

MINUTES

**North Dakota State Water Commission
Telephone Conference Call Meeting
Bismarck, North Dakota**

November 19, 1993

The North Dakota State Water Commission held a telephone conference call meeting in the Governor's Conference Room, State Capitol, Bismarck, North Dakota, on November 19, 1993. Chairman, Governor Edward T. Schafer, called the meeting to order at 1:45 PM, and requested State Engineer and Chief Engineer-Secretary, David Sprynczynatyk, to call the roll. The Chairman declared a quorum was present.

MEMBERS PRESENT:

Governor Edward T. Schafer, Chairman
Sarah Vogel, Commissioner, Department of Agriculture, Bismarck
Mike Ames, Member from Williston
Florenz Bjornson, Member from West Fargo
Judith DeWitz, Member from Tappen
Elmer Hillesland, Member from Grand Forks
Jack Olin, Member from Dickinson
Robert Thompson, Member from Page
David Sprynczynatyk, State Engineer and Chief Engineer-Secretary, North Dakota State Water Commission, Bismarck

MEMBER ABSENT:

Harley Swenson, Member from Bismarck

OTHERS PRESENT:

State Water Commission Staff Members
(The attendance register is on file with the official minutes.)

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

CONSIDERATION OF AGENDA

Secretary Sprynczynatyk stated an additional item to be considered is a request for an extension of the Devils Lake-Ray Horne agreement. The agenda was approved and the Chairman requested it be presented by Secretary Sprynczynatyk.

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**GARRISON DIVERSION PROJECT -
MR&I PRIORITY CRITERIA
REVIEW COMMITTEE REPORT
(SWC Project No. 237-3)**

Secretary Sprynczynatyk reported that the MR&I Priority Criteria Review Committee met on November 4, 1993. He summarized the committee's

discussion and presented the following recommendations for the Commission's consideration:

- 1) The current priority ranking system should be used for determining the projects to be funded in Fiscal Year 1994.
- 2) The priority ranking system should be updated as soon as possible, based on further review for Fiscal Year 1995 funding.
- 3) Administrative rules should be drafted for the MR&I Water Supply Program.
- 4) The MR&I applicants should be notified that a review of the MR&I priority criteria is being conducted and that it will likely result in changes in the priority system starting with Fiscal Year 1995 funding.

**GARRISON DIVERSION PROJECT -
MR&I WATER SUPPLY PROGRAM
FISCAL YEAR 1994 FUNDING
(SWC Project No. 237-3)**

The Garrison Diversion Unit federal appropriation for Fiscal Year 1994 is estimated to be \$32 million, which includes \$14,550,000 for the MR&I

Water Supply Program and \$1,352,482 from Fiscal Year 1993 funding.

At the October 26, 1993 meeting, the proposed Fiscal Year 1994 MR&I Water Supply Program budget was presented for the Commission's consideration. The Commission deferred action on the proposed budget until the MR&I Priority Criteria Review Committee completed its review of the priority criteria used in ranking the project requests.

The MR&I Priority Criteria Review Committee recommended that the current priority system be used to allocate funding for the Fiscal Year 1994 MR&I program. The State Engineer presented and recommended approval of the following projects that qualify for funding in Fiscal Year 1994, contingent upon approval of a federal Fiscal Year 1994 appropriation for the Garrison Diversion Project:

	<u>Project Cost</u>	<u>MR&I Grant</u>
Langdon Water Treatment	\$ 408,513	\$ 265,533
Grand Forks Water Treatment	1,453,248	944,611
Dickey Rural Water	5,200,000	3,380,000
Southwest Pipeline Project	7,275,000	7,275,000
Glenfield Water Supply	225,000	146,250
Hannaford Water Supply	232,000	150,800
Fargo Water Supply	5,387,800	3,502,070
Unallocated Funding	71,874	46,718
Feasibility Study	100,000	25,000
Administration	<u>222,000</u>	<u>166,500</u>
	\$20,575,435	\$15,902,482

It was moved by Commissioner Vogel and seconded by Commissioner Olin that the State Water Commission approve the Fiscal Year 1994 federal MR&I Water Supply Program budget as recommended by the State Engineer, contingent upon the federal Fiscal Year 1994 funding appropriation.

Commissioners Ames, Bjornson, DeWitz, Hillesland, Olin, Thompson, Vogel, and Chairman Schafer voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

CONSIDERATION AND APPROVAL
OF ALLOCATION FROM THE
CONTRACT FUND FOR BELFIELD DAM
(SWC Project No. 1865)

Department, and the Stark County Water Resource District. The project consists of removing approximately 1 1/2 feet of sediment in the reservoir and replacing the spillway pipe.

The Belfield Dam project is a dam and reservoir renovation project that is being jointly funded by the State Water Commission, the Game and Fish

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Dale Frink, Director of the State Water Commission Water Development Division, discussed the project. He said the total cost estimate for the project was approximately \$78,000, which includes \$58,000 for construction; \$16,000 for State Water Commission design, construction, inspection, and administration; and \$4,000 for contingencies. Bids were opened on September 22, 1993, with a low construction bid of \$48,385. Mr. Frink stated that due to the low bid, the amount of reservoir excavation may be increased enhancing the finished project and resulting in a final cost near the original cost estimate.

Mr. Frink stated that it is intended to have each of the project sponsors make payments to the contractors and, as a result, the State Water Commission's share from the Contract Fund could be approved as a State Engineer approval since the Commission's share was less than \$10,000. He said it now appears that the best approach would be for the Commission to make all of the contractors payments and, in turn, be reimbursed by the sponsors once the project is completed. The net cost to the Contract Fund will not change.

