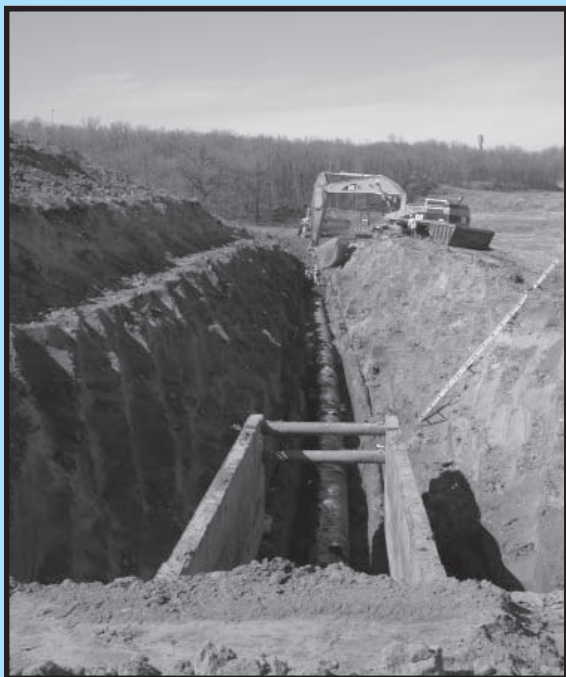


The Oxbow

FROM THE NORTH DAKOTA STATE WATER COMMISSION



NAWS: Moving Dirt, Moving Ahead

Construction on the Northwest Area Water Supply (NAWS) project is well underway in Minot. By mid-May the contractor, S. J. Louis Construction of St. Cloud, Minn., had installed over 2,000 feet of 30-inch diameter ductile iron pipe, and was nearing the Burdick Expressway next to the Minot Water Treatment Plant.

Meanwhile, Kemper Construction of Minot, which is boring under roads and railroads as a subcontractor, has completed work on the two railroad crossings and is currently boring under the U.S. Highway 2 and 52 bypass.

Next up, crews for both contractors will start working in the area south of the bypass where 36-inch diameter ductile iron pipe will be used.

When completed, NAWS will provide up to 26 million gallons of Missouri River water per day to approximately 63,000 citizens in northwest North Dakota.

The pipeline from Lake Sakakawea to Minot is estimated to cost around \$66 million and is scheduled for five years of construction. The total expected cost of the NAWS project is \$145 million, which will be financed by federal, state, and local funding. The City of Minot has already reserved part of its sales tax collections for funding the project. ■

SWC approves changes to rural flood control cost-share policy

At the May 1, 2002 State Water Commission (Commission) meeting in Bismarck, the Commission approved four revisions to North Dakota's rural flood control cost-share policy. The revisions were recommended by a committee of Governor-appointed members, including among others, Commissioners Halcrow, Hillesland, Swenson, and Thompson.

The first revision adopted says that drain reconstruction should be funded at 35 percent of eligible costs if a sediment analysis prepared by a Registered Professional Engineer is provided, or 30 percent with no sediment analysis. Eligible costs will not include deferred maintenance.

In addition, the Commission increased the funding limitation for rural flood control projects from \$200,000 to \$250,000 per project for the 2001-2003 biennium. This policy will be retroactive to include projects approved for funding earlier in the current biennium. Further, the Commission will now grant conditional cost-share approval of rural flood control projects, with a six-month time limit to achieve a positive local assessment vote. Requests for extensions may be granted on a case-by-case basis.

The Commission will also now require a discussion of downstream impacts at the project outlet with the need for further analysis considered

on a case-by-case basis as determined by the State Engineer. The analysis shall include a determination as to whether or not costs will be incurred downstream as a result of the project.

In other action items, the Commission approved:

- Cost-share for 40 percent of eligible costs in the amount of \$41,165 for the Buford-Trenton Irrigation District. Water from the Buford-Trenton project is pumped from the Missouri River southwest of Trenton. Approximately 10,500 acres are currently irrigated annually as part of the project.

- Cost-share in the amount of

\$24,460 for the Tri-County flood control study project (Phase III). The primary purpose of the Phase III study is to address operation and maintenance plans; conduct analyses of the outlet channel; more accurately define project costs; and assist with preparation for the hearing stage of the two segments.

- Cost-share assistance for Trail County Drain number 9-18-29 in the amount of \$236,794, or 35 percent of eligible costs. The reconstruction will involve the widening of the bottom width of the main channel to 20 feet; changes in side slopes; and installation of new culverts.

The design engineer provided a statement of downstream impacts. It was indicated that the project will have minimal impacts on down-

stream flows in the Goose River as the drainage area of the project is only 1.55 percent of the Goose River drainage area at the point where the drain enters the river.

- Cost-share for the NDSU Williston Research Extension Center in the amount of \$239,500.

- The 2002 Series A Resolution for the State Water Commission Water Development Revenue Bond, Southwest Pipeline Project (SWPP), Bowman-Scranton region service area Phases I and II.

- Award of SWPP contract 7-7B/7-3C for Phase 2 Twin Buttes service area and West Rainy Butte booster area in the amount of \$3,053,265 to Abbot, Arne and Schwindt Inc. The contract will require approval by

USDA Rural Development. Also, award of the contract and notice to proceed is contingent on the completion of the contract documents and a legal review.

