Lands Agenda

METRO FLOOD DIVERSION AUTHORITY

Diversion Authority Land Management Committee

3:00 P.M. – Wednesday, October 27, 2021

This meeting will be help in-person at the Fargo City Hall Commission Chambers (225 4th St N., Fargo, ND 58102)

1. Introduction
2. Agenda Review
3. Meeting Minutes A (3-5)
4. Property Acquisition Status Report B (6-15)
5. Updates
    a. PRAM (Property Rights Acquisition and Mitigation Plan)
    b. Flowage Easement Valuation
    c. Cemetery Mitigation
    d. 2022 Farmland Management
    e. Lands Director
6. Crop Insurance Focus Group
7. Relocation Benefits Informational Meetings
8. CCJWRD Update
9. MCCJPA Update
10. MetroCOG Update
11. Committee Update for DA Board C (16-17)
12. Other Business
13. Adjournment – Next Meeting November 17, 2021

Media and Public Participation Information

There are multiple ways to attend or watch this public meeting.

- View the Meeting on Fargo TV or at www.TVFargo.com
- View the Meeting on the City of Fargo's Facebook or Twitter feed.
- View the Meeting at FMDiversion.com/Meeting
- View the Meeting at Twitter.com/FMDiversion

Metro Flood Diversion Authority
Land Management Committee
Meeting Minutes
3 PM – July 21, 2021

A virtual meeting of the Metro Flood Diversion Authority Land Management Committee was held on July 21, 2021. The following members were present: Mary Scherling, Cass County Commissioner; Kory Peterson, Mayor, City of Horace; Kevin Campbell, Clay County Commissioner; Nathan Boerboom, Fargo Division Engineer; Jenny Mongeau, Clay County Commissioner; Bob Zimmerman, Moorhead City Engineer; Chuck Hendrickson, Moorhead City Council; Duane Breitling, Cass County Commissioner and Arlette Preston, Fargo City Commissioner.

Members absent: Bruce Grubb, Fargo City Administrator and Rodger Olson, Cass County Joint Water Resource District.

1. INTRODUCTION

Mrs. Scherling called the meeting to order at 3:00 PM. Roll call was taken, and a quorum was present.

2. AGENDA REVIEW

MOTION PASSED

Mr. Breitling moved to approve the agenda as presented and Mr. Boerboom seconded the motion. Motion carried.

3. PROPERTY ACQUITISITION STATUS REPORT

Mr. Dodds reported that the current focus is on the Red River Control Structure, Drain 27 and SE2-A. There are several flowage easement appraisals currently underway, 581 parcels have been acquired to date and 90 remain in LRED status.

4. PROPERTY EXCHANGE REQUEST

The Cass County Joint Water Resource District (CCJWRD) is requesting that the Diversion Authority approve the exchange of OIN 1121 to Mr. Eric Score to serve as a replacement building site for his home and business. Mr. Score is the current owner of OIN 8385, where he operates Score Brothers Construction and Siding Inc. This parcel is impacted by both the Drain 27 Wetland Restoration Project and the Upstream Mitigation Area, Zone 1. These impacts require the acquisition and displacement of Mr. Score and his property. The requested land exchange will help CCJWRD and the displaced property owner overcome the challenge of finding suitable replacement building sites.

MOTION PASSED

Mr. Breitling moved to approve the property exchange request and Mr. Hendrickson seconded the motion. On a roll call vote, the motion carried.

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5. RESOLUTION ESTABLISHING THE ALTERNATIVE DISPUTE RESOLUTION BOARD

Mr. Shockley introduced and explained the dispute resolution board and its purpose. There was lengthy discussion around the reason for the resolution and how the appointment of officers was determined.

MOTION PASSED

Ms. Mongeau moved to approve the resolution as presented and summarized by Mr. Shockley and Mayor Peterson seconded the motion. On a roll call vote, the motion carried with Mrs. Scherling voting nay.

