

Metro Flood Study Work Group Meeting
Thursday, April 22, 2010
3:30 p.m.
Fargo City Commission Room

A meeting of the Metro Flood Study Work Group was held at 3:30 p.m. on Thursday, April 22, 2010 in the Fargo City Commission Room.

Work Group Members present: Fargo City Commissioners Tim Mahoney and Mayor Dennis Walaker representing Brad Wimmer, Moorhead Council Members Nancy Otto and Diane Wray-Williams, Cass County Commissioner Scott Wagner, Clay County Commissioners Kevin Campbell and Grant Weyland, Cass County Water Resource District Manager Tom Fischer, Buffalo-Red River Watershed District Manager Gerald VanAmburg.

Work Group Members absent: Moorhead Council Member Dan Hunt and Cass County Commissioner Darrell Vanyo.

Staff Members present: Fargo City Administrator Pat Zavoral, Fargo City Engineer Mark Bittner, Fargo City Senior Engineer April Walker, 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. Fargo City Attorney Erik Johnson, Moorhead City Attorney Brian Neugebauer, Southeast Cass Water Resource District Attorney Sean Fredricks, Cass County State's Attorney Birch Burdick, Buffalo-Red River Watershed Attorney Tami Norgard, Clay County Assistant Attorney Michelle Lawson.

Commissioner Campbell opened the meeting with introductions.

Approval of March 18, 2010 Minutes

Nancy Otto moved the minutes from the March 18, 2010 Metro Flood Study Work Group meeting be approved. Diane Wray-Williams seconded the motion. All members voted aye and the motion was declared carried.

Update from Corps of Engineers

Aaron Snyder distributed a handout to update committee members. He said \$1.3 million in federal funding has been identified for continued study on the project, but needs approval from the Administration and Congress.

Mr. Snyder also discussed hydrology and hydraulic information and said they are working to update models. The timeline calls for the NED plan to be identified by May 10th with the anticipated release of the draft report to the public on May 21st. He said they are also working to update models on downstream impacts to provide at the public meetings in June.

Mr. Snyder said right of entry requests were sent by their office to all potential impacted landowners. Surveys are needed to set alignments and identify final costs.

Mr. Snyder spoke of numerous meetings to be held over the next few months, including a visit from the Assistant Secretary of the Army for Civil Works (ASA-CW) on April 25th; public meetings on June 9th in Moorhead and June 10th in Fargo; landowner meetings on June 14th in Fargo and June 15th in Moorhead; and a downstream stakeholder meeting on June 16th in Hendrum.

Mr. Snyder said the Corps sent the Locally Preferred Plan (LPP) request to the ASA-CW this past Tuesday. The ASA-CW will need to approve the LPP request. Mark Bittner asked what information was submitted to the ASA-CW. Mr. Snyder said LPP motions from all four entities, information on the NED plan, and several alternatives were provided to the ASA-CW. Mr. Snyder said once the ASA-CW rules and approves the LLP, a waiver to tentatively select the plan will need to be given to allow the North Dakota Diversion be the recommended plan. Mr. Snyder hopes to receive the ruling before the May 21st release of the draft report.

Mr. Snyder discussed the flexibility of the alignment for the project. He said there will be some flexibility but it would be in feet versus miles. If the alignment is moved, there must be a good technical reason to move it.

Cass County Informational Meetings

Scott Wagner said Cass County officials will hold informational meetings for cities within Cass County in the upcoming month regarding the North Dakota Diversion. He said everyone will be notified as dates are set. In all, city meetings will be held with 25 cities.

Joint Powers Authority-Governance

Erik Johnson provided a presentation on joint powers authority. He said a joint powers agreement will be needed with Moorhead, Fargo, Clay County, Cass County, Cass County Joint Water Resource District and Buffalo Red River Watershed. Duties of the joint powers authority board would include collection of funds, borrowing of funds, land acquisition and project ownership.

There was discussion on the makeup of the board based on whether the diversion is built in Minnesota or North Dakota, and the issues involved in the decision making process based on the diversion location. Aaron Snyder suggested the joint powers agreement use a percentage to determine the cost share for each entity.

Local Sponsorship

Kevin Campbell said local sponsorship needs to be determined. Aaron Snyder said the process is much simpler with two or less sponsors. Nancy Otto suggested Moorhead and Clay County determine who the sponsor from Minnesota will be, and Fargo and Cass County determine who the sponsor from North Dakota will be. Mr. Campbell suggested the Moorhead Mayor meet with the Clay County Commission Chairman, and Fargo Mayor meet with the Cass County Commission Chairman to discuss this issue.

Mayor Dennis Walaker said in the past, the Corps has recommended two sponsors be designated, and feels both cities should be the sponsors. Scott Wagner believes a conversation between the chairmen and mayors would be valuable regarding local sponsorship. Mr. Wagner also stated the North Dakota project would be built outside the City of Fargo, so Cass County would be a "good fit" for sponsorship.

Diane Wray-Williams asked about the sponsors' role in the project. Aaron Snyder said the sponsors would be responsible to implement the project and to ensure funds are available.

Next Meeting Date

The committee agreed to meet on Thursday, May 13th at 3:30 p.m.

The meeting was adjourned at 4:40 p.m.