Land Management Committee Agenda

METRO FLOOD DIVERSION AUTHORITY

Diversion Authority Land Management Committee

November 18, 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 September 23, 2026
   [Attachment 01.00] (Pg. 2)
3. Approve Order of Agenda
4. OINs 1665, 1792, 1793, & 1802 Excess Land Sale Recommendation
   [Attachment 02.00] (Pg. 4)
5. OIN 1955 Excess Land Sale Recommendation
   [Attachment 03.00] (Pg. 12)
6. Post Operations Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands [Attachment 04.00] (Pg. 19)
7. Land Management Committee Member Updates
8. Other Business
9. Next Meeting: To Be Determined
10. 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

Metro Flood Diversion Authority Land Management Committee Meeting Minutes

3:00 PM September 23, 2026
City of Fargo Commission Chambers

A meeting of the Metro Flood Diversion Authority Land Management Committee was held on September 23, 2026. The following members were present: Duane Breitling, Cass County Commissioner; Bob Zimmerman, Director of Engineering, City of Moorhead; Nathan Boerboom, Fargo Division Engineer; Tim Flakoll, Cass County Commissioner; Kevin Campbell, Clay County Commissioner; Jenny Mongeau, Clay County Commissioner and Deb White, Moorhead City Council.

Member(s) absent: Michelle Turnberg, Fargo City Commissioner; Matt Stamness, Cass County Engineer and Jake Gust, Cass County Joint Water Resource District;

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 MINUTES FROM THE JULY 2026 MEETING

MOTION PASSED

Ms. White moved to approve the minutes from July 2026, and Mr. Flakoll seconded the motion. On a voice vote, the motion carried.

3. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

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

4. OIN 1834 SALE OF EXCESS LAND RECOMMENDATION

Mr. Fisher introduced OIN 1834. OIN 1834 is in Minnesota on the corner of 180th Ave South and 37th Street South in the Upstream Mitigation Area. There are approximately 3 acres of irregularly shaped tillable land as part of this parcel. The proposed sale price is $52,000, based on $5,500/acre for flowage easement encumbered recreational land, considering the tillable acres on this parcel are small and irregularly shaped. An offer of $41,000 has been received and it is recommended that the offer be accepted.

MOTION PASSED

Ms. White moved to recommend that the $41,000 offer be accepted, and Ms. Mongeau seconded the motion. On a roll call vote, the motion carried.

5. OIN 1890 SALE OF EXCESS LAND RECOMMENDATION

Mr. Fisher introduced OIN1890. OIN 1890 is in North Dakota along 53rd Street SE in the Upstream Mitigation Area associated with the Comprehensive Project. This parcel is approximately 29 acres. The proposed sale price is $199,000, based on $6,900/acre for flowage easement encumbered tillable acreage in Cass County. An offer for $152,250 has been received and it is recommended that the offer be accepted.

MOTION PASSED

Ms. Mongeau moved to recommend that the $152,250 offer be accepted, and Mr. Flakoll seconded the motion. On a roll call vote, the motion carried.

6. HORACE ELEVATOR SALE RECOMMENDATION

Two offers have been received on the Horace Elevator. The highest offer is $130,000, and it is recommended that the offer be accepted.

MOTION PASSED

Mr. Campbell moved to recommend that the $130,000 offer be accepted, and Mr. Zimmerman seconded the motion. On a roll call vote, the motion carried.

7. OTHER BUSINESS

There was no other business to discuss.

8. NEXT MEETING

To be determined.

9. ADJOURNMENT

The meeting adjourned at 3:09 PM.

Memorandum

METRO FLOOD DIVERSION AUTHORITY

To: Metro Flood Diversion Authority Lands Committee

From: Jason Benson, Executive Director

Cc: John Shockley, MFDA Legal Counsel

Date: November 18, 2026

Re: OINs 1665, 1792, 1793, and 1802 Excess Lands

RECOMMENDATION/ACTIONS NEEDED:

Approve the sale price of $60,000 for excess land parcels 1665, 1792, 1793, and 1802.

Background/Key Points:

In October 2025 an excess land recommendation for OINs 1665, 1792, 1793, and 1802 was presented at the MFDA Land Committee, the CCJWRD Board, and the MFDA Board meetings. The recommendation included a market value of $111,000 and was unanimously approved at each of the three meetings. Since those approvals, and in accordance with the Policy on Disposition of Excess Lands, the notice of this sale was sent to the Member Entities, the Prior Landowner, and the Adjacent Landowners. Throughout those efforts some interest was received but things ultimately fell through, and the parcel was made available for public sale. An interested party has come forward though the public sale step but is proposing the purchase of the property for $60,000, which is lower than the original approved value of $111,000. In 2025 the Project paid an annual $3,520 in property taxes and paid $6,464 to help maintain the property either through a lawn service contract or haying agreement. In efforts to dispose of this property we are requesting approval to proceed with this sale for $60,000.

This recommendation is similar to the sale adjustments that were made for the interested buyers of OINs 858 and 839, see table below.

Parcel/OIN	Original Sale Price	Revised Sale Price
858	$57,970	$20,000
839	$10,500	$7,000

ATTACHMENTS:

- Approved Memo – Excess Lands recommendation – OINs 1665, 1792, 1793, and 1802

METRO FLOOD DIVERSION AUTHORITY

Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: October 13, 2025

RE: Excess Lands Recommendation – OINs 1665, 1792, 1793, and 1802, subject to a 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 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 OINs 1665, 1792, 1793, and 1802 as Excess Land and begin the process to dispose of these properties following the Policy. Note that these parcels are in the Upstream Mitigation Area (UMA) and therefore the Authority (via the Moorhead Clay County Joint Powers Authority (MCCJPA)) shall reserve a flowage easement on these parcels as part of the sale.

2. Pertinent Facts Regarding OINs 1665, 1792, 1793, and 1802

Description of Parcel(s)	See Exhibit A for a map showing the parcels recommended as excess land.
Legal Description	See Exhibit B for legal descriptions for the parcels recommended as excess land.
Asset Parcel(s) Size	OIN 1665: 2.35 acres OIN 1792: 5.86 acres OIN 1793: 9.64 acres

	OIN 1802: 4.52 acres **TOTAL = 22.37**
Narrative Description of Parcel(s)	OINs 1665, 1792, 1793, and 1802 are located west of Southern Embankment Reach 4 (SE-4) in the UMA Mitigation Zone 1, in Section 29 of Holy Cross Twp. These parcels have access from 3rd Street South.
Purchase Date	OIN 1665: July 27, 2023 OIN 1792: December 14, 2023 OIN 1793: October 6, 2022 OIN 1802: March 21, 2017
Purchase Price	OIN 1665: $2,100,000 *for all of OINs 1635 & 1665 OIN 1792: $202,200 OIN 1793: $1,517,500 OIN 1802: $214,000
Proposed Sale Price	$111,000 *Based on a $5,000/acre rate for the sale of all four (4) parcels
Former Owner	OIN 1665: David Dobis and Morgan Buth OIN 1792: Jean Anderson Trustee OIN 1793: Thomas & Laurie Livdahl OIN 1802: Robert & Judith Anderson
Adjacent Owners	OIN 1665: Richard Willem (OIN 1794) / Larry & Judith Ness (OIN 1796) OIN 1792: Larry & Judith Ness (OIN 1796) / Richard Willem (1861X1) / Blessingsbe (1783X) / Larry & Aj Dahlstrom Trust (1791X) OIN 1793: Richard Willem (OIN 1794 & 1861X1) / Larry & Judith Ness (OIN 1796) OIN 1802: Richard Willem (OIN 1794) / Larry & Judith Ness (OIN 1796)
Property Management Approach	OIN 1665: This parcel has not had any property management needed to date but efforts will start if not disposed of in a timely fashion. OIN 1792: There has been no property management to date. OIN 1793: Haying Agreement with the Livdahls OIN 1802: Mowing and Weed Control with JT Lawn Service
Property Taxes	OIN 1665: $3,184 in 2024 OIN 1792: $496 in 2024 OIN 1793: $1,770 in 2024 OIN 1802: $77.76 in 2024
Relation to Construction	The Comprehensive Project does not have any construction impacts on these parcels. OINs 1665, 1792, 1793, and 1802 are fully encumbered by a Flowage Easement and the Prior Owners did not wish to retain the underlying land. A gazebo still remains on the site but is under contract to be removed in the near future.

	Notice of this sale will not be sent until the Project has confirmed the gazebo has been removed. The Project wishes to sell these parcels as one with a Flowage Easement retained.
Right of First Refusal	OIN 1665: No OIN 1792: No OIN 1793: No OIN 1802: No

3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OINs 1665, 1792, 1793, and 1802 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

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Locator Map Not to Scale

OINs: 1665, 1792, 1793, 1802
Owner: MCCJPA
Parcel IDs: 15.029.3002, 15.029.3004, 15.029.3003, 15.029.3001

Clay County, MN

FM AREA DIVERSION

Date: 10/1/2025

FM AREA DIVERSION

Exhibit B: Legal Description for Parcel Recommended as Excess Lands

OIN 1665 – From Title Opinion dated May 9, 2023

That part of the SW¼ of Section 29, in Township 137 North of Range 48 West of the 5th P.M., Clay County, Minnesota, described as follows: From the Southwest corner, existing iron monument, of said Section 29 bear North 00°00'00" East (assumed bearing) along the West line of said Section 29 for a distance of 1,465.56 feet to the point of beginning; thence North 00°00'00" East along said West Section line for a distance of 145.40 feet; thence North 90°00'00" East for a distance of 659.15 feet; thence South 27°13'50" East for a distance of 167.93 feet; thence North 89°41'42" West for a distance of 736.00 feet, more or less, to the point of beginning.

1792 – From Title Opinion dated January 23, 2024

That part of the SW¼ of Section 29, Township 137, Range 48, described as follows, to wit: From the Southwest corner, existing iron monument, of Section 29, Township 137, Range 48 West of the 5th P.M., Clay County, Minnesota, bear North 00°00'00" East (assumed bearing) along the West line of said Section 29 for a distance of 2,637.13 feet, more or less, to an existing iron monument, the Northwest corner of said SW¼; thence South 89°49'46" East along the North line of said SW¼ for a distance of 509.18 feet to an existing iron monument, the Point of Beginning of the tract of land herein described; thence South 89°49'46" East along the North line of said SW¼ for a distance of 2,119.84 feet to an iron monument, the Northeast corner of said SW¼; thence South 00°01'59" East along the East line of said SW¼ for a distance of 121.69 feet to an iron monument; thence North 89°49'46" West along a line that is parallel with the North line of said SW¼ for a distance of 2,077.19 feet; thence North 19°19'21" West for a distance of 129.09 feet, more or less, to the Point of Beginning.

1793 – From Title Opinion dated April 5, 2022

That part of the NW¼SW¼ of Section 29, Township 137, Range 48, Clay County, Minnesota, described as follows: From the Southwest corner existing iron monument, of Section 29, Township 137, Range 48, bear North 00°00'00" East (assumed bearing) along the West line of Section 29 for a distance of 1918.43 feet to an existing monument, the Point of Beginning of the tract of land herein described: thence North 90°00'00" East for a distance of 623.89 feet to an existing iron monument; thence North 04°53'21" West for a distance of 517.78 feet to an iron monument; thence North 19°19'21" West for a distance of 213.31 feet, more or les, to a point on the North line of said SW¼ in said Section 29; thence North 89°49'46" West along said North line for a distance of 509.18 feet, more or less, to an existing iron monument, the Northwest corner of said SW¼; thence South 00°00'00" West along the West line of said Section 29 for a distance of 718.70 feet, more or less to the Point of Beginning.

1802 – From Title Opinion dated April 28, 2017

That part of the Southwest Quarter of Section Twenty-nine, in Township One Hundred Thirty-seven North of Range Forty-eight West of the Fifth Principal Meridian, situate in the County of Clay and the State of Minnesota, described as follows: From the Southwest Corner, existing iron monument, of Section Twenty-nine, Township One Hundred Thirty-seven North of Range Forty-eight West of the Fifth Principal Meridian, Clay County, Minnesota, bear North 00°00'00" East (assumed bearing) along the West line of said Section Twenty-nine for a distance of 1610.96 feet to an iron monument, the point of beginning of the tract of land herein described; thence North 00°00'00" East along said West section line for a distance of 307.47 feet to an iron monument; thence North 90°00'00" East for a distance of 623.89 feet to an iron monument; thence South 06°32'34" East for a distance of 309.49 feet to an iron monument; thence North 90°00'00" West for a distance of 659.15 feet, more or less, to the point of beginning; subject to road and utilities easements along the West line and any other easements of record.

