

DIVERSION AUTHORITY
PUBLIC OUTREACH COMMITTEE
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
WEDNESDAY, APRIL 13, 2016
1:00 P.M.

The Diversion Authority Public Outreach Committee met on April 13, 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; Mike Thorstad, West Fargo City Commissioner; Brenda Elmer, Moorhead City Council; 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; Ken Pawluk, Cass County Commissioner; Melissa Sobolik, Fargo City Commissioner; Elly Peterson, Fargo-Moorhead West Fargo Chamber of Commerce and Gerald Van Amburg, Buffalo-Red River Watershed District.

Kevin Campbell conducted the meeting.

Right of Entry Committee report

Lyndon Pease gave an update on Right of Entry. Mr. Pease stated meets and bounds surveys will be done on the north end of the diversion channel later this year. Surveys are needed on 87 properties, and access has been granted on approximately 60 properties. Consultants have begun pre-acquisition activities. Additional parcels are needed for surveys along the western alignment and along the embankments in the staging area for late 2016 and 2017.

Litigation ruling update

Rocky Schneider presented and reviewed a *Status and Summary of Litigation* explaining all the federal claims against the Corps of Engineers were dismissed on March 31, 2016. The remaining claims are expected to be determined by mid-2016.

Minnesota Department of Natural Resources Environmental Impact Statement (EIS)

The release of the final EIS by the Minnesota Department of Natural Resources is scheduled for the middle of May 2016, and the Determination of Adequacy is scheduled for July 2016.

North Dakota Water Topics Overview Committee update

Keith Berndt gave an update on the response drafted by the legal team to the State Water Commission regarding land acquisition, flowage easements and permitting in the staging area for the Metro Flood Diversion Project. Discussion was held on the language used

by the Corps of Engineers to obtain a permit. Ms. Williams explained the permit is not necessary for Corps of Engineers to complete the diversion inlet structure, but the Corps of Engineers intends to respect the state process and will continue to work with the North Dakota State Water Commission to meet the requirements to obtain the permit for the project. Ms. Williams stated the same information is shared with the State of Minnesota. Brief discussion was held on the design and funding process for projects done by the Corps of Engineers.

Metro Flood Diversion Project - update

Updated project cost estimate information was presented at several 6-Entity Diversion Authority informational meetings. Mr. Schneider stated the Diversion Authority is putting together an updated financial plan and considering alternative funding for the project. Discussion was held on potential funding from an extension of the sales tax measures currently in place, the need to provide information to elected officials on the Metro Flood Diversion Project and the need for a solid financial plan for potential Public-Private Partnership developers.

The Diversion Authority hopes to sign the *Project Partnership Agreement (PPA)* with the Corps of Engineers in July 2016.

Business Leaders Flood Taskforce

Rocky Schneider stated the Business Leaders Flood Taskforce will meet on April 19, 2016. Mr. Schneider intends to discuss the updated project cost estimate and the recent news in the media about the Metro Flood Diversion Project.

Jake Gust asked if numbers have been put together 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.

Local Cemetery Mitigation update

Rocky Schneider said the first meeting of the Local Cemetery Mitigation Team (Team) is planned for May 12, 2016, at 10:00 a.m. An informational meeting will be held on April 21, 2016, for the 6-Entity Member appointees to the Team.

Community outreach update

Rocky Schneider met with Fargo Commission candidates to present information on the Metro Flood Diversion Project. He stated the most effective way to get information out to the public about the project is to share and present information to established organizations. Jason Benson has been a spokesperson and met with rural townships to give them updates on the project. Kevin Campbell stated he gave updates to some of the townships in Clay County.

Mr. Schneider distributed a handout put together to answer common questions on the Metro Flood Diversion Project. An electronic form will be available as soon as comments and suggestions are incorporated.

Minnesota legislative update

Rocky Schneider stated he is working with Kevin Goodno of Fredrikson & Byron, P.A. to put together an updated scope of services and a development plan to request funding for the Metro Flood Diversion Project from the Minnesota legislature.

Kevin Campbell stated he spoke with Bob Zimmerman, Moorhead City Engineer, regarding flood projects done within the City of Moorhead that may qualify for state funding through the Metro Flood Diversion Project, such as construction of in-town levees. Mr. Campbell stated Mayor Williams and the City of Moorhead are considering a benefit percentage of 2% on Minnesota’s commitment to the Metro Flood Diversion Project.

E-Newsletter topics

Rocky Schneider stated social media and the website were used to provide construction updates. He is working on a communication plan as the project gains momentum.

FMDiversion.com

The articles viewed in March provided information on the updated cost estimate for the Metro Flood Diversion Project and the dismissal of all federal claims against the Corps of Engineers.

Diversion Authority Public Outreach Committee – committee members

Discussion was held on adding committee members to the Public Outreach Committee due to the difficulty of obtaining a quorum for meetings. The Committee agreed Mr. Campbell would submit the request to the Diversion Authority on April 14, 2016. Keith Berndt suggested adding a member from the Fargo City Commission.

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