

MEDIATION PROJECT TEAM MINUTES
October 26, 2006

A meeting of the Buffalo-Red River Watershed District (BRRWD) Mediation Project Team (PT) was held on Thursday, October 26, 2006, at 7:00 PM at the Minnesota State University Moorhead (MSUM) Science Center near Glyndon.

Attending were: Bruce E. Albright, Houston Engineering, Inc. (H.E.) and BRRWD Office Administrator; Curtis M. Nelson, John E. Hanson, E. Robert Olson, Gerald L. VanAmburg, and Roger G. Ellefson, BRRWD Managers; Erik S. Jones, Engineer, H.E.; Bob Honeman, Area Resource Conservationist, Natural Resource Conservation Service (NRCS); Dave Barsness, Fisheries Specialist, Minnesota Department of Natural Resources (DNR); Michael T. Murphy, Refuge Manager, Hamden Slough National Wildlife Refuge (NWR) and United States Fish and Wildlife Service (USFWS); Shawn May, Detroit Lakes Wetland Management District (WMD) and USFWS; Don Schultz, Area Wildlife Manager, DNR; Kevin Brennan, Fergus Falls WMD and USFWS; Pete Waller, Board Conservationist, Minnesota Board of Water and Soil Resources (BWSR); Robert A. Zimmerman, Engineer, City of Moorhead; and Jack Frederick, Minnesota Pollution Control Agency (MPCA).

Members absent were: Don Buckhout, Red River Basin Coordinator, DNR; Brian Dwight, Board Conservationist, BWSR; Craig O. Evans, PM-D, United States Army Corps of Engineers (COE); Audubon Dakota; Leo Grabowski, Project Manager, COE; Brad Grant, District Administrator, Becker Soil and Water Conservation District (SWCD); Kevin Kassenborg, District Manager, Clay SWCD; Steve Hofstad, Clay County Water Planner and Wetland Conservation Act (WCA) Administrator; Robert G. Merritt, Area Hydrologist, DNR; Richard Pemble, BRRWD Citizen Advisory Committee; Maynard Pick, Staff Assistant, Congressman Collin Peterson's Office; and Brian Winter, Program Director, The Nature Conservancy (TNC).

Albright called the meeting to order at 7:00 PM. He noted that we did not have a meeting in September because of the Fall Tour held on 9/22/06. For those attending, he hoped that the tour was educational. The Tour departed from the Ponderosa Golf Club, and included stops at the Buffalo River State Park, Hamden Slough NWR, Tamarac NWR, and a Wetland Reserve Program (WRP) project in Becker County. Albright felt it was beneficial for participants to see other parts of the BRRWD.

Business brought before the group included:

Meeting Minutes. Draft minutes for the 8/24/06 PT meeting were distributed with today's agenda. **Motion** by Murphy to approve the minutes. **Seconded** by Honeman. **Approved.**

Project No. 54, Whisky Creek Tributaries. In accordance with the Red River Basin Flood Damage Reduction WorkGroup (RRBFDRWG) Project Implementation and Procedures Worksheet, this project is at Step 8, Monitoring. Albright distributed copies of photographs that Wade Opsahl, Technician, H.E., compiled regarding 20 different photograph reference sites involving the various project components. The BRRWD has received \$36,964.00 in Federal Emergency Management Agency

(FEMA) mitigation money to do repair work on "east tributary", upstream of the impoundment site. This area eroded substantially during the 2006 spring flood. A DNR permit has been obtained to reslope the channel in this area and install several grade stabilization structures. Sediment from the eroded areas that is now located in the channel within the impoundment site will be removed. Dennis Drewes, Inc., a local contractor, plans to remove the sediment yet this fall, weather permitting.

The BRRWD is working with Scott and Betty Anderson, who own property in Section 14, Barnesville Township, where the impoundment site is located. When the east-west dike along the north side of the impoundment was constructed, it blocked local drainage from their property from entering the site. Plans are to clean the ditch along 140th AVE S to drain their water west. The BRRWD has also obtained a DNR permit to change the culvert in Greg Settlemeyer's driveway, located on "east tributary" in Section 20, Humboldt Township. That work should also be completed yet this fall, weather permitting.

