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**To:** [terry.traynor@ndaco.org](mailto:terry.traynor@ndaco.org); [NDLA, Intern 10 - Winbauer, Katie](#)  
**Subject:** RE: SB 2324 "Culvert Bill" Oppose -Do Not Pass  
**Date:** Thursday, March 11, 2021 8:45:48 AM

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Honorable Rep. Jason Dockter and Committee Members:

Foster County opposes the Culvert bill as amended to require installation within one year. The timeline does not account for budgeting for these projects.

Depending on when a water study is requested and the follow up of ordering and installation, the highway funding may not include costs for such work.

Proposed road maintenance work for that year may have to be delayed to meet the requirements under this law.

Last year we had 3 water studies brought to our Commission which would have required multiple culvert installation. We contracted with our Engineer (Wold Engineering) to review these studies because he had questioned the CFS numbers on the lower 2 sites. Our Engineer presented his findings to the State Engineer. This resulted in the State Engineer reviewing the methodology used on these studies. One study involved a Texas Crossing which was created in 2011 when major flooding irreparably damaged a bridge that had to be removed and FEMA would not pay to replace it. After the review, it was determined the Texas Crossing is adequate. A second site was reviewed and the CFS were adjusted so that the number and size of culverts was changed. We ordered the culverts for the 2nd site last fall but too late to do the installation. These 3 studies were presented to the Senate Committee by a citizen as "Nothing being done on these 3 studies" which was not true. The other 2 studies are also on paved roads where there is no reconstruction planned. So we would be tearing up good pavement to install culverts. The 2nd site installation is planned for this spring.

The cost of culverts has doubled due to the price of steel according to our local contractor. We had sought culvert quotes on 2 other projects which came in at \$24,000 which if we continue with that project would now cost \$50,000 just for the culverts. For our small county, this would be approximately 2 mills.

There is also the question of county wide funding for these projects when it benefits certain landowners. We know there are 2 major studies on water and legal drainage assessment which maybe all these issues should be combined for study, benefit,

and cost analyses. When these issues cross county lines there is added conflict on how to resolve these issues. A private citizen requests a study that snowballs into an unfunded mandate for which counties are not prepared. This bill in its present form would impact not only Counties but North Dakota Department of Transportation and Townships.

Thank you for your consideration.