

From: **Joel Paulsen** <[PaulsenJ@fmdiversion.gov](mailto:PaulsenJ@fmdiversion.gov)>  
Date: Tue, Jan 12, 2021 at 2:34 PM  
Subject: RE: City Commission Contact Form  
To: Trana Rogne **\*\* REDACTED \*\***  
Cc: Tim Mahoney ([tmahoney@fargond.gov](mailto:tmahoney@fargond.gov)) <[tmahoney@fargond.gov](mailto:tmahoney@fargond.gov)>

Mr. Rogne,

Thank you for your questions/comment. I have no logged requests from you on this issue so I assume you are referring to requests to other organizations that have not responded to you.

I am sorry you feel that the mitigation plan is a plan to disadvantage North Dakota property owners. You are correct that there are different mitigation requirements in MN versus ND. I can not speak for the ND OSE or the MN DNR or each State on how the policy threshold was established but I can let you know that the Project falls under the regulatory requirements of each state and we do not have the ability or authority to change these requirements. Any changes to these requirements has to be made by the ND OSE on the North Dakota side and the MNDNR on the Minnesota side.

We are not using a static pool for mitigation purposes **nor do we have any "emergency spillways"** that you are referring to.

The Diversion Authority is and will continue to comply with regulatory requirements as necessary based on the jurisdictions having authority.

Thank you,

Joel Paulsen