



## BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA

**Tuesday, July 13 at 8:00 am**

**Tom Baker Room, 221 N. 5<sup>th</sup> Street Bismarck**

**(See end of agenda for meeting attendance guidelines)**

8:00 a.m. - Call to Order

- Roll Call (Reep, Detwiller, Beck, Landenberger, Palm)
- **Approval of 06/09/2021 Minutes .....3-5**
- **Amendments and Approval of Agenda**
- Comments from Members of the Public: (For Items Not on the agenda)
- McDowell Dam (Landenberger)
  - Facility Update
  - Kayak Launch – Construction Schedule
  - Bank Stabilization Project Update – Schedule 2021
    - USACE NWP Application – Status (Individual Permit Required)
    - NDDEQ Submittal with July 1 response date from EPA to the USACE
      - Corps of Engineer Comments .....6-13
      - EPA Response Letter ..... 14
  - Outdoor Heritage Fund Opportunity
- Financial Reports (Detwiller)
  - **Balance Sheet 07/13/2021 ..... 15-16**
  - **P&L 07/13/2021 YTD ..... 17**
  - Segregation of Duties Update
  - Sinking funds Fees – Waived ..... 18
  - American Bank Name Change Notice ..... 19-21
- Drainage Permits/Complaints/Issues: *Open (Palm)*
  - Rainbow Acres Ground Water Complaint – Memorandum.....22-50
- Drainage Permits/Complaints/Issues: *Closed (Palm)*
- Projects:
  - Sibley Island (Beck)
    - Hydrology/Hydraulics Report – Final
    - Preliminary Engineering Report – Ongoing
    - Letter to SHIPO Section 106 – Sent ..... 51-52
    - Letter to USACE Section 408 Transmittal – Sent ..... 53-54
    - Apple Creek Floodplain Mapping
      - FEMA Draft Preliminary Mapping – NDSWC Response – Apple Creek meeting pending (City/County) – August 2021
      - Mapping Comments (Gunsch) – Responses Pending
    - SWC Cost Share Request Letter – end of biennium..... 55-56
    - Public Comments
  - Fox Island (Landenberger)
    - Seeding/Grass Status ..... 57-58
  - Missouri Riverbank Stabilization (Detwiller)
    - GIS Web Mapping Completed –SWC easement data (data entry ongoing)
    - SWC Cost Share Request Letter – end of biennium..... 59-60

- Other Old Business
  - Burleigh County WRD Assessment District Projects – Highway Dept O&M Agreements (pending)
  - Policy Manual –
    - Drain Tile Permitting Policy – Draft.....61-76
    - Accounting Policy – Draft ..... 77-81
  - 2022 Draft Budget (Rick/Dennis).....82-83
  - iPads turnover – Inventory Listing .....84-85
  - Sovereign Land Permit Application No. S-2198 .....84-85
- New Business:
  - 21-22 Insurance – Bain Agency .....86-89
  - **Fronteer Payroll Services Terminal Server Access** ..... 90
- Correspondence or Document Information
  - Plats & SWMP's – Not included due to size...Available on request.
  - Temporary Water Permits Issued .....91-92
- **Approval of Bills: (\$37,554.47)..... 93**
- Detailed Bills ..... 94-123
- Next Meeting: August 11, 2021, 8:00 AM, Tom Baker Room
- Adjourn

**Note: Bold Items Require Board Action**

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BCWRD Meeting Minutes  
June 9, 2021 – Tom Baker Room, City County Office Building  
Draft – not approved yet.

| Agenda Items   | Discussion  | Board Action  | Responsible Party(s) | Due Date |
|--|---|---|----------------------|----------|
| <b>Present:</b> Rod Beck; Rick Detwiller; James Landenberger; Dennis Reep; Cory Palm; Michael Gunsch, Houston Engineering, Inc.; Dave Bliss, Bliss Law Firm, LLC, Kathleen Jones, Burleigh County Commissioner and Wendy Egli, Fronteer Payroll Services<br><b>Others Present:</b> Dave Mayer and Dave Robinson (Bismarck Parks & Recreation)<br>Chairman Reep called the meeting to order at 8:00 am. Roll call was taken noting all members present and a quorum was declared. |   |   |                      |          |
|  | Discussion  | Action Taken  | Responsible Party(s) | Due Date |
| <b>Approval of 05/12/2021 Minutes:</b>   | None noted.   | <b>Mgr. Beck motion to approve 05/12/2021 minutes; Mgr. Detwiller second. Carried by unanimous voice vote.</b>  |                      |          |
| <b>Amendments and Approval of Agenda</b>   | Mgr. Palm asked to add discussion under Fox Island regarding grass reseeding.   | <b>Mgr. Palm motion to approve agenda with changes; Mgr. Detwiller second. Carried by unanimous voice vote.</b> |                      |          |
| <b>Comments from Members of the Pubic</b>  | None noted.   |   |                      |          |
| <b>McDowell Dam</b>  |   |   |                      |          |
| <b>Facility Update</b>   | Attendance has been very strong at the facility. On 06/09/2021 bids are opening up for parking lot project. Estimate for parking lot project is roughly \$50,000. Mrg. Detwiller requested Bismarck Parks & Rec to forward any bids once received to BCW for budgeting purposes. Water level is down roughly 2 feet from last year due to lack of rain. Large national archery event coming to McDowell Dam on 08/06/2021 – 08/08/2021. |   |                      |          |
| <b>Grant Application for Kayak Launch</b>  | \$25,000 grant received from the Reeves Foundation for the kayak launch. A stable concrete base will need to be built along the shoreline for this project.   |   |                      |          |
| <b>Bank Stabilization Project Update</b>   | The permit for Bank Stabilization is going through EPA. The Corps hopes to hear back by 07/01/2021.   |   |                      |          |
| <b>Contract Documents</b>  | None noted.   |   |                      |          |
| <b>Public Notice of Permit Application</b>   | None noted.   |   |                      |          |
| <b>Financial Reports</b>   |   |   |                      |          |
| <b>Balance Sheet</b>   | No discussion.  | <b>Mgr. Detwiller motion to approve balance sheet; Mgr. Palm second. Carried by unanimous roll call vote.</b>   |                      |          |

| Agenda Items                                      | Discussion  | Board Action  | Responsible Party(s) | Due Date |
|---|---|---|----------------------|----------|
| <b>Profit &amp; Loss</b>                          | No discussion.  | <b>Mgr. Detwiller motion to approve profit &amp; loss; Mgr. Beck second. Carried by unanimous roll call vote.</b>                     |                      |          |
| <b>2020 Audit Draft and Adjustment Letter</b>     | Discussed audit finding related to segregation of duties. Based on the size and makeup of the organization it would be quite difficult to avoid this finding. Mgr. Detwiller to sign off on the finding on the 2020 Audit in his capacity as Secretary/Treasurer. Mgr. Detwiller to contact Perry at Barnes County Water Board to discuss their process.  | <b>Mgr. Detwiller motion to accept 2020 Audit Draft and Adjustment Letter; Mgr. Beck second. Carried by unanimous roll call vote.</b> |                      |          |
| <b>American Bank Center Securities Pledge</b>     | No discussion.  |   |                      |          |
| <b>Drainage Permits/Complaints/Issues: Open</b>   | Alan Mayer from 906 Schick Drive as complained about ground water being high. This is a known issue in the area. BCWRD does not have any jurisdiction on this issue; however, it has been the process in the past to draft a letter advising the party where they should go from here.<br>Rick Kingstad (809 Schick Drive) – discussed issue to get grass to grow and alkali. On second or third drain field.<br>Travis Westgard (816 Schick Drive) – discussed issue to get trees and grass to grow due to alkali. To invest in their second drain field.<br>Dale Binstock (901 Schick Drive) – drain field is bad as well. No drainage out of the subdivision.<br>This issue is impacting Schick and Valmont with approximately 18 – 20 homes impacted.<br>The complaint to remain open. Mike Gunsch to look into a response to this complaint. |   |                      |          |
| <b>Drainage Permits/Complaints/Issues: Closed</b> | None noted.   |   |                      |          |
| <b>Projects</b>                                   |   |   |                      |          |
| <b>Sibley Island</b>                              | Hydrology Report has been signed.   |   |                      |          |
| <b>Fox Island</b>                                 | Reseeding has been performed in some spots and there is some weed control which must be done. Request landowners to help water if the board does the work. These costs to come out of the O&M account.  |   |                      |          |
| <b>Missouri Riverbank Stabilization</b>           | All documents from the sovereign land's coordinator have been received by Houston Engineering.  |   |                      |          |
| <b>Other Old Business</b>                         |   |   |                      |          |
| <b>Burleigh County WRD Assessment District</b>    | No discussion.  |   |                      |          |



| <b>Agenda Items</b>                           | <b>Discussion</b>  | <b>Board Action</b>  | <b>Responsible Party(s)</b> | <b>Due Date</b> |
|---|--|--|-----------------------------|-----------------|
| <b>Projects</b>                               |  |  |                             |                 |
| <b>Policy Manual</b>                          | Houston Engineering to adjust drafts regarding drain tiles for the BCWRD.  |  |                             |                 |
| <b>IPads Turnover</b>                         | The recommendation is to use county property – not personal property. Mgr. Landenberger to work with Dave & Dave to make sure the inventory list is updated. Wendy Egli to work with the auditors on an inventory list.  |  |                             |                 |
| <b>New Business</b>                           |  |  |                             |                 |
| <b>Sovereign Land Permit</b>                  | Mike Gunsch made a recommendation to put together an advisory letter.  |  |                             |                 |
| <b>2022 Draft Budget</b>                      | Mgr. Detwiller reviewed proposed budget for 2022. Possibly need to budget another \$45,000 to Sibley Island. May qualify for some federal funds for the intake valve at the McDowell Dam. There also may be some matching funds available through the Outdoor Heritage Fund. |  |                             |                 |
| <b>Correspondence or Document Information</b> | No discussion.   |  |                             |                 |
| <b>Approval of Bills</b>                      | Bills total \$35,106.34.   | <b>Mgr. Detwiller motion to approve bills in the amount of \$35,106.34; Mgr. Palm second. Carried by unanimous roll call vote.</b> |                             |                 |
| <b>Next Meeting</b>                           | Next meeting to be held at Tuesday, July 13, 2021 at 8:00 AM. Mgr. Palm will not be in person for this meeting; however, he will be calling in.  |  |                             | 07/13/2021      |

With no further business the meeting adjourned at 9:43 a.m.

Wendy Egli, BCWRD Admin. Secretary

June 1, 2021

Travis G. Johnson, P.E.  
Houston Engineering, Inc.  
3712 Lockport St.  
Bismarck, ND 58503  
Agent For:  
Burleigh County Water Resource District  
3456 E. Century Avenue  
Bismarck, North Dakota 58503

Toni Erhardt, Project Manager  
US Army Corps of Engineers, Omaha District  
3319 University Driver  
Bismarck, ND 58504

**Section 401 Water Quality Certification for: NWO-1986-09168-BIS [McDowell Dam Bank Stabilization]**

Dear Ms. Erhardt and Mr. Johnson:

The North Dakota Department of Environmental Quality (DEQ) has completed its review of the proposed project, to ensure the Standards of Quality for Waters of the State North Dakota Administrative Code Chapter 33.1-16-02.1 are supported as intended by the ND Century Code 28-61-04 and Clean Water Act Sections 302, and 303.

The DEQ believes that the standards will be supported if certain conditions are met and issues section 401 clean water certification under the following conditions:

- 1) Riprap it is clean stone, appropriately sized and shaped for the energies of the reservoir, with no rubbish such as wood or rebar,
- 2) If a spill of fuels, lubricants, antifreeze, hydraulic fluids, petroleum products, and hazardous and/or potentially hazardous materials occurs that enters or potentially enters waters of the state during construction an environmental incident report <https://deq.nd.gov/eir/NonOilField/> will be filed, and
- 3) The contractor obtains a Construction General Permit from the DEQ and follows Best Management Practices for erosion and water runoff during construction.  
[https://deq.nd.gov/WQ/2\\_NDPDES\\_Permits/7\\_Stormwater/StW.aspx](https://deq.nd.gov/WQ/2_NDPDES_Permits/7_Stormwater/StW.aspx), and

Should you have any questions, I may be reached at 701.328.5268.

