

**LAKE AGASSIZ WATER AUTHORITY**

**BOARD OF DIRECTORS**

**Holiday Inn  
Fargo, North Dakota  
August 20, 2018**

A meeting of the Lake Agassiz Water Authority (LAWA) board of directors was held at the Holiday Inn, Fargo, North Dakota, on August 20, 2018. The meeting was called to order by Chair Mahoney at 10 a.m.

**MEMBERS PRESENT**

Chair Tim Mahoney  
Vice Chair Ken Vein  
Director LaVonne Althoff  
Director Dave Carlsrud  
Director Tom Erdmann  
Director Mark Johnson  
Director Ralf Mehnert-Meland  
Director Don Moen  
Director Keith Nilson  
Alternate Gordon Johnson for Director Rick Bigwood  
Alternate Geneva Kaiser for Director Bob Keller  
Associate Member Carol Siegert  
Secretary Duane DeKrey

**MEMBERS ABSENT**

Director John Hancock  
Associate Member Don Bajumpaa

**OTHERS PRESENT**

Staff members of the Garrison Diversion Conservancy District were present along with others. A copy of the registration sheet is attached to these minutes as Annex I.

The meeting was recorded to assist with compilation of the minutes.

**AGENDA**

Chair Mahoney asked for approval of the agenda.

**Motion by Director Nilson to approve the board agenda. Second by Director Althoff. Upon voice vote, motion carried.**

## **INTRODUCTIONS**

Chair Mahoney introduced Tom Erdmann as the new board member for the City of Carrington and welcomed him to the board.

Mr. Erdmann provided a brief background on himself.

## **CONSIDERATION OF THE MINUTES**

**Motion by Director Johnson to dispense with a reading of the May 18, 2018, LAWA Board minutes and approve them as distributed. Second by Director Mehnert-Meland. Upon voice vote, motion carried.**

## **OFFICER REPORT**

None

## **COMMITTEE REPORTS**

**Technical Advisory Committee** - - Jerry Blomeke, Vice Chair, LAWA Technical Advisory Committee (TAC), reported that the committee met on July 17. At that time, they heard updates on the StateMod and the North Dakota Pollutant Discharge Elimination System (NDPDES) Permit. Updates were also provided on the Red River Valley Water Supply Project (RRVWSP) schedule and designs. A report on easement values was also provided.

The committee was presented with and recommends approval of the following task orders: Amendment No. 3 to the StateMod, Field Verification of Preliminary Design Report (PDR) Pipeline Alignment, Value Engineering Assistance, Project Information Management System and Land Services. These are on the agenda for consideration by the board today.

**Contract Review Committee** - - Todd Feland, City Administrator, Grand Forks, provided a report from the Contract Review Committee, which was assigned the duty of conducting a review of the engineering contract between Garrison Diversion and Black & Veatch. This contract includes consulting/engineering services for the RRVWSP. The committee has completed the review and is happy to report that Black & Veatch is doing a good job. It has been determined that the terms of the agreement and fees are reasonable.

Mr. Feland added that the committee discovered the contract insurance requirements are in need of further review and suggested that an insurance advisor be obtained.

**Value Engineering Study Selection Team** - - Bruce Grubb, City Administrator, Fargo, gave an update from the Value Engineering (VE) Study Selection Team, reporting that interviews were held on July 18 and 19 with the two firms that submitted proposals for the RRVWSP VE Study. One was Barr Engineering, and the other was HDR. A selection committee made up of two representatives from Garrison Diversion, two from LAWA and one from the State Water Commission conducted the interviews.

Both firms have very good experience and appear capable; however, in the committee's opinion, their strengths differ slightly, and it was felt that HDR's strengths better aligned with the RRVWSP.

Mr. Grubb stated it is the recommendation of the Selection Committee to hire HDR to conduct the VE Study of the RRVWSP. He referred to the agreement, scope of work and fee proposal submitted by HDR. The total cost of the proposal is \$198,539.

