

1999 HOUSE NATURAL RESOURCES

HCR 3013

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 3013

House Natural Resources Committee

Conference Committee

Hearing Date 2/05/99

Tape Number	Side A	Side B	Meter #
1	x		0-11.7
1	x		26.0-27.0
Committee Clerk Signature <i>Robin L. Small</i>			

Minutes: REP. WINRICH introduces the resolution. SEE HANDOUT.

REP. GLASSHIEM introduces many handouts to the committee and also speaks on key points of them. SEE HANDOUTS.

JOE BILFORD with the RED RIVER BASIN BOARD supports this bill. He comments that the Basin Board wants really work with the Legislative Council on this matter.

REP. S. KELSH asks if the cities of Wahpeton, Fargo and Moorehead are behind this? BILFORD replies that is correct.

REP. NELSON asks if there is anybody that represents agriculture on the board? BILFORD replies that they do have some task committees.

REP. HENEGAR asks what is the basic need for this particular resolution? BILFORD replies that it is to assure the folks of the Red River Valley that the Water Management Process is being looked at. REP. HENEGAR asks that there should be one board to oversee every thing.

BILFORD states that he would like to see the Red River Basin Board be that Board.

DALE FRINK , ASSISTANT STATE ENGINEER, WATER COMMISSION. He is here on behalf of SPRYNZINATYK, DAVID . They are in support of this resolution.

There is no opposition on this resolution..

Action was taken on the same day REP. DROVDAL made the motion for a DO PASS and to be Placed On The Consent Calendar. REP. PORTER seconded it. The roll call was taken 13 YES, 0 NO, 2 ABSENT. REP. NOTTESTAD is the carrier for the bill.

Date: 2.5.99
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House House Natural Resources Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass + Put on the Consent Calendar

Motion Made By Drovdahl Seconded By Porter

Representatives	Yes	No	Representatives	Yes	No
Chairman Mick Grosz	✓				
Vice-Chairman Dale Henegar	✓				
Representative David Drovdal	✓				
Representative Pat Galvin	✓				
Representative Duane DeKrey	✓				
Rep. Darrell D. Nottestad	✓				
Representative Jon O. Nelson	✓				
Representative Byron Clark	✓				
Representative Todd Porter	✓				
Representative Jon Martinson	✓				
Representative Lyle Hanson	✓				
Representative Scot Kelsh	✓				
Representative Deb Lundgren					
Representative Sally M. Sandvig	✓				
Representative Dorvan Solberg					

Total (Yes) 13 No 0

Absent 2

Floor Assignment Nottestad

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 5, 1999 11:40 a.m.

Module No: HR-24-2050
Carrier: Nottestad
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3013: Natural Resources Committee (Rep. Grosz, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3013 was placed on the Tenth order on the calendar.

1999 SENATE NATURAL RESOURCES
HCR 3013

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR3013

Senate Natural Resources Committee

Conference Committee

Hearing Date March 12, 1999

Tape Number	Side A	Side B	Meter #
1	x		3515-6190
1	x		0-460
Committee Clerk Signature <i>Sylvia A. Zagen</i>			

Minutes:

SENATOR TRAYNOR opened the hearing on HCR3013: A CONCURRENT RESOLUTION DIRECTING THE LEGISLATIVE COUNCIL TO STUDY BASINWIDE WATER MANAGEMENT IN THE RED RIVER VALLEY.

REP. WINRICH testified. (See attached testimony)

SENATOR TRAYNOR asked does basinwide management include Devils Lake.

REP. WINRICH replied this study does not, but the questions of jurisdiction between the various political subdivisions would apply in the Devils Lake basin as well as the Red River Valley.

SENATOR TRAYNOR replied Devils Lake basin is a part of the Red River drainage system.

REP. WINRICH replied then it could be included.

SENATOR TRAYNOR asked is that your intention to include the Devils Lake basin.

REP. WINRICH replied yes.

SENATOR TRAYNOR asked if it is necessary to amend the resolution for that purpose or is it broad enough to cover the Devils Lake basin.

REP. WINRICH replied I believe the resolution is broad enough in its specification of basinwide water management techniques.

DAVID SPRYNCZYNATYK, State Engineer testified in support of HCR3013. Devils Lake is a part of the Red River basin, even though the bill says Red River Valley.