Sincerely,



Peter N. Wax  
Environmental Scientist  
Division of Water Quality  
ND Department of Environmental Quality

**From:** [Blair, AaronM](#)  
**To:** [Erhardt, Toni R CIV USARMY CENWO \(USA\)](#)  
**Subject:** [Non-DoD Source] FW: Corps Notice Requesting Comments | NWO-1986-09168-BIS | Burleigh County WRD McDowell Dam Bank Stabilization Project  
**Date:** Tuesday, June 8, 2021 5:51:52 PM  
**Attachments:** [NWO-1986-09168-BIS.pdf](#)

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Hi Toni –

Please see below for EPA Region 8's comments on the proposed bank stabilization project at McDowell Dam Recreation area:

While EPA understands the importance of shoreline stabilization, erosion prevention, and infrastructure protection, we feel that the project proposal has not presented adequate practicable alternatives which provide these critical functions while also being less damaging to the aquatic environment.

Riparian vegetation has several important ecological roles such as providing cover and food resources for aquatic and terrestrial organisms, shading streams to maintain cool water temperatures, delivering organic debris and terrestrial invertebrates which are sources of food for fish and aquatic invertebrates, and protecting embankments from erosion. Relying primarily on riprap for shoreline stabilization is not preferable for several reasons. Foremost, it removes the riparian vegetation therefore eliminating the associated functions and services and provides little to no habitat for both aquatic and terrestrial species.

Riprap is typically used and most effective where erosion rates are high. Considering the subject location is lacustrine in nature and generally a low-energy environment, there are numerous alternative methods of shoreline stabilization that should be explored to achieve the project purpose.

Bioengineering techniques can be incorporated into riprap designs to mitigate some of the negative effects of riprap, enhance habitat value, as well as provide ecological functions and services not provided by riprap alone. Techniques can include anchoring log and rootwads into the toe of the embankment, live staking, vegetated riprap, joint planting, brush layering, etc. These techniques allow, over time, recovery of riparian vegetation and the benefits associated with it.

EPA does not recommend that riprap alone be used to stabilize a shoreline and instead recommends that bioengineering practices including but not limited to those described above, be used in conjunction with placement of shoreline riprap.

Please feel free to reach out to me with any questions, concerns, or further guidance on shoreline stabilization methodology.

Thank you,  
Aaron

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**Aaron Blair**



Physical Scientist – Clean Water Act Regulatory  
U.S. EPA Region 8  
Water Division  
1595 Wynkoop St  
Denver, CO 80202  
Mobile: 717-424-2331  
Office: 303-312-6883  
(please use mobile as I am working remotely)

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**From:** Erhardt, Toni R CIV USARMY CENWO (USA) <Toni.R.Erhardt@usace.army.mil>

**Sent:** Thursday, May 20, 2021 7:09 AM

**To:** Blair, AaronM <blair.aaronM@epa.gov>; Bloom, Judy <Bloom.Judy@epa.gov>; Bruce Kreft <bkreft@nd.gov>; Dickinson Press <newsroom@thedickinsonpress.com>; Dr. Bill Peterson <billpeterson@nd.gov>; Drew Becker (drew\_becker@fws.gov) <drew\_becker@fws.gov>; EDM International, Inc. <adean@edmlink.com>; 404PNS-R8-OW <404PNS-R8-OW@epa.gov>; FWS Org Box <ndfieldoffice@fws.gov>; Garrison Diversion Conservancy District <gdcd@daktel.com>; Grand Forks Herald <gfhcity@gfherald.com>; Huibregtse, Jared J. <jjhuibregtse@nd.gov>; International Dredging Review <atownshend@dredgemag.com>; Jason Westbrook <JWestbrook@barr.com>; Jeff - North Central Mitigation <jeff@NorthCentralMitigation.com>; Miller, Jeff <Jeff\_Miller@treated-wood.org>; John Paczkowski [SWC] <jpaczkowski@nd.gov>; Kate Kenninger (kate.kenninger@usda.gov) <kate.kenninger@usda.gov>; Kevin Turnbow <lturnbow2@bis.midco.net>; Krause, Tony D CIV USARMY CENWO (USA) <tony.d.krause@usace.army.mil>; Lanita Herbener <Lanita@EcoAssetMidwest.com>; Linda Helm <linda\_helm@nps.gov>; Lindsey Churchill <lindsey.churchill@merjent.com>; Massman Construction Company <massman@massman.net>; McKenzie County Auditor <ejohnsrud@co.mckenzie.nd.us>; Meg Claypool <Meg\_Claypool@golder.com>; Michael Gunsch <mgunsch@houstonengineeringinc.com>; North Dakota Chapter of the Wildlife Society <ndctws@gmail.com>; Ott, Toney <Ott.Toney@epa.gov>; Patsy Crooke (ndcrookes@bis.midco.net) <ndcrookes@bis.midco.net>; Paul - North Central Mitigation <paul@NorthCentralMitigation.com>; Peter Wax <pwax@nd.gov>; Phillip Todd <p.todd@nsenv.com>; Rachel Daniels <rachel\_daniels@nps.gov>; Sheri Lares <sheri.lares@faa.gov>; Steve Best - SWC <stevebest@nd.gov>; Steve Dyke <sdye@nd.gov>; Terry Steinwand <tsteinwa@nd.gov>; Toman Engineering Company <Ron@tomanengineering.com>  
**Cc:** Travis Johnson <tjohnson@houstoneng.com>; Dave Mayer <dmayer@bisparks.org>; dwrburleighwrd@gmail.com; bisparks@bisparks.org; amy.dalrymple@bismarcktribune.com  
**Subject:** Corps Notice Requesting Comments | NWO-1986-09168-BIS | Burleigh County WRD McDowell Dam Bank Stabilization Project

**ATTENTION MEDIA OUTLETS: YOU WILL NOT BE PAID TO PUBLISH THIS PUBLIC NOTICE. IT IS PROVIDED FOR YOUR USE IN GENERATING NEWS STORIES IF YOU SO CHOOSE.**

The attached public notice, and enclosures, requesting comments will be posted on our website. The following link will take you directly to our public notice page:

<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota/PublicNotices.aspx>

June 2, 2021

Toni Erhardt  
Senior Project Manager  
US Army Corps of Engineers, Omaha District  
North Dakota Regional Office  
3319 University Drive  
Bismarck, ND 58504



Re: Project Code: NWO-1986-09168-BIS, McDowell Dam Recreation Area Bank Stabilization  
in Burleigh County

Dear M. Erhardt:

The North Dakota Department of Environmental Quality has reviewed the information concerning the above-referenced project received at the department on May 25, 2021 with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
2. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the stormwater permit may be obtained from the department's website or by calling the Division of Water Quality (701-328-5210). Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local stormwater management considerations are addressed.

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

918 East Divide Avenue | Bismarck ND 58501-1947 | Fax 701-328-5200 | deq.nd.gov

Director's Office  
701-328-5150

Division of  
Air Quality  
701-328-5188

Division of  
Municipal Facilities  
701-328-5211

Division of  
Waste Management  
701-328-5166

Division of  
Water Quality  
701-328-5210

Division of Chemistry  
701-328-6140  
2635 East Main Ave  
Bismarck ND 58501  
BCWRD July 2021

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Director  
North Dakota Department of Environmental Quality

LDG:csc  
Attach.



## Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality for projects that involve construction or environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

### Soils

Prevent the erosion of soil and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be protected against compaction, vegetation loss, and unnecessary damage.

### Surface Waters

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be controlled to minimize silt movement, nutrient upsurges, plant dislocations, and any physical, chemical, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the department's pesticide application permit with notification to the department.

### Fill Material

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds; including, but not limited to, asphalt, tires, treated lumber, and construction debris. The department may require testing of fill materials. All temporary fill must be removed. Debris and solid wastes must be properly disposed or recycled. Impacted areas must be restored to near original condition.

**From:** [Gary](#)  
**To:** [Erhardt, Toni R CIV USARMY CENWO \(USA\)](#)  
**Subject:** [Non-DoD Source] NWO-1986-09168-BIS  
**Date:** Wednesday, June 9, 2021 4:20:59 PM  
**Importance:** High

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Good Afternoon,

After reviewing and looking over the project NWO-1986-09168-BIS, Northern Cheyenne has no concerns at this time.

**If cultural resources are located during ground disturbance, please halt all activities and notify our office.**

Your Project may proceed as planned.

Determination of **No Effect**.

Thank You,

Gary LaFranier  
FCC/ Section 106 Coordinator  
Northern Cheyenne THPO  
(406)477-8114  
Lame Deer, MT. 59043



June 1, 2021

Toni Erhardt  
US Army Corps of Engineers – Omaha District  
ND Regulatory Office  
3319 University Drive  
Bismarck, ND 58504

Dear Ms. Erhardt:

This is in response to your request for a review of the environmental impacts associated with the Action ID: NWO-1986-09168-BIS, 300-350 linear foot bank stabilization project located at McDowell Dam Recreation area.

The proposed project has been reviewed by State Water Commission staff, and the following comments are provided:

- There are no FEMA regulatory floodplains identified and/or mapped where this proposed project is to take place. No permits relative to the NFIP are required based on the current effective FIRM and State minimum standards.
- The Office of the State Engineer Engineering and Permitting Section reviewed the Project and determined that no drainage or construction permits are likely required. For more information on these requirements, please visit the Regulation & Appropriation tab on the OSE's website ([swc.nd.gov](http://swc.nd.gov)), or contact the OSE's Regulatory Division at 701-328-2752 or [swcregpermits@nd.gov](mailto:swcregpermits@nd.gov).
- Any construction for bank stabilization taking place on the dam embankment may require a construction permit from the Office of the State Engineer. For further information on the OSE's permitting requirements, please visit the Regulation & Appropriation tab on the OSE's website ([swc.nd.gov](http://swc.nd.gov)). Please contact the OSE Regulatory Division at 701-328-2752 if you have any questions.
- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the Water Appropriations Division of the Office of the State Engineer if you have any questions at (701) 328-2754 or [appropinfo@nd.gov](mailto:appropinfo@nd.gov).

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or [stevebest@nd.gov](mailto:stevebest@nd.gov).

Sincerely,



Steven Best  
Planner III

SB:dm/1570

June 29, 2021

**VIA EMAIL**

Toni Erhardt, Project Manager  
U.S. Army Corps of Engineers, Omaha District  
3319 University Drive  
Bismarck, ND 58504

**Subject: McDowell Dam Bank Stabilization 2021 (NWO-1986-09168-BIS)  
HEI Project No. 1032-0105**

Dear Ms. Erhardt,

We have received and reviewed the comments from EPA Region 8 regarding the above referenced project. The primary objection to using riprap for bank stabilization is it removes the riparian vegetation. The vast majority of the McDowell Dam reservoir shoreline has intact riparian vegetation. This area is a general exception where erosion has already destroyed the vegetative cover and the bank line. In this instance, the need to stabilize is associated with historic wave action and fetch from the northwest. This erosion has undercut the existing steep hillside and has caused a slope failure. The exposed soils accelerate erosion from future wave action and continued migration of the slope failure uphill. This contributes to a significant amount of sediment load to the water body. Given the existing 1.4:1 slope has failed is clear evidence this slope is not conducive to sustaining vegetative cover. Establishing vegetation on the shoreline at this slope is not practical and flattening the slope is not an option. The Burleigh County Water Resource District (BCWRD) cannot risk the loss of additional shoreline as this would be a loss of the pedestrian trail and additional property is not available.

