

November 4, 2011

U.S. Army Corps of Engineers
7701 Telegraph Road
Alexandria, VA 22315-3860

To Whom It May Concern:

We would like to express our concern and opposition to the Red River Diversion Project as proposed by the U.S. Army Corps of Engineers of St. Paul and local Fargo City Commissions.

As a local landowner and farmer, this project will have a very negative effect on me and fellow farmers and rural residents. When local city and state officials went to Washington to present their case for this diversion, were there any negative impacts mentioned? The impact of this project to the rural area has not been entirely considered.

Certainly, from the beginning the commission's attitude has been to take land without questioning the effects because "there is nothing out there anyway," as one city commissioner stated. Farmers are an integral part of this community and the world but we are constantly being taken for granted and disregarded. The land taken for this project is not just land that we own; it is much more than that. It is our livelihood. The land that we farm is, one could say, our job. When this land is taken away, a piece of our life is taken away as well and it is that that cannot be replaced with money.

I have personally experienced the effects of living outside a diversion project since the 1990s. Ever since the West Fargo Sheyenne Diversion was built, my crops and those of my neighbors have been destroyed and decimated year after year. My farmstead has also flooded twice since the installation of the diversion. A diversion acts as a dam, forcing water to flood areas that would otherwise drain properly. Yet West Fargo City Commission has not voiced any concern or even acknowledged that this is happening.

This Red River Diversion will permanently remove from production thousands of acres of our farmland producing corn, wheat, soybeans, and sugar beets. The local economy will lose the inputs farmers purchase to produce those crops. The local grain elevators will lose the grain sales. Has there been any mention of these negative economic impacts?

Fargo is currently building levies and flood walls for much less money than this diversion project will cost. This diversion does not solve the problem of flooding in the Red River Valley, but merely shifts the problem around Fargo. This plan negatively affects residents both upstream and downstream as well as those living outside it that are miles away from the Red River. If

flood protection should be employed, it should be a permanent fix to Fargo's flooding problem that considers these residents as well.

In the words of the U.S. Secretary of Agriculture, Tom Vilsack:

"We need to speak with a single common voice to the entire country so that they understand and appreciate that it's more than cities. It is rural America that makes this country so special and we need to preserve it and defend it and fight for it and invest in it and make it grow for the next generation."

Fargo needs flood protection as we all do but taking thousands of acres of valuable Red River Valley farmland out of production forever and flooding many additional acres cannot help the situation. This does not solve the problem but only shifts the burden from Fargo to the surrounding communities. Please consider the residents in these communities.

Sincerely,

Allen Libbrecht

Marilyn Libbrecht

Rural Residents and Landowners

11/3/11

US Army Corp of Engineers Headquarters
Attn CECW-P(IP)
7701 Telegraph Rd
Alexandria, Va 22315-3860

I am writing to you about my opinion on the big FARGO diversion project. The corps of engineers and the local sponsors say there is no alternative but they the local sponsors meaning Fargo have chosen a level of flood protection far beyond that of any city in Minnesota and North Dakota and so they end up supporting a very expensive project that is unrealistic and serves only to support development of land in North Dakota that never should be built on. It's not about protecting the current residents of Fargo Moorhead it's about protecting low lying land for future development in Fargo. And why should Minnesota and North Dakota pay for Fargo to continue to build of flood prone land? Moorhead is on the road to taking care of their entire flooding problem with a diversion.

Good farmland and farms will be destroyed including century old farmsteads. These farmsteads have been and will be peoples live hood. These families have put lots of work into keeping these farms going. It's now like just relocating a house. Cemetery's will be under water and need to be moved. This diversion would be against Federal laws. It would be cheaper to move it closer to Fargo. Fargo does not have the money in place to pay for this project---how much will everyone inside the diversion be taxed or have special assessments put on their property? They have not even started to estimate the cost of relocating all the farms much less paying for the cropland that will be destroyed. What will happen to flooding from the Sheyenne river when they build up the Horace road? Then what happens in Clay county when flooding occurs there- the water is not just going to stop along highway 46. Many farms in Clay county will also be destroyed along with the community of Comstock.

I am a North Dakota born and proud to be raised and educated in KINDRED, ND AND COLLEGE IN FARGO, ND. THIS DIVERSION PROJECT IS NOT RIGHT. WE NEED ALTERNATIVES TO THIS MASSIVE EXPENSIVE PROJECT. THIS FLOODING OF THE RED RIVER VALLEY NEEDS COOPERATION FROM MANY. WE NEED TO LOOK AT THE MANY ALTERNATIVES- THE DRAIN TILING FARMERS DO, PUTTING BACK PONDS AND BUFFERS ZONES ALONG THE RIVER, BUYING UP SOME OF THE HOUSES AND LAND ALONG THE RIVER BUT NOT DESTROYING FAMILY FARMS AT THE EXPENSE OF DEVELOPERS.

SINCERELY,



Jon Rich
20891 AZTEC ST NW
ANOKA, MN 55303



**STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA**

MVD

Jack Dalrymple
Governor of North Dakota

September 30, 2011

North Dakota
State Historical Board

Gereld Gerntholz
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Chester E. Nelson, Jr.
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Sara Otte Coleman
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Kelly Schmidt
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Alvin A. Jaeger
Secretary of State

Mark Zimmerman
Director
Parks and Recreation
Department

Francis Ziegler
Director
Department of Transportation

Merlan E. Paaverud, Jr.
Director

Accredited by the
American Association
of Museum since 1986

Aaron M. Snyder, Chief
Project Management and Development
Department of the Army
St. Paul District, Corps of Engineers
Army Corps of Engineers Center
180 Fifth Street East Suite 700
St. Paul, MN 55101-1678

NDSHPO REF.: 09-1166c COE Fargo-Moorhead Metropolitan Area Flood Risk Management; Fargo-Moorhead Final Feasibility Report and Environmental Impact Statement (EIS)

Dear Mr. Snyder:

We have received and reviewed correspondence and documentation for: 09-1166c COE Fargo-Moorhead Metropolitan Area Flood Risk Management, "Fargo-Moorhead Final Feasibility Report and Environmental Impact Statement (EIS). We note that cultural resource overviews are discussed in Sections 4.2.2 (pp. 180-185) and 5.2.2 (pp. 292-295), and that identification efforts for the Fargo-Moorhead Flood Risk Management project await completion of the Class III Cultural Resources Inventory (pedestrian survey) and associated report documentation, whereas follow-up evaluation efforts and the mitigation of adverse effects for compliance with Section 106 of the National Historic Preservation Act are treated in the Programmatic Agreement (PA) (Attachment 3), while overall or cumulative effects are briefly mentioned in 5.4.1.13 (pp. 361). Lastly, we recommend the use of accompanying Smithsonian Trinomial System (SITS) designations for all sites per North Dakota Cultural Resource Survey (NDCRS) standards in future reporting and documentation efforts.

Thank you for the opportunity to review the project, and we look forward to the review of (outstanding) project documentation, and to further consultation on it. If you have questions please contact either Fern Swenson at (701) 328-3575 or fswenson@nd.gov or Paul Picha at ppicha@nd.gov or (701) 328-3574.

Sincerely,

Merlan E. Paaverud, Jr.

State Historic Preservation Officer (North Dakota)

and

Director, State Historical Society of North Dakota

October 27, 2011

Headquarters, USACE
Attn: CECW-P (IP)
7701 Telegraph Rd
Alexandria, VA 22315-3860

RE: FEIS, F-M Diversion Project

"If their lips are moving, they're lying!" These were the wise words of one of Oxbow's residents at a public meeting held shortly after the November 18, 2010, announcement that flipped the project. From our experience with all things USACE, Fargo, Moorhead and Cass County, truer words were never spoken.

When the diversion project was first advanced, Oxbow asked to be included within its protection. We were refused but also assured that the project would not affect us, that it wouldn't change our situation, either for better or for worse. We could live with that and proceeded to build flood protection for ourselves.

In early November of 2010, Oxbow voted to support the county-wide sales tax to help fund the diversion project. Shortly after the successful vote, low and behold, the project was flipped to include upstream staging. The Corps' dog-and-pony show in front of the F-M Metro Study Group that very same day was complete with inundation maps and detail. When asked about the timing of the revelation in relation to the tax vote, Cass County and the Corps backed one another in denying any knowledge of the need to flip the project at the time of the tax vote. Even after confessing to the fact that upstream staging studies began in earnest as early as September, 2010, they continue to assert that it was pure coincidence that the tax vote was held before the announcement. "If their lips are moving, they're lying!"

Then there is the location of the southern alignment, butted up against the northern boundary of Oxbow's extra-territorial area, which also serves as the school district boundary. "That's just coincidence," say all. "That's the most technically solid line to take," says the Corps. But, from the FEIS, FMM Feasibility VE Study – Comments, Proposal #3, comes this gem: "Again, the ND alignment is a locally preferred alignment and therefore they chose the general location for the inlet. Their reasoning for the location of the inlet being further south than the MN alignment was to accommodate the city of Fargo's current future plans of development and to protect the city from the Wild Rice River flooding to the south." Emphasis is mine. Once again, "If their lips are moving, they're lying!"

But doesn't that seem to be a violation of EO 11988? After all, if the western alignment around West Fargo and the inclusion of Oxbow constitute violations of EO 11988, then surely clearing five miles of flood plain to accommodate Fargo's future growth needs is a violation of EO 11988. Not so, says the Corps. Nowhere in that five-mile run is there an intersection point nearly so technically sound: "It's the best technical line," says the Corps. **SEE ABOVE!** "If their lips are moving, they're lying!"

Local gubmint entities, including Fargo and Cass County, say they are committed to further study during the design phase, geared toward including Oxbow. But to do so, to include Oxbow, don't new geologic studies need to be done? New flow studies? New environmental impact studies? And aren't these costs the responsibility of local interests? Yes, says the Corps. Is it possible that changing the alignment to the

degree necessary to include Oxbow could lead to a need for project reauthorization? Yes, it's possible, says the Corps. To approve a change of alignment, doesn't the Corps require sound, technical reasons for doing so? Yes, says the Corps. Yet the locals maintain that they are willing to delay the project, risk a reauthorization vote and incur the added costs to include Oxbow? Really? "If their lips are moving, they're lying!"

What does it take to get a project like this off the ground? Well, first you need a sense of threat and urgency. You also need a benefit/cost ratio that is something close to acceptable. After recent flooding in the region, apprehension of flooding is high so all one needs to do is solidify and heighten the sense of urgency for flood protection measures. Enter EOE (Expert Opinion Elicitation). One would think that a justification for protection would be based upon something scientific but instead, we are offered 'opinion'. And not just the opinion of engineers but also those of 'global warming' experts. We have now entered the realm of junk science but it serves its purpose. Per EOE, as it pertains to flooding, "You ain't seen nuthin yet!"

Having bolstered the cause for concern using the equivalent of Tarot Cards, a Ouija Board and a Magic 8-Ball, one needs to next work on the problem of benefit/cost. If you can conjure a base flood plain elevation that's high enough, you can assert that all (or most) of the F-M area will be subject to flood insurance. Now, take the cost of all those prospective flood insurance premiums and apply them against the diversion cost. It's genius! "You can either pay thousands each year in flood insurance premiums or pay thousands each year toward the diversion, toward flood protection." Given such a choice, who among the protected is to object? FEMA hasn't yet fully cooperated with this plan but if they do, if they can just see the sheer wisdom of EOE, this sucker's a slam dunk. For everyone outside the project, "Just bend over."

With regard to areas south of the dam, well, that's just easy. Given the new, artificially inflated flood plain elevations, just tell them "You're wet anyway." You remember that flood of 2009? That was a baby, at most a 45-year flood. The valley hasn't seen a big flood yet, not even a 100-year flood. "If their lips are moving, they're lying!"

The land, homes and businesses located south of the dam diversion are now trapped in a gubmint-imposed limbo. Lives can't move forward as homes and property can't be sold. Seeking some token relief, the City of Oxbow appealed taxable valuations, presenting its case to Cass County's Commissars. The county tax assessor made a counter-case, asserting that since there have been no home sales, there is no evidence that property values have been affected. After all, "residents have the full use and enjoyment of their executive homes..." Once again, "If their lips are moving, they're lying!" Naturally, the Commissars ruled against the citizens of Oxbow: they need every grubby buck they can squeeze from the people to support their pet boondoggle.

Shall I go on? Do you sense a burning distrust of all things USACE and Metro Flood Group? Facts and truth, as they relate to this project, have been sacrificed at the altar of expediency. Fargo sees a very real threat to future growth and its solution to that problem is the LPP. The LPP moves water from areas that currently flood frequently to areas that do not. It relocates water from the natural flood plain to areas that are generally out of the flood plain. If EO 11988 were worth the breath it takes to say it, this could not and would not happen. The convoluted justifications for the application of EO 11988 in the case of the F-M Diversion foster the impression that the Corps and the local sponsors will do anything to advance this project. Yes, indeed: "If their lips are moving, they're lying!"

This country is headed down the Ferguson and it is greed and lack of principle such as that displayed thus far in the planning and promotion of this project that has brought us to this point. Here we have a tax vote that is a certifiable fraud for which charges should be brought against elected officials. Then we have EOE, a concoction that brings together the principles of engineering with the mystical meanderings of warmist theory. Base analysis was probably drawn from Al Gore's "Inconvenient Truth" along with required viewing and study of Roland Emmerich's "Day After Tomorrow." Solid scientific stuff, that.

What's needed is comprehensive protection for the valley region but what we get instead is a massive project, a fiscal train wreck, to protect Fargo-Moorhead alone. As is customary for Fargo, it has grabbed for gold, risking all in pursuit of the ultimate solution to its current growth limitations. Where the FCP is perhaps affordable, the LPP is not but if Fargo can gamble and win, its future growth is assured. Rest assured that the primary driver behind this project is, first and foremost, GROWTH for Fargo. What started as a quest for flood protection morphed into a land grab when a compliant Corps showed a willingness to defer to the project sponsor and disregard EO 11988. This project allows Fargo to sustain that 266-acre per year growth rate well into the future and the required bastardization of EO 11988 is just fine with the Corps. Not being a project sponsor, West Fargo's desire to grow to the west is seen as a violation of EO 11988. The supreme stupidity is found in the Corps' determination that the Oxbow/Hickson/Bakke area's continued existence is a violation of EO 11988. This area is already developed but its very existence is seen as a violation of EO 11988. You just can't make this crap up!!

Another bit of convoluted thinking from the FEIS: "As a last-in-place increment, flood storage is feasible because it provides benefits basin wide; however, its effectiveness in reducing damages in the Fargo-Moorhead Metro is greatly diminished with a diversion already in place." Further, again from the FEIS: "Such a system of flood storage would be effective in reducing flood damages basin-wide, and could reduce the peak 1-percent chance event flood stage at Fargo by 1.6 ft. The storage system would be more effective at more frequent events, and could potentially reduce the peak 5-percent chance event stage by over 7 ft. This system has the potential to reduce expected annual damages in the Fargo-Moorhead Metro by 21 percent." Combining this information with that of the Red River Basin Commission's report, it is clear that distributed upstream storage, in conjunction with a diversion, can eliminate the need for the proposed reservoir (staging area) while simultaneously providing basin-wide upstream protection and reductions adequate to offset downstream impacts. But this isn't about what works so much as what's expedient, what works within the sacred time line.

I submit these comments with the full understanding that the Corps isn't required to care one whit for the fact that by pursuing the LPP, Fargo is committing fiscal suicide. That's typical, ego-centric Fargo, though, figuring it can leap the abyss in two bounds. Looking at the 20-year math of this project, at current projected costs and currently committed revenues, project funding is short by about \$690,000,000. In Washington, where our gubmint doesn't even bother with silly things like budgets anymore, that's chump change. But here in the real world, where households and businesses actually have to make economics work, that's serious coin. Perhaps Warren Buffett or Bill Gates will come to the rescue with a big old grant. Maybe the Department of Energy will issue a loan guarantee like they did to both Solyndra and SunPower. Maybe this project will actually come in on budget. Maybe pigs will fly.

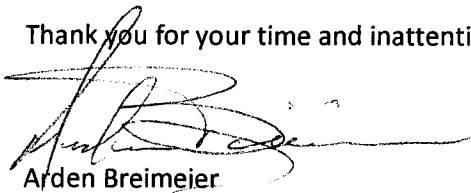
I'd like to see a list of completed gubmint projects that actually came in on or below the forecast budget. My guess is that it's a mighty short list. The average overrun is probably upward of 100% and by opting for the LPP, the local gubmint brain trust has exposed Fargo and the State of North Dakota to potential liabilities that neither will be able to cover. What we'll end up with is another ditch to nowhere, a testament to Fargo's hubris and narcissism.

Finally, there is the strategy of beginning construction on the north (outlet) end and working to the south. With such a dire flood threat looming over the city of Fargo (according to both the Corps and project sponsors), one would think that both time and economics would be better served by starting at the south end, creating the oh-so-necessary storage and controlling river flows first. After all, it will take many years to build this thing: it's not like the Federal gubmint is flush with cash so funding may be very spotty. And the State of Minnesota, well, if they have money, they'll first build a new stadium for the Vikings. So, though the project may be authorized and funded (at least initially), that doesn't mean it will provide protection any time soon. Starting work on the south end, mitigating earlier rather than later and building the storage, may very well save the city from Aguageddon. Wouldn't it be the height of irony if seven years into project construction, you lost Fargo to flooding while Oxbow, Hickson and Bakke lived to fight another day? The Corps would have a tougher time explaining its way out of that one than this year's Missouri River fiasco. And the residents of Fargo would pay dearly for that misguided strategy.

In the meantime, we, the dammed, located in and around the upstream reservoir created by the dam diversion, appear to have little recourse in the matter. With the announcement of the dam diversion project, the market for property situated in and around this area was sabotaged and destroyed. Yes, the mitigation grid introduced into the project mandates what is to be bought out and provides some distant glimmer of hope. But for those who can't wait, who have been relocated due to job transfer or who need to move to assisted living, a buyout at the end of project construction is small consolation. For many others, retirement plans and hopes of relocating to a kinder climate have been shelved. We, the people, received only honorable mention in the SDEIS and FEIS while concern for the fish took up volumes. Yes, the fish must be allowed mobility and passage: not so the people. It's so reassuring to know that we, as a people and as a country, have our priorities straight.

And, speaking of fish, those cuddly little creatures, have you calculated the degree of stranding that will occur when the water that's backed up behind the dam recedes? How do you plan to herd the lovely little beasties back to the channel? Gonna harvest them, make Sushi out of them? Or are they left on the land to serve as fertilizer? A post-flooding atmosphere stands to be about as aromatic as the planning process itself.

Thank you for your time and inattention.



Arden Breimeier
614 Evergreen Circle
Oxbow, ND 58047

Wallace Tintes
405 West Main Avenue
West Fargo, ND 58078

October 26, 2011

Headquarters U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

The Fargo ND, Moorhead MN, Diversion channel for flood control

I am not in favor of this project as it has been written about to date; my reasons are listed below.

- A. I do not like the plan of flooding our northern neighbors with an extreme amount of water.
- B. The damage to cities, farms, roads etc due to such a large wide project.
- C. The problem that the present Sheyenne River Diversion ditch and your interchanges on the Interstate System have with the soil not saying in place.
- D. The cost of this project when the federal government is worse than broke. I have no idea on how you expect to find the funds to pay for such a large project.
- E. The time frame of getting it accomplished this is a long way into the future.

I have another idea, which I have written about previously.

Use concrete culverts, such as were used in Arizona to move water to the Phoenix area. Two side by side concrete culverts about 6' high by 8' wide, built locally to save freight costs. It would not move as much water but it would certainly help the problem and would help the items I have written about above.

The problem with the soil not staying in place would be solved. By using the concrete culverts it would look better, be safer and hopefully be more cost effective.

By using the concrete culverts the farm soil would be over them and the farmers could again use the land. The land however would not bring the production prior to the project but they would be reimbursed for their troubles. If there is any excess soil it could be used on the adjacent townships roads.

The concrete culverts should be easier to construct under the highways and the railroads.

Thank you for asking for suggestions and I would hope you would consider my ideas.

Wallace Tintes

A handwritten signature in cursive script, appearing to read "Wallace", with a long horizontal flourish extending to the right.

U.S. Army Corps of Engineers
Attn: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: Supplemental Draft Environmental Impact Statement, Fargo-Moorhead Metropolitan Area
Flood Risk Management.

To: US Army Corps of Engineers

I am writing in opposition to the April 2011 Locally Preferred Plan (North Dakota Diversion with storage and staging) for flood control in the Red River Valley. I understand that Fargo needs help in protecting its city, but to the extent that the U.S Army Corps of Engineers and its sponsoring commissions are asking other towns and its people to take on Fargo's water problem is beyond comprehension.

The staging area is stated to be 33,390 acres, and the Corp acknowledges that there will be impacts outside of this area. If the Corp has not determined this cost or possible impacts how can you proceed with a project not knowing the possible outcomes and still say this is the best plan when not all is know. I also have a problem with this many acres being affected since my job is directly tied to agriculture and these acres since I work at the local elevator in Kindred. Will I have a job if the elevator doesn't have any grain to handle due to persistent flooding of these acres? How do you account for and pay for this?

Is this project more about flood protection for Fargo or for expansion of the city? Dr. Mahoney talks about how Fargo has given up 400 or so houses that were built by the river at 36 or 37 feet. How high is the level around Davies high school? They are still issuing building permits at these same levels banking on the diversion aren't they?

What about the rural water systems? Have the systems been accounted for as to how to protect them and account for the cost?

Fargo is a vital part of North Dakota's economy but that does not give it the right to destroy other communities and school districts just to promote its own new school (Davies) and expansions areas. Kindred and Richland should not have to lose out, and its remaining citizens should not have to pay the higher taxes it will require to maintain itself without due compensation. In my mind that does not mean that just because a tax statement says a piece of property is worth \$200,000 that is all a person should get. Where can you replace your home and friendships for the same money that has been established based on what a tax statement says? It can't be done!!

I ask that the Corp take a step back and look for other alternatives to Fargo's water problems. We all know there are other things that can be done to minimize the problems. Everyone outside of Fargo should not have bear all the problems associated with Fargo's water issues. Please listen to others and well.



Thanks for your time
Doug Lingen
416 Plum Tree Road
Hickson, ND 58047

October 28th. 2011

To Whom It May Concern,

I am not in favor of the diversion around Fargo No. Dak. and Moorhead Minn. To start with they don't even know if they can cross 5 rivers which has never been done, and they didn't tell us when they put it up for a vote that they planned on flooding everybody to the south of us out. The Corp doesn't even want to consider that there may be other options. Who is expected to pay the 3 to 5 million a year that they say will take to maintain the diversion? I feel that our taxes are already to high. I know a lot of people feel the same way I do

I think everyone who will be affected by the diversion should have had a chance to vote on it and they should have been upfront with what they had planned when they put it up to a vote.

The West Fargo diversion hasn't worked for everyone either, it floods a lot of people out too, late this summer there was still water behind the diversion where it didn't have any place to drain out. I say no to the diversion, maybe they should put it up to a vote again now that the people know what the whole deal is.



Mrs. Joseph Ricker
1909 17th St. S
Fargo, ND 58103

From: Richard TRyhus <richtry1@aol.com>
To: richtry1 <richtry1@aol.com>
Subject: RED RIVER DIVERSION IN FARGO MOORHEAD
Date: Fri, Oct 28, 2011 3:48 pm

Oct 27, 2011

RED RIVER DIVERSION IN FARGO MOORHEAD
The flood protection plan was the work of a few well connected and POWERFUL PEOPLE!

THEIR MOTIVE IS TO KEEP THE WATER FAR AWAY FROM FUTURE ENVELOPMENT ON FARGO'S SOUTH SIDE. This is for the benefit of developers & businesses, & not farmers further south.. This is taking away land in our family 140 years ago by my grandparents & neighbors. Fargo just finished a brand new library & stuck it right smack dab in the flood plain next to city hall! Gross stupidity! Also Fargo & Moorhead have been careless in issuing building permits in the FLOOD PLAIN! It will cost FARGO MOORHEAD

3&one half million a year to pay for this. Many years there will be no floods so money is wasted. A better way is a combination of small DAMS upstream on the WILD RICE, LAKE TRAVERSE OUTLET, AND BOIS DE SIOUX OUT OF FERGUS FALLS. farther, CLAY DIKES BACK FROM THE RED CAN HOLD SOME WATER BACK. In addition provision could be made to capture part of the flow by diverting it to the underground Aquifer as is done in Florida. If possible, adding 2 or 3 feet to the dam at valley city of lake Astubulia would help if this is possible! AS AN ASIDE, BUYING OUT THE PEOPLE FLOODED OUT OF THEIR FARMS AT SAY \$4000 per acre will cost those people at LEAST SIX THOUSAND AN ACRE TO REPURCHASE IN THE VICINITY AS THE FLOODED LAND TAKES MOST OF THE ADJACENT LAND. THUS THE BUYOUT SHOULD BE AT SIX THOUSAND DOLLARS PER ACRE!!

Sincerely
Richard S. TRYHUS
ON BEHALF OF LINDA LAMA
AND MICHAEL TRYHUS
P.O. Box 160
FARGO, N.D. 58107

10-5-11

We would like to comment on the proposed Fargo Diversion.

Our address is 3616 14th St NW, West Fargo, ND. We live on a farmstead that was built in 1914. It is located on the Maple & Shuyenne Rivers and just north of us is the Rush River and drain. Within a five mile radius we have 4 major rivers and 3 big drains.

When major flooding occurs we have to walk the railroad tracks for 1 mile to get out. Floods are getting longer and more severe due to climate change, more draining and the drains being made deeper. Water gets here much faster and stays longer. In 1997 it was almost 3 months to the day before we could drive in with our pickup.

There is 4-5' of water in the fields all around, roads washed out and so on. People living north of 12th ave. and along Cass County 17, where several hundred people live, all need the Fargo diversion along with attention.

Gary & Carol Duggan

November 7, 2011

VIA U.S. MAIL AND E-MAIL (terryl.l.williams@usace.army.mil)

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Re: Comments on Final Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North

Dear Ms. Williams:

The following are comments from the Minnesota Center for Environmental Advocacy (MCEA) on the Final Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North (FEIS). MCEA is a Minnesota non-profit environmental organization whose mission is to use law, science, and research to protect Minnesota's wildlife, natural resources and the health of its people. MCEA has statewide membership. For more than 10 years, MCEA has been actively involved in numerous efforts to reduce flood damages in the Red River Basin.

We have followed the process and reviewed draft document prior to publication of the FEIS. We are familiar with the substantive comments provided by Minnesota Department of Natural Resources (MN DNR) on August 6, 2010, January 24, 2011, and June 16, 2011 and endorse them, herein. We are also aware that MN DNR has a number of remaining and additional legitimate concerns with the FEIS including the benefit:cost analysis, effects of the diversion and water staging on sediment transport and geomorphology upstream and downstream of the project area, and fish passage. We believe that these areas of concern warrant further clarification before this FEIS can be considered complete.

We also have the following additional concerns with the FEIS:

- The modified locally preferred plan (LPP) includes storage of 200,000 acre-feet immediately upstream of the diversion structure. Adding this option to the plan reduced the size of the diversion channel from 35,000 cfs to 20,000 cfs. No consideration or analysis is given for the potential effects that additional upstream storage would have on reducing the size of diversion channel needed to achieve flood damage reduction goals. Numerous efforts are ongoing to retain water upstream of Fargo-Moorhead that will reduce the size of diversion channel needed (e.g. Bois de Sioux watershed districts projects, \$10 million available for wetland reserve program targeted to floodwater retention) .

- The FEIS includes new operational details that have not been adequately described or analyzed. Related to fish passage, the FEIS now states on page 274:
"To further improve the potential success of the fish passage channels under the LPP, several options will be considered. This could include installation of additional gates to provide additional fish passage channels that would function across more of the hydrograph. It also could include methods to reduce the amount of staging needed, or the duration of time staging is needed, for the LPP. It also could include options to pass additional water through the metro area, above 9,600 cfs at Fargo. This would allow the project to operate less frequently, and potentially require staging less water, which could help mitigate the impact on fish."

This paragraph leaves the door wide open for significant and previously unidentified changes to the LPP. Passing more water through the metro area will likely require additional levees in town. This option was determined to be not economically feasible in previous documents and appears to be a substantial enough change to be considered a new alternative that needs complete analysis.

Thank you for the opportunity to submit these comments on the FEIS.

Sincerely,

Henry Van
Offelen

Digitally signed by Henry Van
Offelen
DN: cn=Henry Van Offelen,
o=MCEA, ou,
email=hvanoffelen@mncenter.
org, c=US
Date: 2011.11.07 16:30:25 -06'00'

Henry Van Offelen
Natural Resource Scientist
MN Center for Environmental Advocacy
50785 Bucks Mill Rd
Detroit Lakes, MN 56501



Protecting Wildlife for our children's future



November 7, 2011

VIA U.S. MAIL AND E-MAIL (terryl.l.williams@usace.army.mil)

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Re: Comments on Final Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North

Dear Ms. Williams;

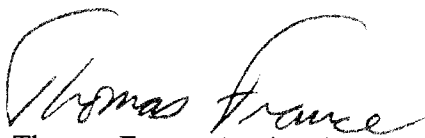
The National Wildlife Federation (NWF) has previously identified problems with the Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North. At the draft and supplemental draft stages of the project, NWF urged the U.S. Army Corps of Engineers (Corps) to consider more environmentally and community-friendly alternatives. The topics of concern raised in previous comments remain relevant as the Corps has made few changes in the proposed plan to address issues of fish and wildlife health, wetland and grassland preservation, ecological sustainability, and mitigating climate change in concert with flood control and water management. NWF believes that structural and non-structural alternatives that provide environmental and economic benefits beyond flood management must be included in the proposed plan.

The proposed plan fails to recognize that much of the Red River Basin flooding has been a direct result of wetland and grassland elimination during the past century for the sake of agricultural development. In the Final Feasibility Report and Environmental Impact Statement

(FFREIS), the Corps includes the option to “pass additional water through the metro area...at Fargo” to allow for the diversion project to operate less frequently.¹ Measures such as this are insufficient to mitigate upstream staging impacts. They also fail to protect water quality, fisheries connectivity, and bird and wildlife habitats. The rehabilitation of wetlands and grasslands could be used as temporary flood storage that would prevent dangerous flood levels as these ecosystems have remarkable abilities to store excess water runoff and provide much needed wildlife habitat.

The Corps has not taken sufficient measures to mitigate the harmful environmental impacts and increased threat of flooding to upstream and downstream communities. The current plan threatens the upstream communities, including Hickson, Oxbow, and Comstock, by placing them under feet of water in flood years. The adverse impacts of the proposed plan include buyout and relocation of home and property owners in communities impacted by the staging area.² A basin-wide approach to flood risk management would benefit the environment and local communities by providing a full range for use of non-structural alternatives which protect communities from the additional flooding caused by diversion channels and levees.

The project should not continue to be pushed through without the protection of local economies, air and water quality, the natural environment, and fish and wildlife resources through the incorporation of non-structural techniques for flood control. NWF sincerely thanks you for considering these comments on the Final Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North. Please do not hesitate to contact us if you have questions or would like additional information.



Thomas France, Regional Executive Director
National Wildlife Federation

¹ U.S. Army Corps of Engineers, *Final Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North* 274 (July 2011).

² *Id.* at ES-19.

11/1/11

Dear Corps of Engineers,

Please abandon the Fargo diversion project & come up with a better plan that doesn't cause so much devastation to the environment & to the few THOUSAND of us who are in the path of this monstrosity.

There are moral issues & economic issues with your project which will have long term adverse effects on the community.

I know you are engineers & not particularly concerned with such things, but I appeal to your sense of humanity that you go back to the drawing board, and propose a plan that protects the environment & the people who are having this problem shoved into their lap. Please read the next page.

Sincerely

David A. Ness

612-722-9939

davness@ustfamily.net

P.S. It is very insensitive to send out letters demanding access to someone's land forever & then to tell those same people they better get ready to go to court if they don't cooperate.

It looks like a done deal. With the politicians all on board and pushing forward, the Fargo Dam steamroller appears unstoppable!! Fargo can develop! But wait. Who is going to address the moral problem? Or will it ever be addressed at all? What could be immoral about it?

The Fargo dam project as put forth by the Corp of Engineers has a moral problem in both environmental and human terms which will leave behind a legacy of acrimony. Sure, Fargo needs to be dry, but maybe there's a better, less destructive, less costly way it can be accomplished. And why haven't alternatives been publicly discussed?

#1 I grew up in Moorhead when it was a town that recognized the Golden Rule, and I went to the same church as Mark Voxland and Morrie Lanning. "Do unto others as you would have them do unto you." There are a few THOUSAND people who live on farms and small communities south of Fargo/Moorhead who are going to lose their homes and livelihoods or have them become unusable/inaccessible. Are these neighbors being treated as you would like to be treated? I would propose they haven't been allowed to speak. They don't have the money or the voice that the promoters of the dam have, but they are very upset. They have been confronted with the understanding that their land and homes don't really belong to them and can be seized for "the greater good" as determined by the Corps of Engineers and the city of Fargo. This is especially hard for them because many have deep roots going back to the original settlement of the Red River Valley. The shifting of the problem from Fargo/Moorhead onto these people constitutes a big moral problem with the Fargo Dam.

#2 The environmental damage to the Red River will be severe. The corridor along the river is populated by birds, waterfowl, deer, turkeys, beaver, coyotes, fox and this river is teeming with fish. The woods themselves are old and lovely. After the dam, the trees will die from the flooding and the wildlife will be gone. There will also be implications for the Boise deSioux, Ottertail, and Wild Rice Rivers further south, which will affect still more people. The DNR is not in favor of this project. A great, albeit unappreciated, resource will be destroyed. This is the second big moral problem with the Fargo Dam.

It is almost too late. Will Fargo/Moorhead take the time and put in the effort to find a plan that doesn't have these kind of moral issues? Or will it be rushed into an expedient fix with long-term repercussions? Is it OK to sacrifice your neighbors and the environment so you can "develop", or might a higher level of development be attainable without this particular project?

David A. Ness. South on the river between Comstock and Wolverton

Aaron Carlson
5361 County Road 81 S
Horace, ND 58047

October 31, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Dear Sir or Madam,

I am writing to inform you that some information in Appendix G - Real Estate of the Fargo-Moorhead Metropolitan Area Flood Risk Management Final Feasibility Report and Environmental Impact Statement dated July 2011 (Final Report) is incomplete and therefore inaccurate. I am also including in this letter some concerns I have with values of land and property, ambiguity of wording in Appendix G, lack of language regarding payment of mitigation costs, and inconsistencies throughout the Final Report and other documents issued by the U.S. Army Corps of Engineers related to the Final Report. I would appreciate your written response to this letter.

I live one-half mile north of North Dakota State Highway 46 on Cass County Road 81 in the upstream staging area of the Locally Preferred Plan (LPP) of the proposed Red River diversion. As I review the maps on pages 19-22 of Appendix G, I am unable to locate the red dot that corresponds to my family's home. I am also unable to locate the red dots that correspond to my in-laws' home and a neighbor's home ½ mile north of us. My home and my in-laws' home were both built in 2008 and our neighbor's home was built in 2009. The two outbuildings on my in-laws' land were built in the early to mid-2000s and show up on the map, but none of the above mentioned homes. I submitted an online comment in the spring of 2011 voicing this same concern, but never received a response. I would like the Final Report to be amended to include a list of addresses for all residential structures, non-residential structures, and businesses included in the upstream staging area and Staging Area 1 of the LPP. I would like a response in writing from the Army Corps of Engineers that explains why these homes do not show up on the maps of the Final Report.

Page 12 of Appendix G shows a spreadsheet of costs for lands/damages incurred for upstream storage. I am concerned about the 'value/acre or site' column not adequately representing the value of my property. I am wondering if these values are hard numbers or ballpark estimates. Also, does the 'number of sites' column include our home, or, since we were omitted from the maps (as mentioned in the first paragraph) have we been omitted from this spreadsheet as well? I would appreciate a written response from you in regard to this question.

There is ambiguity in the wording on page 6 of Appendix G of the Final Report regarding the mitigation measures of businesses. I am employed by KayJay Ag Services of Horace, ND and am hoping to become a shareholder in the near future. We perform agricultural research on a contract basis. We do not sell the commodities we grow, but rather are paid for the service we provide agricultural companies in collecting research-based data. This business is owned by my father-in-law and operates out of his home and the outbuildings located immediately north of my home; we grow crops for research purposes on the surrounding 67 acres my father-in-law owns. The wording on page 6, paragraph 3 says *"The proposed mitigation for the area is broken into two parts, one for homes, structures, and businesses and the other for agricultural lands. Impacted homes, structures, and businesses...with 1 to 3 feet of flooding would be considered for ring levees or a purchase....Impacts to agricultural lands in the staging area would be mitigated through the acquisition of flowage easements."* What happens when the land is a vital and necessary part of my father-in-law's incorporated business? Will someone pay to ring levee the entire 67 acres of land? The first part of the wording makes it sound like someone will, but the second part makes it sound like someone won't. I understand that a *"property-by-property analysis will be conducted to ensure that the specifics of each parcel are taken into account when determining the appropriate mitigation."*, but the language as written leaves room for interpretation over what mitigation measure would be taken. Will the mitigation measure chosen guarantee the successful continuation of this business? I would appreciate your written response to this question.

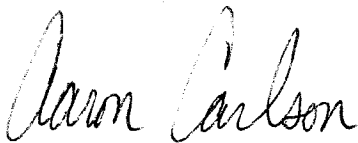
There is no language that I could find throughout the Final Report that address the issue of who pays for increased costs of living for those residents whose flood mitigation method is a ring dike surrounding their home. For example, I have never been required, nor desired, to buy flood insurance for the home we built in 2008. My home is not currently in the 100-year flood plain and, in fact, is not in the 500-year flood plain either. If my home is not bought out and a ring dike is the mitigation method chosen for my family, I would now desire (and probably be required by my mortgage company) to have flood insurance. Would the Army Corps of Engineers, or the Cities of Fargo and Moorhead, or Cass County pay for the flood insurance, or would I be responsible to pay for this new burden? Other items like paying for hard-wired emergency generators, boats or four wheelers for transportation during a flood event, raising my driveway, or perhaps even raising the level of my house, are items that I may require if the LPP of the diversion is constructed. Please include in the Final Report more information on how mitigation related expenses like these would be paid for. I would also appreciate your personal response in writing as to how expenses like these would be paid for.

I would also like to bring to your attention several inconsistencies listed throughout the various publications related to and preceding this Final Report.

1. In the document titled Fargo Moorhead Metropolitan Feasibility Study found at http://www.internationalwaterinstitute.org/feasibility/Project_Description.pdf the 'Background information' states that *"Average annual flood damages are estimated at over \$65 million."*
2. In the Alternatives Screening Document Fargo-Moorhead Metropolitan Area Flood Risk Management dated December 2009 page 2 under the heading '1.2 PROJECT BACKGROUND' the statement is made that *"Average annual flood damages in the Fargo-Moorhead Metropolitan Area are currently estimated at over \$74 million."*
3. Under the heading "Flood History" on page ES-4 of the Final Report the following statement is made: *"Equivalent expected annual flood damages in the Fargo-Moorhead metropolitan area are estimated to be over \$194.8 million in the future without project condition."*
4. The footnote of Table 1 on page ES-5 of the Final Report states *"Expected average annual damages without a project were \$195.9 million."*
5. The footnote of Table 5 on page 36 of the Final Report states *"Note: Expected average annual damages without a project were \$73.7 million."*
6. The footnote of Table 7 on page 62 of the Final Report states *"Expected average annual damages without a project were \$77.1 million."*

Please include in the Final Report the actual cost of damages for the Fargo-Moorhead Metro area for the floods of 1997, 2009, 2010, and 2011. This would provide a comparison between actual costs and estimated costs. Also, please include a statement listing the variables and their respective estimated costs for how *"expected average annual damages without a project"* were calculated. I would also appreciate your written response as to why there is over \$100 million in variability in estimating *"annual damages without a project"* throughout these documents.

