

# Fargo-Moorhead Area Flood Diversion Task Force

## Summary of Meeting

Monday, Dec. 11, 2017

FargoDome Room 203

### PRESENT

- Gov. Doug Burgum – Governor of North Dakota
- Gov. Mark Dayton – Governor of Minnesota
- Del Rae Williams – Mayor of Moorhead, MN
- John Strand– Fargo City Commissioner
- Ron Bergan – Fargo business leader and entrepreneur
- Tim Fox – Former Wilkin County Attorney
- Jason Benson – Cass County Engineer
- Joel Paulsen – Moorhead City Council member
- Nathan Berseth – Richland County Commissioner
- Heidi Durand – Moorhead City Council member
- Tami Norgard – Natural resources attorney
- Mark Anderson – Treasurer of Buffalo-Red Watershed District
- Curt Johannsen – Mayor of Hendrum, MN
- Ken Vein – Grand Forks City Council member
- Jenny Mongeau – Clay County Commissioner
- Bernie Dardis – Greater North Dakota Chamber Board Chair
- Steve Jacobson – Norman County Commissioner
- Craig Hertsgaard – Richland County farmer
- Barb Naramore – Minnesota Department of Natural Resources Assistant Commissioner
- Tom Landwehr – Minnesota Department of Natural Resources Commissioner

### WELCOME

The meeting was called to order at 10:19 a.m.

#### ***Governors' Welcome***

- Gov. Burgum thanked the Technical Advisory Committee for their work. He also thanked Gov. Dayton for making six trips to the Fargo-Moorhead area to conduct the work of the Task Force, and for dedicating staff from the DNR to the work of the group. Burgum also thanked members in the audience including local officials.
- Gov. Dayton thanked the Task Force members and Technical Advisory Committee members for their superb work and Gov. Burgum for his leadership and persistence.
- Gov. Burgum noted the group is not a decision-making authority, but a group assembled to understand the realm of possibilities in terms of project options and permitting from the DNR.

### TECHNICAL ADVISORY OVERVIEW

***Presentation by Technical Advisory Committee that includes Mr. Bob Zimmerman – Moorhead Engineer, Mr. Nathan Boerboom – Fargo Engineer, Mr. Gregg Thielman – Diversion Authority Engineer, Mr. Kent Lokkesmoe – DNR Bureau Administrator, Ms. Suzanne Jiwani – DNR Hydrologist, Land Use Programs and Ms. Jill Townley – DNR Ecological Water Resources Planner Principal***

Ms. Townley explained the group was requesting to give the entirety of their presentation before taking questions and having discussion. She began by reviewing the task force charter and outlining several areas of direction the committee had been given including finding components that could fit together to create a project, using the agreed-upon period of record, including a western tie back, distributed storage as a long-term strategy and evaluating up to six inches of downstream impacts. She also noted the four goals the committee was trying to meet included striving for equity in impacts between the states, minimizing the number of acres removed from the floodplain, minimizing newly impacted acres and structures and economic considerations.

### ***Presentation about Option Analysis***

- Ms. Townley explained the western tieback levee concept that allowed for more floodplain storage in North Dakota. She introduced the concept of the eastern tieback levee. Both tieback levee options were recommended by the Technical Advisory Committee. Ms. Townley outlined two alignment options for the northern part of the diversion channel. The Committee was neutral in regards to these options.
- Mr. Boerboom explained the flows through town studied and the potential impacts and benefits of 37, 38 and 39 feet through the metro area. The Committee recommended the 37-foot level be adopted. That level was used in further modeling and analysis by the Committee.
- Mr. Lokkesmoe explained changing the future operational plan to allow up to six inches of impact downstream of the project. He noted this component could be reduce the staging area water level by .4 of a foot but mitigation downstream would be required. He noted this was an operational feature, not a design feature, and did not have to have a clear decision today.
- Mr. Thielman presented three different alignment options for the Southern Embankment. He referenced maps that showed alignments and resulting modeled inundation areas.
- Ms. Jiwani noted that areas with more inundation mean there are fewer types of mitigation that can be utilized and areas with low levels of water have more flexibility in regards to the type of mitigation needed.
- Mr. Zimmerman noted the preliminary cost estimates. He noted that group did not have a recommendation on the southern alignment options.

## **DISCUSSION ON TECHNICAL ADVISORY PRESENTATION**

### ***Western Tie Back Levee***

- There was consensus from the task force to include this component with no additional comments made.

### ***Eastern Tie Back Levee***

- Mr. Mark Anderson noted the impacts of eastern tie back levee idea on drains in Buffalo Watershed, specifically Ditch 1 south of Comstock and Ditch 53.
- There was consensus to include this component while considering Mr. Anderson's comments.

