**MINUTES OF THE**

**UPPER SHEYENNE RIVER JOINT WATER RESOURCE BOARD**

April 20th, 2022

The Upper Sheyenne River Joint Water Resource Board met on April 20th, 2022, at the Chieftain, Carrington, ND

Managers Present:

Jerry Hieb, Barnes County WRD

Monty Schaefer, Eddy County WRD

Ben Varnson, Nelson County WRD

Tor Bergstrom, Steele County WRD

Bill Deck, Pierce County WRD

Dennis Clark, Stutsman County WRD

Managers Absent:

Griggs County WRD

Ken Hoffert, Benson County WRD

Others Known To Be Present:

Mike Opat, Houston Engineering

Larry Skifftan- Wells County WRD

Keith Weston

Steve Best

Ken Royse

Stacy-ND Game and Fish

Paul- ND Game and Fish

Mandar Nangare, Barr Engineering

Dani Hanson, ND Water

Tasha Krueger, Secretary, Upper Sheyenne River Joint WRB

**CALL TO ORDER**: Vice Chair Schaefer called the meeting to order @ 9:05 A.M.

**ROLL CALL**: Roll call was taken with four counties present-Jerry Heib- Barnes County, Monty Schaeffer- Eddy County, Ben Varnson-Nelson County, Tor Bergstrom-Steele County, Bill Deck-Pierce County, Kevin Veitz-Sheridan County, Dennis Clark-Stutsman County. Not present was Ken Hoffert-Benson County. Currently, we don’t have a representative from Griggs County.

Mayor Tom Erdmann was not present.

**AGENDA REVIEW**: The Agenda was reviewed by Manager Varnson. Motion to approve the agenda with the additions of Missiouri River was made by Manager Deck. Seconded by Manager Clark. Motion carried.

**MINUTES OF FEBRUARY 16th, 2022**: Minutes from the February 16th, 2022, meeting were emailed out. Motion to approve the Minutes of February 16th, 2022, was made by Manager Deck. Second by Manager Heib. Motion carried.

**MINUTES OF MARCH 16th, 2022**: Minutes from the March 16th, 2022, meeting were emailed out. Motion to approve the Minutes of March 7th, 2022, was made by Manager Varnson. Second by Manager Deck. Motion carried.

**TREASURER’S REPORT MARCH**: The checkbook balance as of March 16th, 2022, was $30, 556.14. There has been income of $28,485.61 expenses of $3261.53 and currently the checkbook balance is $55,780.22. The total funds on hand are $55,780.22. A Motion to approve the Treasurer’s Report was made by Manager Clark. Second by Manager Heib. Upon Roll Call vote, Motion carried.

**TREASURER’S REPORT APRIL**: The checkbook balance as of April 16th, 2022, was $30, 556.14. There has been income of $28,485.61 expenses of $3261.53 and currently the checkbook balance is $55,780.22. The total funds on hand are $55,780.22. A Motion to approve the Treasurer’s Report was made by Manager Clark. Second by Manager Deck. Upon Roll Call vote, Motion carried.

**BILLS FOR APPROVAL MARCH:** The following bills were presented for approval: Nelson County WRD $87.02 (postage $25.52 c/s $61.50); Ben Varnson (540) $498.69; and Barr Engineering $1,790.00. Total bills for approval total $ . A Motion to approve payment of bills was made by Manager Clark. Second by Manager Heib. Upon Roll Call vote, Motion carried.

**BILLS FOR APPROVAL APRIL:** The following bills were presented for approval: Ben Varnson (540) $498.69; U.S Treasury-941 ($ ) and Barr Engineering $1,790.00. Total bills for approval total $2,954.00. A Motion to approve payment of bills was made by Manager Deck. Second by Manager Clark. Upon Roll Call vote, Motion carried.

**Red River Basis Commission**

Ted Prister wasn’t able to attend.

**Legislative Update-Dani Hanson**

**Water Drainage Committee**

The interim water drainage committee met on April 11, 2022. Several additions were added to that proposed legislation, including clarifying notification to road authorizes and the assessment voting process. There was also a lengthy discussion on appeals of water resource districts decisions and possibly of providing for mediation on decision.