Exhibit C: Declaration of Excess Land Form

I hearby declare that OINs 1665, 1792, 1793, and 1802 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 P Benson

Jason Benson
Executive Director

10/14/2025

Date

Memorandum

METRO FLOOD DIVERSION AUTHORITY

To: Metro Flood Diversion Authority Lands Committee

From: Jason Benson, Executive Director

Cc: John Shockley, MFDA Legal Counsel

Date: November 18, 2026

Re: OIN 1955 Excess Land Recommendation

RECOMMENDATION/ACTIONS NEEDED:

Approve OIN 1955 (1.52 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 1955

METRO FLOOD DIVERSION AUTHORITY

Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: October 28, 2026

RE: Excess Lands Recommendation – OIN 1955, 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 1955 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 1955

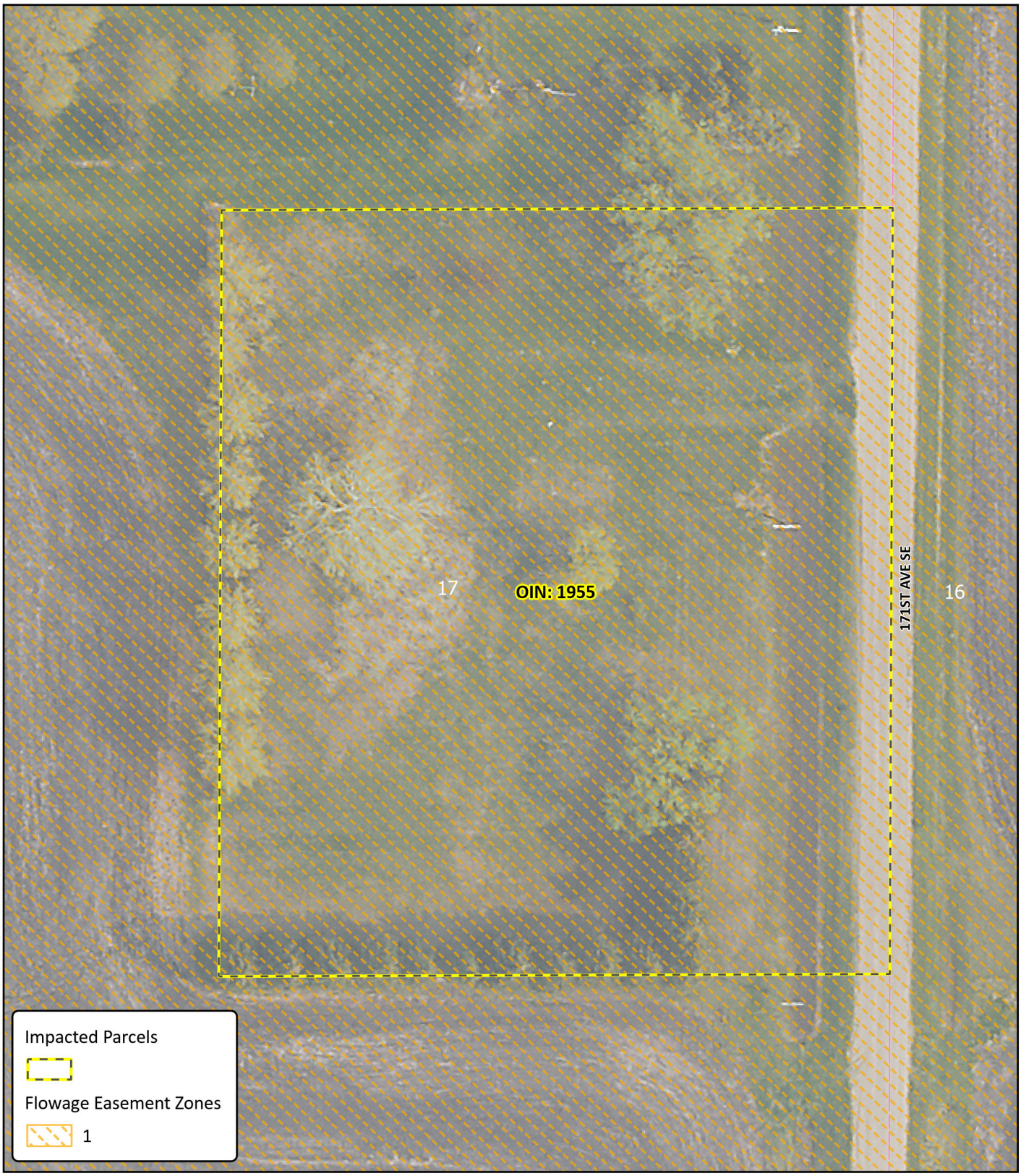
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	1.52 acres

Narrative Description of Parcel(s)	OIN 1955 is located in North Dakota along 171st Avenue SE in the Upstream Mitigation Area associated with the Comprehensive Project.
Purchase Date	December 18, 2017
Purchase Price	$250,000 Includes the residential structures that have since been removed.
Proposed Sale Price	$8,000 Based on roughly $5,000/acre for flowage easement encumbered recreational land in Cass County.
Former Owner	Arlene Haux Trust Etal
Adjacent Owners	OIN 1953 – Leo & Shirley Richard OIN 1947 – Marjorie Cossette OIN 1949 & 1956 – Mark Hamilton
Property Management Approach	This parcel has been maintained through a weed control and mowing contract with JT Lawn Services.
Property Taxes	No property taxes have been assessed on this property in the past five years.
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 on the parcel 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 1955 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



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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

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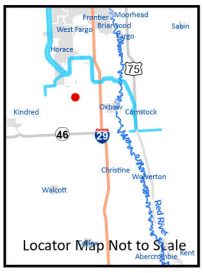

OIN: 1955

Owner: Cass County Joint Water Resource District

Parcel ID: 57-0000-10314-010

Cass County, ND

FM AREA DIVERSION
Date: 10/27/2026

FM AREA DIVERSION

Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the Title Opinion dated November 2, 2017.

A tract of land situated in the Northeast Quarter of Section Seventeen, in Township One Hundred Thirty-seven North of Range Forty-nine West situate in the County of Cass and the State of North Dakota, which tract is more specifically described as follows: Commencing at a point which is 1050 feet South of the Northeast corner of the Northeast Quarter of Section Seventeen, which point is the point of beginning; thence South along the east section line of said Section Seventeen, a distance of 275 feet; thence due West parallel to the North section line of Section Seventeen, a distance of 240 feet; thence North and parallel to the East section line of Section Seventeen, a distance of 275 feet; thence East and parallel to the North section line of Section Seventeen a distance of 240 feet to the point of beginning.

Exhibit C: Declaration of Excess Land Form

I hearby declare that OIN 1955 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 P Benson

Jason Benson
Executive Director

October 28, 2026
Date

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

November 4, 2026

1. BACKGROUND & INTRODUCTION

The Metro Flood Diversion Authority (MFDA) is implementing this Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands (the "Program") to address clean-up and restoration needs on private properties within the Upstream Mitigation Area (UMA) following operation of the Fargo-Moorhead Metropolitan Area Flood Risk Management Project (the Comprehensive Project). This document outlines the Program plan to fulfill the requirements of Article XIX of the Settlement Agreement dated February 1, 2021, (see Appendix A) and the Post-Operation Debris Clean-Up Plan described in the Property Rights Acquisition and Mitigation Plan (PRAM) dated June 1, 2020.

This Program supports private Landowners through either MFDA-contracted clean-up services or reimbursement for qualified, Landowner/Tenant-completed clean-up work. It ensures debris and nonstructural damage from Comprehensive Project-induced flooding are addressed efficiently and fairly.

2. ROLES & RESPONSIBILITIES

MFDA: Oversees the Program, provides notifications, verifies eligibility, retains and manages contractors, and processes reimbursement applications. MFDA will also distribute an annual newsletter with Program updates, notification procedures, deadlines, summaries of prior activity, and guidance on the reimbursement processes.

Landowners: Notify MFDA of debris or damages resulting from Comprehensive Project Operation, provide access if applicable, perform or arrange clean-up, submit documentation for reimbursement, and authorize Tenant eligibility, if applicable.

Tenants: Tenants will only be eligible for Program benefits or direct reimbursement if the Landowner identifies them as the Point of Contact.

Contractors: Hired by the MFDA to assist in providing debris removal and repair of nonstructural damage in the UMA resulting from Comprehensive Project operation.

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METRO FLOOD DIVERSION AUTHORITY

3. ELIGIBILITY

Eligible:

- Private property within the UMA that is also within the Area of Eligibility, as defined by the MFDA, after each Comprehensive Project Operation event.
    - Tillable agricultural land used to grow and produce corn, beans, sugar beets, hay, or other crops
    - Other agricultural lands used to produce perennial crops such as tree farms or fruits
    - This program does not include removal of saturated soil or excess water in waterways and/or field drains.
- Removal of flood-related debris that was deposited on eligible private property due to Comprehensive Project Operation and which negatively impacts farming operations.
- Repair and restoration of flood-related nonstructural property damage resulting from Comprehensive Project Operation, such as washed-out field approaches, culverts, or crossings.
- Removal of flood-related woody or other debris that impacts the ability to maintain Conservation Reserve Program (CRP) fields.

Ineligible:

- Non-tillable lands are not eligible for this program.
- Removal of non-flood-related debris, such as:
    - Historic debris that existed before Comprehensive Project Operation
    - Non-flood-related debris
    - Non-floatable debris
- Other ineligible items:
    - Structural damage (e.g., damage to buildings)
    - Damage to personal property (e.g., items not affixed to the real estate, grain bins, mechanical equipment, fencing, vehicles, machinery, etc.)
    - Damage from non-project-related flooding
    - Properties outside the Area of Eligibility
    - Work or measures taken to remove water from farmland or other property, such as pumping water off fields, are not eligible under this program
    - Work completed by the Authority's representatives

If a Landowner or Tenant wishes to request eligibility for items or situations not explicitly designated as eligible under this program, the Landowner or Tenant shall contact the MFDA's Executive Director to request a site inspection and special review. The MFDA Executive Director and other staff will respond as quickly as possible to these requests but may not be able to make a determination within a set timeframe. The MFDA may direct Landowners or Tenants to the Alternative Dispute Resolution Board (ADR Board) (Resolution-Establishing-the-Alternative-Dispute-Resolution-Board-1.pdf) to address special requests.

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METRO FLOOD DIVERSION AUTHORITY

4. SUMMARY OF PROGRAM PROCESS

A summary of the Program process is outlined below. Additional details for each step are included in the following sections of this plan.

1. MFDA monitors flood forecasts in January of each year and determines if Comprehensive Project Operation is likely. If so, the MFDA begins the process of implementing this Program.
2. Pre-Operational Program activities
    a. MFDA will utilize county tax databases to update property ownership records and make introductory contact with landowners and request Points of Contact.
        i. Landowner indicates who will serve as the Point of Contact
        ii. The identified Point of Contact shall be the eligible party for benefits under the Program.
    b. MFDA will review and update the forms that will be used for this Program. MFDA will consider current technology solutions that may aid in administering this Program.
    c. MFDA enters into contracts with debris removal Contractors for private lands.
    d. MFDA retains contractors to focus on removing debris from blocked Township and field approach culverts to allow fields to drain faster.
    e. MFDA hosts first townhall informational meeting to share information and instructions about the Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands.
3. Program activities after Comprehensive Project Operation occurs.
    a. MFDA defines the Area of Eligibility based on the Comprehensive Project Operation boundary.
    b. MFDA sends Notice of Eligibility and Right-of-Entry and Contractor Work Authorization Form to Points of Contact (Landowners and/or Tenants) within the Area of Eligibility.
    c. MFDA sends Area of Eligibility map to Contractors.
    d. MFDA hosts second townhall informational meeting to share information and instructions about the Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands.
4. Debris removal work is completed.
    a. The Point of Contact (Landowner or Tenant) self-performs debris removal work and then submits reimbursement applications to the MFDA.
    b. The Point of Contact (Landowner or Tenant) requests assistance from one or more of the MFDA Contractors and submits to the MFDA a Right-of-Entry and Contractor Work Authorization Form signed by the Point of Contact (Landowner or Tenant) and the MFDA Contractor and then submits reimbursement applications to the MFDA.
        i. The Point of Contact (Landowner or Tenant) is able to both self-perform and utilize MFDA Contractor services to complete the debris removal work, provided there is no duplication of efforts or charges.