6. UPSTREAM LANDOWNER INFORMATIONAL MEETINGS

Two informational landowner meetings will be held at the Hickson Community Center on July 21 & July 22, 2021. It is an opportunity for affected landowners to express any concerns and have their questions addressed. There will also be a formal presentation demonstrating how the project will operate during a flood. Approximately 320 landowners have been invited.

7. COMMITTEE UPDATE FOR DA BOARD

- Acquisitions
  - Continue working on acquiring property for:
    - Drain 27 Wetland Restoration Project
    - Red River Control Structure
    - Environmental Monitoring Easements
    - Southern Embankment Reach 2A (SE-2A)
    - Drayton Dam Replacement Project
    - Upstream Structures
- Acquired property interests on over 650 parcels (including those acquired via last resort eminent domain, and including split parcels)
  - Completed acquisitions for: Diversion Channel, Southern Embankment Reach 1, I-29 Road Raise, Wild Rice River Control Structure, and Diversion Inlet Structure
- Appraisal Work
  - Appraisals being completed for Upstream Structures (farmsteads, rural residential, etc.)
  - The Phase 2 Flowage Easement Valuation Study is on-going
- Landowner Informational Meetings – scheduled for July 21 & 22 to inform upstream property owners about the flowage easement study, property mitigation programs, and project operating plan

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8. CCJWRD UPDATE

Mr. Dodds reported that the board continues to contemplate offers and counteroffers. Work is starting on the farmland management program with the P3 selector and will soon be handed off to the proposer to manage.

9. MCCJPA UPDATE

Mr. Campbell indicated that they will be meeting tomorrow. There are a couple of appraisals that will be discussed as well as the housing differential payments and the pest control issue with the cabin that is being relocated to Rollag.

10. MetroCOG UPDATE

There was no update.

11. OTHER BUSINESS

There was no other business.

12. NEXT MEETING-ADJOURNMENT

The next meeting will be August 25, 2021.

Mr. Breitling moved, and Mr. Campbell seconded to adjourn.
The meeting adjourned at 3:48 PM.

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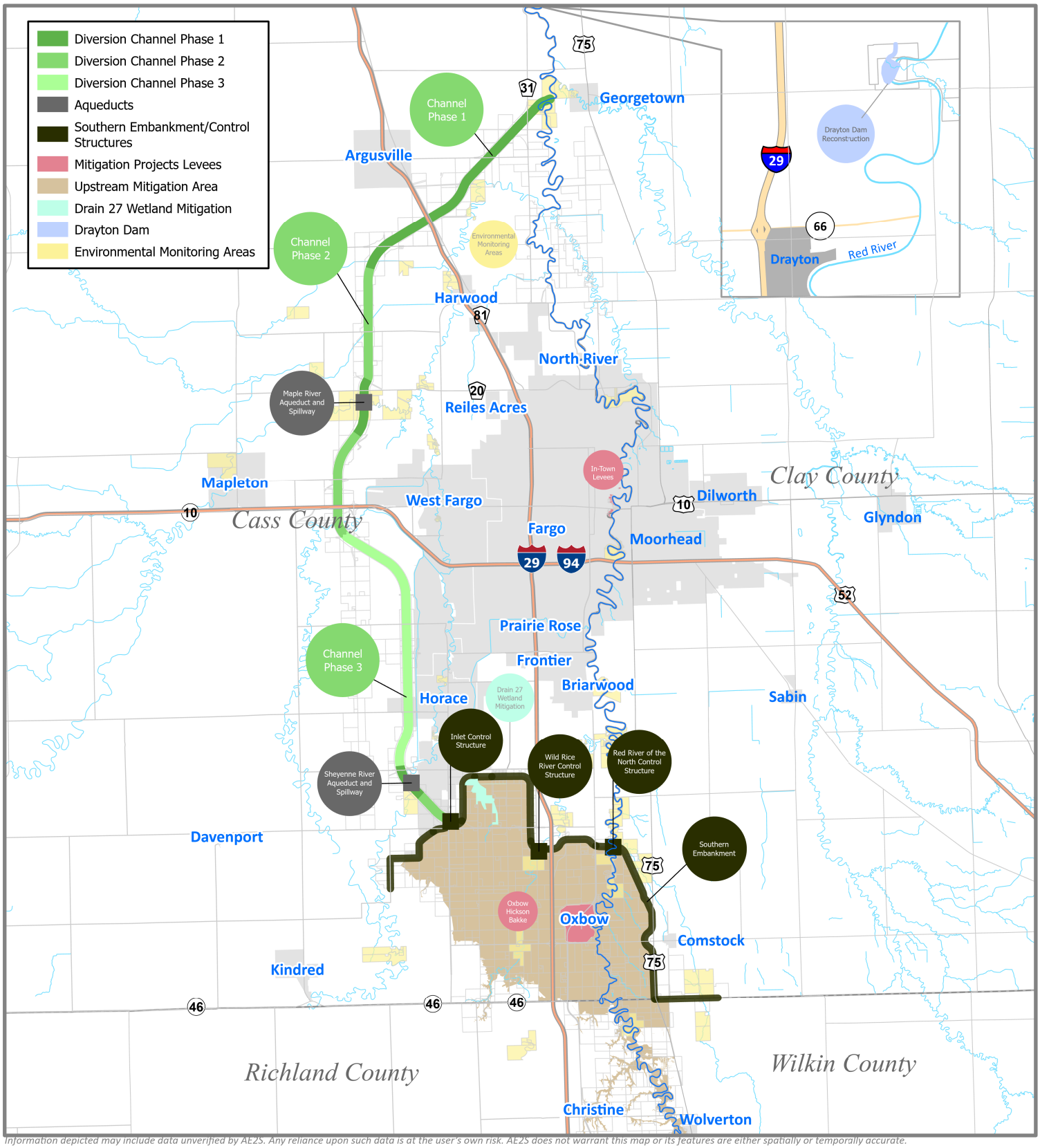

