

MINUTES

North Dakota State Water Commission
Bismarck, North Dakota

April 29, 1988

The North Dakota State Water Commission held a meeting on April 29, 1988, in the lower level conference room of the Old State Office Building, Bismarck, North Dakota. Lt. Governor, Lloyd Omdahl, called the meeting to order at 10:00 a.m., and introduced and welcomed Commissioner Norman Rudel. Interim State Engineer, David Sprynczynatyk, was requested to call the roll and present the agenda.

MEMBERS PRESENT:

Lt. Governor Lloyd Omdahl, Chairman
Kent Jones, Commissioner, Department of Agriculture, Bismarck
Richard Backes, Member from Glenburn
Joyce Byerly, Member from Watford City
Jacob Gust, Member from West Fargo
William Lardy, Member from Dickinson
Daniel Narlock, Member from Oslo, MN
Norman Rudel, Member from Fessenden
Jerome Spaeth, Member from Bismarck
David Sprynczynatyk, Interim State Engineer-Secretary, North Dakota
State Water Commission, Bismarck

OTHERS PRESENT:

Approximately 30 persons interested in agenda items

The attendance register is on file in the State Water Commission offices (filed with official copy of minutes).

The meeting was recorded to assist in compilation of the minutes.

CONSIDERATION OF MINUTES
OF MARCH 17, 1988 MEETING -
APPROVED

The minutes of the March 17, 1988 meeting were approved by the following motion:

It was moved by Commissioner Backes, seconded by Commissioner Narlock, and unanimously carried, that the minutes of the March 17, 1988 meeting be approved as circulated.

UPDATE ON SOUTHWEST
PIPELINE PROJECT
(SWC Project No. 1736)

Dale Frink, Manager of the Southwest Pipeline Project, stated bids were opened on Contract 2-3A on April 12, 1988. This segment of the Southwest Pipeline Project involves 10 miles of 30-inch pipeline

located primarily in the Richardton-Taylor area. The low bidder was Johnson Construction, Inc., of Fargo with a bid of \$3,228,007.

Mr. Frink stated there were some problems on the two existing Johnson Construction contracts with quality control but said progress is being made in resolving these problems. Mr. Frink indicated a recommendation has been made to the U.S. Bureau of Reclamation that Contract 2-3A be awarded to Johnson Construction, Inc., pending approval by the State Water Commission and satisfactory resolution of the matters he discussed with the Commission members relative to existing contracts with Johnson Construction.

It was the recommendation of the Interim State Engineer that Contract 2-3A be awarded to Johnson Construction, Inc. of Fargo, pending the satisfactory resolution of matters relating to existing contracts with Johnson Construction for the Southwest Pipeline Project.

It was moved by Commissioner Lardy and seconded by Commissioner Gust that the State Water Commission approve the awarding of Contract 2-3A for the Southwest Pipeline Project to Johnson Construction, Inc. of Fargo, pending satisfactory resolution of matters relating to existing contracts with Johnson Construction for this project.

Commissioners Jones, Backes, Byerly, Gust, Lardy, Narlock, Rudel, Spaeth, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

Mr. Frink indicated funds totalling \$5.8 million have been approved for the Southwest Pipeline Project for 1988, of which \$2,490,000 has been received. Mr. Frink said the \$5.8 million, along with appropriated State funds, is adequate for completion of contracts 2-2F and 2-3A.

Relative to 1989 federal funding, Mr. Frink said the President's budget includes \$26.8 million for the Garrison Diversion Project for 1989. Several Congressional contacts have been made to increase this funding to \$35+ million. After the federal budget is known, the funds will then be allocated among the various Garrison programs and projects including the MR&I program.

Construction during 1988 will primarily include 21 miles of 30-inch pipeline in the Richardton area on the two new contracts. Contract 2-2F is expected to start around May 1 and be completed late this year, and Contract 2-3A will start around July 1 and will be completed in early 1989. Mr. Frink said construction is continuing on two contracts from last year with all of the pipe being laid and work remaining on valves, general cleanup and pressure testing. These contracts are expected to be completed by June of this year.

April 29, 1988

Mr. Frink said at the present time 25.2 miles of pipeline contracts have been completed, 16.6 miles nearly completed, 11 miles under contract and 10 miles bid but not awarded. In total, 62.8 miles have either been completed or will be under construction by July 1, 1988, which represents approximately 75 percent of the pipeline between Lake Sakakawea and Dickinson. Mr. Frink said it is estimated that \$18 million will be required to get raw water to Dickinson and \$32 million to get treated water to Dickinson if a single treatment plant is constructed.

