



North Dakota State Water Commission

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**Meeting To Be Held At
State Office Building
900 East Boulevard Avenue
Lower Level Conference Room
Bismarck, North Dakota**

**July 29, 2015
9:00 A.M., CDT**

AGENDA

- A. Roll Call
- B. Consideration of Agenda --- *Information pertaining to the agenda items is available on the State Water Commission's website at <http://www.swc.nd.gov>*
- C. **Consideration of Draft Minutes of Following SWC Meetings:**
 - 1) **May 20, 2015 State Water Commission Meeting** **
- D. State Water Commission Financial Reports:
 - 1) Agency Program Budget Expenditures
 - 2) 2013-2015 Biennium Resources Trust Fund and Water Development Trust Fund Revenues
 - 3) Bond Retirement and Bank of North Dakota Loan
- E. Consideration of Following Requests for State Cost Participation:
 - 1) Cost Share Funding Adjustments and Cost Share Policy:
 - a) **October 7, 2013 Funding Adjustments** **
 - b) **February 27, 2014 Funding Adjustments** **
 - c) Cost Share Policy
 - 2) **Thompson Bridge Outlet No. 4 - Griggs County** **
 - 3) **Burnt Creek Flood Damage Restoration - Burleigh County** **
 - 4) **North Dakota Department of Health, Nonpoint Source Pollution Management Program, Section 319** **
 - 5) **Assiniboine River Basin Initiative Funding** **
 - 6) **Cass Rural Water Users District, Water Treatment Plant Improvement - Cost Overrun** **
 - 7) **Greater Ramsey Water District - Cost Overrun** **
 - 8) **Stutsman Rural Water District - Cost Overrun** **
 - 9) **Fargo Water System Regionalization Improvements Project** **
 - 10) **City of Tioga Water Supply Improvements Project** **
 - 11) **All Seasons Water Users District, Bottineau County Extension, Phase I** **
- F. **2015 Federal Municipal, Rural and Industrial Water Supply Funding** **
- G. **2016 Federal Municipal, Rural and Industrial Water Supply Funding** **

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- H. Fargo Moorhead Area Diversion Project Update
- I. Northwest Area Water Supply Project:
 - 1) Project Update
 - 2) ***Contract 4-2A-1 - High Service Pump Station/Improvements*** **
 - 3) ***2016 Interim Water Rates*** **
 - 4) ***Contract 2-2F - Berthold-North Prairie Rural Water Turnout/Maintenance*** **
- J. Garrison Diversion Conservancy District:
 - 1) Project Report
 - 2) ***Red River Valley Water Supply Project*** **
- K. Mouse River Enhanced Flood Protection Project Update
- L. Southwest Pipeline Project Update
- M. Devils Lake Hydrologic and Projects Updates
- N. Missouri River Update
- O. Missouri River Stakeholders Update
- P. Other Business:
 - 1) Re-Appointment of State Water Commission Members Harley Swenson and George Nodland
- Q. Adjournment

**** BOLD, ITALICIZED ITEMS REQUIRE SWC ACTION**

To provide telephone accessibility to the State Water Commission meeting for those people who are deaf, hard of hearing, deaf and/or blind, and speech disabled, please contact Relay North Dakota, and reference ... TTY-Relay ND ... 1-800-366-6888, or 711.

MINUTES

North Dakota State Water Commission Bismarck, North Dakota

July 29, 2015

The North Dakota State Water Commission held a meeting at the State Office Building, Bismarck, North Dakota, on July 29, 2015. Governor Jack Dalrymple, Chairman, called the meeting to order at 9:00 a.m., and requested Todd Sando, State Engineer, and Chief Engineer-Secretary to the State Water Commission, to call the roll. Governor Dalrymple announced a quorum was present.

STATE WATER COMMISSION MEMBERS PRESENT:

Governor Jack Dalrymple, Chairman
Doug Goehring, North Dakota Department of Agriculture, Bismarck
Arne Berg, Member from Devils Lake
Maurice Foley, Member from Minot
Larry Hanson, Member from Williston
George Nodland, Member from Dickinson
Harley Swenson, Member from Bismarck
Robert Thompson, Member from Page
Douglas Vosper, Member from Nече

OTHERS PRESENT:

Todd Sando, State Engineer, and Chief Engineer-Secretary,
North Dakota State Water Commission, Bismarck
State Water Commission Staff
Approximately 50 people interested in agenda items

The attendance register is on file with the official minutes.

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

CONSIDERATION OF AGENDA

The agenda for the July 29, 2015 State Water Commission meeting was presented; there were no modifications.

It was moved by Commissioner Foley, seconded by Commissioner Goehring, and unanimously carried, that the agenda be accepted as presented.

**CONSIDERATION OF DRAFT MINUTES
OF MAY 20, 2015 STATE WATER
COMMISSION MEETING - APPROVED**

The draft final minutes of the May 20, 2015 State Water Commission meeting were approved by the following motion:

It was moved by Commissioner Thompson, seconded by Commissioner Vosper, and unanimously carried, that the draft final minutes of the May 20, 2015 State Water Commission meeting be approved as prepared.

**STATE WATER COMMISSION
BUDGET EXPENDITURES,
2013-2015 BIENNIUM**

In the 2013-2015 biennium, the State Water Commission has two line items - administrative and support services, and water and atmospheric resources expenditures. The allocated program expenditures for the period ending May 31, 2015, reflecting 96 percent of the 2013-2015 biennium, were presented and discussed by David Laschkewitsch, State Water Commission's Director of Administrative Services. The expenditures, in total, are within the authorized budget amounts. **SEE APPENDIX "A"**

The Contract Fund spreadsheet, attached hereto as **APPENDIX "B"**, provides information on the committed and uncommitted funds from the Resources Trust Fund and the Water Development Trust Fund. The total amount allocated for projects is \$648,376,282, with expenditures of \$221,672,752.

**RESOURCES TRUST FUND
AND WATER DEVELOPMENT
TRUST FUND REVENUES,
2013-2015 BIENNIUM**

Oil extraction tax deposits into the Resources Trust Fund total \$547,453,092 through June, 2015, and end the biennium at \$499,741, or .1 percent above budgeted revenues.

Deposits into the Water Development Resources Trust Fund (tobacco settlement) total \$19,003,716 through June, 2015, and end the biennium at \$1,003,716, or 5.6 percent above budgeted revenues.

**2015 SENATE BILL 2020 -
BANK OF NORTH DAKOTA,
BOND PAYMENTS**

Section 7 of 2015 Senate Bill 2020 states, "The state water commission shall obtain a loan from the Bank of North Dakota in an amount not to exceed \$56,000,000 for the purpose of paying off or defeasing outstanding bond issues..."

The Commission members were informed that as of August 1, 2015, a loan would be secured through the Bank of North Dakota for the purpose of paying off or defeasing outstanding bond issues in the amount of \$45,840,221.42 with a 15-year term that has a variable rate of interest which is currently at 1.75 percent.

**2015 SENATE BILL 2020 -
APPROVAL OF ONE-TIME FUNDING
ADJUSTMENTS FOR APPROVED
(OCTOBER 17, 2013) WATER
SUPPLY PROJECTS**

Section 16 of 2015 Senate Bill 2020 states, "Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, the state water commission shall make available \$11,000,000 from funds available from

the line of credit for reimbursing rural and municipal water systems affected by local cost share changes during the 2013-2015 biennium. Rural and municipal water systems must be reimbursed up to an amount, which makes the state share 65 percent in lieu of the 75 percent that was approved by the state water commission."

On October 7, 2013, the State Water Commission considered requests for water supply improvement projects, and adopted motions approving a 50 percent state cost participation grant of the eligible costs. To comply with the legislative mandate in 2015 Senate Bill 2020, Secretary Sando recommended that the State Water Commission approve a one-time adjustment for the following projects that would provide an additional 15 percent state cost participation grant of the eligible project costs:

**Barnes Rural Water District, Water Treatment Plant Improvements -
(SWC Project 2050-BAR):**

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$1,310,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Barnes Rural Water District to support their water treatment plant improvements project. The grant would provide assistance for a system that is experiencing an increase in peak demands. The project engineer's estimated cost was \$2,623,514.

Because of increased construction costs for the project, the project engineer's revised estimated cost was \$3,907,171, which was determined eligible for state cost participation.

On September 15, 2014, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an additional allocation of \$643,585 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Barnes Rural Water District to support their water treatment plant improvements project.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$3,907,171), not to exceed an additional allocation of \$586,076 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Barnes Rural Water District to support their water treatment plant improvements project.

The Commission's affirmative action would increase the total state allocation grants to \$5,829,661 (\$2,539,661 for the Barnes Rural Water District water treatment plant, and \$3,290,000 for the rural expansion project).

Cass Rural Water District, Water Treatment Plant Improvements, Phase II - (SWC Project 2050-CAS):

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$2,600,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Cass Rural Water District to support their water treatment plant improvements project, Phase II. The grant would provide assistance for system growth and decrease reliance on the West Fargo aquifer. The project engineer's estimated cost was \$5,219,500.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$5,219,500), not to exceed an additional allocation of \$782,925 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Cass Rural Water District to support their water treatment plant improvements project, Phase II.

The Commission's affirmative action would increase the total state allocation grants to \$3,382,925 to support the Cass Rural Water District water treatment plant improvements project, Phase II.

City of Grafton Water Treatment Plant Rehabilitation Project, Phase III - (SWC Project 2050-GRT):

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$2,600,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the city of Grafton

to support their water treatment plant rehabilitation project, Phase III. The grant would provide assistance to address deficiencies at the plant, which was constructed in 1953. The project engineer's estimated cost is \$5,207,650.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$5,207,650), not to exceed an additional allocation of \$781,148 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Grafton to support their water treatment plant rehabilitation project, Phase III.

The Commission's affirmative action would increase the total state allocation grants to \$3,381,148 to support the city of Grafton's water treatment plant rehabilitation, Phase III.

Grand Forks Traill Water District, System Improvements, Phase 2 - (SWC Project 2050-GFT):

On June 13, 2012, the State Water Commission adopted a motion approving a state cost participation grant of 75 percent, not to exceed an allocation of \$3,700,000 from the funds appropriated to the State Water Commission in the 2011-2013 biennium (S.B. 2020), to the Grand Forks Traill Water District to support their rural expansion project, Phase 1.

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$2,900,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Grand Forks Traill Water District to support their system improvements project, Phase 2. The grant would provide assistance to address system improvements. The estimated cost for Phase 2 was \$5,732,386. The State Water Commission also adopted a motion approving state cost participation of a 75 percent grant, not to exceed an additional allocation of \$490,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to support the Grand Forks Traill Water District rural expansion.

Because of increased construction costs for the project, the project engineer's revised estimated cost for their system improvements, Phase 2, was \$6,524,000, which is eligible for a state cost participation grant of the eligible costs (\$3,262,000). On March 11, 2015, the State Water Commission adopted a motion approving a state cost participation grant of 50 percent of the eligible costs, not to exceed an additional allocation of \$362,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B.1020), to the Grand Forks Traill Water District to support their system improvements, Phase 2.

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Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$6,524,000), not to exceed an additional allocation of \$978,600 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Grand Forks Trill Water District to support their system improvements project, Phase 2.

The Commission's affirmative action would increase the total state allocation grants to \$8,430,600 for the Grand Forks Trill Water District projects, Phases 1 and 2 (\$4,240,600 - system improvements; and \$4,190,000 - rural expansion).

Langdon Rural Water District, ABM Project, Phase I - (SWC Project No. 2050-LAN):

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$1,040,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Langdon Rural Water District to support the ABM, Phase I, project. The grant would provide assistance for growth in users and an interconnection for additional water supply. The project engineer's estimated cost is \$2,082,800.

On January 1, 2014, the North Valley Water District merged with the Langdon Rural Water District to form the Northeast Regional Water District. The District is working on system improvements involving areas previously served by the Langdon Rural Water District and the North Valley Water District.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$2,082,800), not to exceed an additional allocation of \$312,420 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Northeast Regional Water District to support the Langdon Rural Water District, ABM project, Phase I.

The Commission's affirmative action would increase the total state allocation grants to \$1,352,420 to support the Langdon Rural Water District, ABM project, Phase I.

Langdon Rural Water District, North Valley Nekoma Project - (SWC Project No. 2050-LAN):

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$800,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Langdon Rural Water District to support the North Valley Nekoma project. The grant would provide assistance for growth in users and an interconnection for additional water supply. The project engineer's estimated cost is \$1,591,741.

On January 1, 2014, the North Valley Water District merged with the Langdon Rural Water District to form the Northeast Regional Water District. The District is working on system improvements involving areas previously served by the Langdon Rural Water District and the North Valley Water District.

Because of increased construction costs for the project, the project engineer's revised estimated cost was \$1,996,800, which was determined eligible for state cost participation (\$998,400). On March 11, 2015, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an additional allocation of \$198,400 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Northeast Regional Water District to support the North Valley Water District/Langdon Rural Water District facilities interconnection.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$1,996,800), not to exceed an additional allocation of \$299,520 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Northeast Regional Water District to support the North Valley Water District/Langdon Rural Water District facilities interconnection.

The Commission's affirmative action would increase the total state allocation grants to \$1,297,920 to the Northeast Regional Water District to support the North Valley Water District/Langdon Rural Water District facilities interconnection.

City of Mandan, Water Supply Improvements Project - (SWC Project No. 2050-MAN):

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed a total allocation of \$1,996,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the city of Mandan to support their water supply improvements projects (raw water intake - \$1,270,000; and water treatment plant improvements - \$726,000). The grant would provide assistance for a system experiencing water supply issues on the Missouri River and an increase in water demands. The project engineer's estimated cost is \$3,989,132.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$3,989,132), not to exceed an additional allocation of \$598,370 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Mandan to support their water supply improvements projects (raw water intake - \$380,420; and water treatment plant improvements - \$217,950).

The Commission's affirmative action would increase the total state allocation grants to \$2,594,370 to the city of Mandan to support their water supply improvements projects (raw water intake - \$1,650,420; and water treatment plant improvements - \$943,950).

Missouri West Water System, South Mandan Improvement Project - (SWC Project No. 2050-MIS):

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$400,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Missouri West Water System to support the south Mandan improvement project. The project would restore flow rates through areas impacted by the rapid population growth along the existing undersized pipelines in three sections of the Missouri West Water System in Morton county. The project engineer's estimated cost was \$800,000.

Because of increased construction costs for the project, the project engineer's revised estimated project cost was \$1,006,000 for the south Mandan improvement project, which was determined eligible for state cost participation (\$503,000).

On March 17, 2014, the State Water Commission adopted a motion approving a state cost participation grant of 75 percent, not to exceed an additional allocation of \$122,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to support the Mandan rural expansion project. The project engineer's estimated cost was \$162,667.

On September 15, 2014, the State Water Commission adopted a motion approving a state cost participation grant of 50 percent of the eligible costs, not to exceed an additional allocation of \$103,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Missouri West Water System to support the south Mandan improvements project. The State Water Commission also approved a motion for a state cost participation grant of 75 percent of the eligible costs, not to exceed an additional allocation of \$151,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Missouri West Water System to support the south Mandan rural expansion project

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$1,006,000), not to exceed an additional allocation of \$150,900 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Missouri West Water System to support the south Mandan improvement project.

The Commission's affirmative action would increase the total state allocation grants to \$926,900 to the Missouri West Water System to support the south Mandan projects (\$653,900 - improvement project; and \$273,000 - rural expansion project).

North Valley Water District, 93rd Street Project - (SWC Project No. 2050-NOR):

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$1,290,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the North Valley Water District to support the 93rd Street project. The grant would provide assistance for growth in users and improved system capacity. The project engineer's estimated cost was \$2,580,613.

On January 1, 2014, the North Valley Water District merged with the Langdon Rural Water District to form the Northeast Regional Water District. The District is working on system improvements involving areas previously served by the Langdon Rural Water District and the North Valley Water District.

Because of increased construction costs for the project, the project engineer's revised estimated cost was \$2,739,200, which was determined eligible for state cost participation (\$1,369,600). On March 11, 2015, the State Water Commission adopted a motion approving a state cost participation grant of 50 percent of the eligible costs, not to exceed an additional allocation of \$79,600 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Northeast Regional Water District to support the North Valley Water District 93rd Street expansion.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$2,739,200), not to exceed an additional allocation of \$410,880 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Northeast Regional Water District to support the North Valley Water District 93rd Street expansion.

The Commission's affirmative action would increase the total state allocation grants to \$1,780,480 to the Northeast Regional Water District to support the North Valley Water District 93rd Street expansion.

**North Valley Water District, ABM Project, Phase I -
(SWC Project No. 2050-NOR:**

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$565,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the North Valley Water District to support the ABM project, Phase I. The grant would provide assistance for growth in users and an interconnection for additional water supply. The project engineer's estimated cost is \$1,127,890.

On January 1, 2014, the North Valley Water District merged with the Langdon Rural Water District to form the Northeast Regional Water District. The District is working on system improvements involving areas previously served by the Langdon Rural Water District and the North Valley Water District.

Because of increased construction costs for the project, the project engineer's revised estimated cost was \$1,327,600, which was determined eligible for state cost participation (\$663,800). On March 11, 2015, the State Water Commission adopted a motion approving a state cost participation grant of 50 percent of the eligible costs, not to exceed an additional allocation of \$98,800 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Northeast Regional Water District to support the North Valley Water District, ABM project, Phase I.

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Recommendation for compliance with 2015 Senate Bill 2020:

Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$1,327,600), not to exceed an additional allocation of \$199,140 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Northeast Regional Water District to support the North Valley Water District, ABM Project, Phase I.

The Commission's affirmative action would increase the total state allocation grants to \$862,940 to the Northeast Regional Water District to support the North Valley Water District, ABM Project, Phase I.

City of Park River, Water Supply Improvements Project - (SWC Project No. 2050-PAR):

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$1,350,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the city of Park River to support their water supply improvements project. The grant would provide assistance for a system that is experiencing an increase in peak demands. The project engineer's estimated cost was \$2,706,419.

Because of increased construction costs for the project, the project engineer's revised estimated cost was \$3,106,000, which was eligible for a state cost participation grant of 50 percent of the eligible costs (\$1,553,000).

On March 11, 2015, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an additional allocation of \$203,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the city of Park River to support their water supply improvements project.

Recommendation for compliance with 2015 Senate Bill 2020:

Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$3,106,000), not to exceed an additional allocation of \$465,900 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Park River to support their water supply improvements project.

The Commission's affirmative action would increase the total state allocation grants to \$2,018,900 to the city of Park River to support their water supply improvements project.

**City of Surrey, Water Supply Improvements Project -
(SWC Project No. 2050-SUR):**

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$1,500,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the city of Surrey to support their water supply improvements project. The grant would provide assistance for a system that is experiencing growth in water demands. The project engineer's estimated cost is \$3,001,000.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$3,001,000), not to exceed an additional allocation of \$450,150 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Surrey to support their water supply improvements project.

The Commission's affirmative action would increase the total state allocation grants to \$1,950,150 to the city of Surrey to support their water supply improvements project.

**Tri County Water District, Water Treatment Plant Improvements -
(SWC Project No. 2050-TRI):**

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$650,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Tri County Water District to support their water treatment plant improvements project. The grant would provide assistance for a system that is experiencing an increase in peak demands. The project engineer's estimated cost is \$1,300,000.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$1,300,000), not to exceed an additional allocation of \$195,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Tri County Water District to support their water treatment plant improvements project.

The Commission's affirmative action would increase the total state allocation grants to \$845,000 to the Tri County Water District to support their water treatment plant improvements project.

**Walsh Rural Water District, Ground Storage Reservoir -
(SWC Project No. 2050-WAL):**

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$684,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Walsh Rural Water District to support their ground storage reservoir project. The grant would provide assistance for a system that is experiencing an increase in water use. The project engineer's estimated cost is \$1,368,300.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$1,368,300), not to exceed an additional allocation of \$205,245 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Walsh Rural Water District to support their ground storage reservoir project.

The Commission's affirmative action would increase the total state allocation grants to \$889,245 to the Walsh Rural Water District to support their ground storage reservoir project.

**City of Washburn, New Raw Water Intake Project -
(SWC Project No. 2050-WAS):**

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant of the eligible costs, not to exceed an allocation of \$1,795,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the city of Washburn to support their new raw water intake project. The grant would provide assistance for a system that is experiencing issues with their water supply on the Missouri River. The project engineer's estimated cost is \$3,595,000.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 15 percent grant of the eligible project costs (\$3,595,000), not to exceed an additional allocation of \$539,250 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Washburn to support their new raw water intake project.

The Commission's affirmative action would increase the total state allocation grants to \$2,334,250 to the city of Washburn to support their new raw water intake project.

In discussion of the water supply improvement projects that were presented for the one-time adjustment for an additional 15 percent grant, the Commission members questioned the criteria for the reimbursement of the additional funds. As a result of the discussion, Commissioner Swenson made a motion, and seconded by Commissioner Goehring that the project sponsors be required to submit information as to their intent for the expenditure of the additional funding. The Commission staff explained that the original contract would be amended accordingly and that the grant funds would be reimbursed based on the actual eligible project costs and to the requirements specified in the agreement. Commissioner Swenson and Commissioner Goehring withdrew their motion.

It was moved by Commissioner Berg and seconded by Commissioner Goehring that the State Water Commission comply with 2015 Senate Bill 2020, Section 16. FUNDING DESIGNATION - REIMBURSEMENT FOR 2013-2015 BIENNIUM RURAL AND MUNICIPAL WATER SYSTEMS AFFECTED BY LOCAL COST SHARE CHANGE, and approve a one-time legislated adjustment of an additional 15 percent grant of the actual eligible project costs for those rural and municipal water supply projects as recommended. This action is contingent upon the availability of funds, and that the adjustment shall not exceed the amount specified for each project.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Swenson, Thompson, Vosper, and Governor Dalrymple voted aye. There were no nay votes. Governor Dalrymple announced the motion unanimously carried.

**2015 SENATE BILL 2020 -
APPROVAL OF ONE-TIME FUNDING
ADJUSTMENTS FOR APPROVED
(FEBRUARY 27, 2014) WATER
SUPPLY PROJECTS**

Section 16 of 2015 Senate Bill 2020 states, "Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, the state water commission shall make available \$11,000,000 from funds available from

the line of credit for reimbursing rural and municipal water systems affected by local cost share changes during the 2013-2015 biennium. Rural and municipal water systems must be reimbursed up to an amount, which makes the state share 65 percent in lieu of the 75 percent that was approved by the state water commission."

On February 27, 2014, the State Water Commission considered requests for water supply improvement projects, and adopted motions approving state cost participation grants of 35 percent of the eligible costs for pre-construction engineering, 60 percent of the eligible costs for construction engineering, and 60 percent of the eligible costs for construction. To comply with the

legislative mandate in 2015 Senate Bill 2020, Secretary Sando recommended that the State Water Commission approve a one-time adjustment for the following projects (approved on February 27, 2014) that would provide an additional 5 percent state cost participation grant of the actual eligible project costs:

**City of Dickinson, Capital Infrastructure -
(SWC Project No. 2050-DIC):**

On February 27, 2014, the State Water Commission adopted a motion approving a state cost participation grant of 35 percent of the eligible costs for pre-construction engineering, 60 percent of the eligible costs for construction engineering, and 60 percent of the eligible costs for construction not to exceed a total allocation of \$18,400,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the city of Dickinson to support their capital infrastructure. The project engineer's estimated cost was \$29,310,000.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 5 percent grant of the eligible project costs (\$29,310,000), not to exceed an additional allocation of \$1,465,500 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Dickinson to support their capital infrastructure.

The Commission's affirmative action would increase the total state allocation grants to \$19,865,500 to the city of Dickinson to support their capital infrastructure.

**City of Watford City, Capital Infrastructure -
(SWC Project No. 2050-WAT):**

On February 27, 2014, the State Water Commission adopted a motion approving a state cost participation grant of 35 percent of the eligible costs for pre-construction engineering, 60 percent of the eligible costs for construction engineering, and 60 percent of the eligible costs for construction not to exceed a total allocation of \$6,700,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the city of Watford City to support their capital infrastructure. The project engineer's estimated cost is \$10,537,200.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 5 percent grant of the eligible project costs (\$10,537,200), not to exceed an additional allocation of \$526,860 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Watford City to support their capital infrastructure.

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The Commission's affirmative action would increase the total state allocation grants to \$7,226,860 to the city of Watford City to support their capital infrastructure.

**City of Williston, Capital Infrastructure -
(SWC Project No. 2050-WLL:**

On February 27, 2014, the State Water Commission adopted a motion approving a state cost participation grant of 35 percent of the eligible costs for pre-construction engineering, 60 percent of the eligible costs for construction engineering, and 60 percent of the eligible costs for construction not to exceed a total allocation of \$7,000,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the city of Williston to support their capital infrastructure. The project engineer's estimated cost is \$10,833,300.

Recommendation for compliance with 2015 Senate Bill 2020:
Approve a one-time adjustment which would provide an additional 5 percent grant of the eligible project costs (\$10,833,300), not to exceed an additional allocation of \$541,665 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Williston to support their capital infrastructure.

The Commission's affirmative action would increase the total state allocation grants to \$7,541,665 to the city of Williston to support their capital infrastructure.

It was moved by Commissioner Swenson and seconded by Commissioner Hanson that the State Water Commission comply with 2015 Senate Bill 2020, Section 16. FUNDING DESIGNATION - REIMBURSEMENT FOR 2013-2015 BIENNIUM RURAL AND MUNICIPAL WATER SYSTEMS AFFECTED BY LOCAL COST SHARE CHANGE, and approve a one-time legislated adjustment of an additional 5 percent grant of the actual eligible project costs for those municipal water supply projects as recommended. This action is contingent upon the availability of funds, and that the adjustment shall not exceed the amount specified for each project.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Swenson, Thompson, Vosper, and Governor Dalrymple voted aye. There were no nay votes. Governor Dalrymple announced the motion unanimously carried.

**NORTH DAKOTA STATE WATER
COMMISSION COST SHARE
POLICY, PROCEDURE, AND
GENERAL REQUIREMENTS,
Effective October 1, 2014
(SWC Project No. 1753)**

The Commission staff discussed potential changes to the agency's cost share policy in consideration of statutory requirements in 2015 Senate Bill 2020, and the State Water Commission's infrastructure revolving loan fund. Policy decisions are necessary to develop

recommendations for cost share requests primarily related to water supply improvement projects. The staff memorandum, dated July 20, 2015, summarizing the potential changes to the cost share policy is attached as **APPENDIX "C"**.

Legislation provides that the Interim Legislative Water Topics Overview committee work collaboratively with the State Water Commission to develop and review policies and update as necessary to further define the state's role in major flood control projects. The committee is scheduled to meet on August 12, 2015. (Note: A joint meeting of the State Water Commission and the Water Topics Overview Committee is tentatively scheduled for November 4, 2015). The Commission requested that a meeting of the State Water Commission's policy committee be held prior to the joint meeting.

It was moved by Commissioner Nodland, seconded by Commissioner Swenson, and unanimously carried, that the Secretary to the Commission be directed to schedule a meeting of the State Water Commission's policy committee prior to the joint State Water Commission and Water Topics Overview committee meeting for the purpose of considering potential changes to the policy.

**THOMPSON BRIDGE OUTLET NO. 4
PROJECT (GRIGGS COUNTY) -
REQUEST FOR STATE COST
PARTICIPATION POSTPONED
(SWC Project No. 1486)**

A request from the Griggs County Water Resource District was presented for the State Water Commission's consideration for state cost participation for their Thompson Bridge Outlet No. 4 project.

The proposed project is located within Broadview Township 144 North, Range 58 West, Sections 3, 5, 6, 8, 9, 10, and 11. The objective of this project is to relieve excess floodwaters from the Griggs County Drain No. 1 (Karnak Drain) to flow east across the natural divide and into the Sheyenne River.

