

MINUTES OF MEETING  
RED RIVER RETENTION AUTHORITY  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JUNE 29, 2018

The Red River Retention Authority (RRRA) met June 29, 2018, at 10:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were John Finney, Gary Thompson, Jerome Deal, Rodger Olson, Greg Holmvik and Lance Yohe (alternate for Ben Varnson), Board members; Pat Fridgen and Ted Preister, non-voting members; Keith Weston, RRRA Executive Director; Carol Harbeke Lewis, Secretary-Treasurer; Melissa Maertens, Administrative Assistant; Debra Walchuk, Natural Resources Conservation Service (NRCS); Cody Morsching, Congressman Cramer's Office; Allison Stock, Congressman Peterson's Office; Chuck Fritz, International Water Institute (IWI); Randy Gjestvang, North Dakota State Water Commission (NDSWC); Pat Downs, Moore Engineering, Inc.; Tony Nordby, Houston Engineering, Inc.; Nate Delager, HDR Engineering, Inc.; and Myron Jesme, Red Lake Watershed District. Board member Ben Varnson and non-voting member Kent Lokkesmoe were absent.

Gary Thompson called the meeting to order and introductions were made.

**Agenda**

It was moved by Rodger Olson, seconded by Jerome Deal and unanimously carried to approve the order of the agenda.

**Minutes**

It was moved by John Finney, seconded by Jerome Deal and unanimously carried to approve the minutes of the March 22, 2018, meeting.

**Financial Report**

It was moved by Rodger Olson, seconded by Lance Yohe and unanimously carried to approve the Financial Report, as presented.

**Bills**

It was moved by Jerome Deal, seconded by John Finney and unanimously carried to approve the payment of Checks #1510 through #1519, as presented.

**2017 Audit**

It was moved by Rodger Olson and seconded by Greg Holmvik to approve the 2017 Audit of the RRRA. Upon roll call vote, the motion carried unanimously.

## **2019 Budget**

It was moved by Rodger Olson and seconded by Jerome Deal to approve the RRRRA 2019 budget. Upon roll call vote, the motion carried unanimously.

## **NRCS Agreements**

Keith Weston reviewed *Cooperative Agreement 68-6633-15-512* with the NRCS for funding outreach to the watersheds selected for the Regional Conservation Partnership Program (RCPP) under the *Memorandum of Understanding*. The NRCS has granted a one-year extension of time to the agreement, expiring September 30, 2019.

Lance Yohe moved and Jerome Deal seconded to approve and authorize Co-Chairman Thompson to sign *Cooperative Agreement 68-6633-15-512 – Amendment No. 1* with the NRCS to extend the period of performance to September 30, 2019. Upon roll call vote, the motion carried unanimously.

Mr. Weston stated that NRCS North Dakota State Conservationist Mary Podoll indicated there might be more funding available for future projects regarding the NRCS RCPP.

Mr. Finney discussed drainage water management in relation to eligibility for NRCS funding. Debra Walchuk indicated she would like to see drainage water management funding offered through the NRCS Environmental Quality Incentives Program (EQIP) in the future.

Mr. Weston reviewed *Cooperative Agreement 68-6633-16-517* with the NRCS to fund cooperation and joint coordination of flood damage reduction projects relating to the RCPP. The current agreement ends September 30, 2018, and the proposal for a replacement agreement was denied by the NRCS. Mr. Weston will reach out to the NRCS about a possible replacement for *Cooperative Agreement 68-6633-16-517*.

Mr. Weston discussed the *Memorandum of Understanding - NRCS Agreement 14-C-ND-669*. The *6 Month Progress Report* for Reporting Period 6 from November 21, 2017, through May 20, 2018, has been completed, submitted to the NRCS for comment and posted on the RRRRA website. Mr. Weston briefly discussed some of the updates in the report, including updates to financial spreadsheets. The Minnesota and North Dakota NRCS State Conservationists accepted the report with no revisions.

