

DIVERSION AUTHORITY MEETING
Thursday, August 11, 2011
3:30 P.M.
City Commission Room
Fargo City Hall
200 Third Street North

1. Introductions.
2. Elect Chair and Vice Chair.
3. Charge of the Authority:
 - a. Development of by-laws.
 - b. Project Manager job description.
4. Corps of Engineers project status update.
5. Public outreach - Pat Zavoral.
6. Lobbying effort – Podesta Group.
7. Other items of discussion.
8. Set time and date for future meetings

Diversion Authority—Project Manager

Salary Range: \$100,000 to \$115,000 per year
Health and 401k retirement package

Educational Requirements

BA/BS – Minimum requirement. Degree focus is flexible (Engineering, Management, Social Sciences).

Experience: Management of a project involving multiple sources of revenue; public funding and management experience preferred; Ability to write and present orally in a professional manner; Manage a staff of professionals or outsourced activities to private sector.

Job Summary

Responsible for project management of the Diversion Authority including managing daily operations during all phases of a large scale flood protection project. Manages communication among all members of the Diversion Authority as well as with contractors. Responsible for fiscal management including working with the Authority on developing funding sources, maintaining financial records and fiscal reporting to the Authority.

Essential Duties and Responsibilities

- Management:
 - Manage the day to day operations during planning, design and construction of a large scale flood protection project to include:
 - Coordination of design disciplines associated with a large diversion project.
 - Coordinate the acquisition of rights-of-way for public use as a diversion.
 - Develop relationships with landowners in and outside of the diversion.

- Political:
 - Answer to and provide information and recommendations to the appointed Authority on the planning, design and construction of the diversion.
 - Assist the Chair of the Authority to create meeting agendas.
 - Prepare official minutes of Authority meetings and subcommittee meetings.
 - Present timely fiscal reports to the Authority and local, state, and federal governmental entities involved in the diversion project.
 - Represent the Authority in meetings involving interested participants or citizens involved with diversion information.
- Technical:
 - Assist the Authority in identifying work tasks related to the diversion that would involve outsourcing planning, design and/or construction activities that require consultants or private contractors.
 - Request for Proposals/Qualifications for professional design services.
 - Request for Proposals for appraisal/relocation services.
 - Prepare notices for solicitation of bids for construction contracts.
 - Seek annual funding for project from local, state and federal sources.
- Fiscal Management:
 - Work with local entities (Fargo/Moorhead, Cass/Clay counties, and local water districts) in establishing funding alternatives (special assessments) for matching state and federal funds, and for the management and maintenance of the diversion once it is constructed.
 - Assist in the coordination of local, state and federal funding and the accounting for the dispersal of these funds.
 - Prepare and present regular reports on the status of the project and expenditure of funds.

RED RIVER DIVERSION CHANNEL
U.S. Army Corps of Engineers
(Fargo-Moorhead Metropolitan Area)

Request for President Obama's FY13 budget:

- \$30 million in engineering/design funding.
- Propose authorization of construction.

Justification for including \$30 million in engineering/design funding

- Where the Red River Diversion Channel stands in the process for U.S. Army Corps of Engineers water resource projects
 - Nearing the end of the "Feasibility Phase"
 - Feasibility Phase ends when the Chief of Engineers signs a final recommendation on the project – known as the "Chief's Report."
 - According to the local project manager for the Corps, the final Chief's Report will be signed in December 2011.
 - Once the Feasibility Phase ends, the project will enter the "Preconstruction Engineering and Design Phase" – or "Design Phase" for short
 - Corps can perform preconstruction engineering/design while construction authorization is pursued.
 - Design phase ends when Congress (1) authorizes construction, and (2) funds construction via appropriations.
 - WRDA is the traditional vehicle for authorizing Corps water resource projects – but such authorization can be included in other bills.
- Design Phase activities
 - There are a total of 190 engineering/design features on the Red River Diversion Channel project.
 - If construction is not authorized prior to FY13, **the local Corps project manager estimates the Corps will have capacity to spend \$60 million on engineering/design activities in FY13.**
 - **Engineering/design costs are split 50-50 between the federal government and the non-federal project sponsor.**
 - **Thus the federal share would be \$30 million in FY13.**