The project engineer's cost estimate is \$1,443,408, of which \$1,292,791 is determined eligible for a 45 percent state cost participation grant as a drain (\$581,756), and \$114,017 is determined eligible for a 35 percent state cost participation grant as design engineering on the project (\$39,905), for a total state cost participation grant of \$621,661.

It was the recommendation of Secretary Sando that the State Water Commission approve a state cost participation grant as a drain at 45 percent of the eligible costs (\$581,756), and a state cost participation grant as design engineering on the project at 35 percent of the eligible costs (\$39,905), not to exceed a total allocation of \$621,661 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Griggs County Water Resource District to support the Thompson Bridge Outlet No. 4 project.

It was moved by Commissioner Foley and seconded by Commissioner Goehring that the State Water Commission:

1) approve a state cost participation grant as a drain at 45 percent of the eligible costs (\$1,292,791) not to exceed an allocation of \$581,756 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Griggs County Water Resource District to support the Thompson Bridge Outlet No. 4 project; and

2) approve a state cost participation grant as design engineering on the project at 35 percent of the eligible costs (\$114,017) not to exceed an allocation of \$39,905 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Griggs County Water Resource District to support the Thompson Bridge Outlet No. 4 project.

The above approvals total a state cost participation grant allocation of \$621,661 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Griggs County Water Resource District to support the Thompson Bridge Outlet No. 4 project. This action is contingent upon the availability of funds, and satisfaction of the required permits.

Because the project remains highly contentious in nature due to the opposition from several landowners within the area who will be assessed as a result of this project, Governor Dalrymple recognized landowners to express their concerns.

D. Nathan Lunde, Cooperstown, ND, expressed four primary concerns: 1) the Board did not perform an engineering analysis to determine a cost-benefit to the landowners who will be subject to the assessments, 2) previously permitted Karnak Drain has not been completed, 3) the assessments were derived unfairly without any scientific or engineering basis, and 4) the project has been responsible for socio-economic distress upon several affected landowners.

Due to insufficient information for the State Water Commission to make an informed decision relative to the cost share request, it was the consensus of the Commission that the motion be tabled until a future meeting.

It was moved by Commissioner Nodland, seconded by Commissioner Hanson, and unanimously carried, that the pending motion be postponed indefinitely.

**BURNT CREEK FLOOD DAMAGE
RESTORATION PROJECT -
APPROVAL OF ADDITIONAL STATE
COST PARTICIPATION GRANT (\$92,085)
(SWC Project No. 1992)**

On June 19, 2013, the State Water Commission adopted a motion approving a state cost participation grant as a flood control project at 60 percent of the eligible costs, not to exceed an allocation of \$87,805 from the funds appropriated to the State Water Commission in the 2011-2013 biennium (S.B. 2020), to the Burleigh County Water Resource District to support the Burnt Creek Flood Damage Restoration project. The project engineer's original cost estimate was \$146,340, which was determined eligible for state cost participation as a flood control project at 60 percent of the eligible costs (\$87,805).

Because of increased bid costs, the project engineer's revised estimated cost is \$303,616, of which \$299,816 is determined eligible for a state cost participation grant of 60 percent of the eligible costs (\$179,890). A request from the Burleigh County Water Resource District was presented for the State Water Commission's consideration for a 60 percent state cost participation grant of the eligible costs.

It was the recommendation of Secretary Sando that the State Water Commission approve a state cost participation grant of 60 percent of the eligible costs, not to exceed an additional allocation of \$92,085 (eligible costs of \$179,890 less \$87,805 approved on June 19, 2013) from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Burleigh County Water Resource District to support the Burnt Creek Flood Damage Restoration project. The Commission's affirmative action would increase the total state allocation grants to \$179,890 to the Burleigh County Water Resource District to support the Burnt Creek Flood Damage Restoration project.

It was moved by Commissioner Goehring and seconded by Commissioner Foley that the State Water Commission approve a state cost participation grant of 60 percent of the eligible costs, not to exceed an additional allocation of \$92,085 (eligible costs of \$179,890 less \$87,805 approved on June 19, 2013) from the funds

appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Burleigh County Water Resource District to support the Burnt Creek Flood Damage Restoration project. This action is contingent upon the availability of funds.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Swenson, Thompson, Vosper, and Governor Dalrymple voted aye. There were no nay votes. Governor Dalrymple announced the motion unanimously carried.

This action increases the total state allocation grants to \$179,890 to the Burleigh County Water Resource District to support the Burnt Creek Flood Damage Restoration project.

***NORTH DAKOTA DEPARTMENT OF
HEALTH - NONPOINT SOURCE
POLLUTION PROJECTS FOR
SECTION 319(H) FUNDING (\$200,000)
(SWC File ASHEA)***

A request from the North Dakota Department of Health was presented for the State Water Commission's consideration for state cost participation of \$200,000 for projects authorized under Section 319(h) of the federal

Water Pollution Act. The State Water Commission has approved state cost participation of \$200,000 for each of the past seven bienniums.

The North Dakota Department of Health coordinated with local organizations and state agencies to implement nonpoint source pollution projects that address water quality impacts from concentrated livestock feeding units. Through these projects, more than 100 livestock producers have received financial assistance to support engineering design costs for the most feasible manure management systems. Many of these producers have also received federal Section 319(h) cost share assistance to construct their systems. These manure-management systems are estimated to have prevented thousands of pounds of nitrogen and phosphorus from reaching lakes and streams, helping to protect and improve their beneficial uses.

It was the recommendation of Secretary Sando that the State Water Commission approve an allocation not to exceed \$200,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the North Dakota Department of Health for their Nonpoint Source Pollution Management program.

It was moved by Commissioner Goehring and seconded by Commissioner Berg that the State Water Commission approve an allocation not to exceed \$200,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the North Dakota Department of Health to support the Nonpoint Source Pollution Management program. This action is contingent upon the availability of funds.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

***ASSINIBOINE RIVER BASIN INITIATIVE -
APPROVAL OF STATE COST
PARTICIPATION (\$100,000)
(SWC File AOC-ASS)***

After decades of flood-related impacts throughout the greater Assiniboine River basin, grassroot efforts emerged to bring basin stakeholders together in a collaborative effort to address water

management issues and challenges. The Assiniboine River Basin Initiative (ARBI) was formed, which covers the entire Assiniboine River basin including the Qu'Appelle, Mouse (Souris in Canada), and Assiniboine River watersheds in North Dakota, Manitoba, and Saskatchewan.

ARBI began when basin stakeholders first met in 2008 to explore opportunities to work together and take collaborative actions across the basin. The initiative gained momentum in 2014 through a spring workshop in Virden, Manitoba, which reaffirmed stakeholder interests in collaborative actions and the formation of a basin-wide organization. At the November, 2014 conference in Regina, Saskatchewan, the ARBI was formed with board leadership and direction relating to land and water issues and concerns. A vision and mission statement have been developed along with guiding principles, goals and objectives - ***SEE APPENDIX "D"***. The board structure is 17 members from the three jurisdictions for a total of 51 board members.

The State Water Commission staff has been involved in the ARBI development process by attending the formational meetings and providing technical assistance. There has also been participation in the process from North Dakota local leaders as well as other stakeholders. Planning is underway for the second annual conference to be held on November 12 and 13, 2015 in Brandon, Manitoba.

A request from the Assiniboine River Basin Initiative was presented for the State Water Commission's consideration to support their efforts in the amount of \$200,000 in the 2015-2017 biennium. Manitoba has provided \$50,000 for the 2015 fiscal year and an additional \$50,000 has been requested. Saskatchewan is being asked to provide a matching contribution, and the city of Minot has been approached to contribute \$40,000 per year.

Secretary Sando explained that a reduced amount of funding is appropriate in the 2015-2017 biennium to move the organization forward at a conservative pace. This would allow the State Water Commission to gage progress, usefulness, and other grassroots and provincial support of ARBI before making larger financial commitments. Therefore, it was the recommendation of Secretary Sando that the State Water Commission approve an allocation not to exceed \$100,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020).

It was moved by Commissioner Foley and seconded by Commissioner Vosper that the State Water Commission approve an allocation not to exceed \$100,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to support the Assiniboine River Basin Initiative's efforts. This action is contingent upon the availability of funds.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

**CASS RURAL WATER USERS DISTRICT,
WATER TREATMENT PLANT IMPROVE-
MENTS PROJECT -
APPROVAL OF ADDITIONAL STATE
COST PARTICIPATION GRANT (\$800,000)
(SWC Project No. 2050-CAS)**

On October 7, 2013, the State Water Commission adopted a motion approving a 50 percent state cost participation grant, not to exceed an allocation of \$2,600,000 for the Cass Rural Water District, Phase II, water treatment plant improvements project. The project engineer's original cost estimate was \$5,219,500. The grant would provide assistance for system growth and decrease reliance on the West Fargo aquifer. The water supply is from the West Fargo south aquifer, Sheyenne Delta aquifer, Page aquifer, and water purchased from the city of Fargo.

Because of increased construction bid costs for the water treatment plant improvement project, the project engineer's revised estimated cost is \$6,800,000, which is determined eligible for a 50 percent state cost participation grant (\$3,400,000). A request from the Cass Rural Water Users District was presented for the State Water Commission's consideration for a 50 percent state cost participation grant of the eligible costs.

Because of increased construction bid costs for the water treatment plant improvement project, the project engineer's revised estimated cost is \$6,800,000, which is determined eligible for a 50 percent state cost participation grant (\$3,400,000). A request from the Cass Rural Water Users District was presented for the State Water Commission's consideration for a 50 percent state cost participation grant of the eligible costs.

It was the recommendation of Secretary Sando that the State Water Commission approve a state cost participation grant of 50 percent of the eligible costs, not to exceed an additional allocation of \$800,000 (eligible costs of \$3,400,000 less \$2,600,000 approved on October 7, 2013) from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Cass Rural Water Users District to support their water treatment plant improvements project, Phase II. The Commission's affirmative action would increase the total state allocation grants to \$3,400,000 for the Cass Rural Water Users District to support the water treatment plant improvements project, Phase II.

It was moved by Commissioner Thompson and seconded by Commissioner Hanson that the State Water Commission approve a state cost participation grant of 50 percent of the eligible costs, not to exceed an additional allocation of \$800,000 (eligible costs of \$3,400,000 less \$2,600,000 approved on October 7, 2013) from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Cass Rural Water Users District to support their water treatment plant improvements project, Phase II. This action is contingent upon the availability of funds, and is subject to future revisions.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

This action increases the total state allocation grants to \$3,400,000 for the Cass Rural Water Users District to support their water treatment plant improvements project, Phase II.

***GREATER RAMSEY WATER DISTRICT,
EXPANSION PROJECT - APPROVAL
OF ADDITIONAL STATE COST PARTICI-
PATION GRANT (\$900,000)
(SWC Project No. 2050-RAM)***

On July 23, 2013, the State Water Commission passed a motion approving state cost participation of a 75 grant, not to exceed an allocation of \$150,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Greater Ramsey Water District for engineering and a cultural resource study of the southwest Nelson county expansion project. The project engineer's estimated cost was \$200,000.

On March 17, 2014, the State Water Commission adopted a motion approving a state cost participation grant of 75 percent, not to exceed an additional \$4,350,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the Greater Ramsey Water

District to support their 2014 expansion project. The project engineer's estimated cost was \$6,000,000. The Commission's affirmative action increased the total state allocation grants to \$4,500,000.

Because of increased construction bid costs, the project engineer's revised estimated cost is \$7,200,000, which is determined eligible for a state cost participation grant of 75 percent of the eligible costs (\$5,400,000). A request from the Greater Ramsey Water District was presented for the State Water Commission's consideration for state cost participation of a 75 percent grant for their expansion project that will provide water service to 307 rural users with the installation of distribution pipeline, and the construction of a 120-foot high 300,000 gallon elevated water tower. The tower will provide service to both the existing users and the new users located in the eastern half of the water system.

It was the recommendation of Secretary Sando that the State Water Commission approve a state cost participation grant of 75 percent of the eligible costs, not to exceed an additional allocation of \$900,000 (eligible costs of \$5,400,000 less \$150,000 approved on July 23, 2013 and \$4,350,000 approved on March 17, 2014), from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Greater Ramsey Water District to support their expansion project. The Commission's affirmative action would increase the total state allocation grants to \$5,400,000.

It was moved by Commissioner Vosper and seconded by Commissioner Nodland that the State Water Commission approve a state cost participation grant of 75 percent, not to exceed an additional allocation of \$900,000 (eligible costs of \$5,400,000 less \$150,000 approved on July 23, 2013, and \$4,350,000 approved on March 17, 2014), from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Greater Ramsey Water District to support their expansion project. This action is contingent upon the availability of funds, and is subject to future revisions.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

This action increases the total state allocation grants to \$5,400,000 for the Greater Ramsey Water District to support their expansion project.

**STUTSMAN RURAL WATER DISTRICT,
EXPANSION PROJECT, PHASE III -
APPROVAL OF ADDITIONAL
STATE COST PARTICIPATION
GRANT (\$1,050,000)
(SWC Project No. 237-03STU)**

The Stutsman Rural Water District is developing expansions to address inadequacies in the rural system which limits their ability for the addition of rural water users. The system initially served 1,200 rural users, the cities of Cleveland and Montpelier, and the Northern Prairie Wildlife Research Center. On March 11,

2004, the State Water Commission passed a motion to approve a 65 percent grant not to exceed \$24,700 from the Garrison Diversion Conservancy District Water Development and Research Fund for the Stutsman County Rural Water hydraulic model and feasibility study. On March 10, 2005, the State Water Commission approved a 5 percent grant, not to exceed an allocation of \$83,500 from the Water Development and Research Fund, for the Stutsman Rural Water District infrastructure improvements project. On June 22, 2005, the Commission passed a motion to increase the grant to 10 percent of the eligible costs.

Other previous State Water Commission grant funding actions include:

On June 21, 2011, the State Water Commission approved a 70 percent grant, not to exceed an additional allocation of \$6,800,000 from the funds appropriated to the State Water Commission in the 2011-2013 biennium (S.B. 2020), to support the 2011 expansion project, Phase II, involving 298 miles of 8" to 1.5" pipeline for 90 rural users and service capacity to the northern Stutsman area and the city of Woodworth.

On February 27, 2013, the State Water Commission approved a 70 percent grant, not to exceed an additional allocation of \$2,500,000 for the Phase II-B expansion project for west central Stutsman county for an area between Woodworth and southeast to Windsor involving 76 miles of 8" to 1.5" pipeline for 244 rural users and a 250,000 gallon storage tank;

and a 75 percent grant not to exceed an additional allocation of \$7,500,000 from the supplemental funds appropriated to the State Water Commission in the 2011-2013 biennium through 2011 House Bill 1269 for the Phase III expansion project involving 270 miles of 8" to 1.5" pipeline for 330 rural users and service to the city of Streeter.

On July 23, 2013, the State Water Commission approved a 75 grant not to exceed an additional allocation of \$650,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), for Phase III that involved 32 miles of 4" to 1.5" pipeline for 17 rural users in Kidder county;

and a 75 percent grant not to exceed an additional allocation of \$557,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), for Phase II-B for the Carrington area involving 35 miles of 3" to 1.5" pipeline for 27 rural users.

On March 17, 2014, the State Water Commission approved a 75 percent grant not to exceed an additional allocation of \$1,400,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), for Phase II of the 2014 expansion project.

On September 15, 2014, the State Water Commission approved a 70 percent grant not to exceed an additional allocation of \$1,109,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), for the 2014 expansion project, Phase II-B; and

On September 15, 2014, the State Water Commission approved a 75 percent state cost participation grant not to exceed an additional allocation of \$1,046,000 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), for the 2014 expansion project, Phase III.

A request from the Stutsman Rural Water District was presented for the State Water Commission's consideration for state cost participation for their expansion project, Phase III, for a 75 percent grant to provide service for an additional 50 rural users.

It was the recommendation of Secretary Sando that the State Water Commission approve a state cost participation grant of 75 percent not to exceed an additional allocation of \$1,050,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Stutsman Rural Water District expansion project, Phase III. The Commission's affirmative action would increase the total state allocation grants to \$22,612,000 (June 21, 2011 through July 29, 2015).

It was moved by Commissioner Foley and seconded by Commissioner Hanson that the State Water Commission approve a 75 percent state cost participation grant not to exceed an additional allocation of \$1,050,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the Stutsman Rural Water District expansion project, Phase III.

These actions are contingent upon the availability of funds, subject to future revisions, and authorization for the Secretary to the State Water Commission to transfer funds within phases to allow for the connection of water users.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

This action increases the total state allocation grants to \$22,612,000 to the Stutsman Rural Water District (June 21, 2011 through July 29, 2015).

**CITY OF FARGO, WATER SYSTEM
REGIONALIZATION IMPROVEMENTS -
APPROVAL OF STATE COST
PARTICIPATION GRANT (\$6,841,750)
(SWC Project No. 2050-FAR)**

A request from the city of Fargo was presented for the State Water Commission's consideration for state cost participation to support a water system regionalization improvements project to provide the city of West Fargo

with a new water supply. The city of West Fargo's current water supply is groundwater and studies have raised concerns over the long-term viability. Options that were evaluated included using a surface water source involving building a new water treatment plant and the purchase of water from the city of Fargo. The preferred option is to purchase water from the city of Fargo.

The proposed project involves the design and construction of infrastructure improvements allowing the city of Fargo to provide treated drinking water to the city of West Fargo. The major project components include the city of Fargo's Sheyenne River pump station improvements, Fargo's Red River pump station improvements, Fargo high service pump station improvements, Fargo distribution system improvements, and the booster station interconnection to serve the city of West Fargo. The project engineer's estimated cost is \$12,055,000, which is determined eligible for state cost participation.

It was the recommendation of Secretary Sando that the State Water Commission approve a state cost participation grant not to exceed a total allocation of \$6,841,750 of the eligible costs (pre-construction engineering (\$1,025,000) funded at 35 percent - \$358,750; construction engineering (\$605,000) funded at 60 percent - \$363,000; and construction costs (\$10,200,000) funded at 60 percent - \$6,120,000) from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Fargo to support their water system regionalization improvements project.

It was moved by Commissioner Thompson and seconded by Commissioner Foley that the State Water Commission:

1) approve a 35 percent state cost participation grant of the pre-construction engineering eligible costs (\$1,025,000) not to exceed an allocation of \$358,750 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Fargo to support their water system regionalization improvements project;

2) approve a 60 percent state cost participation grant of the construction engineering eligible costs (\$605,000) not to exceed an allocation of \$363,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Fargo to support their water system regionalization improvements project; and

3) approve a 60 percent state cost participation grant of the construction eligible costs (\$10,200,000) not to exceed an allocation of \$6,120,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Fargo to support their water system regionalization improvements project.

The above approvals total a state cost participation grant allocation of \$6,841,750 to the city of Fargo to support their water system regionalization improvements project.

These actions are contingent upon the availability of funds, subject to future revisions, and subject to the North Dakota State Water Commission Cost-Share Policy, Procedure and General Requirements.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

**CITY OF TIOGA WATER SUPPLY
IMPROVEMENTS PROJECT -
APPROVAL OF STATE COST
PARTICIPATION GRANT (\$2,190,000)
(SWC Project No. 2050-TIO)**

A request from the city of Tioga was presented for the State Water Commission's consideration for state cost participation for a 60 percent grant for their water supply improvements project. The proposed project involves

the construction of 12-inch water mains and a new 750,000 gallon water tower to address current and future demands of the system. The water main project received favorable bids on June 3, 2015 and the water tower project received favorable bids on June 24, 2015. Construction completion is anticipated in October, 2016. The project engineer's estimated cost is \$3,650,000.

It was the recommendation of Secretary Sando that the State Water Commission approve a state cost participation grant of 60 percent of the eligible costs, not to exceed an allocation of \$2,190,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Tioga to support their water supply improvements project.

It was moved by Commissioner Swenson and seconded by Commissioner Vosper that the State Water Commission approve a state cost participation grant of 60 percent of the eligible costs, not to exceed an allocation of \$2,190,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the city of Tioga to support their water supply improvements project. This action is contingent upon the availability of funds, subject to future revisions, and subject to the North Dakota State Water Commission Cost-Share Policy, Procedure and General Requirements.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

**ALL SEASONS WATER USERS
DISTRICT, BOTTINEAU COUNTY
EXPANSION PROJECT, PHASE I -
APPROVAL OF STATE COST
PARTICIPATION GRANT (\$896,000)
(SWC Project No. 2050-ALL)**

A request from the All Seasons Water Users District was presented for the State Water Commission's consideration for state cost participation for the Bottineau county expansion project, Phase I. The proposed project involves the construction of a 300,000 gallon

storage reservoir to resolve the current shortfall of water storage in the System 1 area and to provide the necessary storage for future expansion in Bottineau county. The current water storage is a 100,000 gallon reservoir. The project engineer's cost estimate is \$1,200,000.

It was the recommendation of Secretary Sando that the State Water Commission approve a state cost participation grant not to exceed a total allocation of \$896,000 of the eligible costs (pre-construction engineering (\$10,000) funded at 35 percent - \$3,500; construction engineering (\$110,000) funded at 75 percent - \$82,500; and construction costs (\$1,080,000) funded at 75 percent - \$810,000) from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the All Seasons Water Users District to support the Bottineau county expansion project, Phase I.

It was moved by Commissioner Foley and seconded by Commissioner Berg that the State Water Commission:

1) approve a 35 percent state cost participation grant of the pre-construction engineering eligible costs (\$10,000) not to exceed an allocation of \$3,500 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the All Seasons Water Users District to support the Bottineau county expansion project, Phase I;

2) approve a 75 percent state cost participation grant of the construction engineering eligible costs (\$110,000) not to exceed an allocation of \$82,500 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to All Seasons Water Users District to support the Bottineau county expansion project, Phase I; and

3) approve a 75 percent state cost participation grant of the construction eligible costs (\$1,080,000) not to exceed an allocation of \$810,000 from the funds appropriated to the State Water Commission in the 2015-2017 biennium (S.B. 2020), to the All Seasons Water Users District to support the Bottineau county expansion project, Phase I.

The above approvals total a state cost participation grant allocation of \$896,000 to the All Seasons Water Users District to support the Bottineau county expansion project, Phase I.

These actions are contingent upon the availability of funds, subject to future revisions, and subject to the North Dakota State Water Commission Cost-Share Policy, Procedure and General Requirements.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

**2015 FISCAL YEAR FEDERAL MR&I
FUNDING APPROVAL FOR SOUTHWEST
PIPELINE PROJECT (\$2,000,000);
SOUTH CENTRAL REGIONAL
EXPANSION PROJECT (\$3,812,500)
(Project Nos. 237-03, 237-03SOU, 1736)**

The 2015 federal budget includes funding for the Garrison Diversion Unit, of which \$6,640,000 is for funding projects under the North Dakota Municipal Rural and Industrial (MR&I) Water Supply program:

Southwest Pipeline Project: The Southwest Pipeline Project supplemental raw water intake project involves the installation of a vertical concrete caisson, micro-tunneled intake pipe, and intake screen structure on the terminus of the intake pipe. The project engineer's estimated cost is \$18,394,000. On March 11, 2015, the State Water Commission approved 2015 federal Fiscal Year MR&I grant funds in the amount of \$5,740,000 to the Southwest Pipeline Project for the raw water intake.

It was the recommendation of Secretary Sando that the State Water Commission rescind the action of March 11, 2015 (approval of 2015 federal Fiscal Year MR&I grant funds in the amount of \$5,740,000 to the Southwest Pipeline Project for the raw water intake). It was also the recommendation of Secretary Sando that the State Water Commission approve 2015 Fiscal Year MR&I grant funds in the amount of \$2,000,000 to the Southwest Pipeline Project for the raw water intake.

It was moved by Commissioner Nodland and seconded by Commissioner Hanson that the State Water Commission:

- 1) rescind the action of March 11, 2015 (approval of 2015 federal Fiscal Year MR&I grant funds in the amount of \$5,740,000 to the Southwest Pipeline Project for the raw water intake); and***
- 2) approve 2015 Fiscal Year MR&I grant funds in the amount of \$2,000,000 to the Southwest Pipeline Project for the raw water intake. This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and is subject to future revisions.***

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

South Central Regional Water District, Phases IV and V: A regional water system is being developed to serve rural users and municipalities in the counties of Burleigh, Emmons, Kidder, Logan, and McIntosh at an estimated cost of \$85,000,000. The South Central Regional Water District is developing the project with sponsors from the various counties. The water supply includes a new water treatment plant using wells north of the city of Bismarck and a collector well west of the city of Linton.

Federal MR&I and State Water Commission previous funding actions for the South Central Regional Water District include the following:

On July 17, 2007, the State Water Commission approved a 29 percent grant, not to exceed an allocation of \$4,870,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the South Central Regional Water District for Phase 1 project development. On February 4, 2008, the State Water Commission amended the Phase I allocation (\$4,870,000 approved on July 17, 2007) to a federal fiscal year 2008 MR&I grant of 31 percent, not to exceed an allocation of \$2,952,000; and an allocation not to exceed \$1,918,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020).

On June 23, 2008, the State Water Commission approved a 53 percent grant, not to exceed an allocation of \$8,200,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020), to the South Central Regional Water System, Phase II.

Federal Fiscal Year 2009 MR&I grant funds were earmarked in the amount of \$5,850,000 for the South Central Regional Water District, Phase II. On April 28, 2009, the State Water Commission amended its previous allocation (\$8,200,000 approved on June 23, 2008) to a federal Fiscal Year 2009 MR&I grant of 53 percent not to exceed an allocation of \$5,850,000; and an allocation not to exceed \$2,350,000 from the funds appropriated to the State Water Commission in the 2007-2009 biennium (S.B. 2020).

Federal Fiscal Year 2010 MR&I grant funds were earmarked in the amount of \$8,800,000 for the South Central Regional Water System (Emmons county, Phase II). On December 11, 2009, the State Water Commission approved a federal Fiscal Year 2010 MR&I grant of 75 percent, not to exceed an allocation of \$8,800,000.

Federal Fiscal Year 2011 MR&I grant funds were earmarked in the amount of \$6,650,000 for the South Central Regional Water System (Emmons county, Phase III). On September 1, 2010, the State Water Commission approved a federal Fiscal Year 2011 MR&I grant of 75 percent, not to exceed an allocation of \$6,650,000.

The federal Fiscal Year 2011 grant funds were later revised and earmarked in the amount of \$9,300,000 for the South Central Regional Water System (Emmons county, Phase III, and a portion of Phase IV). On June 21, 2011, the State Water Commission approved a federal Fiscal Year 2011 MR&I grant of 75 percent, not to exceed an additional allocation of \$2,650,000, for a total federal Fiscal Year 2011 MR&I grant of \$9,300,000 for the South Central Regional Water System (Emmons county, Phase III, and a portion of Phase IV).

Federal Fiscal Year 2012 MR&I grant funds were recommended in the amount of \$7,700,000 for the South Central Regional Water System, Phase IV, to serve Emmons, Logan, and McIntosh counties. On June 13, 2012, the State Water Commission approved a federal Fiscal Year 2012 MR&I grant of 75 percent, not to exceed an allocation of \$7,700,000 to the South Central Regional Water System, Phase IV.

On July 23, 2013, the State Water Commission passed a motion approving a state cost participation grant of 75 percent, not to exceed an allocation of \$196,500 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020), to the South Central Regional Rural Water System for engineering and a cultural resource study of the Kidder county expansion project.

On May 29, 2014, the State Water Commission rescinded the action approved on July 23, 2013 (allocation not to exceed \$196,500 from the funds appropriated to the State Water Commission in the 2013-2015 biennium (H.B. 1020)). On May 29, 2014, the State Water Commission adopted a motion to approve a federal Fiscal Year 2014 MR&I grant of 75 percent, not to exceed an allocation of \$5,925,000 to the South Central Regional Water District, Phases IV (\$937,500) and V (\$4,987,500); and approve a federal Fiscal Year 2015 MR&I grant of 75 percent, not to exceed an allocation of \$575,000, to the South Central Regional Water District, Phase V.

