

LAKE AGASSIZ WATER AUTHORITY**BOARD OF DIRECTORS**

**Hilton Garden Inn
Fargo, North Dakota
November 15, 2019**

A meeting of the Lake Agassiz Water Authority (LAWA) board of directors was held at the Hilton Garden Inn, Fargo, North Dakota, on November 15, 2019. The meeting was called to order by Chair Mahoney at 11 a.m.

MEMBERS PRESENT

Chair Timothy Mahoney
Vice Chair Ken Vein
Director LaVonne Althoff
Director Rick Bigwood
Director Bill Bohnsack
Director Dave Carlsrud
Director Tom Erdmann
Director John Hancock
Director Mark Johnson
Alternate Kris Knutson for Director Ralf Mehnert-Meland
Associate Member Dick Johnson
Associate Member Carol Siegert
Secretary Duane DeKrey

MEMBERS ABSENT

Director Nels Halgren
Director Keith Nilson
Associate Member Don Bajumpaa

OTHERS PRESENT

Staff members of the Garrison Diversion Conservancy District were present along with others. A copy of the registration sheet is attached to these minutes as Annex I.

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

INTRODUCTIONS

Chair Mahoney called on those in the audience to introduce themselves.

CONSIDERATION OF THE MINUTES

Motion by Vice Chair Vein to postpone consideration of the July 11, 2019, Lake Agassiz Water Authority Board minutes until the next board meeting. Second by Director Johnson. Upon voice vote, motion carried.

OFFICER REPORT

Vice Chair Vein reported on various water related meetings he has attended regarding the Red River Valley Water Supply Project (RRVWSP).

COMMITTEE REPORTS

LAWA Technical Advisory Committee (TAC) - - Al Grasser Chair, LAWA TAC, reported that the TAC met on October 2 to review items identified as critical action items related to controlling project risks needing to be moved forward in this biennium. The committee agreed to recommend the three early out construction items for the RRVWSP to the LAWA board. These items include the intake pumping station and wetwell, discharge structure and trenchless crossings.

An overview was given on the approaches being looked at for trenchless crossings, and the committee provided feedback requesting staff look into a cafeteria style approach when selecting which specific locations to proceed with.

The committee also approved recommending an amendment to the intake preliminary design task order in the amount of \$50,000 to the full board. This is needed to extend the existing scope and fee incurred for environmental services related to the intake. Funding is to come from a reallocation in the land service task order.

LAWA CITY MEMBER ELECTIONS

Merri Mooridian, Deputy Program Manager, RRVWSP Administration, informed the board that LAWA elections for city members were held during the League of Cities Conference in September. At that time, all of the current city members were re-elected; however, the board member from the City of Mayville was changed to Bill Bohnsack, and Don Moen will now serve as his alternate.

RED RIVER VALLEY WATER SUPPLY PROJECT UPDATE

Ms. Mooridian and Kip Kovar, Deputy Program Manager, RRVWSP Engineering, provided a PowerPoint presentation as an overview of the Risk Analysis Review, Early Out Construction, 2019-2021 Revised Draft Budget and Near-Term Cost Allocation.

Risk Analysis Review

The purpose of the risk analysis review (workshop) was to focus on what LAWA and Garrison Diversion need to collectively accomplish on the RRVWSP in 2019 given the legislative session's outcomes. A risk/benefit matrix discussion was held at the workshop with short-term risks identified as well as potential actions to mitigate those risks.

Ms. Mooridian said the priorities coming out of the workshop were project financing, early out construction, overall 2019-2021 work plan and financial modeling and user commitments.

Early Out Construction

Mr. Kovar reviewed the three early out construction projects, which are the Missouri River intake and wetwell (\$3.6 million), discharge structure (\$1.7 million), and trenchless crossings (\$9 million).

Mr. Kovar presented an early out construction alternate that has been developed. This idea came from the Value Engineering Study that was previously approved by the board. The idea is a demonstration-type project that involves installing pipe in the ground. A map showing an overview of the early out options was distributed and reviewed with the board members.

Mr. Kovar said during the study, the Value Engineering Team mentioned doing something similar to the alternate would provide information on soil conditions, site conditions and restoration. This could be beneficial in future contracts.

Vice Chair Vein commented long term, the information obtained on this segment will make a difference for the many miles of pipe planned in the future to offset any increased costs.

Questions and concerns from the board members regarding the alternate were addressed by Mr. Kovar.

Mr. Kovar suggested the TAC hold a meeting by conference call next week to review and discuss the alternate pipeline option versus the trenchless crossings, with the board allowing the committee to determine which option to move forward with.

Vice Chair Vein stated typically, he would prefer the board make these types of decisions; however, if trying to move forward with early out construction, they may need to forego that and allow the TAC to make the determination on the alternate.

Motion by Vice Chair Vein authorizing the LAWA Technical Advisory Committee to evaluate trenchless crossings versus the pipeline alternate to determine which option to proceed with for early out construction on the RRVWSP. Second by Director Hancock. Upon roll call vote, the following directors voted aye: Bigwood, Bohnsack, Carlsrud, Erdmann, Hancock, Johnson, Mahoney, and Vein. Alternates voting aye: Knutson. Directors voting nay: Althoff. Absent and not voting: Halgren and Nilson. Motion carried.

2019-2021 Revised Draft Budget

Mr. Kovar and Ms. Mooridian presented the Revised Draft Budget for 2019-2021 and reviewed the early out construction items according to priority that are being proposed in the work plan totaling \$7.5 million at a 75/25 percent cost share. A copy of the budget is attached to these minutes as Annex II.

Mr. Kovar stated if the board agrees with these items, there will be task orders coming for future approval.

The following future work items are proposed in the work plan and budget:

Bidding Assistance – Intake Wetwell	\$ 80,000
Bidding Assistance/Construction Management –Trenchless Crossings	\$ 730,000
Bidding Assistance – Discharge Structure	\$ 80,000
NDPDES Discharge Permitting Support Services	\$ 250,000
Easement & Intake/Discharge Land Acquisition	\$ 660,000
Assistance with Wetland & Other Permitting	\$ 100,000
Design Wrap-Up on Trenchless Crossings	\$ 730,000
Marine Borings, Final Design on Intake Crib and Tunnel	\$2,920,000
Program Administration (finance, legal and insurance, etc.)	\$1,390,000
Reserve Budget for Work Plan Changes	\$ 560,000

Mr. Kovar added if the pipeline alternate is selected in lieu of the trenchless crossings, the words would change in Item No. 2, but the dollar amount would stay the same. The task order would then be for bidding assistance, construction management and inspection for the alternate pipeline project.

Work Plan Update

Mr. Kovar referred to the RRVWSP Work Plan Update dated September 9, 2019, which provides an update on each of the ongoing task orders. A copy of the update is attached to these minutes as Annex III.

