

March 14, 2001

**RED RIVER VALLEY WATER SUPPLY STUDY TECHNICAL TEAM MEETING
MINUTES**

**Thursday, March 1, 2001
Radisson Inn, Bismarck, North Dakota**

Introduction: Dennis Breitzman (Area Manager, Bureau of Reclamation, Dakotas Area Office) welcomed everyone to the meeting. All the meeting participants introduced themselves and identified who they represented. Gary Pearson distributed a list of questions that he wanted answered as part of his introduction. A sign-up sheet of meeting participants is attached to these minutes.

Opening Remarks:

Bureau of Reclamation - Dennis Breitzman noted that the Bureau of Reclamation is the lead Federal agency on Garrison Diversion Unit project. Many studies have been conducted on the Garrison project over the last 50 -60 years. A copy of the Dakota Water Resources Act (DWRA) was provided to participants which is not an official version of the legislation, but one generated by the Dakotas Area Office. We would appreciate it if you see any errors or have any comments to let us know. The DWRA authorizes a lot of new work for the Bureau of Reclamation. It is our job to implement those activities authorized in the act. The total ceiling in the DWRA is now approximately \$900 million.

The Red River Valley water supply component in the DWRA is very important but we recognize that it contentious and that is why we have invited you here today. Our intent here is to do the best objective analysis we can do. We are going to make a recommendation on how to meet the water needs of the Red River Valley to the Secretary of the Department of Interior after the studies and EIS are completed.

Garrison Diversion Conservancy - Warren Jamison (Manager, Garrison Diversion Conservancy District (C-District)) noted that the North Dakota Century Code gives the C-District authority as the sponsoring agency for Garrison Diversion. He indicated that they would cooperate with the Bureau of Reclamation and the State of North Dakota to get the job done. The partnership agreement between the State and the C-District was signed in 1986.

Legislative History - The C-District has been an advocate on water issues for many years. We began proposing various legislative ideas helping us move beyond the 1986 legislation. We looked at the Central Utah Project and learned what they had done. One thing they did was cut the Bureau of Reclamation out of that project. They thought by doing that they would eliminate a lot of the steps in the project development process. The C-District has chosen not to cut out the Bureau of Reclamation. We felt we had a good working relationship in previous studies and could work effectively with the State

and the Bureau of Reclamation at a reasonable cost. We are all here to carry out DWRA, and we want to do the best job we can.

Our goal is to do a good thorough study which is not biased one way or another. I understand that politics does play a role in this study, but this is not the place for it. You will have other opportunities to express your political positions in other forums. We will be conducting the study and environmental analysis, but we are not making the political decisions. The Secretary of the Interior will make those decisions. Our goal is to get the study out in a timely manner, and we are prepared to work with the Bureau of Reclamation to complete these studies. The C-District does not have a preconceived solution to the Red River Valley water supply problem.

State Water Commission - Dale Frink (Interim State Engineer, North Dakota State Water Commission) noted that he wanted to comment on several issues relating to the study. This is the most important water study that we have done in years. Water is a precious resource. It effects how far communities can develop. It is a very important study with which to be involved.

When we were involved in the Southwest Pipeline Project, we did an inventory of needs, looked at various water sources, the costs, and determined who was willing to buy the water. These are some of the issues that the Red River Valley (RRV) study will have to address. There were a number of critical issues on the Southwest Pipeline project, but the RRV study is different. There are inter-state and international issues. It is imperative that we do these studies correctly. We need to be realistic in our needs assessment. Everybody needs to be heard on these issues.

My last comments are to water users in eastern North Dakota. They are the people that will have to live with the results of this study and pay for whatever we come up with. If you represent any cities of North Dakota or rural water districts, it is imperative you stay involved in this study. This is a very important study.

Purpose of the Meeting: Dennis Breitzman noted that all of the meeting participants have an interest in this study and our purpose was to get everyone together. The Technical Team has a really challenging process to go through in completing the study. We must look at whatever geographic area that is impacted. This is a larger scope study than we have ever done before. The 1986 Act authorized water supply to Fargo. The Bureau of Reclamation has completed preliminary water supply studies in the last four to five years. This is not a new subject to us but we need to involve more interested parties in this phase of the study. Anybody that has an interest in the study can participate. The Technical Team participants should ask themselves what kind of technical expertise you can bring to the team, and whether you are on the right team. What we want to do today is understand what data or resources everyone has available. Later in the day, you will break into groups. We will then get a sense of your level of interest, how willing you are to participate, and at what level you are interested in participating.

Discussion of Dakotas Water Resources Act: Warren Jamison noted that several individuals in attendance were representatives of consulting firms under contract with the C-District. These include Houston Engineering and Montgomery Watson, which were retained three years ago. Montgomery Watson is a large firm known nationally and internationally and have experience

working on projects like Central Utah and the RRV studies. Houston and Montgomery Watson will be primary resources to carry out study assignments. Because the C-District and the Bureau of Reclamation do not have sufficient staff to carry out all the tasks associated with the study, a lot of the work will be done by contractors, but not exclusively by contractors.

