

# ND State Water Commission Overview

## Interim Legislative Water Topics Committee

August 12, 2015



Todd Sando, P.E. – State Engineer  
& Chief Engineer/Secretary

# PRESENTATION SUMMARY

- Agency Overview
- Senate Bill 2020 Priorities
- SWC Cost-Share Policy
- SWC Project Prioritization Process
- Senate Bill 2020 Sec. 33 – Leg. Policy Direction
- Temporary Water Permits



# DUAL PURPOSE AGENCY

## *Regulatory (OSE) & Development (SWC)*



- The Office of the SE was created by the Legislature in 1905 to regulate and administer matters concerning the allocation of ND's water resources.



- The SWC was created in 1937 by legislative action in response to the 1930s drought for the specific purpose of fostering and promoting water resource development throughout ND.

# CONTRACT FUND

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

				<i>Jun-15</i>	
	BUDGET	SWC/SE APPROVED	OBLIGATIONS EXPENDITURES	REMAINING UNOBLIGATED	REMAINING UNPAID
<b>FLOOD CONTROL</b>					
FARGO	136,740,340	136,740,340	37,234,140	0	99,506,200
GRAFTON	8,925,000	8,925,000	0	0	8,925,000
MOUSE RIVER FLOOD CONTROL	36,618,860	8,991,186	2,434,439	27,627,674	6,556,747
BURLEIGH COUNTY	1,469,900	1,469,900	875,037	0	594,863
VALLEY CITY	14,865,526	14,865,526	657,172	0	14,208,354
LISBON	7,520,350	7,520,350	2,825,898	0	4,694,452
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	
<b>FLOODWAY PROPERTY ACQUISITIONS</b>					
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	1,555,195	0	267,403
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	953,515	0	45,485
<b>STATE WATER SUPPLY</b>					
REGIONAL & LOCAL WATER SYSTEMS	105,640,879	105,640,879	46,845,829	0	58,795,050
FARGO WATER TREATMENT PLANT	27,864,069	27,864,069	5,095,294	0	22,768,775
SOUTHWEST PIPELINE PROJECT	106,947,836	106,947,836	58,470,599	0	48,477,237
NORTHWEST AREA WATER SUPPLY	21,241,433	7,241,433	1,486,951	14,000,000	5,754,482
COMMUNITY WATER LOAN FUND - BND	15,000,000	15,000,000	10,000,000	0	5,000,000
WESTERN AREA WATER SUPPLY AUTHORITY	79,000,000	79,000,000	56,798,616	0	22,201,384
RED RIVER VALLEY WATER SUPPLY	11,000,000	3,641,000	3,193,709	7,359,000	447,291
CENTRAL NORTH DAKOTA WATER SUPPLY	70,800	70,800	0	0	70,800
<b>IRRIGATION DEVELOPMENT</b>					
	5,493,548	949,869	495,650	4,543,679	454,219
<b>GENERAL WATER MANAGEMENT</b>					
OBLIGATED	35,395,078	35,395,078	14,317,251	0	21,077,827
UNOBLIGATED	5,534,062			5,534,062	0
<b>DEVILS LAKE</b>					
BASIN DEVELOPMENT	8,085	8,085	7,107	0	978
OUTLET	872,403	872,403	1,601	0	870,802
OUTLET OPERATIONS	15,140,805	15,140,805	7,806,595	0	7,534,210
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
<b>WEATHER MODIFICATIONS</b>					
	805,202	805,202	805,125	0	77
<b>TOTALS</b>	<b>705,894,092</b>	<b>646,132,821</b>	<b>266,926,621</b>	<b>59,761,271</b>	<b>379,206,200</b>

# RESOURCES TRUST FUND

## Resources Trust Fund 2013-2015 Biennium

8/10/2015

Month/Year	Budgeted Oil Revenue	Actual /Projected Oil Revenue	Actual Revolving Loan Fund	Actual /Projected Interest
July, 2013	\$0.00	\$0.00		\$53,030.01
August, 2013	21,286,500.00	21,500,737.75		93,831.23
September, 2013	22,021,050.00	25,801,304.04		101,498.35
October, 2013	22,295,400.00	26,587,914.95		104,685.36
November, 2013	21,552,000.00	26,456,092.74		117,100.96
December, 2013	22,295,400.00	25,103,917.06		118,240.43
January, 2014	21,817,500.00	23,511,367.53		125,120.71
February, 2014	22,569,750.00	23,597,590.59		133,550.73
March, 2014	22,569,750.00	23,526,419.66		126,819.78
April, 2014	20,313,000.00	24,409,527.45		144,247.97
May, 2014	22,569,750.00	27,701,867.36		142,624.08
June, 2014 (INC A/B)	44,387,250.00	56,938,734.74		201,287.88
July, 2014	0.00	0.00		100,195.68
August, 2014	23,272,000.00	30,425,722.60		155,686.76
September, 2014	24,074,400.00	31,623,146.77		154,684.17
October, 2014	24,074,400.00	29,074,494.91		149,420.34
November, 2014	23,272,000.00	28,470,926.38		163,714.18
December, 2014	24,074,400.00	25,712,602.44		161,849.36
January, 2015	23,272,000.00	23,682,990.70	2,368,299.07	14.79
February, 2015	24,074,400.00	18,134,718.21	1,813,471.82	346,245.54
March, 2015	24,074,400.00	13,167,191.79	1,316,719.18	159,783.31
April, 2015	21,667,200.00	12,775,518.79	1,277,551.88	176,900.74
May, 2015	24,074,400.00	13,853,416.87	1,385,341.69	170,118.17
June, 2015 (INC A/B)	47,346,400.00	32,464,799.01	3,246,479.90	238,015.72
<b>Totals</b>	<b>\$546,953,350.00</b>	<b>\$564,521,002.34</b>	<b>\$11,407,863.54</b>	<b>\$3,438,666.25</b>