DAVID SPRYNCZYNATYK replied if line 2 appeared as Red River Basin, it would make it more clear, even though Devils Lake is a part of the Red River basin.

SENATOR TRAYNOR asked Senator Fischer if every place where Red River Valley is stated that it should be changed to Red River Basin.

SENATOR FISCHER replied yes, I propose that.

SENATOR HEITKAMP asked where are we at in relation to funding the Red River Basin Board.

DAVID A. SPRYNCZYNATYK replied Minnesota Legislature appropriated \$200,000 to be matched by ND, and ND through the Water Commission and Dept. of Health raised \$160,000 for this biennium and we will also raise another \$40,000 through the end of the biennium. SD has since contributed money which is a small amount because their share of the basin is small.

Manitoba recently agreed to contribute money and their share is less than ND and Minnesota.

There has been no legislation that would provide that funding from ND.

SENATOR HEITKAMP wouldn't it be foolish to not fund that board.

DAVID A. SPRYNCZYNATYK replied if we don't have a way to provide funding, it may send a signal to the board.

Page 3

Senate Natural Resources Committee

Bill/Resolution Number Hcr 3013

Hearing Date March 12, 1999

SENATOR TRAYNOR asked is this resolution broad enough to include some dialogue with the Canadians on the road dike.

DAVID A. SPRYNCZYNATYK replied I don't think it would be and I don't think it would be necessary at this time.

SENATOR REDLIN asked if someone is diked out and has no protection, are their considerations made for this.

DAVID A. SPRYNCZYNATYK replied with an example of a joint flood control plan with an equal level of protection.

JOE BELFORD, Ramsey Co. Commissioner testified in support of HCR3013.

BILL DELMORE Kelsch Law Firm, Mandan, ND testified in support of HCR3013, which represents a group called Basinwide. (See attached testimony)

SENATOR TRAYNOR closed the hearing on HCR3013.

SENATOR FISCHER moved for a MOTION TO AMEND the resolution to replace Valley with Basin throughout the resolution, seconded by SENATOR FREBORG. Roll call vote indicated 6 YEAS, 0 NAYS, 0 Absent and not voting. SENATOR HEITKAMP moved for a DO PASS AS AMENDED, seconded by SENATOR FISCHER. Roll call vote indicated 6 YEAS, 0 NAYS, 0 Absent and not voting. SENATOR HEITKAMP volunteered to carry the bill.

March 12, 1999

903
3/12/99

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3013

Page 1, line 2, replace "in" with "of" and replace "Valley" with "Basin"

Page 1, line 5, replace "Valley's" with "Basin's"

Page 1, line 7, replace "Valley" with "Basin"

Page 1, line 10, replace "Valley" with "Basin"

Page 1, line 15, replace "Valley" with "Basin"

Page 1, line 18, replace "in" with "of"

Page 1, line 19, replace "Valley" with "Basin" and after the semicolon insert "and"

Renumber accordingly

Roll Call Vote #: /

Date: 3-12-99

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. ACR 3013

Senate Natural Resources Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken MOTION TO AMEND

Motion Made By Fischer Seconded By Freborg

Senators	Yes	No	Senators	Yes	No
Senator John T. Traynor, Chr	✓				
Senator Tom Fischer, Vice Chr	✓				
Senator Randel Christmann	✓				
Senator Layton Freborg	✓				
Senator Joel C. Heitkamp	✓				
Senator Rolland W. Redlin	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Roll Call Vote #: 2 Date: 3-12-99

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCB 3013

Senate Natural Resources Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS AS AMENDED

Motion Made By Heitkamp Seconded By Fischer

Senators	Yes	No	Senators	Yes	No
Senator John T. Traynor, Chr	✓				
Senator Tom Fischer, Vice Chr	✓				
Senator Randel Christmann	✓				
Senator Layton Freborg	✓				
Senator Joel C. Heitkamp	✓				
Senator Rolland W. Redlin	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Heitkamp

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HCR 3013: Natural Resources Committee (Sen. Traynor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3013 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "in" with "of" and replace "Valley" with "Basin"

Page 1, line 5, replace "Valley's" with "Basin's"

Page 1, line 7, replace "Valley" with "Basin"