Other areas of shoreline have been identified as potentially vulnerable, but those areas do not have the steepness and similar slope failure risks. The project stabilizes the lower bank to protect the trail, and other areas are to be revegetated and significant tree planting is part of the project. The margins of the riprap placement will also employ vegetative stabilization practices. This project will improve water quality by significantly reducing the sediment being washed into the water.

If you have any questions, please feel free to contact me.

Sincerely,

HOUSTON ENGINEERING, INC.



Travis G. Johnson, Project Manager

c: Michael Gunsch, Houston Engineering, Inc., Bismarck, ND (email)  
James Landenberger, Burleigh County Water Resource District

## Burleigh County Water Resource District (BCWRD)

## Balance Sheet

As of July 14, 2021

|   | Jul 14, 21           |
|---|----------------------|
| <b>ASSETS</b>                           |                      |
| Current Assets                          |                      |
| Checking/Savings                        |                      |
| American Bank Center Checking           | 1,088,619.35         |
| Designated Reserve Funds                |                      |
| Aero Club Rent                          | 13.00                |
| Apple Valley                            | 19,000.00            |
| Apple Valley Spec. Assessment           | 12,626.81            |
| Brookfield Estates                      | 2,377.34             |
| Burnt Creek                             | 115,000.00           |
| Emergency Fund                          | 265,037.13           |
| Hay Creek Watershed                     | 100,000.00           |
| McDowell Dam (Buffer Zone)              | 80,000.00            |
| McDowell Dam Capital Improvemen         | 60,000.00            |
| McDowell Dam Fresh Water Intake         | 410,000.00           |
| McDowell Rent                           | 10,609.00            |
| Missouri River Bank Stabilizati         | 124,906.33           |
| Sibley Island                           | 500,000.00           |
| Designated Reserve Funds - Other        | 262.64               |
| Total Designated Reserve Funds          | 1,699,832.25         |
| Total Checking/Savings                  | 2,788,451.60         |
| Accounts Receivable                     |                      |
| 1100 · Accounts Receivable              | 6,100.00             |
| Total Accounts Receivable               | 6,100.00             |
| Other Current Assets                    |                      |
| 11010 · Taxes Receivable                | 9,875.67             |
| Total Other Current Assets              | 9,875.67             |
| Total Current Assets                    | 2,804,427.27         |
| Fixed Assets                            |                      |
| 15005 · Land                            | 112,481.50           |
| 15010 · Infrastructure                  | 6,679,991.93         |
| 15015 · Land Improvements               | 1,810,033.62         |
| 15020 · Buildings                       | 187,659.68           |
| 15025 · Office Furniture & Equipment    | 162,206.58           |
| 15051 · Acc Depr - Infrastructure       | -230,788.13          |
| 15052 · Acc Depr - Land Improvements    | -989,289.34          |
| 15053 · Acc Depr - Building             | -151,017.71          |
| 15054 · Acc Depr - Office Furn & Equip  | -114,986.82          |
| Total Fixed Assets                      | 7,466,291.31         |
| <b>TOTAL ASSETS</b>                     | <b>10,270,718.58</b> |
| <b>LIABILITIES &amp; EQUITY</b>         |                      |
| Liabilities                             |                      |
| Current Liabilities                     |                      |
| Other Current Liabilities               |                      |
| 24000 · Payroll Liabilities             | 1,214.56             |
| Total Other Current Liabilities         | 1,214.56             |
| Total Current Liabilities               | 1,214.56             |
| Long Term Liabilities                   |                      |
| 23200 · Rehab Apple Valley Waste Water  | 160,000.00           |
| 237 · Burnt Creek Floodway              | 280,000.00           |
| 23800 · Missouri River Correctional Cen | 310,000.00           |
| 23900 · Fox Island Improvement          | 1,340,000.00         |
| 25000 · Bond Discount                   | -26,477.50           |
| Total Long Term Liabilities             | 2,063,522.50         |

## Balance Sheet

As of July 14, 2021

|                            | Jul 14, 21    |
|----------------------------|---------------|
| Total Liabilities          | 2,064,737.06  |
| Equity                     |               |
| 32000 · Retained Earnings  | 7,403,068.52  |
| Net Income                 | 802,913.00    |
| Total Equity               | 8,205,981.52  |
| TOTAL LIABILITIES & EQUITY | 10,270,718.58 |

Burleigh County Water Resource District (BCWRD)

Profit & Loss by Class

January 1 through July 14, 2021

|   | TOTAL        | - General  | Apple Valley | Burnt Creek Floodway | Burnt Creek Watershed | Fox Island | McDowell Dam | Missouri River Gen. | MRCC     | Sibley Island | TOTAL        |
|---|--------------|------------|--------------|----------------------|-----------------------|------------|--------------|---------------------|----------|---------------|--------------|
| Income                                  |              |            |              |                      |                       |            |              |                     |          |               |              |
| 31110 · Real Estate Tax                 | 770,176.48   | 770,176.48 | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 770,176.48   |
| 31810 · In Lieu of Tax                  | 399.49       | 399.49     | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 399.49       |
| 33620 · Homestead Credit                | 6,111.94     | 6,111.94   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 6,111.94     |
| 34220 · Operating Grants                | 8,356.73     | 0.00       | 0.00         | 0.00                 | 0.00                  | 0.00       | 8,356.73     | 0.00                | 0.00     | 0.00          | 8,356.73     |
| 36110 · Interest                        | 106.37       | 106.37     | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 106.37       |
| 36210 · McDowell Dam Recreation Income  | 1,003.39     | 0.00       | 0.00         | 0.00                 | 0.00                  | 0.00       | 1,003.39     | 0.00                | 0.00     | 0.00          | 1,003.39     |
| 36215 · McDowell Dam Land Lease         | 6,600.00     | 0.00       | 0.00         | 0.00                 | 0.00                  | 0.00       | 6,600.00     | 0.00                | 0.00     | 0.00          | 6,600.00     |
| 43610 · State Aid Distribution          | 10,769.92    | 10,769.92  | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 10,769.92    |
| 43810 · Reimbursements                  | 233,896.99   | 2,371.26   | 0.31         | 142,957.97           | 0.00                  | 25,332.13  | 0.00         | 18,856.50           | 6,761.07 | 37,617.75     | 233,896.99   |
| 46910 · Misc Revenue                    | 1,448.00     | 1,423.00   | 0.00         | 0.00                 | 0.00                  | 0.00       | 25.00        | 0.00                | 0.00     | 0.00          | 1,448.00     |
| Total Income                            | 1,038,869.31 | 791,358.46 | 0.31         | 142,957.97           | 0.00                  | 25,332.13  | 15,985.12    | 18,856.50           | 6,761.07 | 37,617.75     | 1,038,869.31 |
| Gross Profit                            | 1,038,869.31 | 791,358.46 | 0.31         | 142,957.97           | 0.00                  | 25,332.13  | 15,985.12    | 18,856.50           | 6,761.07 | 37,617.75     | 1,038,869.31 |
| Expense                                 |              |            |              |                      |                       |            |              |                     |          |               |              |
| 111 · Payroll Expenses                  | 13,338.00    | 13,338.00  | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 13,338.00    |
| 111A · Payroll Taxes                    |              |            |              |                      |                       |            |              |                     |          |               |              |
| Workforce Safety & Insurance            | 250.00       | 250.00     | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 250.00       |
| 111A · Payroll Taxes - Other            | 1,082.76     | 1,082.76   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 1,082.76     |
| Total 111A · Payroll Taxes              | 1,332.76     | 1,332.76   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 1,332.76     |
| 113 · Accounting & Contract Services    | 13,515.00    | 13,515.00  | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 13,515.00    |
| 114 · Audit                             | 9,750.00     | 9,750.00   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 9,750.00     |
| 312 · Legal Fees                        | 6,110.73     | 6,110.73   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 6,110.73     |
| 315 · Engineering Administration        | 11,856.00    | 11,856.00  | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 11,856.00    |
| 328 · Liability Insurance               | 4,501.00     | 4,501.00   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 4,501.00     |
| 376 · Dues & Publications               | 3,100.00     | 3,100.00   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 3,100.00     |
| 411 · Office Expense                    | 1,143.20     | 1,143.20   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 1,143.20     |
| 50913 · Interest Expense                | 16,596.62    | 0.00       | 2,000.00     | 3,900.00             | 0.00                  | 6,509.12   | 0.00         | 0.00                | 4,187.50 | 0.00          | 16,596.62    |
| 905 · McDowell Dam-Capital Improvemen   | 27,090.81    | 0.00       | 0.00         | 0.00                 | 0.00                  | 0.00       | 27,090.81    | 0.00                | 0.00     | 0.00          | 27,090.81    |
| 910 · Projects                          |              |            |              |                      |                       |            |              |                     |          |               |              |
| Administration                          | 60,220.85    | 0.00       | 400.00       | 530.00               | 0.00                  | 450.00     | 58,310.85    | 0.00                | 530.00   | 0.00          | 60,220.85    |
| Engineering                             | 14,926.75    | 4,802.25   | 0.00         | 0.00                 | 0.00                  | 0.00       | 9,664.50     | 460.00              | 0.00     | 0.00          | 14,926.75    |
| Legal Fees                              | 1,965.00     | 183.40     | 0.00         | 131.00               | 655.00                | 209.60     | 0.00         | 0.00                | 0.00     | 786.00        | 1,965.00     |
| O&M                                     | 2,763.74     | 0.00       | 0.00         | 2,763.74             | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 2,763.74     |
| Total 910 · Projects                    | 79,876.34    | 4,985.65   | 400.00       | 3,424.74             | 655.00                | 659.60     | 67,975.35    | 460.00              | 530.00   | 786.00        | 79,876.34    |
| 937 · Design/Special Assessment         | 42,509.75    | 0.00       | 0.00         | 0.00                 | 0.00                  | 9,945.50   | 0.00         | 15,348.00           | 0.00     | 17,216.25     | 42,509.75    |
| 940 · Operations & Maintenances         |              |            |              |                      |                       |            |              |                     |          |               |              |
| 940A · Burnt Creek Watershed            | 543.75       | 0.00       | 0.00         | 543.75               | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 543.75       |
| 940 · Operations & Maintenances - Other | 695.25       | 0.00       | 0.00         | 695.25               | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 695.25       |
| Total 940 · Operations & Maintenances   | 1,239.00     | 0.00       | 0.00         | 1,239.00             | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 1,239.00     |
| 941 · Stream Gages                      | 2,033.25     | 2,033.25   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 2,033.25     |
| 960 · Drainage Complaints               | 1,963.85     | 1,963.85   | 0.00         | 0.00                 | 0.00                  | 0.00       | 0.00         | 0.00                | 0.00     | 0.00          | 1,963.85     |
| Total Expense                           | 235,956.31   | 73,629.44  | 2,400.00     | 8,563.74             | 655.00                | 17,114.22  | 95,066.16    | 15,808.00           | 4,717.50 | 18,002.25     | 235,956.31   |
| Net Income                              | 802,913.00   | 717,729.02 | -2,399.69    | 134,394.23           | -655.00               | 8,217.91   | -79,081.04   | 3,048.50            | 2,043.57 | 19,615.50     | 802,913.00   |

**From:** Liz Holmstrom <ElizabethH@starionbank.com>  
**Sent:** Wednesday, June 23, 2021 10:44 AM  
**To:** 'bcwrd@midco.net'  
**Cc:** &Bonds  
**Subject:** Sinking Fund Fees - 5/1 Payments

Good Morning -

We appreciate the opportunity to be of service to the municipality by acting as Transfer and Registration Agent on the below issuer(s). We have recently gone through a software update and noticed that our system did not calculate sinking fund fees for May 1, 2021 payments, as indicated in your Paying Agent Agreement with Starion Bond Services, Schedule A: Fee Schedule. Due to our error, we wanted to apologize and inform that we will not be collecting the sinking fund fee for the May 1<sup>st</sup> payment. We apologize for the inconvenience and our fee schedules for sinking fund payments have been updated to include the appropriate fees going forward.

| Obligor                   | Issuer                         | Sinking Fund Fee |
|---------------------------|--------------------------------|------------------|
| BURLEIGH CTY WTR RES DIST | BURLEIGH WAT REF IMP 2017      | \$75.00          |
| BURLEIGH CTY WTR RES DIST | BURLEIGH COUNTY WATER RES 2016 | \$75.00          |

Thank you!  
Starion Bond Services Operations Team  
[Bonds@starionbank.com](mailto:Bonds@starionbank.com)

**Liz Holmstrom**  
**Controller, AVP**

☎ direct: 608-224-5404

☎ cell: 262-745-6486

[lizh@starionbank.com](mailto:lizh@starionbank.com)

[starionbank.com](http://starionbank.com)

Starion Bank

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June 9, 2021

Dear valued customer,

We are excited to announce an upcoming change! **On Nov. 1, 2021, we will rebrand to Bravera Bank, pending regulatory approval.** This is strictly a name change and not a change in ownership. We are and will continue to be an employee- and director-owned company. We are excited to have all of our locations that are currently branded as American, Prairie Mountain Bank, Beartooth Bank and Central Insurance Agency become visibly unified under one name.