	Approved Budget	Revised Estimate
Beginning Balance	\$265,172,286	\$292,961,846
Oil Extraction Taxes	546,953,350	564,521,002
Interest & Loan Repayment	804,000	3,287,837
SWPP Revenue	7,800,000	8,184,310
Interest Revenue	1,359,000	3,438,666
Oil Royalties	10,000	110,906
<b>Total Income</b>	<b>\$822,098,636</b>	<b>\$872,504,568</b>
Less Transfers To:		
Renewable Energy Fund	(\$3,000,000)	(\$3,000,000)
Energy Conservation Func	(1,200,000)	(1,200,000)
Infrastructure Loan Fund		(11,407,864)
<b>Available Funds</b>	<b>\$817,898,636</b>	<b>\$856,896,705</b>
<b>Total Authorization</b>	<b>750,606,094</b>	<b>750,606,094</b>
Ending Balance - RTF	\$67,292,542	\$106,290,611
Ending Balance - Loan		11,407,864
<b>Total</b>	<b>\$67,292,542</b>	<b>\$117,698,474</b>

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# SENATE BILL 2020 PRIORITIES

Projects and Project Types	SB 2020 (Millions \$)	
	Grant	Loan
Sovereign Lands Recreation (Sec. 4)	\$1	\$0
Fargo Flood Control (Sec. 8)	\$69	\$0
Fargo Flood Control (Sec. 11) <i>Dis. Relief Fund</i>	\$30	\$0
Fargo Interior Flood Control (Sec. 12)	\$30	\$0
Grand Forks Water Treatment Plant (Sec. 13)	\$30	\$0
Red River Valley Water Supply (Sec. 14)	\$5	\$0
Missouri R. Flood Control (Sec. 15) <i>Dis. Relief Fund</i>	\$4	\$0
Water Supply Reimbursements (Sec. 16)	\$11	\$0
Flood Control (Sec. 17)	\$113	\$0
DL Outlet Operation \$11M Grafton \$25M Mouse River \$40M Williston \$7M Sheyenne River \$30M		
General Water Management (Sec. 17)	\$50	\$11
Rural Water Projects (Sec. 17)	\$130	
<i>NAWS \$10M</i> <i>Rural Water \$50M</i> <i>SWPP \$25M</i> <i>WAWS \$45M</i>		
Municipal Water Projects (Sec. 17)	\$85	
<i>High Priority Municipal \$25M</i> <i>Other Municipal/Rural \$15M</i> <i>SWPP Service To Municipal \$30M</i> <i>WAWS Service To Municipal \$15M</i>		
Loans To Rural & Municipal - IRLF (Sec. 17)	\$25	
Central Dakota Water Supply Reuse Fac. (Sec. 19)	\$10	\$40
Central Dakota Water Supply (Sec. 19)	\$20	\$0
<b>Projects Total</b>	<b>\$664</b>	

# CURRENT SWC COST-SHARE POLICY

Cost-Share Policy Outline	Description	Prelim Eng	Design Eng	Const Eng	Construction
I. Definitions and Eligibility	Cost-Share defined as a grant or a loan. Engineer services defined relating to pre-construction and construction. Programs defined as typically associated with federal initiatives.	Provides overall guidance and consistency with cost-share			
II. Cost-Share Application and Approval Procedures	Cost-share exceeding \$100M, additional information requested by the State Water Commission will be used to determine cost-share.	\$100,000,000			
III. Cost-Share Categories					
A. Pre-Construction Expenses	Development of feasibility studies, mapping, and engineering designs.	up to 35%		NA	
B. Water Supply Projects					
1. Water Supply Project - Uses state funding - loan funding for all categories, allows combination of grant and loan up to 80%	Addresses upgrades of water supply to SDWA primary standards or expansion into new service areas.	up to 35%		Total up to 80% with up to 60% grant, up to 75% grant in special cases	
	Improvements and expansions of a system serving an area with 3-year average population growth in excess of 3% per year, as determined by the Chief Engineer	up to 35%		Total up to 80% with up to 60% grants.	
	Water treatment improvements that address impacts from other State Water Commission projects. Grant based on level of impact by the State Water Commission project.	Primarily Devils Lake Impacts			
	Provides special consideration for improvements in service areas where the anticipated cost per user divided by the average annual median income per user is in the top quartile of its peer group water systems (large city, small city, and regional) as determined by the Chief Engineer.	up to 80% loans			
	Addresses extraordinary repairs or replacement needs of a water supply system due to damages from a recent natural disaster.	up to 80% loans			
2. MR&I Water Supply Program	Federal Funding - no changes - preliminary engineering not funded	up to 75%			