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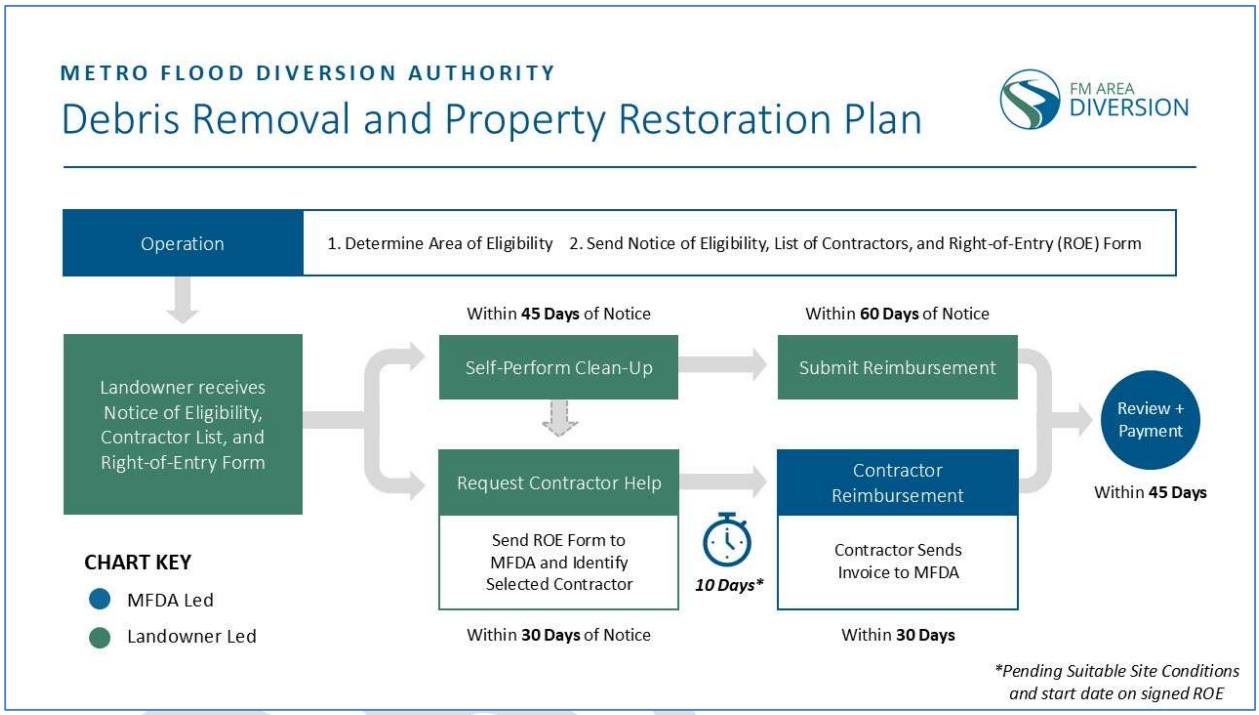
ii. Reimbursement applications shall be signed by both the Point of Contact (Landowner or Tenant) and the Contractor.

5. Reviews, Reimbursements, and Records
   a. MFDA reviews reimbursement applications, invoices, and supporting documentation, and verifies work was completed and eligible.
   b. MFDA issues reimbursement to the Point of Contract and/or the MFDA Contractor.
   c. MFDA records and files Program documentation.



5. MONITOR FLOOD FORECASTS

The MFDA will monitor the early spring flood forecasts issued by the National Weather Service and other agencies to determine if Comprehensive Project Operation is likely. If Comprehensive Project Operation is deemed likely, the MFDA will initiate efforts to implement this Program. Each year, typically in mid-January, the National Weather Service releases its initial spring flood forecast.

6. PRE-OPERATIONAL ACTIVITIES

a. Introductory Contact with Landowners, Identification of Points of Contact

Upon determination that Comprehensive Project Operation is likely, the MFDA will make introductory contact with Landowners. The MFDA will use property ownership records from County tax databases to identify Landowners and initiate the determination of Points of Contact for farmlands in the UMA. See Appendix B for instructions on obtaining County parcel data, selecting impacted parcels, and creating a notification list.

The introductory communication will inform the Landowners of the likely Comprehensive Project Operation and about this Program. In addition, the MFDA will request from the Landowners a name for someone who shall serve as the Point of Contact for this program. Due to the time-sensitivity of removing debris from farmland, it is important for the MFDA to communicate with the correct individuals responsible for farming on each parcel. The Point of Contact will be eligible for Program benefits and be responsible for submitting complete reimbursement forms to the MFDA.

1. Introductory letter to Landowners shall include an indication that Comprehensive Project Operation is likely, a summary of this Program, and a map figure of all lands in the UMA.
2. Landowner shall respond via email to XXXXX@fmdiversion.gov, identifying the Point of Contact is for their land(s). The MFDA will request a response within 10 days.
    a. If a Landowner does not return a Point of Contact response email, a second notification will be sent.
    b. If the Landowner does not return a Point of Contact response email after the second notification, the Landowner will be assumed to be the Point of Contact.
    c. Under the scenario in which a Landowner fails to identify a Point of Contact or respond to the MFDA regarding this Program, neither the MFDA nor its contractors will enter the Landowner's property; however, the tenant operating on the property would be eligible for reimbursement for eligible Program benefits after establishing proof that they are the legal tenant on the subject property.
3. Point of Contact shall be the beneficiary of the Program and shall be responsible for submitting an Application for Reimbursement to the MFDA.
4. Communications from the MFDA to the Points of Contact will be performed via electronic means (email or text message).

b. Review and Update Forms

Upon determination that Comprehensive Project Operation is likely, the MFDA will review and update the forms necessary for administering this Program. Current versions of the forms are in Appendix C. Given that the Comprehensive Project will operate when flood levels exceed the 20-year flood event, there is a potential that Comprehensive Project Operation will be highly infrequent, and therefore utilization of this Program may also be highly infrequent. As part of reviewing and updating the forms, the MFDA will also consider the use of available technology solutions to assist with administering this Program. Technology solutions could aid in distributing information and instructions, submitting reimbursement applications, georeferencing photos, spatial recordkeeping, and more.

c. MFDA Contractors Selection

The MFDA will retain contractors to serve on a roster to assist with removing flood-related debris and repair or restoration of flood-related nonstructural property damage. The Post-Operation Clean-Up Assistance Services (POCAS) contracts will be issued for a one- (1-) year term, with the potential for up to two (2) additional one- (1-) year extensions. The POCAS roster will provide the MFDA and Points of Contact (Landowners or Tenants) with a flexible approach to obtain assistance from contractors for performing the work under this Program.

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In recognition that Comprehensive Project Operation will be intermittent and largely dependent on spring flooding conditions, the MFDA will monitor the early spring flood forecasts each year and be prepared to issue a request for proposals (RFP) by late January of each year to initiate the contractor selection process if the spring flood forecast indicates a likelihood of Comprehensive Project Operation. The RFP will outline the requirements for this Program and encourage contractors to submit a Statement of Interest to participate in the Program. Responses to the RFP will generally be due by late February, which will allow the MFDA to review responses and make contract award recommendations to the MFDA board in early March, well in advance of historical flooding timelines.

The MFDA will utilize standard billing rates (see Appendix D) to compensate Landowners and contractors who perform work under this Program. The standard rate sheet will be updated annually, or as necessary to reflect any adjustments needed, such as rate changes, billing category changes, and other changes learned through the adaptive management aspect of this Program. The annually updated rate sheet will be shared with each contractor on the roster to confirm that the contractors are still interested and available to provide services if the Comprehensive Project operates.

The contracts will be developed and follow the MFDA's contracting policy for O&M activities.

d. Township and Field Approach Culverts Clean-Out

It is recognized that removing debris and unclogging culverts under Township roads and field approaches is a critical aspect of returning farmland to a productive status that must be completed as early as possible after flood events occur. It is also recognized that Township authorities own and maintain certain infrastructure, such as culverts, throughout the UMA. Additionally, the Townships may not be readily prepared to clean-out culverts within the timeline desired by growers or within the timeline established in this Program. As such, the MFDA will solicit and enter into contracts with Contractors who will be retained specifically to clean out blocked Township and field approach culverts within the UMA in a timely fashion after Comprehensive Project Operation.

The MFDA will:

- Solicit and retain Contractors to clean out blocked Township and field approach culverts within the UMA in a timely fashion after Comprehensive Project Operation.
- Enter into agreements with each Township to allow the MFDA's contractors to perform the culvert clean-out services.
- Compensate Contractors for Township and field approach culvert clean-out services in accordance with standard billing rates.

e. Town Hall Informational Meeting

Before Comprehensive Project Operation, the MFDA will host a Town-Hall style meeting to share information and instructions about this Program to Landowners, Points of Contact, and Contractors. Notices and communications regarding the Town Hall meeting will be distributed

electronically to the Points of Contact and Contractors. This meeting will also be helpful to gather additional Points of Contact information.

7. PROGRAM ACTIVITIES AFTER COMPREHENSIVE PROJECT OPERATION

a. Area of Eligibility Determination

The MFDA will define the Area of Eligibility for this Program after each Comprehensive Project Operation event. The Area of Eligibility will be determined by the MFDA with the use of multiple tools and data sources, including hydraulic modeling, streamflow measurements and records, aerial photography, field surveys, and field observations. The MFDA will utilize these tools and data sources to produce an outline of the extent or boundary of the area within the UMA that was affected by Comprehensive Project Operation for the specific flood event.

MFDA staff will review the mapped area along with parcel boundaries and local roadway locations to potentially square-off the land/parcel area of eligibility to include full fields and full stretches of local roadways. The MFDA may also elect to declare the entire UMA eligible for this Program.

The MFDA will publish the Area of Eligibility and display it on WebMap (online mapping application). The link to the WebMap application can be found on the MFDA website (www.fmdiversion.gov).

The MFDA will establish the Area of Eligibility as soon as practical after each Comprehensive Project Operation event, considering that the southern end of the UMA will most likely become free of floodwater sooner than the northern portions of the UMA.

Disputes related to the Area of Eligibility will be handled via the MFDA's ADR Board, which can be found on www.fmdiversion.gov.

b. Notifications

Upon Comprehensive Project Operation and after determination by the MFDA of the Area of Eligibility, the MFDA shall send a Notice of Eligibility along with supporting information to the Points of Contact within the Area of Eligibility. In addition, the MFDA will send the Area of Eligibility map to its Contractors.

Upon Comprehensive Project Operation, the MFDA shall utilize electronic communication methods to streamline the notification process to the appropriate individuals completing clean-up efforts and applying for reimbursement.

c. Town Hall Informational Meeting

After Comprehensive Project Operation but before debris removal work is completed, the MFDA will host a Town-Hall style meeting to share information and instructions about this Program to Landowners, Points of Contact, and Contractors. Notices and communications regarding the town-hall meeting will be distributed electron……ically to the Points of Contact and Contractors.

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Upon Comprehensive Project Operation, the MFDA shall utilize electronic notification to all Points of Contact within the Area of Eligibility. The Points of Contact will have already been determined prior to Comprehensive Project Operation to streamline the notification process through electronic notifications directly to the appropriate individuals completing clean-up efforts and applying for reimbursement.

8. DEBRIS REMOVAL WORK and PLAN OF OPERATION

The intent of this Program is to encourage the Points of Contact (Landowners or Tenants) to self-perform the debris removal and nonstructural property repair or restoration work on their property, but also provide a simple contractual mechanism whereby the Points of Contact (Landowners or Tenants) can obtain assistance from MFDA Contractors to complete the debris removal and nonstructural property repair or restoration work.

a. Self-Performed Debris Removal and Restoration Work

If a Point of Contact (Landowner or Tenant) self-performs the debris removal and/or nonstructural property damage repair work, the following process will be utilized.

1. MFDA will send a Notice of Eligibility to the Points of Contact (Landowner or Tenant) for lands within the Area of Eligibility. The notice will include a map showing the Area of Eligibility, the location of Temporary Debris Staging Sites, and a list of available contractors. See the draft Notice of Eligibility letter in Appendix C.
2. MFDA will identify and maintain designated Temporary Debris Staging Sites in and around the UMA. The MFDA will staff the Temporary Debris Staging Sites for 45 days after sending the Notice of Eligibility. Points of Contact (Landowners or Tenants) shall haul debris materials to the Temporary Debris Staging Sites within the 45-day timeframe. If additional time is needed, the Points of Contact (Landowners or Tenants) shall contact the MFDA to make arrangements to dispose of debris at the Temporary Debris Staging Sites.
3. MFDA will pay the Points of Contact (Landowners or Tenants) using two methods:
    - (1) based on time and equipment use for removing debris from tillable lands or for restoration of nonstructural property damage, as well as hauling the debris to the Temporary Debris Staging Sites, following the standard billing rate sheet, and
    - (2) based on actual expenses with receipts or invoices for restoration of nonstructural property damage.
4. For on-site debris removal and nonstructural property damage repair or restoration work, the MFDA will reimburse the Points of Contact (Landowners or Tenants) who submit an Application for Reimbursement (see Appendix C for forms) upon completion of work, along with logs and supporting documents showing completion of the debris removal and/or nonstructural property damage repair or restoration work. Payment will be made following the standard billing rate sheet for the given flood year.
5. For actual expenses incurred in performing repair or restoration of nonstructural property damage, the MFDA will provide payment based on receipts or invoices for services, equipment, or materials purchased for or used in completing the work.

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b. MFDA Contractor-Assisted Debris Removal and Restoration Work

The following procedure and details will be utilized for conducting debris removal and nonstructural property damage repair or restoration when a Point of Contact (Landowner or Tenant) requests assistance from the MFDA.