Honeman stated that the NRCS is working with the owners of the S $\frac{1}{2}$ S $\frac{1}{2}$, Section 10, Barnesville Township, on a possible WRP project that would expand the Vertin WRP project. Some additional diking will be required, and several culverts will need to be relocated. The addition of this extra 160 acres to the WRP site would greatly increase its storage capacity.

Throughout the summer, Albright said the BRRWD office repeatedly contacted the NRCS regarding the Kelly Nichol WRP project in Section 21, Humboldt Township. To date, no work has been completed on that site. The BRRWD feels that it was one of the project components that went through the mediation process to develop this entire project. That work has to be completed. We went through a very nice summer where things were dry, and many contractors were looking for work. Numerous contractors stopped by the BRRWD office, questioning the project status. We've now learned that the NRCS plans to rebid the project this winter and do the work next spring. We have downstream concerns that need to be addressed with landowners that have been patiently waiting for about five years for something to happen. Until the Nichol WRP site is done, we cannot address these downstream problems. Honeman said the NRCS took additional soil borings on the site this summer. Based on area soils, they've had to redesign parts of the WRP project. Ellefson said one of the problems was that when the Berg Family farmed this property, back in the 1980s, they installed numerous ditches on the tract. Some of those ditches drain south into the ditch along Trunk Highway (T.H.) No. 34. Water then drains west and back north. Ellefson said back when we were working with the Bergs, there was an order that they had to put culverts at the outlets of their ditches entering the T.H. 34 ditch. Those culverts were never installed. He questioned if we could go in yet this fall and temporarily install some culverts at these locations to help relieve downstream flooding problems. Honeman felt confident that the project will be rebid this winter. This is their Number One project at this time. Given area soils, they may need to haul in clay to actually build part of the wetland restoration levees. Honeman understood the BRRWD's concerns, but with the additional engineering that was necessary, hopefully it will result in a better project in the end. Albright said for the past several years, the upstream water coming from the proposed WRP site is cutting a new channel across property owner by Bill Thompson in Section 20, Humboldt Township. All of this erosion and sedimentation is reentering "east tributary", causing additional downstream problems. Ellefson felt there were some things that could be done on a temporary basis to address some of the immediate concerns. However, other Board members said that we've been dealing with this issue for over 20 years, and we could probably wait another six months to see the WRP project completed.

Albright said that the BRRWD has submitted Project No. 54, Whisky Creek Tributaries, for consideration as the 2006 Minnesota Association of Watershed Districts (MAWD) Project of the Year.

The awards will be given out at the 36th Annual Meeting and Trade Show in Alexandria on November 30-December 2.

Spring Prairie Township Erosion. The next step to address problems within this subwatershed will be to market the Conservation Reserve Enhancement Program (CREP) II. The Mediation PT has identified this area as one of our priority areas. The Clay SWCD is ready to start the "door-to-door" contacts with farmers in this area this winter. Waller said the Clay SWCD has completed recalculation of estimated CREP II payments for those landowners who were contacted last year. With this complete, the Clay SWCD should be able to do more farmer contacts. The BWSR will also be using newspaper articles and other public service announcements to help spread the word about CREP II. We hope this will generate more interest in the program. Waller said for the most part, interest in CREP II has been slow. However, they recently used the new calculations to look at the land next to the Vertin WRP site in Section 10, Barnesville Township. CREP II pays better than wetland mitigation easements.

Schultz questioned how the CREP II update meetings went in Fergus Falls and Thief River Falls. Waller said they went fairly well, and they had pretty good attendance. Waller added that the key to making this program work will be the "door-to-door" contacts with farmers in areas where the program can be used. The dollars have now been adjusted to make the program more attractive.

Project No. 56, Manston Slough Restoration. Albright said at the last PT meeting, copies of the "draft" Memorandum of Understanding (MOU) and the Operation and Maintenance Plan (O&M) were distributed for review and comment. Brennan said that no one responded. Albright said we also need to look at developing a Monitoring/Evaluation Plan. If people have comments regarding the MOU or O&M, they should relay them directly to Brennan.

