

The Oxbow

FROM THE NORTH DAKOTA STATE WATER COMMISSION

SWC OKs Funding for D.L. Water Supply

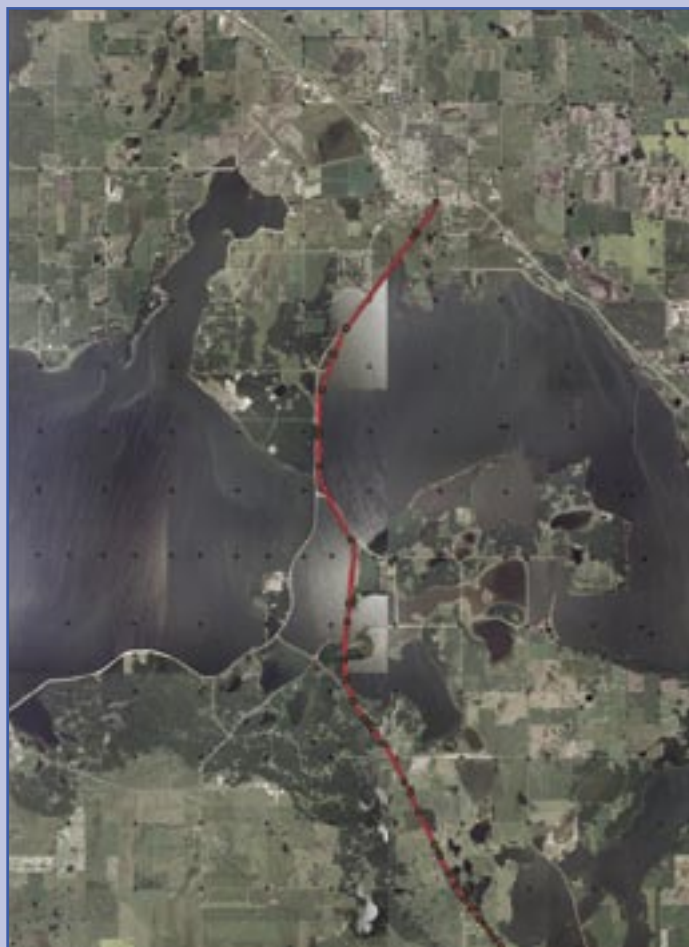
By Patrick Fridgen

The City of Devils Lake moved one step closer to securing a safer and more reliable water supply when the North Dakota State Water Commission approved a \$4.1 million funding request at its May 9 meeting in Bismarck. The Water Commission funding will be combined with a \$1.6 million Environmental Protection Agency State and Tribal Assistance Grant from the federal government; and a \$4.1 million loan that will be repaid by the city through water rate increases. The total cost of this first phase of the project is estimated at about \$10 million.

For the last several years, City of Devils Lake representatives have been sounding the alarm and working with state and federal

officials to address their looming water supply problem. Currently, the city receives its water from a wellfield in the Warwick Aquifer near Warwick, North Dakota. The water is then transferred via a transmission pipeline to the city.

The age of the city's 45-year-old transmission line is cause for concern, but the fact that Devils Lake floodwater has inundated six miles of the line with up to 40 feet of water



The City of Devils Lake's water supply line (in red) is covered by up to 40 feet of water in places.

is what poses the greatest dilemma. Because of the depth of the lake covering certain sections of the pipeline, maintenance and repairs would be all but impossible should a failure occur. What heightens the city's concerns even further, is the fact that the pipeline is made of concrete, making it susceptible to sulfate attack from the lake's high sulfate concentrations. In addition, there are about 21 valves in the inundated section that are susceptible to corrosion.

The City of Devils Lake is also facing new federal Safe Drinking Water Act regulations for arsenic that came into effect in January 2006. With current arsenic levels at over three times the allowable concentration under the new regulations, the city will only be given an exemption through January 2009. Because of Devils Lake's population, the North Dakota Department of Health will not be able to grant an exemption beyond that timeframe.