Task Orders

Land Services and Intake Preliminary Design Amendment

Mr. Kovar reiterated the recommendation from the LAWA TAC Committee to approve amendments to two task orders. The execution of the work under the Land Services Amendment has varied from the plan, and an adjustment to the scope of work is required. This deferment will free up \$50,000 in funds to be applied toward the Intake Preliminary Design Amendment, which is necessary to extend the existing scope and fees incurred for environmental, wetland, threatened and endangered species, or cultural issues as they arise during the 2019 to 2021 biennium. There is no new authorization of funds.

Motion by Director Johnson to approve the Land Services Amendment, decreasing the authorized task order fee by \$50,000 for a revised total fee of \$1,602,285, and the Intake Preliminary Design Amendment, increasing the authorized task order fee by \$50,000, for a revised total fee of \$2,035,000. Second by Director Bigwood. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Erdmann, Hancock, Johnson, Mahoney, and Vein. Alternates voting aye:

Knutson. Directors voting nay: none. Absent and not voting: Carlsrud, Halgren and Nilson. Motion carried.

Financial Planning Support

Ms. Mooridian referred to the Financial Services Support Task Order, which is for financial planning support through this current biennium and preparing for the next biennium. The cost of the task order is \$380,000.

The primary objectives for this task order will be to: 1) continue the draft evaluations and preliminary outreach undertaken in the 2017-2019 biennium, 2) assist Garrison Diversion in delivering the legislatively required project financial plan in final form and 3) work with the local users to understand and commit to the RRVWSP funding and financing plan. Specific focus will include the finalization of the preferred financial implementation model including the development of preferred cost-share and cost allocation approaches for core project infrastructure (i.e. main pipeline and facilities) and non-core project infrastructure (i.e. branch pipelines).

Motion by Vice Chair Vein to approve the Financial Planning Support Task Order in the amount of \$380,000. Second by Director Althoff. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Carlsrud, Erdmann, Hancock, Johnson, Mahoney, and Vein. Alternates voting aye: Knutson. Directors voting nay: none. Absent and not voting: Halgren and Nilson. Motion carried.

Program Management Update

Ms. Mooridian referred to the program management chart dated September 5, calling attention to items needing updated. The chart is intended to display the status of all the work being done on the RRVWSP, listing start and finish dates of tasks by category. This is a fluid working document and a critical tool for planning.

Planning Level Budget

Ms. Mooridian also referred to and reviewed the two graphics showing the RRVWSP Planning Level Budget dated September 30, copies which are attached to these minutes as Annex IV. The bar chart illustrates the cumulative project expenses.

Ms. Mooridian said the amount expended of the 2017-2019 biennium budget in 2019 is \$27.3 million. Of the total program budget, 89 percent of budget has been expended. The amount outstanding and committed is \$2.8 million with \$474,000 uncommitted.

Eastern North Dakota Alternate Water Supply

Mr. Kovar reported that an Environmental Impact Statement (EIS) will be completed on Garrison Diversion's request to the Bureau of Reclamation (Reclamation) for consideration/evaluation of an additional 145 cfs from the McClusky Canal to serve as an alternate water supply for the State's RRVWSP. The EIS will analyze the proposed action(s) associated with the request. The study will be named the Eastern North Dakota Alternate Water Supply (ENDAWS).

Scoping Document

Mr. Kovar stated EIS scoping meetings have been held in Fargo, Jamestown and Bismarck. A scoping document has been developed by Reclamation, which is included in the meeting materials and attached to these minutes as Annex V.

Schedule

Mr. Kovar said a Notice of Intent (NOI) kicks off the EIS, which was released on November 13. This starts the time clock on the EIS, and Reclamation's policy states an EIS must be completed, along with a recommendation, within 365 days.

The board will be kept up to date throughout the EIS process.

FINANCIAL REPORT

2019 Budget Analysis Statement - - Ms. Mooridian referred to and reviewed the Budget Analysis Statement for the period of January 1, 2019, to October 31, 2019, a copy which is attached to these minutes as Annex VI.

Total income received through October is \$31,463. Expenses are \$57,723. The total bank balance at the end of October was \$735,751.

Motion by Director Bohnsack to approve the Budget Analysis Statement for the period of January 1, 2019, through October 31, 2019. Second by Director Hancock. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Carlsrud, Erdmann, Hancock, Johnson, Mahoney, and Vein. Alternates voting aye: Knutson. Directors voting nay: none. Absent and not voting: Halgren and Nilson. Motion carried.

2019 Bills Paid

Ms. Mooridian reported that bills paid since the previous meeting amount to \$502 paid to Insure Forward and \$37,750 to Garrison Diversion for LAWA's share of the national legal fees.

Motion by Director Johnson to approve the bills paid. Second by Director Bigwood. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Carlsrud, Erdmann, Hancock, Johnson, Mahoney, and Vein. Alternates voting aye: Knutson. Directors voting nay: none. Absent and not voting: Halgren and Nilson. Motion carried.

2019 LAWA Membership Dues - - Ms. Mooridian referred to the table showing LAWA membership dues collected for 2019. The amount collected to date totals \$31,400.

UNFINISHED BUSINESS

Memorandum of Understanding – Chair Mahoney mentioned that the Memorandum of Understanding (MOU) between LAWA and Garrison Diversion is under the process of review by representatives of the two boards. The final document is anticipated by the end of December.

Insurance Advisor - - Ms. Mooridian referred to a copy of the insurance advisor request for proposals (RFP) included in the meeting packet. After the risk analysis workshop, it was decided to move forward with the search for an insurance advisor for the RRWSP. The RFPs were issued on September 4 with responses due on September 24. None were received.

Ms. Mooridian said it was intended that whoever was selected as an insurance advisor would recommend the best insurance policies for the RRWSP; however, the insurance advisor would not be able to be the insurance broker. The FM Diversion Authority has been contacted to see who they are using as an advisor. Staff will follow up with that company about providing services. There is also a firm from New York that has shown interest.

NEW BUSINESS

None

OTHER

There being no further business to come before the board, the meeting adjourned at 12:35 p.m.