Albright distributed a status summary dated 10/23/06 for the Engineer's Report that Rick St. Germain, H.E., is working on. Earlier, H.E. thought they would have the Engineer's Report ready by 11/01/06. A new target date for completion is approximately 12/15/06. To date, they have completed the legal surveys to locate all section corners. Twenty additional soil borings have completed this fall. The remaining soil borings needed for the project will be completed as soon as the corn is harvested from Dennis VanWechel's property in Section 13, Mitchell Township. The road and dam alignments have been completed for the north embankment. As soon as the easement drawings are completed, the BRRWD will begin contacting landowners regarding their easement options. A meeting with the various road authorities who are involved with the project will be held in early December. Representatives from the USFWS and DNR will be asked to attend this meeting.

Another issue is dealing with the drainage on the south end of the project. Once a berm is constructed in this area, it appears that some of the water south of the berm will need to be routed to Wilkin County Ditch No. 6A. Albright has contacted the Wilkin County Auditor's office for a map showing the benefited areas to this ditch system. Depending on assessments, we may need to hold a hearing for Wilkin County Ditch No. 6A to add additional lands. From field reviewing this land, it appears that most of their ditches already drain in that direction. At some point, we may also need to look at modifying the BRRWD boundaries in this area. Presently, there are areas within the BRRWD that drain south into Wilkin County Ditch No. 6A, which is not part of the BRRWD.

Brennan said that the USFWS has completed their Environmental Assessment. The end product is about a 10-page document. We'll also need to contact an archeologist to look at doing a survey for placement of the dam and various associated levees. Brennan said that the federal government is

already done with their archeological assessment. Schultz said that the DNR will also need an archeological assessment for any work done on their property. He thought that the DNR had a staff person who is qualified to do this type of work. If that person does the work on the DNR lands, he may be able to also do the other sites involved with the project.

Considerable discussion took place regarding WRP associated with the project. Honeman said they have closed on WRP contracts with several project landowners. Albright said it was noted at the 8/24/06 PT meeting that some landowners wanted to record drainage easements on those contracts before they were closed. Honeman said he was aware of this concern. For those WRP contracts that were already signed, there is a process where we can still do drainage work. To request a compatible use for adjacent drainage, the landowner with drainage concerns must provide the NRCS with the following: 1.) A location of the proposed drainage ditch; 2.) A purpose and need statement, including a distance that proposed ditch will go into the easement area; 3.) The average depth of the sediment to be removed; 4.) The landowner doing the work will be responsible for the expense of reseeding all disturbed areas; and 5.) The spoil will need to be removed from the easement areas. If a drainage agreement exists prior to the WRP easement, then the above steps are not necessary. Albright said several landowners involved with the project have already contacted the BRRWD office, to discuss the need to secure drainage rights across property that will be enrolled in WRP. If they are not able to obtain these rights, working with them to obtain a BRRWD project easement is going to be difficult.

At the 9/11/06 BRRWD meeting in Barnesville, the Board spent considerable time discussing the offer made to Donald Holubok to acquire the SE¼, Section 30, Manston Township. The discussion took place because Holubok was asked to sign the necessary forms to participate in the Wetland Reserve Enhancement Program (WREP)/WRP. After 9/30/06, there is a possibility that WREP/WRP funding for this area might not be available. On 3/27/06, the Board made an offer for Holubok's property based on a number of components, including WREP/WRP, acquisition of Holubok's buildings, the BRRWD's project easement, relocation costs, and possible future DNR property acquisition. Since that offer was made, several of the component values have changed. The Board decided to withdraw their 3/27/06 offer, and to restart negotiations with Holubok based on current agency/program funding values. Steve Holubok attended the 9/25/06 BRRWD meeting, and was quite upset about the Board's decision to withdraw their \$679,129 offer. The BRRWD offer worked out to be about \$4,000/acre. Steve Holubok felt his father should be compensated at a higher rate, as he has paid assessments to Wilkin County Ditch Nos. 13 and 13-Lateral No. 1 since 1987. Holubok questioned why the Board couldn't come up with the additional funding to match his father's offer of \$750,000.

