



Eric Volk, Executive Director
ND Rural Water Systems Association
In Support of House Bill 1063
Senate Energy & Natural Resources
March 12, 2021

Chairman Kreun and members of the Senate Energy & Natural Resources Committee, my name is Eric Volk. I am the executive director of the North Dakota Rural Water Systems Association (NDRWSA). Our vision is to ensure all of North Dakota has access to affordable, ample, and quality water. Today, I am submitting testimony in support of Engrossed House Bill (HB) 1063.

Northwest Area Water Supply Project background from the State Water Commission:

In order to address long-standing water supply and quality problems experienced by residents of northern North Dakota, the Northwest Area Water Supply (NAWS) project was authorized by the Garrison Diversion Reformulation Act of 1986 and the Dakota Water Resources Act of 2000 under the Municipal, Rural, and Industrial (MR&I) Grant Program. And even before that, as part of the federal Flood Control Act of 1944, water supply was planned for the region along with construction of the Missouri River mainstem dams.

In 1991, the state passed into law a bill creating the NAWS Advisory Committee, while giving the North Dakota State Water Commission (SWC) the authority to construct, operate, and manage the project. In 1993, Houston Engineering, was retained as the pre-final design team for the NAWS project.

Construction of NAWS began on April 5, 2002, with a main line and associated features being built between the city of Minot and Lake Sakakawea. Later in 2002, lawsuits were initiated, delaying the project for years. Today, construction on the NAWS project is back underway.

At request of the NAWS impacted Rural Water Systems, I was asked to help develop changes to Chapter 61.24.6 of the Century Code. We looked at accomplishing several goals:

1. Develop a long-term plan for the operations and management of the NAWS Project.

a. **Section 2:** *...shall develop recommendations for the legislative management regarding the transition of long-term operations and management of the northwest area water supply project.*

b. **Section 10:** *Before August 1, 2022, the northwest area water supply advisory committee shall provide a report to the legislative management regarding recommendations for transition of the long-term operation and management of the northwest area water supply project.*

c. **Section 11:** *During the 2021-22 interim, the northwest area water supply advisory committee shall provide a report to an interim committee designated by the legislative management regarding the status of the advisory committee's responsibilities under section 2 of this Act.*

2. Ensure the Advisory Committee meets on a routine basis.

a. **Section 2:** *...meet no less than once per quarter*

3. Require the State Water Commission to consult with the Advisory Committee.

a. **Section 3:** *The state water commission shall consult with the northwest area water supply advisory committee regarding the following duties of the commission:*

4. Most importantly, we did not want to do anything that would cause adverse legal issues.

While HB 1063 was on the other side, we had discussions with Rural Water System Manager/Board Members, Legislators, City of Minot, League of Cities, Office of the State Engineer, and the current Advisory Committee in regard to the changes to 61-24.6. We feel the proposed changes have a positive effect on the NAWS Project. With that said, the NDRWSA supports Engrossed HB 1063. Thank you for giving me the opportunity to provide testimony on behalf of the NDRWSA. Eric Volk, ericvolk@ndrw.org.

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