The project has experienced a significant increase in water user signups involving 196 miles of 8" - 1.5" pipeline for 330 rural users and individual service connection within Tappen and Dawson. The project engineer's revised cost estimate is \$12,500,000. A request from the South Central Regional Water District was presented for the State Water Commission's consideration for a 75 percent grant of \$9,375,000.

It was the recommendation of Secretary Sando that the State Water Commission approve a 75 percent federal MR&I Fiscal Years 2014 and 2015 total allocation grant of \$9,375,000 (MR&I federal Fiscal Year 2014 grant of \$4,987,500, and an additional MR&I federal Fiscal Year 2015 MR&I grant of \$4,387,500), to the South Central Regional Expansion Project, Phase V.

Note: By Commission action taken previously at this meeting relating to the Southwest Pipeline Project, the action taken on March 11, 2015 was rescinded (approval of 2015 federal Fiscal Year MR&I grant funds in the amount of \$5,740,000 to the Southwest Pipeline Project for the raw water intake). A 2015 Fiscal Year MR&I grant in the amount of \$2,000,000 was approved for the Southwest Pipeline Project. This action provided 2015 federal Fiscal Year MR&I grant funds to the South Central Regional Water District's Expansion Project, Phase V.

Commissioner Swenson disclosed that he serves as a member of the South Central Regional Water District board of directors.

It was moved by Commissioner Berg, seconded by Commissioner Nodland, and unanimously carried, that Commissioner Swenson's involvement on the South Central Regional Water District board of directors and with this project does not represent a conflict of interest.

It was moved by Commissioner Berg and seconded by Commissioner Nodland that the State Water Commission approve a 75 percent grant of the eligible costs not to exceed an additional allocation of \$3,812,500 from the MR&I federal Fiscal Year 2015 funds to the South Central Regional Water District Expansion Project, Phase V.

The total allocation shall not exceed \$9,375,000 (\$4,987,500 from the MR&I federal Fiscal Year 2014 funds, and \$4,387,500 from the MR&I federal Fiscal Year 2015 funds to the South Central Regional Water District Expansion Project, Phases IV and V).

This action is contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and is subject to future revisions.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

**2016 FISCAL YEAR FEDERAL MR&I
FUNDING APPROVAL FOR CITIES OF
GLADSTONE, MAKOTI, AND GLENBURN
(\$3,022,500); AND
APPROVAL OF FUTURE FEDERAL
FUNDING GRANTS FOR CITIES
OF MOHALL AND SHERWOOD
(\$1,126,000)
(SWC Project No. 237-03)**

The proposed 2016 federal budget includes funding for the Garrison Diversion Unit, of which \$3,000,000 is for funding projects under the North Dakota Municipal, Rural and Industrial MR&I Water Supply program:

City of Gladstone: The city of Gladstone is proposing construction of a new 250,000 gallon water storage tank and the installation of new water mains to address current and future demands of the system. The project engineer's estimated cost is \$980,000, which is determined eligible for a 75 percent cost share grant of the eligible costs (\$735,000). The city of Gladstone currently serves 353 people.

City of Makoti: The city of Makoti is proposing the construction of a new 100,000 gallon elevated water tank and the installation of new water mains to address current and future demands of the system. The project engineer's cost estimate is \$1,400,000, which is determined eligible for a 75 percent cost share of the eligible costs (\$1,050,000). The city of Makoti currently serves 154 people.

City of Glenburn: The city of Glenburn is proposing the replacement of an existing 50,000 gallon water tower with a 100,000 gallon water tower and the installation of new water mains to address current and future demands of the system. The project engineer's estimated costs are \$2,350,000 (water distribution system - \$950,000, and water storage system - \$1,400,000), which are determined eligible for a 75 percent cost share grant of the eligible costs (water distribution - \$712,500, and water storage system - \$525,000).

City of Mohall: The city of Mohall is proposing to replace an existing 50,000 gallon water tower with a 225,000 gallon water tower to address current and future demands of the system. The project engineer's cost estimate is \$1,145,400, which is determined eligible for a 75 percent cost share grant of the eligible costs (\$670,000). The city of Mohall currently serves 796 people.

City of Sherwood: The city of Sherwood is proposing the installation of new water mains to address current and future demands of the system. The project engineer's estimated cost is \$608,000, which is determined eligible for a 75 percent cost share grant of the eligible costs (\$456,000). The city of Sherwood currently serves 256 people.

It was the recommendation of Secretary Sando that the State Water Commission approve a federal Fiscal Year 2016 MR&I grant of 75 percent of the eligible costs, not to exceed a total allocation of \$3,022,500 for the following cities: 1) city of Glenburn main and storage tank - \$735,000; 2) city of Makoti storage system expansion - \$1,050,000; 3) city of Glenburn water distribution system - \$712,500; and 4) city of Glenburn storage system - \$525,000.

It was also the recommendation of Secretary Sando that the State Water Commission approve cost share grants from future federal MR&I funding of 75 percent of the eligible costs, not to exceed a total allocation of \$1,126,000 for the following cities: 1) city of Mohall water tower - \$670,000; and 2) city of Sherwood water system looping - \$456,000.

It was moved by Commissioner Nodland and seconded by Commissioner Vosper that the State Water Commission:

- 1) approve a federal Fiscal Year 2016 MR&I grant of 75 percent of the eligible costs, not to exceed an allocation of \$735,000, to the city of Gladstone to support their water main and storage tank project;***
- 2) approve a federal Fiscal Year 2016 MR&I grant of 75 percent of the eligible costs, not to exceed an allocation of \$1,050,000, to the city of Makoti to support their water storage system expansion;***
- 3) approve a federal Fiscal Year 2016 MR&I grant of 75 percent of the eligible costs, not to exceed an allocation of \$712,500, to the city of Glenburn to support their water distribution system;***
- 4) approve a federal Fiscal Year 2016 MR&I grant of 75 percent of the eligible costs, not to exceed an allocation of \$525,000, to the city of Glenburn to support their water storage system;***
- 5) approve a 75 percent grant of the eligible costs from future federal MR&I funding, not to exceed an allocation of \$670,000, to the city of Mohall to support their water tower project; and***
- 6) approve a 75 percent grant of the eligible costs from future federal MR&I funding, not to exceed an allocation of \$456,000, to the city of Sherwood to support their water system looping project.***

These actions are contingent upon the availability of funds, satisfaction of the federal MR&I Water Supply program requirements, and are subject to future revisions.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Thompson, Swenson, Vosper, and Governor Dalrymple voted aye. Governor Dalrymple announced the motion unanimously carried.

***FARGO MOORHEAD AREA
DIVERSION PROJECT REPORT
(SWC Project No. 1928)***

Keith Berndt, Fargo, representing Cass County, provided updates on the local, state and federal efforts currently underway on the Fargo Moorhead Area Diversion project.

***NORTHWEST AREA WATER
SUPPLY (NAWS) PROJECT -
PROJECT UPDATE
(SWC Project No. 237-04)***

The Northwest Area Water Supply (NAWS) project update was provided, which is detailed in the staff memorandum dated July 20, 2015, and included as ***APPENDIX "E"***.

***NORTHWEST AREA WATER
SUPPLY (NAWS) PROJECT -
AUTHORIZATION TO AWARD
CONTRACT 4-2A-1, HIGH SERVICE
PUMP STATION UPGRADES AND
MAINTENANCE
(SWC Project No. 237-04)***

On July 28, 2015, bid packages were opened for Northwest Area Water Supply Project, Contract 4-2A-1, High Service Pump Station Upgrades and Maintenance. This contract will address issues with the pumps, motors, drives, and the electrical systems at the pump station. The contract also includes

supplying and installation of a fifth NAWS pump sized to handle lower flows, a 125 hp motor, variable frequency drive, a more sophisticated power monitoring module, and recoating sections of the piping where required.

Competitive sealed proposals were solicited for this contract in accordance with North Dakota Administrative Code 4-12-12. Four proposals were received from Northern Plains Contracting in the amount of \$299,000; PKG Contracting - \$329,069; CC Steel - \$349,000; and Rice Lake Construction - \$386,300. The engineer's estimate was \$310,157. The contract documents allow the State Water Commission to select the most advantageous bid. The bid proposals and options are being reviewed prior to the award of this contract.

It was the recommendation of Secretary Sando that the State Water Commission authorize the Secretary to the State Water Commission to award Northwest Area Water Supply Project Contract 4-2A-1 to the lowest responsible bidder based upon the project engineer's recommendation and review/approval by the Commission's staff and legal counsel.

It was moved by Commissioner Berg and seconded by Commissioner Hanson that the State Water Commission authorize the Secretary to the State Water Commission to award Northwest Area Water Supply Project Contract 4-2A-1 to the lowest responsible bidder based upon the project engineer's recommendation and review/approval by the Commission's staff and legal counsel.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Swenson, Thompson, Vosper, and Governor Dalrymple voted aye. There were no nay votes. Governor Dalrymple announced the motion unanimously carried.

NORTHWEST AREA WATER SUPPLY (NAWS) PROJECT - APPROVAL OF INTERIM WATER RATES FOR CITY OF MINOT AND NAWS REGION CITIES FOR 2016 (SWC Project No. 237-04)

The Northwest Area Water Supply (NAWS) project water service contracts recognize an annual review and adjustment of water rates that are effective January 1st of the following year. The proposed water rates are based on capital costs, supply and treatment costs,

operation and maintenance costs, and reserve for replacement and extraordinary maintenance (REM).

The following proposed NAWS project interim water rates for the city of Minot and the NAWS region cities for 2016 were presented for the State Water Commission's consideration:

<u>Capital Costs:</u>	\$0.00 per 1,000 gallons
<u>Supply and Treatment Costs:</u>	City of Minot: \$0.00 per 1,000 gallons
	NAWS region: \$1.41 per 1,000 gallons
<u>Operation and Maintenance Costs:</u>	City of Minot: \$0.26 per 1,000 gallons
	NAWS region: \$1.16 per 1,000 gallons
<u>Replacement and Extraordinary Maintenance:</u>	\$0.15 per 1,000 gallons

It was the recommendation of Secretary Sando that the State Water Commission approve the following NAWS interim water rates for the 2016 calendar year: city of Minot - \$0.41 per 1,000 gallons; NAWS region - \$2.72 per 1,000 gallons.

It was moved by Commissioner Foley and seconded by Commissioner Hanson that the State Water Commission approve the following Northwest Area Water Supply project interim water rates for the 2016 calendar year:

City of Minot: \$0.41 per 1,000 gallons

NAWS region: \$2.72 per 1,000 gallons

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Swenson, Thompson, Vosper, and Governor Dalrymple voted aye. There were no nay votes. Governor Dalrymple announced the motion unanimously carried.

***NORTHWEST AREA WATER
SUPPLY (NAWS) PROJECT
AUTHORIZATION TO AWARD
CONTRACT 2-2F, BERTHOLD-
NORTH PRAIRIE RURAL WATER
TURNOUT/MAINTENANCE
(SWC Project No. 237-04)***

On July 28, 2015, bid packages were opened for Northwest Area Water Supply Project, Contract 2-2F, Berthold-North Prairie Rural Water Turnout/Maintenance. This contract involves piping and valve hardware along with electrical and instrumentation upgrades to serve North Prairie Rural Water at the NAWS

Reservoir 2 vault near Berthold. North Prairie is currently served at that location through a temporary connection to the main pipeline serving the Reservoir 2 vault. This connection has been problematic for North Prairie and requires replacement. The work covered under this contract is of a maintenance nature as it does not include additional pipeline work or additional service to customers.

Competitive sealed proposals were solicited for this contract in accordance with North Dakota Administrative Code 4-12-12. Two proposals were received from Northern Plains in the amount of \$90,700 and from Swanberg Construction in the amount of \$97,000. The contract documents allow the State Water Commission to select the most advantageous bid. The bid proposals and options are being reviewed prior to the award of this contract.

It was the recommendation of Secretary Sando that the State Water Commission authorize the Secretary to the State Water Commission to award Northwest Area Water Supply Project Contract 2-2F to the lowest responsible bidder based upon the project engineer's recommendation and review/approval by the Commission's staff and legal counsel.

It was moved by Commissioner Foley and seconded by Commissioner Goehring that the State Water Commission authorize the Secretary to the State Water Commission to award Northwest Area Water Supply Project Contract 2-2F to the lowest responsible bidder based upon the project engineer's recommendation and review/approval by the Commission's staff and legal counsel.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Swenson, Thompson, Vosper, and Governor Dalrymple voted aye. There were no nay votes. Governor Dalrymple announced the motion unanimously carried.

***GARRISON DIVERSION
CONSERVANCY DISTRICT
(SWC Project No. 237)***

Duane DeKrey, Garrison Diversion Conservancy District general manager, provided a status report on the District's efforts relating to the intake study for the

Red River Valley Water Supply project and the Central North Dakota Water Supply alternative study.

***RED RIVER VALLEY WATER
SUPPLY PROJECT - APPROVAL
OF STATE COST PARTICIPATION
GRANT TO GARRISON DIVERSION
CONSERVANCY DISTRICT (\$12,359,000)
(2015 SENATE BILL 2020) -
(SWC Project No. 237)***

Section 14 of 2015 Senate Bill 2020. Red River Valley Water Supply Project Funding - Report to Water Topics Overview Committee states, "The 2013-2015 unobligated funding of \$7,359,000 designated by the state water commission for the Red River valley water supply project in the water and

atmospheric resources line item in section 1 of this Act and an additional \$5,000,000 in the water and atmospheric resources line item in section 1 of this Act is designated for a grant to the Garrison diversion conservancy district to plan and design the Red River valley water supply project for the biennium beginning July 1, 2015, and ending June 30, 2017. The state water commission shall transfer funds upon request of the Garrison diversion conservancy district. The Garrison diversion conservancy district shall report on a regular basis to the legislative management's water topics overview committee to review its progress in planning and designing the Red River valley water supply project."

The North Dakota Legislative Assembly recognized the importance of providing a sufficient quantity of water to the people of the Red River valley. North Dakota Century Code chapter 61-24.7 contains language declaring the project necessary and in the public interest that the State by and through the State Water Commission should provide a share of the cost of constructing the project.

It was the recommendation of Secretary Sando that in compliance with 2015 Senate Bill 2020, the State Water Commission approve a total allocation not to exceed \$12,359,000 (\$7,359,000 of unobligated funding from the 2013-2015 biennium and an additional \$5,000,000 from the 2015-2017 biennium) to the Garrison Diversion Conservancy District for the purpose of planning and designing the Red River Valley Water Supply project.

It was moved by Commissioner Foley and seconded by Commissioner Thompson that in compliance with 2015 Senate Bill 2020, the State Water Commission approve a total allocation grant not to exceed \$12,359,000 (\$7,359,000 of unobligated funding from the 2013-2015 biennium and an additional \$5,000,000 from the 2015-2017 biennium) to the Garrison Diversion Conservancy District for the purpose of planning and designing the Red River Valley Water Supply project. This action is contingent upon the availability of funds.

Commissioners Berg, Foley, Goehring, Hanson, Nodland, Swenson, Thompson, Vosper, and Governor Dalrymple voted aye. There were no nay votes. Governor Dalrymple announced the motion unanimously carried.

**MOUSE RIVER ENHANCED
FLOOD PROTECTION PROJECT -
STATUS REPORT
(SWC Project No. 1974-01)**

The Mouse River Enhanced Flood Protection project status report was provided, which is detailed in the staff memorandum dated July 20, 2015, and included as **APPENDIX "F"**.

**SOUTHWEST PIPELINE PROJECT -
PROJECT REPORT
(SWC Project No. 1736-99)**

The Southwest Pipeline Project report was presented, which is detailed in the staff memorandum dated July 15, 2015, and included as **APPENDIX "G"**.

**DEVILS LAKE HYDROLOGIC
AND PROJECT UPDATES
(SWC Project No. 416-10)**

The Devils Lake hydrologic report, and project updates were provided, which are detailed in the staff memorandum, dated July 15, 2015, and included as **APPENDIX "H"**.

**MISSOURI RIVER REPORT
(SWC Project No. 1392)**

The Missouri River report was provided, which is detailed in the staff memorandum dated July 20, 2015, and included as **APPENDIX "I"**.

**MISSOURI RIVER STAKEHOLDERS
BOARD PROGRESS/FINAL REPORT
(SWC Project No. 1392)**

Missouri River basin. Following several meetings with local Missouri River interests, a leadership committee was created to guide the efforts of a path forward.

Following the floods of 2011 there has been renewed interest among Missouri River stakeholders to establish some type of grassroots organization in the

The leadership committee recommended hiring a Missouri River coordinator and a supporting project team to manage the day-to-day implementation of the stakeholder group's vision. Secretary Sando is serving as the interim chair of this effort. The coordinator and project team were asked to conduct outreach efforts throughout the state and to conduct two workshops - one in the fall of 2014 and the other in the spring of 2015. Both workshops were attended by stakeholder groups and individuals representing a broad spectrum of Missouri River issues and interests. The purpose of the workshops was to discuss potential paths forward for a grassroots driven Missouri River-related organization.

The State Water Commission and the Garrison Diversion Conservancy District each provided \$175,000 to support this overall effort. The staff memorandum, dated July 20, 2015, and the final report, including recommendations that were developed, are included as **APPENDIX "J"**.

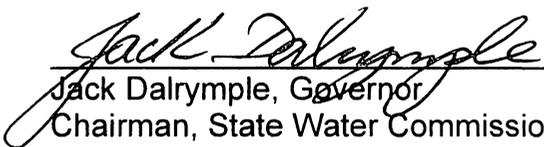
**REAPPOINTMENT OF STATE
WATER COMMISSION MEMBERS -
GEORGE NODLAND, DICKINSON, ND;
AND HARLEY SWENSON, BISMARCK, ND**

reappointment terms are July 1, 2015 through June 30, 2021.

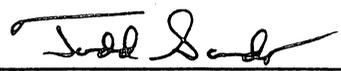
George Nodland, Dickinson, ND, and Harley Swenson, Bismarck, ND, were reappointed by Governor Dalrymple to serve six-year terms as members of the State Water Commission. Their

There being no further business to come before the State Water Commission, Governor Dalrymple adjourned the July 29, 2015 meeting at 12:25 p.m.





Jack Dalrymple, Governor
Chairman, State Water Commission



Todd Sando, P.E.
North Dakota State Engineer,
and Chief Engineer-Secretary
to the State Water Commission

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STATE WATER COMMISSION
 ALLOCATED PROGRAM EXPENDITURES
 FOR THE PERIOD ENDED MAY 31, 2015
 BIENNIUM COMPLETE: 96%

PROGRAM	SALARIES/ BENEFITS	OPERATING EXPENSES	GRANTS & CONTRACTS	21-Jul-15 PROGRAM TOTALS
ADMINISTRATION				
Allocated	2,492,011	2,323,966		4,815,977
Expended	2,378,070	1,882,367		4,260,437
Percent	95%	81%		88%
			Funding Source:	
			General Fund:	0
			Federal Fund:	58,312
			Special Fund:	4,202,124
PLANNING AND EDUCATION				
Allocated	1,334,304	301,110	107,000	1,742,414
Expended	1,219,731	154,118	21,322	1,395,171
Percent	91%	51%	20%	80%
			Funding Source:	
			General Fund:	0
			Federal Fund:	151,136
			Special Fund:	1,244,035
WATER APPROPRIATION				
Allocated	5,151,915	560,947	1,230,267	6,943,129
Expended	4,549,543	595,555	956,047	6,101,145
Percent	88%	106%	78%	88%
			Funding Source:	
			General Fund:	0
			Federal Fund:	15,630
			Special Fund:	6,085,516
WATER DEVELOPMENT				
Allocated	6,258,796	14,555,905	3,313,200	24,127,901
Expended	5,625,531	7,723,492	256,770	13,605,794
Percent	90%	53%	8%	56%
			Funding Source:	
			General Fund:	0
			Federal Fund:	1,415,682
			Special Fund:	12,190,112
STATEWIDE WATER PROJECTS				
Allocated			629,600,000	629,600,000
Expended			195,915,576	195,915,576
Percent			31%	31%
			Funding Source:	
			General Fund:	0
			Federal Fund:	0
			Special Fund:	195,915,576
ATMOSPHERIC RESOURCE				
Allocated	993,898	712,307	4,694,692	6,400,897
Expended	915,085	424,443	1,554,999	2,894,528
Percent	92%	60%	33%	45%
			Funding Source:	
			General Fund:	0
			Federal Fund:	0
			Special Fund:	2,894,528
SOUTHWEST PIPELINE				
Allocated	468,291	12,927,500	101,616,741	115,012,532
Expended	563,529	7,400,115	43,718,934	51,682,577
Percent	120%	57%	43%	45%
			Funding Source:	
			General Fund:	0
			Federal Fund:	738,512
			Special Fund:	50,944,065
NORTHWEST AREA WATER SUPPLY				
Allocated	650,021	16,498,500	53,800,540	70,949,061
Expended	512,779	1,913,206	773,959	3,199,944
Percent	79%	12%	1%	5%
			Funding Source:	
			General Fund:	0
			Federal Fund:	0
			Special Fund:	3,199,943
PROGRAM TOTALS				
Allocated	17,349,236	47,880,235	794,362,440	859,591,911
Expended	15,764,269	20,093,296	243,197,607	279,055,172
Percent	91%	42%	31%	32%
FUNDING SOURCE:	ALLOCATION	EXPENDITURES	REVENUE	
GENERAL FUND	0	0	GENERAL FUND:	651,507
FEDERAL FUND	37,310,283	2,379,273	FEDERAL FUND:	2,633,128
SPECIAL FUND	822,281,628	276,675,899	SPECIAL FUND:	285,360,927
TOTAL	859,591,911	279,055,172	TOTAL:	288,635,561

STATE WATER COMMISSION
 PROJECTS/GRANTS/CONTRACT FUND
 2013-2015 BIENNIUM

				<i>May-15</i>	
	BUDGET	SWC/SE APPROVED	OBLIGATIONS EXPENDITURES	REMAINING UNOBLIGATED	REMAINING UNPAID
FLOOD CONTROL					
FARGO	136,740,340	136,740,340	26,034,375	0	110,705,965
GRAFTON	8,925,000	8,925,000	0	0	8,925,000
MOUSE RIVER FLOOD CONTROL	36,618,860	8,991,186	1,361,755	27,627,674	7,629,430
BURLEIGH COUNTY	1,469,900	1,469,900	875,037	0	594,863
VALLEY CITY	14,865,526	14,865,526	350,579	0	14,514,947
LISBON	7,520,350	7,520,350	2,250,814	0	5,269,536
FORT RANSOM	225,000	225,000	0	0	225,000
RICE LAKE RECREATION DISTRICT	2,842,200	2,842,200	0	0	2,842,200
RENWICK DAM	1,281,376	1,281,376	1,258,056	0	23,320
SHEYENNE RIVER FLOOD CONTROL	696,854			696,854	
FLOODWAY PROPERTY ACQUISITIONS					
MINOT	33,684,329	33,684,329	9,805,013	0	23,879,316
WARD COUNTY	9,698,169	9,698,169	3,651,579	0	6,046,590
VALLEY CITY	1,822,598	1,822,598	1,368,767	0	453,831
BURLEIGH COUNTY	442,304	442,304	209,655	0	232,649
SAWYER	184,260	184,260	0	0	184,260
LISBON	999,000	999,000	887,682	0	111,318
STATE WATER SUPPLY					
REGIONAL & LOCAL WATER SYSTEMS	106,144,977	106,144,976	42,243,808	0	63,901,168
FARGO WATER TREATMENT PLANT	27,864,069	27,864,069	3,178,170	0	24,685,899
SOUTHWEST PIPELINE PROJECT	106,443,739	106,443,738	50,944,065	0	55,499,673
NORTHWEST AREA WATER SUPPLY	21,241,433	7,241,433	1,336,892	14,000,000	5,904,541
COMMUNITY WATER LOAN FUND - BND	15,000,000	15,000,000	5,000,000	0	10,000,000
WESTERN AREA WATER SUPPLY AUTHORITY	79,000,000	79,000,000	47,144,795	0	31,855,205
RED RIVER VALLEY WATER SUPPLY	11,000,000	3,641,000	2,952,514	7,359,000	688,486
CENTRAL NORTH DAKOTA WATER SUPPLY	70,800	70,800	0	0	70,800
IRRIGATION DEVELOPMENT					
	5,493,548	949,869	470,650	4,543,679	479,219
GENERAL WATER MANAGEMENT					
OBLIGATED	37,578,539	37,578,539	12,697,302	0	24,881,237
UNOBLIGATED	3,290,601			3,290,601	0
DEVILS LAKE					
BASIN DEVELOPMENT	68,085	68,085	7,107	0	60,978
OUTLET	872,403	872,403	1,601	0	870,802
OUTLET OPERATIONS	15,140,805	15,140,805	6,796,114	0	8,344,691
DL TOLNA COULEE DIVIDE	102,975	102,975	0	0	102,975
DL EAST END OUTLET	2,774,011	2,774,011	0	0	2,774,011
DL GRAVITY OUTFLOW CHANNEL	13,686,839	13,686,839	0	0	13,686,839
DL STANDPIPE REPAIR	1,300,000	1,300,000	342,595	0	957,405
WEATHER MODIFICATIONS					
	805,202	805,202	503,827	0	301,375
TOTALS	705,894,092	648,376,282	221,672,752	57,517,810	426,703,530

