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To: Mark Johnson, Executive Director

From: Tracy Halstensgard, Administrator

Date: September 16, 2024

Subject: Roseau River Habitat Restoration extension request

The RRWD along with our project partners have been working diligently to complete the Roseau River Habitat Restoration project in the time allowed by law in the appropriation. Unfortunately, some extenuating circumstances may prevent that from being the case.

Unforeseen issues we've encountered include:

- **Permitting delays** – The District has completed the environmental review (Environmental Assessment Worksheet) for the project and has begun the permitting process. We expect permits yet in 2024. Unexpectedly, the Corps of Engineers is going to do a Section 408 review to evaluate impacts the project may have on a levee system they installed in the 1990s. While we do not expect any issues to be granted this permit, it will take a bit more time.
- **Design** – Project Design took longer than anticipated due to concerns on interbasin flows between the Roseau River watershed and Two Rivers watershed. These interbasin flows are governed by international agreements between the United States and Canada. Not allowing breakout to the south could send higher flows into Canada and, conversely, restricting flow into Canada would result in additional breakout flows to the Two Rivers watershed. Balancing the design took time to work through this issue.
- **Joint Power Agreements** – The RRWD and DNR have developed Joint Power Agreements to govern the implementation of the project as well as long-term maintenance of the lands involved in the project. Those agreements have been finalized.

**Land Rights Acquisition** – After design was finalized, the RRWD began working with a privately owned parcel within the project area. The parcel is owned by a group of relatives and, while it did take some time to get them all in agreement, the RRWD and the landowner are ready to move forward with the land exchange/easement acquisition.

- **Landowner pushback** – landowners from the surrounding area raised concerns about the project that we felt needed to be addressed before proceeding to final design. We have since addressed those issues and the RRWD Board of Managers has moved forward with adopting a Maintenance Plan, Petitioning to realign SD 51 to the proposed channel, and scheduling the public hearing. (6 months)

These items have set us back approximately 1+ year. We are requesting the grant deadline be extended to 6-30-2027 to insure adequate time for winter construction. We are prepared to have construction under contract by the current 6-30-2025 expiration.

The RRWD continues to progress toward the project implementation:

- The RRWD plans to sign the final project easement in the next couple of months. This acquisition has been completed outside funding from the Outdoor Heritage Fund grant.
- The project hearing is scheduled for October 3, 2024.
- The RRWD is currently planning to bid the project in January of 2025.
- Construction is expected to begin in 2025.

Please advise as to the process for moving this extension request forward.

If you have any additional questions, please don't hesitate to contact us for further information.