There are other issues I have with this project as a whole, but, as they do not pertain to the Final Report, I will refrain from including them. Thank you for reading and considering my concerns/comments and I look forward to your written response regarding these points.



Aaron Carlson
5361 County Road 81 S.
Horace, ND 58047

October 31, 2011

Dear US Army Corps of Engineers;

I am writing in regards to the diversion channel plan. Please take into account the concerns I have about building a diversion channel verses combining alternative methods.

1. The effects of a diversion channel on neighboring communities, farmland, and the environment need to be addressed. Much of our rich soil will be covered in cement. During years of low rain fall water that would have been absorbed into the land thus filling our water table will be destroyed. Our relationship with neighboring communities, rural homeowners, *to the land it self* will be forever affected. That effect in its self could be catastrophic.
2. With the alternative plans in place (see below) ... No matter how much water we would have to deal with "if" a catastrophic flood "should" happen the flooding would be minimized to a level we surely could take care of.
3. The cost of a Diversion Channel is appalling compared to what it would cost to create eco friendlier alternative measures.
4. Wetlands and grasslands are important and can play a major role in flood control while enhancing our environment.

Thank you for your time and consideration to what a major, safe, role alternative measures can do to illuminate flooding while protecting our area's natural resources verses building a diversion channel.

Sincerely,



Paulette Orth
1634 N 9th St
Fargo ND 58102
701-232-5694

Alternative measures:

Relocating Structures

Restoring wetlands and using grasslands for water storage

Constructing levees, floodwalls, and/or pumps

Oct. 30, 2011

US Army Corps of Engineers
St. Paul District
Fargo-Moorhead Metro Flood Project

I believe that almost everyone will agree that something must be done about the ongoing flood problems in the Fargo-Moorhead area. I however, strongly oppose the current plan for two main reasons.

1. It appears that the current plan would have the metro area solve their problems at the expense of their neighbors both up stream and downstream. Additional flows to the north would aggravate already flood prone towns between Fargo and the border. The latest plans would devastate Oxbow, Hickson, and create major financial problems for the Kindred school district as well as farm sites and land all the way down to Richland and Wilkin counties. This is inexcusable. Why implement a plan that only causes more problems in other areas?

2. The current plan is estimated to cost \$1.8 billion. The option of placing the diversion on the Minnesota side of the river is roughly \$1 billion less and has far fewer environmental issues. This is a much cheaper and better way to handle this problem. Another less costly option may be to dike the river like was successfully done in Grand Forks, ND following the disastrous flood of 1997. This created no ill affects either upstream or downstream.

Headquarters, US Army Corps of Engineers
ATTN: CECW-P(IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Dear Sirs:

I have been put in a difficult situation with the present Fargo-Moorhead Diversion Plan. As a Clay County Commissioner I represent the district that elected me and also all the people of Clay County as we together strive to make this place a safe, sustainable and pleasant community to live in. I know that a long term permanent protection from flooding is needed for the 2/3 of our population that lives in the Fargo-Moorhead Metropolitan area. I, however, can not support the currant plan to use my home community as the "sacrificial lamb" to increase the comfort level of the Metro area.

I understand that the City of Comstock (my hometown) will be surrounded by 3 feet of water and can be protected with a ring dike. I understand that the roads and railroad tracks will be raised to allow for access to Comstock during times of flooding. Life in the community will be challenging and intense, but doable. However, the "Holy Cross* Community" surrounding Comstock will be destroyed as numerous homes, farms, farmsteads, historic sites and our three Parish Cemeteries will be covered by from 3 to 9 feet of water. (In the early settlement days, "Holy Cross" referred to Holy Cross Township in MN and to Pleasant Township in ND.)

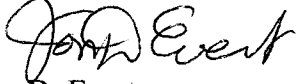
While this will be devastating to the pcople of Comstock, we are even more concerned for the west half of our Holy Cross Community that lives on the Dakota side of the Red River. There, even more farms and farmsteads will be destroyed. In addition, the whole Village of Hickson (including their Church, Community Center and Bar), the whole City of Oxbow (including their golf course, Country Club/Restaurant and the community recreation facilities) and the community of Bakke, will be eliminated. In total, three ND communities and hundreds of homes will be erased from the map. Predictions are that their water levels will be several feet higher than on the Minnesota side. They, too, will experience the flooding of their cemeteries and numerous historic sites.

I have hoped that the planners of this Flood Control Project would come to realize that this sacrifice asked of the Comstock-Hickson Communities, the surrounding townships of Holy Cross and Pleasant and the farms and homes on the 54,000 areas to be flooded is more than should be asked of anyone.

While I know that we are in this together and some sacrifice is expected by all, it seems strange that homes and farms that in some cases were established 140+ years ago are not worth saving for historical and cultural purposes if not for the sake of the families that live there. If these lands had been used by earlier dwellers, accommodations would be made to protect and preserve their dwelling and burial sites. Since our settlements were developed by immigrant populations rather than native populations, does that make their value less significant? Do not our laws protect our heritage, as well?

It is time to go back to the drawing board and look for a way to protect us all.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon D. Evert". The signature is fluid and cursive, with the first name "Jon" and last name "Evert" clearly distinguishable.

Jon D. Evert
Clay County Commissioner
6429 170th Ave South
Moorhead, MN 56560
218-585-4148
218-849-4227 Cell

This is just 2 miles of the 36 mile ditch that Fargo wants to dig. All the trees, thousands of them, will be dug up - my home. And my brothers home will be dug up. Six generations of Johnsons living, farming and dieing on this land will be lost forever. We do not care financial compensation About the

Acres
↓
my home



this farmstead my brother now lives on
was homesteaded on in the 1920's by our grand-
parents. Our father was born there. I was
born there. Four of my five children were born
there. My grandmother died on the lawn in
front of that house. Five quarters of Johnson
land will be dug up by the ditch, And
two of our three homesteads as well. This is
one of them.



this bridge and all the trees you see

And the land will be dug up and gone.

For almost a century wildlife have lived here undisturbed. So Fargo can develop their south side All this beauty has to be destroyed. We all know their "flood control" claim is a joke. It's all about development.



the driveway to my home which we
built by hand, and planted every tree by
hand and raised five children. Thirty two
years ago, and the last sixteen I've worked
7 days a week at North Dakota State University
as a greenhouse and Ag. technician to pay
for it after my husband left. Do you think
I care about losing everything—

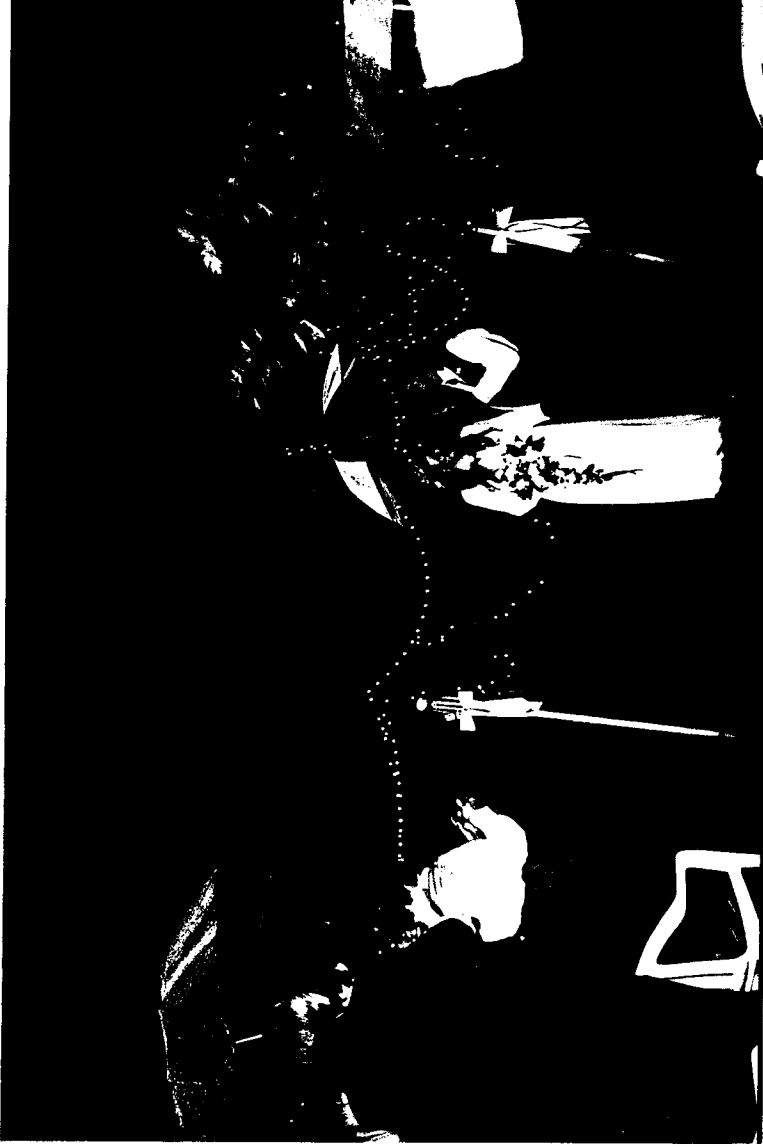


My Kids
use our
yard as
their church
to get
married in—

what you
see on
the next pages
will be dug
up and gene-
A+ the
bottom of
Fargo's ditch!



My oldest
son's wedding
in the 1920s



We camp and
have bonfires here—

Seven of our
beloved dogs are
buried in our pet
cemetery, 2 horses—
44 geese + rabbits—
cats/All to be dug up

the 5th
generation



My parents

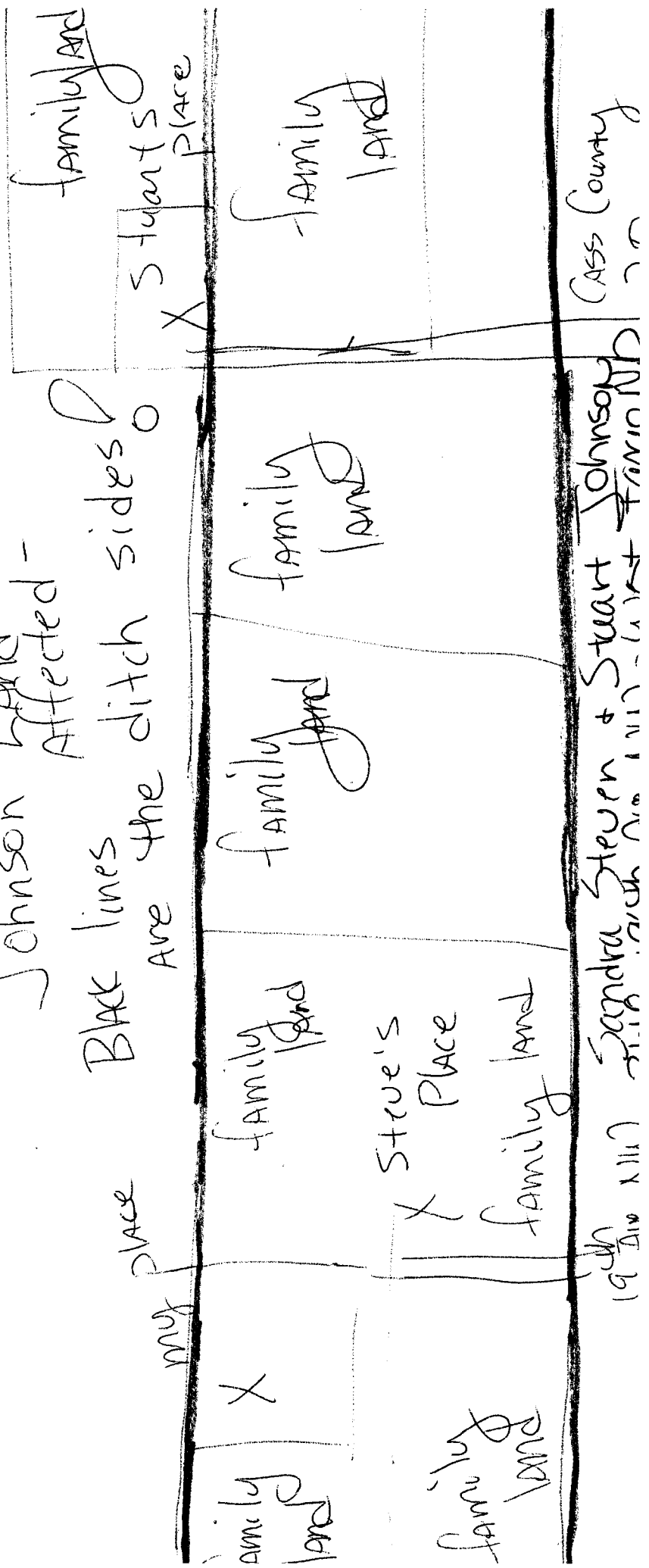
twelve grandchildren

There are nine great-grand^{6th} generation
now - even though my parents are gone -
the family don'tudes to grow - Don't
they deserved a chance to farm the land -
Carving up five quarters of our land ends
any of those dreams for them.

the third farmstead my other brother lives on will be on the west out side edge of the big ditch - on the side which will be flooded - And that quarter will have water as well -

Johnson land Affected -

Black lines are the ditch sides



Cass County

19th Div 11117 Sandra Steven + Stuart Johnson

11-5-11

This letter is in absolute protest of the Fargo Diversion and Retention Area. How can anyone even justify taking that much prime farmland and homes and livelihood away from so many people. The greater good is a Shewenne River Valley flood control from Devils Lake to Valley City - south to all areas that need control. Many more people outside Fargo city limits need flood control than just protecting Fargo's south side for development and a couple golf courses. Most people say sending these words of protest is wasting energy because Fargo doesn't care, the Army Corps doesn't care. But we have a story as do many

other families - So I sent pictures instead of a thousand words.

We have lives that will be destroyed by this project. We don't care how much money you offer - this is our land, our homes our way to make a living. I will fight this until it's stopped. It's not right and never will be. I speak from the heart as a Midwest Farmers Daughter - born on this land, raised my children here, worked to pay for it by myself for 16 years. I will not leave.

Sandra Johnson Mark
3618 19th Ave. N.W.
West Fargo, N. Dak.

58078



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

November 4, 2011

Headquarters
U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Re: Fargo-Moorhead Metropolitan Area Flood Risk Management Project
Final Environmental Impact Statement

To Whom It May Concern:

Thank you for the opportunity to review and comment on the Final Environmental Impact Statement (FEIS) for the Fargo-Moorhead Metropolitan Area Flood Risk Management Project (Project) located in Fargo, North Dakota and Moorhead, Minnesota. The Project consists of the construction of a diversion channel around the Fargo-Moorhead Metropolitan Area to reduce flood risk. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, MPCA staff has the following comments for your consideration.

Section 5.2.1.5 Wetlands / 5.2.1.5.2 FCP, pg 239

Please note that all stockpile or spoil pile placement locations must be identified in the Stormwater Pollution Prevention Plan (SWPPP) for the Project. If there are intentions to alter the movement or natural drainage patterns of surface water or groundwater by placement of spoil piles to protect wetlands from drainage loss or inundation that could alter wetland function, then this intent should also be fully described in the SWPPP for the Project, with specificity to the stockpiles or spoil piles in question.

Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this FEIS, please contact me at 651-757-2508.

Sincerely,

A handwritten signature in black ink that reads "Karen Kromar".

Karen Kromar
Planner Principal
Environmental Review Unit
Prevention and Assistance Division

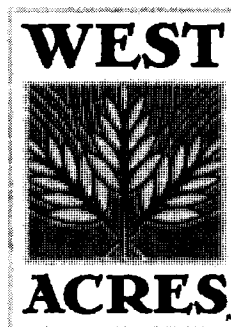
KK:mbo

cc: Craig Affeldt, MPCA, St. Paul
Scott Lucas, MPCA, Detroit Lakes
Will Haapala, MPCA, Detroit Lakes

September 23, 2011

3902 13th Ave S
Suite 3717
Fargo, ND 58103-7512
www.westacres.com

701.282.2222
Fax: 701.282.2229



Governor Jack Dalrymple
North Dakota Office of the Governor
600 East Boulevard Avenue
Bismarck, North Dakota 58505

Dear Governor Dalrymple,

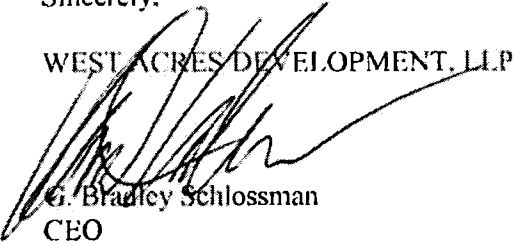
We are writing to encourage your continued support for construction of the vital Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. West Acres Shopping Center is the largest retail center in the region and is potentially the largest source of sales tax collections in the state and largest property tax payer in the county. West Acres believes this project is of critical importance - not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

Permanent flood control is not an option, it is a must. Furthermore, the only sensible control project is the Diversion Channel project. In the midst of the loudest anti-tax climate in our lifetimes, voters have twice voted to increase taxes to fund the project by overwhelming margins.

By offering permanent protection against such catastrophic flooding, the Diversion Channel would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

Sincerely,

WEST ACRES DEVELOPMENT, LLP


G. Bradley Schlossman
CEO

Thanks Jack!

3902 13th Ave S
Suite 3717
Fargo, ND 58103-7512
www.westacres.com

701.282.2222
Fax: 701.282.2229



September 23, 2011

Senator Kent Conrad
United States Senate
530 Hart Senate Office Building
Washington, DC 20510-3403

Dear Senator Conrad,

We are writing to encourage your continued support for construction of the vital Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. West Acres Shopping Center is the largest retail center in the region and is potentially the largest source of sales tax collections in the state and largest property tax payer in the county. West Acres believes this project is of critical importance - not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

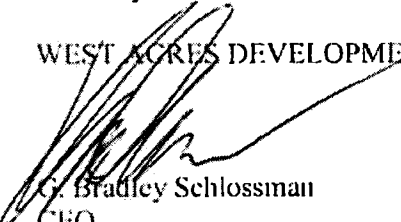
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By offering permanent protection against such catastrophic flooding, the Diversion Channel would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region -- one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

Sincerely,

Thanks!

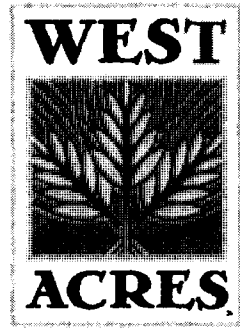
WEST ACRES DEVELOPMENT, LLP


C. Bradley Schlossman
CEO

September 23, 2011

3902 13th Ave S
Suite 3717
Fargo, ND 58103-7512
www.westacres.com

701.282.2222
Fax: 701.282.2229



Senator John Hoeven
United States Senate
G11 Dirksen Senate Office Bldg.
Washington, DC 20510

Dear Senator Hoeven,

We are writing to encourage your continued support for construction of the vital Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. West Acres Shopping Center is the largest retail center in the region and is potentially the largest source of sales tax collections in the state and largest property tax payer in the county. West Acres believes this project is of critical importance not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

Permanent flood control is not an option, it is a must. Furthermore, the only sensible control project is the Diversion Channel project. In the midst of the loudest anti-tax climate in our lifetimes, voters have twice voted to increase taxes to fund the project by overwhelming margins.

By offering permanent protection against such catastrophic flooding, the Diversion Channel would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

Sincerely,

WEST ACRES DEVELOPMENT, LLP

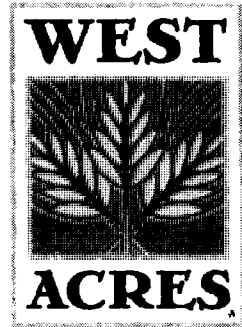

G. Bradley Schlossman
CEO

Thanks John!

September 23, 2011

3902 13th Ave S
Suite 3717
Fargo, ND 58103-7512
www.westacres.com

701.282.2222
Fax: 701.282.2229



Congressman Rick Berg
US House of Representatives
323 Cannon HOB
Washington, DC 20515

Dear Congressman Berg,

We are writing to encourage your continued support for construction of the vital Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. West Acres Shopping Center is the largest retail center in the region and is potentially the largest source of sales tax collections in the state and largest property tax payer in the county. West Acres believes this project is of critical importance not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

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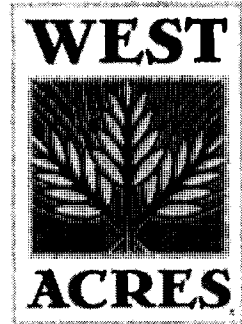

G. Bradley Schlossman
CEO

Thanks Rick!

September 23, 2011

3902 13th Ave S
Suite 3717
Fargo, ND 58103-7512
www.westacres.com

701.282.2222
Fax: 701.282.2229



Mayor Dennis Walaker, Mayor
City of Fargo
200 North 3rd Street
Fargo North Dakota 58102

Dear Mayor Walaker,

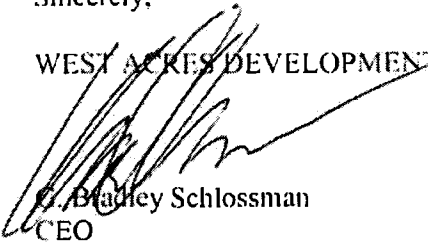
We are writing to encourage your continued support for construction of the vital Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. West Acres Shopping Center is the largest retail center in the region and is potentially the largest source of sales tax collections in the state and largest property tax payer in the county. West Acres believes this project is of critical importance not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

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By offering permanent protection against such catastrophic flooding, the Diversion Channel would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region – one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

Sincerely,

WEST ACRES DEVELOPMENT, LLP


G. Bradley Schlossman
CEO



Mark R. Nisbet
Principal Manager
North Dakota

P. O. Box 2747
Fargo, North Dakota 58108

September 23, 2011

The Honorable Jack Dalrymple
Governor of North Dakota
600 East Boulevard Avenue
Bismarck, North Dakota 58505

Dear Governor Dalrymple:

I'm writing to encourage your continued support for construction of the Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. Xcel Energy has millions of dollars of infrastructure investment in the Fargo-Moorhead area. We believe this project is of critical importance – not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

We support the efforts of the Chamber and the Greater Fargo Moorhead Economic Development Corporation to keep this project moving forward.

Although the Fargo-Moorhead area has experienced more than its share of floods in recent years, experts warn that it's only a matter of time until the area is hit with more catastrophic flooding that would overwhelm existing flood mitigation measures. For example, the U.S. Army Corps of Engineers estimates that a 500-year flood could cause more than \$10 billion in damages – putting Xcel Energy facilities, our customers' homes, businesses, and the entire local economy at risk. Xcel Energy's service territory in Minot suffered extensive damage. We need to take action to avoid a similar catastrophe in the Fargo-Moorhead area.

By offering permanent protection against such catastrophic flooding, the Diversion Channel would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region – one that already boasts a diversified economy with one of the lowest unemployment rates in the nation. If we don't move forward with this project, investment could go elsewhere. The U.S. Army Corps of Engineers' economic analysis of the Diversion Channel – which looked at business confidence, economic output, employment, and other factors – concluded that the region's economy would grow twice as fast if the Corps moves forward with construction of the project.

We are proud to be part of the Fargo-Moorhead metropolitan area, which is why we believe the Diversion Channel is a necessary and vital investment in the future of our community. Building the Diversion Channel is a cost-effective way to permanently protect lives, property, and the economic viability of this community in order to attract continued investment, sustained growth and job creation in the Red River Valley. Without the completion of this project, we run the risk of losing much of what this community has worked so hard to build.

Sincerely,

Mark Nisbet
North Dakota Principal Manager

Cc: Senator John Hoeven
Congressman Rick Berg
Mayor Dennis Walaker, City of Fargo



BORDER STATES
Supply Chain Solutions™

105 25th St N
Fargo ND 58102-4002
701.293.5834 phone
701.237.9811 fax

September 30, 2011

Governor Jack Dalrymple
600 East Boulevard Avenue
Bismarck, North Dakota 58505

Dear Governor Dalrymple,

I am writing to encourage your continued support for permanent flood protection in the Fargo-Moorhead metropolitan area. As the corporate headquarters of the seventh largest electrical distributor in the United States, we believe some type of permanent protection is of critical importance—not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

Border States provides products and services to the construction, industrial and utility industries. It is imperative that we are able to meet our obligations to those that provide the nation's critical infrastructure. Experts warn that it's only a matter of time until the area is hit with more catastrophic flooding that would overwhelm existing flood mitigation measures. For example, the U.S. Army Corps of Engineers estimates that a 500-year flood could cause more than \$10 billion in damages—putting Border States and the local economy at risk.

Permanent flood protection against such catastrophic flooding would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region—one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

We are proud to be part of the Fargo-Moorhead metropolitan area, which is why we believe permanent flood protection is a necessary and vital investment in the future of our community. Permanent flood protection will protect lives, property, and the economic viability of this community in order to attract continued investment, sustained growth and job creation in the Red River Valley. Without permanent flood protection, we run the risk of losing much of what this community has worked so hard to build.

Sincerely,

Tammy Miller
CEO

Cc: Senator Kent Conrad
Senator John Hoeven
Congressman Rick Berg
Mayor Dennis Walaker, City of Fargo



Agricultural and Construction
Equipment



October 19, 2011

Governor Jack Dalrymple
600 East Boulevard Avenue
Bismarck, North Dakota 58505

Dear Governor Dalrymple,

I'm writing to encourage your continued support for construction of the Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. As one of the largest employers in the Fargo-Moorhead area, we believe this project is of critical importance – not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

CNH employees over 1,100 people, and creates more than 7 times that in additional jobs for supporting our production needs, and trickle down economic creation from those payrolls.

Although the Fargo-Moorhead area has experienced more than its share of floods in recent years, experts warn that it's only a matter of time until the area is hit with more catastrophic flooding that would overwhelm existing flood mitigation measures. For example, the U.S. Army Corps of Engineers estimates that a 500-year flood could cause more than \$10 billion in damages – putting CNH, its employees, its customers, and the entire local economy at risk.

By offering permanent protection against such catastrophic flooding, the Diversion Channel would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region – one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

We are proud to be part of the Fargo-Moorhead metropolitan area, which is why we believe the Diversion Channel is a necessary and vital investment in the future of our community. Building the Diversion Channel is a cost-effective way to permanently protect lives, property, and the economic viability of this community in order to attract continued investment, sustained growth and job creation in the Red River Valley. Without the completion of this project, we run the risk of losing much of what this community has worked so hard to build.

Sincerely,

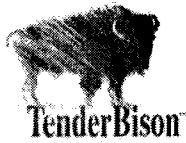
Erik A Olson – General Plant Manager

Cc: Senator Kent Conrad
Senator John Hoeven
Congressman Rick Berg
✶ Mayor Dennis Walaker, City of Fargo

CNH America LLC
3401 First Avenue North
P.O. Box 6006
Fargo, North Dakota 58108
Phone 701 293 4400 – Fax 701 293 4550
www.cnh.com

Dakota
farms.

&



October 19, 2011

Governor Jack Dalrymple
600 East Boulevard Avenue
Bismarck, North Dakota 58505

Dear Governor Dalrymple,

I'm writing to encourage your continued support for construction of the Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. North Dakota Natural Beef, LLC, as one of the larger employers in the Fargo-Moorhead area, we believe this project is of critical importance – not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

Although the Fargo-Moorhead area has experienced more than its share of floods in recent years, experts warn that it's only a matter of time until the area is hit with more catastrophic flooding that would overwhelm existing flood mitigation measures. For example, the U.S. Army Corps of Engineers estimates that a 500-year flood could cause more than \$10 billion in damages – North Dakota Natural Beef, LLC and the entire local economy at risk.

By offering permanent protection against such catastrophic flooding, the Diversion Channel would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region – one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

We are proud to be part of the Fargo-Moorhead metropolitan area, which is why we believe the Diversion Channel is a necessary and vital investment in the future of our community. Building the Diversion Channel is a cost-effective way to permanently protect lives, property, and the economic viability of this community in order to attract continued investment, sustained growth and job creation in the Red River Valley. Without the completion of this project, we run the risk of losing much of what this community has worked so hard to build.

Sincerely,

Dieter L. Pape

Dieter L. Pape
President/CEO

NORTH DAKOTA

Headquarters

1909 Great Northern Drive
Fargo, ND 58102

P: 701.356.7720

F: 701.356.7721

New Rockford Facility

1658 Highway 281
P.O. Box 672
New Rockford, ND 58356

P: 701.947.2505

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MINNESOTA

6801 Woyzata Blvd.
St. Louis Park, MN 55426

P: 952.545.2499

F: 952.746.1041

www.ndnatural.com

Addresses

**Senator Kent Conrad
530 Hart Senate Office Bldg
Washington, DC 20510**

**Senator John Hoeven
G11 Dirksen Senate Office Bldg
Washington, DC 20510**

**Congressman Rick Berg
323 Cannon HOB
Washington, DC 20515**

**Mayor Dennis Walaker
200 North 3rd Street
Fargo, ND 58102**



October 19, 2011

Governor Jack Dalrymple
600 East Boulevard Avenue
Bismarck, North Dakota 58505

Dear Governor Dalrymple,

I'm writing to encourage your continued support for construction of the Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. As one of the largest clinical research centers in the Fargo-Moorhead area, we believe this project is of critical importance – not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

Lillestol Research LLC is an independent private research facility conducting Phase II, III and IV clinical trials. As an internal medicine physician in practice since 1977, I started my interest in clinical research in 1991 and founded our company in 2004. As a company, we have conducted over 140 clinical research trials. Our nurses, study coordinators and clinical trial assistants work diligently to ensure compliance with all study protocol requirements, good clinical practice and that all study participants are treated with autonomy, dignity and self-respect.

Although the Fargo-Moorhead area has experienced more than its share of floods in recent years, experts warn that it's only a matter of time until the area is hit with more catastrophic flooding that would overwhelm existing flood mitigation measures.

By offering permanent protection against such catastrophic flooding, the Diversion Channel would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region – one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

We are proud to be part of the Fargo-Moorhead metropolitan area, which is why we believe the Diversion Channel is a necessary and vital investment in the future of our community. Building the Diversion Channel is a cost-effective way to permanently protect lives, property, and the economic viability of this community in order to attract continued investment, sustained growth and job creation in the Red River Valley. Without the completion of this project, we run the risk of losing much of what this community has worked so hard to build.

Sincerely,

Michael J. Lillestol, MD
President

Cc: Senator Kent Conrad
Senator John Hoeven
Congressman Rick Berg
Mayor Dennis Walaker, City of Fargo



All of **us** serving you

October 21, 2011

Governor Jack Dalrymple
600 East Boulevard Avenue
Bismarck, North Dakota 58505

Dear Governor Dalrymple,

I'm writing to encourage your continued support for construction of the Diversion Channel project to address flood risk in the Fargo-Moorhead metropolitan area. As one of the largest employers in the Fargo-Moorhead area, we believe this project is of critical importance – not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

Although the Fargo-Moorhead area has experienced more than its share of floods in recent years, experts warn that it's only a matter of time until the area is hit with more catastrophic flooding that would overwhelm existing flood mitigation measures. For example, the U.S. Army Corps of Engineers estimates that a 500-year flood could cause more than \$10 billion in damages – putting employees of U.S. Bank, our customers, and the entire local economy at risk.

By offering permanent protection against such catastrophic flooding, the Diversion Channel would help sustain the Fargo-Moorhead metropolitan area as a key economic hub in the region – one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

We are proud to be part of the Fargo-Moorhead metropolitan area, which is why we believe the Diversion Channel is a necessary and vital investment in the future of our community. Building the Diversion Channel is a cost-effective way to permanently protect lives, property, and the economic viability of this community in order to attract continued investment, sustained growth and job creation in the Red River Valley. Without the completion of this project, we run the risk of losing much of what this community has worked so hard to build.

If you have any questions, please do not hesitate to contact me at your convenience at 701-280-3553.

Sincerely,

Delton Steele
Regional President, Southeast North Dakota Region
U.S. Bank National Association, Fargo, North Dakota

Cc: Senator Kent Conrad
Senator John Hoeven
Congressman Rick Berg
Mayor Dennis Walaker, City of Fargo



Minnesota Department of Natural Resources

Regional Operations
2115 Birchmont Beach Rd NE
Bemidji, MN 56601
218.308.2629

November 4, 2011

Aaron Snyder
USACE Project Manager
190 East 5th Street
Suite 401
St. Paul, MN 55101

RE: Minnesota Department of Natural Resources (DNR) Comments
Fargo Moorhead Final Feasibility Report and Environmental Impact Statement (FEIS)

Dear Mr. Snyder,

The State of Minnesota remains committed to flood protection in the Red River valley and appreciates the opportunity to review the FEIS. Based on our review of the FEIS, it's still apparent that additional work is needed to demonstrate that the selected alternative is:

- ecologically sustainable,
- the least impact solution,
- one in which adverse effects can and will be mitigated, and
- consistent with other standards, ordinances, and resource plans of federal, local and regional governments.

The locally preferred plan includes a water control structure that is classified as a high hazard dam, which requires preparation of Minnesota State EIS. As part of State EIS scoping, additional assessment and review will be necessary to demonstrate that the above mentioned criteria are fulfilled. This letter provides insight on the types of issues that must be addressed as part of state environmental review and permitting.

Portions of past DNR correspondence remain relevant as key concerns are not addressed. DNR comment topics remain consistent with past correspondence. In the interest of brevity, DNR comments on the FEIS will reference past comments when appropriate. Referenced comments should be considered part of DNR's FEIS comments.

Attachments:

1. DNR DEIS comments - August 6th, 2010
2. DNR SDEIS Scoping Comments – January 24, 2011
3. DNR SDEIS Comments – June 16, 2011

DNR Information: 651-296-6157 • 1-888-646-6367 • TTY: 651-296-5484 • 1-800-657-3929



For each topic, general, and in some cases, specific comments (which reference specific areas in the FEIS) are provided. The DNR offers the following comments:

Scope of Alternatives

General Comments:

The alternative analysis and screening conducted as part of the federal EIS has been a significant source of concern and has received many comments from the public and agencies (DNR included). Review of Appendix O has generated several questions around the cost benefit analysis and alternative screening. As part of State EIS scoping the MDNR needs to verify and document the information that was used in the various phases of the federal EIS. In order to complete the MDNR's administrative record for the State EIS, we will need an independent review and documentation of the key decision steps and the information that was used to make the decisions. This detailed review and documentation will either confirm selection of alternatives in the federal FEIS or identify other alternatives that should be evaluated as part of the State EIS.

Specific Comments:

Magnitude of Flood Risk Reduction

Appendix U response to comments addresses the level of flood risk reduction in response to comment A-15. This response indicates that the level of flood risk reduction was a goal of a 36 foot stage at the Fargo gage for a 0.2% chance event (500 year flood) that had been identified by the Metro Flood Study Workgroup (MFSWG) and that minutes from the MFSWG are in Appendix Q.

Minnesota Rules part 4410.2300 subpart G provides the content requirements for Minnesota State EISs as it relates to alternatives. One of the alternatives that needs to be evaluated is a modified scale or magnitude. The magnitude of flood risk reduction is appropriate for alternative analysis. The specific level of flood risk reduction that is selected as meeting the project purpose is critical to alternative screening and alternative analysis. After reviewing the MFSWG minutes it is still unclear how the 500 year flood protection was determined to meet the purpose of the project. There are statements that indicate a desire for more than 100 year flood protection and that 500 year flood protection would protect a much greater area. There is also a mention of county planning for flood elevation of 36 feet. Presumably there are criteria or rationale that was used by the MFSWG to set the goal of protecting the metro area at a 36 foot stage for 0.2% chance flood events. However, this information was unattainable from the meeting minutes as was suggested by the response to comment A-15.

Additionally, it is unclear how the MFSWG determined the locally preferred plan (LPP) that does not meet the MFSWG goal was still an acceptable level of flood protection. The discussion indicates flood fighting techniques could be used during those floods that have a stage over 36 feet at the Fargo gage. It appears that the flood elevation when at a stage of 36 feet is a critical flood elevation for protection efforts. Documentation of the information that led to this decision is needed as part of the State EIS process.

As was indicated in our comments on the SDEIS, the MDNR is concerned that viable alternatives for flood protection were screened out because the magnitude of the flood risk reduction goal was

too large. As part the Minnesota State EIS Scoping the MDNR will need a record of explicit factors that were considered by the MFSWG and how those factors lead to the 500 year flood protection goal.

Control Structures

Response to comment A-22 indicates that incremental measures such as small levees and non-structural measures do not have a synergistic effect with the proposed diversion; as such, the diversion without control structures is not a feasible alternative even with the incremental measures in place. The response indicates a diversion without control structures is marginally feasible at best and a diversion without control structures is less efficient regardless of other incremental measures in place.

Phase 1 evaluated diversions without control structures and found that they were very effective at decreasing flood stages but not cost effective. Phase 2 screening #1 found the addition of the control structure drastically improved performance with a modest increase in cost. Both of the cost benefit analyses for these conclusions need verification as part of the State EIS scoping. The control structure has the potential for significant environmental effects so the DNR must assure that there are no other feasible and prudent alternatives.

Passing Additional Flow through Fargo-Moorhead

The FEIS provides brief mention of the possibility of passing additional water through the Fargo-Moorhead area at flows above 9,600 cfs at Fargo. It is unclear why it is a possibility to allow additional water through town as a mitigation measure, yet this alternative wasn't carried forward as a project alternative. It seems that inclusion of such a measure could significantly minimize a variety of impacts and still meet the project purpose. Since MN can only permit a least impact solution, the State EIS scoping and permitting will need to fully explore this alternative. It is unclear how this incremental measure was deemed appropriate as mitigation given the response to comment A-22 that indicated no synergistic effect between levees and diversion channels was found.

Future Development

Response to comment A-22 indicates development within flood prone areas is restricted by city floodplain ordinances based on FEMA maps. The future development in the study area is assumed to be in compliance with local city floodplain ordinances. Development will need to comply with existing floodplain maps and ordinances until a FEMA Letter of Map Revision is approved.

It is unclear how future development in flood prone areas was treated in the federal process. The response assumes compliance with flood protection land use regulations, but yet there is still a problem. How and why are the land use regulations failing (development prior to regulations, greater magnitude floods that are not addressed by regulation, etc.)? There may be an opportunity to look creatively at land use controls that help reduce flood risk if the current regulations leave an unacceptable level of risk.

The use of future development in (previous) flood prone areas as project benefit seems to drive up the cost benefit ratio for projects that protect the largest land base. We need a better understanding of the how the benefits from developing formerly flood prone areas were calculated in the cost benefit analysis.

Alternative Screening Criteria

The Corps identified a broad set of screening criteria that were used as part of alternative screening. We need a clear idea of how these criteria were applied to each alternative. We need to fully understand the application of the criteria used in the federal EIS and develop the criteria we will use as part of alternative screening in the State EIS.