**Motion by Director Althoff to approve the agreement and scope of work with HDR for the purpose of conducting a Value Engineering Study on the Red River Valley Water Supply Project. Second by Director Carlsrud. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

**Motion by Director Mehnert-Meland to approve HDR's Fee Proposal Summary for the Value Engineering Study on the Red River Valley Water Supply Project in the amount of \$198,539. Second by Director Nilson. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

### **RED RIVER VALLEY WATER SUPPLY PROJECT UPDATE**

**Central North Dakota Environmental Assessment** - - Tami Norgard, Vogel Law, provided an update on the Central North Dakota Environmental Assessment (EA), referring to a copy of the Bureau of Reclamation's letter announcing the release of the Draft Finding of No Significant Impact (FONSI) and Final EA. The Final EA was prepared to analyze the environmental, social and economic impacts of issuing a water service contract to Garrison Diversion. The Draft FONSI was prepared to document the environmental review and evaluation of the proposed action in the EA. This means the environmental review has ended. The review period on the FONSI ends August 31.

Ms. Norgard said once the FONSI has been signed, negotiations can begin on a water service contract in order to obtain water from the McClusky Canal.

**Upper Sheyenne River Analysis** - - Chair Mahoney informed the board that a presentation on the Upper Sheyenne River Analysis was made to the State Water Commission at its meeting on August 9. He called on Steve Burian, Advanced Engineering and Environmental Services, to give a report on the meeting.

Mr. Burian explained that the City of Devils Lake expressed its interest in shortening the route of the pipeline by turning at Highway 30 and believes that delivering the water into the Upper Sheyenne River would be more beneficial and cost effective. A preliminary analysis was done that indicated difficulties with that strategy, yet Devils Lake continued to express concern. A more detailed analysis was then conducted and several meetings were held with the City of Devils Lake.

Mr. Burian said by delivering water to the Upper Sheyenne River, it is approximately 188 river miles further upstream rather than delivering the water to the proposed location. There is potential for considerable water loss along the Upper Sheyenne River stretch either through evaporation, evapotranspiration or through seepage. This is also a very minor stream that has not been proven to be reliable, other than for the Devils Lake Outlet. The preliminary analysis determined there could be losses exceeding 40 cfs or more. The life cycle cost analysis showed on the upper end of the losses it would cost more to go to the

Upper Sheyenne than to the lower Sheyenne River. There are also legal obstacles in terms of the Dakota Water Resources Act and language included with regard to Devils Lake. In addition, there are very few development agreements signed in this area.

In conclusion, when looking at the technical concerns, financial differences, legal issues and the limited users, the original approach remains the best approach.

At the end of the presentation to the State Water Commission, Mr. DeKrey stated that it was the intention of Garrison Diversion and LAWA to move forward with the current plan unless there was major opposition.

**Financial Update** - - Merri Mooridian, Deputy Program Manager, RRVWSP Administration, provided a financial update. Various funding scenarios are included in the financial models, which are very robust. Various terms and rates are being reviewed.

Ernst & Young, who are the municipal advisors, are on hold with the modeling efforts until more direction is provided from the board.

Work is also being done on the ability to pay analysis.

**Work Plan Update** - - Kip Kovar, Deputy Program Manager, RRVWSP Engineering, referred to the RRVWSP Work Plan Update dated August 7, which provides the status on each of the approved task orders. A copy of the update is attached to these minutes as Annex II.

Mr. Kovar provided an update on the general design progress for early out construction items, which includes the intake pump station wet well, discharge structure and trenchless crossings. A next step is to attend a scaled model witness test of the pump station, which he will attend in September.

Mr. Kovar also reported on the status of the intake, sovereign lands and NDPDES permits.

Mr. Kovar presented the need and the scope of the new task orders via PowerPoint.