To address these serious issues, the City of Devils Lake has developed a two-phased approach. Under Phase I, the city will develop a new wellfield near Hamar, North Dakota, which is just southeast of Warwick. The new wellfield will draw water from the Spiritwood Aquifer. In addition, a pre-treatment facility will be constructed at the wellfield, and approximately 33.5 miles of pipeline will be installed to transport the water to the city's water treatment plant. The works associated with Phase I account for the \$10 million project cost, for which the Water Commission is providing cost-share toward completion.

Phase II of Devils Lake's water supply project will include the construction of a new Iron and Manganese water treatment facility. The total cost of that project is estimated at about \$5.8 million. The Water Commission has not committed any cost-share assistance toward that project.

2007 Legislature Good for N.D. Water



COMMISSION MEETING MINUTES

The 2007 Legislative Assembly was a positive session for the water community in North Dakota. The Water Commission's appropriation bill, Senate Bill 2020, provides approximately \$60 million in funds for new projects. The bill also includes \$27.5 million of federal funds, and \$31 million in state carry over dollars for projects not completed during the current 2005-2007 biennium.

An important highlight and change from previous years involved the Legislature approving Governor Hoeven's recommendation to fund State Water Commission operations from the state's general fund. For several bienniums, the Water Commission has been funded out of the General Fund, however, a matching amount was always transferred from the Water Development Trust Fund, leaving less funding available for water development projects and programs. With approximately \$10.9 million in general funds allocated for agency operations, that will leave all Water Development Trust Fund dollars for new projects in the 2007-2009 biennium.

The final Senate Bill 2020 was very similar to Governor Hoeven's recommendation, with a few minor changes:

- Section 9 sets the State Water Commission's cost-share for the Grand Forks flood control project at

\$52 million instead of 45 percent up to \$52 million. The original plan was for the state to pay 50 percent of the non-federal share, which several years ago was estimated to be \$104 million. When the non-federal share increased to \$116 million, the Legislature lowered the cost-share to 45 percent, not to exceed \$52 million. The final cost will be somewhere between the earlier estimates. Funding for the state's remaining share of the \$52 million will come from the Water Commission's 2005-2007 biennium budget.

- Section 10 was added to Senate Bill 2020 in the last two days of the session. It allows drought disaster livestock water supply assistance program projects to be completed prior to State Water Commission approval of the application, but does not guarantee funding.

- Section 11 requires the State Water Commission to study the effects of tile drains on aquifer recharge and prior appropriations.

- Section 13 requires the North Dakota Game and Fish Department to contribute \$1 million to the repair of Sweetbriar Dam. A conference committee also authorized \$200,000 from the Water Development Trust Fund and \$200,000 from the General Fund for a Red River basin digital mapping project.

The North Dakota State Water Commission (Commission) met in the State Office Building in Bismarck on May 9. In action items, the Commission:

- Approved a refund of several Southwest Pipeline Project bond series. By doing so, it is estimated that the state could save approximately \$3.35 million over the life of the bonds.

- Agreed to carry over all obligated funds for active projects and programs from the 2005-2007 biennium, with the exception of the Grafton Flood Control Project. The City of Grafton voted not to pursue a flood control project at this time.

- Gave the State Engineer the authority to approve eligible cost overruns up to 10 percent of the total amount approved for projects, but not to exceed \$20,000.

- Conditionally approved a cost-share request in the amount of \$177,220 from the Burleigh County Water Resource District for state cost-share participation on the Burnt Creek Floodway Project.

- Granted conditional approval of two cost-share requests from the Southeast Cass Water Resource District for the construction and extension of two drains. The amount of the requests conditionally approved for Cass County Drains 66 and 45 were \$147,000 and \$179,800, respectively.