Hydrology

In responding to DNR comments requesting that if used, the wet-dry analysis should be submitted to FEMA for review and acceptance, the Corps responded, *“The Corps has been working closely with FEMA, the State of Minnesota, and the State of North Dakota to ensure that the project as proposed will be provided with a CLOMR. The proposed mitigation should be sufficient to comply with all current regulations. The Corps will continue to coordinate with the agencies as this project progresses.”* It is our understanding that FEMA and the Corps are developing a Memorandum of Understanding regarding the CLOMR. Review of the wet-dry analysis should be included in the MOU.

Floodplain Hydraulics

DNR’s comments requested the FEIS describe compatibility with all land use controls and that costs for all mitigation and for development without the CLOMR be included in the economic analysis.

A description of local, state and federal floodplain requirements along with plan compatibility and consistency should be well articulated for a flood damage reduction project. Instead, the main text of the FEIS contains no mention of the CLOMR process, compatibilities with land use regulations and steps needed to address those incompatibilities. Instead, the Appendix U containing responses to comments indicates, *“The Corps has been working closely with FEMA, the State of Minnesota, and the State of North Dakota to ensure that the project as proposed will be provided with a CLOMR. The proposed mitigation should be sufficient to comply with all current regulations. The Corps will continue to coordinate with the agencies as this project progresses.”*

Section 3.8.3.4.2 indicates that there is no federal requirement for mitigation. It’s our understanding that FEMA does require mitigation to existing buildings and will have mitigation requirements beyond what can be reimbursed by the Corps as determined by the takings analysis. It remains unclear whether all of these costs were included in the cost benefit analysis.

The State EIS will need to fully describe project consistency and compatibility with all applicable land use controls. All mitigation costs and costs for development without the CLOMR should be included in the economic analysis. Specifics about the types of mitigation and who will pay for it will also be required for State permitting.

Geomorphology

DNR’s geomorphology comments on the FEIS contained herein focus on the locally preferred plan (LPP). With exception to providing additional sediment data, DNR comments in the FEIS regarding other alternatives remain relevant and are attached.

General Comments:

Overall the FEIS continues to drastically discount the potential for impacts caused by changes in geomorphic processes. Furthermore, DNR’s direct observations of major sedimentation along the Red River following large flood events contradict many of the estimates and conclusions in the FEIS. It will be necessary for the State EIS to fully disclose both the likelihood and the significance of these impacts.

Specific Comments:

Upstream Sedimentation

Corps response to comments indicates, *“If the conservative estimate presented in the FEIS (conservative because it is assumed that all incoming sediment from upstream would settle in the flood pool) would be off by one to two orders of magnitude in some localized areas, the sedimentation rates in such areas would be 2-3 inches, which is well within the expected range of sedimentation driven by natural processes during large flood events in a complex riverine system where sediment transport is dominated by very fine material (silts and clays) mobilized in suspension.”* As referenced in our SDEIS comments, DNR has frequently witnessed 2 feet or more of sediment deposition in non-reservoir areas. Furthermore, comparisons to Christine and Hickson are not appropriate. Both of these dams inundate at bankfull and have higher flows resulting in reservoir stages, slopes, and shear stress values that are the same as they would be if the dams were not there. The proposed dam and reservoir would not be inundated during 5 year and larger floods. As noted, velocities in the reservoir would be very low as would shear stress leading to sediment deposition. Sedimentation rates of 2-3 inches are very substantial especially when put in the context of cumulative effects.

Within the FEIS, sedimentation impacts for Wolverton creek are included within the general description of effects of upstream staging. Since the LPP includes complete blockage of flows on Wolverton Creek; a separate discussion for this resource is warranted.

As part of the State EIS scoping, full disclosure must be given to potentially significant geomorphic impacts. Decreasing operational frequency and staging duration – a possibility mentioned in the FEIS - would help to minimize impacts and should be further explored.

Downstream Geomorphology

DNR agrees that the Red River is currently very stable in its form and, depending on the operation plan, a diversion by itself may not have substantial effects on downstream geomorphology. However, with the addition of a dam and prolonged discharge of high flows there are additional concerns. There would be some potential for channel enlargement due to the increased duration and frequency of bankfull and higher events from the prolonged discharge of water from the dam reservoir. Since channels forming flows are a function of the product of sediment transport rate and flow frequency, changes to either could have adverse consequences for riparian vegetation, channel stability, sediment, and habitat.

Bank Stability

The FEIS continues to provide little substantiation for the assertion that, “stability of a larger portion of the lower bank and the upper bank would not likely be affected by a small increase in duration of bankfull conditions”.

The DNR maintains that exacerbation of bank failures can be expected under the LPP (as described in the FEIS). Bank erosion problems are likely to be exacerbated by several factors associated with the new dam including:

- As sediments accrete in the floodplain (reservoir), bank heights will increase, loading the banks, and increasing potential for slumping as the reservoir is drained.
- Stability of the Red River channel is heavily dependent on riparian trees which provide mechanical strength due to roots and draw moisture from the soils increasing soil critical shear

stress. Removal of riparian trees has consistently resulted in bank slumping while these slumps are relatively rare where the riparian zone is intact. Trees along the Red River are already stressed during prolonged floods and can suffer root rot that can kill younger trees in particular. This reservoir would damage the riparian corridor by creating a reservoir that would hold water higher and longer, killing riparian trees. Once dead, the trees will no longer perform the bank stabilization functions.

- Soil saturation is a major factor in bank slumping along the Red River. The reservoir will increase soil saturation by holding water higher and longer. Draining of the reservoir will also result in more sudden changes in water level in the channel; a factor frequently associated with slumping. When the reservoir is drained, these weakened soils will be prone to collapse.
- Large slumps can fill a significant proportion of the cross-sectional area of the channel. This reduced flow capacity through the cross-section results in higher upstream stage, higher velocities, and higher shear stress causing additional erosion until the cross-sectional area is regained.

A significant reduction in the frequency of operation and staging duration through design features which pass additional flows through town would greatly minimize these impacts. Since the adaptive management remedies for this condition are limited to either changing operating procedures of the dam (which would tend to defeat its purpose), or the development of a fully wooded riparian corridor (prolonged inundation of the existing wooded corridor may actually worsen conditions and limit the development of a woody corridor where none exists), impact minimization through design changes should occur upfront.

Fish Passage and Biological Connectivity

DNR acknowledges the merits of the additional fish passage channels around the Red River structure. These additional features (i.e. up to 8 fish passage channels) along with inclusion of the option of passing more water through the metro, if implemented, will go a long way in minimizing both biological connectivity and geomorphologic impacts.

DNR concerns - as stated in past comments - that fish passage should be provided through the diversion channel remains unchanged. Further, we ask that the Corps support their conclusion contained in Appendix U which states, “... *this cost would not be justified by the number of fish expected to reach the upper end of the diversion.*”

DNR concerns regarding potential impacts caused by reduced fish passage and impacts to channel morphology caused by impounding water on Wolverton Creek remain unchanged. We believe it is insufficient to address these concerns by stating, “*It is unclear if this impact is substantial enough to warrant additional mitigation beyond what has already been proposed in the FEIS*” and we believe a thorough evaluation of the potential impacts is warranted and should be addressed as part of State EIS scoping.

Wetland Impacts

Many of DNR comments pertaining to wetlands have been addressed in the FEIS; however, the FEIS still does not describe whether perpetual easements or other protections will be placed on the replacement site(s). This information was requested as part of DNR’s comments on the SDEIS. Such a requirement is consistent with Corps Policy which requires that wetland replacement sites be protected through

appropriate real estate instruments such as covenants, conservation easements, or transfer of title to a public natural resource agency or private conservation organization.

DNR also requested that the FEIS provide an analysis of the potential impacts that operation of the alternatives will have on wetlands and that mitigation be provided for all impacts. In responding to this request Appendix U indicates, "*The operation of the project was considered in this analysis; no appreciable impacts to wetlands would occur due to operation of the project.*" It remains unclear how impacts resulting from operation were considered in the FEIS. DNR asks that supplemental information be provided which describes indirect impacts caused by cumulative sedimentation within the reservoir and due to changes in downstream floodplain hydraulics. This information will be required as part of State EIS scoping.

Debris and Ice

DNR's SDEIS comments recommended that the FEIS include a comprehensive study of potential ice and debris impacts of the alternatives. Unfortunately this information was not included in the FEIS. It will be important that project induced ice impacts be assessed during State EIS scoping.

Mitigation and Adaptive Management

DNR's past comments on this topic remain relevant (see attached).

General Comments:

For impacts the Corps is concluding will be less than significant - but still possible - Corps is relying on future monitoring and adaptive management/mitigation. DNR generally agrees with this approach, however; there remains an area which DNR does not agree that impacts will be less than significant and additional minimization of impacts through design changes should be pursued upfront, rather than waiting to see if impacts occur. Specifically, significant geomorphic impacts can be avoided and minimized by reducing the operational frequency.

Regardless of DNR's past comments, to date no assurance that future mitigation action will occur has been provided for potential impacts that will be verified through post operation monitoring. This lack of assurance will provide serious challenges as it relates to state permitting.

A mutually agreed upon mitigation and adaptive management plan containing the specific criteria, indicators, thresholds, response actions, costs, and assurances will be required as part of State EIS Scoping. DNR permits will also include similar mitigation provisions. DNR will continue to work with the Corps, other agencies, and project sponsors in developing a mutually agreeable adaptive management plan; however, the responsibility for plan implementation would be that of a permittee.

State Environmental Review and Permitting

As previously mentioned in our SDEIS comments, in order to comply with statutory requirements associated with Public Waters Permitting (103G) and Environmental Impact Statements (116D); DNR must require that the permit-level analysis be compiled and provided concurrently with the State EIS process. If the sponsor wishes to proceed with a State EIS before permit-level analysis can be provided, the sponsor must contact DNR's Public Waters Work Program to discuss options under which they can consent to exceed new goals for issuing permits.

Conclusion

As outlined in our comments to date, additional efforts are needed to demonstrate that the project is ecologically sustainable, the least impact solution, adverse effects can and will be mitigated, and the chosen project is consistent with other standards, ordinances, and resource plans of federal, local and regional governments. This information will be necessary for both the state environmental review and permitting processes.

Thank you for considering our input.

Sincerely,

A handwritten signature in black ink, appearing to read "MR Carroll", with a stylized flourish at the end.

Michael R. Carroll

Assistant Commissioner

Mike.carroll@state.mn.us

cc: DNR Commissioner's Office
Kent Lokkesmoe, Director of Capital Investment
Steve Hirsch, Division of Ecological and Water Resources Director
Red River Watershed Management Board
Red River Basin Commission
City of Moorhead
FEMA Region V
FEMA Region VIII
Denver Federal Center
Building 710, Box 25267
Denver, CO 80225-0267
EPA Region V
EPA Region VIII
Will Seuffert, MN Governor's Office

November 4, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

To whom it may concern:

Let me begin this letter by bringing to light that I am considered a resident of the "staging area" for the dam/diversion. While this may be true, the reality is that my home is not impacted by the dam/diversion as it is well above the 100-year flood plain and only minimally impacted by even a 500-year flood, so I want to be clear that I do not oppose the plan for personal reasons. We moved to our farmstead primarily for two reasons – a small-town community setting to raise our children, and a desire for peace, quiet and solitude -- an escape from the big city life of Fargo. In reality, if this dam/diversion proceeds against all common sense, we will have that in spades since we will have no more neighbors. No, the reason that I oppose this dam/diversion is because it is not the best solution for the Red River Valley.

For many of us, living in the country is our refuge; that way of life is one of the best things about North Dakota. Why are our lives or our lifestyles worth less than those who wish to develop onto the floodplain south of Fargo?

This plan is being pursued for one reason and one reason only. It is obvious. Fargo cannot grow west because it is blocked by West Fargo. It cannot grow east because it is blocked by Minnesota. It does not want to grow north because of the airport and settling ponds, so it wants to grow south. South is nothing but flood plain, so let's build on the flood plain and create a new New Orleans of sorts by forming a new Lake Agassiz to the south at the expense of families and communities who acted responsibly and built above the flood plain. Yes, let's do that. No, let's not; it is illegal. It is greed which is motivating this choice, and nothing else.

I would like to know how this ND dam/diversion plan, which clearly protects land currently in the 100-year flood plain and earmarks it for prime Fargo development and expansion (i.e. Rutten Park area) while flooding out communities which are above the 100-year flood plain (i.e. Christine, Bakke, Comstock, Hickson, etc.), can reconcile against FEMA's Executive Order 11988.

<http://www.fema.gov/plan/ehp/ehplaws/eo11988.shm>

The Corp's preference has been noted as the Minnesota diversion option. It is less expensive, less destructive, and it protects the Fargo/Moorhead community we know today. Furthermore, there is documentation in the FEIS Appendix O which further speaks to this and confirms the *real* reason behind the choice of the ND dam/diversion over the Minnesota diversion option.

ftp://ftp.usace.army.mil/pub/mwp/Fargo_Moorhead_Final_Feas_FIS/Appendix_O_Plan_Formulation.pdf

#3

Begin ND diversion channel
further North
Civil

Again, the ND alignment is a locally preferred
alignment and therefore they chose the general

location for the inlet. **Their reasoning for the location**

**of the inlet being further South than the MN alignment
was to accommodate the city of Fargo's current future
plans of development**

**and to protect the city from the
Wild Rice River flooding to the South.**

There are other options (the MN option preferred by the Corp) which protect Fargo as it is within its current borders without destroying six communities (Bakke, Hickson, Oxbow, Comstock, Christine and Wolverton), four school districts (Kindred, Richland 44, Breckenridge and Barnesville) in four counties (Cass, Clay, Richland, Wilkin) across two states (MN, ND). Since the MN diversion begins *after* the Wild Rice enters the Red, it would be mitigated at that point, so the argument from Appendix O highlighted in green above is moot. Why are we pursuing such a destructive and fiscally irresponsible plan?

I am sick and tired of all the lies and misinformation being spread by the city of Fargo. Case in point is the letter from Darrel Vanyo to Richland County (attached and referenced in the link below).

<http://ezhostmail.com/cass-county-darrel-vanyo-ltr-to-richland-county.pdf>

The lies and duplicity doesn't end there. The residents of Oxbow, Hickson and Bakke were deceived on the full scope and impact of the dam/diversion until AFTER Fargo got their ½ cent sales tax measure passed. Classy. It is also no coincidence that the path of the dam/diversion falls smack dab on top of the Kindred/Fargo school district lines.

I would like to know how many Fargo residents actually prefer this so-called LPP (Locally Preferred Plan). I've spoken to many residents in Fargo, and so far I can think of only three --- Walaker, Vanyo and Mahoney. Seriously---how many Fargo residents really support this plan??? Sure, they voted for flood protection a year or two ago, but that was before the details of this dam diversion were announced. Somehow, Walaker is taking that vote as a mandate to destroy communities upstream and downstream. Now that the facts are starting to trickle out, how many Fargo residents are still in favor of this plan? It is clear from comments our local residents are making regarding this dam/diversion that it does not have even a modicum of support from the citizens of the Red River Valley. How is it that the wishes of a few can be forced upon the many? As a supplement to my letter, I respectfully request that you review each of the links below to truly gauge the sentiment of our region. Before a decision of this magnitude moves one inch further, educate yourselves on what the people here really want. They do not want this dam/diversion.

Comments from citizens of the Red River Valley:

<http://topics.areavoices.com/2011/09/23/red-river-diversion-leaders-delegates-talk-in-dc/>

<http://topics.areavoices.com/2011/09/27/former-news-broadcaster-leads-outreach-on-diversion/>

<http://topics.areavoices.com/2011/09/21/leaders-request-30-million-toward-fargo-moorhead-diversion/>

<http://topics.areavoices.com/2011/09/03/diversion-discussion-local-sponsors-on-hook-for-51m-in-i-29-costs/>

<http://topics.areavoices.com/2011/08/31/rep-collin-peterson-i-have-to-be-more-realistic/>

<http://topics.areavoices.com/2011/08/30/forum-editorial-a-smart-option-for-flood-work/>

<http://topics.areavoices.com/2011/08/22/another-5-2-million-in-fargo-flood-buyouts-approved/>

<http://topics.areavoices.com/2011/08/13/forum-editorial-a-6-billion-flood-risk-for-fargo/>

<http://topics.areavoices.com/2011/08/10/fargo-to-seek-extension-of-infrastructure-sales-tax-to-help-pay-for-flood-control/>

<http://topics.areavoices.com/2011/07/14/forum-editorial-surviving-a-%e2%80%98big-one%e2%80%99-is-the-goal/>

<http://topics.areavoices.com/2011/06/27/fargo-moorhead-ok-diversion-agreement/>

<http://topics.areavoices.com/2011/06/14/moorhead-officials-miffed-at-corps%e2%80%99-capacity-changes/>

<http://topics.areavoices.com/2011/05/26/diversion-could-get-lobbyist/>

<http://topics.areavoices.com/2011/05/26/forum-editorial-diversion-must-be-priority/>

<http://topics.areavoices.com/2011/05/24/were-in-a-state-of-emergency-homeowners-pack-kindred-diversion-meeting/>

<http://topics.areavoices.com/2011/04/20/meeting-may-ease-diversion-concerns/>

<http://topics.areavoices.com/2011/04/12/diversion-would-keep-cass-county-drier/>

<http://topics.areavoices.com/2011/04/04/red-river-diversion-upstream-neighbors-concerned/>

<http://topics.areavoices.com/2011/04/03/new-diversion-foes-minndak-upstream-coalition-forms-to-try-to-stop-project/>

<http://topics.areavoices.com/2011/04/01/boards-to-make-diversion-decision/>

<http://topics.areavoices.com/2011/04/01/flood-group-forms-committee-to-plan-for-oxbow-hickson-bakke-subdivision-buyouts/>

<http://topics.areavoices.com/2011/03/31/red-diversion-project-keeps-evolving/>

<http://topics.areavoices.com/2011/03/30/flood-fight-2011-diversion-price-tag-rises/>

<http://topics.areavoices.com/2011/03/30/latest-corps-diversion-information-shows-buyouts-warranted-for-all-of-oxbow-hickson-and-bakke-subdivision/>

<http://topics.areavoices.com/2011/03/26/reaching-an-agreement-on-diversion-a-challenge/>

Yes, many of the comments come from individuals who have made more than one entry, but the votes are all from unique residents across the valley. The true sentiments of the general populace are eye opening. It's time to listen to THE PEOPLE and not to the select few who pretend to serve. The only things they are serving are their self-interests. This flood mitigation option is not in the best interest of the Red River Valley.

Action for the Corp: I would like to see the actuarial studies done by the Corp which show how many lives will be LOST due to the dam/diversion. In their recently released reports, they claim the dam/diversion will ultimately save lives. **What I would like to see is an actuarial study which will show how many lives will be lost when I-29 and Highway 75 are raised 10 feet in the air and cars plunge into the deep gorges on either side where now we have only a gentle slope. I would be especially concerned about how these numbers will escalate during the event of a spring flood coupled with the icy roads typical of the season.** How many lives will be lost as victims careen off the roads into freezing flood waters? You are putting theoretical life loss of a .02% chance of a flood up against a 100% certainty of death under the scenario below happening each and every year.

- Now...just fast forward to what that interstate will look like built up ten feet into the air and surrounded on both sides by water just as deep and with a current typical of a flood.
- Now remember a typical April day (i.e. snow, sleet, freezing rain).
- Now recall how many cars land in the ditch on any given spring weather event.
- Now envision all those cars sliding into the ditch and submerged in the floodwaters.
- Now think about all the deaths as a result of this dam/diversion.
- Now tell me...is this really the best solution?

Tim Mahoney openly stated that they did not want to place dike all the way through town because they would have to buy out too many more homes and they don't want to lose all that tax base. When in reality, if those displaced people rebuild within Fargo, no tax base is lost.

I find it hypocritical for the city of Fargo to seek sympathy for its tax base and yet are willing to destroy entire communities and destroy substantial tax bases in the Kindred and Richland school districts not to mention Barnesville and Breckenridge.

Trying to out engineer the river is a recipe for trouble. It's like you are trying to "build a better mouse trap" here. Is this just an exercise to flex your superior engineering muscles with those victims outside the dam/diversion your lab rats? Look at the people along the Mississippi who built their levees only to watch them be blown apart by the Corps so the water could consume the natural flood plain. The only difference is here it is the reverse situation. The Corp is devising a plan to protect the flood plain and those who have built on the flood plan plus those who would wish to build there as part of Fargo's reach to grab more land to expand—all at the expense of those who live above the flood plain and have never had flood issues. Case in point — Rutten (Water) Park this spring is clearly in the 100-year flood plain, and yet Fargo wants to protect that land and instead flood out communities who do not live in the flood plain (that is, until Fargo builds its nice little dam project). Who does not see a disaster waiting to happen here?

I find it hard to believe that a .7" benefit to Hendrum is prioritized in comparison to the amount of feet being place on southern communities like Oxbow, Hickson, Bakke, Christine, Comstock and Wolverton, not to mention the devastation to four school districts — Kindred (losing 25% of its tax base), Richland 44 (losing 29% of its tax base), plus Barnesville via Comstock and Breckenridge via the Wolverton area. This myopic plan is beyond reason. Tell me again how many families lose their homes if the diversion goes through Minnesota?

If this was the only solution to save Fargo, or even the best solution to save Fargo, I would acquiesce and grant my blessing. From the facts I've mentioned above, this is clearly not the case. The Corp needs to do what is right for the entire Red River Valley and not what Fargo wants — a blank check to go develop on the flood plain.

Respectfully submitted,

Lori Propp-Anderson
17525 County Road 2
Christine, ND 58015
701.306.5786



**Board of County
Commissioners**

March 31, 2011

Scott Wagner
Fargo, North Dakota

Vern Bennett
Fargo, North Dakota

Ken Pawluk
Fargo, North Dakota

Darrell W. Vanyo
West Fargo, North Dakota

Robyn Sorum
Horace, North Dakota

Dan Thompson
Richland County Commission
820 Birch Avenue
Wyndmere ND 58081-4008

Dear Commissioner Thompson:

~~With the recent presentation by the Corps of Engineers (COE) and the concerns that may exist with Richland County residents, schools, and your commission, I welcome the opportunity to set up a meeting with you to discuss any negative impacts of a North Dakota diversion. According to the COE, their preferred alignment north of Oxbow does not produce any negative impacts south of Highway 46. However, any movement of the alignment further to the south could, in fact, produce a negative impact in your county.~~

What needs to be considered in setting up a meeting is whether it should be with all commissioners at a public meeting, or whether a meeting with one or two commissioners and our county engineers is a better approach.

Please call me at (701) 306-7560 or call our commission assistant at (701) 241-5609. Once we know your preference, we will set up a meeting.

Thank you.

Sincerely,

Darrell Vanyo, Chairman
Cass County Commission

Heather Worden
Commission Assistant

cc: Cass County Commissioners

Box 2806
211 Ninth Street South
Fargo, North Dakota 58108

701-241-5609
Fax 701-241-5728
www.casscountynd.gov

***RICHLAND COUNTY
WATER RESOURCE DISTRICT***

MANAGERS:

*Don Moffet, Chr. (Barney)
Robert Rostad, Vice Chr. (Colfax)
Arv Burvee (Fairmount)
James Haugen (McLeod)
Gary Friskop (Wahpeton)*

SECRETARY /TREASURER:

*Monica Zentgraf
(701)642-7773 (Phone)
(701)642-6332 (Fax)
mzentgraf@co.richland.nd.us (E-mail)*

October 31, 2011

US Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: Fargo-Moorhead Flood Diversion Project
Final Environmental Impact Study

To Whom It May Concern,

The Richland County Water Resource Board submits the following comments regarding the Final Environmental Impact Study for the Fargo-Moorhead Flood Diversion Project:

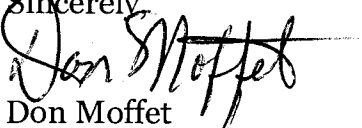
The Richland County Water Resource Board is very willing to work with Fargo, Moorhead, Cass County and all other entities involved, to help solve Fargo and Moorhead's flooding problems; however, this Board also has a duty to represent the residents of Richland County. The Board requests those upstream and downstream of the Fargo-Moorhead project be given due consideration because of the impacts they will experience as a result of this project. The protection for Fargo and Moorhead should not be at the detriment of Richland County residents.

The Richland County Water Resource Board requests additional analysis of impacts to Richland County that will be affected by the proposed project, for 100 and 500 year events, and compared to current conditions, which include:

- A. Analysis of impacts to the legal drains in the northern end of Richland County.
- B. Analysis of impacts, which include stage increases, changes in flow, velocities, and drainage patterns on the Wild Rice, Sheyenne, and Red Rivers within Richland County.
- C. Analysis of impacts on all other natural drainage systems in Richland County.

The Richland County Water Resource Board feels it is imperative that the US Army Corps of Engineers provide due diligence in addressing these issues.

Sincerely,


Don Moffet
Chairman

DM:mz

To: Army Corps of Engineers
Regarding Red River Diversion

I live on the Minnesota side and have land where the proposed ti-back levee goes. The project would negatively affect my farming. It would also ruin the land where the ti-back levee goes in. Also I farm my Uncle & Aunt's land along the river south of Comstock, Mn.

All the land I farm has had water on it in the spring but has never flooded in the summer. We have never had water in any of our farmyards in the Spring.

There must be a better way.

Also I don't want to see my father Grandparents & Great Grandparents dug up and move just to protect South Farg's swamp.

Sincerely

Kevin Olsgaard
11549 40th St. S.
Mhd. Mn.
56560

A DIVERSION head Between City & County Not a Diversion Line

PEAR - Head of Corp of Engineers

I do believe Fargo N Dak has a right TO Flood Protection like any other City Townships or County in North Dakota. But Not this Metro Diversion Ditch

They are Lobbying for. In the next ~~few~~ few paragraphs I will tell you why.

1st off there is These subjects I will list these on 1st Money & the Over Cost of the Project. 2nd The Impacts it will have on upstream & Downstream Cities Schools - Homes & Public Chemitries 3rd - The pitfalls & the what will happen if the Project fails TO deliver.

4th - what Everybody is going up & what Fargo is lacking or Not going anything up.

1st Subject.

★ when the plan started it was Billed at 1.2 Billion Dollars at present it is at 1.7 Billion Dollars. But we are Not Counting on Overruns & Every project has them. 1.7 Billion is just an Estimate on Construction well if this is going to take 8-10 years to Build you have 8-10 years on more Construction cost per year so that it an Increase. They don't have the cost of the 6,000+ Acres Building sites - Business by outs & Home's

that have to be bought - 13 communities
that have to be moved - And what they
are telling me is Top dollar before the Division
is in place Current farm land is selling between
4,000 - 4,500 dollars An acre 6,000 Acres x 4,500
27 million dollars - with the Extra costs
plus the land the project could run
2 1/2 - To 3 Billion Dollars. Now they will
tell you they have the Money I can
tell you with the Mass flooding that
Minot & Bismark North Dakota saw this
last year & Fargo Not seeing anything
that these the cities saw there will
be a lack of State Funding & the
Local Amount with Moorhead Minn
wanting out of the Project they were
at one time a co-owner of the
Project. we come up short on
Local funding. Now with the U.S
Economy as Bad as it is & the
flooding that the East coast took
this past year & the flooding on the
Missouri Valley nationwide I don't see
the project ever coming to see the
light of Day The Money is Not
there on the Federal - State or Local
Outlets. What Fargo has wasted on

tho pjoiced alone they could have Built
all the levees flood walls & other
Structure like Grand Forks did back
in 1997 & Had Money IN the Bank
for other flood medigaters project.
another cost they don't want to mention
is the cost of Mainting the pandora
ditch is slated at 1 million dollars
a year. No one knows where that money
will come from. The 2nd Issue is
Impacts. If the ditch is Built
the towns of Hickson, & Bow &
Bakke Addition are wiped out - A Golf
Course that funds the City of Hickson
is gone. The people that live there go
to a Great School District the Knudsen
Public School - In turn the School District
would Lose Tax Money & State School
funding Because the kids that would go there
will be Lost. In Comparison the Fargo
School District would Lose Nothing
Also Richland School District would
be wiped out so we could lose 2
School District & Fargo would lose ~~of~~
~~the~~ Their would be wide
spread flooding caused by the Ditch
Greater then we would have at
the Present Time. ~~And the~~ Two would

2nd ★

have been brought to your Attention
if you would have Let the people
or groups Min Dak - Coalition Appear before
your group or the @Group at Washington
D.C. , See you let the Metro Flood
Group Appear 2 Times with your group
IN Washington DC - Our group was
Denied Both Times - Does Not seem
fair. Doesn't you only saw the side
& I know they would tell you the
Bad side or the Negative Impacts this
will cause. Because Fargo Does Not
Care about the rural people or Towns
they are going to destroy. I did bring
this up with ~~Aaron~~ Aaron Synder
your Core main Man IN mpls
and I quoted you trying to fix a
problem by creating a Bigger problem
fix the ^{down}upstream problems but create
Bigger problems upstream his response
was we cant fix the problem upstream
because we would have more if we kept
going upstream - Doesn't sound very good
But again Fargo Doesn't care because
they all taken care we just don't
Count out IN the Country.

3rd*

Now for the pit falls.
the metro flood team says It doesn't
need all the money to start this
project. If the run out they will
stop construction & pick it up later
Well here is today history lesson
This was tried in North Dakota
Back in the Early 60-70's It was
called Garrison Diversion or
Mudlake Channel in Garrison
They started construction completed 22 miles
did another stretch of 15 miles - had
about 18 miles to go funding ran out
completely the project never was &
never will be completed. The crossing
of 5 River in this project will
be disastrous. I will tell you right
now crossing the Sheyene River will
be your budget failure the river bank
will not be stable enough for a
1/2 wide crossing. The Bank are not
stable enough if you will destroy all
5 River channels as we see them
now - you will cause major flooding
on the South outlet of these Rivers

they will back up & cause the spread
flooding that has never been a
problem before. What the project
will do is help Fargo & Fargo
only our half section will be
under water as the project continues
my grandfather told me to see any
water it would have to back
up 10 miles away to reach us

Interstate 29 would be 5-6 feet deep
before we would see 5-6 inches at
our place. If this ditch or river
as I call it because it will be
wider than the Red River that is
project helps we would have 5-8 feet
of water on the land - what the good
lord could not do for over 120 years
you people would do in 1 year

So we went to Gamble
& have 2 unfinished diversion projects
in the state of North Dakota

★ 4 issue we have land lord of this
project and there is 147 of us
have never had a say in this
project ~~but~~ never been part of the
group planning never was visited

or told where the Line would be
drawn. Fargo main pt in Economical
Development the built to fast put
the housing project IN the Bottom
of Drain Ditches that were built in the
60's they have built all the New
Schools housing Developments IN low
lying Land that Always flooded IN
the Early 60's 70's when I wasn't a
part of Fargo. And Now they want
us to give up Everything of Ours
If the Shoe was on the other foot
they would say No we give up Everything
& receive Nothing IN return Fargo
Gives up Nothing & receives all the
Benefits. Does Not seem like a
Very Compatible Deal

IN Closing I would like the
Opportunity with our group to visit
with you & the people of your
group IN Washington D.C Before
any Decision are made. We have
Come up with Several other plans
but they keep falling ON Deaf Ears
we want to see a plan that
would help out Everybody Not

Just Fargo NDak.

Grand folks built it without Destroy
Hear County - other places have to.
Stop this before it destroys us
all. I know you can & lets
make it for the Next Generations
To Come.

Martin Johnson
7806 112 Ave So
Horace NDak

phone 701-277-8976

Cell # 701 212-6808

4th Generation to Live IN my
Great Grand Parent house

my son is the 5th Generation to
live IN the same house

I Don't want it to End there
but If this project Succeeds
we will Lose it all.

please write to me or call me
our better yet come visit
your group is welcome

Thank you

NOV. 4, 2011

I am writing in regards to the Fargo-Moorhead Diversion study/Plan.

I live on the west side of the west tie back levee. This levee is designed to keep water from going farther west. The problem is all the drainage from west of this levee goes to the east, northeast and gets into the Wild Rice River. One meeting held in Kindred in March, this concern was brought up and the response was this had been overlooked, after that meeting I got a hold of one of the engineers from Moore eng. & Keith Bernt Cass County engineer. They said we'll just dig a ditch on the west side of Cass County Road #17 and west of the tie back levee and run the water to the north to a culvert weir. Then in a meeting held in Kindred on May 24, 2011, in Aaron Snyder's, proposed plan that was in there. How many more of these things have been overlooked?

Now my question is how large will that culvert weir be to take all the water that normally goes east from the Sheyenne River to the tie back levee and all the way north to the proposed diversion, and will the diversion let water in when the flows are high.

The other thing to remember the Sheyenne is normally 7 to 10 days later than the Red & Wild Rice rivers so that

water has a place to go, and even then the outlet culverts we have now don't handle it well.

With the diversion/dam holding water back to let it through the canal orderly the water from the Wild Rice + Red will still be there so the Sheyenne will have no place to go and will build up on everyone west of the Tie-back levee. This may force water back on Kindred and Davenport N.D. plus many farmsteads that normally don't flood. How many more buyouts or ring dikes will that take, ^{that} are not figured into the cost of the project as the digging of the ditch west of the tie back levee wasn't? It never ends!

Then there is talk of recreation benefits, as I have seen in other projects recreation and floodcontrol do not work together I repeat do not work together. Of that is what it takes to make the projects benefit racial, forget it. Of recreation is to be a part what type, where and how high would the pool level have to be maintained? what effect would that have on summer drainage and would it be emptied in the fall to make sure there is room for spring run off.

Many of the roads and highways will be flooded in each event, is the project going to have money to repair these each year, the township don't

and I don't think the counties do either. They I-29 will have to be raised several feet which will make very deep ditches and a dangerous situation.

This project always states they have to go to 500 year flood protection, we haven't had a 100 year event yet, do you realize how much more water and how far out another 5 or 6 feet, more or less, that will take. The elevation of this area is so flat, that amount of water would spread for miles. That also brings to mind that the engineers are trying to build a pool on this flat surface. The place to hold water is in natural valleys which has been identified and could do considerable good.

The number of homes, businesses, communities and schools that would be effected goes on indefinitely, and so do the costs.

On my mind this has to stop and look at what is being done and how can it be done better. A big part of the homes and farmsteads are high ground and don't flood now, this is Fargo-Moorhead's future growth area, part of their cities in years to come, and it's about to be destroyed.

I also think the costs are going to way exceed the estimates and can the Sale Tax generate enough, if not how will it be funded. Think about it and not force a white elephant on the people.

addition to the previous four pages, Minot flooded and Fargo took that ball and ran. Saying look what could happen. Yes maybe it could but very unlikely because Fargo is not in a valley as is Minot. Fargo is flat land and spreads out so is not a wall of water coming at you.

It has been brought out that if Fargo flooded it could be \$1 billion damage. That's a wide open number.

What is the cost of loss of income and tax base to the area if this project goes through. That would be every year and not a maybe. There is a large number of area that will be out of production, whether it floods or not. The ditch/dam all the tie backs and more that's across where no more production or tax base will be generated, forever.

The Federal government talks about shortage of funds. Fargo hasn't had a 100 year flood yet but now they want to be protected to 500 year, do they even know what number a 500 year flood is. The next thing can the federal help protect all the communities through out the country that has had flooding to 500 year protection. Looks like you better start looking for a lot of money.

Fargo - Moorhead needs protection but not at the cost of distroying many communities. Moorhead has been doing a good job of protecting themselves. Fargo is working on it

and may have most done before this project can ever get started. Also the diversion project, should slow down and look more at the whole region and work with the Red River Basin. They have a lot of studies and places to hold water that will do all good.

Earlier I mentioned recreation where and how is that to be done, they must plan on holding a body of water some place is that the staging areas. On most talks they say the water will go down and can still be planted and farmed, if recreation is included there must be areas that won't be drain and be farmable.

At one meeting the cost was questioned and the answer was the project allowed 20% cost over run plus 5% per year increase for life of project. If project lasts 10 years as proposed, that's at least 70%, now that's real money and is this affordable? The federal and or local sponsors.

On one area that is to be flooded Cass County Rural water has a station and wells, has that been look at as to contamination.

How about all the rural wells are they going to be cap off.

On about 2 more years the city of Moorhead Mn. won't need protection from this project as they have been doing a good job of their own protection, in fact the end of October the mayor made the statement that

in Two years if the river is high will be able to drive to it and just view.

On the 1st week of October I was on a trip, we went by Omaha Neb and Council Bluffs Iowa areas, there was a very large area of destruction, I bet they would like 500 year protection also, is it going to happen.

why did that happen, was it because to much water was being held back for recreation and then a large amount of snow melted.

Bismarck + Minot N.D. had the same thing, does flood control and recreation mix?

Senator John Hoeven and others are questioning management and releases, is this going to happen if the Fargo-Moorhead Diversion / Dam comes in.

The Fargo-Moorhead met with the army-Corp of Engineers and presented their case which was received well and thought to be a good project. I hope they weren't just looking at it as a stimulus project to create a lot of jobs to help the economy. Also in this case it was only one side the Corp was hearing from.

I hope you don't think I am picking on the Corp, but please be sure before moving forward.

Thanks a lot for this chance to air my thoughts.

Douglas Christensen
Kindred, N.D.

Douglas Christianson
16933 53rd St. S.E.
Kindred, N.D. 58051

Douglas Christianson
16933 53rd St SE
Kindred, ND 58051

Fargo Dam and Diversion,

Our immediate family has lived here for over a quarter of a century. We reside in a home which we moved onto our land eight years ago. Our seventeen year old daughter has lived with us here her whole life. If this diversion and dam are passed it will affect her opportunities for schooling and education.

My daughter's grandfather and great grandfather have lived and retired on this land. If this diversion/dam is built it is possible we will not be able to do the same.

For years, the value of our farmstead has increased, but because of plans to make our home the bottom of a lake, our home has become virtually worthless. Because of the diversion we can not sell now, nor want to move, and making improvements, would be fruitless. I would like to see how you would react if this was happening to you?

This will change retirement opportunities and at a higher cost. Selling our homestead would have been our retirement money for years to come. What are we suppose to do when it comes to the time we need to go to a nursing home and there is no money? We can't make any further home improvements because we don't know what our future holds. We already made numerous home and land improvements to increase our home value. Is this all for nothing? Are we going to receive reimbursement for the full worth of our land?

This will ruin our family and our livelihood. It will only divide our family and cause more stress. I pray that the people planning this will realize what a catastrophe this project will be and that there are other safer ways to handle the problem. Please don't let this happen!

Sincerely,
Brenda Sauvageau

A handwritten signature in cursive script that reads "Brenda Sauvageau". The ink is dark and the handwriting is fluid, with a large initial 'B' and a long, sweeping tail on the 'u'.

The Fargo Dam & Diversion Project is bad for hundreds of people and many surrounding communities' on the Red River Basin. Water detention is a much better system for every body and the land and "Fargo".

My farmstead value is worthless right now, No improvements from now on would pay off. My life is on hold until whenever, nobody knows. The future was looking very good for us but Fargo will take it for there future and leave us with so called current value (which is very low right now). A Very Very nice home by Oxbow had a buyer with the money and refused to buy it because of what Fargo wants to do with the area.

This prime rural development now will be Fargo future Parks and Golf course development because of the holding pond plans.

