Carried**. For further reference, copies of the bills approved are attached hereto in the Treasurer’s Report.

USGS Funding & Stream Gaging Overview

C. Laveau, Supv. Hydrologist – USGS, presented a stream gaging overview including discussion of gage funding and operation.

Funding for stream gages is provided either by appropriations from Congress or from other federal, state, local or private funding sources.

Appropriated funding from Congress includes the USGS National Streamflow Information Program (NSIP) that provides direct funding for stream gaging. Another USGS appropriated funding program is the Cooperative Water Program (CWP) which is a partnership between USGS and non-federal agencies.

Other funding provided to USGS for stream gages is through Joint Funding Agreements (JFA) with state and local agencies or organizations. The RRWMB participates in a JFA with USGS for 23 stations in Minnesota with a total program value of \$374,202 for 2016. The funding cost-share for gages in Minnesota for fiscal year 2016 is as follows: State/Local, 37% and Federal, 63%.

The funds provided for the USGS stream gage network is divided between field and office activities and data management and delivery. Access to real-time data can be obtained at <http://waterdata.usgs.gov/nwis>.

Red River Retention Authority

T. Cameron, Deputy Chief Operations Division, USACE-St. Paul District discussed a proposal to dedicate a USACE Regulatory Project Manager to coordinate with member watershed districts undergoing the PL566 watershed planning process. The goal is to coordinate Section 404 of the Clean Water Act (CWA) permit process requirements with NRCS federal environmental review for watershed district projects funded under PL566.

A total of 22 plans are proposed to receive NRCS PL566 funds in the amount of ~ \$11 million. The plans include 14 in Minnesota and 8 in North Dakota. The NRCS PL566 process incorporates Corps participation and feedback throughout the planning process. In Minnesota, NRCS plans to utilize the Project Team Handbook developed through the mediation process. The requirements in the handbook involve review and concurrence by Corps regulatory staff during development of the proposed project, consideration of alternatives, and the selection of alternatives for future implementation.

A Memorandum of Understanding (MOU) was entered into in May of 2012 between the U.S. Army Corps of Engineers (USACE), the Natural Resources Conservation Service (NRCS) and the Red River Retention Authority (RRRA). The purpose of the MOU was to establish a framework for early coordination and participation among the Signatories to facilitate the timely review of and action on proposed non-Federal and Federal flood water retention structures and projects.

T. Cameron explained that when the Corps entered into the agreement, the number or location of potential projects in the basin was unknown. Section 214 of the Water Resources Development Act (WRDA) allows for a non-Federal public entity to fund a position that would be dedicated solely to provide permitting support for PL566 projects.

Over the past five years, an estimated 12 permits in Minnesota were issued by the Corps for flood damage reduction projects in the Red River basin. The addition of the 14 proposed plans in Minnesota, which could include multiple projects within each plan, represents a workload that cannot be managed with current St. Paul District Regulatory staff.

Although the Omaha Regulatory office is fully staffed in Bismarck and has predicted that their current staff can handle the additional 8 plans in North Dakota, they would be unable to address all 22 plans without additional resources.

The proposal for project coordination estimates that with an additional \$200,000 to \$240,000, a position could be funded to provide timely permitting support for the 14 proposed plans in Minnesota. The funds would be utilized only when performing tasks associated with reviewing a list of prioritized projects and any unexpended funds would be returned to the funding party.

Manager Finney inquired whether the list of duties for the dedicated Regulatory Project Manager would also include federal environmental review for watershed projects *not* funded under PL566. T. Cameron distributed a draft Memorandum of Agreement (MOA) developed to be entered into by the Red River Watershed Management Board "Districts" (RRWMDs) and the USACE. The proposed position would be charged with reviewing a prioritized list of projects (which could be periodically revised) developed by the party entering into the MOA with the USACE that would include permitting support for PL566 projects or other programmatic initiatives or projects. B. Cox concurred with T. Cameron that the MOA provides for an expedited permit evaluation of a project or activity for a public purpose under the jurisdiction of the Corps for permit requests designated by the RRWMDs.

Manager Kleinwachter questioned whether the position would involve a person dedicated specifically to the Red River basin who would be responsible for attending watershed district Project Team meetings. T. Cameron responded that the ideal candidate would be familiar with basin-wide initiatives and the list of duties for the dedicated Regulatory Project Manager would include attending Project Team meetings.

C. Fritz inquired about deficiencies in the NRCS PL566 process relative to USACE federal environmental permit review. Manager Kleinwachter also questioned whether the two federal agencies work collaboratively. K. Weston responded that the PL566 process allows for NRCS to provide project funding, however, Section 404 CWA permit requirements must be addressed by the USACE.

