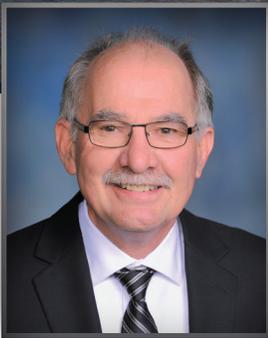


# The Current

2019 Issue IV



Garland Erbele, P.E.  
State Engineer &  
Chief Engineer-Secretary

A NEWSLETTER FROM THE STATE  
ENGINEER & WATER COMMISSION

In August, the Water Commission along with the North Dakota Game and Fish Department produced a collaborative public awareness piece discussing sovereign lands. The story was broadcast statewide on various news outlets and was featured on the weekly segment, "North Dakota Outdoors" that is produced by Game and Fish.

Both agencies worked intently on this narrative to generate insight and provide a better understanding of an immensely valuable resource known as sovereign land. North Dakota's sovereign lands are those areas, including beds and islands, lying within the ordinary high-water marks of navigable waterbodies. Sovereign lands are publicly owned lands and are managed for the benefit of the state.

Navigable waters are defined as waterbodies that were used or susceptible to being used as a highway for commerce or travel at the time of statehood. Upon statehood in 1889, title to any navigable rivers and lakes was automatically passed to the state of North Dakota as a public trust asset.

The Office of the State Engineer has adopted administrative rules (North Dakota Administrative Code § 89-10) to create a framework to follow Legislative directives in the management of North Dakota's sovereign lands. The Office of the State Engineer also enlists staff from the Regulatory Division of the State Water Commission to help manage and implement the rules and regulations of these important assets.

Sovereign lands throughout the state provide gorgeous and outstanding locations to furnish an assortment of recreational activities. Citizens can enjoy boating, swimming, camping, fishing, hunting, trapping, and various other leisurely endeavors. When taking part in such activities, it is important to follow the state's rules and regulations. "Keep Your Beaches Clean," is an important reminder of the negative impacts of littering and helps prevent the illegal use of glass bottles on sovereign lands. Motorized vehicles are also not permissible on sovereign lands and a \$100 fine may be issued.

(continued)

Can You Find The Water Drop?



This water drop is hidden  
somewhere in this issue.

# NEW HIRES



**LORI NOACK**  
Engineering Technician II

In August, Lori Noack joined the Water Commission staff as an Engineering Technician II in the Planning and Education Division. Her primary role will be to serve as a coordinator for the agency's cost-share program.

Lori previously served in the U.S. Navy for eight years. She has been stationed in Washington D.C., Florida, and Virginia. More recently, Lori was employed as an Office Manager at Fort Berthold Rural Water in New Town, ND.

Lori is originally from Menasha, Wisconsin and holds a Bachelor of Science degree in Biotechnology from the University of Wisconsin-River Falls. Her husband Adam works as a truck driver and spends many miles on the road. She also has two grown sons, Chris and David. In her spare time, Lori enjoys gardening, cooking, and quilting.



**SAMANTHA SWANBERG**  
Hydrologist II

In August, the Water Appropriations Division hired Samantha "Sam" Swanberg to fill a Hydrologist II position. Samantha will primarily analyze surface water allocations and conduct hydrologic reviews.

Prior to joining the Water Commission, Samantha worked for the Department of Environmental Quality's (DEQ) North Dakota Pollutant Discharge Elimination System (NDPDES) program. She has also worked in environmental consulting with Wenck Associates and Keitu Engineers and Consultants.

Samantha holds a Bachelor of Science Degree in Soil Science from North Dakota State University, and completed two years of graduate work at Southern Illinois University's watershed program. She has two brothers and is originally from Valley City, North Dakota. Finally, Samantha enjoys spending time with friends and family, hiking, volleyball, and going to the river or lake.