Page 1, line 10, replace "Valley" with "Basin"

Page 1, line 15, replace "Valley" with "Basin"

Page 1, line 18, replace "in" with "of"

Page 1, line 19, replace "Valley" with "Basin" and after the semicolon insert "and"

Renumber accordingly

1999 TESTIMONY

HCR 3013

House Concurrent Resolution 3013 House Natural Resources Committee

Statement of Support from Grand Forks Director of Public Works/City Engineer Ken Vein

February 5, 1999

Chairman Grosz and Members of the Committee, thank you for this opportunity to submit testimony in support of this concurrent resolution directing the Legislative Council to study basinwide water management in the Red River Valley.

As the Director of Public Works/City Engineer for the City of Grand Forks, I have been involved in our community's flood fighting efforts for over a decade. I have also been very involved in the development of the proposed levees plan to help our community fight future floods. I firmly believe that the proposed flood protection plan for Grand Forks is the best, and realistically-speaking, the only solution to our flooding problem. However, I also feel very strongly that the proposed plan could be further enhanced with a more comprehensive, basinwide approach that would also have great benefits for other communities up and down the Red River.

There are a number of entities working toward possible long-range solutions to the flooding problems in the Red River Valley. These efforts, however, primarily focus on finding a technical solution to the problem. There is also a very big question about the political reality of ever being able to implement a solution, if one is found. As you are aware, political boundaries are not set up around watershed districts, so there are a large number of political subdivisions that must agree on a basinwide solution before one might be fully implemented. This includes counties and water resource districts whose residents may be directly affected by a plan, as well as cities, states, and even countries that have their own interests to protect while still looking for a viable solution. I believe that the technical and political solutions to our flooding problems must go hand in hand.

As I understand it, the intent of this resolution is for the study of the political aspects of implementing a basinwide solution – a critical component to implementing any kind of plan. No matter how technically feasible a proposed alternative may be, it may never be implemented if the political entities involved can not come to an agreement. Studying this process and the best way to implement a solution is vital if we are ever to have a comprehensive solution to water management. I strongly encourage that those studying this aspect of basinwide water management work closely with other entities also working towards this goal, including the Red River Basin Board and the International Joint Commission.

Chairman Grosz and members of the committee, I strongly urge your support of this important study to help our community and the other communities throughout the Red River Valley fight future floods. Please support House Concurrent Resolution 3013. Thank you for your consideration.

Kenneth Vein

House Concurrent Resolution 3013 House Natural Resources Committee

Statement of Support from Grand Forks Mayor Patricia Owens and Grand Forks Council President Doug Carpenter

February 5, 1999

Chairman Grosz and Members of the Committee, thank you for this opportunity to submit testimony in support of this concurrent resolution directing the Legislative Council to study basinwide water management in the Red River Valley.

As the City of Grand Forks has struggled to recover from the devastating 1997 flood, we have also looked at preventing another disaster in our community and others. As you are aware, we are pursuing a Corps of Engineers levees project to protect our community from future floods. We believe this is the best primary line of defense for our residents. We do, however, also support more basinwide approaches that would increase the safety and security of our proposed system as well as benefit many other communities.

The idea of basin-wide water management is not a new one and is being studied by several different groups, including the Red River Basin Board and the International Joint Commission. The City of Grand Forks has supported and will continue to support these initiatives to find solutions to the valley's flooding problems. In particular, the City Council passed resolutions in February and April of 1998 supporting basin-wide water management initiatives and Mayor Owens serves as an alternate on the Red River Basin Board.

There are numerous technical studies that have been done and are being done to determine what kinds of basinwide water management solutions would work. However, one of the key obstacles we have observed to a basinwide solution has always been dealing with numerous different political entities including cities, counties, water resource boards, states, and even countries that must all agree on a plan of action. Overcoming this political hurdle is crucial if we are going to implement a solution.

Our understanding of House Concurrent Resolution 3013 is that it calls for a study of this aspect of basin-wide water management: how a proposal could be carried out given the political boundaries that exist. This is an important component of any basinwide plan and this study coincides very well with the technical work going on. In order to find solutions to our flooding problems, we must learn to work together to find ways to implement the proposals that are developed. In that thought, we encourage those that undertake this study to contact those entities that already exist and are also working towards a solutions, including the Red River Basin Board and the International Joint Commission.

