#### LAKE AGASSIZ WATER AUTHORITY

#### **BOARD OF DIRECTORS**

## Fargo Commission Chambers October 28, 2021

A meeting of the Lake Agassiz Water Authority (LAWA) board of directors was held at the Fargo Commission Chambers on October 28, 2021. The meeting was called to order by Chair Mahoney at 10:30 a.m.

## **MEMBERS PARTICIPATING**

Chair Timothy Mahoney

Vice Chair Ken Vein

Director LaVonne Althoff

Director Bill Bohnsack

Director Rick Bigwood

Director Dave Carlsrud

Director Tom Erdmann (by video conference)

Director Mark Johnson

Director Keith Nilson

Director Jim Schmaltz

**Director Travis Schmidt** 

Secretary Duane DeKrey

## **MEMBERS ABSENT**

Associate Member Steven Dale

Associate Member Dick Johnson

Associate Member Carol Siegert

Garrison Diversion staff and others attended. 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.

### **APPROVAL OF AGENDA**

Motion by Director Schmaltz to approve the board meeting agenda. Second by Director Carlsrud. Upon voice vote, motion carried.

## **CONSIDERATION OF MINUTES**

Motion by Director Johnson to approve the August 5, 2021, LAWA Board minutes as distributed. Second by Director Althoff. Upon voice vote, motion carried.

## RESOLUTION OF CONDOLENCE

Chair Mahoney presented and read the resolution of condolence for former LAWA board member Clark Cronquist Jr., who passed away on August 3. A copy of the resolution is attached to these minutes as Annex II.

## **OFFICER REPORT**

Vice Chair Ken Vein did not have a report.

## TECHNICAL ADVISORY COMMITTEE REPORT

Jerry Blomeke, Manager, Cass Rural Water District, reported the LAWA Technical Advisory Committee (TAC) met virtually on September 29. At that time, a major discussion item was the Eastern North Dakota Alternate Water Supply (ENDAWS) project, which was developed as a cost savings alternate water source for the State Red River Valley Water Supply Project (RRVWSP) using the McClusky Canal as the intake facility. The committee agreed work should start on the preliminary engineering items for ENDAWS.

Another main discussion item was work on the RRVWSP pipeline alignment and acquiring right-of-way.

Mr. Blomeke stated the committee took action recommending approval of three RRVWSP task orders as well as the final plans and specifications on Contract 5B for the Transmission Pipeline East.

### **ENDAWS**

Kip Kovar, Deputy Program Manager, RRVWSP Engineering, referred to and reviewed the material provided in the meeting packet regarding ENDAWS, stating it was always envisioned the RRVWSP would be built from the east to the west. From the discharge structure, the idea was to work west so that a decision could later be made as to whether the McClusky Canal could be used as a water source. A copy of the map illustrating the ENDAWS alignment verification is attached as Annex III.

Mr. Kovar stated ENDAWS would save approximately \$200 million in capital costs and \$3-4 million in annual operating costs on the RRVWSP. In addition, RRVWSP leaders have asked for an accelerated project schedule. Removing 40-50 miles of pipeline will significantly decrease construction time.

Mr. Kovar said the request to LAWA today is to conduct preliminary engineering on the east/west portion shown on the map labeled McClusky to break tanks. This would entail gathering LIDAR data and complete enough design to determine where the pipeline is located in each quarter in order to begin acquiring right-of-way.

Tami Norgard, Vogel Law, commented on the legal implications pertaining to ENDAWS.

Motion by Vice Chair Vein to approve moving forward with the preliminary engineering on the ENDAWS portion of the RRVWSP. Second by Director Nilson. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack,

Carlsrud, Erdmann, Johnson, Mahoney, Nilson, Schmaltz, Schmidt and Vein. Those voting nay: none. Motion carried.

## Transmission Pipeline East, Contract 5C & 5D, Design Wrap-up Services

RRVWSP Task Order 5333, Transmission Pipeline East, Contract 5C & 5D, Design Wrapup Services and Bidding Assistance, is for professional services of the overall RRVWSP. Garrison Diversion would like to complete final design, prepare contract documents, and bid a second subsection of the 28-mile section of Contract 5. It is important to have this 18-mile segment of pipeline shovel ready should funding become available.

Mr. Kovar stated Contracts 5C and 5D consist of pipeline segments located in two counties. The 5C segment to the southeast of Carrington is entirely in Foster County, and the 5D segment to the southwest of Carrington is in both Wells and Foster Counties. He added that Contracts 5C and 5D are currently at 90% completion.

The cost of the task order is \$970,000.

## Red River Valley Transmission Pipeline, Contract 6, Final Design Services and Bidding Assistance

RRVWSP Task Order 5360 takes 30% plans and specifications to final documents for bidding. Services will begin in November 2021 and finish by November 2022. This includes the scope of geotechnical investigations required to support the final design. The pipeline will be an approximate 72-inch diameter steel pipeline primarily installed with cut-and-cover methods; however, final diameter of pipeline may change depending on the hydraulic analysis.

Contract 6 starts east of the James River and terminates at a point 24 miles east in the vicinity of North Dakota Highway 1. In addition to the 24 miles of new pipeline, Contract 6 includes 11 trenchless crossings. This contract is roughly 30% complete.

The cost of the task order is \$4,000,000.

#### 2021-2023 Biennium Land Services

RRVWSP Task Order 7410 converts all remaining options to easements and obtains easements on parcels where none exist from the break tanks' site near Hurdsfield to the Sheyenne River discharge site 93 miles to the east. This includes surveying for certificates of survey, land agent services for landowner contacts and geographic information system support.

The cost of the task order is \$649,000.

Motion by Director Bigwood to recommend approval of: 1) Task Order 5333, Transmission Pipeline East, Contract 5C & 5D, Design Wrap-up Services and Bidding Assistance, in the amount of \$970,000, 2) Task Order 5360, Red River Valley Transmission Pipeline, Contract 6, Final Design Services and Bidding Assistance, in the amount of \$4,000,000 and 3) Task Order 7410, 2021-2023 Biennium Land Services, in the amount of \$649,000 to the LAWA Board. Second by Director Bohnsack. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Carlsrud,

Erdmann, Johnson, Mahoney, Nilson, Schmaltz, Schmidt and Vein. Those voting nay: none. Motion carried.