I bought this Farmstead 23 years ago this far out of Fargo knowing that by the time I would need to go to a retirement home the value of this place would take care of me and my family, now I have nothing and some Fargo planned investor will be sitting good,

Where can I move to now, all farmsteads in a 30 mile radius will be untouchable for us now because all other farmstead south of Fargo will have to move also. I would not be able to afford extra cost of fuel, cars, time, to move that far out now.

The family heritage will be lost also. Because the family has lived within a few miles radius for many generation's, back to 18th century.

Moving in a new home, converting a barn into a modern shop, planting hundreds of trees and some of them for hardwood harvesting can not just be replaced.

Gene Sauvageau

A handwritten signature in cursive script, reading "Gene Sauvageau". The signature is written in dark ink and is positioned below the printed name.

319 Fulton Street
Mankato, MN 56001
November 4, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

TO WHOM IT MAY CONCERN:

I am writing in opposition to the Fargo-Moorhead Metropolitan Area Flood Risk Management Project. I am not satisfied that the Final EIS addresses the concerns raised by the many individuals who raised concerns in their comments on the SDEIS nor the concerns raised by state and federal agencies.

This project has been rushed through the planning process and is not ready to go to Congress for authorization. Alternatives have not been properly considered, and the public and agencies have not been given sufficient time to evaluate the Final EIS. I agree with the Minnesota Department of Natural Resources when they chided the Corps for leaving some of the important elements of investigation until the Final EIS, when there would be only a short period of time to review the response to concerns about the SDEIS.

As you see from the comments on the SDEIS, there was a massive amount of concern about the project from citizens and considerable substantive concerns expressed by state and federal agencies. Leaving so many things until the Final EIS has disadvantaged citizens and agencies in being able to review the Final EIS and comment in only a 30-day period.

I will review some of my concerns below:

LACK OF CONSIDERATION OF PRACTICABLE ALTERNATIVES:

I concur with the lawyers for MnDak Uptream Coalition, whose comments are on page 253 of the Comments on the SDEIS and the lawyers for the Red River Flood Control Impact Group (page 320) who contend that the **Corps did not adequately evaluated all the "practicable alternatives" to the Locally Preferred Plan.**

There is good evidence that the Locally Preferred Plan was chosen because it would protect more developable land than other alternatives. In the interests of future development, the local sponsors decided against a Northern Inlet that would have

reduced downstream impacts and therefore required less upstream staging or possibly no staging at all. The Final EIS states in Appendix D: PDT Team Review Comments:

*"Again, the ND alignment is a locally preferred alignment and therefore they [the local sponsors] chose the general location for the inlet. **Their reasoning for the location of the inlet being further South than the MN alignment was to accommodate the city of Fargo's current future plans of development and to protect the city from the Wild Rice River flooding to the South.**"*

Likewise, the Minnesota Department of Natural Resources (DNR) raised serious question about whether the practicable alternatives had been properly evaluated.

The DNR stated in their Comments on the SDEIS that **"many concerns remain unaddressed."** They state

*"it's apparent that **significant additional work is needed** to demonstrate that the selected alternative is:*

- *ecologically sustainable,*
- *the least impact solution,*
- *one in which adverse effects can and will be mitigated, and*
- *consistent with other standards, ordinances, and resources plans of local and regional governments."* MN DNR T-9

The DNR goes on to state that the assumptions and components of the alternatives analysis presented in Appendix O, Plan Formulation of the SDEIS need to be:

"re-evaluated to ensure that alternatives where (sic) not screened out that could meet the project purpose with less significant environmental effect." T-11

They state that the effectiveness of each alternative was assessed against the non-federal sponsor's goal of reducing the 0.2% chance even to a stage of 36 feet. They find an inconsistency since the acceptable level was changed to 40 feet. They say that "achieving this goal is not the planning objective, but it appears achieving this high level of flood protection may have incidentally affected screening and assessment of project alternatives." The Corps states that their alternatives screening process "confirmed that diversion channel concept was the only concept that could achieve the planning objective to provide a high level of flood risk reduction," but the **DNR states that a "high level of flood risk reduction was not identified as one of the planning objectives."** T-11

The DNR states:

"Action needed:

An additional alternative should be evaluated that considers a lower, but still acceptable level of flood risk reduction that focuses on the 1% chance event. By doing this evaluation some other alternatives may be more feasible and cost effective while still meeting the project objective of reducing flood risk damage in the Fargo-Moorhead Metropolitan Area."

BUILDING ON/DEVELOPMENT OF THE FLOOD PLAIN

Likewise, the National Environmental Protection Agency (NEPA) raised concerns in the SDEIS that the project would lead to development of the flood plain. They state:

"New flood control projects often have the effect of increasing development in flood prone areas. We anticipate that more flood prone areas in metropolitan Fargo-Moorhead will be developed as a result of the project changing the regulatory floodplain and zoning and building requirements." EPA, T-5

Clearly, to build a project like this would be an inappropriate use of federal funds. There is strong concern that practicable alternatives have not been adequately considered, and as such, the **project violates federal law (EO 11988)**.

UNSTABLE SOILS

This project is to be built on **notoriously unstable soils**, but the soil borings to determine the nature of the soils under the channel, the soils that will have to support the aquaducts and drop structures, have not been completed.

Scientists have raised concerns about these soils, and it makes no sense to move toward authorization when we have no idea of what kinds of supports will be required or how deep they need to go to carry the structures safely. The costs of making sure the structures are safe and stable may be far beyond what is estimated in the current project cost/benefit ratio. Currently the city of Fargo is having to spend \$500,000 to repair an approach to a two-year-old bridge over a coulee in the vicinity of the project because of slumping 27 feet below the surface. **If a half a million dollars in remediation is necessary only two years after completion of a small project like this, what might be the unanticipated costs of soils problems for this massive project?**

How can we authorize a project without the basic knowledge about the soils in which it is placed and the impact of that on the cost? Before the project is authorized, the local taxpayers responsible for their share of initial costs for the project as well as for the cost of remediating problems with the project need to have full disclosure of the true potential costs and their liability for failure of the project.

CATSTROPHIC LOSS OF LIFE

The project consistently maximizes the potential loss of life from a flood without the project, assuming that no one will evacuate and hundreds will die, but minimizes the potential loss of life from a catastrophic failure of the project, assuming that no one will die. In its comments on the SDEIS the **Minnesota DNR chided the Corps once again for not having done an analysis of loss of life due to a catastrophic failure of the project.** To authorize a project that the Minnesota Department of Natural Resources calls a "high hazard dam" and is located on unstable soils that have not even been fully analyzed would be highly premature and is, indeed, unconscionable.

CONTROVERSY, LOSS OF TRUST

The perception has been perpetuated that there is no alternative to this project. Clearly, people anxious for flood protection who believe there is no alternative may feel this is their only hope.

Moorhead, Minnesota, has completed or is about to complete flood protection measures that take care of almost the entire flooding problem in that city. This leaves Fargo, North Dakota, a city that has refused to control building on the flood plain, the only beneficiary of this project.

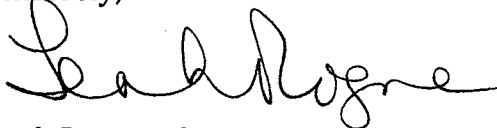
None of us doubt that the area needs flood protection. But a project that sacrifices permanently homes and farms to benefit an urban area that has failed to control its building on the flood plain and now intends to use federal dollars to continue to build where it never should have built is a gross misuse of public funds.

The comments on the SDEIS indicate the high level of controversy this project has created and the potential loss of trust it will engender.

There has not been a full evaluation of practicable alternatives or consideration of measures that would benefit the region, rather than just Fargo. Therefore, this project should not move toward authorization.

Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Leah Rogne". The signature is fluid and cursive, with the first name "Leah" and last name "Rogne" clearly distinguishable.

Leah Rogne, Ph.D.
Associate Professor
Department of Sociology and Corrections
Minnesota State University, Mankato

To the army corps of engineers;

We would like to address this Fargo diversion/dam, we live just south of Fargo in Hickson an area that has never been flooded. Our concerns are that you are going to sacrifice our area to save a few thousand in Fargo. What about the thousands that will be displaced here and to our south? Despite the media on all the flooding very few resident and businesses are effected in Fargo, in fact most Fargo residents are not impacted by flooding and know very little of the impact this diversion will have on all the communities to the south. We feel that something else can be done, perhaps floodwalls and permanent dikes with in the city similar to what Grand Forks did. What about all the businesses, farmers, and schools that will be lost in this plan what's to happen there? Why should we pay the price in loosing our businesses, homes, and schools to protect them when we have never been flooded that is why we moved here.

Thank you

Wayne & Lori Rheault

119 Elm st.

Hickson, ND

701-799-0202

701-541-4351

Wayne Rheault 11-5-11

Lori Rheault

November 4, 2011

Headquarters, US Army Corps of Engineers
Attn: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

To Whom this may concern,

This letter is to express our disapproval of and concerns with the existing design of the Diversion and Dam around the Fargo-Moorhead Metropolitan area.

The alignment of the Diversion has been chosen by the local sponsors to accommodate the city of Fargo's current future plans for development. It is not based on sound engineering principles or with the intent of minimizing the costs of the project as much as possible but rather to remove land that is in the existing flood plain for development. In order to do this, land that currently does not flood or floods to manageable levels will be inundated with flood waters. This is in violation of Executive Order 11988.

The more northern inlet that is referenced in Appendix "O" would more effectively keep the impacts of the diversion in Cass and Clay Counties along with all the benefits of the project. The current plan has impacts going many miles into Richland and Wilkin Counties with no benefits to those counties. Richland County and Wilkin County infrastructure will be greatly impacted as well as the Richland 44 and Kindred School Districts with absolutely no benefits from this project. Rather there will be many homes that will have to be sold resulting in a reduced tax base and a reduced population in northern Richland County which is the only real area of growth within Richland County. Will Richland County, Wilkin County, Richland 44 and Kindred School Districts be made whole in this process by the local sponsors? Have those impacts been included in the costs of the project?

From the maps in the FEIS, there will be many miles along the Red River and the Wild Rice River that will have increased water elevations that will require properties to be protected by dikes or other methods of protection. Many of these properties are outside of the "red line" for the official staging area but will none the less be impacted. Are the costs associated with protecting those properties included in the proposed plan? With the various ravines in the area it is logical to conclude that many other properties outside of the "red line" will also have to be protected from impacts caused by the Diversion. Have the costs been included in this proposal? With all the costs to protect the many miles upstream of the project that will be impacted has the benefit cost ratio been properly calculated?

The initial plan took quite some time to develop but the final plan was pushed through very rapidly without input from the communities that will be adversely impacted. The sponsors have insured that their communities will be protected but at horrendous costs to the upstream communities. Many of the people in the area upstream of Fargo-

Moorhead that will be impacted are from families that have lived on those properties for many generations. Their ancestors chose their properties because of the elevations and the way they had survived the devastating flood of 1897. Now their properties will be subjected to man made flooding.

The farmland that will be within the staging area as well as the farmland that will be impacted but that is outside of the "red line" will not be eligible for Multi Peril Crop Insurance. Without the coverage provided by Multi Peril Crop Insurance there will be many farmers that will not be able to continue farming. This will affect the value of that farmland as well as the rental rates that will be paid to land owners. The expense of property taxes will still be there but the income will not. The income that is produced by the agricultural sector has a huge impact on the Fargo Moorhead area as this is new income each year, not just existing money that is recycled through the economy. With so many acres potentially taken out of production or with greatly reduced yields there will be a major impact on the local economy.

As landowners and homeowners in the area just outside of the "red line" we are greatly concerned about the adverse impacts to our property, the value of it and the ability to sell it when the time comes that we have to move off of our property. Craig Evans of the Corps of Engineers spoke at a meeting of the South East Water Initiative in Hankinson in late August. At that time he said that no one will be harmed financially in this process. We need an explanation of how that will not happen by this hastily contrived plan that impacts so very many acres and homes upstream of Fargo-Moorhead.

Sincerely,

Alan and Patricia Otto
Christine, ND

October 27, 2011

Headquarters
U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

To Whom It May Concern:

We are writing in opposition to the April 2011 Locally Preferred Plan (North Dakota Diversion with storage & staging) for flood control in the Red River Valley. We oppose the project for various reasons. The following are some of the reasons:

1. Our home and property are in the "staging area" for your project. In other words, we stand to be affected by an increase in water levels; however, we are not considered in the "buyout" properties. We want to know just exactly what will happen when your "predictions" in the water levels are not accurate and we take on significantly MORE water than you "predicted" and we lose our home to flood water. What will the Corps do for us at that point???? The Army Corps has a history of not being accurate in their predictions. Earlier this spring, Valley City, ND, was in disaster mode due to the inaccurate predictions of snow pack and runoff from the Sheyenne and the mismanagement of Baldhill Dam. Later this past summer, Bismarck/Mandan and all points along the Missouri were flooding and in disaster mode because of mismanagement of water flow through numerous dams. Several articles have been written verifying the Corps mistakes in mismanagement. The Governor of North Dakota has demanded a review of the entire Army Corps' management of the water which led to the flooding. The daily news detailed ineptness of the Corps management with regards to the Missouri River issues. We are aware of the notifications from the Burleigh County personnel requesting the Corps and the powers that be in Omaha to prepare the Garrison Dam for the water that was to come....with the request being made in February.....and the request was totally ignored. Now the Corps wants to hang local officials for their mistake. In the mean time, look around and see how many lives have been affected!
2. The Kindred School District stands to lose a significant (>25%) of its tax base and students. Who is going to make up for this loss? We are building a new school! Our neighboring school district (Richland) stands to lose approximately the same money/students.
3. The Army Corps knew they were going to use the upstream route prior to the Cass County sales tax vote. Our neighbor was approached by a Corps engineer about farm buyout costs in October 2010. Why was this hidden from the taxpayers until after the vote for the sales tax took place????? Isn't it ironic that every time I purchase something in Fargo, I am helping to pay for our demise and the demise of our neighbors?
4. How are we going to be compensated for loss in property value? My taxes are staying the same; however, my value has dropped.
5. What about the impact on numerous roads/highways? Who is paying???

6. Where are you planning on relocating all the farmsteads impacted? Where will there be enough "dry" buildable land??? \

7. What about the cemeteries & churches? Who is paying to relocate the bodies and where is the "dry" land going to be to relocate the bodies & churches?

8. What happens when there is a breach in your "dam" and/or parts of your project??? You admit it will be catastrophic....but we haven't seen any solutions.

9. Where is the Sheyenne River water going to go when you have your proposed levy following Hwy 17? The City of Kindred will be flooded along with other farms.....none of these properties are currently in the "affected" area.

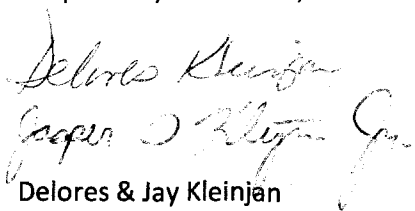
10. Why weren't all upstream communities/counties & commissions included in decision making process?

11. What about the impacts outside the staging area that the Corps acknowledges? What are the costs & assessments of these damages??

12. What about all the losses to the farmer?? How can you put a price tag on the loss of infinite income from crop production???? 13. Why does the diversion line conveniently follow Fargo's school district and extra-territorial lines???? Do you really think we are all stupid???

14. Where is the Federal government going to get the money to pay for this project? We are taxpayers. Can we separate our tax dollars so that they cannot be used to flood us and our neighbors??? We believe that Fargo is important. I work in Fargo. However, there is a bigger picture that needs to be looked at. Fargo has been successful in their flood fights. They need to follow Grand Forks and clean out the river corridor and build their protection along the river. Let the river flow the way nature intended. We know why they don't want to do this. They are currently receiving BIG tax dollars from all of the high end homes on the river lots. It was recently decided that they aren't going to buyout any more of those homes. They don't want to lose their tax base, however, the rest of us are supposed to suffer! We believe the Corps better do their job and continue looking for a more feasible alternative.

Respectfully Submitted,



Delores & Jay Kleinjan
17121 54th St SE
Horace, ND 58047-9600



November 3, 2011

Headquarters, U.S. Army Corp of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Dear U.S. Army Corp of Engineers,

I'm writing to lend our support for the construction of a Diversion Channel project to address flood risk in the Fargo Moorhead metropolitan area. We believe this project is of critical importance – not only to protecting the lives and property of local residents, but also to preserving the economic vitality of the region.

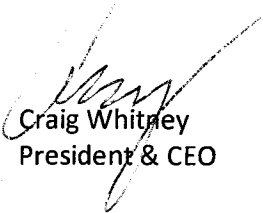
The Fargo Moorhead West Fargo Chamber of Commerce is a bi-state, regional federation of over 2,000 private, public and non-profit member firms representing over 80,000 people. The largest local chamber in North Dakota and Minnesota, The Chamber advocates for a strong metropolitan community and supports the interests of its members, which are located in Cass and Clay Counties and beyond.

Although the Fargo Moorhead area has experienced more than its share of floods in recent years, experts warn that it's only a matter of time until the area is hit with more catastrophic flooding that would overwhelm existing flood mitigation measures. For example, the U.S. Army Corps of Engineers estimates that a 500-year flood could cause more than \$10 billion in damages – putting our business community and the entire local economy at risk.

By offering permanent risk reduction against such catastrophic flooding, the Diversion Channel would help sustain the Fargo Moorhead metropolitan area as a key economic hub in the region – one that already boasts a diversified economy with one of the lowest unemployment rates in the nation.

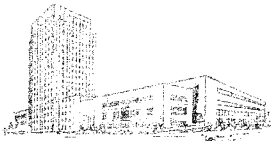
We are proud to be part of the Fargo Moorhead metropolitan area, which is why we believe the Diversion Channel is a necessary and vital investment in the future of our community. Building the Diversion Channel is a cost-effective way to permanently protect lives, property, and the economic viability of this community in order to attract continued investment, sustained growth and job creation in the Red River Valley. Without this project, we run the risk of losing much of what this community has worked so hard to build.

Sincerely,



Craig Whitney
President & CEO

Promoting economic growth and prosperity for business and its members through advocacy, education and engagement.



NORTH DAKOTA SENATE

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

Senator Larry Luick
District 25
17945 101st Street SE
Fairmount, ND 58030-9522
lluick@nd.gov



COMMITTEES:
Agriculture
Education

November 5, 2011

To: Army Corp of Engineers, Senator Kent Conrad, Senator John Hoeven, and Congressman Rick Berg

This correspondence is in regard to the proposed diversion and dam in the Fargo, ND area.

Fargo has been very effective in maintaining its stand against the possible flooding events for any years. I know that if I were living in Fargo, West Fargo or Moorhead, I too would be tired of the temporary protection. But to decide that this community has more "rights" than the communities that will be effected by this proposed structure is wrong, very wrong.

From the plans that I have seen, this is way oversized, overpriced, and only assists the Fargo/West Fargo/Moorhead communities. I believe we can do much better with less cost and better protection for the surrounding communities and local property. We need to start with retention up stream in many areas. These areas need to be kept drained down until needed. Do not let them become a wasted holding area, sitting full like so many sloughs in the eastern sides of ND and SD. The storage capacity of these areas is moot. Why?

The problem of high water in the Red River Basin is not a "big problem" it is a "small problem" that covers a large area. Get a handle on this problem in one area and then duplicate it in many more areas. We need to find all available retention possibilities, construct control structures, work with farmers willing to store water temporarily on their property (maybe tile this area to help the property get back into condition for possible farming in a timely manner). Then, relook at the need and size of this project. Maybe the need would go away altogether.

This ill-thought out plan will, and already has, adversely affected many land owners, communities, farmers, home and business owners, contractors, developers, school districts, Richland County, many townships, and others of vested interests.

I whole heartedly agree that we need to reduce or stop the threat of flooding in the cities of Fargo, West Fargo, and Moorhead, but I will not allow this problem just to be "pushed" onto someone else.

Don't let this go through until there is a plan to help upstream and downstream areas and communities. We can make a viable "water controlled" region where more benefit is achieved from the investment.

Sincerely,

A handwritten signature in cursive script that reads "Senator Larry Luick". The signature is written in dark ink and is positioned below the word "Sincerely,".

North Dakota State Senator Larry Luick
District #25
701-474-5959

November 4, 2011

US Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: Fargo Diversion Project

The LPP that the USACE has proposed for the diversion and water staging area for the protection of Fargo should be reconsidered. The negative impacts that it will have on the area surrounding the diversion is immense and there should be other methods studied and pursued. These same impacts will be affecting Fargo as well as the surrounding communities as all of these communities support Fargo economically. Basin wide retention should be considered for the benefit of the entire valley not just Fargo. The size, cost, and scope of the LPP is huge and the time and effort should be put in to do it properly. Since this proposal is not only for flood protection for the current area of Fargo but also includes their growth area to the south, what is going to happen when they fully develop the protected area? If Fargo is going to continue to be the economic engine they claim, at some point in time the area will be all developed. This project will then stall that economic engine as it will have destroyed any possibility of development for economic growth outside of the diversion.

The current alignment of the proposed diversion and water staging is such that it protects a growth area of Fargo that is currently a natural waterway for overland flooding during most flood events. They continue to develop areas that are susceptible to flooding and this plan protects those areas. The proposal to protect that area for development and push that water onto areas that historically have not had flooding is not only arrogant and unethical but should be illegal.

The people, communities, and businesses that will be negatively impacted have had no voice in this project. They are the ones that are being told, not asked, that what they have will be sacrificed. This is called the Locally Preferred Plan but it is only the preferred plan of the local sponsor and they only seem to care about getting a project quickly. The benefits of the proposed plan are too localized and I question that it is a good long term plan, even for the Local Sponsor.

The Locally Preferred Plan will negatively impact at least 54,000 acres of prime agricultural land that has been identified so far, I think it will impact more than that once more studies are done. At a time when it is getting more difficult to produce enough food in the world I don't think we should be negatively impacting agricultural production. This plan will affect production any year that water is held in the staging areas. Crop yield is affected each day that planting is delayed. In the presentation given by USACE at Kindred in May, 2011 concerning this proposal, they stated that the dams would have been activated and water held back in the summers of 2005, 2007, and 2009. This would have devastated any crop flooded during the summer and I question why they would have been activated as I do not recall Fargo flooding

during those periods of time. The economic loss that this plan will create for the agricultural community will affect everyone. The loss of yield or the loss of the crop will especially be a hardship on the producer as this is not an insurable loss since it is the result of a man made structure. This is an unfair and unjust burden to place on the agricultural community.

The sacrifices that the upstream communities are being told to endure are immense. People will be giving up their homes, ways of life, and livelihoods. The compensation will not be adequate for these sacrifices. I manage a local farmer co-operative that will have at least 40 percent of our trade area adversely affected not to mention that two of our facilities that will need to be protected or moved. This decision by the Local Sponsor and USACE will be devastating not only for this company but the entire area.

The Kindred School District of Kindred, North Dakota will lose 25 percent of its tax valuation as well as 20 percent of its student base. These are losses that will need to be passed on to the remaining residents of the school district. The loss of state funding because of the loss of student base will negatively impact what we can offer the balance of our students. A major contention that I have is how the alignment of the diversion follows the border of the Kindred and Fargo school districts. The area that will be protected by the diversion and is Fargo's growth area normally has overland flooding. The water staging area is in the Kindred District which normally has not had flood issues.

I believe Fargo can create protection within the city, discontinue developing flood prone areas and work with surrounding areas to continue economic growth. I firmly believe that with basin wide retention and the correct measures taken within the city of Fargo there isn't a need for the diversion let alone a water staging area. This would be beneficial for the whole area.

I hope and pray that a common sense approach is used to find a solution to the flooding in the valley and it can benefit more than one area.

A handwritten signature in black ink, appearing to read "Curt Bjertness". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Curt Bjertness
20 Elm St
Hickson, ND 58047

November 2, 2011

U.S. Army Corps of Engineers
ATTN: CECW-P(IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

We, Matthew and Rachel Ness, are writing in strong opposition to the Fargo/Moorhead Diversion and Dam Project. The project will only benefit a small part of the Fargo/Moorhead area, while creating more water problems throughout the Red River Valley Basin area. We feel this project would be a gigantic mistake and waste of taxpayer dollars. In fact, there are other issues in our own state that need to be resolved first; Devils Lake, Minot, Bismarck, and all the road and infrastructure problems in the western part of North Dakota.

We farm a couple miles south of the proposed diversion along the Red River and this diversion would store water on all of our farmland that has never been threatened by flooding before. The result of this project would take away my livelihood and devastate my farm and that has been in my family for four generations. Federal crop insurance would not cover the losses from this man-made plan making our livelihood extremely risky. Many communities, churches, farms, schools, and homes would be non-existent with this dam. Thousands of acres of prime farmland would be affected in this project. In today's world of an ever increasing population and an expected future food shortage, this Diversion project would further compound this issue.

The fear of safety is also another concern with the diversion/dam. The project has many farmsteads and homes that would be ring-diked. With the increased water level, many township roads will not be built high enough to access these living areas. The threat of a fire or emergency during this recurrent water storage time interval would be life threatening, as first respondents would not be able to get there in a timely matter. Everyone in our area is being asked to give up their livelihood, heritage, and safety in this plan.

While we agree that Fargo/Moorhead needs to have permanent flood protection, this radical plan the Corps has planned is illogical. There are too many holes in this current plan and too many foreseeable problems. Both Fargo/Moorhead cities are currently building projects to protect themselves to 42.5 feet. This along with retention throughout the Red River Valley Basin would help the entire valley, not just Fargo. Fargo leaders have even stated that their main driving force for this project is to protect for future growth. Fargo is geographically limited for growth to the south, therefore, pushing the diversion/dam further south. This would allow the cities of Fargo/Moorhead to develop in the flood plain, while flooding land (our land and those south of the diversion) that is currently much higher and drier! This plan is currently trying to protect Fargo/Moorhead from a mythical 500 year flood event at the cost of potentially flooding our land regularly and taking away homes and livelihoods.

We feel this current plan is built on Fargo/Moorhead's greed and fear, and that there are better alternatives. We strongly encourage you to oppose this project.

Respectfully,

Matt & Rachel Ness

November 4, 2011

Headquarters, U.S. Army Corps of Engineers,
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Dear Corps members;

Three concerns I have about the proposed Fargo-Moorhead diversion reflect concerns for the proposed holding area south of the metro area:

- 1) Proper compensation for farm families/businesses, now and for generations to come, is not in place and currently implies that we should trust in the possible future methods of compensation.

My motto is Trust but Verify. If the diversion project proceeds, please confirm, with historical examples, what federal law means by: "each affected parcel will be appraised and assessed for impact: as a way to determine what "just compensation" might be".

While an article in the Forum, October 23rd states, *Appraisals will set fair market value at the time the corps needs to take the land, and the offer price to landowners could be no less than that amount.* The proposed diversion is already affecting market values and not in a positive manner.

- 2) Sacred sites like cemeteries hold the remains of loved ones. The idea that these sites may be 'uprooted' and moved to new locations is extremely disturbing. How far away will cemeteries need to be placed in order to be safe from flood waters? Who makes these decisions?
- 3) A log cabin built by Swedish ancestors in July 1870, remains standing and fit along the Red River and is a National Historic site.

The impact and importance of cultural and community heritage should be valued with the same weight as other economic values.

Finally, given the dismal economic state of our nation, states, counties, cities, and citizens – is it even believable that there is money to cover all the expected costs of the diversion?

With thanks for your attention to these concerns,

A handwritten signature in cursive script that reads "Jean Anderson".

Jean Anderson
Clay County owner of *Trees in the Valley*
And farmland *never before flooded*
420 6th Avenue South #207
Fargo, ND 58103
jeanande@earthlink.net
701-371-8787

U.S. Army Corps of Engineers:

Upon attentive review of the proposed Fargo-Moorhead, "locally preferred" diversion plan, I have come to question not only the economical and environmental impacts that the plan imposes upon our region, but furthermore the ethical issues that will arise if this endeavor is to be carried to completion.

As a lifelong resident of the Fargo-Moorhead area and a student at North Dakota State University, I feel it my innate duty to call to attention the shortfalls that the U.S. Army Corps of Engineers' ND 35K diversion plan entails. In a time of national economic distress, it is not logical nor is it reasonable to burden a region with funding such an expensive project when THERE ARE more cost effective solutions available. It has been shown (in your own reports) that alternatives, including the proposed MN federally preferred plan are much more economically viable. After speaking with a local engineer, I have been informed that Fargo is already beginning to implement floodwall protection, which will protect the city to a water level of 44 feet. It is preposterous to even consider building a 36 mile long diversion, costing billions of dollars, to add only 2 feet of protection (a 500 year flood event calls for protection to 46 feet) to our area. When the city is already capable of protecting its citizens through the use of more practical solutions, there is NO NEED to ultimately WASTE money on a project that may or may not be used for consecutive years. What is the economical reason to go through with this horrendously expensive project when our city will be protected to 44 feet without it?

In conjunction with its economic infeasibility, environmental risks of the "locally preferred" plan are inevitable. Rechanneling rivers will induce habitat changes for various wildlife, including native fish and deer species. The National Wildlife Federation, Minnesota Conservation Federation and South Dakota Wildlife Federation have released statements addressing their similar concerns. On top of the loss of wildlife, agricultural practices will be devastated in the nearly 55,000 acres of affected water staging areas. Agriculture accounts for a substantial source of revenue in both North Dakota and Minnesota; by holding water upon 55,000 acres of land, not only will this land become useless to the farmers who rely on it to make their living, the states as a whole will take a hit. Corps leaders have stated that this water will have no affect upon farming. This is NOT TRUE in the slightest. Coming from a farm family, I am familiar with the negative effects that water staging will have on the families, farmland and rural communities in the water staging zone. The already heavy, clay filled soil found in such North Dakotan and Minnesotan fields will become super-saturated, filled with debris and rendered fruitless. Problematic crop insurance issues will arise. Organic farmers will lose their certification. A one-time mitigation, as proposed, will not even make up for one years' worth of a farmer's crop production. If water is to be staged at a level near 30 feet (as stated by an Army Corps representative with whom I spoke), affected fields would have been underwater for TWO MONTHS this past spring/summer; talk about purposely ruining the MOST FERTILE land in the nation while underpaying landowners. The environmental risks in concurrence with this plan are irreversible.

Finally, and perhaps of most concern are the ethical matters brought about by the proposed diversion. It is UNJUST and IMMORAL to flood and buy out the rural communities of

Comstock, Oxbow and Hickson (among others), to provide flood protection to the soon to be protected (with 44 ft floodwalls) metropolitan area of Fargo-Moorhead. To flood land that has never before been flooded, to evict homeowners who have done nothing to assist in the stupidity of building homes along the river (homes which should never have been built in the first place because they are in the KNOWN FLOOD ZONE) and to tax these citizens in order to pay for the diversion is BEYOND belief. Recently, Fargo city officials inducted a building moratorium, stating that building permits will be required to build in zones located in the flood plain (within 450 feet of a river); this is a step forward. By continuing with buy outs along the river, controlling where new construction can and cannot occur and building 44 foot flood walls, there is no reason why Fargo should not be able to protect itself without the aid of a diversion.

The Red River Valley is a great place to live. It is filled with rich heritage, culture and customs, most of which originated from our agriculturally based, homesteading immigrants. By flooding and refusing to relocate the cemeteries of Comstock and Hoff, among others, not only will you be showing *my own* relatives an unfathomable disrespect, you will undeniably demonstrate your ignorance of all that these people have done for the Fargo-Moorhead region. It would not be questioned to relocate a Native American burial ground. Homesteading immigrants deserve the same amount of respect as such native populations.

In summation of the above stated, it is uneconomical, environmentally unfriendly and highly unethical to proceed with the proposed diversion plan. I do not deny that the Red River Valley needs flood protection; I have stood in flood lines and assisted both friends and relatives in sandbagging their homes over the past three years and know the importance of protecting our city. Let's protect EVERYONE'S homes and livelihood. The needs of the few are as important as the needs of the many. Sacrifice will be inevitable, however the sacrifices that you have bestowed upon the affected regions are too much to ask of an undeserving people. This is not the Hoover Dam. We are not utilizing previously unusable land to design a useful structure. We are taking USEFUL land to build an UNNECESSARY structure.

It's time to set a precedent: It is time to be economical. It is time to protect the environment and to defend nature's resources. It is time to consider the consequences of this plan before planning the "recreational activities, park benches and shrubs" that the project will bring to our community. It is time to reconsider the proposed diversion plan. The U.S. Army Corps of Engineers is known for its dedication, reliability and state of the art, innovative structures. If your team does not realize that there are better alternatives to assist Fargo-Moorhead, a community that is already working toward protecting itself, then you have lost sight of your goal.

Thank you for your consideration.

Beth Askegaard

Beth Askegaard
P.O. Box 5901
Apartment #325
Fargo, ND 58105

Headquarters, US Army Corps of Engineers
ATTN: CECW-P(IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Dear Sirs:

As a concerned resident of Fargo, North Dakota, I am writing you today to inform you of my opposition to the North Dakota Alignment commonly referred to as the Locally Preferred Plan (LPP).

As a college student very concerned about economics, and social justice, I cannot support a plan which is not economically viable or needed and does a grave injustice to not only the communities and farms in the proposed water staging area but also the entire Red River Basin.

To support a plan that is partially funded with 800 million federal tax dollars, I would think that it should benefit more than a single community in the Red River Valley. I realize that Fargo-Moorhead needs flood protection, but so does the entire Red River Basin. When there are other plans which will protect a much larger area than just our communities, they should be examined with much more scrutiny, especially when our U.S. economy is not thriving. I have examined the work of the Red River Basin Commission which states that flooding can be reduced throughout the basin by as much as 20% at a cost that is less than the federal dollars wanted for this project. This plan will also provide many environmental benefits instead of harm, not destroy communities and farms which have been here for generations and should be further studied.

I have worked on the flood lines not only in Fargo, but in several of our other area communities. By choosing this plan to support, you will destroy several of the communities and neighbors that I have and will continue to support during times of crisis. This plan is in total disregard for the rights of all peoples and by choosing winners and losers you will lose my respect for an agency whose mission I thought was to protect all people when there are viable options to be examined. You have not thoroughly examined basin wide water retention, grassland restoration and restoring prairie ecosystems as part of a comprehensive flood plan. These options, when combined with the home buyouts and flood walls being constructed in our towns will provide the needed protection for our cities so that we can all go to sleep at night in comfort.

By choosing the LPP, you are doing a grave injustice for not only the citizens of my hometown and its surrounding communities, but also for the nation.

Please reconsider this plan and do what is right for all peoples of this great union.

Thank you for your time and attention to this very important matter.

Claire Askegaard

Claire Askegaard
1515 11th Ave N
Apt. #206
Fargo, ND 58102

November 5, 2011

Dear Project Manager:

We have identified areas of your latest environmental impact statement which we have concerns with that require additional attention and because of these cannot support your preferred plan.

Your latest EIS does not adequately address the issue of BASIN-WIDE flood risk management as a tool which needs to be incorporated into the plan. It needs to be examined as part of a comprehensive plan for flood control throughout the basin, not as a stand-alone option in a small part of the basin upstream of the F-M area. Only a basin-wide approach to flood management can leave all communities and farms intact. Less than adequate attention is given to flood storage within the entire basin, as well as grassland restoration and wetland restoration to solve flooding issues. The Red River Basin Commission plan can reduce flooding by as much as 20% within the basin and if all tributaries upstream of the Red River participate in this plan, flood protection for the entire basin can be substantial and also more cost effective than the LPP. Options for flood management with federal taxpayer dollars can and must protect all communities within the Red River Basin, not just the communities of Fargo-Moorhead.

There was no formal cost-benefit analysis done for the above option which we believe would show that that upstream STORAGE THROUGHOUT THE BASIN would give protection to all farms and communities within the basin at a cost very comparable to or less than the proposed diversion option while also benefitting more people and the environment. This option MUST BE EVALUATED before proceeding with your preferred option.

If a diversion is the only option given for flood protection for the area, the federally comparable plan is more cost effective and does not have as many harmful effects to the environment as the locally preferred option. This option needs to be re-examined if a diversion is the only option given for flood control for the F-M area.

If you examine lidar photography from the 1997 F-M flood event both before, during the event and after, you can see that the area that Fargo is currently developing and wants to continue to develop is land that is at a very low elevation and is subject to flooding. This area was completely covered with water during the 1997 flood event. The locally preferred plan is all about protecting a "future" Fargo and the land which Fargo wants to develop-it is not about providing flood protection for current Fargo-Moorhead which the much more economical Federally Preferred Plan accomplishes. This land should not be developed in the first place and the burden for this future development is being placed directly on the area upstream of the diversion in the water staging area, the federal government and the taxpayers This is immoral and should not be done. Also from this photography, you can see that Fargo did an adequate job to protect its infrastructure in its

developed area at this time. Much work has been done since 1997 to raise flood protection levels. Home buyouts in low-lying areas have been done and continue to occur along with raising flood wall protection to levels where both communities will have protection to a river elevation of 44'- a level which, when combined with basin-wide water storage, can and will protect current Fargo and Moorhead from future flooding events. Continuation with this plan as proposed is not needed and is a waste of federal taxpayer dollars--duplicating the flood protection which the F-M area is currently doing.

In your latest draft, on page 402, 5.5.2.5 it is stated that you may PASS MORE WATER THROUGH TOWN as a mitigation strategy. What are your plans for doing this? How much additional water are you planning on moving through town? If the F-M area has flood protection levels with flood walls to as high as 44', WE DO NOT SEE THE NEED FOR THE WATER STORAGE area upstream of the metropolitan area. You should be able to make the DIVERSION CHANNEL SMALLER than previously planned if the F-M area has the capability of moving water levels of 40 or more feet through town. The flood walls which are currently under construction were previously stated to be too expensive to do, but yet, are being done anyway. This lessens the overall need for the diversion and at the very least requires downsizing of the current locally preferred plan. Because of the possibility of this increased flow through town, and a WHOLE NEW PLAN being implemented, further analysis as to the size and scope of the locally preferred plan must be done. FURTHER ANALYSIS OF THIS NEW ALTERNATIVE MUST BE DONE!

Also in this draft you state that the only real impacted agricultural lands are the approximately 6500 acres that will be used for the diversion channel itself stating that the other lands will still be able to be used for agricultural purposes. Being one of at least 4 farmers in this staging area who farm organically, we will all LOSE our ORGANIC CERTIFICATIONS. The total acreage that the 4 farms will lose organic certification on is almost 5,000 acres of this 50,000 or 10% of the area. How will you handle this? This is not insignificant to us! Furthermore, all farms in this staging area will LOSE the ability to obtain Federal Crop INSURANCE for WATER events due to flooding and not be able to obtain prevent planting on these acres either. This will DIMINISH the property VALUATIONS on all farmland within the staging area and in years when water staging occurs a CROP may NEVER BE PLANTED on these acres or RUINED DURING THE GROWING SEASON. How can you say that this land will still be continued to be used for agricultural purposes and that the staging of water on them is not significant?

The latest draft does not adequately address many of the GEOMORPHIC ISSUES upstream of the dam. More analysis must be done to determine what effects the dam structure will have upstream on how water storage will change the surrounding landscape over time and what issues will arise from them.

