

2017 HOUSE ENERGY AND NATURAL RESOURCES

HCR 3020

2017 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau –A Room, State Capitol

HCR 3020

2/9/2017

28114

Subcommittee

Conference Committee

Committee Clerk Signature

Kathleen Davis

Explanation or reason for introduction of bill/resolution:

To allow the continuation of the Garrison Diversion project canal system to aid in the delivery of water to the Red River Valley

Minutes:

Attachment #1

Chairman Porter: Called the committee to order on HCR 3020.

Rep. Dalzer: The resolution simply asked Congress, you and the Trump administration to use Garrison Diversion what it was originally planned to do. There's a request to do this sitting on one of the agencies, and the decision has never been made. They haven't pushed because if you push real hard the decision can come back no. For the longest time Manitoba has had problems with us doing across the water, across the divide. If we could somehow get this approved to use the canal, water out of the canal at the east end, even if we had to build a pipeline from there to Sheyenne, would be a whole lot less than drilling wells up here by Washburn, piping it all the way. If we could get the administration to move on this, it could save the state a lot of money, and the issue is, at some point we have to get water to the east anyway. We're worried about the diversion over there but when they run out of water it's going to be a lot worse. To be sent with return receipt to the President of the US, and each member of the ND congressional office.

Chairman Porter: Do you have the approximate number of miles of pipeline it would save by moving the water treatment plant to the edge of Audubon and to do the original project, approximately?

Rep. Dalzer: Approximately about 100 miles. To do this right you'd have to put the treatment plant pretty close to where it actually crosses the divide. The one down side of that is if you want to come back and serve some of those local communities, you'd have to come back with pipe after the treatment plant. Either that or they could put a section in and treat it themselves.

Chairman Porter: Do we want to include on the bottom the Bureau of Reclamation so they also get a copy of this, that we're asking the President and Bureau of Reclamation to move it off their desk.

Rep Dalzer: that'd be fine.

Chairman Porter: Rep. Devlin is worried about the fiscal note since we are requesting a return receipt.

Rep. Dalzer: You asked the question about the pipeline, but you'd also have to consider the wells that have to be constructed to get the water out of the river bed without actually tapping the riverbed.

Chairman Porter: We'll have to ask Mr. DeKrey on the two projects what the increased costs would be of doing that horizontal boring collection system with the water treatment plant. I think the fiscal effect, for sure is a \$200 million if I remember correctly. We'll get that information so we have it.

Rep. Anderson: Chairman you answered my question. There's a huge cost savings if we're able to do that.

Rep. Mitskog: I'm really encourage to hear discussion in this. Is this part of the LAWA (Lake Agassiz Water Project) project?

Rep. Dalzer: That would be basically be part of this. The Red River Valley supply is supposed to supply that at the end as well.

Rep. Mitskog: I hail from very close to the Red River Valley. Last June when it wasn't raining, the river was pretty narrow. In times of drought, there's so much attention on flood control for the valley. I think the other issue having that drinking water. In our area, for future industrial development we need more water as well. Our comrades to the north need the drinking water.

Chairman Porter: Questions? Further testimony in support? Opposition?

Hold the hearing open for Mr. Olson.

Chairman Porter: Reopened at 7:40 with Mr. Olson's arrival

John Olson, Garrison Diversion Conservancy District, presented testimony for Duane DeKrey who could not be in attendance, in support of HCR 3020.

Chairman Porter: Further testimony in support of HCR 3020? Opposition? Seeing none, committee we have HCR 3020 in front of us. We do need an amendment to include the Bureau of Reclamation down below on Line 22, after President of the US.

Rep. Keiser: so moved

Rep. Seibel: second

Chairman Porter: We have a motion to amend HCR 3020 Line 22 after the word states, to insert US Bureau of Reclamation. Seeing none, all those in favor say Aye, opposed. Voice vote carries, motion carried. We have an amended resolution in front of us.

Rep. Seibel: I move for a Do Pass as Amended on HCR 3020.

Rep. Keiser: Can we place that on the consent calendar?

Chairman Porter: It can't. It has to go to the 6th Order, and they can after that I believe. We have to let it go to the 6th order first.

Rep. Mitskog: Second.

Chairman Porter: We have a motion from for a Do Pass as Amended on HCR 3020. Discussion? The clerk called the roll.

Yes 12 No 0 Absent 2 Rep. Roers Jones carries.