The result of a nearly two-year project, this rebrand to the new name, Bravera [Brah-VEHR-uh], will contribute to the overall growth of our company by setting us apart from the many other companies that also use American in their names. Bravera is a combination of the words brave and vera ('vera' translates to 'true' in Latin). Bravery and truth is our promise to you, our customer. These values also have ties to the pioneering spirit and honesty found in our Midwestern roots.

The structure of our company as well as the products and services offered will not change. You may begin to see signage and branch modifications in the coming months; however, the entirety of the brand will not launch until Nov. 1. At that time, we look forward to revealing our new logo, colors, website and remaining story that led us to choose the Bravera Bank name and brand.

There is no action required by you. Your accounts will not change and your debit/credit cards will remain active. Enclosed is a list of frequently asked questions to further explain the details of this project and the enhancements you can expect.

Thank you for your continued support as we expand and grow into the future. If you have additional questions, please visit **WeAreAmerican.bank/bravera** and send us a message online. You may also call 701-258-2611 or stop into one of our convenient branches. We look forward to continuing to serve you.

Sincerely,

Dave Ehlis, President/CEO



1. **Why is the name changing?** We are excited to launch a new brand that differentiates us as an employee- and director-owned institution and enhances our customer experience. By rebranding to Bravera, a trademarked name, we are able to grow into new markets, ultimately providing more services and convenience for our customers. It is also an opportunity to visibly unify some of the many different names (American, Prairie Mountain Bank, Beartooth Bank and Central Insurance Agency) that are all part of our company.
2. **Will American still be part of the brand?** We are proud to be American and understand the pride and honor that the name carries. While the American name has served us well, it is limiting to our geographic expansion due to the commonality of the name. Numerous banks, insurance agencies and financial planning institutions have similar names causing confusion in our markets. By rebranding to Bravera, we can set ourselves apart and tell a new story while still honoring our heritage.
3. **How will this impact me as a customer?** You can look forward to a new user-friendly website, branch enhancements and a rich color palette to accompany our new logo and rebranded advertisements. Additionally, we've simplified our website URL and employee email addresses for the ease of our customers. This will not impact your accounts, the services we offer, how your money is insured or which advisors work with you. Bravera Bank will continue to be an employee- and director-owned institution.
4. **Why was Bravera chosen as the new name?** Extreme consideration and time went into choosing a new name for our company. Bravera [Brah-VEHR-uh] combines the words brave and vera ('vera' translates to 'true' in Latin). Bravery and truth is our promise to you, our customer. These values also have ties to the pioneering spirit and honesty found in our Midwestern roots. Additionally, Bravera is a name we were able to trademark in the U.S. in order to protect our brand and grow our footprint.
5. **Will these changes impact the online or in-person services I use?** All of our services will continue uninterrupted. Our online banking portal and mobile apps will have updated colors and logos, but the functionality and layout will remain the same.
6. **What is the timeline for this change?** Bravera will go into effect on Nov. 1, 2021, pending regulatory approval. In the meantime, you may see enhancements in our lobbies and to our building signage.
7. **Is there an impact on ownership?** There is no ownership change. We continue to be an employee- and director-owned institution. This is purely a name and brand change. As always, we'll be innovative and do what's best for you, our customer, and our employees.





8. **How will American Bank, Trust and Insurance Center be positioned under the new name?** We will continue to have separate entities under our new name. American Bank Center will become Bravera Bank, American Trust Center will change to Bravera Wealth and American Insurance Center will be Bravera Insurance.
9. **Will my debit and credit cards still work?** Yes, you will be able to use your American Visa debit and credit cards. You may continue to use your current card(s) until a new one is issued to you. Look to receive your new card(s) shortly before or after the name change on Nov. 1, 2021.
10. **Will I still be able to use my existing checks?** Yes, you may continue to use your existing checks until your current supply runs out. Then you can order new checks the same way you do now.
11. **Will my account number(s) and any loans I have remain the same?** Yes, they will stay the same.
12. **Will I still be able to access my online banking and mobile app the same way I do today?** Yes, you will be able to access your accounts using your same username and passwords.
13. **Will there be a new website?** Yes. On or around Nov. 1, 2021, a new website will launch. Please know if you have saved [WeAreAmerican.bank](http://WeAreAmerican.bank), [BeartoothBank.com](http://BeartoothBank.com) or [PrairieMountainBank.com](http://PrairieMountainBank.com) in your bookmarks, you still will be able to access the new site from these addresses as you will simply be redirected to the new website. If you've bookmarked specific pages (for example, Personal Checking on [WeAreAmerican.bank](http://WeAreAmerican.bank)), you may need to resave your bookmarks (Personal Checking on the new Bravera Bank website) once the new site has launched.
14. **Will the branches have a new look?** Yes, the branches will be slightly modified to reflect the new Bravera brand, logos and colors.
15. **Will all institutions under the American umbrella rebrand to Bravera?** Beartooth Bank, Prairie Mountain Bank and Central Insurance Agency will also adopt the new name at the time of brand launch. Citizens State Bank and Citizen Insurance Agency will change to the new name within weeks of brand launch. United Community Bank has the scale to operate as a high-performing, stand-alone bank and, therefore, will not be part of the rebrand.
16. **What if I have more questions?** Visit [WeAreAmerican.bank/bravera](http://WeAreAmerican.bank/bravera) and send us a message online. You may also call 701-258-2611 or stop into one of our convenient branches.

## ***Rainbow Acres Groundwater Complaint***

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**To:** Burleigh County Water Resource District  
Cory Palm, Manager  
**From:** Michael Gunsch, PE, CFM  
**Date:** July 7, 2021  
**Project:** 6025-0018-031

### **INTRODUCTION**

On June 9, 2021 several residents from the Rainbow Acres Subdivision, Burleigh County, filed a drainage complaint and appeared before the Burleigh County Water Resource District (BCWRD) regarding high groundwater conditions along Schick Drive. These waters have caused significant damages to septic systems, created the inability to grow lawns, trees, and landscaping, as well as structural concerns with basement sump pumps running frequently. One resident noted they were on their third septic system and another received notice from the North Dakota Division of Water Quality that their system was not contained and had surface discharges. Their request to the BCWRD was to obtain assistance in finding a resolution to the problem or direction on what to do. While the BCWRD does not have jurisdiction regarding groundwater complaints they do review subsurface drainage permits. Subsequently, the BCWRD directed Houston Engineering to provide this advisory and guidance memo regarding the residents complaint.

The Rainbow Acres subdivision was platted in 2007, and is located within the City of Bismarck's Extraterritorial Area (ETA). It is zoned rural residential and has experience these problems since its inception. The Rainbow Acres Storm Water Management Plan considered only surface drainage, as a review of groundwater conditions was not required in the City's storm water criteria or any other process. City zoning requires rural residential lots be a minimum of 1.5 acre in size, which is intended to address the need to accommodate septic systems and future replacements should an initial system fail due to use and/or age. In this case the failures are directly linked to high groundwater and the inability of the soils to accommodate inflows.

Resolving the groundwater issue is complex due to many factors, which the BCWRD understands after attempting a similar project in the Hay Creek Pines development along Hay Creek north of Bismarck. The potential solutions that are discussed later include:

1. Lower roadway ditches to improve surface water removal
2. Install a central septic system in a suitable location to serve the development
3. Install a Drain Tile system to remove subsurface waters
  - a. Discharge into the Apple Creek tributary downstream
  - b. Discharge into a drain field or evaporation lagoon in a suitable location

## Study Area

The Study Area is limited to the Rainbow Acres Subdivision (20 Lots), though several lots within the Willow View subdivision to the south along Schick Drive may benefit with a drain tile system, see *Figure 1*.

## Study Objective

This reconnaissance level review of the Rainbow Acres groundwater issue is intended to provide guidance to the landowners. The solution, its benefit, and projected costs are not provided. The BCWRD if they so determine could request a cost to complete a preliminary feasibility study.

## Alternatives

### Lowering Roadway Ditches

The option to lower the roadway ditches was considered in Hay Creek Pines project, however this approach has significant limitations in the ability to lower water levels. One landowner commented that the roadway drainage was a concern. During the Hay Creek Pines discussions with NDDEQ (NDDH) they noted such an action with the intended purpose of groundwater removal is considered subsurface drainage and potential impacts to surface water are regulated. This relates to water quality impacts associated with draining saline waters and could require a discharge permit.

Considering site topography, lowering the ditch elevations would improve surface drainage, but would be inadequate to lower groundwater levels to provide any meaningfully benefit to septic system or yards. Generally, you will need to lower water levels by many feet, or an order of magnitude greater than the ditch grading could provide. Then there is the remaining issue of soil remediation so they could accommodate vegetative growth.

### Central Septic System

Since septic system failure is a primary impact, one alternative is to replace all the independent septic systems with a combined centralized system. This requires a suitable location to serve the development, which given site conditions and existing soils would have to be on neighboring properties. While a central system would resolve the septic demands and infiltration of added waters into the soils, it would not resolve the groundwater issues that are inherent in these soils. Subsequently, the inability to establish lawns and landscaping along with basement drain systems would remain, which adversely impact property values.

Soils mapping within the Rainbow Acres subdivision, and a description of their composition and profile by depth are provided in **Appendix A**. These soils are noted as being “very restrictive” for septic system use. That does not mean these systems will not work, but likely would have issues and potential failures using standard designs. The history of this area indicates under existing conditions these soils are not conducive to septic systems use, and failures have occurred and likely to continue. The ability to provide subsurface drainage has the potential to improve these conditions. In addition, waters introduced into groundwater via the individual septic systems would compound groundwater elevations and saline issues. The soils appear to have what is often noted as a hard pan or shallow soils that limit inflows and trap soils near the surface, **Appendix B**.

### Drain Tile System

Subsurface water removal has its merits, however the ability to do this in these soils remains to be determined as they appear to be clay and not very permeable. Subsequently, the ability to remove waters may require multiple drain tile lines to be functional, see **Figure 2**. An extended geotechnical evaluation of the soils and aerial extent of the high groundwater conditions is required. This is necessary before any further determination could be made regarding the feasibility of a drainage system. It is notable that agricultural drainage of saline soils is common and permitted under the NDCC. The drainage of these soils, which appear to be sodic is not generally recommended without a Soil Scientist evaluation as there are risks to making the permeability worse and harder to establish vegetative cover, see **Appendix C**. The drain tile system layout, should it be viable, would be similar to the Hay Creek Pines project with a primary conveyance line within the township ROW and then individual private connections as noted.

Discharging subsurface waters into the Apple Creek tributary downstream is a physically simple process, though addressing water quality impacts from these waters is not. There is need to test and evaluate these subsurface waters and projected flow assimilation within the downstream system. It is readily apparent given the limited upstream watershed that unless the discharges occurred into Apple Creek there is likely insufficient waters for assimilation. There is a remote question regarding the option for a pumped line via easements could be secured to Apple Creek. This would require a determine regarding the capacity of this system, though it is likely relatively small.