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N

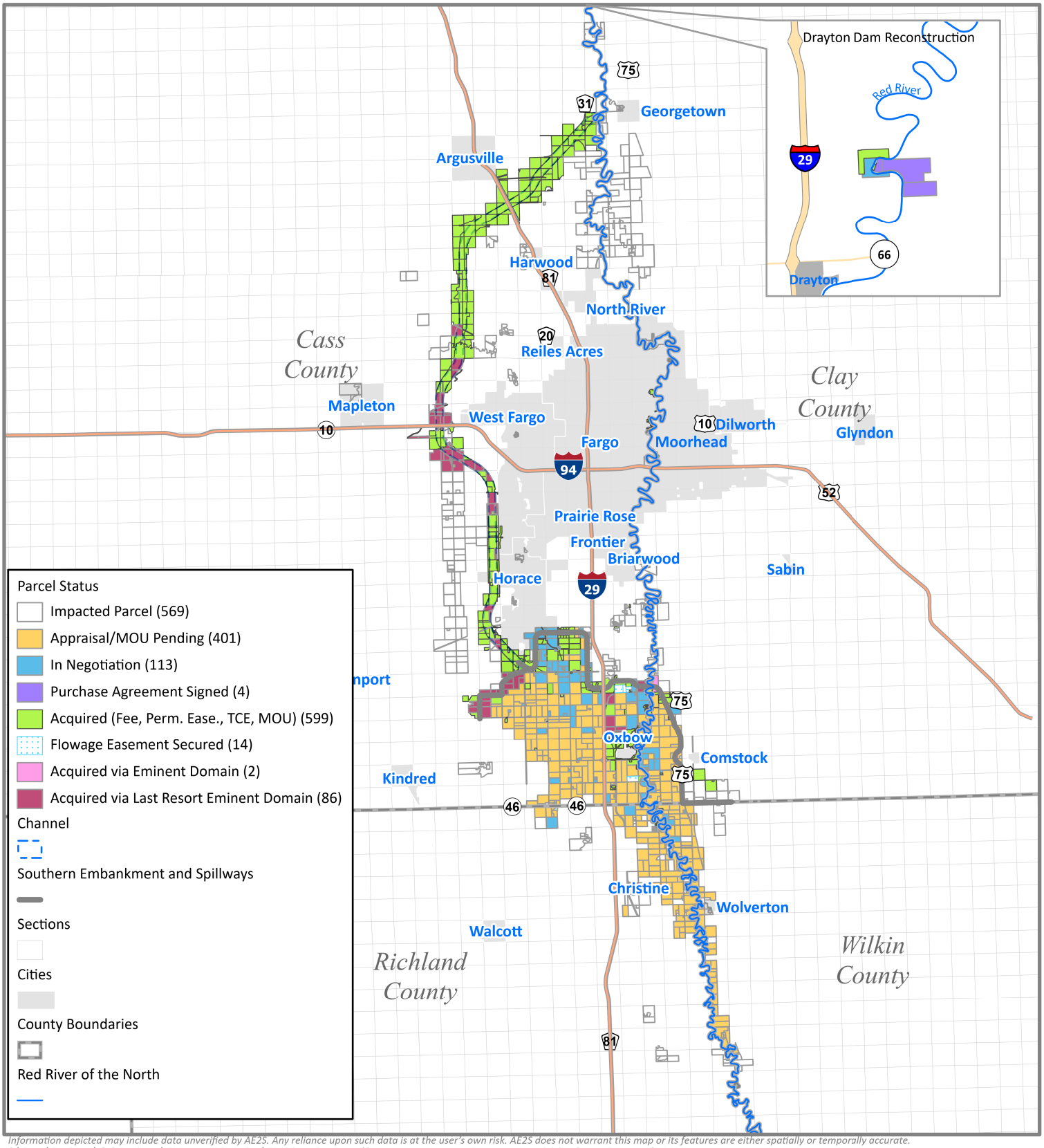
0 2.75 5.5
Miles

FM AREA DIVERSION

KEY ACQUISITION AREAS

Date: 10/18/2021

METRO FLOOD DIVERSION AUTHORITY



Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.
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N

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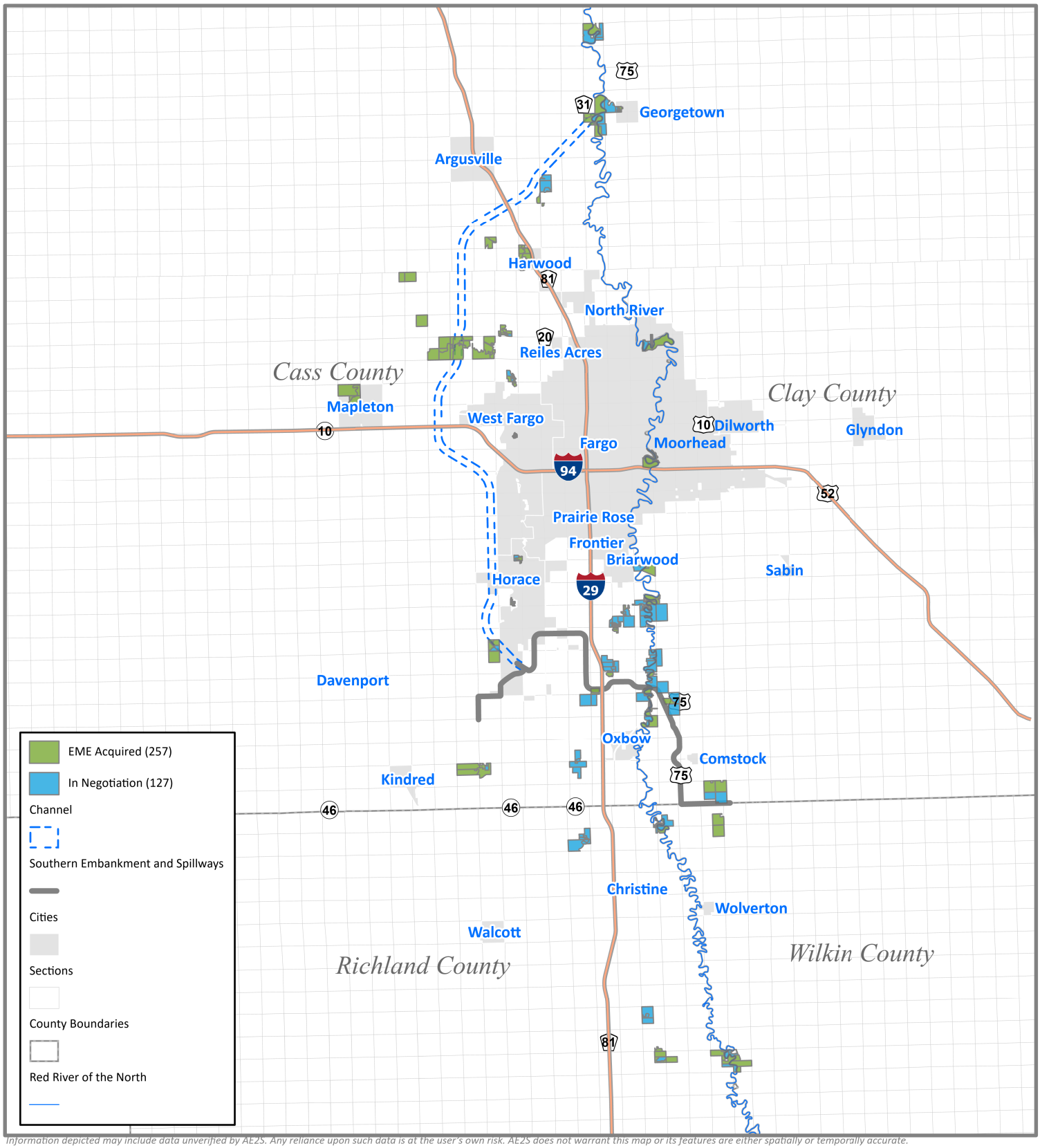
PROPERTY ACQUISITION STATUS REPORT