Manager Finney referred to the MOA and noted that currently the agreement specifies the parties as the USACE and member districts of the RRWMB since they sponsor the Small Watershed Protection Planning Process. He questioned whether to revise the agreement to designate the parties as the USACE and the RRWMB. N. Goral added that since the MOA states that funds will be utilized only when the USACE is directed to review a list of prioritized projects, should the RRWMB determine that the MOA should be revised to designate the board rather than member districts as a responsible party, the associated costs could be charged to specific projects and either be considered a portion of RRWMB project funding or be charged back to the member district as a project cost. Manager Finney proposed that each member district discuss the MOA and recommendations for further discussion at the next RRWMB meeting. Manager Finney also suggested that the MOA be forwarded to RRWMB counsel for review.

Motion by Manager Ose to forward the MOA to RRWMB counsel for review, **Seconded** by Manager Money, **Carried**.

K. Weston distributed a handout depicting the RCPP fund allocation for the 22 plans progressing through the Small Watershed Protection Planning Process. Total funds available through the RRRRA for the studies is \$11,040,000 with nearly all the project sponsors receiving \$500,000 as RRRRA cost-share for the studies.

Discussion occurred relative to RRWMB cost-share for member districts toward completing the planning process. Manager Finney explained that the RRRRA agreed to allocate federal funds toward the planning efforts conducted by watershed and water resource districts. However, the RRRRA determined that the remaining costs of completing the Small Watershed Protection Planning Process should be the responsibility of the local sponsor. Manager Deal added that project sponsors should submit cost-share requests to the RRWMB for construction following the completion of the planning process as outlined in the board's *Funding Procedures for Flood Damage Reduction Projects and Related Programs*.

Public Information Initiative

D. Selvig reported that he is currently developing two newsletter/website articles. The articles will highlight the recent 18th Joint Annual Conference and the annual River Watch Forum.

N. Goral inquired whether only current newsletter articles from this point forward should be included on the website or if the board would prefer including past articles as well. A. Swenby noted that her bid for revising the current website did not include scanning past newsletter articles. D. Selvig noted that the Public Information Committee (PIC) plans to meet following today's board meeting with the Work Group's Communication Team and will continue the newsletter discussion.

Water Quality Project Monitoring

C. Fritz distributed the IWI Monitoring and Education Activity Report. Monitoring equipment has been delivered to basin partners including River Watch schools. Staff have been assisting River Watch teams with equipment issues and monitoring. Many of the teams began monitoring in early March.

There still remains several MPCA owned equipment units in need of repair due to lack of Detroit Lakes MPCA staff positions able to perform the necessary maintenance. Staff recently retired or moved and it appears these positions will not be filled going forward.

Red River Basin Commission

J. Lewis, Executive Director - RRBC distributed the Red River Basin Water Quality Strategic Plan. During the 2015 session, the Minnesota Legislature appropriated \$200,000 to the RRBC to develop the aforementioned plan. The work plan providing the project background and description was distributed.

Administrator Report

A) Governing Documents' Revisions

N. Goral reported that the revised Governing Documents publication has been completed. New copies are available for distribution following today's board meeting. Hard copy formats are available to board managers, administrators, member district offices and other interested parties. The information is also available on the board's website.

B) Congressman Peterson's Upcoming Hearing/Informational Meeting

N. Goral explained that she's been in contact with Allison Myhre of Congressman Peterson's office regarding potential to conduct an onsite tour in conjunction with an upcoming informational meeting tentatively scheduled for Monday, June 6, 2016 at the Courtyard by Marriott, in Moorhead, MN.

At the 18th Joint Annual Conference, the Congressman referred to an upcoming hearing to include members of the House Committee on Agriculture. Discussion occurred at the conference relative to the benefits of the board sponsoring an onsite tour of a farm field recently pattern tilled. The board directed the PIC to continue discussion of the proposed tour at their meeting scheduled today following the board meeting.

C) Member District Visits

N. Goral stated that she attended the Bois de Sioux WD board meeting on Thursday, March 17, 2016. Items discussed included the revised Governing Documents publication, the upcoming 18th Joint Annual Conference, the MAWD Legislative Reception/Breakfast & Day at the Capitol and the Redpath Project.