Another alternative is to discharge these waters into a drain field in a suitable location. The primary issue here is to identify a suitable site and the impacts from salt and sodium accumulations within the discharge site. In lieu of a drain field one consideration might be creating an evaporation lagoon where the waters would be stored on the surface and evaporative accumulations removed and disposed of over time. The maintenance of either system would have to be evaluated, and there is

the potential that over time the quality of the discharges might improve such that tributary discharges might be allowed. This is an unknown and speculative, but such a change in quality is identified in man agricultural drainage systems.

Even with a functional drain tile system after its installation there would be a recovery period as the existing and subsurface salt and sodium moves into the lower soil profile. The need for soil remediation is an important consideration in any future project. A question for NDDEQ is if they can issue a permit if the adverse economic impacts are worse than the saline discharges?

Again, existing soils do not preclude development or use of septic systems, but they indicate the risks associated with these systems. We believe that mounded or NoDak septic systems have been implemented in some instance with similar results. It is clear soils limitations are at the forefront of the complaint and development issues. Compounding this situation is several years of above average precipitation, which typically extends groundwater situations into subsequent years.

These soils are documented as being highly saline and sodic since the SAR (Sodium Absorption Ratio) is 25, which is reported as the Maximum., which are associated with trapped waters and high groundwater conditions. Once vegetation is removed, in this case via residential construction, groundwater levels increase with the lack of plant uptake of subsurface moisture.

One landowner noted when his basement was being excavated, they needed to remove and dispose of wet soils. This was an indication that conditions were such that groundwater was likely to impact the structure and though drain tile systems are typically installed around residential structures they are not always adequate to accommodate local conditions.

## CONCLUSIONS

Installing a drain tile system is the apparent solution to the groundwater issues in this location. However, this comes with a complicated permit process and one that is not easily completed to determine the point of discharge or disposal of subsequent removal.

Creating a Special Assessment District (SAD) is the only option the BCWRD has to assist in this process, similar to what was established, then vacated for the Hay Creek Pines project. Given the unrecovered public expense of that effort any such action here should be addressed with caution. Therefore, it is recommended, if the BCWRD elects to be involved. The current list of landowners via the county tax records is provided in **Appendix D**.

The next steps to evaluate a drain tile system would include the following:

- ✓ A geotechnical evaluation of the groundwater conditions, depth confining soils, and the ability to remove waters from the soils. This to include water quality testing to determine any constituents of concern, with the primary identifiers likely to be natural salts, sodium constituents, and other compounds of concern for potential surface water permitting.
- ✓ An evaluation of the soil chemical properties to provide information on saline or sodic soil tendencies, the depth to hard pan or low permeability soils. This evaluation to be completed by a Soil Scientist is recommended to be completed prior to additional review of drain tile considerations. Determine the potential to secure regulatory permitting via contacting the NDDEQ.
- ✓ Conduct a Preliminary Feasibility Study including an opinion of probable costs (OPC) for the viable alternatives.

The inability to resolve this situation already has resulted in a significant economic impacts and hardships to the property owners including the potential loss of the opportunity to live in or sell their residence. Should the BCWRD elect to assist these residents further it is recommended they consider securing a bond or cash deposits to complete the feasibility study. Given the questions and unknowns the BCWRD may wish to recommend these landowners hire their own engineer, however the willingness to assist in the creation of a special assessment district could remain an option.