Chairman Grosz and members of the committee, we strongly urge your support of this important study to help our community and the other communities along the Red River fight future floods. The technical studies are being done and the appropriate entities are pursuing solutions. Please assist us in our efforts, and other communities' efforts, to pursue a long-range water management plan for the Red River Valley and support House Concurrent Resolution 3013. Thank you.

Patricia C. Owens
Mayor

Doug Carpenter
Council President

**RESOLUTION FOR
CITY OF GRAND FORKS, NORTH DAKOTA
FOR
DECLARATION OF INTENT TO SUPPORT
A FLOOD ABATEMENT PROJECT - LEVEE/FLOODWALL**

This resolution adopted this 26th day of February, 1998 by the City Council for the City of Grand Forks, North Dakota (hereinafter "Grand Forks").

WITNESSETH, THAT:

WHEREAS, Grand Forks is committed to working cooperatively with the Army Corps of Engineers and the City of East Grand Forks, Minnesota to provide long term permanent flood protection in a timely manner; and,

WHEREAS, Grand Forks had previously entered into a Feasibility Study of Local Flood Control with the United States of America on 29 December 1993 which had identified a flood abatement plan of levees/floodwalls that was being optimized prior to the Flood of 1997; and

WHEREAS, after the Flood of 1997, which caused significant damage to Grand Forks, the St. Paul District Army Corps of Engineers provided Grand Forks with a concept level analysis of four flood abatement strategies (total diversion, levees only, combination levees and diversion channel on the Minnesota side, and combination levees and diversion channel on the North Dakota side); and

WHEREAS, on August 11, 1997 the City of Grand Forks passed a resolution directing the Corps of Engineers to complete a more extensive study of the levees-only plan and split-flow western diversion (including an assessment of costs, benefits, time to construct, environmental and cultural impacts, and alignment), the results of which were presented in a Plan Comparison Letter Report on 12 February 1998; and

WHEREAS, Grand Forks went through an extensive review of the information in the Plan Comparison Letter Report, including joint informational briefings with the City of East Grand Forks, public hearings, and discussions with other local and state officials; and

WHEREAS, Grand Forks recognizes that the levees/floodwall only alternative provides an economical project that can be undertaken in a timely manner; and

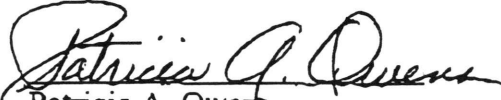
WHEREAS, Grand Forks recognizes the value of basin-wide water management for flood reduction; and

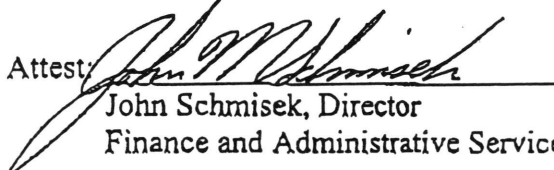
WHEREAS, Grand Forks is willing to cooperate in cost-sharing of this project in accordance with Section 103 of the Water Resources Development Act of 1986, Public Law 99-662, as amended, by providing lands, easements, right-of-way, and road and

utility relocation, providing a cash contribution based upon the total project cost, providing necessary operations and maintenance to the completed project, and entering into a Project Cooperation Agreement prior to initiation of construction;

NOW, THEREFORE, Grand Forks agrees to work in coordination with the Army Corps of Engineers and the City of East Grand Forks, Minnesota to:

1. Proceed with a flood abatement project, consisting primarily of levees and floodwalls, that would provide a minimum level of flood protection equal to that of the 1997 flood disaster,
2. Seek inclusion of the flood abatement project in the Water Resources Development Act of 1998, and
3. Continue to support and research basin-wide flooding solutions, including coordination with the International Coalition, the International Joint Commission, the Red River Basin Board, and other entities that pursue this objective.


Patricia A. Owers
Mayor

Attest: 
John Schmisek, Director
Finance and Administrative Services

**RESOLUTION FOR
CITY OF GRAND FORKS, NORTH DAKOTA
FOR
DECLARATION OF INTENT TO SUPPORT
THE DEVELOPMENT OF BASIN-WIDE WATER MANAGEMENT**

This resolution adopted this 6th day of April, 1998 by the City Council for the City of Grand Forks, North Dakota (hereinafter "Grand Forks").

