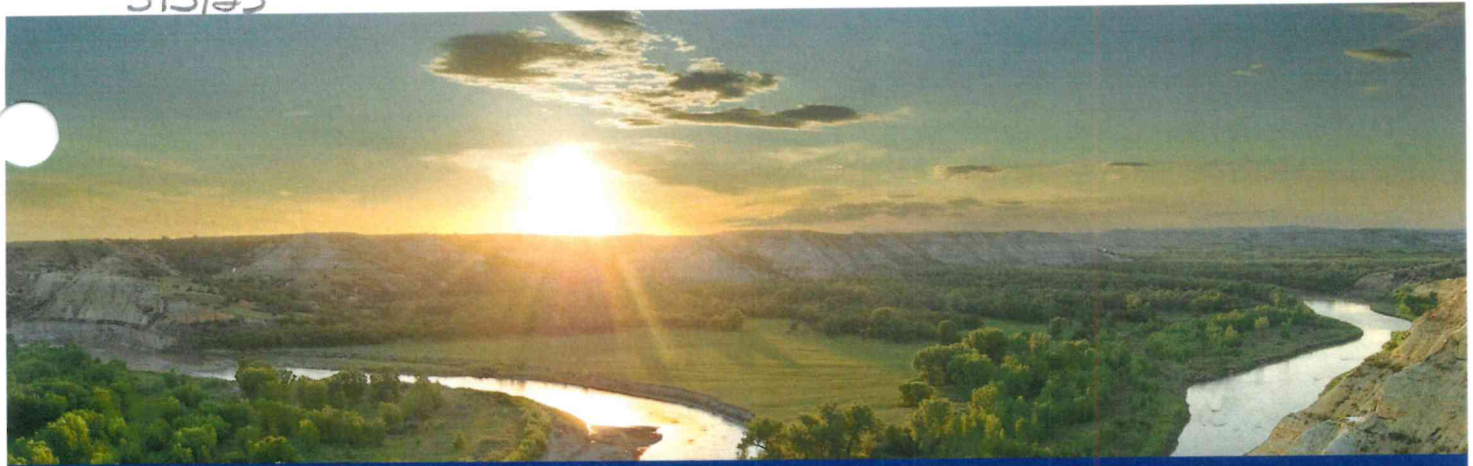


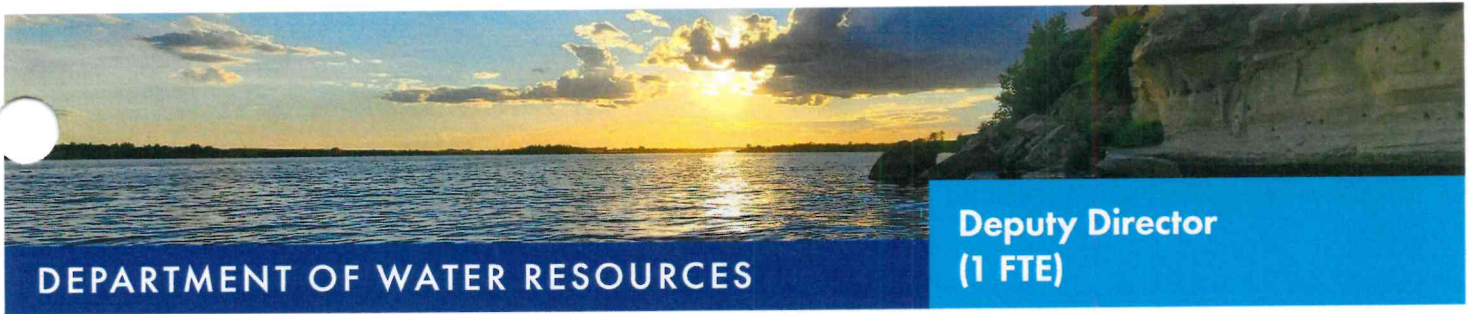
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DWR FTE REQUEST SUMMARY

The following includes a summary of FTE positions being requested as part of DWR's 2025- 2027 budget proposal. Specific details and metrics are available in detailed one-page summaries (attached).

