**MINUTES OF THE**

**UPPER SHEYENNE RIVER JOINT WATER RESOURCE BOARD**

June 19th, 2024

The Upper Sheyenne River Joint Water Resource Board met on June 19th, 2024, at the Cobblestone, Rugby, ND.

Managers Present:

Bret Fehr, Barnes County WRD-Alternative for Jerry Heib

Monty Schaefer, Eddy County WRD

Mike Tweed, Eddy County WRD

Bill Deck, Pierce County WRD

Dennis Clark, Stutsman County WRD

Kevin Veitz, Sheridan County

LeRoy Becker, Sheridan County

Tor Bergstrom, Steele County WRD

Managers Absent:

Ben Varnson, Nelson County WRD

Julie Beckstrand, Benson County WRD

Others Known To Be Present:

Mandar Nanare, Barr Engineering, via ZOOM

Jeff Frith, DLWRD

Dani Quillell-ND Water Users

Julie Ellingson- ND Water Users

Mike Tweed-Eddy County WRD

LeRoy Becker- Sheridan County WRD

Yaping Chi, ND DWR

Tasha Krueger, Secretary, Upper Sheyenne River Joint WRB

**CALL TO ORDER**: Chair Bill Deck called the meeting to order @ 7:08 P.M.

Mayor of Rugby, Frank LaRocque and Senator, John Nelson was present.

**ROLL CALL**: Roll call was taken with seven counties present-Brent Fehr- Barnes County, Monty Schaeffer- Eddy County, Bill Deck-Pierce County, Kevin Veitz-Sheridan County, Dennis Clark-Stutsman County, and Tor Bergstrom-Steele County.

Not Present: Ben Varnson-Nelson County Julie Beckstrand-Benson County.

**AGENDA REVIEW**: The agenda was reviewed. Motion to approve the agenda was made by Manager Bergstrom. Seconded by Manager Veitz. Motion carried.

**MINUTES OF April 17th, 2024**: Minutes from the April 17th, 2024, meeting were emailed out. Motion to approve the Minutes of April 17th, 2024, was made by Manager Bergstrom. Second by Manager Clark. Motion carried.

**MINUTES OF May 1st, 2024**: Minutes from the May 1st, 2024, meeting were emailed out. Motion to approve the Minutes of May 1st, 2024, was made by Manager Bergstrom. Second by Manager Clark. Motion carried.

**TREASURER’S REPORT JUNE 19st, 2024**: The checkbook balance as of June 19th, 2024, was $73,008.37. There has been income of $249,132.11, expenses of $1,972.47 and currently the checkbook balance is $247,159.64. The total funds on hand are $247,159.64. A Motion to approve the Treasurer’s Report was made by Manager Clark. Second by Manager Fehr. Upon Roll Call, Bret Fehr- Barnes County, Monty Schaeffer- Eddy County, Tor Bergstrom-Steele County, Bill Deck-Pierce County, Kevin Veitz-Sheridan County, Dennis Clark-Stutsman County, Motion carried.

**BILLS FOR APPROVAL JUNE:** The following bills were presented for approval; Ben Varnson $906.66; Tasha Krueger $1,138.77; Barr Engineering $7,917.50; 941- U.S. Treasury $468.18; Insure Forward $418.00; Bill Deck $53.50 (room rent); MNL $164,190.85. Total bills for approval total $175,093.46.96. A Motion to approve payment of bills was made by Manager Clark. Second by Manager Fehr. Upon Roll Call, Bret Fehr- Barnes County, Monty Schaeffer- Eddy County, Tor Bergstrom-Steele County, Bill Deck-Pierce County, Kevin Veitz-Sheridan County, Dennis Clark-Stutsman County, Motion carried.

Chair Deck announced the resignation of Ben Varnson, Nelson County WRD manager effective immediately.

The bank authorization requires two signatures. The board discussed having the chair each year be authorized as the second signature.

Motion by Manager Veitz to authorize the current chair as the second signature on the checks, Seconded by Manager Schaeffer, Upon Roll Call, Bret Fehr- Barnes County, Monty Schaeffer- Eddy County, Tor Bergstrom-Steele County, Bill Deck-Pierce County, Kevin Veitz-Sheridan County, Dennis Clark-Stutsman County, Motion carried.

The cost share checks are required to be signed off by the Manager. Upon Board approval the secretary would be able to sign off on the cost share requests.

Motion was made by Manager Fehr to authorize secretary, Tasha Krueger sign off on the cost-share requests, Seconded by Manager Bergstrom, Upon Roll Call, Bret Fehr- Barnes County, Monty Schaeffer- Eddy County, Tor Bergstrom-Steele County, Bill Deck-Pierce County, Kevin Veitz-Sheridan County, Dennis Clark-Stutsman County, Motion carried.

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

Mandar presented via zoom.