Timothy Mahoney, Chair

Duane DeKrey, Secretary

REGISTRATION

LAWA Board Meeting
Fargo, North Dakota
November 15, 2019

NAME	ADDRESS
Kimberly Cook	GDCD
Say Paul Anderson	GDCD - Ransom County
Steve Metzger	GDCD - Foster County
SHAWO GADDIG	AEZS
Marc Pritchard	Moorhead Public Service
Jacob Strombeck	AEZS
CHARLES VEIN	AEZS
Keith mprkleseth	EAST Grand FOLKS
Steve Burian	Citizen
Dave Piepkorn	Fergus
Steve Hansen	South east Water U.S.
Al Grassie	city of Grand Forks
Bruce Embels	City of Fargo
Geneva Kaiser	GDCD - Statsman Rural Water
Greg Bischoff	GDCD - Barnes City



2019 to 2021 Biennium Budget (Early-Outs w/ Min Additional Spend)

No.	Description	Detail	Task Orders Auth	19/21 Budget (mil \$)	Const. Cost per Biennia (mil \$) ^{1,2,3}		
					19/21	21/23	Future
1	Early-Out Missouri River Intake Pumping Station Wetwell	40' diameter x 65' deep concrete wetwell and initial site development for a 165-cfs pumping station at Missouri River near Washburn	Jan-20	\$ 0.08	\$ 3.6	\$ -	\$ -
	Scope: Bidding assistance and construction of intake wetwell						
	Need: Early-out project to meet legislative intent						
2	Early-Out Trenchless Crossings - Contract 5	A portion of 84" dia carrier/casing pipe under railroads, highways, and wetlands in the first 28-mile section of pipeline	Jan-20	\$ 0.73	\$ 7.7	\$ -	\$ -
	Scope: Bidding assistance, const mgmt, inspection, & construction						
	Need: Early-out project to meet legislative intent						
3	Early-Out Discharge Structure on the Sheyenne River	145-cfs energy dissipation structure and outfall channel to Sheyenne River near Cooperstown, including initial site development	Jan-20	\$ 0.08	\$ 1.7	\$ -	\$ -
	Scope: Bidding assistance and construction of disch structure						
	Need: Early-out project to meet legislative intent						
4	Biota Water Plant and Main Pumping Station	165-cfs water treatment facility; 165-cfs main pumping station and associated surge control building	Jul-20	\$ 0.25	\$ -	\$ -	\$ 111
	Scope: NDPDES discharge permitting support services						
	Need: On-call services for permit acquisition support						
5	Land Services⁴	Conversion of expiring options to easements; and intake and discharge real estate costs and legal support	Jan-20	\$ 0.66	\$ -	\$ -	\$ 10
	Scope: Easement and intake/discharge real estate acquisition						
	Need: Convert remaining Segment 2 options to easements						
6	Eastern North Dakota Alternative Water Supply	Assist Reclamation with development of an Environmental Impact Statement for the 145-cfs McClusky Canal request	Oct-19	\$ 0.21	\$ -	\$ -	\$ -
	Scope: Support services for NEPA process and EIS development						
	Need: Support Reclamation with completion of alternative review						
7	Environmental Consulting	Provide on-call consulting for jurisdictional wetlands, environmental, cultural, and archeological aspects during the	Jan-20	\$ 0.10	\$ -	\$ -	\$ -
	Scope: Assistance with wetlands and other permitting issues						
	Need: Identify and address environmental issues as they arise						
8	Pipeline and Trenchless Crossings - Contract 5	28 miles of 72" open-cut pipeline, including balance of 84" diameter tunnels not completed under Trenchless Crossings Ct 5	Jul-20	\$ 0.73	\$ -	\$ 164	\$ -
	Scope: Design wrap-up and bidding assistance						
	Need: Keep program on track for 2029 completion						
9	Missouri River Intake Crib and Tunnel	Marine geotechnical investigation; design of 8 48" dia T-screens and crib in Missouri River and 1,600' long 72" dia tunnel from crib to wetwell	Oct-19	\$ 2.92	\$ -	\$ 26	\$ 49
	Scope: Marine borings, final design services, and bidding assistance						
	Need: Design facility so it can be built by permit deadline						
10	Financial, Administration, Legal, Insurance, Etc.	Administration of program, including financial, legal, public communication, administrative, insurance advising, etc. expenditures	Oct-19	\$ 1.39	\$ -	\$ -	TBD
	Scope: Administration, legal, and financial modeling/planning						
	Need: Annual Garrison Diversion budget for program admin						
11	Reserve for Expected but Yet Undefined Projects	A 5-percent reserve providing flexibility to adapt to work plan changes over the next two years	TBD	\$ 0.35	\$ -	\$ -	\$ -
	Scope: Reserve budget to accommodate work plan changes						
	Need: Prudent reserve						
Total Program Budget				\$ 7.5	\$ 13	\$ 190	\$ 170

**RRVWSP Work Plan Update
September 9, 2019**

Goal

Spring 2016	Completed Conceptual Design and Cost Estimate
Summer 2017	Completed Preliminary Design and Cost Estimate for pipeline and pump station(s)
2017 - 2019	Complete Phased Final Design and Cost Estimates
2019 - 2027	Phased Bidding and Construction

Total draft budget to complete Conceptual, Preliminary and Final designs is \$66 million. The ND legislature appropriated \$12.359 million for the RRVWSP for the 2015-2017 biennium. The conceptual design phase has been completed; therefore, no further updates will be included in this report. The ND legislature appropriated \$30 million for the RRVWSP for the 2017-2019 biennium.

Preliminary Design

The conceptual design was released in September 2016. The majority of the preliminary design has been completed; of the \$10 million cost estimate, approximately \$42,000 remains to be expended on the task orders. Moving forward with limited funds, it is cost effective to start project phasing. The Implementation Plan will provide a road map to move forward with items that must be completed first, which includes permit phasing, design phasing and construction phasing.

Final Design

The draft preliminary design was released early October 2017. Moving forward with limited funds, it is cost effective to start project phasing. Priority items to move forward first with final design and construction are discharge structure, trenchless crossings and portions of the intake.

1) Pipeline segment 28 miles – This task order will begin final design on a portion of the RRVWSP and is the first of several pipeline design task orders that will be executed to complete the project. Given the current level of state and local funding allocated for the project’s design and construction, the length of the initial segment selected for final design and preparation of construction contract documents is approximately 28 miles. The general location of the 28-mile pipeline segment is in Foster and Wells Counties. The alignment and limits of the pipeline being designed under this task order are identified on the RRVWSP route overview map. This task order will deliver bid ready documents for this 28-mile segment. Estimated cost is \$3,840,000.

Status – Letters have been sent to utility companies asking for facility locations and details where crossings might occur. The 90% plans and specification were submitted in March 2019.

2) Geotechnical – This task order will allow engineers to drill supplemental borings along the Preliminary Design Report (PDR) pipeline alignment and discharge site and to complete laboratory testing of soil samples collected. These supplemental borings are necessary to characterize subsurface soil conditions not covered by the 2008 investigation. Relevant existing

soils data from the 2008 investigation will be used to the maximum extent practical to support activities. Estimated cost is \$544,000.

Status – All borings and soil resistivity tests are complete. A draft Geotechnical Baseline Report and Corrosion Protection Design Guide has been developed.

3) Sediment Transport Analysis – This task order will provide information as requested by the North Dakota State Water Commission (SWC) to evaluate the Sovereign Lands Permit for the Missouri River intake, as well as support the overall design of the intake screens. Estimated cost is \$396,000.