**STATE WATER COMMISSION
PROJECTS/GRANTS/CONTRACT FUND
2013-2015 Biennium**

PROGRAM OBLIGATION

Approved SWC					Initial			May-15
By	No	Dept	Sponsor	Project	Approved Date	Total Approved	Total Payments	Balance
Flood Control:								
SB 2020	1928-01	5000	City of Fargo	Fargo Flood Control Project	6/23/2009	136,740,340	26,034,375	110,705,965
	1771	5000	City of Grafton	Grafton Flood Control Project	3/11/2010	7,175,000	0	7,175,000
	1771	5000	City of Grafton	Grafton Flood Risk Reduction Project	12/5/2014	1,750,000	0	1,750,000
SB 2371	1974-06	5000	Souris River Joint WRD	Mouse River Enhanced Flood - pd to SRJWRB	11/24/2014	216,257	196,637	19,620
SB 2371	1974-08	5000	Souris River Joint WRD	Mouse River Reconnaissance Study to Meet Fed Guid	2/15/2013	10,603	9,793	809
	1974-09	5000	Souris River Joint WRD	4th Ave NE & Napa Valley/Forest Rd Flood Improve	10/7/2013	6,830,400	886,824	5,943,576
	1974-10	5000	Souris River Joint WRD-no agreement	International Joint Commission Study Boarc	5/29/2014	302,500	0	302,500
	1974-11	5000	Souris River Joint WRD	Funding of 214 agreement between SRJB & USACE	12/5/2014	375,000	268,500	106,500
	1993-01	5000	City of Minot	Downtown Infrastructure Improvements	9/15/2014	1,256,426	0	1,256,426
SB 2371	1992-01	5000	Burleigh Co. WRD	Burleigh County's Tavis Road Storm Water Pump Stati	6/13/2012	1,469,900	875,037	594,863
SB 2371	1344-01	5000	Valley City	Sheyenne River Valley Flood Control Projec	12/5/2015	507,875	350,579	157,296
	1344	5000	Valley City	Sheyenne River Valley Flood Control Project PHI	5/20/2015	340,000	0	340,000
	1504-01	5000	Valley City	Permanent Flood Protection Project	12/5/2014	10,157,037	0	10,157,037
	1504-02	5000	Valley City	Permanent Flood Protection Project (LOAN)	12/5/2014	3,860,614	0	3,860,614
SB 2371	1344-02	5000	City of Lisbon	Sheyenne River Valley Flood Control Projec	6/19/2013	842,850	416,059	426,791
	1991-01	5000	City of Lisbon	Permanent Flood Protection Project	5/29/2014	1,918,698	1,128,453	790,245
	1991-02	5000	City of Lisbon	Permanent Flood Protection Project (LOAN)	5/29/2014	706,302	706,302	0
	1991-03	5000	City of Lisbon	Permanent Flood Protection - Levee C Project	3/11/2015	3,166,000	0	3,166,000
	1991-04	5000	City of Lisbon	Permanent Flood Protection - Levee C (LOAN)	3/11/2015	886,500	0	886,500
SB 2371	1344-03	5000	Fort Ransom	Sheyenne River Valley Flood Control Projec	6/19/2013	225,000	0	225,000
	1997	5000	Rice Lake Recreation District	Rice Lake Flood Control Project	6/13/2012	2,842,200	0	2,842,200
	849	5000	Pembina Co. WRD	Renwick Dam Rehabilitation	6/26/2014	1,281,376	1,258,056	23,320
Subtotal Flood Control						182,860,878	32,130,617	150,730,261
Floodway Property Acquisitions:								
SB 2371	1993-05	5000	City of Minot	Minot Phase 1 - Floodway Acquisitions	1/27/2012	9,276,071	9,276,071	0
	1993-05	5000	City of Minot	Minot Phase 2 - Floodway Acquisitions	10/7/2013	24,408,258	528,942	23,879,316
SB 2371	1523-05	5000	Ward County	Ward County Phase 1, 2 & 3 - Floodway Acquisitions	1/27/2012	9,525,664	3,479,074	6,046,590
SB 2371	1523-02	5000	Ward County	Chaparelle Highwater Berm Project	2/27/2013	172,505	172,505	0
SB 2371	1504-05	5000	Valley City	Valley City Phase 1 - Floodway Acquisitions	7/23/2013	1,822,598	1,368,767	453,831
SB 2371	1992-05	5000	Burleigh Co. WRD	Burleigh Co. Phase 1 - Floodway Acquisitions	3/7/2012	442,304	209,655	232,649
SB 2371	2000-05	5000	City of Sawyer	Sawyer Phase 1 - Floodway Acquisitions	6/13/2012	184,260	0	184,260
	1991-05	5000	City of Lisbon	Lisbon - Floodway Acquisition	3/11/2015	999,000	887,682	111,318
Subtotal Floodway Property Acquisitions						46,830,660	15,922,696	30,907,964
Water Supply Advances:								
SWC	2373-24	5000	Garrison Diversion	Traill Regional Rural Water (Phase III)	8/18/2009	1,368,000	1,205,019	162,981
State Water Supply Grants:								
	2373-32	5000	North Central Rural Water Consortium	NCRW (Berthold-Carpio)	6/21/2011	2,807,902	2,807,902	0
	2373-33	5000	Stutsman Rural RWD	Stutsman Rural Water System - Phase II	3/17/2014	3,795,692	3,795,692	0
	2373-35	5000	Grand Forks - Traill RWD	Grand Forks - Traill County WRD	6/13/2012	2,725,415	2,411,509	313,906
	2373-36	5000	Stutsman Rural RWD	Stutsman Rural Water System - Phase IIB, III	2/27/2013	12,155,000	8,505,236	3,649,764
	2373-37	5000	North Central Rural Water Consortium	NCRW (Plaza)	2/27/2013	299,300	271,744	27,556
	1782-01	5000	McLean-Sheridan RWD	Blue & Brush Lakes Expansion Project	5/29/2014	0	0	0
	2373-38	5000	Stutsman Rural RWD	Kidder Co & Carrington Area Expansion	7/23/2013	1,207,000	171,785	1,035,215
	2373-39	5000	North Central Rural Water Consortium	Carpio Berthold Phase 2	5/29/2014	3,050,000	76,089	2,973,911
	2373-40	5000	South Central Regional Water System	Kidder County Expansion	5/29/2014	0	0	0
	2373-41	5000	North Central Rural Water Consortium	Granville-Deering Area	3/11/2015	5,751,750	121,847	5,629,903
	2050-01	5000	Missouri West Water System	South Mandan	3/17/2014	776,000	721,189	54,811
	2050-02	5000	Grand Forks Traill RWD	Improvements	3/11/2015	3,752,000	311,567	3,440,433
	2050-03	5000	Northeast Regional WD	Langdon RWD - ABM Pipeline Phase 1	10/7/2013	1,040,000	805,418	234,582
	2050-04	5000	Northeast Regional WD	Langdon RWD - North Valley Nekome	3/11/2015	998,400	340,451	657,949
	2050-05	5000	Northeast Regional WD	North Valley WD - ABM Pipeline Phase 1	3/11/2015	663,800	436,109	227,691
	2050-06	5000	Northeast Regional WD	North Valley WD - 93 Street	3/11/2015	1,369,600	454,329	915,271
	2050-07	5000	Northeast Regional WD	North Valley WD - Rural Expansion	5/29/2014	1,800,000	288,403	1,511,597
	2050-08	5000	Walsh RWD	Ground Storage	10/7/2013	684,000	565,928	118,072
	2050-09	5000	City of Park River	Water Tower	3/11/2015	1,553,000	1,080,745	472,255
	2050-10	5000	City of Surrey	Water Supply Improvements	10/7/2013	1,500,000	832,350	667,650
	2050-11	5000	Cass RWD	Phase 2 Plant Improvements	10/7/2013	2,600,000	50,437	2,549,563
	2050-12	5000	Central Plains WD	Improvements	10/7/2013	1,450,000	5,438	1,444,563
	2050-13	5000	City of Mandan	New Raw Water Intake	10/7/2013	1,270,000	77,404	1,192,596
	2050-14	5000	City of Mandan	Water Treatment Plant Improvements	10/7/2013	726,000	640,933	85,067
	2050-15	5000	City of Washburn	New Raw Water Intake	10/7/2013	1,795,000	0	1,795,000
	2050-16	5000	Tri-County RWD	Improvements	10/7/2013	650,000	0	650,000
	2050-17	5000	Barnes Rural RWD	Improvements	3/11/2015	7,846,335	1,814,114	6,032,221
	2050-18	5000	City of Grafton	Water Treatment Plant Phase 3	10/7/2013	2,600,000	0	2,600,000
	2050-19	5000	City of Grand Forks	Water Treatment Plant Improvements	10/7/2013	4,990,000	437,247	4,552,753
	2050-20	5000	City of Dickinson	Capital Infrastructure	2/27/2014	16,428,283	5,048,796	11,379,486
	2050-21	5000	Watford City	Capital Infrastructure	2/27/2014	6,700,000	4,973,856	1,726,144
	2050-22	5000	City of Williston	Capital Infrastructure	2/27/2014	7,000,000	3,174,220	3,825,780
	2050-23	5000	Greater Ramsey RWD	SW Nelson County Expansion	3/17/2014	4,500,000	818,051	3,681,949
	2050-24	5000	All Seasons Water District	System 1 Well Field Expansion	9/15/2014	292,500	0	292,500
Subtotal State Water Supply						108,144,976	42,243,808	63,901,168
	1984-02	5000	City of Fargo	Fargo Water Treatment Plant	3/17/2014	27,864,069	3,178,170	24,685,899
	1736-05	8000	SWPP	Southwest Pipeline Project	7/1/2013	106,443,738	50,944,065	55,499,673
	2374	9000	NAWS	Northwest Area Water Supply	7/1/2013	7,241,433	1,336,892	5,904,541
	2044-01	5000	Bank of North Dakota	Community Water Facility Fund	10/7/2013	15,000,000	5,000,000	10,000,000
	1973-02	5000	WAWSA	WAWSA- (GRANT)	10/7/2013	39,500,000	22,820,132	16,679,868
	1973-03	5000	Bank of North Dakota	WAWSA - (LOAN)	10/7/2013	39,500,000	24,324,683	15,175,317
	325-101	5000	RRWSP	Red River Valley Water Supply - CH2MHill	2/27/2014	721,000	721,000	0
	325-102	5000	RRWSP	Red River Valley Water Supply - Intake Design Study	5/29/2014	2,500,000	2,231,514	268,486
	325-103	5000	RRWSP	Garrison Diversion - Easements	5/29/2014	420,000	0	420,000
	2051	5000	Central ND Water Supply	Black and Veatch investigation	1/27/2015	70,800	0	70,800
Subtotal State Water Supply						239,261,040	110,556,435	128,704,604

**STATE WATER COMMISSION
PROJECTS/GRANTS/CONTRACT FUND
2013-2015 Biennium**

PROGRAM OBLIGATION

Approved SWC By	No	Dept	Sponsor	Project	Initial Approved Date	Total Approved	Total Payments	May-15 Balance
Irrigation Development:								
SWC	222	5000	Buford Trenton Irrigation	Buford Trenton Irrigation Transmission Line Reroute	7/23/2013	350,000	350,000	0
SWC	1389	5000	Bank of ND	BND AgPace Program	10/23/2001	25,966	25,966	0
SWC	1389	5000	Bank of ND	BND AgPace Program	12/13/2013	200,000	19,684	180,316
SWC	AOC/IRA	5000	ND Irrigation Assoc	ND Irrigation Association	7/1/2013	100,000	75,000	25,000
SWC	1968	5000	Garrison Diversion	2009-11 McClusky Canal Mile Marker 7.5 Irrigation Pr	6/1/2010	17,582	0	17,582
SWC	1968	5000	Garrison Diversion	McClusky Canal Mile Marker 10 & 49 Irrigation Projec	3/17/2014	256,321	0	256,321
Subtotal Irrigation Development						949,869	470,650	479,219
General Water Management								
Hydrologic Investigations:								
						1,125,267		
SWC	1400/13	3000	Houston Engineering	Houston Engineering Water Permit Application Review	11/7/2011	1,975	1,975	0
SWC	1400/14	3000	Houston Engineering	Houston Engineering Water Permit Application Review	11/29/2012	10,910	3,991	6,919
SWC	1400	3000	Gordon Sturgeon	Consultant Services	3/23/2013	39,200	39,200	0
SWC	1400	3000	Gordon Sturgeon	Consultant Services	4/16/2014	24,800	24,800	0
SE	XXX	3000	Manikowski Well Drilling	Manikowski Well Drilling Inc	3/20/2014	12,850	12,850	0
	862/859	3000	Arletta Herman	Arletta Herman - Well Monitor	3/15/2015	2,916	2,916	0
	862	3000	Lori Bjorgen	Lori Bjorgen - Well Monitor	3/13/2014	472	472	0
	967	3000	Holly Messmer - McDaniel	Holly Messmer - McDaniel - Well Monitor	4/19/2012	0	0	0
	1690	3000	Holly Messmer - McDaniel	Holly Messmer - McDaniel - Well Monitor	4/19/2012	936	936	0
	1703	3000	Thor Brown	Thor Brown - Well Monitor	3/12/2015	5,519	5,518	0
	1707	3000	Thor Brown	Thor Brown - Well Monitor	3/12/2015	3,966	3,965	0
	1761	3000	Gloria Roth	Gloria Roth - Well Monitor	4/19/2013	1,152	1,152	0
	1761	3000	Fran Dobits	Fran Dobits - Well Monitor	6/1/2011	1,965	1,965	0
	2041	3000	U. S. Geological Survey	Conversion of 17 groundwater recorder wells to real-ti	7/16/2013	34,000	34,000	0
SWC	1395	3000	U. S. Geological Survey	Investigations of Water Resources in North Dakota	9/25/2013	491,275	491,275	0
SWC	1395	3000	U. S. Geological Survey	Investigations of Water Resources in North Dakota	12/5/2015	505,895	252,948	252,947
	1395D	3000	U. S. Geological Survey	Eaton Irrigation Project on the Souris River	7/13/2012	15,300	0	15,300
Hydrologic Investigations Obligations Subtotal						1,153,129	877,963	275,167
Remaining Hydrologic Investigations Authority								
Hydrologic Investigations Authority Less Payments						(27,862)		
General Projects Obligated						31,330,363	6,696,430	24,633,933
General Projects Completed						5,122,909	5,122,909	0
Subtotal General Water Management						37,578,539	12,697,302	24,881,237
Devils Lake Basin Development:								
SWC	416-01	5000	DLJWRB	DL Joint WRB Manager	7/1/2013	60,000	0	60,000
SWC	416-05	2000	Joe Belford	DL Downstream Acceptance	7/1/2013	8,085	7,107	978
SWC	416-07	5000	Multiple	Devils Lake Outlet	7/1/2013	872,403	1,601	870,802
SWC	416-10	4700	Operations	Devils Lake Outlet Operations	7/1/2013	15,140,805	6,796,114	8,344,691
SWC	416-13	5000	Multiple	DL Tolna Coulee Divide	7/1/2013	102,975	0	102,975
SWC	416-15	5000	Multiple	DL East End Outlet	7/1/2013	2,774,011	0	2,774,011
SWC	416-17	5000	Multiple	DL Emergency Gravity Outflow Channe	9/21/2013	13,686,839	0	13,686,839
SWC	416-19	5000	Multiple	DL Standpipe Repairs	12/13/2013	1,300,000	342,585	957,405
Devils Lake Subtotal						33,945,118	7,147,417	26,797,702
SWC		7600		Weather Modification	7/1/2013	805,202	503,827	301,375
TOTAL						648,376,282	221,672,752	426,703,530

STATE WATER COMMISSION
PROJECTS/GRANTS/CONTRACT FUND
2013-2015 Biennium
Resources Trust Fund

GENERAL PROJECT OBLIGATIONS

Approved SWC		Dept	Biennium	Sponsor	Project	Initial	Total	Total	May-15	
By	No					Approved	Approved	Payments	Balance	
						Date				
HB 1009	1986	5000	2013-15	USDA-APHIS,ND Dept Agricu	USDA Wildlife		8/20/2013	250,000	150,114	99,886
HB 2305	1963	5000	2009-11	Emmons County WRD	Beaver Bay Embankment Feasibility Study		8/10/2009	53,644	35,566	18,078
SB 2020	1131	5000	2009-11	Nelson Co. WRD	Flood Related Water Projects		6/1/2011	55,455	0	55,455
SE	1967	5000	2009-11	Grand Forks Co. WRD	Grand Forks County Legal Drain No. 55 2010 Conduc		11/30/2010	9,652	0	9,652
SE	1301	5000	2009-11	City of Lidgerwood	City of Lidgerwood Engineering & Feasibility Study for		2/4/2011	15,850	0	15,850
SE	1607	5000	2011-13	Ward Co. WRD	Flood Inundation Mapping of Areas Along Souris & De		6/15/2011	13,011	0	13,011
SE	1301	5000	2011-13	City of Wahpeton	City of Wahpeton Water Reuse Feasibility Study/Richl		9/8/2011	2,500	0	2,500
SE	391	5000	2011-13	Sargent Co WRD	Silver Lake Dam Emergency Repai		10/12/2011	2,800	0	2,800
SE	1312	5000	2011-13	Walsh Co. WRD	Skyrud Dam 2011 EAP		12/15/2011	10,000	0	10,000
SE	1312	5000	2011-13	Walsh Co. WRD	Union Dam 2011 EAP		12/15/2011	10,000	0	10,000
SE	1998	5000	2011-13	Grand Forks Co. WRD	Upper Turtle River Dam #1 2012 EAP		6/28/2012	10,000	0	10,000
SE	2002	5000	2011-13	Grand Forks Co. WRD	Turtle River Dam #4 2012 EAP		6/29/2012	10,000	0	10,000
SE	2005	5000	2011-13	Grand Forks Co. WRD	Turtle River Dam #8 2012 EAP		6/29/2012	10,000	0	10,000
SE	AOC/RRBC	5000	2011-13	Red River Basin Commission	Stream Gaging & Precipitation Network Study in the R		9/14/2012	20,000	0	20,000
SE	1991	5000	2011-13	City of Lisbon	Sheneye River Snagging & Clearing Project		2/12/2013	5,000	0	5,000
SE	1289	5000	2011-13	McKenzie Co. Weed Control E	Control of Noxious Weeds on Sovereign Lands		6/11/2013	24,810	12,296	12,514
SE	1640	5000	2013-15	U.S. Geological Survey	Maintenance of gaging station on Missouri River below		9/25/2013	8,710	0	8,710
SE	1296	5000	2013-15	Pembina Co. WRD	Bathgate-Hamilton & Carlisle Watershed Study		10/17/2013	38,500	0	38,500
SE	867-01	5000	2013-15	NDSU	NDSU - Water sampling Dr. Xinhua Jia Dept of Ag		4/22/2014	5,000	0	5,000
SE	399	5000	2013-15	Barnes Co WRD	Kathryn Dam Feasibility Study		9/19/2014	21,250	0	21,250
SE	274	5000	2013-15	City of Neche	FEMA Levee Certification Feasibility Study		10/17/2014	37,500	0	37,500
SE	841	5000	2013-15	Maple River WRD	Garsteig Dam Repair Project		1/26/2015	40,163	0	40,163
SE	1287	5000	2013-15	McHenry Co. WRD	Souris River Snagging & Clearing Project		2/3/2015	15,000	0	15,000
SE	1842	5000	2013-15	Southeast Cass WRD	Wild Rice River Snagging & Clearing - Bridge Locatio		2/3/2015	57,000	0	57,000
SE	AOC/WUA	5000	2011-13	ND Water Users Association	Dave Koland Term as WUA President		3/23/2015	10,200	0	10,200
SE	346	5000	2013-15	Williams County WRD	Design Engineering for Epping Dam Safety Repair		3/30/2015	21,333	0	21,333
SE	571	5000	2013-15	Oak Creek WRD	Oak Creek Snagging & Clearing Project		3/30/2015	3,672	0	3,672
SE	1179	5000	2013-15	Richland Co. WRD	Drain #5 (27) Reconstruction Project		3/30/2015	13,543	0	13,543
SE	568	5000	2013-15	Barnes Co WRD	Sheneye River Snagging & Clearing Project		4/17/2015	49,500	0	49,500
SE	1303	5000	2013-15	Sargent Co WRD	Gwinner Dam Improvement Feasibility Study Program		4/17/2015	42,844	0	42,844
SE	1219	5000	2013-15	Sargent Co WRD	Drain No. 8 Channel Improvement Preliminary Engine		5/7/2015	6,650	0	6,650
SE	1814	5000	2013-15	Richland Co. WRD	Wild Rice River Snagging & Clearing - Bridge #121-2		5/28/2015	16,000	0	16,000
SE	1314	5000	2013-15	Wells Co. WRD	Hurdsfield Area Drain Preliminary Engineering Project		6/11/2015	35,000	0	35,000
SE	1815	5000	2013-15	Ransom Co. WRD	Sheneye River Snagging & Clearing - Fort Ransom F		6/11/2015	6,350	0	6,350
SE	1264	5000	2013-15	Barnes Co WRD	Little Dam Repurposing Feasibility Study		6/17/2015	16,100	0	16,100
SE	1311	5000	2013-15	Trails Co. WRD	Buxton Township Improvement District No. 68		6/17/2015	15,745	0	15,745
SWC	620	5000	2007-09	Lower Heart WRD	Mandan Flood Control Protective Works (Levee)		9/29/2008	125,396	0	125,396
SWC	1921	5000	2007-09	Morton Co. WRD	Square Butte Dam No. 6(Harmon Lake) Recreation F		3/23/2009	821,058	90,056	731,002
SWC	1638	5000	2009-11	Multiple	Red River Basin Non-NRCS Rural/Farmstead Ring Di		6/23/2009	226,364	48,500	177,864
SWC	1069	5000	2009-11	North Cass Co. WRD	Cass County Drain No. 13 Improvement Reconstructi		8/18/2009	122,224	0	122,224
SWC	1088	5000	2009-11	Maple River WRD	Cass County Drain No. 37 Improvement Recon		8/18/2009	92,668	0	92,668
SWC	1960	5000	2009-11	Ward Co. WRD	Puppy Dog Coulee Flood Control Diversion Ditch Con		8/18/2009	796,976	0	796,976
SWC	322	5000	2009-11	ND Water Education Foundati	ND Water: A Century of Challenge		2/22/2010	36,800	0	36,800
SWC	1244	5000	2009-11	Trails Co. WRD	Trails Co. Drain No. 27 (Moen) Reconstruction & Exter		3/11/2010	336,491	0	336,491
SWC	1577	5000	2009-11	Mercer Co. WRD & City of Ha	Hazen Flood Control Levee (1517) & FEMA Accredita		3/11/2010	184,984	0	184,984
SWC	281	5000	2009-11	Three Affiliated Tribes	Three Affiliated Tribes/Fort Berthold Irrigation Study		10/26/2010	37,500	0	37,500
SWC	646	5000	2009-11	City of Fargo	Christine Dam Recreation Retrofit Project		10/26/2010	184,950	0	184,950
SWC	646	5000	2009-11	City of Fargo	Hickson Dam Recreation Retrofit Project		10/26/2010	44,280	0	44,280
SWC	347	5000	2009-11	City of Velva	City of Velva's Flood Control Levee System Certificati		3/28/2011	102,000	0	102,000
SWC	1161	5000	2009-11	Pembina Co. WRD	Drain 55 Improvement Reconstruction		3/28/2011	13,846	0	13,846
SWC	1245	5000	2009-11	Trails Co. WRD	Trails Co. Drain No. 28 Extension & Improvement Proj		3/28/2011	336,007	0	336,007
SWC	1969	5000	2009-11	Walsh Co. WRD	Walsh Co. Construction of Legal Assessment Drain #		3/28/2011	38,154	0	38,154
SWC	1970	5000	2009-11	Walsh Co. WRD	Walsh Co. Construction of Legal Assessment Drain #		3/28/2011	39,115	0	39,115
SWC	1101	5000	2011-13	Dickey Co. WRD	Yorktown-Maple Drainage Improvement Dist No. 3		9/21/2011	354,500	0	354,500
SWC	1101	5000	2011-13	Dickey-Sargent Co WRD	Riverdale Township Improvement District #2 - Dickey		9/21/2011	500,000	0	500,000
SWC	1219	5000	2011-13	Sargent Co WRD	City of Forman Floodwater Outlet		9/21/2011	31,472	0	31,472
SWC	1252	5000	2011-13	Walsh Co. WRD	Walsh Co. Reconstruction Drain No. 97		9/21/2011	24,933	0	24,933
SWC	1705	5000	2011-13	Red River Joint Water Resour	Red River Joint WRD Watershed Feasibility Study - PI		9/21/2011	60,000	0	60,000
SWC	1975	5000	2011-13	Walsh Co. WRD	Walsh Co. Drain No. 31 Reconstruction Project		9/21/2011	37,742	0	37,742
SWC	1977	5000	2011-13	Dickey-Sargent Co WRD	Jackson Township Improvement Dist. #1		9/21/2011	1,601,325	0	1,601,325
SWC	829	5000	2011-13	Rush River WRD	Rush River WRD Berlin's Township Improvement Dist		10/19/2011	163,695	62,378	101,317
SWC	1224	5000	2011-13	Trails Co. WRD	Preston Floodway Reconstruction Project		10/19/2011	208,570	0	208,570
SWC	1978	5000	2011-13	Richland & Sargent Joint WRI	Richland & Sargent WRD RS Legal Drain No. 1 Exten		10/19/2011	245,250	0	245,250
SWC	1918	5000	2001-13	Maple River WRD	Normanna Township Improvement District No. 71		12/9/2011	287,900	0	287,900
SWC	1983	5000	2011-13	City of Harwood	City of Harwood Engineering Feasibility Study		12/9/2011	62,500	0	62,500
SWC	1396	5000	2011-13	U.S. Geological Survey	(USGS) Missouri River Geomorphic Assessment		3/7/2012	90,000	70,000	20,000
SWC	1989	5000	2011-13	Barnes Co WRD	Hobart Lake Outlet Project		3/7/2012	266,100	0	266,100
SWC	1990	5000	2011-13	Mercer Co. WRD	Lake Shore Estates High Flow Diversion Project		3/7/2012	43,821	0	43,821
SWC	227	5000	2011-13	Eaton Flood Irrigation District	District's Mouse River Riverbank Stabilization Project		6/13/2012	120,615	0	120,615
SWC	1344	5000	2009-11	Southeast Cass WRD	Sheneye Diversion Exterior Pump Station		6/13/2012	3,751	0	3,751
SWC	2006/1135	5000	2011-13	Rush River WRD	Amenia Township Improvement District Drain No. 74 F		6/13/2012	459,350	380,789	78,561
SWC	2010	5000	2011-13	Barnes Co WRD	Meadow Lake Outlet		6/13/2012	500,000	0	500,000
SWC	2009-02	5000	2011-13	Southeast Cass WRD	Recertification of the Horace to West Fargo Diversion		9/17/2012	72,600	42,835	29,765
SWC	1401	5000	2009-11	Pembina Co. WRD	International Boundary Roadway Dike Pembina		9/27/2012	331,799	70,767	261,032
SWC	240	5000	2011-13	Eddy County WRD	Warwick Dam Repair Project		12/7/2012	110,150	0	110,150
SWC	1705	5000	2011-13	Red River Joint Water Resour	Red River Basin Distributed Plan Study		12/7/2012	560,000	0	560,000
SWC	2019	5000	2011-13	Valley City	Sheneye River Snagging & Clearing Project		12/7/2012	75,000	0	75,000
SWC	346	5000	2011-13	Williams County WRD	Epping Dam Evaluation Project		2/27/2013	66,200	0	66,200
SWC	1135	5000	2011-13	Pembina Co. WRD	Drain #4 Reconstruction Project		6/19/2013	221,628	218,955	2,673
SWC	1438	5000	2011-13	Cavalier County WRD	Mulberry Creek Phase IV Reconstruction Project		6/19/2013	324,010	221,991	102,019
SWC	1992	5000	2011-13	Burleigh Co. WRD	Burnt Creek Flood Restoration Project		6/19/2013	87,805	0	87,805
SWC	2022	5000	2011-13	Pembina Co. WRD	Drain #73 Project		6/19/2013	350,400	0	350,400
SWC	AOC/RRBC	5000	2013-15	Red River Basin Commission	Red River Basin Commission Contractor		7/1/2013	200,000	150,000	50,000

STATE WATER COMMISSION
PROJECTS/GRANTS/CONTRACT FUND
2013-2015 Biennium
Resources Trust Fund

