**GENERAL MEETING MINUTES OF THE**

**UPPER SHEYENNE RIVER JOINT WATER RESOURCE BOARD**

June 18th, 2025

The Upper Sheyenne River Joint Water Resource Board met on June 18th, 2025, at the Garrison Diversion, Carrington, ND.

Managers Present:

Jerry Hieb, Barnes County WRD

Julie Beckstrand, Benson County WRD

Monty Schaefer, Eddy County WRD

Tood Whitman & Ben Varnson, Nelson County WRD

Kevin Veitz, Sheridan County WRD

Julie Beckstrand, Sheridan County WRD

Tor Bergstrom, Steele County WRD

Bill Deck, Pierce County WRD

Dennis Clark, Stutsman County WRD

Others Known To Be Present:

Mandar Nangare, Barr Engineering

Tasha Krueger, Secretary, Upper Sheyenne River Joint WRB

(see sign in sheet)

**CALL TO ORDER**: Chairman Deck called the meeting to order @ 9:06 A.M.

**ROLL CALL**: Roll call was taken with eight counties present.

Jerry Hieb, Barnes County WRD

Julie Beckstrand, Benson County WRD

Monty Schaefer, Eddy County WRD

Todd Whitman & Ben Varnson, Nelson County WRD

Bill Deck, Pierce County WRD

Kevin Veitz, Sheridan County WRD

Tor Bergstrom, Steele County WRD

Dennis Clark, Stutsman County WRD

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

**MINUTES OF GENERAL APRIL 19th, 2025**: Minutes from the General Meeting on April 19th, 2025, and the Special Meeting from May 29th, 2025 was emailed out. Motion to approve the Minutes of General Minutes from April 19th, 2025, and Special Meeting May 29th, 2025 was made by Manager Deck. Second by Manager Bergstrom. Motion carried.

**TREASURER’S REPORT**: The checkbook balance as of June 18th, 2025, was $52,505.22. There has been income of $24,239.17; expenses of $1,654.35 and currently the checkbook balance is $75,090.04. The total funds on hand are $75,090.04. Motion to approve the Treasurer’s Report was made by Manager Clark. Second by Manager Schaefer. Upon Roll Call vote, Jerry Heib- Barnes County, Monty Schaefer, Eddy County WRD, Todd Whitman-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion carried.

Not Present: Julie Beckstrand-Benson County.

**BILLS FOR APPROVAL:** The following bills were presented for approval: Ohstad Twitchell (1827) $ 340.00, Barr Engineering (1828) $15,663.36, Insure Forward (1829) $418.00, Barr Engineering (1830)$8,486.00, Garrison Diversion (1831) $30.00, Tasha Krueger (1832) $2.135.30, Barr Engineering (1833) $11,950.80, Total$ 39,023.46; Motion to approve the bills was made by Manager Deck. Seconded by Manager Clark, Upon Roll Call vote, Jerry Heib- Barnes County, Monty Schaefer-Eddy County, Todd Whitman-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion carried. Not Present: Julie Beckstrand-Benson County

**BY-LAWS**

Attorney Sean Fredricks presented.

SB2180; public comment period bill passed. Starting at the August meeting a comment period for public comments will be an agenda item.

Motion was made by Manager Bergstrom to adopt a resolution for SB2180, Seconded by Manager Schaefer, Upon Roll Call vote, Jerry Heib- Barnes County, Monty Schaefer-Eddy County, Todd Whitman-Nelson County, Bill Deck-Pierce County, Kevin Vietz-Sheridan County, Tor Bergstrom-Steele County, Dennis Clark-Stutsman County, Motion carried. Not Present: Julie Beckstrand-Benson County

At our last meeting, the Board discussed the possibility of reviewing our By-Laws and possibly updating them.  I reviewed the attached By-Laws and found that these are actually the By-Laws for the North Dakota Water Resource Districts Association (not the Upper Sheyenne Joint WRD).  With that in mind, either the Upper Sheyenne Joint WRD does not have (and has not approved By-Laws) or, if the Upper Sheyenne Joint WRD attempted to approve these attached By-Laws as the USJWRD’s By-Laws, these are not legally effective.  These By-Laws do not recognize the Upper Sheyenne Board’s statutory capabilities under North Dakota law (joint WRDs are separate political subdivisions and have the same statutory authorities as individual WRDs in North Dakota).  The WRD Association By-Laws identify the entity as a non-profit organization and identifies other statutory purposes, authorities, and objectives that are not permissible under ND law or are not otherwise applicable to the USJWRD.  At our meeting tomorrow, we can discuss how the Board wants to address that issue.

