



WESTERN AREA
WATER SUPPLY AUTHORITY

RE: In Oppositin of Senate Bill 2379
March 13, 2025

Chairman Porter and members of the House Energy and Natural Resources Committee, my name is Chris Barke. I am the interim executive director of Western Area Water Supply (WAWSA) and also serve as easement and project coordinator. WAWSA has worked tirelessly to ensure Northwest North Dakota has access to affordable, abundant, and quality water. I am submitting testimony today in opposition of this bill as it currently stands and would like to see, at the very least, the amendments added that have been proposed by the North Dakota Rural Water Systems Association. This bill would greatly increase the work load and time put into a rural water distribution project before construction.

WAWSA makes sufficient efforts to notify landowners of preliminary studies and surveys that will be taking place throughout the project areas. If WAWSA or other political subdivisions are required to obtain written consent from landowners, or an order of the court, it could greatly increase the time it takes for a project to be completed. WAWSA and others could potentially risk an entire construction season due to a handful of hold outs or landowners who do not wish to participate in the project.

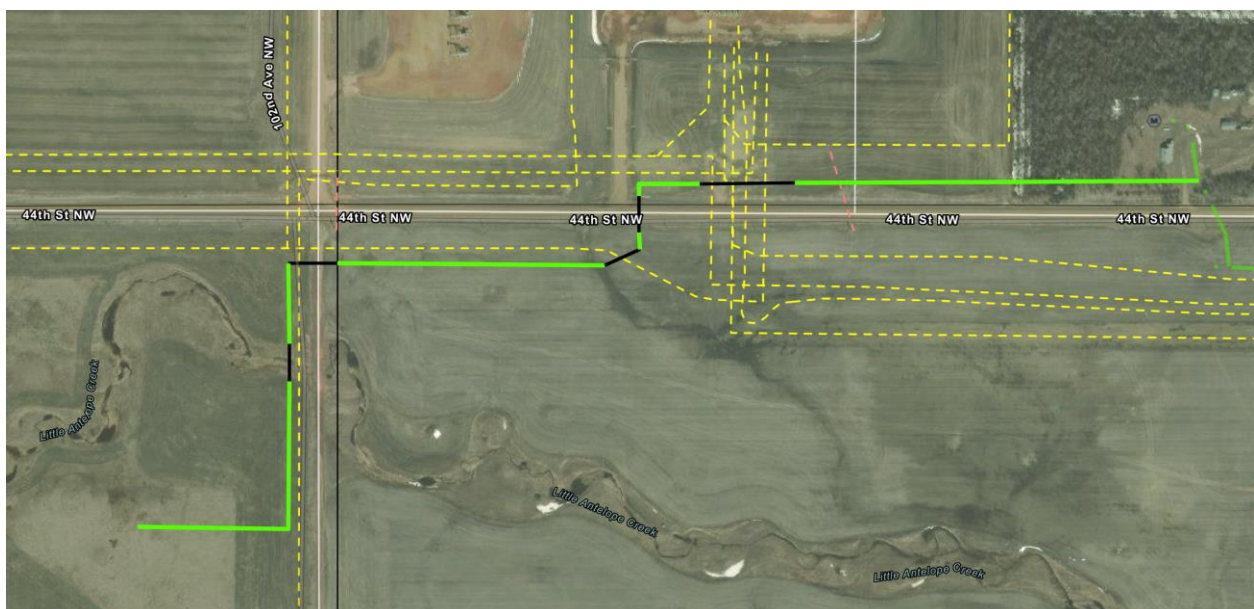
Right now WAWSA has about an 8-12 month pre-construction process. Where line work is finalized, surveys are conducted, easements are acquired, and route changes can be made. Pipeline routing can change for a number of different reasons whether it be difficult landowners, other pipelines or utilities, or archeology challenges. Western North Dakota is a very difficult area to navigate landowners and other pipelines. WAWSA has felt the “pipeline fatigue” from landowners and users and it has only increased the difficulty in gathering signatures for easements or notices. Having to acquire written notice before entering a property would only increase the fatigue on these landowners and make easement acquisition more difficult.



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For instance, I am working on a number of different projects with unique challenges. One expansion project East of Williston is only thirty miles of pipeline, but we cross one-hundred fifty different individuals. An expansion project in Northeast McKenzie County is flooded with oil and gas pipelines and easement acquisition is difficult due to the number of encumbrances these landowners have had to deal with. Both of these projects are set to begin construction the summer of 2025 and are on track to do so. Gathering signature for survey would add an additional four to six months of time to these projects and have the potential to miss the entire construction season of 2025 due to easement acquisition being pushed back that much further.

Below is an example of a parcel with a large amount of pipelines in a concentrated area and how WAWSA has had to navigate these lines. If this route were needing to be changed due to an unmarked line or a line we were unaware of prior to one-call, we could potentially have to put that segment on hold due to needing written consent for survey on a neighboring parcel, the time for a cultural survey to take place, and a new easement to be signed.





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Thank you for allowing me to provide testimony on behalf of Western Area Water Supply Authority, we considerately request a DO NOT Pass on SB 2379.

Respectfully,

Chris Barke

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