D) Upcoming Meetings/Conferences

1. **Joint Meeting of the RRWMB & FDRWG Public Information Committees**, April 19, 2016, Sand Hill River Watershed District, immediately following regular monthly board meeting.
2. **Red River Basin Flood Damage Reduction Work Group**, April 20, 2016, MnDOT, Detroit Lakes, MN.
3. **Red River Basin Commission Board Meeting & Tour**, June 1-2, 2016. A bus will leave from Fargo on June 1 making stops in Grand Forks and Pembina before starting the tour from Windsor Park CanadInns, Winnipeg, MB at 12:00 p.m.

Project Coordinator Report

In the absence of Ron Harnack, the Project Coordinator Report was distributed. The statewide Flood Hazard Mitigation Grant Program includes bill requests of \$26 million. These funds would be allocated for various phases of construction-ready projects including final design, permitting, acquisition and construction.

Discussion has occurred with L. Smith of Smith Partners regarding the development of a model buffer rule. The Senate bill includes a provision for a funding incentive to encourage counties and watershed districts to assume jurisdiction of the buffer initiative. R. Harnack noted in his report that it would be beneficial for counties and/or watershed districts to assume jurisdiction as they work more closely with landowners than BWSR.

Red River Coordinator/TAC Report

D. Thul introduced Nick Brown, Fish & Wildlife Lakes & Red River Basin Specialist – MDNR and Theresa Olson, Regional Environmental Assessment Ecologist – MDNR and noted that these individuals will begin participating on project teams.

K. Mykleseth, Asst. Regional Manager - MDNR discussed the State of Minnesota Income Contract between the MDNR and the RRWMB. The contract is to jointly fund the Red River Watershed Coordinator position with the State to provide ~ 30% of a full-time equivalent at a cost of \$28,000 for a one-year period from the RRWMB in order to coordinate activities between the MDNR and the RRWMB. The term of the contract is effective July 1, 2016 to June 30, 2017.

K. Mykleseth explained that the position of Red River Coordinator has been filled by D. Thul since the position was established by an act of the Minnesota Legislature on June 14, 1983. Since D. Thul plans to retire in July of 2016, discussion occurred relative to his replacement with members of the RRWMB and MDNR representatives during the 18th Joint Annual Conference. The discussion resulted in a recommendation for H. Van Offelen to fill the position of Red River Coordinator upon D. Thul's retirement.

Motion by Manager Deal to authorize H. Van Offelen to fill the position of Red River Coordinator upon D. Thul's retirement and approve the State of Minnesota Income Contract for a one-year period effective July 1, 2016 to June 30, 2017 at a cost of \$28,000, **Seconded** by Manager Wilkens, **Carried**.

District Reports

- The Wild Rice WD reported that two ring dike applications were discussed during a public input meeting. Following the meeting, the District verified with R. Harnack that the applications meet the state grant requirements and are eligible for funding.

District's Funding Requests

1. Bois de Sioux WD / Resubmittal of Step II / Redpath Project

J. Guler distributed information regarding the Step II resubmittal of the Redpath Project. The BdSWD previously submitted Step I and Step II requests for funding as per the board's *Funding Procedures for Flood Damage Reduction Projects and Related Programs*. The board authorized the original Step II submittal on December 15, 2009. At this meeting, the board committed \$5,000,000 to the Redpath Project.

J. Guler noted that since board policy states that "*all Step II applications shall progress to a Step III within five years, or the Step II approval will be rescinded unless extended upon request*" the BdSWD is resubmitting the Step II application for approval.

The Step II resubmittal contains the design information presented in the April 17, 2013 Engineer's Report prepared by Charles L. Anderson, PE. The technical information detailed in the 2013 Star Value Computation worksheet found within the Engineer's Report matches the current resubmittal.

The only change from the 2013 Engineer's Report is the total estimated cost of the project and cost-share request to the board. The estimated project cost has increased since 2013 due to updated land appraisals and an increase in the remaining cost due to inflation. This has increased the estimated cost of \$34,500,000 to a current estimated cost of \$35,800,000. As the majority of funding sources are capped, a new request of \$5,677,000 is being made to the RRWMB to address the funding shortage. This is an increase of \$677,000 above the current RRWMB commitment.

Motion by Manager Deal to authorize the Step II resubmittal of the Redpath Project with a RRWMB commitment of \$5,677,000, **Seconded** by Manager Ose, **Carried**.

The next meeting will be on May 17, 2016, at 9:30 a.m. at the Wild Rice Watershed District, Ada, Minnesota.

There being no further business, the meeting adjourned at 12:25 p.m.

Respectfully submitted,

Jerome Deal
Secretary

Naomi L. Goral
Administrator