

Commission Approves New Floodway Property Acquisition Cost-Share Policy



Flood damage along the Mouse River in Minot, 2011.

With the catastrophic flooding experienced in 2011, and the resulting efforts to build flood control projects, many North Dakota communities found that floodway acquisitions and related costs were ineligible through the federal Hazard Mitigation Grant Program (HMGP). To aid communities such as Minot, Burlington, and Ward County, the State Water Commission (SWC) approved a cost-share policy for floodway acquisitions at their Feb. 2 conference call meeting.

Requirements for communities receiving cost-share include: providing justification for ineligibility to the HMGP; developing a voluntary acquisition program; and adopting a flood risk reduction plan that includes mitigated flows and developing perpetual restrictive covenants - the same as are required through the HMGP, excepting property being utilized for flood control structures and related infrastructure.

Items eligible for cost-share include purchase and removal of structures, including all directly associated costs, such as appraisals, legal fees, hazardous materials abatement, and site restoration. Salary and administrative costs of the local sponsor are ineligible.

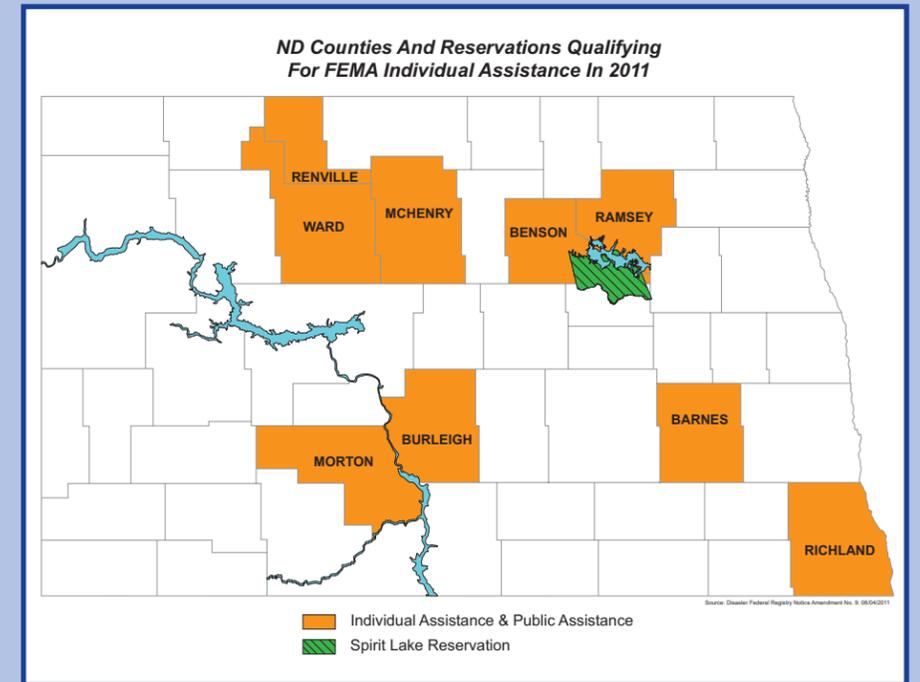
Priority for receiving funds will be given to those counties that qualified for FEMA Individual Assistance in 2011, with the addition of Ransom County in the following order:

- 1) Flood-damaged property potentially needed for long-term flood control projects
- 2) Flood-damaged property potentially needed for temporary flood control projects
- 3) Property undamaged by the flood, but may be needed for long-term flood projects
- 4) Property undamaged by the flood, but may be needed for temporary flood control projects.

In addition to those funding priorities, the SWC recognizes that additional areas recovering from prior floods may also require assistance. Because of this, property in counties affected by floods in 2009, but not 2011 that qualified for FEMA Individual Assistance, will also be considered, although at a lower priority. Properties that did not qualify for FEMA Individual Assistance in 2009 or 2011, will be of lowest priority.

This policy applies specifically to local project sponsors, such as counties or cities. *Individual property owners cannot apply directly to the SWC for acquisition funds for a buy-out of their property.* Requests for acquisition/buy-out cost-share must come from local units of government, without exception. Cost-share for floodway acquisition, and construction of permanent flood control projects on the property acquired are subject to approval by the SWC, consistent with existing policy.

For more information about the revised Floodway Property Acquisition Cost-Share Policy, please go to the Water Commission website at (<http://www.swc.nd.gov>), by phone at (701) 328-2752, or by email at mmbehm@nd.gov.



NOTICE: Water Project Sponsors

The State Water Commission (SWC) has initiated the process of updating the State Water Management Plan by creating a Water Development Report for the 2013-2015 biennium. To make this process a success, the Water Commission needs help from project sponsors in identifying North Dakota's potential water management projects and programs, the timing of their implementation, and their estimated costs. To collect this information, the Commission has sent project information forms to water boards, cities, rural and regional water system managers, and other known water project and program sponsors.

As in the past, the product of this effort will become the foundation of the Commission's budget request to the Governor and Legislature. Therefore, the information provide will ultimately help in the allocation of SWC budget resources.

If you are a water project or program sponsor who may come to the Commission for cost-share assistance to fund your effort and you did not receive a form, please contact the Commission at 701-328-4989. The project information form can also be downloaded from the Commission's website at www.swc.nd.gov.



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Commission Approves Cost-Share Requests For Floodway Property Acquisitions



Inundated homes in Minot in 2011.

Record shattering flooding in 2011 caused damage throughout North Dakota, but the impacts were especially severe in the cities of Minot and Burlington, and Ward County. At their Feb. 2 teleconference meeting, the Water Commission approved requests from Minot, Burlington, and Ward County for financial assistance in the acquisition of property for future flood control projects. Funding for these projects was appropriated to the SWC in Senate Bill 2371 during the Special Legislative Assembly that was held last fall.

Based upon the new Floodway Property Acquisition Policy adopted at the same meeting, the Water Commission approved the following requests; subject to collecting all required information, and the availability of funds.

Minot Flood Control Project

- 117 Properties
- Estimated Eligible Costs: \$23.67 million
- SWC Cost-Share (75%): \$17.75 million

Burlington Flood Control Project

- 11 Properties
- Estimated Eligible Costs: \$1,385,000
- SWC Cost-Share (75%): \$1,039,000

Ward County Flood Control Project

- 56 Properties
- Estimated Eligible Costs: \$15.3 million
- SWC Cost-Share (75%): \$11.5 million

With these funds approved, progress can continue towards preventing a repeat of the 2011 flood damages.

Note: Cost-share requests to the Water Commission must come from local government entities with approved acquisition plans. The Water Commission cannot cost-share with individual property owners.

Agreement Reached on East Devils Lake Outlet Project

At their February meeting, the SWC authorized the State Engineer to enter into an agreement with Nodak Electric Cooperative, Inc. to provide electrical service for the East Devils Lake Outlet Project. The SWC also approved \$800,000 to aid in construction costs related to power supply. The agreement with Nodak will also require a minimum annual purchase of power, equal to 1/3 of the remaining cost of construction in each of the first three years of operation. The total construction cost will not exceed \$2.8 million. Nodak plans to have power available by May 2012.

Operating at full capacity, it is estimated that power for the outlet will cost approximately \$1,400,000 for a six-month operating period.

The East Devils Lake Outlet will have a maximum operating capacity of 350 cubic feet per second (cfs); while the existing west end outlet has a maximum capacity of 250 cfs. Together, the two outlets will be able to remove up to 600 cfs of

floodwater from the lake. The East Devils Lake Outlet is expected to be operational in the spring of 2012.



Workers install pipe for the east outlet in 2011.