1. MFDA will enter into post-operation assistance contracts with Contractors. The contracts will be active in years when Comprehensive Project Operation is likely or anticipated.
2. MFDA will identify and maintain designated Temporary Debris Staging Sites in and around the UMA. The MFDA will staff the Temporary Debris Staging Sites for 45 days after sending the Notice of Eligibility. Points of Contact (Landowners or Tenants) and/or Contractors shall haul debris materials to the Temporary Debris Staging Sites within the 45-day timeframe. If additional time is needed, the Points of Contact (Landowners or Tenants) and/or Contractors shall contact the MFDA to make arrangements to dispose of debris at the Temporary Debris Staging Sites.
3. MFDA will send a Notice of Eligibility electronically (email) to the Points of Contact within the Area of Eligibility. The notice will also include a link to a Webmap showing the Area of Eligibility, the location of Temporary Debris Staging Sites, the Right-of-Entry and Contractor Work Authorization Form, and a list of available MFDA Contractors along with their contact information.
4. MFDA will send an electronic notice (email) to the Contractors with a link to the same Webmap showing the Area of Eligibility, the location of the Temporary Debris Staging Sites, and the current standard billing rate sheet.
5. The Points of Contact (Landowners or Tenants) who desire assistance will contact one or more of the MFDA Contractors to request assistance with debris removal and nonstructural property damage repair or restoration. The Points of Contact (Landowners or Tenants) should coordinate with the MFDA Contractors on the type of equipment they will allow on their fields to limit the chance of damaging the fields due to clean-up operations. The Points of Contact (Landowners or Tenants) and MFDA Contractors should work together to meet the desired schedule for debris removal. Once a Point of Contact (Landowner or Tenant) and MFDA Contractor have come to an agreeance on the scope of work and the start date, the Point of Contact (Landowner or Tenant) and MFDA Contractor shall jointly complete, sign, and submit the Right-of-Entry and Contractor Work Authorization Form to the MFDA. The Right-of-Entry and Contractor Work Authorization Form shall identify the Point of Contact (Landowner or Tenant), MFDA Contractor, the scope of work for the MFDA Contractor, and start date.
6. MFDA shall promptly review the Right-of-Entry and Contractor Work Authorization Form and issue a Notice to Proceed to the MFDA Contractor if the scope of work meets the eligibility guidelines.
7. The POCAS contracts will enable MFDA Contractors to perform debris removal and nonstructural property damage repair or restoration work within the Area of Eligibility as requested by the Points of Contact (Landowners or Tenants), within the limits of each contract.

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8. The Points of Contact (Landowners or Tenants) will be required to sign the Completed Work Close-Out and Certification Form indicating that the MFDA Contractor work is complete and satisfactory.
9. MFDA will pay contractors using two methods:
    - (1) based on time and equipment use for removing debris from tillable lands or for restoration of nonstructural property damage, as well as hauling the debris to the Temporary Debris Staging Sites, following the standard billing rate sheet, and
    - (2) based on actual expenses with receipts or invoices for restoration of nonstructural property damage.
10. For on-site debris removal services, MFDA Contractors will submit invoices for payment upon completion of work, in accordance with the contract, which will require hours logs, before and after photo evidence of the debris removal and/or nonstructural property damage repair or restoration work completed, and the Completed Work Close-Out and Certification Form signed by the Point of Contact (Landowner or Tenant). Payment will be made following the standard billing rate sheet.
11. For actual expenses incurred in performing repair or restoration of nonstructural property damage, the MFDA will provide payment based on receipts or invoices for services, equipment, or materials purchased for or used in completing the work.

c. Township and Field Approach Culverts Clean-Out

The following procedure and details will be utilized for monitoring and removing debris from plugged Township and field approach culverts within the UMA following Comprehensive Project Operation.

1. MFDA will solicit and retain Contractors for clean-out of blocked Township and field approach culverts within the UMA.
2. Following determination of the Area of Eligibility, the MFDA assign contractors to certain Work Area geographies within the Area of Eligibility, such as one contractor per Township.
3. The MFDA will notify the Township that a Contractor was selected to clean out blocked Township culverts within the Area of Eligibility within the Township.
4. MFDA representatives (staff or external resources) will monitor Township and field approach culverts within the Area of Eligibility to identify blocked culverts that require Contractor action to remove debris or unblock the Township and field approach culvert.
5. The Contractor(s) will be responsible for removing debris from blocked Township and field approach culverts to ensure proper drainage within the Area of Eligibility and within their designated Work Area.
6. Contractor(s) will be responsible for performing work in a timely fashion and submitting sufficient details and records with their payment applications. The payment applications must identify the Township and/or field approach culvert(s) that were cleaned along with photo evidence of the before and after conditions of the Township and/or field approach culvert(s).
7. The MFDA will pay contractors for removing debris blocking Township and field approach culverts following the standard billing rates.

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d. Temporary Debris Staging Sites

The MFDA will retain ownership of at least two (2) sites in North Dakota and at least one (1) site in Minnesota for operational purposes for this Program and other purposes. The MFDA will utilize these Temporary Debris Staging Sites to receive and process flood-related debris from Landowners and contractors. Maps of the Temporary Debris Staging Sites are attached in Appendix E.

The MFDA will be responsible for handling and processing the debris at the Temporary Debris Staging Sites, and ultimate disposal of the debris. The MFDA will likely need two staff members at each Temporary Debris Staging Site – one member for sorting and another member to track hauled debris entering site via hauling tickets. The tickets can be used as a check against hours submitted by MFDA Contractors for reimbursement. The MFDA may retain a contractor to provide services necessary to sort and handle the debris, which may include sorting items that must be brought to the landfill, items that could be burned on site, items that could be brought to a compost facility, and other materials. The MFDA may elect to issue a defined scope of work for handling and processing the debris at the Temporary Debris Staging Sites for contractors to bid on.

1. MFDA will staff the Temporary Debris Staging Sites during daylight hours to monitor the site and record debris hauling records. MFDA will staff the Temporary Debris Staging Sites for 45 days following the Notice of Eligibility being sent to Landowners. After the 45-day period, MFDA representatives will be available upon request to staff the Temporary Debris Staging Sites.
2. MFDA intends to utilize the Temporary Debris Staging Sites to temporarily store and sort the debris before ultimate disposal. Materials will be sorted and organized to meet size criteria for landfill disposal, sorted for burning, sorted for hauling to a landfill, sorted for composting, and other sorting classifications.
3. MFDA may obtain permits to burn select materials at the Temporary Debris Staging Sites.
4. MFDA intends to haul select materials to landfills (Fargo and Clay County) and to area compost sites. Note that the Fargo landfill does not accept wood debris larger than eight inches (8”) in diameter or hazardous materials (asbestos, etc.). The Gwinner landfill accepts hazardous materials. The Clay County landfill will accept flood-related debris.
5. MFDA may retain a contractor to assist in sorting materials at the Temporary Debris Staging Sites and for hauling materials from the Temporary Debris Staging Sites to landfills. Since there will be more time to complete the debris sorting and final disposal work, the MFDA may solicit competitive bids from contractors for this work.

9. REVIEWS, REIMBURSEMENTS, AND RECORDS

a. Reimbursement Submittal and Review Process

The Application for Reimbursement submittal and review process is a critical component of this Program. The following forms and supporting documentation (found in Appendix C) must be submitted by the following representative(s) to receive reimbursement. Applications for

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Reimbursement shall be submitted electronically via email to XXXXXXX@fmdiversion.gov. Incomplete submissions will be rejected.

- Representatives able to submit an Application for Reimbursement:
  - Point of Contact (Point of Contact receives reimbursement)
    - For self-performed work only
  - Point of Contact + MFDA Contractor Signature (Point of Contact receives reimbursement)
    - For self-performed work + MFDA Contractor assistance
  - MFDA Contractor + Point of Contact Signature (MFDA Contractor receives reimbursement)
    - For MFDA Contractor-performed work only or for MFDA Contractor-assisted work

- Forms/data to be submitted to receive reimbursement:
  - Application for Reimbursement
  - Debris Clean-Up Report
  - Photo Log
  - Receipts/Invoices Table

Upon receipt of an Application for Reimbursement from an eligible representative, the MFDA will review for completeness, making sure the forms are fully completed and all supporting documentation is provided. The MFDA will also review the forms and supporting documentation to confirm that the debris and work is eligible and was from the Area of Eligibility. If the Application for Reimbursement is complete and eligible, the MFDA staff will process the reimbursement and report the financial actions to the MFDA Board in accordance with payment and expenditure policies.

Payment to contractors will be made following the payment terms and conditions within each post-operation assistance contract.

b. Records Keeping

MFDA will maintain detailed records of reimbursements, verification steps, and correspondence for accountability and auditing purposes. Records that will be maintained include the Area of Eligibility, Notice of Eligibility, selected contractors, Right-of-Entry and Contractor Work Authorization Form, Applications for Reimbursement, payments made to Landowners, payments made to contractors, volume of debris collected, categorization of collected debris, and other pertinent information. The goal and purpose of recordkeeping is to track how the program is working and use the data for making program adjustments, if needed.

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10. ADAPTIVE MANAGEMENT

This plan will be reviewed periodically, including after each major flood event. MFDA may revise eligibility, processes, or documentation standards based on program performance and Landowner feedback.

11. TIMELINE FOR PROGRAM PROCESS

The MFDA understands that timing of debris removal is critical for agricultural activities in the UMA. The following timeline of actions will be adhered to for this Program.

Action	Responsible	Timeline (any given year)
Monitor flood forecasts to determine likelihood of Comprehensive Project Operation	MFDA	January
Introductory Landowner Notice and Determination of Points of Contact of UMA lands	MFDA and Landowner or Tenant	End of February
Host Town Hall Informational meeting to provide information and instructions to Points of Contact (Landowners or Tenants) and other stakeholders on Program	MFDA	Prior to Comprehensive Project Operation (event specific)
MFDA Contractor Solicitation	MFDA	Late January to Mid-February
Host Town Hall Informational meeting to provide information and instructions to Points of Contact (Landowners or Tenants) and Contractors on Program	MFDA	During Comprehensive Project Operation (event specific)
Comprehensive Project Operation occurs	MFDA	Based on floodwaters and in accordance with the water control manual
Define Area of Eligibility	MFDA	Within seven (7) days after water recedes from UMA
Send Electronic Notice of Eligibility to Points of Contact	MFDA	Within 10 days after water recedes from UMA
Debris Removal Work – Self-Performed	Landowner or Tenant	Within 45 days after Notice of Eligibility date
Points of Contact (Landowners or Tenants) request and make arrangements for support services from MFDA Contractor and submit signed Right-of-Entry and Contractor Work Authorization Form to MFDA	Landowner or Tenant	Within 30 days after Notice of Eligibility date
Review and send Notice to Proceed to MFDA Contractors	MFDA	Within 2 days of receiving Right-of-Entry and Contractor Work Authorization Form from Point of Contact
Debris Removal Work – Performed by MFDA Contractor (Requires coordination of work,	Landowner or Tenant and	Within 45 days after Notice of Eligibility date

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timeline, and signed Right-of-Entry and Contractor Work Authorization Form)	Contractor	
Landowner or Tenant hauls flood debris to Temporary Debris Staging Sites	Landowner or Tenant	Within 45 days after Notice of Eligibility date (unless special arrangements are made)
Contractors haul flood debris to Temporary Debris Staging Sites	Contractor	Within 10 days after receiving Notice to Proceed (unless otherwise agreed to)
Landowner or Tenant submits Application for Reimbursement	Landowner or Tenant	Must be submitted within 60 days after Notice of Eligibility date (unless special arrangements are made)
Contractor submits Invoice	Contractor	Must be submitted within 30 days after completing work
MFDA review and approval of invoices and reimbursements	MFDA	Within 45 days after receiving complete application

12. FORMS

See Appendix C for a copy of the following forms.

- Introductory Contact Letter (Draft Template)
- Notice of Eligibility Letter (Draft Template)
- Right-of-Entry and Contractor Work Authorization Form
- Notice to Proceed (Draft Template)
- Application for Reimbursement Form
    - Application for Reimbursement
    - Staff List & Labor Hours Log
    - Equipment List & Hours Log
    - Equipment Photo Log
    - Actual Expenses Log
    - Receipt & Invoice Log
    - Before Photo Log
    - After Photo Log
- W-9 Tax Form Record of Transmittal
- Completed Work Close-Out & Certification Form

13. CONTRACTS AND STANDARD BILLING RATES

See Appendix D for a copy of the following documents.

- Post-Operation Clean-Up Assistance Services (POCAS) Contract (template)
    - MFDA will maintain a list of preapproved contractors available on the MFDA website or upon request.
- Standard Billing Rate Sheet – 2027 Debris Removal and Non-Structural Damage Repair

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14. DEFINITIONS

Area of Eligibility: The area determined by the MFDA where the Post-Operation Private Lands Repair and Clean-Up Program will apply after Comprehensive Project Operation.

Comprehensive Project: The Fargo-Moorhead Metropolitan Area Flood Risk Management Project.

Comprehensive Project Operation: Operation of the Red River Structure and/or Wild Rice River Structure, causing upstream water storage in the UMA.

Eligible Debris: Flood-deposited debris, including crop residue, brush, sticks, branches, silt, fencing, plastics, and nonstructural materials not present pre-operation.

Tenant: The individual or entity responsible for farming property within the UMA. The Tenant may be eligible for benefits under this Program, if authorized by the Landowner as the Point of Contact.