**MICHAELA HALVORSON**  
Hydrologist II

In September, the Water Appropriations Division also hired Michaela Halvorson to fill a Hydrologist II position. Among other job responsibilities, she will primarily analyze surface water allocation and conduct hydrologic reviews to further her analyses.

Prior to joining the Water Commission, Michaela worked as a biologist for Golder Associates in Bismarck, providing technical support for a variety of environmental compliance and regulatory permitting projects in ND, including remediation, Endangered Species Act, and NEPA documents.

Prior to working at Golder, Michaela attended Valley City State University where she earned a Bachelor of Science Degree in Biology. She later attended the South Dakota School of Mines and Technology and received her Master of Science Degree in Environmental Science.

Michaela grew up in Milnor, North Dakota, where she still enjoys visiting to work on her parents' farm. She also loves the outdoors and appreciates the activities that Bismarck has to offer, including kayaking, hiking, and fishing. You may also find her spending free time painting, varnishing, and doing arts and crafts.

## going digital

The Current is going digital! The quarterly edition of The Current will only be available, starting this coming spring, as a digital publication. The new format will continue to provide valuable and important Water Commission information, but will be distributed electronically via email.

To continue receiving the newsletter and to be added to the online mailing list, please email [swcmedia@nd.gov](mailto:swcmedia@nd.gov). For upcoming issues, remember to check your email inbox rather than your mailbox!

# W E L C O M E C O M M I S S I O N E R S

On July 31, 2019, Governor Doug Burgum appointed four members to the State Water Commission, including Commissioner Steven Schneider, who will fill the newly created seat representing the Little Missouri River Basin in southwestern North Dakota.

The state Legislature added the newly created southwest seat with the approval of Senate Bill 2139 last spring, increasing the number of governor-appointed members who provide regional representation on the Commission from seven to eight. The governor chairs the Commission, and the state Agriculture Commissioner serves as an ex-officio member.

Current members of the Commission, Richard "Dick" Johnson of Devils Lake and Katie Hemmer (formerly Andersen) of Jamestown were reappointed to serve six-year terms on the State Water Commission. They will represent the Devils Lake Basin and the James River Basin until June 2025. Commissioner Jay Volk was appointed to fill the vacancy that was previously held by Dr. Leander "Russ" McDonald.



COMMISSIONER  
JAY VOLK  
Lower Missouri River Basin  
*Term Expires: June 30, 2025*

Jay Volk is from Bismarck, representing the lower Missouri River Basin. He is the manager of health, safety, and environmental services at BNI Coal in Center. He also served on the Dakotas Resource Advisory Council, the state Aquatic Invasive Species Committee, and the Lignite Energy Council's environmental task force.



COMMISSIONER  
STEVEN  
SCHNEIDER  
Little Missouri River Basin  
*Term Expires: June 30, 2025*

Steven Schneider of Dickinson will be representing the Little Missouri River Basin, as well as the upper Heart River Basin, and upper Cannonball River Basin. He is a financial advisor and U.S. Army veteran who has served as a director and treasurer for the Southwest Water Authority since 2010.

Commissioners continuing to represent the State Water Commission also include Michael Anderson, Lower Red River Basin; Mark Owan, Upper Missouri Basin; Matthew Pedersen, Upper Red River Basin; and Jason Zimmerman, Mouse River Basin.

## UPCOMING MEETINGS

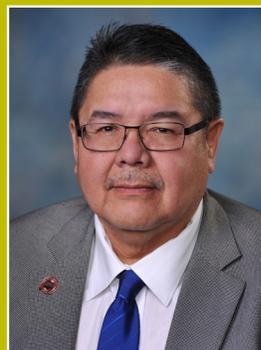
### WATER COMMISSION

December 6, 2019  
February 13, 2020  
April 9, 2020  
June 11, 2020  
August 13, 2020  
October 8, 2020  
December 11, 2020

### SUBCOMMITTEE

November 7, 2019  
May 14, 2020  
July 16, 2020  
September 10, 2020  
November 12, 2020