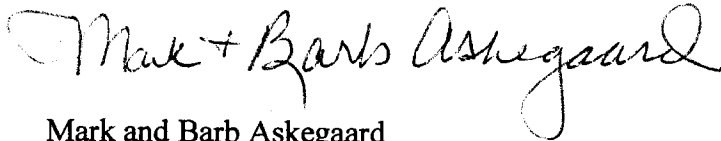
Adequate analysis of impacted areas upstream from the water staging have also not been addressed sufficiently and their appropriate costs have not been stated. After consultation

with a private engineering firm, they believe that the areas that will be impacted are much more comprehensive than stated and that all costs have not been revealed.

The main drivers behind the LPP is the city of Fargo and the state of North Dakota's congressional delegation. This plan's main benefactor is the city of Fargo. They chose this plan. If the LPP plan is chosen, we should not be using federal tax dollars to do it. It is a plan which as stated in the corps minutes is more expensive and does more environmental damage than any other option given--it just removes more land from a flood plain for Fargo's future development. At a time when our country faces many challenges, many of them being financial, we CANNOT and SHOULD NOT use federal taxpayer dollars to fund a PROJECT which is the MOST EXPENSIVE and MOST ENVIRONMENTALLY DAMAGING.

For the above stated issues, WE URGE YOU TO REEXAMINE YOUR MOVING FORWARD WITH THE LOCALLY PREFERRED PLAN AS BEING PROPOSED and readdress the need, size and scope of the diversion channel as well as the proposed water storage area.

Thank you for considering these comments and we look forward to your addressing these concerns as well as the need, size and scope of this plan.

A handwritten signature in black ink that reads "Mark + Barb Askegaard". The signature is written in a cursive, flowing style.

Mark and Barb Askegaard
2519 Viking Circle
Fargo, ND 58103

HEADQUARTERS, US ARMY CORP OF ENGINEERS

ATTN: CECW-P(lp)

7701 TELEGRAPH ROAD

ALEXANDRIA, VA 22315-3860

REGARDING THE PROPOSED FARGO DIVERSION.

THIS LETTER IS COMING TO YOU FROM KEITH AND JANN MONSON WHO OPERATE A FAMILY FARM ONE MILE WEST OF HARWOOD, ND WHICH IS 8 MILES NORTH OF FARGO ON INTERSTATE 29. OUR FARM AND MOST OF THE LAND WE FARM LIES ON THE INSIDE OF THE PROPOSED DIVERSION. DISPUTE THAT FACT WE ARE 100% AGAINST THIS DIVERSION. WE FEEL THAT THIS PROJECT IS UNNECESSARY BECAUSE FARGO IS ABLE TO PROTECT THEMSELVES TO A REASONABLE LEVEL OF PROTECTION WITHOUT DOING THE DIVERSION [IE WITH DIKES AND LEVIES.] WE FEEL THAT ONLY BECAUSE FARGO HAS DECIDED TO BUILD AND CONTINUE TO BUILD TO THE SOUTH IN LOWER FLOOD PRON AREAS THAT THEY NOW FEEL THE ONLY WAY OUT OF THEIR BAD CITY PLANNING IS TO INFLICT THIS DIVERSION DEBACLE ONTO OUT LYING AREAS WITHOUT BEING WILLING TO SACARFICE ANYTHING WITHIN THEIR CITY LIMITS. THE WHOLE PROJECT IS BEING POLITICALLY MOTIVATED BY THE FARGO CITY COMMISSION AND THE CASS COUNTY COMMISSION ALL OF WHOS MEMBERS RESIDE WITHIN THE CITY OF FARGO.

THE NEXT THING THAT WE WOULD LIKE TO ADDRESS IS THE UTTER MASS OF THIS PROJECT . 6500 ACRES OF PRIME FARM LAND AND HUNDREDS OF HOMES LOST FOREVER. HOW CAN YOU POSSIBLY PUT A FAIR BUYOUT VALUE ON THIS FARM LAND THAT DID NOT WANT TO BE SOLD AND WILL NOT BE ABLE TO BE REPLACED FAIRLY TO A FARM OPERATION. THE VALUE OF THAT FARMLAND TO A FARMER AS AN INCOME SOURCE IS GONE FOREVER. UNPROVEN RIVER INTERCEPT STRUCTURES. NO WHERE IN THE WORLD IS THERE AN OPERATING STRUCTURE LIKE THIS, YET WE ARE JUST SUPPOSED TO BELIEVE THAT THEY WILL WORK IN OUR COLD CLIMATE WITH THE ICE, THE SNOW AND THE DEBRIS.

RURAL TRAFFIC INTERRUPTED. THE ONLY WAY TO CROSS THE DIVERSION WILL BE COUNTY ROADS WITH 700-800 FOOT BRIDGES THAT WILL HAVE TO BE MAINTAINED FOREVER. DO YOU REALIZE HOW THAT WILL AFFECT THE RURAL AG TRAFFIC FOR EVER? THE FINAL DESIGN OF THE DITCH HAS BEEN ALTERED 10 FEET SHALLOWER THAN ORIGINAL DESIGN. HOW IS OUTSIDE WATER GOING TO BE ALLOWED TO ENTER? WE NOW HEAR THAT THE INSIDE HIGHT COULD BE 5 FEET HIGHER THAN THE OUTSIDE BERM, JUST LIKE THE WEST FARGO DIVERSION. WE ALL KNOW HOW WELL THAT ONE WORKS FOR THE PEOPLE ON THE OUTSIDE.

HOW FAR WILL THE WATER SPILL BACK SOUTH FROM THE DISCHARGE END OF THE DIVERSION? WILL MY FARM REALLY BE FLOOD FREE, OR WILL THE WATER STILL BACK UP ON ME.

THE COST OF MAINTANCE OF THIS ENTIRE PROJECT FOREVER!! MILLIONS OF DOLLARS A YEAR OR MORE!!!

THERE ARE MANY OTHER UNANSWERED QUESTIONS AND FOR THESE AND MANY OTHER REASONS, WE FEEL THAT THE WHOLE PROJECT SHOUL BE SCRAPED AND THE CITY OF FARGO SHOULD PROTECT THEMSELVES FROM WITHIN TO A FLOOD LEVEL THAT IS WITHIN REASON.

FARGO WAS BUILT IN THE BOTTOM OF A LAKE AND LIKE BUILDING ON THE TOP OF AN EARTHQUAKE FAULT, OR NEXT TO THE OCEAN IN A HERICANE ZONE, THER ARE CERTAIN THINGS THAT MAN CANNOT FIX COMPLETELY .

Keith & Jann Monson

KEITH & JANN MONSON

2995 170TH AVES SE

HARWOOD, ND 58042

November 6, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Dear Army Corps of Engineers,

I am writing in regards to the proposed Fargo/Moorhead Flood Diversion Project. This proposal affects me negatively in two ways, not to mention the way it negatively affects the environment. This flood diversion project **should not** be constructed.

The first and most important issue to me is if the diversion is built, it would have a negative impact on my family farm that was established in 1890 on the edge of the city of Comstock. This proposed diversion would take away land that my family has made a living off for over 100 years. It would also negatively affect the surrounding land, other local farms, and farmers that have made a living off of the land for generations.

Secondly, as a teacher in the Barnesville public school system (I.S.D. #146), this project would negatively impact my district. By virtually moving the flood plain 10 miles south of the cities of Fargo and Moorhead, our district would lose families and therefore students because of the displaced water. Fewer students would mean less money to the school district, resulting in decreased opportunities for the students.

The third and final point I would like to briefly mention is the negative impact it would have on the environment. The Minnesota Department of Natural Resources (DNR) is not onboard with the proposed project because it negatively impacts the environment of the state of Minnesota.

With all of the research I have done and the reports that have been provided to the citizens, this project only benefits the economic development of Fargo so the city can expand south and west. The city of Fargo has made the choice to build in a flood plain. Why should their decision to do so negatively impact the surrounding farms and communities? This project **should not** be constructed. The only benefits of this proposal have a positive impact on the city of Fargo. We live in a democracy where all voices are heard and the majority rules. However, sometimes the needs of the few outweigh the perceived needs of the many.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Askegaard", written in a cursive style.

Matt Askegaard

c Governor Mark Dayton, Representative Keith Langseth, Representative Collin Peterson,
Representative Paul Marquart, Representative Morrie Lanning

Headquarters,
U.S. Army Corps of Engineers
Attn: CECW-P(IP),
7701 Telegraph Road
Alexandria, VA 22315-3860

To Whom It May Concern:

We am writing you regarding the proposed diversion/Dam in Cass County. We have lived on the Red River south of Abercrombie for 30 years and have never had any water problems. However, this dam they are proposing has all of us worried for future problems. If water is held back, it will slow all the rivers upstream that flow into the Red River and we will experience higher water elevations for longer periods of time. This will do a lot of damage to our homes, cropland, roads and bridges. Kindred and Richland 44 schools would take a big reduction in their tax base, thus raising the taxes on the remaining few.

Our local taxes would increase due to the loss of revenue in northern Richland County. In addition, for those who choose to shop in Fargo, would pay for flood control with their one of many additional sales taxes.

We do not understand why Fargo thinks they need the CADILLAC plan designed for a 500 yr flood event. It is such overkill. If a 500 yr event happens, none of us will survive it anyway! Our weather pattern will eventually change to drier years, as it already has this Fall. Then, Fargo will be crying for water to fulfill their needs and this billions of dollars project will sit empty. The City of Moorhead has taken it upon themselves to build up their permanent dike system. Whats wrong with Fargo?

We have no problem with them building a diversion since they apparently don't want dikes around their city. But this ridiculous plan to install a dam on the Red River and flood all the communities, residences, and farms upstream because they are greedy and want to preserve future developments in south Fargo. They knew better than to build a new school in a flood prone area and did it anyway.

We are not in favor of funding this proposed diversion/dam project. We are surprised of the number of people out there who have no clue what is actually going on with this proposal, when they actually realize what is happening, it will be too late.

Please do not let this funding be approved. It is not for the good of Richland county or the state of ND. The cost is too great for Fargo's greedy plans.

Thank you

Mike and Cindy Zick
17795 69 St. SE
Wahpeton, ND 58075
701-553-8332

SALLY McCRAVEY
PHILIP M. HENRY

November 6, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Dear Sir or Madam:

Where do we go to get our lives back? How is it possible, or even legal for the Corps to issue a pronouncement that upends the lives of family after family without any true concern for the damage, upheaval, and uncertainty it has caused?

Contrary to the naive view of a local Corps official, the November 2010 announcement that large areas south of Fargo were slated to become a holding pond as part of the "Diversion" project effectively stole the value of the properties of residents of Oxbow, Hickson, the Bakke addition, others up and down the Red River of the North, and beyond. Yet, there has been no compensation for this "taking" and, if compensation ever comes, it may well be a decade or more in the future.

My wife and I are of ages that we should be considering what, and where, comes next for us. We love our Oxbow home. We also love Oxbow, our neighbors, and the golf course that is the heart of our community. But, I will be 66 in a week, and it is time to consider moving on to a locale with a more-benign winter climate. It is also time to begin planning for a new residence that is better suited to our likely future needs.

But, oops, we can't! No one is going to buy our house, at least not for anywhere near its pre-announcement value, and without the prospect of a full-value sale we cannot make serious plans for the rest of our lives. Compounding our situation is the fact that my wife's health—and specifically issues with arthritis—make it steadily more difficult for her to live in our 2-story house. The day likely will come, perhaps years before a buyout does, when she won't be able to live comfortably in our current home. If you intend to keep us prisoners in here, do you also plan to pay for an elevator so we can both live here comfortably for years longer than we intend?

317 SCHNELL DRIVE • OXBOW, NORTH DAKOTA 58047
701-588-4410 • mchenry@alumni.hamline.edu

So, some questions:

1. When will we receive a buyout? Ten, fifteen, or even twenty years simply is unacceptable, and ought to be illegal if it is not. If Fargo needs our land so badly, then let the city buy it, and soon, with funds from its own citizens.
2. What happens if, as many of us expect, the Diversion is not built? Are you prepared to compensate us for the years of our lives that you will have usurped?
3. Why won't the Corps take a short breath and consider extending the Diversion to the south to protect this area? It is my understanding that that would be less expensive than a full and proper buyout of Oxbow and the golf course alone. Do you not understand the faithful adage that haste makes waste?
4. What is the justification for handing Fargo thousands of acres, both north and south, that are now in the flood plain but, in theory, eventually will be protected. Does law and policy mean nothing to you folks? Are we so unimportant that we're worth the sacrifice?
5. What is the point of creating a diversion that will have an annual maintenance cost that equals or exceeds the cost of protecting Fargo from flooding in some years, but not all?
6. There is suspicion that the powers that be want to keep the Oxbow area inhabited as long as possible to avoid financial liability for the local Kindred School District. Ironical, isn't it, that we may need to be around to pay Kindred school taxes for as long as possible so others do not have to cover the share we pay? How neighborly!
7. I repeat, where do we go to get our lives back? Regardless of what anyone on the committee says, we are being treated like dirt.

Thank you for your attention to this matter. Please consider the emotional and financial turmoil you are causing. It is considerable.

Sincerely,

Philip M. Henry

To whom it may concern,

While the need for flood prevention measures in the Fargo, Moorhead, and the surrounding areas are apparent, the current plan put forth has several flaws that appear to keep going unnoticed to those making decisions:

1. The current plan of record would force out multiple communities that have already solved their own issues with flood waters.
2. The current plan of record would flood areas that have been previously unaffected by flood waters, forcing problems on to those who made more intelligent choices regarding the locations of their homes and communities.
3. The cost of the current plan of record is prohibitive and comes at a time when governments have proven incapable of intelligently managing budgets. While the initial cost is being examined and people are struggling to find financing, the ongoing maintenance costs are continually being overlooked. This plan is likely to place an economic burden on the region not only in the short term, but in the years to come as well.
4. The plan is designed primarily for the benefit of one town - Fargo. Those who have followed the development of the project understand that the diversion will close off opportunities for growth for multiple towns while opening new areas of expansion for Fargo. In addition, cities that have tried to work with Fargo on the project have either outright opposed the recommended solution or formally withdrawn support.

We are continually asked to believe that if completed, Fargo will only use the diversion only when absolutely necessary, but everything to date indicates that there is no reason to believe this is the case. Fargo has continually forced decisions to be made based on its own interests and has even managed to obtain a supermajority (six of nine seats) on the panel that will be making decisions regarding the project. Nothing to date has provided any reason to believe that Fargo will not continue to act selfishly at the expense of others in the region.

As I write this, I am facing the prospect of having to leave my home or at the very least being placed into a flood zone by a project to benefit one city in a different state. I am likely to incur potentially significant ongoing expenses for having had the foresight to purchase a house on the high ground and additionally, I will have the privilege of being taxed to pay for flooding my land and home.

In the years of recent flooding, much was made of the resolve in the region as people fought for their homes and the homes of their neighbors and friends. Please remember that determination is not isolated to the city of Fargo. Those thousands of people affected by this plan are not likely to give up on their homes easily.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Michael Hammond', with a stylized, cursive script.

Michael Hammond

Julie Paulson (jkpnd1@hotmail.com)
10805 County Road 17 South
Horace, ND
November 6, 2011

Headquarters, US Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: Comments on lack of notification issues of buyouts and opposition to the Final Feasibility Report and Environmental Impact Statement Fargo-Moorhead Metropolitan Area Flood Risk Management Locally Preferred Plan (LPP).

I am a long-time resident of Cass County, North Dakota and I am writing to express my concerns about the Final Feasibility Report and Environmental Impact Statement Fargo-Moorhead Metropolitan Area Flood Risk Management Locally Preferred Plan (LPP). I certainly understand the importance of mitigating/controlling the floods that we continue to fight, however, putting in place a diversion and storage area creates so many new social, economical and ecological challenges for those who have been committed to this area of North Dakota for their entire lives.

This option displaces thousands of acres of farmland and people from their homes that are not in danger of flooding today and does not guarantee flood protection. This is a high risk project which attempts to cross five rivers with a diversion, which has never been done before, and would use levees, built on the weakest soils in the lower 48 states to act as a dam to hold back flood waters on prime farm land south of Fargo and Moorhead. The report states that a breach of the levees would be catastrophic. Who will pay for the recovery? For the cost of \$2 billion to taxpayers (local and nationally), there is still no guarantee of flood protection. There are also the ongoing maintenance costs, costs of losing communities, the effect on agricultural land and businesses, loss of family farms, potential damage to upstream communities, and the unknown impacts outside of the 33,390 acre staging area that have very high costs both fiscally and emotionally, just to prevent a potential flood. Many people have had to evacuate their homes or lost them during a flood, however, they were on or near the river. Now many people that are not on or near the river will experience the same grief and financial impact to prevent a potential 100 year or 500 year flood if this project is a go. For what cost?

I personally chose to purchase and live in a rural residence that is not currently in danger of flooding. I chose that location because of that. I have not been approached or notified for a buyout, however, I was notified by the Army Corps to sign a right of entry to my property for surveys and investigations. I emailed Terry Williams the Project Manager in April 2010.

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"My name is Julie Paulson and I received a letter in the mail regarding a right of entry for the diversion project for Fargo Moorhead area. My parcel ID is 64205000030010. I am inquiring to determine why you would need access to my property. I am directly east of the storage area 1 and about 1 mile from the proposed diversion location.

I am okay with taking samples and surveys, etc, however, i am not okay with the idea of storing anything on my property for any length of time.

Please let me know what type of activities would need to take place specifically on my property. I would like to know this information before I sign the right of entry for surveys and investigations."

I was told that since there is a 300 foot leeway, they need to test the soil in the proximity. So I guess my property would be impacted if they need another 300 feet for the project, however, my home is not part of the projected buyout costs. Also, if you don't need the land, and a storage area of 8.5+ feet of water across the road from me, you can't tell me that my basement won't become a pool as the water table is already high. Why wasn't I or people like me notified of a potential buyout and the costs factored in? I am concerned with a buyout that as I won't get the value that my property is worth, however... if I don't get a buyout that I will have property damage as a direct result of your project and insurance won't cover a manmade flood. I am worried that not all components of this huge project have been taken into consideration such as mine...

I emailed additional questions regarding the 300 foot question back to them and received no response.

I am frustrated by the decision to proceed, as many others are. We feel we are in the minority of the larger Fargo voice. I do understand the bigger picture and there are more solutions to the problem that wouldn't impact so many innocent people who tried to divert flooding by selecting the location in which we live (not by a river or chance of flood).

I wonder how many people will be impacted, like I, that aren't aware of where and how water will flow both above and below the ground... I think that diverting the water out of Fargo and making it everyone who lives south of Fargo, getting rid of communities, cemeteries, churches, homes and 33,390 acres farmland is a very harsh punishment to many local citizens are there is no thought by the local and state officials as they are not negatively impacted by their home. If the flood can be fought successfully with temporary measures today, can't permanent levees, floodwalls, along the natural course of the river is not a viable solution that follow the natural course of waterflow. Grand Forks had this in place shortly after they flooded.

I know I am one little voice, but I am speaking on behalf of those of us that want to make a difference in our community. I am a very unselfish person and think that the solutions at the table are displacing innocent people from their home and farmsteads with no place to go. Also the compensation will not be what is needed to replace the homes they have, nor the memories that were made within them.

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Are these tradeoffs that we really want to make as a country that is suppose to provide opportunities, maintain integrity and equality? Why is someone's home along the river in Fargo or in Fargo metro more important than my home or all of the others south and north of Fargo. Shifting the water problem from one location to another at such a large cost, does it really make taxpayer fiscal sense? The flood in Minot ND was stated to never happen either by the US Army Corp. That is a real life recent example of a risk of levees still having catastrophic occurrences. Why pay \$2 billion dollars when there are no guarantees. Please suggest take a step back and take a more reasonable, fiscally responsible approach that doesn't utilize tax payers dollars on a project that will impact our agricultural growth in North Dakota and in the US, kick folks out of their homes, and have unidentified economic and social risks.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie Paulson".

Julie Paulson

JEROME C. KETTLESON
jck@pearce-durick.com

ZACHARY E. PELHAM
zep@pearce-durick.com

November 7, 2011

Headquarters
U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: Fargo Flood Diversion Project

On behalf of Kindred School District #2 ("District"), the following comments are respectfully submitted to the Fargo-Moorhead Metropolitan Area Flood Risk Management Supplemental Draft Feasibility Report and Environmental Impact Statement ("SDEIS"), dated April 2010, prepared by the U.S. Army Corps of Engineers ("USACE"). To be clear, the District supports plans to protect the metro area of the Red River Valley from flooding. The District, however, cannot support the locally preferred flood retention plan that is being recommended by USACE. To do so would cause the District severe financial hardships and extreme student population loss that would threaten the very purpose of the District. The District calls on USACE to re-evaluate its plans to uproot entire communities in North Dakota and to consider viable alternatives.

Extreme Adverse Economic Effect

Under USACE's recommended Locally Preferred Plan ("LPP"), the District will suffer. There are currently 125 students who live in communities that are likely to be bought out—about 20% of the District's student population. The District stands to lose about \$475,000 in state student aid per year. As if that were not bad enough, the District stands to lose about 25% of its taxable valuation through proposed buy-outs of homes and businesses within the District—primarily Oxbow, Hickson/Bakke's Addition, and Pleasant Township. These proposed buy-outs will reduce the taxable valuations of the District by a total of \$3,538,427 based on current valuations. Finally, the District's patrons approved in the Spring of 2010 a new \$14,700,000 school to be funded through bond sales and increased mill levies. The District has serious concerns about its ability to burden the financial realities that now appear to be upon it as a result of USACE's recommended LPP.

The District's 398 square miles are within Cass, Richland, and Ransom Counties, just south of the Fargo metropolitan area. It serves the communities of Davenport, Hickson/Bakke Addition, Kindred, Leonard, Oxbow, and Walcott. 672 students were enrolled for the 2010-11 school year. Nearly 100 individuals, including 58 teachers, work for the District. It is the largest employer by far within the District.

The District estimates in order to cover predicted lost valuations as a result of proposed buy-outs, the District's mill rate for Sinking and Interest will have to increase from 70.56 mills to about 92 mills. The District currently levies 105 mills for the general fund and it could increase to as much as 135 mills if the LPP project goes forward. Even if the District wanted to increase the general fund mills to 135, state law sets a maximum of 110 mills. The District will have little choice but to potentially default on its obligations as a result of USACE's recommended LPP and associated buy-outs. Even if the District could increase its mills to these extreme levels, the citizens of the District should not be responsible to bear the burden of increased property taxes because of the unilateral decision making of USACE and its local sponsors. This is especially true of patrons residing in Richland and Ransom counties. The District, if this plan is adopted, will suffer extreme and long-term hardships.

The District needs mitigation if USACE's recommended LPP is approved. The District appreciates the leadership of its local state legislators who attempted to provide some mitigation to the District in the last legislative session. While this effort to attach an amendment to SB 2020 was unsuccessful, it is this type of action and leadership that the District expects and needs to receive from officials representing patrons within the District. The District also appreciated the March 30, 2011, letter from the Metro Flood Study Committee stating a willingness to support the District in mitigation efforts for excessive revenue losses. While appreciated, the District looks forward to a more definitive plan to adequately mitigate extreme revenue losses in the event USACE's recommended LPP project proceeds. The District needs a concrete mitigation plan from state, local, and federal leaders if the LPP project is approved.

As for USACE, it has conveniently washed its hands of this issue by concluding it has no obligation to do anything about the problem it is directly causing. The time has come for USACE and federal officials to realize that they cannot not sit back, cross their arms, and nod to local and state governments to provide the sole source of mitigation to the District as a result of this proposed federal, state, and local project.

Prudent Management, Stable Growth

The District did its homework before committing to build a new school. The District took the prudent course of retaining a consulting firm to analyze the District's needs and status in 2008. The consultants prepared an Organizational Analysis Study ("Study") for the District. The District was deemed a "financially well-managed educational organization." *See* Organizational Analysis Study, Dr. Kay T. Worner and Dr. Roger B. Worner, June 2008, Exhibit 1, p. 34. The taxable valuations for the District have grown every year since at least 2004. *See* Taxable Valuations Spreadsheet, attached as Exhibit 2; *see also* Ex. 1, pp. 40-50. The Study concluded

that the District has a stable student enrollment and would realize “substantial student enrollment growth over the course of the next two decades.” Ex. 1, p. 17. A new facility was recommended because the District has experienced over-crowding at its facilities that were projected to continue. Ex. 1, p. 9. The Study further recommended that the District “begin—in earnest—preparing for the certain general population and student population growth which will substantially impact the organization’s programs, services, staffing, and facilities.” Ex. 1, pp. 25, 30. The patrons of the District prudently approved the funding of their new school based on detailed and competent information.

The District has “demonstrated prudent, conservative, sound fiscal management of taxpayer dollars entrusted to the organization.” Ex. 1, p. 45. This fiscal discipline is now at risk, not by actions of the District, but by the actions of USACE. This taking of a large portion of the District’s student population and tax base, without any compensation, cannot stand.

The Study noted that a District the size of Kindred has less “flexibility or capability of recovering from unanticipated down turns, unplanned events, or conditions that could jeopardize the organization’s long-term survival” Ex. 1, p. 13. The Study was somewhat prophetic: “an enrollment drop of 100 students in two school districts—one with 5,000 students and the other 500 students—presents a problem of the same numerical magnitude . . . but one of dramatically different proportionate magnitude (2.0% versus 20% loss of students).” Ex. 1, p. 13. This scenario, from a Study prepared in June 2008, is exactly the scenario the District now faces as a result of USACE’s decision to recommend the LPP. USACE will directly cause the District to experience a steep and long-term enrollment and taxable valuation decline. Now, at the bidding of complete strangers to the District, and without any formal participation in formulating a flood control plan, USACE is prepared to effectively gut a large portion of the District without providing the District anything in return.

USACE’s brief, and only, reference concerning the District in the SDEIS is as follows: “plans for a new school in Kindred would be impacted in the short term due to a potential loss of tax base and diminished student body.” SDEIS, § 5.2.3.1.7. The District has already committed to construct and finance the new school—these are not “plans.” USACE proffers nothing to support its cursory conclusion that the District would only be impacted in the short term. The District’s obligation to repay its obligations on the new school will continue for over a decade. It is unlikely the District will regain the level of taxable valuation it currently has in the “short term” as USACE’s concludes. And, finally, a drop in student population caused by buy-outs would impact the District for decades. USACE has failed to adequately address the impact the recommended LPP will have on the District.

Federal Grant Funds Lost

If USACE’s recommended LPP goes forward, USACE will cause the District to lose thousands of dollars in federal educational grants. Nearly \$150,000 in federal funds in the form of Title I, Title IIA, and Perkins grants were provided to the District in 2010-11. It would seem that USACE would have a responsibility to allow political subdivisions that receive federal funds to have formal input and decision-making authority before unilateral decisions are made by those

with little connection to the areas that will be adversely affected. It would also seem USACE does not even consider federal educational grants provided directly to school districts that will be significantly harmed by its actions. USACE will directly cause the District to lose future federal educational grants by its action of reducing the student population of the District. USACE must compensate the District for this direct loss.

Locked Out

The District—along with local Townships (who independently maintain zoning control) and other cities in Cass and Richland Counties—were locked out of having any formal place at the table while USACE and local sponsors formulated and planned the flood protection plan. The District is so far off of USACE's radar screen that it is not even included on USACE's lengthy mailing list. The District and other local governmental entities must be given a formal voice by USACE.

The beneficiaries, the local sponsors of the recommended LPP project, made decisions diametrically opposed to the District. It is this local committee recommendation that USACE uses to support its recommendation of the LPP. It is true District officials have corresponded with local committee members informally, and have received written responses. The District appreciates the willingness of these local committee members to listen to its concerns. But the District should have been formally involved in the planning process and given a right to vote as an official committee member. Because the District was denied any formal right to be involved in the decision making processes, the District requests that it be given a formal role in this process. Further, the District requests that USACE strike reference in the SDEIS that the proposed plan was recommended by a "local" committee. The local committee was "local" only in the sense that those benefitting from the proposed flood protection plan were formally represented.

Local Funding Erroneous Information

USACE should be aware that the local Cass County funding apparatus that was recently approved by voters was based on erroneous information. Cass County Resolution #2010-26 authorized a ballot question to increase sales taxes. *See* Resolution, Exhibit 3. The Resolution is premised on the locally preferred option for flood control adopted by the Metro Flood Group at the time of the Resolution. The Resolution was adopted in August 2010; the locally preferred plan at that time was different from the current locally preferred plan. A county-wide vote took place in November 2010 on a ballot question based on Resolution #2010-26. At the time the vote occurred, the electorate understood that the proposed flood project would not impact upstream communities and would not severely impact downstream communities. One week after the county-wide vote, it was announced that the DEIS was defective because of miscalculations on the effect of downstream flow.

USACE is cautioned that the vote to approve local funding of the LPP was not presented to Cass County citizens properly. Indeed, it would seem that notions of fair play and justice, alone, should convince Cass County Commissioners to present to their constituents a measure that is

fairly and adequately explained prior to voting on it. It is disingenuous for USACE to ignore the reality that the local Cass County funding mechanism for the proposed project was obtained based on incorrect information presented to an ill-informed electorate.

Finally, it is difficult to state how much local funding for USACE's recommended LPP will be required when USACE has not provided an updated cost analysis in the SDEIS. It would seem the costs will far exceed the \$1.7 billion currently estimated.

Alternative Plans Disregarded

USACE definition of the project ignores the rest of the Red River Valley. The purpose of the SDEIS is only "to reduce flood risk, flood damages and flood protection costs related to the flooding in the Fargo-Moorhead Metropolitan Area." SDEIS, § 2.5. The National Environmental Policy Act requires USACE to cast a wider net—to include the upstream and downstream communities outside of the Fargo-Moorhead. The entire SDEIS is unduly narrow, fails to address cooperation between the metro and rural communities, and fails to adequately consider alternatives to the proposed LPP retention project.

While USACE gives lip service to the need for a "regional system to reduce flood risk," the SDEIS ignores the harm that will befall entire upstream communities within the District. SDEIS, § 1.2. USACE fails to comply with NEPA and CEQ regulations requiring it to adequately appraise and give in-depth analysis to alternatives and compare these alternatives. Specifically, a plan proposed by Minnesota Congressman Collin Peterson merits a long and hard look—as it would potentially save millions of taxpayer dollars and provide protection to upstream communities within the District. USACE responded to a direct question at the Kindred public meeting on May 24th that it "hasn't studied" this plan.

The Alternatives Screening Document included the "waffle plan." But the SDEIS does not even mention it. USACE should consider the "waffle plan" as an alternative, and possibly to be used in tandem with the recommended LPP. The elimination of the "waffle plan" was unreasonable, arbitrary, and capricious and violates NEPA and CEQ requirements.

“Minor” Controversy

USACE devoted less than one page of its nearly 500 page SDEIS report to controversies. SDEIS, § 5.3. In of itself, this shows that USACE does not take alternatives to the proposed project, or mitigation for the District, seriously. USACE seems to chalk the controversy up to a “not in my backyard” resistance to the LPP. This reasoning is inexcusable and insulting to the upstream communities within the District. The District stands to lose a large portion of its student population and taxable valuation. As a political subdivision that has to balance its budget, the District will potentially lose its ability to pay its bond indebtedness back on its new school, will likely have to lay-off employees, and consider other extreme measures to account for USACE’s recommended LPP project. To conclude that the “controversy” of USACE’s project merits a one page discussion is further proof that USACE does not consider alternatives or community concerns from areas that actually will be impacted by the recommended LPP project.

Executive Order 11988 Doublespeak

USACE states that one goal of Executive Order 11988 is to “avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” If avoiding the floodplain altogether is not practicable, EO 11988 requires federal agencies to “minimize potential harm to or within the floodplain.” SDEIS, § 3.7.3.6. What USACE should have said is it has determined the upstream communities are expendable and their interests are inexplicably less than other communities in the Red River basin according to EO 11988.

USACE uses EO 11988 as both a sword and a shield. On one hand USACE states that it cannot impact downstream communities because of EO 11988. On the other hand, USACE’s position is it can effectively uproot entire upstream communities within the District because of EO 11988. Further proof of USACE’s bizarre position on EO 11988 is its conclusion that moving the alignment of the diversion to the south would be incompatible with EO 11988. SDEIS, § 3.7.4. The District fails to comprehend how USACE can take diametrically opposed positions on this project and point to EO 11988 as justification for both positions at the same time.¹ It is in the name of EO 11988 that USACE justifies destruction of entire communities. And, at the same time, it is in the name of EO 11988 that USACE unilaterally determines to save entire communities. Such application is an egregious abuse of power by USACE.

County Road 17 Tieback

The District does not believe USACE has addressed the integrity of Cass County Highway 17—which will be incorporated into a tieback levee if the LPP is approved. USACE should address the costs and level of protection that this particular road will provide to the city of Kindred—

¹ To be clear, the District does not advocate for a southern realignment of the recommended LPP. To do so would essentially push the problem USACE will potentially cause to other established communities. Unlike USACE, the District does not advocate intentionally flooding entire communities without critical analysis.

November 7, 2011

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where the District's facilities are primarily located. In questioning at public meetings, USACE has admitted it has not calculated any cost involved with this.

Conclusion

The District is opposed to USACE's recommended LPP diversion project. The preservation of the integrity of the District must be its priority. There are viable alternatives that USACE is either dismissing without proper analysis, or has ignored in the name of expediency and ease. In the event the recommended LPP proceeds, the District must receive mitigation in order to stay viable—both in an educational and financial sense. If the homes and businesses within the District are bought out because of USACE's recommended LPP, the District will likely default on its financial obligations for its new school and suffer long-term hardships as a direct result.

The District, and other upstream communities, are being unjustifiably and inexplicably sacrificed with absolutely no formal right to intervene. It is true, generally speaking, that all communities must sacrifice in this endeavor to attempt to prevent future flooding in the Red River Valley. But the communities of the District will receive absolutely no benefit from USACE's diversion project. As it stands, the District will receive no mitigation from the federal, state, or local governments. As a result, the District is left with no alternative but to fight the USACE and local sponsors on the recommended LPP project. The District urges USACE to reconsider its recommendation of the LPP.

Sincerely,

PEARCE & DURICK

JEROME C. KETTLESON

ZACHARY E. PELHAM

Dear U.S. Army Corps of Engineering,

Building this dam (so called diversion) is a tragic event for North Dakota and Minnesota. The people pushing this through will not be considered heroes, but as dismal failures for not understanding how water flows and spreads. It is horrible that you are taking away so many livelihoods with such little regard.

Shame on you for destroying Churches, schools and the communities that support them.

I sincerely hope you don't make the biggest mistake of your careers. This will be the laughing stock of man-made mistakes. I

hope you reconsider and put a stop to this. Swamee Brodhaug

Fargo ND 701-367-0715

Us Army Corps of Engineers
Attn: CECW-P
7701 Telegraph Road
Alexandria, VA 23315-3860

November 7, 2011

Subject:
Proposed North Dakota Diversion Alignment

We are writing this letter to express our concerns regarding the latest upstream proposal that will affect our homestead, farmland and rented farmland.

As we look at the maps of the proposed water storage we have determined the water storage area will consume all but 40 acres of the 440 acres owned by us. It will also affect another 240 acres of farm land that we cash rent from our neighbors, for a total of 640 acres of the 1200 acres in our farming operation affected. Relocation and replacement of farmland, either rental or ownership, is almost impossible with the current land value rates.

If you look at the legal descriptions of our farmland:

S28 T 138N R49W – 160 acres owned by us

S 32 T 138N R49W – 160 acres owned by us and 75 acres rented

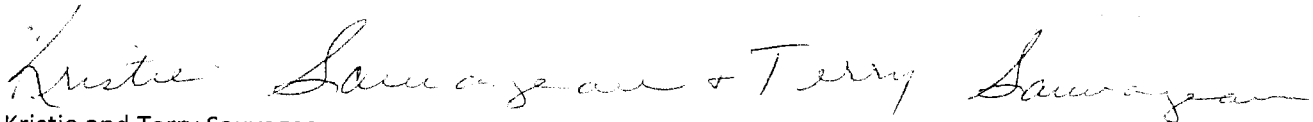
S33 t 138N R49W – 72 acres owned by us - 10 acres farmstead (home) and 150 acres rented

You will see the properties that are included in the water storage areas and proposed diversion and how they affect us.

Please note that on the 100 year flood map and on the 500 year flood map, our home ¼ of land is high and dry. This is the area you are setting aside for a retention pond.

This is the only dry land in all of Cass County, and you want to make it a retention pond!
A retention pond inside your protected area? Does not make sense at all.

Respectfully Submitted,



Kristie and Terry Sauvageau
12004 57 St S
Horace, ND 58078

Nov. 6, 2011

Dear U.S. Army Corps of Engineers,

I'm writing in regards to your proposal for a diversion in the Fargo-Moorhead area. As a taxpayer and teacher of Minnesota, I highly OPPOSE of this plan. This plan is not in the best interest of your taxpayers' money. Citizens of rural areas should not be forced out of their homes and prime farmland should not be flooded just to create more development for Fargo. My dad has been a highly successful farmer and has lived along the Red River for 69 years. His property has never flooded. Fargo has not even had a 100 year flood. Why are we trying to protect it for a 500 year flood? My brother has taken over farming the land that my father farmed for over 40 years and now has to worry

about the possibility of this rich farmland being flooded on purpose just to create more development for Fargo? There are many outlying areas in bedroom communities that could thrive with development and they do not get flooded. Farmland can not be replaced!

My other main concern is the financial cost of this project. Who is going to pay for the cost of this diversion? Have the taxpayers been properly informed of their future costs? Who will pay for the buyouts and reconstruction of roads and bridges? Who will benefit from this diversion? Fargo is already gaining protection from the Red River with dikes and other measures. Shouldn't we be forcing time and money on areas like Devils Lake and Bismarck-Mandan? These residents need help to

recover from their losses. Let's not
start creating man-made floods on
~~the~~ areas that have never flooded.
Agricultural land is a valuable
part of our economy. Do not destroy
what can't ever be replaced! Find
solutions, don't just create new
problems!

Sandy Meyer
Barnesville, MN

Nov. 7, 2011

Headquarters

U.S. Army Corps of Engineers

Attn: C E C W - P (TP)

7701 Telegraph Road

Alexandria, VA. 22315-3860

I'm Ruth Evert (90 years old). I live in Fargo, my home town was Hickson, ND. My sister & I still have land there we rent out.

I'm appalled at the Fargo City Commissioners and Mayor and the Corps of Engineers for the Diversion they have planned south of Fargo around the Hickson Area. Its too drastic.

Farmers make their living off the land which they've done for many, many years. Also the housing developments have many people working in Fargo.

My grand parents came from Norway like many others and they were smart enough to build on high lands. Too bad the people building in Fargo didn't do that.

In the Lower Wild Rice & Red River Cemetery, my Grandparents, Parents, Husband, Sister are buried there, plus many other relatives & friends. I understand other Cemeteries are under siege too by your plans.

Actually, that area seems like a part of Fargo.

(over)

There must be something you can do right here in Fargo. Build dikes, move those involved in floods to higher ground. Makes more sense than destroying that area which has been good as gold for many years.

I sincerely hope you find a solution.

Sincerely

Ruth Ewert

1201-2nd Ave N. Apt 606

Fargo, ND 58102-4657

November 1, 2011

Headquarter, U.S. Army Corps of Engineers

ATTN: CECW-P (IP)

7701 Telegraph Road

Alexandria, VA 22315-3860

To Whom It May Concern,

We wish to state our support for the Red River diversion. Our current address is 6402 64th Ave North, Harwood ND. Our home includes a 25 acre farm with five of these acres above the 500 year flood plain on which our buildings are located. The remaining 20 acres slope downward, and therefore has repeatedly flooded since 1997.