Site #5, Nelson County, is 100% completed. The emergent planting was completed in the end of May. The current invoice is $164,890.85, (90% completed), the remaining work completed is $22,020 (10% completed). Barr Engineering reviewed the final invoices and recommends approval by the board.

Barr Engineering is holding onto the 5% security bond until the vegetation is established a little more. The vegetation should be established within the next year.

Proposed Site #10, Nelson County, the landowner is cooperative and interested in supporting the project. The landowner is willing to relocated the existing fence to accommodate the project and new fencing.

The following information to design the project and prepare permit applications:

-Topographic survey data, including bathymetry date of mid-channel bar $8,000

-Class III Cultural Resource Survey for SHPO $8,000

-Wetland Delineation $7,500

-Engineering $15,000

The total cost to make Site #10 “bid ready” $38,500

The proposed schedule:

-Topographic survey data, and wetland delineation- Mid-July 2024

-Class III Cultural Resource Survey for SHPO-Mid-August 2024

-Permit application- late August/early September

 -Sovereign Lands Permit (Office of the State Engineer)

 -USACE Section 404 Permit

 - SHPO Concurrence

-Construction easements Mid/Early November, after design is completed

-Project to be bid by late November with anticipated December 2024 Construction

Motion was made by Manager Bergstrom, to move forward with the design, engineering and survey, Seconded by Manager Veitz, Upon Roll Call, Bret Fehr- Barnes County, Monty Schaeffer- Eddy County, Tor Bergstrom-Steele County, Bill Deck-Pierce County, Kevin Veitz-Sheridan County, Dennis Clark-Stutsman County, Motion carried.

**Red River Basis Commission**

Julie Goehring wasn’t able to attend.

**Legislative Update-Dani Hanson**

The Devils Lake tour is being held on June 20th, 2024.

Dani presented. She discussed the three legislative drafts being discussed.

Stream Crossing Standards- The legislation is looking at putting the responsibly of the stream crossing standards on the Road Authority.

Surface Drainage Permit- The WRD would determine if a flowage easement is required.

The water topics committee is discussing language

HB 2372: The Department of Water Resources to established boundaries for watershed districts and appoint water managers to the watershed districts. The mill levy is optional. There is no enforcement for Counties not joining the watershed districts.

The surface

**US Fish and Wildlife**

Dave Azru wasn’t presented.

**North Dakota Water Users**

Julie Ellingson spoke. The North Dakota Water Resource District Summer meeting will be held in Minot on July 9th- 11th, 2024.

**Devils Lake Joint Board**

Jeff Frith presented. He spoke about the Devils Lake Basin elevations. In June 2011, Devils Lake peak elevation of 1,454.30 feet. The inflow covers 595,400 acres and the outlet discharge is 46,911. The current lake level in 2023 is 1,450.68 feet and covers an inflow of 218,290 acres and outlet discharge 88,064. Each foot of change in lake elevation will correspond to about 10,000 acres.

**ND Department of Water Resources**

Yaping Chi was present. The west pumps were turned on May 6th, 2024. The east pumps were turned on May 14th, 2024. The pumps were shut off on Memorial Day weekend. The pumps are regulated at the Cooperstown gage. The pumps are shut off at 800 csfs.

Manager Bergstrom asked when the Ashtabula pumps were shut off. Yaping explained there is no limits on those pumps. The pumps at Ashtabula are controlled by the Army Corp of Engineers. The North Dakota DWR sends out a group email informing the Corp the Devils Lake levels and pump status when the pumps are turned on and off.

**ND Department of Environmental Quality**

Emilie Lachenmeier wasn’t present.

**County Reports**

Barnes –The bid for the Little Dam was approved.

Benson – No report. Not Present

Eddy – There has been a lot of drain tile. No disputes.

Nelson – No report. Not Present

Pierce – The 2024 Devils Lake Basin Tour will be held in Rugby on June 20th, 2024.

Sheridan – Barr Engineering completed a hydro-study at Lake Lilly.

Steele – There are 3 WPA Dam that are being constructed. FEMA issues.

Stutsman – There has been illegal drainage in the county.

**MANAGERS REPORT**

No Manager’s report was given.

Chair Deck discussed the vacant Manager resignation. The board discussed appointing Tasha as the Manager/Secretary. The board will discuss this topic at the August 21st, 2024 meeting.

Motion was made by Manager Veitz to appoint Tasha Krueger as the interim manager, Seconded by Manager Clark, Upon Roll Call, Bret Fehr- Barnes County, Monty Schaeffer- Eddy County, Tor Bergstrom-Steele County, Bill Deck-Pierce County, Kevin Veitz-Sheridan County, Dennis Clark-Stutsman County, Motion carried.

**NEXT MEETING** – August 21st 2024, at 9:00 a.m., Carrington, ND

**ADJOURNMENT** – A Motion to Adjourn was made by Manager Clark at 8:54 P.M. Chair Deck adjourned the meeting.

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Ben Varnson, Chair

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Tasha Krueger, Secretary