GENERAL PROJECT OBLIGATIONS

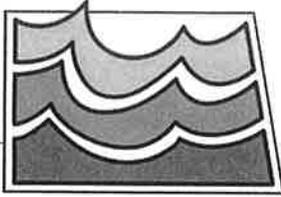
						Initial			May-15
Approved SWC			Approved			Approved	Total	Total	
By	No	Dept	Biennium	Sponsor	Project	Date	Approved	Payments	Balance
SWC	PS/WRD/MRJ	5000	2013-15	Missouri River Joint WRB	Missouri River Joint Water Board (MRRIC) T. FLECK	7/1/2013	40,000	28,870	11,130
SWC	PS/WRD/MRJ	5000	2013-15	Missouri River Joint WRB	Missouri River Joint Water Board, (MRJWB) Start up	7/1/2013	20,000	5,792	14,208
SWC	AOC/WEF	5000	2013-15	ND Water Education Foundati	ND Water Magazine	7/1/2013	36,000	27,000	9,000
SWC	PS/WRD/USRJV	5000	2013-15	Upper Sheyenne River Joint V	Upper Sheyenne River WRB Administration (USRJWF)	7/1/2013	12,000	6,083	5,917
SWC	1859	5000	2013-15	ND Dept of Health	NonPoint Source Pollution, Section 319	8/20/2013	200,000	143,287	56,713
SWC	1270	5000	2013-15	Burleigh Co. WRD	Apple Creek Industrial Park Levee Feasibility Study	10/7/2013	65,180	0	65,180
SWC	2004	5000	2013-15	Grand Forks Co. WRD	Drain No. 57 Project	10/7/2013	413,576	0	413,576
SWC	2040	5000	2013-15	Walsh Co. WRD	Drain #74 Project	10/7/2013	317,852	120,248	197,604
SWC	PS/WRD/MRJ	5000	2013-15	Missouri River Joint WRB	Missouri River Coordinator	10/7/2013	175,000	117,115	57,885
SWC	1242	5000	2013-15	Traill Co. WRD	Rust Drain No. 24 Project	12/13/2013	187,736	162,584	25,152
SWC	1554/2046?	5000	2013-15	McLean Co. WRD	City of Underwood Floodwater Outlet Project	12/13/2013	1,100,727	0	1,100,727
SWC	1758	5000	2013-15	USGS	Stochastic Model for the Mouse River Basin	12/13/2013	200,000	160,000	40,000
SWC	2043	5000	2013-15	Pembina Co. WRD	District's Drain 78 Outlet Extension Project	12/13/2013	287,778	0	287,778
SWC	2046	5000	2013-15	Walsch Co. WRD	North Branch Park River Comprehensive Flood Dama	12/13/2013	134,400	0	134,400
SWC	1878-02	5000	2011-13	Maple-Steele WRD	Upper Maple River Dam Construction Phase	12/13/2013	4,702,936	0	4,702,936
SWC	CON/WIL/CARL	5000	2013-15	Garnison Diversion Conservan	Will and Carlson Consulting Contract	12/13/2013	70,000	37,841	32,159
SWC	1082	5000	2013-15	Rush River WRD	Cass Co. Drain No. 30 Channel Improvement Project	3/17/2014	142,818	0	142,818
SWC	2008	5000	2013-15	City of Mapleton	Recertification of Flood Control Levee System Project	3/17/2014	718,941	617,841	101,100
SWC	1418	5000	2013-15	City of Bisbee	Big Coulee Dam Feasibility Study	5/29/2014	65,000	54,037	10,963
SWC	1444	5000	2013-15	City of Pembina	2014 Flood Protection System Modification Project	5/29/2014	1,031,981	656,329	375,652
SWC	1577	5000	2013-15	City of Killdeer & Dunn Co.	Floodplain Mapping Project	5/29/2014	55,000	0	55,000
SWC	1753/1523?	5000	2013-15	Ward Co. Hwy Dept	County Road 18 Flood Control Project	5/29/2014	325,208	0	325,208
SWC	2045	5000	2013-15	Mercer Co. WRD	LiDAR Collection Project	5/29/2014	117,000	106,575	10,425
SWC	2048	5000	2013-15	City of Marion	Marion Flood Mitigation & Lagoon Drainage Project	5/29/2014	188,366	0	188,366
SWC	1932	5000	2005-07	Nelson Co. WRD	Michigan Spillway Rural Flood Assessment	8/15/2014	2,588,924	1,797,256	791,668
SWC	1625	5000	2013-15	Houston Engineering	(OHWM) Ordinary High Water Mark Delineations	8/20/2014	134,418	129,462	4,956
SWC	1227	5000	2011-13	Traill Co. WRD	Mergenthal Drain No. 5 Reconstruction	9/15/2014	155,780	113,952	41,828
SWC	1285	5000	2013-15	Lamoure Co. Soil Conservatio	Lamoure Co Memorial Park Streambank Restoration	9/15/2014	91,042	0	91,042
SWC	1314	5000	2013-15	Wells Co. WRD	Oak Creek Drain Lateral E Reconstruction Project	9/15/2014	73,057	0	73,057
SWC	1613	5000	2013-15	North Cass Co. WRD	Cass County Drain No. 55 Channel Improvements Prc	9/15/2014	99,923	0	99,923
SWC	1613	5000	2013-15	Richland Co. WRD	Drain No. 15 Reconstruction Project	9/15/2014	60,300	0	60,300
SWC	1991	5000	2013-15	City of Lisbon	Sheyenne Riverbank Stabilization Project	9/15/2014	163,720	0	163,720
SWC	2042	5000	2013-15	Bottineau Co. WRD	Haas Coulee Drain Project	9/15/2014	500,000	0	500,000
SWC	2045	5000	2013-15	McKenzie Co. Commission	LiDAR Collection Project	9/15/2014	262,308	0	262,308
SWC	PSWRDELM	5000	2013-15	Elm River Joint WRD	Dam #3 Safety Improvements Project	9/15/2014	65,208	57,911	7,297
SWC	568	5000	2013-15	Southeast Cass WRD	Sheyenne River Reaches Snagging & Clearing Projec	12/5/2014	294,000	0	294,000
SWC	228	5000	2013-15	USGS	Operation & Maint of Gaging Station on the Missouri F	12/8/2014	8,970	0	8,970
SWC	1792	5000	2009-11	Southeast Cass WRD	SE Cass Wild Rice River Dam Study Phase II	1/29/2015	162,252	130,000	32,252
SWC	1878-02	5000	2011-13	Maple River WRD	Upper Maple River Dam Environmental Assessment -	1/29/2015	128,147	0	128,147
SWC	829	5000	2011-13	Rush River WRD	Rush River Watershed Retention Plan	2/19/2015	3,220	0	3,220
SWC	980	5000	2011-13	Maple River WRD	Maple River Watershed Flood Water Retention Study/	2/19/2015	3,687	0	3,687
SWC	2012	5000	2011-13	Southeast Cass WRD	Lower Sheyenne River Watershed Retention Plan	2/19/2015	104,492	80,000	24,492
SWC	980	5000	2013-15	Cass Co. Joint WRD	Rush River Watershed Detention Study	3/11/2015	120,750	0	120,750
SWC	980	5000	2013-15	Cass Co. Joint WRD	Swan Creek Watershed Detention Study PHII	3/11/2015	120,750	0	120,750
SWC	980	5000	2013-15	Cass Co. Joint WRD	Upper Maple River Watershed Detention Study	3/11/2015	120,750	0	120,750
SWC	1064	5000	2013-15	Rush River WRD	Cass County Drain No. 2 Channel Improvements Proj	3/11/2015	106,989	0	106,989
SWC	1217	5000	2013-15	Tri-County WRD	Tri-County Drain Reconstruction Project	3/11/2015	911,881	0	911,881
SWC	1294	5000	2013-15	Nelson Co. Park Board	Stump Lake Park Bank Stabilization Project	3/11/2015	115,436	0	115,436
SWC	1418	5000	2013-15	City of Bisbee	Design & Repair of Big Coulee Dam	3/11/2015	862,218	0	862,218
SWC	2007	5000	2011-13	Maple River WRD	Pontiac Township Improvement District No. 73 Project	5/11/2015	1,247,093	500,000	747,093
SWC	1224	5000	2013-15	Traill Co. WRD	Palace Drain Improvement District No. 80	5/20/2015	118,933	0	118,933
SWC	2013	5000	2011-13	Richland-Cass Joint WRD	Wild Rice River Watershed Retention Plan	6/8/2015	135,905	90,000	45,905
TOTAL							31,330,363	6,696,430	24,633,933

**STATE WATER COMMISSION
PROJECTS/GRANTS/CONTRACT FUND
2013-2015 Biennium
Resources Trust Fund**

COMPLETED GENERAL PROJECTS

Approvec By	SWC No	Dept	Approved Biennium	Sponsor	Project	Initial Approved Date	Total Approved	Total Payments	May-15 Balance
SE	1577	5000	2011-13	Burleigh Co. WRD	Fox Island 2012 Flood Hazard Mitigation Evaluation S	5/22/2012	23,900	23,900	0
SE	1303	5000	2011-13	Sargent Co WRD	Shortfoot Creek Preliminary Soils Analysis & Hydraulic	6/29/2012	24,861	6,034	18,827
SE	2003	5000	2011-13	Southeast Cass WRD	Re-Certification of the Horace to West Fargo Diversion	6/29/2012	42,835	42,775	60
SE	2008	5000	2011-13	City of Mapleton	Mapleton Flood Control Levee Project	6/29/2012	24,410	24,410	0
SE	1732	5000	2011-13	City of Beulah	Beulah Dam Emergency Action Plan	7/26/2012	20,440	10,440	10,000
SE	2003	5000	2011-13	Southeast Cass WRD	Re-Certification of the West Fargo Diversion Levee Sy	7/26/2012	45,879	45,879	0
SE	1993	5000	2011-13	Houston Engineering	Minot 100-yr Floodplain Map and Profiles	10/9/2012	10,000	0	10,000
SE	2001	5000	2011-13	Trails Co. WRD	Elm River Diversion Project	10/31/2012	10,423	6,076	4,347
SE	1992	5000	2011-13	Burleigh Co. WRD	Burleigh Co Flood Control Alternatives Assessment	1/30/2013	25,175	16,168	9,007
SE	1461	5000	2011-13	Pembina Co. WRD	O'Hara Bridge Bank Stabilization	4/26/2013	24,633	24,633	0
SE	871	5000	2013-15	Pembina Co. WRD	Pembina Snagging & Clearing Project	6/14/2013	7,500	7,500	0
SE	1395	5000	2013-15	U.S. Geological Survey	Operation & maintenance of seven water level monitor	7/16/2013	17,500	17,500	0
SE	1174	5000	2013-15	Richland Co. WRD	Drain No. 31 Reconstruction Project	8/30/2013	32,393	22,393	10,000
SE	2045	5000	2013-15	NCRS & Corps St. Louis	Joint LiDAR Collection	9/12/2013	40,000	40,000	0
SE	1289	5000	2013-15	McKenzie Co. Weed Cor	Control of Noxious Weeds on Sovereign Lands	9/20/2013	10,496	9,779	717
SE	1244	5000	2013-15	Trails Co. WRD	Trails Co. Drain No. 27 (Moen) Lateral Channel Improv	9/27/2013	29,914	23,723	6,191
SE	1814	5000	2013-15	Richland Co. WRD	Wild Rice River Snagging & Clearing - Reach 3	10/17/2013	49,500	48,493	1,007
SE	1814	5000	2013-15	Richland Co. WRD	Wild Rice River Snagging & Clearing - Reach 2	10/17/2013	49,500	49,375	125
SE	1987	5000	2013-15	City of Burlington	Interim Levee Project	11/22/2013	49,000	49,000	0
SE	1814	5000	2013-15	Richland Co. WRD	Wild Rice River Snagging & Clearing - Reach 4	12/13/2013	20,000	20,000	0
SE	BSC	5000	2013-15	Bismarck State College	2014 ND Water Quality Monitoring Conference	2/24/2014	1,000	1,000	0
SE	AOC/WEF	5000	2013-15	ND Water Education Fou	2014 Summer Water Tours Sponsorshi	3/5/2014	2,500	2,500	0
SE	1403	5000	2013-15	ND Water Resources Ins	Institute Fellowship Program 2014-15	3/20/2014	13,850	13,850	0
SE	1291	5000	2013-15	Mercur County WRD	Antelope Creek Snagging & Clearing Project	3/27/2014	21,714	21,714	0
SE	1667	5000	2013-15	Trails Co. WRD	Goose River Snagging & Clearing Project	4/23/2014	46,750	46,750	0
SE	1311	5000	2013-15	Trails Co. WRD	Buffalo Coulee Snagging & Clearing Project	5/27/2014	25,000	23,363	1,637
SE	507	5000	2013-15	Grant County WRD	Raleigh Dam Emergency Action Plan	7/1/2014	12,000	11,870	130
SE	1814	5000	2013-15	Richland Co. WRD	Wild Rice River Snagging & Clearing - Bridge Locatio	10/16/2014	34,500	34,500	0
SE	1934	5000	2013-15	Trails Co. WRD	Elm River Snagging & Clearing Project	1/20/2015	50,000	42,211	7,789
SE	1667	5000	2013-15	Trails Co. WRD	Goose River Snagging & Clearing Project	1/23/2015	50,000	44,173	5,827
SE	AOC/WEF	5000	2013-15	ND Water Education Fou	2014 Summer Water Tours Sponsorshi	3/10/2015	2,500	2,500	0
SE	1403	5000	2013-15	ND Water Resources Ins	Institute Fellowship Program 2014-15	3/23/2015	13,850	13,850	0
SE	NDAWN	5000	2013-15	NDSU	ND Agricultural Weather Network	5/7/2015	1,500	1,500	0
SE	NDAWN	5000	2013-15	NDSU	ND Agricultural Weather Network	4/15/2014	1,550	1,550	0
SWC	928/988/1508	5000	2011-13	SE Cass WRD	Wild Rice, Bois de Sioux, Antelope Creek Retention S	7/21/2008	60,000	30,415	29,585
SWC	1966	5000	2009-11	City of Oxbow	City of Oxbow Emergency Flood Fighting Barrier Syst	6/1/2010	188,400	188,400	0
SWC	1882-07	5000	2009-11	NDSU	NDSU Development of SEBAL	9/1/2010	15,387	15,387	0
SWC	416-18	5000	2011-13	ND Game & Fish	DL Johnson Farms Water Storage Site	6/10/2011	125,000	4,316	120,685
SWC	1344	5000	2011-13	Southeast Cass WRD	Southeast Cass Sheyenne River Diversion Low-Flow (6/14/2011	716,609	33,535	683,074
SWC	1219	5000	2011-13	Sargent Co WRD	District Drain No. 4 Reconstruction Project	9/21/2011	125,500	86,723	38,777
SWC	CON/MILL-CA	5000	2011-13	Garrison Diversion	Will/Carlson Consultant	10/17/2011	26,174	0	26,174
SWC	1138	5000	2011-13	Pembina Co. WRD	Drain No. 8 Reconstruction Project	3/7/2012	12,215	5,157	7,058
SWC	PS/WRD/JAM	5000	2011-13	James River Joint WRD	James River Engineering Feasibility Study Phase 1	3/7/2012	29,570	29,490	80
SWC	1344	5000	2011-13	Southeast Cass WRD	Sheyenne Diversion Phase VI - Weir Improvements	6/13/2012	225,050	224,192	858
SWC	1344	5000	2009-11	Southeast Cass WRD	Horace Diversion Channel Site A (Section 7 - Phase V	6/13/2012	1,812,822	1,810,744	2,078
SWC	1806-02	5000	2011-13	City of Argusville	Re-Certification of the City of Argusville Flood Control	6/13/2012	84,164	20,101	64,063
SWC	228	5000	2011-13	U.S. Geological Survey	Additional USGS gage Missouri River- ANNUAL	9/17/2012	8,500	8,500	0
SWC	1996	5000	2011-13	Trails Co. WRD	Drain #62 - Wold Drain Project	9/17/2012	112,400	108,717	3,683
SWC	2014	5000	2011-13	Trails Co. WRD	Elm River Watershed Retention Plan	9/17/2012	75,000	62,371	12,629
SWC	2003-02	5000	2011-13	Southeast Cass WRD	Re-Certification of the West Fargo Diversion Levee Sy	9/17/2012	91,400	91,400	0
SWC	1069	5000	2011-13	North Cass - Rush River	Drain #13 Channel Improvements	9/27/2012	217,000	217,000	0
SWC	1303	5000	2011-13	Sargent Co WRD	Frenier Dam Improvement Project	12/7/2012	158,373	112,027	46,346
SWC	1523	5000	2011-13	Ward Co. WRD	Souris River Minot to Burlington Snagging & Clearing	12/7/2012	109,000	109,000	0
SWC	2020	5000	2011-13	Minot Park District	Souris Valley Golf Course Bank Stabilization	12/7/2012	335,937	205,404	130,533
SWC	1207	5000	2011-13	Richland Co. WRD	Drain #65 Extension Project	6/19/2013	123,200	101,048	22,152
SWC	1312	5000	2011-13	Walsh Co. WRD	Forest River Flood Control Feasibility Study	6/19/2013	79,956	79,956	0
SWC	1444	5000	2011-13	City of Pembina	US Army Corps of Eng Section 408 Review City Flood	9/19/2013	73,200	62,833	10,367
SWC	1056	5000	2013-15	Bottineau Co. WRD	Scandia/Scotia Drain Project	12/13/2013	140,634	140,634	0
SWC	1523	5000	2013-15	Ward Co. WRD	Mouse River Snagging & Clearing Project	12/13/2013	347,466	84,700	262,766
SWC	1523	5000	2011-13	Ward Co. WRD	Countryside Villas/Whispering Meadows Drainage Imp	2/21/2014	157,211	67,287	89,924
SWC	568	5000	2013-15	Southeast Cass WRD	Sheyenne River Snagging & Clearing Project Reaches	3/13/2014	165,000	164,861	139
SWC	1140	5000	2013-15	Pembina Co. WRD	Drain No. 11 Outlet Extension Project	5/29/2014	125,760	125,760	0
SWC	2045	5000	2013-15	Federal Coalition Agenci	Federal/State LiDAR Collection Project	9/15/2014	75,000	75,000	0
SWC	228	5000	2013-15	USGS	Operation & Maint of Gaging Station on the Missouri R	10/2/2014	8,970	8,710	260
SWC	1296	5000	2013-15	Pembina Co. WRD	Bourbanis/Olson Dam Safety Project	10/29/2014	132,680	99,833	32,847
TOTAL							6,792,650	5,122,909	1,669,741

JULY 29, 2015



North Dakota State Water Commission

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MEMORANDUM

TO: Governor Jack Dalrymple
Members of the State Water Commission
FROM:  Todd Sando, P.E., Chief Engineer-Secretary
SUBJECT: **Cost-Share Policy**
DATE: July 20, 2015

The purpose of this memo is to initiate discussion concerning potential changes to the agency's cost-share policy in consideration of statutory requirements in Senate Bill 2020 and to discuss the State Water Commission Infrastructure Revolving Loan Fund.

The Commission will need to work through these policy decisions for our agency to proceed with recommendations for many cost-share requests – particularly related to water supply improvement projects. Legislation provides that the Interim Legislative Water Topics Overview Committee shall work collaboratively with the Commission to develop and review policies and update as necessary to further define the state role in major flood control projects. The Interim Legislative Water Topics Overview Committee's first meeting is scheduled for August 12, 2015. At that meeting, we can present information from this memo with any changes or additions by the Commissioners to the Committee to give a current status concerning our cost-share policy.

Enacted Senate Bill 2020 - Section 33

In reaction to the cost-share policy that was adopted by the State Water Commission in October 2014, the Legislature enacted four statements on policy that must be addressed by the Commission. The following includes the specific language included in Section 33 of Senate Bill 2020, and potential options to address the legislation.

Section 33. A new section to chapter 61-02 of the North Dakota Century Code is created and enacted as follows: State water commission cost-share policy.

The state water commission shall adopt a cost-share policy for the financing of water projects. The policy:

1. Must provide a water supply project is eligible for grants up to seventy-five percent of the total eligible project costs.

Comments

The first point is the policy must provide a water supply project is eligible for grants up to seventy-five percent of the total eligible project costs. During initial development of the policy, the cost-share for water supply projects had been limited to 60 percent. During discussions with

JACK DALRYMPLE, GOVERNOR
CHAIRMAN

TODD SANDO, P.E.
CHIEF ENGINEER AND SECRETARY

local sponsors and review of the comment letters received, the cost-share policy was adjusted and allowed expansion into a new service area that requires at least ten miles of new transmission pipeline to be eligible for up to 75 percent.

Recommendations/Options

No change may be needed as the current policy address the “up to 75 percent” requirement.

2. May not determine program eligibility of water supply projects based on a population growth factor. However, a population growth factor may be used in prioritizing projects for that purpose.

Comments

The policy must not use population growth as a factor to determine eligibility for water supply projects. Before and after the adoption of the October 2014 policy, projects were eligible for cost-share if new users were added to the water system. Prior to the October 2014 policy a population factor had not be specified. A specific growth category was added in the October 2014 policy to allow funding for improvements that were needed to meet the needs related to tremendous growth and help those areas that did not have the infrastructure in place to meet those increasing demands and this was viewed as a positive addition to the cost-share policy. During the legislative session, the use of a population growth factor was viewed as limiting funding and not serving the needs of the entire state.

Recommendations/Options

One option is to remove item (2) under Section III.B.1 of our policy “Supports improvements and connection of new customers within the existing service area of a water system that has a 3-year average population growth in excess of 3% per year, as determined by the Chief Engineer.” Any growth of water systems can be addressed in item (1) of the section if there is an expansion of that water system to provide new service.

If item (2) under Section III.B.1 of the policy is removed, discussion and refinement of the difference between expansions and improvements should be evaluated by the Commissioners to provide staff direction on how these costs are treated. The main difference is improvements increase system efficiencies or output capacity, where an expansion project adds service area or users served. However the difference between improvements and expansions are not as clear on how to treat improvements that are tied to recent expansions and this could be refined by the Commissioners to provide staff direction on how these costs are treated. The recommendation is improvements related to recent expansions would also be considered eligible for cost-share.

Another option is to only remove the population growth portion of item (2). Then include language to address how improvements are determined for eligible cost. This could be based on the percentage of improved efficiency or capacity. It is also recommended if this approach is used, that adoption of a replacement fund would be required as a condition of funding.

3. Must consider all project costs potentially eligible for reimbursement, except the commission may exclude operations expense and regular maintenance. The commission shall require a water project sponsor to maintain a capital improvement fund from the rates charged customers for future extraordinary maintenance projects as a condition of funding an extraordinary maintenance project.

Comments

The first sentence is not specifically limited to water supply projects. We do not know if this was intentional or not. It had been identified to legislators that as written it could be applied to all cost-share projects. The last part of the first sentence makes clear that operation and maintenance costs are not eligible and is consistent with existing Commission policy. The first part of the sentence states that the policy must consider all project costs potentially eligible.

Recommendations/Options

The October 2014 policy has the following words within the introductory statement, “only the items described in this document will be eligible for cost-share upon approval by the State Water Commission, unless specifically authorized by State Water Commission action.” Staff recommendations are based on the cost-share policy and this statement recognized the Commission retains the authority to view all project costs as potentially eligible. A sentence could be added to state “The Commission has authority to consider all project costs potentially eligible.”

Another option would be to review project costs and take a new look to determine potentially eligible costs including easements, property surveys, and administrative costs performed under the engineering contracts. There are differences in how the state cost-share and the federal cost-share for water supply address eligible items, and there could be benefit to staff in direction on how these costs are treated.

Comments

The second sentence in the legislation under this point relates to capital improvement funds. This sentence adds some confusion as at the very end stating that a capital improvement fund is a condition of funding extraordinary maintenance projects. The purpose of state cost-share through our program has not been tied to replacement of current infrastructure nor extraordinary maintenance. These types of projects have been viewed as a local sponsor responsibility. In the case of a natural disaster, the Commission has assisted with emergency repairs or efforts, however this has never been common practice. If a requirement of a capital improvement fund only applies to extraordinary maintenance projects, then this requirement will rarely be used. Local sponsors establishing a means to maintain projects that were built with state grant funding is valid and supported. The current cost-share policy does require an application to include a sustainable operation, maintenance, and replacement plan for the project, but does not specify that a capital improvement or replacement fund is required.

Recommendations/Options

An option is to add language within item (5) under Section III.B.1 that provides a project is eligible if it “addresses extraordinary repairs or replacement needs of a water supply system due to damages from a recent natural disaster.” The following sentence can be added: “A capital improvement fund is required as a condition of funding.” Another option would be to consider this requirement for all grant funded projects or for all improvement projects.

4. May not determine program eligibility of water supply projects based on affordability. However, affordability may be used in prioritizing projects for that purpose.

Comments

This states that the Commission may not determine project eligibility for water supply projects based on affordability. Prior to the October 2014 policy, improvements targeted in areas with the specified affordability concerns had not been included in the policy. During development of the cost-share policy it was discussed that some areas have very high water rates and may have difficulty with the affordability of improvements to infrastructure. Section (4) was added in an attempt to assist those systems that had high rates compared to similarly sized and situated systems.

Recommendations/Options

One option is to remove item (4) under Section III.B.1 of our policy “Assists with improvements in service areas where the anticipated cost per user each year...” Any growth of water systems can be addressed in the item (1) of the section if there is an expansion of that water system to provide new service. Also, Commissioners can consider and address affordability issues within the cost-share percentage or prioritization of the project. However, if item (4) of the policy is removed, discussion and refinement of the difference between expansions and improvements should be evaluated by the Commissioners to provide staff direction on how these costs are treated.

2013-2015 legislation - State Water Commission Infrastructure Revolving Loan Fund

The October 2014 cost-share policy does not address the new revolving fund that went into effect on January 1, 2015. The legislation from the 2013-2015 biennium provided the following direction.

61-02-78. Infrastructure revolving loan fund – Continuing appropriation – Rules.

1. An infrastructure revolving loan fund is established on January 1, 2015, within the resources trust fund to provide loans for water supply, flood protection, or other water development and water management projects. Ten percent of oil extraction moneys deposited in the resources trust fund are made available on a continuing basis for making loans in accordance with this section. Accounts may be established in the resources trust fund as necessary for its management and administration.

- 2. The commission shall consider the following information when evaluating projects:
 - a. A description of the nature and purpose of the proposed infrastructure project, including an explanation of the need for the project, the reasons why it is in the public interest, and overall economic impact of the project.*
 - b. The estimated cost of the project and the amount of the loan sought and other proposed sources of funding.*
 - c. The extent to which completion of the project will provide a benefit to the state or regions within the state.**
- 3. The commission shall approve projects and loans from the infrastructure loan fund, and the Bank of North Dakota shall manage and administer loans from the infrastructure loan fund and individual accounts in the fund. The commission may adopt policies for the review and approval of loans under this section. Loans made under this section must be made at an interest rate of one and one-half percent.*
- 4. Annually the Bank of North Dakota may deduct a service fee of one-half of one percent for administering the infrastructure loan fund.*
- 5. Projects not eligible for the state revolving fund will be given priority for these funds.*

Comments

Please note, in addition to previous biennium legislation, the 2015-2017 legislation does direct loan funding toward municipal and rural water projects. Even though, as stated in item 5, these municipal and rural water projects would not have a priority for the loan fund, for this biennium \$25 million has been legislated for this purpose.

Recommendations/Options

The cost-share application section within the policy can be updated to include requesting a loan from the Infrastructure Revolving Loan Fund as part of the application.

TS:mk/1753

Assiniboine River Basin Initiative



Vision, Mission, Guiding Principles, Goals and Objectives

May 2015

Assiniboine River Basin Initiative

Vision, Mission, Guiding Principles, Goals and Objectives

Vision Statement:

An Assiniboine River Basin where stakeholders work together to achieve basin-wide comprehensive integrated watershed actions that will benefit current and future generations.

Mission Statement:

To achieve environmental, social and economic sustainability for all residents through collaborative actions across the Assiniboine River Basin.

Guiding Principles:

To define the Assiniboine River Basin (ARB) as the watersheds of the Qu'Appelle, Souris, and Assiniboine Rivers.

To seek equitable and fair solutions for all stakeholder constituencies across the entire basin.

To balance current needs with future generational needs.

To realize that change is ongoing and adaptation is necessary.

To work across jurisdictional boundaries (Manitoba, North Dakota and Saskatchewan; and Canada and the United States) to develop basin wide strategies on natural resources for the good of the basin.

To work collaboratively as partners with all stakeholders (government, non-government, business, organizations, etc.) in Saskatchewan, North Dakota and Manitoba in the Assiniboine River Basin.

To respect, acknowledge, and take actions that recognize and compliment the statutory and regulatory responsibilities of the federal, provincial, state, local and trans-boundary jurisdictions in the Assiniboine River Basin.

Short Term Goals:

To work with partners to establish a process to manage or reduce water flows in such a way as to match the existing capacity of the present in-stream natural and man-made infrastructure.

To work with partners to reduce stream bed flows through the creation of multiple smaller water storage projects/structures across the Basin.

To work with partners to find solutions to manage and reduce drainage so as to not negatively impact downstream neighbours.

To work with partners to improve the quality of water throughout the watershed by reducing nutrient and microbial loading.

To work with partners to protect and enhance the quality of ground water sources across the watershed.

To work with partners to strategically prepare for long term drought needs and potential impacts.

To work with partners to balance salinity impacts to soil in relation to retention strategies.

To work with partners to share the available water resource fairly and equitably with all stakeholders and constituents.

To work with partners to begin the process of a basin wide hydrologic analysis.

To work with partners to review current status of LiDAR and work towards completion of same across the basin.

Work Plan Goals and Objectives:

Goal: To create an ARB coordinated action plan (ARB-CAP) for the basin that has goals and measurable objectives that can be updated on a regular basis.