- Approved cost-share of up to \$30,000 toward the rehabilitation of Nieuwsma Dam in Emmons County. The North Dakota Game and Fish Department will also cover one-third of the project costs, and the Emmons County Water Resource Board will

NORTH DAKOTA STATE ENGINEER RECOMMENDATIONS 2007-2009 BIENNIUM

Devils Lake Outlet O&M/Basin Development	\$2,000,000
Devils Lake Water Supply	2,000,000
Fargo Flood Control	8,000,000
General Water Management:.....	8,600,000
City of Wahpeton, Renwick Dam, Sweetbriar Creek Dam, Drought Disaster Livestock Assistance Program, Small Projects and Programs	
Irrigation	1,400,000
Missouri River Management	100,000
Municipal, Rural, and Industrial Water Supply.....	10,000,000
Northwest Area Water Supply	5,000,000
Red River Valley Water Supply Project.....	12,000,000
Southwest Pipeline Project	10,300,000
Weather Modification	600,000
PROJECTS TOTAL.....	\$60,000,000

cover the remaining third. The total cost of the rehabilitation is about \$83,000.

- Conditionally approved a cost-share request from the Richland County Water Resource Board of up to \$47,815 for improvements on Drain 65.

- Approved up to \$30,000 in state cost-share for a Spring Creek bank stabilization project in Mercer County.

- Approved \$4.1 million in state cost-share for a new Devils Lake water supply. The funding on eligible costs is \$2.7 million in new funds, and \$1.4 million reallocated from the Devils Lake levee project.

- Approved another \$2 million toward Williston's water system improvement project.

- Approved a grant for the Northwest Area Water Supply (NAWS) project for \$3.84 million from the federal MR&I funding program.

- Authorized the State Engineer to sign the Berthold Pipeline memorandum of understanding as part of the NAWS project.

- Authorized the State Engineer to award a 68-acre seeding contract for areas disturbed under the 2-1D NAWS contract.

- Authorized the State Engineer to approve a loan in the form of a 2007 Series A revenue bond for the

construction of Southwest Pipeline's South Fryburg Pocket of Phase III of the Medora-Beach Service Area.

- Awarded a contract to Abbot, Arne, and Schwindt, Inc. for Phase 3 of the Medora-Beach Service Area, rural water distribution system, which is part of the Southwest Pipeline.

- Approved the amendment of a Southwest Pipeline service contract with the City of Medora to a sole source contract. Medora originally intended to blend Southwest Pipeline water with its own water supply to reduce costs. But, citizens ultimately voiced concerns about blending the water, so the city council voted to switch to a sole source contract with Southwest Pipeline.

- Approved cost-share requests for the Devils Lake Outlet Emergency Awareness Program and a Devils Lake Basin Joint Water Resource Board Manager in the amounts of \$15,000 and \$52,000, respectively.

The Commission also presented Julie Krenz and Ray Christensen with plaques of appreciation for their years of dedicated service to the water community. Julie Krenz, who provided legal services to the Water Commission for several years through the Attorney General's Office, has accepted a new position with Montana-Dakota Utilities Company. Ray Christensen will retire from his position as the Southwest Water Authority Manager and CEO at the end of June. Best wishes to Julie and Ray.

Devils Lake Joint Board Website Created

In April 2007, a new Devils Lake Basin Joint Water Resource Board website was made available to the public, at <http://devils-lake-board.tripod.com>.

The Joint Board, which started with only six counties in 1979, has grown over the years to include all nine of the basin counties, and has developed several water management plans. The implementation of projects related to the specific goals laid out in the water plans have increased considerably, and this has prompted a need for a central clearinghouse to provide current information to the public and board members.

The site contains a great deal of useful information about the board, such as: projects, contact information, meeting schedules, bylaws, joint powers agreements, its water management plan, recipients of water stewardship awards, and many useful links to water resource-related sites.

Michael Connor, manager of the Joint Board said, "One of the most important goals of the Devils Lake Basin Joint Board is to increase public awareness of who we are, what we do, and what we hope to accomplish..." This new website will assist them in doing just that.



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