

Dickey County Drain No. 1 - Emergency Surface Drainage Permit

At the Board's April meeting, the Board authorized Nathan Trosen to submit an emergency surface drainage permit application to the Department of Water Resources, to seek permission to install temporary pumps at the outlet of Drain #1 to alleviate flooding in the Drain. Nate submitted the application to DWR on April 21 and, as required by the North Dakota Administrative Code, DWR scheduled this hearing on the application. Matt Lindsay and Jennifer Martin were present via Teams.

Chairman Hansen opened the meeting and asked Matt Lindsay to proceed with the hearing. Mr. Lindsay asked the Board to present the proposed project. Nate provided a summary of the flooding in the area, including in the Drain #1 watershed. He noted several roads in the watershed are flooding and the Board is concerned the overtopped roads present a significant safety hazard. Further, farmsteads in the watershed could be subject to flooding without relief the pumping would provide. Drain #1 outlets into the Maple River tributary of the James River; when the Maple River is high, Drain #1 cannot adequately outlet, the Drain floods, flow from the watershed exacerbates the flood conditions, and water backs up on properties and infrastructure that normally drain into Drain #1. The Maple River has peaked but is still high and the flood conditions in the River persist; the Drain #1 outlet culvert and flap gate are submerged. The Board would install two temporary pumps for a total of 20 cfs under the Emergency Permit to discharge into the Maple and to provide flood relief.

Mr. Lindsay asked about downstream landowners, any interactions the Board has had with those parties, and whether or not easements will be required. Nate's application submission included information regarding downstream landowners, and their contact information, and Nate provided an update on those contacts. He indicated Manager Don Zimbleman is the downstream landowner in the Northwest Quarter of Section 24 in Maple Township; Ron Haase owns the Southwest Quarter of Section 24 and the Northwest Quarter of Section 25; and Richard Gramlow owns the Southwest Quarter of Section 25. Manager Gemar contacted Mr. Haase and Mr. Gramlow; both verbally approved the proposed plan, and Manager Zimbleman previously noted his support.

Nate further noted the pumps will be on the Board's Drain #1 right of way and the pumps will simply ensure and improve discharge into the Maple, Drain #1's outlet; the pumps will not inundate or flow over new properties not normally subject to drainage or discharge.

Sean Fredricks indicated that, under the Administrative Code, DWR will ultimately make the final decision regarding the Emergency Permit, but the Coe requires the Board to offer a recommendation to DWR. Manager Gemar moved to recommend approval of the Emergency Permit to DWR. Manager Quandt seconded the motion. Upon roll call vote, the motion carried unanimously.

Mr. Lindsay indicated DWR will consider the application and the information submitted during this hearing and will issue a decision on the Emergency Permit.

Chairman Hansen concluded the hearing and the meeting adjourned.

APPROVED:

Steve Hansen, Chairman

ATTEST:

Judy Hansen. Secretary