## Change Order No. 1 – Missouri River Intake, Screen & Tunnel

Mr. Kovar reported that he directed the engineer to prepare a change order pertaining to the Missouri River intake site (Contract 2) in order to obtain the access agreement from a nearby landowner. This change order adds the area next to the tunneling site and changes the gravel type. A wooden light pole and septic tank will also be removed. A copy of the change order was distributed and reviewed with the board members.

Change Order No. 1 increases the contract price by \$145,370. The new contract price is \$19,042,270.

Motion by Director Bohnsack to approve Change Order No. 1, RRVWSP Missouri River Intake, Screen and Tunnel, Contract 2, in the amount of \$145,370. Second by Director Schmaltz. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Carlsrud, Erdmann, Johnson, Mahoney, Nilson, Schmaltz, Schmidt and Vein. Those voting nay: none. Motion carried.

#### Final Plans and Specifications – Contract 5B

Mr. Kovar reviewed the final plans and specifications for the RRVWSP Transmission Pipeline East, Contract 5B, which is the nine-mile pipeline segment in Foster County. Project elements include nine miles of 72-inch diameter steel pipe with corrosion protection system, 96-inch diameter trenchless crossings; aerial crossing, fiber optic PVC raceway and continued focus on topsoil/subsoil removal and replacement.

Advertisement and bidding should take place in November with a notice to proceed anticipated in December. Field activities and pipe delivery are aimed to begin in May/June 2022. Construction completion is planned for November 2023.

The construction cost is \$48 million. In addition, \$3.6 million is slated for construction phase services.

Motion by Director Nilson to recommend approval of the final plans and specifications, contingent upon final review by Garrison Diversion, for RRVWSP Contract 5B, Transmission Pipeline East, to the LAWA Board. Second by Johnson. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Carlsrud, Erdmann, Johnson, Mahoney, Nilson, Schmaltz, Schmidt and Vein. Those voting nay: none. Motion carried.

## **RRVWSP UPDATE**

**Work Plan & Construction Update - -** Mr. Kovar referred to and reviewed the RRVWSP Work Plan Update dated September 27, 2021, including construction updates and photos of the progress made at the wet well, pipeline sites and discharge structure. A copy of the update is attached to these minutes as Annex IV.

**Program Schedule - -** Merri Mooridian, Deputy Program Manager, RRVWSP Administration, referred to and reviewed the 2021-2022 RRVWSP Program Schedule dated

September 27, 2021. The schedule focuses on the ongoing construction projects, including substantial and final completion dates.

Planning Level Budget - - Ms. Mooridian referred to the RRVWSP Planning Level Budget dated September 30, 2021. The yellow portion shows completed work efforts of \$28.7 million. The section in blue deals with engineering and final design for items worked on in the 2017-2019 biennium. The work items listed here are 61 percent complete. The current estimated effort is \$2.5 million with \$1.5 million in actual expenditures. The green section is the new funding for 2019-2021. The current budget for this is \$3.7 million with expenditures at \$1.5 million. The portion in orange displays the 2019-2021 construction projects approved by the State Water Commission (SWC), which are estimated at \$39.9 million, and the amount expended is \$6.7 million. Everything approved and ongoing is currently at a 17 percent completion rate. The total combined program budget is \$74.8 million. Actual program expenses are \$38.5 million with total outstanding expenses of \$36.3 million. Total program efforts are 51 percent complete. A copy of the table is attached to these minutes as Annex V.

**State Water Commission Funding Request - -** Ms. Mooridian referred to and reviewed the RRVWSP cost share funding request submitted to the SWC for \$47.49 million. The funds will be used to construct a 9-mile section of the 72" main transmission pipeline, design an additional 44 pipeline miles to be bid-ready and towards additional land acquisition along the pipeline route. A copy of the request is attached to these minutes as Annex VI.

## 2021-2023 Biennium Budget - \$89.7 Million Work Plan

Ms. Mooridian referred to the RRVWSP 2021-2023 Biennium Budget of \$89.7 million. It has been adjusted in regard to the task orders approved today. Section 10, owner's reserve for yet undefined projects, has increased, but the overall budget has not changed. A copy of the funding work plan is attached to these minutes as Annex VII.

Ms. Mooridian also referred to the 2021-2023 biennium tiered local cost share distribution table, which shows the 25 percent local cost share amounts to be paid by Fargo, Grand Forks and the small systems totaling \$22.43 million. Garrison Diversion's portion for sponsoring the local cost share is \$4.21 million.

Ms. Mooridian said work is ongoing with the Bank of North Dakota on loan eligibility under the new loan program, which is the Water Infrastructure Revolving Loan Fund. A loan eligibility request was recently submitted to the SWC asking for the cost share funding. Garrison Diversion is using reserve funds to pay the \$4.21 million. The requested loan amount will be \$18.2 million for 40 years at two percent.

Bernie Dardis, Mayor, City of West Fargo, expressed his concerns with the board regarding the affordability of the local cost share amounts.

**Project Participation Agreements - -** Ms. Norgard reported a Draft Project Participation Agreement (PPA) has been drafted and was sent to John Shockley, Ohnstad Twichell, legal counsel for LAWA, to review. She added the agreement outlines project construction, who's paying for the project and how much water the user(s) are entitled to receive. It will be necessary to withstand the scrutiny of bond counsel and who is going to be loaning the money for the project.

Ms. Norgard added the first of many small group meetings was held this morning to go over the draft.

Mr. Shockley stated LAWA has formed a briefing group to go over the PPA provisions and work out the details

## CENTRAL NORTH DAKOTA WATER SUPPLY - STATE OF MISSOURI LAWSUIT

Ms. Norgard updated the board on the status of Missouri's lawsuit regarding the Central North Dakota Water Supply Project, reporting a decision was received August 25. The judge presented a strong and thorough opinion stating the challenges on the Environmental Assessment (EA) were determined to be invalid; however, Missouri has appealed the case.

Ms. Norgard commented on the district court litigation and the briefing filed by the State of North Dakota. Since the Bureau of Reclamation (Reclamation) is also being sued, it is felt to be more of a Reclamation issue. When it comes to the appeal, only the Corps of Engineers and NEPA issues are going to be relevant. As a practical matter, the State of North Dakota and Garrison Diversion will follow the lead of the federal attorneys.

Ms. Norgard believes the chances of North Dakota, Garrison Diversion and Reclamation prevailing the appeal are very good.