Status – All field work was completed prior to the river freezing. A request was made to USACE for a river analysis model HEC-RAS. Developed 1D and 3D models and completed geomorphic analyses. The final Sediment Transport Report has been sent to the SWC for review.

4) Trenchless Crossings – This task order is for final design of tunneled or trenchless crossings in the first 28-mile section of pipeline selected for final design. The general outcome of this task order will be the preparation of construction contract documents. Estimated cost is \$452,000.

Status – The 90% plans and specifications were ready February 2019.

5) Discharge Site Structure – This task order is for final design of the discharge structure. The general outcome of this task order will be the preparation of construction contract documents. Estimated cost is \$508,000.

Status – The 90% designs are available for review.

6) Land Services – This task order is for survey support services, easement and option acquisition for RRVWSP parcels. The RRVWSP pipeline is separated into segment 1, 2a and 2b, 3 and 4. Authorization has been approved to move forward with only segment 1. Estimated cost for segment 1 is \$556,446. A second authorization was approved for segment 2a, 2b and 4. Estimated cost is \$1,232,839.

Status – Pipeline Segment 1 status; 99% easements signed. All letters to landowners asking for converting options to easements and asking for options have been sent. The appraisal reports for the intake and discharge land have been received.

7) Drone Aerial Coverage – This task order is for unmanned aircraft system services for the initial 28-mile pipeline corridor, discharge site and intake site. Oblique view videos will be captured and incorporated into the GIS database. Estimated cost is \$71,443.

Status – The intake, discharge and pipeline segment 1 have been completed.

8) Missouri River Intake – This task order is for preliminary design of the Missouri River intake including a submerged crib, a tunnel from the crib to a pumping station on the river bank, and a pumping station, including utility extensions necessary and site civil design in order to develop the site. To support early out construction, final designs will be performed for the wet well, access road for construction vehicles and site drainage. Estimated cost is \$1,985,000.

Status – USACE has issued NW 12 permit for the intake. The Missouri River Intake Pump Station physical modeling is complete. The intake design passed all Hydraulic Institute tests. The 90% design for the wetwell are ready for review.

9) NDPDES Permit Application Supplement – This task order provides support documentation on how the proposed RRVWSP water treatment plant meets the established requirements of the Boundary Waters Treaty Act. Estimated cost is \$195,000.

Status – The NDPDES permit application was submitted to NDDOH on July 31, 2018.

10) Value Engineering – HDR was selected to complete a value engineering study on the RRVWSP. Estimated cost is \$198,539.

Status – The value engineering study workshop was held September 10-14. The draft report was issued on September 28, and the final report was submitted January 1, 2019.

11) Value Engineering Assistance – This task order provides Black and Veatch support services to the value engineering process. Estimated cost is \$64,000.

12) StateMod Amendment No. 3 – This task order provides support to respond to GDCD, LAWA, stakeholder and SWC requests for additional analysis. Estimated cost is \$193,428.

13) Field Verification of PDR Pipeline Alignment- This task order provides support services to field verify 139 miles of the PDR alignment not currently under design. Estimated cost is \$164,000.

Financial Modeling & Stakeholder Outreach

1) Municipal Advisor – Ernst & Young Infrastructure Advisors (EYIA) provides municipal advisory services for the RRVWSP. The overall objective is to develop a robust financial plan to finance the RRVWSP. The model will include construction schedule alternatives, capital debt structure options and on-going operational and renewal costs. Estimated cost is \$508,872.

Status – EYIA has refined the financial models based on effective construction schedules and debt financing approaches. The financial model includes quantified market risks and various cost-share alternatives. This work is on hold until further direction is received from stakeholders/policymakers. EYIA's work is jointly occurring and being incorporated into modeling being completed by AE2S Nexus and Black & Veatch. The models are reviewed by the LAWA Financial Advisory Committee.

2) Financial Modeling/Cost Allocation – The task order is for AE2S Nexus to assist EYIA in development of the overall financial plan and use that plan as the basis for the cost allocation model for each participating system. Estimated cost is \$512,175.

Status – The cost allocation model was refined to include a tiered allocation structure, which considers how project users will benefit from the project by assessing water supply needs, as well as access to project water. Feasibility and ability to pay studies are being conducted for roughly ten systems - both large and small systems. This work is in conjunction with the work being completed by EYIA.

3) Stakeholder Re-engagement – This task order will provide support in meeting with each of the 35 systems that signed development agreements. The objective of each meeting is to obtain a signed Project Participation Agreement and Water Service Contract. Estimated cost is \$398,830.

Status – Reevaluating financial modeling and outreach.

