

To: Senate Agriculture Committee – SB2208

From: Sarah Lovas, Traill County, Hillsboro, ND

Subject: Oppose SB2208

I am a farmer and an agronomist in Hillsboro, ND. Today I write in opposition to SB2208 because it is an anti-drainage bill. It should be noted that the effort to combine all drainage language in place in Century Code is a good idea. However, while I believe the original intent was good, it has missed the mark and it is truly an anti-drainage bill. This bill would:

- 1) Greatly reduce our ability to drain tile due to the proposed overburdensome, if not impossible drain tile permitting process;
- 2) Inhibit drain boards from using levy funds to upgrade legal drains; and
- 3) Eliminate the ability for the county to use snagging and clearing in our natural waterways.

Therefore, I believe this bill should be defeated. Perhaps a study of this language change should be explored into the future.

In my neck of the woods, or, rather, extremely flat prairies with poorly drained Fargo Clay Soils, drainage is critical for a successful farming operation. My farm does have some acres drain tiled and we also try to keep our surface drains up to date. Having access to a viable legal drain system is critical. Further, these decisions are best made at the local level through the local drain board. We all know that North Dakota is a diverse state. Our drainage issues in the Red River Valley are quite different than what someone in southwest North Dakota. This bill limits the power of a drain board to make some important decisions. Also, this bill is an anti-drain tile bill. The procedure for getting a tile permit would be almost impossible. Specifically (and among other issues with the drain tile permitting section), requiring a notarized letter of approval from all downstream landowners is extremely overburdensome and unnecessary.

In closing, again, I want to emphasize that the overall intent to combine all the drainage language in one place in Century Code is good. However, there is so much wrong with this bill that it truly is an anti-drainage bill. For that reason, I encourage you to defeat this bill and perhaps start a study for getting the drainage language in one place in Century Code.

Respectfully Submitted,

Sarah E H Lovas