

Metro Flood Study Work Group Meeting
Thursday, March 11, 2010
3:00 p.m.
Fargo Centennial Hall
Fargo, North Dakota

A meeting of the Metro Flood Study Work Group was held at 3:00 p.m. on Thursday, March 11, 2010 in Fargo Centennial Hall.

Work Group Members present: Moorhead Council Members Dan Hunt, Nancy Otto and Diane Wray-Williams, Cass County Commissioners Scott Wagner and Darrell Vanyo, Clay County Commissioner Kevin Campbell, Buffalo-Red River Watershed District Manager Gerald VanAmburg.

Work Group Members absent: Fargo City Commissioners Tim Mahoney and Brad Wimmer, Clay County Commissioner Grant Weyland, Cass County Water Resource District Manager Tom Fischer.

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, U.S. Army Corps of Engineers Senior Planner & Project Manager Craig Evans, U.S. Army Corps of Engineers Planner Elizabeth Killian, Fargo Mayor Dennis Walaker, Cass County Water Resource District Rodger Olson.

Commissioner Campbell opened the meeting with introductions.

Approval of March 4, 2010 Minutes

Nancy Otto moved the minutes from the March 4, 2010 Metro Flood Study Work Group meeting be approved. Scott Wagner seconded the motion. All members present voted aye and the motion was declared carried.

Remarks by Aaron Snyder, US Army Corps of Engineers

Aaron Sndyer, USACE, said there have been some questions about past acceptance of waivers on plans other than the NED. He said only one time has an exception to the NED been made and then the Office of Management and Budget did not concur in approving a larger plan. He said the Corps continues to do analysis on the MN 35K and the gap is narrowing between the MN 20K and the MN 35K. He said it is possible a MN 25K or 30K could become the NED.

Public Hearing

Kevin Campbell requested the public keep their comments to three minutes. There was discussion regarding large groups being allowed to use a representative to speak for 15 or 20 minutes in order to expedite the process. Mr. Campbell said after the individuals are done speaking, the larger groups can have an opportunity.

Kevin Heiden, West Fargo, said retention needs to be addressed before a diversion is built.

Mark Brodshaug, Cass County Joint Water Resource Board Member, said a ND diversion provides larger regional flood protection. He said it would be more equitable to have ND residents support a ND diversion. He said areas that would grow from the results of a ND diversion would generate money for a good return on investment.

In response to a question from Jim Nyhof, Mayor of Oxbow, regarding Oxbow being two miles south of the projected ND diversion, Mr. Snyder said the ND alignments were developed early on but are not necessarily set in stone.

John Stern, Fargo, said no matter which side of the Red River a diversion is located, a 500 year level of protection would be better than a 100 year level of protection, especially with the recent floods.

Lowell Siebels, Harwood, said rural roads would need to be built-up 3 to 4 feet to handle the damage waffle plans would cause. He said a ND diversion would be a better option because the North Dakota river crossings would be a more controlled situation.

In response to a question from Joe Loney, West Fargo, regarding the effect a ND diversion would have on the West Fargo diversion, Craig Evans said a North Dakota alignment would expand a portion of the Sheyenne Diversion from Horace to West Fargo but from West Fargo northward it would run a bit to the west.

David Gust, Raymond Township Supervisor, said the Corps is estimating a 6 to 12 inch increase for downstream communities and he said that may be a low estimate. He said the Red River Basin Commission is correct in saying retention is an important element and also that downstream communities should not be inundated with extra water from flood protection projects.

Bucky Maughan, Fargo, said he supports a North Dakota diversion.

John Dullea, Halstad, said retention should be used along with a North Dakota diversion to store water for dry periods.

Gerry Gwost, Harwood, said it makes sense to do a North Dakota diversion because it would increase the viability and growth of the Fargo Moorhead area.

Mike Williams, Fargo, said a diversion, on either side of the Red River, is needed and he is encouraged by the work done by the Metro Flood Study Work Group and the Corps. He said retention projects and a diversion can be done concurrently with everyone coming out a winner.

Kevin Campbell said the Work Group is paying attention to the downstream impacts and basin-wide retention. He said Minnesota Governor Pawlenty said he is willing to work with North Dakota and that a MN/ND Joint Powers Authority is being discussed.

Patty Kratky, League of Women Voters, said the League would like to thank the Work Group for allowing public input. She said she is concerned with project funding, the social cost to taxpayers and environmental issues.

Dilworth Mayor Chad Olson said Dilworth supports a North Dakota diversion. He submitted letters from the City of Dilworth, Bruce Langness and Timothy Keane. Mr. Olson submitted a handout with estimated costs for a Minnesota diversion. He said the numbers for the relocation of the rail yard differ between the Corps and BNSF and depending on the actual cost, the benefit/cost ratios would change.