WITNESSETH, THAT:

WHEREAS, there was significant flooding throughout the Red River Valley and surrounding area in 1997; and

WHEREAS, this flooding required extensive and expensive flood-fighting efforts and resulted in significant damages in Grand Forks and other communities; and

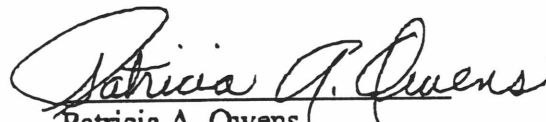
WHEREAS, the City of Grand Forks, in conjunction with the City of East Grand Forks and the St. Paul District Corps of Engineers, is pursuing a permanent flood protection project to protect us from a future 1997 type flood; and

WHEREAS, the potential exists for larger floods than the 1997 event to occur in this area;

NOW, THEREFORE, the City of Grand Forks supports the collection of data for the study of the 'waffle plan' as a part of the development of basin-wide water management solutions designed to reduce flooding; and

That these solutions be formulated using a consensus building program that includes impacted property owners and appropriate governing boards. Included would be County Commissioners, local water boards (Water Resource Districts in North Dakota, Watershed Boards in Minnesota, and applicable joint boards), and state agencies (State Water Commission in North Dakota and the Department of Natural Resources in Minnesota); and

That special emphasis be placed on the coordination with the International Coalition, the International Joint Commission, and the Red River Basin Board.


Patricia A. Owens

Mayor

Attest:


John Schmisek, Director
Finance and Administrative Services

TESTIMONY OF REP. LONNY WINRICH

on

HOUSE CONCURRENT RESOLUTION NO. 3013

Chairman Grosz and members of the Committee on Natural Resources, for the record I am Lonny Winrich, representative from District 18 in Grand Forks. I am testifying in favor of House Concurrent Resolution No. 3013 which I have introduced with the cosponsorship of Representatives Svedjan and Eckre and Senators Fischer and Thompson. This resolution would direct the Legislative Council to study basinwide water management in the Red River Valley

The devastation caused by the flood of 1997 affected communities throughout the Red River Valley and brought forth several proposals for basinwide water management. The technical feasibility and efficacy of these proposals is being studied by several groups and more studies are proposed. This effort would not duplicate those studies but rather is intended to address an issue which is common to all the proposals for basinwide water management. That issue involves the various and overlapping jurisdictions of political subdivisions in the watershed.

Municipal governments, County Boards, and Water Resource Districts have authority over water management granted to them by this legislature. These entities also have boundaries which are determined by political rather than hydrological considerations. Furthermore, the Red River of the North is the boundary with Minnesota and crosses an international boundary with Canada. If any of the proposals for basinwide water management are to be implemented, clearly legislation will be required to address these jurisdictional questions.

It is important to note that this resolution should not be interpreted as suggesting an alternative to levees that are planned or proposed for flood control. Basinwide management holds the promise of improving the safety and security of conventional flood protection systems but the first line of defense for communities in the Red River Valley will still be dikes.

This study would address the political and jurisdictional issues related to basinwide management and seek to develop proposals for the appropriate legislation. I urge you to support House Concurrent Resolution No. 3013.

TESTIMONY ON HOUSE CONCURRENT RESOLUTION 3013
BY: BILL DELMORE

Chairman Grosz, Members of the House Natural Resources Committee, my name is Bill Delmore from the Kelsch Law Firm in Mandan.

For most of the past year, our Firm has represented three neighborhoods (East Lake, Country View, and Northridge) in Grand Forks in their effort to challenge certain of the Corps of Engineers diking plans. In particular, the neighborhoods have asked the Corps to review “reasonable” alternatives to certain of the diking activities.

Each of the neighborhoods have been united in requesting the Corps to carefully review upstream storage to reduce certain of the diking proposals. The Environmental Protection Agency has notified the Corps that it is in support of upstream storage alternatives in conjunction with diking activities. Basinwide storage provides both flood control and usable water in times of need.

Attached is a description of the Basinwide efforts as an approach to flood control. One of the concerns of the parties involved in the Basinwide efforts is that some of the traditional reviewers of flood control activity have a bias in favor of dikes only and a resistance to Basinwide storage alternatives. We hope the review will be conducted in an unbiased manner utilizing private and public experts in this field.

