

METRO FLOOD STUDY WORK GROUP MEETING
Friday, January 15, 2010
1:30 p.m.
Fargo City Commission Room

A meeting of the Metro Flood Study Work Group was held at 1:30 p.m. on Friday, January 15, 2010 in the Fargo City Commission Room.

Work Group Members present: Fargo City Commissioner Tim Mahoney, Fargo City Commissioner Brad Wimmer, Moorhead Council Member Nancy Otto, Moorhead Council Member Diane Wray-Williams, Cass County Commissioner Darrel Vanyo, Clay County Commissioner Kevin Campbell, Cass County Water Resource District Manager Tom Fischer, Buffalo-Red River Watershed District Manager Gerald VanAmburg.

Work Group Members absent: Cass County Commissioner Scott Wagner, Moorhead Council Member Dan Hunt, Clay County Commissioner Grant Weyland.

Staff Members present: Fargo City Administrator Pat Zavoral, Fargo City Engineer Mark Bittner, Moorhead City Manager Mike Redlinger, Moorhead City Engineer Bob Zimmerman, Cass County Administrator Bonnie Johnson, Cass County Engineer Keith Berndt, Clay County Administrator Vijay Sethi.

Others present: U.S. Army Corps of Engineers Project Manager Aaron Snyder, Fargo City Attorney Erik Johnson, Moorhead City Attorney Brian Neugebauer, Clay County Attorney Michelle Winkis, Southeast Cass Water Resource District Attorney Sean Fredricks, Buffalo-Red River Watershed Attorney Tami Norgard, West Fargo City Administrator Jim Brownlee; Fargo Finance Director Kent Costin; Red River Basin Commission Executive Director Lance Yohe.

Commissioner Campbell introduced the Work Group and other staff seated at the table.

Commissioner Campbell said the minutes from the November 12, 2009 Work Group meeting were approved at the November 24, 2009 Metro Flood Management Committee.

U.S. Army Corps of Engineers Project Manager Aaron Snyder distributed a Fargo-Moorhead Metro Feasibility Project Schedule and Status Report and stated the study is on schedule. He said there are three meetings scheduled for February - the Metropolitan Flood Management Committee will be held February 1st in Fargo Centennial Hall and two public meetings are scheduled for February 2nd in Fargo and February 3rd in Moorhead. He highlighted some of the dates on the schedule as follows:

April 15, 2010 - Letter of support for the locally preferred plan from City of Fargo and City of Moorhead. He said delay of the letter of support could jeopardize the project.

July 15, 2010 - Letters of support and financial self certification for construction and maintenance are due.

September 9, 2010 - Project sponsors will attend the CWRB briefing in Washington, DC. A positive review from upper level staff will help ensure the deadline can be met.

Mr. Snyder said the timing is critical in regard to discussion of non-federal funding for the project. He outlined the Corps' expectations of the sponsors and current study cost estimates. In regard to the status of the current efforts, Mr. Snyder said the Corps is incorporating a cost and risk assessment, which could change the cost benefit numbers. He said the numbers can change as more information is verified. Any diversion that falls under the benefit/cost ratio of one, he said, cannot be recommended. Mr. Snyder said an analysis of the potential for loss of life due to flooding is being completed which may help the numbers for the recommendation for a larger plan. Other areas of study, he said, include environmental and downstream impacts. He said the Corps will be working hard to get the necessary information for the meetings at the beginning of February.

Commissioner Campbell suggested the Work Group meet on February 4th at 3:30 p.m. in the Fargo City Commission Room.

Mr. Snyder commented on the status of the sponsorship options for the project. He said he anticipates no more than two construction sponsors - possibly one from North Dakota and one from Minnesota.

There was discussion regarding unanimous support from all of the local entities. Commissioner Campbell said there may have to be consensus from the two cities and two counties but the Metro Flood Management Committee needs to agree once a preferred plan is decided upon.

Fargo City Attorney Erik Johnson said the Attorneys have met to discuss sponsorship and ownership issues. He said sponsorship may be either through an individual entity or through a Joint Powers Agreement with a lot to accomplish between April and July.

Commissioner Campbell suggested a representative from each jurisdiction be included when the Attorneys meet.

Mr. Zavoral said initially the local share of funds should be discussed and then the maintenance piece. He said it is important for the watershed boards to be included in the governing board since they have experience in maintaining projects. Mr. Zavoral said the Work Group will discuss the ownership/maintenance options in more detail at the February 4th meeting.

There was discussion regarding the local share of funding. Commissioner Mahoney said there should be more discussion so constituents can be informed and planning can take place.

Mr. Zavoral said the Fargo sales tax amount of \$200 million was based on the Southside Flood Control Project. He said the local share for a local diversion could be \$600 million and he is hopeful Fargo, Cass County and North Dakota will split/share the costs.

Senator Tom Fischer said Governor Hoeven is supportive of a diversion project but financial support cannot be finalized until the next legislative session.

Commissioner Vanyo said the City and County should work together on funding so there is a financial plan in place for future generations.

Mayor Walaker said preliminary discussion is important in anticipation of the final figures on a preferred plan. He said Fargo and Moorhead are moving forward with property purchases along the Red River as well as planning for funding. Senator Dorgan, he said, has made Federal support for the project a top priority in his last year in office.

Mr. Redlinger said Minnesota Governor Tim Pawlenty recently announced \$50 million from the budget for statewide water projects. He said Moorhead is seeking funds to finish infrastructure work and is in the process of acquiring homes along the Red River.

Commissioner Campbell said there has been positive feedback in regard to the funding potential from the State of Minnesota. He said operating and maintaining the project once completed is ongoing so it is important to keep in mind the financial burden on property owners.

Mr. Costin said the City has done preliminary work on funding for a diversion project. He said special assessments would be a part of the financing and would cost less than flood insurance.

Ms. Johnson said the County has been focused on the river corridor in order to be prepared for river levels up to 36 feet. She said the County will be able to purchase 88 homes with funding sources from FEMA and two grants. The County, she said, has done the analysis on special assessments and has come up with figures of \$150 million over 20 years. She said this is a realistic, multi-generational approach to funding.

There was discussion regarding ongoing costs for a diversion. Commissioner Campbell said a Minnesota diversion could have anywhere from 14 to 22 bridges, requiring substantial ongoing maintenance in addition to the construction costs.

Mr. Yohe said the Commission has been having public meetings and receiving input for comprehensive planning. He said the problem is basin-wide and it is important both sides work together. Both state governments are involved, he said, and the Commission continues to include plans for upstream storage to reduce downstream impact.

In response to a question from Commissioner Vanyo regarding updates on the cost/benefit ratios, Aaron Snyder said the information would be made available and reported upon at the February meetings.

The meeting was adjourned at 2:40 p.m.