



**Senate Energy and Natural Resources Committee**

**Hearing for SB 2118**

**January 16, 2025**

**Testimony of Justin Sherlock, North Dakota Soybean Growers Association**

Chairman Patten and members of the committee, my name is Justin Sherlock, and I am a farmer from the Dazey, ND, area in Barnes County. I am currently serving as the President of the North Dakota Soybean Growers Association.

For farmers moving crops to market, adequately built and maintained roads are vital for the success of our farming operations. The impact of water on roads is significant, and North Dakota Century Code 24-03-08 provides appropriate conveyance standards for road authorities, water boards, and landowners to avoid flood damages and the undermining of roadbed foundations caused by temporary accumulation of excess water due to undersized culverts and bridges. It is essential that water flow with minimal impact to the conditions of our roads. Over the past several years, many of our members have brought attention to the issue of inadequate water flow during ever increasing large precipitation events that has caused water to back up with roads often acting as man-made dams. In addition to damaging the roads we rely upon, this also causes significant crop damage or even drown out, reducing yields and impacting our members' farming operations and livelihoods.

The North Dakota Soybean Growers Association is concerned with the wording in SB 2118; it will effectively limit the ability of the people of North Dakota to convey water through our road and ditch system. While we appreciate working with the Department of Water Resources, the language of this bill is problematic for the individuals working to ensure appropriate movement of water.

The North Dakota Water Resources Districts Association has proposed an amendment to SB 2118, and the North Dakota Soybean Growers Association supports this amendment. The proposed amendment enhances the ability to assess stream crossing determinations at the local level by people who know and work with each other on a regular basis, and who likely utilize many of the same roadways in question daily themselves. In addition, the amendment ensures the determinations are made in a timely manner so projects that help producers can move forward productively. Water impacting roads is a "now" problem, and allowing these stream crossing

determinations to occur locally and in a timely manner is very beneficial to producers. Lastly, this amendment frees up Department of Water Resources staff to work on other high priority tasks.

The North Dakota Soybean Growers Association encourages your review of SB 2118 and asks for support of the North Dakota Water Resource Districts Association amendment. Thank you for the opportunity to provide this testimony.