Date: 10/18/2021

METRO FLOOD DIVERSION AUTHORITY



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0 3.25 6.5

Miles

ENVIRONMENTAL MONITORING EASEMENT

ACQUISITION STATUS REPORT

Date: 10/18/2021

METRO FLOOD DIVERSION AUTHORITY

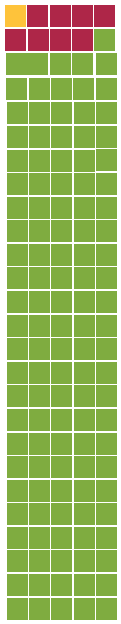
Diversion Channel

METRO FLOOD DIVERSION AUTHORITY

As of October 18, 2021

Phase 1

(WP LAP01)

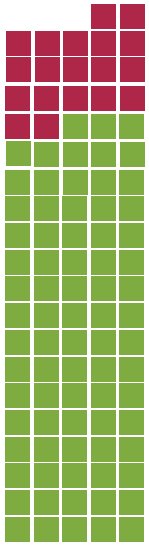


130 parcels total

- *1 MOU Pending*
- *0 In Negotiation*
- *0 Agreement Signed*
- *121 Acquired MOU/TCE/FEE*
- *8 Condemnation*
- *Change from last report*

Phase 2

(WP LAP02)

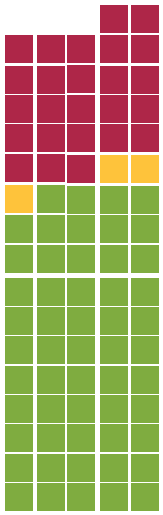


97 parcels total

- *0 MOU Pending*
- *0 In Negotiation*
- *0 Agreement Signed*
- *78 Acquired MOU/TCE/FEE*
- *19 Condemnation*
- *Change from last report*

Phase 3

(WP LAP03)



82 parcels total

- 3 MOU Pending
- 0 In Negotiation
- 0 Agreement Signed
- 54 Acquired MOU/TCE/FEE
- 25 Condemnation
- Change from last report

