

**FLOOD DIVERSION BOARD OF AUTHORITY  
NOVEMBER 14, 2013—3:30 PM**

**1. MEETING TO ORDER**

A meeting of the Flood Diversion Board of Authority was held Thursday, November 14, 2013, at 3:30 PM in the Fargo City Commission Room with the following members present: Cass County Commissioner Darrell Vanyo; Cass County Commissioner Ken Pawluk; Fargo Mayor Dennis Walaker; Fargo City Commissioner Tim Mahoney; Cass County Joint Water Resource District Manager Rodger Olson; Clay County Commissioner Kevin Campbell; and Moorhead City Council Member Nancy Otto. Also present was ex-officio member Gerald Van Amburg, Buffalo-Red River Watershed District.

Staff members and others present: Cass County Administrator Keith Berndt; Fargo City Administrator Pat Zavoral; Moorhead City Manager Mike Redlinger; Clay County Administrator Brian Berg; Fargo City Director of Engineering Mark Bittner; Fargo City Engineer April Walker; Moorhead City Engineer Bob Zimmerman; Cass County Engineer Jason Benson; Bruce Spiller, P.E., CH2MHill; Brett Coleman, Project Manager, Corps of Engineers; and Terry Williams, Project Manager, Corps of Engineers.

**2. MINUTES APPROVED**

*MOTION, passed*

**Mr. Mahoney moved and Ms. Otto seconded to approve minutes from the October 10, 2013, meeting as presented. Motion carried.**

**3. AGENDA ORDER**

*MOTION, passed*

**Mr. Campbell moved and Mr. Walaker seconded to approve the order of the agenda. Motion carried.**

**4. LEGISLATIVE UPDATE**

Pat Zavoral said the diversion project has been authorized through the U.S. Senate WRDA bill and U.S. House of Representatives WRRDA bill. The conference committees will be meeting in the next few weeks with plans to finalize legislation to be signed by the President by the end of the year.

**5. MANAGEMENT UPDATE**

*Program management consultant (PMC) report*

Bruce Spiller provided an update on activities over the last month including a review by the Corps of Engineers on design of the southern section of the Oxbow/Hickson/Bakke (O/H/B) levee; construction MOU scope submitted to the Corps; and continued work on land acquisitions and policies.

*Corps of Engineers report*

Brett Coleman provided an update of activities by Corps of Engineers staff including continued support for the Minnesota EIS (Environmental Impact Statement) process; continued design and soil borings work associated with the O/H/B levee; weekly coordination meetings for the O/H/B levee; work on the Maple River aqueduct physical modeling; and updates to cemetery information contained in the feasibility study.

Mr. Campbell asked when the full scope of the Minnesota EIS will be complete. Bob Zimmerman said the final scope is in draft form, and the board will need to consider an amendment to the agreement with the Minnesota DNR in early 2014. Mr. Zimmerman said the goal is to have the EIS complete by July 2014.

## 6. TECHNICAL UPDATE

### Design Contracts / Task Orders

Mr. Spiller reviewed Task Orders with Houston Moore Group (HMG) as follows: Task Order No. 9, Amendment 9—Hydrology and Hydraulic Modeling in the amount of \$166,000; Task Order No. 13, Amendment 3—Levee Design and Design Support in the amount of \$135,000; and Task Order No. 16—Permit Submittal Preparation and Acquisition Support in the amount of \$205,000.

#### ***MOTION, passed***

**Mr. Mahoney moved and Ms. Otto seconded to approve Task Order No. 9, Amendment 9; Task Order No. 13, Amendment 3; and Task Order No. 16 with Houston Moore Group for a total cost of \$506,000. On roll call vote, the motion carried unanimously.**

### Red River Basin Commission update

Lance Yohe, Executive Director of the Red River Basin Commission (RRBC), Chad Engels from Moore Engineering, and Zack Herrmann from Houston Engineering were present and provided preliminary results of the Halstad Upstream Retention (HUR) Project. The purpose of the project is to provide information to advance the Red River Basin Commission's long-term flood solutions report, and to provide assistance to the diversion authority on how to prioritize and allocate the \$25 million approved in retention funding. The study is not intended to determine how upstream retention would alter the current diversion design.

The project outcomes were based on assumptions that sites would be identified for local benefits first; all 97 detention sites would be built; conceptual impoundment locations would be included; modeling would be based on approximate 100-year flood; and modeling would be completed based on existing Red River conditions. The study used one scenario to show a 20% basin-wide flow reduction. The HUR project will provide information including peak flow reduction; volume reduction with totals and relative to the peak flow window; and the proportion of 20% Red River peak flow reduction plan to help make a decision on prioritization and funding.