As a side note, the Board’s Joint Board Agreement (Section V) specifically affords the Upper Sheyenne Joint WRD Board of Directors the authority to adopt by-laws.

The North Dakota Department of Water did not find any Bylaws for the Upper Sheyenne Joint WRD Board.

Tasha will check with the Red River Joint to see if they have bylaws.

**LEGISLATIVE UPDATE – DANI HANSON:**

**SB 2180 Public Comment at Public Meetings**

SB 2180 requires certain public entities, including water resource districts, include time for public comment on the agenda of all meetings. The public entity can set the time allowed for public comment, the time each speaker can speak, as well as limit comments to relevant topics. The public entity is required to develop a policy regarding public comment. If passed, all water resource districts would be required to comply with SB 2180. This bill was very recently amended to include water resource districts.

**SB 2276 Joint Boards**

SB 2276 is an update to the joint board bill that passed last session. This bill maintains the requirement to join a larger board but changes it from a joint board to watershed boards, mapped by the DWR. These boards would be required to assume the process for possibly establishing an assessment district in the case that counties cannot agree on moving forward with a project. The WRDA worked with the sponsor of the bill to amend this bill to repeal current and proposed mandates to join large basin or watershed boards. The bill instead mandates participation in a project board if there is an assessment project that spans multiple counties. The amendment also clarifies the process for levying assessments across county lines. The committee asked the WRDA to work with the Association of Counties to ensure this won’t have any unintended consequences.

**Water Resource Districts HB 1218 Economic Analysis for Conveyance Projects**

 HB 1218 would increase the statutory threshold for requiring a state economic analysis for cost share for conveyance projects to $5 million. It would also remove the ability of the State Water Commission to lower that threshold in policy. This bill was heard on January 30 with much supporting testimony from the water and agriculture communities. The committee amended the bill to establish a threshold at $750,000. The Senate Energy and Natural Resources Committee heard this bill on March 13. Water and ag groups were unified in asking for a return to the $5 million threshold. Negotiations took place this week and an amendment is being drafted for this bill that would implement a pause in the requirement to conduct economic analyses on all rural flood control projects for the 2025-2027 biennium while a study of the economic analysis tool is done. The bill was amended and then given a do pass.

**ND DEPARTMENT OF WATER RESOURCES**

Yaping Chi was unable to be presented.

Pat Fridgen presented.

$615 million dollars have been allocated for new water projects.

Water Funding-State Water Commission are looking into regional water supply projects and how they are funded.

At its June meeting, the North Dakota State Water Commission (SWC) approved 26 cost-share requests for a broad range of strategic initiatives designed to enhance water infrastructure, support economic development, and ensure sustainable water access across the state. In total, the SWC approved more than $216 million in funding assistance for North Dakota water projects.

“These funding approvals showcase our continuing commitment to build and maintain resilient water infrastructure across the state,” Department of Water Resources Director Reice Haase said. “The range and scale of these projects reflect both the demand for modern infrastructure and our shared vision for long-term sustainability.”

**Highlights from the meeting include:**

* **Southwest Pipeline Project (SWPP)**: The SWC authorized the Secretary to execute a memorandum of understanding that will enable the community of Manning’s residents to become SWPP rural water customers. The SWC also authorized the Secretary to execute agreements related to hydraulic improvements in Dunn County, raw water supply upgrades, and service to Net-Zero in Richardton.
* **Northwest Area Water Supply (NAWS)**: Key milestones included awarding a major contract for intake and pumping plant modifications, an agreement with the City of Minot for water supply and treatment services, and critical pump rebuild reimbursements from the NAWS Extraordinary Maintenance Fund.
* **Flood Control and General Water Management Initiatives**: The Commission approved funding for the Dickinson Northwest Regional Pond Feasibility Study ($240,000), Valley Street bank stabilization in Ward County ($165,000), Crystal Springs Watershed Initiative in Stutsman County ($18,000), Department of Environmental Quality’s Nonpoint Source Pollution team ($200,000), and United States Geologic Survey Cooperative Monitoring Program ($538,378).
* **Rural, Regional and Municipal Water Projects**: More than $215 million in cost-share funding was allocated for key water supply infrastructure projects for rural, regional, and municipal water systems.

