

**ARTICLE 89-06**  
**FUNDING FROM THE RESOURCES TRUST FUND**

Chapter  
89-06-01      Funding From the Resources Trust Fund

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**89-06-01-01. Definitions.**

The following definitions apply to this article:

1. "Applicant" means the party submitting a proposal.
2. "Commission" is defined in North Dakota Century Code section 61-02-02.
3. "Department" is defined in North Dakota Century Code section 61-03-01.2.
4. "Proposal" means an application for a water-related project or a water-related project submitted to the department for financial assistance from the resources trust fund.

**History:** Effective June 1, 1987; amended effective July 1, 2014; January 1, 2023.

**General Authority:** NDCC 61-02-11, 61-02-14

**Law Implemented:** NDCC 57-51.1-07.1, 61-02-14

**89-06-01-02. Initial review.**

The commission will make an initial review of a proposal to decide whether the project or study is eligible for funding from the resources trust fund.

1. **Information required for the review of the project or study.** An applicant must submit, as applicable:
  - a. A description of the purpose and goals.
  - b. The area where the proposed project is to be physically located or the study is to be undertaken.
  - c. The area to be served.
  - d. Maps, diagrams, and any engineering plans or specifications already completed.
  - e. The approximate cost of carrying out the proposal.
  - f. An estimate of any revenue the project is expected to generate.
  - g. The amount of funding sought from the resources trust fund and the amount the applicant intends to contribute to carry out the proposal.
  - h. The results of all efforts made to secure funds from sources other than the resources trust fund.
  - i. An explanation why assistance from the resources trust fund is necessary.

- j. An explanation how the project or study relates to any master plans of water resource districts affected.
  - k. A preliminary report on the engineering feasibility of the project.
    - l. A general discussion of any objections to the proposal.
  - m. Other information the applicant believes pertinent or the commission requests.
  - n. A general explanation of all alternatives considered and whether an alternative project or study can satisfy the objectives.
2. **The commission's decision upon initial review.** After initial review, the commission may decide:
- a. To provide cost-share assistance in consideration of the commission's cost-share policy.
  - b. The information provided is inadequate to review the proposal and may request additional information from the applicant or obtain more information itself.
  - c. A study of the proposal should be undertaken and may order the applicant to conduct the study or may conduct the study itself.

**History:** Effective June 1, 1987; amended effective July 1, 2014.

**General Authority:** NDCC 61-02-14

**Law Implemented:** NDCC 57-51.1-07.1

**89-06-01-03. Study of the proposal.**

Repealed effective July 1, 2014.