Ms. Otto said based on the findings, it appears the 97 retention sites used in the model would provide only a small amount of reduction in peak flow river levels. Mr. Berndt asked what a 20% flow reduction would result to in terms of stage reduction at the Fargo gauge. Mr. Engels said the stage reduction was dependent upon a number of factors, but estimated it would be about a 1.3 foot reduction on the Red River without emergency measures and likely more with emergency measures.

Mr. Berndt noted that the study considered one set of ideal conditions, and asked Mr. Engels how much retention would be necessary to allow a reliable 20% flow reduction under actual conditions when a perfectly uniform distribution of water throughout the basin was not assumed. Mr. Engels said that was beyond the scope of the study, but it would require far more acres of storage than the 97 sites considered in the study.

Mr. Yohe said the diversion board needs to determine a funding policy and implementation timeline. He anticipates the final report will be available in January 2014. He will present additional ideas to help develop a funding policy at the next meeting. Mr. Vanyo asked about the availability of specific information for each of the 97 sites. According to Mr. Yohe, the different watersheds may request a project at an individual site go through the process to determine flow reduction of that project alone. Mr. Zavoral said the Red River Retention Authority could help to determine sites.

Mr. Campbell said the priority of the diversion board is to first reduce impacts to upstream storage areas. Mr. Bittner suggested the board determine the need and a time frame, possibly using a five-year window for potential projects. Mr. Vanyo suggested the RRBC meet with the diversion technical group to determine the next step in this process.

## 7. PUBLIC OUTREACH UPDATE

### Committee report

Rodger Olson said the Public Outreach Committee met on November 13<sup>th</sup>. He discussed numerous outreach activities including: individual meetings with impacted landowners upstream to share information about the project; work with the Corps of Engineers to gather data regarding cemeteries within the staging area; and two presentations to civic groups regarding the project.

## 8. LAND MANAGEMENT UPDATE

### Committee report

Mr. Walaker said the Land Management Committee met earlier this afternoon. He said the committee received updates regarding hardship and land acquisitions, a crop insurance study, and agricultural impacts mitigation plan.

### **Hardship Acquisition Update**

Eric Dodds from AE2S said the Hardship Committee met last month and approved the purchase of another hardship property in rural Minnesota. The Land Management Committee authorized an appraisal on the property, and approved a request to add Mark Brodshaug, Chairman of the Cass County Joint Water Resource District (CCJWRD), as a member of the committee.

#### ***MOTION, passed***

**Mr. Mahoney moved and Mr. Campbell seconded to authorize the appraisal on a hardship property in rural Minnesota, and to add Mark Brodshaug as a member of the Land Management Committee. Motion carried.**

### **Agricultural Impacts Mitigation Plan**

Mr. Dodds said the plan will allow flowage easements to be purchased and supplemental crop insurance to be provided for lands impacted by the project. Mr. Vanyo said this issue was discussed earlier this year and needs to be formally adopted.

#### ***MOTION, passed***

**Mr. Mahoney moved and Mr. Campbell seconded to approve the Agricultural Impacts Mitigation Plan, which includes providing flowage easements and supplemental crop insurance for lands impacted by the diversion project. Motion carried.**

CCJWRD report

Mark Brodshaug provided a brief report from the CCJWRD regarding land acquisition and management. He referred to the monthly summary, which outlines pending and completed property acquisitions and the associated budget.

**9. FINANCE UPDATE**

Committee report

Michael Montplaisir, Cass County Auditor, said the Finance Committee met on November 13<sup>th</sup>. The project continues to be financed on a cash basis, and the special assessment financing option continues to be studied. He referred to a handout regarding the State Water Commission funds reimbursement worksheet, and said a request from the Diversion Authority in the amount of \$18,600 will be submitted for the land costs associated with a home buyout in Oxbow.

Voucher approval

***MOTION, passed***

**Mr. Mahoney moved and Ms. Otto seconded to approve the vouchers for October, 2013. On roll call vote, the motion carried unanimously.**

**10. NEXT MEETING DATE**

There was discussion about the December and January meetings. The North Dakota Joint Water Convention is being held December 11<sup>th</sup> and 12<sup>th</sup> in Bismarck. The board agreed to hold the next meeting on Thursday, December 19, 2013, at 3:30 PM.

Mr. Vanyo said the January meeting will be cancelled, and if items arise that need board action, a special meeting could be held.

**11. ADJOURNMENT**

***MOTION, passed***

**On motion by Mr. Walaker, seconded by Ms. Otto, and all voting in favor, the meeting was adjourned at 5:00 PM.**