## **FIGURE ONE**

**Rainbow Acres Subdivision Location Map**

## **FIGURE TWO**

**Rainbow Acres Subdivision and Potential Drain Tile System**

## **APPENDIX A**

**Soils Condition and Septic System Limitations**

## **APPENDIX B**

**Specific Soils Profiles to around 60 inches in depth**

## **APPENDIX C**

**Saline and Sodic Soils – NDSU Extension Service**

## **APPENDIX D**

**Rainbow Acres Subdivision Landowners**



# Rainbow Acres

Saline and Septic System Issues

Rainbow Acres  
Subdivision

Figure 1

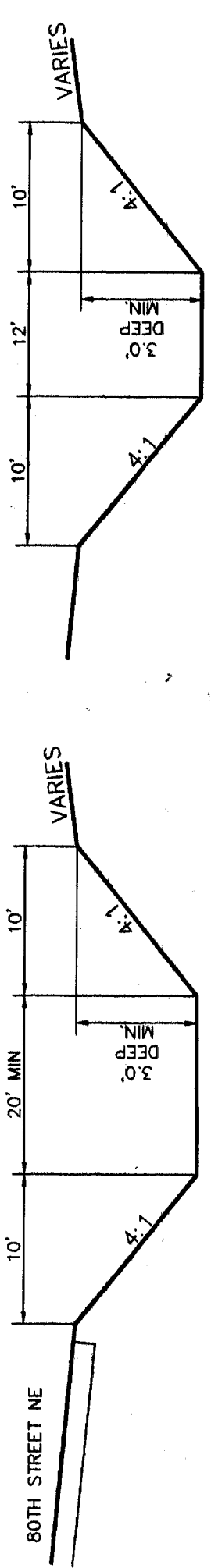


# RAINBOW ACRES

## DEVELOPED CONDITIONS

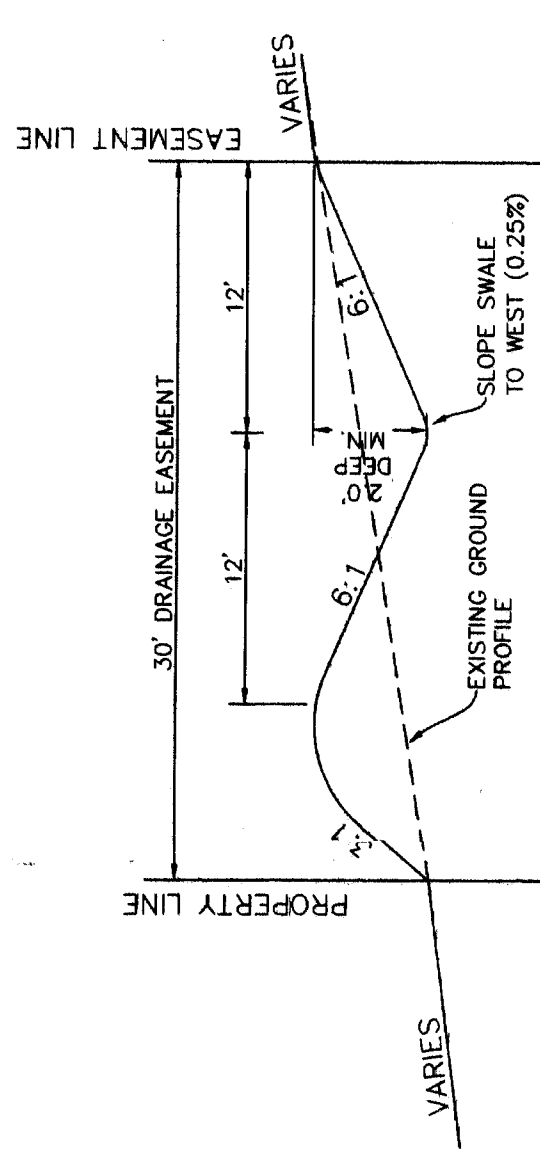
Drain Tile Main Line

Private Lateral

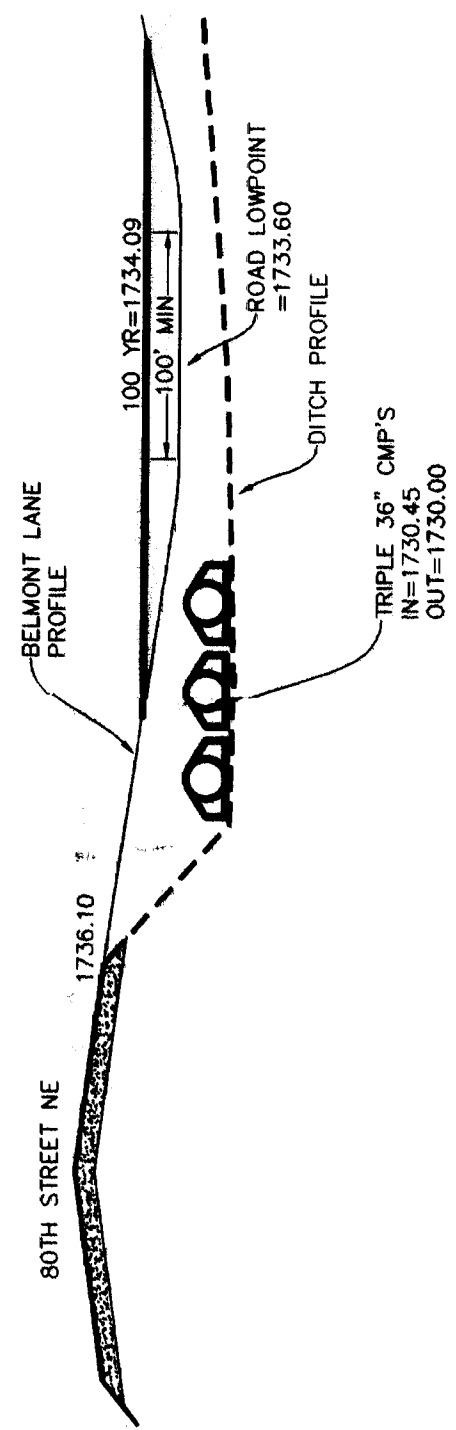


80TH STREET CHANNEL (#1) CROSS SECTION

TYPICAL BYPASS CHANNEL (#2) CROSS SECTION



SCHICK DIVERSION SWALE (#3) CROSS SECTION



BELMONT LANE APPROACH DETAIL

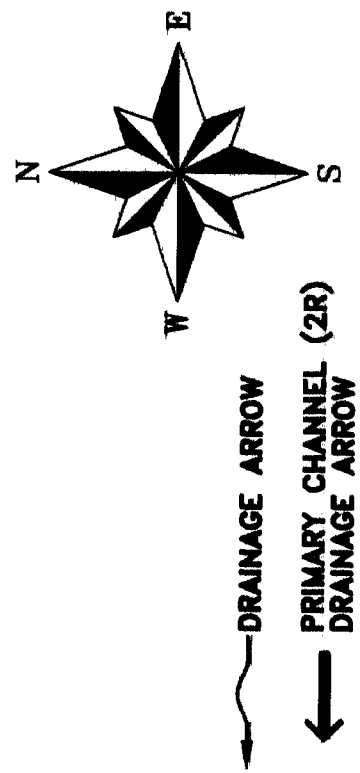
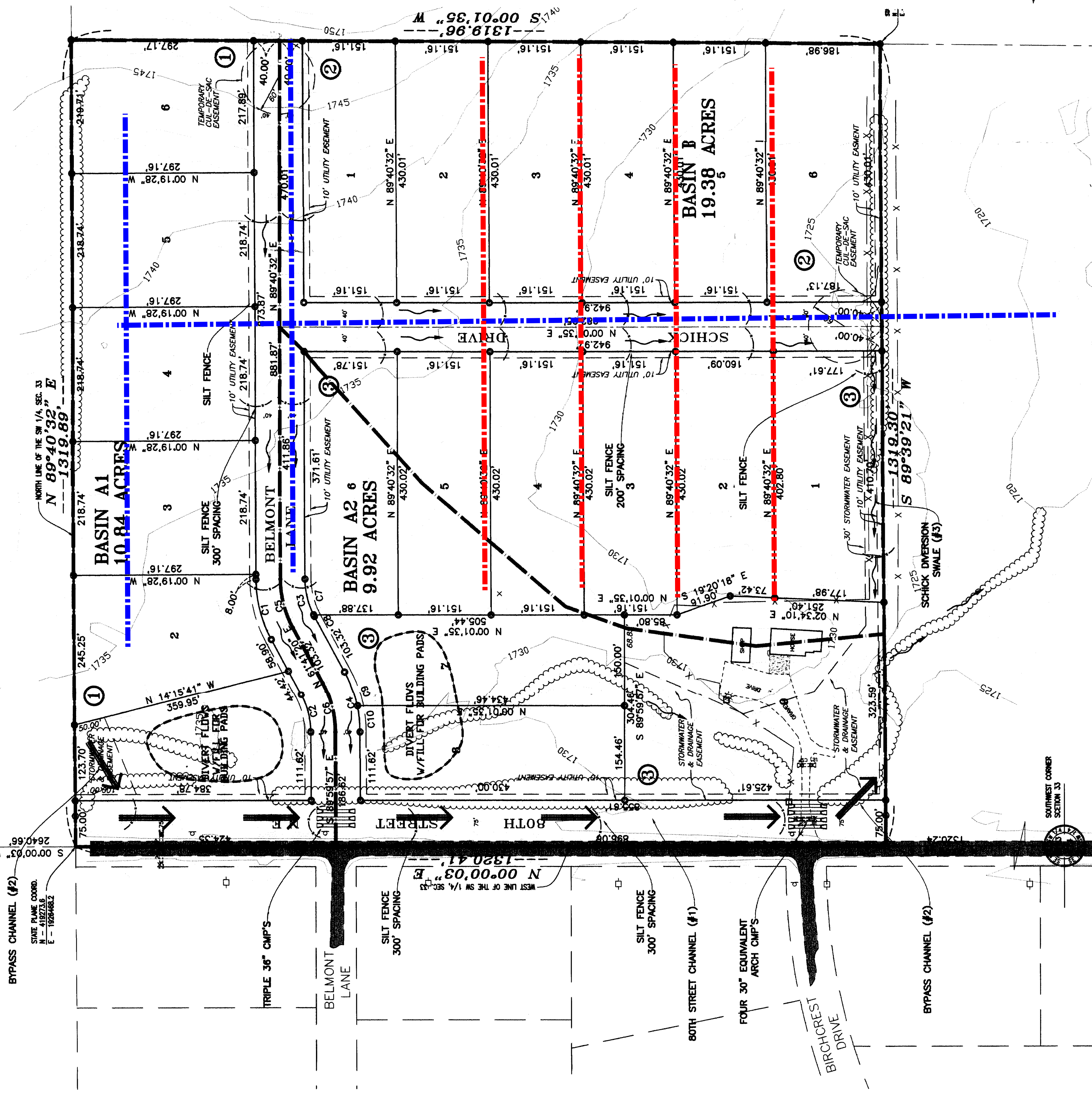


Figure 2









MAP LEGEND

**Area of Interest (AOI)**

Area of Interest (AOI)

**Background**

Aerial Photography

**Soils**

**Soil Rating Polygons**

Very limited

Somewhat limited

Not limited

Not rated or not available

**Soil Rating Lines**

Very limited

Somewhat limited

Not limited

Not rated or not available

**Soil Rating Points**

Very limited

Somewhat limited

Not limited

Not rated or not available

**Water Features**

Streams and Canals

**Transportation**

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Burleigh County, North Dakota

Survey Area Data: Version 21, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 19, 2014—Jul 20, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Septic Tank Absorption Fields

| Map unit symbol | Map unit name                                       | Rating           | Component name (percent) | Rating reasons (numeric values) | Acres in AOI | Percent of AOI |
|-----------------|---|------------------|--------------------------|---------------------------------|--------------|----------------|
| C132C           | Williams-Zahl-Zahill complex, 6 to 9 percent slopes | Somewhat limited | Williams (50%)           | Slow water movement (0.73)      | 10.6         | 5.4%           |
|                 |   |                  | Zahl (20%)               | Slow water movement (0.73)      |              |                |
|                 |   |                  | Zahill (15%)             | Slow water movement (0.73)      |              |                |
|                 |   |                  | Bowbells (9%)            | Depth to saturated zone (0.94)  |              |                |
|                 |   |                  |                          | Slow water movement (0.73)      |              |                |
| C210B           | Williams-Bowbells loams, 3 to 6 percent slopes      | Somewhat limited | Williams (45%)           | Slow water movement (0.73)      | 5.2          | 2.6%           |
|                 |   |                  | Bowbells (36%)           | Depth to saturated zone (0.94)  |              |                |
|                 |   |                  |                          | Slow water movement (0.73)      |              |                |
|                 |   |                  | Zahill (5%)              | Slow water movement (0.73)      |              |                |
|                 |   |                  | Zahl (3%)                | Slow water movement (0.73)      |              |                |
| C457A           | Grassna silt loam, 0 to 2 percent slopes            | Somewhat limited | Grassna (88%)            | Slow water movement (0.50)      | 5.7          | 2.9%           |
|                 |   |                  | Wilton (4%)              | Slow water movement (0.73)      |              |                |
|                 |   |                  | Temvik (3%)              | Slow water movement (0.73)      |              |                |
|                 |   |                  | Linton (2%)              | Slow water movement (0.50)      |              |                |
|                 |   |                  | Mandan (2%)              | Slow water movement (0.50)      |              |                |

| Map unit symbol | Map unit name                                   | Rating       | Component name (percent) | Rating reasons (numeric values) | Acres in AOI | Percent of AOI |
|-----------------|---|--------------|--------------------------|---------------------------------|--------------|----------------|
| C471A           | Grail silty clay loam, 0 to 2 percent slopes    | Very limited | Grail (76%)              | Slow water movement (1.00)      | 25.1         | 12.8%          |
|                 |   |              |                          | Depth to saturated zone (0.94)  |              |                |
|                 |   |              | Belfield (5%)            | Slow water movement (1.00)      |              |                |
|                 |   |              |                          | Depth to saturated zone (0.94)  |              |                |
|                 |   |              | Daglum (4%)              | Slow water movement (1.00)      |              |                |
|                 |   |              |                          | Depth to saturated zone (0.94)  |              |                |
|                 |   |              | Regent (4%)              | Depth to bedrock (1.00)         |              |                |
|                 |   |              |                          | Slow water movement (1.00)      |              |                |
|                 |   |              | Regan (1%)               | Ponding (1.00)                  |              |                |
|                 |   |              |                          | Depth to saturated zone (1.00)  |              |                |
|                 |   |              |                          | Slow water movement (0.73)      |              |                |
| C522A           | Belfield-Rhoades complex, 0 to 2 percent slopes | Very limited | Belfield (50%)           | Slow water movement (1.00)      | 22.8         | 11.7%          |
|                 |   |              |                          | Depth to saturated zone (0.94)  |              |                |
|                 |   |              | Rhoades (19%)            | Slow water movement (1.00)      |              |                |
|                 |   |              |                          | Depth to saturated zone (0.94)  |              |                |
|                 |   |              | Daglum (14%)             | Slow water movement (1.00)      |              |                |
|                 |   |              |                          | Depth to saturated zone (0.94)  |              |                |

| Map unit symbol | Map unit name                                 | Rating           | Component name (percent) | Rating reasons (numeric values) | Acres in AOI | Percent of AOI |
|-----------------|---|------------------|--------------------------|---------------------------------|--------------|----------------|
|                 |   |                  | Savage (10%)             | Slow water movement (1.00)      |              |                |
|                 |   |                  | Grail (5%)               | Slow water movement (1.00)      |              |                |
|                 |   |                  |                          | Depth to saturated zone (0.94)  |              |                |
|                 |   |                  | Regent (2%)              | Slow water movement (1.00)      |              |                |
|                 |   |                  |                          | Depth to bedrock (1.00)         |              |                |
| C591A           | Rhoades-Daglum complex, 0 to 2 percent slopes | Very limited     | Rhoades (58%)            | Slow water movement (1.00)      | 41.0         | 21.0%          |
|                 |   |                  |                          | Depth to saturated zone (0.94)  |              |                |
|                 |   |                  | Daglum (33%)             | Slow water movement (1.00)      |              |                |
|                 |   |                  |                          | Depth to saturated zone (0.94)  |              |                |
|                 |   |                  | Grail (5%)               | Slow water movement (1.00)      |              |                |
|                 |   |                  |                          | Depth to saturated zone (0.94)  |              |                |
|                 |   |                  | Harriet (2%)             | Ponding (1.00)                  |              |                |
|                 |   |                  |                          | Depth to saturated zone (1.00)  |              |                |
|                 |   |                  |                          | Slow water movement (1.00)      |              |                |
|                 |   |                  | Regent (2%)              | Depth to bedrock (1.00)         |              |                |
|                 |   |                  |                          | Slow water movement (1.00)      |              |                |
| C740A           | Temvik silt loam, 0 to 3 percent slopes       | Somewhat limited | Temvik (89%)             | Slow water movement (0.73)      | 71.1         | 36.4%          |
|                 |   |                  | Wilton (3%)              | Slow water movement (0.73)      |              |                |

| Map unit symbol | Map unit name                                      | Rating           | Component name (percent) | Rating reasons (numeric values) | Acres in AOI | Percent of AOI |
|-----------------|--|------------------|--------------------------|---------------------------------|--------------|----------------|
|                 |  |                  | Mandan (3%)              | Slow water movement (0.50)      |              |                |
|                 |  |                  | Linton (2%)              | Slow water movement (0.50)      |              |                |
|                 |  |                  | Williams (2%)            | Slow water movement (0.73)      |              |                |
| C740B           | Temvik silt loam, 3 to 6 percent slopes            | Somewhat limited | Temvik (85%)             | Slow water movement (0.73)      | 12.2         | 6.2%           |
|                 |  |                  | Wilton (5%)              | Slow water movement (0.73)      |              |                |
|                 |  |                  | Williams (4%)            | Slow water movement (0.73)      |              |                |
|                 |  |                  | Linton (3%)              | Slow water movement (0.50)      |              |                |
|                 |  |                  | Mandan (2%)              | Slow water movement (0.50)      |              |                |
| C962F           | Werner-Amor-Arnegard loams, 9 to 50 percent slopes | Very limited     | Werner (36%)             | Depth to bedrock (1.00)         | 1.6          | 0.8%           |
|                 |  |                  |                          | Slope (1.00)                    |              |                |
|                 |  |                  | Amor (32%)               | Depth to bedrock (1.00)         |              |                |
|                 |  |                  |                          | Slope (1.00)                    |              |                |
|                 |  |                  |                          | Slow water movement (0.50)      |              |                |
|                 |  |                  | Arnegard (18%)           | Slope (1.00)                    |              |                |
|                 |  |                  |                          | Slow water movement (0.73)      |              |                |
|                 |  |                  | Flasher (6%)             | Depth to bedrock (1.00)         |              |                |
|                 |  |                  |                          | Slope (1.00)                    |              |                |
|                 |  |                  |                          | Seepage, bottom layer (1.00)    |              |                |
|                 |  |                  | Daglum (5%)              | Slow water movement (1.00)      |              |                |
|                 |  |                  |                          | Depth to saturated zone (0.94)  |              |                |

| Map unit symbol             | Map unit name | Rating | Component name (percent)         | Rating reasons (numeric values) | Acres in AOI | Percent of AOI |
|-----------------------------|---------------|--------|----------------------------------|---------------------------------|--------------|----------------|
|                             |               |        | Regan, occasionally flooded (3%) | Flooding (1.00)                 |              |                |
|                             |               |        |                                  | Ponding (1.00)                  |              |                |
|                             |               |        |                                  | Depth to saturated zone (1.00)  |              |                |
|                             |               |        |                                  | Slow water movement (0.73)      |              |                |
| Totals for Area of Interest |               |        |                                  |                                 | 195.2        | 100.0%         |

| Rating                             | Acres in AOI | Percent of AOI |
|------------------------------------|--------------|----------------|
| Somewhat limited                   | 104.7        | 53.6%          |
| Very limited                       | 90.5         | 46.4%          |
| <b>Totals for Area of Interest</b> | <b>195.2</b> | <b>100.0%</b>  |



## Description

Septic tank absorption fields are areas in which effluent from a septic tank is distributed into the soil through subsurface tiles or perforated pipe. Only that part of the soil between depths of 24 and 60 inches is evaluated. The ratings are based on the soil properties that affect absorption of the effluent, construction and maintenance of the system, and public health. Saturated hydraulic conductivity (Ksat), depth to a water table, ponding, depth to bedrock or a cemented pan, and flooding affect absorption of the effluent. Stones and boulders, ice, and bedrock or a cemented pan interfere with installation. Subsidence interferes with installation and maintenance. Excessive slope may cause lateral seepage and surfacing of the effluent in downslope areas.