Ken Parke, Dilworth City Administrator, said there is another aquifer closer to Dilworth that is of concern. He said Dilworth relies on the commercial and residential tax base and a MN diversion would prohibit new growth. He said the possible relocation of the railroad out of Dilworth would also have a large economic impact.

Tim Keane, Malkerson, Gunn, Martin, LLP and representing Dilworth, said the Work Group should not take any action until an environmental review is completed.

Bruce Langness, Senior Water Resource Engineer and former Dilworth City Engineer, submitted a Report on the Potential Impacts of the Minnesota Floodwater Diversion Option to the City of Dilworth's Groundwater Aquifers. He said there are technical issues with a diversion in regards to the local water sources that need to be taken into consideration.

West Fargo Mayor Rich Mattern said West Fargo understands the value of a diversion and they support a North Dakota diversion. He said they also realize West Fargo would benefit from a North Dakota diversion.

Mike Warner, Oxbow, said he has never experienced a delay in planting because of retained water in the spring. He said retention needs to be part of a long term plan and is not to be feared.

Tami Norgard, Buffalo-Red River Watershed Attorney, said there is a misperception that once a plan is selected the Work Group must forever hold their peace. She said a selected plan then becomes a part of an environmental review process and the Corps will look at reasonable alternatives.

In response to a question from Darrel Vanyo regarding further study being done on a ND diversion, Craig Evans said unless a ND diversion is selected as the Locally Preferred Plan, the Corps would not study a ND plan any further.

Todd Fuchs, West Fargo, said he would like to see a larger project than a 20K diversion so there would be more protection for a larger area. He said when millions of dollars are being spent for flood protection, a project should protect more area with downstream impacts and retention needing to be considered as well.

Jim Erickson, Minneapolis, MN and spokesperson for Citizens for a North Dakota Diversion, said he will speak on the political situation of choosing a diversion. He said the Corps of Engineers is protecting national interests, not local interests and the benefits are far higher for a North Dakota plan. Mr. Erickson said the only chance for federal funding is with a ND plan even though the Corps said the MN plan has a better chance of being funded. The City of Moorhead is meeting Friday, he said, and he hopes they will support a ND diversion so that a diversion is done right. He submitted a letter of support for a ND plan from Carol Arzt of Harwood.

Blane Benedict, President of Benedict Farms, Inc., said the North Dakota plan is the best protection for the most people.

Richard Thomas, Fargo, encouraged the Work Group to pick an option that provides adequate protection for the valley and the taxpayers.

Scott Wagner, Cass County Commissioner, read a proclamation on behalf of the Greater Fargo Moorhead Economic Development Corporation stating the Executive Committee for the GFMEDC fully supports the recommendations of the Metro Flood Study Work Group and urges a decision to be made so there is a federal authorization with the 2010 schedule that provides 500 year flood protection.

Ed Schaefer, FM Flood Coalition, said a MN 20K diversion would not provide protection from flood levels equal to the 2009 flood. He said a North Dakota diversion would provide an increased economic benefit to the area as well as more protection to a greater area. He said there are rumors he would like to clear up:

1. Both MN and ND Governors are committed to putting out money to make a diversion work.
2. The Corps is not opposed to a ND diversion because of environmental issues. He said Minnesota and North Dakota plans both have environmental problems.
3. The Legislature thoughtfully analyzes projects and if North Dakota funds \$250 million for a diversion, that will not prohibit more money later for other projects.

In response to a question from Mr. Schaefer regarding a ND diversion getting the Corps' support, Craig Evans said after the local group picks a LPP, the Corps can only make a recommendation. He said the LPP would go to the Assistant Secretary of the Army for Civil Works and it would not be a Corps decision. He said the NED is the one plan the Corps is required to recommend.

Doug Burgum, FM Flood Coalition, said he is concerned with three aspects of a Minnesota diversion: economic, engineering and political. He said the Corps only takes the national cost/benefit into account, and if the Corps would include regional and local cost/benefit figures, the ND diversion would have the highest ratio.

In response to a question from Mr. Burgum regarding failure mechanisms for diversion plans, Aaron Snyder said the Corps builds failure mechanisms into plans and if a MN diversion would reach capacity, the overflow would not leave its banks but would go

upstream. Mr. Burgum said a ND diversion would benefit from the political support of the Big Eight legislators so he asked the Work Group to support a ND diversion.

Scott Wagner thanked everyone for coming.

The meeting was adjourned at 5:00 p.m.