We are in support of the diversion-retention plan for the following reasons/concerns:

1. We believe the primary reasons for repeated severe flooding in the rural Harwood area are an ongoing wet weather cycle, and extensive farmland drainage in the Red River basin. We have observed the draining of a nearby slough for planting crops several years ago. The trend to drain lowland areas results in less water retention during spring snowmelt. One consequence of flooding to the rural Harwood area is that all gravel roads to our farm are under water for weeks; the longest incidence of road inaccessibility was during the spring 2011 flood. We then need to use a boat from our farm to reach our vehicles parked approximately one mile away. There are two children ages two and four in our household. For safety reasons, we do not look forward to boating these children to get them into Fargo for necessary functions such as doctor appointments. On a larger scale, road damage to our region has been a very high recurrent expense.
2. The Sheyenne River will become a vital channel for planned released of Devils Lake water. To us, this means the Sheyenne River must have effective flood control measures in place so that flooding does not further threaten our rural community and weaken the condition of the riverbank .
3. I (Kathy) work in a south Fargo nursing home. In 2009, all health care facilities were required to evacuate all patients/residents from the metro due to the impending flood threat. The evacuation/displacement of our frail, elderly residents created significant stress for them and their families. There was an increased incidence of death of our residents during this time. This is one aspect of loss the Fargo-Moorhead community faces with an existing flood threat. An even larger concern is

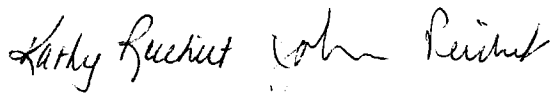
→

that the Fargo-Moorhead area may be regarded as an undesirable location for future businesses and the building of new homes.

4. It is essential that any diversion plan also includes an adequate water retention component. Residents of rural Harwood have experienced more frequent severe floods, so we understand the concerns of people living north of the planned diversion. Water retention will be critical so that severe flooding is not passed on to areas north of the diversion termination.

5. It is our hope that there is fair compensation to all families impacted by land acquisition for the diversion. We value our home and lifestyle. If our land was mandated to be taken for this project, we would hope that financial compensation would allow us to relocate with the prospect to recreate a similar lifestyle.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathy Reichert".

Kathy and John Reichert

11/4/11

U.S. Army Corps of Engineers
7701 Telegraph Road
Alexandria, VA
22315-3860

Dear Sirs;

The 100 year and 500 year flood levels have been known for decades yet the City of Fargo has allowed and even promoted development in the flood plain. At the same time they have failed to include flood protection in their development plans to guard against such flood levels. Now that the reality of such epic floods is becoming more and more likely they feel they have the right to go outside the city limits and take property that doesn't belong to them to solve their problem, a problem caused by their own irresponsible actions. It is unethical to expect county residents outside the City of Fargo to sacrifice their property and livelihoods for the benefit of Fargo and it is unethical for the Army Corps of Engineers to be part of any such plan. If the City of Fargo wants a diversion then it should be the entity making the sacrifices. The diversion should be constructed within the city limits of Fargo.

A handwritten signature in black ink, appearing to read "Dave Gingrey". The signature is fluid and cursive, with the first name "Dave" and last name "Gingrey" clearly distinguishable.

Dave Gingrey
Gardner, ND 58036
701-484-5328

3456 Birchwood Ct. S.
Fargo, ND 58104
November 6, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

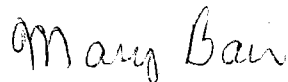
To whom it may concern:

I am writing regarding the proposed Red River diversion in Fargo-Moorhead. I am in favor of the proposed diversion project and am concerned that further delays in moving ahead with this project will continue to impact a large number of people in the region.

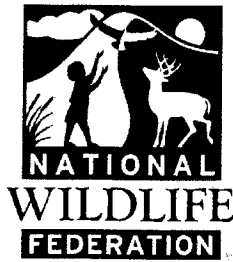
While I understand that there are always people who will be impacted in a negative manner by such a project, it is clear that the significant majority of people will benefit greatly from the proposal.

Please move forward with this project as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Mary Bair".

Mary Bair



Protecting Wildlife for our children's future



November 7, 2011

VIA U.S. MAIL AND E-MAIL (terryl.l.williams@usace.army.mil)

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Re: Comments on Final Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North

Dear Ms. Williams;

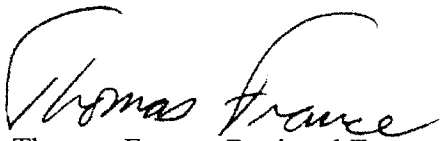
The National Wildlife Federation (NWF) has previously identified problems with the Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North. At the draft and supplemental draft stages of the project, NWF urged the U.S. Army Corps of Engineers (Corps) to consider more environmentally and community-friendly alternatives. The topics of concern raised in previous comments remain relevant as the Corps has made few changes in the proposed plan to address issues of fish and wildlife health, wetland and grassland preservation, ecological sustainability, and mitigating climate change in concert with flood control and water management. NWF believes that structural and non-structural alternatives that provide environmental and economic benefits beyond flood management must be included in the proposed plan.

The proposed plan fails to recognize that much of the Red River Basin flooding has been a direct result of wetland and grassland elimination during the past century for the sake of agricultural development. In the Final Feasibility Report and Environmental Impact Statement

(FFREIS), the Corps includes the option to “pass additional water through the metro area...at Fargo” to allow for the diversion project to operate less frequently.¹ Measures such as this are insufficient to mitigate upstream staging impacts. They also fail to protect water quality, fisheries connectivity, and bird and wildlife habitats. The rehabilitation of wetlands and grasslands could be used as temporary flood storage that would prevent dangerous flood levels as these ecosystems have remarkable abilities to store excess water runoff and provide much needed wildlife habitat.

The Corps has not taken sufficient measures to mitigate the harmful environmental impacts and increased threat of flooding to upstream and downstream communities. The current plan threatens the upstream communities, including Hickson, Oxbow, and Comstock, by placing them under feet of water in flood years. The adverse impacts of the proposed plan include buyout and relocation of home and property owners in communities impacted by the staging area.² A basin-wide approach to flood risk management would benefit the environment and local communities by providing a full range for use of non-structural alternatives which protect communities from the additional flooding caused by diversion channels and levees.

The project should not continue to be pushed through without the protection of local economies, air and water quality, the natural environment, and fish and wildlife resources through the incorporation of non-structural techniques for flood control. NWF sincerely thanks you for considering these comments on the Final Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North. Please do not hesitate to contact us if you have questions or would like additional information.



Thomas France, Regional Executive Director
National Wildlife Federation

¹ U.S. Army Corps of Engineers, *Final Feasibility Report and Environmental Impact Statement on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project on the Red River of the North* 274 (July 2011).

² *Id.* at ES-19.

U.S. Army Corps of Engineers, Headquarters
Attn: CECW-P(IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: The Supplemental Draft Environmental Impact Statement, Fargo-Moorhead
Metropolitan Area Flood Risk Management.

Dear Corp of Engineers,

I am writing in opposition to the April 2011 Locally Preferred Plan (North Dakota Diversion with storage and staging) for flood control in the Red River Valley. Understanding the need to protect the Fargo-Moorhead Metropolitan Area from flood on the Red River, I oppose the above mentioned proposal for many reasons.

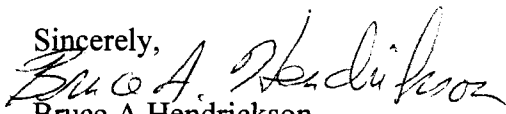
The effects on the Kindred School district including loss of students and tax base, the destruction of the communities of Hickson, Oxbow and the Bakke subdivision along with countless rural residents would greatly affect our school tax base. It's not just about the cost of the new school but the effect on our school district for years to come. Obviously, upstream communities were not ask to participate in the decision making process.

Although the Corp acknowledges that there will be impacts outside the 33,390 acre staging area, these issues have not been assessed and these costs are not included in the project. The interaction with flooding from the Sheyenne and other overland flooding; proposed levee along the Horace Road (County 17) prevents the natural flow of water east. These costs to homes and agricultural lands are not in the current project.

The costs of the ongoing operation and maintenance are the responsibility of the local sponsors, now estimated at 3.6 million, which is more that the current annual cost of flood protection.

Potential damage to remaining roads and bridges during the flooding of land (these costs are not currently included in the project). Finding a route open for travel to the Fargo-Moorhead area during the flooding is already extremely difficult. The current proposal would leave those of us South of Kindred with potentially no way to travel north. Possible breach of the levee is another concern. Corp report says that the breach would be catastrophic. Who will pay for the recovery?

I know alternatives do exist that address flooding basin wide. These have not been studied or addressed by the Corp nor have areas affected by the issue been included in the planning stages. We cannot accept the proposed holding pond(DAM) as a viable option to resolve the Fargo-Moorhead flooding issue.

Sincerely,

Bruce A Hendrickson
5555 County Road 3 Kindred, ND 58051
11/7/11

U.S. Army Corps of Engineers, Headquarters
Attn: CECW-P(IP)
7701 Telegraphy Road
Alexandria, VA 22315-3860

RE: The Supplemental Draft Environmental Impact Statement, Fargo-Moorhead
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I know alternatives do exist that address flooding basin wide. These have not been studied or addressed by the Corp nor have areas affected by the issue been included in the planning stages. Further research needs to be done to address all these issue and find an acceptable alternative. The Fargo Forum makes it sound like 1000 people/families are affected the actually number is far greater and we need to be considered and heard.

Sincerely,


Joyce M Hendrickson
5555 County Road 3
Kindred, ND 58051

November 7, 2011

Headquarters
U.S Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Wayne Hoglund
16646 31st R Street SE
Harwood, ND 58042-9720

To CECW-P (IP),

In a period of time when the government is very deeply in debt, to spend money for a very complicated and expensive diversion is almost ridiculous; especially when the Army Corps of Engineers declared their first choice as the Minnesota diversion. This is at a much lower cost and a lot less problematic; (Four rivers, numerous railroad crossings, Interstate highways, etc.).

To choose this expensive, complex Fargo diversion; it seems very logical that it is not the best solution, but a land grab by Fargo to have property to develop within what is basically a dike. If that is the case, then they shouldn't be trying to secure the land by eminent domain; but rather come and negotiate with the owners on a realistic basis. That is my biggest gripe in that they want to buy my land at agricultural prices and when the diversion is finished, the property on the inside will be sold by the square foot. Also our property on the outside of the diversion; which currently is not in the floodplain, will be in the spillway. It already has lost major value with just the talk of this diversion. I will also lose land that I rent. Will I be compensated for lost income on that, I doubt it?

I have been told by engineers when I questioned a dike and levy system like Grand Forks has, that it can't be built because of ground issues. I find this hard to believe when Fargo has 10 plus story buildings within two blocks of the river.

This blatant grab for land by Fargo is how many people in the outlying communities are very negatively affected. I personally am going out of my way to do business elsewhere to avoid paying tax for something that is going to be a negative effect on me and my neighbors.

Sincerely,



Wayne Hoglund
Agricultural Landowner

Box 3,
Comstock, MN 56525

Dear Army Corps,

My wife and I have lived on our property north of Comstock for 35 years. I planted all of the trees and built two of the buildings myself out of salvaged lumber. We grow much of our own food, heat with wood and we have invested our blood, sweat and tears into this piece of ground. I will resist to the best of my ability any attempt to make me leave!! We consider this place sacred and plan to live here until we die.

Sincerely,
Steven R. Olson

November 6, 2011

Corey Smith
Sherri Smith
4978 Klitzke Dr
Horace, ND 58047

Re: Comments on proposed Red River Diversion in Fargo-Moorhead

Dear US Army Corps of Engineers,

We are residents of Pleasant Township, Cass County, ND and have lived at our current residence for close to 14 years. We understand that long-term, permanent protection from flooding is needed for the Fargo-Moorhead metropolitan area. We, however, cannot support the current plan to use our home as the sacrificial lamb to increase the comfort level of the metro area without knowing where we stand relative to a potential buyout, land usage, and opportunities/costs related to whether or not we will be able to afford to continue the lifestyle we chose to live outside of the FM Metro Area in the 1st place. We have built up our property so that we can withstand historic flooding. We are very concerned about the ability to relocate and find affordable acreage to match our current residential needs.

As we understand the plan, the diversion along with holding areas of water would inundate our property with 7 to 8 feet of water that we did not previously have to deal with. Life in our development has been challenging during past floods in our area, yet we have always survived. While we know that we are all in this together and some sacrifice is to be expected, it does not make the individual sacrifice any easier.

In total, three North Dakota communities and hundreds of homes will be erased from the map. I have hoped that the planners of this flood control project would come to realize that this sacrifice asked of the Comstock-Hickson communities, the surrounding townships of Holy Cross and Pleasant and the farms and homes on the 54,000 acres to be flooded is more than should be asked of anyone and that should the project move forward that those forced out of their "way of living" be justly compensated.

Please contact me at 701-238-1367 or wildthingsranch@yahoo.com with any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sherri Smith".

Sherri Smith

November 5th, 2011

1115 Ninth Avenue South
Fargo, North Dakota 58103
701 234-0603

Headquarters,
US Army Corps of Engineers
ATTN: CECW-P(IP)
7701 Telegraph Road
Alexandria, VA 22315-3860
RE: Red River Diversion for Fargo, ND

As the corps wraps up the feasibility study for the diversion around Fargo / Moorhead, I am stating formally my strong opposition to this excessive waste of resources to divert water.

I am serious when I ask "Just what are we thinking?" First of all our community has dealt with a number of floods in the past few years. We do know the high water mark. Finish the "buy outs" necessary, and learn from those mistakes. The problem is not the water, it is the greed of developers and Fargo city officials that encouraged new neighborhoods near the river, or in flood prone low lying areas. Secondly, it is not in the best interest of our tax payers that our local leaders want to spend two billion dollars to secure land south of Fargo (parallel to the Red) for future economic development. As the property taxes go up to pay for the diversion, businesses and people will look elsewhere to live and work.

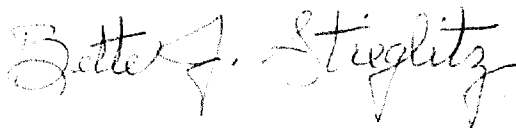
The current plan is very short sighted. Who thinks that we would never have another drought? If we do have two billion dollars from state and federal funds to spend on water projects, it would be logical to plan for both scenarios of drought and excess. I suggest that we look at this as a statewide project, and not just Fargo /Moorhead.

For example, in the seventies farmers were encouraged to drain their potholes. Drainage into Devils Lake from the entire Devils Lake basin is as far north as Starkweather, north-east as Edmore and north-west by Cando. When one farmer started, the chain reaction began. At that time about 40 years ago, the Water Board in Ramsey County wanted to build Channel A and drain into Devils Lake. The push was for fishing and water recreation on Devils Lake. The lake was low, and new neighborhoods were being built near the shores of Devils Lake. Channel A was built, and many farmers in the Devils Lake basin had created drainage for potholes. THEN THE WET CYCLE BEGAN. Water kept coming in every year at unprecedented rates. Homes were flooded, dikes were built, roads were raised annually. Disaster continued mounting. The problem is still being passed on, and draining into the Sheyenne causes problems downstream in Valley City. The Red River Diversion will certainly cause problems for those people living downstream.

If legislators pushed as hard for a "pothole restoration" project, the wealth of two billion dollars would be spread out around the state and farmers would be reimbursed by the "water fund" to fill in their drainage ditches. The same policy should be along every tributary to the Red River, and Sheyenne River. This is my answer for the "long-view" of our water crisis. In the next drought cycle farmers would have some productive land in the low areas.

The current diversion plan does not offer positive outcomes, it only sends the problems downstream.

Sincerely,
Bette J. Stieglitz



Nov 7, 2011

Dear Sir:

I am totally against the army corps of engineers plan for the Red River Diversion. To destroy towns, farms and residences that have no problems with flooding to save the ones foolish enough to build where there is a problem is wrong. If Fargo-Moorhead feels they need protection a levee should be put up through the town 600 feet to 800 feet back from the center of the river. Those people who don't want to move back out of harms way can ring dikes and wall off their own property or face the consequences. This plan would be quite similar to Grand Forks protection plan and those that need the protection would pay the costs and heartache of the protection. Fargo is not the great economic driver as they so foolishly proclaim of North Dakota. The farmland and people surrounding these cities are the real economic force and need protection from a few bullies that feel they can run over anyone with enough money and lies about this project. This water just doesn't start here in southern North Dakota but comes from Minnesota and South Dakota as far as 150 miles away from Fargo-Moorhead.

Jeff Mauch
118380 6th St
Moorhead, ND 58061

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Dear Sir;

MnDak Upstream Coalition submitted comments on the April SDEIS through our lawyers (page 253 in the Comments on the SDEIS). We find the responses to our concerns and those of other individuals and agencies highly unsatisfactory. The basic premise that the local non-federal sponsor determines the specific alignments to be considered and the level of flood protection to be provided is deeply flawed. Planning based on this premise leads to an unwise use of billions in tax dollars. This plan, which only protects Fargo/Moorhead, is short sighted and can only lead to higher federal outlays in the future for flood disaster relief in the Red River Valley. The Corps policies that led to the formulation of this plan are in need of revision. The latitude given to the local non-federal sponsor is conducive to imprudent decisions and conclusions.

These are some of our concerns:

Northern Inlet for the North Dakota Diversion,

As the lawyer for MnDak noted in his comments to the SDEIS, recorded on page 253 of the Comments to the SDEIS, concerning the Northern Inlet for the North Dakota Diversion, 8.4.2.1.6. in Appendix O of the Final EIS (FEIS):

"Alternatively, moving the diversion structure further north would allow storage in naturally flood prone areas of the flood plain – again reducing the requirement for new storage. If combined with the distributed storage alternatives discussed herein, the consolidated storage component of the Tentatively Selected Plan, upstream of the diversion structure and tie-back levees, could be eliminated. Elimination of the consolidated storage area would preserve four small communities and tens of thousands of acres of prime and unique farmland."

Northern Inlet for the North Dakota Diversion, 8.4.2.1.6. in Appendix O also states: "could result in reduced downstream impacts".

The use of the Northern Inlet would reduce construction cost by \$142+ million. The mitigation cost and permanent relocation of thousands of people necessitated by upstream staging would be eliminated

It is interesting to note how the Northern Inlet was dropped.

In 8.4.2.2 Phase 4 Array of Measures

Refers to attachment 4 of this appendix for a discussion of measures.

Attachment 4

2.3.1 Alternatives Screening Document

In this attachment, there is no mention of the Northern Inlet.

The Northern Inlet was dropped without consideration. No analysis was done. Analysis is done on other alternatives; these were done only at the request of the local non-federal sponsors.

The rejection of the Northern Inlet is a violation of Executive Order 11988: "requires federal agencies to avoid direct or indirect impact support of flood plain development wherever there is a practicable alternative and then to minimize impact to the flood plain."

The Corps planning documents show no analysis of why the Northern Inlet is not a practicable alternative. Nor do the documents include an analysis of the Northern Inlet as a practicable alternative when used in combination with other flood control measures. In 8.4.2.1.6 Northern Inlet for the North Dakota Diversion Appendix O it is stated "... however, it could not eliminate them (downstream impacts) independently." If the Northern Inlet could not eliminate downstream effects independently, an analysis of the Northern Inlet in combination with other measures should have been done. Not to do so puts the project in violation of Executive Order 11988.

Appendix O Attachment 5 Value Engineering Study

In this document we see the reason the Northern Inlet was dropped. In the FMM Feasibility VE Study Comments, #1, #3 and #6, it becomes apparent that the local non-federal sponsors are making decisions to impact the flood plain so it can be developed. This is, again, a violation of Executive Order 11988.

Crop insurance for flooding:

The issue of crop insurance reminds one of Alice in Wonderland, the discussion between the White Queen and the Mad Hatter.

The FEIS states: "Local concerns have been raised regarding crop insurance within the storage and staging area and coordination has been ongoing with the USDA Risk Management Agency (RMA). The RMA has indicated that the purchase of crop insurance in these areas could still be obtained, however flood impacts resulting from the project may not be covered" So, farmers can buy crop insurance but our losses may not be covered.

We are concerned about flood impacts, since crop insurance will not pay for flood losses from a man-made project. We have no confidence that the Corps will have solutions to provide crop insurance to the farmers in the staging area and those impacted outside of the staging area.

Control structure operation (control gate on the Red River):

We are further not reassured when we see the following statement in, Appendix B of the FEIS:

Hydraulics, page B5

"Furthermore, it is important to acknowledge that, following the example of the Manitoba Floodway and other similar large flood control projects, the operational plan developed during final design will be subject to further refinements and modifications after the project has been in place during actual flood events."

Real Estate Plan, page 7 of the FEIS:

"The summer operation plan will be revisited during the design phase to determine if a different operating plan can be used in the summer to reduce agricultural impacts without causing additional damage to the Fargo-Moorhead communities."

The operational plan will not be formalized until flooding occurs?

How can we be reassured that a Corps operational plan, as exemplified by the Minot and Bismarck devastating floods in a "protected area" will not be replicated by the FM Metro

plan? When the big summer flood comes, will the operational plan flood farm land at that critical time or send flood waters to Fargo?

Final comments:

We have no evidence that the process of planning this project has been fair or reasonable. The FEIS does not address adequately the concerns raised by our lawyers in their comments on the SDEIS. In addition, the background material on the local sponsors' rejection of the Northern Inlet reveals it was done because it does not protect land for Fargo's future development. The Corps' failure to examine this option as a practicable alternative further confirms our position that the project is in violation of executive order 11988. Further, we believe taking land for this project would violate the North Dakota Constitution, which prohibits using eminent domain for economic development. Therefore, we remain in strong opposition to this project moving forward to authorization.

Sincerely.



Trana Rogne
5477 CO RD #1
Kindred N D 58051-9403
Chair, MnDak Steering Committee.
701-367-8911
November 7, 2011

Enc: Jon D. Evert, Chair of Red River Basin Commission Board, Letter to Fargo Forum,
published 11/7/11

Published November 06, 2011, 11:51 PM

Diversion asks too much of Comstock-Hickson area

By: **Jon D. Evert**, INFORUM

I have been put in a difficult situation with the current Fargo-Moorhead diversion plan. As a Clay County commissioner, I represent the district that elected me and also all the people of Clay County as we, together, strive to make this place a safe, sustainable and pleasant community to live in.

I know that long-term, permanent protection from flooding is needed for the two-thirds of our population that live in the Fargo-Moorhead metropolitan area. I, however, cannot support the current plan to use my home community as the "sacrificial lamb" to increase the comfort level of the metro area.

I understand that the city of Comstock (my hometown) will be surrounded by 3 feet of water and can be protected with a ring dike. I understand that the roads and railroad tracks will be raised to allow for access to Comstock during times of flooding. Life in the community will be challenging and intense, but doable.

However, the Holy Cross community surrounding Comstock will be destroyed as numerous homes, farms, farmsteads, historic sites and our three parish cemeteries will be covered with from 3 to 9 feet of water. In early settlement days, "Holy Cross" referred to Holy Cross Township in Minnesota and Pleasant Township in North Dakota.

While this will be devastating to the people of Comstock, we are even more concerned for the west half of our Holy Cross community that lives on the Dakota side of the Red River. There, even more farms and farmsteads will be destroyed. In addition, the whole village of Hickson (including their church, community center and bar), the whole city of Oxbow (including their golf course, country club/restaurant and the community recreation facilities) and the community of Bakke will be eliminated.

In total, three North Dakota communities and hundreds of homes will be erased from the map. Predictions are that their water levels will be several feet higher than on the Minnesota side. They, too, will experience the flooding of their cemeteries and numerous historic sites. I have hoped that the planners of this flood control project would come to realize that this sacrifice asked of the Comstock-Hickson communities, the surrounding townships of Holy Cross and Pleasant and the farms and homes on the 54,000 acres to be flooded is more than should be asked of anyone.

While I know that we are in this together and some sacrifice is expected by all, it seems strange that homes and farms that in some cases were established 140-plus years ago are not worth saving for historical and cultural purposes, if not for the sake of the families that live there. If these lands had been used by earlier dwellers, accommodations would be made to protect and preserve their dwelling and burial sites. Since our settlements were developed by immigrant populations rather than native populations, does that make their value less significant? Do our laws protect our heritage, as well?

It is time to go back to the drawing board and look for a way to protect us all.

Evert is a Clay County commissioner and Chair of the Red River Basin Commission Board.

November 7, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Dear Army Corps of Engineers,

I am writing in regards to the proposed Fargo/Moorhead Flood Diversion Project. I know I am only seventeen years old, but this proposal affects me in numerous ways. I feel that this flood diversion project **should not** be constructed.

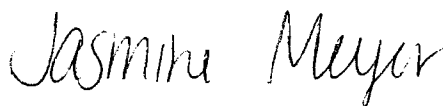
The first issue I have with the flood diversion project is that my grandparents, land will become completely washed out. My grandparents have lived and farmed that land for 69 years. Farming that land has been my grandparents, only source of income for the last 69 years. Personally I have made so many memories on that farm, and losing that farm land I lose all of the memories I've made.

The second issue I have with the flood diversion is regarding how it will affect my school. I am a student at Barnesville High School (I.S.D. #146), and this project would have a negative impact on our district. When the diversion floods into Minnesota, it will flood out many of my fellow classmates' homes. Once their houses are gone, they will be forced to move to a different district, which in turn will hurt our district. If our enrollment goes down, so will our income for the school district. I know this doesn't affect me now, but it will affect my two younger siblings who still have many school years left at Barnesville, and I am speaking on their behalf.

In my eyes, Fargo is only looking to protect themselves. Fargo doesn't care about the surrounding farm lands that will be affected. How can someone be worried only about their expansion? I think you need to take a bigger look at the picture and realize how many people would be affected through this diversion. I think if Fargo really was worried about flooding, they could find a different approach to keep the water out of their area. I strongly think that this project **should not** be constructed because of all the negative side affects it is going to have.

Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Jasmine Meyer". The ink is dark and the handwriting is fluid.

Jasmine Meyer

C Governor Mark Dayton, Representative Keith Langseth, Representative Collin Peterson,
Representative Paul Marquart, Representative Morrie Lanning

US Army Corps Engineer
Attention: CECW (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Jacqueline Kragerud
1019 100th Avenue
Moorhead, MN 56560

Army Corps Engineer,

I am writing this letter because I am concerned about the planning of the Red River diversion south of Fargo, ND and Moorhead, MN. My home is 16 miles south of Moorhead just west of highway 75 near the Red River.

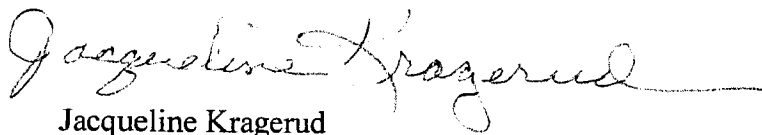
The area I live at by the Red River sits high. Our ancestors who first settled here knew what they were doing when they decided to start the settlement on a high elevation near the Red River.

Now the plan is to dig a deep ditch south of Fargo, ND close to Oxbow ND to hold water. This plan will protect the low spots and flood the higher spots that have never been flooded in the past. Once you stir up the nature of water and it is not done the right way, it will lead to other disasters.

Take care of the rivers, clean them out and dig them deeper. Fargo and Moorhead needs flood protection but there should be a better solution than by flooding out the homes and land south of Fargo and Moorhead.

Please consider my concerns carefully! Thank you for your time. Good luck in the planning.

Sincerely concerned


Jacqueline Kragerud

November 6, 2011

To: The Corp of Enginers

Last week the city of fargo voted 3-2 to keep future building 450 feet from the center of the Red River. To get the third vote they have an exception clause. that is feet not yards! This shows how little Fargo is willing to do to protect itself from flooding. They can vote 5-0 to build a 2,000 foot wide ditch on our land and flood thousands of acres but can't give up their own land.

The Corp has said that even with the dam and diversion there is only a 50% chance of saving Fargo as it is. If they cotinue to build so close to the river that chance has to drop too.

The saddest part of this project is that after robbing me and my neighbors of our homes, buisneses and livelyhoods they will still lose Fargo so a few silly people can enjoy their river lots.

Hugh J. Trowbrige

A handwritten signature in cursive script that reads "Hugh J. Trowbrige". The signature is written in dark ink and is positioned below the typed name.

Headquarters, US Army Corps of Engineers
ATTN: CECW-P(IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

I am writing in response to the US Corp of Engineers final report on the proposed Red River Diversion (DAM) in Fargo Moorhead. I am enclosing the letter I sent to Aaron Snyder dated June 18, 2011. I never received a response to my letter and I do not feel all the points were adequately addressed in his report on the project.

I am opposed to the project and do not see how a project of this magnitude can go forward. The only true purpose for this project is economic development for the city of Fargo. The federal government has better places to spend money than to continue this project.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Larry W Bakko".

Larry W Bakko
217 Oxbow Circle
Oxbow, ND 58047

November 6, 2011

Aaron M Snyder
USACE, ST Paul District
180 East Fifth Street-Suite 700
Saint Paul, Mn 55101-1678

I am opposed to the Fargo Diversion (DAM). The following points affect me if the project is submitted for funding and I feel the project should be stopped.

1. I live at Oxbow and am close to retirement. Since the project was announced the sale or financing of a house in Oxbow is impossible. If this project is submitted we will not be able to sell until the project is killed which could take 5 years before the projections are too old or up to 15 years if its finally approved and funded since we would not be bought out until the end of the project. Our house is not currently in the FEMA flood plane but this project has damaged the saleability.
2. I farm and our farmstead is located one mile south of the red line of the project. We have been told we will not be affected by the project. Our farmstead is not in the FEMA flood plane. We have recently invested approximately \$700,000 in additions to the farmstead. If the projections of the effect of the diversion are not correct and we have damages due to the backup of water due to the dam what recourse do we have.
3. The same farmstead referred to above has a ravine next to it which flows into the Wild Rice river. In 2009 and again in 2011 the Sheyenne river has gone out of its banks and washed out the railroad tracks south of Kindred resulting in the Sheyenne river water flowing thru our ravine into the Wild Rice river. How is that water not going to damage our property if the gates of the dam are still closed. The Sheyenne water has no where to go and will continue to back up south and west of your red line of the project. What recourse do we have if our property is damaged. Our farmstead address is 5586 county Road 1, Walcott, ND 58077.
4. We have farmland within the red line of the project. If we are affected by water for more than 2 years in a row we will not qualify for preventive plant thru federal crop insurance if it gets too late to plant.. Also if we can plant and during the summer we are backed up by water caused by the project we are not covered by federal crop insurance for the loss since its caused by a man made event. What recourse do we have.
5. We have farmland outside the red line of the project. If the projects projections are incorrect and we are affected by water as in point #4 what recourse do we have.
6. We have farmland in the Kindred school district. If this project goes forward and the school loses property valuation and student enrollment the remaining property in the school district will have to pay higher real estate taxes.
7. I hope to one day have grandchildren attending the Kindred school. If this project goes forward and the school loses student enrollment and the state funding that goes with those students the school will probably not be able to offer the number of classes and the quality of education it is now able to provide.

8. The diversion line follows the Fargo and Kindred school district line. This project is not suppose to be for development purposes. How can this project not be considered as being for future development for Fargo . You are destroying current communities of Oxbow, Hickson , Bakke subdivision and numerous farmsteads which are part of the Kindred school district for the future development of Fargo. In the meetings its been stated that nobody realized the diversion line followed the school district line which diminishes the credibility of the projects sponsors and the Corp of Engineers. Don't lie to our faces and then tell us to trust you that we will be treated fairly. The Corp may not have known the school district lines but someone suggested where a starting point should be. If the project sponsors were to move the diversion north closer the existing city of Fargo it would show they are actually interested in a diversion to protect the city of Fargo rather than the future development of Fargo. Property receiving the greatest damage from the diversion would then be Fargo school distict property which would make more sense since the diversion is protecting the city of Fargo.
9. Diversion line originally determined to be the best route when diversion was to have no upstream impact. When diversion was changed to a diversion with a dam with upstream impact how could a project of this magnitude and cost not require a complete new study to determine the best route. This project is going to take over 10 years to complete. With the magnitude and cost of this project and the devastating effect to communities, school districts and individuals how can it not be prudent to make a new study to determine the best location of a diversion with upstream impact even if it means delaying the project.
10. Cass County sales tax vote took place months after Corp had already determined they could not eliminate the down stream impact of diversion. It was announced 2 days after the election that the diversion was being changed to a diversion with a dam causing upstream impact. Was the Corp at fault in not notifying the public before this important election or had the corp notified the plan sponsors and they failed to notify the public.
11. We have farmland in Richland County in North Dakota and Wilkin County in Minnesota. The river banks and ravine banks flowing to the Red River and Wild Rice River have been dropping into the channels the last few years due to the excessive river flows. Have all of the environmental studies been completed in these 2 counties to determinethe additional backup of water and additional time the water will be backed up will not adversely the rivers and the tributaries flowing into these rivers.
12. The cost of this project has skyrocketed and it appears this cost will go even higher as the cost for buyouts are understated at this time. The funds Cass County and the city of Fargo will generate from their sales taxes will not cover their share of the project cost. How can the Corp advance this project on knowing it is underfunded. How can buyouts at fair market value be made when the funding is not there. You will destroy our market values if this project goes forward and then can not be funded.

Once again I oppose this project and hope the Corp will realize the damages that are being done by this project for the remote possibility of a 500 year flood.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Larry W Bakko". The signature is written in a cursive, slightly slanted style.

Larry W Bakko
217 Oxbow Circle
Oxbow, ND 58047

June 18, 2011

Comments on the proposed Red River Diversion:

This project is a faulty financial and environmental solution that has so many flaws that are being ignored or dismissed that I am shocked. It seems the only goal is to create circumstances to justify the means in a cost benefit ratio.

If one looks at history it is clear there is a pattern of wet/dry cycles that occur regionally on a somewhat regular basis. The current wet cycle has people in an over reactionary mode and willing to make a bad choice to create a solution for a short term problem. When we go back to a dry cycle and the diversion sits dry for 30-40 years what is the value? Or cost?

Why has the productivity value of all the farmland lost not factored into the cost? Why is a realistic value of the cost to the landowners who have to give up everything for no benefit not factored in? These landowners do not have a problem now and struggle with the fact they are supposed to give up land that has been in their family for generations for the diversion that offers them no benefits? Where is the data to support the estimated annual 13 million dollar "recreational value" offered by the diversion? What of the real cost of displacing an entire city and crippling a school district?

The reason I suspect is if the true cost was used it would not meet the cost/benefit ratio needed to move the project forward.

Fargo and Moorhead continue to build levees and buyout property in the flood plain to offer permanent protection up to 40-42 or 43 feet in some cases. Why is that not adequate for them making the diversion unnecessary?

The environmental impacts of crossing five rivers is an adventure into the unknown, as it has never been done before. One only has to look at past instances where the costs/impacts that seem to matter most are never known until they occur, which at that point is too late. Why does Cass County want to be an experiment in defining all the problems that come with this type of impact?

Perhaps one could consider a combination of permanent levees and retention during the wet cycles to manage the water. A system such as this would be effective when needed only using storage during the wet times, and could be productive in the dry times. Is this not a more environmentally friendly way rather than a 36 mile long scar around the metro area? Displacing property, lives and scarce wildlife habitat to save a few homes on the river?

How about some progressive thinking and ideas that are more budget sensitive and does less harm to the land and those who own it? It seems hard to believe that in the future that such a destructive project would be allowed. Why not be an example for a new way that provides all the benefits needed without all the tremendous costs, those known and unknown?

A diversion is the old and tremendously expensive way of thinking. There has to be a better answer that has way less impact in all respects and accomplishes the same or adequate goals.

Jeff & Susan Trnka

16681 36th Street SE

West Fargo, ND 58078

June 12, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860.

Dear U.S. Army Corps of Engineers:

I am writing to you in opposition to the July 2011 FEIS for the Locally Preferred Plan (ND 20K Diversion with storage and staging) for flood control in the Red River Valley. This plan presents many concerns regarding negative effects on the residents, farmers, and economy of the region. Because my comments for the SDEIS were not adequately addressed I am expanding on them for this comment period.

This plan has been developed exclusively for the benefit of a small portion of the region and does not include benefits for, nor does it consider the economic impacts to not only the local region but to the whole Red River valley. If an event as large as the FEIS occurs, Fargo will not be protected, and will lose a large number of its customers, workers, and neighbors and will suffer significant economic duress as a result of those losses. Instead of a singular localized plan for a 500 year event, a more regional plan protecting the economy of the region should have been explored.

While many alternatives were examined early on, there is no clear evidence that the current plan was studied comprehensively, and especially not studied in conjunction with the current conditions in the local area. I am basing this on the Appendix O and Appendix U elements of the FEIS. For example, while upstream storage as proposed by the Red River Basin Coalition was studied when the plan was the ND35 plan, there is no reason to infer and no evidence that this was examined again when the plan was changed recently to be a ND20K. What would the affect on the downstream impacts be with RRBC plus the 20K plan? It should be possible to combine the two and eliminate the need for the upstream storage:

- It's true that as SDEIS section 3.4.6.2 states 1.6' of reduction doesn't solve Fargo-Moorhead's problem as a standalone item. But, if the impact of the 35K at Climax was Climax 25.4", it is safe to assume that a 18" reduction has a pretty good chance of reducing that impact to zero, as $20K/35K * 25.4 = 14.51"$, which is well below 18". Since there already is a portion of this reduction in place (North Ottowa project by Campbell, MN 18000af), then it is reasonable to consider that this plan may work as part of the solution, with an added benefit of a much smaller cost. Representative Colin Peterson is in favor of this plan and it already has 18,000af of the 20 percent plan implemented and another similar part due this year near Barnesville MN.
- The Wahpeton daily news (6/7/2011) reports that Mayor Cliff Barth has proposed a series of storage areas that would replace the designs storage at a lower cost. This proposed storage has also not been included in the hydrology and the plan and would protect the whole valley rather than just Fargo as this plan does.

The plan uses artificially high flood plain numbers. FEMA's actuaries studied recent events and raised the flood plain by 1 foot to just over 39 feet, not the 42 proposed by this study. They have to pay out if they are wrong and are trained professionals, yet they have not adopted the same 100 year impact of 42 feet. *(In a valley as flat as this one, this discrepancy of 3' is significant and implies a level of volume increase that is staggering and if that much water occurs in Fargo, the entire valley is damaged beyond measure. From southern to northern state border there will be little left.)* SDEIS Section 2.3.1 and Appendix A are ignoring historical data in order to calculate a much higher flood plain and risk, namely to achieve a flood plain of 42—this information was carried forward into the FEIS. This higher flood plain artificially increases the project's cost benefit ratio from the initial value of about .97 to the current projected value of over 2.0.

- Raising this flood plain by using the heavily weighted recent events is a violation of statistical correctness. (e.g. The last three tosses of a coin, while they may be heads, doesn't change the .50 probability of the coin landing either head or tails, it still is .50) This calculation does just that. It raises the weight of the recent events in order to justify a new higher flood level and cost/benefit. All the historical data for flooding in the valley needs to be considered when determining the flood plain, as it appears FEMA is doing when arriving at the much lower number.
- Additionally, this raising of the flood plain will affect the entire valley, and will result in losses by those living from the start of the Red River Valley to the Canadian border. It should not be taken lightly--and should be considered in both the study costs and takings. The most obvious impact is the loss of ability to expand and grow. Cities from Wahpeton to Grand Forks (and even Pembina) will now be losing many areas to grow as all new proposed flood plain (+3 feet over FEMA) cannot be developed. All valley structures not included inside the study area will have to now buy flood insurance when they didn't before—for the whole valley (if the ND35 could cause a rise to the Canadian border, it is safe to assume that it's so flat that raising the flood plain in Fargo by several feet would impact the whole area as well).

