

SENATE BILL 2372
TESTIMONY OF ROCKY RUN JOINT WATER BOARD
HOUSE ENERGY & NATURAL RESOURCES COMMITTEE MEMBERS

Dear Chairman Porter and Committee Members:

Thank you for the opportunity to testify on Senate Bill 2372. We serve as the Rocky Run Joint Flood Control Board of Wells, Eddy, and Foster Counties (“Rocky Run Joint Board”). We recognize water doesn’t respect political boundaries and thus, participation in joint boards is necessary to address local needs.

Section 1 of this bill, however, isn’t ready for prime time. Section 1 mandates all county water boards within the massive Red River, James River, Mouse River, Missouri River, and Devils Lake drainage basins agree to form and remain a member of a joint water resource board relative to the district’s respective drainage basin. It also mandates that the county commissioners levy a tax on all landowners in the county, presumably, to support the functions of the basin-wide joint board.

Managing water on this large of a scale will lead to the centralization of control, which will result in a lack of local input and participation. This will lead to decisions being made without taking into account the unique needs and concerns of local watersheds. The Red River Basin, which includes land in Wells, Eddy, and Foster County, is a perfect example of this concern. The Red River Basin includes county water boards from 23 counties.

How will a 23-member board make decisions efficiently and through consensus? A board of this size invites power struggles arising with members having competing interests and agendas, leading to conflicts that can harm the overall function of the joint board.

What guarantees will Wells, Foster, and Eddy County have that taxes levied against land in those counties will produce projects directly benefitting those lands? Should taxes levied in the rural communities of these counties be used to support projects in the City of Fargo, and vice versa?

Section 1 mandates a mill levy up to 2 mills, but there are no provisions to ensure each member county levies an equitable share to contribute to the functions of the joint board.

Water is a critical resource that affects many aspects of our lives, including agriculture, industry, and the environment. It is essential that water management decisions are made with the participation of all stakeholders and not just a select few. Managing water on the scale proposed in Section 1 is likely to result in a one-size-fits-all approach that doesn’t take into account the unique characteristics and challenges of local watersheds within the basin. Different areas have different water needs, and imposing the same management strategies across the board would be inefficient and ineffective. A better approach would be to provide local communities with the

resources and support needed to manage their water resources in a way that best meets their needs.

County commissioners are currently struggling to find residents willing to serve as water resource board managers. Managers are already serving on one or more several joint powers boards to manage watersheds on a more local scale than Section 1 mandates. Our counties will struggle to find volunteers to serve on these roles. In addition to the Red River Basin, Wells, Eddy, and Foster Counties also have land in the James River Basin. Eddy County also has land in the Devils Lake Basin and Wells County also has land in the Missouri River Basin.

The Rocky Run Joint Water Board is an example of how water can be managed locally and at a more manageable scale under existing law. The mandates in Section 1 will put further struggles on water resource boards and joint water boards who strive to efficiently and effectively manage water on a more local scale.

We urge a “DO NOT PASS” vote on S.B. 2372. Larry Skiftun, Chair of the Rocky Run Joint Board, will stand for questions from the Committee.

Sincerely,

Larry Skiftun, Wells County Water Resource Board

Kenneth Reis, Eddy County Water Resource Board

Doug Zink, Foster County Water Resource Board