Hard Costs paid to Property Owners

NOTE: Based on Financial data through September

$84.3M budgeted

$87.7M spent

$18.7M asset property

$0M purchase agreement

- *Budgeted*
- *Purchase Agreement*
- *Spent*
- *Asset Property*

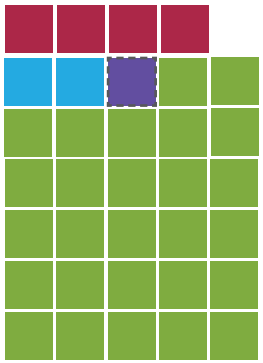
METRO FLOOD DIVERSION AUTHORITY

Southern Embankment Control Structures

As of October 18, 2021

Red River Control Structure

(WP 35)
Target Completion:
August 2021

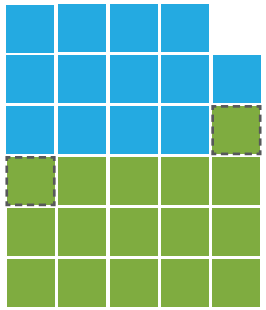


34 parcels total

- 0 Appraisal Pending
- 2 In Negotiation
- 1 Agreement Signed
- 27 Acquired/ TCE Secured
- 4 Condemnation
- Changed from last report

Drain 27 Wetland Project

Targeted Completion:
October 2021



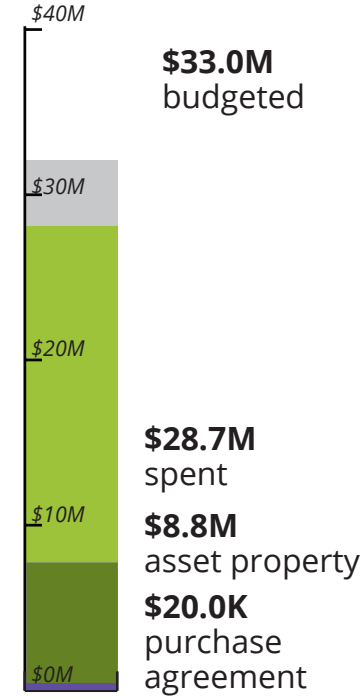
29 parcels total

- 0 Appraisal Pending/ MOU
- 13 In Negotiation
- 0 Agreement Signed
- 16 Acquired/ TCE Secured
- Condemnation
- Changed from last report

Southern Embankment & Control Structures

Hard Costs paid to Property Owners

Note: Based on financial data through September



- Budgeted
- Purchase Agreement
- Spent
- Asset Property

Southern Embankment

METRO FLOOD DIVERSION AUTHORITY

As of October 18, 2021

Southern Embankment

(WP Reach SE-1 to SE-5 and I29)
Targeted Completion: September 2025

130 parcels total

SE-1 Complete
Total Parcels: 37

SE-2A Target Completion: April 2022
Total Parcels: 8

SE-2B Target Completion: December 2022
Total Parcels: 33

SE-3 Target Completion: July 2024
Total Parcels: 5

I29 Completed
Total Parcels: 12

ND

MN

SE-4 Target Completion: July 2023
Total Parcels: 26

SE-5 Target Completion: July 2024
Total Parcels: 9

- 0 Appraisal/ MOU Pending
- 12 In Negotiation
- 0 Agreement Signed
- 53 Acquired/ TCE Secured
- 29 Condemnation
- Change from last report

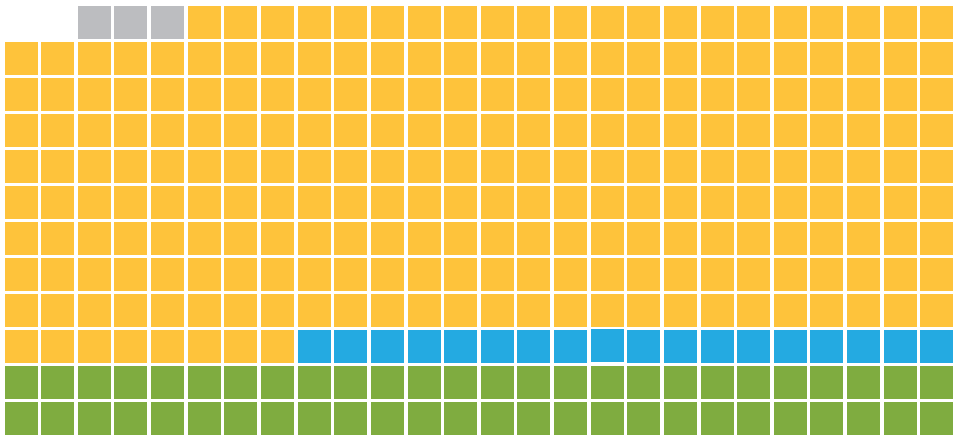
Upstream Mitigation Area-ND (UMA)