### Task Orders

#### **StateMod Amendment No. 3**

Mr. Kovar presented and reviewed Amendment No. 3 to the StateMod Task Order. While the work in Amendment No. 2 provided an overall design basis for the RRVWSP pipeline, additional analysis using the model and tasks outside of the model are now being requested as described in this amendment.

Basic services noted under Task 1 are for additional expenses incurred under Amendment No. 2. Tasks 2 through 6 cover new work as described: Task 2 includes project management, Task 3 includes special project and third-party coordination, Task 4 includes on demand alternative modeling and model refinement, Task 5 includes losses for the receiving water and Task 6 includes research and updating the Lake Ashtabula Operating Plan.

The cost of this task order is \$193,428.

**Motion by Director Johnson to approve Amendment No. 3 to the StateMod Task Order in the amount of \$193,428. Second by Alternate G. Johnson. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

#### Field Verification of PDR Pipeline Alignment

Mr. Kovar presented and reviewed the task order for Field Verification of PDR Pipeline Alignment.

The task order consists of professional design services associated with the field verification of 139 miles of alignment including any recommended alignment changes, similar to what has been done for the first 28 miles of alignment (Segment 1). Reference materials, including those developed under previous task orders, will be compared to actual field findings and differences noted with written notes, photographs, video, and other descriptive tools.

The total cost of the task order is \$164,000.

**Motion by Director Althoff to approve the Task Order for Field Verification of PDR Pipeline Alignment in the amount of \$164,000. Second by Director Nilson. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

#### Value Engineering Assistance

Mr. Kovar next presented and reviewed the Value Engineering Assistance Task Order.

The main focus of this task order is for the engineer and its subconsultant(s) to assist Garrison Diversion as it completes a VE review of the RRWSP elements through the use of a VE consultant.

The anticipated cost of this task order is \$64,000.

**Motion by Director Carlsrud to approve the Task Order for Value Engineering Assistance in the amount of \$64,000. Second by Director Johnson. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

#### Program Management Information System

Mr. Kovar also referred to and reviewed the Program Management Information System Task Order.

The main focus of this task order is to assist Garrison Diversion in making initial contact with vendors and to solicit formal submittals from those vendors to provide hardware, software, and services relating to construction type activity. Information requested of vendors will

address the management, organization, and archiving of information and data over the life of the Project.

The cost of this task order is \$43,100.

**Motion by Director Mehnert-Meland to approve the Program Management Information System Task Order in the amount of \$43,100. Second by Director Nilson. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

### Land Services

Mr. Kovar referred to the task order for Land Services, explaining that the task order was issued previously and the board authorized the first segment.

The purpose of this task order is for survey support services to secure all necessary permanent easements within Segment 1, and to execute existing and secure new easement options on RRVWSP parcels for Segments 2a, 2b, 3 and 4.

Mr. Kovar stated there are limited funds remaining in this biennium so spending requirements need to be balanced out. There are 58 options remaining on a portion of Segment 3, which is part of the 2010 alignment going into the McClusky Canal. These options will expire in the summer of 2019. The options for Segment 3 are: 1) convert the 58 options to easements, 2) renegotiate and extend expiring option agreements, or 3) abandon signed options.

Mr. Kovar reported that Garrison Diversion's board and the LAWA TAC agreed to look at renegotiating and extending the expiring option agreements for Segment 3. Letters would be sent to the landowners to determine if they are willing to sign another option agreement. A decision could then be made by the various boards on which way to go.

**Motion by Director Nilson authorizing the preparation of letters to landowners along Segment 3 to determine interest in renegotiating and extending option agreements. Second by Alternate Kaiser. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

Mr. Kovar added that approximately 80 acres is needed for the intake, main pump station, break tank, control valve structure and the discharge site. He proposes, in order to optimize the use of funds, moving forward with the purchase of property for the intake and discharge facilities this biennium. Options to purchase could be secured for the other needed properties.