Justification for including proposal for authorization of construction

- The President's budget can only propose authorization of construction of the Red River Diversion Channel – further action by Congress is required.
- Including a proposal for authorization of construction of this project would encourage Congress to include such authorization in the next WRDA bill, or to include it in other legislation if the WRDA bill remains stalled.
 - WRDA hasn't been reauthorized since 2007, and it remains unclear if Congress will be able to enact a WRDA bill in 2012.
- Why this project should be a priority for the Corps:

- The Fargo-Moorhead metropolitan area is a major health, educational, cultural, and commercial center serving southeastern North Dakota and west-central Minnesota.
- The Red River has exceeded the National Weather Service flood stage of 18 feet in 48 of the past 109 year – including every year from 1993 through 2011.
- Average annual flood damages in the Fargo-Moorhead area total more than \$194.8 million.
 - Source: U.S. Army Corps of Engineers, Supplemental Draft Feasibility Report and EIS, April 2011.
- Consequences of a 500-year flood under existing flood mitigation measures:
 - Would flood nearly the entire City of Fargo and a large portion of the City of Moorhead, as well as several smaller communities in the area.
 - Could kill up to 600 people, according to the loss of life analysis.
 - Source: U.S. Army Corps of Engineers.
- Impact of building the Red River Diversion Channel:
 - Would reduce the flood stages for a 100-year event by nearly 12 feet.
 - Would significantly reduce flood risk for nearly 200,000 people and nearly 80 square miles of infrastructure that would be at risk without a project.
 - Would remove much of the Fargo-Moorhead area from the regulatory floodplain.

Strategic Communications Plan

Schedule of Services: To Be Determined

This plan for Public Outreach Services will provide the Diversion Authority with an official channel to distribute its messages, and receive input from the public, as a Red River diversion is designed and constructed.

Goals for Communications

External Audiences and Stakeholders:

1. Provide a sufficient and accurate flow of information to the public, in support of the Diversion Authority, by:
 - a. Distributing clear, accessible and timely information required to understand the project's goals and current status.
 - b. Responding to the needs and questions posed by the public.
2. Develop and maintain support, trust, and credibility for the Diversion Authority and the Fargo-Moorhead Flood Diversion project, by:
 - a. Demonstrating Diversion Authority competence and understanding of the issues.
 - b. Infusing both realistic expectations and objectivity into the conversation.
3. Outline the long-term benefits of the Flood Diversion project.
4. Celebrate and highlight project milestones and successes.

Internal Communication (Diversion Authority and consultants):

1. Understand key issues, concerns and values of stakeholders and the public.
2. Communicate early and openly about public outreach items by holding regular board meetings.
3. Identify appropriate outreach opportunities and plan strategic content.
4. Outline a crisis outreach plan, in the event of an emergency.

Key Messages

1. The Diversion Authority and the U.S. Army Corps of Engineers are working on a flood diversion plan which will protect the F.M. Metro area from catastrophic flooding, and minimize downstream impacts to Minnesota.
2. A 500-year event would flood nearly the entire city of Fargo and a large portion of the city of Moorhead, as well as a major portion of West Fargo and several surrounding communities in the area.
3. The current Locally Preferred Plan protects more properties and a larger area than the previous plan.
4. While the total cost of the diversion is approximately \$2 billion, the structure and content value within the project boundary (as defined by the Corps of Engineers) in Cass and Clay counties that will be protected by, or benefit from, the diversion, exceeds \$23 billion.