Project Operation Boundary: The area within the UMA where actual water storage occurred due to a flood event that resulted in Comprehensive Project Operation.

Point of Contact: The individual (or entity) designated by the Landowner who will be the beneficiary of benefits under this Program.

Landowner: The individual or entity owning property within the UMA eligible for participation and benefits under this Program.

MFDA Contractor: The contractor(s) retained by the MFDA to provide debris clean-up and nonstructural property damage restoration services, including to clean-out of blocked Township and field-approach culverts.

Nonstructural Property Damage: Nonstructural property damage is limited to damage caused to culverts, field approaches, or crossings by floodwaters resulting from Comprehensive Project Operation.

Right-of-Entry: Voluntary authorization by a Landowner or Tenant granting an MFDA Contractor access to private property for clean-up.

Temporary Debris Staging Sites: The properties owned and managed by the MFDA that will be utilized for temporary storage, sorting, and management of flood related debris.

UMA (Upstream Mitigation Area): The area where MFDA must obtain flowage rights to store floodwater.

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Appendix A – Settlement Agreement, ARTICLE XIX.

POST-OPERATION DEBRIS REMOVAL AND PROPERTY DAMAGE RESTORATION AND CLEAN-UP PLAN

Section 19.01 POST-OPERATION DEBRIS REMOVAL AND RESTORATION.

The Diversion Authority will implement and fund a Debris Removal and Property Damage Restoration and Clean- up Plan to provide for the clean-up of debris and restoration of property arising out of the operation of the Comprehensive Project. The Debris Removal and Property Damage Clean-up Plan shall provide that debris shall be removed by the Diversion Authority, and non-structural property damage shall be repaired, remedied, and restored at its cost, within ten (10) days of the Completion of Comprehensive Project Operation, upon notification by property owners that floodwaters have receded from affected properties and permission from property owners to the Diversion Authority to enter their land, as long as local conditions permit such removal. If debris or non-structural property damage is not removed or repaired/remedied and restored within ten (10) days of notification that floodwaters have receded, the landowner or tenant may arrange for such removal to the side of a township or county road/highway and submit the costs of removal to the Diversion Authority for reimbursement. The Diversion Authority will make available a list of pre-qualified contractors who are available to perform the work. The Post Operation Debris Clean-up and Restoration Plan will include a provision that allows landowners and/or tenants to repair/remedy/restore damaged non- structural property and/or remove the debris and receive reasonable compensation for such activities before or after said ten (10) day period. The Parties recognize that the amount of debris that will need to be removed will depend upon specific conditions, including prior years' crops, size, and duration of operations in the Staging Area and other factors. As such, the Parties recognize that, over time, having an adaptive program for debris removal will be beneficial to landowners and the Parties.

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.

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Appendix B: Landowner Identification SOP

Background

This document provides the workflow to prepare a mailing list for notifying all landowners within the Area of Eligibility in the event of the FM Area Diversion Comprehensive Project Operation. Each county with project impacts maintains tax parcels in GIS file format (ESRI shapefile or file geodatabase). These files are readily shared online and/or by request. The taxpayer name and address fields within the data can be used for official notification purposes.

Obtain Parcel Data

Cass County, ND

https://cass-county-hub-casscountynd.hub.arcgis.com/search?collection=dataset

- Scroll to the "Tax Parcels" dataset. Click the link. An error will appear: "Too Many Records."
- Choose the "Download" icon on the left side of the screen. Choose "File Geodatabase>Download." This will download the Tax_Parcels.gdb to your downloads folder.
- Mailing Address Fields: MailName, MailAddr, MailAddr2, MailCity, MailState, MailZip
- Parcel ID Field: DASHPIN

Richland County, ND

https://www.co.richland.nd.us/ftp

- Using WinSCP or FileZilla (AE2S accepts WinSCP application) navigate to the following FTPS site and use the credentials below:
  - ftps://gis.co.richland.nd.us
  - user: richlandcounty
  - pwd: GISdata2024!
  - Port: 22
- Download the parcel shapefile Richland_County_ND_Parcels.shp
- Mailing Address Fields: Name, Address1, Address2, City
  - City field includes City, State, and Zip
- Parcel ID Field: PIN_TXT

Clay County, MN

- GIS Data | Clay County, MN - Official Website or https://claycountymn.gov/658/GIS-Data
- Click the link "Tax Parcels." This will automatically download ClayParcels.zip to your downloads folder. Unzip the file to find the ESRI Shapefile "Tax_Parcels_with_Tax_Parcel_Data_in_State_Standard.shp."
- Alternatively, use the map service to add Clay County Parcel layer to ArcGIS Pro project by choosing "Add Data from Path" and use the path:

https://gis23.claycountymn.gov/arcgis/rest/services/OpenData/Tax_Parcels_with_Tax_Data_in_State_Standard/MapServer/0

- Mailing Address Fields: TAX_NAME, TAX_ADD_L1, TAX_ADD_L2, TAX_ADD_L3, TAX_ADD_L4
- Parcel ID Field: COUNTY_PIN

Wilkin County, MN

- Tax Parcels | Share Open Data or https://share-open-data-wilkinco.hub.arcgis.com/datasets/wilkinco::tax-parcels/explore?location=46.326200%2C-96.530600%2C10
- Click the "Download" button.
- Choose "File Geodatabase." This will automatically download Tax_Parcels.zip to your downloads folder. Unzip the file to find the ESRI Feature dataset containing Wilkin County Parcel data.
- Alternatively, use the map service to add Clay County Parcel layer to ArcGIS Pro project by choosing "Add Data from Path" and use the path: https://gisweb.co.wilkin.mn.us/arcgis/rest/services/Assessor/TaxParcels_public/MapServer/1.
- Mailing Address Fields: TAXPAYER_N, TAXPAYER_A, TAXPAYER_1, TAXPAYER_2 TAXPAYER_3
    - TAXPAYER_2 OR TAXPAYER_3 will contain City, State, and Zip
- Parcel ID Field: PARCELID

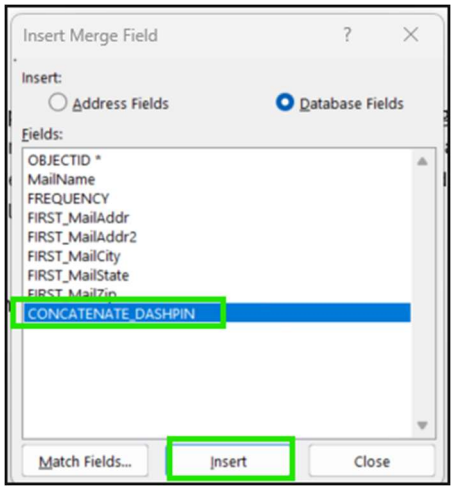
Select Parcels for Use in Mailing Notifications for O&M

Below is a summary of steps taken to select impacted properties in the event of the FM Area Diversion Project Operation necessitating notification of owners for the purpose of clean-up assistance.

- **Step 1:** Create ArcGIS Pro project with all previously mentioned shape files and feature classes added, along with FM Area Diversion current alignment and Area of Eligibility (an outline of the extent or boundary of the area within the UMA that was affected by Comprehensive Project Operation for the specific flood event) produced by the MFDA.
    - (AE2S Project created here: W:\F\FMDA\10841-2020-001\GIS\012 Lands Program\Property Management\Overall Property Management\Operations_Mtce\Operations_Mtce.aprx Flowage Easement Parcels Map)
- **Step 2:** Configure parcel data to include fewer fields:
    - Parcel ID
    - Taxpayer Name/Address fields as stated above per county
    - PLSS data if available
    - Property address, if available
- **Step 3:** Select impacted properties by location
    - Choose Select by Location

  - Input Features: Parcel Shapefiles from each county – may do this in one step
  - Relationship: Intersect
  - Selecting Features: Area of Eligibility
  - Accept default search distance
  - Selection Type: New Selection
  - Review the parcels selected. Remove any that may have been inadvertently selected along the work limits boundaries.
- **Step 4:** Summarize data to reduce duplicate notifications.
  - Open each county's parcel attribute table.
  - Right-click the "Name" field.
  - Choose "Summarize."
    - Input Table: Parcels
    - Use Selected Records
    - Output Table: browse to mailing list location – for mail merge
    - Statistics fields:
      - Choose Address fields, First as statistic type
      - Choose Parcel ID field, Concatenate as statistic type, ", " as separator
  - Open each "Summary" table.
  - Select all records and copy/paste to Excel *or* use the tool "Table to Excel" to create a mailing list for each of the four counties.

- **Step 5:** Prepare notification letter in Microsoft Word
  - Prepare a letter in Microsoft Word, including appropriate letterhead.
  - In Microsoft Word, choose Mailings from the top menu, then Start Mail Merge from the Ribbon.
  - Use the Step-by-step Mail Merge Wizard to add data from Microsoft Excel mailing lists.
    - Select starting document: Use the current document.
    - Select recipients: Use an existing list>Browse to Excel file.
    - Write your letter: Update letter text if needed.
      - Address Block: Match Fields, choose all fields for address block
      - Parcels Impacted: choose More Items>Insert Merge Field>Choose the Parcel ID field and select "Insert"



- Preview your letters: This will merge the first record into the document so you can preview the letter. Adjust any formatting needed.
- Complete the merge: Edit individual letters>All.
- Review the letters before printing. May save as .pdf to retain for reference.

Efficiency Suggestions

Separate Letters per County

Preparing separate letters for each of the four (4) counties would be beneficial, as the fields of data are different in each case, and there may be some other differences in contact information, etc., per county.

Within each letter, include a statement such as, "This letter serves as notification for your property in XXX county, XX state … ." An owner might receive separate letters for each county, but as stated above there could be different instructions or contacts in each county.

Use Data as-is from Each County

Time can be saved by using the existing county dataset as it is provided. This includes leaving names as LASTNAME, FIRSTNAME and in some instances pulling the City/State/Zip code from a single field.

Each of these fields could be manipulated within Excel, but that would take extra time and for the purposes of a general notification is likely unnecessary.

Plan Ahead

Early planning is key.

Parcel data changes very frequently. Parcel ID numbers in Cass County change with new ownership AND when property is split or subdivided. Planning and discussing this information with key

players at local government levels would save time and effort. The topic should be discussed with key players (auditor/treasurer, assessor, GIS staff) so the best data date is known.

Appendix C – Forms

1. Introductory Contact Letter (Draft Template)
2. Notice of Eligibility Letter (Draft Template)
3. Right-of-Entry and Contractor Work Authorization Form
4. Notice to Proceed (Draft Template)
5. Application for Reimbursement and Forms
    a. Application for Reimbursement
    b. Staff List & Labor Hours Log
    c. Equipment List & Hours Log
    d. Equipment Photo Log
    e. Actual Expenses Log
    f. Receipt & Invoice Log
    g. Before Photo Log
    h. After Photo Log
6. W-9 Tax Form Record of Transmittal
7. Completed Work Close-Out & Certification Form

INTRODUCTORY CONTACT LETTER (DRAFT TEMPLATE)

[Date]
[Landowner Name]
[Mailing Address]
[City, State ZIP]

Re: Likelihood of Comprehensive Project Operation and Request for Point of Contact Information

Dear**[Landowner Name]**,

The Metro Flood Diversion Authority (MFDA) is writing to inform you that flood forecasts indicate that operation of the Fargo-Moorhead Metropolitan Area Flood Risk Management Project (Comprehensive Project) may be necessary during the upcoming spring. As part of its operational planning efforts, the MFDA is implementing the Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands (the "Program"). [insert web link here]

Below is the list of parcels that you own based on county record. You can visit our WebMap to look up your lands as displayed below:

[insert list here]

The Program was developed to assist eligible private landowners and agricultural producers within the Upstream Mitigation Area (UMA) following Comprehensive Project Operation. If the Project is operated and your property or properties fall within the future Area of Eligibility, the Program may provide assistance for:

- Removal of eligible flood-related debris deposited on agricultural lands.
- Repair and restoration of eligible nonstructural property damage resulting from Comprehensive Project Operation.
- Reimbursement for approved self-performed clean-up work.
- Assistance from MFDA-contracted clean-up contractors, if requested.

Action Requested: Designate a Point of Contact

To ensure timely communication and efficient delivery of Program benefits, the MFDA is requesting that each landowner identify the individual who should serve as the Point of Contact for lands they own within the UMA. The Point of Contact may be:

- The Landowner,
- A Tenant farming the property,
- A Farm Manager, or
- Another authorized representative designated by the Landowner.

The Point of Contact will be the individual eligible to receive Program communications, notices, and benefits and will be responsible for coordinating any reimbursement requests submitted under the Program.

Please return response email stating who the Point of Contact is for your land(s) or who the Points of Contact are for the individual parcels of lands you own.

Return Instructions

Please email the following information to XXXX@fmdiversion.gov:

- Email Title:
  - MFDA Debris Clean-Up Program POC – [Your Name]

- Email Body (Choose one of the options):
  - Option 1: Landowners wanting to be the Point of Contact

    I, _____(your name), the landowner will serve as the Point of Contact for the lands I own.