**Motion by Director Althoff authorizing the purchase of property for the RRVWSP intake and discharge facilities. Second by Director Johnson. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

Mr. Kovar asked the committee for additional land services authorization under this task order for Segments 2A, 2B and 4. It does not include the actual easements for the facilities. It includes the engineering and legal services required to prepare the data and documentation that is needed to acquire the easement.

**Motion by Alternate G. Johnson to approve Segments 2A, 2B and 4 of the Land Services Task Order in the amount of \$1,232,839. Second by Vice Chair Vein. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

**Updated Easement Values** - - Mr. Kovar referred to the tables included with the meeting materials showing examples of 2017 land sale prices within the affected counties of the RRVWSP. He provided background information regarding easement pricing for the RRVWSP, explaining the two methodologies that were used in 2009. To determine the easement value, the value of land was looked at before the project and after the project. With a pipeline project, the land should be usable after the pipe is buried and the land is restored; however, few landowners would give an assessment to their property without some kind of compensation. The method selected took the average land value and applied a multiplier. It also provided \$25 per year for 10 years for soil disturbance.

Methodology 1 and 2 are laid out in the 2017 examples.

Mr. Kovar said when dealing with options, the landowner was paid 10 percent of the land value for an option.

Mr. Kovar stated the landowners are also provided reimbursement under a crop damage policy for any crop damages.

Mr. Kovar reported that it was the consensus of the LAWA TAC to move forward on a county- by-county basis and then have a minimum value.

**Program Management Update** - - Ms. Mooridian referred to and reviewed the chart dated July 17 that defines the schedule of work required by HB 1020. The chart shows the status of the work being done on the RRVWSP this biennium, listing the start and finish dates of tasks listed by category. It is a critical tool for planning and will continue to be refined.

**Planning Level Budget** - - Ms. Mooridian referred to and reviewed the RRVWSP Planning Level Budget. As of July 31, \$5.3 million has been expended on Conceptual Design, \$9.9 million on Preliminary Design, \$3.9 million on Final Design, Easement and Administration and \$0 on construction. Of the \$45.1 million estimated program budget, a total of \$19.2 million has been spent. The smaller table at the bottom of the page shows a breakdown of the state appropriation and LAWA cost share by biennium.

Ms. Mooridian also referred to and reviewed the graph showing cumulative project spending. Copies of the budget and graph are attached to these minutes as Annex III.

## **FINANCIAL REPORT**

**2018 Budget Analysis Statement** - - Ms. Mooridian referred to and reviewed the Budget Analysis statement for the period of January 1, 2018, to July 31, 2018, a copy which is attached to these minutes as Annex IV.

Total income through July is \$121,967. Expenses are \$16,679. The total bank balance at the end of July was \$814,562.

**Motion by Director Mehnert-Meland to approve the Budget Analysis Statement for the period of January 1, 2018, through July 31, 2018. Second by Director Johnson. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

**Bills Paid** - - Bills paid since the last meeting, include \$2,065 for attorney fees to Ohnstad Twichell.

**Summary of Dues and Cost Share Payments** - - Ms. Mooridian referred to the table showing membership dues and cost share payments received. Dues collected in 2018 total \$34,000 and cost share payments of \$87,930.

## **UNFINISHED BUSINESS**

**Conflict with Negotiation of Agreement between LAWA and Garrison Diversion** - - Chair Mahoney said the board will be going into Executive Session today to discuss the Memorandum of Understanding (MOU) between LAWA and Garrison Diversion; however, since there is a LAWA board member who is also a board member on the Garrison Diversion board, there may be a conflict of interest. He called on John Shockley, LAWA's legal counsel and attorney with Ohnstad Twichell, for further explanation since this board will need to make a decision on how to handle this issue.

