

## MINUTES

### **Northwest Area Water Supply Authority Minot, North Dakota January 18, 2024**

The Northwest Area Water Supply (NAWS) Authority held a meeting in Conference Room 3 of the Minot Public Works Building, 1025 31<sup>st</sup> St SE, Minot, ND, and via phone conference on January 18, 2024. Dan Schaefer, Chairman of the NAWS Authority, called the meeting to order at 3:00 PM. A quorum was present.

#### **NAWS AUTHORITY REPRESENTATIVES PRESENT:**

David Lakefield, City of Minot Representative  
Shawn Raap, Upper Souris Water District Representative  
Kenny Rodgers, Garrison Diversion Conservancy District Representative  
Tom Ross, City of Minot Representative  
Dan Schaefer, Chairman, All Season Water Users District Representative  
Bob Schempp, City of Minot Representative  
Tony Schwalbe, Cities with Direct Service Representative  
Jason Sorenson, Vice Chairman, City of Minot Representative  
Teresa Sundsbak, North Prairie Regional Water Representative  
Jason Zimmerman, State Water Commission (SWC) Representative

#### **OTHERS PRESENT:**

Dr. Andrea Travnicek, Director of DWR and SWC Secretary  
John Paczkowski, DWR State Engineer  
Sindhuja S.Pillai-Grinolds, DWR Water Development Division Director  
Tim Freije, DWR NAWS Project Manager  
Clint Cogdill, DWR NAWS Operator  
Travis Thyberg, DWR Project Support Specialist  
Abby Ebach, DWR Director of Public Policy  
Dave Schwengler, Houston Engineering, Inc.

#### **CONSIDERATION OF AGENDA**

**It was moved by Representative Zimmerman, seconded by Representative Sorenson, and carried unanimously the agenda for the January 18, 2024, NAWS Authority meeting was approved as presented.**

#### **Consideration of November 16, 2023 Meeting Minutes**

DWR Water Development Division Director Sindhuja Pillai-Grinolds, made mention of a typo in the meeting minutes that was corrected after the packet had been sent out to the Authority members. The typo was correcting years of experience for chairman Schaefer from 10 years to 30 years. Chairman Schaefer asked the members if there were any other correction for the meeting minutes from the Authority meeting on November 16, 2023. No other corrections or adjustments were noted.

**It was moved by Representative Zimmerman, seconded by Representative Ross, and carried unanimously the agenda for the January 18, 2024, NAWS Authority meeting approved as presented.**

### **Department of Water Resources Director Update**

Dr. Andrea Travnicek, DWR Director and Secretary to the SWC was in attendance for the meeting remotely. She noted the planning process for the 2025-2027 biennium includes strategic review with the Governor on March 7<sup>th</sup> where initial ideas from the agency will be presented. The initial ideas will be refined further before the agency budget submission to the Governor's office in July/August. For NAWS, a temporary position was approved during the last legislative session, and it is important to show the staff needs in relation to resources available for the upcoming biennium.

### **January 11, 2024 Pre-Commission Meeting NAWS Agenda Items** **Request for Reimbursement from the City of Minot**

Tim Freije, NAWS Project Manager, discussed the memo developed from the January 11, 2024 Precommission meeting of the SWC relating to the approximate \$10.7 Million reimbursement request from the City of Minot. The request is for the rehabilitation of wells in the Minot aquifer, as well as construction of the Sunde raw water line, reservoir, and pump station. City had paid 100% of the costs for these projects and it is eligible for 65% state or federal funding. Freije noted that discussions are taking place between the City and Department of Water Resources to finalize a Financing Agreement (Agreement) which will replace the existing NAWS Interim Financing Contract between the SWC and the City of Minot signed in 1999. Commission action on the Agreement at the February SWC meeting is not expected because of the timing for approval by the City council but Commission action on the reimbursement request and the funding allocation is expected at the February SWC meeting.