    Phone Number: _____
    Email: _____

  - Option 2: Landowners wanting a Tenant, Farm Manger, or other authorized representative to serve as their Point of Contact

    I, _____(your name), would like have _____(representative's name) to serve as the Point of Contact for the lands I own.

    Representative's Title: _____(Tenant, Farm Manager, or other authorized representative)
    Representative's Phone Number: _____
    Representative's Email: _____

  - Option 3: Landowners wanting multiple Points of Contacts for different lands

    I, _____(your name), would like have _____(representative's name) to serve as the Point of Contact for _____ (land parcel number(s) from the list stated in the body of this letter).

    Representative's Title: _____(Tenant, Farm Manager, or other authorized representative)
    Representative's Phone Number: _____
    Representative's Email: _____

    (Copy the above paragraph and repeat for the other Points of Contacts and the lands for which you want them to serve as the Point of Contact.)

After sending the email, the MFDA will respond to confirming your email was received. If a Point of Contact email is not received, the MFDA will send a second notification. If no response is received after the second notification, the Landowner will automatically be designated as the Point of Contact for Program purposes.

Future Communications

If Comprehensive Project Operation ultimately occurs, the MFDA will use the Point of Contact information provided to distribute:

- Notices of Eligibility;
- Program instructions;
- Area of Eligibility maps;
- Contractor information;
- Deadlines and reimbursement requirements; and
- Town hall meeting announcements.

The MFDA intends to communicate primarily through electronic means, including email and text messaging, to ensure timely delivery of important information.

Questions?

If you have questions regarding this Program or this request, please contact:

Metro Flood Diversion Authority
Email:**[XXXXX@fmdiversion.gov]**
Phone:**[Program Phone Number]**
Website: **www.fmdiversion.gov**

Thank you for your assistance in helping the MFDA prepare for potential Comprehensive Project Operation and ensuring that Program benefits can be delivered efficiently if they become necessary.

Sincerely,

Metro Flood Diversion Authority

Enclosures

- Upstream Mitigation Area (UMA) Overview Map
- Program Summary Sheet

NOTICE OF ELIGIBILITY EMAIL (DRAFT TEMPLATE)

Re: MFDA Debris Clean-Up Program POC: Notice of Eligibility

Dear**[Point of Contact Name]**:

The Metro Flood Diversion Authority (MFDA) is providing this Notice of Eligibility to inform you that the property or properties for which you are the designated Point of Contact have been determined to be within the Area of Eligibility following the recent operation of the Fargo-Moorhead Metropolitan Area Flood Risk Management Project (Comprehensive Project).

Based on the evaluation completed by the MFDA, eligible lands associated with your property qualifies for assistance under the Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands (the "Program"). The Program was established to support clean-up and restoration activities resulting from Comprehensive Project Operation and is implemented in accordance with Article XIX of the Settlement Agreement and the Property Rights Acquisition and Mitigation Plan (PRAM).

Your Role as Point of Contact

As the designated Point of Contact, you are authorized to:

- Receive Program notifications and communications.
- Coordinate clean-up and restoration activities.
- Request assistance from MFDA contractors.
- Submit reimbursement applications for eligible work.
- Receive Program benefits and reimbursements, if applicable.

Enclosed and Available Information

The following information is attached to this Notice or is available electronically through the MFDA:

- Area of Eligibility Map
- List of MFDA Contractors and contact information
- Application for Reimbursement and supporting logs
    - An electronic editable Excel version can be found on our website. (Recommended)
- W-9 Tax Form Record of Transmittal
- Right-of-Entry and Contractor Work Authorization Form
- Completed Work Close-Out Form
- Program guidance materials and instructions
- Temporary Debris Staging Site Map(s)

Eligible Activities

The Program may provide reimbursement or assistance for:

Debris Removal

Removal of eligible flood-related debris deposited on eligible agricultural lands as a result of Comprehensive Project Operation, including debris that negatively impacts farming activities.

Nonstructural Property Damage Restoration

Repair and restoration of eligible nonstructural property damage resulting from Comprehensive Project Operation, including:

- Washed-out field approaches
- Culverts
- Farm crossings and similar agricultural access features

Activities Not Eligible

The following are examples of activities that are not eligible under the Program:

- Removal of excess water from fields
- Pumping operations
- Damage from non-project-related flooding
- Structural damage to buildings
- Damage to vehicles, machinery, equipment, fencing, or personal property
- Work completed outside the Area of Eligibility

Option 1: Self-Performed Clean-up and Restoration

You may perform eligible clean-up and restoration work yourself, using your own labor, equipment, employees, or authorized contractors.

Upon completion of the work, you may submit an Application for Reimbursement with supporting documentation including:

1. Hours & Equipment Log
2. Photo Log
3. W-9 Tax Form Record of Transmittal

Reimbursement will be based upon the current Standard Billing Rate Sheet and applicable Program requirements.

Option 2: MFDA Contractor Assistance

If you would like assistance from an MFDA contractor:

4. Review the enclosed contractor list.
5. Contact one or more contractors directly.
6. Coordinate the scope of work and anticipated schedule.
7. Complete and submit the Right-of-Entry and Contractor Work Authorization Form jointly with the selected contractor.
8. Await MFDA review and confirmation that the proposed work is eligible.

Once a Notice to Proceed is supplied to the contractor, the contractor may proceed with the work in accordance with Program requirements.

Temporary Debris Staging Sites

The MFDA has established Temporary Debris Staging Sites for disposal and processing of eligible flood-related debris.

Maps showing the locations of Temporary Debris Staging Sites are enclosed with this Notice. Eligible debris may be transported to these sites in accordance with Program requirements.

Program Timeline and Deadlines

Action	Deadline
Complete debris removal and restoration activities	Within 30 days of this Notice
Request contractor assistance and submit Right-of-Entry and Contractor Work Authorization Form	As soon as practical
Haul eligible debris to Temporary Debris Staging Sites	Within Program operating period
Submit Application for Reimbursement	Within 60 days of this Notice
Submit contractor invoices	Within 30 days after completion of work

These deadlines are intended to support timely clean-up and reimbursement activities following Comprehensive Project Operation.

Special Eligibility Requests

If you believe debris, damage, or circumstances affecting your property should qualify for Program assistance but are not specifically identified within Program eligibility criteria, you may request a site review by contacting the MFDA Executive Director. Special eligibility requests may be reviewed on a case-by-case basis.

Questions

For assistance regarding eligibility, contractor coordination, reimbursement requirements, or documentation requirements, please contact:

Metro Flood Diversion Authority
Email:**[XXXXX@fmdiversion.gov]**
Phone:**[Program Phone Number]**
Website: **www.fmdiversion.gov**

Thank you for your cooperation and partnership as we work to address the impacts associated with Comprehensive Project Operation.

Sincerely,

Metro Flood Diversion Authority

[Name]
[Title]

Attachments

1. Area of Eligibility Map
2. List of MFDA Contractors
3. Application for Reimbursement and Associated Logs
4. W-9 Tax Form Record of Transmittal
5. Right-of-Entry and Contractor Work Authorization Form
6. Completed Work Close-Out Form
7. Temporary Debris Staging Site Map(s)

RIGHT-OF-ENTRY AND CONTRACTOR WORK AUTHORIZATION FORM

Landowner or Point of Contact Name (Printed):_____

Date: _____

1. Purpose of Form

This Right-of-Entry and Contractor Work Authorization Form is used when a designated Point of Contact requests assistance from an MFDA Contractor for eligible debris removal or eligible nonstructural property damage repair or restoration under the Metro Flood Diversion Authority's Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands. The Program allows Points of Contact to request assistance from MFDA Contractors, coordinate scope and schedule directly with the contractor, and submit a Right-of-Entry and Contractor Work Authorization Form before MFDA issues a Notice to Proceed.

By signing this form, the undersigned authorizes temporary access to the property identified below for the limited purpose of completing eligible Program work approved by MFDA.

2. Property Information

Property Location or Locations:

Property ID#	Township Section Range or Latitude/Longitude	Adjacent Roadway(s)

Is this property within the Area of Eligibility?

☐ Yes

☐ No

☐ To be confirmed by MFDA

3. MFDA Contractor Information

Contractor Company Name: _____

Contractor Representative: _____

Phone: _____

Email: _____

Contractor Address: _____

4. Requested Contractor Assistance

The Point of Contact requests assistance from the MFDA Contractor for the following eligible work:

☐ Removal of eligible flood-related debris deposited as a result of Comprehensive Project Operation.

☐ Hauling eligible flood-related debris to a Temporary Debris Staging Site.

☐ Repair or restoration of eligible nonstructural property damage resulting from Comprehensive Project Operation.

☐ Other requested work for MFDA review:

_____

_____

Note: The Program identifies eligible activities to include removal of flood-related debris deposited on eligible private property due to Comprehensive Project Operation and repair or restoration of flood-related nonstructural property damage, such as washed-out field approaches, culverts, or crossings.

5. Description of Proposed Work

Provide a brief description of the proposed work, including the general location on the property, type of debris or damage, anticipated equipment, and any site-specific considerations.

_____

_____

_____

_____

_____

_____

Approximate Start Date: _____

Estimated Completion Date: _____

Temporary Debris Staging Site, if known: _____

6. Site Access and Conditions

The Point of Contact shall identify reasonable access routes and communicate known site conditions to the Contractor before work begins.

Access Route / Field Entrance Location:

_____

_____

_____

Known site conditions, limitations, or restrictions:

_____

_____

_____

_____

_____

Equipment restrictions requested by Point of Contact, if any:

_____

_____

_____

_____

Note: The Program states that Points of Contact and MFDA Contractors should coordinate on the type of equipment allowed on fields to limit the chance of field damage due to clean-up operations.

7. Right-of-Entry Authorization

I, the undersigned Landowner or authorized Point of Contact, hereby grant the Metro Flood Diversion Authority, its authorized representatives, and the MFDA Contractor identified in this form temporary permission to enter the property identified above for the limited purpose of performing eligible post-operation debris removal, eligible hauling, and/or eligible nonstructural property damage repair or restoration work under the Program.

This authorization applies only to work reviewed by MFDA and authorized through a Notice to Proceed or other written MFDA approval.

This authorization does not authorize work outside the approved scope, work outside the Area of Eligibility, or work that is otherwise ineligible under the Program.

8. Acknowledgements

By signing this form, the undersigned acknowledges and agrees that:

- Granting right-of-entry is voluntary.
- This form does not guarantee that all requested work will be determined eligible for reimbursement or payment.
- MFDA will review the proposed work for eligibility before issuing a Notice to Proceed to the Contractor.
- Work may not begin under this authorization until MFDA issues a Notice to Proceed or other written authorization.
- The Point of Contact and Contractor are responsible for coordinating access, schedule, equipment needs, and site-specific work details.
- The Contractor must document eligible work in accordance with Program requirements, including invoices, hour logs, equipment logs, hauling records, photographs, and other required documentation.
- A Completed Work Close-Out Form signed by the Point of Contact may be required before contractor payment is processed. The Completed Work Close-Out Form indicates the contractor's work is complete and satisfactory.
- MFDA may deny payment or reimbursement for work that is incomplete, unsupported, outside the approved scope, outside the Area of Eligibility, or otherwise ineligible under the Program.

9. Property Damage and Field Conditions

The undersigned acknowledges that entry onto agricultural land and use of equipment may result in rutting, compaction, crop residue disturbance, or other temporary field impacts.

The Contractor shall use reasonable care when accessing the property and performing the authorized work. The Point of Contact and Contractor should coordinate access routes, field conditions, and equipment use before work begins.

10.Term of Authorization

This Right-of-Entry authorization begins on the date signed by the Landowner or authorized Point of Contact and expires on the earlier of:

☐ Completion of the authorized work;
☐ Date specified below; or
☐ Written withdrawal of authorization by the Landowner, provided withdrawal does not affect work already completed or costs already incurred.

Expiration Date, if applicable: _____

11. Required Attachments

The following items should be submitted with this form, if available:

☐ Parcel List (if all parcels cannot fit on the allocated lines on this form)

☐ Contractor's Proposed Work Description (if description cannot fit on the allocated lines on this form)

☐ Other: _____

12. Submission Instructions

Completed forms shall be submitted to the MFDA before contractor work begins.

Submit by email to: [**XXXXX@fmdiversion.gov**]
Questions: [Program Phone Number]
Website: www.fmdiversion.gov

13. Signatures

Landowner or Point of Contact Signature

I certify that I am the designated Point of Contact for the property identified in this form and request MFDA review and authorization of the Contractor-assisted work described above.

Landowner Name: _____

Point of Contact Name: _____

Signature (Landowner or Point of Contact): _____

Date: _____

Contractor Signature: _____

I certify that I have reviewed the requested work with the Landowner or Point of Contact and understand that work may not begin until MFDA issues a Notice to Proceed or other written authorization.