Mr. Shockley stated there is currently one board member who serves on both LAWA and Garrison Diversion boards, as well a one alternate who is filling in for a board member today. This becomes an issue when negotiating an agreement between LAWA and Garrison Diversion regarding the MOU. This can have potential cost implications for each entity and; therefore, the conflict of interest arises when asked to negotiate a contract. The Attorney General's opinions on this issue are not applicable to this circumstance. He has discussed the situation with Ms. Norgard, who is Garrison Diversion's legal counsel, and they arrived at a solution which would be followed in the corporate area of law, which is very similar to municipal law, and would generally apply to any type of political subdivision. With that, the officer or board member who has the potential conflict of interest would disclose that to the board, then that person would be asked if they wanted to be a part of the negotiating team for either board. The member would declare which board he wishes to represent during the negotiation. The full board would then vote whether to waive the potential conflict of interest and allow the board member to take part in the Executive Session and negotiate on behalf of whichever entity is declared.

Mr. Shockley suggests that the two members who are representing both boards today disclose their potential conflict of interest, state which board they intend to participate on and



then it is up to a majority vote of the LAWA board if they are willing to waive that potential conflict of interest.

Ms. Norgard stated that she agrees and has done a lot of research on this issue. The bottom line is the board member could say he/she feels strongly and wants to sit on both sides and serve both boards. She and Mr. Shockley agree that is not a good way to approach this. It is better to pick one or the other or, best case scenario, recuse his/herself from both so there would not be an issue at all.

Alternate Geneva Kaiser said she feels that she was elected to serve on the Garrison Diversion board and would like to recuse herself from the negotiation.

Vice Chair Ken Vein stated that he serves two elected positions. He was elected to the Grand Forks City Council, serving as vice president, and was appointed to the LAWA Board to represent the city. He was also elected as the Grand Forks County Director on the Garrison Diversion Board. He serves proudly on both boards because they are both working toward the RRVWSP. There is a potential conflict of interest which exists during the negotiating process, but once the contract is negotiated there is no longer a conflict.

Vice Chair Vein said he has looked at this a lot to determine where he is best aligned. He feels he is aligned with both, but feels his fiduciary responsibility is with the City of Grand Forks. The reason being Grand Forks is also a major user of the RRVWSP, and he thinks the emphasis of the project needs to be about the user. Grand Forks is also a major contributor to the RRVWSP; therefore, he believes he should represent the user. He also pointed out that the city engineer for Grand Forks chairs the LAWA TAC and the city financial advisor co-chairs the LAWA Finance Committee so Grand Forks has many ties to LAWA. He asks the LAWA Board to waive any potential conflict of interest and allow him to participate in the Executive Session. If the board approves this request, he would abstain and voluntarily recuse himself from participating in any Executive Session that Garrison Diversion may have on this issue and not participate in any contract negotiation on behalf of Garrison Diversion.

Chair Mahoney said so the board has full disclosure, Vice Chair Vein has been part of the discussion regarding the MOU with Mr. Shockley and has had quite a bit of input into the matter.

**Motion by Director Nilson allowing Vice Chair Vein to participate in the Executive Session to discuss negotiation strategy regarding the MOU between Lake Agassiz Water Authority and Garrison Diversion and waiving any potential conflict of interest. Second by Director Carlsrud. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Those voting nay: none. Those abstaining: G. Johnson and Kaiser. Absent and not voting: Hancock. Motion carried.**

**Motion by Director Mehnert-Meland to enter into Executive Session to discuss negotiation strategy regarding the MOU between LAWA and Garrison Diversion and to provide negotiation parameters to LAWA's general counsel.**

Mr. Shockley explained that the general rule from the Open Meetings Law is that meetings are supposed to be open except in limited circumstances where the law allows the board to go into Executive Session. The purpose for this Executive Session is to provide guidance

and direction on the negotiation parameters regarding the agreement with LAWA. As part of that, anyone who is not on the LAWA board and anyone who has recused themselves are asked to leave the room. His associate will take notes and record the meeting as per the law. The city administrators for Fargo and Grand Forks have asked to participate, and he does not see any problems with their participation.

