

DIVERSION AUTHORITY  
PUBLIC OUTREACH COMMITTEE  
FARGO CITY COMMISSION ROOM, FARGO CITY HALL  
FARGO, NORTH DAKOTA  
WEDNESDAY, AUGUST 23, 2017

The Diversion Authority Public Outreach Committee met on August 23, 2017, at 1:30 p.m. at the Fargo City Commission Room, Fargo City Hall, Fargo, North Dakota.

The following Committee members were present: Rodger Olson and Jacob Gust, Cass County Joint Water Resource District; Kevin Campbell, Clay County Commissioner; Brenda Elmer, Moorhead City Council; Mike Thorstad, West Fargo City Commissioner; John Strand, Fargo City Commissioner; and Elly Peterson, Fargo Moorhead Business Leaders Flood Task Force. Absent were: Mary Scherling, Cass County Commissioner; Jason Benson, Cass County Engineer; and Gerald Van Amburg, Buffalo-Red River Watershed District.

Also present were: Robert Wilson, Cass County Administrator; Rocky Schneider and Tammy Jo Taft, Advanced Engineering and Environmental Services, Inc.; and Michelle Anderson, Cass County Joint Water Resource District staff.

**Minutes**

It was moved by Kevin Campbell, seconded by Brenda Elmer and unanimously carried to approve the minutes of the July 26, 2017, meeting.

**Metro Flood Diversion Project – litigation update**

Rocky Schneider updated the Committee on the federal court hearing held in St. Paul, Minnesota, on July 18, 2017. U.S. District Court Judge John Tunheim has not issued a ruling due to additional documents filed by the Minnesota Department of Natural Resources (DNR) and the Wilkin / Richland Joint Powers Authority.

**Strategic response to correct misinformation**

The Committee discussed options for responding to incorrect and misleading information reported by local media regarding the Metro Flood Diversion Project. The Diversion Authority Executive Director or a subcommittee of the Business Leaders Flood Task Force may respond to clarify information regarding the Metro Flood Diversion Project. Brenda Elmer and Jake Gust stated it is important for the public to understand the Diversion Authority has a responsibility to help make property owners and communities whole and to extend the benefits to all property owners, even though each situation is unique. Mr. Schneider will meet with *The Forum* and the *Wahpeton Daily News* to investigate the editorial policy and coordinate with the Business Leaders Flood Task Force to initiate a planned response.

### **Minnesota Legislative Bonding Tour**

Members of the House Capital Investment Committee toured Central and Northwest Minnesota to see potential bonding (capital improvement) projects. The committee toured 18 potential projects and the Metro Flood Diversion Project to learn more about the details and assess local impact. Clay County Commissioner Grant Weyland and Corps of Engineers Project Manager Terry Williams spoke to committee members regarding the Metro Flood Diversion Project.

### **FEMA Conditional Letter of Map Revision (CLOMR) and plan for outreach to impacted properties**

The State of Minnesota submitted comments on the FEMA Conditional Letter of Map Revision (CLOMR) and FEMA is responding. As soon as the CLOMR is issued, correspondence will be sent and one-on-one meetings will be held with property owners.

Discussion was held on the impact the CLOMR will have for property owners paying flood insurance. The CLOMR is confirmation from FEMA, if built as proposed, the Metro Flood Diversion will meet the minimum National Flood Insurance Program (NFIP) requirements to warrant a future Flood Insurance Rate Map (FIRM) revision. The CLOMR was requested by the Corps of Engineers and the Diversion Authority in October 2016. The CLOMR is a first step to certify that property will be protected from a 100-year flood event. Brief discussion was held on the impact the Metro Flood Diversion will have on subsidizing the NFIP. Kevin Campbell stated Fargo Director of Engineering Mark Bittner is a great resource of information on the FEMA process due to his experience and knowledge of fighting previous flood events.

Mr. Campbell stated in September 2017 the Oakport Township levee along the Red River in Minnesota will no longer be a certified flood control levee, and the only way it will remain certified is with the Metro Flood Diversion Project. Once FEMA raises the floodplain, all areas certified in 1997 are no longer certified and will be required to pay for flood insurance.

### **Assessment District**

Rocky Schneider updated the Committee on FM Flood Risk Management District No 1. Consultants have reviewed property owner comments / objections, benefit region boundaries, benefit levels and methodology utilized to calculate the assessments on agricultural property. Discussions were held with the Metro Flood Diversion Project modeling team to obtain a better understanding of the flood risks and benefits with and without the project. Discussions were held with Mike Thorstad and West Fargo City Administrator Tina Fisk. Mr. Schneider stated the assessment district is an important component of the financial plan for the Metro Flood Diversion Project and to maintain the project schedule, the CCJWRD board will need to finalize the assessment list on September 14, 2017. Rodger Olson stated the potential changes reflect the Diversion Authority's policy to remain fair, friendly and flexible.

### **FMDiversion website and social media analytics**

Rocky Schneider gave the Committee a brief update on the E-Newsletter, FMDiversion.com website and social media analytics. The videos are a popular feature on the website.

### **Video Series - “Three Questions”**

Tammy Jo Taft presented a video demonstrating biological surveys and monitoring by the Corps of Engineers to characterize the general ecological conditions of rivers and streams regarding the Metro Flood Diversion Project.

Mr. Schneider and Ms. Taft presented “3 Questions,” a video featuring Fargo City Commissioner Tony Grindberg regarding the Metro Flood Diversion Project. The video can be viewed on the FMDiversion.com website. Kevin Campbell complimented consultants on the quality and work in putting the videos together.

### **Crisis Communications Planning**

Rocky Schneider and Cass County Administrator Robert Wilson will continue to review the draft *Crisis Communication Plan Addendum* with the Public Outreach Committee advisory group.

### **Construction outreach update**

Rocky Schneider briefly updated the Committee on the Cass County Highway 16 and 17 realignment project. Discussion was held on putting construction updates on the FMDiversion.com website. Mr. Schneider stated quotes were received on the proposed sign to inform the public of the Wild Rice control structure, which the Corps of Engineers will start next year, dependent upon the federal budget.

### **Business Leaders Flood Taskforce update**

Elly Peterson updated the Committee on the economic development impact study regarding the Metro Flood Diversion Project. Ms. Peterson stated the Business Leaders Flood Taskforce will coordinate with Mr. Schneider to respond and clarify project information released to the public.

### **North Dakota and Minnesota legislative update**

Kevin Campbell stated unions in Minnesota have requested contractors working on the Metro Flood Diversion Project are paid according to the Davis-Bacon Act or the prevailing wage for the State of Minnesota to remain on equal footing with non-union companies.

Mr. Schneider presented an informational sheet on the current State Water Commissioners. Diversion Authority Co-chair and Fargo City Mayor Tim Mahoney and Cass County Commissioner Chad Peterson presented updated information on the Metro Flood Diversion Project to the State Water Commission on August 23, 2017.

Mike Thorstad stated the City of West Fargo is planning to tie into the City of Fargo’s sewer system and will be using spoil from the Metro Flood Diversion Project, a savings of approximately \$8 million to the City of West Fargo.

**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