2/9/17 DA

17.3048.02001
Title.03000

Adopted by the Energy and Natural Resources
Committee

February 9, 2017

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3020

Page 1, line 22, after "States" insert ", the United States Bureau of Reclamation,"

Renumber accordingly

Date: 2-9-17

Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 3020

House Energy & Natural Resources Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation

- Adopt Amendment *line 22 US Bureau of Reclamation*
- Do Pass Do Not Pass Without Committee Recommendation
- As Amended Rerefer to Appropriations
- Place on Consent Calendar

Other Actions

- Reconsider

Motion Made By Rep Keiser Seconded By Rep Seibel

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter			Rep. Lefor		
Vice Chairman Damschen			Rep. Marschall		
Rep. Anderson			Rep. Roers Jones		
Rep. Bosch			Rep. Ruby		
Rep. Devlin			Rep. Seibel		
Rep. Heinert					
Rep. Keiser			Rep. Mitskog		
			Rep. Mock		

voice vote carried

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Line 22 include Bureau of Reclamation

Date: 2-9-17

Roll Call Vote #: 2

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 3020

House Energy & Natural Resources Committee

Subcommittee

Amendment LC# or Description: 17.3048.02001

Recommendation

- Adopt Amendment
- Do Pass Do Not Pass Without Committee Recommendation
- As Amended Rerefer to Appropriations
- Place on Consent Calendar
- Other Actions Reconsider _____

Motion Made By Rep Seibold Seconded By Rep Mitskog

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter	✓		Rep. Lefor	✓	
Vice Chairman Damschen	✓		Rep. Marschall	✓	
Rep. Anderson	AB		Rep. Roers Jones	✓	
Rep. Bosch	✓		Rep. Ruby	✓	
Rep. Devlin	✓		Rep. Seibel	✓	
Rep. Heinert	✓				
Rep. Keiser	✓		Rep. Mitskog	✓	
			Rep. Mock	AB	

Total (Yes) 12 No 0

Absent 2

Floor Assignment Rep Roers-Jones

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HCR 3020: Energy and Natural Resources Committee (Rep. Porter, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3020 was
placed on the Sixth order on the calendar.

Page 1, line 22, after "States" insert ", the United States Bureau of Reclamation,"

Renumber accordingly

2017 SENATE ENERGY AND NATURAL RESOURCES

HCR 3020

2017 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

HCR 3020
3/3/2017
Job #28675

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution: Urging Congress and the President of the United States to allow the continuation of the Garrison Diversion project canal system to aid the delivery of water to the Red River Valley.

Minutes:

Attch #1=Duane DeKrey

Chairwoman Unruh: Let's open HCR 3020.

John Olson, Lobbyist for Garrison Diversion Conservancy Dist.: Rep. Jeff Delzer could not be here, so I am here to relay his support. We want to move water from central ND to eastern ND. There is great effort to do that. This resolution recognizes the fact that there is a canal system and that would be appropriate way to move that water.

Duane DeKrey, General Manager of Garrison Diversion Dist.: A simple resolution to use facilities already there. (see Attch#1) Any questions?


Chairwoman Unruh: Further testimony on HCR 3020? Any opposition? Any agency? Seeing none we close the hearing.

2017 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Fort Lincoln Room, State Capitol

HCR3020
3/9/2017
Job #28994

- Subcommittee
 Conference Committee

Committee Clerk Signature 

Explanation or reason for introduction of bill/resolution:

Minutes:

Committee work

Chairwoman Unruh: Let's look at HCR 3020.

Vice Chair Kreun: I move a Do Not Pass.

Sen. Armstrong: I second.

Chairwoman Unruh: We put components of this into HCR 3021 so that is why we are doing a do not pass on this. Any discussion?

Call the roll for HCR 3020 on the Do Not Pass: YES 7 NO 0 -0-absent

The Do Not Pass on HCR 3020 **passed.**

Vice Chair Kreun will carry the bill.