METRO FLOOD DIVERSION AUTHORITY

As of October 18, 2021

Flowage Easements without structures (ND)

Approximately 310 parcels in ND



- 237 Appraisal/MOU Pending
- 18 In Negotiation
- 0 Agreement Signed
- 10 Flowage Easement Secured
- 42 Acquired
- 0 Condemnation
- Changed

Note: Excludes parcels in City of Christine

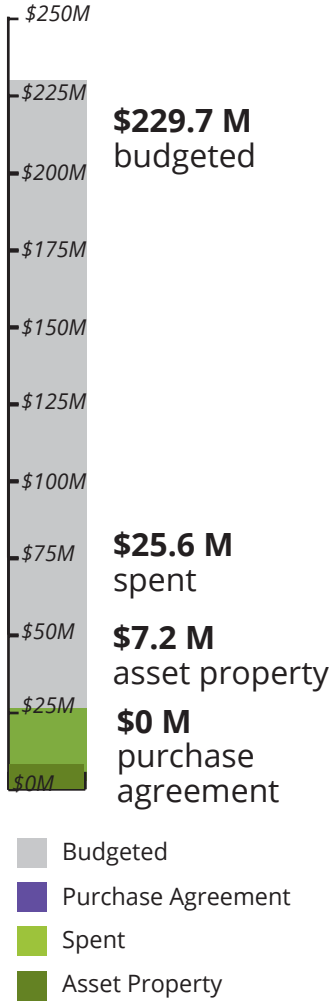
Parcels with Structures (ND)

Approximately 128 parcels in ND

- 23 Appraisal/MOU Pending
- 46 In Negotiation
- 0 Agreement Signed
- 27 Acquired
- 0 Flowage Easement Secured
- Condemnation
- Changed

ND + MN UMA Hard Costs paid to Property Owners

Note: Based on financial data through September



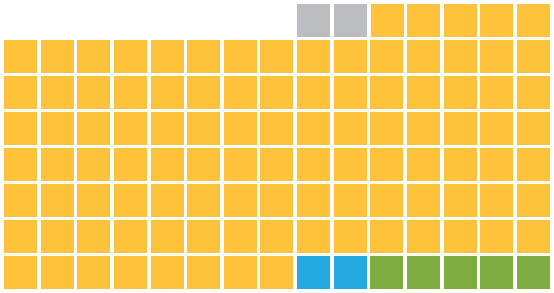
Upstream Mitigation Area-MN (UMA)

METRO FLOOD DIVERSION AUTHORITY

As of October 18, 2021

Flowage Easements without structures (MN)

Approximately 112 parcels in MN



- 103 Appraisal/MOU Pending
- 2 In Negotiation
- 0 Agreement Signed
- 4 Flowage Easement Secured
- 1 Acquired
- 0 Condemnation
- Changed

Note: Excludes parcels in the City of Wolverton

Parcels with Structures (MN)

Approximately 33 parcels in MN

- 10 Appraisal/MOU Pending
- 15 In Negotiation
- 0 Agreement Signed
- 0 Flowage Easement Secured
- 4 Acquired
- Condemnation
- Changed