Some soils are underlain by loose sand and gravel or fractured bedrock at a depth of less than 4 feet below the distribution lines. In these soils the absorption field may not adequately filter the effluent, particularly when the system is new. As a result, the ground water may become contaminated.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher

## Burleigh County, North Dakota

### C591A—Rhoades-Daglum complex, 0 to 2 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2qyfv

*Elevation:* 1,280 to 2,560 feet

*Mean annual precipitation:* 13 to 22 inches

*Mean annual air temperature:* 37 to 46 degrees F

*Frost-free period:* 110 to 140 days

*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Rhoades and similar soils:* 58 percent

*Daglum and similar soils:* 33 percent

*Minor components:* 9 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Rhoades

##### Setting

*Landform:* Terraces

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Concave

*Across-slope shape:* Linear

*Parent material:* Local alluvium

##### Typical profile

*E - 0 to 5 inches:* loam

*Btn - 5 to 10 inches:* clay loam

*Btnkyz - 10 to 14 inches:* clay loam

*Bknyz - 14 to 46 inches:* silty clay

*C - 46 to 79 inches:* silty clay loam

##### Properties and qualities

*Slope:* 0 to 2 percent

*Depth to restrictive feature:* 3 to 6 inches to natric

*Drainage class:* Moderately well drained

*Capacity of the most limiting layer to transmit water*

*(Ksat):* Moderately low (0.01 to 0.14 in/hr)

*Depth to water table:* About 42 to 60 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 15 percent

*Gypsum, maximum content:* 5 percent

*Maximum salinity:* Moderately saline to strongly saline (8.0 to 16.0 mmhos/cm)

*Sodium adsorption ratio, maximum:* 25.0

*Available water capacity:* Very low (about 1.1 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 6s  
*Hydrologic Soil Group:* C  
*Ecological site:* R054XY033ND - Thin Claypan  
*Forage suitability group:* Not suited (G053BY000ND)  
*Other vegetative classification:* Not suited (G053BY000ND)  
*Hydric soil rating:* No

### **Description of Daglum**

#### **Setting**

*Landform:* Terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Parent material:* Local alluvium

#### **Typical profile**

*Ap - 0 to 7 inches:* loam  
*E - 7 to 9 inches:* silt loam  
*Btn - 9 to 19 inches:* silty clay loam  
*Btnky - 19 to 32 inches:* clay loam  
*BCky - 32 to 47 inches:* clay loam  
*C - 47 to 79 inches:* clay

#### **Properties and qualities**

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* 6 to 11 inches to natric  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low (0.01 to 0.14 in/hr)  
*Depth to water table:* About 42 to 60 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 25 percent  
*Gypsum, maximum content:* 5 percent  
*Maximum salinity:* Moderately saline to strongly saline (8.0 to 16.0 mmhos/cm)  
*Sodium adsorption ratio, maximum:* 25.0  
*Available water capacity:* Very low (about 1.9 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 4s  
*Hydrologic Soil Group:* B  
*Ecological site:* R053BY002ND - Claypan  
*Forage suitability group:* Claypan (G053BY800ND)  
*Other vegetative classification:* Claypan (G053BY800ND)  
*Hydric soil rating:* No

## Minor Components

### Grail

*Percent of map unit:* 5 percent  
*Landform:* Swales  
*Down-slope shape:* Linear  
*Across-slope shape:* Concave  
*Ecological site:* R053BY001ND - Clayey  
*Other vegetative classification:* Clayey Subsoil (G053BY210ND)  
*Hydric soil rating:* No

### Regent

*Percent of map unit:* 2 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Side slope  
*Down-slope shape:* Convex  
*Across-slope shape:* Linear  
*Ecological site:* R053BY001ND - Clayey  
*Other vegetative classification:* Clayey Subsoil (G053BY210ND)  
*Hydric soil rating:* No

### Harriet

*Percent of map unit:* 2 percent  
*Landform:* Drainageways  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* R053BY006ND - Saline Lowland  
*Other vegetative classification:* Not suited (G053BY000ND)  
*Hydric soil rating:* Yes

## Data Source Information

Soil Survey Area: Burleigh County, North Dakota  
Survey Area Data: Version 21, Jun 11, 2020

# PARCEL OWNERSHIP

RAINBOW ACRES SUBDIVISION  
BISMARCK, ND

# Appendix C

| Block | Lot | Parcel ID           | Address  | Owners                                   |
|-------|-----|---------------------|--|--|
| 1     | 1   | 32-139-79-75-01-010 | 8000 BELMONT LN, BISMARCK, ND 58501                  | ORGAARD, KYLE & CASEY JO                 |
| 1     | 2   | 32-139-79-75-01-020 | 8008 BELMONT LN, BISMARCK, ND 58501                  | WALD, LOREN L & LAURA                    |
| 1     | 3   | 32-139-79-75-01-030 | 8102 BELMONT LN, BISMARCK, ND 58501                  | HORNER, CHRIS & KOLENA                   |
| 1     | 4   | 32-139-79-75-01-040 | 8110 BELMONT LN, BISMARCK, ND 58501                  | FUNSTON, MICHAEL & GAYLORD, CINDI        |
| 1     | 5   | 32-139-79-75-01-050 | 8204 BELMONT LN, BISMARCK, ND 58503                  | JOYCE, BRANDON Z                         |
| 1     | 6   | 32-139-79-75-01-060 | 8212 BELMONT LN, BISMARCK, ND 58501-8569             | BISCHKE, ERIC & ANA                      |
| 2     | 1   | 32-139-79-75-02-010 | 1001 SCHICK DR, BISMARCK, ND 58501                   | LESSARD, HEATH M & BETH A                |
| 2     | 2   | 32-139-79-75-02-020 | 907 SCHICK DR, BISMARCK, ND 58504                    | KALB, THOMAS J II & NGUYEN, THI B        |
| 2     | 3   | 32-139-79-75-02-030 | 901 SCHICK DR, BISMARCK, ND 58501                    | BINSTOCK, DALE & JANE                    |
| 2     | 4   | 32-139-79-75-02-040 | 817 SCHICK DR, BISMARCK, ND 58501-9335               | HAHN, RYAN & LINDSEY R                   |
| 2     | 5   | 32-139-79-75-02-050 | BIBB, PATRICE 809 SCHICK DR, BISMARCK, ND 58501-9335 | KRINGSTAD, RICHARD &                     |
| 2     | 6   | 32-139-79-75-02-060 | 801 SCHICK DR, BISMARCK, ND 58501                    | HAGER, STEVE A & JANELLE M               |
| 3     | 1   | 32-139-79-75-03-010 | 800 SCHICK DR, BISMARCK, ND 58501                    | LACOMBE, GREGORY S & DEBBIE K            |
| 3     | 2   | 32-139-79-75-03-020 | 808 SCHICK DR, BISMARCK, ND 58501-9345               | ARREDONDO, JOSE                          |
| 3     | 3   | 32-139-79-75-03-030 | 816 SCHICK DR, BISMARCK, ND 58501                    | WESTGARD, TRAVIS E & LEANNE S            |
| 3     | 4   | 32-139-79-75-03-040 | 1621 N 35TH ST UNIT 9, BISMARCK, ND 58501            | FUGLEBERG, JAMES & APRIL                 |
| 3     | 5   | 32-139-79-75-03-050 | 906 SCHICK DR, BISMARCK, ND 58501                    | MEHRER, ALAN & AMBER                     |
| 3     | 6   | 32-139-79-75-03-060 | 1000 SCHICK DR, BISMARCK, ND 58501-9352              | BRADY, BRANDON J & DOCKTER BRADY, SHANNA |
| 3     | 7   | 32-139-79-75-03-070 | 8009 BELMONT LN, BISMARCK, ND 58504                  | KARCH, TRAVIS & CHRISTY                  |
| 3     | 8   | 32-139-79-75-03-080 | 8001 BELMONT LN, BISMARCK, ND 58501                  | GOEHRING, STUART J & PAMELA A            |
| 3     | 9   | 32-139-79-75-03-090 | 821 NE 80TH STREET, BISMARCK, ND 58501-8566          | FAUL, DOUGLAS L & JARAE J                |

21 Total Lots



# Saline and Sodic Soils

## Background:

The wet climate during the last 20 years has increased salinity acres. As per a recently published report there are nearly 5.8 million acres in North Dakota which are affected by soil salinity (Brennan, J., and M. Ulmer, 2010, Salinity in the Northern Great Plains, Natural Resources Conservation Service, Bismarck, N.D.). With more acres affected each year by salinity and sodicity, the management and alleviation of saline and sodic soils cannot be stressed more. Even though closely related and having many characteristics in common, soil salinity and sodicity are two different problems, which should be dealt with differently and require slightly different management practices. This publication is intended to help the farm producer or landowner to understand the fundamental differences between these two problems.

## Difference between Saline and Sodic Soils:

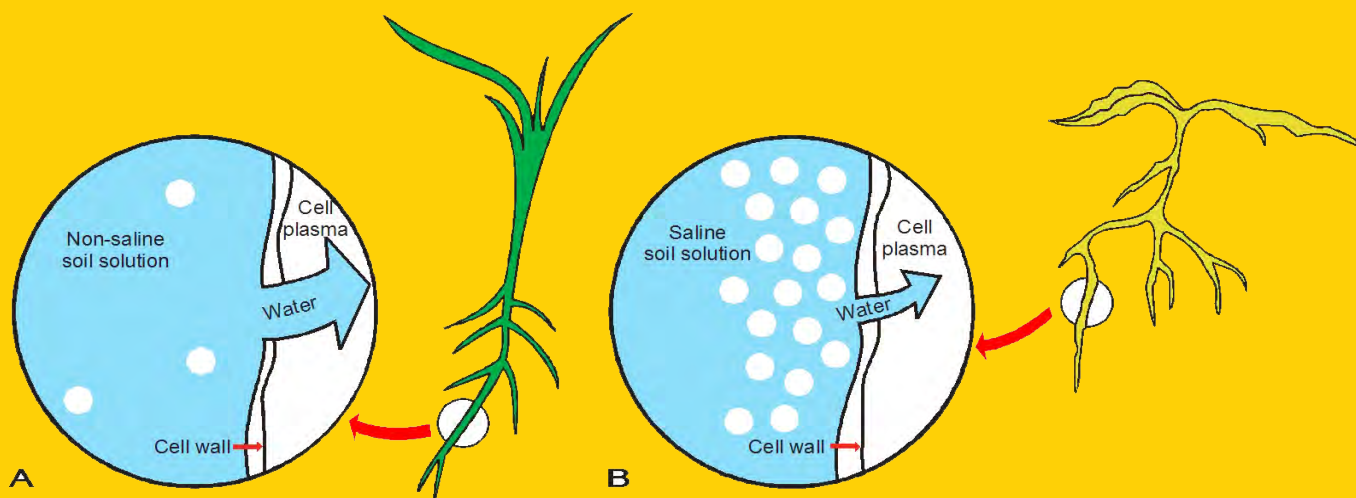
Saline soil is a term used to describe excessive levels of soluble salts in the soil water (soil solution), high enough to negatively affect plant growth, resulting in reduced crop yields and even plant death under severe conditions (Figure 1).



