

MINUTES

STUTSMAN COUNTY WATER RESOURCE BOARD

March 29, 2023

The regular meeting of the Stutsman County Water Resource Board was called to order by Vice-Chairman, Anthony Roorda on March 29, 2023, at approximately 10:00 a.m. in the Commissioner's Room of the Stutsman County Courthouse. Members present were Dennis Clark, John Schock and Anthony Roorda. Members present by phone were Joel Lees and Arlyn Schmidt. Additional present was Greg Spenningsby - Water Resource Board alternate, Shirley Krapp from the City of Spiritwood lake, Dustin Krueger from Stutsman County Soil Conservation District, and Kirk Grimm - Mayor of City of Spiritwood Lake. Abbagail Geroux, Secretary of the Board, was also present.

MINUTES

The first order of business was to review and approve the minutes of the February 22, 2023, regular meeting. Upon review, a motion was made by Dennis Clark and seconded by Arlyn Schmidt to approve the minutes as presented. Motion passed.

W-614 City of Spiritwood Lake Hypolimnetic Draw Down Drainage Application

Next, the Board decided to address the operating agreement for the Spiritwood Lake Hypolimnetic Drawdown project, as those people appeared to be present for the Board meeting. Ms. Geroux provided a background to the Board. She indicated that the Department of Water Resources did formally approve of the Hypolimnetic Drawdown project but did require certain conditions to be met. One of those conditions was to review and approve the operating agreement. It was noted that previously the operating agreement did not properly identify the elevation of the lake and needed to be adjusted to account for the decisions of the Water Resource Board. The operating agreement must be approved by the Board and the Department of Water Resources prior to operation. Ms. Krapp presented an operating agreement before the Board. Ms. Geroux asked some questions from Dustin Krueger from the Stutsman County Soil Conservation District. Mr. Krueger currently conducts the sampling at Spiritwood Lake and at other locations. He anticipates to conduct the sampling for this particular project. Mr. Krueger explained the sampling that he does on the City of Spiritwood Lake. Also discussed the Hypolimnetic project and it was noted that the operating

agreement discusses sampling the discharge that will be going through Audubon Lake and then onto Seven Mile Coulee. It was noted that the operating agreement indicates that sampling would be done and identifies the certain items that will be sampled, however, it did not indicate that the sampling would be done by the Department of Environmental Quality nor did it particularly identify the limits that would have an impact on the city's ability to discharge. There was discussion regarding what those parameters were. Ms. Shirley Krapp indicated that previously when water sampling was done to determine water quality purposes, both in the lake and Seven Mile Coulee. The water located in Seven Mile Coulee was very poor and did not anticipate that there would be any negative impact on the water quality in Seven Mile Coulee, but did want to prevent smell in the area of the discharge point which was the purpose for blending both bottom and top water off of the lake. There was discussion regarding the size of the pipe that would be placed into Spiritwood Lake. There was also discussion regarding the location for collecting the sample. Ms. Krapp noted she modified the location for collecting the sample in the operating agreement and explained that they felt that this would be a better representative sample of the water coming out and going through the system at this location. There was some discussion regarding where the water would ultimately be discharged to. It was noted that the culvert on the other side of Highway 63 is one inch lower than on the Spiritwood Lake side so they are concerned about the water not properly moving through the system. The Board inquired whether they would have the ability to provide comment on what regulatory measurements would be put in place to make sure that the measurements of the water quality would be appropriate for the activity that City of Spiritwood Lake is conducting. Ms. Geroux noted this was within the jurisdiction of the Department of Environmental Quality and the local Water Resource Board would likely have very little authority to modify those limits given that there is a desire to make sure that this project continues smoothly and that the Board would not be able to make modifications to the DEQ's requirements in terms of water quality. Dennis Clark moved and John Schock seconded a motion to approve the operating plan as presented. Motion Passed.

W-645 Williams Subsurface Tiling Application

Next, the Water Resource Board addressed W-645 Tiling Application by Alex and Chad Williams. The Tiling Application is for Section 30, Township 138, Range 65 in Linton Township, Stutsman County, North Dakota. Is noted that the applicant seeks to install a 204 acre drain and tile system in Section 30.

It appears that there is a water source or other water feature running through the NW quarter and in part of the NE quarter of Section 30 where they anticipate placing outlets for the water to drain through. Because of this, the water drainage would outlet onto the same property. It was noted that because of this and restrictions on the legislature, the local Water Resource Board had no reason to deny the application. Additional questions by the Board members regarding ownership was confirmed by looking at plat maps and the property tax documents presented by the applicants. It was also noted that the approval process and the changes in the legislature made to the tiling application process regarding these applications as they have changed throughout the years. Notably, the Board is very limited on its ability to deny a drainage application. Seeing no further discussion, John Schock moved and Dennis Clark seconded a motion to approve the drainage application with the statutory conditions. Motion passed.

Next, the Board reviewed the bills and financials. Ms. Geroux reviewed the bills and financials for the Board. Upon review of the bills and financials, John Schock moved and Joel Lees seconded a motion to approve the bills and financials. Motion passed.

CHECK NUMBERS

1. Dalsted & Ryan - \$ 645.00 #2890

Lastly, there was discussion regarding the spraying of cattails. Greg Spenningsby indicated that this is something the Weed Board does look into and that he would make contact with some folks that he is familiar with. There were general questions regarding the status of the potential lidar project.

Seeing as there was no further business before the Board, John Schock moved and Dennis Clark seconded a motion to adjourn the meeting. Motion passed. The meeting was adjourned at 11:20 a.m.

RESPECTFULLY SUBMITTED:

ABBAGAIL GEROUX
Secretary

BOARD APPROVAL OF MINUTES

The board approved the minutes this ____ day of _____,
2023.

JOEL LEES, Chairman, or
ANTHONY ROORDA, Vice-Chairman