

Introduced by

1 A BILL for an Act to amend and reenact section 61-01-26.2 of the North Dakota Century Code,
2 relating to statewide water development goals.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 61-01-26.2 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **61-01-26.2. Statewide water development goals.**

7 The legislative assembly will support to the extent funds are available from the resources
8 trust fund and the water development trust fund the comprehensive statewide water
9 development program developed pursuant to section 2 of chapter 587 of the 1995 Session
10 Laws and to the state water management plan established under section 61-01-26. In order to
11 implement the state water management plan, the legislative assembly will support the following:

12 1. During the 1999-2001 biennium:

13 a. Southwest pipeline project: Six million dollars in state funds and eleven million
14 five hundred thousand dollars in federal funds, assuming Perkins County water
15 system payment to the state water commission of four million five hundred
16 thousand dollars.

17 b. Northwest area water supply project: Eight million two hundred thousand dollars
18 in local funds and fourteen million eight hundred thousand dollars in federal
19 funds, with an option being considered of the state water commission bonding
20 the local cost-share with local repayment of the total principal, interest, and cost
21 of issuance of the bonds to the state water commission.

22 c. Other municipal, rural, and industrial projects: Twenty-five million five hundred
23 thousand dollars in local funds and thirty-nine million nine hundred thousand
24 dollars in federal funds.

- 1 d. Grand Forks flood control: Twenty-five million dollars in local funds, twenty-five
2 million dollars in state funds, and thirty-eight million five hundred thousand dollars
3 in federal funds. The state total cost-share of fifty-two million dollars or so much
4 of the total cost-share that is required may be bonded, requiring a loan
5 repayment estimated at three million nine hundred thousand dollars per year with
6 repayment beginning in 2001.
- 7 e. Devils Lake outlet to the Sheyenne River and to west Stump Lake: Seventeen
8 million five hundred thousand dollars in state funds and thirty-two million five
9 hundred thousand dollars in federal funds. The total state cost-share of
10 seventeen million five hundred thousand dollars includes mitigation costs and will
11 be bonded, requiring a local repayment estimated at one million five hundred
12 thousand dollars per year, with the split between state and local loan repayment
13 to be determined. Before bonds may be issued for a Devils Lake outlet,
14 construction of the outlet must be approved by the state water commission.
- 15 2. During the 2001-03 biennium:
- 16 a. Water to eastern North Dakota: Seventeen million dollars in federal funds
17 appropriated under the Garrison Diversion Unit Reformulation Act of 1986
18 [Pub. L. 99-294; 100 Stat. 418], Dakota Water Resources Act of 1998, or other
19 federal Act. The local cost has not been determined and will be determined after
20 project configuration is complete.
- 21 b. Southwest pipeline project: Five hundred thousand dollars in local funds, one
22 million seven hundred thousand dollars in state funds, and twelve million five
23 hundred thousand dollars in federal funds.
- 24 c. Northwest area water supply project: Eight million seven hundred thousand
25 dollars in local funds and sixteen million three hundred thousand dollars in
26 federal funds.
- 27 d. Other municipal, rural, and industrial projects: Seventeen million seven hundred
28 thousand dollars in local funds and thirty-two million eight hundred thousand
29 dollars in federal funds.
- 30 e. Grand Forks flood control: Thirty-five million seven hundred thousand dollars in
31 local funds, twenty-seven million dollars in state funds, and sixty-two million nine