Contractor Representative: _____

Company: _____

Signature: _____

Date: _____

14. MFDA Review

MFDA Use Only

Received By: _____

Date Received: _____

Area of Eligibility Confirmed:

☐ Yes
☐ No
☐ Partial
☐ Pending

Requested Work Eligibility:

☐ Approved
☐ Approved with conditions
☐ Not approved
☐ Additional information required

Conditions / Notes:

_____

_____

_____

_____

Notice to Proceed Issued:

☐ Yes
☐ No

NTP Number: _____

MFDA Reviewer: _____

MFDA Signature: _____

Date: _____

END OF RIGHT-OF-ENTRY AND CONTRACTOR WORK AUTHORIZATION FORM.

NOTICE TO PROCEED (Draft Template)

Date: _____
Contractor: _____
Email: _____
Address: _____

Declaration

The Metro Flood Diversion Authority (MFDA) hereby issues this Notice to Proceed (NTP) authorizing the work described herein under the Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands. This authorization is issued following review of a completed Right-of-Entry and Contractor Work Authorization Form submitted by the designated Point of Contact and confirmation that the proposed work is eligible under the Program.

This Notice to Proceed is issued pursuant to your Post-Operation Clean-Up Assistance Services (POCAS) Contract with the MFDA and authorizes work only as described below.

Property Information

Point of Contact: _____

Landowner: _____

Property Location or Locations:

Property ID#	Township Section Range or Latitude/Longitude	Adjacent Roadway(s)

Authorized Work

The following activities have been reviewed by the MFDA and determined to be eligible for reimbursement under the Program:

☐ Removal of eligible flood-related debris

☐ Hauling eligible debris to Temporary Debris Staging Sites

☐ Restoration or repair of eligible nonstructural property damage

☐ Other approved activity:

_____

_____

Work Description:

_____

_____

_____

_____

_____

_____

Authorization Period

This Notice to Proceed is effective upon issuance.

Authorized Start Date: _____

Expected Completion Date: _____

Contractor shall coordinate all work directly with the Point of Contact and complete the work as soon as practicable following issuance of this Notice.

Program Requirements

The Contractor shall perform the work in accordance with:

- The executed POCAS Contract
- The MFDA Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program
- The current MFDA Standard Billing Rate Sheet
- Applicable federal, state, and local laws and regulations

The Contractor shall coordinate directly with the Point of Contact regarding:

- Field access;
- Equipment restrictions or preferences;
- Scheduling;
- Site-specific clean-up approaches;

- Application for Reimbursement; and
- Work completion verification.

Documentation Requirements

To receive payment, the Contractor must submit documentation sufficient to demonstrate that eligible work was completed. Documentation shall include, as applicable:

- Hours & Equipment Log and supporting documents
  - Supporting documents:
    - Contractor invoice
    - Hauling documentation
    - Receipts or invoices for approved materials or subcontracting costs
- Photos Log and supporting documents
  - Supporting Documents:
    - Before, during, and after photographs
- Completed Work Close-Out Form signed by the Point of Contact

Incomplete documentation may delay reimbursement.

Payment

Payment for authorized work shall be made in accordance with the rates and reimbursement procedures established by the MFDA and set forth within the applicable contract documents and Standard Billing Rate Sheet.

The issuance of this Notice to Proceed does not guarantee payment for work determined to be outside the approved scope or otherwise ineligible under the Program.

Special Conditions (If Applicable)

_____

_____

_____

_____

MFDA Contact Information

For questions regarding eligibility, documentation requirements, program procedures, or reimbursement:

Metro Flood Diversion Authority

Contact: _____

Email: _____

Phone: _____

Authorization

The Metro Flood Diversion Authority hereby authorizes the Contractor identified above to proceed with the work described in this Notice.

Authorized MFDA Representative: _____

Title: _____

Signature: _____

Date: _____

END OF RIGHT OF NOTICE TO PROCEED FORM.

APPLICATION FOR REIMBURSEMENT AND FORMS

(insert forms from spreadsheet)

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

APPLICATION FOR REIMBURSEMENT

Applicant Information:

Name: _____

Address: _____

City: _____ State: _____ ZIP: _____

Phone Number: _____ Email: _____

Point of Contact Type (Check the Boxes that Apply):

- ☐ Landowner
- ☐ Tenant
- ☐ Farm Manager
- ☐ Other Authorized Representative: _____

Application Type (Check the Boxes that Apply):

- ☐ Self-performed work by Point of Contact
- ☐ Self-performed work by Point of Contact + MFDA Contractor Assistance
  (Requires separate application by both parties and signatures by both parties.)
- ☐ Work Performed Only By MFDA Contractor (Requires Point of Contact Signature)

Parcel or Parcels This Application for Reimbursement is Requesting Funds for:

Instructions: Identify the parcel(s) using a township/section/range legal description.

Parcel 1: _____
Parcel 2: _____
Parcel 3: _____
Parcel 4: _____
Parcel 5: _____
Parcel 6: _____
Parcel 7: _____
Parcel 8: _____
Parcel 9: _____
Parcel 10: _____
Parcel 11: _____
Parcel 12: _____
Parcel 13: _____
Parcel 14: _____
Parcel 15: _____
Parcel 16: _____
Parcel 17: _____
Parcel 18: _____
Parcel 19: _____
Parcel 20: _____

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

APPLICATION FOR REIMBURSEMENT

MFDA Contractor Information:

(Complete if Contractor is not the Applicant and if the work was self-performed by Point of Contact + Contractor Assistance)

Manager: _____

Company: _____

Address: _____

City: _____ State: _____ ZIP: _____

Phone Number: _____ Email: _____

Type of Work Completed: (See Fees & Lists Sheet for Hand Prepared Applications)

Point of Contact: _____

MFDA Contractor: _____

Point of Contact Reimbursement Fee:

Total Labor Fee: _____ (See Staff List & Hours Log for Detailed Line Items)

Total Equipment Fee: _____ (See Equipment List & Hours Log for Detailed Line Items)

Total Actual Expenses Fee: _____ (See Actual Expenses Log for Detailed Line Items)

Total Requested Reimbursement Fee: $ -

Applicant Attachments List: (Check all that apply. If any logs are checked, supporting photos or receipts/invoices are required.)

- ☐ Staff List & Labor Hours Log
- ☐ Equipment List & Log and Equipment Photo Log
- ☐ Actual Expenses Log and Receipts & Invoices Log
- ☐ Before Photo Log and After Photo Log
- ☐ Supporting Photos for Photo Logs
- ☐ Supporting Receipts & Invoices for Receipts & Invoices Log
- ☐ W-9 Tax Form Record of Transmittal
- ☐ Completed Work Close-Out Form (To be supplied by Contractor if contractor work was performed)

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

APPLICATION FOR REIMBURSEMENT

Applicant Certification:

I certify that the information provided in this Application and the attached documentation is true and accurate to the best of my knowledge. I further certify that the work described in this Application was performed for eligible post-operation debris removal and/or eligible non-structural property damage repair or restoration under the MFDA Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands.

I understand that reimbursement may be denied or reduced for work that is incomplete, unsupported, outside the Area of Eligibility, outside the approved scope of work, duplicative, or otherwise ineligible under the Program.

Applicant Name (printed): _____

Applicant Signature: _____ Date: _____

Point of Contact Certification: (Complete if Applicant is not the Point of Contact)

I certify that I am the Point of Contact of the property identified in this Application and authorize the Applicant identified above to submit this Application and receive Program benefits or reimbursement for eligible work associated with the property. I certify the Applicant is not requesting for reimbursement of duplicate work completed by, me, the Point of Contact.

Point of Contact Name (printed): _____

Point of Contact Signature: _____ Date: _____

MFDA Contractor Certification: (Complete if Applicant is not the Contractor and if the Contractor completed work in assistance to the Applicant)

I certify that I am the MFDA Contractor that assisted work to the Applicant for the property identified in this Application. I certify the Applicant is not requesting for reimbursement of duplicate work completed by, me, the MFDA Contractor.

MFDA Contractor Name (printed): _____

MFDA Contractor Signature: _____ Date: _____

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

APPLICATION FOR REIMBURSEMENT

MFDA Review:

Date Received: _____

	YES	NO
Is the property or properties within the Area of Eligibility? If "NO", application is rejected and no further review is necessary.	☐	☐
Are all the required supporting documents accompanied with the Application for Reimbursement? If "NO", list missing supporting documents and reject application.	☐	☐

- ☐ Staff List & Labor Hours Log
- ☐ Equipment List & Log and Equipment Photo Log
- ☐ Actual Expenses Log and Receipts & Invoices Log
- ☐ Before Photo Log and After Photo Log
- ☐ Supporting Photos for Photo Logs
- ☐ Supporting Receipts & Invoices for Receipts & Invoices Log
- ☐ W-9 Tax Form Record of Transmittal
- ☐ Completed Work Close-Out Form (To be supplied by Contractor if contractor work was performed)

	YES	NO
Do the requested fees for Actual Expenses add up to the correct amount when compared to the supporting receipts and invoices? If "NO", list errors and the correct fee total:	☐	☐

_____

_____

_____

_____

_____

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

APPLICATION FOR REIMBURSEMENT

	YES	NO
Is all the work completed and being requested for reimbursement eligible work?		
If "NO", list the ineligible work and associated fee to be deducted from request.	☐	☐
If any of the ineligible work is not able to be separated out, reject application.		

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

APPLICATION FOR REIMBURSEMENT

Application Status:

- ☐ Accepted
- ☐ Partially Accepted and Revised Reimbursement Fee
  (Applicant can submit a new application for non-accepted reimbursement fees with the required missing supporting information, if the non-accepted fees are associated to eligible work.)
- ☐ Rejected

Total Requested Reimbursement Fee: _____

Deducts to Labor Fee: _____

Deducts to Equipment Fee: _____

Deducts to Hauling Fee: _____

Deducts to Actual Expenses Fee: _____

Approved Reimbursement Fee Total: _____

MFDA Review Notes/Comments:

_____

_____

_____

_____

_____

MFDA Reviewer Name (printed): _____

MFDA Reviewer Signature: _____ Date: _____

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

STAFF LIST

Applicant Name: _____

Instructions: See Fees & Lists Sheet for Hand Prepared Applications. Fees & Lists sheet display the correct Laborer Categories and Laborer Fees.

Staff #:	Laborer Name:	Laborer Category:	Laborer Fee:
1			
2			
3			
4			

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

STAFF LABOR HOURS LOG

Applicant Name: #REF! (attach more sheets if necessary)

Staff #: 1

Date	Hours	Date	Hours
Total Hours:	0	Laborer Fee:	0
		Reimbursement:	$ -

Staff #: 2

Date	Hours	Date	Hours
Total Hours:	0	Laborer Fee:	0
		Reimbursement:	$ -

Staff #: 3

Date	Hours	Date	Hours
Total Hours:	0	Labor Fee:	0
		Reimbursement:	$ -

Staff #: 4

Date	Hours	Date	Hours
Total Hours:	0	Labor Fee:	0
		Reimbursement:	$ -

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

EQUIPMENT LIST

Applicant Name: _____

Equipment #:	Equipment Category:	Equipment Fee:
1		
2		
3		
4		

Instructions:

A supporting Equipment Photo Log is required. A photo of each piece of equipment on this list shall be included in the photo log.

If there are two pieces of equipment that are the same, include photos of the VIN numbers in the Equipment Photo Log.

A supporting Equipment Hours Log shall be provided for each piece of equipment on this list to recieve reimburesment for the piece of equipment.

See Fees & Lists Sheet for Hand Prepared Applications. Fees & Lists sheet display the correct Equipment Categories and associated Equipment Fees.

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

EQUIPMENT HOURS LOG

Applicant Name: #REF! (attach more sheets if necessary)

Equipment #: 1 Equipment #: 2

Date	Hours	Date	Hours	Date	Hours	Date	Hours
Total Hours:	0	Equipment Fee:	0	Total Hours:	0	Equipment Fee:	0
		Reimbursement:	$ -			Reimbursement:	$ -

Equipment #: 3 Equipment #: 4

Date	Hours	Date	Hours	Date	Hours	Date	Hours
Total Hours:	0	Equipment Fee:	0	Total Hours:	0	Equipment Fee:	0
		Reimbursement:	$ -			Reimbursement:	$ -

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

EQUIPMENT PHOTO LOG

Applicant Name: _____

Instructions: The file name shall match the name of the photo file are submitting. The description shall either be the description of the equipment or equipment the corresponding Photo#+VIN# for VIN# photos.

Photo #	Photo File Name	Photo Description
E1		
E2		
E3		
E4		
E5		
E6		
E7		
E8		
E9		
E10		
E11		
E12		

(attach more sheets if necessary)

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

ACTUAL EXPENSES LOG

Applicant Name: _____

Instructions: A receipt & Invoice Log is required. A photo copy of all receipts or invoices are required. Attach more sheets if necessary.

Date	Expense Amount	Expense Type	Photo Log # of Receipt or Invoice	Date	Expense Amount	Expense Type	Photo Log # of Receipt or Invoice

(attach more sheets if necessary)

Expense Reimbursement: $ -

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

RECEIPT & INVOICE LOG

Applicant Name: _____

Instructions: The file name shall match the name of the photocopy file you are submitting. The description shall describe what the receipt or invoice is for. Attach more sheets if necessary.