## **FINANCIAL REPORT**

**2021 Budget Analysis Statement - -** Ms. Mooridian referred to and reviewed the Budget Analysis Statement for the period of January 1, 2021, to September 30, 2021, a copy which is attached to these minutes as Annex VIII.

Ms. Mooridian stated income as of September 30 is \$806,769. Total expenses are \$725,973.

The total bank balance at the end of September was \$725,263.

Motion by Director Althoff to approve the Budget Analysis Statement for the period of January 1, 2021, through September 30, 2021. Second by Director Johnson. Upon roll call vote, the following directors voted aye: Althoff, Bigwood, Bohnsack, Carlsrud, Erdmann, Johnson, Mahoney, Nilson, Schmaltz, Schmidt and Vein. Those voting nay: none. Motion carried.

#### 2021 Bills Paid

Chair Mahoney referred to the bills paid since the August board meeting. These include \$502 to Insure Forward to renew liability insurance, \$112,064 to Garrison Diversion for cost share reimbursement, \$2,346 to Ohnstad Twichell, \$353,932 to Garrison Diversion for cost share reimbursement and \$3,934 to Ohnstad Twichell.

### Summary of Dues and Cost Share Payments

Chair Mahoney referred to the table showing a total of \$33,000 collected for 2021 LAWA membership dues, which is provided for the board's reference.

## **UNFINISHED BUSINESS**

**User Outreach - -** Steve Burian, Burian & Associates, reported one user meeting remains to be held and that is with Jamestown and Stutsman County, which is scheduled for November 15

Mr. Burian stated a letter was sent to each of the system users which provided background information on the project and posed six questions. Each was asked to reaffirm how much domestic water they wanted, how much industrial water they wanted, how much peak day demand they felt they needed, desired point(s) of connection, desired route of service and desired water quality.

As a result, meetings will be set up with the users and their support team in the near future to discuss the requested information and lay out a work plan to develop the answers.

## **NEW BUSINESS**

Motion	by	Director	Schmaltz	to	adjourn	the	meeting.	Second	by	Director	Johnson.	Upon
voice v	ote,	motion of	carried.									

The meeting adjourned at 11:30 a.m.	
Timothy Mahoney, Chair	Duane DeKrey, Secretary

## **REGISTRATION**

## LAWA Board Meeting Fargo Commission Chambers October 28, 2021

NAME	ADDRESS
Kin (BOK.	GDG
Roger Fenstad	GACA
Jay Paul Anderson	6DCD
Keith myxicseth	East Gland Forks
SHALFU GARALE	AGZS
Steve Burian	Burian + Associates
Katu Bertsch	Ohnstry Tryhell
BERNIE DARdir	City of West FARGO
John Shockley	Ohnstad Twichell
Dave Carlstud	Valley City
III Schudl72	EAST CENTRAD RUBL WATER
Keith Nilson	Walsh Ryral water District
Mark Johnson	Cass Rural Water
Rick Bisural	NER water
Jerry Blomeke	Cass RW District
Brule Grubb	Cass KW District
Coreg Bischoff	GDCD Barnes CX
Olan VN. Walter	CI DE DONALD - 1
Travis Schmicht	Marked Hublic Service
Bill bohnsack	MPIVIIICE
Lavoure Antho 12	SEW
Tami Novgard	Nogel Lawhrin
Jisa Dellager_	- DOCA
Man: Mnih	(CDCD
Jim MAHONEY	Cap
Ken Vern	City of Grand Forks
	31

#### RESOLUTION

WHEREAS, God in his infinite wisdom did on August 3, 2021, call to His eternal rest our good friend and colleague, Clark Cronquist Jr.; and,

WHEREAS, Clark Cronquist Jr. served with distinction representing the Agassiz Water Users District as a member of the Lake Agassiz Water Authority since the organization's conception in February 2004 to 2017; and,

WHEREAS, Clark Cronquist Jr. was a founding member of the Agassiz Water Users District, contributing to the growth and strength of the local rural water system; and,

WHEREAS, prior to the organization of the Lake Agassiz Water Authority, Clark Cronquist Jr. was a member of the Eastern Dakota Water Users; and,

WHEREAS, Clark Cronquist Jr. recognized the importance of rural water systems and was instrumental in forming the North Dakota Rural Water Systems Association, serving five years as their first president, was a member of the executive board since the association was created and also served as the association's national director until 2007. In addition, he helped establish the National Rural Water Association, where he also served as president, along with holding numerous other positions; and,

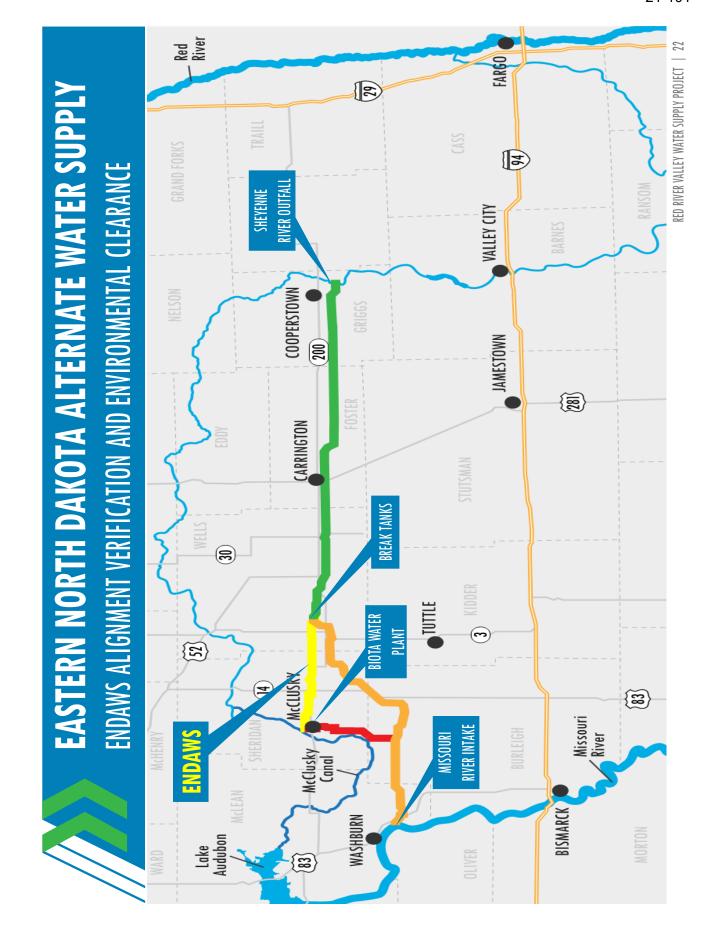
WHEREAS, Clark Cronquist Jr. was a true advocate for water interests in the Red River Valley showing endless support, perseverance and direction as a significant key leader and motivator in the Red River Valley Water Supply Project; and,