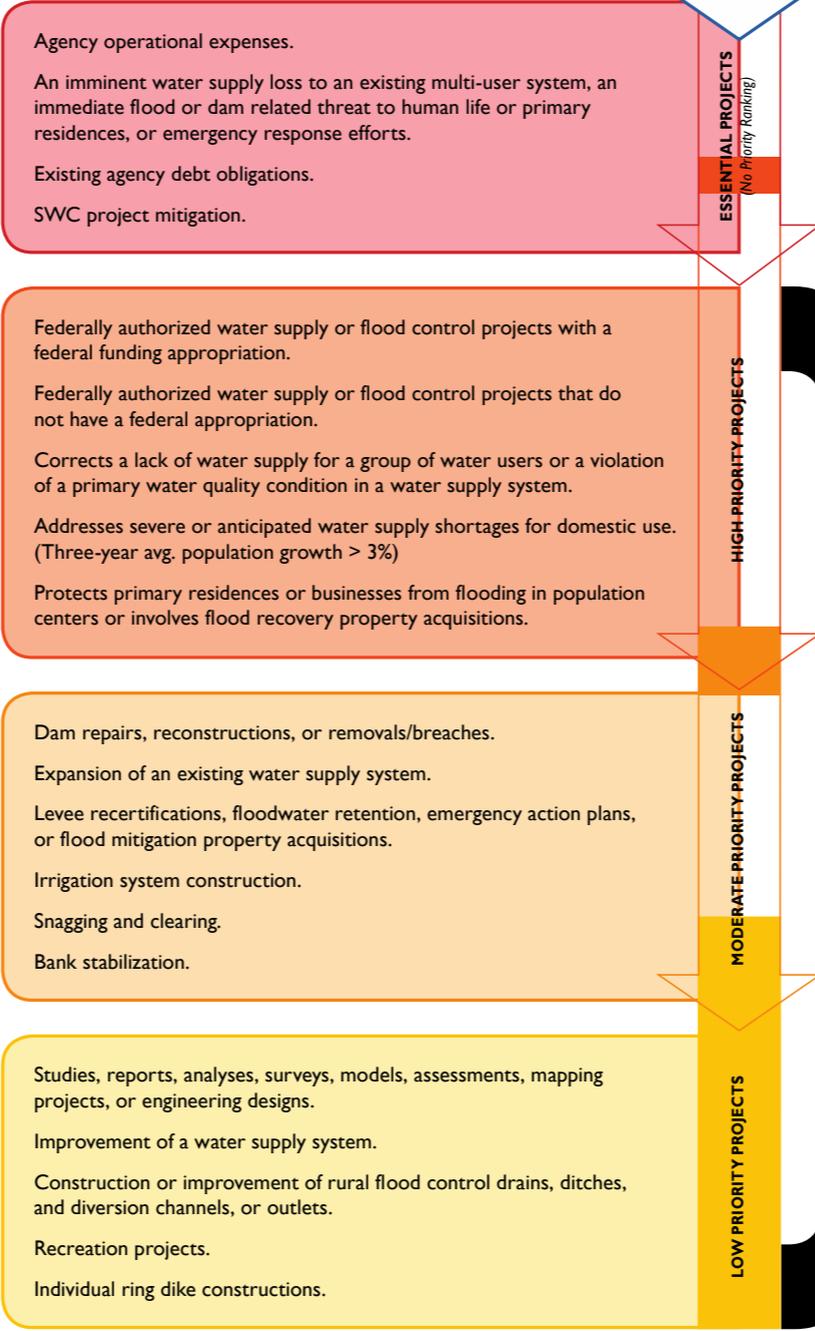
# CURRENT SWC COST-SHARE POLICY (CONT.)

Cost-Share Policy Outline	Description	Prelim Eng	Design Eng	Const Eng	Construction
3. Drought Disaster Livestock Water Supply Project Assist.	Program uses state funding in support of a federal initiative, program is defined in Administrative Code.	Program mentioned in policy, implemented during droughts			
C. Flood Control Projects					
1. Flood Recovery Property Acquisition Grant Program	Flood damage has occurred. Property needed for construction of flood protection.	up to 75%			
	Flood damage has occurred. Property needed for conveyance.	up to 60%			
2. Flood Protection Program	Provide long term flood reduction benefits. (Needed for preventing future damage) SWC may lend portion of local share based on demonstrated financial need.	up to 35%	up to 60%		
	Provide long term flood reduction benefits with Federal participation (Needed for preventing future damage.) SWC may lend portion of local share based on demonstrated financial need.	up to 35%	up to 50%		
3. FEMA Levee System Accreditation Program	FEMA requirement to accredit the levee system for flood insurance mapping purposes.	up to 60%			N/A
4. Dam Safety and Emergency Action Plans (EAP)	Addresses dam safety issues. SWC may lend portion of local share based on demonstrated financial need.	up to 35%	up to 75%		
	EAP for high or medium/significant hazard dam. Dam break model only on high hazard.	up to 80%			
5. Water Retention Projects	No Federal participation. Includes property purchase.	up to 35%	up to 60%		
	Federal participation. Includes property purchase.	up to 35%	up to 50%		
6. Snagging and Clearing Projects	Snagging and clearing on watercourses.	up to 35%	up to 50%		
D. Rural Flood Control Projects					
1. Drains, Channels, or Diversion Projects	Cost-share for drains, channels, or diversion projects.	up to 35%	up to 45%		
2. Individual Ring Dike Program	Cost-share up to \$40,000, combined NRCS & SWC funding capped at 80% of eligible costs.	up to 35%	up to 60%		
E. Recreation	Water based recreation, typically associated with dams.	up to 35%	up to 40%		
F. Irrigation	Costs associated with principal supply works.	up to 35%	up to 50%		
G. Bank Stabilization	Protects public infrastructure or facilities.	up to 35%	up to 50%		

Effective October 2014

# SWC PROJECT PRIORITIZATION

Projects submitted during the project planning inventory process<sup>1</sup> that meet SWC cost-share eligibility requirements will be considered for prioritization. Projects that do not meet local cost-share match requirements, (per SWC cost-share policies), will be dropped to the next lowest priority category. Ineligible projects will be diverted toward alternative funding sources.



Information provided by project sponsors regarding project benefits will be considered in the prioritization process.

**Footnotes**

1. All local sponsors are encouraged to submit project and study financial needs during the budgeting process. Projects and studies not submitted as part of the project information collection effort may be held until action can be taken on those that were included during budgeting, unless determined to be an emergency that directly impacts human health and safety or that are a direct result of a natural disaster.

**Disclaimer**

This process is meant to provide guidance for prioritizing water projects during the budgeting process that may be eligible for cost-share assistance through the State Water Commission. Interpretation and deviations from the process are within the discretion of the state as authorized by the State Water Commission or Legislature.

