



Flowage Easement Informational Meetings

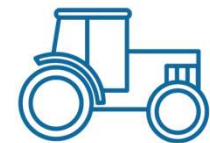
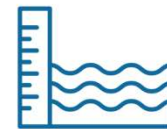
March 14 - 22, 2022

Welcome!



Thank you for joining us!

The Cass County Joint Water Resource District, Moorhead-Clay County Joint Powers Authority, and the Metro Flood Diversion Authority are dedicated to answering your questions about the Project

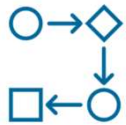


Agenda for Open House Meeting



- Presentation (6:15)
- Question & Answer Session (15-30 minutes)
- Open House – Meet with Land Agents (until 9:00)
- Arrange Follow-Up Meeting with Land Agents

Presentation Outline



Flowage Easement Development



Flowage Easement Frequently Asked Questions



Mitigation Zones and Impacts Summary



Flowage Easement Appraisal Process



Crop Insurance Programs



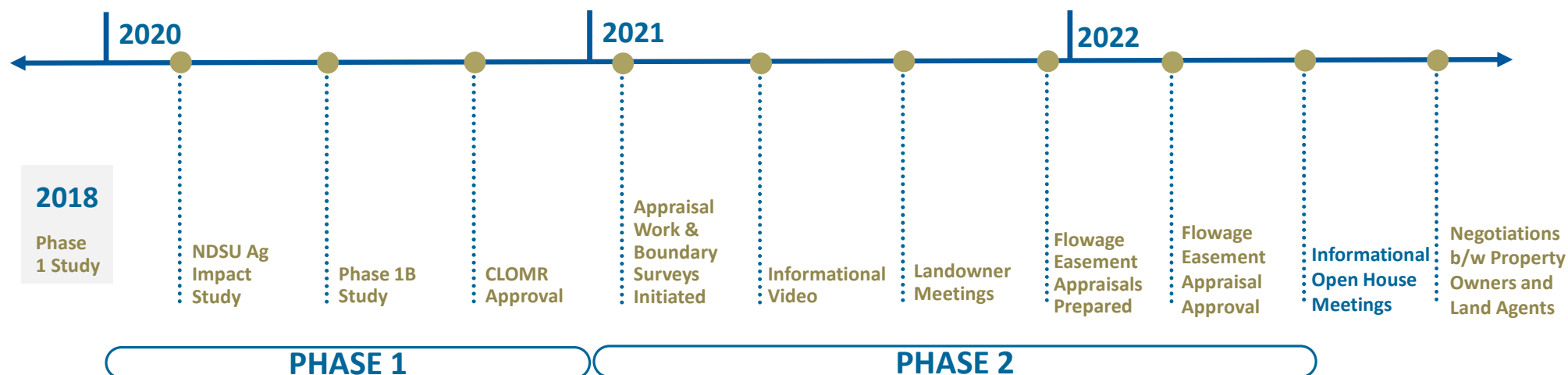
Post-Operation Programs

Flowage Easement Development

Flowage Easement Appraisal Process



History of Flowage Easement Development

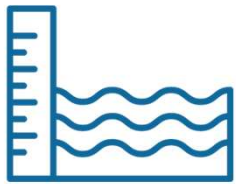


Frequently Asked Questions

Flowage Easement Information



Frequently Asked Questions



What is a Flowage Easement?

- Agreement between a landowner and one of the member entities of the Metro Flood Diversion Authority (MFDA)
- Payment to landowner
- Right to periodically and temporarily store floodwater during Project operation

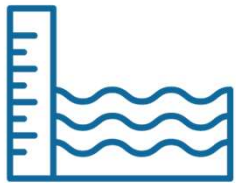
What does the Flowage Easement payment cover?

- Legal right to periodically and temporarily store floodwater during Project operation
- Restriction on development rights

Flowage Easement Information



Frequently Asked Questions



Why does there need to be a Flowage Easement on my property?

- Required by federal and state regulatory agencies
- Property right needed

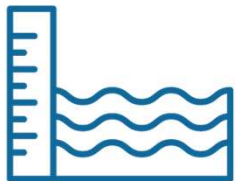
Who will be obtaining the Flowage Easements?

- North Dakota, the Cass County Joint Water Resource District (CCJWRD)
- Minnesota, the City of Moorhead, Clay County, or Moorhead Clay County Joint Powers Authority (MCCJPA)

Flowage Easement Information



Frequently Asked Questions



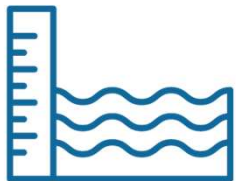
When can I expect the payment?

- CCJWRD or MCCJPA will provide an “Agreement to Acquire a Flowage Easement”
- Agreement includes payment terms
- Compensation for a Flowage Easement is a one-time payment
- Payment at closing

Flowage Easement Information



Frequently Asked Questions



How often is floodwater going to be stored on my property?

- The USACE and the MFDA determined how much operation of the Project would increase the depth of floodwater on each property (“depth difference”)
- See the **Depth Duration and Frequency Table**
(available on website at www.FMDiversion.gov/FlowageEasements)

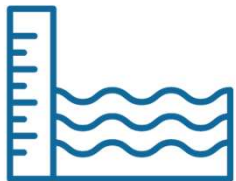
Flowage Easement Information



Depth, Duration, Frequency Impact Table by OIN



Depth Duration Frequency Table



OIN	*Approx Min Field Elevation	ELEVATIONS WITHOUT DIVERSION (Existing Conditions)								ELEVATIONS WITH DIVERSION (With-Project Conditions)							
		20-Year Flood		50-Year Flood		100-Year Flood		500-Year Flood		20-Year Flood		50-Year Flood		100-Year Flood		500-Year Flood	
		Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation
23	910.0	905.5	0.0	910.7	4.5	911.7	10.0	912.5	15.0	912.7	9.5	918.7	10.0	920.9	11.0	922.0	14.5
24	909.0	905.5	0.0	910.7	7.5	911.7	12.5	912.5	17.5	912.7	11.0	918.7	10.5	920.9	12.0	922.0	15.0
27	907.0	905.5	0.0	910.7	11.5	911.7	15.5	912.5	20.5	912.7	12.5	918.7	11.5	920.9	13.0	922.0	17.5
28	906.0	905.5	0.0	910.7	13.0	911.7	16.5	912.5	22.0	912.7	13.0	918.7	12.5	920.9	13.5	922.0	18.5
29	908.0	906.1	0.0	910.8	11.0	911.8	15.0	912.6	19.5	912.7	11.5	918.7	11.5	920.9	13.0	922.0	16.0
30	912.5	909.9	0.0	913.7	5.5	914.0	9.5	914.5	13.5	912.7	2.5	918.7	9.0	920.9	10.5	922.0	13.0
176	924.0	915.5	0.0	918.4	0.0	921.1	0.0	925.7	6.0	915.7	0.0	920.4	0.0	923.1	0.0	925.9	9.0
213	905.0	905.0	1.0	910.7	13.5	911.7	17.0	912.5	23.0	912.7	31.5	918.7	31.5	920.9	32.0	921.9	32.0
232	915.5	915.4	0.0	916.1	5.5	916.3	9.0	916.8	12.0	914.9	0.0	918.7	8.5	920.9	10.5	922.0	13.0
249	908.5	910.3	27.5	912.4	29.0	913.6	29.5	915.1	31.0	910.8	6.5	918.5	12.0	921.0	16.0	922.4	31.5
250	912.0	910.3	0.0	912.3	3.0	913.6	7.5	915.0	25.5	910.8	0.0	918.5	9.5	921.0	11.5	922.4	27.5
251	910.0	910.6	3.0	913.0	9.0	914.5	13.5	916.5	31.0	911.1	4.0	918.6	11.5	921.1	14.5	922.6	31.0
255	905.5	910.0	9.5	912.0	14.5	913.3	22.0	914.7	32.5	910.7	37.5	918.6	37.5	921.1	37.5	922.5	37.5
809	900.0	910.4	15.5	912.6	21.0	913.9	32.0	915.5	33.5	910.9	16.0	918.6	21.0	921.0	32.0	922.4	33.5
816	910.0	911.5	8.5	913.8	15.0	914.0	18.0	914.5	23.5	912.7	11.0	918.7	13.0	920.9	14.5	922.0	19.5
817	910.5	911.5	8.5	913.8	15.0	914.0	18.0	914.5	23.0	912.7	8.5	918.7	10.0	920.9	11.0	922.0	15.0
818	910.0	911.5	8.5	913.8	15.0	914.0	18.0	914.5	23.5	912.7	11.0	918.7	13.0	920.9	14.5	922.0	19.5
821	911.0	911.5	6.5	913.8	13.5	914.0	16.5	914.5	22.0	912.7	7.5	918.7	9.5	920.9	11.0	922.0	14.5
824	911.0	909.9	0.0	913.7	8.0	914.0	11.0	914.5	15.5	912.7	7.5	918.7	10.0	920.9	12.5	922.0	15.5
825	911.0	909.9	0.0	913.7	8.0	914.0	11.0	914.5	15.5	912.7	7.5	918.7	10.0	920.9	12.5	922.0	15.5
827	911.0	909.9	0.0	913.7	8.0	914.0	11.0	914.5	15.5	912.7	7.5	918.7	10.0	920.9	12.5	922.0	15.5
828	911.0	909.9	0.0	913.7	8.0	914.0	11.0	914.5	15.5	912.7	7.5	918.7	10.0	920.9	12.5	922.0	15.5
829	912.0	909.9	0.0	913.7	6.5	914.0	10.0	914.5	14.5	912.7	4.5	918.7	9.5	920.9	10.5	922.0	13.5
830	913.0	912.5	0.0	913.7	4.5	913.9	8.5	914.5	13.0	914.6	5.0	918.7	13.5	920.9	15.0	921.9	16.5
832	915.0	912.5	0.0	913.7	0.0	913.9	0.0	914.5	0.0	914.6	0.0	918.7	7.5	920.9	9.0	921.9	11.5
833	915.5	912.5	0.0	913.7	0.0	913.9	0.0	914.5	0.0	914.6	0.0	918.7	7.0	920.9	8.5	921.9	11.0
835	916.0	915.4	0.0	916.1	2.0	916.3	5.5	916.8	9.0	914.9	0.0	918.7	7.5	920.9	9.0	922.0	12.0
836	916.0	915.4	0.0	916.1	2.0	916.3	5.5	916.8	9.0	914.9	0.0	918.7	7.5	920.9	9.0	922.0	12.0
838	917.0	915.4	0.0	916.1	0.0	916.3	0.0	916.8	0.0	914.9	0.0	918.7	5.5	920.9	8.0	922.0	10.5
840	908.5	915.1	12.0	915.9	19.0	916.1	21.5	916.6	30.5	913.8	13.0	918.7	19.0	921.0	21.5	922.1	31.5