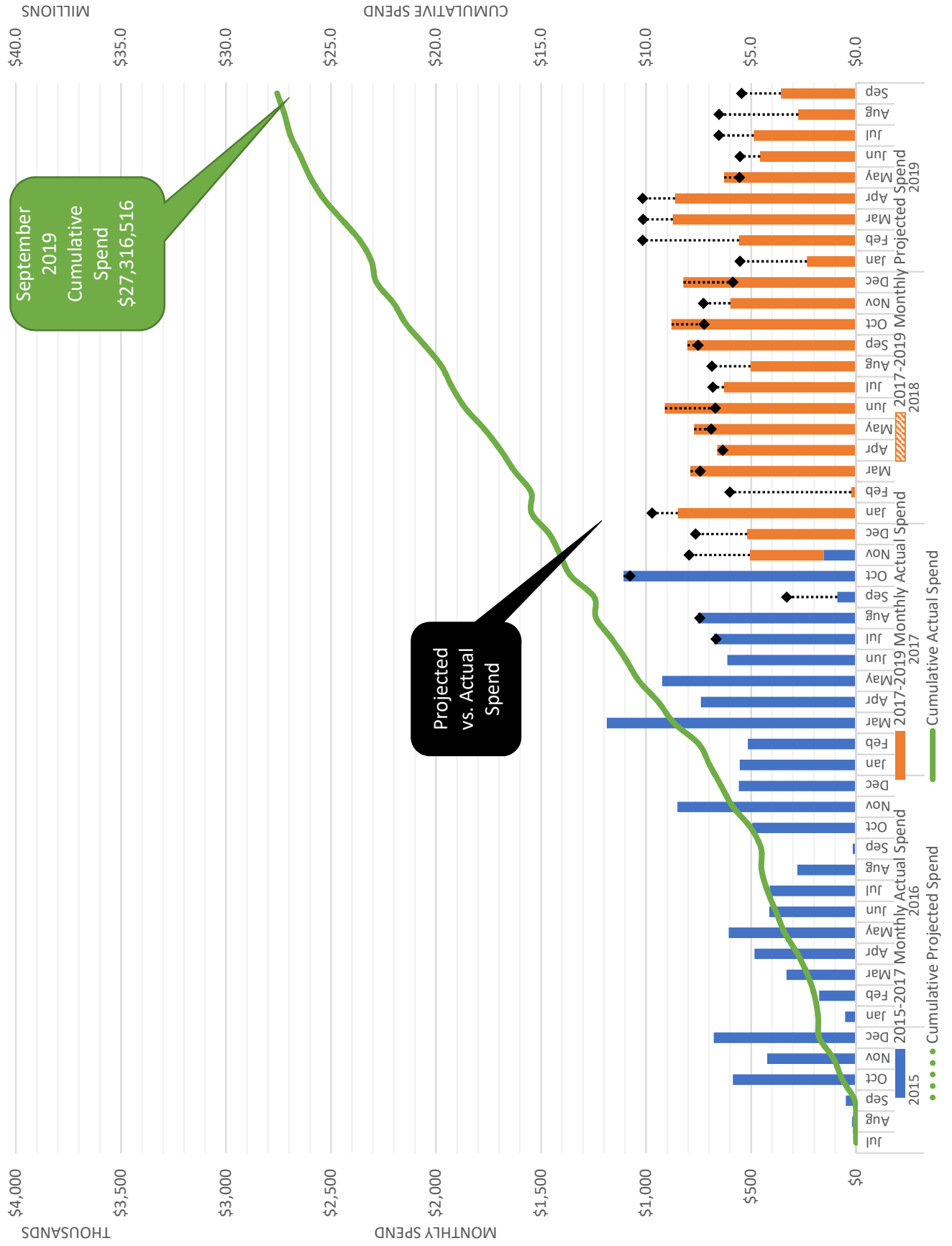
Program

1) Program Management – The overall RRVWSP is expected to spend \$30 million in the 2017-2019 biennium and potentially \$180 million or more the next biennium. The objective of this task order will support the development and maintenance of a variety of program management support tools to help successfully execute the project. The tools and processes are expected to be developed and implemented during this biennium and be ready to support a significantly increased program size in the following biennium. Estimated cost is \$491,000.

Status – Program management meeting #1 focused on all aspects of PM, PM #2 focused on the schedule, and other meetings were held developing PM tools and gaining knowledge about program delivery models. Draft Program Management Plan, Construction Management Plan and Design Guidance Manual have been submitted for review. A risk management was held focusing on short term risk to the project.

2) Program Management Information System – This task order will assist GDCD in making initial contact with vendors and to solicit formal submittals from those vendors to provide hardware, software and services. Estimated cost is \$43,100.

Red River Valley Water Supply Project Planning Level Budget



**Red River Valley Water Supply Project
Planning Level Budget**

September 30, 2019	Percent Complete	Current Estimate	Actual Expenses	Outstanding Expenses
Conceptual Design Subtotal	100%	\$ 5,302,130	\$ 5,302,130	\$ 0
Preliminary Design				
Missouri River Conventional Intake Design	100%	\$ 1,010,778	\$ 1,010,778	\$ -
Pipeline Alignment McClusky to Split & Land Services (ROE)	100%	\$ 3,436,073	\$ 3,435,888	\$ 185
Pipeline Alignment Washburn-McClusky & Land Services (ROE)	100%	\$ 593,683	\$ 593,115	\$ 568
Pipeline from Split to Baldhill Creek (RRV) Land Services (ROE)	100%	\$ 574,726	\$ 574,726	\$ -
0	100%	\$ 259,694	\$ 259,694	\$ -
Main Pump Station and Break Tank	100%	\$ 997,267	\$ 995,424	\$ 1,843
StateMod - includes amendments 1, 2 & 3	99%	\$ 616,229	\$ 612,553	\$ 3,676
Pipeline Extensions	100%	\$ 627,333	\$ 627,333	\$ -
Discharge Design (Sheyenne/Baldhill)	100%	\$ 617,000	\$ 615,860	\$ 1,140
Administration (cost & schedule, communications, LAWA)	100%	\$ 240,208	\$ 240,208	\$ -
Legal	100%	\$ 370,283	\$ 370,283	\$ -
Financial Modeling	100%	\$ 363,800	\$ 363,800	\$ -
Municipal Advisor	100%	\$ 374,835	\$ 374,835	\$ -
Workflow Manager	95%	\$ 150,000	\$ 141,980	\$ 8,020
Preliminary Design Subtotal	100%	\$ 10,231,909	\$ 10,216,478	\$ 15,431
Final Design				
Engineering				
Pipeline Final Design - 28 miles	92%	\$ 3,320,000	\$ 3,046,315	\$ 273,685
Trenchless Final Design	97%	\$ 452,000	\$ 436,950	\$ 15,050
Discharge Final Design	96%	\$ 508,000	\$ 487,443	\$ 20,557
Land Services - Segments 1, 2a, 2b, 4	62%	\$ 1,652,285	\$ 1,025,454	\$ 626,831
Geotechnical	92%	\$ 544,000	\$ 499,050	\$ 44,950
Sediment Transport	94%	\$ 396,000	\$ 370,589	\$ 25,411
Missouri River Intake Final Design	97%	\$ 1,985,000	\$ 1,922,682	\$ 62,318
Upper Sheyenne Discharge Analysis *	68%	\$ 111,723	\$ 76,064	\$ 35,659
Unmanned Aircraft System Services	99%	\$ 71,443	\$ 70,739	\$ 704
Value Engineering	73%	\$ 262,539	\$ 191,173	\$ 71,366
NDPDES Permit Application Supplement	85%	\$ 395,000	\$ 337,665	\$ 57,335
Field Verification of PDR Pipeline Alignment	75%	\$ 114,000	\$ 85,720	\$ 28,280
<i>Construction Phase Engineering</i>	<i>Upcoming</i>	\$ 474,218	\$ -	\$ 474,218
Land Acquisition				
Acquire Options	41%	\$ 134,000	\$ 54,349	\$ 79,651
Acquire Easements	97%	\$ 1,164,000	\$ 1,125,259	\$ 38,741
Acquire Real Estate	0%	\$ 78,000	\$ -	\$ 78,000
Financial, Administration, Legal, Etc.				
Financial Modeling/Cost Allocation	81%	\$ 1,141,047	\$ 924,765	\$ 216,282
Program Management Set Up	94%	\$ 553,000	\$ 521,389	\$ 31,611
Program Management Information System	15%	\$ 293,100	\$ 42,931	\$ 250,169
Administration (communications, LAWA)	65%	\$ 550,000	\$ 359,636	\$ 190,364
Stakeholder Support	13%	\$ 398,830	\$ 53,469	\$ 345,361
Legal	38%	\$ 600,000	\$ 226,265	\$ 373,735
<i>Undesignated</i>			\$ -	\$ -
Final Design, Easement & Administration Subtotal	78%	\$ 15,198,185	\$ 11,857,907	\$ 3,340,278
Construction				
<i>Pipeline Trenchless Construction</i>	<i>Upcoming</i>		\$ -	\$ -
<i>Discharge Construction</i>	<i>Upcoming</i>		\$ -	\$ -
<i>Intake Construction</i>	<i>Upcoming</i>		\$ -	\$ -
Construction Subtotal	0%	\$ -	\$ -	\$ -
Total Program Budget	89%	\$ 30,732,224	\$ 27,376,516	\$ 3,355,708