WHEREAS, in recognition of Clark's effort and dedication to grow and improve rural water systems on a local and national level, and for the pillar of strength he was for North Dakota water, Clark Cronquist Jr. was inducted into the North Dakota Water Users Hall of Fame in 1999.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Lake Agassiz Water Authority duly assembled in Fargo, in the state of North Dakota, on October 28, 2021, do hereby express our heartfelt sympathy to the members of the **Cronquist** family.

Timothy Mahoney, Chair

Duane DeKrey, Secretary

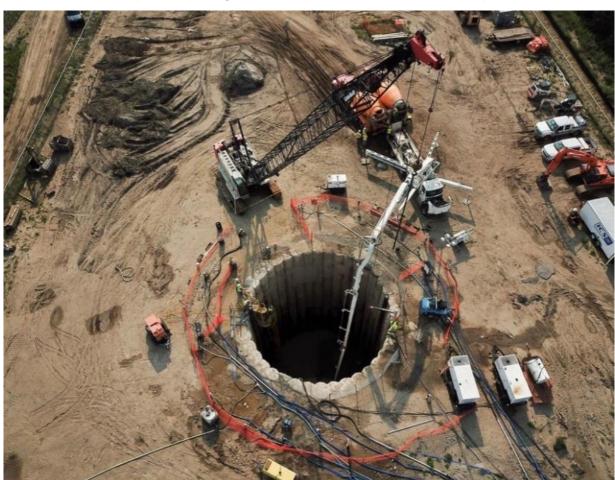


## RRVWSP Work Plan Update September 27, 2021

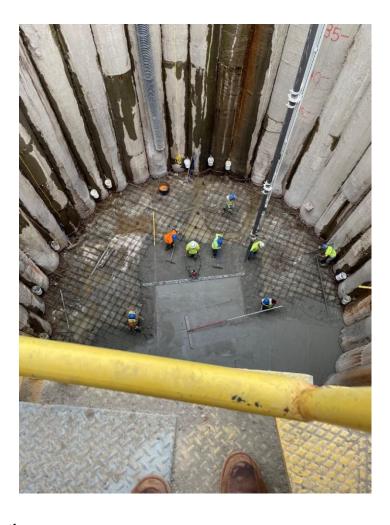
## **CONSTRUCTION**

### **Wet Well Construction Contract 1**

The last finish grade pour (approximately 1.5' thick) was completed on August 30. Contractor and owner's representation completed a walk through last week in order to create a punch list of work items for substantial completion. Currently, \$4,357,192.36 has been paid out of the original contract amount of \$4,989,405.88.



Pump truck moving concrete to the bottom for the second pour



## **Pipeline Construction**

Pipe installed to date is 3,970 ft (5,950 ft total distance)

Trenchless to date is 427.5 ft, and the TBM has been removed. Contact grouting has started with pushing carrier pipe this week.

To date, \$4,045,943.57 has been paid of the original contract amount of \$8,366,201.00.







## **Discharge Structure Construction**

The contractor completed the concrete portions of the discharge structure and has started installing the 52" pipe. To date, \$1,009,165.49 has been paid of the original contract amount of \$1,516,955.00



## Missouri River Intake Tunnel and Screen Final Design Contract 2

As the apparent low bidder of \$18,896,900, Michels was issued notice of award on June 9, 2021. Michels has started mobilizing, and many submittals and RFIs have been reviewed and issued.

## **DESIGN**

Draft plans and specifications for contract 5B (9 miles) are ready for review. It is anticipated that this next contract will be advertised in the October/November time frame.

## **ADMINISTRATION**

## **Funding**

The Dept. of Water Resources has awarded \$36,910,000 in cost-share funding for the RRVWSP since the 2019/21 legislative session marking the start of construction. Garrison Diversion has a \$47.49M request to be reviewed at the Dept. of Water Resources meeting on October 14.

PROJECT	COST-S	SHARE	COST-S	SHARE	TOTAL
	90% State	10% Local	75% State	25% Local	COST
Missouri River Intake – Wet well	\$5,567,500	\$618,611			\$6,186,111
Pipeline – East Contract 5A	\$5,309,500	\$589,944	\$3,192,400	\$1,064,133	\$10,155,977
Sheyenne River Discharge			\$1,827,600	\$609,200	\$2,436,800
Missouri River Intake – Screen & Tunnel Design, etc.	\$2,123,000	\$235,889	\$1,130,000	\$376,667	\$3,865,556
Missouri River Intake Screen &			\$17,250,000	\$5,750,000	\$23,000,000
Tunnel Construction					
_			\$510,800	\$170,200	\$681,000
Total Cost-Share	\$13,000,000	\$1,444,444	\$23,910,800	\$7,970,200	\$46,325,444

\$36,910,800

Total **State** Cost-Share



\$9,414,644

Total **Local** Cost-Share



\$46,325,444

Total Cost

Garrison Diversion completed an application to the Bank of ND for the local cost share loan. It is anticipated that the 2021/2023 Work Plan budget will be a total of \$89.7 million, requiring a local cost share match of \$22.43 million.

## **User Meetings**

The next phase of user meetings is to meet with systems that are not on the river system and will require a branch pipeline to participate in the project. Letters have been mailed to these systems requesting additional information.

Work is also progressing on the Project Participation Agreements, which each system will be asked to sign signifying their continued participation in the RRVWSP.