Data based on the hydraulic model that was approved by FEMA as part of the 2020 Conditional Letter of Map Revision (CLOMR), FEMA Case Number 19-08-0683R.
 *Approximate Minimum Field Elevation may not represent the elevation of the entire parcel (OIN).

Flowage Easement Information



Depth, Duration, Frequency Impact Table by OIN

Locate your property OIN

Follow the horizontal data

ELEVATIONS WITHOUT DIVERSION (Existing Conditions)											
		20-Year Flood		50-Year Flood		100-Year Flood		500-Year Flood		2	
OIN	*Approx Min Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Ma Wat Surfa Eleva	
23	910.0	905.5	0.0	910.7	4.5	911.7	10.0	912.5	15.0	912	
24	909.0	905.5	0.0	910.7	7.5	911.7	12.5	912.5	17.5	912	
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28	906.0	905.5	0.0	910.7	13.0	911.7	16.5	912.5	22.0	912	
29	908.0	906.1	0.0	910.8	11.0	911.8	15.0	912.6	19.5	912	
30	912.5	909.9	0.0	913.7	5.5	914.0	9.5	914.5	13.5	912	
176	924.0	915.5	0.0	918.4	0.0	921.1	0.0	925.7	6.0	915	
213	905.0	905.0	1.0	910.7	13.5	911.7	17.0	912.5	23.0	912	

Example:

OIN 176

Approx Min Field Elevation = 924.0

Existing Conditions

20 year

- Max Water = 915.5
- Approx Days = 0.0

50 year

- Max Water = 918.4
- Approx Days = 0.0

100 year

- Max Water = 921.1
- Approx Days = 0.0

500 year

- Max Water = 925.7
- Approx Days = 6.0

Flowage Easement Information



Depth, Duration, Frequency Impact Table by OIN

Locate your property OIN

Follow the horizontal data

		ELEVATIONS WITH DIVERSION (With-Project Conditions)							
		20-Year Flood		50-Year Flood		100-Year Flood		500-Year Flood	
OIN	*Approx Min Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation	Max Water Surface Elevation	Approx Days Above Field Elevation
23	910.0	912.7	9.5	918.7	10.0	920.9	11.0	922.0	14.5
24	909.0	912.7	11.0	918.7	10.5	920.9	12.0	922.0	15.0
27	907.0	912.7	12.5	918.7	11.5	920.9	13.0	922.0	17.5
28	906.0	912.7	13.0	918.7	12.5	920.9	13.5	922.0	18.5
29	908.0	912.7	11.5	918.7	11.5	920.9	13.0	922.0	16.0
30	912.5	912.7	2.5	918.7	9.0	920.9	10.5	922.0	13.0
176	924.0	915.7	0.0	920.4	0.0	923.1	0.0	925.9	9.0
213	903.0	912.7	31.5	918.7	31.5	920.9	32.0	921.9	32.0

Example:

OIN 176

Approx Min Field Elevation = 924.0

With-Project Conditions

20 year

- Max Water = 915.7
- Approx Days = 0.0

50 year

- Max Water = 920.4
- Approx Days = 0.0

100 year

- Max Water = 923.1
- Approx Days = 0.0

500 year

- Max Water = 925.9
- Approx Days = 9.0

Flowage Easement Information



Frequently Asked Questions



Why are my restrictions different from others going through this process?

- USACE, North Dakota, and Minnesota have different flowage easement requirements
- The Upstream Mitigation Area (UMA) has been divided into four mitigation zones

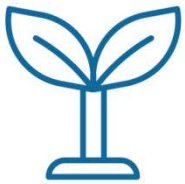
Will I need to clean up my land after the water recedes?

- MFDA has committed to assisting property owners with cleanup from impacts caused by Project operation

Flowage Easement Information



Frequently Asked Questions



Can I still farm or lease my land?

- Yes, the Flowage Easement allows farming to continue
- Development will be restricted
- Landowners retain right to farm, lease the land, and install drainage

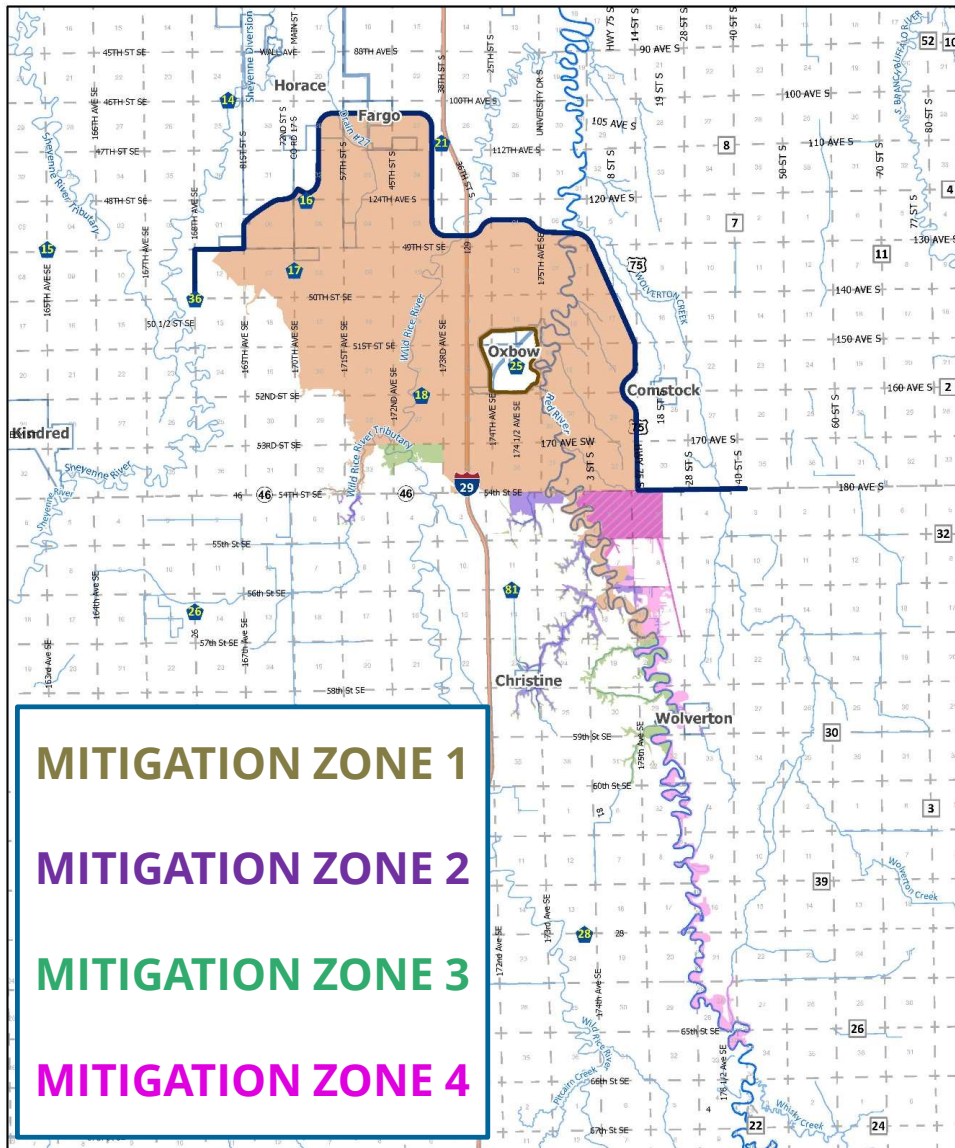
Will this impact my crop insurance?

- No, ability to purchase federal crop insurance remains unchanged
- MFDA agreed to providing supplemental crop loss protections not covered by federal crop insurance

Mitigation Zones and Impact Summary

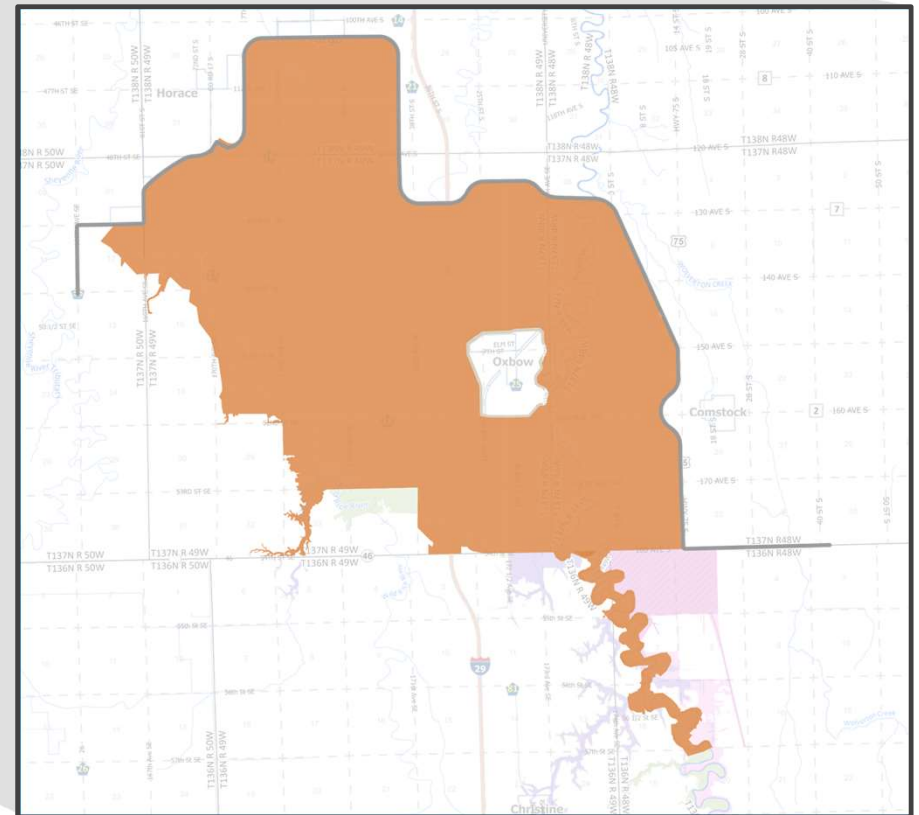
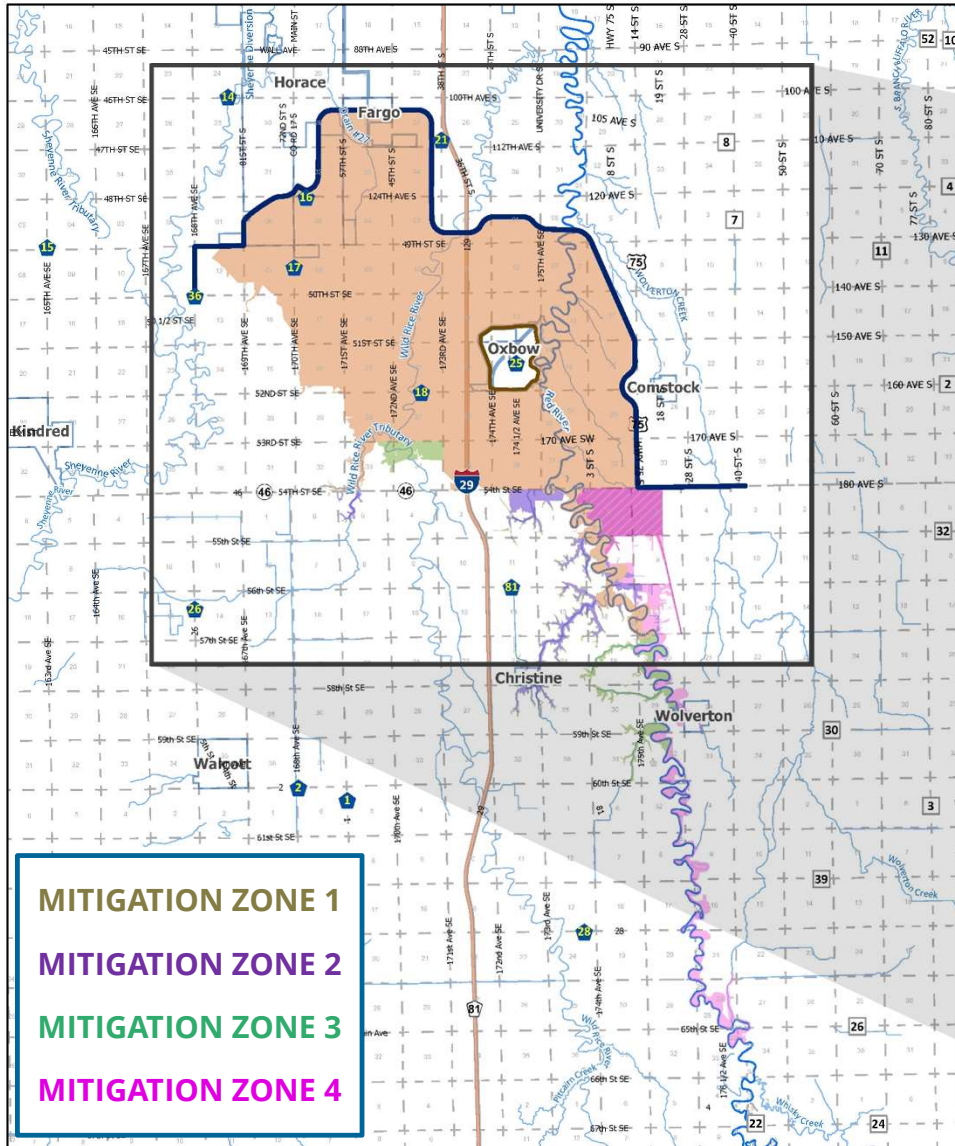
Upstream Mitigation Zones

- USACE, North Dakota, and Minnesota each have different Flowage Easement requirements



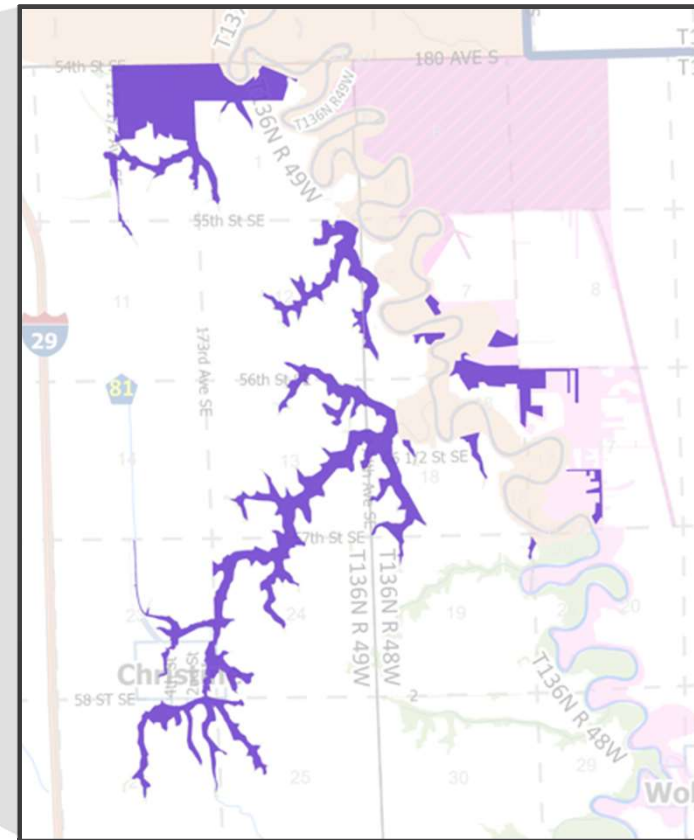
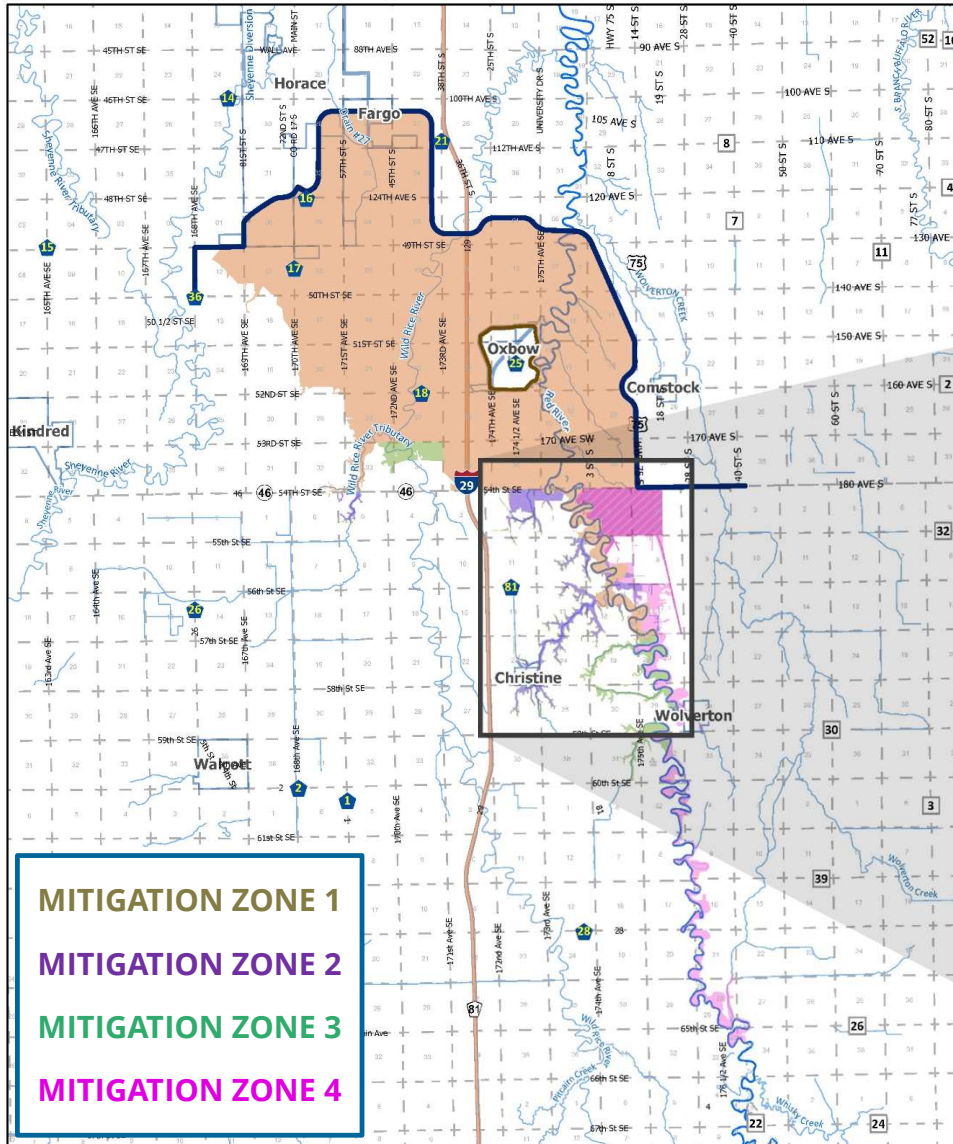
Upstream Mitigation Zones

MITIGATION ZONE 1



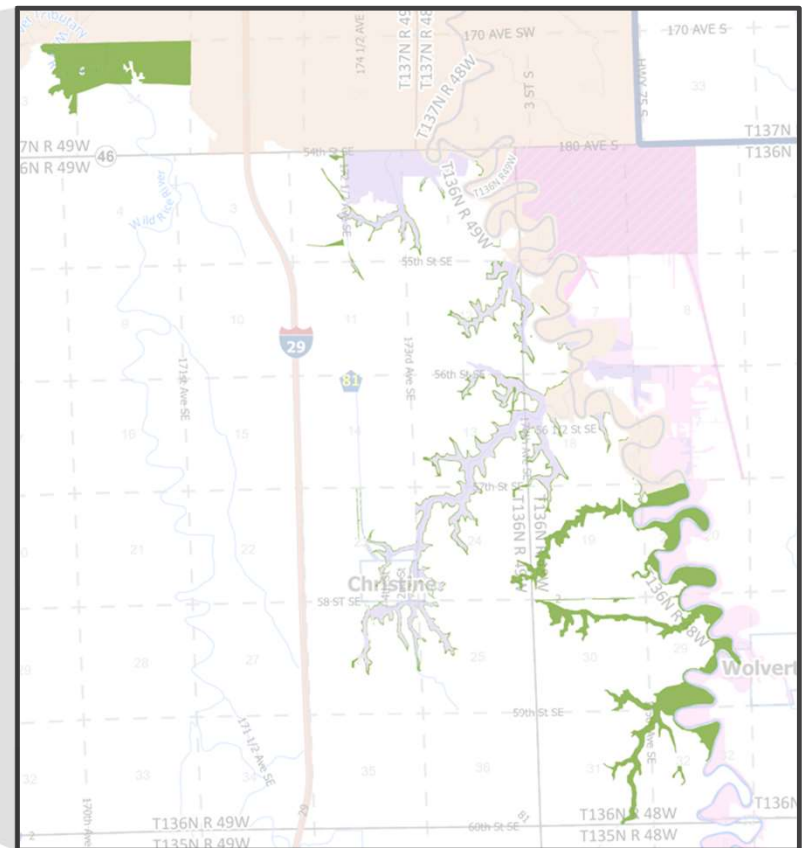
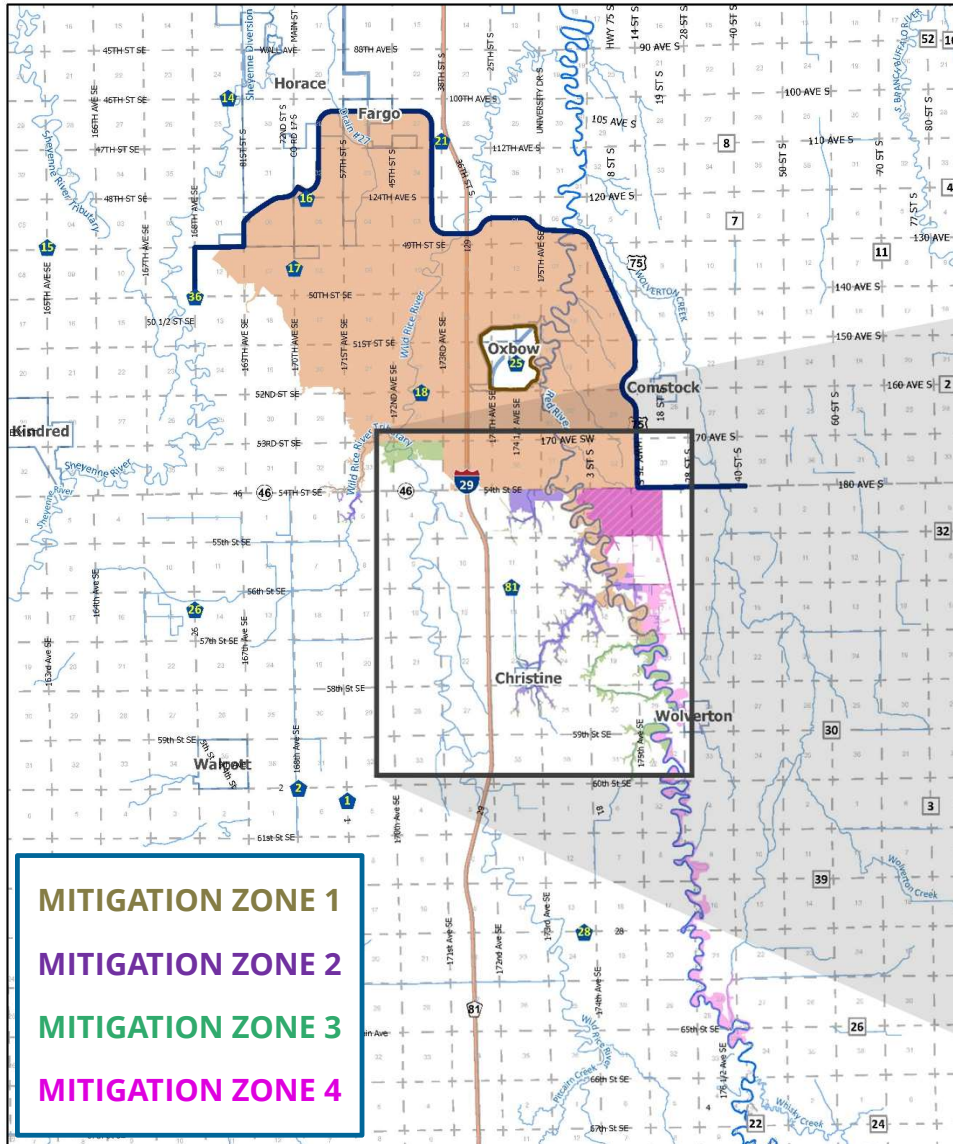
Upstream Mitigation Zones

MITIGATION ZONE 2



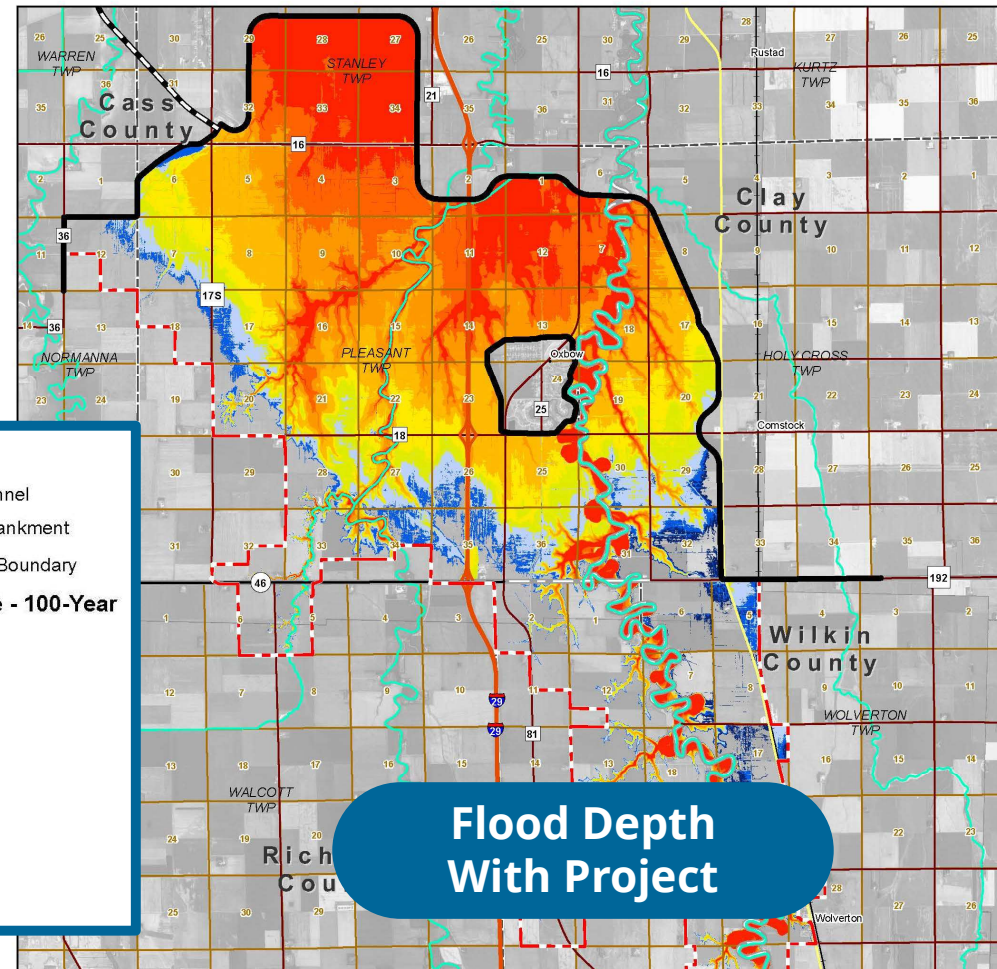
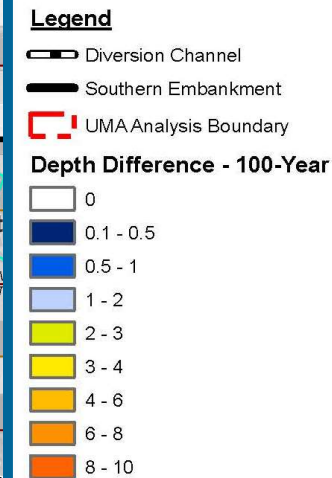
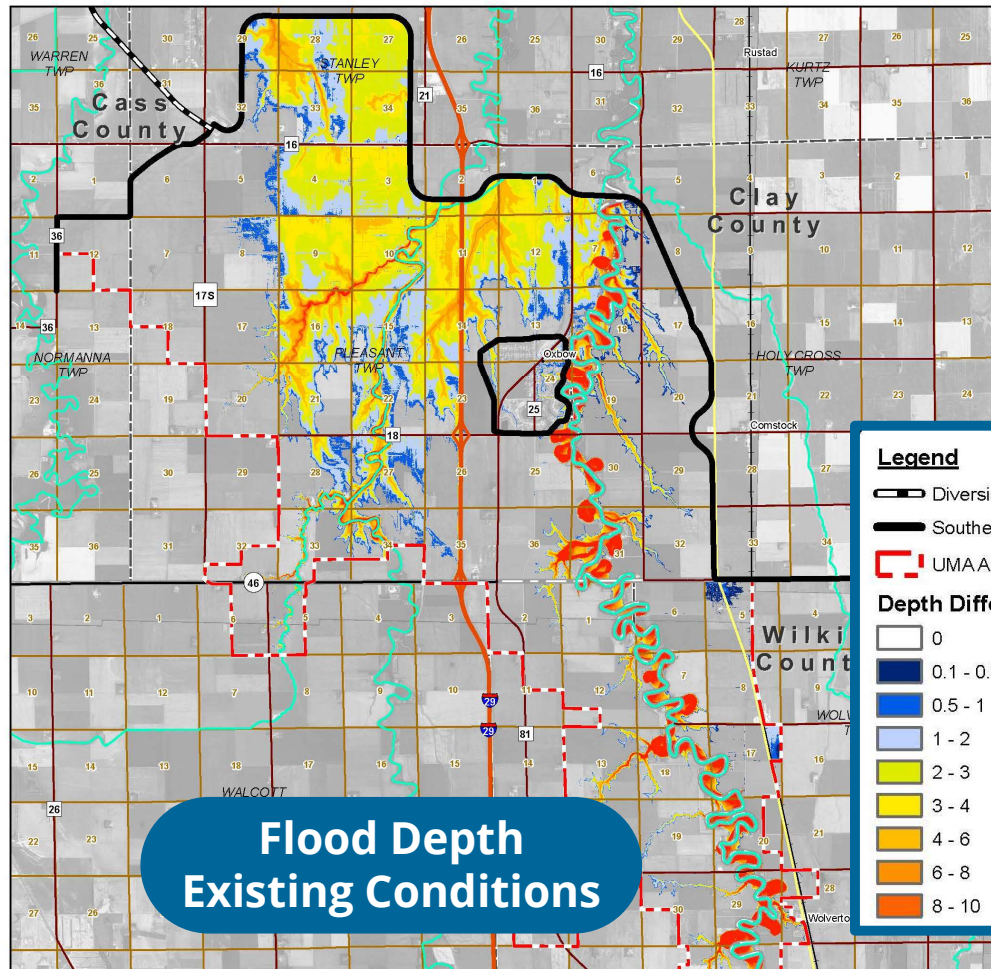
Upstream Mitigation Zones

MITIGATION ZONE 3



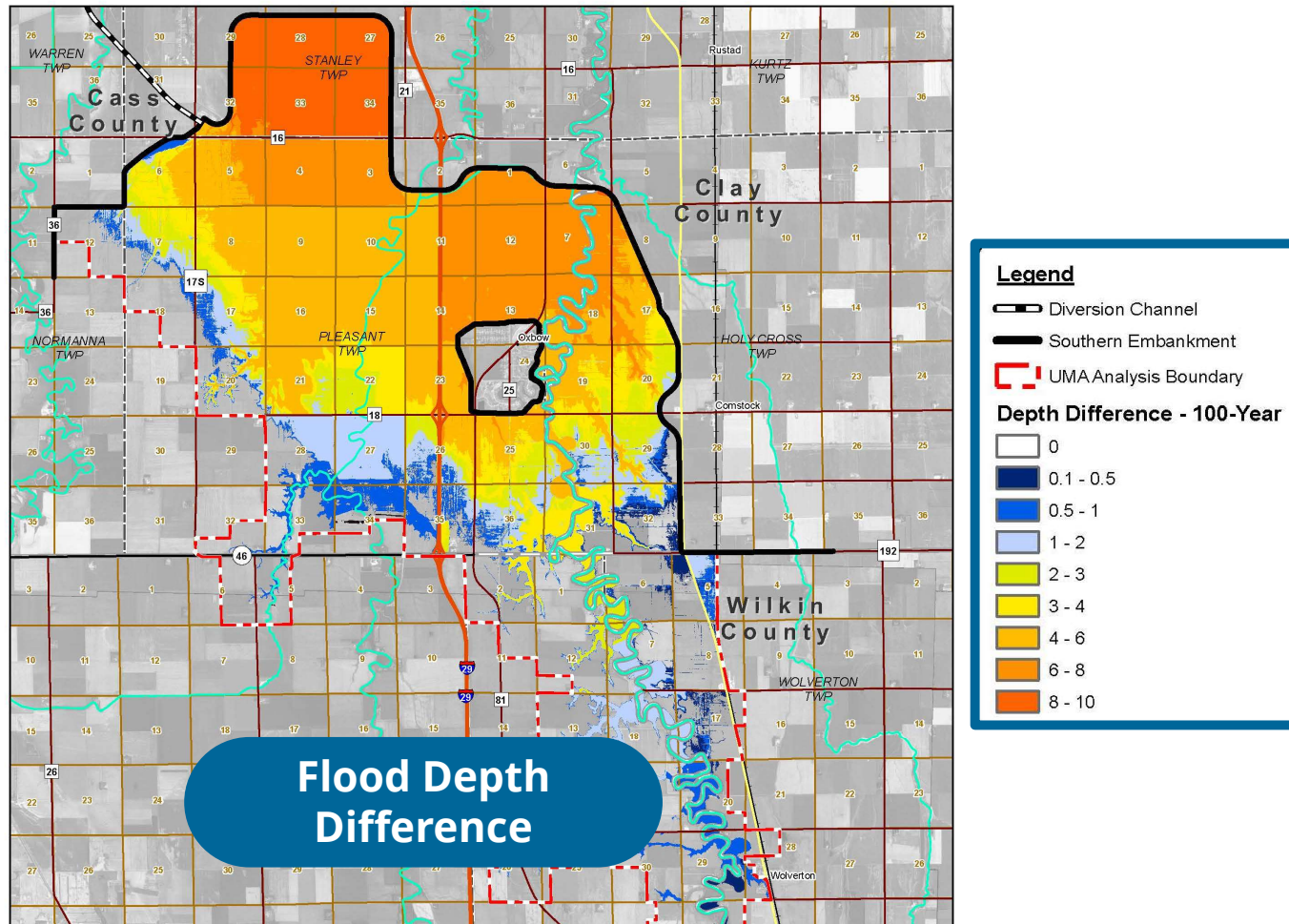
Upstream Mitigation Zones - 100 Year Flood Event

2009 is Comparable to a 50 Year Flood Event



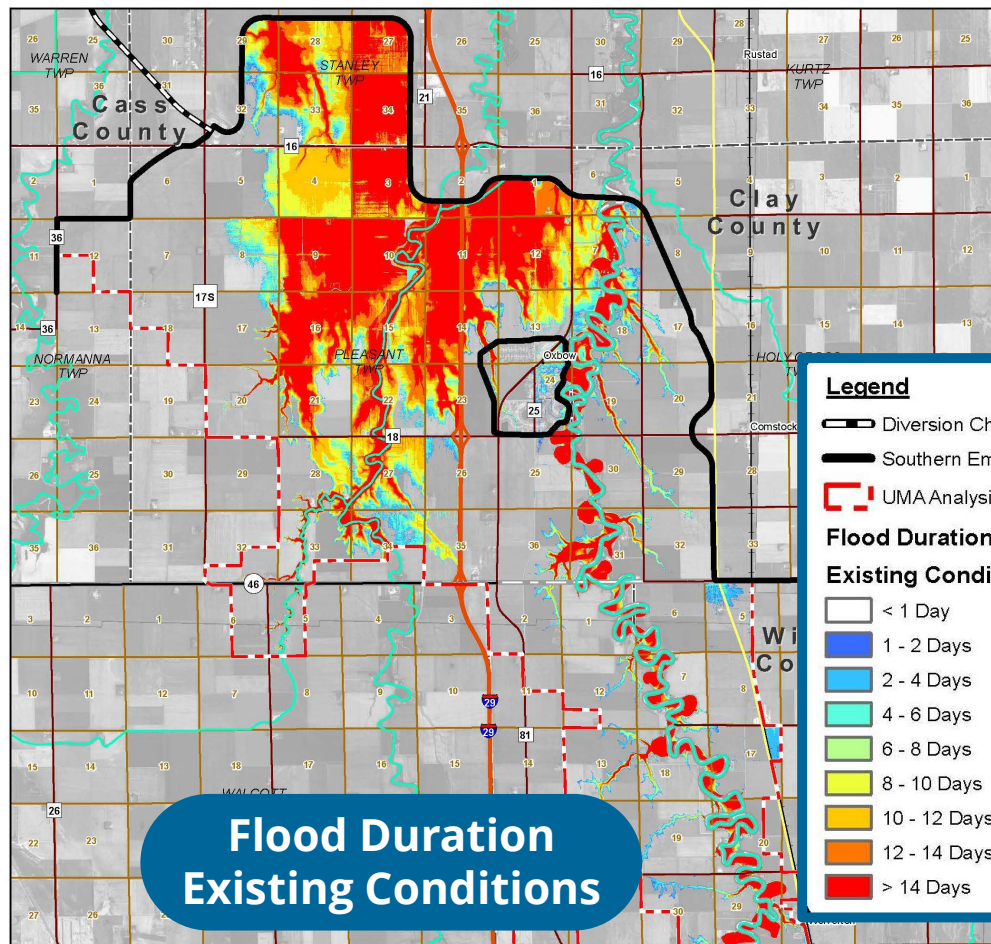
Upstream Mitigation Zones - 100 Year Flood Event

2009 is Comparable to a 50 Year Flood Event



Upstream Mitigation Zones - 100 Year Flood Event

2009 is Comparable to a 50 Year Flood Event



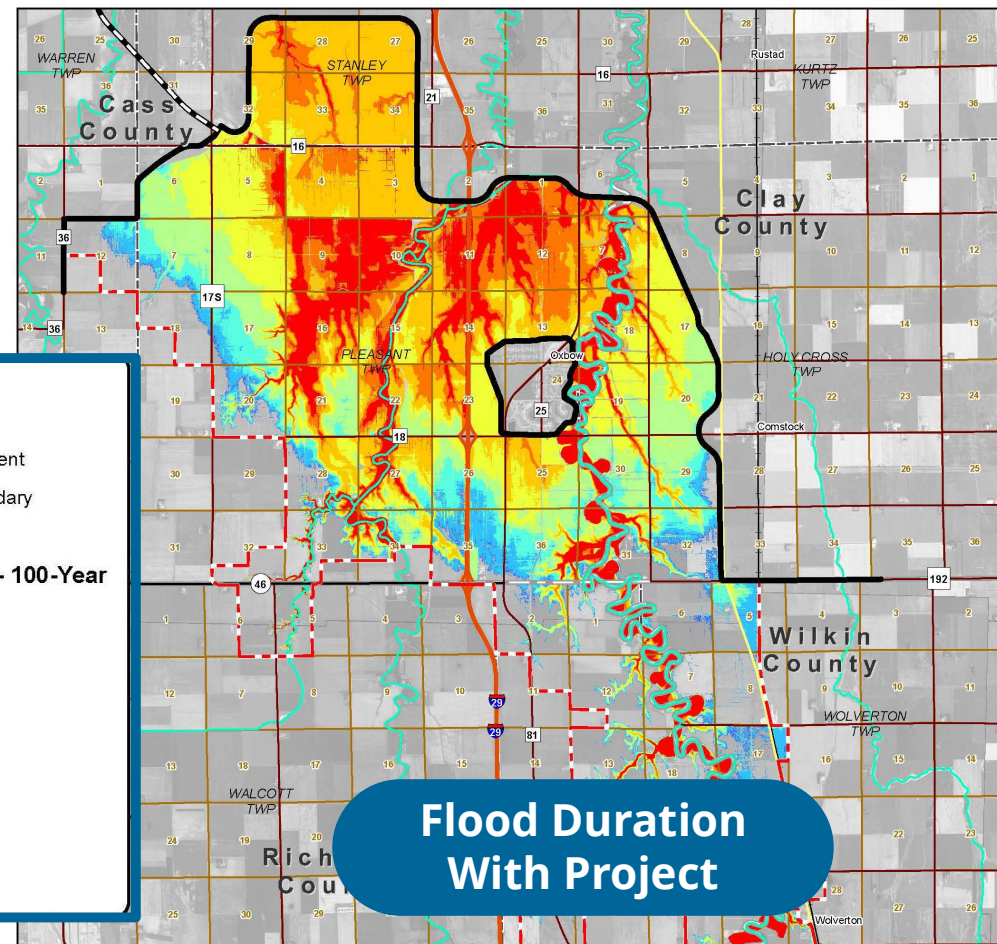
Legend

- Diversion Channel
- Southern Embankment
- UMA Analysis Boundary

Flood Duration

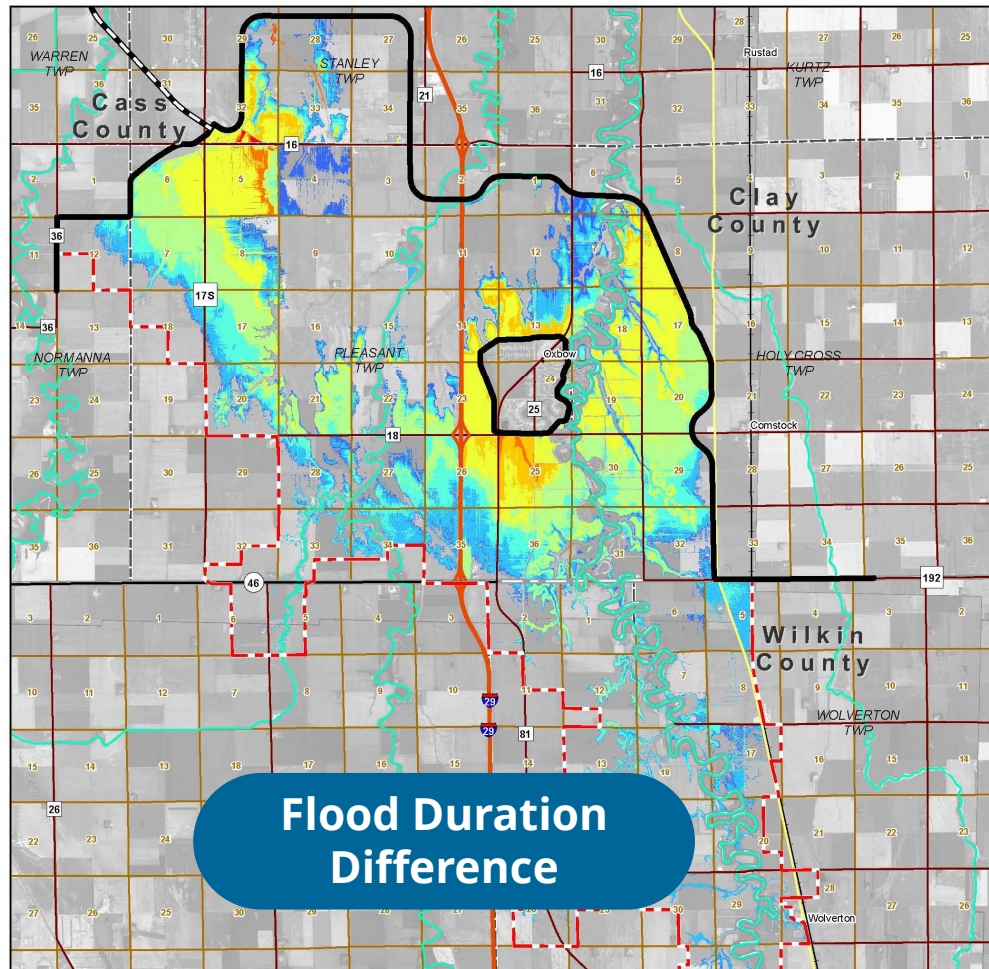
Existing Conditions - 100-Year

- < 1 Day
- 1 - 2 Days
- 2 - 4 Days
- 4 - 6 Days
- 6 - 8 Days
- 8 - 10 Days
- 10 - 12 Days
- 12 - 14 Days
- > 14 Days



Upstream Mitigation Zones - 100 Year Flood Event

2009 is Comparable to a 50 Year Flood Event



Legend

Diversion Channel

Southern Embankment

UMA Analysis Boundary

Flood Duration

Existing Conditions - 100-Year

< 1 Day

1 - 2 Days

2 - 4 Days

4 - 6 Days

6 - 8 Days

8 - 10 Days

10 - 12 Days

12 - 14 Days

> 14 Days

Appraisal Process Summary

Flowage Easement Appraisal Process



Property Rights Today

- ☒ Farm the property
- ☒ Lease the property
- ☒ Install drainage
- ☒ Construct buildings
- ☒ Incur only natural flood risk



Property Rights After the Project

- ☒ Farm the property
- ☒ Lease the property
- ☒ Install drainage
- ☐ Construct buildings
- ☐ Incur only natural flood risk



**LOSS OF DEVELOPMENT
RIGHTS**

+

**FLOOD
RISK**

=

**FLOWAGE
EASEMENT**

Flowage Easement Appraisal Process



Applying Findings to Farmland

8% to 10% ◀ Loss of Development Rights (depending on Zone)

+ 7% to 30%* ◀ Increased Flood Risk (typical range)

= 15% to 40% ◀ Total Reduction in Value (percentage of Ag Land)

*Depends on depth, duration and frequency

Flowage Easement Appraisal Process



Example Appraisal Report

December 22, 2021

Cass County Joint Water Resource
1201 Main Avenue West
West Fargo, ND 58078

RE:

Task Order Dated: January 1, 2021

Dear CCFWRD Board:

According to your request on 1/1/2021
This appraisal is classified as routine
production.

Page 2
CCFWRD
12/16/2021

The client and intended user of this
The intended use of this appraisal
flowage easement acquisition. It
in 2018 and 2020 are included by a
Area Division website at www.flood
this valuation. Reliance on this report
taken not to other reliance on this report.

The definition of market value public
this report and subject property must
additional material that supports the value.

Crown Appraisals has provided an
hypothetical conditions or extraneous
controversies or issues regarding the

Following is a list of identifying information regarding the property:

Property owner:	
Property GSN:	
Property PIN:	
Components appraised:	
Legal description:	V. 10000 L. 1000 E. 1/2 W. 1/2 SE 1/4 & GOVT LOT 3 Sec. 18 136N 48W
Property interest appraised:	Fee Simple
Effective date of appraisal:	12/1/2021
Date of interview:	9/7/2021
Real estate tax—payable 2021:	\$1,242.78
Zoning:	Agricultural
Highest and Best Use:	Agricultural
Parcel size:	86.65 ac
Acreage breakdown:	
Tillable:	61.16 ac
Wood/Wet/Grass:	25.00 ac
Building Site:	0.00 ac
Road/waste:	0.49 ac
Deeded Acres:	86.65 ac
UMA Zone :	
Zone 1 Acres	23.00 ac
Zone 2 Acres	7.14 ac
Zone 3 Acres	2.95 ac
Zone 4A Acres	0.00 ac
Zone 4B Acres	0.00 ac
Zone 4C Acres	0.00 ac
Total Easement Acres	33.09 ac
Access to property:	Gravel
Crop Productivity Index:	66
Drainage:	Average
Ditch Tile:	No
Salinity:	No
Reeds:	No
Field Shape:	Minor Irregular

Market sales data from surrounding townships was collected and analyzed for a period of three years prior to the effective date of this report. Several land sales were compared to the subject property for a land value estimate. Please note that the deeded acreage may differ from the acreage measured by county GIS. The owner needs to be compensated for all physical acres. Therefore, the GIS measured acreage is utilized if necessary.

Parcel Acre Breakdown

Acreage breakdown:

Tillable:	61.16 ac
Wood/Wet/Grass:	25.00 ac
Building Site:	0.00 ac
Road/waste:	0.49 ac
Deeded Acres:	86.65 ac

Zone Acre Breakdown

UMA Zone :

Zone 1 Acres	23.00 ac
Zone 2 Acres	7.14 ac
Zone 3 Acres	2.95 ac
Zone 4A Acres	0.00 ac
Zone 4B Acres	0.00 ac
Zone 4C Acres	0.00 ac
Total Easement Acres	33.09 ac

Flowage Easement Appraisal Process



Sales Comparison Approach \$469,000
Income Approach (Tillable only) \$405,000
Reconciled Current Value \$469,000

Value Per Tillable Acre \$6,647/ac
Value Per Wood/Wet/Grass Acre \$2,500/ac

	Zone 1	Zone 2	Zone 3
Development Right %	10.0%	9.0%	8.0%
Increased Flood Risk %	7.0%	7.0%	7.0%
Total Diminution %	17.0%	16.0%	15.0%

	0.00 ac	7.14 ac	2.95 ac
Tillable Acres Per Zone	0.00 ac	7.14 ac	2.95 ac
W/W/G Acres Per Zone	23.00 ac	0.00 ac	0.00 ac

Opinion of Easement Value \$20,308

Current Market Value

Diminution Percentage (percent of farmland value)

Flowage Easement Offer Amount

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An effective method of calculating the value of an easement is a "Before and After" technique, which measures value before placement of the easement and after placement of the easement. The difference between the two is the dollar value to measure just compensation for the owner for sale of the easement. In our Phase 1 study, we researched sales in a region with flowage easements and a moderate flood event, as well as two regions with no flowage easements and only normal flooding. Parcel sales analysis along with before/after analysis provided very strong market evidence of the economic impact on land values caused by flooding. Because of the lack of local sales of land with flowage easements along with moderate flooding, a traditional "before and after" analysis was not feasible. Rather, we chose to apply the economic damage data revealed in our research to the current market value of land in this area. Conclusions in this brief flowage easement report are supported by a large volume of market-derived data.

Please note that this appraisal does not differentiate value between more commonly encountered by typical easements and more recently encountered. Common easements existing on the property may include right-of-way, utilities, access, etc. Although they exist, we have not researched such easements' exact parameters and restrictions. There may be some overlap in property right restrictions between the existing easements and the diversion flowage easement, but impact on land regions of just compensation concluded in this report would be minimal. The same easement applies for current building code restrictions.

The flowage easement to be purchased will restrict building construction (development) and allow water to be temporarily stored on the subject property when the diversion project is opened. The property owner must be compensated for these rights. Please refer to our Phase 1A & 1B market studies for detailed explanations of the impact on value attributable to these rights. It is also important to mention that a portion of the Phase 1A and 1B studies was submitted to a highly respected academic journal. The article and methodology submitted a rigorous peer review process prior to acceptance. The article titled "Flowing and the Value of Agricultural Land" was published in the February 2021 issue of Land Economics.

Value estimates and income approaches to value have been utilized in preparation of this report. All compensation are included in the appraiser's fee. Value indications for the parcel were as follows:

Sales Comparison Approach	\$469,000		
Income Approach (Tillable only)	\$405,000		
Reconciled Current Value	\$469,000		
Value Per Tillable Acre	\$6,647/ac		
Value Per Wood/Wet/Grass Acre	\$2,500/ac		
	Zone 1	Zone 2	Zone 3
Development Right %	10.0%	9.0%	8.0%
Increased Flood Risk %	7.0%	7.0%	7.0%
Total Diminution %	17.0%	16.0%	15.0%
Tillable Acres Per Zone	0.00 ac	7.14 ac	2.95 ac
W/W/G Acres Per Zone	23.00 ac	0.00 ac	0.00 ac
Opinion of Easement Value	\$20,308		

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12/16/2021

Subject to the contingent and limiting conditions attached to this appraisal, our final opinion of just compensation for the flowage easement acquisition on the subject real estate, as of December 1, 2021 is:

\$20,308

Thank you for this opportunity to be of service.

Sincerely,

Jeffrey L. Berg
Jeffrey L. Berg, ARA, ASA
Appraiser License # 321-402404

Sincerely,

Brian Field
Brian Field, ARA, MAI
Appraiser License # 20586763

Subject to the contingent and limiting conditions attached to this appraisal, our final opinion of just compensation for the flowage easement acquisition on the subject real estate, as of December 1, 2021 is:

\$20,308

Thank you for this opportunity to be of service.

Sincerely,

Jeffrey L. Berg
Jeffrey L. Berg, ARA, ASA
Appraiser License #: MN 4002404;
ND #: CG-1050

Sincerely,

Brian Field
Brian Field, ARA, MAI
Appraiser License MN #: 20586763
ND #: CG-21016

Flowage Easement Offer Amount

Flowage Easement Appraisal Process



Example FE Value Calculation:

Diagram illustrating the flowage easement value calculation process:

Current Market Value is used to calculate the value for each zone, based on the **Diminution Percentage**.

$$= \left\{ \frac{\$2,500}{ac} \times 23.00 ac \times 17\% \right\} + \left\{ \frac{\$6,647}{ac} \times 7.14 ac \times 16\% \right\} + \left\{ \frac{\$6,647}{ac} \times 2.95 ac \times 15\% \right\} = \$20,309$$

$$= \$9,775 + \$7,593 + \$2,941 = \$20,309$$

Zone 1

Zone 2

Zone 3

Total

Mitigation Programs for Landowners and Ag Producers



THE MFDA IS COMMITTED TO EASING POTENTIAL BURDENS ON LANDOWNERS AND AGRICULTURAL PRODUCERS IN THE UMA

- All existing farmland in the Upstream Mitigation Area (UMA) remain arable and eligible for federal crop insurance
- Additional mitigation programs to further protect agricultural producers
 - Supplemental Crop Insurance Programs
 - Debris Removal after Project Operation



MFDA RETAINED WATTS & ASSOCIATES (W&A)

- Develop supplemental insurance policies to compensate producers for losses
- New supplemental crop insurance policy to compensate producers for:
 - Prevented Planting
 - Summer Crop Losses as a result of operation of the Project
- W&A has begun working with a producer focus group to walk through the design process, address concerns, and customize the design



POLICY MATERIALS ARE IN DEVELOPMENT

- Project is not expected to be fully operational until the 2027 crop year
- Policy materials are in development now and will be made available to producers in draft form by the end of the 2022 crop season
- It is important for farmers to understand that crop risk is dynamic



PREVENT-PLANT CROP INSURANCE PROGRAM

- Will apply if, due to operation of the Project, producers are unable to plant crops by the established late-planting dates set by federal crop insurance
- Reimburse at the same coverage level that producers purchased through federal crop insurance
- Will be provided at no cost to producers
- Ensure producers' Actual Production History (APH) yield is not adversely affected by a reduced yield caused by Project operation



GROWING SEASON SUPPLEMENTAL CROP LOSS PROGRAM

- During the growing season when the Project operates this will cover 100 percent of resulting crop loss for any crop type



ELIGIBILITY FOR CROP PROGRAMS

- Producers in the Upstream Mitigation Area (UMA) must be growing agricultural crops and participating in federal crop insurance prior to any losses
- To participate in these programs, growers will work through their crop insurance agent to signup via a no-cost rider made available by the MFDA



DEVELOPMENT PROCESS

- How will farmers enroll each year?
- How are farmers determined?
- How much are premiums and who pays them?
- How will claims function?
- When to farmers get indemnified and who is the payee?
- How are disputes addressed and what recourse exists?

Programs for UMA Landowners and Ag Producers



COVERAGE SCOPE EXAMPLES

Who Pays (MPCI, Supplemental Coverage, Someone Else)?

• Torrential sleet and a biblical-scale downpour destroys crops after they have emerged.	Regular Crop Insurance
• Crop land is submerged throughout the planting season, the diversion gates are closed through the final planting dates.	Supplemental Crop Insurance
• Crop land is submerged throughout the planting season, the diversion gates are never closed.	Regular Crop Insurance
• There is an early spring flood and gates are closed. Water recedes and the crop is planted about two weeks later than it would be in a typical year. The crop is about 10% less than average.	Supplemental Crop Insurance

POST-OPERATION DEBRIS REMOVAL AND PROPERTY DAMAGE RESTORATION AND CLEANUP PLAN

- **For private lands** - defines cleanup boundaries based on flood event, notify property owners, MFDA will retain contractors to implement the program
- **On public lands** - mirrors FEMA's disaster assistance, allow government entities to contract for repair and cleanup

ADDITIONAL MITIGATION PROGRAM INFORMATION

Please contact your land agent and visit www.FMDiversion.gov/Lands for additional details



ALTERNATIVE DISPUTE RESOLUTION BOARD

- The Alternative Dispute Resolution Board was created as an independent board
- Hears claims against the MFDA if real property was damaged by operation of the Project
- Modeled after a process created by the North Dakota Department of Water Resources for the Devils Lake outlet Project

Next Steps

Flowage Easement Appraisal Process



Next Steps

**Informational
Open House
Public Meetings**



Negotiations



Closing



Project Website
Additional Information

Additional information is found
on the website

www.fmdiversion.gov/lands

Project Website



Lands Information

FLOWAGE EASEMENT ACQUISITION PROCESS AND SCHEDULE



- Why does the MFDA need a flowage easement on my property?
- Frequently Asked Questions

GO →

PROPERTY RIGHTS ACQUISITION AND MITIGATION PLANS/PROGRAMS



- What are my rights?
- What mitigation programs are available?

GO →

PROPERTY ACQUISITION PROCESS AND SCHEDULE



- What happens when my land is needed?
- Overview of current property acquisition schedule

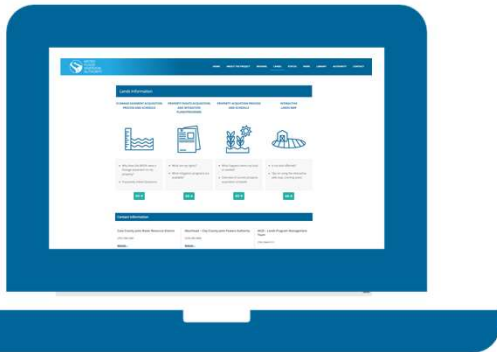
GO →

INTERACTIVE LANDS MAP



- Is my land affected?
- Tips on using the interactive web map. (coming soon)

GO →



Project Website



Within the Flowage Easement page, you'll find information regarding:

- Acquisition Process and Schedule
- Upstream Mitigation Area Maps
- Land Agents
- Frequently Asked Questions
- Background Information and Development

Additional downloadable information:

Sample Flowage Easement Template

This sample document outlines the components and requirements of flowage easements. Flowage easements will be customized to each specific property and will be recorded.

[Flowage Easement Template ND](#)

[Flowage Easement Template MN](#)


Sample Agreement To Acquire A Flowage Easement

This sample document contains the terms of the flowage easement purchase, including the payment terms. The Agreement will be customized for each transaction.

[Agreement to Acquire a Flowage Easement - ND](#)


[Agreement to Acquire a Flowage Easement - MN](#)

Flowage Easement Appraisal Process




[Download Presentation Slides](#)

Flowage Easement Valuation Presentation



[Download Presentation Slides](#)

Depth, Duration, Frequency Impact Table by OIN



[Download Impact Table](#)

A thumbnail image of a large data table with multiple columns and rows, representing the 'Depth, Duration, Frequency Impact Table by OIN'.

Contact Information

Land Agent Contact Info



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- Wade Whitworth Wade.Whitworth@hdrinc.com
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- Kelsey Lee Kelsey.Lee@hdrinc.com
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The logo for Ulteig, featuring the word 'Ulteig' in white, bold, sans-serif font on a red square background.

Ulteig

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- Andrew Nicklay andrew.nicklay@ulteig.com
701-280-8621



- Ken Helvey khelvey@srfconsulting.com
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- Lisa Kilde lkilde@srfconsulting.com
701-237-0010
- Reed Scherbel RScherbel@srfconsulting.com
763-249-6759

The logo for ProSource Technologies, featuring the word 'ProSource' in a large, bold, white, sans-serif font and 'TECHNOLOGIES' in a smaller, bold, white, sans-serif font, both on a black rectangular background.

ProSource
TECHNOLOGIES

- Scott Stenger sstenger@prosourcetech.com
763-786-1445
- Dale Ahlsten dahlsten@prosourcetech.com
763-786-1445

Questions / Discussion