2015/2017 State Appropriation \$12,359,000	\$ 12,359,000
2015/2017 LAWA Cost Share \$1,373,225	\$ 1,373,225
2015/2017 total	\$ 13,732,225
2017/2019 State Appropriation**	\$ 17,000,000
RRVWSP Program Budget	\$ 30,732,225
2017/2019 Appropriation Spent to Date	\$ 13,644,291
2017/2019 Committed Outstanding	\$ 2,881,491
2017/2019 Not Committed	\$ 474,218

* not subject to local cost share

** not including \$13 million for early out construction

SEP 23 2019



United States Department of the Interior

BUREAU OF RECLAMATION

Great Plains Region

Dakotas Area Office

P.O. Box 1017

Bismarck, ND 58502-1017

SEP 19 2019

IN REPLY REFER TO:

DK-5000

2.1.4.17

Subject: Bureau of Reclamation's Notice to Prepare an Environmental Impact Statement for the Eastern North Dakota Alternate Water Supply Project

Dear Interested Party:

The Bureau of Reclamation, authorized under Section 7 of the Dakota Water Resources Act of 2000, is preparing an Environmental Impact Statement (EIS) for the funding and construction of the Eastern North Dakota Alternate Water Supply (ENDAWS) Project. Reclamation is the lead Federal Agency responsible for ensuring compliance with the National Environmental Policy Act.

Garrison Diversion Conservancy District (Garrison Diversion), acting on behalf of the State of North Dakota, requested the Bureau of Reclamation to consider issuing a contract for up to 165 cubic feet per second of water from Garrison Diversion Unit (GDU) facilities as an alternate bulk water source for the Red River Valley Water Supply Project. Reclamation's potential actions include construction of ENDAWS features, issuance of permits to construct and maintain ENDAWS facilities on Reclamation rights-of-way, issuance of a water repayment contract for GDU facilities, and compliance with the Boundary Waters Treaty of 1909.

The purpose of this letter is to inform you of Reclamation's decision to prepare an EIS and invite you to participate in the public scoping process. Reclamation is hosting three scoping meetings as a means of gathering public input early in the planning process, in addition to the formal scoping period which will be initiated by the publication of a Notice of Intent to prepare an EIS in the *Federal Register*. Additional information is also provided in the enclosed scoping notice. Issues and information brought forward in the scoping process will be considered by Reclamation for evaluation in the EIS, as appropriate. Please respond with your comments and information by December 15, 2019. If no reply is received by this date, it will be assumed that you have no comments at this time. Comments can be submitted via email to ENDAWS.EIS@usbr.gov or sent to Eastern North Dakota Alternate Water Supply Project, Bureau of Reclamation, Dakotas Area Office, 304 East Broadway Avenue, Bismarck, North Dakota 58501.

Scoping meetings are planned for October 22 – 24, 2019. Additional details pertaining to these meetings can be found in the enclosed scoping notice or by visiting:

<https://www.usbr.gov/gp/dkao/>. If you have any questions or require further information

regarding the EIS, please contact Damien Reinhart, EIS Team Leader, at 701-221-1275 or email him at ENDAWS.EIS@usbr.gov.

Sincerely,



Arden Freitag
Area Manager

Enclosure

cc: Contact List Available From Dakotas Area Office

bc: DK-1000 (Freitag), DK-2000 (Fettig, Waters), DK-4000 (Kraft), DK-5000 (Hettinger, Kenninger, Reinhart)
(via electronic copy)

WBR:Kenninger:Vinchattle:09/18/2019:701-221-1282

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RECLAMATION

Managing Water in the West

September 2019
Dakotas Area Office

Eastern North Dakota Alternate Water Supply Project Environmental Impact Statement

Public Scoping Notice

The Bureau of Reclamation (Reclamation) will prepare an Environmental Impact Statement (EIS) for the funding and construction of the Eastern North Dakota Alternate Water Supply (ENDAWS) Project. This is a bulk water supply project which would deliver an alternate water supply to the State of North Dakota's Red River Valley Water Supply Project. Reclamation is authorized under Section 7 of the Dakota Water Resources Act of 2000 to work with the State of North Dakota to plan, design and construct municipal, rural and industrial water supply projects. Reclamation is the lead federal agency and is responsible for ensuring compliance with the National Environmental Policy Act (NEPA).

What is the Proposed Action?

Garrison Diversion Conservancy District (Garrison Diversion), acting on behalf of the State of North Dakota, requested Reclamation consider issuing a contract for up to 165 cubic feet per second (cfs) of water from Garrison Diversion Unit facilities. This would include the use of Snake Creek Pumping Plant, an intake and pump station located along the McClusky Canal, and a bulk transmission pipeline to deliver water to the main transmission pipeline of the State's Red River Valley Water Supply Project.

Reclamation's potential actions include: construction of ENDAWS project features, issuance of a water repayment contract for Garrison Diversion Unit facilities, issuance of permits to construct and maintain ENDAWS facilities on Reclamation rights-of-way, and compliance with the Boundary Waters Treaty of 1909.

Background

This request for up to 165 cfs includes the previous request for 20 cfs of water from the McClusky Canal for the Central North Dakota Water Supply Project. The Central North Dakota Water Supply Project was analyzed through an Environmental Assessment, with a Finding of No Significant Impact issued in September 2018. Garrison Diversion anticipates future domestic and industrial water demands in central and eastern North Dakota will increase beyond the capability of the existing surface water and groundwater sources in that area. In response, Garrison Diversion is developing the Red River Valley Water Supply Project. The Red River Valley Water Supply Project will deliver bulk water from the Missouri River to communities, rural water systems and industrial water users in central and eastern North Dakota. Garrison Diversion estimates using McClusky Canal as an alternate water source could save millions of dollars in costs for construction, and annual operations and maintenance, including decreased energy costs for pumping.



U.S. Department of the Interior
Bureau of Reclamation

What does the NEPA process consist of?

NEPA was established in 1969 and has been amended numerous times for the purpose of creating a national policy to encourage harmony between people and their environment, promote efforts to prevent or eliminate damage to the environment, and enrich the understanding of ecological systems and natural resources (Council of Environmental Quality Regulations for Implementing NEPA). Most recently, Executive Order 13807 was issued to implement improvements to the NEPA process. To accomplish this, the Secretary of the Interior issued Secretarial Order 3355 to streamline the environmental review process and improve federal agency coordination in such reviews. In compliance with these Orders, Reclamation will be initiating and completing an EIS and Record of Decision within 365 days. The general milestones of the NEPA process are identified in Figure 1. Reclamation, as the lead federal agency, will be coordinating with other Federal agencies (e.g. U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service), state agencies, tribal governments, local entities, and the public, throughout the process.