# Red River Valley Water Supply Project Planning Level Budget

	Percent			Actual	C	Outstanding
September 30, 2021	Complete	Cu	rrent Estimate	Expenses		Expenses
Conceptual Design Subtotal		\$	5,302,130	\$ 5,302,130	\$	-
Preliminary Design Subtotal		\$	10,217,606	\$ 10,217,606	\$	-
Final Design Completed Subtotal		\$	10,198,947	\$ 10,198,949	\$	-
Financial, Administration, Legal, Completed		\$	1,397,474	\$ 1,397,474	\$	0
Land Acquistion Completed		\$	1,593,004	\$ 1,593,004	\$	-
Subtotal Completed		\$	28,709,161	\$ 28,709,162	\$	0
Financial Modeling/Cost Allocation	87%	\$	1,521,047	\$ 1,326,633	\$	194,414
Program Management Information System	51%	\$	113,100	\$ 57,844	\$	55,256
Stakeholder Support	45%	\$	398,830	\$ 179,995	\$	218,835
Redirect to Missouri River Intake - Marine Geotechnical		\$	530,240	\$ -	\$	530,240
Subtotal	61%	\$	2,563,217	\$ 1,564,472	\$	998,745
2019/2021 Funding						
Missouri River Intake - Screen Structure Design	68%	\$	1,884,000	\$ 1,278,446	\$	605,554
Missouri River Intake - Screens & Tunnel Construction Phase Services	Upcoming	\$	258,889	\$ -	\$	258,889
Regulatory Compliance	Upcoming	\$	256,667	\$ -	\$	256,667
Land Acquisition 2019/2021	16%	\$	650,000	\$ 101,999	\$	548,001
2019 to 2021 Biennium Program Management Services	62%	\$	166,191	\$ 102,373	\$	63,818
Project Planning, Finance, Admin, etc.	13%	\$	433,809	\$ 57,591	\$	376,218
Undesignated Savings	Upcoming	\$	55,211	\$ -	\$	55,211
2019/2021 Non-Construction Subtotal		\$	3,704,767	\$ 1,540,408	\$	2,164,359
2019/2021 Construction						
Pipeline & Trenchless	9%	\$	10,157,651	\$ 898,795	\$	9,258,856
Construction Contract	7%	\$	8,366,201	\$ 583,367	\$	7,782,835
Bidding Services	87%	\$	86,685	\$ 75,621	\$	11,064
Construction Phase Services	28%	\$	868,145	\$ 239,807	\$	628,338
Contingency	if needed	\$	836,620	\$ -	\$	836,620
Discharge Structure	45%	\$	2,449,799	\$ 1,107,587	\$	1,342,212
Construction Contract	67%	\$	1,516,955	\$ 1,009,165	\$	507,790
Bidding Services	72%	\$	56,799	\$ 40,737	\$	16,062
Construction Phase Services	30%	\$	193,000	\$ 57,685	\$	135,315
Contingency	if needed	\$	683,045			
Missouri River Intake Wetwell	77%	\$	6,148,227	\$ 4,735,389	\$	1,412,838
Construction Contract	87%	\$	4,989,406	\$ 4,357,192	\$	632,214
Bidding Services	64%	\$	56,881	\$ 36,662	\$	20,219
Construction Phase Services	86%	\$	398,041	\$ 341,534	\$	56,507
Construction Phase Environmental Monitoring	0%	\$	213,959		\$	213,959
Contingency	If needed	\$	489,940	\$ -	\$	489,940
Missouri River Intake Screen Structure & Tunnel	0%	\$	21,156,900	\$ -	\$	21,156,900
Construction Contract	0%	\$	18,896,900	\$ -	\$	18,896,900
Construction Phase Services	0%	\$	2,260,000	\$ -	\$	2,260,000
Contingency	If needed	\$	-	\$ -	\$	-
Construction Subtotal	17%	\$	39,912,577	\$ 6,741,770	\$	33,170,807
Total Program Budget	51%	\$	74,889,722	\$ 38,555,813	\$	36,333,911



GARRISON DIVERSION
CONSERVANCY DISTRICT
P.O. BOX 140
CARRINGTON, N.D. 58421
(701) 652-3194
FAX (701) 652-3195
gdcd@gdcd.org
www.garrisondiversion.org

August 20, 2021

Andrea Travnicek
Director
ND Department of Water Resources
900 East Blvd
Bismarck, ND 58505

Dear Andrea:

As you know, the Red River Valley Water Supply Project is critical to meet the current and future water supply needs of users in central and eastern North Dakota. With State funding received to this point, the project now has pipe in the ground near Carrington, and construction of the Missouri River Intake and Sheyenne River Discharge structures is progressing nicely.

The severity of the drought across North Dakota underscores the need for the Red River Valley Water Supply Project and the importance of having this drought safeguard in place. It's imperative we continue construction at a steady pace moving forward.

We are requesting \$47.49 million of the funding included for the Red River Valley Water Supply Project in the 2021-2023 Department of Water Resources budget. The funds will be used to construct a 9-mile section of the 72" main transmission pipeline, design an additional 44 pipeline miles to be bid-ready and towards additional land acquisition along the pipeline route.

Thank you for your support thus far. Please consider this letter our request to the Department of Water Resources to release \$47.49 million to continue the construction of the Red River Valley Water Supply Project.

Sincerely,

Duane DeKrey General Manager

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## WATER RESOURCES COST-SHARE APPLICATION CHECKLIST

(This checklist must be attached to all applications for Water Resources cost-share assistance.)

Project sponsors requesting cost-share assistance from the North Dakota Department of Water Resources (DWR) are required to submit completed applications, including all supplemental materials, at least 45 days in advance of meetings. Incomplete applications or those submitted after the 45 day deadline will not appear on the next Water Commission meeting agenda. Project sponsors, or their authorized representative, must verify that the following information is included as part of their application package for cost-share assistance.