·      **City of Grafton** Water System Replacement 2026 – Phase 1 — $225,000

·      **City of Minot** 11th Ave NW Watermain Replacement — $120,000

·      **City of Minot** Dacotah Homes & 2nd Ave SW Watermain — $120,000

·      **City of Cando** 4th Avenue Watermain Replacement — $395,084

·      **City of Kindred** Elm Street Watermain Replacement Project — $430,723

·      **City of Belfield** Water Improvements – Phase 1 — $1,314,186

·      **City of Grand Forks** 47th Avenue S Transmission and Extension — $1,545,020

·      **City of Grand Forks** Highway 81 Area – Phase 2 — $1,138,220

·      **City of Jamestown** 2025 Watermain Replacement North — $873,335

·      **City of Jamestown** 2025 Water Main Replacement South — $1,797,994

·      **City of Kenmare** 2025 Water Main Replacement — $867,627

·      **Western area Water Supply Authority (WAWSA)** Water Treatment Plant Intake – Phase 2 — $1,254,750

·      **WAWSA** McKenzie County Water Resource District System 2 Expansion Rural — $14,346,000

·      **WAWSA** Northwest Rural Water District East Williston CR9 – Alt 1 — $1,972,793

·      **Garrison Diversion Conservancy District (GDCD)**Red River Valley Water Supply Project (RRVWSP) '25–27 Funding — $150,000,000

·      **East Central Rural Water District**Hillsboro Area Supply - $12,675,453

·      **South Central Rural Water District**University of Mary Service Area - $1,345,725

·      **Southeast Water User District**West Water Treatment Plant - $16,308,863

·      **North Prairie Rural Water District**Mountrail County Phase III - $2,016,603

·      **Turtle Mountain Band of Chippewa**Highway 3 Corridor Phase II - $6,853,148

Additionally, the North Dakota Department of Water Resources (DWR), along with the SWC, recently assisted the Spirit Lake Nation in addressing a critical water quality issue by supporting the installation of a mobile greensand filter unit. The new unit temporarily replaces a failed permanent filter that had led to unsafe levels of manganese in the community’s drinking water. This emergency project ensures continued access to water that meets Environmental Protection Agency (EPA) standards for approximately 1,100 service connections, which serve approximately 4,000 residents. The DWR approved cost-share participation covering 75 percent of eligible construction costs, not to exceed $100,000.

DWR’s Cost-Share funding is almost entirely supported by North Dakota’s Resources Trust Fund (RTF), which is funded from 20.5 percent of the state’s oil extraction tax.

The SWC also approved the distribution of two Requests For Information (RFI) that will initiate Legislatively required studies as mandated during the 2025 Legislative Assembly.

The first RFI is related to the SWC’s Cost-Share Program policy and will evaluate if project funding for water projects, in conjunction with existing cost-share policy, will adequately address anticipated water project funding needs through July 1, 2039. In addition, this study is to evaluate the schedules or timing of water projects and the state’s financial role in deferred maintenance and replacement projects and recommend strategies to address potential funding shortfalls.

The other RFI pertains to a study of the long-term governance and finance models of three large regional water supply systems – NAWS, SWPP, and Red River Water Supply Project. The study will include an evaluation of the operational and organizational aspects of these three regional systems.

Randy Gjestvig presented.

Devils Lake outlet started pumping on May 7th-continues to pump at max capacity.

Current Elevation Level: 49.4

Highest Elevation Level: 49.7 (May 16th)

May 5th- West end is discharging at 200 csf.

May 15th-East end is discharging at 150 csf.

It has been shut down a few times for maintainence.

**UPPER SHEYENNE PILOT PROJECT UPDATE – MANDAR NANGARE**:

Mandar reported. He spoke with the **NRCS last week.**

NRCS & Barr Engineering previously met to discuss the projects. NRCS is requiring Barr Engineering to present different engineering options to the landowners. Barr doesn’t agree with the slope study model. All the projects are the same so the design for this project is standard. NRCS & Barr Engineering made an agreement on the slope study model that NRCS is requesting for the projects. These are guideline for the program but the cost will be significantly lower and taken from the RCPP grant.

There have been 2 landowners & 3 projects signed up for the project in Eddy County.

The landowners are: Allan Howard & Austin Langley.

Moving forward, NRCS staff will collect the soil for the analysis to be conducted.

**US FISH & WILDLIFE**

Dave Azure presented.

Steve Krentz has recently retired. There have been a lot of grazing permits, wetland districts have been being hayed, roughly 1,400 acres of grasslands have been burnt across the state, 10 million flea beetles are being used for leafy spurge.

**Red River Water Supply**

Bill Ongstad-Garrison Diversion County Respresentive gave an update.