In addition, Basinwide is seeking emergency status from the Corps of Engineers regarding its activities.

Please contact me with any questions at 663-9818 or by facsimile at 663-9810.

On behalf of Basinwide, we urge your support of Senate Bill 2401.

WHAT THE RRBB DOES

X Serves as an "in the basin" access point for information regarding the basin's surface and ground water resources.

X Provides a "forum" for the discussion and resolution of inter-jurisdictional disputes.

X Serves as the vehicle for building a consensus view by basin residents about water management strategies.

X Monitors the activities of the various governmental agencies having responsibility in the basin for water management.

X Evaluates projects and programs in terms of their compatibility with basin-wide goals and objectives and communicates findings to implementing bodies.

X Serves as an objective "third party" in dispute resolution, when requested.

HOW YOU CAN PARTICIPATE IN THE RRBB PROCESS

⇒ *by attending* regularly scheduled Board meetings (1st Thursday of each month, 11:30 a.m.)

⇒ *by working* through one of several "sector groups" organized to bring to the RRBB the views of those groups/organizations and a host of interests from throughout the Red River Basin.

⇒ *by participating* in meetings held in the basin to develop and discuss water management, and the "guiding principles" which will guide water planning.

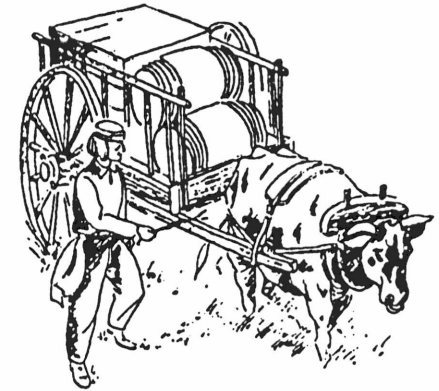
⇒ *by volunteering* to serve on any one of the task forces formed to compile and develop the information base needed to make wise water management decisions.

⇒ *by petitioning* the Board to consider a local project or program for inclusion in the basin wide plan.

⇒ *by presenting* the Board with personal or group issues/concerns for appropriate consideration.

⇒ *by requesting* the Board deal with issues surrounding projects and/or programs in dispute.

RED RIVER BASIN BOARD



THE MISSION

- *to develop and cause to be implemented a comprehensive Water Management Plan for the Red River Basin; and*
- *to facilitate and pursue the resolution of interjurisdictional disputes.*

GOALS OF THE RRBB

☆ To function as the center for the coordination and development of a short- and long-range comprehensive Water Management Plan.

☆ To make recommendations to achieve implementation, and to identify funding needs and resources.

☆ To actively work with the local, state, provincial, and federal agencies in planning and implementation of projects within the Red River Basin.

☆ To address and make informed recommendations leading to long term solutions on Red River Basin land and water issues.

☆ To serve as a clearing house for information regarding the Basin's natural resources.

☆ To create an awareness of historical, present, and future concerns and problems in the Red River Basin through public information and education.

☆ To provide a public forum for discussion of issues, needs, and problems, which builds informed consent and mediates interjurisdictional differences in the management of surface and ground water supplies in the Red River Basin.

THE WATER MANAGEMENT PLAN IS COMPRISED OF EIGHT COMPONENTS

1. **Guiding Principles** - involves a number of meetings within the Basin. These sessions are designed to obtain the views of Basin residents concerning water issues and to develop a document that will serve as the basis for future planning.

2. **Sector Groups** - involves the bringing together of organizations and/or groups throughout the Red River Basin, who share the same essential mission. Organizations within the Basin are being asked to provide the RRBB the name of their group and/or organization and its contact person in the Basin.

3. **Inventory Process** - involves a comprehensive review of all studies and data created on the Red River Basin, and the appropriate analysis for use in the planning process.

4. **Information/Education Program** - involves, among other things, the development of a communications plan to identify information-education needs in the Basin to better prepare citizens to participate in the water management decision process.

5. **Problem Identification & Analysis** - defines the basin's water problems, identifies potential solutions, and distinguishes between causes, effects, and solutions.