- 1 hundred thousand dollars in federal funds; annual bond payments of three million
2 nine hundred thousand dollars. Components of the Grand Forks flood control
3 project involve water treatment plant improvements. Those federal costs are
4 reflected in subdivision d because of potential cost-sharing using Garrison
5 diversion municipal, rural, and industrial funds. Other projects, such as greenway,
6 are listed under subdivision g.
- 7 f. Devils Lake outlet to Sheyenne River and to west Stump Lake: Bond repayments
8 of one million five hundred thousand dollars per year.
- 9 g. General projects: Thirty-one million seven hundred thousand dollars in local
10 funds, twenty-five million nine hundred thousand dollars in state funds, and
11 thirty-nine million eight hundred thousand dollars in federal funds.
- 12 3. During the 2003-05 biennium:
- 13 a. Water to eastern North Dakota: Six million dollars in federal funds appropriated
14 under the Garrison Diversion Unit Reformulation Act of 1986 [Pub. L. 99-294; 100
15 Stat. 418], Dakota Water Resources Act of 1998, or other federal Act. The local
16 cost has not been determined and will be determined after project configuration is
17 complete.
- 18 b. Southwest pipeline project: One million dollars in local funds, five million dollars
19 in state funds, and eleven million four hundred thousand dollars in federal funds.
- 20 c. Northwest area water supply project: Eleven million eight hundred thousand
21 dollars in local funds and twenty-one million eight hundred thousand dollars in
22 federal funds.
- 23 d. Other municipal, rural, and industrial projects: Seventeen million seven hundred
24 thousand dollars in local funds and thirty-two million eight hundred thousand
25 dollars in federal funds.
- 26 e. Grand Forks flood control: Annual bond payments of three million nine hundred
27 thousand dollars.
- 28 f. Devils Lake outlet to Sheyenne River and to west Stump Lake: Bond repayments
29 of one million five hundred thousand dollars per year.

- 1 g. General projects: Twenty-four million dollars in local funds, eighteen million four
2 hundred thousand dollars in state funds, and five million five hundred thousand
3 dollars in federal funds.
- 4 4. During the 2005-07 biennium:
- 5 a. Water to eastern North Dakota: Eighty-four million dollars in federal funds
6 appropriated under the Garrison Diversion Unit Reformulation Act of 1986
7 [Pub. L. 99-294; 100 Stat. 418], Dakota Water Resources Act of 1998, or other
8 federal Act. The local cost has not been determined and will be determined after
9 project configuration is complete.
- 10 b. Southwest pipeline project: One million dollars in local funds, nine million five
11 hundred thousand dollars in state funds, and nineteen million five hundred
12 thousand dollars in federal funds.
- 13 c. Northwest area water supply project: Five million eight hundred thousand dollars
14 in local funds and ten million nine hundred thousand dollars in federal funds.
- 15 d. Other municipal, rural, and industrial projects: Seventeen million seven hundred
16 thousand dollars in local funds and thirty-two million eight hundred thousand
17 dollars in federal funds.
- 18 e. Grand Forks flood control: Annual bond payments of three million nine hundred
19 thousand dollars.
- 20 f. Devils Lake outlet to Sheyenne River and to west Stump Lake: Bond repayments
21 of one million five hundred thousand dollars per year.
- 22 g. General projects: Twenty-four million dollars in local funds, eighteen million four
23 hundred thousand dollars in state funds, and five million five hundred thousand
24 dollars in federal funds.
- 25 5. During the 2007-09 biennium:
- 26 a. Water to eastern North Dakota: Fifty-nine million dollars in federal funds
27 appropriated under the Garrison Diversion Unit Reformulation Act of 1986
28 [Pub. L. 99-294; 100 Stat. 418], Dakota Water Resources Act of 1998, or other
29 federal Act. The local cost has not been determined and will be determined after
30 project configuration is complete.