UPDATE ON NORTHWEST AREA
WATER SUPPLY PROJECT
(SWC Project No. 237-4)

Randy Binigar, Staff Project Manager for the Northwest Area Water Supply Project, updated the Commission members on the progress of

this study and indicated work has begun by Houston Engineering, in association with American Engineering and James M. Montgomery Engineering. The "needs assessment" portion of the study is nearing completion and work is also underway regarding an evaluation of surface and ground water resources within the study area. The Northwest Area Water Supply Project study objectives are to determine the needs and interest in development of a water supply system in northwestern North Dakota and a preliminary study of the development of water resources within the study area, which consists of a nine-county area including Divide, Williams, Burke, Mountrail, Bottineau, Ward, McHenry, Renville and McLean Counties, and the Fort Berthold Indian Reservation. The study is scheduled to be completed by December 1, 1988.

Mr. Binigar indicated an informal local advisory committee has been established to review the study progress, receive local input, and provide guidance regarding the study objectives. Commissioner Backes has been appointed to represent the State Water Commission on this Committee. The Committee has scheduled its organizational meeting for May 5, 1988 in Minot.

UPDATE ON SOURIS RIVER
FLOOD CONTROL PROJECT
(SWC Project No. 1408)

On April 5, 1988, a public meeting was held in Minot on the Souris River Flood Control Project with approximately 1000 persons demon-

strating a strong rally of support for moving ahead with the project, specifically the construction of the Rafferty and Alameda Dams in Saskatchewan.

David Sprynczynatyk indicated discussions are continuing with the people of Saskatchewan relative to resolving the water quality and water quantity concerns, and also the fish and wildlife concerns.

International negotiations are continuing between the Department of State and the Department of External Affairs relative to the draft agreement. Mr. Sprynczynatyk indicated the Secretary of Army has been designated as the negotiator for the United States, and although the State of North Dakota is not a direct party to the negotiations, the State has had an opportunity to provide input and will

April 29, 1988

continue to be an indirect party as much as possible. The Corps of Engineers is completing its environmental review of the project. The Environmental Impact Statement must be completed prior to the two governments entering into the final agreement.

Mr. Sprynczynatyk reported the coffer dam in Saskatchewan is scheduled for completion next week and additional work will be done to install drains in the foundation this summer. It is anticipated actual construction of the dam will begin this fall.

Mr. Sprynczynatyk indicated it will be necessary to know by September, 1988 if the United States is going to participate in the flood control portion of the project. Congress has authorized \$41 million as the United State's share for flood control, but in the event funds are not available and an agreement cannot be reached, Canada will proceed to build the dams without flood control and will manage the river as they see fit, but still meet the treaty obligations. This could be to the detriment of North Dakota. If the United States is successful in the negotiation of an agreement and funds are available, flood control will be provided and there will be flexibility in the agreement to allow for North Dakota interests to have input in how the water is released. This would be beneficial to North Dakota interests.

Mr. Sprynczynatyk said the people in Saskatchewan appear to be optimistic regarding the lawsuit filed to get an injunction against the project. A hearing was held on the lawsuit last week and the Judge apparently ruled on a portion of the question and in favor of the project. There was an appeal filed on the Judge's decision.

Commissioner Backes commented that the major concerns of the local people are the impacts the Rafferty and Alameda Dams will have on the fishery at Lake Darling and downstream flooding effects on the J. Clark Salyer Refuge.

Commissioner Lardy expressed concern relative to the potential for air pollution from the construction of these operating plants and requested that in discussions with the Canadians these concerns be brought to their attention.

UPDATE ON DEVILS LAKE
FLOOD CONTROL PROJECT
(SWC Project No. 1712)

At the January 15, 1988 State Water Commission meeting, the Commission approved the Final Report of the Devils Lake Outlet Committee, chaired by Commissioner Backes. The Commission requested the report be presented to the Corps of Engineers and Senator Burdick as the basis for further development for flood control. Mr. Sprynczynatyk said it is expected the Corps of Engineers report on the Devils Lake Outlet Project will be distributed next week. A 45-day comment period will follow the report distribution with a series of five public meetings scheduled in various communities affected by the project.