Ellefson said eventually, we'll need to sit down with Donald Holubok, the landowner, to discuss an easement for this property. One alternative that was mentioned was to install a dike around his property and leave him out of the project.

Frederick questioned the options for dealing with Holubok if he is not cooperative. Albright said we've built several flood retention projects, and there are usually one or two landowners who are difficult to deal with. Usually, when they see that a project is definitely going to be developed, the landowners eventually agree to work with the BRRWD. This is why we felt that we had to make some meaningful progress on the Engineer's Report. While landowner issues will need to be dealt with, there are an array of other items that also have to be addressed. For the Stony Creek Detention Project, we threatened to use eminent domain on two landowners, but never had to follow through as they voluntarily signed their easements. Ellefson said that clearly, if a certain landowner wanted to make project development difficult, they could. Albright said we also have some other problematic

easement options to obtain, such as the Kent Rod & Gun Club, where back in the 1940s there were 29 landowners.

The BRRWD was able to secure \$1.5 million through the 2006 bonding bill for this project. There are a number of different Clean Water Legacy grant opportunities currently available. Possibly during the next grant period, the BRRWD could submit an application for this project. Albright said he has fallen behind regarding the Governor's Clean Water Initiative Quarterly Project Status Reports. The last report filed was for the period up through 12/31/05. Ron Harnack, Executive Director, BWSR, said that the Clean Water Task Force was going to meet some time this fall to continue their discussion on various projects around the State. The group felt right now, the Governor was busy with his reelection campaign. If everything goes well, the BRRWD could be looking at holding the project hearing in accordance with Watershed Law sometime in late spring or early summer 2007. Nelson felt the Board should consider holding another informational meeting with the affected landowners before then.

St. Germain has been trying to work with the Farm Service Agency (FSA) office regarding the Freedom of Information Act (FOIA) to get information regarding the cultivated and non-cultivated areas to help with easement exhibit preparation. He filed a Freedom of Information and Privacy Act Request, which Lisa McDonald, State Executive Director, FSA, USDA, denied on 10/25/06 because disclosure of this information would constitute a clearly unwarranted invasion of personal privacy. St. Germain is very frustrated with the whole process. The FSA office has excellent data that could greatly assist in determining the cultivated areas. Honeman said that this is a problem that is occurring nationwide. Frederick suggested that we might want to contact Collin Peterson's office in this regard. If landowners agree, they can release that information to the BRRWD. A form could be developed that would be sent to each landowner on the project. If they release the information, then the FSA needs to furnish it. One other option would be to file an appeal at the national level.

Albright hoped we'll have more of the engineering data to review at our next PT meeting. St. Germain will probably attend one of our upcoming PT meetings to go over the Engineer's Report.

Project No. 58, Riverton Township Retention. The BRRWD is still waiting for Brian Winter's comments regarding the 5/08/06 draft Engineer's Report. Shawn May said that the Detroit Lakes WMD is working with TNC on delineating potential wetland restorations on the Williams property that TNC purchased in Riverton and Elkton Townships. Albright said we've already heard concerns from homeowners in that area, Lee and Brandy Alm, who feel that additional wetland restorations on that property could cause more seepage problems for their house. The Board would still like to see this project constructed in 2007. The BRRWD received a \$230,000 grant through the 2006 bonding bill for this flood damage reduction (fdr) and natural resource enhancement (nre) project. The funding represents approximately 50% of the total estimated costs. As soon as we receive TNC's comments, we will schedule a meeting with the Riverton Township Board of Supervisors regarding use of their road on the east side of Section 28. TNC owns land on both sides of the township road (150th ST S), and has discussed possible abandonment of the road. We also need to start looking at the O&M plan, as well as a Monitoring/Evaluation agreement. If growth in Clay County continues, more subdivisions in this area along the beach ridge, which have been problematic to date, could be developed.

Project No. 49, Oakport Flood Mitigation Project. The BRRWD has started the home buyout process. Twenty-two properties have been identified. Appraisals were completed in early August 2006. To date, we've closed on 1 property. It is anticipated that by the end of the year, the BRRWD will own approximately 10 of the identified properties. Ulteig Engineers, Inc. (UEI) is working on surveying the dike alignment. A Technical Committee will be formed to discuss issues involving the

DNR protected watercourse (Oakport Coulee) to see if parts of that waterway can be relocated in order to better fit the proposed dike alignment.