The cost benefits ratio is based on annual costs if no action plan is over \$194.8 million (Appendix U 1.7.1 Problems) and this is no longer an accurate baseline.

Excerpted from FEIS "Section 2.3.4 of the FEIS and sections 5, 7, and 8 of Appendix O of the FEIS describe the no action alternative. The no action alternative does not meet any of the planning objectives. Although Fargo-Moorhead have been successful fighting floods in recent years, it is probable that emergency measures will not always be successful. Failure of emergency measures could result in significant loss of property, and the loss of life will likely also be high given the number of people who choose to fight the flood instead of evacuate. In addition, Fargo-Moorhead spends a significant amount of time, effort, and money in the near-annual flood fights, resources that could be better spent elsewhere with a project in place".

- This no action baseline number of 194 million has remained constant since early in the project through FEIS (see the presentations from June 2010), yet local governments in Cass County, Fargo and Moorhead have performed extensive mitigation which provides protection to a much greater flood level. Moorhead's sandbagging efforts for 2011 were reduced by 50% by local buyouts and mitigations-and their project plan A-B-C states that they will be protected to the new FEMA 100 level by 2013. (In-Forum article dated 2/20/2011 & [http://www.fargo-moorhead.com/news/2011/02/20/2011-02-20-01-02-03-04-05-06-07-08-09-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-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Still, the no action plan reflects the same values as it did in the June 2010. For the sake of argument If the amount of effort to protect to 42 is reduced to zero, it is safe to say that "some" reduction on the damages is warranted, yet none is shown. ***The Corps charter requires the plan to be comprehensive and in the context of other efforts, both completed and planned, therefore I would expect that the cost benefit numbers would reflect the mitigations already done and include the plans announced by both regional cities to protect to 42.5 (Fargo Forum dated 5/17/2011) with no sandbagging. This would reduce the cost of the no action plan and would potentially reduce the need for a project as large as planned.***

When will the numbers be recalculated to match the current risk and future plans of the metro region, as a whole?

The storage area is not needed if the rest of the mitigation (planned and already performed) in the region is included in the study as described above.

If the FEIS is implemented as presented, without including the current state of protections already completed, the impacts are costly in terms of community and money and the designed plan cannot be executed to meet the plan objectives as is shown by the following:

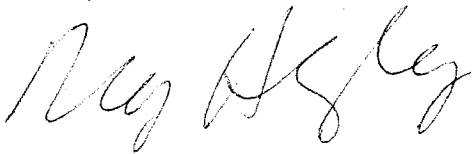
- SDEIS Section 3.7.2 and FEIS describe the newly added storage area of having an upper elevation limit of 922, and SDEIS section 3.7.2 says that this level will be achieved in a 1% event. This means that the spillway will be activated at any level over 1%. This implies that the water at this point will now be flowing across the land into the Sheyenne and flooding areas that would not be impacted without the dam and spillway and is largely outside the study area. This overflow will be able to return to the channel unimpeded and the increased flow via the diversion channel will increase the levels downstream.
- This section also describes how the Sheyenne river water and overland water will flow into the diversion channel below the storage area—and cannot be mitigated by the storage area which will result in increases downstream as the flow is unimpeded to the end of the diversion channel.
- FEIS asserts that downstream impacts are to be mitigated by drawing off the flow from the Red River and Wild Rice River during the event into an upstream storage area. Managing the storage area requires calculations which are essentially impossible to perform:
 - The storage management requires the use of water flow requiring knowledge of future events beyond the accuracy of weather and flood forecasts. Forecasts and flood history such as 2009 resulted in wild swings of the forecast crests in any period longer than 24 hours and were non deterministic beyond 3 days. Given this inability to forecast the peak and the rise in 2009 and again in 2010, there is little certitude that downstream impacts can be managed with this structure which must function over the period of up to months in a severe event.
 - Weather is the biggest wild card in predicting the speed, duration and peak of any flood, and recent events results have shown forecasts off by at least several feet-and that varied by feet each day. This leaves no confidence that the hold off of flows can predict and mitigate downstream impacts as required by US treaties with Canada.
- Local leaders from Richland County, Wilkin County, and county commissions from both of these, plus the community of Kindred, ND and both the Kindred School Districts and Richland County School District

44 oppose the current plan due to its negative impacts. There is not broad support for the project in the area; in fact both Moorhead and West Fargo (plan sponsors) have expressed reservations about the plan, its location and costs.

Thank you for the opportunity to comment on this project. This project is of unprecedented size and scope in the valley, and smaller diversions like the Wahpeton diversion have been shown to impact those living downstream of it, and it is only several miles long, inferring this will have worse negative effects. This plan is an order of magnitude larger and will result in complex operational challenges that will impact the valley in inconceivable ways.

Finally, the study is still incomplete at this time, there are admissions of impacts outside the study area and the study needs to be continued until impacts are known, lest the local sponsors be overrun with costs for mitigation and plan alterations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ray Holzhey". The signature is written in dark ink and is positioned above the printed name.

Ray Holzhey

November 6, 2011

RE: Comments of the proposed Red River Diversion Project – North Dakota

Army Corps of Engineers,

I believe that the project, as put forth, is an unsustainable project. There is no where in the world where there has been a project of this scope built. Given the ACE track record this last spring of disregarding private hydrologists warnings that the water content in the soils and the excessive snow pack in the mountains would lead to unprecedented flooding, I don't believe that the ACE is capable of either designing, building or maintaining a man built water system that will go over or under 5 different water sheds in a 36 mile man made route around a metro area.

You are going to eliminate the entire community of Hickson, Oxbow, and the Bakke Addition in North Dakota. Plus you are going to eliminate many, many farmsteads that have been in families for more than a century. What about the cemeteries you are going to flood? You are going to flood 53,000 (?) acres of the best farm land in the world. That doesn't take into account how many more acres are going to be left unfarmable on the fringes... We, as farmers, can't get crop insurance on those acres that are flooded because of a man made dam. We have productive farm families that have lived here for over 100 years and you're going to flood them to protect people in Fargo who have built in flood prone areas. Fargo has not been a good neighbor in this fight. They are only looking out for themselves.

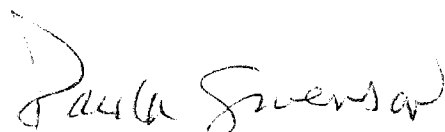
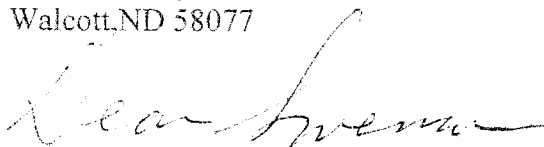
It has been 14 years since the flood of 1997 in which the city of Grand Forks was lost. Fargo, just this past month, has finally passed 'set-back' ordinances from building too close to the river. They also have issued building permits in areas since 1997 that have been in flood prone areas. They need to clean up their own building permit process, have some green space areas along the river, where they can store water and quit looking to those of us out in the country to store water for them.

You keep calling this the LPP – it is NOT the Locally Preferred Plan – it is FARGO'S PLAN!!!! And theirs only.

There is a 'watering hole' in Hickson called the Knickerbocker Liquor Locker-their radio ads lately have ended with the statement "high and dry for 122 years". You, to give Fargo the ability to develop more and more land, are going to flood people that have never flooded in a century and a half.

I am against this diversion and only hope that cooler heads prevail before this goes too far.

Dean and Paula Swenson
16355 County Road 2
Walcott, ND 58077





Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY: 651-282-5332 | www.mnstate.mn.us | Equal Opportunity Employer

November 4, 2011

Headquarters
U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Re: Fargo-Moorhead Metropolitan Area Flood Risk Management Project
Final Environmental Impact Statement

To Whom It May Concern:

Thank you for the opportunity to review and comment on the Final Environmental Impact Statement (FEIS) for the Fargo-Moorhead Metropolitan Area Flood Risk Management Project (Project) located in Fargo, North Dakota and Moorhead, Minnesota. The Project consists of the construction of a diversion channel around the Fargo-Moorhead Metropolitan Area to reduce flood risk. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, MPCA staff has the following comments for your consideration.

Section 5.2.1.5 Wetlands / 5.2.1.5.2 FCP, pg 239

Please note that all stockpile or spoil pile placement locations must be identified in the Stormwater Pollution Prevention Plan (SWPPP) for the Project. If there are intentions to alter the movement or natural drainage patterns of surface water or groundwater by placement of spoil piles to protect wetlands from drainage loss or inundation that could alter wetland function, then this intent should also be fully described in the SWPPP for the Project, with specificity to the stockpiles or spoil piles in question.

Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this FEIS, please contact me at 651-757-2508.

Sincerely,

Karen Kromar
Planner Principal
Environmental Review Unit
Prevention and Assistance Division

KK:mbo

cc: Craig Affeldt, MPCA, St. Paul
Scott Lucas, MPCA, Detroit Lakes
Will Haapala, MPCA, Detroit Lakes

Harwood, N.D.
11. 7. 11

Compt. Engineer:

We wish to protest the re-routing of the
purposed diversion plan. In section two
of Raymond Township and section thirty
and thirty-one in Harwood Township,
this route would take some of our buildings
in Raymond Township and divide the
land into smaller pieces. Section thirty
in Harwood Township makes access from
building lot nearly impossible on dirt
roads that are not maintained.

The proposed original route would do
less damage to our property and many
others on that route. The original would
add no extra mileage to the diversion
plan you have now.

Also I would like to comment on the
land on the east side of the diversion
which access area big holding pond,
from West Fargo to Georgetown.
Eliminating this would cause more
flooding downstream.

Clarence and Viola Kraft
Harwood, N.D.

November 6, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Gentlemen:

As a resident of Pleasant Township, I strongly oppose the FM Diversion (Dam) Project.

The current project will destroy several small town communities and farmland, not to mention individual homes and farms. Valuable farmland needed to produce food for the United States and foreign countries will be taken out of production.

There will be many people flooded out that have never been bothered by flood water before.

The diversion will have a major negative impact on the Kindred Public School, which is in the process of building a new school for the district.

They are planning on doing a diversion project that has never been done before in the United States. A project that will have major flood effects on surrounding cities and towns and lots of farmland.

There needs to be more study done on the effects to these areas, not rushing this diversion thru.

The diversion project needs to protect everyone in the Red River Basin; that would be best for North Dakota.

Fargo is like the big bully on the block, doing anything and everything to get their way with little regard for the surrounding cities, farms and homeowners.

This particular project was not selected solely for flood protection for Fargo, but for the expansion of Fargo by sacrificing smaller communities and homeowners to the south of Fargo.

Again I strongly oppose the FM Diversion Project.

Sincerely,


Patricia Redlin

Headquarters, U.S. Army Corps of Engineers,
ATTN: CECW-P (IP),
7701 Telegraph Road,
Alexandria, VA 22315-3860

Fargo-Moorhead Metropolitan Area Flood Risk Management Project Final EIS

RE: Alignment Violates EO11988

The USACE previous responses to Violations of EO11988 are insufficient.

On August 10th, 2011 Senator Kent Conrad convened an official field hearing of the U.S. Senate Budget Committee to examine current efforts and potential roadblocks on the path to securing permanent flood protection for the Fargo-Moorhead community.

During that hearing no opposition was allowed to testify. However, Colonel Michael Price, Commander of the St. Paul District of the U.S. Army Corps of Engineers; **and** Fargo Mayor Dennis Walaker; Darrell Vanyo, Chairman of the Cass County Commission; testified that dams, levees and ring dikes would not be effective protection citing lack of high ground to tie into. However, the entire proposed LPP and FCP diversion will be tied into the same elevations that the aforementioned have claimed "do not exist".

If, *"Fargo area lacks high ground to begin and end levees, and that limits the potential levee height."* (pages 7-8 Appendix U) why would the USACE design a control structure, dam and levee system that stages water that exceeds the limits of potential levee height?

Page 72 of Appendix O - Plan Formulation

7.5.3.4.5 Floodplain Impacts

Executive Order 11988 requires federal agencies to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.

This FEIS study, specifically Appendix O, has shown that the non-federal sponsors and local partners chose the current alignment and did not request any further consideration to alternative plans of combinations of plans. This suggests a conflict of interest and lack of representation to affected taxpayers and areas outside the protected area.

Darrel Vanyo testified August 10th, 2011 during the official field hearing of the U.S. Senate Budget Committee *"...can we in this region afford to say that we cannot grow anymore..."*. A square foot of land in the current floodplain is worth (x). Increasing the land value of (x) at the expense of communities upstream of the proposed dam and diversion for the benefit of Fargo and its economic development investors is appalling. Darrell Vanyo's testimony is self-evident that Fargo is pursuing this project for future flood plain development which is a direct violation of EO11988.

There exists the possibility of a minimum of \$142 million in savings (page 232 Appendix O) without having to sacrifice over 220 square miles of farmland and floodplain for Fargo's 80-100 square miles of future economic development and Violation of EO11988.

Page 66 of Appendix O - Plan Formulation

8.4.2.1.6 Northern Inlet for North Dakota Diversion

This inlet for the North Dakota diversion was initially considered near river mile 479. Moving the inlet North near river mile 469 was considered as a measure to minimize downstream impacts. It was determined that this measure could result in reduced downstream impacts, however it could not eliminate them independently. It would also leave a number of existing developed properties outside the protected area.

Advantages: Page 241-242 of Appendix O - Plan Formulation

***ADVANTAGES:** This eliminates the intersection structures with the Wild Rice River. Because it intersects the Sheyenne River downstream of the Horace Diversion inlet and captures the water from the West Fargo Diversion, it is possible that neither Sheyenne River crossing will require an inlet to the diversion. It shortens the diversion by about 4 miles. It eliminates the railroad bridge near Horace and the 48th Street and 46th Street (and possibly the 44th Street) road bridges. (It does require a second intersection structure with the Sheyenne River.) Because the channel is shorter, there would be less maintenance on the finished channel.*

Civil, PM and H&H Responses: Pages 298-299 of Appendix O - Plan Formulation

Proposal: Begin ND Diversion Channel Further North

***CIVIL:** Again, the ND alignment is a locally preferred alignment and therefore they chose the general location for the inlet. Their reasoning for the location of the inlet being further South than the MN alignment was **to accommodate the city of Fargo's current future plans of development** and to protect the city from the Wild Rice River flooding to the South.*

***PM:** To eliminate and relocate the 10 houses of Horace will not be acceptable to the Locally Preferred Plan sponsors.*

***H&H:** With the new location proposed of the inlet structure it is very probable that a control structure of some sort will need to be placed at the intercept of the Wild Rice River and the Red River of the North due to the amount of water build up that will occur. This is a similar concept to the extension channel on the MN alignment that was needed for conveyance, no structure at the proposed ND inlet on the Wild Rice will potentially disrupt the design of the channel.*

The major costs relating to the current LPP and alignment are according to pages 9-10 of Appendix U (SDEIS Public and Private Summarized Comments and Corps Responses) "**Metro Flood Study Work Group (MFSWG) established the goal of a stage of 36 feet at the Fargo gage during a 0.2-percent chance event, or the 500-year event.**" Having set an unrealistic, and fiscally irresponsible goal, "**neither the LPP nor the FCP meet the MFSG's original goal; however the MFSWG has accepted the level of flood risk reduction provided by the LPP, which is a stage of 40 feet for the 0.2-percent chance event. The proposed diversion would not remove the entire metropolitan area from the 0.2-percent chance floodplain,...**"

Page 142 - 3.10.4 Risk of Project Failure - Main Report FEIS states:

“...there will be a residual risk of a component failure or exceedance of the system’s design capacity...”

“An overtopping or breach of a tie-back levee, storage area levee, or failure of a control structure in any of the alternatives could allow flood water into the protected area during any flood event in which the failure occurred. The effects of such a failure could be catastrophic, depending on the magnitude and timing of the stage increases within the protected area.”

Is it necessary to spend \$1.8 billion+ on a structure that contains admitted residual risk of component failure and/or exceedance of the system design capacity for Fargo’s future development, while simultaneously violating EO11988 for Fargo’s future economic development, yet, denying West Fargo, Oxbow, Hickson, Bakke, Pleasant Township, Comstock MN, Richland County ND and Wilkin County MN the same benefits for economic development when viable alternatives exist?

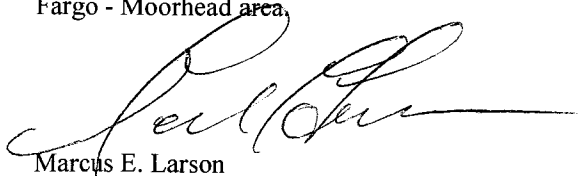
On Monday May 16th, 2011 the Board of Commissioners of Fargo, ND carried a motion to increase building protection to 42.5 which Mayor Dennis Walaker later testified and increased on August 10th, 2011 during the official field hearing of the U.S. Senate Budget Committee *“...roughly \$200 million dollars to bring us up to 43 feet...”*.

43 feet of protection in Fargo is a game changer and all previous cost benefit ratios are no longer valid.

Despite the USACE response (page 72 G-10 Appendix U) *“...the City of Fargo has not indicated to the Corps any intention to build a consistent line of protection to a 42-foot stage...”* this is a matter of public record that the USACE should be attentive to. Testimony from the August 10th, 2011 official field hearing of the U.S. Senate Budget Committee indicated a significant change in Fargo’s flood protection need and page 169 of City of Fargo Commission Minutes May 16th, 2011 reinforces that 100 year flood protection can be achieved without a \$1.8 million Dam and Diversion structure.

[<http://files.cityoffargo.com/content/dam/1a0f948a64d24b935f3c5c4a9b4da4edbe587c/web110516.pdf>]

Is 500 year protection realistic and necessary? Should the local sponsor(s) Fargo, be allowed to violate EO11988? There is no evidence that a 500 year flood has occurred since ND was settled and little valid evidence that a 500 year event would occur during the lifespan of the proposed structure. However, the current flood events that Fargo has recently faced coincided with the Breckenridge Diversion going online. Current impacts on Fargo and the Red River Valley have been induced by other USACE projects and must be addressed to remove those downstream impacts before a responsible solution can be reached for the Fargo - Moorhead area.



Marcus E. Larson
513 7th St
Hickson, ND 58047
701-588-4412

Date: 2011-11-07

11/7/2011

Re: Fargo Dam

You have done a lot of work on this project. As a taxpayer, I would appreciate serious consideration of the following objections to this proposed project:

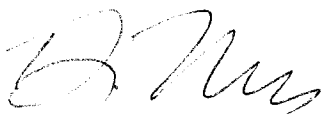
#1 The proposal does not solve anything. It simply transfers the problem from one group of taxpayers to another, to the benefit of the former and the detriment of the latter. As such, it is an immoral proposition, in that it will be done without the consent of those who will be destroyed by it. The ultimate cost will be acrimony that persists for a generation or more.

#2 This is an environmental disaster for the Red River and the plants and creatures living beside it. This is also immoral.

As a citizen, maybe I expect too much. You could have proposed something brilliant, like capturing and selling all this water to some place that needs it. Instead you have come up with a nightmare.

Sincerely,

David A. Ness

A handwritten signature in dark ink, appearing to read 'D. Ness', written in a cursive style.

John J. Ready
15115 S. 70th St.
Sabin, MN 56580
(h) 218.585.4218
(c) 701.361.8014

U.S. Army Corps of Engineers
7701 Telegraph Road
Alexandria, VA 22315-3860

ATTN: CECW-P (IP)

November 6, 2011

Dear Army Corps of Engineers:

It sure is nice to have the opportunity to comment on you, the city of Fargo, and the Metro Flood Study Work Group, flooding part of my farmland and destroying some of my neighbor's homes and farms, including the cities of Hickson and Oxbow. It would be even better if someone would listen and take action, to stop the dam. But "NO, WE HAVE TO THINK OF THE GREATER GOOD," protecting Fargo's future development in the flood plain. Flood waters should and naturally do go to the lowest elevation, unless held back by a dam and economic interest of a few.

Why wasn't the Northern Inlet chosen? (FEIS Appendix O 8.4.2.1.6, attachment: 5, proposal #3, pages, 23-24). This option would not have negatively affected Hickson, Oxbow, and Comstock areas as bad and would be less expensive. To protect Horace is not a legitimate reason, if Hickson, Oxbow, and Comstock are expendable...Horace can be too.

The Northern Inlet would prevent futuristic development area for Fargo. The current *plan works out so well for Fargo.*

Why are you encouraging the development of a flood plain and caving in to the economic interests of Fargo, Mayor Walaker, and his political cronies. Why should their poor planning and reckless development be rewarded? Their past development decisions have proven extremely negligent and stupid.

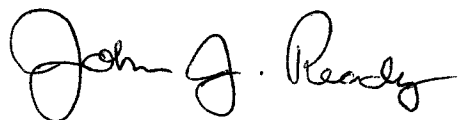
If the powers at be shove this down our throats are they prepared to pay for it? Fargo has paid an average of 128% of assessed home values, for flood buy-outs within the city (*Fargo Forum, June 13, 2011*). Hopefully buy-outs in the affected dam/reservoir area will be equally as generous. If you want a Cadillac diversion/dam to protect future development in the worst of the flood-plain, you need pay the price. Farm buildings, grain bins, shops, and sheds should be paid for using replacement costs, not depreciated value (YOU BREAK IT, YOU BUY IT).

Your one-time payment (flowage easements), for indefinite losses, places too many risks on the victims, as the variables are countless. Crop losses should be paid by those *benefiting as* they occur. Because, how do any of us know what the future costs to produce a crop and the value of it will be?

Will the storing of water slow down the drainage in our legal ditch-systems, therefore, affecting the drainage outside of the staging area?

As Clay County Commissioner, Jon D. Evert stated in the Fargo Forum, 11/07/2011, "I, however, cannot support the current plan to use my home community as the 'sacrificial lamb' to increase the comfort level of the metro area. It is time to go back to the drawing board and look for a way to protect us all." I concur.

Thank You.

A handwritten signature in black ink that reads "John J. Ready". The signature is written in a cursive, flowing style with a large initial 'J' and 'R'.

John J. Ready

Diversion asks too much of Comstock-Hickson area

By Jon D. Evert

I have been put in a difficult situation with the current Fargo-Moorhead diversion plan. As a Clay County commissioner, I represent the district that elected me and also all the people of Clay County as we, together, strive to make this place a safe, sustainable and pleasant community to live in.



Evert

I know that long-term, permanent protection from flooding is needed for the two-thirds of our population that live in the Fargo-Moorhead metropolitan area. I, however, cannot support the current plan to use my home community as the "sacrificial lamb" to increase the comfort level of the metro area.

I understand that the city of Comstock (my hometown) will be surrounded by 3 feet of water and can be protected with a ring dike. I understand that the roads and railroad tracks will be raised to allow for access to Comstock during times of flooding. Life in the community will be challenging and intense, but doable.

However, the Holy Cross community surrounding Comstock will be destroyed as numerous homes, farms, farmsteads, historic sites and our three parish cemeteries will be covered with from 3 to 9 feet of water. In early settlement days, "Holy Cross" referred to Holy Cross Township in Minnesota and Pleasant Township in North Dakota.

While this will be devastating to the people of Comstock, we are even more concerned for the west half of our Holy Cross community that lives on the Dakota side of the Red River. There, even more farms and farmsteads will be destroyed. In addition, the whole village of Hickson (including their church, community center and bar), the whole city of Oxbow (including their golf course, country club/restaurant and the community recreation facilities) and the community of Bakke will be eliminated.

In total, three North Dakota communities and hundreds of homes will be erased from the map. Predictions are that their water levels will be several feet higher than on the Minnesota side. They, too, will experience the flooding

of their cemeteries and numerous historic sites.

I have hoped that the planners of this flood control project would come to realize that this sacrifice asked of the Comstock-Hickson communities, the surrounding townships of Holy Cross and Pleasant and the farms and homes on the 54,000 acres to be flooded *is more than should be* asked of anyone.

While I know that we are in this together and some sacrifice is expected by all, it seems strange that homes and farms that in some cases were established 140-plus years ago are not worth saving for historical and cultural purposes, if not for the sake of the families that live there. If these lands had been used by earlier dwellers, accommodations would be made to protect and preserve their dwelling and burial sites. Since our settlements were developed by immigrant populations rather than native populations, does that make their value less significant? Do our laws protect our heritage, as well?

It is time to go back to the drawing board and look for a way to protect us all.

Evert is a Clay County commissioner.

The Forum 11-7-11

Headquarters, U.S. Army Corps of Engineers,
ATTN: CECW-P (IP),
7701 Telegraph Road,
Alexandria, VA 22315-3860

Fargo-Moorhead Metropolitan Area Flood Risk Management Project Final EIS

RE: Loss of Life

The “loss of life” probability assessment contained in the FEIS main report, July 2011 Appendix D Attachment 1 and Attachment 2 are deficient.

Preservation of “life” should be the paramount focus in any and all flood mitigation efforts. However, the SDEIS and FEIS contain excessive postulation to preserving Fargo, ND as an economic engine for the region. Fargo, ND (as indicated on page 298 of Appendix O) has driven the alignment location and excessive flood mitigation for primary economic development of Fargo, ND.

(page 11) Appendix U | A-19 response

Loss of life is not monetized or included in the economic benefits presented in the FEIS.

(page 13) Appendix O - 4.3 Phase 1 Key Assumption

Loss of life was not considered as part of the initial economic analysis. The vertical team requested that a loss of life analysis be completed to supplement the Other Social Effects (OSE) account, but no dollar value was to be placed on the loss of life.

Specific Loss of Life Deficiencies

The FEIS and/or Appendix D Attachment 1 and Attachment 2 do not adequately reflect or offer corollary for “loss of life” as it pertains to the current LPP or FCP.

- does not contain adequate benchmarks
- does not contain projections adjusted to population growth
- does not adequately illustrate differences between temporary or permanent flood protection
- does not contain metrics relating to population density for inundations of areas removed from flood plain
- does not address evacuation complicated by permanent flood protection
- does not reflect geographical complications presented for emergency evacuation
- does not reflect augmented loss of life induced by permanent flood protection

Flood control consists of physically altering the floodplain to reduce the danger of a flood. However, the current LPP fails on two counts. 1) the flood plain is altered in such a way as to increase the danger of flooding in areas outside the project area, 2) the staging area presents a greater threat to the city of Fargo, ND due to excessive water levels held above the elevation of the entire city on historically unstable ground.

Page 60 of Appendix D: The USACE assumes that *"98% of the population would evacuate upon receiving the warning of imminent levee failure."* However, the USACE does not make a distinction between temporary or permanent levee failures. It only suggests that emergency levees would increase the loss of life potential.

It is generally accepted that populations that have permanent protection in place are less likely to evacuate because the flood protection offers an unwarranted sense of security that does not reflect a true flood risk specific to the given area. At greater risk are those population(s) that live in areas that were previously flood plains that have been developed due to permanent mitigation structures.

Further study and accurate risk assessment relating to "loss of life" is needed, as the current FEIS main report, July 2011 Appendix D Attachment 1 and Attachment 2 are deficient.

A handwritten signature in black ink, appearing to read 'Marcus E. Larson', with a long horizontal flourish extending to the right.

Marcus E. Larson
513 7th St
Hickson, ND 58047
701-588-4412

2011-11-07

Nelson, Paul

Subject: Headquarters, US Army Corps of Engineers, ATTN: CECUW-P (IP), 7701 Telegraph Rd, Alexandria, VA 22315-3860

Start: Mon 11/7/2011 12:00 PM

End: Mon 11/7/2011 12:30 PM

Recurrence: (none)

To whom this may concern:

I have been a resident of the Oxbow, ND community for the better part of 25 years and the attached comments of Clay County Commissioner (Jon D. Evert) could not describe Fargo's one-sided approach to the destruction of our rural communities any better! Jon D. Evert voice should be recognized by the US Army Corps of Engineers .

Not only will several hundred families and businesses be destroyed/displaced, the ram-rod mentality of people in the local government from the City of Fargo and Cass County have added insult to injury. They appear to want the Fargo-Moorhead diversion as "their" legacy at any cost (personal & financial hardships). At times, they have used their local government positions to act secretive, arrogant and condescending with those citizens residing south of the Fargo city limits. Their behavior in this proposed F-M diversion appears to resemble the actions of our federal government (i.e. do not question anything, pass this now and let someone else deal with the consequences in the future).

Cass County, ND officials pushed forward a 1/2 cents sales tax proposal for flood protection and AFTER we voters approved the measure, they informed us of their plans to destroy our rural communities. In addition, they are using a large portion of the tax proceeds to mitigate homeowners in Fargo. In other words, our own tax dollars are being used against us! Cowardly and disingenuous would be my opinion of the people who knew our fate all along- I wonder how those same people will have the audacity to propose additional tax increases on Fargo and the remaining Cass County residents to satisfy the monumental debt of their diversion project. If I sound angry, it is because I am angry! It is heart wrenching to think of losing one's home, friends, peaceful neighborhoods, etc.

As Commissioner Evert stated, it is time to go back to the drawing board and look for a way to protect us all without destroying/displacing any community or landowner.

Paul D. Nelson

Published November 06, 2011, 11:51 PM

Diversion asks too much of Comstock-Hickson area

I have been put in a difficult situation with the current Fargo-Moorhead diversion plan. As a Clay County commissioner, I represent Clay County as we, together, strive to make this place a safe, sustainable and pleasant community to live in.

By: Jon D. Evert, INFORUM

I have been put in a difficult situation with the current Fargo-Moorhead diversion plan. As a Clay County commissioner, I represent Clay County as we, together, strive to make this place a safe, sustainable and pleasant community to live in.

I know that long-term, permanent protection from flooding is needed for the two-thirds of our population that live in the flood zone, however, cannot support the current plan to use my home community as the "sacrificial lamb" to increase the protection of the rest of the state.

I understand that the city of Comstock (my hometown) will be surrounded by 3 feet of water and can be protected. The city and railroad tracks will be raised to allow for access to Comstock during times of flooding. Life in the community will be disrupted.

However, the Holy Cross community surrounding Comstock will be destroyed as numerous homes, farms, cemeteries will be covered with from 3 to 9 feet of water. In early settlement days, "Holy Cross" referred to the area around Comstock Township in North Dakota.

While this will be devastating to the people of Comstock, we are even more concerned for the west half of the Red River. There, even more farms and farmsteads will be destroyed. In addition, the whole village of Oxbow (including their golf course, country club/restaurant and the community center and bar), the whole city of Oxbow (including their golf course, country club/restaurant and the community center and bar) will be eliminated.

In total, three North Dakota communities and hundreds of homes will be erased from the map. Predictions are higher than on the Minnesota side. They, too, will experience the flooding of their cemeteries and numerous homes.

I have hoped that the planners of this flood control project would come to realize that this sacrifice asked of the surrounding townships of Holy Cross and Pleasant and the farms and homes on the 54,000 acres to be flooded is too high.

While I know that we are in this together and some sacrifice is expected by all, it seems strange that homes that were built 140-plus years ago are not worth saving for historical and cultural purposes, if not for the sake of the families that lived there. Earlier dwellers, accommodations would be made to protect and preserve their dwelling and burial sites. If we are protecting the land for future generations rather than native populations, does that make their value less significant? Do our laws protect the land?

It is time to go back to the drawing board and look for a way to protect us all.

Evert is a Clay County commissioner.

Tags: opinion, letters

Red River Land Owner
Rachel Roen Morgan
3407 133rd Lane NW
Andover MN 55304
November 5, 2011

US Army Corp of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria VA 22315-3860

RE: Opposition to April 2011 Locally Preferred Plan (North Dakota Diversion with storage and staging) for flood control in the Red River Valley.

Dear caring folks of the US Army Corp of Engineers,

I am a land owner of rich, fertile agricultural soil along the Red River Valley one to two miles west of Comstock, Minnesota and am strongly opposed to the Red River diversion proposed to save the homes of those who knowingly built on a flood plain in the Fargo-Moorhead area.

Location: Our farm is in a prime location as it surrounds Highway 2 connecting Highway 75 on the Minnesota side to Interstate 29 on the North Dakota side. On the farm sits a beautiful four-story residence, a historical frame house and log-home site and 20 outbuildings that have never been flooded by the Red River. Up until recently, this ideal property was highly sought after as a building site for new homes due to its location near Oxbow Golf Course and the easy access to Fargo and Moorhead.

History: My great grandfather homesteaded it 140 years ago and the property is still in the family as my sisters and I continue to share in the ownership. Great Grandpa Narve Roen chose this location and built first, his log cabin, then a frame home high on the bluffs of the Red River. He raised 10 children here. My father heard him tell stories of how he befriended the Indians living in the territory and passed those stories along to us around the kitchen table of another beautiful gingerbread-style four-story house that was also built along the river on this property in 1906 by my grandfather Stennom Roen – the house we shared with my grandparents and that I grew up in.

Preservation of Historical Value: We had considered registering with the historical society the homes built by my great grandfather and by my grandfather and several of the twenty outbuildings (including the barn built by my great grandfather). I wish we had followed through on that. But whether or not they are on the historical registry, they have historical value to all who are descendants of Narve and Gor Roen – many of whom attended a family reunion on our farm in 2006.

Land value: When my mother passed away in 2008, we had the farmland appraised at \$3,000/acre. MANY interested parties contacted us about the prime land along the Red River adjacent to the bridge crossing into North Dakota as they wished to purchase and build new homes on this property; one party was verbally committed to do so. Can you imagine what talk of the diversion has done to the value of this prime property now? If you were to intentionally flood this property, where will the money come from to compensate us for the value of the land PRIOR to the diversion proposal or equal to that of other prime building sites and fertile areas in Minnesota?

Gravesites: We have a small family cemetery high on the riverbank of our property from my great-grandfather's days. With the diversion, this would be flooded. My grandparents on both sides of our family, my mother and father, as well as many other relatives from my father's and mother's side are buried in Eagle Cemetery near Christine ND – a property which has never flooded in the past but I understand will be affected by the proposed diversion as well.

Church: And if the Eagle Valley cemetery is affected, the adjacent newly built Eagle Valley Evangelical Free Church along the Red River two miles east of Christine, ND would also be affected by the diversion. This is the church my parents and grandparents faithfully attended and financially supported when it was located in Wolverton, MN – the new church on its new location that our family helped fund. I invite you to visit this wonderful new facility; then justify flooding it.

Possible alternatives to diversion I ask you to consider: Residents and farmers south of Fargo-Moorhead should not have to be punished for the mistakes of those who chose to build in a flood plain in the Fargo-Moorhead area. Consider options of widening, straightening, dredging the river, erecting permanent flood walls, or erecting a ring dike around the city. Consider retention areas on land unsuitable for farming or moving the homes in Fargo-Moorhead along the river out onto the plains that you are planning to flood with the diversion.

Thank you for your genuine consideration.

Sincerely,

A handwritten signature in black ink that reads "Rachel Roen Morgan". The script is cursive and fluid, with the first name "Rachel" being the most prominent.

Rachel Roen Morgan

P.S. If you choose to ignore my appeal and that of many others, and build this diversion, I invite you to come and clean the houses and 20 outbuildings on our farm after murky muddy river water has unnecessarily filled them and the main floor of the inhabited grand home my grandfather built.

Fred Schumacher
12104 Red Oak Ct. S.
Burnsville, MN 55337
fredschum@gmail.com

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Rd.
Alexandria, VA 22315-3860

Re: Final Environmental Impact Statement
Fargo-Moorhead Metropolitan Area Flood Risk Management Project

TO WHOM IT MAY CONCERN:

Although the FEIS contains many gigabytes of nested files taking hours to download and only 30 days allowed for evaluation by the public, analysis of only a handful of factors are required to thoroughly reject the Fargo Diversion, as it is commonly called.

A. THE 1871 FACTOR

In Spring, 1871, Northern Pacific Railroad land agent Thomas H. Canfield and surveyor George B. Wright searched for the highest ground available for a crossing of the Red River. The location they selected became the site of Fargo-Moorhead. Without high ground, the railroad crossing would not be there; without the railroad, Fargo-Moorhead would not exist.

Unlike Bismarck and Minot, much of which lie in the bottom of deep river valleys, Fargo-Moorhead is a bump on top of a shallow bowl. Canfield expected Moorhead to be the dominant city, since it is sited on the highest ground around. The latest FEMA flood plain maps show that to be true. Most of Moorhead lies above the 500-year flood plain. Moorhead recently completed measures that will almost completely protect the city from flooding and has done so at a cost one-twentieth of the proposed Fargo Diversion -- all accomplished with local and state funds only.

B. THE EXECUTIVE ORDER 11988 FACTOR

A review of the FEMA flood plain maps for Fargo and Moorhead will immediately indicate what the Fargo Diversion is all about: the protection of new and planned Fargo developments that have moved off the high ground and down into the flood plain, a clear violation of Executive Order 11988, which bans the use of federal funds for floodplain development. The ready availability of high ground, above the 500-year flood plain, in Clay County, Minnesota belies the claim that Fargo-Moorhead has run out of land available for urban development without the Fargo Diversion project.

Appendix D of the FEIS justifies a more southerly location for the diversion inlet by stating: "... the ND alignment is a locally preferred alignment... to accommodate the city of Fargo's current future plans of development..." This statement is a smoking gun that proves the Fargo Diversion, the Locally Preferred Plan, is all about development of the floodplain on the far south side of Fargo, which recently built a new south side high school in it in anticipation of future development.

The Fargo Diversion is functionally a long ring dike, with dry dam and diversion with inadequate bypass capacity. It circles Fargo, as a ring dike would a farmstead. The reduced-size diversion does not have the capacity to handle the Red, Wild Rice, Sheyenne, Maple and Rush Rivers, plus local Red River Valley overland flooding. It attempts to accomplish something never done before, the crossing of five rivers. As the MN DNR emphasizes, it is a high risk project.

C. THE MINNESOTA FACTOR

Although the Minnesota Congressional delegation has given pro-forma support for the Fargo Diversion, this support is quite soft, while Minnesotans to be affected by the project have shown themselves to be quite hostile to it. The idea that Minnesota, which has almost nothing to gain from the project and has much to lose, would provide \$200 million in funding, as suggested by ND Senator Kent Conrad, or the \$350 million figure tossed out in a recent Fargo Forum news article is ludicrous, especially since Minnesota has a long-term fiscal shortfall problem and North Dakota is running budget surpluses. Funding from Minnesota would have to come through a bonding bill, not the general fund. It will not happen.

The Minnesota Department of Natural Resources has determined that the diversion control structure is a Class 1 dam, and as such would need evaluation and approval from the MN DNR. The MN DNR has strong concerns about the Fargo Diversion. Without Minnesota partnership or DNR support, there is no project.

D. THE TAUTOLOGICAL LOOP FACTOR

A small group of Fargo/Cass County individuals has been operating in a feedback loop with the St. Paul District U.S. Army Corps of Engineers to develop the Fargo Diversion. Although public hearings have been held, these have been strictly pro-forma, with no comments recorded. The general public has been blocked out of the decision making process. Because the planning process has been deeply flawed, the product developed is deeply flawed.