Mr. Sprynczynatyk indicated that in his recent discussions with people in the Devils Lake Basin, they indicated

April 29, 1988

it is their intent that when the report is published, they will visit with Senator Burdick to ask that an authority for the Devils Lake Flood Control Project be included in the 1988 omnibus bill.

Commissioner Backes complimented the Corps of Engineers for their cooperative efforts in working with the local people and the Committee on this project.

GARRISON DIVERSION PROJECT -
UPDATE ON CONGRESSIONAL
BUDGET FOR FISCAL YEAR 1989
(SWC Project No. 237-3)

At the March 17, 1988 Commission meeting, Governor Sinner informed the Commission members the President's Fiscal Year 1989 federal budget includes \$26.8 million for the Garrison Diversion Project, of which \$7.3 million has tentatively been allocated to the MR&I program by the Bureau of Reclamation. The Governor expressed concern that the MR&I federal allocation is insufficient for projects that are ready to receive 1989 funding. The Governor indicated he and staff are discussing with the Congressional Delegation an effort to increase the 1989 federal budget for the Garrison Diversion Project and said that many difficult decisions will have to be made in prioritizing available funds.

On April 14, 1988, Governor Sinner presented testimony before the House and Senate Appropriations Subcommittee on Energy and Water in Washington, D. C. requesting consideration to increase the Fiscal Year 1989 level of funding to at least \$35 million for the State's component of the Garrison Diversion Project. The Governor's testimony also supported the Indian MR&I component of \$4.5 million over and above the \$35 million needed by the State.

C. Emerson Murry, Manager of the Garrison Diversion Conservancy District, commented on the testimony presented in Washington and said the general feeling was the hearings went well and that the Committee members recognized the cooperative request and effort with the Indians. If the efforts to increase the funding to \$35 million are successful, Mr. Murry said approximately \$15 million would then be available for the MR&I program for Fiscal Year 1989.

GARRISON DIVERSION PROJECT -
RELATIONSHIP OF POSSIBLE
FUNDING TO PROJECT REQUESTS
FOR THE MR&I PROGRAM
(SWC Project No. 237-3)

David Sprynczynatyk reviewed prior discussions by the State Water Commission relative to available and projected federal funding and State funding for the non-federal share of the MR&I program. The Commission members, at their March 17, 1988 meeting, expressed a general consensus of the need to move cautiously in the consideration and funding the various project requests.

Because of the concern for the fixed limit of \$200 million for the Garrison Diversion MR&I program, which is not indexed for inflation, and because of the concern for future projects that may have a higher priority than projects being considered now, Chairman Omdahl said consideration has been given to increasing the

April 29, 1988

local share required under the MR&I program from 25 percent to 33 1/3 percent of project costs. This increase in the local share would conserve MR&I funds now, allowing for additional MR&I projects in the future.

Discussion continued on options and alternative criteria for funding the non-federal share of the projects under the MR&I program. Chairman Omdahl indicated that if the federal/non-federal ratio is being considered to be changed, a policy needs to be developed that can be considered by the State Water Commission and the Garrison Diversion Conservancy District.

Mr. Sprynczynatyk noted staff is developing a draft procedure similar to the one used for the Southwest Pipeline Project to determine the users ability to pay. The draft is anticipated to be completed for consideration at the Commission's next meeting.

Commissioner Lardy encouraged the staff to look at other criteria that could be used to determine project funding. One suggestion was to work with other agencies on inventories of the need for potential economic development in certain areas. Commissioner Lardy said the criteria should take into consideration the direction the State should move in regard to economic development. The water should be used to encourage development in those priority areas.

Commissioner Backes suggested consideration be given to repayment, or easing of costs, to those counties who have paid taxes in the Garrison Diversion Conservancy District.

Chairman Omdahl recommended staff develop options and alternatives for funding projects for the MR&I program which can be considered by the State Water Commission at its next meeting.

It was moved by Commissioner Backes, seconded by Commissioner Gust, and unanimously carried, that the State Water Commission direct the State Engineer and staff to develop criteria for consideration at its next meeting relative to options and alternatives for funding projects for the MR&I program.