It was the recommendation of the State Engineer that the State Water Commission approve a \$62,000 allocation from the Contract Fund for the Belfield Dam Project.

It was moved by Commissioner Olin and seconded by Commissioner Ames that the State Water Commission approve a \$62,000 allocation from the Contract Fund for the Belfield Dam Project.

Commissioners Ames, Bjornson, DeWitz, Hillesland, Olin, Thompson, Vogel, and Chairman Schafer voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

**SOUTHWEST PIPELINE PROJECT -
CONSIDERATION AND APPROVAL OF
AWARD OF CONTRACT 2-7C TO
BRB CONTRACTORS, INC.
(SWC Project No. 1736)**

Tim Fay, Manager of the Southwest Pipeline Project, stated that bids were opened for Contract 2-7C on November 4, 1993. This contract is for the transmission line extending

north from Taylor to the four cities north of the Knife River.

A total of five bids were received. The low bid was received from BRB Contractors of Topeka, Kansas, for \$1,689,229.00. The engineer's estimate was \$1,733,929.82. Mr. Fay indicated that Bartlett & West/Boyle Engineering has found the BRB bid to be responsible and a favorable bid and recommends award.

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Mr. Fay commented that BRB Contractors has done work for the Southwest Pipeline Project on Contract 2-2F and established a fine reputation for workmanship and cooperation.

It was the recommendation of the State Engineer that the State Water Commission approve the award of Southwest Pipeline Contract 2-7C to BRB Contractors, Inc. of Topeka, Kansas.

It was moved by Commissioner Ames and seconded by Commissioner Thompson that the State Water Commission approve the award of Southwest Pipeline Project Contract 2-7C to BRB Contractors, Inc. of Topeka, Kansas.

Commissioners Ames, Bjornson, DeWitz, Hillesland, Olin, Thompson, Vogel, and Chairman Schafer voted aye. There were no nay voted. The Chairman declared the motion unanimously carried.

**NORTH DAKOTA COMPREHENSIVE
WETLANDS CONSERVATION PLAN -
APPROVAL OF RECEIPT OF FEDERAL
GRANT; AND ENTERING INTO
CONTRACT FOR DEVILS LAKE
COORDINATOR FOR PERIOD NOVEMBER
1, 1993 THROUGH OCTOBER 31, 1994
(SWC Project No. 1489-5)**

Secretary Sprynczynatyk informed the Commission members that a \$50,000 grant has been approved by the Environmental Protection Agency to assist North Dakota in responding to problems caused by the 1993 flood.

Ray Horne has served as the Devils Lake coordinator in the Devils Lake Basin since November, 1992. During that time, Mr. Horne has been instrumental in several important accomplishments, including the reorganization of the Devils Lake Basin Joint Board, helping to refine the needs and issues sections of the Devils Lake Water Management Plan, arranging for the continuation and expansion of water quality data collections and interpretation, facilitating a public forum and numerous one-on-one and small groups discussion to clarify issues, and arranging a series of informational articles in area newspapers.

Secretary Sprynczynatyk explained that 75 percent of Mr. Horne's contract and expenses have been paid from EPA's State Wetlands Conservation grant and the balance was contributed by various state agencies and local interests. Due to significant cuts made to the Fiscal Year 1993 Wetlands Conservation grant, the Devils Lake coordinator position was not funded. He said that every effort has been made to secure other funds to continue this work.

It was the recommendation of the State Engineer that the State Water Commission approve receipt of the \$50,000 federal grant from the Environmental Protection Agency and that the State Water Commission enter into a contract to secure a Devils Lake coordinator to work as the liaison for the agency in the Devils Lake Basin, for the period of November 1, 1993 through October 31, 1994.

It was moved by Commissioner Olin and seconded by Commissioner Hillesland that the State Water Commission approve receipt of the \$50,000 federal grant from the Environmental Protection Agency; and that the State Water Commission enter into a contract to secure a Devils Lake coordinator to work as the liaison for the agency in the Devils Lake Basin, for the period of November 1, 1993 through October 31, 1994.

Commissioners Ames, Bjornson, DeWitz, Hillesland, Olin, Thompson, Vogel, and Chairman Schafer voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

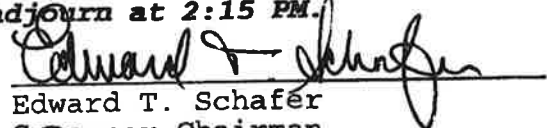
It was recommended by the Commission members that periodic reports be given by individuals working under contract.

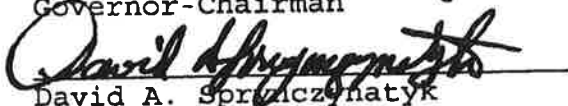
**NEXT STATE WATER
COMMISSION MEETING**

The next meeting of the State Water Commission is scheduled for December 8, 1993, at the International Inn in Minot, North Dakota, beginning at 8:30 AM. This meeting is in conjunction with the North Dakota Water Users Association and the North Dakota Water Resource Districts Association annual convention.

There being no further business to come before the State Water Commission, it was moved by Commissioner Vogel, seconded by Commissioner Olin, and unanimously carried, that the State Water Commission telephone conference call meeting adjourn at 2:15 PM.

SEAL


Edward T. Schafer
Governor-Chairman


David A. Sprincznatyk
State Engineer and
Chief Engineer-Secretary

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