Effective October 2014

# MUNICIPAL PROJECTS

7/8/15 REVISED DRAFT - ND State Water Commission Municipal Water Supply Project Funding Needs Database By Priority									
*PLEASE NOTE: This inventory of financial needs is for planning and budgeting purposes only. It does not guarantee, in any way, that projects listed will receive funding from the state. In addition, the estimated financial needs from the state (grant or loan) may change based on further review of the projects in accordance with cost-share program eligibility requirements.									
Project Type	Local Sponsor	Project Name	Priority	Federal 2015-2017	State* 2015-2017	Potential SWC Loan 2015-2017	Local 2015-2017	Total 2015-2017	Notes
Municipal	Watford City	11th Ave. S Watermain	2 - High	\$0	\$0	\$0	\$0	\$0	Removed from SWC inventory per sponsor request.
Municipal	Watford City	12th St. E Watermain (HWY 23 to 17th Ave N)	2 - High	\$0	\$428,168	\$142,723	\$142,723	\$713,614	No Change
Municipal	Watford City	12th St. E Watermain (24th Ave SE to 11th Ave SE)	2 - High	\$0	\$371,854	\$123,951	\$123,951	\$619,756	No Change
Municipal	Watford City	14th St. W Watermain (US HWY 85 to 4th Ave N)	2 - High	\$0	\$194,688	\$64,896	\$64,896	\$324,480	No Change
Municipal	Watford City	14th St. W Watermain (4th Ave N to 10th Ave N)	2 - High	\$0	\$168,730	\$56,243	\$56,243	\$281,216	No Change
Municipal	Watford City	14th St. W Watermain (US HWY 85 to 17th Ave S)	2 - High	\$0	\$182,358	\$60,786	\$60,786	\$303,930	No Change
Municipal	Watford City	14th St. W Watermain (10th Ave N to 17th Ave N)	2 - High	\$0	\$226,016	\$75,339	\$75,339	\$376,694	No Change
Municipal	Watford City	17th Ave. N Watermain (12th St to HWY 1806)	2 - High	\$0	\$759,472	\$253,157	\$253,157	\$1,265,786	No Change
Municipal	Watford City	17th Ave. NW Watermain - Pheasant Ridge	2 - High	\$0	\$0	\$0	\$0	\$0	Removed from SWC inventory per sponsor request.
Municipal	Watford City	17th Ave. NW Watermain	2 - High	\$0	\$430,800	\$143,600	\$143,600	\$718,000	No Change
Municipal	Watford City	24th Ave. SE Watermain	2 - High	\$0	\$700,338	\$233,446	\$233,446	\$1,167,230	No Change
Municipal	Watford City	HWY 23 Bypass Loop	2 - High	\$0	\$231,000	\$77,000	\$77,000	\$385,000	No Change
Municipal	Watford City	HWY 85 (24th Ave S to 37th Ave S)	2 - High	\$0	\$0	\$0	\$0	\$0	Removed from SWC inventory per sponsor request.
Municipal	Watford City	Southeast Water Tower	2 - High	\$0	\$2,309,571	\$769,857	\$769,857	\$3,849,285	No Change
Municipal	Watford City	Southwest Water Tower	2 - High	\$0	\$1,492,570	\$497,523	\$497,523	\$2,487,616	No Change
Municipal	Williston	11th St Watermain	2 - High	\$0	\$1,137,120	\$379,040	\$379,040	\$1,895,200	No Change
Municipal	Williston	16th Ave Watermain	2 - High	\$0	\$687,264	\$229,088	\$229,088	\$1,145,440	No Change
Municipal	Williston	26th St Watermain	2 - High	\$0	\$840,000	\$280,000	\$280,000	\$1,400,000	No Change
Municipal	Williston	Airport Watermain and Pump Station	2 - High	\$0	\$4,350,000	\$1,450,000	\$1,450,000	\$7,250,000	No Change
Municipal	Williston	Hi-Land Heights Water Supply	2 - High	\$0	\$3,052,320	\$1,017,440	\$1,017,440	\$5,087,200	No Change
Municipal	Williston	High School Area Watermain	2 - High	\$0	\$1,203,840	\$401,280	\$401,280	\$2,006,400	No Change
Municipal	Williston	Wegley Green Acres Water Supply	2 - High	\$0	\$849,000	\$283,000	\$283,000	\$1,415,000	No Change
Municipal	Williston	West Reservoirs	2 - High	\$0	\$2,640,000	\$880,000	\$880,000	\$4,400,000	No Change
Municipal	Williston	Williston Park Water Supply	2 - High	\$0	\$630,000	\$210,000	\$210,000	\$1,050,000	No Change
Municipal	Killdeer	HWBL Industrial Subdivision Water Supply	2 - High	\$0	\$294,000	\$98,000	\$98,000	\$490,000	No Change
Municipal	Killdeer	South Water Storage Reservoir	2 - High	\$0	\$270,000	\$90,000	\$90,000	\$450,000	No Change
Municipal	Killdeer	Southwest Utility Extension	2 - High	\$0	\$216,720	\$72,240	\$72,240	\$361,200	No Change
Municipal	Tioga	System Expansion	2 - High	\$0	\$2,310,000	\$770,000	\$770,000	\$3,850,000	No Change
Municipal	Tioga	Water Tower	2 - High	\$0	\$480,000	\$160,000	\$160,000	\$800,000	No Change
Municipal	Dickinson	North Side Tank	2 - High	\$0	\$1,800,000	\$600,000	\$600,000	\$3,000,000	No Change
Municipal	Dickinson	South Side Tank	2 - High	\$0	\$2,700,000	\$900,000	\$900,000	\$4,500,000	No Change
Municipal	Dickinson	State Avenue Watermain	2 - High	\$0	\$900,000	\$300,000	\$300,000	\$1,500,000	No Change
Municipal	Dickinson	Watermain To North Dickinson Annexation Area	2 - High	\$0	\$900,000	\$300,000	\$300,000	\$1,500,000	No Change
Municipal	West Fargo	Replace Production Well #8	2 - High	\$0	\$0	\$0	\$0	\$0	Removed from SWC inventory per sponsor request.
Municipal	West Fargo	South Side Water Tower and Transmission Line	2 - High	\$0	\$1,650,000	\$550,000	\$550,000	\$2,750,000	No Change
Municipal	West Fargo	South Side Water Distribution System	2 - High	\$0	\$600,000	\$200,000	\$200,000	\$1,000,000	No Change
Municipal	Mandan	Conventional Raw Water Intake	2 - High	\$0	\$0	\$0	\$0	\$0	Moved to 2017-2019 biennium per sponsor request.
Municipal	Mandan	High Service Pump Optimization Phase I	2 - High	\$0	\$1,132,800	\$377,600	\$377,600	\$1,888,000	Low To High Priority (Pop. Change)
Municipal	Mandan	I&C Upgrades	2 - High	\$0	\$166,800	\$55,600	\$55,600	\$278,000	Low To High Priority (Pop. Change)