Mr. Weston handed out a copy of the RRRRA application submitted in April 2018 under *USDA-NRCS-MULTI-STATE-CENTRAL-CCG-001* Conservation Collaboration Grants or Agreements for Fiscal Year (FY) 2018 to replace *Cooperative Agreement 68-6633-16-517*. The application was denied because the RRRRA could not match the deliverables the NRCS is looking for under this program.

## **NRCS Report**

Debra Walchuk presented a report of the meetings and activities she has been involved in since the March 22, 2018, RRRRA meeting. Ms. Walchuk has completed second quarter pay requests for RCPP projects through March 31, 2018, and has sent out a request for

third quarter certified accruals through June 30, 2018. Fact sheets were put together for each RCPP project in the Red River Basin. The NRCS and the Corps of Engineers executed a *Memorandum of Understanding* regarding environmental assessment evaluations. Ms. Walchuk passed out a Red River Basin progress report, which includes estimates for what the NRCS expects to be fully funded and approved for FY18. Ms. Walchuk discussed the status of individual Minnesota RCPP projects. Some projects have expended or nearly expended all available NRCS funds. The status of North Dakota RCPP projects was briefly discussed. Five North Dakota RCPP projects have requested extensions, as of March 22, 2018. The project sponsor for the Swan Creek RCPP project has requested to cease planning, and NRCS has agreed to terminate that agreement.

Allison Stock asked Ms. Walchuk why the RCPP projects are not listed in the NRCS project backlog lists. Ms. Walchuk will check into this matter and report back to Ms. Stock.

### **Upper Sand Hill River RCPP Watershed Project Status / Eligibility**

John Finney reported that the Sand Hill River Watershed District has given written notice that they will withdraw from the Red River Watershed Management Board (RRWMB) effective October 1, 2018. Sand Hill River Watershed District currently has an agreement with the NRCS in regard to the Upper Sand Hill River RCPP Watershed Project. The NRCS has given RRRRA the authorization to determine if Sand Hill Watershed District can remain eligible for RCPP cost-share funds through the NRCS if they are not a member of the RRWMB. The Board had a lengthy discussion on the matter and agreed if Sand Hill River Watershed District is not a member of the RRWMB, they are not eligible for RCPP funding. Ms. Walchuk asked the Board to give a recommendation to the NRCS on what should be done regarding the NRCS obligated funds for the Upper Sand Hill River RCPP Watershed Project. Discussion was held on the possibility of transferring the funds from the Upper Sand Hill River RCPP Project to other RCPP projects in the Red River Basin that are in need of increased funding. Mr. Weston indicated that the Board cannot take formal action on the matter until October 1, 2018, when Sand Hill Watershed District's membership to the RRWMB expires. The Board agreed to have Sean Fredricks, Ohnstad Twichell, P.C., look into the language regarding the agreements between NRCS and Sand Hill River Watershed District, as well as between the RRWMB and Sand Hill River Watershed District, and provide comments to the RRRRA. More discussion will be held on this matter at the next meeting.

### **Executive Director report**

Keith Weston reported on the 3 office spaces the RRRRA is currently subleasing from the Red River Basin Commission (RRBC) for NRCS use. The NRCS moved out of the space in April 2018, so the RRRRA has not been reimbursed from the NRCS for office space since May 1, 2018. Mr. Weston recommended negotiating a date with the RRBC to vacate that space and modify the *Sublease Agreement*. Ted Preister, RRBC, stated they would accommodate a reasonable date to do so. Both parties agreed on the end of the fiscal year, September 30, 2018, as a reasonable date to cease paying rent for the space.

It was moved by Rodger Olson and seconded by John Finney to authorize the Executive Director to send a notice to the RRBC stating the RRRRA will no longer need the office space dedicated to the NRCS identified in the *Sublease Agreement* with the RRBC and

will cease paying rent for the space on September 30, 2018. Upon roll call vote, the motion carried unanimously.

Mr. Weston reported on a meeting he, the RRRRA Co-Chairs and the NRCS attended on April 3, 2018. The team discussed action items to address the status of the Red River Basin RCPP watershed projects. A similar meeting will be held in December.