Date: 3/9/17
 Roll Call Vote #: 1

**2017 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. HR 3020**

Senate Energy and Natural Resources Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Sen. Kreun Seconded By Sen. Armstrong

Senators	Yes	No	Senators	Yes	No
Chairman Jessica Unruh	/		Sen. Erin Oban	/	
Vice Chair Curt Kreun	/				
Sen. Kelly Armstrong	/				
Sen. Dwight Cook	/				
Sen. Jim Roers	/				
Sen. Don Schaible	/				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Kreun

If the vote is on an amendment, briefly indicate intent:

*Do NOT PASS
 Passed.*

REPORT OF STANDING COMMITTEE

HCR 3020, as engrossed: Energy and Natural Resources Committee (Sen. Unruh, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3020 was placed on the Fourteenth order on the calendar.

2017 TESTIMONY

HCR 3020

1
2-9-17
HCR 3020

Garrison Diversion Conservancy District
Testimony February 9, 2017
In Support of House Concurrent Resolution 3020

Chairman Porter and members of the House Natural Resources and Energy Committee, I am John Olson testifying on behalf of the General Manager of the Garrison Diversion Conservancy District Duane DeKrey, who could not be here today. We ask for a Do Pass recommendation.

Before the Garrison Dam was built in the 50s and 60s, there were devastating floods all along the Missouri River. For a frame of reference, during a flood, water would reach as high as 12 feet deep in the area of the Kirkwood Mall here in Bismarck.

The Garrison Dam was a result of the Pick Sloan Act passed in the US Congress in 1944.

The building of the Garrison Dam came at a tremendous cost to the citizens of North Dakota, along with monetary costs to the Federal government. North Dakota gave up hundreds of thousands of acres of prime river bottom land that is now beneath Lake Sakakawea.

In return, the Federal government promised that North Dakota would receive a million acres of irrigation, along with domestic and industrial water supply, flood protection, stabilization of Devils Lake, recreation and wildlife habitat benefits. To date, North Dakota has received flood protection, recreation benefits, wildlife habitat and very limited irrigation along the McClusky Canal and at the Oakes Test Area. But, municipal and industrial water supplies from the McClusky Canal have never been realized.

The Garrison Diversion Unit Principal Supply Works that start on the west end of Lake Audubon, including the McClusky Canal, sit grossly underused, and the New Rockford Canal has never been used. North Dakota has not received any municipal or industrial water from the McClusky Canal. A promise that has

never been fulfilled for a variety of reasons, mostly because of court cases with other states, environmental groups and Canada's environmental concerns.

House Concurrent Resolution 3020 asks that the State of North Dakota be allowed to use the Garrison Diversion Unit facilities to realize the promise of domestic and industrial water supplies.

Please give House Concurrent Resolution 3020 a Do Pass recommendation and move it to the full House.

Thank you for your time.

HR 3020
3-3-17
Att. #1
pg. 1

Testimony by Duane DeKrey, General Manager

Garrison Diversion Conservancy District

to the

Senate Energy and Natural Resources Committee

Bismarck, North Dakota

March 3, 2017

Chairman Unruh and members of the Senate Energy and Natural Resources Committee, I am Duane DeKrey, General Manager of the Garrison Diversion Conservancy District, testifying in support of House Concurrent Resolution 3020. We ask for a Do Pass recommendation.

Before the Garrison Dam was built in the 50s and 60s, there were devastating floods all along the Missouri River. For a frame of reference, during a flood, water would reach as high as 12 feet deep in the area of the Kirkwood Mall here in Bismarck. The Garrison Dam was a result of the Pick Sloan Act passed in the US Congress in 1944.

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In return, the Federal government promised that North Dakota would receive a million acres of irrigation, along with domestic and industrial water supply, flood

original

HCR 3020
3-3-17
Att. #1
pg. 2

protection, stabilization of Devils Lake, recreation and wildlife habitat benefits. To date, North Dakota has received flood protection, recreation benefits, wildlife habitat and very limited irrigation along the McClusky Canal and at the Oakes Test Area. But, municipal and industrial water supplies from the McClusky Canal have never been realized.

The Garrison Diversion Unit Principal Supply Works that start on the west end of Lake Audubon, including the McClusky Canal, sit grossly underused, and the New Rockford Canal has never been used. North Dakota has not received any municipal or industrial water from the McClusky Canal. A promise that has never been fulfilled for a variety of reasons, mostly because of court cases with other states, environmental groups and Canada's environmental concerns.

House Concurrent Resolution 3020 asks that the State of North Dakota be allowed to use the Garrison Diversion Unit facilities to realize the promise of domestic and industrial water supplies. Please give House Concurrent Resolution 3020 a Do Pass recommendation.

Thank you for your time.