**It was moved by Representative Zimmerman, seconded by Representative Sundsbak that the NAWS Authority concurs with Minot's request for reimbursement of \$10.7 million from the Capitals Asset appropriation.**

**Representatives Lakefield, Raap, Ross, Schaefer, Schempp, Schwalbe, Sorenson, Sundsbak, and Zimmerman voted aye. There were no nay votes. The motion carried.**

### **NAWS OPERATIONS – RESOURCES**

Freije, gave a brief update to the Authority on the state of the operations, personnel, completed features, and projects yet to be bid for construction. DWR staff is reviewing the NAWS operational footprint and estimating workload for operators and support staff, needed for the operation of the public water system. It was noted that it would be beneficial to have DWR working cooperatively and collaboratively with member entities for the efficient operation of the system. DWR asked the Authority to provide their thoughts and feedback on resources needed and potential availability of resources from their system for the efficient operation of NAWS. DWR requested feedback from the Authority members by mid-February to support discussion at the next NAWS Authority meeting.

Chairman Schaefer asked for any other input or suggestions and noted the need to select a time to have an informal discussion on this topic.

### **NAWS BIOTA WATER TREATMENT PLANT OPERATIONS**

Freije gave a brief update on the NAWS Biota Water Treatment Plant (WTP). The Biota WTP is approximately 94 percent completed and it is expected to be operational by fall of 2024. Under development is a cooperative agreement between the State and Bureau of Reclamation (Reclamation) to provide a mechanism for funding the operations of the Biota WTP that is based on the Memorandum of Agreement (MOA) previously executed by the City, State, and Reclamation. The MOA defined the roles and responsibilities for the operations, maintenance, and replacement of the Biota WTP. Reclamation is responsible for developing an Adaptive Management Plan for the Biota WTP to ensure it is meeting the intended purpose as a commitment from the Supplemental Environmental Impact Statement, Record of Decision, and litigation on the project. A separate agreement between the State and the City is also under development to define roles and responsibilities for operations and maintenance of the Biota WTP, along with establishing mechanisms for transferring funding between the State and the City.

There are continued discussions with North Dakota Department of Environmental Quality on compliance with drinking water standards with the operation of the Biota WTP and the Minot WTP.

### **NAWS CONSTRUCTION UPDATE**

Freije gave a brief update on NAWS construction projects that include the Minot water treatment facility, the Biota water treatment plant, intake modifications at the Snake Creek Pumping Plant, the South Prairie reservoir and hydraulic control structure, the City of Westhope connection, and the Bottineau reservoir and booster pump station.

### **OTHER BUSINESS**

Representative Lakefield discussed the language in the Financing Agreement for NAWS. City of Minot has been operating under an Interim Financing Agreement signed in 1999 and amended in 2007. The local share of the capital costs for the NAWS project is underwritten in the Interim Financing Agreement. The Interim Financing Agreement originally covered project features from the lake to Minot, then was amended to include project features to Berthold and Mohall.

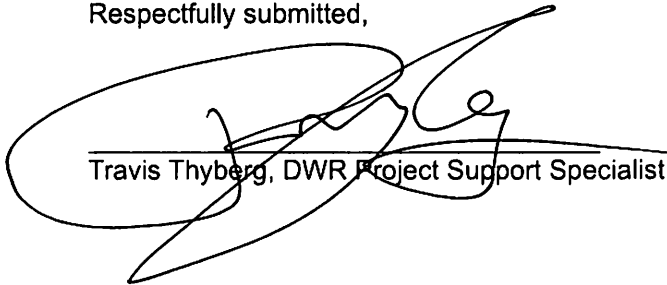
Representative Lakefield noted that the new agreement states that the City of Minot will underwrite the local share of capital costs for project components that are included in the Final Supplemental Environmental Impact Statement (SEIS). He expressed concern that the new financial agreement is much more open ended. Under the Interim Financing Agreement local costs were underwritten either through user fees or the City of Minot sales tax, while the new agreement does not provide user fees as an option and puts all local cost share responsibility on the city. Representative Lakefield noted that the City would like to maintain the option of using either sales tax or user fees to assist with capital construction costs as there are funding

concerns with bonds for flood control. It was noted that with the interest rate increase for bond issuance, the ability to finance large projects will be impacted.

In response to Representative Schwalbe's question on the state of the aquifers, Freije noted that it is still too early to see how this winter will affect recovery of the aquifer as the water levels are back down to pre-2011 flood levels. Freije shared the aquifer water level data available from the DWR mapservice site: [www.mapservice.dwr.nd.gov](http://www.mapservice.dwr.nd.gov)

There being no further items of discussion, the meeting was adjourned at 4:29 PM.

Respectfully submitted,



Travis Thyberg, DWR Project Support Specialist