Municipal	Mandan	20-inch Pressure Reducing Valve At Boundary Road	2 - High	\$0	\$0	\$0	\$0	\$0	Moved to 2017-2019 biennium per sponsor request.
Municipal	Mandan	South End Pump Station Generator	2 - High	\$0	\$0	\$0	\$0	\$0	Removed from SWC inventory per sponsor request.
Municipal	Mandan	South End Pump Station Improvement	2 - High	\$0	\$0	\$0	\$0	\$0	Moved to 2017-2019 biennium per sponsor request.
Municipal	Mandan	Sunset Booster Station Pumps	2 - High	\$0	\$265,278	\$88,426	\$88,426	\$442,130	Low To High Priority (Pop. Change)
Municipal	Mandan	Ultraviolet Light Disinfection	2 - High	\$0	\$0	\$0	\$0	\$0	Moved to 2017-2019 biennium per sponsor request.
Municipal	Mandan	Zone 2100 Elevated Water Storage	2 - High	\$0	\$0	\$0	\$0	\$0	Moved to 2017-2019 biennium per sponsor request.
Municipal	Minot	NE Transmission from County 12 to 46th Ave.	2 - High	\$0	\$2,400,000	\$800,000	\$800,000	\$4,000,000	No Change
Municipal	Minot	NE Water Tower	2 - High	\$0	\$1,687,754	\$562,585	\$562,585	\$2,812,924	No Change
Municipal	Minot	NE Transmission from 30th Av. to 46th St.	2 - High	\$0	\$1,551,750	\$517,250	\$517,250	\$2,586,250	No Change
Municipal	Minot	NW Water Transmission from County 10 to 30th St	2 - High	\$0	\$0	\$0	\$0	\$0	Moved to 2017-2019 biennium per sponsor request.
Municipal	Minot	SE Transmission From 42nd St to 46th St	2 - High	\$0	\$0	\$0	\$0	\$0	Moved to 2017-2019 biennium per sponsor request.
Municipal	Minot	SW Water Tank	2 - High	\$0	\$1,687,754	\$562,585	\$562,585	\$2,812,924	No Change
Municipal	Minot	NE Transmission from 55th St. to 46th Ave.	2 - High	\$0	\$1,320,000	\$440,000	\$440,000	\$2,200,000	No Change
<b>High Priority Municipal</b>				<b>\$0</b>	<b>\$45,217,965</b>	<b>\$15,072,655</b>	<b>\$15,072,655</b>	<b>\$75,363,275</b>	
Municipal	Fargo	Water System Regionalization	3 - Moderate	\$0	\$7,200,000	\$2,400,000	\$2,400,000	\$12,000,000	No Change
Municipal	Garrison	Garrison Water Treatment Plant and Supply	3 - Moderate	\$0	\$5,400,000	\$1,800,000	\$1,800,000	\$9,000,000	No Change
Municipal	Rolla	Service to Rolla From Turtle Mountain Band of Chippewa Public	3 - Moderate	\$401,637	\$240,982	\$80,328	\$80,328	\$803,275	No Change
<b>Moderate Priority Municipal</b>				<b>\$401,637</b>	<b>\$12,840,982</b>	<b>\$4,280,328</b>	<b>\$4,280,328</b>	<b>\$21,803,275</b>	
Municipal	Glenburn	Distribution System Improvement	4 - Low	\$0	\$0	\$760,000	\$190,000	\$950,000	High To Low Priority (Pop. Change)
Municipal	Glenburn	Water Tower and Primary Transmission Line Improvement	4 - Low	\$0	\$0	\$1,120,000	\$280,000	\$1,400,000	High To Low Priority (Pop. Change)
Municipal	Casselton	Water Storage and Feed Line Improvements	4 - Low	\$0	\$0	\$1,600,000	\$400,000	\$2,000,000	No Change
Municipal	Grand Forks	North Water Tower Looping	4 - Low	\$0	\$0	\$172,000	\$43,000	\$215,000	No Change
Municipal	Beulah	Water Supply and Treatment Improvements	4 - Low	\$0	\$0	\$4,640,000	\$1,160,000	\$5,800,000	No Change
Municipal	Kindred	Water Storage Improvement and System Expansion	4 - Low	\$0	\$0	\$880,000	\$220,000	\$1,100,000	No Change
Municipal	Mohall	Water Tower Improvements	4 - Low	\$0	\$0	\$960,000	\$240,000	\$1,200,000	No Change
Municipal	New England	Water System Improvements	4 - Low	\$0	\$0	\$2,240,000	\$560,000	\$2,800,000	No Change
Municipal	Westhope	Water Supply Improvements	4 - Low	\$0	\$0	\$340,000	\$85,000	\$425,000	No Change
Municipal	Sherwood	Water Quality Improvements	4 - Low	\$0	\$0	\$366,400	\$91,600	\$458,000	No Change
Municipal	Sherwood	Water Supply Improvements	4 - Low	\$0	\$0	\$356,000	\$89,000	\$445,000	No Change
Municipal	Wahpeton	New Ground Water Supply	4 - Low	\$0	\$0	\$480,000	\$120,000	\$600,000	No Change
Municipal	Wahpeton	Treatment Plant Capacity and Process Improvements	4 - Low	\$0	\$0	\$4,400,000	\$1,100,000	\$5,500,000	No Change
Municipal	Rugby	Water Treatment Plant Improvements	4 - Low	\$0	\$0	\$1,740,800	\$435,200	\$2,176,000	No Change
Municipal	Carrington	Elevated Water Storage and Pumping	4 - Low	\$0	\$0	\$1,528,800	\$382,200	\$1,911,000	No Change
Municipal	Enderlin	Treatment and Storage Expansion	4 - Low	\$0	\$0	\$10,560,000	\$2,640,000	\$13,200,000	No Change
Municipal	Grafton	Surface Water Intake Improvement	4 - Low	\$0	\$0	\$0	\$0	\$0	Moved to 2017-2019 biennium per sponsor request.
Municipal	Langdon	Water Treatment Plant Improvements	4 - Low	\$0	\$0	\$6,800,000	\$1,700,000	\$8,500,000	No Change
Municipal	Ellendale	Elevated Water Storage	4 - Low	\$0	\$0	\$1,200,000	\$300,000	\$1,500,000	No Change
Municipal	Burlington	South Water Tower	4 - Low	\$0	\$0	\$1,400,000	\$350,000	\$1,750,000	No Change
Municipal	Drayton	Clearwell Replacement	4 - Low	\$0	\$0	\$1,280,000	\$320,000	\$1,600,000	No Change
Municipal	Cavalier	Water Tower	4 - Low	\$0	\$0	\$880,000	\$220,000	\$1,100,000	No Change
Municipal	Makoti	New Well and Transmission	4 - Low	\$0	\$0	\$800,000	\$200,000	\$1,000,000	No Change
Municipal	Makoti	Water Storage System Improvement	4 - Low	\$0	\$0	\$960,000	\$240,000	\$1,200,000	No Change
<b>Low Priority Municipal</b>				<b>\$0</b>	<b>\$0</b>	<b>\$45,464,000</b>	<b>\$11,366,000</b>	<b>\$56,830,000</b>	
<b>Municipal Total</b>				<b>\$401,637</b>	<b>\$58,058,947</b>	<b>\$64,816,983</b>	<b>\$30,718,983</b>	<b>\$153,996,550</b>	