NEW FTE Requests			
Position	Division	FTE Request	Funding Source
Accountant	Administration	1 FTE	State
Deputy Director	Administration	1 FTE	State
NAWS Operator	Development	1 FTE	NAWS Users
General Counsel	Administration	1 FTE	State
Assistant NFIP Coordinator	Regulatory	1 FTE	+75% Federal +25% State
RiskMAP Program Specialist	Regulatory	1 FTE	+100% Federal
Silver Jackets Coordinator	Regulatory	Convert	No Change

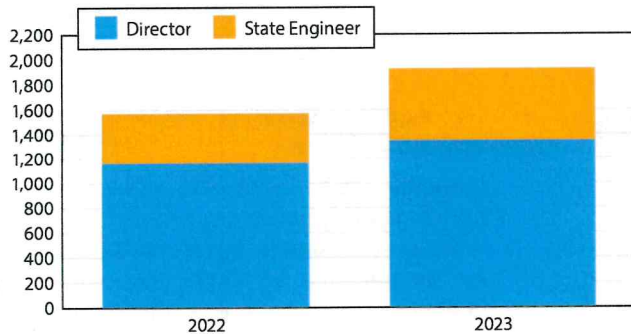


DEPARTMENT OF WATER RESOURCES

Deputy Director (1 FTE)

House Bill 1353, passed in the 2021 legislative session, established the Department of Water Resources (DWR), replacing the State Water Commission and the Office of the State Engineer. The DWR Director, appointed by the governor, serves as a Cabinet member, serves as the Secretary to the State Water Commission (Commission), and advocates for sound water management at the local, regional, tribal, national, and international levels. Collaborative approaches and high-level engagement continues to increase as heightened awareness of shared and competing water needs evolves, along with growing competition for state cost-share for water development projects. In response to the Director's expanding responsibilities in safeguarding state interests in water-related matters, a Deputy Director becomes crucial to represent both the state and DWR under the Director's oversight.

Historical Meeting Comparison



Why An FTE is Necessary

- The State Engineer has been acting in a dual role as an Deputy Director, pulling the main focus of the position from crucial regulatory responsibilities.
- The Deputy Director would ensure a broader and more effective representation for the state in water-related issues by engaging with various entities concurrently, which also include tribal, national, and international responsibilities.
- The Deputy Director would assist in conversations related to increasing demand for water related to economic development.
- By distributing responsibilities between the Director and Deputy Director, the Department could address evolving demands more strategically, optimizing their efforts and resources for a more targeted approach.
- The Deputy Director's specialized expertise could enhance the Department's ability to navigate complex challenges, providing a deeper understanding of technical, legal, and policy intricacies for informed decision-making.
- The presence of a Deputy Director would create a resilient leadership structure, ensuring the Department can maintain consistent operations in the Director's absence.
- The Deputy Director would understand the whole of the Department and be able to step in as Acting Secretary at Commission meetings, represent the Department at national and international meetings and legislative committee commitments.
- Nearly every department across ND state government has at least one Deputy Director.

Metrics (2023)

7.6 Meetings per workday.

1,348 DWR Director attended meetings.

576 State Engineer attended meetings on behalf of the Director.

~45* Boards, Commissions, Councils, and Associations the DWR is tasked to monitor or represent the state.

*Various DWR team members represent DWR at joint water boards, watershed boards, and other similar entities, that neither the Director or State Engineer can attend due to other demands. The ability for high-level leadership to interact at more board and association meetings would improve the state's collaboration and partnerships.

ADMINISTRATION DIVISION

Legal Support: General Counsel (1 FTE)

The Department of Water Resources (DWR) has a long history of requiring legal services to sustainably manage and develop North Dakota's water resources. DWR's responsibilities include project development; appropriation of surface and ground water rights; and regulating drainage, dams, floodplain management, and ND's sovereign lands - all of which require a significant amount of legal support and knowledge of water law.

The gained efficiency of having in-house legal support would mean the legal staff would be consistently aware of all agency actions, and both internal and external decisions.

Why General Counsel (1 FTE) is Necessary:

The Assistant Attorney General currently supporting DWR through the Attorney General's (AG) Office is often requested to consult on water issues for other agencies and boards such as the Dept. of Environmental Quality, ND Game and Fish, ND Parks and Recreation, Dept. of Agriculture, Dept. of Trust Lands, and the Public Service Commission.

In addition to continued services from the AG's Office, the DWR is proposing an in-house General Counsel to support the DWR's needs. With the increasing complexity of construction contracts, development of MOUs with Tribal Nations regarding water rights, growing federal overreach, and general water disputes, DWR finds itself in need of specialized legal services and a FTE dedicated solely to supporting these important initiatives.