What is the Purpose of Public Scoping?

The purpose of the public scoping process is to inform those persons and agencies who may be interested or affected by the proposed action, as well as to gather input regarding issues and concerns. Input received through the scoping process will help Reclamation define the scope of the EIS, identify significant issues to be analyzed in depth, as well as identify issues that are not significant and could be eliminated from detailed study. Public input can also help Reclamation identify other environmental reviews and/or consultation requirements, so Reclamation has time to initiate these, as needed, and integrate them into the EIS.

In the NEPA process, a formal 30-day public scoping period begins with the publication of a Notice of Intent to prepare an EIS in the *Federal Register*. Reclamation is hosting early scoping meetings as a means of gathering public input early in the planning process to better inform the EIS process. Input received during the early scoping meetings will be integrated with all other

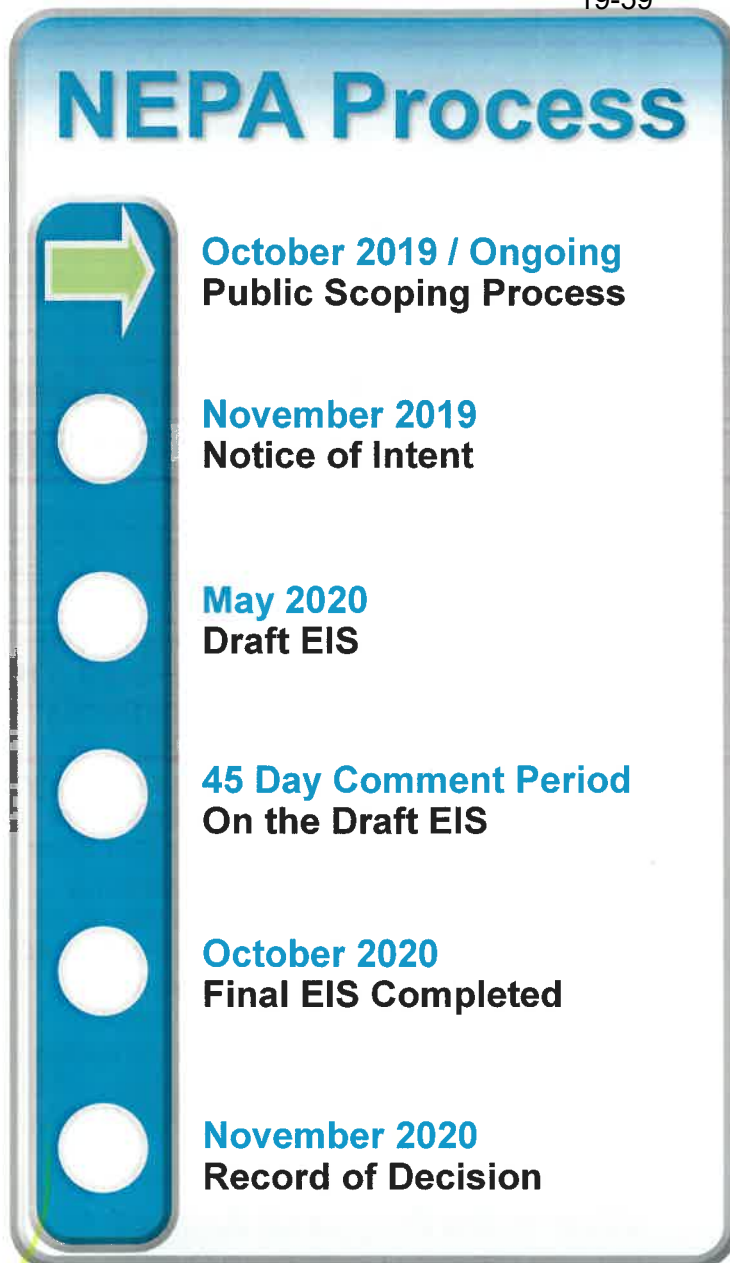


Figure 1. NEPA Process

input received during the formal scoping period. While public participation in this analysis is welcome at any time, comments received by December 15, 2019, will be especially useful in preparation of the EIS. Due to the timeframe established by executive orders, it will be very difficult to extend comment periods. Commenters are encouraged to plan accordingly.

What will be evaluated in the EIS?

Natural Resources within the geographic scope of Reclamation's proposed action area (Figure 2) will be evaluated. This includes wetlands, vegetation, land use, wildlife resources, historic properties, to name a few.

Other resources, such as the Missouri River, will have a broader scope for the analysis. Reclamation will evaluate depletions of water from the Missouri River Basin and the effect on the availability of water needed to meet the authorized purposes of the Missouri River system. Reclamation will also evaluate the effect of those depletions on the benefits that are provided by the economic uses and environmental resources dependent upon the main stem river reservoir system. This evaluation will be a coordinated effort between Reclamation and the Corps of Engineers due to their knowledge, expertise and management responsibilities of the Missouri River Mainstem System.

Another key issue to be evaluated is the potential risk and consequences of transferring aquatic invasive species from the Missouri River Basin to the Hudson Bay Basin, as a result of project operations. The unintentional transfer of non-native aquatic species from one basin to the other can have serious environmental and economic consequences.

Based on previous analyses, the microorganisms to be included in the analysis may include the following:

- ◆ Cyanobacteria
- ◆ Protozoa
- ◆ Fungi
- ◆ Bacteria
- ◆ Viruses
- ◆ Animal parasites
- ◆ Mollusk larvae

The geographic scope of this analysis will extend beyond the proposed action area, extending throughout the Missouri River Basin and the Hudson Bay Basin.

Who is the responsible official?

The responsible official for the EIS and any subsequent Record of Decision is the Regional Director for the Missouri Basin Region of the Bureau of Reclamation. The Regional Director has assigned the Area Manager of the Dakotas Area Office of the Missouri Basin Region to lead the preparation of the EIS.

