

WILD RICE WATERSHED DISTRICT

11 Fifth Avenue East

Ada, MN 56510

Ph: 218-784-5501

SPECIAL MEETING

Administration and Red River Basin Commission

July 12, 2010

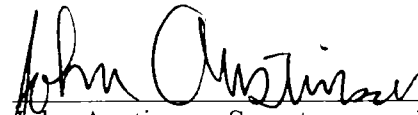
Approved Minutes

1. A Special Meeting of the Wild Rice Watershed District Board of Managers was held on Monday July 12, 2010. The purpose of the meeting was to discuss the resignation of Administrator Wollin and the presentation of the Red River Basin Commission. Managers in attendance include Diane Ista, Duane Erickson, Mike Christensen, Raymond Hanson and Greg Holmvik. Absent: John Austinson and Dean Spaeth. In addition the following persons were in attendance: Administrator Wollin, Assistant Administrator Loretta Johnson, Attorney Elroy Hanson, Bob Wright, Norman County Commissioner Steve Jacobson, Terry Guttormson, Mick Alm, Ron Gotteberg and Charlie Anderson and Lance Yohe. Chairman Holmvik called the meeting to order at 8:30 a.m. Attorney Hanson left the meeting at 9:00 a.m.
2. Wild Rice River Feasibility Study. A copy of the monthly status report for the COE FS from Nan Bischoff, Project Manager, was distributed for Managers information.
3. Norman County Highway #147/Project #30. Mick Alm met with Managers to discuss the road washout on Norman County Highway #147, which is adjacent to Project #30. Alm stated that he had the slide repaired and would bring the billing to the Watershed District to determine if they would cost share on it as it is along a ditch system of the District's. Policy regarding damages to roads along ditch systems was discussed. Attorney Hanson agreed to do some research on the background of the project and determine if the law or policy should or will determine who is responsible for the costs associated with damages to roads that are adjacent to ditch systems and bring the information to the August meeting.
4. Upper Reaches, J.D. #51. Administrator Tom Wollin reported that Engineer Bents stated he would be here on Wednesday the 14th and have additional information regarding the repair to the ice control structure on J.D. #51.
5. Wild Rice Modeling Related to the Main Stem – Presentation by the Red River Basin Commission (RRBC). Lance Yohe and Charlie Anderson gave a presentation on a plan for long term flood solutions in the entire basin north through Minnesota, North Dakota and southern Manitoba to Lake Winnipeg. Hard copies of the Power Point presentation are available at the District office. At the conclusion of the presentation Yohe stated that they are requesting that the District support the Basin Commission by agreeing to provide locations within the District where water could be stored, the acre feet of storage the storage would remove from the hydrograph and the volume of flow reduction. He stated that these could be identified from past records and sites that have been looked at. The long term overall goal is to reduce the flooding on the Red River by 20% along the entire length of the Red River Mainstem. Within the Wild Rice Watershed District the long term goal of the gaged tributary at Hendrum on the Wild Rice a 35% peak flow reduction; 3610 cfs peak flow reduction; 20% volume reduction; and 74,385 acre/feet of volume reduction and Shelly on the Marsh a peak flow reduction of 51%; 2100 cfs of peak flow reduction; 18% volume reduction; 15,247 volume reduction.

Yohe stated that he has \$10,000 50/50 cost share funding for each watershed district to use for the gathering and providing this information and indicated that the engineering firm the District uses would probably be the best place to assist in acquiring the information. Yohe stated that with this information from each Watershed District, it will be provided to Engineer Charlie Anderson to enter into a model which can be provided to legislators this upcoming session, with long term flood control for the Red River Valley, for possible future funding. Manager Hanson stated that he is opposed to spending any money for this and felt that the information had been provided to the Basin Commission in the seven year old Watershed District Plan in it was the responsibility of the RRBC to glean the information from that document. Manager Holmvik asked if in-kind services could be included to which Yohe said he would approve that. A **motion** was made by Manager Ista and **seconded** by Manager Christensen to approve the request for modeling for flood control data and locations, to meet the requirements of the request by the Basin Commission. **Carried with Managers Hanson and Erickson opposed.**

6. **Administrator Position.** A **motion** was made by Manager Christensen and **seconded** by Manager Hanson to postpone Administrator discussion until the 14th of July regular meeting. **Carried.**

7. There being no further business to come before the Board of Managers a **motion** was made by Manager Christensen and **seconded** by Manager Erickson to adjourn the meeting. **Carried.**
Chairman Holmvik adjourned the meeting at 10:50 a.m.


John Austinson, Secretary

STATE OF MINNESOTA

WILD RICE WATERSHED DISTRICT

In Re The Matter of the Establishment
Of Project #42 - Upper Becker Dam
Enhancement Project

**Order of the Board of Managers to Not
Establish Project #42 in its Present Design**

1. Pursuant to Minnesota Statutes §103D.605, the Wild Rice Watershed District held a public hearing to consider the establishment of Project #42-Upper Becker Dam Enhancement Project.

2. The managers provided notice by publication in the official newspapers of the District as provided by law and affidavits of publication were presented to the Board of Managers and incorporated into these Findings by reference.