Warren Jamison clarified that the decision-makers are the three agencies: Bureau of Reclamation (Secretary of the Interior), State Water Commission and the C-District. Warren Jamison asked the group to refer to the draft Proposed Master Plan of Study, which was passed out. One of the goals of this meeting is to get your input on the study so we can get started.

Warren Jamison noted that the goal was to complete the study in three years at the cost of three million dollars. That is a very ambitious goal and very tight time frame. The study cost and time frame can be modified, but if they are, we need to know why. Additional expenses and time will need to be justified on a case-by-case basis. Some of the model work can be budget-busters so we need to be careful to conduct the study at the appropriate level of detail.

Warren Jamison went on to mention the proposed cost share between the State Water Commission, C-District and the Bureau of Reclamation. The proposal is that the State and C-District would cover 20% of the study costs up to \$600,000 over the next three years. The State and the C-District would split these costs 50/50. The 20% cost share has not been finalized as of yet. It is just a proposal pending approval by the Conservancy District Board and the State.

Memorandum of Understanding: Dennis Breitzman noted that the Memorandum of Understanding is an agreement signed by the Bureau of Reclamation, C-District, and North Dakota State Water Commission in July of 2000 to organize the RRV study. He indicated that we just completed the RRV needs assessment, which took five years to analyze using the existing information available. No new data was collected during the needs assessment study. Approximately 80 to 90 water supply features (options) were looked at including water conservation. These were boiled down to 8 to 10 alternatives which were presented in the needs assessment. Reclamation planned on starting the next phase of the RRV studies whether DWRA had passed or not.

The DWRA doesn't state it, but it implies the Central Utah project was used as a model for how the legislation was written. If you are going to study a large water project in North Dakota, you need to involve North Dakota in the study, as was done in Utah.

Dennis Breitzman indicated that some groups might wonder why Reclamation, the C-District, and the State Water Commission are the lead agencies for the RRV study. The simple answer is that we are charged throughout the DWRA as the lead Federal and State agencies. The RRV studies will be organized such that the interested parties can be involved at different levels of participation. Someone has to be in charge, and that will be the Study Management Team (SMT). The SMT will provide overall guidance, study direction, schedules and finances.

Framework for the Red River Valley Water Supply Study: Signe Snortland discussed the roles and responsibilities of the Study Team Leader and the Technical Team. The Technical Team includes representatives from Federal and State agencies who will be responsible for developing plans of study, technical evaluations, drafting portions of the Needs and Options Report, and other day-to-day study activities.

Background Information - Briefing Packet Materials: Dean Karsky provided the group a handout listing the various studies that have been conducted previously on the RRV. Dean noted that their briefing packets included copies of the Memorandum of Understanding, Framework, and DWRA, which were previously discussed in the meeting. The packet also includes the Executive Summary of the Phase II report, which is a good place to start to familiarize yourself with where we are with the RRV studies. A list of Technical Team membership is in the packet and will be updated and forwarded with the meeting minutes. A CD-Rom with electronic versions of major previous studies is also included in the packet. A sign-up sheet to receive hard copies of past reports is available in the back of the room.

The U.S. Geological Survey (USGS) is in the process of updating their quantity and quality water data basis for the Sheyenne and Red Rivers. These draft reports will be completed this spring and later this summer, respectively. The USGS also has some reports available on their website.

A question was asked regarding the availability of North Dakota State Water Law. Jeffrey Mattern from the State Water Commission indicated that the North Dakota State Water Law was available on the state website. To find it go to discovernd.com. Under agencies, click on Legislative Council and the laws are listed under the *North Dakota Century Code* section, Chapter 61, Waters, Number 61-04. Another good website for this information is redriverbasinboard.org.

Paul Stolen (Minnesota Department of Natural Resources) indicated that Minnesota had previously submitted extensive comments on the past RRV studies. This involved the efforts of 20 to 30 different State of Minnesota staff, and the comments were submitted to Reclamation. Minnesota cannot afford staff participation in all meetings, so they expect their comments to be addressed by responsible parties, even they are not in attendance.

Tim Keller (Reclamation) noted that at the end of the Phase II report, there were not a lot of technical changes made, but there were issues identified that still needed to be answered. The next phase of the RRV studies will address those comments. We expect that more comments are going to surface and that is why we are structuring this next phase of the study in this way. When changes are made they will be documented. If you take issue with some aspect of the studies, you can notify us.

Paul Stolen (Minnesota Department of Natural Resources) indicated that Minnesota would have difficulty operating on the same schedule and meeting deadlines as outlined in the RRV study.

Tim Keller noted that we want to make sure that we do a technically adequate study and get buy-in from the Technical Team. Some issues will have to be taken up to the Study Management Team, but we need to allow enough time for interested parties to participate.