GARRISON DIVERSION PROJECT -
CONSIDERATION OF REQUEST
FOR MR&I PROGRAM FUNDS FOR
CONSTRUCTION OF LANGDON RURAL
WATER SUPPLY PROJECT
(SWC Project No. 237-6)

The Langdon Rural Water Users, Inc. is sponsoring the Langdon Rural Water Supply Project, which consists of a water supply system serving an area east of Langdon, ND. The project will supply good quality, potable water to two military installations and to all rural residents in the project area desiring to participate. The system will include 175 hookups and approximately 200 miles of pipeline. The system will purchase water from the City of Langdon for its water supply. The project is estimated to cost \$2,751,760, depending on the total scope of the project. Construction on the Langdon Rural Water Supply Project is scheduled to begin in July, 1988.

April 29, 1988

David Sprynczynatyk indicated the Langdon Rural Water Users, Inc. has completed the preliminary engineering report, feasibility report, and design as required under the MR&I program. Work is currently in progress on the cultural resource survey. Mr. Sprynczynatyk said to date the State Water Commission and the Garrison Diversion Conservancy District have approved MR&I funding in the amount of \$126,000 for this project, which includes \$10,875 for the feasibility study; \$86,250 for the engineering design; and \$28,875 for the cultural resource survey.

The Fiscal Year 1988 budget allocation included \$1,325,000 for the Langdon Rural Water Supply Project, which is based on a 75 percent federal share of development and construction costs expected to be incurred during Fiscal Year 1988. The allocation was approved by the Garrison Diversion Conservancy District Executive Board on February 23, 1988, and the State Water Commission on March 17, 1988.

Mr. Sprynczynatyk indicated the concept of increasing the local share required under the MR&I program from 25 percent to 33 1/3 percent of project costs would create problems if applied to the Langdon Rural Water Supply Project for the following reasons: 1) FmHA is furnishing 25 percent of the total project costs in the form of a loan. FmHA requirements set a maximum monthly cost to users which cannot be exceeded under the repayment plan. If that monthly cost is exceeded, FmHA policy does not consider the project feasible because the cost is beyond the user's ability to pay. The repayment plan for the Langdon project sets the user monthly payments at the maximum set by FmHA. Increasing the local share would increase the amount of FmHA loan necessary and would result in a monthly user cost above the maximum set by FmHA. Under the current project design, FmHA financing would not be available for 33 1/3 percent of the total project costs. 2) The FmHA maximum monthly user cost requirement could be met if the project were re-designed to eliminate those users on the outskirts of the project. The time required for re-design of the project and approval of design plans by the Health Department and FmHA (already complete for the existing design) would result in the project being unable to go to construction in Fiscal Year 1988. 3) Although no promises have been made, many potential customers in the project area are expecting to be served by the system. If the project were re-designed, many people needing and expecting a good water supply would be denied.

It was the recommendation of the Interim State Engineer that the Langdon Rural Water Supply project be considered an exception because of the FmHA requirements for funding and that a 25 percent local share/75 percent federal share be used for the construction phase of the project, which would also recognize the need to serve the users in the outlying areas. The Interim State Engineer indicated that this project is consistent with the requirements of the MR&I program and recommended that MR&I program funds be granted in the amount of \$1,936,320 for the construction phase of the project. Mr. Sprynczynatyk stated this figure represents 75 percent of the remaining eligible project costs. The \$1,936,320 recommended for approval would include the \$1,325,000 allocated from the Fiscal Year 1988 appropriation and the balance, \$611,320, to come from Fiscal Year 1989 funds, if available.

April 29, 1988

Approval of this amount would provide the full 75 percent toward the project based on the current cost estimate for the project. Mr. Sprynczynatyk stated the Executive Board of the Garrison Diversion Conservancy District considered and approved this same recommendation.

Mr. Sprynczynatyk indicated the recommendation of the Interim State Engineer allocates \$611,320 from Fiscal Year 1989 MR&I program funds, if available, which is in recognition of the fact federal funds may not be sufficient to cover the project. If sufficient funds are not available for Fiscal Year 1989, the State Water Commission and the Garrison Diversion Conservancy District will have to decide how the available funds can best be spent and could require that projects be cutback accordingly. Mr. Sprynczynatyk said any action taken by the State Water Commission at this meeting recognizes that if sufficient funds are not available in the MR&I program for Fiscal Year 1989 there is no obligation on the part of the State Water Commission to provide additional funds. This action would be consistent with the action taken by the Garrison Diversion Conservancy District. Mr. Sprynczynatyk said this has been discussed with the project sponsor.

