

DIVERSION AUTHORITY  
PUBLIC OUTREACH COMMITTEE  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
WEDNESDAY, MAY 11, 2016  
1:00 P.M.

The Diversion Authority Public Outreach Committee met on May 11, 2016, at 1:00 p.m. at the Cass County Highway Department, West Fargo, North Dakota.

The following Committee members were present: Kevin Campbell, Clay County Commissioner; Ken Pawluk, Cass County Commissioner; Mike Thorstad, West Fargo City Commissioner; Chuck Hendrickson, Moorhead City Council; Gerald Van Amburg, Buffalo-Red River Water Resource District; Elly Peterson; Fargo-Moorhead West Fargo Chamber of Commerce; and Jacob Gust, ad hoc Committee Member; and those whose names appear on the attached roster.

Absent were Rodger Olson, Cass County Joint Water Resource District; and Melissa Sobolik, Fargo City Commissioner.

Kevin Campbell conducted the meeting.

**Minutes**

It was moved by Mike Thorstad, seconded by Gerald Van Amburg and unanimously carried to approve the minutes of the February 10, March 9 and April 13, 2016, meetings.

**Right of Entry Committee report**

Lyndon Pease gave an update on Rights of Entry. Mr. Pease stated meets and bounds surveys will be done on the north end of the diversion channel later this year. Mr. Pease stated survey crews have begun placing boundary markers to obtain legal descriptions for pre-acquisition activities. Access is still needed on several parcels. Surveys will be complete on the north end of the diversion channel by fall and winter. Additional parcels are needed for surveys along the western alignment and along the embankments in the staging area for late 2016 and 2017.

Discussion was held on adding land acquisition updates to the agenda for the Public Outreach Committee meetings. Several property owners contacted Kevin Campbell to visit about land acquisition. Eric Dodds stated a land acquisition update could focus on outreach to educate property owners, clear up misconceptions and answer concerns regarding the land acquisition process.

**Diversion Authority Public Outreach Committee – committee members**

Kevin Campbell stated he made the request to the Diversion Authority to add members to the Public Outreach Committee. The Diversion Authority requested the Public

Outreach Committee submit a list of names for consideration. The Committee agreed to recommend the Diversion Authority add Jason Benson, Jacob Gust and Elly Peterson as committee members to the Public Outreach Committee. Kevin Campbell stated he would also like to see a representative of the City of Fargo be added to the Committee.

### **Minnesota Department of Natural Resources Environmental Impact Statement (EIS)**

Rocky Schneider stated the final EIS will be released by the Minnesota Department of Natural Resources on May 16, 2016. A press release will notify the public. The Determination of Adequacy is scheduled for July 2016.

### **Minnesota legislative update**

Mr. Schneider stated Fredrickson & Byron, P.A. are coordinating with the City of Moorhead and Clay County to present a development plan to request funding to the Minnesota legislature for the Metro Flood Diversion Project.

### **Business Leaders Flood Taskforce**

Elly Peterson updated the Committee on a recent Business Leaders Flood Task Force meeting held on April 19, 2016. Many business leaders attended the meeting. City of Fargo Mayor Tim Mahoney and Diversion Authority Chairman Vanyo presented recent information regarding the Metro Flood Diversion Project. Ms. Peterson stated the Fargo-Moorhead West Fargo Chamber of Commerce will continue to educate on the need for permanent flood protection.

Mr. Schneider stated he put together a *Critical Path of Diversion Project Approvals* to keep business leaders updated on major approval events regarding the Metro Flood Diversion Project.

### **Local Cemetery Mitigation update**

Mr. Schneider gave an update on the informational meeting held with the Corps of Engineers on April 21, 2016, to initiate planning for local cemetery mitigation. The first meeting of the Local Cemetery Mitigation Team is planned for May 12, 2016. Mr. Campbell requested continued updates.