## T H A N K Y O U



The Water Commission would like to express our sincere gratitude to former Commissioner, Leander "Russ" McDonald. Russ, who did not seek reappointment, served a two-year term on the Commission and represented the Lower Missouri River Basin. Thank you, Russ, for your time, commitment, and dedication while serving the people of North Dakota.

continued from first page

Another important reminder, is that tree stands on sovereign lands must be portable and can only be placed during certain times of year. Permanent tree stands are prohibited. The rules that we employ on state sovereign lands are modeled after the same policies that Game and Fish utilizes. To assist with enforcement activities, a contract agreement with Game and Fish has been developed to have their existing game wardens provide sovereign land-related law enforcement.

It is critical and of utmost importance to take an active role in the successful management of sovereign lands and abide by the administrative code. This will benefit the state and its citizens for present and future generations.

For more information regarding sovereign lands please go to [swc.nd.gov](http://swc.nd.gov). And please take a moment to view the collaborative informational video regarding this valuable resource on our YouTube channel found on the agency website.



# COMMISSION MEETING APPROVALS

August 8, 2019

Southeast Cass Water Resource District, Wild Rice River Snag & Clear	\$120,000
Southeast Cass Water Resource District, Sheyenne River Snag & Clear	\$294,000
Pembina County Water Resource District, Tongue River Snag & Clear	\$98,337
Burleigh County Water Resource District, Sibley Island Flood Protection	\$96,420
Minot, Bank Stabilization	\$823,180
Revision & Review of Identified Navigable Waters	\$400,000
Missouri West Water System, North Mandan & Harmon Lake	\$1,095,000
Tri-County Water District, Phase 5	\$1,990,000

October 10, 2019

Tri-County WRD, Drain #6	\$738,900
Valley City, Permanent Flood Protection, Phases 4 & 5	\$11,610,554
Cavalier, Water Tower Replacement	\$1,022,500
Mapleton, Ground Storage Tank	\$540,000
Minot, SW Water Tower	\$2,855,000
Streeter, Water Tower Rehabilitation	\$265,000
Davenport, Water Supply Improvements	\$466,000
West Fargo, 9th St. NW Water Mains	\$594,000
Grand Forks, Water Treatment Plant	\$9,875,000
Agassiz Water Users, 2019 Expansion	\$273,750
East Central Rural Water, Phase 4 Expansion	\$375,000
Greater Ramsey Water Dist., 2019 Expansion	\$1,328,000

## YOU ARE INVITED TO ATTEND PROJECT WET FACILITATOR LEADERSHIP TRAINING FEBRUARY 8-9, 2020

STATE WATER COMMISSION  
BISMARCK, ND

Join us for this exciting leadership workshop that teaches strategies for Project WET facilitation. This workshop is perfect for K-12 teachers, informal educators, and leaders who work with kids and want to share the importance of water in our lives. Facilitator training introduces participants to numerous water curriculum guides and activities that are designed to challenge students and introduce new science, social studies, language and math concepts. Upon completion of this workshop, participants will be certified and be awarded Project WET facilitator certification. Participants can earn 2 graduate credits (upon approval) for this workshop through UND, MiSU, and NDSU.

REGISTRATION DEADLINE: JANUARY 24, 2020

TO REGISTER:

[www.swc.nd.gov/info\\_edu/water\\_education/education/](http://www.swc.nd.gov/info_edu/water_education/education/)  
or call (701) 328.4833

Confirmation information will be sent to all registered participants.

# COMMISSIONER'S CORNER



Commissioner Katie Hemmer  
James River Basin

♪ **Follow the yellow brick road. Follow the yellow brick road. Follow, follow, follow** ♪ - STOP! Why are we following the yellow bricks (aka money)? Wise leaders seek smart, efficient solutions to problems. Funding is only one element needed to resolve problems, and it is not the guiding factor. Unlike the Wizard of Oz, the yellow bricks of the resources trust fund don't lead anywhere on their own, they are just dollars, and they are only as good as the projects they are used for. Most importantly, they are finite. So, these resources must be prioritized for the highest and best use. To do this, the State Water Commission needs the same things Dorothy and her friends sought after: brains, courage, and heart.