3. The managers held the public hearing on February 17, 2010, at 10:00 a.m. at the VFW at 415 W. Main Street in Ada, Minnesota. The board heard all parties interested in the proposed project, but as the local share of funding for the proposed project was to be paid with a water management district (WMD), and BWSR had not yet acted on the watershed district's petition to amend its water management plan to allow a WMD, the board recessed that meeting and noticed that it would reconvene on March 25, 2010, at 1:00 p.m. at the Wild Rice Watershed District Office at 11 East 5th Avenue, Ada, Minnesota.

4. The managers again provided notice by publication in the official newspapers of the District, together with affidavits of publication thereof which are incorporated into these findings by reference, of the reconvening of the recessed meeting on March 25, 2010. At that meeting, the board concluded that the proposed WMD method of financing Project #42 was no longer acceptable and that instead the project be funded with up to 75% from the State of Minnesota, that up to a 10% maximum local share by the existing Wild Rice Watershed District Red River Construction account, and the balance be funded through the Red River Water Management Board or other outside sources. Accordingly, the Board of Managers again recessed the establishment hearing to April 21, 2010.

5. The managers again provided notice by publication in the official newspapers of the District as provided by law, together with related affidavits of publication which are incorporated into these findings by reference, regarding the reconvening of the Project #42 Establishment Hearing until April 21, 2010, at 10:00 a.m. at the Wild Rice Watershed District Office at 11 East 5th Avenue, in Ada, Minnesota.

6. At the hearing on April 21, 2010, the board again heard all parties interested in the proposed project regarding any additional/new comments/information which such interested parties desired to present in light of the change in financing for said Project #42.

7. At the April 21, 2010, public hearing, there were two board members absent and the Board of Managers concluded that a recess of the meeting would be in order until May 12, 2010, with the hope that all seven members of the Board of Managers be present at the meeting. Accordingly, the meeting was again recessed until May 12, 2010, at the Wild Rice Watershed District Office at 11 East 5th Avenue in Ada, Minnesota, with the managers providing notice by

publication in the official newspapers of the District as provided by law, together with affidavits of publication relative to said notice being incorporated into these findings by reference.

8. Members of the public were present at the public hearing on February 17, 2010, at the reconvened meeting on March 25, 2010, at the reconvened meeting on April 21, 2010, and at the reconvened meeting on May 12, 2010.

9. Minutes were kept of the Project Hearing, with separate minutes relating to the February 17th, March 25th, April 21st, and May 12th public hearings of the establishment hearing and the minutes of said hearings are incorporated into this order by reference.

10. The board has considered the presentations made by the District's engineer on February 17th, March 25th, April 21st, and May 12th regarding the project and a copy of the engineer's computer/projector presentation at each of said meetings are incorporated into this order by reference.

11. The board considered the opposition to the proposed design of Project #42 of landowners who own property within the area needed for Project #42-Upper Becker Dam Enhancement. Specifically, many of the property owners expressed a refusal to voluntarily convey their property and that the district would be required to exercise eminent domain if Project #42 as proposed is to proceed.

12. The board considered the testimony expressed at the meetings/hearings of property owners whose land would be needed for the Project and that taking such land would adversely impact their farming/ranching operations.

13. The board considered testimony from the downstream residents including especially the Hendrum area, and their desire to see upstream storage projects such as Project #42 established as it will reduce flooding and erosion.

14. The board considered testimony from property owners that the Project #42 as proposed would result in a flow reduction in the stream gauge at Hendrum of about 1/4" and that while such a reduction is in the right direction, it is not significant enough to justify exercising eminent domain to take the land of unwilling property owners.

15. The board is aware of the significant flooding and erosion problems within the watershed district, and especially within the area immediately affected by the proposed Project #42.

16. The board finds that Project #42 will provide limited flood control benefits, will reduce erosion, and will help protect public and private infrastructure, but that such benefits are outweighed by the lack of local landowner support in the area where the footprint of Project #42 would exist.

17. The board is aware that Project #42 is an incremental approach to flood control within the WRWD, but that property owner support for such a project is important.

18. The board heard testimony from property owners in the footprint area of the proposed Project #42 that their opposition to the project would turn to support if an alternate design of said project were pursued by the board and that the district may have little, if any, eminent domain to exercise.

19. The board is aware that funding for Project #42 appears available and that to explore another design for Project #42 may affect funding, but the lack of local landowner support results in a negative impact on promoting the general welfare of the district generally, and the Project #42 area specifically.

20. The board finds that an alternate design of Project #42 with increased local property owner support as was presented by Manager Erickson should be explored as such an alternate design may better promote the general welfare of the area.

21. Based upon the foregoing, the board voted, and it is hereby ORDERED by the managers to not establish Project #42 in its present design.

22. Based on the foregoing, it is further Ordered that Project #42 is continuing consistent with what was presented by Manager Erickson and the district's engineer is instructed to prepare an alternate design(s) for Project #42 and present the same to the board when ready for further consideration by the board.

Dated: _____, 2010

WILD RICE WATERSHED DISTRICT
BY: _____, its President

The foregoing Order was adopted by the Board of Managers at its public hearing held _____ 2010, at the Wild Rice Watershed District Office in Ada, Minnesota.

Dated this _____ day of _____, 2010.

_____, Secretary