This is diametrically opposite to the process that was used to develop the Sheyenne River Diversion, when USACE staff met on a monthly basis with a broadly based, equitably chosen local delegation for six years to hammer out an acceptable flood reduction plan that produced maximum benefits with minimum damages. Even though the Sheyenne Diversion was a much simpler project than the Fargo Diversion, the entire process from the original authorization of the Kindred Dam to construction of the diversion took over three decades. The longer an unachievable project like the Fargo Diversion is held to, the longer the wait for a viable project to provide flood relief.

The Fargo Diversion is so complex that, based on my evaluation of public and elected official comments, very few people understand its implications. Fargo Mayor Dennis Walaker admitted, stating: "I don't think anybody here understands how big of a project this is. This whole process is far beyond the majority of people in this building." (Fargo *Forum*, A3, 10/28/11)

E. THE BALANCE SHEET FACTOR

I've become accustomed to federal projects padding their benefits ledger and minimizing costs and impacts; however, the Fargo Diversion raises this to new levels. Some astronomical flood damage figures and loss of life have been thrown around, ignoring the fact that Fargo-Moorhead sits on a hump and that the river rises slowly. But the greatest flaw lies in not including annual crop damages as a

result of project implementation.

Granted, this is a problem with federal evaluation directives; however, it completely skews the cost-benefit analysis. Farmland is not like a factory. It cannot be moved. When prime, class 1 Red River Valley farmland is taken out of production permanently or temporarily, the cost of land purchase for right of way or one-time easement payment in no way compensates the producer or the local economy from the crop loss. In addition, the fact that federal crop insurance does not pay for man-made damages, severely reduces the rentability or saleability of land affected by the flood pool.

F. THE SOILS FACTOR

The Red River Valley has the youngest, weakest soils in America. The need to keep the bottom of the diversion above the Brenna subsoil horizon is the primary reason for the reduction of the diversion from 32,000 cubic feet per second to 20,000. The use of a 10:1 slope for the diversion levees is another indication of the extremely low weight bearing capacity of the soil.

A bridge has a static load, but a viaduct will experience a load in sheer. I see nothing that gives me any confidence that the Sheyenne and Maple River viaducts will be able to handle the sheer loads of rapidly moving flood waters. Failure of those viaducts will be catastrophic.

The tie-back levees will be designed and built as levees but will operate as dams, without the redundant safety measures of true dams. The clay soils used to build the levees have high coefficients of expansion and are prone to failure when waterlogged. Loads will be asymmetrical with high waters on one side and dry land on the other. Failure of the levees or diversion can result in a Katrina moment, with up to a quarter million acre-feet of water stored only a few miles upstream from Fargo-Moorhead.

Essential soil borings for diversion right-of-way are only now being done in November. Those borings may tell us there is no buildable project as presently designed, but data analysis from the borings will not be available for another half year. This absolutely essential work being put off to such a late date is an indication of the forcing forward of a project not ready for authorization.

G. RECOMMENDATION

First, the planning process has to be fixed. The Sheyenne River Diversion process planning model is an excellent one to adopt. There must be dialogue among the benefitters, the damaged, the Corps, and those who will have to pay for the project.

Second, recognition of the political realities of government funding of public projects at this moment in time and the willingness of the public to assess themselves is essential. You can't build what you can't pay for.

Third, recognize the limits of the land.

Sincerely,



Fred Schumacher
retired farmer

City of Horace

Box 99
Horace, North Dakota 58047
Phone: 701-282-9727

November 7, 2011

Headquarters, U.S. Arm Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

**RE: Final Feasibility Report and EIS (FEIS) with
comment period to conclude on November 7, 2011**

Dear Sirs:

The City of Horace, Cass County, North Dakota, has reviewed the Final Feasibility Report and EIS (FEIS) which was set forth on the City of Fargo's website.

The City of Horace hereby reiterates its prior opposition ["The City of Horace has passed a resolution of vigorous opposition to the North Dakota 35K diversion as it is presently proposed to exist within, and adjacent to, our community."] to the proposed North Dakota diversion project for all of the reasons originally advanced in correspondence relating to the "DRAFT FEASIBILITY REPORT AND ENVIRONMENTAL IMPACT STATEMENT" dated July 26, 2010. The letter of opposition was addressed to Mr. Aaron Snyder, the USACE Planner and Project Manager, at his St. Paul location. None of the original issues have been adequately addressed thereafter.

The actual location of the North Dakota diversion – in any portion of its presently identified route within the boundaries of the City of Horace, and also, its extra-territorial zoning area(s) – is antagonistic to the long-term interests of the City of Horace, its residents, and area landowners.

The City of Horace greatly objects to the expanded storage areas located within the diversion channel, and also, within the geographical boundaries of the City of Horace or its extra-territorial jurisdiction. The destruction of these lands to provide storage capacity is ill-conceived and destructive. Much of these land(s) are fully capable of being utilized for agriculture, and even an appropriate level of development as it constitutes "higher" land. This land should not be destroyed for the benefit of individuals, commercial entities, or even municipal governments that foolishly constructed, or allowed construction, within the natural "floodway" or the "regulatory floodway" of natural waterways such as the Red River of the North. No concept should be allowed that turns the land south of 100th Avenue and west of I-29 into massive water retention pond(s) as identified.

This proposed project inadequately addresses issues of ice/debris handling that are "elemental" issues – freezing of waterways in North Dakota will happen; ice will form in every waterway; and the Red River of the North flows north where it is even colder for longer periods of

time. Ice-out occurs later downstream from Fargo/Moorhead. Also, any structures constructed on the five tributaries to the Red River of the North [Wild Rice River, Sheyenne River, Rush River, Lower Rush River, and Maple River] – even if such is reasonably possible after proper engineering – must involve significant effort to prevent new destructive flooding caused by ice-jams/dams and/or damage to the structures themselves. As of April 19, 2011 [Feasibility Study, Phase 4, page G-28], these matters were not addressed nor resolved, and it appears that nothing has been thereafter accomplished – only continued research with no acceptable results. See, page 109 of the Feasibility Study.

It is unacceptable to proceed with such a project, and all of its uncertainty posed by unknowns not otherwise addressed until after proper engineering standards have been ascertained and determined. If any project is deemed appropriate, it should be a Minnesota diversion which does not need the design and construction of tributary crossing structures that will be subject to the “elements” – ice exists in Minnesota too.

Logic would indicate that landowners to the *west of the proposed North Dakota diversion* will also be subjected to the risk of substantial piled-up waters that will require proper exercise of eminent domain as to additional land areas – at even more expense. The upstream owners will necessarily be subjected to loss of property if this diversion proceeds to construction, a point already apparently conceded [“fee acquisitions would occur (to) include the communities of Oxbow, Hickson, and Bakke, ND”; page 123] – have there been adequate study of the impact upon the landowners to the west who will have additional waters if any tributary structure is adversely impacted by ice/debris? Our review does not identify such a subject area included in this Feasibility Study, hence this “Final Feasibility Report and Environmental Impact Statement” should be rejected. These western landowners may not be in the original “staging area” south of the proposed North Dakota diversion, but flood waters that result from flawed/non-working tributary structures are just as destructive.

If you have any questions concerning this matter, please feel free to contact me at any time.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shane Walock", written in a cursive style.

Mayor Shane Walock

JTG:j

352 118th Ave SE
Cooperstown, ND 58425
November 5, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

We are writing in opposition to the April 2011 Locally Preferred Plan (North Dakota Diversion with storage and staging) for flood control in the Red River Valley. I, Rhoda Ueland, am owner of properties and farmland bordering the Red River 2 miles west of Comstock, Minnesota.

The wisest man who ever lived, King Solomon, said, **"Do what is right and just."** We would like to think that the Local Sponsors of the Locally Preferred Plan (LPP) from the city of Fargo, ND and the Army Corps of Engineers are also wise. However, it has become painfully apparent that, in this case, this is not true. Despite the fact that other major cities have dealt effectively with flooding issues by constructing protection within their own city, Fargo refuses to deal internally to solve their personal long-term flooding issues. Viable options include widening, straightening, dredging the river, erecting permanent floodwalls, or erecting a ring dike around their city. Numerous retention areas, i.e. land unsuitable for farming, have also proved a very viable option. This is also a common-sense approach to basin-wide protection for the entire Red River Valley.

Fargo was built in a swamp, continues to build in a swamp, and encourages building in their swamp within the flood plain, as evidenced by land they have annexed to the south and west and issued building permits for schools, businesses, homes, etc to build on. Ask yourselves this question, "If I had a 'pre-existing condition', would my health insurance providers pay for my health care?" Absolutely not. This is exactly the same scenario Fargo/LPP Sponsors are creating. Due to their intentional mistake of encouraging building in this swamp (floodplain), the local sponsors of the LPP now intend the rest of the state to pay with their taxes for the protection of their city. What Fargo has done to get this far has improved the cost-benefit ratio the Army COE looks at to justify a project at another's expense. Ironically, the proposed LPP Diversion would be constructed far enough south so as to include protection for Fargo's newest annexed land. We ask you, is this **"right and just"**? It should be quite apparent this land is best suited for agricultural production rather than city development.

"Let's destroy others to protect ourselves" is basically the Local Sponsors motto, as acknowledged by the Army COE. Quoting the 10/20/11 Fargo Forum editorial "River Setbacks Policy" for city of Fargo; "...the removal of vulnerable riverside developments caused untold trauma among homeowners who were forced to move." With due respect to these displaced urban people, likewise, if the LPP is approved, rural people who live upstream of the proposed diversion are on the

verge of being "forced to move." Many of the people in these communities that would be affected have never flooded. The "untold trauma" that will result due to the unjust destruction of cities, property, homes, churches, schools, cemeteries, etc. is too vast to comprehend. The Army COE acknowledges in the FEIS the negative implications of this proposed project are far-reaching with far too many unknowns. Tens of thousands of Prime Red River Valley agricultural acreage will be inundated with floodwaters. Hard-working farmers, many of whom are 3rd and 4th generation farmers, will be forced off the land and forced to change occupations. Fargo is dependant on these rural communities, yet Fargo refuses to listen to anyone who suggests anything different than a diversion of floodwaters onto the land that has bolstered their economy for the past 140 years. Is this **"right and just"**?

We have ancestors buried in several different cemeteries in the community. We also have a family cemetery dating back to the 1800's on our property. We demand concrete answers, not more nebulous comments in response to our concerns. As another example, I quote the Army COE in response to grave relocation, "It's far too early to know which-if any- graves might need to be moved." For the innumerable people who have ancestors buried in those cemeteries potentially affected by the diversion, being told those cemeteries will have from 3.6 inches-9 feet of water again evokes that sense of "untold trauma". Invariably these cemeteries would be deluged in the spring, wreaking havoc. Imagine yourself, bereaved by the loss of a loved one, attempting to plant flowers at their gravesite to pay your respects as is customary prior to Memorial Day. I suppose you should plant them Christmas Day in North Dakota/Minnesota snow/frozen ground instead?? Relocation of these cemeteries is not an option.

Our property has never flooded. With the proposed diversion, our property would be inundated with at least 5 feet of water. During the great Depression of the 1930's, my grandfather held onto the land homesteaded by his father in 1871, enduring many hardships and sacrifices to do so. With that same diligent persistence and respect for the land, my father continued this legacy, farming this land for the next 67 years until his death in 2002. It is our intention to honor this heritage as the land has now remained in the family for 140 years. It is our dream to someday pass this legacy on to our children. Upon learning of this proposed diversion (Fargo Dam), our dreams have turned to nightmares. We do not speak for ourselves alone as evidenced by the strong opposition to this project in the Army COE's 1000 page FEIS Report. The proposed "Diversion" is only resulting in "Division". Is this **"right and just"**?

If the Army COE Engineers approves and passes Fargo's LPP Plan, Fargo will pay the price for their absurdity. With costs increasing, if this project doubles in price can Fargo afford it? Absolutely not. This catastrophic project would likely be only halfway completed before funding is depleted. Aaron Snyder of the US Army COE, St. Paul, Mn District, has stated the Army COE "likes big projects". Apparently the reason that the only method they are willing to consider is a diversion is that it is

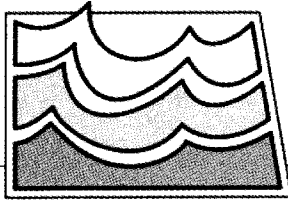
the biggest, most expensive option available. There are many more plausible and less costly options for permanent flood protection for Fargo.

Fargo is racing to get this diversion passed. **SLOW DOWN.** We are asking you to seriously consider the far-reaching negative implications this would have and to seriously consider all viable options available **INCLUDING** those options presented by the opposition. Most importantly ask yourselves the question, **IS THIS "RIGHT AND JUST?"**

Finally, our founding fathers instituted in our U.S. Constitution that owning property is our God-given right. The government cannot take it away. This right will be violated if the Army COE approves the April 2011 Locally Preferred Plan (North Dakota Diversion with storage and staging) for flood control in the Red River Valley.

Sincerely,
Rhoda K. Ueland & Martin B. Ueland,
Molly, Martin and Narve Ueland

Rhoda K. Ueland



North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850
701-328-2750 • TDD 701-328-2750 • FAX 701-328-3696 • INTERNET: <http://swc.nd.gov>

November 4, 2011

U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: Fargo-Moorhead Metro Area Flood Risk Management Project FEIS and Proposed Report of the Chief of Engineers

To whom it may concern:

Thank you for the opportunity to review and provide comments on the Final EIS for the Fargo-Moorhead Metropolitan Area Flood Risk Management Project and the proposed report of the Chief of Engineers.

I am pleased to see this study is nearing an end, and that the residents of the greater Fargo-Moorhead (F-M) metro area are now closer than ever to the permanent flood protection they require. Since record keeping began back in 1897, six of the Red River's top ten largest flood events in the F-M area have occurred post 1997. Clearly, the current wet cycle we're in is creating new and unprecedented challenges for F-M residents, community leaders, and state and federal agencies alike. And understandably, everyone is tired of flood fighting, and the danger, inconveniences, mess, costs, and stress that goes along with it.

As I have said before, I am optimistic that the Locally Preferred Plan (LPP) will finally provide the permanent flood protection that has been needed in the greater F-M area for many decades. Therefore, I encourage the U.S. Army Corps to move forward with the implementation of this project as expeditiously as possible. I also request the Corps continue to consider comments from all stakeholders affected by the plan as the project becomes finalized.

With regard to the FEIS document, we have no further comments beyond what was provided for previous versions. In terms of comments on the proposed report of the Chief of Engineers, including your requirements of non-federal sponsors, we offer the following.

In addition to providing technical assistance as needed toward the advancement of the LPP, the Water Commission's key role from here on out will be related to project funding as directed by the Governor and Legislature. The State of North Dakota has already committed \$75 million toward a future F-M flood risk management project. And the state, through the Water Commission, will continue to work with all project participants, and to contribute the state's fair share toward the advancement of this critical project.

In closing, I would like to thank the Corps' staff for their professionalism and hard work on this study. But the completion of the study really only marks the beginning of several remaining major steps, which will culminate with moving dirt on a long-awaited permanent flood control project for the greater Fargo-Moorhead metro area.

Sincerely,

for Todd Sando, P.E.
Chief Engineer and Secretary

TS:MK:PF:dp/1955



— State of —
North Dakota
Office of the Governor
Jack Dalrymple
Governor

DATE: November 7, 2011

PAGES: 3 including cover

SENDER: Jan Lund

TO: Tasha Garrick
COMPANY: USACE
PHONE: 202-761-0008
FAX: 202-761-4463
FROM: Governor Jack Dalrymple
COMPANY: OFFICE OF THE GOVERNOR
PHONE: 701/328-2200
FAX: 701/328-2205

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: Comments on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project
Final EIS (FEIS) and Proposed Report of the Chief of Engineers

Tasha – the deadline to file comments is November 7. Thank you for your assistance in getting Governor Dalrymple's letter to the appropriate person. Please contact me with any questions. Thanks.

Jan Lund
Office of Governor Jack Dalrymple
600 East Boulevard Avenue, Dept 101
Bismarck, ND 58505
701-328-2715



State of
North Dakota
Office of the Governor

Jack Dalrymple
Governor

November 7, 2011

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: Comments on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project Final EIS (FEIS) and Proposed Report of the Chief of Engineers

Dear U.S. Army Corps of Engineers, Headquarters:

This letter is submitted as my comments on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project FEIS and Proposed Report of the Chief of Engineers.

Since the Fargo-Moorhead Metropolitan Area Flood Risk Management Study was authorized, the State of North Dakota has attended Metro Working Group meetings, meetings with local sponsors and meetings with concerned stakeholders that are directly and indirectly affected by the proposed project. In September I had the opportunity to attend the Civil Work Review Board Hearing held in Washington DC, along with the local sponsors. While the state has been carefully monitoring this process, it is important to note that the state is serving a support role in the effort to develop a flood protection plan. Local governing entities, their constituents and the U.S. Army Corps of Engineers will determine the project's scope and footprint.

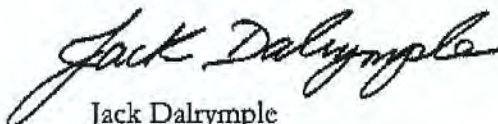
The plan selected as most feasible in the FEIS, the Locally Preferred Plan, consists of a 36-mile long channel with a capacity of 20,000 cubic feet/second (cfs), including upstream staging and storing channel. This plan, which was proposed by Fargo and Cass County officials, would not only affect stakeholders in the Fargo-Moorhead metropolitan area, but would also affect upstream and downstream stakeholders as well. To ensure the interests of all stakeholders are considered, I request that the U.S. Army Corps of Engineers carefully consider all comments submitted regarding the FEIS when selecting and implementing a final flood protection plan for the Fargo-Moorhead Metropolitan area.

Headquarters, U.S. Army Corps of Engineers
November 7, 2011
Page 2

To support the effort to reach a long-term solution regarding flood risk and damage in the Fargo-Moorhead area, the State of North Dakota is committed to providing funding to cover one half of the non-federal, non-Minnesota share of the project's costs. Aside from providing funding, the State of North Dakota will continually monitor the process as the Corps and local sponsors proceed with the design, survey, and construction phases of the project.

Thank you for your consideration and for the opportunity to comment on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project Final EIS and Proposed Report of the Chief of Engineers. I appreciate the work the U.S. Army Corps of Engineers has done with local level stakeholders to identify and construct the optimal flood protection plan.

Sincerely,

A handwritten signature in black ink, reading "Jack Dalrymple". The signature is written in a cursive, flowing style.

Jack Dalrymple
Governor

37:68:56



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240



OCT 24 2011

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Mr. Theodore A. Brown, P.E.
Chief, Planning and Policy Division
Directorate of Civil Works
Headquarters
U.S. Army Corps of Engineers
CECW-P (SA)
7701 Telegraph Road
Alexandria, VA 22315-3860

RE: Final Feasibility Report and Environmental Impact Statement, Fargo-Moorhead Metropolitan Area Flood Risk Management, Cass and Richland Counties, North Dakota and Clay and Wilkins Counties, Minnesota

Dear Mr. Brown:

The U.S. Department of the Interior (Department) has reviewed the U.S. Army Corps of Engineers (Corps), Chief of Engineers Report, and the Final Feasibility Report and Environmental Impact Statement for the Fargo-Moorhead Metropolitan Area Flood Risk Management Project, Cass and Richland Counties, North Dakota, and Clay and Wilkins Counties, Minnesota. We offer the following comments and recommendations based upon the jurisdiction or special expertise of our U.S. Fish and Wildlife Service (FWS).

GENERAL COMMENTS

The FWS is authorized under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) to provide recommendations to the Corps on federally funded water development projects. Based on information available at this time and the impact analysis outlined in the Final Fish and Wildlife Coordination Act Report (July 2011), the FWS recommends that, should the Corps and the local project sponsors proceed with the Fargo-Moorhead Metropolitan Flood Risk Reduction Project, the Federally Comparable Plan (FCP or MN 35K Alternative) Diversion Channel Alternative be the selected Alternative.

Adverse ecological impacts will occur with any of the Diversion Channel Alternatives. For the following reason, however, the FCP Alternative would result in less severe ecological impacts than the Locally Preferred Plan (LPP) Diversion Channel Alternative:

1. The LPP Alternative is anticipated to adversely impact approximately 189 more acres of wetland than the FCP Alternative;
2. The LPP Alternative, as proposed, would result in 36 more acres of adverse impacts to aquatic habitat than the FCP Alternative;
3. The LPP Alternative would adversely impact 5 rivers in addition to the main stem of the Red River;
4. The LPP Alternative, as proposed, would result in 110.3 more acres of adverse impacts to forest habitat than the FCP Alternative; and
5. Apart from the work that would occur within the Red River and the adjacent riparian habitat, the land uses that would be primarily affected by the FCP Alternative have limited wildlife habitat value.

For a complete list of FWS recommendations please refer to the FWS' Final Fish and Wildlife Coordination Act Report (attachment 2 within the Corps Final Feasibility Report and Environmental Impact Statement). The report is also enclosed for your convenience.

We appreciate the opportunity to provide comments. If you have questions concerning the Department's comments, please contact Tony Sullins, FWS, Field Supervisor, Twin Cities Ecological Services Field Office at 612-725-3548, extension 2201, or email Tony_Sullins@fws.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Willie R. Taylor". The signature is fluid and cursive, with the first name "Willie" and last name "Taylor" clearly distinguishable.

Willie R. Taylor
Director, Office of Environmental Policy
and Compliance

Enclosure

Lynn Larsen and Richard Geurts
5539 171 Ave SE
Christine, ND 58015

November 6, 2011

US Army Corps of Engineers
Attn: Brett Coleman
180 5th Street East, Suite 700 (PM-B)
St. Paul MN 55101

Re: Red River Diversion Project

Dear Mr. Coleman:

This is not a hate letter. We both have worked along side of the Army Corps of Engineers at various work locations in our careers and we know that the work you do is essential. This is not going to recount previous letters either. So, get a cup of coffee and relax for a second while you read this.

Previous letters outlined why we thought the project was wrong. Now, it has come to light that Fargo leaders have left a paper trail that clearly indicates that the diversion is not flood protection but a long range growth plan. This growth plan takes established communities and wipes them away to ensure that Fargo has no competition for development.

This growth plan is not in the scope of work of the Army Corps of Engineers. Flood protection is being addressed by installing new dikes and other less costly methods without disrupting local communities, farms, historical sites and cemeteries. Fargo and Cass County have used what had been a very real threat, flooding, to cloak their real agenda, expansion.

The real scope and reason of the diversion is Fargo expansion not resident protection. If Fargo wanted to protect the residents they would not have allowed recent development in high flood risk areas. The charter of the Army Corps of Engineers does not allow work done to promote growth of one community over another. You do more important work.

It is for this reason that we think that the Diversion plan should be withdrawn. Thank you for your time and attention.

Sincerely,



Lynn Larsen and Richard "Red" Geurts
701-261-9587 701-238-2237

US Army Corps of Engineers
Attn: Brett Coleman
180 5th St. East, Suite 700 (PM-B)
St. Paul, MN 55101

Mr. Coleman:

The Corps has been hired by Fargo to protect Fargo, a hired gun. Get whoever you need to get out of the way and do what we have hired you to do.

The boundary for the diversion is based on school district lines, which had to be intentional; there is no coincidence that convenient.

Fargo built a new school, Davies, in the biggest flood prone area within Fargo city limits. Intentionally building in a flood plain, proving when the next flood comes they will be able to say we must protect our school you must support flood protection. Knowing it was a flood prone area, they built there anyway, is it a sacrificial lamb. Fargo feels upstream should flood knowing we are high and dry without the use of sandbags, ever, our elevation levels prove it. Fargo needs to be responsible and it hasn't been. Deliberately voting to allow building closer to flood prone areas. If they really cared about Fargo they certainly wouldn't do that.

All that remains to protect the people that stand to lose everything they love, are comments.

Fargo is around 200,000 acres -- the Corps/Fargo plan to flood more acreage then they are protecting. What sense does that make.

Fargo hasn't flooded, yet they claim it will take more acreage then exists in the city limits to protect it.

This may be nothing more then Fargo's plan for growth -- get this thing started wait for the land to devaluate and take all of it for Fargo's future growth. They can't pay for the diversion, even with current projections they are 700 million short and history shows costs have always risen. This diversion may only be a plan "to protect Fargo's growth" in anyway that can be achieved.

The plan for the diversion should be stopped, wasting government money, our money, in the current funding crisis situation for a diversion is unnecessary. Fargo is capable of protecting itself from flooding and the dollars needed to make this work aren't there.

I am against the diversion because it appears it would be built for reasons other then protecting Fargo from flooding and I am against the current dam/diversion plan because Fargo is able to fight its own high water issues at a much lesser expense. I am also against it because there are other viable options to prevent flooding for everyone, not just Fargo.

Colleen Israelson

October 30,2011

Dear Mr. Coleman:

Re: Red River Diversion Plan

My family resides in Richland County, North Dakota. The plan calls for a dam that will stage water in rural Cass, Richland, Clay and Wilken Counties, destroying homes, communities and farms.

As residents of Cass and Richland County, North Dakota, we are expected to pay the cost of a plan that benefits only the future growth of Fargo, North Dakota. The Red River Diversion has been determined to only benefit Moorhead, MN by 6%. Yet Minnesota tax payers are expected to contribute 100's of millions of dollars. As rural residents we have had no voice in these proceedings, in fact the leadership of Wilken County have been excluded from participating in these decisions. Moorhead and Minnesota have already spent the money to protect Moorhead up to a level in excess of a 100 year flood. According to the Army Corps this area has never in recorded history ever seen a 100 year flood event.

Even if there was a risk of a huge flood there are several alternatives to protect Moorhead and Fargo that have not been explored or have been disregarded by the decision makers, primarily North Dakota leaders.

The Minnesota DNR has raised serious questions about the adequacy of this plan.

Minnesota and the rural areas that will lose home, schools and farmland cannot afford this plan that benefits only the future development of Fargo, North Dakota.

Please do not fund this plan.

Sincerely,

Dallas Israelson

Edmund Bernhardson
1318 S 19th St
Moorhead, MN 56560

November 2, 2011

Terry Birkenstock
Env. GIS Branch
US Army Corp of Engineers
St Paul District
1805 5th St., East Suite 700
St Paul, MN 55101-1678

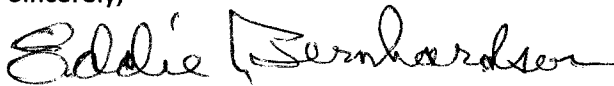
Dear Mr. Birkenstock,

Our grandparents, Bernard and Kirsten Bernhardson, homestead on Section 7, Holy Cross Township Clay County (Section 7, T.137N R48W) in 1869. In 1870 they constructed a log cabin which still stands on its original site on the bank of the Red River. It is reputed to be the second oldest building in Clay County. The cabin was refurbished a number of years ago and is in very good condition. Only once has high water come close to the building.

Descendents of Bernard and Kirsten have worked very hard to preserve this piece of history. It is listed on the National Register of historic buildings.

According to our information the cabin is in an area that may be inundated by the proposed Fargo-Moorhead diversion of the Red River. Please advise us of what is proposed in order that we may protect and preserve this historical landmark.

Sincerely,

A handwritten signature in cursive script that reads "Eddie Bernhardson". The signature is written in dark ink and is positioned above the printed name.

Edmund Bernhardson

Copies: Mary Ann Heidemann, Minnestota Historical Society
Mark Piehl, Heritage Hjemkomst Center

Dear Sirs

I am writing in regards to The Fargo Moorhead flood diversion south of Fargo N. Dak. I can not figure out how you can take the flats and some of the most highly productive land in Minnesota and North Dakota and use it for a place to hold water. Seems to me it would make more sense to store water where we have a valley in Southern North Dakota that the Wild Rice river runs through that is pasture land already, and hardly any dwellings. There is also low areas in Minnesota and South Dakota that don't produce anything except waterfowl, that can be used for retention. etc

These are the areas the water comes from that ends up in Fargo N. Dak. Also you are taking an area to hold water that is very populated maybe more so than any area in the whole Red River Valley.

I don't think it makes much sense to build a dam in an area that has two Interstate highways and state highways that will have to either be raised or in danger of flooding. Also a railroad to raise, not to say many rivers to cross. Why does Fargo want to keep building in a low area behind a big body of water this would be. Do you think this is safe.

I do ~~not~~ believe the dollar amount put on this project is not very accurate because at the meetings I have been to the questions about property values, the answers are not very complete.

Retention in more remote areas so you have less homes and farm sites to deal with, that way you will have more money per home or farm site so they can be treated fair.

There is also a safety factor in raising highways in North Dakota, as in the winters there are a lot of vehicles that go off the road. The higher the road the worse these accidents will be for life and injuries.

To start holding water south of Fargo will create another problem, when the Sheyenne river is flooding, this area will get a lot bigger than is planned.

Fargo and Moorhead should get to diking their cities with permanent dikes as dikes have been working. Then get busy and work with a retention plan to slow down the flow.

With cost of this ~~offer's~~ proposal I believe it will be short dollars, can the cities afford more or will the people affected not get their fair value.

There is also the problem with schools that loose the Tax Base and students which also hurts the town's therein.

The roads within the flooded area will have to be repaired each time there flooded. Who pays the bill. We know the Townships don't have the money.

There is the problem with Churches and Cementaries. Who pays the bill and where do they move to.

Please Consider all the people, business's and land owners that will be hurt by this project.

Remember Fargo keeps building in a low area and they expect the people on higher ground to sacrifice homes and ~~but~~ business so some body can ~~make~~ make money on development and there growth.

Grand Forks N.D. flood Plan after 1997 flood is working well. There land is flat like Fargo and there having no trouble with dikes.

The Red River Basin Commission has already located places to hold about half of the acre feet of water your talking about needed for protection already.

Please ~~Remember~~ ~~this~~ ~~generates~~ ~~a lot~~ ~~money~~ ~~that~~ ~~is~~ ~~spent~~

Please Remember this generates a lot money that is spent in Fargo from this area they want to be a dam

Thank you

Charles Christianson

16934 52nd SE

Kindred N.D. 58051

November 5, 2011

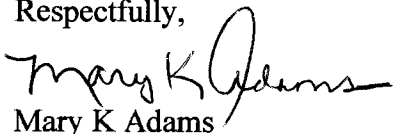
To Whom It May Concern:

While I support concern for Fargo-Moorhead developing a permanent flood solution, I believe the utmost care must be taken to do so and in a responsible manner.

While admitting a limitation in the ability to decipher what the Corps of Engineers has proposed to date, what seems obvious and concerns me the most, is the permanent dissolution of potentially 6500 acres of choice Red River Valley farmland. In an era of rapidly growing world population, demand for food will remain paramount. Rich farmland is a premium investment and is being sought and bought all over the world. Yet the diversion, as currently proposed, reportedly, will permanently idle 6000+ acres. There must be a less invasive way. I challenge the Corps to find a better result for land stewardship.

In addition to concern for farmland stewardship; there are those who will incur private property losses and impacted livelihoods for which no measure can truly calculate ; therefore, the golden rule must apply. Many people believe the diversion, as proposed, is really intended to ensure further economic development of south Fargo - but under the guise of flood protection. Is this true? And surely we can't be so naive as to be unaware of the many, potential special interests that the diversion project creates. So for me the question remains, is the diversion, as proposed, an undertaking for the economic development of south Fargo, or is it purely for flood protection? The proposal comes with a monstrous cost – not only monetarily, but also to livelihoods, to farmland, and to the extinction of entire communities. While a flood can do the same, it only *may happen* whereas the diversion, as proposed, seems to ensure it. My hope is that the Corps will ultimately influence a more viable and less destructive alternative.

Respectfully,



Mary K Adams

111 Kellogg Blvd E. Apt. 703

St. Paul, MN 55101

11/11/11

Headquarters, U.S. Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph road
Alexandria, VA 22315-3860


RE: April 2011 Locally Preferred Plan (North Dakota Diversion) for flood control in the Red River Valley

It is with some irony that just as my husband and I have finally fulfilled our dream with retirement and moved back to our "familial stomping grounds", we hear of a plan to divert the Red River of the North across our ancestral heritage.

One great-grandfather, Jorgan Johannesen came from Norway in 1870 with just a cart, a cow, and two oxen and lived in a dug-out in the ground along the river, skied to Alexandria for supplies, built a house, raised a family and started a legacy, just as all the tough and tenacious pioneers of Pleasant Township in what became Hickson, North Dakota. My other great-grandfather also came from Norway shortly thereafter and began a family on the Minnesota side in Comstock, where he is now buried and where relatives farms line that side of the river. My Aunt Lillian Johnson still lives in the old family home in Hickson and it is our hub and center. Our family members are buried in the Upper Wild Rice, the Comstock and the Hemmnes cemeteries. Our church, The Shepard of the Prairie Lutheran in Hickson is more than just a building.

Our roots and lineage are important to us and I find it difficult to believe that there is not a more reasonable and perhaps scientifically satisfying solution to the problem at hand. Particularly because the area in question has NOT had flooding issues, unlike the city land which is being protected.

You can be sure, that the descendents of the pioneers will not give this plan an easy pass.


Sincerely, Diane Johnson
1127 E. Mount Faith Ave.
Fergus Falls, Mn 56537

General Grisoli
Civil Works Review Board
Headquarters, US Army Corps of Engineers
441 G. Street, NW
Washington, DC 20314-1000

Dear General Grisoli:

I respectfully request that you DO NOT release the final report of the LPP. The current LPP and SDEIS contains deficiencies that local representatives and decision makers are basing vital decisions on.

A joint letter was sent to President Barack Obama from North Dakota Sen. Kent Conrad (D), Sen. John Hoeven (R) and Rep. Rick Berg (R) and Minnesota Sen. Al Franken, Sen. Amy Klobuchar and Rep. Collin Peterson.

The joint letter states: *["The Red River of the North, which flows through the cities of Fargo, North Dakota, and Moorhead, Minnesota, has exceeded flood stage every year since 1993,"]* However, there is nearly 18+ feet of difference between river flood stage level and major flooding. The entire cities of Fargo and Moorhead were not adversely threatened during each incident where the flood stage was exceeded.

The joint letter states: *["The floods of 2009, 2010, and 2011 have represented the first, seventh, and fourth highest floods on record for the region."]* The letter does not include that these event were due, in part, to relocation of water impacts from flood plain developments.

The joint letter states: *["Every year, the region must erect miles and miles of temporary protective measures, which are costly and often have to be erected quickly under adverse conditions."]* The letter not address that these temporary measures are due to negligent city planning, development of flood plains and flood prone areas along with a failure to require developers to install proper flood protection measures in areas where occupancy of the flood plain and been encouraged.

The joint letter states: *["The region has suffered some of its worst flooding in recent years, experts suggest that it is only a matter of time until the area is hit with even more catastrophic flooding."]* What these experts are not telling you is that it is directly related to irresponsible flood plain development and relocation of water impacts from flood prone areas in the region, which is augmenting flood level elevations on the Red River channel region due to direct and indirect violation of EO11988.

The U.S. Army Corps of Engineers (USACE) indicates that a 500-year event could potentially cause \$6 billion in damages. However, impacts of a 100 year flood would be significantly less (5.99 billion dollars less). A 500-year event could flood nearly the entire city of Fargo and a large portion of Moorhead because the geography of the region is the physical bottom of ancient Lake Agassiz. A catastrophic breach in temporary protection under these circumstances could likely result in hundreds of fatalities and could devastate the area economically, however, the USACE has failed to include the potential loss of life and viable evacuation routes if a permanent structure were to fail.

The region has been somewhat proactive in removing flood-threatened structures, however, has failed to achieve the adequate green space necessary to provide a proper flood way to convey flood water via the Fargo Moorhead area.

Local leaders and specifically the project sponsor have a mission. That mission is to compel yourself and congress that one vital piece is still missing in their flood fighting arsenal, which would be comprehensive, permanent flood protection project. However, the currently proposed LPP (Fargo Dam and Diversion) has been deceptively labeled a diversion that is based upon an incomplete SDEIS.

In reality, it is a 12-15 mile wide dam and levee system that:

- needs to cross 5 rivers,
- will directly and indirectly encourage development of 25+ square miles of natural flood plain,
- will directly and indirectly create new flood plains in Richland County (ND) and Wilkin County (MN),
- will destroy the productivity of several thousand acres of prime farmland,
- negatively impact the quality and fabric of the human environment in surrounding communities,
- negatively impact 2 school districts,
- negatively impact several churches,
- elevate water as high as 9-12 feet behind the dam on unstable ground,

...which will pose a focused threat, similar to New Orleans during hurricane Katrina, to Fargo Moorhead for an undetermined amount of time.

The joint letter states: ***["In 2008, the cities of Fargo and Moorhead requested assistance from the USACE to evaluate options for permanent flood protection."]*** The USACE did not scope the project properly and quantify the effects of the entire dynamic region and contributing watersheds that exert an effect on the currently proposed LPP. After an incomplete study that analyzed only a select few flood protection measures, the city of West Fargo ND withdrew their interest when it became apparent that Fargo would be the primary beneficiary of the project in pursuit of future land development in violation of EO11988.

There are several deficient points in the current LPP and SDEIS. These deficiencies include, but are not limited to:

- uncalculated loss of life if a permanent structure fails,
- an accurate cost benefit ratio reflecting permanent flood structures that have been constructed in Fargo and Moorhead,
- uncalculated impacts to Richland County ND and Wilkin County MN,
- a comprehensive environmental impact statement for Richland County ND and Wilkin County MN,
- uncalculated long term impacts to areas southwest, west and northwest of the proposed LPP (Fargo Dam and Diversion) including the communities of Kindred ND, Davenport ND, Mapelton ND, Casselton ND, Prosper ND, Argusville ND

The Associated Press reported on Monday, February 1st, 2010 *"The man who led efforts to protect Fargo and neighboring Moorhead, Minn. from record Red River flooding last spring said Monday he favored a plan to build a diversion channel in North Dakota over a cheaper proposal backed by the U.S. Army Corps of Engineers."*

The joint letter states: *[The Assistant Secretary of the Army-Civil Works granted an exception to allow USACE to recommend the LPP in lieu of the National Economic Development (NED) plan. In granting the exception, the Assistant Secretary noted that "the locally preferred plan would significantly reduce flood damage, the risk of loss of life and the need for emergency flood fighting measures."]* However, the Assistant Secretary's position is based on incomplete information and completely ignores the permanent flood protection structures that have been constructed since the 2009 flood which have effectively protected Fargo Moorhead. The cost benefit ratio has not been adjusted to reflect these permanent structures which negate the need for a 2+ billion dollar project that has a 99.98 chance of never being used to it's designed capacity.

I, as well as others, understand that these are challenging for times for the United States as our country struggles to regain control of our national debt in a sustainable manner. The Fargo Moorhead Dam and Diversion project (LPP) is one area where the United States can prioritize and divert funding to the flood ravaged cities of Minot ND and Bismarck ND, where the financial rebuilding assistance it is most needed.

The currently proposed LPP (Fargo Dam and Diversion) does not meet the needs for the entire region, it is more costly than alternative plans and does not contain proper merit for final report release.

I urge you to NOT RELEASE the final LPP report and intercede on our behalf to halt further planning, engineering, and design of the Fargo Dam and Diversion and further violations to E011988.

Thank you for your consideration,

Marcus Larson (U.S. Citizen & Taxpayer)
513 7th St
Hickson, ND 58047
701-234-9492
218-790-2025