Objectives:

- To involve basin-wide stakeholders in the ARB-CAP.
- To build the ARB-CAP around the key issues of importance to the stakeholders.
- To create a format for the ARB-CAP that can be measured and updated.
- To utilize the ARB-CAP to direct and guide the annual work plan for the organization.

Note: The ARB-CAP will address the various issues/topics that have been voiced as concerns at the 2014 workshop and conference, including but not limited to: drainage, flooding, water quality, drought, wetlands, soil conservation, fish, wildlife and outdoor recreation and other topics that may be identified by stakeholders.

Goal: To showcase the value of a basin wide approach through ARBI.

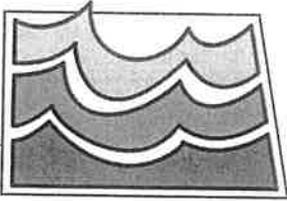
Objective

- To do a white paper on drainage law and policies for the ARBI for the 2015 Conference.
- To do a white paper on the economic importance and flooding costs/impacts of the basin for the 2015 Conference.
- To do a white paper on water laws for the basin by early 2016.
- To do a basin wide ARB-CAP by the 2017 annual conference.

Goal: To hold an annual conference for education, networking, basin wide goal setting and celebration of objectives achieved as identified in the ARB-CAP.

Objectives:

- To review and update ARB-CAP Goals annually.
- To review and update ARB-CAP Objectives and celebrate achievements annually.
- To use the annual conference to guide and direct the ARB-CAP and organizational work plan.



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MEMORANDUM

TO: Governor Jack Dalrymple
Members of the State Water Commission
FROM:  Todd Sando, P.E., Chief Engineer-Secretary
SUBJECT: NAWS – Project Update
DATE: July 20, 2015

Supplemental EIS

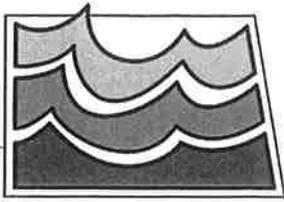
Reclamation filed notice of availability of the Final Supplemental Environmental Impact Statement (FSEIS) in the Federal Register on April 10, 2015. The required 30-day waiting period for the Record of Decision began on that day. We understand Reclamation has received multiple comment letters on the FSEIS and is addressing those comments in an appendix to the Record of Decision. We anticipate a Record of Decision in the near future.

Manitoba & Missouri Lawsuit

Upon completion of the SEIS and issuance of the Record of Decision, the Court will be notified of the completion of the NEPA process and a briefing schedule will likely be requested at that time.

A joint status update was provided to the Federal Court on June 22, 2015 stating a Record of Decision was anticipated shortly. In the previous update in March, we provided notice to the Court that there will likely be some work performed at the High Service Pump Station to ensure and enhance the ability of the facility to meet its intended purpose. There have been several issues with the pumps, motors, drives, and electrical systems at the pump station and we feel measures need to be taken to address them. Specifics of the improvements at the High Service Pump Station are covered in a separate memorandum.

TSS:TJF:pdh/237-04



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MEMORANDUM

To: Governor Jack Dalrymple
Members of the State Water Commission
From:  Todd S. Sando, P.E., Chief Engineer - Secretary
Subject: Mouse River Enhanced Flood Protection Project Status Update
Date: 20 July, 2015

Project Design – Work proceeds on design of Phases 1 (4th Ave. NE. Floodwall), and Phases 2, and 3 (Napa Valley and Forest Road Earthen Dikes). Drawings and a Basis of Design report for the 30 percent Design Submittal on Phase 2 & 3 have been provided to the Souris River Joint Board and discussed. We have also received copies. The 30 percent review for Phase 1 is scheduled for September.

Environmental Work – The Corps of Engineers has determined that a Programmatic (covering a group of components) Environmental Impact Statement will be required for the Burlington through Minot reach. The notice has been published in the Federal Register. The likelihood of an EIS being required (as opposed to an Environmental Assessment) was considered, and the direction and conduct of progress will not be affected by this. Public comment opportunities are greater for the EIS, and so the time line will be longer, but this should still be compatible with the plans for construction in 2017.

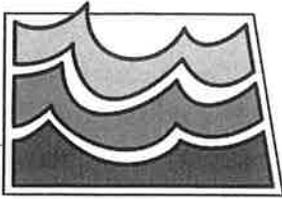
Corps of Engineers Involvement – The St. Paul District is actively involved in the 408 process (modification of existing federal works), and the environmental work described above, which is required for the 408 and any other federal permits that may be required. This active involvement is beneficial in keeping them close to the project during the process of requesting a Corps Feasibility Study, which may lead to their full participation.

Major General Wehr, Commander of the Mississippi Division of the Corps, which includes the St. Paul District, visited Minot and Ward County on July 6. He heard presentations from the City of Minot and from the Souris River Joint Board followed by a bus tour through the project areas of Minot, Burlington, and the intervening area. General Wehr appeared to have a clear understanding of what he was seeing and developed a good understanding of the project.

Under the Corps new policy, new feasibility studies begin at three levels (District, Division, and Headquarters) simultaneously. The first-hand familiarity at the Division level would be helpful in the process.

TSS:JTF:pdh/1974

JULY 29, 2015



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MEMORANDUM

TO: Governor Jack Dalrymple
Members of the State Water Commission
FROM:  Todd S. Sando, P.E., Chief Engineer - Secretary
SUBJECT: SWPP Project Update
DATE: July 15, 2015

Oliver, Mercer, North Dunn (OMND) Regional Service Area

Center SA Rural Distribution System 7-9E & 7-9F:

The State Water Commission (SWC) awarded Contract 7-9F to Eatherly Constructors, Inc. at its October 7, 2013, meeting. This contract consists of 250 miles of 8" -1½" PVC pipe serving 341 rural water customers. The preconstruction conference for this contract was held on May 2, 2014, and the contractor started construction on June 16, 2014. This contract has an intermediate completion date of September 15, 2014, for a portion of the service area identified in the plans and has a substantial completion date of September 15, 2015, for the entire contract. The contractor turned over all the users within the intermediate completion area by December 15, 2014. The contractor sent a letter requesting a 93-day time extension on the intermediate, substantial and final completion dates because of wet weather in summer of 2014 and also wanted all liquidated damages returned back to them. In response to the time extension request, a 14-day extension was provided. The contractor had also not accepted any change orders because of the dispute in additional time warranted in the added work. From the contract progress payments \$55,500 was withheld in liquidated damages. The contractor requested mediation and mediation was held on May 5, 2015, with Joel Heusinger serving as the mediator. A settlement agreement was reached, in which the contractor agreed to turning over the original 341 users specified in the contract by September 29, 2015. It was agreed to eliminate liquidated damages and in turn the contractor agreed to reduce the contract price by \$26,144 in one of the bid item included by a change order. The contractor mobilized to the site during the week of April 27, 2015, to begin construction for the 2015 construction season and as of end of June has completed installation of approximately 118 miles of pipeline and turned over 143 users for service.

Contract 7-9E is the west Center SA rural distribution system. This contract includes furnishing and installing approximately 267 miles of 6"-1 ½ " ASTM D2241 gasketed joint pipe; 251 services; road crossings; connections to existing pipelines and other related appurtenances. The SWC awarded this contract to Swanberg Construction, Valley City, North Dakota at its May 29, 2014, meeting. This contract has an intermediate completion date of July 15, 2015, for a portion of the contract consisting of about 44 miles of pipe serving 54 rural customers. The substantial completion date for the remaining contract is November 15, 2015. The contractor started construction on October 13, 2014, and installed approximately 10 miles of pipeline in the 2014 construction season. For the 2015 construction season, the contractor mobilized to the site on April 8, 2015, and has completed installation of approximately 78 miles of pipeline and turned over 18 users.

Contract 2-8E/2-8F Dunn Center SA Main Transmission Line (MTL):

Contract 2-8E is the MTL from the OMND WTP to a combination reservoir and booster station north of Halliday (Dunn Center booster station). This contract was awarded to Carstensen Contracting Inc., on May 21, 2013, and the contractor started construction on July 24, 2013. This contract involves furnishing and installing approximately 25 miles of pipe, an above grade booster station with concrete reservoir, PRV/Control vault, road crossings and related appurtenances. The contract specified a substantial completion date of July 1, 2014, and a final completion date of August 1, 2014. The contract was considered substantially complete on December 4, 2014.

Contract 2-8F is the MTL west of Halliday to west of Killdeer. This contract involves furnishing and installing approximately 40 miles of 16"-6" PVC pipe, connections to existing pipelines, 2 prefabricated steel meter vaults, road crossings and related appurtenances. This contract has two intermediate completion dates. The first intermediate completion date is August 15, 2014, for Bid Schedule 1, which is from north of Halliday to the Dunn Center Elevated tank. The second intermediate completion date is November 15, 2014, for Bid Schedule 2A which will provide connections to the Cities of Dunn Center and Killdeer. The Bid Schedule 2B and the entire project is to be substantially complete on or before August 1, 2015, which includes 2 prefabricated below grade booster pump stations and will enable the Killdeer Mountain, Grassy Butte and a portion of the Fairfield service areas to be served from the OMND Water Treatment Plant (WTP). Most of the pipeline in Bid Schedule 2B has been installed. Testing and disinfection of the pipeline remains to be completed.

The Commission awarded Contract 2-8F to Carstensen Contracting, Inc. at its February 27, 2014, conference call meeting. The contractor started construction on June 17, 2014, and has turned over pipelines in Bid Schedule 1 and Bid Schedule 2A for service. Contractor has requested time extension for both contract 2-8E and 2-8F. The time extensions were based on weather conditions. Additional documentation on how weather conditions affected the production was requested.

Contract 5-17 Dunn Center Elevated Reservoir:

This contract includes furnishing and installing a 1,000,000 gallon elevated composite reservoir. The substantial completion date on this contract was August 15, 2014. The welding of the tank bowl was completed on ground and it was lifted into place on July 22, 2014. Painting of the tank remains to be completed. The contractor submitted a letter requesting a 95 day extension because of abnormal 2013-2014 weather conditions. Bartlett and West/AECOM has responded to their extension request, indicating only 16 days in 2013-2014 winter season can be considered abnormal. Painting of the tank is not complete. A "work stop" request due to environmental conditions was received from the contractor. BW/AECOM responded denying their "work stop" request. The earthwork subcontractor and the piping subcontractor returned to site in early April. Painting of the tank is mostly complete. Work in the control room under the tank is ongoing. The overflow stilling basin is yet to be completed. Testing of the inlet and outlet pipes, disinfection of the tank, overflow testing remains to be completed.

Contract 8-3 Killdeer Mountain Elevated Reservoir:

This contract includes furnishing and installing a 250,000-gallon elevated reservoir. This contract was bid on October 18, 2013. The SWC awarded this contract to Maguire Iron, Inc. of Sioux Falls, South Dakota at its December 13, 2013, meeting. The substantial completion date was October 1, 2014. The preconstruction conference for this contract was held on April 16, 2014. Tank installation is complete. Painting of the tank is mostly complete. Some of the exterior coating on the tank was applied in unfavorable weather conditions. Changes in temperatures and humidity while the coating was curing led to blushing spots on the tank exterior, which needs corrective measures. The interior coating requires touch up and other items like overflow pipe still require coating. The tank was considered substantially complete on November 23, 2014. The contractor has completed the punch list items on the contract. Disinfection and overflow testing of the tank remains to be completed.

OMND Water Treatment Plant (WTP) Phase II Expansion:

The SWC awarded Contract 3-1H, OMND WTP Phase II expansion to Northern Plains Contracting, Inc., and Edling Electric, Inc. at its December 13, 2013, meeting. The preconstruction conference for Contract 3-1H was held on January 29, 2014. The substantial completion date on this contract was August 1, 2014. The completion was delayed because of the coordination involved with keeping the WTP operational. The membranes and ozone system are operational. Minor valve changes, sanitary sewer changes and sidewalk and stoop repairs remain to be completed before the contract is closed.

Contract 7-9G Halliday and Dunn Center Service Area:

This contract includes furnishing and installing approximately 330 miles of 6"-1 ½ " ASTM D2241 gasketed joint pipe; 395 services; road crossings; connections to existing pipelines and other related appurtenances. The project is located in Mercer and Dunn Counties of North Dakota.

The contract has two Bid Schedules. The SWC at its March 11, 2015 meeting awarded Bid Schedule 1 to Swanberg Construction Inc., and Bid Schedule 2 to Northern Improvement Company. Contract documents have been executed by all parties for both Bid Schedules. The contractor on Bid Schedule 2 started construction in early July.

Other Contracts

Contract 8-1A New Hradec Reservoir:

This contract involves furnishing and installing a 296,000 gallon fusion powder coated bolted steel reservoir. The contract documents were executed on May 16, 2013, and the Notice to Proceed was issued on June 3, 2013. The substantial completion date on this contract was September 15, 2013. The tank was put into service on February 20, 2014. A partial pay estimate withholding \$207,750 was sent to the contractor. The contractor responded that he does not agree with the liquidated damages that are being assessed and will not sign the partial pay estimate. A pre-final inspection was conducted the week of September 8, 2014, and again on December 9, 2014, and a punch list of remaining items was forwarded to the contractor. The contractor has attempted to work on the punch list items, but the work has not been accepted.

Contract 4-5 Finished Water Pumping Station (FWPS):

This contract consists of the construction of a 60' by 85' reinforced concrete and precast concrete building, and the installation of pumping, piping, mechanical, and electrical and instrumentation systems. The SWC awarded this contract to John T. Jones Construction Company at its May 29, 2014 meeting. The preconstruction conference for this contract was held on June 19, 2014. The construction of the underground reservoir is complete. Installation of the precast walls is complete. Installation of pipelines inside and outside the building is ongoing. Roof installation is mostly complete. Installation of pump components, electrical work and HVAC work is ongoing.

Contract 1-2A Supplemental Raw Water Intake:

The contractor James W. Fowler has completed the caisson construction. The contractor is setting up separation equipment for recirculating the slurry used for microtunnelling. The contractor is working on installing the jacking frame, head wall and the thrust block necessary for the microtunneling operation. The microtunneling boring machine (MTBM) was launched on June 20, 2015. After the first three sections of the MTBW was buried and the machine was subjected to the groundwater pressure it was found that the brake system installed is not big enough to hold the machine or intake pipe in position when the jacking frame is retracted to allow new segment of machine or intake pipe. It took few weeks for the contractor to fix the brake system and the final two sections of the pipe got buried on July 14, 2015 with the first section of the intake pipe lowered on July 15, 2015.

The contractor has revised the plan for retrieving the microtunnelling boring machine (MTBM) from the lake bottom. At the desired location of the screen, the MTBM will be around 10 feet under the lake bottom. The marine subcontractor will excavate the soil above the MTBM up to the spring line and the excavated material is brought to the surface through the slurry lines used during boring operation. The excavated material along with the lake water will be treated at surface and discharged. Air bags and a barge mounted crane will be used to lift the MTBM to the surface. The Corps of Engineers is reviewing a permit for the under water recovery and surface water discharge.

Contract 3-2 Six (6) MGD Water Treatment Plant at Dickinson:

Contract 3-2A Membrane Equipment Procurement – The SWC awarded this contract to Tonka Water from Plymouth, Minnesota at its February 27, 2014, conference call meeting. BW/AECOM has received submittal drawings.

Contract 3-2B Softening Equipment Procurement – Contract documents have been executed with WesTech Engineering, Inc.

Contract 3-2C Ozone Equipment Procurement – Contract documents have been received from the contractor S.Roberts & Company.

Contract 3-2D Dickinson WTP Contract – We have received the 50 percent submittal set of drawings from BW/AECOM. Information from the submittals from contract 3-2A, 3-2B and

3-2C are being used in the design. We anticipate advertising this contract in early August 2015 with bid opening in late September.

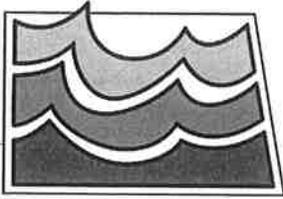
Contract 3-2E Residual Handling Building – Bid ready contract documents for this contract are mostly complete. The bidding of this contract is delayed to a later date due to other project priorities.

Project Update

Raw Water Line Capacity Upgrade:

Design of the pump station upgrades at Dodge and Richardton, parallel piping between the intake and the Zap reservoir and from Richardton to Dickinson reservoir and generator upgrades at the pump stations are ongoing. SWA has indicated their preference to build the additional raw water reservoirs before the parallel piping upgrades and that is being considered in the project priority for the 2015-2017 biennium.

Bartlett & West/AECOM has completed the preliminary design report for the generator upgrades. The Dodge pump station will get a new 1500 kW generator and the existing 1000 kW generator will be relocated to the Dickinson Finished Water pump station. The Richardton pump station will get a new 2000 kW generator and the existing 1500 kW generator at Richardton will be relocated to the intake booster pump station. The estimated construction cost for the generator upgrades is \$2.1 million.



North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850
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MEMORANDUM

TO: Governor Jack Dalrymple
Members of the State Water Commission
FROM:  Todd Sando, P.E., Chief Engineer – Secretary
SUBJECT: Devils Lake Hydrologic Update
Devils Lake Outlet Update
DATE: July 15, 2015

The July 15th water surface elevation of Devils Lake is 1451.7 feet. USGS data provided a peak elevation for this year of just under 1452 ft. msl in June.

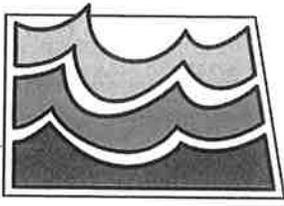
Although precipitation for Devils Lake in January through April was low, the accumulated precipitation at this time is very close to the average. For the year there has been 13.74 inches of precipitation compared to an average of 13.23 inches for the same time period. Since May there have been many isolated storms throughout the basin and rainfall amounts are variable at different locations.

The National Weather Service probabilities predict very small increases in the lake level for the period of June 22, to September 30, 2015. There is a 10 percent chance of the lake reaching an elevation of 1451.8 ft.msl.

In 2015 the West End Outlet operation started April 23rd, the East End Outlet operation started May 14th, after the Devils Lake Outlets Management Advisory Committee Meeting and completion of repairs to Tolna Dam.

Both outlets were shut off May 17 due to heavy spring rains. The West End was restarted May 26 and the East End was restarted June 7. Outlet discharges were increased slowly as the Sheyenne River receded and reached full discharge capacity of 600 cfs on July 1, 2015.

TS:JK:EC:ph/416-10



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MEMORANDUM

TO: Governor Jack Dalrymple
Members of the State Water Commission
FROM:  Todd Sando, P.E., Chief Engineer/Secretary
SUBJECT: Missouri River Update
DATE: July 20, 2015

System/Reservoir Status

System volume on July 20 in the six mainstem reservoirs was 61.8 million acre-feet (MAF), 5.7 MAF above the base of flood control. This is 3.2 MAF above the average system volume for the end of July, and 0.9 MAF more than last year.

On July 20, Lake Sakakawea was at an elevation of 1844.7 feet, 7.2 feet above the base of flood control. This is 1.7 feet lower than a year ago and 4.9 feet above its average end of July elevation. The minimum end of July elevation was 1815.5 feet in 2006 and the maximum end of July elevation was 1854.8 feet in 1975.

On July 20, the elevation of Lake Oahe was 1613.3 feet, 5.8 feet above the base of flood control. This is 0.5 feet lower than last year and 8.8 feet higher than the average end of July elevation. The minimum end of July elevation was 1573.4 feet in 2006, and the maximum end of July elevation was 1618.3 feet in 1997.

On July 20, the elevation of Fort Peck was 2236.5 feet, 2.5 feet above the base of flood control. This is 6.3 feet higher than a year ago and 3.8 feet higher than the average end of July elevation. The minimum end of July elevation was 2202.3 feet in 2007, and the maximum end of July elevation was 2250.2 feet in 1975.

Missouri River Recovery Implementation Committee (MRRIC)

In Section 5018 of the 2007 Water Resources Development Act (WRDA) Congress authorized the Missouri River Recovery Implementation Committee (MRRIC). The Committee is to make recommendations and provide guidance on activities resulting from the Missouri River Recovery Program (MRRP). The Committee was established in 2008. MRRIC has nearly 70 members representing local, state, tribal, and federal interests throughout the Missouri River Basin.

MRRIC met in Sioux Falls, South Dakota on May 18 to 21 and continued its work on the development of the Missouri River Recovery Management Plan (MRRMP) and Environmental Impact Statement (EIS). The MRRMP and EIS is a three-year effort that will evaluate the effectiveness of actions taken by the Corps to recover the least tern, piping plover, and pallid sturgeon. The evaluation will determine modifications to current recovery efforts and will result in an adaptive management plan for recovery actions. The MRRMP and EIS are scheduled to be complete in August 2016.

JACK DALRYMPLE, GOVERNOR
CHAIRMAN

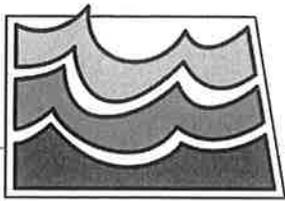
TODD SANDO, P.E.
CHIEF ENGINEER AND SECRETARY

During the meeting, MRRIC provided input on proposed alternatives to recover the least tern and piping plover. These alternatives include spring or fall pulses, lower summer flows, lowering reservoirs, and mechanical construction of sandbar habitat. The next meeting is scheduled for August 24 to 27 in Omaha, Nebraska.

Surplus Water/Reallocation

The Reallocation Study has been put on hold until the five remaining Surplus Water Reports are finalized and the associated Rulemaking has been released to the public. A timeline of these events has not been provided. We continue the effort to educate the Corps that storage contracts are inappropriate as the natural flow of the Missouri River provides for the water use in North Dakota and stored water is not necessary.

TSS:LCA:pdh/1392



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MEMORANDUM

TO: Governor Jack Dalrymple
State Water Commission Members

FROM: *TSD* Todd Sando, P.E., Chief Engineer-Secretary

DATE: July 20, 2015

SUBJECT: Missouri River Stakeholders Board Progress Report

Background

Over the course of the last few years, and following the floods of 2011 in particular, there has been renewed interest among Missouri River stakeholders to establish some type of grassroots organization in the Missouri River Basin. After several meetings with local Missouri River interests (which temporarily has been termed the Missouri River Stakeholders), a leadership committee was created to guide efforts for a path forward.

The leadership committee recommended the hiring of a Missouri River Coordinator and a supporting project team to manage the day-to-day implementation of the stakeholder group's vision. The Missouri River Coordinator (Mr. Ryan Norrell) and the Project Team were asked to conduct outreach efforts throughout the state, and to conduct two workshops – one in the fall of 2014 and the other in the spring of 2015. Both workshops were attended by over 100 stakeholder groups and individuals; representing a broad spectrum of Missouri River issues and interests. The purpose of the workshops was to discuss potential paths forward for a grassroots driven Missouri River-related organization.

The Water Commission and Garrison Diversion Conservancy District both provided \$175,000 to support this overall effort. A final report, including several recommendations was developed, and it is attached for your reference. That contract is now completed.

Current Efforts

One of the outcomes of the second workshop was to identify stakeholder organizations that may want to serve as members of the newly forming board. It was also recommended that the State Engineer and Chief Engineer-Secretary serve as interim chair of the board. For that reason, State Water Commission staff recently:

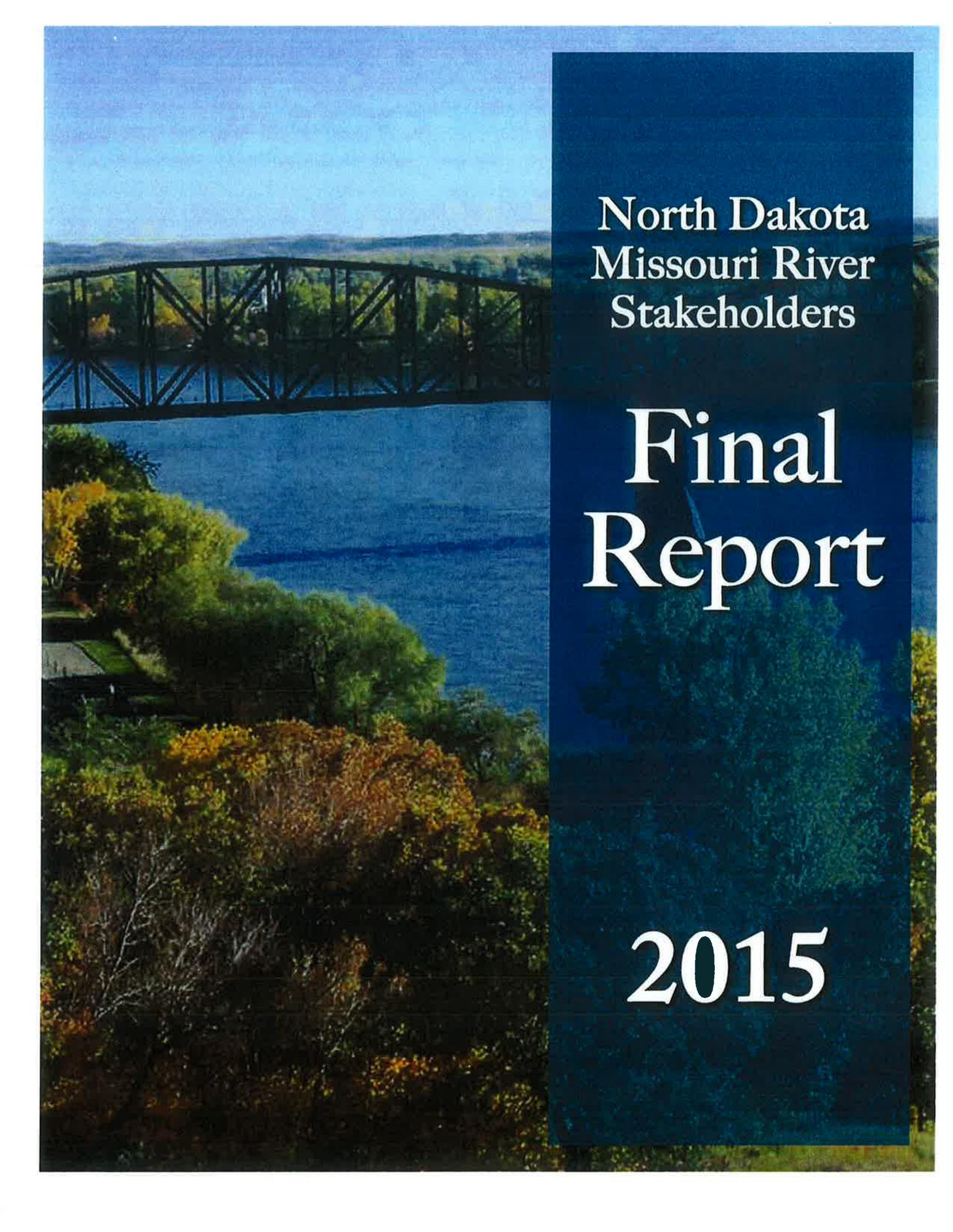
- Set a first meeting of this newly forming Missouri River-related board for August 25, from 1:00 PM to 5:00 PM at the Ramada Hotel in Bismarck.

- Sent letters to specific organizations that were recommended for seats on the board – asking them to appoint members and send a representative to the August 25 meeting.
- Sent letters to mainstem counties and cities asking them to send representatives to the August 25 meeting. (It was recommended that county and city representatives be set at five, so they will be asked to decide amongst themselves who those representatives will be.)
- Sent a notice of the meeting via email or postcard to all of the individuals who attended the fall 2014 and spring 2015 workshops.

As interim chair of this effort, I will continue to provide updates to the Commission regarding the group's efforts as needed.

TS:PF:dm/1392

Attachment (1)



North Dakota
Missouri River
Stakeholders

Final Report

2015

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32Exhibit C – November 20 Workshop Issues

North Dakota Missouri River Stakeholders

Creating grassroots unity, leadership and direction to advocate and protect North Dakota's Missouri River interests.