- a. 95% of Fargo's total structure and content value would be compromised by a 500-year flood.
 - b. 82% of Moorhead's total structure and content value would be compromised by a 500-year flood.
 - c. 83% of the structure and content value in Clay County will be protected by the project.
5. The residents of Fargo-Moorhead have been successful at preventing significant damages during past flood events by constructing emergency levees along large portions of the Red River. However, constructing the emergency levees takes significant financial and human resources, causes business and traffic disruptions, and is taxing to the social fabric of the communities.
6. Although the emergency levees have been successful in the past, there is a high risk of a catastrophic failure which would result in significant damages and loss of life to the area. In addition, the past success of emergency levees has created a false sense of security in some who may not appreciate the risks of flooding.
7. The Cities of Fargo and Moorhead, and the Corps of Engineers, joined together to study possible solutions to reduce flood risk in the entire metropolitan and surrounding area. The study found that a diversion was the only concept that could significantly reduce flood risk in the Fargo-Moorhead area from flood events larger than the flood of 2009.
8. A diversion channel is the safest and most robust flood risk reduction option available because no matter the size of the flood, a diversion channel will provide some benefits. When floods exceed the capacity of levees, flood walls, and dams, the results can be catastrophic.
9. The 45-day public review period set by the Corps of Engineers for the project ended on June 20, 2011. The Fargo-Moorhead Metro area has suffered from extensive flooding nearly every year as of late, and it is critical that this project be considered by Congress as soon as possible so a project can be implemented.

Timeline/Schedule

Prepare a timeline/schedule for the next six months to show key project milestones and associated strategic outreach efforts. (To be determined by Diversion Authority and consultant)

Outreach Tools

Work with the Diversion Authority to develop, refine, manage and distribute information to the public, by:

1. Providing regularly updated, attractive, easy-to-read, easy-to-understand printed and electronic materials on the FMDiversion.com website.
2. Engaging and updating the public through social media sites like Facebook and Twitter.
3. Working with local print and electronic media to promote the messages of the Diversion Authority by sending news releases, holding news conferences and offering interviews with key project developers as needed.
4. Engaging and supporting civic support organizations.

Targeted Audience Analysis

Audience	What Diversion Authority needs from them	What matters to them	Key messages	Best ways to deliver messages
FM Metro area residents/taxpayers	Clear understanding of issues. Support. Approval.	Keeping homes and properties. Livelihood. Flood protection. Safety. Financial security. Relief from stress of flood fighting.	Diversion is most effective: Corps study found that diversion is only concept that can significantly reduce flood risk in FM area from flood events larger than flood of 2009. Diversion will relieve stress of flood fighting: History of building emergency levees has taken significant human resources, and has taxed social fabric of communities. Diversion will protect property: Structure and content value within project boundary to be protected exceeds \$23B.	Fact sheet and supporting materials. Website. FAQs. Facebook. Twitter. Press releases and articles. Media interviews.
Property owners in impacted areas of water retention	Clear understanding of issues. Willingness to sacrifice. Acceptance of results. Support. Approval.	Keeping homes and properties. Livelihood. Flood protection. Safety. Financial Security.	Diversion is crucial to protecting region's economy: The FM Metro area generates 103,658 total regional jobs, which generate over \$4.35B in annual non-farming wages. Diversion is crucial to saving lives: Although emergency levees have been successful in the past, a high risk of a catastrophic failure which would result in loss of life.	Fact sheet and supporting materials. Website. FAQs. Responding to newspaper editorials. Press releases and articles. Facebook. Twitter. Media interviews.

Audience	What Diversion Authority needs from them	What matters to them	Key messages	Best ways to deliver messages
			<p>Diversion is crucial to protecting sales: The FM Metro area services and generates over \$2.77B in annual taxable sales.</p> <p>Diversion is crucial to protecting region's economy: The FM Metro area generates 103,658 total regional jobs, which generate over \$4.35B in annual non-farming wages.</p> <p>Diversion will protect property: Structure and content value within project boundary to be protected exceeds \$23B.</p>	<p>Participate in "Business After Hours"-type events.</p> <p>Engage civic support organizations.</p> <p>Fact sheet and supporting materials.</p> <p>Website.</p> <p>FAQs.</p> <p>Facebook.</p> <p>Twitter.</p> <p>Press releases and articles.</p>

Channels

Choose the right channel for the audience and the message.

