

**Department of Water Resources
Budget No. 770
Senate Bill Nos. 2020 and 2196**

	FTE Positions	General Fund	Other Funds	Total
2023-25 legislative appropriation	93.00	\$0	\$894,357,267 ¹	\$894,357,267 ²
2021-23 legislative appropriation	90.00	0	615,799,129 ³	615,799,129
2023-25 appropriation increase (decrease) to 2021-23 appropriation	3.00	\$0	\$278,558,138	\$278,558,138

¹This amount includes \$195,500,383 of one-time funding. Excluding this amount, the agency's ongoing other funds appropriation is \$698,856,884.

²This amount does not include any transfers of appropriation authority from the Office of Management and Budget funding pools for targeted market equity adjustments, retirement contribution increases, or new and vacant FTE positions.

³This amount includes \$206,600,000 of one-time funding. Excluding this amount, the agency's ongoing other funds appropriation is \$409,199,129.

Item Description

Full-time equivalent changes - The Legislative Assembly approved 93 FTE positions for the Department of Water Resources for the 2023-25 biennium, an increase of 3 FTE positions from the 2021-23 biennium. The Legislative Assembly added 3 FTE positions, including 2 FTE positions to administer, manage, and appropriate water resources and 1 FTE position to administer multiple public safety, life safety, and water management authorities. The additional positions were previously approved by the Emergency Commission and Budget Section during the 2021-22 interim.

Targeted market equity - The Legislative Assembly appropriated \$82.5 million, of which \$45.1 million is from the general fund and \$37.4 million is from other funds, to the Office of Management and Budget for a targeted market equity pool to be distributed to state agencies.

New and vacant FTE funding pool - The Legislative Assembly reduced \$1,615,629 of 2023-25 biennium other funds appropriation authority for the Department of Water Resources for the new and vacant FTE funding pool. Of the \$1,615,629, \$703,398 relates to new FTE positions and \$912,231 to anticipated vacancy savings.

One-time funding - The Legislative Assembly provided \$195,500,383 of one-time funding for the Department of Water Resources as follows:

	Other Funds
Equipment for new FTE positions	\$19,320
Information technology unification	1,532,980
Ground water monitoring and related hydrologic analysis software	72,665
Increased motor pool rates	118,180

Status/Result

The Department of Water Resources filled 1 FTE hydrologist, 1 FTE natural resources services, and 1 FTE permitting engineer position during the 2021-22 interim pursuant to Emergency Commission and Budget Section authority.

The Department of Water Resources received \$721,959 from other funds for targeted market equity increases. Equity increases were provided to 64 employees.

Through January 31, 2024, the Department of Water Resources has received \$703,398 from the new and vacant FTE funding pool for 3 new FTE positions. The Department of Water Resources had estimated vacant FTE position savings of \$348,158. The agency used \$99,601 for costs relating to the vacancies, including accrued leave, bonuses, incentive/location pay, temporary staff salaries, and on-call pay. The number of vacancies in the department has ranged from four to seven with an average monthly vacancy rate of 6.14 FTE positions.

The following is a summary of the status of the Department of Water Resource's one-time funding:

Equipment for new FTE positions	The department has expended \$19,320 for equipment for the new FTE positions.
Information technology unification	As of March 27, 2024, \$49,500 has been expended to purchase storage for file services. File services transfer from the Department of Water Resources to the Information

Drilling supplies inflation	180,000
Navigability study	180,000
Airborne electromagnetic survey data collection	750,000
Potential relocation of the agency	200,000
Bowman radar system	1,800,000
Drilling rig replacement	1,800,000
Discretionary funds	9,000,000
Northwest Area Water Supply (NAWS) project federal funds	47,847,238
NAWS project line of credit	50,000,000
Southwest Pipeline Project line of credit	50,000,000
Western Area Water Supply (WAWS) Authority loan repayment	30,000,000
WAWS Authority loan accrued and unpaid interest payment	2,000,000
Total	\$195,500,383

Ground water monitoring and related hydrologic analysis software	Technology Department is 90 percent complete and proof of concepts are being conducted utilizing both cloud storage and on-premises storage. The outcome of the proof of concept will determine expenditures of the one-time funding appropriated.
Increased motor pool rates	The Department of Water Resources is working with the Information Technology Department to review the potential to utilize cloud computing for ground water modeling and hydrologic analysis to ensure there is sufficient computing power and to provide better access to team members. The funding provided for increased motor pool rates will be utilized, if necessary, near the end of the biennium.
Drilling supplies inflation	The funding provided for drilling supplies inflation will be utilized, if necessary, near the end of the biennium.
Navigability study	The Department of Water Resources has entered into a contract for the navigability study and anticipates completion of the study in the fall of 2024. The Department had not expended any funds for the study through April 2024.
Airborne electromagnetic survey data collection	The request for proposal (RFP) was issued in March 2024, and the Department of Water Resources intends to award the project in April 2024.
Potential relocation of the agency	This appropriation included an emergency clause, allowing the Department of Water Resources to expend \$116,315 during the 2021-23 biennium to increase cubicle space for approximately 70 employees located at the Bank of North Dakota.
Bowman radar system	An RFP for the radar components was issued in October 2023, and a contract was awarded for \$1,280,000. The design and construction for the tower will be completed by June 30, 2024.
Drilling rig replacement	The Department of Water Resources opened bidding for the drilling rig replacement in January 2024, and a contract of \$1,391,800 was entered into in March 2024. The remaining funds will be used to finalize modifications required to fully operationalize the drill according to the department's specifications. The department is also considering requesting authority to use any remaining funds for the purchase of a skid steer.
Discretionary funds	Through March 27, 2024, \$231,139 has been allocated or expended for a managed aquifer recharge study, portable equipment for offsite State Water Commission meetings, and a forklift to facilitate unloading and managing materials for all operations of the department.