Project Name	9:	Sponsoring Entity:	
Initial If Included, or "X" If Not	DWR Cost-Share Application Materials *Required For All Applications		
	*Cost-Share Application Form (SFN 60439	)	
	*Project Specific Map (Including an inset	map of location within state.) See	<u>Examples</u>
	* <u>Detailed Project Costs SFN 61801</u> (compl	ete fillable worksheet)	
	Approved Drainage Permit (Rural Flood C	ontrol Only)	
	Results Of Positive Assessment Vote (Rura	l Flood Control Only)1	
	Sediment Analysis (Drain Reconstruction	Only)	
	Acquisition Plan (Flood Recovery Property	Acquisition Program Only)	
	Proof of HMGP Funding Ineligibility (Floo	d Recovery Property Acquisition Pr	ogram Only)
	Plans & Specifications For Bidding Project	Construction (Construction Reque	ests Only)
	Economic Analysis Worksheet (Flood Con	trol & Water Conveyance Construc	tion Only)
	<u>Life Cycle Cost Analysis Worksheet</u> (Water	Supply Construction Only)	
	Capital Improvement Plan SFN 61938 (Wa	ter Supply Construction Only)	
¹ A pre-appli	cation process is allowed for assessment projects. (Se	Project Funding Policy, Procedure, and G	eneral Requirements)
required mater impleted applica	at the information contained in this application is at the information contained in this application is at the submation, and further understand that the submater Commission for cost-share assistance.	n. I have read and understand the nission of an incomplete applicatio	requirements for a
Project Sponsoi	(Printed Name) Project Sponso	or (Signature)	Date

#### PLEASE NOTE

The cost-share application (SFN 60439); Life Cycle Cost Analysis Worksheet; Economic Analysis Worksheet; Project Funding Policy, Procedure, and General Requirements; and future meeting dates are available via the Water Resources website at dwr.nd.gov. If you have questions, please call 701-328-4989 or email dwrcostshare@nd.gov.



This form is to be filled out by the project or program sponsor with Water Resources staff assistance as needed. Applications for costshare are accepted at any time. However, applications received less than 45 days before a Water Commission meeting will be held for consideration at the next scheduled meeting.

Please answer the following questions as completely as possible. Supporting documents such as maps, detailed cost estimates, and engineering reports should be attached to this form. If additional space is required, please use extra sheets as necessary.

For information regarding cost-share program eligibility see the *Water Commission Cost-Share Policy, Procedure, and General Requirements* – available upon request or at www.dwr.nd.gov.

Project, Program, Or Study Name			
Sponsor(s)			
County	City		Township/Range/Section
Request Type New Updated (p	reviously submitted)	Description Type P	re-Construction
If Study, What Type	☐ Hydrologic ☐ Floo	odplain Mgmt.	ibility
☐ Dam Safety/EAP ☐ Mu ☐ FEMA Levee Program ☐ Mu	gation Ilti-Purpose Inicipal Water Supply Operty Acquisition Program	☐ Recreation ☐ Ring Dike Progran ☐ Rural Flood Contro ☐ Rural Water Suppl	lo
Jurisdictions/Stakeholders Involved In This P	roject		
Description Of Problem Or Need And How T	ne Project Provides A Solu	tion	
Level Of Study Completed			

									21-110
Describe Potential Obstac	cles To Implementa	ation							
Land Acquisition									
Permits									
Funding									
Local Opposition			-						
Environmental Concerns									
Other									
Funding Timeline (careful	ly consider when D	OWR cost-s	share wi	II be needed)					
Source	Total Co			2021-2023 7/1/21-6/30/23			2023-2025 //23-6/30/25	Be	yond 7/1/25
Federal	\$		\$		\$			\$	
Water Resources	\$		\$		\$			\$	
Other State	\$		\$		\$	;		\$	
Local	\$		\$	,	\$	;		\$	
Total	\$		\$		\$			\$	
Funding Detail (provide na	ames and amounts	from all po	tential f	unding sources	s from the	e table	above.)		
Source	Amour	nt	(	Grant Or Loan			Term	<u> </u>	Interest
	\$								%
	\$								%
	\$		ļ						%
E alais Timeline Escal	\$	0							%
Explain Timelines For All	Phases And Their	Current St	atus						
Study (Month/Year)		Design (I	Month/Y	'ear)			Bid (Month/Year)		
Construction Start (Month	n/Year)	•		Constr	uction C	ompleti	on (Month/Year)		
Has Economic Analysis B	Seen Completed?		Yes	No	Or	ngoing	☐ Not Appli	cable	
Has Life Cycle Cost Analy	ysis Been Complet	ed?	Yes	☐ No	Or	ngoing	☐ Not Appli	cable	
Has Feasibility Study Bee	en Completed?		Yes	☐ No	Or	ngoing	☐ Not Appli	cable	
Has Engineering Design I	Been Completed?		Yes	☐ No	Or	ngoing	☐ Not Appli	cable	
Have Land Or Easements	Been Acquired?		Yes	☐ No	Or	ngoing	☐ Not Appli	cable	
Have Assessment District	ts Been Formed?	Yes	1	No 🔲 O	ngoing		Not Applicable	If Yes, (D	Pate)?
Are Connections For New	Rural Customers	Located W	ithin Th	e Extra-Territor	rial Juris	diction	Of A Municipality?	? Ne	s 🗌 No

						<u> </u>
Have You Applied For Any Federal Permits?	Yes		No [	] Not a	Applicable	
Have You Been Approved For Any Federal Permits?	Yes	N	No [	] Not a	Applicable	
Туре			Numbe	r		
If Yes, Please Explain						-
House Voy Applied For Apy State Dermite?	Yes		No Г	□ Not	Applicable	
Have You Applied For Any State Permits?						
Have You Been Approved For Any State Permits?  Type	Yes	<u> </u>	Numbe		Applicable	
Турс			Numbe			
If Yes, Please Explain						
Have You Applied For Any Local Permits?	Yes		No [	Not A	Applicable	-
Have You Been Approved For Any Local Permits?	Yes		No [	Not A	Applicable	
Туре	ľ		Numbe	r		
If Yes, Please Explain						
III 165, Flease Explain						
Submitted By						Date
Address	City				State	ZIP Code
Sponsor's Telephone Number			Sponso	or's Em	nail Address	1
Engineer's Name			Engine	er's Te	elephone Number	
Engineer's Company			Engine	er's Er	mail Address	
I Certify That, To The Best Of My Knowledge, The Pr	ovided Info	ormatio	on Is Tru	ıe And	Accurate.	
Signature						Date