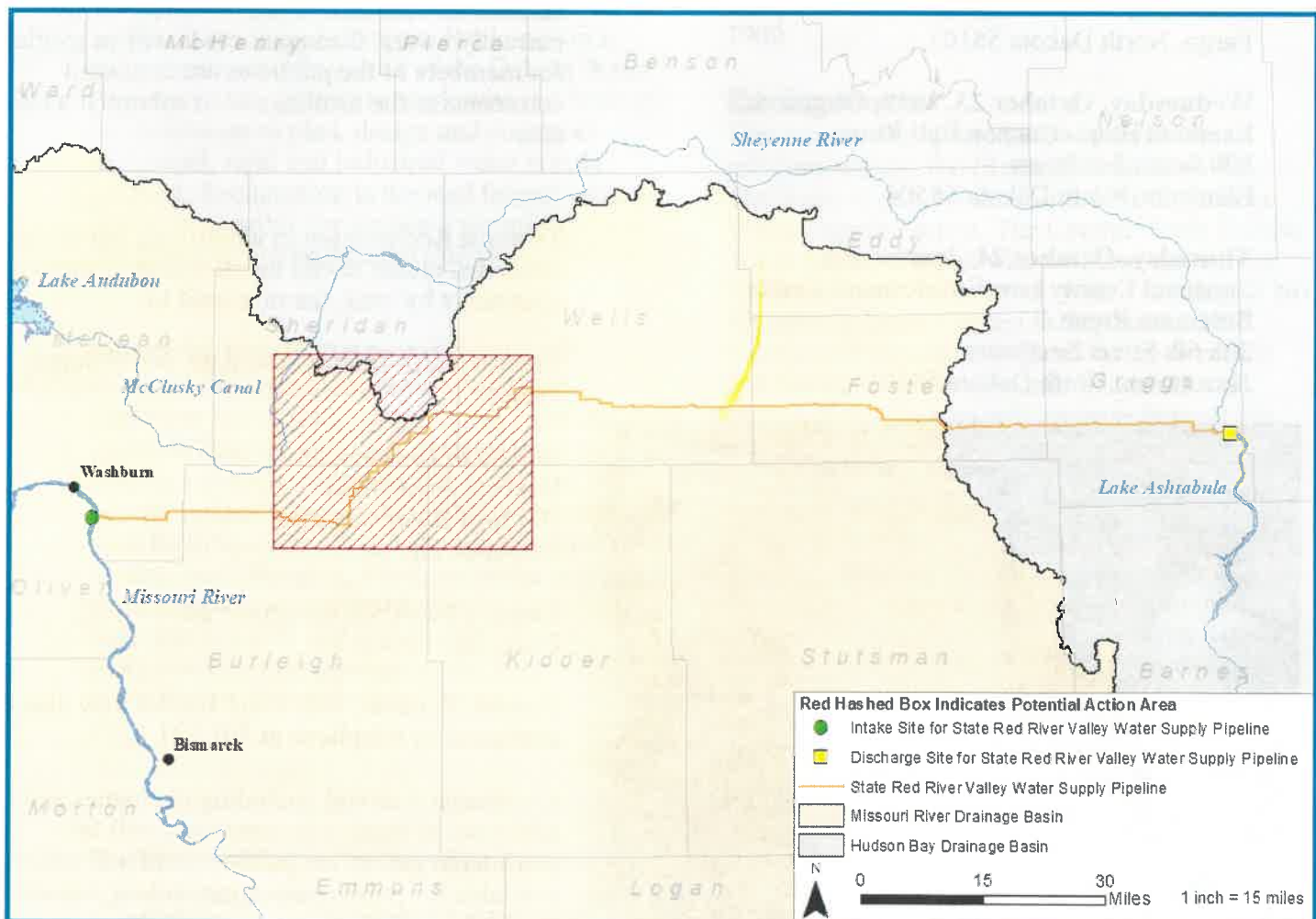


Figure 2. Scope of Reclamation's proposed action area

What is the nature of the decision to be made?

Reclamation, as delegated by the Department of the Interior, will decide whether it will implement the proposed action or a reasonable alternative to it.

How can the public get involved?

This scoping announcement is being provided to agencies, groups and individuals who have expressed an interest in this project or previous Reclamation projects involving similar resources. The public is invited to participate in the NEPA process by sharing information, comments, concerns and ideas. Three public scoping meetings, from 6:00 pm to 8:00 pm each evening, are scheduled on the following dates:

Tuesday, October 22, 2019, Fargo

Delta Hotels by Marriott—Overture Room
1635 42nd Street Southwest
Fargo, North Dakota 58103

Wednesday, October 23, 2019, Bismarck

Ramkota Hotel- Cannon Ball Room
800 South 3rd Street
Bismarck, North Dakota 58504

Thursday, October 24, Jamestown

Stutsman County Law Enforcement Center
Basement Room 1
205 6th Street Southeast
Jamestown, North Dakota 58401



Photo: Public scoping meeting.



The meetings will be an open house format, hosted by Reclamation staff, who will share information about the NEPA process being undertaken and how Reclamation proposes to address the resource issues of which we are currently aware. Comment cards will be available for members of the public to use to submit comments at the meetings or to submit at a later date.

To assist Reclamation in identifying issues and concerns, please attend the meetings or provide comments by mail, fax or e-mail to:

Eastern North Dakota Alternate Water Supply Project

Bureau of Reclamation
Dakotas Area Office
304 East Broadway Ave
Bismarck ND 58501

Email: ENDAWS.EIS@usbr.gov
FAX: 701-250-4326

Damien Reinhart, EIS Team Leader may also be contacted by telephone at 701.221.1275.

Comments received, including the names and addresses of those who comment, will be considered part of the public record and will be available for public inspection, unless requested otherwise by the commenter.

**2019 Budget Analysis**

For the period of January 1, 2019 - October 31, 2019

Income	2019 Budget	Actual as 10/31/2019	Balance of Budget
Dues Income	\$ 34,000.00	\$ 31,400.00	\$ 2,600.00
Interest Income	\$ 80.00	\$ 63.21	\$ 16.79
Miscellaneous	\$ -	\$ -	\$ -
Cost Share/Development Agr.	\$ -	\$ -	\$ -
Total Income	\$ 34,080.00	\$ 31,463.21	\$ 2,616.79
Expenses			
Dues Expenses	\$ 1,290.00	\$ 1,290.00	\$ -
Accounting	\$ -	\$ -	\$ -
Directors Expense	\$ 500.00	\$ -	\$ 500.00
Insurance	\$ 550.00	\$ 502.00	\$ 48.00
Service Fees	\$ -	\$ -	\$ -
Engineering	\$ -	\$ -	\$ -
Adm/Legal/Financial	\$ 109,550.00	\$ 55,931.22	\$ 53,618.78
Total Expenses	\$ 111,890.00	\$ 57,723.22	\$ 54,166.78
Net Income (Loss)	\$ (77,810.00)	\$ (26,260.01)	\$ (51,549.99)

Account Activity

Beg. Bank Balance 1-1-19	\$ 762,011.57
Income Received	\$ 31,463.21
Total Funds Available	\$ 793,474.78
#1143 ND Water Coalition	\$ 1,000.00
#1144 ND Rural Water Systems	\$ 290.00
#1151 Garrison Diversion Conservancy District	\$ 13,837.50
#1152 Ohnstad Twichell P.C	\$ 11,343.72
#1153 Garrison Diversion Conservancy District	\$ 15,375.00
#1154 Insure Forward	\$ 502.00
#1155 Garrison Diversion Conservancy District	\$ 15,375.00
Total Expenses	\$ 57,723.22
Ending Bank Balance	\$ 735,751.56