

MINUTES OF MEETING
DIVERSION AUTHORITY AGRICULTURAL POLICY SUBCOMMITTEE
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
APRIL 16, 2013

The Diversion Authority Agricultural Policy Subcommittee met on April 16, 2013, at 7:00 p.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were those whose names appear on the attached roster.

Chairman Rodger Olson called the meeting to order and introductions were made.

Approval of agenda order

It was moved by Ken Bergh, seconded by Matt Ness, and unanimously carried to approve the agenda, as amended.

Minutes

It was moved by Mark Brodshaug, seconded by Ken Bergh and unanimously carried to approve the minutes of the March 12, 2013, meeting.

Farmstead Ring Levee Evaluation

Lee Beauvais reported on the farmstead ring levee evaluation conducted regarding the Fargo-Moorhead Area Diversion Project. All structures were included in this process, not just farmsteads. The scope of work was to identify and catalog structures and any updates to the existing database. The structures were characterized and criteria was determined for non-structural measures. They next determined the suitability of individual residences and farmsteads based on the criteria. Feasibility level design was prepared where appropriate. Information was compiled on the depth and duration of inundation, transportation, and feasibility cost. Individual maps were also prepared.

Report on individual landowner meetings held on April 10 and 11, 2013

Three teams held meetings with individual property owners / homeowners over a two day period to discuss the project. Mark Lambrecht said a total of 57 meetings were held. One caller indicated residents of Bakke held a community meeting and decided not to participate. Of those that participated, there were 41 rural residences, 8 farmsteads, 4 from Hickson and 4 from Bakke Subdivision.

About half of the properties had a technically feasible solution. Eric Dodds said other options included taking a buyout or relocating to Oxbow inside the protected area. The Hickson and Bakke Subdivision residents indicated they were interested in a buyout. Farmstead owners would like to stay, if feasible. Properties from the south end of the

staging area to those just south of the north end expressed disappointment and hoped an area would be carved out for them to relocate. Of the 41 residences, many were north of Oxbow along the river, where buyouts were the only option. Others reacted favorably to ring levees or buyouts. Seven residents asked for more information and may be interested in moving to a protected area near Oxbow to remain in the Kindred School District.

Ken Bergh said he canceled his meeting because there were too many questions they do not have answers for. He is not in favor of the staging and storage area, but if it were just the Diversion, he would be cooperative. Eric Dodds said the project sponsors and those working to move the project forward are trying to get as much feedback as they can from those impacted. He pointed out that it is difficult to get answers for residents if they do not attend the meetings. Mr. Bergh said again that he is not interested until they quit talking about a dam. Mark Bittner said the role of the committee is to look at the project, analyze it according to how it impacts farming and determine how to address that. He asked everyone to put aside their objections to the project and deal with the directive they were given. Mr. Bittner said they are trying to adapt the project to them as much as they can. Mark Brodshaug asked about the plan for follow-up visits. Mr. Dodds said they may have more community style meetings. They also want to meet with Minnesota residents and property owners.

Tyler Odegaard asked about the basis of the buyout process. Mr. Lambrecht explained the Federal process. Properties are appraised and all have a common data book from which they would all work uniformly. They do not consider the positive or negative influence of the project. Matt Ness asked about moving grain bins or buildings for a ring dike. Mr. Lambrecht said that would be a project cost. Mr. Bittner said the appraisal process is only the basis for starting negotiations. If a property owner is not comfortable, they can request a second appraisal from a list of certified appraisers. Mr. Odegaard asked about non-working farms with 8 to 10 acres and horses. They would work with them to do the best they can, but they cannot replace everything.

Agricultural Impacts Mitigation Plan

Mr. Dodds has met with USDA Risk Management Agency (RMA) officials to discuss crop insurance relating to the Fargo-Moorhead Area Diversion staging and storage area. He hopes to have a reinsurer at the next meeting to help the group come up with an annualized risk. CH2MHill has an internal risk assessment model that is being worked on. Mr. Dodds went through various scenarios with RMA and how they would determine whether Federal crop insurance or supplemental crop insurance would be used. One of the deciding factors would be if the project were operated. Each event would be unique and claims would be handled on a case by case basis. RMA would likely get involved with developing policies for insurance adjusters.

Mr. Beauvais said the reality is to empty the staging and storage area as quickly as possible. Mr. Dodds added that there would be an operating plan to cover those things.

Mr. Bittner said if the farm program goes away, the project should not be responsible for replacing that. He pointed out that they are also looking at options to reduce times of operation.

Rodger Olson said there needs to be some type of insurance. The Diversion Authority would likely agree to match what the current crop insurance plan does.

Sharon Josephson said there may be a hearing on the project in Washington, D.C. in May, with some sort of vote coming forward by October 1st. She also reported that retention remains part of the Farm Bill. If everything goes well, there may be additional funding for retention available after October 1st. They are hopeful the funds can be utilized with the Red River Retention Authority and the water boards. Mr. Olson asked everyone to look for areas to store water.

Meeting schedule

The next meeting will be held at 7:00 p.m. on June 18, 2013, at the Cass County Highway Department in West Fargo.

Adjournment

It was moved by Brian Rust, seconded by Matt Ness and unanimously carried to adjourn the meeting.

APPROVED:

Rodger Olson
Chairman

ATTEST:

Carol Harbeke Lewis
Cass County Joint Water Resource District
Secretary-Treasurer