Expense #	Receipt/Invoice File Name	Receipt/Invoice Description
RI1		
RI2		
RI3		
RI4		
RI5		
RI6		
RI7		
RI8		
RI9		
RI10		
RI11		
RI12		

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

BEFORE PHOTO LOG

Applicant Name: _____

Instructions: The file name shall match the name of the photo file you are submitting. The description shall describe the type of eligible work. Attach more sheets if necessary.

Photo #	Photo File Name	Photo Description
B1		
B2		
B3		
B4		
B5		
B6		
B7		
B8		
B9		
B10		
B11		
B12		

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands

AFTER PHOTO LOG

Applicant Name: _____

Instructions: The file name shall match the name of the photo file you are submitting. The Photo # shall correspond to Before Photo #. The description shall describe the type of eligible work completed. Attach more sheets if necessary.

Photo #	Photo File Name	Photo Description
A1		
A2		
A3		
A4		
A5		
A6		
A7		
A8		
A9		
A10		
A11		
A12		

W-9 TAX FORM RECORD OF TRANSMITTAL

FORM W-9 REQUIREMENT

Applicant Name or Company (Printed): _____
Application Date: _____
Notice of Eligibility Date (For Landowner / Point of Contact Applications): _____
Notice to Proceed Date (For Contractor Applications): _____

Purpose

A completed IRS Form W-9 is required before MFDA can issue payment to a Landowner, Point of Contact, Contractor, or other approved payment recipient under the Program. The draft Program states that a W-9 Tax Form is needed to receive payment from MFDA and that the form is used to request a taxpayer identification number for reporting amounts paid.

Instructions to Applicant / Payee

Please complete and submit the current IRS **Form W-9, Request for Taxpayer Identification Number and Certification**, with your Application for Reimbursement unless the MFDA already has a current W-9 on file for the payee.

The IRS Form W-9 page states that the current revision of Form W-9 is available as a PDF and provides instructions for the requester of Form W-9. [irs.gov]

Official IRS Form W-9: Download Form W-9 from the IRS
IRS Form W-9 information page: About Form W-9 [irs.gov]

W-9 Submission Checklist

☐ Legal name or entity name completed
☐ Business name completed, if applicable
☐ Federal tax classification selected
☐ Address completed
☐ Taxpayer Identification Number completed
☐ Certification signed and dated
☐ Submitted with Application for Reimbursement
☐ Previously submitted and on file with MFDA

Important Note

Do **not** send your Form W-9 directly to the IRS for this Program. The IRS Form W-9 itself states that the completed form should be given to the requester and not sent to the IRS.

MFDA Review

MFDA Use Only

W-9 received?

☐ Yes
☐ No
☐ Already on file

Received by: _____

Date received: _____

Notes:

_____

_____

_____

END OF W-9 TAX FORM RECORD OF TRANSMITTAL.

METRO FLOOD DIVERSION AUTHORITY

COMPLETED WORK CLOSE-OUT & CERTIFICATION FORM

Applicant Name or Company (Printed): _____

Application Date: _____

Notice of Eligibility Date (For Landowner / Point of Contact Applications): _____

Notice to Proceed Date (For Contractor Applications): _____

1. Purpose of Form

This Completed Work Close-Out Form is used to document that contractor-performed or contractor-assisted work under the Metro Flood Diversion Authority's Post-Operation Debris Removal and Property Damage Restoration and Clean-Up Program for Private Lands has been completed. The Program contemplates that Points of Contact will sign a Completed Work Close-Out Form indicating that MFDA Contractor work is complete and satisfactory before contractor payment is processed.

This form should be submitted with the contractor's Application for Reimbursement and supporting documentation required by the Program, including photographs, hours and equipment logs, hauling records, and other required records. The Program requires contractors to submit invoices with hour logs, before-and-after photo evidence, and the Completed Work Close-Out Form signed by the Point of Contact.

2. Property Information

Landowner Name: _____

Designated Point of Contact: _____

Point of Contact Relationship to Property:

☐ Landowner
☐ Tenant
☐ Farm Manager
☐ Other Authorized Representative: _____

Property Location or Locations:

Property ID#	Township Section Range or Latitude/Longitude	Adjacent Roadway(s)

METRO FLOOD DIVERSION AUTHORITY

3. Contractor Information

Company Name: _____

Contractor Representative: _____

Phone: _____

Email: _____

Contractor Address: _____

---

4. Work Authorized by MFDA

Check all work types authorized under the applicable Notice to Proceed or written MFDA authorization:

☐ Removal of eligible flood-related debris
☐ Hauling eligible debris to an Temporary Debris Staging Site
☐ Repair or restoration of eligible nonstructural property damage
☐ Other MFDA-approved work: _____

---

5. Description of Completed Work

Briefly describe the work completed by the contractor, including the location of work, type of debris removed, hauling performed, nonstructural repairs completed, and any important site-specific notes.

_____

_____

_____

_____

_____

_____

Work Commencement Date: _____

Work Completion Date: _____

Was eligible debris hauled to an Temporary Debris Staging Site?
☐ Yes
☐ No
☐ Not applicable

If yes, identify the Temporary Debris Staging Site: _____

METRO FLOOD DIVERSION AUTHORITY

6. Point of Contact Review

The designated Point of Contact should complete this section after reviewing the completed work.

☐ I have reviewed the contractor-performed work described above.

☐ The work appears to be complete and satisfactory.

☐ The work appears to be complete, but I have noted comments or concerns below.

☐ The work does not appear to be complete. Comments are provided below.

☐ I am unable to verify all work and have provided comments below.

Comments / Concerns / Exceptions:

_____

_____

_____

_____

_____

7. Documentation Checklist

The following documentation should be submitted with this form, as applicable:

☐ Contractor invoice
☐ Hours & Equipment Log
☐ Photos Log
☐ W-9 Tax Form Record of Transmittal
☐ Copy of Right-of-Entry and Contractor Work Authorization Form
☐ Copy of Notice to Proceed (for contractors)
☐ Other: _____

METRO FLOOD DIVERSION AUTHORITY

8. Payment Acknowledgement

The undersigned understands that this form confirms completion status from the Point of Contact's perspective but does not, by itself, guarantee payment. MFDA will review the invoice and supporting documentation for completeness, eligibility, and consistency with the Program, the applicable Notice to Proceed, and the Standard Billing Rate Sheet before payment is approved. The Program states that MFDA reviews reimbursement applications, invoices, and supporting documentation, verifies that work was completed and eligible, and then processes reimbursement or contractor payment.

---

9. Landowner or Point of Contact Certification

I certify that I am the designated Point of Contact for the property identified in this form. I further certify that I have reviewed the contractor-performed work described above and have indicated whether the work is complete and satisfactory, complete with comments, incomplete, or unable to be fully verified.

Landowner Name: _____

Point of Contact Name: _____

Signature: _____

Date: _____

Phone: _____

Email: _____

---

10. Contractor Certification

I certify that the work described in this form has been completed in accordance with the applicable Notice to Proceed, Program requirements, and the documentation submitted with the contractor invoice.

Contractor Company: _____

Contractor Representative: _____

Title: _____

Signature: _____

Date: _____

METRO FLOOD DIVERSION AUTHORITY

11. MFDA Review

MFDA Use Only

Date received: _____

Received by: _____

Invoice received?

☐ Yes
☐ No
☐ Not applicable

Supporting documentation complete?

☐ Yes
☐ No
☐ Additional information required

Completed Work Close-Out Form signed by Point of Contact?

☐ Yes
☐ No
☐ Not applicable

Work consistent with NTP / approved scope?

☐ Yes
☐ No
☐ Partial
☐ Additional review required

Work eligible for payment?

☐ Yes
☐ No
☐ Partial
☐ Additional review required

Approved payment amount: $_____

Comments / Conditions / Adjustments:

_____

_____

MFDA Reviewer: _____

Signature: _____

Date: _____

METRO FLOOD DIVERSION AUTHORITY

12. Submission Instructions

Submit the completed form and supporting documentation to:

Metro Flood Diversion Authority
Email: [**XXXXX@fmdiversion.gov**]
Phone: [Program Phone Number]
Website: www.fmdiversion.gov

END OF COMPLETED WORK CLOSE-OUT & CERTIFICAITON FORM.

METRO FLOOD DIVERSION AUTHORITY

Appendix D – Contracts and Standard Billing Rates

1. Post-Operation Clean-Up Assistance Services (POCAS) Contract (template)
2. Standard Billing Rate Sheet – 2027 Debris Removal and Nonstructural Damage Repair

METRO FLOOD DIVERSION AUTHORITY

Post-Operation Clean-Up Assistance Services (POCAS) Contract (template)

[placeholder for contract template]

METRO FLOOD DIVERSION AUTHORITY

Standard Billing Rate Sheet – 2027

Debris Removal and Nonstructural Damage Repair

Category	Unit	Rate	Comments
Labor Rates[1]			
Laborer	Per Hour	$60	Requires an hours log for each person
Landowner/Farmer/ Operator	Per Hour	$75	Requires an hours log for each person
Truck Driver	Per Hour	$95	Requires an hours log for each person
Equipment[2]			
Owned	Per Hour	FEMA Rate + 5%	Requires an hours log for each piece of equipment
Rented/Leased	Per Hour	FEMA Rate + 30%	Requires an hours log for each piece of equipment
Materials[3]	Per Invoice	Invoice cost + 15%	Requires a submitted receipt or invoice for each material
Subcontracting[3]	Per Invoice	Invoice cost + 10%	Requires a submitted invoice for each subcontractor used

Notes:

[1] The labor rates were established using data from the following sources:

- Davis-Bacon Wage Determinations (Davis-Bacon Wage Determinations | U.S. Department of Labor) procured here (SAM.gov | Search).
    - A "wage determination" is the listing of wage rates and fringe benefit rates for each classification of laborers and mechanics that the WHD Administrator has determined to be prevailing in a given area (usually a county) for a particular type of construction.
    - Wage determinations for laborers, operators, and truck drivers are based on comparison and averages for Cass County, Richland County, and others in ND as well as Clay County, Wilkin County, and others within Minnesota.
- DOT Force Account Provisions: The NDDOT and MNDOT Force Account Provisions were reviewed and compared to create an average percent (%) markup to the Davis-Bacon Wage Rates to be used for this program.

[2] The equipment rates were established using data from the following sources:

- FEMA Schedule of Equipment Rates (Schedule of Equipment Rates | FEMA.gov)
    - The rates on this Schedule of Equipment Rates are for applicant-owned equipment in good mechanical condition, complete with all required attachments. Each rate covers all

costs eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121, et seq., for ownership and operation of equipment, including depreciation, overhead, all maintenance, field repairs, fuel, lubricants, tires, OSHA equipment and other costs incidental to operation. Standby equipment costs are not eligible.

  - Equipment must be in actual operation performing eligible work for reimbursement to be eligible. Labor costs of the operator are not included in the rates and should be approved separately from equipment costs.

- Information regarding the use of the Schedule is contained in 44 CFR § 206.228 *Allowable Costs*. Rates for equipment not listed will be furnished by FEMA upon request. Any appeals shall be in accordance with 44 CFR § 206.206 *Appeals*.
- NDDOT and MNDOT Force Account Provisions were reviewed and compared to create an average percent (%) markup to the FEMA Rates to be used for this project.

(3) The materials and subcontracting rates were established using data from NDDOT and MNDOT Force Account Provisions to create an average percent (%) markup to the FEMA Rates to be used for this project.

METRO FLOOD DIVERSION AUTHORITY

Appendix E – Temporary Debris Staging Sites Maps

- North Dakota Sites
  - OIN 2002
  - OIN 5023
- Minnesota Site
  - OIN 1840Y

METRO FLOOD DIVERSION AUTHORITY



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 Management\Overall Property Management\Operations_Mtce\Operations_Mtce.aprx| Temporary Debris Staging_Individual

N

0 45 90 180

Feet



Locator Map Not to Scale

Temporary Debris Staging Site OIN 2002
Post-Operation Debris Clean-up Program

FM AREA DIVERSION
Date: 10/29/2026

FM AREA DIVERSION

METRO FLOOD DIVERSION AUTHORITY



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 Management\Overall Property Management\Operations_Mtce\Operations_Mtce.aprx| Temporary Debris Staging_Individual

N

0 40 80 160

Feet



Locator Map Not to Scale

Temporary Debris Staging Site OIN 5023
Post-Operation Debris Clean-up Program

FM AREA DIVERSION
Date: 10/29/2026

FM AREA DIVERSION

METRO FLOOD DIVERSION AUTHORITY



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 Management\Overall Property Management\Operations_Mtce\Operations_Mtce.aprx| Temporary Debris Staging_Individual

N

0 112.5 225 450

Feet



Locator Map Not to Scale

Temporary Debris Staging Site OIN 1840Y
Post-Operation Debris Clean-up Program

FM AREA DIVERSION
Date: 10/29/2026

FM AREA DIVERSION