

Testimony of Richard Johnson State Water Commission Vice Chairman

Presented to the Energy and Natural Resources Committee

Good Morning Chairman Kruen and committee members. My name is Richard (Dick) Johnson. I am currently serving as Vice Chairman of the State Water Commission. I was appointed to serve out a 2 year term in August of 2017 and was reappointed to a 6 year term on July 1, 2019. I am currently serving as Mayor of the City of Devils Lake. I would like to preface my comments by saying that the comments I make are mine and not those of the State Water Commissioners. HB 1353 has never been discussed at a regular meeting or subcommittee meeting to the best of my recollection.

I am here this morning in support of HB 1353.

After serving on the Commission for just about 4 years I have learned a great deal about the operations and functions of the State Water Commission. To begin, I have to say, that in my opinion, the staff of the State Water Commission is a very competent and professional, we are fortunate to have a dedicated, hard working staff currently serving the residents of the State of North Dakota. In addition, we have had and currently do have exceptionally professional and dedicated State Engineers.

I am sure people are asking why do we need a Director of the State Water Commission? There are many and varied reasons why. When the State Water Commission was established in 1937 by State Legislature no one could have envisioned how the Commission's functions, duties and responsibilities would have expanded and grown into what they are today. Today the State Engineer serves as Chief Engineer, Secretary to the State Water Commission, responsible for several regulatory functions and responsibilities, allocation of states waters, dam safety, sovereign land management and drainage. State Engineer is a part of the eight Commissioner hosted basin meetings, the list goes on. The State Water Commission's budget for this current biennium is \$968,154,091, one of the biggest in state government and needs constant monitoring and attention. In addition to what I just mentioned, the State Water Commission just a few years back met quarterly. Today, the Commission has 6 regular meetings and 6 subcommittee meetings during the year. With meetings held more frequently the

Commission has been able to be more responsive and more timely in approving projects which helps to move needed projects along. Also, a number of policy changes such as the economic analysis, the life cycle cost analysis have been put in place, these processes have taken a great deal of the Engineers time and attention to study and recommend. Currently we are conducting a Strategic Governance and Finance Study. Studying the 4 major regional water projects as well as regionalization. In addition to the duties, I listed we are dealing with a number of large projects that are very complex, time consuming and expensive. I am referring to the Fargo Diversion total state commitment of 850 million, Mouse River Flood Control 604 million state commitment, Red River Water Supply Project, NAWS and Southwest Pipeline.

As you can see the State Engineer is tasked with several duties and responsibilities administrative issues may not be given the time and attention they need. The Director, if approved, could work closer, and communicate frequently with legislators during sessions and interim meetings. He or She could work with and visit projects and projects managers. Solve issues that come up from time to time in operations. Make recommendations to the Commission on various issues, all of which would free up time for the State Engineer. The Director however, would not override technical decisions made by the State Engineer. I could go on.

North Dakota has grown and changed, our needs are great and we need to keep up with the changing times and conditions to meet those needs. In my opinion, the State Water Commission deserves and needs a full time dedicated Director. I strongly encourage you to support the passing of HB 1353.

Thank you for your time and consideration

I stand ready to answer any questions committee members may have.

Dick Johnson,

Vice Chairman, North Dakota State Water Commission