Channel	Best for
Fact sheet and supporting materials	Distributing key messages and appropriate content in printed form.
Website	Distributing key messages and appropriate content in dynamic, electronic form.
FAQs	<p>Answering frequently asked questions.</p> <p>Posting on website.</p> <p>Inclusion on fact sheet and supporting materials.</p>
Facebook	<p>Community engagement.</p> <p>Offering project updates and links.</p> <p>Monitoring, and participating in, conversations about project.</p>

Channel	Best for
Twitter	Offering “breaking news feed”, project updates, and links to new information/articles. Succinct, pointed communication. Highlighting key milestones.
Press releases and articles	Maintaining consistent updates and messages with members of news media. Highlighting key milestones.
Print and electronic media interviews or news conferences	Answering specific questions/comments posed by the public, in a personable fashion, on widely consumed print and/or electronic media platforms. Highlighting key milestones.
Responding to newspaper editorials	Answering specific questions/comments posed by individuals, in a widely-read, printed medium.
Participate in “Business After Hours”-type events	Engaging business community and civic support organizations, to garner support.

Accountability

Identify roles and responsibilities for consultant and stakeholders for carrying out identified strategies. (To be determined by Diversion Authority and consultant)

Scope

Define the scope and shared approach for specific communication issues. (To be determined by Diversion Authority and consultant)

Task	Action
Create and maintain Communications Preparedness Repository via Intranet/Internet	Consultant will create, access, maintain and share. Diversion Authority members will access and share files, as needed.
Create Fact Sheet and Supporting Materials	Consultant will create and distribute through appropriate channels, as directed by Diversion Authority.
Write “Frequently Asked Questions” document, and answers	Consultant will write and distribute through appropriate channels, as directed by Diversion Authority.
Create and maintain website	Consultant will create and maintain website, as directed by Diversion Authority.

Task	Action
Monitor and participate in Facebook site	Consultant will create Facebook site, maintain and participate, as directed by Diversion Authority.
Issue news items, project updates and links on Twitter	Consultant will create Twitter site, maintain and participate, as directed by Diversion Authority.
Answer specific questions/comments posed by public	Consultant will offer interviews to print and/or electronic media on behalf, and at the direction of, the Diversion Authority.
Offer project updates	Consultant will write and distribute project updates through press releases, Twitter and Facebook, as directed by Diversion Authority.
Respond to general criticism/questions	Consultant will monitor public opinion and, if deemed necessary, respond through appropriate channels, as directed by Diversion Authority.
Respond to newspaper editorials	Consultant will gather input from Diversion Authority and, if deemed necessary by said Authority, write a response and submit to originating newspaper.
Respond to crisis	See crisis plan below.

Crisis Plan

Use these guidelines to determine how to proceed in the case of an unfortunate event.

1. Assessment

- What is known for a certainty about the crisis situation?
- What is possibly true but cannot be verified yet?
- What is the worst possible outcome of this crisis?
- Who will be hurt by this crisis?
- Who might be blamed for this crisis?
- What could be misunderstood?
- How can we help?
- What cannot be said because of confidentiality, privacy, or other reasons?

2. Preparation

- Act quickly.
- Inform Diversion Authority members.
- Determine who will be the spokesperson.
- Prepare a statement that may include one or more of the following points:
 - Sympathy for the victims
 - How help will be given
 - Where we stand

- e. Determine best way to distribute statement (e-mail, news conference, individual interviews, social media).
- f. Prepare for interviews.
- g. Set up channels of communication so that any change or new information about the crisis is conveyed to the spokesperson.
- h. Arrange for media to have 24-hour access to a spokesperson.
- i. Keep all on the team up-to-date.