# SENATE BILL 2020

## Section 33 – SWC Cost-Share Policy

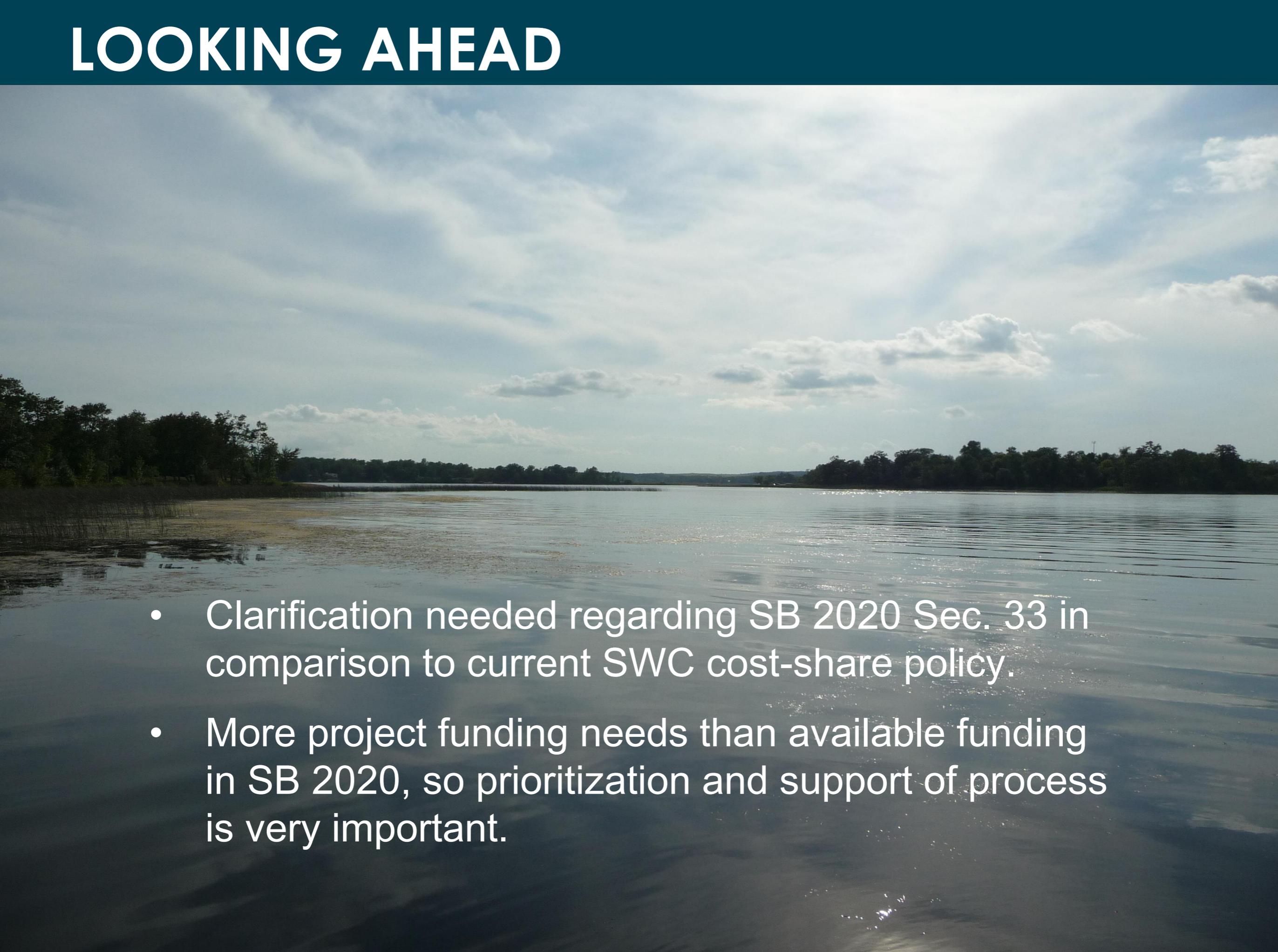
- “Must Provide A Water Supply Project Is Eligible For Grants Up To Seventy-Five Percent Of The Total Eligible Project Costs.”
- “May Not Determine Program Eligibility Of Water Supply Projects Based On A Population Growth Factor. However, A Population Growth Factor May Be Used In Prioritizing Projects For That Purpose.”