There was also discussion on cost benefit analyses on drainage projects at the local level. The committee seemed interested in requiring that all assessment projects do a BCA for every parcel in an assessment area. The Department of Water Resources provided testimony on their benefits cost analysis model used for projects that require state cost share. The association has a lot of concern with time and cost for those type of detailed level of assessment and determining that the model that is the proposed by Dr. Pool best fit for these types of projects. Dani and Jack are trying to get more information to the committee regarding cost benefit analysis look like in other states and provide more information to the committee to what Dr. Pool is providing.

**State Water Committee**

The State Water Commission met on April 12th, 2022. They approved a number of cost share requests including a request for the Missouri River board. Cost-Share policy was also discussed. The commission is undergoing a review of their cost-share policy. The Water Users Association is going to try to provide some feedback to the commission on the cost-share policy as they go through that process. On the National level it is budget time, the president released its budget for water projects. The Army Corp of Engineers and Bureau of Reclamation more then %51 million in federal funding has been allocated to the state.

The summer meeting will be held July 11-13, 2022 in Fargo, ND. A tour will be a water treatment plant, and diversion site and an update on the Red River Valley Water Supply project.

**US Fish and Wildlife-Paul and Stacy Whipp**

The mission for the Game and Fish is to work with other to conserve, protect and enhance fish, wildlife and plants, and their habitats for continuing benefit of the American people.

There are 7 complexes across the state which are now merged into 3 complexes. They are now the Eastern North Dakota complex. It would be joining of the Devils Lake WMD, Chase Lake WMD, Tewaukon WMD, Valley City WMD, and Arrowwood WMD which is complete coverage of the Sheyenne River. The Game and Fish interests are broken into 3 categories: refuges, water fowl, and wetland easements. There is always interaction with different projects. Communication is the best thing early on, they strive to protect wild life but also under that roads and power, etc. need to be used.

Stacy serves in Eddy and Foster County. She serves on the water fowl product areas and wetland easements. She also expressed communication at the start of a project.

The bird flu was discussed. There is a lot of coordinated monitoring and sampling happening in the state and with the USDA. Avoid interaction with birds. The Bald eagles are a concern but we are having a different spring weather hasn’t helped.

There is an adjacent property to the arrow wood wildlife refuge interested in selling a parcel to the refugee. If it makes in through all the steps it will be the wild life production area.

**Red River Retention**

Keith Weston presented. The planning authority continues which represents both sides of the river.

On the North Dakota side they continue to work on the Rush River water shed plan has been approved by NRCS. They are going to be starting the final design. It basically a levy around the city of Amnenia, north of Casselton. They are hoping for construction to start late 2022 or early 2023.

The Upper Maple River watershed continue to finish the watershed plan. They will be requesting an exemption to the benefit cost analysis. They have a locally referred alternative that they would like to prosue. They have 2 retention structures, within the retention structures or upstream will be natural resource enhancements or (better word) grass or bio type practices that will filter water and drop sediment out of a fair amount of phosphorus. They don’t have a one to one cost benefit ratio they need to show other benefits so the benefits the Cass County and NRCS is looking into bio harvesting and a design when a water comes into a retention or detention structure it runs through the forage or cattail depending on the water depth so the sediments drop out in the upper part of the floor pool and isn’t transmitted downstream into nitrogen or phosphorus. The phosphorus at the international boarder are continuing to grow. If NRCS provides that exception finalizing the plan and design work. The design is two years out.

A very similar project did just receive an exemption from the chief of NRCS is the North Branch Park River. A stream restoration and small flood plain storage expansion of the flood plain on the Tounge River in Pembina County. The retention authority and NRCS have been working on. All these project are part of the regional conservation partnership program (NCPP program) from 2015. The NRCS and the Retention authority entered into a MOU where they received roughly 12 million dollar to do watershed planning in Minnesota and North Dakota. There were 20-22 watershed that were identified in 2014, on a handful have dropped out. 5 out of the 22 plans should be completed within the next year.

On August 24th 2022 a Minnesota/ North Dakota water tour around the Red River is being planned. It will be leaving out the Alerus Center in Grand Forks. It will be a day long tour.

Manager Varnson asked for a brief explain on how it was formed. The Retention Authority was formed due to the 2009 flood in the Red River basin. In May of 2010, a joint powers agreement that was sign between the Red River Joint WRD and State of North Dakota and Red River Watershed management board of Minnesota and the State of Minnesota with the intension that the authority could be a fiscal agent for Federal funds to help address flood damage reducing and retention in the Red River Basin in North Dakota and Minnesota. There are 7 watershed members in Minnesota.