3. Action

- a. Be open and responsive to requests from the news media.
- b. Keep answers brief, factual, and to the point.
- c. Show your concern for others affected by the crisis.
- d. Tell your own bad news first.
- e. Let other organizations speak for themselves.
- f. Avoid speculation. Don't assume anything. Politely decline to respond to hypothetical questions.
- g. Don't place blame.
- h. If you don't know the answer or are unsure about what to say, it is better not to say anything. Offer to get back to the reporter with accurate information. Be sure to follow up with the reporter as soon as you have the facts.
- i. Do not reveal confidential information.
- j. Don't say, "No comment." Instead, explain why the information is not available.
- k. Don't be evasive or misleading.
- l. Respect reporters' deadlines.

4. Follow-up

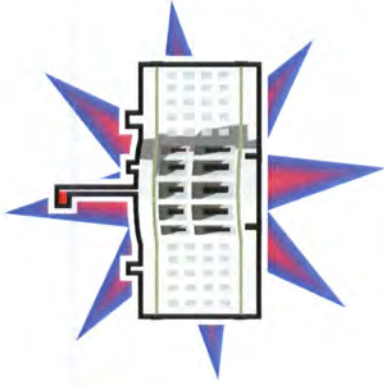
- a. Promptly correct erroneous statements made by others.
- b. Think of possible outcomes and prepare tentative responses.
- c. Be willing to adapt responses as circumstances change.
- d. Keep reporters up-to-date.
- e. Evaluate what worked well and what could have been done better.

5. Checklist

- a. Prepare a checklist of suggested crisis management steps.

Red River Diversion Channel

Federal Strategy – Update and Next Steps
August 10-11, 2011



Key Goals



1. Energy and Water Appropriations bill for FY12

- \$12 million for engineering/design

2. President's proposed budget for FY13

- \$30 million for engineering/design

3. Authorization for construction

- Water Resources Development Act (WRDA); or
- Alternative legislative vehicle

U.S. Army Corps of Engineers water resource projects:
Where things stand in the process...



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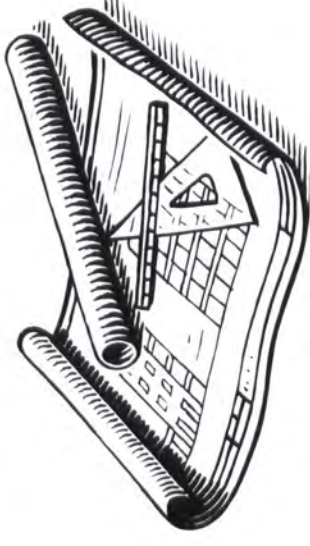
Nearing the end of the Feasibility Phase...

- Feasibility Phase ends when the Chief of Engineers signs final recommendation on the project
 - Known as the “Chief’s Report”
 - Document that construction authorization from Congress is typically based upon.
- Expected to be signed in December 2011



Will move into Design Phase...

- Once the Feasibility Phase ends, project will move into Preconstruction Engineering and Design Phase (a/k/a “Design Phase”)
- Takes two years on average
- Army Corps can perform preconstruction engineering/design while authorization for construction is pursued
 - This project has a total of 190 engineering/design features



Getting to the Construction Phase...

- Project won't move into Construction Phase until Congress enacts legislation:
 - Authorizing construction; and
 - Funding construction via appropriations
- Water Resources Development Act (WRDA) is the traditional legislative vehicle for authorizing Army Corps projects
 - But authorization can be included in other bills



Accomplishing our key goals...



Energy and Water Appropriations bill for FY12

- \$12 million for engineering/design
- House of Representatives
 - Included in House version of the bill
 - Passed the House of Representatives on 7/15/11
- Senate
 - Appropriations process behind schedule
 - Outreach to Senate staff – committee and ND/MN delegations
- Omnibus Appropriations bill for FY12?



