

MINUTES OF MEETING
DIVERSION AUTHORITY PUBLIC OUTREACH COMMITTEE
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
NOVEMBER 10, 2015

The Diversion Authority Public Outreach Committee met on November 10, 2015, at 1:00 p.m. at the Cass County Highway Department, West Fargo, North Dakota.

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

Also present were Rocky Schneider and Daron Selvig, Advanced Engineering and Environmental Services, Inc. (AE2S); Lyndon Pease, Moore Engineering, Inc.; Jessica Lee, Senator Hoeven's Office; Allison Myhre, Representative Peterson's Office; and Michelle Anderson, Cass County Joint Water Resource District staff.

Minutes

It was moved by Kevin Campbell, seconded by Gerald Van Amburg and unanimously carried to approve the minutes of the October 7, 2015, meeting.

Right of Entry Committee report

Lyndon Pease gave an update on right of entry. Geotechnical soil borings will continue this fall and winter along the diversion channel alignment and in the staging area. Phase I cultural resource surveys will continue through the end of November along the diversion channel alignment. *Right of Entry Agreements* were sent out to approximately 90 property owners for meets and bounds surveys on the northern end of the Metro Flood Diversion Project.

Business Leaders Flood Taskforce update

Elly Peterson gave an update on the Business Leaders Flood Taskforce committee. Many business leaders attended and gave comments at the Minnesota Department of Natural Resources information presentation on the *Draft Environmental Impact Statement* (DEIS) on October 14, 2015. Written comments were also submitted from business leaders on the committee.

Kevin Campbell expressed his appreciation for the show of support at the information presentation by many of the Fargo Moorhead West Fargo Chamber of Commerce business leaders and felt the comments made were very appropriately communicated.

State Water Commission and Water Topics Overview Committee update

Rocky Schneider gave a brief update on topics reported to Governor Jack Dalrymple, the State Water Commission and the Water Topics Overview Committee on November 4, 2015. Diversion Authority Chairman, Darrell Vanyo, provided an update on recent meetings held in Washington D.C., the Minnesota Department of Natural Resources' DEIS, and the release of a North Dakota State University study on agricultural impacts.

Community outreach update

Mr. Schneider stated the Minnesota Floodplain Managers Conference will be held November 18-20, 2015, in Moorhead, Minnesota, at the Courtyard Marriott. Eric Dodds and Rocky Schneider will be giving a presentation on the difficulties of floodplain changes.

Chairman Olson and Kevin Campbell thanked Brenda Elmer for the letter to the editor submitted on behalf of the Moorhead City Council, published in *The Forum* on October 21, 2015. The letter was written to correct the misconception and clarify that Moorhead City Council members and a majority of Moorhead city leaders strongly support the Metro Flood Diversion Project. Mr. Campbell requested an article be placed on the website detailing support by the Moorhead City Council, businesses, and residents.

The North Dakota Water Convention and Irrigation Expo, which includes the N.D. Rural Water Systems Association annual meeting, will be held at the Ramkota Hotel in Bismarck, North Dakota, December 8-10, 2015.

A hearing is scheduled in U.S. District Court on November 16, 2015, in Minneapolis, Minnesota, regarding the lawsuit filed by the MnDak Upstream Coalition. Members from the Diversion Authority and the Technical Advisory Team will be attending the hearing.

Minnesota Department of Natural Resources - DEIS

Mr. Schneider gave the Committee a brief update on the information presentation given by the Minnesota Department of Natural Resources on the DEIS. The presentation confirmed that only a Metro Flood Diversion Project, with an upstream staging area, could sufficiently protect the Fargo-Moorhead area from large flood events. It is anticipated the *Environmental Impact Study* will be released in early 2016.

Oxbow-Hickson-Bakke Ring Levee Project - Amendment to Memorandum of Understanding

Mr. Schneider provided the Committee with a summary explanation of the *Amendment to Memorandum of Understanding* between the City of Oxbow and the Metro Flood Diversion Board of Authority, which was approved by the City of Oxbow on November 11, 2015. Due to delays caused by the preliminary injunction, the 40-month deadline was removed for construction of the Oxbow-Hickson-Bakke Ring Levee Project. The Diversion Authority will be reimbursed on market value of the relocated lots instead of raw land cost and will receive lot reimbursements. The Diversion Authority will also retain land outside the levee for future mitigation.

Recap of Washington D.C. meetings

Mr. Schneider gave a brief update to the Committee on meetings with the Corps of Engineers, Senator Heitcamp, and Senator Hoeven. Senator Hoeven met with the Office of Management and Budget (OMB) Director to discuss flood protection and the Public-Private Partnership (P3) project.

E-Newsletter topics

Daron Selvig reported he is working on an article for the ND Water magazine on the release of a new study by North Dakota State University’s Department of Argibusiness and Applied Economics, which will help evaluate the impacts on farming revenues due to the operation of the Metro Flood Diversion Project. The article explains the study will help to develop a policy regarding the agricultural impact mitigation and viewers can read the full report on the website.

Mr. Selvig also stated more forms have been submitted to request the Diversion Dialogue E-Newsletter, which he attributes to a more navigable website and mobile platform.

FMDiversion.com

Based on the analytics from last month, twice as many people viewed the website, with over half of the viewers using a mobile device.

Several questions were submitted through the website on the availability of a home to purchase in Oxbow, request for information on demolition contracts, and a request for information on the P3 project. Rocky Schneider stated security may need to be increased on the website due to sensitive documents submitted regarding the P3 project. He has a meeting with a security firm to discuss the matter.

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