- 1 b. Northwest area water supply project: Three million seven hundred thousand
2 dollars in local funds and seven million dollars in federal funds.
- 3 c. Other municipal, rural, and industrial projects: Seventeen million seven hundred
4 thousand dollars in local funds and thirty-two million eight hundred thousand
5 dollars in federal funds.
- 6 d. Grand Forks flood control: Annual bond repayments of three million nine hundred
7 thousand dollars.
- 8 e. Devils Lake outlet to Sheyenne River and to west Stump Lake: Bond repayments
9 of one million five hundred thousand dollars per year.
- 10 f. General projects: Twenty-four million dollars in local funds, eighteen million four
11 hundred thousand dollars in state funds, and five million five hundred thousand
12 dollars in federal funds.
- 13 6. During the 2009-11 biennium:
- 14 a. Water to eastern North Dakota: Two million dollars in federal funds appropriated
15 under the Garrison Diversion Unit Reformulation Act of 1986 [Pub. L. 99-294; 100
16 Stat. 418], Dakota Water Resources Act of 1998, or other federal Act. The local
17 cost has not been determined and will be determined after project configuration is
18 complete.
- 19 b. Northwest area water supply project: One million seven hundred thousand dollars
20 in local funds and three million three hundred thousand dollars in federal funds.
- 21 c. Other municipal, rural, and industrial projects: Seventeen million seven hundred
22 thousand dollars in local funds and thirty-two million eight hundred thousand
23 dollars in federal funds.
- 24 d. Grand Forks flood control: Annual bond repayments of three million nine hundred
25 thousand dollars.
- 26 e. Devils Lake outlet to Sheyenne River and to west Stump Lake: Bond repayments
27 of one million five hundred thousand dollars per year.
- 28 f. General projects: Twenty-four million dollars in local funds, eighteen million four
29 hundred thousand dollars in state funds, and five million five hundred thousand
30 dollars in federal funds.
- 31 7. ~~Beyond the year 2011:~~

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- 1 a. ~~Water to eastern North Dakota: The local cost has not been determined and will~~
2 ~~be determined after project configuration is complete.~~
- 3 b. ~~Northwest area water supply project: Eight million seven hundred thousand~~
4 ~~dollars in local funds and sixteen million three hundred thousand dollars in~~
5 ~~federal funds.~~
- 6 c. ~~Other municipal, rural, and industrial projects: One hundred thirty million two~~
7 ~~hundred thousand dollars in local funds and two hundred forty one million two~~
8 ~~hundred thousand dollars in state funds. The anticipated three hundred forty five~~
9 ~~million dollars in federal cost share has been used in the previous bienniums and~~
10 ~~the remaining cost share for projects has been identified as a potential state~~
11 ~~cost share.~~
- 12 d. ~~Grand Forks flood control: A total of fifty eight million five hundred thousand~~
13 ~~dollars in bond repayments is anticipated.~~
- 14 e. ~~Devils Lake outlet to Sheyenne River and to west Stump Lake: A total of fifteen~~
15 ~~million dollars in bond repayments.~~
- 16 f. ~~General projects: Two hundred twenty million two hundred thousand dollars in~~
17 ~~local funds, one hundred fifty six million four hundred thousand dollars in state~~
18 ~~funds, and thirty four million three hundred thousand dollars in federal~~
19 ~~funds. During the 2011-13 biennium:~~
- 20 a. Devils Lake flood control: Construct an east end outlet to Devils Lake, provide
21 improvements to the water treatment plant in Fargo, and construct an appropriate
22 control structure on the Tolna Coulee outlet from Stump Lake.
- 23 b. Fargo flood control project: Continue the Fargo flood control project.
- 24 c. Mouse River flood protection project: Complete the preliminary engineering
25 report for the Mouse River enhanced flood protection project, including urban and
26 rural areas along the Mouse River in the United States.
- 27 d. General water management and flood control projects: Address local water
28 management and flood control projects in Beulah, Hazen, Mott, Valley City,
29 Jamestown, Linton, and other urban and rural areas.
- 30 e. Water treatment: Investigate and study long-term water treatment needs in cities
31 across North Dakota.