♪ **If I only had a brain** ♪ ...What does this mean for the State Water Commission? DATA! Harnessing data generates insights into more effective and efficient ways to operate and improve. The days of "trial and error" or "your guess is as good as mine" are behind us. We can use data to make accurate predictions and informed decisions. The information about every project must be clear. The economic analysis model and the life cycle cost analysis model are the tools that will help the Commission to make data driven decisions, to use the state's resources in the most efficient and effective way. These tools are not perfect. Like any model, the results are only as good as the information entered in. Project sponsors can confirm that the information entered is accurate, and staff can review the data to make sure the tools are working correctly. With good data, we can make wise decisions.

**Don't be a "Dandy-Lion"**...In August of 2018, The State Water Commission approved The Project Funding Policy, Procedure, and General Requirements and The Project Prioritization Guidance, to "support local sponsors in the development of sustainable water related projects," and prioritize the limited resources available for all water projects across the state.

As the Commission began to approve state cost share grants under this guidance, it became apparent to me that this prioritization guidance, in application, was not going to result in the best and highest use of state grant funds. In fact, some grants would be encouraging urban sprawl, inefficient infrastructure, and an in-

fusion of state resources where local resources are sufficient to achieve affordability. All while leaving projects without enough local resources to provide affordable water supply in the quality and quantity needed to maintain health and safety, without state cost share options.

Governor Burgum said, "Anything being done simply because 'that's the way we have always done it' should be and must be rigorously and respectfully questioned. And no matter what, we must have the courage to admit that we can always do better." I think even if "the way we have always done it" only reflects back one year, the basic philosophy still applies. If we do not know why, when applied to our root mission and existence, we are providing funding, then we must have the courage to admit that we can do better.

**"You people with heart, you have something to guide you"- Tin Man...** Though, as appointed members of the State Water Commission we try to separate personal bias and emotions from our decision making, it is still important to reflect and ask ourselves, "are our decisions improving the lives the those we serve?" We need our brains to check in with our hearts to help weigh the purpose and the altruism of our decisions. The decisions we make should not just be the most effective and efficient on paper (in the analysis), but they should serve the people of North Dakota in a compassionate way.

In North Dakota, I think we value quality of life like no other place on Earth. How grateful I am to live in a state and serve on the Commission whose vision is "Present and future generations of North Dakotans will enjoy an adequate supply of good quality water for people, agriculture, industry, and fish and wildlife... and successful management and development of North Dakota's water resources will ensure health, safety, and prosperity, and balance the needs of generations to come." May we, the leaders entrusted to carry out the mission and achieve the vision, be guided by wisdom, courage, and compassion. For there truly is, "No place like home." ♥



## CONGRATULATIONS JON KELSCH

Effective September 16, Jon Kelsch accepted a promotion as the Director of the State Water Commission's Water Development Division. The Water Development Division is responsible for preparing engineering and feasibility reports and designs for construction, maintenance, and major repair of water resource projects. The Water Development Division also oversees management and development of the Devils Lake outlet projects; manages the design, construction, and operation of the Northwest Area Water Supply Project; and works on design and construction of the Southwest Pipeline Project. The division also provides technical assistance to water resource district boards.

Jon has been employed with the Water Commission as a Construction Section Manager for the past twelve years, and brings a multitude of skills and experience to the Water Development Director position.

900 East Boulevard Ave  
Bismarck, ND 58505-0850

- And Much More!
- Policy & Program Updates
- News Releases
- Current Agency Efforts & Activities
- Up Coming Meetings

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*The Current*