**Devils Lake Joint Board**

Jeff Frith is not present.

**Missouri River Joint**

Ken Royse reported. The Missouri River Basin has 12 counties along the river from Montana line to the South Dakota line.

If you up against the river or reservoir those counties are invited to join the basin. Mclain County is the only county not in the basin. EAE program (education, advocate, and engage) they want to educate, advocate and engage on the Missouri River. A presentation will be presented to the Upper Missouri group

**ND Department of Water Resources**

**Red River Joint Water Resource District**

**Upper Sheyenne Pilot Project Update-Mandar Nangare**

Mandar reported on the progress of the Upper Sheyenne Pilot Program. He discussed the Sites and Stages on funding.

There are 8 sites total across northern North Dakota on Upper Sheyenne from Wells County to Griggs County. The projects range from intensive bank stabilization practices to vegetation, grazing management and culvert replacement. The cost of each is anywhere from $80,000 to $860,000, depending on which site. There are several miles of river restoration total.

6 sites were submitted for consideration to the Department of Water Resources. Last fall the Joint board worked to decide on a contingency plan if Griggs County is no longer part of the Upper Sheyenne River. It was decided to do Sites B&C in Griggs County. Those sites were estimated at 3.9 million this includes all total costs of the project.

Site 1: Eddy County: practice bank protection, riffle, and riparian plantings- Cost: $700,000

Site 2: Eddy County: practices bank stabilization and riparian plantings- Cost: $ 850,000

Site 3: Eddy County: practices remove road crossing, place rock riffle for grade control, grade and stabilize banks above & below crossing, and stabilize downstream bend with vegetation or toe wood. Cost: $700,000.

Site 5: Nelson County: practices grazing management, vegetative bank protection, wetland restoration. Cost: $80,000.

Site 6: Griggs County: Concept design. Cost: $750,000

Site 7: Griggs County: Concept design. Cost: $800,000

Site Alternative B: Wells County: culvert design for fish passage, bank protection, and riparian plantings. Cost: $ 175,000

Site Alternative C: Benson County: Concept Design. Cost: $250,000

The Society for Ecological Restoration Standards will be used for success evaluation. BEHI/BANCS sediment reduction benefits will be refined.

The timeline of the project were reviewed. The USDA RCPP applications are due by April 13th, 2022. The amount requested still needs to be decided. Further discussion will take place with NRCS.

The next steps are 10% design, site investigations and permit applications.

**ND Department of Environmental Quality: Greg Sandness**

Greg was unable to attend the meeting. He sent an email and reads are follows:

The Upper Sheyenne Pilot Project proposal, the updated proposal to address the Task Force comments has been received and we are now waiting for notification on the state-level Section 319 appropriation. Once the Section 319 appropriation is awarded to DEQ, we will be able to allocate funding to all the projects that requested funding, including Upper Sheyenne Pilot Project. I am hopeful funding will be issued by June.

**County Reports**

Barnes – There have been lots of drain tile applications. It’s taking 2-3 weeks for sulfate levels to drop. Kathryn Dam: is complete except for the sign. A historical and information sign about the Dam needs to be installed before cost-share will be paid. The sign is roughly $10,000-15,000.

Every county has inherited dams from the state over the years. Barnes County has 59 Dams. They are the old CC projects. They would like to give them to the local landowners. No one wants those Dams but the state says they can’t be given away.

The Mill Dam is owned by the city. Little Dam is out of the city limits in years past but it got moved into the city limits. The city doesn’t want the dam. If a Dam is put in similar to the Kathryn Dam, the city will take it over the Dam and the maintenance.

Benson – No report. Not Present

Eddy – They have received drain tile applications.

Griggs – No report. Not Present

Nelson – Lots of beaver activity.

Pierce – They received 20-25 inches of snow. They received their first tile permit.

Sheridan – No Report. Not Present

Steele – No report.

Stutsman – There has been lots of run off.

Wells: They have been working on theHarvey Dam project. They want to raise the levels by 2ft and add concrete walls.

**MANAGERS REPORT – BEN VARNSON**

**NEXT MEETING** – June 14th 2022, at 7:00 pm, Devils Lake, ND

**ADJOURNMENT** – A Motion to Adjourn was made by Manager Heib at 11:45 A.M. Chair Schaefer adjourned the meeting.

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Monte Schaefer, Chair

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Tasha Krueger, Secretary