In 2005, the Missouri River Joint Board (MRJB) was formed to address local issues along the river. After historic flooding in the Missouri River basin in 2009 and 2011, and unprecedented economic development across North Dakota, the State Water Commission was asked to call a meeting of Missouri River stakeholders to explore forming a statewide organization to maximize the Missouri River's potential in North Dakota. In 2012, the workshop attended by 65 North Dakota stakeholders resulted in the formation of a Leadership Committee to create a North Dakota Missouri River organizational strategy. This Leadership Committee was comprised of 12 water leaders from across the state who volunteered their time, effort and expertise to make the vision of a unified voice a reality.

The North Dakota State Water Commission and Garrison Diversion Conservancy District provided startup funding to the MRJB to implement the 2012 workshop outcomes. The Leadership Committee established a path forward, a conceptual framework, and coordinated with the North Dakota Water Users Association to hire a project team to assist in the day-to-day implementation of the Stakeholder vision.

One of the primary recommendations of the Leadership Committee to the project team was to conduct outreach to local stakeholders. That outreach effort began in May 2014 with Lance Yohe and Ryan Norrell travelling across the state to county commissions, city councils, water resource districts, recreation groups, water supply projects and landowners to inform them of this grassroots effort.

During that outreach, stakeholders were invited to attend a workshop on November 20, 2014, at Bismarck State College. Over 100 stakeholders attended, representing diverse interests from the Southwest Water Authority to the Upper Sheyenne Joint Board, from Western Area Water Supply to the Lake Agassiz Water Supply, and from Bismarck homeowners to McIntosh County ranchers. Those attendees were unanimous in agreeing that North Dakota's interests in the river are being challenged and that the time to act with a cooperative approach to protect those interests is now.

During the 65th Legislative Session during the spring of 2015, House Bill 1249 was introduced to create an advisory council which would offer advice to the Governor, State Water Commission and Legislature on Missouri River matters. Ultimately the bill failed on its second reading in the Senate, but the message from legislators to the stakeholders was clear: the Missouri River is important and you don't need a legislative mandate to organize and promote the state's interests in the river.

On June 4, 2015, a conference was held in Bismarck, ND, with another 100 attendees. The attendees hailed from across the state from Cannonball to Minot, from Fargo to Beach. Those attendees confirmed the need for an inclusive statewide organization. Attendees felt this organization needs to be a stakeholder-driven council of grassroots interests, yet plugged into the highest levels of state government. Attendees felt that the State Engineer could chair the Stakeholder organization moving forward on an interim basis and that an executive committee of stakeholders should ultimately determine the permanent chair and organizational structure. The general consensus was that financial support from State agencies and stakeholders would be needed to continue the efforts begun with this process. The key to both the November workshop and June conference was momentum. North Dakotans of all stripes are keenly aware that the state's interests in the Missouri River are currently being challenged, and that current and future drought and development will bring about more challenges. The need to act on the Missouri River is now.

In the following pages, you will see the raw input and feedback received from the stakeholder attendees.

Leadership Committee

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North Dakota Missouri River Stakeholders

FALL WORKSHOP

November 20, 2014

**Bismarck State College's National Energy Center of Excellence Building
Bismarck, ND**

- | | |
|-------------------------|--|
| 8:30 a.m. – 9:00 a.m. | Registration |
| 9:00 a.m. – 9:10 a.m. | Welcome and Introductions:
Ken Royse, Chair, NDMRS & Ryan Norrell, Executive Director, NDMRS |
| 9:10 a.m. – 9:20 a.m. | Historical Overview of the Process: Ryan Norrell |
| 9:30 a.m. – 9:50 a.m. | Keynote Speaker: Terry Fleck |
| 9:50 a.m. – 10:15 a.m. | First Small Group Breakout: Lance Yohe, Sr. Advisor, NDMRS
<i>Why are we here?</i> |
| 10:15 a.m. – 10:30 a.m. | Reports to Plenary by Small Group Reporters |
| 10:30 a.m. – 10:45 a.m. | Break |
| 10:45 a.m. – 11:30 a.m. | Second Small Group Breakout: Lance Yohe
<i>What do we want to achieve?</i> |
| 11:30 a.m. – Noon | Reports to Plenary by Small Group Reporters |
| Noon – 1:45 p.m. | Luncheon Speaker: Lance Yohe
Organizational Options to Consider for Action. |
| 1:45 p.m. – 2:30 p.m. | Third Small Group Breakout: Lance Yohe
<i>How do we move forward?</i> |
| 2:30 p.m. – 3:00 p.m. | Reports to Plenary by Small Group Reporters |
| 3:00 p.m. – 3:15 p.m. | Break |
| 3:15 p.m. – 3:45 p.m. | Fourth Small Group Breakout: Lance Yohe
<i>Moving forward, continued.</i> |
| 3:45 p.m. – 4:15 p.m. | Reports to Plenary by Small group Reporters |
| 4:15 p.m. – 4:45 p.m. | Open Plenary Discussion/Consensus: Lance Yohe
<i>Who will lead the effort? When should we gather again to finalize our decisions?</i> |
| 4:45 p.m. – 5:00 p.m. | Summations: <ul style="list-style-type: none">• <i>Small Group Outcomes:</i> Lance Yohe• <i>Workshop:</i> Ken Royse & Ryan Norrell |

November 20, 2014 Workshop

Small Group Summary

The Following individuals were the facilitators for the small group discussions reported on the following pages.

Group	Facilitator
1	Duane DeKrey
2	Wade Bachmeier
3	Terry Fleck
4	Pat Fridgen
5	Michael Gunsch
6	Dave Koland
7	Mary Massad
8	Jim Neubauer
9	Ken Royse
10	Bruce Engelhardt
11	Jean Schafer
12	Alan Walter

I. WHY are we here?

Getting on the same page

Goals:

- To determine if we all agree there is a problem.*
- To determine interest and willingness to address the problems.*
- To determine if we are all willing to work and move forward together.*
- To determine if we should engage state wide.*
- To determine commitment.*

Questions:

1. Do you agree that ND's interests (use and needs) for the Missouri River are being challenged? Yes/No
2. Does ND need to act to protect their interests? Yes/No
3. Would a cooperative approach by North Dakotan stakeholders on Missouri River issues provide the best approach in the protection of ND interests? Yes/No
4. Do we need to include the entire state? Yes/No
5. Are you willing to do your part, as an individual and who you represent, in helping? Yes/No

Table 1: Small Group I Results

Small Groups	Q 1	Q 2	Q 3	Q 3	Q 5
1	Y	Y	Y	Y	Y
2	Y	Y	Y	Y	Y
3	Y	Y	Y	Y	Y
4	Y	Y	Y	Y	Y
5	Y	Y	Y	6-Y 1-N	Y
6	Y	Y	Y	Y	Y
7	Y	Y	Y	Y	Y
8	Y	Y	Y	4-Y 2-N	Y
9	Y	Y	Y	Y	Y
10	Y	Y	Y	Y	Y
11	Y	Y	Y	Y	Y
12	Y	Y	Y	Y	Y

Comments:

- Group # 1 began a list of issues.
- Group # 2 stated the need for an umbrella-style cooperative approach, understanding the connection and need for statewide involvement, building awareness and education.
- Group # 3 made a list of challenges, list of reasons to act. Pointed out that cooperation with large groups have more impact, avoid partisan politics and maximize resources.
- Group # 4 was in favor of a statewide approach as long as the Missouri River remained the focus. Stated that education was important.
- Group # 9 expressed a need for a cooperative approach with government entities, a need base of authority is needed.
- Group # 10 asked, "if not us who will do it?" North Dakota sacrificed in 2011, up/downstream issues need to be understood, and there is a need for a unified voice, especially to speak to the national level.
- Group # 11 drafted a list of challenges, list of reasons to act

II. WHAT are we about?

Focusing on the same future direction

Goals:

- To determine where there is agreement and difference in views.*
- To determine long term visions (25 years and beyond) for the Missouri River.*
- To determine short term (next 1-5 years) vision for the Missouri River.*
- To begin building a list of issues with priorities.*
- To clarify commitment.*
- To help participants realize everyone has a role.*

Questions:

1. What is your vision for the long term future of Missouri River in ND – 25 years from now? What would you like to see? (Prioritize: A, B, or C)
2. What is your vision for the short term future of Missouri River in ND – next 1-5 years? What can we do now? (Prioritize: A, B, or C)
3. What are the issues? (Prioritize: A, B, or C)
4. What are you willing to do to help?

Small Group Two Results:

Table 2.A: 25 Year Vision

Level	Issue	Groups
A	Flood Control,	1, 8, 10,
A	Preservation/Conservation/Protection,	1, 5, 8,
A	Water Rights on MR (agreement to protect Voting rights on Garr Dam, state control, Sovereign land: access/ATV's/Congressional Action/beaches/ESA/Industrial sites, state vs federal overreach (agreement), no fees, Revise Master Manual use it or lose it, fed govt acknowledge states' rights, less fed regs,	1, 2, 3, 5, 7, 9, 10, 11,
A	Water Supply): Supply (all 4 state), Irrigation, Industrial, (don't lose to other states, to eastern ND), Irrigation in drought, beneficial uses,	1, 4, 6, 7, 9, 10, 12,
A	Access, State control, Sovereign land: /ATV's/Congressional Action/beaches/ESA/Industrial sites,	3, 7,
A	Unified Message/stakeholders/now-future, communication-educate, advocacy program,	3, 11,
A	Lake Levels (better managed), local input into management,	4,
A	Public Access-improve/recreation areas, views, less development, river system that meets needs of people,	4, 7, 9, 12,
A	Require COE to adhere to 8 authorized uses, do a study,	6, 7, 9, 10
A	Water Quality (maintain & access), sedimentation-bank erosion,	6, 9, 12,
A	Completely different group of operation for MR	6,
B	Communication Understanding	1, 10,
B	River Lake Levels Constant	1,
B	Bank Stabilization`	1, 10,

Level	Issue	Groups
B	Sustainable water management plan on MR in ND, blended management state-federal, ND must take ownership, sustainable operating plan,	2, 3, 10,
B	Running water at sites,	3,
B	Revenue Re-Allocation	5,
B	Recreation/access/use, modify ESA,	5, 10,
B	Expand Water Use/Irr-supply-indust-comm/eliminate charges permanently,	5, 8, 10, 12,
C	Balance Multiple Uses/Non-Mining of Water,	1,
C	Water Quality	1,
C	Non-Channelization	1,
C	Sedimentation	1,
C	Flood Control with I-t drought plan	2,
C	State Prosperity Depends on Water, workable regs,	3, 8,
C	Recreation	8,

Table 2.B: 1-5 Year Vision

Level	Issue	Groups
A	Water Education (grad/college), public information,	1, 4, 7, 11, 12,
A	Promotion; Unified Voice, strong leadership, Staff and funding, MR advocacy,	1, 4, 7, 11,
A	Government (federal/state),	1,
A	ID ND Water Needs, no WOTUS, state policy on MR,	2, 9, 12,
A	Stakeholder Id,	4,
A	Water Supply, systems to meet growth demands, consumptive water uses, no fees	4, 5, 9,
A	More Access	4, 7,
A	Study for Additional Storage, I-t strategic plan, Riparian rights-high/low water, tribal rights	4, 7, 9
B	Bank Stabilization	1, 9,
B	Develop ND Master Plan on Water Usage	2, 12,
B	Revenue Re-Allocation	5,
B	Recreation/access/use, debris removal	5, 9,
B	Education	5, 12,
C	Stable River/Lake Levels	1,
C	ND MRS to formally org, promote education on MR issues:	2,
	(COE, ESA, Communication)	
C	Inspire & Involve (people/MO)	5,

Groups 4, 6, 12 each comprised a list of issues.

III. HOW do we protect ND Missouri River interests?

Creating a leadership structure

Goals:

- To determine where there is agreement for a path forward.*
- To determine organizational leadership.*
- To determine organizational structure.*

Questions:

1. How do we move forward together?
2. MRB Leadership: New Board? Yes/No, Statewide? Yes/No
3. Link or Connect to/with other groups? Yes/No
4. New Organization? Yes/No
 - o Who should be included?
5. Links to current organizations/structures, or other options? Yes/No
 - o How and who?
6. Continue to use Leadership Committee? Yes/No
7. Add members to Leadership Committee? Yes/No
8. Conference to Organize—3-4 June 2015? Yes/No

Table 3: Small Group Three Results

Group	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
1	List of Pros and Cons on moving forward, new org, and linkages to Water Users							
2	Y	Y	Y	Y	Y	Y	Y	Y
3	Steiner Announcement							
4	N/A	Y	Y	Y	N/A	Y	N/A	Y
5	Y	Y	N/A	Y	N/A	Y		Y
6	Y	Y	Y	Y	Y	Y	Y	Y
7	Y	N	Y	Y	Y	Y	Y	Y
8	Y	Y	Y	Y	Y	Y		Y
9	Y	N/A	Y	Y				
10	Y	Y		Y		Y	Y	Y
11	Y	N	Y			Y		Y
12	Y	N – new org Y – new board	Y	N	Y	Y	Y	Y

NOVEMBER 20, 2014

WORKSHOP SUMMARY

As exemplified in Table 3 there were a number of suggestions for moving forward. All groups for the most part liked the idea of gathering again in June. There were ideas suggested related to the formation of a new organization. Some suggested details for an organization, structure, board, and members. Other groups listed some portions of these. There were suggestions related to links or connections to other organizations. There were a variety of suggestions in the leadership and linkage area. Some suggestions were general in nature to address statewide and more inclusive representation -- in either a new organization, the Leadership Committee, or if linkages to other organizations emerge. Some linkage suggestions were more specific related to linking to or being under the Water Users. One suggestion was related to legislation that is being proposed for the upcoming session.

There are some suggestions that models be developed by the Leadership Committee for the June meeting. Based on the feedback from the small groups at the workshop, there were at least 4 options proposed:

1. New Organization: structure, board, members, funding, stand alone, own legal status, etc.
2. New Board or Leadership from Stakeholder Groups that could become an organization or structure or link to other groups: Leadership could be from representatives of other groups and include stakeholders not already represented
3. Link to North Dakota Water Users, as umbrella, under, as task force, etc.
4. Rep. Steiner legislation option (which would become HB 1249 in the 65th Session) (see attached exhibit A)

The Leadership Committee decided it would need to have discussions on how to move forward and prepare for the June meeting. This was discussed further in the following days and weeks. As the committee was exploring whether to add to the Leadership Committee ahead of preparing for the June meeting, House Bill 1249 was introduced on January 13, 2015 (Exhibit A). Initially, the hope was that the June conference would focus on models, as well as funding, and ultimately addressing the tasks that showed up in the 25-year vision (Table 2.A, above) and the 1-5 year vision (Table 2.B, above) in the small groups.



NDMRS SPRING CONFERENCE

June 4, 2015

- 9:00 – 9:30 AM **Opening**
Welcome: Ken Royse
Accountability Report & Legislative Session Activities: Ryan Norrell
- 9:30 – 10:00 AM **Panel: How Things Work**
Moderator: Mary Massad, Manager/CEO
Pick-Sloan Authorized Purposes, Chris VandeVenter, Basin Electric, Legislative Representative
Missouri River Recovery Implementation Committee, Terry Fleck
Sedimentation, Erosion, and Bank Stabilization, Michael Gunsch, Professional Engineer
- 10:05 – 10:15 AM **Keynote Address**
Missouri River's Importance to North Dakota
Governor Dalrymple
Introduction: Ken Royse
- 10:15 – 10:30 AM **Break**
- 10:45 AM – Noon **Leadership Committee Recommendations, Path Forward:** Ken Royse
Small Group Discussions, Goals and Charge: Lance Yohe
- 12:00 – 1:00 PM **Lunch Keynote**
Missouri River Statewide Unity and Engagement
Representative Jim Schmidt
Introduction: Duane DeKrey
- 1:00 – 1:30 PM **Small Group Reports to Plenary on Recommendations:** Path Forward
- 1:30 – 2:15 PM **Small Group Discussions – Leadership Committee Recommendations (Continued)**
Lance Yohe
- 2:15 – 2:30 PM **Small Groups Report to Plenary**
- 2:30 – 2:45 PM **Break**
- 2:45 – 4:00 PM **Panel: What ND Needs**
Moderator: Wade Bachmeier, Missouri River Joint Water Board, Chairman
MR Basin, ND Challenges and Cooperation, Todd Sando, SWC, State Engineer
Cooperation, Water Supply, and Irrigation, Duane DeKrey, GDCD, General Manager
Statewide Water Community Efforts on Missouri River, Michael Dwyer, NDWUA, Executive Vice President
Big Muddy & Local Water Managers, Ken Royse, NDMRS, Chairman
- 4:00 – 4:45 PM **Small Group Discussion and Reporting**
Path Forward and Missouri River Issues: Lance Yohe
- 4:45 PM **Wrap – Up**
Lance Yohe, Ken Royse

Social to follow

June 4, 2015 Conference Report

The conference had speakers and small group discussion interspersed throughout the day to provide opportunities to learn and to weigh in on Leadership Committee (LC) recommendations by providing feedback on key questions to help clarify the path forward.

The conference speakers covered a number of topics to aid in small group discussions.

The small group breakouts were facilitated overall by Lance Yohe (ND MRS Sr. Advisor) with assistance from Ryan Norrell (ND MRS Executive Director). The facilitators for the small groups were:

Groups	Facilitators
1	Eric Volk
2	Duane DeKrey
3	Ken Royse
4	Mary Massad
5	Kathleen Jones
6	Wade Bachmeier
7	Pat Fridgen
8	Michael Gunsch
9	Merri Mooridian
10	Mike Ell
11	Kimberly Cook
12	Chris VandeVenter
13	Jim Collins

The small groups were set up for participants to discuss and provide feedback on the LC recommendations that were in a handout (see attached sheet) that Ken Royse (LC Chair) presented to the participants before the first small group breakout. These questions and results follow:

1. **Do you like the LC recommendations of a new organization to be called either a ND MR Advisory Council or ND MR Leadership Group? (See Exhibit B) Yes/No**
 - a. Are you ok with the new organization board making the final selection on the name? Yes/No
 - b. Other Ideas?
 - c. Record the Small Group tally for their preferred name.

Table 4: Question 1 Results

Groups	Q! ND MR Advisory Council	ND MR Leadership Group	Brd Select Name	Other Names	Talley
1	No	Like the word - Leadership	Yes	ND MR Leadership Council	Unanimous
2	Yes	No	Yes	None	Unanimous
3	No	No	?	ND MR Stakeholders Group	Unanimous
4	Yes	No	Yes	No – Name should be memorable	Unanimous
5	No	Yes – add Stakeholder	Yes	ND MR Stakeholder Leadership Group	Unanimous
6	1	No	Yes	Coalition-4, Stakeholders-1	1, 4, & 1
7	Yes	No	Yes	None	Unanimous
8	Yes-3	No		ND MR Leadership Council-2	3 & 2
9	No	No	Yes	ND MR Stakeholders	Unanimous
10	Yes	No	Yes	None	Unanimous
11	No	No	Yes	ND MR Commission	Unanimous
12	Yes – add Coordination	No	Yes	Use Coordination after Advisory	Unanimous
13	Yes	No	Yes	ND MR Coalition	Unanimous

SUMMARY: The most groups liked the ND MR Advisory Council. 1 group added Coordination after Advisory. ND MR Leadership Group did not appeal to any groups. 1 group was ok with the name if Stakeholders was added before Leadership. Suggested other names: ND MR Leadership Council had some support from 2 groups. Words such as: Council, Stakeholders, Leadership, Coalition, Commission, and Coordination were added to suggested names by some groups. 11 of the groups were ok with the new board finalizing the name. The other 2 groups were not clear on this issue. Group name should be a good acronym, have a website name available and not be tied to or copy another organization name

- LC recommended names:
 - ND MR Advisory Council – Yes-5 (5 unanimous, 1 majority (3 for 2 other)
 - ND MR Leadership Group – Yes-1, No-11.
- Board make final name selection: Yes all groups – for Board to Select Final Name
- Other Names
 - 1 group ND MR Leadership Council
 - 1 group ND MR Stakeholders Group
 - 1 group if modified to ND MR Stakeholder Leadership Group
 - 1 group voted 4 to Use Coalition or 1 to Use Stakeholders
 - 1 group had 2 votes for ND MR Leadership Council
 - 1 group for ND MR Stakeholders
 - 1 group for ND MR Commission
 - 1 group ND MR Advisory Coordination Council
 - 1 group for MD MR Coalition

2. Do you like the LC recommendations on the board size (around 38) for the new organization (ND MR Advisory Council or ND MR Leadership Group or) (see Attached Exhibit B)? Yes/No
 - a. Or should it be a much smaller group? (10-15)
 - i. If a smaller group should the Governor appoint? Yes/No
 - b. If a smaller group, what size would be ideal?

Table 5: Question 2 Results

Groups	Q2 LC Recommended Size	Smaller	If So What Size	Governor Appoint
1	Yes	No – but Use smaller for EC structure	EC 5-10	No
2	Yes	No – goal to inclusive, keep large	20 Ideal – but group doesn't want smaller	No
3	Yes	No – want to be able to add		N/A
4	Yes	No – but with EC or smaller Leadership Committee	EC of 8-10 (7-9 for voting)-Auth Uses	No-4, Yes-2
5	Yes	No – but with EC of smaller size		No
6	Yes-1, No- 5	Yes – size varied	10-15 – 3 votes, 5-9 – 1 vote, 10 – 1 vote	No-5, Yes-1
7	No	Too Big, smaller is easier to manage, Consolidate 1 & 2 lists	EC could be way to trim down	No
8	Yes	No – but have smaller EC	10-15 EC	No
9	Yes	No – but EC smaller core group	No recommendation on size	No
10	Yes	Do more with smaller – but who do you take off – keep it large	Membership related to use of water	No
11	Yes-5, No-1	Yes-1, No-5	Represent larger group with committees	No
12	Yes	No, but with smaller EC (with voting rights)	No rec on size	No
13	Yes	No –but with EC and Working Groups	Issue drive for working groups	No

SUMMARY: The larger board recommended by the LC (See Attached Exhibit B) was consensus choice by participants to be inclusive and therefore large, with a smaller Executive Committee. Some groups want small committees as working groups on issues. Participants did not want board members appointed by the Governor.

- LC recommended size: Yes-11 groups for LC recommended size: 10 groups unanimous, 1 group Yes-5, No-1. No-2 groups for LC recommended size: (1 groups unanimous, 1 group Yes-1, No-5).
- Smaller size: Smaller comments related to: larger board to be more inclusive, being able to add more, and who would be removed. Smaller Executive Committee recommended by 8 groups. Size recommendations for EC 5-15 with odd number. 1 group liked a 20 member board as ideal size but kept it larger to be inclusive. 1 suggestion to combine list B1 & B2 on LC recommended board members to get the board smaller.
- Governor appointed: No-11 groups for Governor appointed. 2 other groups Yes-1, No-5 and Yes-2, No-4 to Governor appointed. 1 group said the issue is N/A. Group 4 said if the governor appoints the members, it would really mean something, which could have its own implications on both sides of this answer (yes or no).

3. Do you like the LC recommendation of that the board for the new organization (ND MR Advisory Council or ND MR Leadership Group or?) be composed of state wide stakeholders? Yes/No

- a. If No, what other options should be considered?

4. If we follow the LC recommendations, do you like the concept of voting board members for the new organization (ND MR Advisory Council or ND MR Leadership Group) representing stakeholders on specific Issues (loosely based on the authorized purposes, see B.2 on Attached Exhibit B) Yes/No

- a. Are there any additional?
- b. Should we leave the process for board membership to the new board? Yes/No
- c. Other Ideas?

Table 6: Questions 3-4 Results:

Groups	Q3 State Wide Stakeholders	Other Options	Q4 Stakeholders of Org/Groups	Additional Org/Groups	Leave Appointment Process to Board	Other Ideas
1	Yes	None	Yes	None	No	Self-Appointed
2	Yes	None	Yes	None	Yes	
3	Yes	None	Yes	Soil Conservation Districts Cons/Env spot, but no specific group NW Area Landowner Assn	Yes	
4	Yes	None	Yes	B-1 could be classified as categories in B-2 with B-2 as voting	Yes	
5	5- Yes, 1- No	None	Yes	None	Yes	Use 2 on B-1 for EC Replace h with SWC
6	Yes	None	Yes	None	Yes	Need EC – elected B-1 represents B-2 (not needed)
7	Yes	None	Yes	Who Is ND Adjacent Landowners?	Yes Groups Self-Appt	Process needs to be open for all to participate and raise questions at mtgs.
8	Yes	None	Yes	Sport Fishing Congress Cons/Env Groups	Yes	
9	Yes	None	Yes	None	Yes	Agencies don't vote

Groups	State Wide Stakeholders	Other Options	Stakeholders of Org/Groups	Additional Org/Groups	Leave Appointment Process to Board	Other Ideas
10	Yes	None	Yes	Recreation Retailers Tourism Industry/Tourism at-large Maybe Hydropower on B-1		
11	Yes	None	Yes	None	Yes	Self-Appointed final ok by Board
12	Yes	None	Yes - Avoid duplication c, d, e, g, h, i, j, k, n, o, p, q, s, u, v, & w should be the executive committee a, b, f, l, m, r, & t should be ex-officio	None	Yes	The council should appoint an executive committee of around 15 people that mirrors the items under B2
13	Yes	None	Yes	Fish/Wildlife Soil Conservation Districts	Yes	

SUMMARY: The organizations should be state wide. The LC recommendation list for organizations or groups seems fairly complete and acceptable. Self-appointments by organizations or groups on the list had the most support with the board clarifying the process in the future. Several suggested new organizations or groups: ND SCD's, tourism, fishing/wildlife, and Cons/Env org that could be added to B-1 (See Attached Exhibit B) list of org/groups for board positions.

- Statewide: Yes-13 groups voted for statewide approach (12 groups unanimous, 1 group Yes-5, No-1).
- Organizations of Groups List: Yes-13 groups agreed with basic LC list recommendations on organizations or groups. 1 group clarified roles on the B-1 list.
- Additional Groups: Suggestions of additional organizations or groups to add for board consideration: ND Soil Conservation District-2, Conservation or Environmental group-2, NW Area Landowners Ass'n-1, Sport Fishing Congress (fish/wildlife)-2, Recreation retailers, Tourism-1, and maybe hydropower to B-1; prior to the Conference, Ducks Unlimited and North Dakota Resources Trust were proposed as additional members.
- Appointments process for board to determine: Yes-12 (1 group indicated use self-appointments process). No-1 (use self-appointment).
- Other: self-appointed-2 other groups, comments on B-2 list: incorporate into B-1, use B-2 to guide EC selection

5. If we follow the LC recommendations, do you like the concept of voting board members for the new organization (ND MR Advisory Council or ND MR Leadership Group) representing stakeholders of tribes, see B.2 on Attached Exhibit B) ? Yes/No

- Are there any additional issues that should be represented?
- Should we leave the process for board membership to the new board? Yes/No
- Other ideas.

6. If we follow the LC recommendations, do you like the concept of non-voting/ex-officio board members for the new organization (ND MR Advisory Council or ND MR Leadership Group) representing stakeholders of state agencies or state elected (See B.3 on Attached Exhibit B)? Yes/No

- a. Are there any additional tribes?
- b. Should we leave the process for board membership to the new board? Yes/No
- c. Other ideas?

7. If we follow the LC recommendations, do you like the concept of non-voting/ex-officio board members for the new organization (ND MR Advisory Council or ND MR Leadership Group or?) representing stakeholders of state agencies or state elected (See B.4 on Attached Exhibit B)? Yes/No

- a. Are there any additional that should be added to the list?
- b. Other ideas?

8. Should the new organization (ND MR Advisory Council or ND MR Leadership Group or?) welcome federal agency/elected to attend board meetings and participate as needed but with no voting rights? Yes/No

- a. Other Ideas?

