

Testimony to the House Agriculture Committee on HB 1544

January 31, 2025

Good morning, Chairman Beltz and members of the House Agriculture Committee

My name is Barry Borg, and I reside just west of Valley City in Barnes County, North Dakota.

I am writing about the growing issue of field tile drainage projects in North Dakota. These projects, particularly when land is surface-drained or tile-drained, do more than just transfer water—they also carry salt, excess fertilizer, alkali, and nitrates. These pollutants accumulate in the water and affect the downstream land.

There have been four tile drainage projects in recent years located south and east of my property, which lies on the east Bay of Hobart Lake, west of Valley City. Three of these projects involved less than 80 acres, but when combined, they exceed 100 acres. The first project was over 100 acres by itself. In total, these four projects cover over 200 acres of land.

These drainage projects bring water and pollutants onto my property, which is already burdened with flooding and alkali contamination. Large-scale farmers who control significant acreage can carry out tile drainage projects under 80 acres with no restrictions. However, smaller-acreage producers like myself cannot afford to implement these systems, and we bear the brunt of the negative consequences.

An example of the unchecked nature of these drainage projects occurred last June, 2024. While I was observing my land, I noticed a four-wheeler driving through my alfalfa field. Upon investigation, I discovered that Ellingson Drainage was conducting elevation surveys on my property, assessing where they could install a ditch or tile line to drain land directly south of my field. This was standing alfalfa, ready for harvest. The contractor was marking lines and flags in my field, and when I confronted him, he informed me that they regularly perform such work, telling me I should "call their lawyer" if I had concerns.

This situation highlights the urgent need for change as 3 of the 4 four tile drainage projects diverting water and pollutants onto my land without any restrictions or oversight. This is a growing problem, and it must be addressed.

Thank you for your time and consideration. I urge you to give this bill HB 1544 a do pass that will ensure proper oversight and protect small landowners like myself from the harmful effects of these drainage practices.

Sincerely,
Barry Borg
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