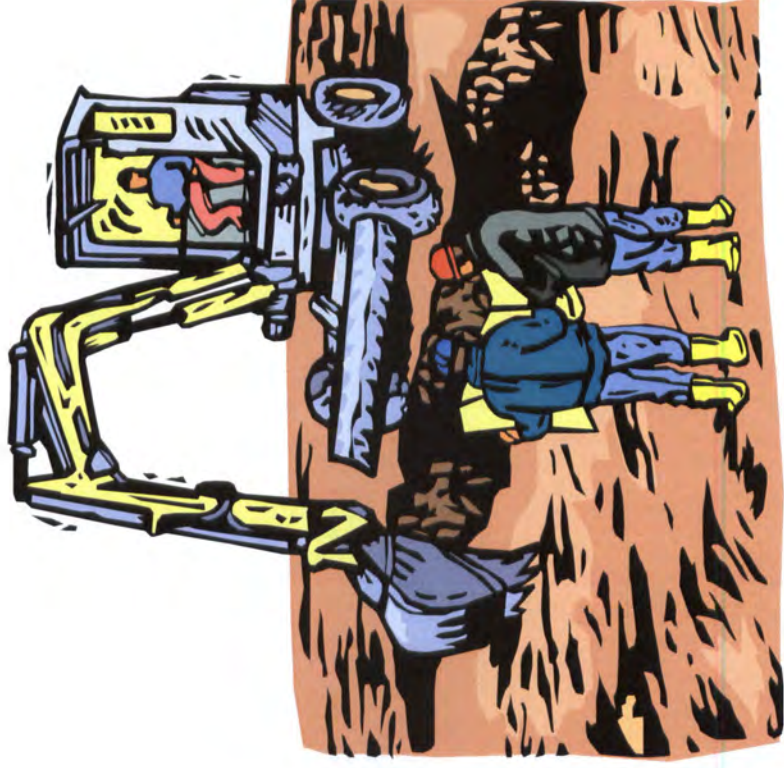
President's Budget for FY13:

how much to request...

- Army Corps has capacity to undertake \$60 million in engineering/design activities in FY13
 - Would maximize the amount of work the Corps could do in the Design Phase, pending authorizing of construction
- Those costs are split 50-50 between federal government and non-federal project sponsors
- Federal share = \$30 million in FY13



Authorization of construction: potential legislative vehicles



Water Resources Development Act (WRDA)

- If Congress reauthorizes WRDA in 2012, could lay groundwork for construction to commence in FY14.
- But WRDA hasn't been reauthorized since 2007.
 - Relevant committees focused on highway bill first.
 - Both committees are wrestling with how to proceed without earmarks.
 - WRDA won't get done before President releases his FY13 budget in February 2012.
- Deadlines for submitting priorities
 - Senate EPW Committee has extended deadline to 9/20/11
 - House T&I Committee hasn't requested priorities yet.



Alternatives to WRDA



- Keep working WRDA...
- ...but also look for opportunities to insert authorization language into other legislative vehicles that are moving forward.
- Uphill climb, but options could include:
 - Emergency Supplemental Appropriations bill for FY11
 - Energy and Water Appropriations bill for FY12
 - President's Proposed Budget for FY13



President's Budget for FY13: Combined Request

1. \$30 million for engineering/design
2. Propose authorization of construction
 - Budget doesn't have force of law
 - Recommendation that Congress enact legislation



Coordinated effort to build support for including project in President's Budget

- Administration officials
- ND/MN congressional delegations
- ND/MN governors
- Other state/local officials
- “Grasstops” – community leaders
 - Chamber and other business leaders
 - First responders – Police Chief, Fire Chief, etc.



Podesta Group: Team Members



David Morgenstern



Jessica Lawrence



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Elizabeth Morra



Paul Brathwaite



Nicole Bradstreet

...and others at the firm as needed.



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