### **Metro Flood Diversion Project – update**

Kevin Campbell attended the 6-Entity Diversion Authority informational meeting on May 10, 2016. He stated information was presented on the *Joint Powers Agreement* and the *Project Partnership Agreement (PPA)*. Mr. Campbell complimented John Shockley for his hard work putting the JPA together by coordinating with all 6-Entities on their concerns and the well explained presentations. The informational meetings are rebroadcast on the public access channel. Mr. Campbell provided a review of the meeting and suggested support at each of the 6-Entity meetings approving the JPA. John Shockley will be presenting and providing a review of the JPA to the Clay County Commission on May 24, 2016.

Gerald Van Amburg stated he does not believe the JPA will be approved by the Buffalo-Red River Watershed District. He does not agree with the decision by the other members and felt it is a dereliction of duty to refuse involvement in the Metro Flood

Diversion Project. He stated this project will be on the landscape for hundreds of years and the Buffalo-Red Watershed District should be involved.

Terry Williams stated plans and specifications will be finalized in the next week for the diversion inlet structure and advertisements for bids will go out in July. She expects The Corps of Engineers to begin construction in late 2016. A press release will be issued in the near future.

Discussion was held on the financial impact on the cost of flood insurance for the 19,400 homes in Fargo and 800 homes in Moorhead that will enter into the floodplain within the next five years and the on-going financial impact of flood insurance if the Metro Flood Diversion Project is not built.

### **Community Outreach update**

Mr. Schneider stated 6-Entity Diversion Authority informational meetings are planned on May 25 and May 26, 2016, to review the Financial Plan for the Metro Flood Diversion Project.

Mr. Schneider updated the Committee on the meeting held with Fargo Commission candidates. The candidates were very appreciative of the information and felt they were better informed on the Metro Flood Diversion Project.

Discussion was held flood insurance, impacts of the project on West Fargo and Horace development, and extension of the flood sales tax as a way to fund the Metro Flood Diversion Project. It was recommended Mr. Schneider hold an informational meeting with City of Horace candidates to provide an update on the Metro Flood Diversion Project. Mr. Campbell recommended engineers be present to give technical expertise.

Mr. Schneider stated Industry Day will be held on June 7, 2016, at the Hilton Garden Inn, in Fargo, North Dakota, from 8:00 a.m. to 12:30 p.m. for interested parties, contractors and developers. Information will be given on the Metro Flood Diversion Project, Public-Private Partnership Opportunities and the Corps of Engineers construction components. Ms. Williams stated the Corps of Engineers will present information on the diversion inlet structure and small business opportunities for construction companies. Mr. Campbell stated he is hopeful the project will give work to local contractors and be an economic boost to the community. Mr. Schneider discussed advertising for Industry Day.

Eric Dodds stated Colonel Daniel Koprowski will be leaving the St. Paul District at the end of June. Colonel Koprowski and his replacement, Colonel Samuel L. Calkins, plan to attend the Diversion Authority meeting on June 9, 2016.

The Diversion Authority is planning a trip to Washington DC the week of July 15, 2016.

Mr. Schneider presented and reviewed the *Flood Diversion Authority Project Progression* and *FM Area Diversion Environmental Impact Study* map detailing the considered, screened out, and in feasible alternative diversion alignments. Discussion was held on the handouts and the Committee offered suggestions to the map.

**E-Newsletter topics**

The most popular article viewed in April provided information on the dismissal of all remaining federal claims against the Corps of Engineers and the Diversion Authority by John R. Tunheim, Chief Judge of the District of Minnesota.

**FMDiversion.com**

Mr. Schneider stated the website has been updated and more people are viewing news from their mobile devices.

**Metro Flood Diversion Project – staging area update**

Discussion was held on the impact of obtaining flowage easements in the staging area for the Metro Flood Diversion Project. Kevin Campbell stated the Geographic Information System (GIS) flood depth software based on the elevation of the river and current flood events would be beneficial for property owners to help determine their potential risk. Terry Williams stated the Corps of Engineers is working on flowage easement language. Mr. Campbell is hopeful the Agricultural Policy Subcommittee will conduct research to answer flowage easement questions. Ms. Williams suggested a flowage easement farmstead relocation situation should be demonstrated.

**Adjournment**

There being no further business to be considered, the meeting adjourned 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