# SENATE BILL 2020

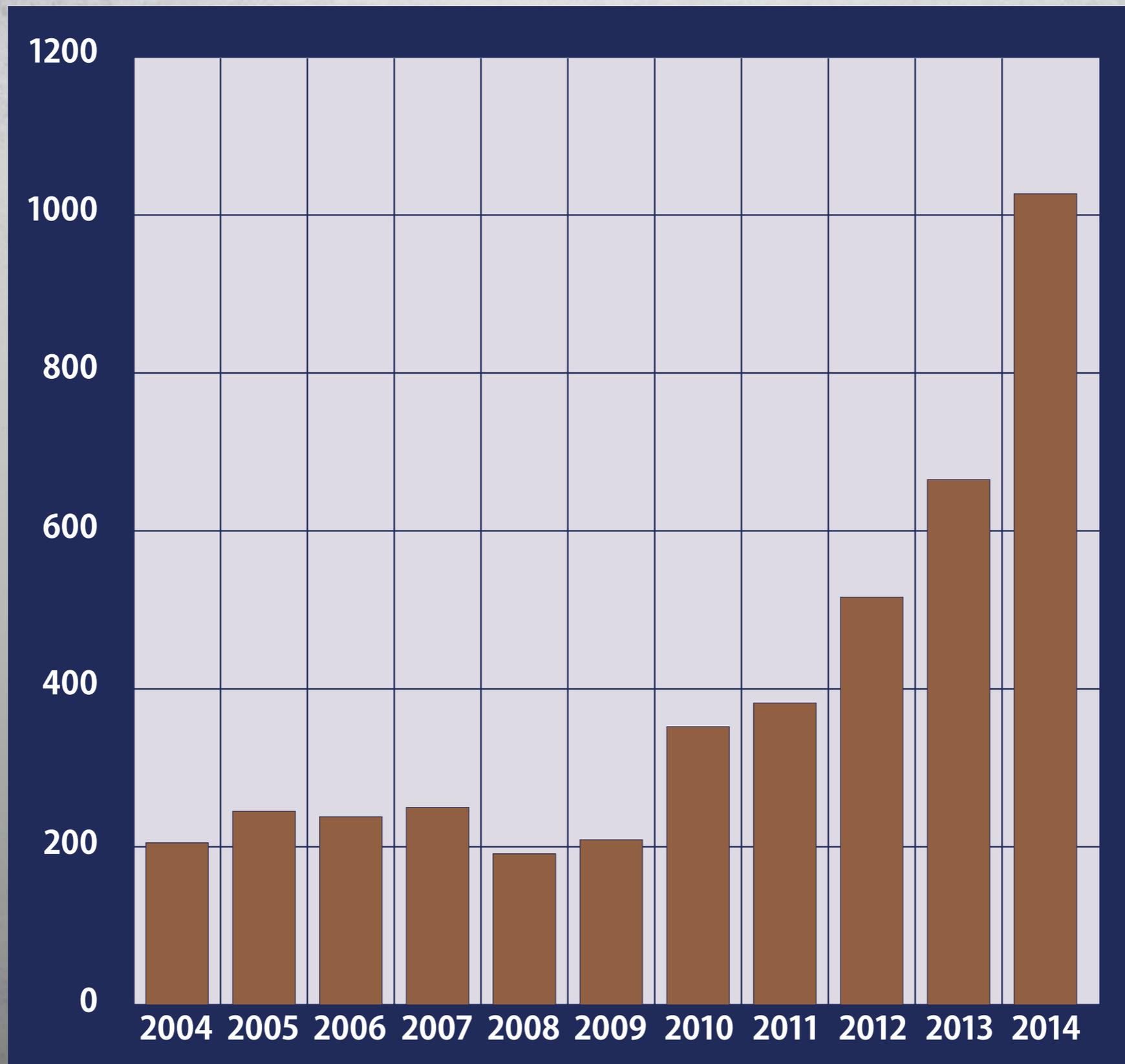
## Section 33 – SWC Cost-Share Policy

- “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 Condition Of Funding An Extraordinary Maintenance Project.”
- “May Not Determine Program Eligibility Of Water Supply Projects Based On Affordability. However, Affordability May Be Used In Prioritizing Projects For That Purpose.”

# LOOKING AHEAD

- 
- Clarification needed regarding SB 2020 Sec. 33 in comparison to current SWC cost-share policy.
  - More project funding needs than available funding in SB 2020, so prioritization and support of process is very important.