Project No. 60, Swede Grove Lake Outlet. The BRRWD held an informational meeting in Hawley on 7/13/06. To date, the BRRWD office has not prepared minutes from that meeting. When the minutes are completed, the BRRWD intends to forward the information to the Clay County Board of Commissioners, who originally petitioned for the project. The project costs have risen substantially, and the BRRWD would like input from the petitioner as to if we should proceed. Given the relatively dry weather this summer, the lake has gone down some on its own.

Buffalo River Levees. A meeting with landowners and township supervisors was held on 9/25/06 in conjunction with the regular BRRWD meeting in Barnesville. Once again, some of the landowners did not attend. Albright said one problem stems from a landowner who actually lives in Texas, and it is difficult for her to attend local meetings. The outcome of that meeting was to contact the landowner in Texas to give her several alternatives to consider. It appears that in the early 1980s, an approach and culvert were relocated along the north line of Section 5, Riverton Township. That relocation has caused flooding problems for neighboring landowners. The BRRWD suggested that the approach should either be removed or reinstalled in its former location. Another option would be to install larger culverts in the approach. The letter to the Texas landowner was sent on 10/03/06. To date, there has been no response.

In regards to a larger project that would install levees along the Buffalo River, no additional work has been done. Landowners stressed the need for a project of this nature, but the BRRWD has not had time to do any work in this regard. More discussion regarding potential levees for the Buffalo River will take place during the Comprehensive Planning process.

Wolverton Creek/Comstock Coulee Restoration. The Steering Committee held their last meeting on 3/16/06. The BRRWD is currently working with Ruth Lewis, Red River Basin Commission (RRBC), regarding an Automated Flood Warning System (AFWS) program and installation of a possible gauge on the Wolverton Creek/Comstock Coulee outlet. The BRRWD has not made a decision about funding the \$7,000 annual maintenance contract for the gauge, if approved. Other possible funding partners for the maintenance costs include the City of Moorhead and Clay County Emergency Management. Richland County will be submitting an application for three gauging stations. The need for more data on Wolverton Creek/Comstock Coulee has been identified. The RRBC has been having trouble with their modeling, as not much information is known about this drainage area. The drainage area is approximately 100 square miles (sq. mi.), and is about 98% agricultural. The City of Moorhead has also expressed downstream concerns about water quality. Zimmerman said another possible funding partner for the gauge might be Moorhead Public Service. The BRRWD should contact Cliff McClain. The grant application needs to be submitted by 10/31/06, so we don't have much time to identify partners to assist with the annual maintenance costs. Without partners, Albright doubted the BRRWD would fund the entire gauge maintenance costs.

Frederick noted that Wolverton Creek/Comstock Coulee will be added to the impaired waters list in 2008. Albright said the Clay and Wilkin SWCDs have submitted a 2006 Clean Water Legacy pre-proposal application for funding to address water quality problems on Wolverton Creek/Comstock Coulee, the South Branch of the Buffalo River, and its tributaries. The application is for \$334,000. It primarily includes cash incentives to establish riparian buffers and/or filterstrips over and above CREP II payment rates. The other application is for work in the same area, but includes more erosion and

grade stabilization structures. The applications were due 9/30/06. Notification of awards is expected by November 1, 2006. The second application was for \$217,750 in funding.

Albright said the MPCA also has a request for proposals for Fiscal Year 2007 regarding their Clean Water Legacy Act Surface Water Assessment grants. Applications are due by 11/15/06. Albright questioned if the group felt the BRRWD should submit an application regarding water quality monitoring, which would include Wolverton Creek/Comstock Coulee. The funding for the National Weather Service gauge could be included in that request. The PT felt the BRRWD should apply for this funding. Frederick noted that Molly McGregor, MPCA, Detroit Lakes, is also submitting an application for this funding. Successful applicants will be notified by 12/15/06. Projects must be completed by 6/30/09. After more discussion, the BRRWD Board felt that they would submit an application, which would include funding to assist with the Barnesville River Watch monitoring.