- 1 f. Irrigation: Continue irrigation projects along the McClusky canal.
- 2 g. Municipal, rural, and industrial projects: Continue rural water projects as
- 3 prioritized by the rural water systems.
- 4 h. Northwest area water supply project: Continue pipeline infrastructure for the
- 5 northwest area water supply project.
- 6 i. Red River valley water supply project: Continue to seek approval of the Red
- 7 River valley water supply project, pursuant to section 61-01-26.1 and chapter
- 8 61-24.7.
- 9 j. Southwest pipeline project: Continue the southwest pipeline in the Zap and
- 10 Center service areas and the Killdeer main transmission line and related facilities.
- 11 k. Western area water supply project: Construct the first phases of the western area
- 12 water supply project as determined by local entities.
- 13 8. During the 2013-15 biennium:
- 14 a. Devils Lake flood control: Continue to provide flood control measures in the
- 15 Devils Lake basin.
- 16 b. Fargo flood control project: Continue the Fargo flood control project.
- 17 c. Mouse River flood protection project: Begin the engineering design of the Mouse
- 18 River flood protection project.
- 19 d. General water management and flood control projects: Address local water
- 20 management and flood control projects in rural areas.
- 21 e. Water treatment: Support upgrading and expanding water treatment plants for
- 22 regional capacity and use.
- 23 f. Irrigation: Continue irrigation projects along the McClusky canal and Oakes test
- 24 area.
- 25 g. Municipal, rural, and industrial projects: Continue rural water projects as
- 26 prioritized by the rural water systems.
- 27 h. Northwest area water supply project: Construct water treatment facilities and
- 28 pipeline infrastructure for water delivery through the northwest area water supply
- 29 project.
- 30 i. Red River valley water supply project: Begin preliminary design of the Red River
- 31 valley water supply project, pursuant to section 61-01-26.1 and chapter 61-24.7.

- 1 j. Southwest pipeline project: Complete the southwest pipeline in the Oliver,
2 Mercer, and Dunn Counties service areas.
- 3 k. Western area water supply project: Construct the final phases of the western
4 area water supply project as determined by local entities.
- 5 9. During the 2015-17 biennium:
- 6 a. Devils Lake flood control: Operate the west and east end outlets and continue
7 flood protection measures.
- 8 b. Fargo flood control project: Continue the Fargo flood control project.
- 9 c. Mouse River flood protection project: Begin construction of the Mouse River flood
10 protection project.
- 11 d. General water management and flood control projects: Address local water
12 management and flood control projects across North Dakota.
- 13 e. Irrigation: Complete irrigation projects as authorized by the Dakota Water
14 Resources Act of 2000.
- 15 f. Municipal water treatment: Support the upgrade and expansion of municipal
16 water treatment facilities.
- 17 g. Municipal, rural, and industrial projects: Continue rural water projects as
18 prioritized by the rural water systems.
- 19 h. Northwest area water supply project: Complete the northwest area water supply
20 project.
- 21 i. Red River valley water supply project: Begin construction of the Red River valley
22 water supply project, pursuant to section 61-01-26.1 and chapter 61-24.7.
- 23 j. Southwest pipeline project: Complete all phases of the southwest pipeline and
24 related facilities.
- 25 k. Western area water supply project: Complete any remaining features of the
26 western area water supply project.
- 27 10. During the 2017-19 biennium:
- 28 a. Devils Lake flood control: Complete protection measures for Devils Lake.
- 29 b. Fargo flood control project: Complete the Fargo flood control project.
- 30 c. Mouse River flood protection project: Continue the Mouse River flood protection
31 project.

- 1 d. General water management and flood control projects: Address local water
- 2 management and flood control projects.
- 3 e. Irrigation: Support irrigation projects along the Missouri River.
- 4 f. Municipal water treatment: Support the upgrade and expansion of municipal
- 5 water treatment needs.
- 6 g. Municipal, rural, and industrial projects: Continue rural water projects as
- 7 prioritized by the rural water systems.
- 8 h. Northwest area water supply project: Complete the northwest area water supply
- 9 project.
- 10 i. Red River valley water supply project: Continue construction of the Red River
- 11 valley water supply project, pursuant to section 61-01-26.1 and chapter 61-24.7.
- 12 j. Southwest pipeline project: Complete any remaining features of the southwest
- 13 pipeline.
- 14 k. Western area water supply project: Complete any remaining features of the
- 15 western area water supply project.