Howard Roder, Chairman of the Langdon Rural Water Supply project, commented on the project and said they have been working on this project for the past four years and are now ready to begin construction of the project. Mr. Roder urged the Commission's favorable consideration of their request to provide MR&I program funds for the federal share of the Langdon Rural Water Supply project.

It was moved by Commissioner Jones and seconded by Commissioner Spaeth that the State Water Commission approve a 25 percent local share/ 75 percent federal share to be used for the construction phase of the Langdon Rural Water Supply project; and, that Garrison Diversion MR&I program funds be granted in an amount not to exceed \$1,936,320 for the construction phase. Approval of the \$1,936,320 includes \$1,325,000 allocated from the Fiscal Year 1988 appropriation, contingent upon the availability of funds; and, the balance of \$611,320 to be allocated from the Fiscal Year 1989 Garrison Diversion MR&I program funds, contingent upon the availability of funds. If there are insufficient Garrison Diversion MR&I program funds in Fiscal Year 1989, this action shall not obligate the State Water Commission to provide additional funds to the Langdon Rural Water Supply project.

Commissioners Jones, Backes, Byerly, Gust, Lardy, Narlock, Rudel, Spaeth, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

GARRISON DIVERSION PROJECT -
CONTINUED DISCUSSION RELATIVE
TO REQUEST FROM CITY OF GRAND
FORKS FOR MR&I PROGRAM FUNDING
FOR CONSTRUCTION OF NEW GRAND
FORKS RIVERSIDE PARK DAM
(SWC Project No. 520-2)

David Sprynczynatyk reviewed the project status and prior Commission actions relating to the Grand Forks Riverside Park Dam project. The City of Grand Forks is sponsoring the New Riverside Park Dam project which consists of the construction of a new water supply dam on the Red River to replace the existing Riverside Park Dam. The existing dam, built in 1925, is in poor condition and could fail at anytime causing the City of Grand Forks to be without a water supply. The design plans and specifications for the new dam have been completed. The new dam will be located approximately 1000 feet downstream of the existing dam. Safety factors were incorporated into the design to reduce the possibility of drownings in the turbulent downstream tailwaters.

The preliminary engineering report for the New Riverside Park Dam was completed in April, 1984 and with additional information was submitted and approved by the U.S. Bureau of Reclamation as meeting the requirements of the preliminary engineering report and feasibility study required under the Garrison Diversion MR&I program. Mr. Sprynczynatyk said the final design and specifications are being reviewed by the Bureau of Reclamation. It is anticipated the New Riverside Park Dam project will be advertised for construction bids on May 2, 1988. This would allow for the start of construction on August 1, 1988 and completion by August 31, 1989. The schedule is such that the new dam will be far enough along to capture flows in the spring of 1989.

The total construction costs for the project are estimated at \$2,555,000. Right-of-way costs are estimated at \$20,000, bringing the total project costs to \$2,575,000. Mr. Sprynczynatyk said it is estimated that \$500,000 in construction and right-of-way costs will be incurred during Fiscal Year 1988, and the remaining \$2,075,000 will be required to complete construction during Fiscal Year 1989.

Mr. Sprynczynatyk indicated that a revised Fiscal Year 1988 MR&I budget allocation included \$375,000 for the New Riverside Park Dam project, which was based on the federal share of construction costs expected to be incurred during Fiscal Year 1988. The allocation was approved by the Garrison Diversion Conservancy District Executive Board on February 23, 1988, and by the State Water Commission on March 17, 1988. Mr. Sprynczynatyk explained this action actually re-allocated a portion of the funds approved and allocated in Fiscal Year 1987.

Mr. Sprynczynatyk explained that the concept which is being considered to increase the local share required under the MR&I program from 25 percent to 33 1/3 percent of project costs would create problems in that the project would have to be delayed, since advertising the bid is scheduled for May 2, 1988, to allow construction to begin in 1988 and completion in 1989. If there is a delay, Mr. Sprynczynatyk said the project will not be completed in 1989. Increasing the non-federal share may also require consideration of a larger contribution of state funds. Mr. Sprynczynatyk said that because of

April 29, 1988

the critical nature of the project associated with the possible failure of the dam and subsequent loss of the Grand Forks water supply it is important that the project begin as soon as possible.