### ***Northern Storage/Diversions Channel Alignment***

- The Technical Advisory Committee was asked for clarification on what a neutral recommendation meant. Ms. Townley noted the recommendation was based on a technical review of the option.
- There was discussion about other alignment shifts and the timing of floodwaters from the Rush, Lower Rush and Maple River. Mr. Thielman noted some alignment options could result in backwater flooding issues and increased cost.
- Mayor Johannsen asked what impacts the alignment shift made on water elevation at the southern embankment. Mr. Thielman noted the shifted alignment would reduce the stage by .03 feet, less than ½ inch.
- There was discussion about the 1,800 acres that would be impacted differently by the alignment shift option, and the benefits or costs to other parts of a project.
- Commissioner Strand asked about culturally sensitive sites along the alignment options.
- There was consensus was to leave this option and discussion on the table as the recommendation from the technical group was a neutral and there were task force members in favor of both options and continuing studying the alignment.

#### ***Additional Flows Through Town (RS 35 feet, RS 37 feet, RS 38 feet, RS 39 feet)***

- Commissioner Strand asked how many of the presented levels would be allowed with a FEMA certified project. Ms. Terry Williams, U.S. Army Corps of Engineers, noted their organization would feel comfortable with 37 feet but not any higher. She noted this level is an increased risk than 35 feet.
- Mr. Dardis and Mr. Benson noted the cost of the options. Council member Vein noted the importance of factoring in risk due to operations in difficult conditions.
- Gov. Dayton asked about the impact on the staging area. Mr. Lokkesmoe noted a lower water elevation in the staging area would reduce the size of the area as well.
- Council member Paulsen noted the mitigation required by increasing flows.
- Mr. Hertsgaard asked about the impacts in the staging area and floodplain. Ms. Jiwani noted area designated as floodway for this Project are the areas with greater depth of water. Filling is allowed in the shallower areas.
- A majority of task force members came to consensus that 37 feet through town was the correct level with a minority of opinions on both sides (higher/lower) of the agreed-upon level.

#### ***Allowing downstream impacts up to 6 inches***

- Mayor Johannsen, Council member Vein, Ms. Norgard and John Paczkowski, Assistant North Dakota State Engineer noted the difficulty of getting projects approved by Canada. Council member Durand noted the group does not have complete information on impacts around Climax.
- There was discussion about the amount of floodplain, stage levels and mitigation requirements in regards to this option.
- Task Force members agreed to keep this as a consideration relative to permitting.

#### ***Changing Location of Dam/Southern Embankment***

- Mr. Lokkesmoe noted all three alignment options increased floodplain storage in North Dakota. He noted that option 7a would not be closer to a potential permit as it is too similar to the current project, but options 7b and 7c were moving closer to permitability. There was discussion about this.

- Eight task force members verbally mentioned 7c as an appropriate option, some stating that they would support it if a combination alignment was not found to be prudent.
- Mr. Boerboom noted that option 7b would need a way for water to drain out of the area. Ms. Judith DesHarnais of the U.S. Army Corps of Engineers noted concern with 7b and moving the dam location closer to population and with the need to potentially penetrate the dam to allow for drainage. She also noted concern with 90 degree turns in dam design. Col. Sam Calkins noted he would be comfortable in suggesting 7a and 7c is similar enough to maintain authorization. Option 7b would be further from that goal.
- Combining options together were suggested multiple times. Council Member Paulsen noted the technical group may need some flexibility to find the exact location.
- There was discussion about the alignment and cost of mitigating commercial properties near the St. Benedict church community. Mr. Benson noted this could potentially cost \$20 million. There was additional discussion about requirements to raise or move Interstate 29.
- There was discussion about distributive storage and the impact any project will have on school districts in the impacted area.
- Task Force Members voiced support for various options, including some options that were combinations of the three alignments.

## **ROUND ROBIN**

- Task Force Members noted their appreciation for the dedication of task force members and of the technical advisory group. The governors were thanked for bringing all voices to the table and allowing frank discussion on this critical issue. The cost of flood insurance to homeowners was noted by Mr. Dardis. Commissioner Landwehr noted there are options on the table for discussion.
- Gov. Dayton thanked all members of the task force and encouraged all voices to be represented with full participation on the Diversion Authority Board. He suggested including adding Minnesota representatives from upstream and downstream of the project on the Diversion Authority Board and noted he is optimistic that the solution will bring the community together.
- Gov. Burgum thanked Gov. Dayton and the DNR for their commitment to the Task Force. He noted the work of the group laid the foundation for a new era of collaboration versus an era of litigation.

## **MEETING CONCLUSION**

- The Governors noted the report from the Task Force will be compiled by staff.

The meeting adjourned at 3:48 p.m.

*Post-Meeting note from Technical Advisory Group*

- *Following the meeting, TAG members agreed they will prepare a report that will be circulated to the Task Force and Task Force members. Task Force members will be able to submit written response to the report for future consideration.*