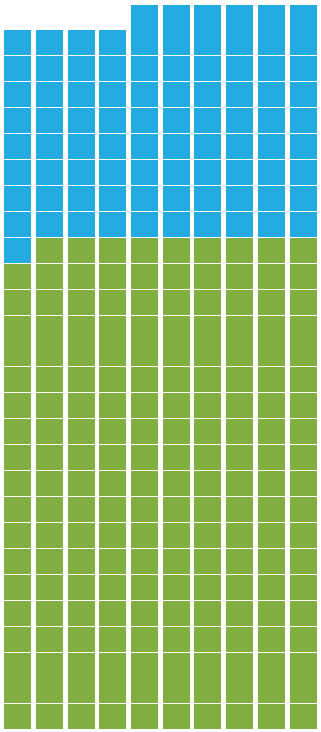
METRO FLOOD DIVERSION AUTHORITY

Environmental Monitoring Areas (BIOGEO)

As of October 18, 2021

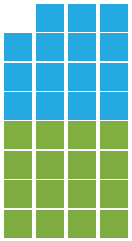
North Dakota | Minnesota

Cass County



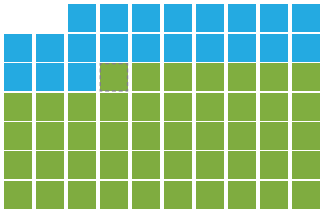
276 parcels total

Richland County



31 parcels total

Clay County



68 parcels total

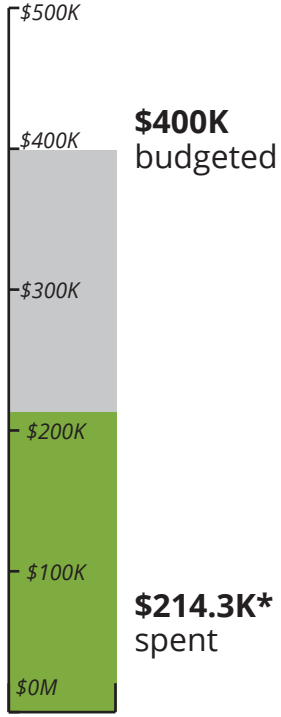
Wilkin County

9 parcels total

127 In Negotiations
257 Environmental Monitoring
Change from last report

Hard Costs paid to Property Owners

Note: Based on financial data through September



*includes payments for monuments and easements.

Budgeted
Purchase Agreement
Spent

OHB Projects

METRO FLOOD DIVERSION AUTHORITY

As of October 18, 2021

OHB Ring Levee

WP 43

Parcels needed for remaining portion of OHB Project.

7 parcels remaining

- 0 Appraisal Pending
- 4 In Negotiation
- 0 Agreement Signed
- 0 Acquired Parcel
- 0 Condemnation
- 3 Condemnation
- Changed from last report

Hard Costs paid to Property Owners

NOTE: Based on Financial data through September

$80.2M budgeted

$78.5M spent*

$0.1M purchase agreement

* Includes parcels purchased outside the OHB Ring Levee

- Budgeted
- Purchase Agreement
- Spent
- Asset Property

METRO FLOOD DIVERSION AUTHORITY

Diversion Authority Board Meeting

Land Management Committee Update
September 27, 2021

Activities and Achievements

Land Acquisition and Property Mitigation Status

METRO FLOOD DIVERSION AUTHORITY

- **Acquisitions**
  - Continue working on acquiring property for: Drain 27 Wetland Restoration Project, Red River Control Structure, Southern Embankment Reach 2A (SE-2A), Upstream Structures and Structure Sites, the Drayton Dam Replacement Project, and Environmental Monitoring Easements
  - Acquired property interests on nearly 700 parcels
    (including those acquired via last resort eminent domain, and including split parcels)
    - Completed acquisitions for: Diversion Channel, SE-1, I-29 Road Raise, Wild Rice River Control Structure, and Diversion Inlet Structure
- **Appraisal Work**
  - Appraisals being completed for Upstream Structures (farmsteads, rural residential, etc.)
  - The Phase 2 Flowage Easement Valuation Study is scheduled to be complete late 2021
- **Farmland Management** – Leases being prepared for 2022, transition channel lands to RRVA
- **Relocation Benefits** – Informational Meeting for Displaced Property Owners being planned for late November
- **Crop Insurance** – Focus Group meeting being planned for late November
- **Cemetery Mitigation** – Plans being developed with cemetery boards, per settlement agreement