It was the recommendation of the Interim State Engineer that the New Riverside Park Dam project is consistent with the requirements of the Garrison Diversion MR&I program and that a 25 percent local share/75 percent federal share be used for the construction phase of this project. It was also recommended that Garrison Diversion MR&I program funds be granted in the amount of \$1,931,250 for the design and construction phases of the project. Mr. Sprynczynatyk explained this would include the \$375,000 allocated from the Fiscal Year 1988 appropriation, and the balance of \$1,556,250 to come from Fiscal Year 1989 funds, if available. Approval of this amount would approve the full 75 percent toward the project, based on the current cost estimate for the project. Mr. Sprynczynatyk indicated the Garrison Diversion Conservancy District approved MR&I funding for design and construction at their April 5, 1988 meeting.

It was moved by Commissioner Jones and seconded by Commissioner Rudel that the State Water Commission approve a 25 percent local share/75 percent federal share for the design and construction phases of the New Grand Forks Riverside Park Dam project; and, that Garrison Diversion MR&I program funds be granted in an amount not to exceed \$1,931,250 for the design and construction phases of the project. Approval of the \$1,931,250 includes the \$375,000 allocated from the Fiscal Year 1988 appropriation, contingent upon the availability of funds; and, the balance of \$1,556,250 to be allocated from the Fiscal Year 1989 Garrison Diversion MR&I program funds, contingent upon the availability of funds. If there are insufficient Garrison Diversion MR&I program funds in Fiscal Year 1989, this action shall not obligate the State Water Commission to provide additional funds to the New Grand Forks Riverside Park Dam project.

Commissioners Jones, Backes, Byerly, Gust, Lardy, Narlock, Rudel, Spaeth, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

At the March 17, 1988 State Water Commission meeting, the Commission members discussed funding for the 25 percent non-federal portion of the New Grand Forks Riverside Park Dam project costs of \$643,750. As a result of the discussion, it was requested that alternative funding be explored for the project. The alternative would be a grant or a loan from the State Water Commission Contract Fund, of which both would come from the Resources Trust Fund.

The staff was directed to prepare a draft loan agreement and also a proposal that would provide a grant from the Contract Fund for up to 50 percent financial assistance.

April 29, 1988

Mr. Sprynczynatyk explained if the State Water Commission was to approve a loan from the Contract Fund to be repaid to the Resources Trust Fund for the non-federal share, it would be paid back over a period of up to 50 years at approximately 6 1/2 percent interest, with the exact interest based on FmHA guidelines at the time of execution of the agreement. The authority for a loan does exist in the North Dakota Century Code. The intent of a loan would be to provide the least annual cost to the city and to continue the concept of a revolving Resources Trust Fund for water resource development, which was started with the Southwest Pipeline Project.

On March 22, 1988, correspondence was received from the City of Grand Forks requesting consideration of a grant for up to 50 percent financial assistance in the eligible non-federal costs of the project in lieu of the loan concept. This concept seemed to be favored during further discussion by the State Water Commission at its meeting on March 17, 1988. A grant would involve approximately \$320,000. Mr. Sprynczynatyk said a grant would include \$100,000 thus far expended by the State Water Commission and the additional engineering costs to be incurred during the construction period. The cash outlay from the Contract Fund would be approximately \$200,000.

It was the recommendation of the Interim State Engineer that in view of the limited budget the State Water Commission approve a grant for 50 percent of the eligible non-federal costs, not to exceed \$320,000, with the grant to include any costs incurred by the State Water Commission staff, and contingent upon the availability of funds.

It was moved by Commissioner Narlock and seconded by Commissioner Backes that the State Water Commission approve a grant from the Contract Fund for 50 percent of the eligible non-federal costs of the New Grand Forks Riverside Park Dam project. The grant shall not exceed \$320,000, with the grant to include any costs incurred by the State Water Commission staff for the design and construction of the New Grand Forks Riverside Park Dam. This motion shall be contingent upon the availability of funds.

In discussion of the motion, Commissioner Lardy expressed concern that the State Water Commission is making short-term decisions on long-term needs; and, although it appears the best approach is to approve funds for these project requests, by the same token the State Water Commission may not be looking to the future. Commissioner Lardy said we are going to have water needs in 50 years the same as we have today and by taking this kind of action the Commission is not providing the kinds of things it should for water needs in the future.

Commissioners Jones, Backes, Byerly, Gust, Lardy, Narlock, Rudel, Spaeth, and Chairman Omdahl voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

April 29, 1988

CONSIDERATION OF AGENCY'S
FINANCIAL STATEMENT

tures and the Projects Authorized, dated March 31, 1988.