Table 7: Questions 5-8 Results

Groups	Q5 Stake on Issue	Additional	Appoint Process to Board	Other Ideas	Q6 Tribes	Additional	Q7 State Agency Elected Ex-officio, non-voting	Additional	Q8 Federal attend participate with non-voting
1	Yes	None	Yes	None	Yes	Trenton	Yes	Through Chair of MR	Yes, esp. Sen/House
2	No	None	N/A	Move some B-2 to B-1	Yes	Include all:	Yes	EMO, ND DOT	Yes
3	No	None	No – too difficult to id indiv on issues	Roll B-2 into B-1	Yes	Spirit Lake Turtle Mtn	Yes	ND SCD	No
4	Yes	Water Law, Media, Chambers, Tourism, PR/ Marketing Public Outreach	Yes	Application Process	Yes	All Tribes	Yes	All regulatory and financial depts.	Yes
5	Yes	None		B-2 be EC	Yes	Trenton Indian Service Area- invite	Yes	None	Yes
6	Yes	None	Yes	None	Yes	No	Yes-5, No-1	None	Yes

Groups	Q5 Stake on Issue	Additional	Appoint Process to Board	Other Ideas	Q6 Tribes	Additional	Q7 State Agency Elected Ex-officio, non-voting	Additional	Q8 Federal attend participate with non-voting
7	No	None	N/A	Roll B-2 into B-1	Yes				
8	Yes	Cons/Env Groups	Yes	None	Yes	Trenton-Invite	Yes	ND-DOT	Yes
9	Yes	Bank Erosion Sedimentation	Yes	None	Yes	MR Tribes only-others non-voting	Yes	None, but if they have MR concerns ok	Yes, esp. delegation
10	No	N/A	N/A	Roll B-2 into B-1	Yes	None	Yes	Advisory, Technical, if on Brd they vote	Yes
11	Yes	River Transport	Yes	Strengthen Invest in Auth Purposes	Yes	Trenton Indian Services	Yes	Attorney General	Yes, ND Cong Del,
12	No	Cultural & Historical Preservation			Yes		Yes	invited to attend and brief the council as needed	Yes
13	Yes	Cultural Res-Any Culture	Yes	Application Process	Yes	None	Yes	State Leg reps-Maj/Min	Yes

SUMMARY: There was majority agreement to have board members added representing issues. Several good comments for the board to consider on additions and about incorporating B-2 stakeholders on issues into B-1 list somehow. There was unanimous agreement to include and invite tribes on LC recommendations, with consideration to invite all tribes in state with some being non-voting. There was unanimous agreement on LC recommendation regarding state agencies/elected to invite them as ex-officio, non-voting. There was almost unanimous agreement on federal agencies/elected to invite them to join the meetings as non-voting.

- Stakeholders on Issues: Yes-8, No-5. All 5 groups voting No felt that B-2 could be combined into B-1 somehow.
 - o Other Issues to Consider: water law, media, chambers, tourism, PR-marketing, conservation/ environmental, bank erosion/sedimentation, river transport, and cultural/historical preservation.
 - o Final appointment process by board: Yes-7, those groups voting No on Issue representation on board indicated this question is N/A or too difficult to do.
 - o Group 12 expressed B-2 organizations will already serve on the council, but should not have a separate council member.
 - o B-2 framework for Executive Council

- Tribes: Unanimous Yes-13.
 - o Additions: 9 groups wanted to increase the list and add tribes—some as voting as some as non-voting.
 - o Group 12 stated Standing Rock, MHA, and Spirit Lake should be invited as voting members. Turtle Mountain, Sisseton, Tribal Historic Preservation Officers and tribal natural resource officers should be invited as ex-officio. • State agency/elected: Yes-13, all groups voted to include state agency and elected, 1 group voted Yes-5, No-1.
 - o Additions: The following suggestions for board consideration: ND SCD, ND DOT, EMO, Att. Gen., Legislator's and all fiscal/regulatory agencies.
- Federal agency/elected: Yes-12, No-1 as recommended by the LC.
 - o Group 12 stated that Federal agencies should be invited to meetings. The public at large should be included as well.

9. Do you like the LC Recommendations on MRC to be chaired by the SWC Engineer? Yes/No

a. If not, who should chair?

10. Do you like the LC recommendation that stakeholder groups be contacted by the LC (project team) a with the goal of receiving board names by June 30th, so the chair can call the first meeting as soon as possible thereafter? Yes/No

11. Do you like the LC recommendations that the new board carry out the following:

- a. Chair appoint nominating committee. Yes/No
- b. Nominating Committee select Executive Committee members that the board votes on. Yes/No
- c. The new board determine the “Path Forward” from here on, to include all actions for a new organization: funding, budget, staff needs, office, organizational documents, workplan, and etc. Yes/No

Table 8: Questions 9-11 Results

Groups	Q9 Chair, SWC State Engineer	Other Options	Q10 Board Names By June 30	Q11 Board Actions: Chair Appt Nom Com	Board Actions: Nom Com select EC, that Board votes on	Board Actions: new Board determine Path Forward
1	Yes – No equal split	None	Yes	Yes	Yes	Yes
2	Yes – until new board – then re-look at it	None	Yes, but could take longer	Yes	Yes	Yes
3	Yes-2, No-4, maybe for interim SWC Chr	None	Yes, timeline may be issue	Yes	Yes	Yes
4	Yes-1, No-6	Board Select	Yes-6, No-1 – Maybe July 15, keep it moving	Yes	No, full board, unless SWC is interim chair	Yes
5	Yes, at least to begin	None	Yes, if possible	No	No – Use B-2	Yes
6	Yes-1, No-5	Brd elect Chr	Yes	Yes	Yes	Yes
7	Yes	None	Yes, if possible	No – wait let board decide, Use B-2 to guide	No – wait let board decide, Use B-2 to guide	Yes
8	Yes, facilitate board formation process	None	Yes, meeting asap	Yes	Yes, with additional floor nominations	Yes, once board is set
9	Yes-2, No-2, 1 abstain, 2-other	Brd Select, SWC maybe interim Chr, St Eng. busy MR important	Yes	Yes, once board is set	Yes, once board is set	Yes
10	No-worried about conflict issues if stakeholders take position	Chr from Org	Yes, but Sept 30 may be more realistic	Yes	Yes	Yes, use EC

Groups	Chair, SWC State Engineer	Other Options	Board Names By June 30	Board Actions: Chair Appt Nom Com	Board Actions: Nom Com select EC, that Board votes on	Board Actions: new Board determine Path Forward
11	Yes	Gov. or Board Appointed	Yes, if possible	Yes	Yes, as long as Board has final vote	No, EC does draft and Board final vote
12	No	Elected from Stakeholders (Board)	Yes, if possible	No nominating committee. LC should solicit the new stakeholders for members.	No, EC should come from stakeholders (Board).	Yes
13	Yes-short term	Elected by Board long term	Yes	Yes	Yes, final vote by Board	Yes

SUMMARY: Participants were not uniform in the path forward related to the Chair position. The SWC State Engineer had the most support for being Chair – at least in the interim to call the first board meeting and until the board makes its own determination about the Chair. All groups liked the June 30 goal of getting board members, but many groups expressed concern over this being too short of a timeline, and adjustments were likely to be necessary to get the new organization and board in place and operating. There was a lot of support for a longer timeline if needed, as long as momentum wasn't lost. Most of the groups liked the Chair picking the nominating committee who would nominate board members for the executive committee, but this process should be implemented when the new board is operational so that the board can have final say in the executive committee membership. All groups liked the board developing the organization details.

- State Engineer Chair:
 - Yes-6 (3 groups of the Yes were for interim, short term, or until board can make other decision regarding the Chair).
 - No-5. (2 groups were unanimous No and 3 groups had mostly No votes, but some Yes votes. 1 group Yes-2, No-4. 1 group Yes-1, No-6. 1 group Yes-1, No-5).
 - 1 group equally split Yes/No.
 - 1 group Yes-2, No-2, Abstain-1, Other-2.
- 7 groups indicated the board should have a role in selecting the Chair the others had no feedback.
- All groups liked the June 30 goal for board names, but 9 groups realized the timeline may be too short and should be extended to make things work.
- 10 groups liked the chair selecting a nominating committee.
- 9 groups liked the nominating committee selecting the executive committee—(7 wanted to be sure the board elects the executive committee). 2 groups thought the board should use the B-2 list to guide executive committee selection.
- All groups want the board to set all direction for the organization. 1 group begins the process with the EC.
- Group 4 felt included in the “path forward” (Question 11.c) should be the goals and the mission statement

12. The LC is recommending the following “Path Forward” option.

- a. A totally new stand-alone organization.
 - i. Housing the new organization at the SWC, for an interim time.
- b. Others Ideas?

13. Would you be comfortable with any of these options (if new ones are suggested), depending on how the new board determines the best path forward? Yes/No

14. Do you like the LC recommendation that the current LC prepare a combined workshop and conference report, communicate with stakeholder groups regarding board positions, and continue to function until the new board is in place (June 30th). Yes/No

Table 9: Questions 12-14 Results

Group s	Q12 LC Rec: Stand-alone Org	Housed at SWC - interim	Other Options	Q13 Ok with new Board selecting best path forward	Q14 LC prepare Final Report, Continue to function - interim
1	Yes	New Brd decide, maybe with another group	None	Yes	Yes
2	Yes-3, No-2	Yes	New Org should decide own administration, 1-at WU	Yes	Yes, Report to all participants
3	Yes	Yes-2, No-4, org evolves after year to non SWC led	Separate from WU & SWC, who funds, 1 vote for WU	Yes	Yes
4	Yes	No-SWC, but maybe not ready yet	Maybe-WU	Yes	Yes
5	Yes	Yes, mtg support from SWC	None	Yes	Yes
6	Yes	Not run by SWC, local buy-in, interim No-5, Yes-1	Brd decide, like minded org	Yes	Yes
7	Yes	Yes	1 vote WU	Yes, only if other options emerge	Yes, Rpt. 1 st to MRJWRDB
8	Yes 501-c-3	Yes, transition by June 30, 2017	1 vote WU	Yes	Yes, Rpt. To MRJWRDB
9	Yes	Yes, interim	1 vote WU	Yes	Yes
10	Yes	No- conflict potential	Maybe WU, any place is conflict, address only, where is \$ coming from – Red River of Devil Lake models	Yes, depends on funding	Yes
11	Yes	Yes, until more organized	None	Yes if 12 is followed	Yes

Groups	LC Rec: Stand-alone Org	Housed at SWC - interim	Other Options	Ok with new Board selecting best path forward	LC prepare Final Report, Continue to function - interim
12	Yes	No. What funding source will be used	Is it possible to extend the contract for 30-45 days for a transition period? Is there any money left over? If not would need to seek approval prior to June 30.	Yes	Yes. Would it be prudent in the report to recommend a contract extension for transition purposes?
13	Yes	Yes, Short term	Maybe can stay at WU, but there is still an appearance issue	Yes	Yes

SUMMARY: All groups and all participants (but 2) want the new organization to be a stand-alone organization. A majority of groups and participants were ok with the new organization being housed at the SWC, at least for an interim time until the new organizational board could weigh in on the location. All groups were ok with the new board making final selections on type, location, etc. of the new organization. All groups were ok with the LC staying in place to finalize the report (as called for by the contract ending June 30, 2015). There was a request for the report to be sent to all participants. Participants were also ok for the most part with the LC staying in place as needed to assist in the transition, which will shift to the SWC. (Footnote: If the SWC needs assistance from the LC that assistance would likely be forthcoming).

- Stand Alone: Yes-12, (1 group Yes-3, No-2).
- Housed at SWC: Yes-7 (4 of these wanted this to be short term or until board can make other decisions); No-5 (of these 5 groups 2 groups had mixed vote: 1 group Yes-1, No-5; 1 group Yes-2, No-4); 1 group wanted to leave the decision entirely to the new board.
- Only other suggestion for location was WU: 5 individual votes for WU, 3 groups suggested maybe WU. 1 group wanted location with a like-minded organization.
- All groups were comfortable with the board selecting the best path forward.
- All groups were comfortable with the LC report and transition efforts.

1. **Do you like the idea of annual MR summit conference of some sort? Yes/No This was brought up during the plenary session and the feedback was positive, with the general consensus to delegate this to the new organizational board.**

- a. If yes, what would you like the conference to accomplish/cover? There was no conference discussion on this. The workshop report on issues was referenced as a place to begin.

Conference Summary

A majority of the small groups at the June Conference liked the North Dakota Missouri River Advisory Council as the potential name. Though a couple variations on the name and other suggestions were provided, almost all of the groups were comfortable with the new board, once established, finalizing the name.

The conference participants agreed by consensus that in order to be inclusive, the new organization needed a large board. Some groups suggested establishing working groups on issues and most participants did not want board members appointed by the Governor.

There was almost unanimous consensus by conference participants that the organization should be state-wide and that the organization be comprised of the suggested list of stakeholders groups in Exhibit B. Participants requested that the new board consider adding ND Soil Conservation Districts, tourism, fishing/wildlife and conservation/environmental representatives to the board. The consensus among conference participants was that self-appointments by the Stakeholder groups in Exhibit B was best way to determine membership. It was suggested that the new board clarifies the appointment process in the future.

The majority of small groups consented to have board members added representing specific issues (Part B.2 of Exhibit B). Participants provided several good comments for the board to consider on additions and about incorporating issue stakeholders into organization or group stakeholders, which are included in the above tables. There was consensus that the board establish the selection or appointment process for Section B.2 board members. There was unanimous agreement to include and invite tribes with consideration to invite all tribes in state with some tribes, specifically those not on the River, being non-voting members. Standing Rock and Three Affiliated Tribes would be invited as voting members. As to whether to invite state agencies or elected officials as ex-officio, non-voting members of the new organization, the conference participants were unanimous in support. There was also near-unanimous agreement to invite federal agencies and elected officials to join the meetings as non-voting members

Participants were not uniform in the path forward related to the chair position. Though the SWC State Engineer had the most support for being chair – at least during the transition of leadership and to call the first board meeting -most participants thought the board should make its own determination about the permanent chair. All groups liked the June 30th goal for board member appointments, if the timeline can be met, or as soon as possible so that momentum is not lost. Most small groups agreed that the appropriate process to select an executive committee was for the Chair to appoint a nominating committee after the new board is in place, and the nominating committee presenting names for executive committee members to the new board, who will approve the final executive committee. All groups liked the idea of the new board developing all the organization details: mission, vision, by-laws, articles, procedures, workplan, funding and related items.

Near-unanimous consensus was reached on the issue of the new organization existing as a stand-alone organization. A majority of groups and participants were comfortable with the new organization being housed at the State Water Commission, at least for an interim time until the new board could weigh in on the permanent location. It was agreed unanimously that the new board should make the final selections regarding type of organization, location, and related details for the new organization. The conference participants reached unanimous consensus that the Leadership Committee should stay in place to finalize the report (as called for by the contract ending June 30, 2015) and should assist, as needed, in the transition of leadership to the State Engineer and, subsequently, the new board. Conference participants requested that the final report be sent to all participants.

Endnote: If the State Water Commission needs assistance from the Leadership Committee during and after transition, that assistance would be forthcoming.

Final Recommendation

It is clear that the Missouri River Stakeholders is important to North Dakota, can add value to the State, and the effort needs to continue. The immediate challenges facing the organization moving forward are organizational and financial.

In regards to the organizational challenges, the Leadership Committee recommends that the Missouri River Joint Board (MRJB) coordinate with the State Engineer to call a meeting of the Stakeholder organizations listed in item B.1 of Exhibit B (B.1 Stakeholders) to form a new stakeholder board and to move this effort forward. This meeting should be held as early as practicably possible, possibly in July 2015.

The Leadership Committee recommends that the State Engineer serve as the Chairman of the organization, at least on an interim basis and to leave the duration of the State Engineer's chairmanship in the discretion of the new stakeholder board. We further recommend that each of the B.1 Stakeholders submit names to the State Engineer of members willing to serve as delegates or alternate delegates on the new stakeholder board. At the July 2015 meeting, or shortly after, the B.1 Stakeholders may determine the legal structure of the board, whether a coalition or council, a 501(c)(3) or 501(c)(6) organization. The Stakeholders project team has prepared the documents for formation of a legal entity and will turn those over to the MRJB.

The July meeting should also seek to appoint an executive committee of a handful of members to help move the effort forward. The Leadership Committee would recommend an executive committee of B1. Stakeholders members roughly based on the issues enumerated in item B.2 of Exhibit B.

In regards to financial challenges, a recurring concern amongst individual stakeholders was having to pay for another membership organization, however some did indicate that they would be willing to "pitch in" to help fund this effort going forward. At the June Conference it was expressed that if the B.1 Stakeholders were willing to dedicate funds to support this effort, the State Water Commission may be likely to assist funding this effort. Therefore the Leadership Committee recommends approaching the B.1 Stakeholders at the July meeting and seeing if any are willing to help fund this effort going forward and then approach the State Water Commission for funding.

The amount of funding needed will be dictated by the scope of work the B.1 Stakeholders would like see accomplished. We recommend the B.1 Stakeholders use Exhibit C to prioritize goals and action items and establish a work plan for potential staff, volunteers and members. The Project Team has prepared a draft work plan that could be used as a starting point for the new stakeholder board, and will submit that to the MRJB.

Should the B.1 Stakeholders decide on full-time staffing, funding would need to support an executive director, administrative support, equipment, and rent, among other items. The June Conference attendees expressed an openness to housing this effort within the State Water Commission, but the Leadership Committee stresses that such an arrangement would need to be temporary and a separate office and location should be obtained.

The Leadership Committee recommends staffing the effort with non-State Water Commission employees so as not to tax an already overworked SWC Staff. The Project Team has prepared a sample budget to be used in planning for the funding of this effort and will submit the same to the MRJB.

Ultimately the Leadership Committee recommends moving forward with this effort in a timely manner. The Stakeholders are engaged and ready to establish a statewide, inclusive, long-term, and sustainable Missouri River organization dedicated to promoting and protecting North Dakota's interests.

Introduced by

Representatives Steiner, Carlson, Delzer, Hofstad, Onstad

Senators Schneider, Wardner

1 A BILL for an Act to create and enact chapter 61-42 of the North Dakota Century Code, relating
2 to the creation of the Missouri River advisory council.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Chapter 61-42 of the North Dakota Century Code is created and enacted as
5 follows:

6 **61-42-01. Missouri River advisory council - Generally.**

7 The Missouri River comprises the vast majority of surface water flow in the state and
8 provides the water supply for people, industry, irrigation, agriculture, energy, fish and wildlife,
9 and recreational opportunities. A Missouri River advisory council is established to coordinate
10 communication among stakeholders regarding the use and management of the Missouri River,
11 and to advise the governor and legislative assembly on issues concerning the Missouri River. A
12 member or employee of the council may not represent to any person that the council has the
13 authority to negotiate on behalf of the state.

14 **61-42-02. Members - Terms - Expenses.**

15 1. The following voting stakeholder members of the council must be appointed by the
16 governor:

17 a. A representative of agriculture;

18 b. A representative of cities;

19 c. A representative of energy interests;

20 d. A representative of environment or natural resource conservation issues,
21 including fish and wildlife;

22 e. A representative of the Garrison Diversion Conservancy District;

23 f. A representative of irrigation;

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- 1 g. A representative of the Missouri River Joint Water Board to represent counties
- 2 along the free flowing reach of the Missouri River, counties bordering Lake
- 3 Sakakawea, and counties bordering Lake Oahe;
- 4 h. A representative of recreation interests;
- 5 i. A representative of water supply;
- 6 j. One at-large representative; and
- 7 k. The governor's designee.
- 8 2. The governor shall invite the following to join the council as voting members:
- 9 a. The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation, or
- 10 designee; and
- 11 b. The chairman of the Standing Rock Sioux Tribe, or designee.
- 12 3. The chairman of the legislative management shall appoint to the council as voting
- 13 members three legislative members to include at least one member of the minority
- 14 party.
- 15 4. All appointed members shall serve for a term of four years or until their successors are
- 16 appointed and qualified. Terms expire on the first day of July. The terms of appointed
- 17 members must be staggered so that the expiration of terms is evenly distributed.
- 18 Appointed members may be reappointed for one additional term and serve at the
- 19 pleasure of the governor.
- 20 5. The governor or the governor's designee is chairman of the council.
- 21 6. Except for the members appointed by the chairman of the legislative management,
- 22 members of the council are entitled to receive mileage and expenses at the rates and
- 23 under the terms as provided by law for state employees. Except for the members
- 24 appointed by the chairman of the legislative management, the state water commission
- 25 shall pay the expenses of council members. The legislative council shall pay the
- 26 compensation and expense reimbursement for the legislative members.
- 27 7. The state water commission shall provide staffing and support services to the council.
- 28 **61-42-03. Duties - Report to legislative assembly.**
- 29 1. The council shall hold meetings at least twice per year, or as often as the chairman
- 30 deems necessary. The meetings must be open to the public and provide an
- 31 opportunity for the public to present issues or concerns to the council. The council

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- 1 shall provide the governor and legislative assembly with recommendations related to
2 issues needing to be studied or addressed and relating to the protection and use of
3 the Missouri River and operations of the reservoirs. The council shall gather input to
4 build consensus, collaboration, and partnership opportunities to promote and advocate
5 for North Dakota and its stakeholders' rights and interests in the Missouri River.
6 2. The appointed representatives shall work to understand and represent grassroots
7 efforts being undertaken by organizations and individuals.
8 3. Any recommendations developed by the council must receive support from nine voting
9 members before submission to the governor or legislative assembly.
10 4. The council may establish working groups and collaborate with organizations to make
11 recommendations to accomplish its objectives to fairly represent all interests of North
12 Dakota and stakeholders in the Missouri River. This includes the eight authorized
13 purposes identified in the Flood Control Act of 1944 and implemented by the United
14 States army corps of engineers in its master manual, along with erosion and
15 sedimentation, the management of federal lands, and any other existing or potentially
16 beneficial uses.
17 5. The council shall report accomplishments, ongoing activities, and recommendations to
18 the legislative assembly.

- A. A (council)(coalition) shall be created to support, protect, and advocate North Dakota's interests in the Missouri River. The State Engineer shall chair the (council)(coalition).
- B. Members.
1. The following stakeholder organizations may each have a representative on the (council)(coalition).
 - a. The friends of Lake Sakakawea;
 - b. The voices of Lake Oahe;
 - c. The garrison diversion conservancy district;
 - d. The southwest water authority;
 - e. The western area water authority;
 - f. The Lake Aggasiz water authority;
 - g. The northwest area water supply advisory committee;
 - h. The North Dakota irrigation association;
 - i. The North Dakota water users association;
 - j. The North Dakota rural water systems association;
 - k. The North Dakota ag coalition;
 - l. The North Dakota petroleum council;
 - m. The lignite energy council;
 - n. The North Dakota league of cities;
 - o. The North Dakota Association of Counties;
 - p. Five representatives from counties. representing Lake Sakakawea, Lake Oahe, and the free flowing reach of the Missouri River below Garrison Dam;
 - q. The North Dakota water resource districts association;
 - r. The Missouri River adjacent landowners association;
 - s. The North Dakota association of rural electric cooperatives;
 - t. The North Dakota recreation and park association;
 - u. The Independent Water Providers;
 - v. Missouri River Joint Water Resource Board;
 - w. An at large, appointed by the State Engineer.
 2. Additional representatives of the (council)(coalition) may include:
 - a. A representative of flood control;
 - b. A representative of hydropower;
 - c. A representative of water quality;
 - d. A representative of fish and wildlife;
 - e. A representative of water supply;
 - f. A representative of irrigation;
 - g. A representative of recreation;
 - h. A representative of thermal electricity generators on the river;
 - i. A representative of conservation or environmental concerns.
 3. Additional members of the (council)(coalition) may include:
 - a. The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation, or designee;
 - b. The chairman of the Standing Rock Sioux Tribe, or designee.
 4. The following agencies may be represented on the (council)(coalition):
 - a. The director of the game and fish department, or designee;
 - b. The director of the parks and recreation department, or designee;
 - c. The state engineer's designee;
 - d. The state health officer, or designee;
 - e. The commissioner of the department of commerce, or designee;
 - f. The director of the Indian affairs commission, or designee;
 - g. The commissioner of the department of trust lands, or designee;
 - h. The director of the oil and gas division, or designee; and
 - i. The commissioner of the department of agriculture, or designee.
 - j. State Historical Preservation office, or designee;
 - k. The Governor, or designee.
 5. Representative(s) of the North Dakota Legislative Assembly may be included.

NDMRS Workshop Issue Small Group Summary November 20, 2014

RESULTS:

25 Year Vision

		Groups
A	Flood Control	1, 8, 10
A	Preservation/Conservation/Protection	1, 5, 8
A	Water Rights on MR (agreement to protect Voting rights on Garr Dam, state control, Sovereign land: access/ATV's/Congressional Action/beaches/ESA/Industrial sites, state vs federal overreach (agreement), no fees, Revise Master Manual use it or lose it, fed govt acknowledge states' rights, less fed regs	1, 2, 3, 5, 7, 9, 10, 11
A	Water Supply): Supply (all 4 state), Irrigation, Industrial, (don't lose to other states, to eastern ND), Irrigation in drought, beneficial uses	1, 4, 6, 7, 9, 10, 12
A	Access, State control, Sovereign land: /ATV's/Congressional Action/beaches/ESA/Industrial sites	3, 7
A	Unified Message/stakeholders/now-future, communication-educate, advocacy program	3, 11
A	Lake Levels (better managed), local input into management	4
A	Public Access-improve/recreation areas, views, less development, river system that meets needs of people	4, 7, 9, 12
A	Require COE to adhere to 8 authorized uses, do a study	6, 7, 9, 10
A	Water Quality (maintain & access), sedimentation-bank erosion	6, 9, 12
A	Completely different group of operation for MR	6
B	Communication Understanding	1, 10
B	River Lake Levels Constant	1
B	Bank Stabilization	1, 10
B	Sustainable water management plan on MR in ND, blended management state-federal, ND must take ownership, sustainable operating plan	2, 3, 10
B	Running water at sites	3
B	Revenue Re-Allocation	5
B	Recreation/access/use, modify ESA	5, 10
B	Expand Water Use/Irr-supply-indust-comm/eliminate charges permanently	5, 8, 10, 12
C	Balance Multiple Uses/Non-Mining of Water	1
C	Water Quality	1
C	Non-Channelization	1
C	Sedimentation	1
C	Flood Control with l-t drought plan	2
C	State Prosperity Depends on Water, workable regs	3, 8
C	Recreation	8

1-5 Year Vision

		Groups
A	Water Education (grad/college), public information,	1, 4, 7, 11, 12
A	Promotion; Unified Voice, strong leadership, Staff and funding, MR advocacy	1, 4, 7, 11
A	Government (federal/state)	1
A	ID ND Water Needs, no WOTUS, state policy on MR	2, 9, 12
A	Stakeholder ID	4
A	Water Supply, systems to meet growth demands, consumptive water uses, no fees	4, 5, 9
A	More Access	4, 7
A	Study for Additional Storage, I-t strategic plan, Riparian rights-high/low water, tribal rights	4, 7, 9
B	Bank Stabilization	1, 9
B	Develop ND Master Plan on Water Usage	2, 12
B	Revenue Re-Allocation	5
B	Recreation/access/use, debris removal	5, 9
B	Education	5, 12
C	Stable River/Lake Levels	1
C	ND MRS to formally org, promote education on MR issues	2
	(COE, ESA, Communication)	
C	Inspire & Involve (people/MO)	5
B	Expand Water Use/Irr-supply-indust-comm/eliminate charges permanently	5, 8, 10, 12
C	Balance Multiple Uses/Non-Mining of Water	1
C	Water Quality	1
C	Non-Channelization	1
C	Sedimentation	1
C	Flood Control with I-t drought plan	2
C	State Prosperity Depends on Water, workable regs	3, 8
C	Recreation	8