6. **Plan Formulation** - A formal process for making choices about water management options and alternatives based on all of the information provided by task forces, work groups and the public. As information is gathered, planning teams are established to develop input to the plan.

7. **Screening Procedure** - documents the current status of water projects and programs throughout the Red River Basin and identifies actions that may be needed to factor them into the planning process. This process also provides the leadership with information necessary to resolve questions which impede the project or programs progress.

8. **Water Accounting System** - a Hydrologic model which allows for the timely analysis of the impacts of implementing various water management options.

RED RIVER BASIN BOARD (RRBB)

119 5th Street South - Box 66
Moorhead, MN 56561-0066

Phone: (218) 233-0292
Fax: (218) 233-1943

**TESTIMONY ON HOUSE CONCURRENT RESOLUTION 3013
BY: BILL DELMORE**

Chairman Traynor, Members of the Senate Natural Resources Committee, my name is Bill Delmore from the Kelsch Law Firm in Mandan.

For most of the past year, our Firm has represented three neighborhoods (East Lake, Country View, and Northridge) in Grand Forks in their effort to challenge certain of the Corps of Engineers diking plans. In particular, the neighborhoods have asked the Corps to review “reasonable” alternatives to certain of the diking activities. We also represent Basinwide, an organization supporting water retention throughout the Red River Basin. (See attached Basinwide information - *Attachments 1 and 2.*)

Each of the neighborhoods have been united in requesting the Corps to carefully review upstream storage to reduce certain of the diking proposals. The Environmental Protection Agency has notified the Corps that it is in support of upstream storage alternatives in conjunction with diking activities. Basinwide storage provides both flood control and usable water in times of need.

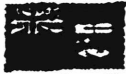
One of the concerns of the parties involved in the Basinwide efforts is that some of the traditional reviewers of flood control activity have a bias in favor of dikes only and a resistance to Basinwide storage alternatives. We hope the review will be conducted in an unbiased manner utilizing private and public experts in this field and looking at all reasonable alternatives.

In addition, Basinwide is seeking emergency status from the Corps of Engineers regarding its activities.

Please contact me with any questions at 663-9818 or by facsimile at 663-9810.

On behalf of Basinwide, we urge your support of House Concurrent Resolution 3013.

BASIN WIDE



Broad Alternative Storage In Numerous Water Impoundments During Emergencies



News Media

In the spring of 1997 some of the same water that flooded Herman, Graceville, and Dumont, also flooded Wahpeton/Breckenridge, Fargo/Moorhead, Grand Forks/East Grand Forks, Drayton/Osio, Pembina and finally St. Agathe and Grande Pointe, MB, as well as many rural residents along the 300 miles that border the Bois de Sioux/Red River.

Throughout the Red River basin there are countless areas with the potential for temporary storage of water that, with timed and coordinated release, would benefit the entire basin. For example, a structure on a tributary to the Red Lake River, built in 1984 but never closed until 1997, is credited with saving Crookston. (Grand Forks Herald, May 13, 1997)

There are many land owners who have considered it reasonable to place agricultural land into the Conservation Reserve Program (CRP) (Grand Forks Herald, Feb. 20, 1999). Why can't we come up with a program that would adequately compensate land owners for temporary water storage? The cost of all the development that was lost in the flood plus the cost of all the developed areas that had minimal damage but are in the path of a proposed dike, should surely be calculated into a broader basin-wide cost/benefit ratio. It is time to review the whole process of cost/benefit when calculating flood mitigation!

If we are really serious about water control on a statewide basis (Grand Forks Herald, Feb 16, 1999) then let's start coordinating the tri-state MN, ND, SD development of many of these potential areas as primary flood retention projects! 2/3 of the water in the Red River comes from the Minnesota side (Source: SWC 1990, USGS 1990).

Broad Alternative Storage In Numerous Water Impoundments During Emergencies is the acronym for a rapidly growing, grassroots, nonprofit, concerned citizens movement convinced that flood control must be approached from a basin-wide perspective.

Log onto basinwide.org

Roland Young
Roland Young

(ATTACHMENT 1)

③

Red Lake Watershed District

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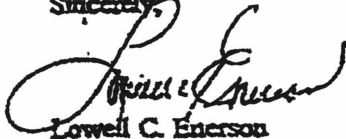
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Dear Mr. Young:

Thank you for the enclosed video tape. I agree totally that we need to impound water upstream. The Red Lake Watershed District has been trying to accomplish this and will be working towards this in the future thanks to supporters like you.