Lawndale Trout Stream Restoration. Schultz commented that he has not heard much lately about the status of this project. Based on his last conversation with Arlan Schalekamp and Luther Aadland, they felt that if everything goes well, they could possibly begin channel reconstruction in the fall of 2007. Schultz commented that there were lots of prairie chickens in the area, evidenced by the hunting pressure that took place during the recent season.

Pete/Grove Lakes Highwater Investigation. Landowners and Township Supervisors attended the 6/26/06 BRRWD meeting to discuss their concerns regarding highwater problems associated with several lakes in northwestern Otter Tail County. As a result of that complaint, the BRRWD authorized H.E. to conduct a preliminary investigation, which was filed on 7/10/06. A landowner informational meeting has been scheduled for 10/30/06 at 7:00 PM in Hildebrand Hall, Assumption Catholic Church, Barnesville. The BRRWD also invited the downstream landowners along Clay County Ditch No. 34. Agencies involved with the project were also invited. Grove Lake seems to be the primary area of concern. An outlet for the project would be Whisky Creek. The project could involve a number of agencies, including MPCA, DNR (Fisheries and Hydrology), and the USFWS, as they own a number of waterfowl production areas (WPA) in this area. Based on the testimony obtained at the informational meeting, the BRRWD will determine if they should continue with the development of a project for this area, and determine a scope for the project. A number of area lakes could drain into Grove Lake, but to date, most landowners are only concerned about Grove Lake.

Kragnes Ringdike. The BRRWD held a landowner informational meeting on 10/19/06 in the Moorhead City Hall. Landowners were interested in developing a project for this area. Based on H.E. preliminary investigation report, they proposed dikes for three separate areas. The homeowners on the east side of T.H. 75, south of County State Aid Highway (CSAH) No. 5 were not interested in being included in the diking proposal. This is fine, as it will lower the total project costs substantially. The next step will be for the BRRWD to submit a revised cost estimate to Ed Fick, FDR Coordinator, DNR Waters, for the State's consideration. The total project costs would be reduced by approximately \$175,000, if this segment of the dike doesn't have to be built. If funding is approved by the State, construction of the project could occur in 2007.

Comprehensive Planning. As discussed at the last PT meeting, given the BRRWD's current workload, the Board of Managers, has decided to delay scheduling the kickoff meeting for the Citizen Advisory Committee (CAC) and the Technical Advisory Committee (TAC) until after freeze-up. For the most part, members for the CAC and TAC have been found. BWSR is anxious to see the BRRWD get started with this process.

CREP II. As already previously discussed, Waller hoped that the program will get going in the very near future. Most of the counties have recalculated their new payment rates. Basically, BWSR has doubled the State's share for the Reinvest In Minnesota (RIM) reserve payments. The new rate has a target of 90% of the 2007 estimated market value using the combined Conservation Reserve Program (CRP) and RIM payments. The key to having a successful program will be identifying landowners with potential lands for CREP II and then contacting them on an individual basis to discuss payment rates, etc. The BRRWD has identified priority areas for program marketing. The RRBFDROWG still has \$45,000 available for CREP II incentives. The money will be available on a first come, first served basis for SWCDs that sign easements within identified priority areas. The value for each easement signing is \$300.

Activities Update. Albright distributed a copy of the 10/23/06 meeting press release. He said this typically is a busy time of year for the BRRWD regarding permit applications and violations. Given the nice weather we've had this fall, many landowners are completing drainage projects. The BRRWD also has a number of pending drainage repairs that will be completed in accordance with Minnesota Law. Preparations are underway for BRRWD Managers to attend the upcoming MAWD 36th Annual Meeting and Tradeshow in Alexandria on November 30-December 2.