**E-MAIL TO:** dwrcostshare@nd.gov

Submit Via Email



## DELINEATION OF COSTS NORTH DAKOTA WATER COMMISSION PLANNING DIVISION SFN 61801 (4/2020)

Project Costs

SWC Date Received : Month Day, Year

Date: August 27, 2021 Red River Valley Water Supply Project Project: Total Cost : \$ 63,320,000 2021 to 2023 Biennium Budget for Red River Valley Water Supply Project Component Sponsor: Garrison Diversion Conservancy District Ineligible Cost Cost-Share \$ Merri Mooridian, Administrative Officer Eligible Cost: \$ 63,320,000 47.490.000 Contact: 701-652-3194 Phone: Paul Boersma, B&V Engineer: Project Type: Cost-share % 414-455-1606 Water Supply - Connect to Regional System Phone: 75% Cost Classification Quantities Unit **Unit Price** Total Cost-Share % Cost-Share \$ \* **Construction Costs** Item % 0.0% 75% 90.9% 43,636,363.63 3 0.0% 75% 0.0% 75% 0.0% 0 75% 6 0.0% 0 75% 0.0% 0 \$ 75% 0.0% 8 75% 0 \$ 0.0% 10 0.0% 0 75% 11 0.0% 0 \$ 75% 12 0.0% 0 \$ 75% \$ 13 0.0% 75% \$ 14 15 0.0% 75% 0.0% \$ 0 75% \$ 0.0% 75% 17 0.0% 18 0.0% 0 75% 19 0.0% 0 75% 0.0% 75% Construction Sub-Total 43,636,363.63 75% 32,727,272.72 10.0% 4,363,636.36 75% 3,272,727.27 Contingency 75.8% 48.000.000.00 75% 36,000,000.00 **Engineering Costs** 7.5% Engineering Services During Construction-Pipeline 5B NA 3,600,000.00 \$ 3,600,000.00 75% 2,700,000.00 830,000.00 \$ 22 23 1.7% Final Design-Transmission Pipeline 5C & 5D NA 622,500.00 10.4% Final Design-Transmission Pipeline 6 NA 4.990.000.00 \$ 4.990.000.00 75% 3.742.500.00 24 0.0% 75% 0 25 0.0% 0 75% 26 0.0% 0 75% 26 0.0% 0 75% 27 0.0% 0 75% Engineering Total 9.420.000.00 7.065.000.00 14 9% \$ 75% \$ Other Eligible Costs 3.8% Project Planning-Finance NA 2,400,000.00 1,800,000.00 29 3.6% Easements and Support Services NA 2,270,000.00 \$ 2,270,000.00 75% 1,702,500.00 30 1.2% NA 730,000.00 \$ 75% \$ 547,500.00 Surveying 730,000.00 31 0.8% Regulatory Compliance and Coord. NA 500,000.00 \$ 500,000.00 75% 375,000.00 32 0.0% 75% 33 0.0% 75% 34 0.0% \$ 75% 35 0.0% 9.3% Other Eligible Total 5,900,000.00 75% 4,425,000.00 \$ \$ In-eligible Costs 36 0.0% 0% 37 0.0% 0% 0.0% 0% 39 40 0.0% 0.0% 0% 0.0% 0% 42 0.0% 0.0% 0% 0.0% Other Ineligible Total 0% 100.0% Total \$ 63,320,000.00 Eligible Total \$ 63,320,000.00 75% \$ 47,490,000.00 Federal or State Funds That Supplant Costs \$

Eligible Cost Total \$

63,320,000.00

47,490,000.00

<sup>\*</sup> The Cost-share estimate is purely for planning and informational purposes only and does not, in any way, guarantee a financial commitment to any degree, from the State Water Commission.







## 2021 to 2023 Biennium Budget (\$89.7 mil Total Funding: \$67.3 mil State & \$22.4 mil Local Users)

September 29, 2021

	(\$89.7 mil Total Funding: \$67.3 mil State & \$22.4 mil Local Users)												
			Date		Biennium	•	Construction Budget per Biennia (mil \$1 <sup>1,2,3</sup>						
No	Scope of Work	Feature	Task	Devel	Development Budget (mil \$)			21	mil) 23 Bienniu/				
			Orders Auth	ers Total State Legal		Local	19/21	Total	State	Local	23/25	Future	
		Our orle administration of presinct			75%	25%			75%	25%			
	Financial, Administration, Misc. Legal, Insurance, Etc.	Owner's administration of project, including management, financial, legal,											
1.	Scope: Administration, legal, and financial modeling/planning.	engineering, public communication, administrative, insurance advisory, etc.,		\$ 2.40	\$ 1.80	\$ 0.60							
	Need: Annual Garrison Diversion budget allocation.	professional services.											
	Missouri River Intake Screen Structure & Tunnel Contract 2	165-cfs screen structure; 1,600-ft long,	Jul-21				\$ 5.60	\$ 2.26	\$ 1.70	\$ 0.56			
2.	Scope: Facility construction and construction phase engineering	72-in diameter tunnel; and 40-ft diameter by 65-ft deep reinforced	Jun-21					\$ 18.90	\$ 14.18	\$ 4.72			
-	services.  Need: Construct critical facility elements under expiring USACE  Nationwide Permit No. 12.	concrete wet well/shaft liner, with temporary wet well/shaft cover.									\$ -	\$ 61	
	Easement Acquisition <sup>4</sup>	Acquire remaining easements from	Surv/LA	\$ 0.65	\$ 0.49	\$ 0.16					\$ 0.7	\$ 0.9	
3.	Scope: Professional services and real estate costs necessary to obtain easements for the Transmission Pipeline East and the Red River Valley Transmission Pipeline.	Wells County east to the outfall at Cooperstown. Provide surveying and acquisition services along with legal support for landowner holdouts. Pay for	Legal	\$ 0.80	\$ 0.60	\$ 0.20					\$ 1.2	\$ 1.9	
	Need: Secure land for installing future pipeline segments staying years ahead of pipeline design/construction needs.	property. Obtain options from McClusky Canal to break tanks.	Prop	\$ 1.47	\$ 1.10	\$ 0.37					\$ 2.9	\$ 3.6	
	Transmission Pipeline East Contract 5b	8.8± miles of 72" pipeline, including 96" diameter trenchless crossings at several	Jul-21	\$ 0.55	\$ 0.41	\$ 0.14							
4.	Scope: Final design wrap-up (90% docs to biddable plans and specifications); pipeline installation, including construction phase engineering services.	locations. Pipeline section extends eastward from Contract 5a, which is just	Dec-21					\$ 48.00	\$ 36.00	\$ 12.00			
	Need: Continue progress of transmission pipeline installation.	south of Carrington.	Dec-21					\$ 3.60	\$ 2.70	\$ 0.90			
	Transmission Pipeline East Contract 5c & 5d	18.2± miles of 72" pipeline, including											
5.	Scope: Final design wrap-up (90% docs to biddable plans and specifications); bidding assistance.	96" diameter trenchless crossings at several locations. Portions of the pipeline extend east of Contract 5b and		\$ 0.97	\$ 0.73	\$ 0.24					\$ 114		
	Need: Have the next pipeline segment bid-ready if additional State money becomes available.	also west of Contract 5a and Carrington.											
	RRVWSP System Operational Plan	Determine timing/rate/duration of diversions to/from Lake Ashtabula											
6.	Scope: System modeling, evaluation, planning, and report development documenting results/findings/outcomes.	based upon multiple factors. Define roles and responsibilities of the three		\$ 0.40	\$ 0.30	\$ 0.10							
	Need: Better delineate Garrison Diversion, State Water Commission, and USACE roles for system operation.	parties as it relates to system operation.											
	Project Management Information System (PMIS)	Procure and implement PMIS software.  Develop, refine, and implement											
7.	Scope: Software/hardware solution for Project's data management and organized retention of records.	workflow processes. Provide organized and indexed data for financial and legal auditing teams. Organize data and		\$ 0.40	\$ 0.30	\$ 0.10							
	Need: Create greater efficiency and record of documentation for voluminous construction related deliverables.	archive for long-term retention.											
	Red River Valley Pipeline Contract 6	25± miles of 72" pipeline, including 96" diameter trenchless crossings at several		\$ 4.00	\$ 3.00	\$ 1.00							
8.	Scope: Soil borings along with final design services (30% docs to biddable plans/specifications); bidding assistance.	locations. Pipeline segment extends										\$ 165	
	Need: Have a \$100+ million pipeline segment bid-ready for the next biennium.	eastward toward outfall from end of Contract 5c.											
	Program Management	Overall project planning, management, administration, scheduling,											
9.	Scope: Overall program management, planning, and support by the engineering team to Garrison Diversion.	coordination, meeting preparation/ attendance, regulatory interface, etc.,		\$ 0.50	\$ 0.37	\$ 0.13							
	Need: Consulting services of a broad programmatic nature not under project-specific design and construction task orders.	not included in individual task orders.											
	Owner's Reserve for Expected but Yet Undefined Projects	A reserve providing Garrison Diversion flexibility to adapt to professional		\$ 0.75	\$ 0.56	\$ 0.19							
10.	Scope: A budget contingency.	for construction change and to pay for construction change orders typically running from 3 to 5% above original construction cost at bid time.						\$ 4.05	\$ 3.04	\$ 1.01			
	Need: Address and pay for changes that are sure to occur.	sonot detion cost at blu time.											
TO1 Not	AL PROGRAM BUDGET			\$ 12.89	\$ 9.66	\$ 3.23	\$ 5.60	\$ 76.81	\$ 57.62	\$ 19.19	\$ 118.8	\$ 232.4	