- A change to the federal MR&I cost-share policy, which will now provide 70 percent cost-share with the exception of some requests that may receive 75 percent on a case-by-case basis.

- Several MR&I projects for Fiscal Year 2002 funding.

In addition, status reports on Devils Lake, the Missouri River, NAWS, Section 404, the State Biennial Water Project Inventory, and efforts of the Red River Basin Commission were given to the Commission. ■

NEW Devils Lake Basin Water Management Plan being developed

At the request of the Devils Lake Basin Joint Board (DLBJB), the State Water Commission is assisting with an update of the Devils Lake Basin Conceptual Water Management Plan. The Plan was originally developed in 1991 and updated once before in 1995.

The Water Commission has concluded that there is no single approach to solving the current flooding problems of the Devils Lake basin. Rather, a more comprehensive three-pronged approach, including upper basin water management, infrastructure protection, and an outlet to the Sheyenne River, together, are the best solution. An update of the management plan will address a key component of the upper basin management portion of the solution.

A revised management plan will also help document progress that has been made towards the various objectives established under the 1995 plan. While the 1995 plan was driven

by the desire to stabilize Devils Lake, the 2002 update will emphasize a more "basin wide approach." A great deal of effort has been made to integrate the various aspects of sound water management to the benefit of *all* areas of the basin, not just Devils Lake. The DLBJB is determined to draw from the expertise of citizens living within the basin. Thus, taking advantage of their unique experience and knowledge to better facilitate a plan that reflects the interests of those directly impacted by rising floodwaters—as opposed to relying solely on agencies.

The current update of the management plan began in early 2002, with the DLBJB calling upon Water Commission staff to take the lead in

coordinating the effort. In addition, the DLBJB has requested technical assistance from various federal, state, and private agencies that have been actively involved in managing water and land resources within the Devils Lake basin.

The nine basin counties along with the Spirit Lake Nation were asked to appoint representatives to each of four task forces, which include agriculture, economic development, tourism, and wildlife/fisheries. From the start, this will be a locally driven effort, with agencies only playing a technical advisory role.

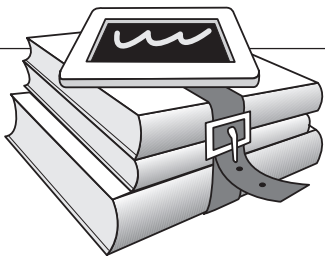
A final version of the 2002 update will be presented by the DLBJB sometime during the winter of 2003. ■



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THE WATER PRIMER

North Dakota and Sustainable Development

Sustainable development, what is it good for? In recent years, sustainable development has been a buzzword on the lips of politicians, activists, and industry. The question still remains, what exactly is sustainable development?

The phrase sustainable development first emerged in 1987, through a special commission created by the United Nations. In the report, sustainable development was defined as "...development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

So what exactly does that mean, however? Therein lies the problem. While there have been many sustainable development programs initiated by countries, states, and companies, the various definitions vary tremendously.

In essence, sustainable development is about maintaining quality of life, in terms of consumption of a certain resource, or production of some pollutant today, at a level that does not prevent people from enjoying that same quality of life in the future. Complications begin to arise when you try to quantify what exactly constitutes quality of life.

Food, shelter, clean water, these are factors that most people would agree are necessary for quality of life. However, problems begin to appear when other factors are added. Is a specific amount of species diversity required for quality of life?

If so, how much? How about other difficult factors, such as tolerable amounts of water pollution, or maximum amounts of homes per mile of waterfront?

As you can see, sustainable development can quickly become too large of a concept to grasp if everything that constitutes quality of life is incorporated into its definition. In fact, many of the controversies surrounding sustainable development arise from that very problem.

Other problems with sustainable development relate to trans-boundary issues. International borders, state lines, and county lines often do not reflect natural boundaries, such as lakes, forests, and watersheds. However, what one jurisdiction decides is an appropriate level of consumption for a certain resource or production of a pollutant, may not be the same level as what another jurisdiction feels is appropriate.

History has shown that the idea of sustainable development is often used by one group as a tool against another. By saying, "The amount of resource *X* that you are consuming, or the level of pollutant *Y* you are producing is not at a sustainable level." Unfortunately, this places the other group in an indefensible position, because it is difficult, if not impossible, to clearly define or quantify sustainable levels.

Another problem with sustainable development, is that while one group might be touting their sustainable

management of one resource, they are not practicing sustainability of another resource.

In reality, most, if not all governments practice some form of sustainable development, whether it is stated using that term or not. Those governments that do not plan for the future are generally not around for very long, as their citizens will force a change to occur if they perceive their quality of life to be declining by too great a degree.

The state of North Dakota does not have a stated plan of sustainable development, but the concept is implicit in the directives of every agency and almost every business that makes its home in the state. As an example, the mission statement for the North Dakota State Water Commission states that, "It is the Vision of water management for the 21st century that North Dakota will enjoy an adequate supply of quality water. Water resource management will ensure health, safety, and prosperity; and balance the water needs for present and future generations."

Sustainable development does have value as a concept, and as a goal towards which we all should work, but the need exists to consider the underlying motives of those who are using the term as they apply it to others. And finally, everyone should realize that even when sustainable development is not stated per se, most organizations are already practicing it. ■