If you have any questions, please feel free to contact me.

Sincerely,



Lowell C. Enerson
Administrator

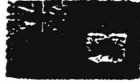
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Enclosure

FLOODING IN THE GRAND FORKS-EAST GRAND FORKS AREA. North Dakota Geological Survey Educational Series 12
The following quote is from the 1980 publication by Harrison & Blumie Flooding in the GE/BGF Area:

"The only way to get on top of this flood thing is to start controlling the snowmelt and water runoff at the upper reaches of any tributary-any river, stream, creek, coulee, drainage ditch, etc., that empties into the Red River. It will be necessary to have some means of controlling or regulating the flow of water in and from any and all of these, all up and down the Red River Valley, to benefit the entire area. Channelization would definitely be the wrong way to go. It would only magnify the present problems. Building or raising dikes - while it may be the first thing to come to mind, especially during a crash effort in an emergency - is not the answer, except in a very few isolated cases. It would be rather impractical to try to dike tributaries very far back."

BASIN WIDE



February 3, 1999

What is BASINWIDE?

BASINWIDE is a rapidly growing grassroots movement of concerned citizens from Manitoba, Minnesota, North Dakota, and South Dakota who are tired of the old 'business as usual,' dikes only approach to flood control. 'BASINWIDE' is the acronym for Broad Alternative Storage In Numerous Water Impoundments During Emergencies. No one in the Red River Valley wants to see a repeat of the 1997 scenario! As long as we continue to attempt to address the problems only on the main river stem without aggressively pursuing upper retention on tributaries we will continue to be leaving ourselves vulnerable.

If 180,000 acre/feet held in short term storage could have prevented the flood in Grand Forks/East Grand Forks (JOR Engineering), then why not develop the known areas that could retain over 500,000 ac/ft? Throughout the Red River Valley there are many areas that have potential to retain water on a temporary basis, thereby allowing a timed release. Many of these areas have been studied but not developed because, to quote the Grand Forks Herald January 28, 1999 "Going with the flow" by David Knutson, "Water projects in past years often failed because the players - from local groups, government entities and regulators - weren't on the same page. That's about to change, according to Don Ogaard, Executive Director of the Red River Water Management Board."

The goal of BASINWIDE is to help facilitate this movement by providing a 'bulletin board' with related information and to press for emergency status for development of these retention areas. For more information log onto www.basinwide.org

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(ATTACHMENT 2)

TESTIMONY OF REP. LONNY WINRICH

on

HOUSE CONCURRENT RESOLUTION NO. 3013

Chairman Traynor and members of the Committee on Natural Resources, I am Representative Lonny Winrich, from District 18 in Grand Forks. I am testifying in favor of House Concurrent Resolution No. 3013 which I have introduced with the cosponsorship of Representatives Svedjan and Eckre and Senators Fischer and Thompson. This resolution would direct the Legislative Council to study basinwide water management in the Red River Valley

The devastation caused by the flood of 1997 affected communities throughout the Red River Valley and brought forth several proposals for basinwide water management. The technical feasibility and efficacy of these proposals is being studied by several groups and more studies are proposed. This effort would not duplicate those studies but rather is intended to address an issue which is common to all the proposals for basinwide water management. That issue involves the various and overlapping jurisdictions of political subdivisions in the watershed.

Municipal governments, County Boards, and Water Resource Districts have authority over water management granted to them by this legislature. These entities also have boundaries which are determined by political rather than hydrological considerations. Furthermore, the Red River of the North is the boundary with Minnesota and crosses an international boundary with Canada. If any of the proposals for basinwide water management are to be implemented, clearly legislation will be required to address these jurisdictional questions.

It is important to note that this resolution should not be interpreted as suggesting an alternative to levees that are planned or proposed for flood control. Basinwide management holds the promise of improving the safety and security of conventional flood protection systems but the first line of defense for communities in the Red River Valley will still be dikes.

This study would address the political and jurisdictional issues related to basinwide management and seek to develop proposals for the appropriate legislation. I urge you to support House Concurrent Resolution No. 3013.