Other Issues. Albright said the BRRWD has received a letter from the Fargo-Moorhead Metropolitan Council of Governments (FM MetroCog) regarding possible funding assistance for retrofitting the Christine and Hickson Dams. A number of stakeholder meetings have been held. In February 2006, the Fargo Utility Committee voted unanimously to proceed with retrofitting of both structures. The desire to retrofit is premised on the need to accomplish ecosystem restoration, improved water safety, and to preserve existing storage capacity provided by each structure. Based on a detailed analysis lead by the DNR, the cost of retrofitting both structures is estimated at \$1,200,000. MetroCog has been asked to put together a funding coalition to accomplish this project. The BRRWD has been requested to commit to a preliminary cost of \$50,000, or approximately 4% of the total project costs. Albright said to date, the BRRWD has not acted on the request. The BRRWD is currently experiencing some cash flow problems. Possibly after the first of the new year, the request will be reconsidered. During the discussions about each dam, some felt that the dams could just be removed. The City of Fargo is concerned that if the dams are removed, it might cause bank stability problems for which they might be liable since they are the actual dam owners.

Regarding the Red River Basin Mapping Initiative, as reported the last PT meeting, the BRRWD has agreed to contribute \$50,000 to the effort. The initiative is headed up by Chuck Fritz, Director, International Water Institute (IWI). The Red River Watershed Management Board (RRWMB) has agreed to contribute \$500,000 to the project. Fritz attended the 9/25/06 BRRWD meeting in Barnesville, at which time a resolution regarding the funding contribution was approved. Fritz is still working with a number of other agencies to arrange for additional funding. The City of Fargo supports the project. Fritz is currently having some difficulty with the North Dakota State Water Commission regarding their contribution. The total estimated project costs are \$4.5-\$5.5 million. Project deliverables include a one-meter resolution digital elevation model meeting FEMA standards and a data archival and dissemination interface via the Internet. We'll just have to wait to see if the project comes to fruition.

Frederick said that the MPCA has held several informational meeting in Moorhead, Breckenridge, and Thief River Falls on impaired regional river reaches. A meeting was held on 10/24/06 in Moorhead to discuss the Buffalo River, Stony Creek, and the Wild Rice River. A meeting was held on 10/25/06 in Breckenridge to discuss waterways in that area. The meeting in Thief River Falls will be held on

11/02/06. The informational meetings will describe the progress underway to improve water quality for waterways that are currently listed as impaired for turbidity. These projects are known as Total Maximum Daily Load or TMDLs. A TMDL has multiple phases and can take several years to complete. In the first phase, standards are set for how much of a particular pollutant load, such as sediment, a waterbody can receive each day before becoming impaired for that pollutant. Then, water quality monitoring is done to determine if the standard is being met. If impairments are found, studies are done to determine pollutant sources and how much each source is contributing to the problem. Finally, the MPCA works with the pollutant sources, local units of government, and other stakeholder groups to reduce pollutant loads to meet state water quality standards. MPCA representatives will describe the status of regional turbidity TMDL projects and plan future activities. MPCA will also solicit citizen input and participation in the process. Frederick noted that these meetings will be annual updates given by the MPCA during the project. The MPCA would like to see flow duration curves developed for each impaired reach. MPCA is also looking at the TMDL standards. Future activities include monitoring and flow calculations, preliminary pollutant load sources using load duration curves, model selection (SWAT) and implementation, channel stability assessment, geomorphic study, assign turbidity loads for impaired reaches, develop TMDL study components, including general assessment of appropriate best management practices (bmp's), public information and outreach, and study development and submittal to MPCA and the Environmental Protection Agency (EPA). Fredericks said it doesn't seem appropriate that the State would set a level such as 25 NTUs for turbidity as a state-wide standard. For example, river and streams along the north shore of Lake Superior should have a different water quality standard than perhaps agricultural land in the Red River Valley. The mean TMDL standard for the Red River Basin might be closer to 100. For the Red River itself, it is probably closer to 1,000 NTUs.

Next Meeting. The next meeting of the BRRWD's Mediation PT is tentatively scheduled for Thursday, December 7, 2006, at 1:30 PM at the MSUM Science Center. We will not hold a PT meeting in November due to Thanksgiving and at the end of the month the BRRWD has the MAWD annual meeting. If we meet on December 7, we probably won't hold another meeting until our regular meeting scheduled in January 2007. Meeting will be held during the day in the winter months.

Adjournment. There being no further business to come before the group, Albright adjourned the meeting at 9:00 PM.

Respectfully Prepared and Submitted by

Bruce E. Albright, BRRWD Administrator