North Dakota’s relatively mild and dry winter allowed construction crews to begin pipe installation on the Red River Valley Water Supply Project (RRVWSP) earlier than previous years. The early start comes on the heels of the 2024 construction season which saw the most pipe installed to date.

Carstensen Contracting Inc. was back in the field by mid-April to continue construction of Contract 5D which includes 10 miles of pipeline and a trenchless crossing of Pipestem Creek in western Foster County and eastern Wells County. Carstensen will also begin Contract 6A this year. That contract includes the installation of a 7.1-mile transmission pipeline from the James River to Eastman Township in Foster County.

Garney Construction will work on land restoration, structure build out, hydrostatic testing, and soil haul off for Contract 5B, east of Carrington. Oscar Renda Contracting will continue working on Contract 5C this year, which includes approximately eight miles of pipeline and two major trenchless crossings east of Carrington, in Foster County.

When the RRVWSP transmission pipeline is complete, it will span from the McClusky Canal to the discharge structure, which empties into the Sheyenne River, located about six miles south of Cooperstown. The RRVWSP is projected to serve nearly half of North Dakota’s population, from the central part of the state to the eastern side of the state.

To date, 19 miles of the 125-mile buried pipeline are installed.

**Project Status
RRVWSP TRANSMISSION PIPELINE**

**CONTRACT 6A**

* **Estimated Start: Spring 2025**
* Construction of 7.1 miles of 72-inch pipeline; 2 trenchless highway crossings; 1 trenchless wetland crossing in Foster County
* Awarded to Carstensen Contracting, Inc.

**CONTRACT 5D**

* **Started: Spring 2024**
* Estimated Completion: Spring 2026
* Construction of 10 miles of 72-inch pipeline; 1 trenchless crossing in Foster & Wells Counties
* Awarded to Carstensen Contracting, Inc.

**CONTRACT 5C**

* **Started: Spring 2024**
* Estimated Completion: Spring 2026
* Construction of 8 miles of 72-inch pipeline; 3 trenchless crossings in Foster County
* Awarded to Oscar Renda Contracting

**CONTRACT 5B**

* **Started: June 2022**
* Estimated Completion: November 2023
* Construction of 9 miles of 72-inch pipeline and a trenchless crossing of the Canadian Pacific Railway in Foster County
* Awarded to Garney Construction

**CONTRACT 5A**

* **Complete**
* Construction of 1.25 miles of 72” pipeline near Carrington, trenchless crossing of US Hwy 52/281, and a trenchless crossing of the Red River Valley and Western Rail Road
* Awarded to Garney Construction

 **RRVWSP MISSOURI RIVER INTAKE PUMPING STATION WET WELL & SITE DEVELOPMENT**

* **Complete**
* Improvements to the intake site located south of Washburn adjacent to the Missouri River. Improvements will consist of site work, access road improvements, and installation of the secant piles for the wet well.
* Awarded to ICS, Inc.

**MISSOURI RIVER INTAKE, SCREEN STRUCTURE & TUNNEL**

* **Complete**
* Installation of intake screens and tunnel, located 4 Miles south of Washburn.
* Awarded to Michels Corp.

**RRVWSP SHEYENNE RIVER OUTFALL DISCHARGE STRUCTURE & SITE DEVELOPMENT**

* **Complete**
* Construction of a 3,330 sq ft concrete energy dissipation structure and flow apron, 100’ of 54” pipe, and site grading and access roads south of Cooperstown. In the future this location will be the terminus of the RRVWSP pipeline and the site will include a future control valve structure building.
* Awarded to Industrial Builders, Inc.

**COUNTY REPORTS**

Barnes – Lots of drain tile projects. Little Dam completed.

Benson- Not Present.

Eddy – Garrison Canal Update.

Nelson – Snagging and Clearing Project near Mcville. Drain Tile Permits.

Pierce – Landowner/Township issue, dam inspections, Low hazard Dams

Sheridan – Hydrology study received from Barr Engineering on culvert sizes.

Steele – FEMA-Drain 1 outlet, drain assessments-benefits.

Stutsman – waiting on the water Study on Crystal Springs.

**Devils Lake Tour will be held July 11th & 12th, 2025.**

**NEXT MEETING** –

Next Regular Meeting-August 13th, 2025, at 9:00 A.M, Garrison Diversion, Carrington, ND

**ADJOURNMENT** – Motion to Adjourn was made by Manager Deck at 10:55 A.M. Seconded by Manager Bergstrom. Chair Veitz adjourned the meeting.

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Kevin Vietz, Chair

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Tasha Krueger, Secretary