

**DIVERSION AUTHORITY  
PUBLIC OUTREACH COMMITTEE  
RIVER ROOM, FARGO CITY HALL  
FARGO, NORTH DAKOTA  
WEDNESDAY, DECEMBER 20, 2017**

The Diversion Authority Public Outreach Committee met on December 20, 2017, at 1:30 p.m. in the River Room, Fargo City Hall, Fargo, North Dakota.

The following Committee members were present: Rodger Olson, Cass County Joint Water Resource District; Kevin Campbell, Clay County Commissioner; Brenda Elmer, Moorhead City Council; Mike Thorstad, West Fargo City Commissioner; Jason Benson, Cass County Engineer; Jacob Gust, Cass County Joint Water Resource District (Via Telecon Conference); and John Strand, Fargo City Commissioner.

The following Committee members were absent: Rick Steen, Cass County Commissioner; Elly Peterson, Fargo Moorhead Business Leaders Flood Task Force; and, Gerald Van Amburg, Buffalo-Red River Watershed District.

Others present were: Rocky Schneider and Tammy Jo Taft, Advanced Engineering and Environmental Services, Inc.; and, Lynne Spaeth, Clay County Planning & Zoning.

Rodger Olson called the meeting to order.

**MINUTES**

The minutes from the November 15, 2017 meeting were unavailable; however, they will be provided when accessible. Thereafter, said minutes will be approved along with the December 20, 2017 minutes at the January 17, 2018 meeting.

**LITIGATION UPDATE and SUMMARY OF GOVERNOR'S TASK FORCE**

Rocky Schneider reported that this Friday is the deadline to report to the Court on our update on the stay, which technically goes through January 2. An attempt will be made to have all parties agree to an extended stay of 30-60 days, which will postpone the decision. Thereafter, the 8<sup>th</sup> Circuit Court of Appeals would need to approve the appeal stay. Either the Minnesota permit is obtained or litigation resumes.

A summary of the Task Force's Potential Project Changes was distributed and discussed at length. Schneider stated there are approximately \$200-\$400 million worth of changes.

Various options were brought up and Mike Thorstad inquired on how long it will take the engineers to make the acreage changes and what options are permissible. Jason Benson added that the DNR does not say what is and is not permissible, they simply advise of what is "more" permissible. The DNR did, however, state that Option 7A is *not* permissible, and 7B and 7C brought us closer. Thorstad's opinion was that 7C was the better choice. Rocky Schneider stated there is supposed to be a report out this week

regarding the timelines. Each member of the Task Force can submit 1,000 words to be added to the report.

John Strand asked about the impact of the channel in North Dakota. Jason Benson felt it should have been weighed at a higher impact. Discussion continued about lessening costs, adding more water to the channel and the impact.

Jacob Gust asked if anyone had discussed the effects of moving the emergency spillway to the west of the Sheyenne to increase the amount storage on North Dakota side. Jason Benson stated it had been considered and that the high ground between County Road 17 and the Sheyenne River serve as the tie back and that adds more acreage. He stated they had looked at options to increase storage west of the West Fargo Diversion and south of I-94 where water is currently stored.

Rodger Olson inquired whether there is a better or cheaper way than to run 37 feet through town and end up with the same result. He also suggested emphasizing the 8,000-acre impact on the ND side.

The Committee briefly discussed how the task force outcomes may affect the assessment district. Rocky Schneider deduces it will not have an impact because of the way the official project description was written.

Kevin Campbell suggested forming a new committee that deals with operations, which is part of the permit issuance. He also suggested asking the Governor to appoint someone from the ND Water Commission and the DNR to serve on the operations committee.

### **ND WATER CONFERENCE RECAP**

Rocky Schneider updated the Committee on the positive outcome of the ND Water Convention and Irrigation Expo held in Bismarck on December 7, 2017. Jason Benson spoke for the Red River Board, and Commissioner Grindberg addressed the entire conference. The message conveyed the need the \$66.5 million but the State Water Commission is waiting until February to ask for the money. Governor Burgum's involvement with the Task Force should help.

### **2018 OUTREACH PLANNING**

Rocky Schneider reported that in 2018, there will be many outreach efforts necessary including working with landowners, outreach about the supplemental Environmental Assessment with the Corp of Engineers and the CLOMR process.

The increase in cost was discussed. Schneider suggested a meeting be set up the end of January to discuss the project. A February 1 meeting was scheduled.

### **FMDiversion.com UPDATE AND ANALYTICS**

Tammy Jo Taft provided handouts of the November E-Newsletter, Website and Public Comments report, as well as the 2017 Year in Review analytics.

Compared to 2016, watch time and views on the YouTube channel have doubled. The analytics for 2017 indicate views increased significantly during construction

**SOCIAL MEDIA CAMPAIGN**

Rocky Schneider social media posting will begin again as there will be less sensitivity on what is posted now that the Task Force is done. The Task Force provides a lot of material.

**OTHER BUSINESS**

Rocky Schneider provided a 2018 Committee meeting calendar for review and discussion.

Schneider informed the Committee that the Red River Basin Commission Conference will be held mid-January in Winnipeg, Manitoba. A tour of the control structure will be arranged.

Jacob Gust suggested upstream storage may help keep more impact on the North Dakota side.

**ADJOURNMENT**

There being no further business to be considered, the meeting was adjourned at 2:34 p.m., without objection.

APPROVED:

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Rodger Olson  
Chairman

ATTEST:

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