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**Testimony of
Matt Perdue
North Dakota Farmers Union
Before the
Senate Agriculture Committee
January 28, 2021**

Mr. Chairman and members of the committee,

Thank you for the opportunity to provide testimony on Senate Bill No. 2208. I am testifying on behalf of North Dakota Farmers Union's (NDFU) members.

NDFU supports efforts to streamline and simplify existing statutes governing drainage. However, we have had several conversations with members expressing concern about language in the bill that could limit water districts' ability to advance responsible drainage projects.

The new definition of "maintenance" would restrict widening or deepening of a drain channel without the assessment vote outlined in Section 32. In many cases, widening or deepening of a drain channel is recommended and responsible management, especially when many drains were designed decades or even a century ago. These upgrades can be particularly important to prevent flooding and infrastructure damage.

Section 7 would eliminate snagging and clearing districts, requiring a lengthy assessment district process or permanent assessment district. One-time snagging and clearing projects are important for clearing rivers and natural waterways for the benefit of landowners.

We have also heard concerns about the elimination of the 80-acre threshold without modifying the tile permit process. The existing permit process can be unnecessarily cumbersome and would be more so for small projects.

NDFU appreciates recent discussions to address these and other concerns. However, we cannot support the bill in its current form. We encourage the committee to modify the bill or convert it into a study so these complex issues can be resolved in the interim.

Thank you for your consideration.