**Second by Director Johnson. Upon roll call vote, the following directors voted aye: Althoff, Carlsrud, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Hancock. Motion carried.**

The board went into Executive Session at 12:15 p.m. and reconvened in regular session at 1:40 p.m.

### **NEW BUSINESS**

**Board Vacancy** - - Ms. Mooridian commented that Neil Fandrich was defeated as mayor of Carrington in the recent election. The city has named the new mayor, Tom Erdmann, to the LAWA board, who Chair Mahoney introduced earlier. A copy of the letter received from the City of Carrington regarding this issue was distributed to each of the board members and is attached to these minutes as Annex V.

**Northeast Regional Water Master Plan** - - Gordon Johnson, Manager, Northeast Regional Water District (NRWD), addressed the board regarding concerns the NRWD board has with the RRVWSP and how the water would actually reach their system. As a result, a meeting was held with NRWD, City of Devils Lake, Greater Ramsey Water District, Walsh Rural Water District, City of Langdon and the City of Park River to discuss how they would access RRVWSP water.

Using NRWD as an example, about the only way they could access RRVWSP water would be from the City of Grafton. If they did that, they are looking at elevation problems. The other cities and systems mentioned would have the same issues. The water would be raw water that is untreated surface water.

Mr. Johnson said NRWD would like to receive the blessing of the LAWA Board to conduct a study for the six systems on their end to look at other options compared to the RRVWSP via the Red River and what the cost difference would be. The NRWD would like to present this to the State Water Commission and Garrison Diversion for funding.

Mr. Johnson said it is felt there is very little advantage to using the Red River, and they would like to develop a Northeast Regional Water Master Plan. NRWD would like to look at a variety of options in the study and wanted to let the LAWA Board know what they are doing. NRWD has been very supportive of the RRVWSP, but it may make more sense to go with a different plan.

Neil Breidenbach, Manager, Grand Fork-Traill Water District, also addressed the board regarding a study for the East Central Region. They are right next to the city of Grand Forks and hope to eventually get water from the users closer to town but also for the people further west. They would like a bigger plan for the whole area.

**Motion by Vice Chair Vein to support a study for a Northeast Regional Water Master Plan and an East Central Plan. Second by Director Mehnert-Meland. Upon roll call vote, the following directors voted aye: Althoff, Erdmann, Johnson, Mahoney, Mehnert-Meland, Moen, Nilson and Vein. Alternates voting aye: G. Johnson and Kaiser. Those voting nay: none. Absent and not voting: Carlsrud and Hancock. Motion carried.**

**Insurance Advisor** - - Ms. Norgard informed the board that a meeting was held with one insurance company to discuss options for insuring a project of the size of the RRWSP to make sure adequate coverage is provided for everyone involved. Typically, a broker is hired and prices are sought from various insurance companies on different types of insurance.

Ms. Norgard said the Contract Review Committee recommended that a request for qualifications (RFQ) be prepared and advertised for an insurance advisor/broker with experience in large-scale water projects to assist with the acquisition of proper insurance coverage on the RRWSP.

### **OTHER**

**Draft EA Lake Audubon/Snake Creek Embankment Dam Safety Interim Risk Reduction Measures** - - Ms. Mooridian referred to a copy of the letter distributed to the board that was submitted to the Corps of Engineers on behalf of Garrison Diversion and LAWA regarding the Snake Creek Embankment issue.

Ms. Norgard reviewed the comments made in the letter regarding the Draft Environmental Assessment on the Lake Audubon/Snake Creek Embankment Dam Safety Interim Risk Reduction Measures. The letter also expresses Garrison Diversion and LAWA's opposition of the Corps of Engineers' proposed interim risk reduction measures. A copy of the letter is attached to these minutes as Annex VI.

There being no further business to come before the committee, the meeting adjourned at 2:15 p.m.

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Timothy Mahoney, Chair

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Duane DeKrey, Secretary