Formulation of Technical Team: Signe Snortland asked the group whether they would prefer the next meeting to be in Bismarck or Fargo. The group agreed that the next meeting should be in Fargo.

Signe Snortland indicated that most communications between Technical Team members would be by e-mail and the group agreed with that.

Dwight Williamson asked how the Technical Team was going to arrive at decisions. Signe Snortland indicated that the group needed to seek consensus to arrive at decisions. The group agreed that thumbs up indicated agreement, thumbs down was denoted disagreement, and a thumb to the side meant "neutral." As a ground rule, consensus meant no thumbs down from the Technical Team.

Tim Keller noted that if the group couldn't come to consensus, then those issues would have to be raised to the Study Management Team. Leanne Chojnacki (Missouri Department of Natural Resources) noted that if we can't reach consensus, the differing view points needed to be accurately documented. If the Study Management Team can't help us resolve issues, then the different view points need to be reported.

Other ground rules that were discussed were that review time frames should be flexible, previous comments on Red River studies need to be addressed, and that meetings could be in Bismarck, Fargo, or by video-conferencing. Meeting locations must have an airport nearby for out-of-state or Canadian participants.

Master Plan of Study Outline: Signe Snortland provided a copy of the proposed Master Plan Study for the RRV studies. The outline was provided as a starting point for the Technical Team to develop the Master Plan Study. Dean Karsky provided a handout on the level of study detail required for the next phase of the RRV studies. This phase shall be conducted at a feasibility level with adequate detail to establish the final cost ceilings for the authorized RRV water project.

Signe Snortland described how the Technical Team would go into breakout sessions after lunch to discuss specific aspects of the Master Plan Study. Signe Snortland asked the group how they would prefer to breakup the study activities for the breakout sessions. The group agreed to breakup into four study components; environmental/biota, engineering, needs assessment, and hydrology.

Paul Stolen (Minnesota Department of Natural Resources) indicated that Minnesota had submitted comments regarding Devils Lake to Corp of Engineers, who are proceeding with the Devils Lake Outlet Environmental Impact Statement (EIS). Mr. Stolen distributed to the Technical Team a proposed scope of work for a biota transfer study that Minnesota DNR sent to the Corp of Engineers for the Devils Lake outlet project. He recommended that the Red River studies use this same proposal and that one study be conducted, rather than two.

Signe Snortland noted that the COE will be participating on the Technical Team and we will be sharing information as much as possible during the study.

Jim Rogers (Environment Canada) questioned whether future economic development should be focused in the RRV as opposed to other locations in North Dakota where water resources are more abundant, such as Bismarck. Needing more water doesn't necessarily mean we have to provide this water to encourage growth.

Tim Keller responded that when the participants breakup into groups, they should note these types of concerns as it related to the Master Plan of Study.

Gary Pearson commented that the needs assessment is a critical group. Gary Pearson also expressed a concern that we are going to build a project to meet a possible need that might not occur. The needs assessment is critical and we should not be operating under an assumption that there will be a project.

Jim Rogers (Environment Canada) questioned what the geographical scope of the area to be included in the needs assessment. Would it include the east side of the river in Minnesota?

Tim Keller (Reclamation) noted that the group needs to discuss the scope of the RRV study. At a minimum, we need to have better hydrologic data and quantify future demands on the Minnesota side of the basin. This will be a big job, and is the function of hydrology group. Tim Keller indicated that one of the alternatives the Technical Team might look at is one which represents the RRV population living within their means and what the associated ramifications would be. We now have to come to grips with those issues which were set aside in last study.

Feedback from Breakout Sessions: Each of the study component groups provided a presentation on their breakout session discussions. The study component group membership list and flip chart notes are attached to the minutes.

Technical Team Meeting Feedback: After the breakout sessions the group provided some comments on the first Technical Team meeting. These included providing more time for the breakout sessions, shorter presentations at the beginning of the meeting and having the breakout sessions earlier in the meeting.

Technical Team Decisions: The Technical Team agreed to provide the first draft of the Master Plan of Study (study components) to Signe Snortland by March 26, 2001. Signe Snortland indicated that the consolidated minutes for the meeting would be provided via e-mail to the Technical Team members as soon as possible.

The Technical Team also agreed that some study component tasks related to data gathering should begin even though the Master Plan of Study is under development. Other more involved study component tasks which team members want to start should be brought to the attention of the Technical Team for review.

Signe Snortland also noted that a file transfer protocol (FTP) site will be developed by Reclamation to transfer large electronic documents related to the RRV studies.

Future Technical Team Meetings: The group agreed that the next Technical Team Meeting will be on Wednesday, April 4, 2001 starting at 9:00 a.m. in Fargo. Signe Snortland will notify the Technical Team members of the location of the meeting once arrangements have been made.

The group agreed that for May and June the first Wednesday of each month would be reserved for Technical Team meetings.

Next Meeting Agenda: Signe Snortland indicated that she would prepare an agenda for the next meeting and provide it for review by the Technical Team members prior to the meeting.

