



**DIVERSION AUTHORITY
Land Management Committee
City Commission Room
Fargo City Hall
Thursday, January 8, 2015
2:00 p.m.**

1. Agenda review
2. Approve December 11, 2014 minutes
3. CCJWRD Land Management Summary
4. Agricultural Risk Economic Evaluation Study Update
5. Right of Entry Status & Cultural Resources Easement Acquisition Update
6. Other business
7. Next meeting Thursday, February 12, 2015

**DIVERSION AUTHORITY
Land Management Committee
City Commission Room
Fargo City Hall
Thursday, December 11, 2014
2:00 p.m.**

Committee Members Present: Cass County Commission Representative Darrell Vanyo, Clay County Commission Representative Jon Evert, Cass County Joint Water Resource District Representative Rodger Olson, Buffalo-Red River Watershed District Representative Gerald Van Amburg, Fargo City Administrator Pat Zavoral, Cass County Administrator Keith Berndt, Moorhead City Administrator Michael Redlinger, Clay County Administrator Brian Berg, Fargo Director of Engineering Mark Bittner, Moorhead City Engineer Bob Zimmerman, Fargo City Engineer April Walker (alternate).

Others Present: Eric Dodds - AE2S; US Army Corps of Engineers Project Managers Terry Williams and Brett Coleman; Lyndon Pease - Moore Engineering; Mark Brodshaug - Cass County Joint Water Resource District.

The meeting was called to order by Darrell Vanyo.

Agenda review

There were no additions or amendments to the agenda.

Approve November 13, 2014 Minutes

Rodger Olson moved the minutes from the November 13, 2014 meeting be approved. Jon Evert seconded the motion. All the members voted aye and the motion was declared carried.

CCJWRD Land Management Summary

Mark Brodshaug shared the Land Management Summary highlighting recent activities. Six homes are under construction in Oxbow, he said, and a number of appraisals have come back from the Corps review process recently allowing the team to get more negotiations started. He said six appraisals have been submitted by Prosource for Oxbow, and HMB has submitted four appraisals for in-town residential properties to the Corps for review. Appraisals continue for the Oxbow ring levee and the in-town levee, he said, and the Cass County Joint Water Resource District Board authorized HMB to appraise six additional properties as part of the Mickelson levee extension. He said four of these will need to be full acquisitions. Vacant lot appraisals in Oxbow have been reassigned to Ulteig in order to get the process moving faster, he said, and purchase and relocation negotiations are underway with the Oxbow Country Club with a purchase agreement close.

Darrel Vanyo said the meeting in Oxbow was attended by a large percentage of the residents being relocated and they presented good questions.

License Agreement for Entry Upon Diversion Authority-Owned Property

Eric Dodds said the agreement came about due to a citizen asking permission to cut down some trees in a shelterbelt on Diversion Authority-owned property. It was drawn up in order to grant that type of access, he said. Due to some land being owned by the Diversion Authority and some by the Cass County Joint Resource District (CCJWRD), he said, a similar license agreement was also passed by the CCJWRD Board. He said Pifer's Land Management will handle such requests, and Carol Harbeke Lewis will be authorized to sign the forms on behalf of the Diversion Authority.

Keith Berndt moved the License Agreement for Entry Upon Diversion Authority Owned Property be approved. Brian Berg seconded the motion. All the members voted aye and the motion was declared carried.

Farmland Management Report

The 2014 Year End Summary is the first annual report from Pifer's Land Management, Eric Dodds said, and similar annual reports are expected each year. He said the report does a nice job explaining the properties Pifer's is managing on behalf of the Diversion Authority. He said just under \$140,000.00 in rent payments were collected this year.

Agricultural Risk Economic Evaluation Study Update

Eric Dodds said work continues with the NDSU team on the Agricultural Risk Study. He stated the group attended a small group meeting earlier this week with an update on what they are working on and to share feedback and input for some questions the NDSU team had. The group will have a presentation at the next Ag Committee meeting, he said, and he will bring a report to the January meeting of this committee. He said the sophistication of the research being done is impressive and he looks forward to their output. He said they are looking at flood frequencies and probabilities of many variables like temperature, fall precipitation and the variety of other planting conditions that come into play. As far as the economic piece, he said, rather than trying to predict what crop prices may be, they will likely benchmark some crop prices for use as an indicator.

Rodger Olson said he is impressed with the work they are doing and feels it will result in a lot of good, unbiased information.

Mark Brodshaug said the NDSU group is really digging into the impacts, risks and probabilities of holding back water. He said they are doing some pretty elaborate modeling and there will be a lot of good information.

Right of Entry Status and Cultural Resources Easement Acquisition Update

Lyndon Pease said typical survey work slows down going into winter months. He said work continues along the southern embankment alignment and I29 roadways associated with the staging area. Geotechnical borings are being conducted in that area, he said, and will continue into January/February. Additional borings are needed for a few properties for the in-town levees, he said, with completion expected by year end. He said the design team is coordinating an effort for access to survey existing drainage ditches in the Hickson and Bakke area. Geotechnical borings are expected to start sometime this winter along the south end of the embankment for the design of the Maple River Aqueduct structure itself, he said. In the next few months some land property

boundary surveys will be conducted along the north end of the diversion channel itself, he said.

Eric Dodds said a land acquisition firm was authorized to proceed with appraisals from the outlet back to the Rush River earlier; however, that was put off for awhile and now plans are for that to proceed. Rights-of-entry are needed to conduct initial survey work and then the appraisal work will start, he said, so it could be six months before property is acquired, with the exception of one site consisting of two parcels that the Corps needs to do some cultural mitigation work in 2015. That appraisal has been submitted to the Corps, he said, and some survey work is being wrapped up so an offer may be made on those two pieces in a couple months.

Other Business

In response to a question from Rodger Olson about whether anything will be mitigated outside the "red box," Keith Berndt said the expectation is that there will be. Ultimately, he said, the decision lies with the Diversion Authority. He said FEMA will have the most stringent standards and the level may depend upon what they require.

Rodger said the sooner that could be figured out, the better. That would take some of the anxiety away from the people with property outside the "red box," he said.

Eric Dodds said the Corps has assembled a small team to begin addressing in more detail the challenging issues for the staging area, such as how farmstead buyouts and flowage easements will be handled, and other mitigation measures in the storage area. The result, he said, may be to ask this group and others to consider some policy type decisions sooner rather than later. Although the need for that land and those flowage easements is a ways off, he said, it seems there is an increasing pace that these issues are arising.

Darrell Vanyo said due to the death of Mayor Dennis Walaker, who was the chair of this committee, he has asked Tim Mahoney to serve as the chair in the future and he has agreed.

The next meeting will be Thursday, January 8, 2015 at 2:00 p.m.

Bob Zimmerman moved the meeting be adjourned. Michael Redlinger seconded the motion. All the members voted aye and the motion was declared carried.

The meeting adjourned at 2:25 p.m.