## Notes:

- 1. Construction costs include management, engineering services during construction, inspection, field quality control, and construction.
- 2. Projects indicated for construction funding in a given biennium will be shovel ready for construction at the start of the biennium.
- 3. Future capital costs are escalated to an anticipated midpoint of construction at 3 percent per annum for the respective component with the RRVWSP expected to be finished by 2032. All future RRVWSP construction projects and costs are <u>not</u> shown.
- 4. Future land services costs are the amount likely to be paid for real estate, easements, legal support, crop damage, and field obstructions. Estimates include all pipeline easements required for the RRVWS and ENDAWS projects.



**2021 Budget Analysis**For the period of January 1, 2021-September 30, 2021

Income		2021 Budget		Actual as 09/30/2021	Bala	ance of Budget
		zoz i Baagot		00/00/2021	<u> </u>	and or Baagot
Dues Income	\$	30,000.00	\$	33,000.00	\$	(3,000.00)
Interest Income	\$	-	*	55,5555	\$	-
Miscellaneous	\$	-	\$	229.60	\$	(229.60)
Cost Share-Interim Finance	\$	2,577,792.00	\$	773,539.95	\$	1,804,252.05
Total Income	\$	2,607,792.00	\$	806,769.55	\$	1,801,022.45
Expenses						
Dues Expenses	\$	1,300.00	\$	6,300.00	\$	(5,000.00)
Accounting	\$	1,000.00	*	5,55555	\$	1,000.00
Directors Expense	\$	500.00			\$	500.00
Insurance	\$	550.00	\$	502.00	\$	48.00
Construction	\$	1,965,236.00	\$	543,289.82	\$	1,421,946.18
Engineering	\$	300,056.00	\$	115,622.49	\$	184,433.51
Property Acquisition/Easements	\$	150,000.00	\$	2,393.24	\$	147,606.76
Adm/Legal/Financial	\$	254,000.00	\$	57,865.92	\$	196,134.08
Total Expenses	\$	2,672,642.00	\$	725,973.47	\$	1,946,668.53
Net Income (Loss)	\$	(64,850.00)	\$	80,796.08	\$	(145,646.08)
		Account Activ	ity			
Beg. Bank Balance 1-1-2021					\$	644,467.08
Income Received					\$	806,769.55
Total Funds Available					\$	1,451,236.63
Ck#1174 North Dokoto Water Ca	a liti		<b>ው</b>	1 000 00		
Ck#1174-North Dakota Water Co			\$	1,000.00		
Ck#1175-North Dakota Water Us	ers	ASSOC.	\$	5,000.00		
Ck#1176 Ohnstad Twichell, P.C. Ck#1177 Garrison Diversion			\$ \$	1,890.00		
			Φ	89,927.05		
Ck#1178 Ohnstad Twichell, P.C. Ck#1179 Garrison Diversion			\$	1,360.00		
Ck#1179 Gamson Diversion Ck#1180 Garrison Diversion			\$ \$	20,500.00		
Ck#1181 Ohnstad Twichell			Ф \$	114,761.56		
Ck#1182 Garrison Diversion				3,060.00		
Ck#1183 North Dakota Rural Wa	tor I	looro	\$	15,375.00 300.00		
Ck#1184 Insure Forward	itei t	25615	\$ \$	502.00		
Ck#1185 Garrison Diversion			\$	112,084.98		
Ck#1186 Ohnstad Twichell			\$	2,346.00		
ONT I TOO OTHISIAU I WICHEII				•		
Ck#1187 Garrison Diversion			ж.	353 032 38		
Ck#1187 Garrison Diversion Ck#1188 Ohnstad Twichell			\$ \$	353,932.38 3,934.50		