# TEMPORARY WATER PERMITS



# TEMPORARY WATER PERMITS

## *In Lieu Of Program (ILOP)*

- The oil-field water supply crisis created by the Corps' impairment of water use from Lake Sakakawea in 2010 created a situation wherein water transport was causing major infrastructure and safety problems in the region.
- Under ILOP, irrigation permits are not changed but are temporarily suspended, and temp industrial permits are issued on a one-year basis.



# TEMPORARY WATER PERMITS

## *In Lieu Of Program (ILOP) Continued...*

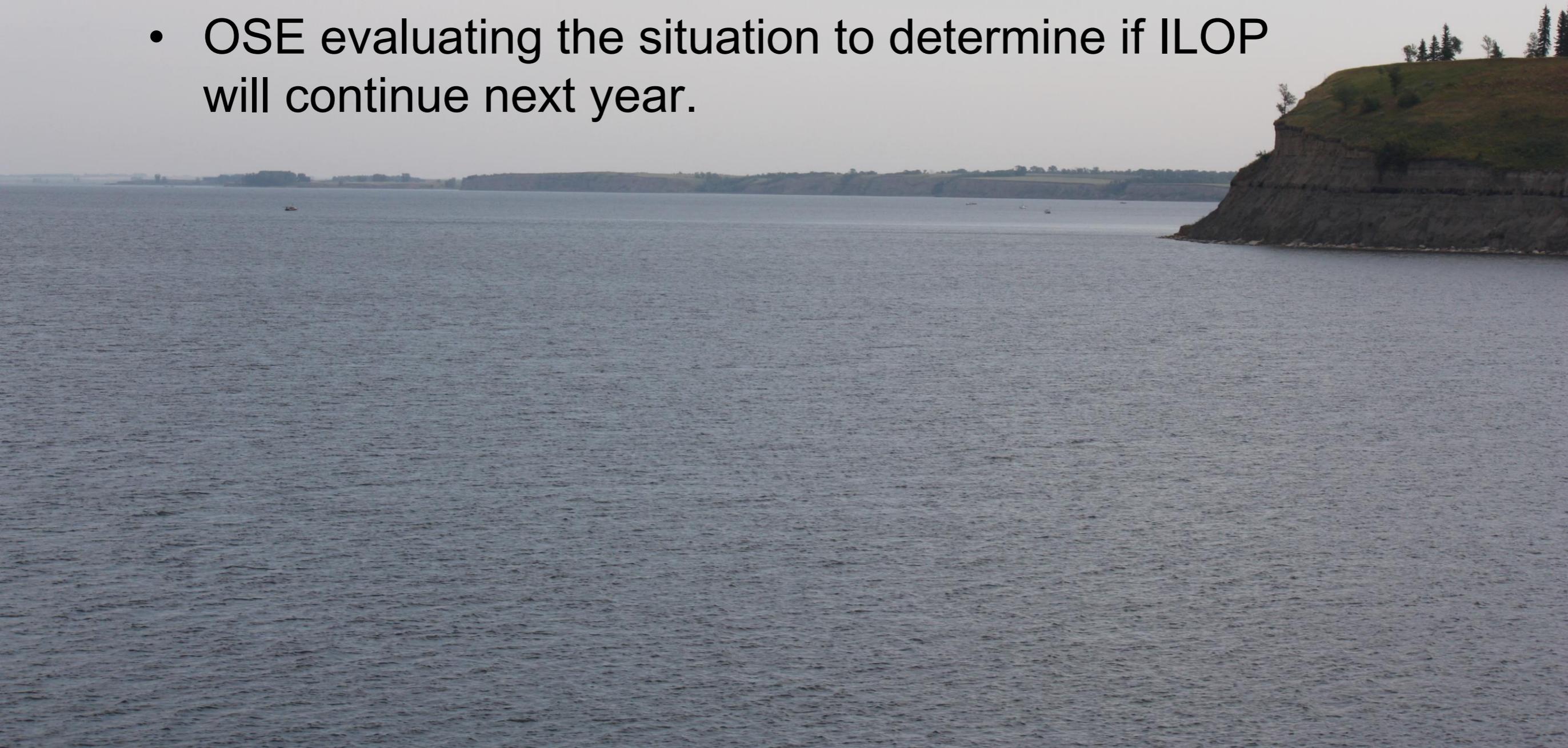
- NDCC 61-04-15.1 - A change in the purpose of use of a water permit from a higher to lower use may not be authorized. Irrigation is higher than industrial. *However...*
- NDCC 61-04-02.1 - The State Engineer may authorize emergency or temporary use of water for periods not to exceed twelve months.
- Infrastructure and safety conditions caused by excessive road traffic when the Corps restricted access to Lake Sakakawea was deemed to constitute an emergency.



# TEMPORARY WATER PERMITS

## *In Lieu Of Program (ILOP) Continued...*

- Irrigators were informed – ILOP *does not* create a water right and the program would eventually end as emergency conditions subsided.
- OSE evaluating the situation to determine if ILOP will continue next year.



# SUMMARY OF ILOP PERMITS & USE

Year	Number of ILOP Permits	Number of Users	Total Industrial Water Use, Acre-Feet	ILOP Use, Acre-Feet	% of ILOP Use to Total Use	ILOP Appropriation Acre-Feet
2010	1	1	5,700.0	151.8	2.7	424.8
2011	17	15	9,400.0	2,093.3	22.3	2,581.5
2012	33	26	16,362.0	4,103.3	25.1	5,125.5
2013	37	28	19,734.0	3,036.2	15.4	5,685.3
2014	37	26	29,883.0	3,499.2	11.7	5,591.3
2015	34	23				4,692.2



***Thank you***

**For More Information**

**Website: [www.swc.nd.gov](http://www.swc.nd.gov)**

**Facebook: [www.facebook.com/NDStateWater](https://www.facebook.com/NDStateWater)**