

**TESTIMONY OF
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BEFORE THE 68th LEGISLATIVE SESSION
HOUSE APPROPRIATIONS COMMITTEE
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IN SUPPORT OF SENATE BILL 2183**

Chairman Vigesaa, members of the House Appropriations Committee, my name is Darin Hanson and I'm the Homeland Security Division Director at the Department of Emergency Services (DES) for the State of North Dakota. I am here today to testify in support of Senate Bill 2183 with suggested amendments.

This past fall, North Dakota experienced extraordinary early winter storms. These events have been particularly widespread. If you take a look at Attachment 1, which was provided by the National Weather Service, many areas across the state had already exceeded snowfall amounts for an entire season.

Many of the November and December storms that brought the first rounds of snow were accompanied by gusty winds, and in most cases, it remained windy for several days after the snow had ended. This resulted in snow drifting back into areas that had already been cleared. The same snow was having to be moved or removed multiple times.

With our latest winter storm on March 1, the seasonal snowfall for 2022-2023 at the National Weather Service in Bismarck is now at 75.4 inches (as of March 2). This puts the region in the top 10 all-time (going back to 1886) for seasonal snow, and well within reach of the all-time record of 101.6 inches set back in the winter of 1996-1997. The normal amount for an entire snow season is 50.5 inches.

With the National Weather Service predicting more snow this week and through the next few months, we are far from out of the woods regarding potential winter storms. Local jurisdictions are still paying bills from overtime costs from the early winter storms. Senate Bill 2183 would give some reprieve to tribal governments, counties, cities and townships that have already been left with dwindling budgets sapped by snow removal costs incurred through some of these impactful snowstorm events.

While the Department of Emergency Services supports Senate Bill 2183, we do recommend amending the bill to focus solely on the early snow removal costs as presented during Governor Burgum's State of the State Address. This would limit the grants to costs that were incurred between October 1 and December 31, 2022. We also believe that a reduction in the total appropriation to \$20,000,000 and reinstatement of the threshold at 200% of costs would provide significant relief to local jurisdictions without incentivizing them to not increase future budgets. The \$20,000,000 appropriation was originally calculated based on the 2011 snow removal grants bill that carried a \$9,000,000 appropriation, which we then adjusted for inflation (additional \$3,000,000) and added an additional \$3,000,000 as the 2011 appropriation was insufficient. The additional \$5 million was added to partially cover costs incurred by the ND Department of Transportation (NDDOT) which at the time was projecting a \$10 million snow removal shortfall. The NDDOT has been removed from the bill as presented, and we recommend reinstating the agency as an eligible entity.

Senate Bill 2183 would provide state funding to qualifying jurisdictions for early snow removal costs incurred from Oct. 1, 2022 through Dec. 31, 2022, as well as additional funds for season wide snow removal operations. These funds would be distributed via grants that would be applied for by local and tribal jurisdictions. NDDDES would be the administrative agency for these grants, a process that we are familiar with having done a similar reimbursement program in 2011.

To qualify for a snow removal grant, a jurisdiction must have spent more than 150% of its 5-year average for snow removal during the months of October through December 2022, and for season wide snow removal assistance, a jurisdiction must have spent more than 150% of its 5-year average for the months of October 2022 – April 2023. Those that qualify can be reimbursed up to 60% of their eligible snow removal expenses incurred over those time periods. If the total amount of eligible requests exceeds the funding appropriated, each eligible jurisdiction would receive a prorated amount of their eligible request.

To distribute these funds in a timely and efficient manner, an Application for Disaster Assistance form would need to be filled out, signed and returned to NDDDES no later than April 15, 2023. Some of the reimbursable items a local jurisdiction could claim would include:

- Contractor costs
- Equipment rental plus operator, fuel and small repairs
- Equipment hours
- Consumable materials (sand, salt, and cutting edges).
- Personnel and benefits
- Pushback and hauling

Generally, the State of North Dakota tries to use federal funding whenever possible to address impacts from natural hazards. However, when it comes to snow removal assistance, the funding that is available from the Federal Emergency Management Agency (FEMA) under their Public Assistance (PA) Program is simply too limiting and restrictive to be of use. Per federal regulation, FEMA will only provide 48 hours of snow removal assistance to a county or tribe that received enough snow from a single storm that either broke its historical record or was within 10% of the historical record. Additionally, that county or tribe would be required to exceed their disaster cost threshold based on their 48 hours of snow removal costs before they can be included in a federal disaster declaration. Exceeding that threshold from only 48 hours of costs is extremely difficult for most counties to do. Based on discussions between NDDDES staff and local governments impacted by this season's snowfall amounts, it was discovered that 48 hours of assistance is so minimal that it barely helps cover their increased operating costs.

Mr. Chairman, this completes our testimony. I'd like to reemphasize that local jurisdictions have already stretched their budgets to pay for snow removal expenses. Since there are still weeks of winter left to contend with and storms are likely to impact the state, Senate Bill 2183 would provide tremendous relief to our local jurisdictions, freeing up funds for potential future events. Also, NDDDES is familiar with the grant distribution process and is equipped to handle fund distribution from the state to our local communities.