Matt Emerson, Assistant Secretary
for the State Water Commission, re-
viewed the Program Budget Expendi-

INTERIM STATE ENGINEER -
CONSIDERATION AND APPROVAL
OF SALARY INCREASE

State Engineer during the absence of State Engineer Vernon Fahy for surgery
and rehabilitation.

At the March 17, 1988 State Water
Commission meeting, the Commission
members approved a motion appointing
David Sprynczynatyk as Interim

Chairman Omdahl indicated that by
appointing Mr. Sprynczynatyk as Interim State Engineer the State Water
Commission recognizes the increased responsibilities and duties which
accompany that appointment. It was the recommendation of the Chairman that
Mr. Sprynczynatyk's salary be increased \$200 per month, retroactive to
March 15, 1988, for the period of time Vernon Fahy is absent full-time from
his position. Upon Mr. Fahy's return to work on a part-time basis, Mr.
Sprynczynatyk's \$200 per month increase is to be reduced proportionately.

It was moved by Commissioner Backes and seconded
by Commissioner Jones that the State Water
Commission approve a salary increase of \$200
per month, retroactive to March 15, 1988, for
Interim State Engineer, David Sprynczynatyk,
for the period of time State Engineer Vernon Fahy
is absent full-time from his position. Upon Mr.
Fahy's return to work on a part-time basis, Mr.
Sprynczynatyk's \$200 per month increase is to be
reduced proportionately.

Commissioners Jones, Backes, Byerly, Gust,
Lardy, Narlock, Rudel, Spaeth, and Chairman
Omdahl voted aye. There were no nay votes.
The Chairman declared the motion unanimously
carried.

DISCUSSION OF MOISTURE
CONDITIONS IN STATE

North Dakota and indicated there is considerable concern at this time. He
said some of the streams did not have more than ten percent of their normal
spring runoff occur this spring.

David Sprynczynatyk briefed the
Commission members on the moisture
conditions throughout the State of

APPOINTMENT OF COMMISSIONER
NORMAN RUDEL, FESSENDEN, ND
(Term 4-4-88 - 7-1-93)

is April 4, 1988 - July 1, 1993), and acknowledged the efforts of the North
Dakota Water Users Association, the Water Resource Districts Association
and the State Game and Fish Department. Commissioner Rudel said he is

Commissioner Norman Rudel expressed
appreciation to Governor Sinner for
appointment to the State Water Com-
mission (Commissioner Rudel's term

April 29, 1988

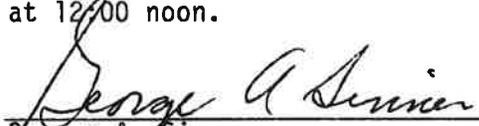
Looking forward to working with the Governor, State Water Commission, State Engineer and staff to address the many important issues in the State of North Dakota.

1988 WATER DEVELOPMENT
ACT (OMNIBUS BILL)
(SWC Project No. 576)

At the Commission meeting on March 17, 1988, David Sprynczynatyk briefed the Commission members on testimony he presented on behalf of the State Water Commission and the North Dakota State Engineer on March 16, 1988 before the Water Resources, Transportation and Public Works Subcommittee of the U.S. Senate Environment and Public Works Committee in Washington, D.C. The testimony supported Section 302, which established a technical resource service for the Red River Basin in Minnesota and North Dakota and would provide up to \$500,000 per year to be appropriated for this service. Mr. Sprynczynatyk also testified in support of S. 2158 legislation introduced by Senator Burdick to amend the authority of the Corps of Engineers with respect to bank stabilization and shoreline erosion along the Missouri River. The legislation would make the responsibility for streambank protection a part of the project purposes of the Missouri River Pick-Sloan Plan.

Mr. Sprynczynatyk said the U.S. Senate has passed the 1988 Water Omnibus Bill relative to the bank stabilization legislation and it will now be considered by the U.S. House.

There being no further business to come before the State Water Commission at this time, it was moved by Commissioner Lardy, seconded by Commissioner Jones, and unanimously carried, that the meeting adjourn at 12:00 noon.


George A. Sinner
Governor-Chairman

ATTEST:


David A. Sprynczynatyk
Interim State Engineer and Secretary

April 29, 1988