

DIVERSION AUTHORITY
PUBLIC OUTREACH COMMITTEE
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
WEDNESDAY, JANUARY 11, 2017

The Diversion Authority Public Outreach Committee met on January 11, 2017, at 1:00 p.m. at the Cass County Highway Department, West Fargo, North Dakota.

The following Committee members were present: Rodger Olson and Jake Gust (by phone), Cass County Joint Water Resource District; Kevin Campbell, Clay County Commissioner; Mike Thorstad, West Fargo City Commissioner; Jason Benson, Cass County Engineer; and Elly Peterson, Fargo-Moorhead West Fargo Chamber of Commerce. Absent were: Brenda Elmer, Moorhead City Council; John Strand, Fargo City Commissioner; and Gerald Van Amburg, Buffalo-Red River Watershed District.

Also present were: Grant Weyland, Clay County Commissioner; Eric Dodds, Rocky Schneider and Tammy Jo Taft, Advanced Engineering and Environmental Services, Inc.; and Michelle Anderson, Cass County Joint Water Resource District staff.

Agenda

It was moved by Jason Benson and seconded by Kevin Campbell and unanimously carried to approve the order of the agenda, as amended.

Minutes

It was moved by Kevin Campbell, seconded by Mike Thorstad and unanimously carried to approve the minutes of the December 14, 2016, meeting.

Business Leaders Flood Taskforce update

Elly Peterson stated the Fargo-Moorhead West Fargo Chamber of Commerce annual State of the Cities will be held at the Holiday Inn on January 12, 2017. The Mayors of Fargo, Moorhead, West Fargo and Dilworth will be present to answer questions and discuss growth, goals and priorities. Ms. Peterson stated over 650 people are registered to attend, which is the largest State of Cities event to date. Flood protection was one of the most important issues at the 2016 State of the Cities.

Approximately 30 members will participate in Chamber Day at the Capitol on February 9, 2017, to attend committee hearings and connect with elected officials regarding the Metro Flood Diversion Project. The Fargo-Moorhead West Fargo Chamber of Commerce will host a reception on the evening of February 9, 2017.

North Dakota legislative update

Rocky Schneider presented *North Dakota Legislative Tracking* and updated the Committee on the funding and bills before the legislature that may impact the Metro Flood Diversion Project. Mr. Schneider briefly reviewed funding commitments from past legislative sessions and the intent for the remainder over the next four bienniums, including \$66.5 million this session for the Metro Flood Diversion Project.

Jason Benson will attend and answer questions at a hearing on House Bill 1111, which will give the Department of Transportation the authority to enter into an agreement for the Metro Flood Diversion Project to address the impact to the state highway system bridge design, transportation by-pass routes and responsibilities of the Department of Transportation for the I-29 and I-94 roadway crossings.

Mr. Schneider stated the Cass County Water Resource Districts' attorney, Sean Fredricks, has been testifying and tracking House Bill 1244 and Senate Bill 2047, which outline Water Resource District eminent domain procedures. Mr. Schneider stated a few legislators would like to amend the bill to require County Commission approval of Water Resource District eminent domain procedures.

Minnesota Department of Natural Resources (DNR) update

Rocky Schneider provided a brief summary of correspondence submitted by Corps of Engineers Colonel Samuel L. Calkins to Minnesota DNR Commissioner Tom Landwehr to respond to articles published in local media regarding the denial of the *Dam Safety and Work in Public Waters Permit* for the Metro Flood Diversion Project. Mr. Schneider stated the Minnesota DNR remains committed to establishing a working group to work through concerns regarding the Metro Flood Diversion Project.

Community outreach update

City of Fargo Mayor Timothy Mahoney and City Administrator Bruce Grubb presented funding support for the Metro Flood Diversion Project to the North Dakota House Appropriations Education and Environment Division on January 10, 2017.

The Moorhead City Council met on January 12, 2017, to brief three new council members on the Metro Flood Diversion Project.

Rocky Schneider summarized a list of topics, speakers and events for the Red River Basin Commission conference scheduled on January 17-19, 2017, in Fargo, North Dakota. On January 17, 2017, Randy Gjestvang, Al Grasser, Greg Gust, Morrie Lanning, Gavin Van der Linde, Hetty Walker and Pat Zavoral will present *20 Years Since the 1997 Flood: Reflections of the flood from the Basin*.

The Diversion Authority will host an informational social to present updates on the Metro Flood Diversion Project at the conference on the evening of January 17, 2017. Commissioner Tom Landwehr, Minnesota DNR, and April Walker, City of Fargo Engineer, are scheduled to speak at the conference on January 18, 2017.

Eric Dodds stated he will attend the State of the Cities at the Holiday Inn in Fargo, North Dakota on January 12, 2017.

Metro Flood Diversion Project – outreach materials and analytics update

Rocky Schneider and Tammy Jo Taft presented a draft video on the Metro Flood Diversion Project. The Committee offered comments and suggestions on details to be added to the video and the creation of additional videos.

E-Newsletter topics

The Request for Proposals (RFP) by the Diversion Authority to four short-listed proposers for the Public-Private Partnership (P3) was the most viewed article in the December 2016 E-newsletter.

FMDiversion.com

Tammy Jo Taft stated fewer visitors were on the website in December 2016 compared to November 2016, but those who visited the website in December 2016 remained on the website for a longer period of time.

YouTube and Social Media

In December 2016, the Metro Flood Diversion Flyover video had 123 views. Ms. Taft stated many people viewed the Diversion Authority meetings in December 2016.

Metro Flood Diversion Project – litigation update

Rocky Schneider presented a litigation summary timeline and brief discussion was held on the lawsuit filed by the Richland-Wilkin Joint Powers Authority against the Diversion Authority and the Corps of Engineers. All claims filed against the Corps of Engineers were dismissed. The Minnesota Department of Natural Resources (DNR) has filed documents in U.S. District Court to join the lawsuit. The U.S. District Court has asked the Corps of Engineers to respond to a request for reinstatement as a party to the lawsuit. The Corps of Engineers has until the end of January 2017 to respond. Brief discussion was held on the impact of the lawsuit on the Metro Flood Diversion Project.

Right of Entry update

Eric Dodds stated approximately 200 letters will be sent to property owners for long-term biotic and geomorphic surveys needed by the Corps of Engineers along the Red River and tributaries of the Red River for the Metro Flood Diversion Project. City and county officials will be notified to help answer property owner concerns.

Public Outreach Committee – membership, meeting date, time and location

Eric Dodds presented a wall calendar with the schedule of the 2017 Diversion Authority meetings. Discussion was held on the Public Outreach Committee meeting date and time. Rocky Schneider stated John Strand made a request to change the meeting day. Mr. Strand has publication deadlines to meet on Wednesday and it is difficult for him to attend the Public Outreach Committee meetings. Kevin Campbell and Grant Weyland stated they would prefer to keep the meeting on a Wednesday due to conflicts and other meetings they need to attend throughout the week.

It was moved by Jason Benson, seconded by Kevin Campbell and unanimously carried to approve and set the meeting date and time for the Diversion Authority Pubic Outreach Committee as the Wednesday before the second Thursday, February through December at 1:00 p.m., as its regular meeting dates and times for the year 2017, and recommend approval of the same to the Diversion Authority.

Brief discussion was held on filling the Cass County Commission seat on the Diversion Authority Public Outreach Committee.

Adjournment

There being no further business to be considered, the meeting adjourned without objection.

APPROVED:

Rodger Olson
Chairman

ATTEST:

Carol Harbeke Lewis
Cass County Joint Water Resource District
Secretary-Treasurer