



Richland - Wilkin Joint Powers Authority

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Press Release Richland-Wilkin Joint Powers Authority March 9, 2018

The Richland/Wilkin JPA has spent months vigorously working with the Governor's task force and recent Leadership Committee, led by Commissioner Landwehr, in an all-out effort to identify a Fargo Flood Project that can be permitted by the MN DNR. The JPA retained the top Engineer in MN on water issues. Based on the analysis of the JPA engineer, a proposal was developed that would fully protect Fargo, West Fargo and Moorhead, including protection for significant development in the future. The JPA proposal removed Oxbow, Bakke and Hickson from the staging area, removed all impacts to MN, reduced the elevation of the Staging Area by over 5 feet and substantially reduced the size of the staging area.

The JPA proposal was clearly the least impactful and addressed all issues identified by the DNR in the Diversion Authority Permit Denial. Chief among the DNR's objections to the Diversion plan was that 54% of the 72,923 acre project area was "sparcely developed" flood plain. The Diversion Authority's new proposal actually *increases* the size of the project by thousands of acres from 72,923 to 76,812 acres. The Diversion Authority failed to address critical issues set forth in the permit denial. Instead, the Diversion Authority has followed a "talking points plan" to sell the project. A DNR permit is based on MN law, not talking points.

The Diversion Authority responded to the months of effort by the Richland/Wilkin JPA and DNR to develop a Fargo Flood Plan that could be permitted, by voting to submit a permit application without considering the JPA proposal or the final comparisons of all alternatives prepared by the DNR and the Technical Advisory Committee. The details and benefits of the JPA proposal weren't even available when the Diversion Authority voted to reject them. At the final meeting conducted by the DNR yesterday to review all the options of a possible way forward, and before Commissioner Landwehr could provide any feedback as to what option would be more likely to earn a permit, the Diversion Authority representative circulated a press release detailing their predetermined alignment and permit application, preempting any further discussion on the possible alignments.