NAWS project federal funds	Through March 27, 2024, the Department of Water Resources has expended \$18,627,728 of federal funds for the NAWS project.
NAWS project line of credit	As of March 27, 2024, the department does not anticipate drawing on the line of credit during the 2023-25 biennium.
Southwest Pipeline Project line of credit	As of March 27, 2024, the department does not anticipate drawing on the line of credit during the 2023-25 biennium.
WAWS Authority loan repayment	The Department of Water Resources made the \$30 million payment from the water projects stabilization fund to the Bank of North Dakota to repay a WAWS Authority loan in June 2023 pursuant to an emergency clause in Senate Bill No. 2020.
WAWS Authority loan accrued and unpaid interest payment	The Legislative Assembly, in Section 7 of Senate Bill No. 2196 appropriated \$2,000,000 to pay accrued and unpaid interest on a \$25,000,000 loan from the general fund to the WAWS Authority. Accrued and unpaid interest of \$1,873,287.67 was transferred from the resources trust fund to the general fund on June 14, 2023 pursuant to an emergency clause in Senate Bill No. 2020.

Sovereign lands recreation use grant - The Legislative Assembly, in Sections 7 and 8 of Senate Bill No. 2020, designated \$2 million from the resources trust fund as a grant from the Department of Water Resources to the Parks and Recreation Department for grants for developing recreation opportunities on sovereign lands in the state.

Red River Valley Water Supply Project - The Legislative Assembly, in Section 13 of Senate Bill No. 2020 provided legislative intent that the State Water Commission provide a total of \$953 million, excluding any funding provided prior to the 2023-25 biennium, for the Red River Valley Water Supply Project, of which \$180 million is provided from the resources trust fund during the 2023-25 biennium.

From the 2017-19 biennium through the 2021-23 biennium, the state provided a total of \$117 million for the Red River Valley Water Supply Project, of which \$35 million was provided directly through the Legislative Assembly and \$82 million was approved by the State Water Commission.

Mouse River flood control project - The Legislative Assembly, in Section 14 of Senate Bill No. 2020 provided legislative intent that the State Water Commission provide \$76.1 million from the resources trust fund for the Mouse River flood control project during the 2023-25 biennium.

Funding for the Mouse River flood control project, which focused on flood control within the city limits of Minot, was provided by the 2017 and 2019

The \$2 million was transferred to the Parks and Recreation Department in August 2023. The Parks and Recreation Department reported the sovereign land grants have been awarded through a competitive bidding process, but no reimbursement requests have been submitted by the recipients as of March 31, 2024. The Parks and Recreation Department reported the Mandan Park District received \$800,000 for a new boat ramp, the Northern Plains Heritage Foundation received \$750,000 for a new waterfront park in Bismarck, and the department is engaging community organizations to award the remaining \$450,000.

The State Water Commission approved \$180 million for the Red River Valley Water Supply Project in August 2023.

The State Water Commission approved \$76.1 million for the Mouse River Flood Control project in April 2024.

Legislative Assemblies and included legislative intent to provide a total of \$193 million, of which \$100.7 million had been provided. The 2021 Legislative Assembly broadened the use of the funding to include both outside and inside the city limits of Minot and provided new legislative intent that the state provide \$604 million which excludes any funding provided prior to the 2021-23 biennium. The 2023 Legislative Assembly provided new legislative intent that the state provide \$380.5 million which excludes any funding provided prior to the 2023-25 biennium. The reduction in legislative intent for the project was due in part to the receipt of additional federal funds for the project.

Bismarck water treatment plant - The Legislative Assembly, in Section 16 of Senate Bill No. 2020 provided legislative intent that the State Water Commission provide \$50 million from the resources trust fund for a Bismarck water treatment plant during the 2023-25 biennium.

Medora water supply projects - The Legislative Assembly, in Section 17 of Senate Bill No. 2020 provided legislative intent that the City of Medora request funding from the State Water Commission for water storage, water main replacement, and water supply expansion projects after all agreements for the construction of the Theodore Roosevelt Presidential Library have been finalized between the library, the library foundation, and the City of Medora.

The Department of Water Resources reported the City of Bismarck had not requested the funding as of April 8, 2024.

The Department of Water Resources reported the City of Medora had not requested the funding as of April 8, 2024.