Mr. Weston stated that he has been involved with the Comprehensive Subwatershed Pilot Project spearheaded by the RRBC. Mr. Weston briefly described the project and asked the Board how involved they would like him to be in the project. The Board directed Mr. Weston to continue his involvement in the Comprehensive Subwatershed Pilot Project.

Mr. Weston passed out a draft letter addressed to local Senators and Congressmen to inform them on RCPP projects in the Red River Basin and the need for continued funding for watershed planning and project implementation. The letter will be sent this summer.

Mr. Weston informed the Board that Troy Daniell has been selected as the Minnesota State Conservationist. The Board will invite Mr. Daniell to the September meeting.

Mr. Weston passed out an educational postcard that was mailed in April. The postcard focuses on conservation practices to reduce sediment, nutrient losses and runoff on cropland. It was created and funded in conjunction with the NRCS.

### **Red Lake Watershed District RCPP Project**

Myron Jesme of Red Lake Watershed District discussed the status of the Pine Lake Watershed Project. The Pine Lake project has completed Review Point 4 of the 6-step NRCS review process, but has expended all of the available NRCS funding. Mr. Jesme explained the hurdles the project has faced and estimated the project needs about \$200,000 of additional funding to complete planning. The Red Lake Watershed District is prepared to match 30% of the \$200,000. Mr. Jesme stated that the project was petitioned by landowners and Red Lake Watershed District would like to see the project planning completed. Mr. Weston indicated Red Lake Watershed District would need to pursue an amendment to their agreement from the NRCS and, in the interim, would need to use their own funds for the project. Mr. Weston also stated there might be a possibility to obligate some funds from the Swan Creek Watershed Project to the Pine Lake Project. A letter would need to be sent to the NRCS asking them to consider transferring the funds. Rodger Olson discussed the importance of finishing planning for an RCPP project through the NRCS' 6-step process. Mr. Weston discussed the possibility of more projects needing additional funds in the future to complete planning.

It was moved by Lance Yohe and seconded by Jerome Deal to authorize the RRRRA Executive Director to send a letter to the NRCS asking if the agreement for the Red Lake Watershed District Pine Lake Watershed Plan may be amended to utilize some of the remaining funds in NRCS Agreement 14-C-ND-669 for the additional \$200,000 requested for the project. Upon roll call vote, the motion carried unanimously.

Mr. Jesme discussed the status of the Four Legged Lake Watershed Project. The project has expended all of the available NRCS funding and has not completed planning. Red Lake Watershed District is committed to constructing the project, as this project is relatively easy to permit and build. Mr. Jesme asked if the project would need to go through the entire 6-step review process or if it would be more advantageous to cease planning and construct the project through the Flood Damage Reduction program. The Board tabled the matter until NRCS has considered the Pine Lake request.

**Agency and partner reports**

Pat Fridgen reported on a series of NDSWC meetings in July 2018 in each of the state's 7 major drainage basins to facilitate local participation in the water development planning process. The next regular NDSWC meeting will be on August 9, 2018, in Bismarck. Mr. Fridgen also reported the NDSWC has developed a process to conduct an economic analysis on projects costing more than \$1,000,000. Mr. Fridgen also discussed budget cuts for the next fiscal year.

Randy Gjestvang discussed new LIDAR collects in 2018. Through this collect, half of the Red River watershed in North Dakota will be completed. Mr. Gjestvang asked if any other groups would want to help fund the cost to collect the other half of the Red River watershed in North Dakota.

Kent Lokkesmoe submitted a report on behalf of the Minnesota Department of Natural Resources via e-mail. Last session the Minnesota state legislature passed a bonding bill that includes \$20,000,000 for flood hazard mitigation projects within the state. Most of the funding will be directed to community projects.

**Meeting schedule**

The next meeting will be held on September 5, 2018, at 10:00 a.m. at the Cass County Highway Department in West Fargo, North Dakota.

**Adjournment**

There being no further business to be considered by the Board, the meeting adjourned without objection.

APPROVED:

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Gary Thompson  
Co-Chair

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John Finney  
Co-Chair

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer