



Diversion Authority Land Management Committee

May 27, 2026 @ 3:00pm CST

This meeting will be in-person at Fargo City Hall Commission Chambers (225 4th St N, Fargo ND 58102).

1. Call to Order
 - a. Roll call of Members
2. Approve minutes from March 25, 2026
[Attachment 01.00] (Pg. 2)
3. Approve Order of Agenda
4. OIN 1890 Excess Land Recommendation
[Attachment 02.00] (Pg. 4)
5. OIN 831 Sale of Excess Land Recommendation
[Attachment 03.00] (Pg. 11)
6. Debris Removal and Restoration Sub-Committee Appointments from the Land Management Committee [Attachment 04.00] (Pg. 18)
7. Other Business
8. Next Meeting: To Be Determined
9. Adjournment

MEDIA AND PUBLIC PARTICIPATION INFORMATION

There are multiple ways to attend or watch this public meeting.

- View the Meeting on Fargo TV or at www.TVFargo.com
- View the Meeting on the City of Fargo's Facebook.

Metro Flood Diversion Authority Land Management Committee Meeting Minutes

3:00 PM March 25, 2026

City of Fargo Commission Chambers

A meeting of the Metro Flood Diversion Authority Land Management Committee was held on March 25, 2026. The following members were present: Duane Breitling, Cass County Commissioner; Brenda Derrig, Assistant Administrator, City of Fargo; Bob Zimmerman, Director of Engineering, City of Moorhead; Nathan Boerboom, Fargo Division Engineer; Michelle Turnberg, Fargo City Commissioner; Tim Flakoll, Cass County Commissioner; Kevin Campbell, Clay County Commissioner; Matt Stamness, Cass County Engineer; Jake Gust, Cass County Joint Water Resource District and Deb White, Moorhead City Council.

Member(s) absent: Jenny Mongeau, Clay County Commissioner.

1. CALL TO ORDER

Mr. Breitling called the meeting to order at 3:00 PM, roll call was taken and a quorum was present.

2. APPROVE THE MEETING MINUTES FROM THE DECEMBER 2025 MEETING

MOTION PASSED

Mr. Flakoll moved to approve the minutes from December 2025, and Mr. Stamness seconded the motion. On a voice vote, the motion carried.

3. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

Ms. Derrig moved to approve the order of the agenda as presented and Mr. Boerboom seconded the motion. On a voice vote, the motion carried.

4. RESOLUTION ESTABLISHING DEBRIS REMOVAL AND RESTORATION SUB-COMMITTEE

Mr. Shockley provided an overview and summary of the above-referenced sub-committee. The Diversion Authority will create and support a Debris Removal and Restoration Sub-Committee to adaptively manage debris clean up and non-structural property damage repair, remediation, and/or restoration. The RWJPA agrees to secure two (2) full-time Agricultural Producers from the Staging Area to be voting members of a Debris Removal and Property Damage Sub-Committee to assist in further clarifying and refining the Debris Removal and Restoration Program over time. The Diversion Authority shall provide an update regarding the status of the Post-Operation Debris Clean-up and Restoration Plan to the Parties every six (6) months commencing on the Effective Date of this Settlement Agreement until termination of the Comprehensive Project.

Sub-Committee Charter Summary

- Sub-Committee of which standing committee?
 - o For now, this will be a sub-committee of the Land Management Committee

- 7 total members
 - o 5 MFDA members
 - 1 recommended by CCJWRD
 - 1 recommended by MCCJPA
 - 3 recommended by LMC, 2 with technical background
 - o 2 members from RWJPA (active ag producers in staging area)
 - o All will be voting members
- Chair & Vice Chair identified by the sub-committee
- Sub-committee will make recommendations for consideration by LMC then approval by MFDA Board
- Term of sub-committee – Annual renewal requirement, no term limit.

MOTION PASSED

Mr. Flakoll moved to recommend approval of the resolution as presented, and Mr. Campbell seconded the motion. On a roll call vote, the motion carried.

5. RAIL CORRIDOR OINs 7234 B, C, & D UPDATE

Mr. Dodds provided an update on the rail corridor parcels south of the Horace Elevator. He has met with all the adjacent landowners, and all have expressed interest. They are still working through some questions, but he is confident that there will be 100% buy-in, and the parcels can be liquidated at that time.

6. OIN 7249 SALE OF EXCESS LAND RECOMMENDATION

Mr. Fisher introduced OIN 7249. The MFDA declared OIN 7249, which is a segment of the former railroad corridor near Horace, ND, as excess land in April 2024. The MFDA offered to subdivide this property into small segments that could be sold to all the adjacent landowners; however, agreement could not be reached with all the adjacent landowners.

In accordance with the excess land policy, project staff have continued to offer this property for sale to the adjacent landowners. Recently, one of the adjacent landowners expressed interest in purchasing the entirety of OIN 7249. Project staff feel that this is ideal because it results in the sale of excess land and guarantees no inaccessible remnants will remain under project ownership and management. It is recommended to approve the sale of OIN 7249 to an adjacent landowner.

If approved, the adjacent landowner would purchase OIN 7249 (approximately 3.9 acres) at the listed price of \$84,942.

MOTION PASSED

Mr. Flakoll moved to recommend the sale of OIN 7249 to the adjacent landowner in the amount of \$84,942, with the stipulation that it be sold as one parcel. Mr. Zimmerman seconded the motion and on a roll call vote, the motion carried.

7. OTHER BUSINESS

There was no other business.

8. NEXT MEETING

To be determined.

9. ADJOURNMENT

The meeting adjourned at 3:16 PM.

Memorandum



To: Metro Flood Diversion Authority Lands Committee
From: Jason Benson, Executive Director
Cc: John Shockley, MFDA Legal Counsel
Date: May 27, 2026
Re: OIN 1890 Excess Land Recommendation

RECOMMENDATION/ACTIONS NEEDED:

Approve OIN 1890 (29.08 acres) to begin the process to dispose of the Excess Land per the Policy on the Disposition and Management of Comprehensive Project Lands.

Background/Key Points:

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared "Excess Land" by the Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

ATTACHMENTS:

- Excess Lands Recommendation – OIN 1890



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: May 18, 2026

RE: Excess Lands Recommendation – OIN 1890, subject to Flowage Easement

1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Executive Director to declare OIN 1890 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 1890

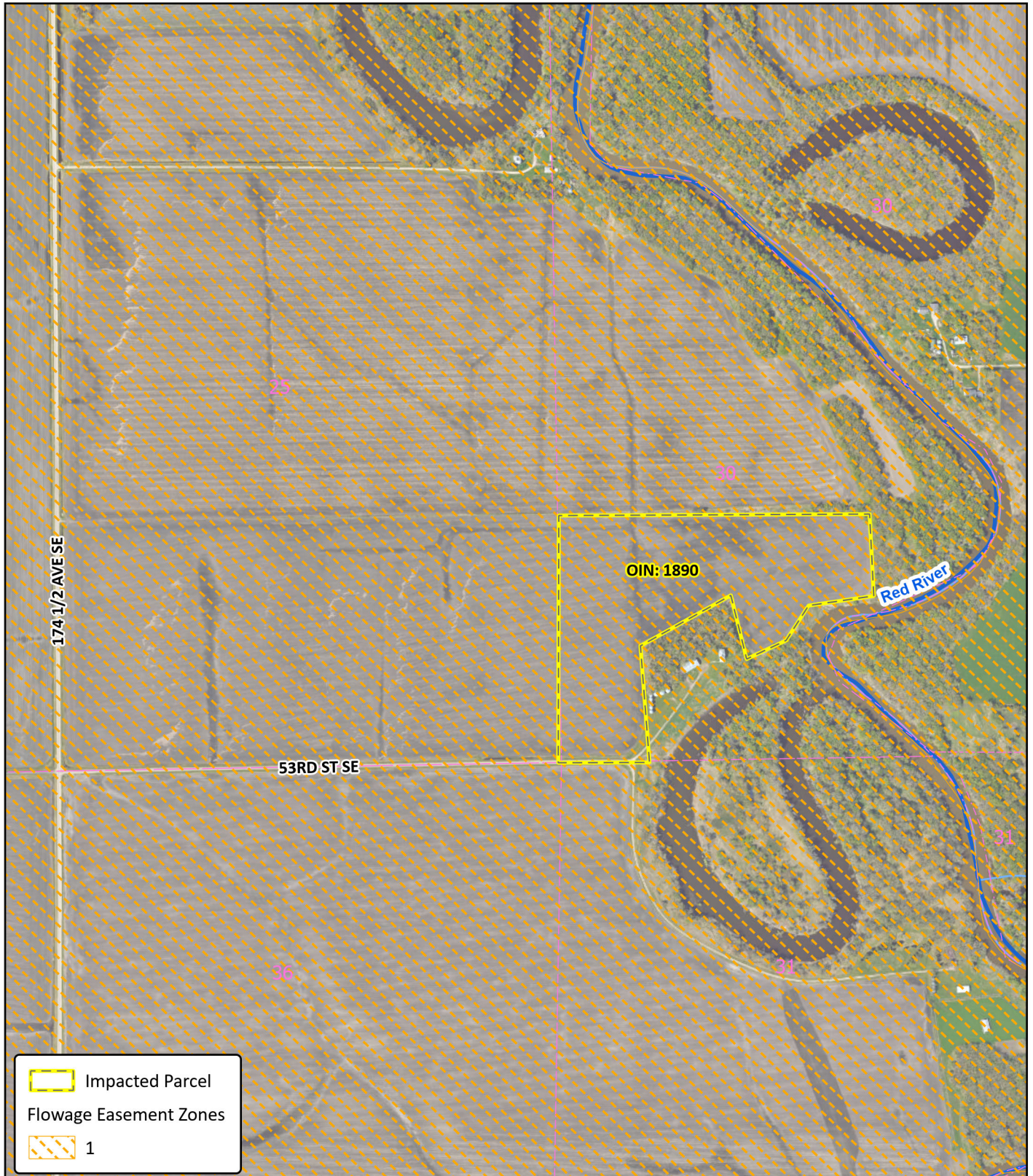
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	29.08 acres

Narrative Description of Parcel(s)	OIN 1890 is located in North Dakota along 53 rd Street SE in the Upstream Mitigation Area associated with the Comprehensive Project.
Purchase Date	May 17, 2021
Purchase Price	\$190,200
Proposed Sale Price	\$199,000 *Based on \$6,900/acre for flowage easement encumbered tillable acreage in Cass County.
Former Owner	Jacob Sip
Adjacent Owners	OIN 1891 – Rodney & Cherie Mathison OIN 7213 – Caden Coleman OIN 1898 – Ryan & Heather Hanson OINs 1897 & 2048 – Randy Backlund OIN 1995 – Terry & Kay Compson RT OINs 1895 & 1991 – Susan Evert
Property Management Approach	This property has been maintained through a farmland lease with Pifer’s Land Management since 2022.
Property Taxes	For 2025 this property had roughly \$457 in property taxes.
Relation to Construction	This parcel is in the UMA and not impacted by construction of the Comprehensive Project. The former owner desired a full-take buyout of the property. Any future sale will need to reserve a flowage easement.
Right of First Refusal	The prior landowner has secured a ROFO that is set to expire on May 17, 2026.

3. Conclusion and Recommendation

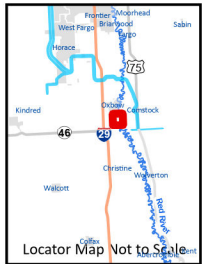
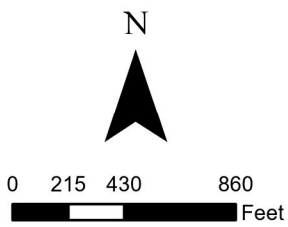
Based on the pertinent facts presented above, it is recommended to declare OIN 1890 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Impacted Parcel
 Flowage Easement Zones
 1

Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.
 Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser, AE2S, LLC | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps.aprx | Individual Layout Not Data Driven



OIN: 1890
Owner: Cass County Joint Water Resource District
Parcel ID: 57-0000-10217-060

Cass County, ND
FM AREA DIVERSION
Date: 4/30/2026



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

That part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Beginning at a found iron monument which designates the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 480.65 feet to a found iron monument at the southwest corner of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County; thence North 03 degrees 56 minutes 01 second West along the westerly line of said tract for a distance of 619.78 feet to a found iron monument on the northerly line of said tract; thence North 61 degrees 08 minutes 10 seconds East along said northerly line for a distance of 546.41 feet to a found iron monument; thence South 13 degrees 22 minutes 25 seconds East continuing along said northerly line for a distance of 347.95 feet to a found iron monument; thence North 65 degrees 00 minutes 41 seconds East continuing along said northerly line for a distance of 230.32 feet to an iron monument; thence North 33 degrees 12 minutes 36 seconds East for a distance of 219.36 feet to an iron monument; thence North 81 degrees 59 minutes 58 seconds East for a distance of 347.09 feet to an iron monument; thence North 02 degrees 25 minutes 29 seconds West for a distance of 434.29 feet to an iron monument on the north line of said Government Lot 4; thence North 89 degrees 46 minutes 32 seconds West along said north line for a distance of 1637.44 feet to a found iron monument at the northwest corner of said Government Lot 4; thence South 00 degrees 36 minutes 35 seconds West along the west line of said Government Lot 4 for a distance of 1310.51 feet to the point of beginning. Said tract contains 29.08 acres, more or less.

SUBJECT TO an easement for ingress-egress purposes over, under and across that part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota, being a strip 40.00 feet wide, lying to the left of, as measured at a right angle to and parallel with a line described as follows:

Commencing at the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 408.68 feet to the point of beginning; thence North 42 degrees 04 minutes 05 seconds East for a distance of 99.78 feet to the westerly line of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County and said line there terminates. The northwesterly sideline of said 40.00 foot wide easement shall be prolonged or shortened to terminate on the south line of said Section 30 and on the westerly line of said tract.

AND FURTHER SUBJECT TO an easement for ingress-egress purposes over, under and across that part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota, being a strip 10.00 feet wide, lying to the left of, as measured at a right angle to and parallel with a line described as follows:

Commencing at the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 408.68 feet; thence North 42 degrees 04 minutes 05 seconds East for a distance of 99.78 feet to the westerly line of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County, the point of beginning; thence North 03 degrees 56 minutes 01 second West along the westerly line of said tract of land described in Document No. 1436183 for a distance of 545.15 feet to the northerly line of said tract; thence North 61 degrees 08 minutes 10 seconds East for a distance of 546.41 feet; thence South 13 degrees 22 minutes 25 seconds East continuing along said northerly line for a distance of 347.95 feet; thence North 65 degrees 00 minutes 41 seconds East continuing along said northerly line for a distance of 230.32 feet and said line there terminates. The westerly and northerly sideline of said 10.00 foot wide strip shall be prolonged or shortened to terminate on a line bearing South 42 degrees 04 minutes 05 seconds West from the point of beginning and on a line bearing North 33 degrees 12 minutes 36 seconds East from the point of termination. AND FURTHER SUBJECT TO all easements, restrictions, reservations and rights of way of record, if any.

Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 1890 as noted in Exhibit A (the parcel) is deemed Excess Land and authorize the disposal of the parcel in accordance with the Policy on the Disposition and Management of Comprehensive Project Lands.



Jason Benson
Executive Director

May 20, 2026

Date

Memorandum



To: Metro Flood Diversion Authority Lands Committee
 From: Justin Fisher, Director of Lands and Compliance
 Cc: Jason Benson, Executive Director & John Shockley, MFDA Legal Counsel
 Date: May 27, 2025
 Re: OIN 831 Excess Land Offer

RECOMMENDATION/ACTIONS NEEDED:

Approve the excess land offer as noted below for OIN 831.

Background/Key Points:

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

The following parcel has an interested buyer who the Project has been negotiating with on the sale price. The offer has been reviewed by the Authority, and they recommend approval to move forward with the sale of this parcel at \$30,000.

OIN	Acres	Asking Price	Basis (PPA)	Offer Price	Offer PPA
831	8.4	\$42,000	\$5,000	\$30,000	\$3,500

ATTACHMENTS:

- Excess Lands Recommendation – OIN 831



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: October 10, 2025

RE: Excess Lands Recommendation – OIN 831, subject to Flowage Easement

1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Executive Director to declare OIN 831 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 831

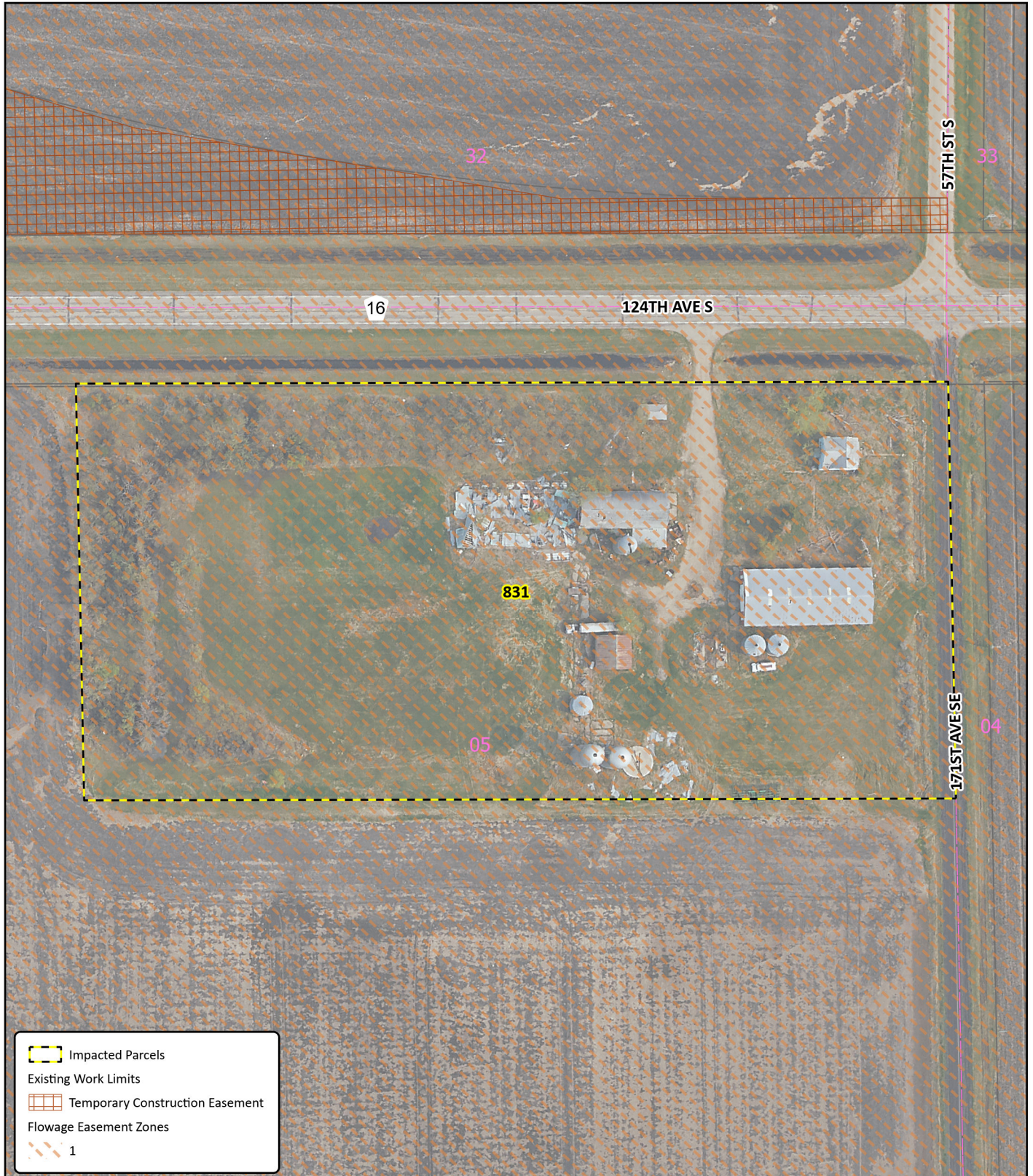
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	8.40 acres

Narrative Description of Parcel(s)	OIN 831 is located in North Dakota on the corner of County Road 16 and 171 st Ave SE in the Upstream Mitigation Area associated with the Comprehensive Project.
Purchase Date	December 19, 2024
Purchase Price	\$400,000
Proposed Sale Price	\$42,000 Based on \$5,000/acre for flowage easement encumbered recreational land.
Former Owner	John Loffelmacher
Adjacent Owners	OIN 830 – Karen Offutt Trust OIN 827, 1112, & 1099X – Terry & Kristie Sauvageau
Property Management Approach	This property has been maintained through a weed control and mowing contract with JT Lawn Services.
Property Taxes	In 2024 this property had \$1,957.36 in taxes.
Relation to Construction	This parcel is in the UMA and not impacted by construction of the Comprehensive Project. The former owner desired a full-take buyout of the property. The former buildings on the parcel have been removed from the site, and the site has been restored. Any future sale will need to reserve a flowage easement to ensure no future development.
Right of First Refusal	The prior landowner is not entitled to a ROFO.

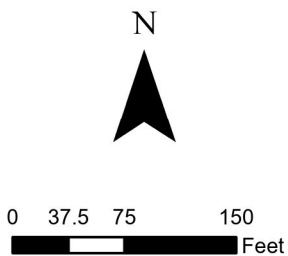
3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OIN 831 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.
 Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser, AE2S, LLC | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps.aprx | Individual Layout Not Data Driven



Locator Map Not to Scale

OIN: 831
Owner: CASS COUNTY JOINT
WATER RESOURCE DISTRICT
Parcel ID: 57-0000-10245-010

Cass County, ND
 FM AREA DIVERSION
 Date: 10/1/2025



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the Purchase Agreement dated December 19, 2024.

That part of the NE¼ of Section 5 in Township 137 North of Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, included within the following metes and bounds description: Beginning at the Northeast corner of Section 5 in Township 137 North of Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota; thence Westerly along the North line of said Section 5, a distance of 800.00 feet; thence Southerly along a line which is parallel with the East line of said Section 5, a distance of 455.00 feet; thence Easterly along a line which is parallel with the aforementioned North Section line a distance of 800.00 feet more or less, to a point of intersection with the aforementioned East Section line; thence Northerly along said East Section line a distance of 455.00 feet, more or less, to the Point of Beginning.

Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 831 as noted in Exhibit A (the parcel) is deemed Excess Land and authorize the disposal of the parcel in accordance with the Policy on the Disposition and Management of Comprehensive Project Lands.

A handwritten signature in black ink, reading "Jason P. Benson", is written over a solid black horizontal line.

Jason Benson
Executive Director

10/14/2025

Date

Memorandum



To: Metro Flood Diversion Authority Land Management Committee
From: Justin Fisher, Director of Lands and Compliance
Cc: Jason Benson, MFDA Executive Director,
John Shockley, MFDA Legal Counsel
Date: May 27, 2026
Re: Post-Operation Debris Removal and Restoration Sub-Committee

RECOMMENDATION/ACTIONS NEEDED:

Recommend to the Board of the Metro Flood Diversion Authority that the following three (3) members of the Land Management Committee be appointed to serve on the Debris Removal and Restoration Sub-Committee:

1. Jake Gust
2. Bob Zimmerman
3. Nathan Boerboom

Background/Key Points:

The Metro Flood Diversion Authority (Authority) adopted a resolution in March 2026 to establish the Debris Removal and Restoration Sub-Committee (Sub-Committee) under the Land Management Committee. The resolution outlined the membership of the Sub-Committee to include three (3) members of the Land Management Committee, along with one (1) member recommended by the Cass County Joint Water Resources District (CCJWRD), one (1) member recommended by the Moorhead-Clay County Joint Powers Authority (MCCJPA), and two (2) members recommended by the Richland Wilkin County Joint Powers Authority (RWJPA) for a total of seven (7) members. Furthermore, of the three (3) members from the Land Management Committee, two (2) members shall have a technical background.

The purpose of the Sub-Committee is outlined in the Settlement Agreement section 19.02 as follows:

Section 19.02 *POST-OPERATION DEBRIS REMOVAL AND RESTORATION SUB-COMMITTEE.*

The Diversion Authority will create and support a Debris Removal and Restoration Sub-Committee to adaptively manage debris clean up and non-structural property damage repair, remediation, and/or restoration. The RWJPA agrees to secure two (2) full-time Agricultural Producers from the Staging Area to be voting members of a Debris Removal and Property Damage Sub-Committee to assist in further clarifying and refining the Debris Removal and Restoration Program over time. The Diversion Authority shall provide an update regarding the status of the Post-Operation Debris Clean-up and Restoration Plan to the Parties every six (6) months commencing on the Effective Date of this Settlement Agreement until termination of the Comprehensive Project.

MFDA staff and consultants have been developing a framework for the required post-operation debris removal and property damage restoration and clean-up plan. The experience that Jake Gust, Bob Zimmerman, and Nathan Boerboom have gained in past flood flights and post-flood clean-up efforts has proven highly valuable toward the development of the plan framework. The technical background that these members provide will also be very valuable for the Sub-Committee.

The MCCJPA has recommended Commissioner Jenny Mongeau to serve on the Sub-Committee, and the CCJWRD has recommended Member Ken Loughheed to serve on the Sub-Committee. The MFDA is seeking recommended members from the RWJPA. The intent is to hold the initial and introductory Sub-Committee meeting in June 2026.