Other Considerations

- The DWR has committed to developing policy and guidelines transparently to ensure public awareness and understanding. As these policies are developed, legal counsel support in-house would optimize the direction and review considerations.
- Until 2018, DWR had a paralegal FTE. During the 2017 Reduction-in-Force, this position was reallocated, and the duties were absorbed by technical staff or in-house directed to the AG's Office. The reduction in legal support has been difficult to overcome with some of the duties remaining subpar and detracting from the technical responsibilities of the larger team.

Agency In-House Legal Services Comparison

Agency	Attorneys	Other Legal Support	Total Legal Support In-House
Transportation	2	8 (hearing officers) (3 FTE, 5 Temp)	10
Trust Lands	1	1	2
Public Service Commission	2	0.5	2.5
Agriculture	1	0	1
Environmental Quality	0	1	1
Water Resources	0	0	0



REGULATORY DIVISION

RiskMAP Program Specialist (1 FTE; 100% Federal)

The Department of Water Resources (DWR) supports the research and identification of flood risk in North Dakota through the Federal Emergency Management Agency's (FEMA) Cooperating Technical Partner (CTP), Risk Mapping, Assessment, and Planning (RiskMAP) program. As North Dakota communities continue to prioritize flood risk resilience, assessing and disseminating defensible areas of flood risk is an important step in allowing communities to ideate and deploy resilience measures.

Since 2009, the RiskMAP program has been fully supported through 1 federally-funded FTE within the DWR. Recently, the RiskMAP program oversight has had increasingly complex responsibilities tied to program management through GIS metrics, tracking, and deliverables; while at the same time, RiskMAP funding potential is increasing.

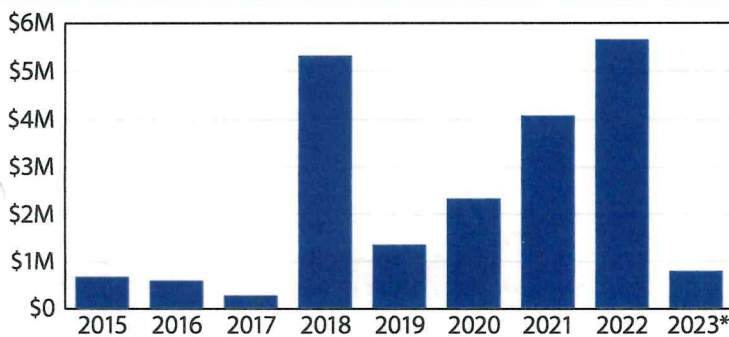
No additional FTE have been provided in support of this program even as demands related to project and grant management have increased. North Dakota is the only FEMA Region VIII Cooperative Technical Partner who services the needs of the Risk MAP program with only one dedicated staff member.

The RiskMAP Program Specialist position would be financed 100% by FEMA funds to support the program and are tied to the continued FEMA unding support.

Why An FTE Is Necessary

- Available grant funding is not being used as DWR does not have the staff to support the use of the funds. With an additional FTE, ND and the DWR would be able to apply for, and leverage, these funds that would enhance state flood risk resilience.
- This FTE would assist with additional tracking metrics and grant reporting required by FEMA on a monthly, quarterly, and annual basis.
- This position will increase outreach and communication with communities statewide to identify areas of need to match or develop resources efficiently, such as Base Level Engineering (a non-regulatory flood risk identification product).
- The FTE would allow increased collaboration with DES to identify projects and opportunities that would be eligible to accelerate statewide flood risk resilience efforts.

RiskMAP Grant Awards Per Year



FEMA Region 8 Cooperative Technical Partner States FTE Support Of The RiskMAP Program

Program	FTE
Montana	4
Colorado	3
Utah	3
North Dakota	1

Reporting Requirements

The RiskMAP program requires monthly, quarterly, and annual reporting which takes a significant amount of time. Metrics vary from grant cycle to grant cycle. State priorities, phase funding, project manager grant cycle, and business plans all contribute to what is submitted in a given year.

166

Monthly tasks reported to FEMA. Of the 166 metrics, 91 of the tasks are actively managed by the DWR.

5

FEMA grant management platforms that requiring quarterly reporting.

2
Weeks

How long it takes to develop the quarterly reports. Currently, the report requires 108 metrics.

27

Active grants as of February 2024.

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