**Figure 1. A typical saline spot along state Highway 17 East, N.D.**

The primary effect of excessive soluble salts on plants is to limit the ability of plant roots to absorb soil water even under wet soil conditions. Soil water flows from higher osmotic potential (low salt concentration) to lower osmotic potential (high salt concentration). A soil solution with low osmotic potential due to the higher concentration of soluble salts compared to the plant cells, will not allow plant roots to extract water from soil (figure 2), causing drought-like symptoms in the plants (Seelig, 2000). That process is called "osmotic effect".

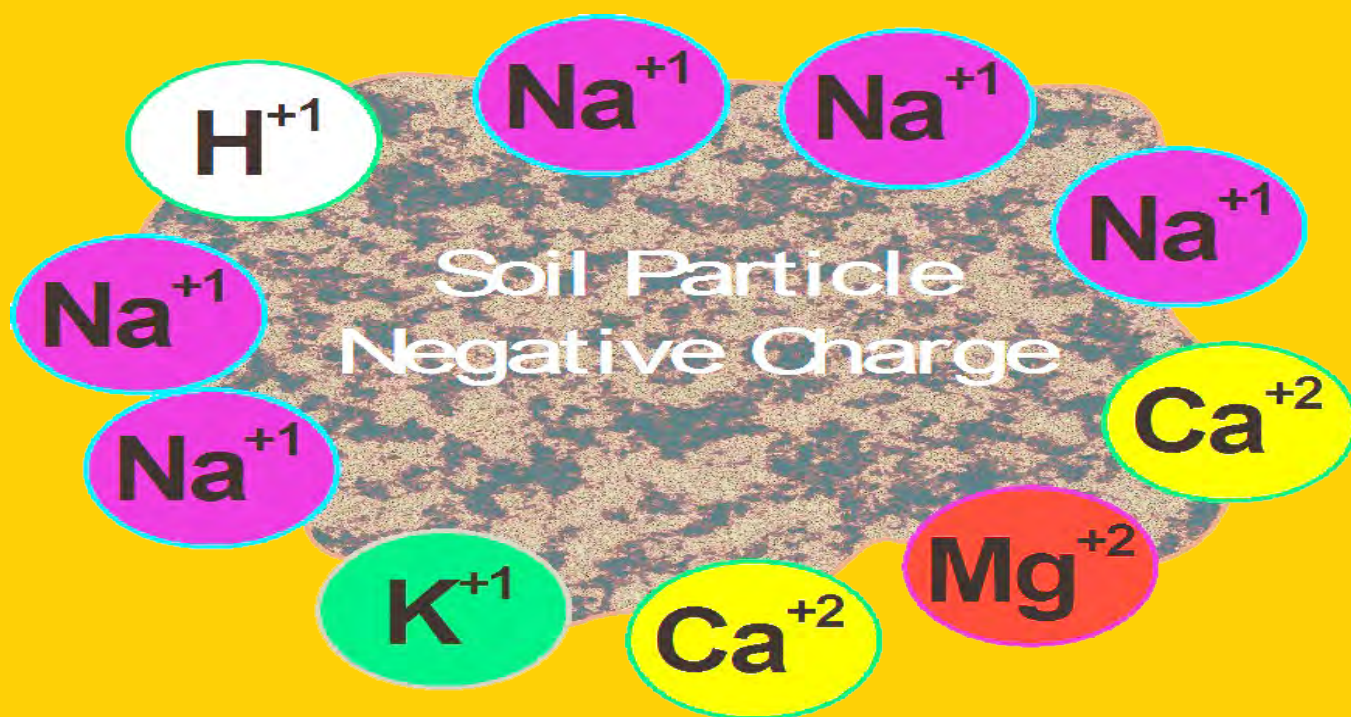




**Figure 2. Excessive soluble salts causing drought-like symptoms in plants.**

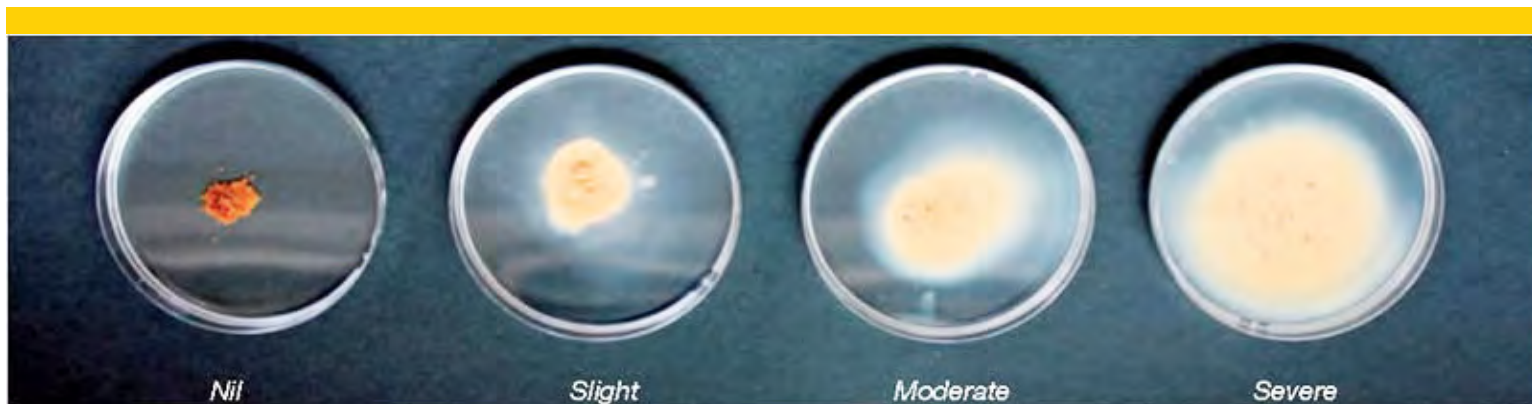
The most common soluble salts in North Dakota soils are sulfates of sodium, calcium and magnesium (Keller et al., 1984). However, saline soils in the northern Red River Valley have high amounts of chlorides of sodium, calcium and magnesium (Seelig, 2000). The third most common group of salts is carbonate based. As the word soluble indicates, these salts can easily be leached out of the upper 2-3 feet of surface soil under good soil moisture and drainage conditions.

In contrast to saline soils, sodic soils have excessive levels of sodium ( $\text{Na}^+$ ) adsorbed at the cation exchange sites (Figure 3). Soil sodicity causes degradation of soil structure. That process is called soil dispersion.



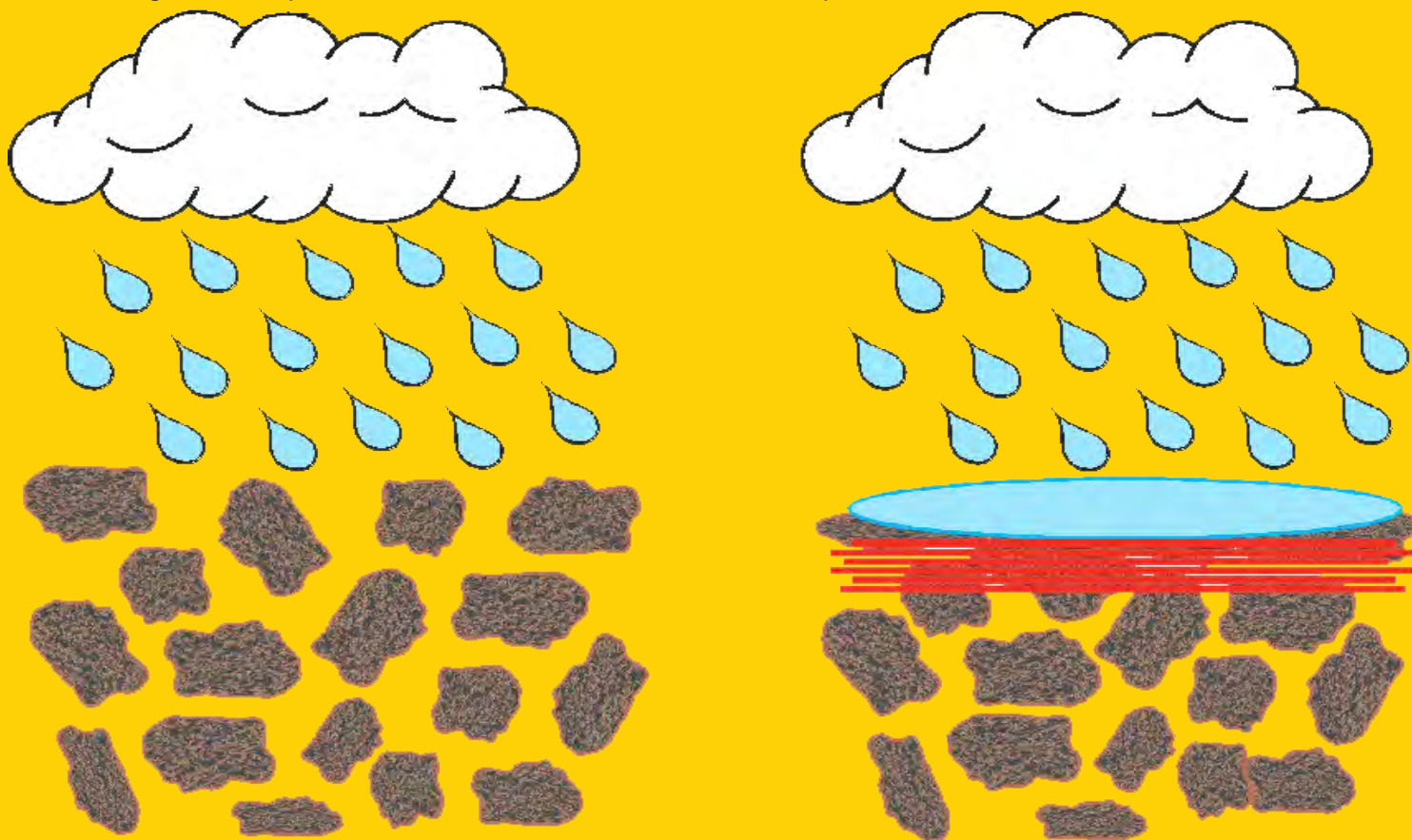
**Figure 3. Example of a sodic soil aggregate with more than 15 percent of its cation exchange sites occupied by sodium ions.**

The forces that hold clay particles together are greatly weakened when excessive sodium is adsorbed at the negative charges of clay particles, forming sodium-clay particles (Seelig, 2000). When wet, sodium-clay particles get easily disintegrated or dispersed from the larger soil aggregates (Figure 4). Once dry, sodium-clay particles clog the soil pores (especially macro-pores) and settle down in dense layers (Figure 5).



**Figure 4. Degrees of soil dispersion due to soil sodicity through the disintegration of soil particles**  
(Photo courtesy of Alison Lacey, Copyright Western Australian Agriculture Authority, 2009).

Poor physical structure (figure 5) then results in soils difficult to till, poor seed germination and restricted plant root growth. Due to the poor physical structure, sodic soils are also susceptible to wind and water erosion compared to saline soils. Soil dispersion effect will be more severe on expanding-type of clays as their degree of swelling increases, causing the clogging of the larger soil pores. In saline and saline-sodic soils though, higher concentrations of salts provide excess cations like calcium and magnesium which promote flocculation (opposite of dispersion) by moving in close to the negatively charged particles, thereby reducing their tendency to disintegrate or disperse from each other (The Nature and Properties of Soils, 14th Edition, Revised).



**Figure 5. Soil with good physical structure (left) versus a dispersed soil with poor physical structure on the right.**

### **Main Causes:**

The causes for saline and sodic soils in the northern Great Plains are natural, but both conditions can be affected by management. The primary natural cause for these two is the parent material of the soils within the state and the underlying sodium-rich shale that is present in the bedrock below the soil sediments.



The severity of soil salinity or sodicity occurs where there is shallow saline or sodic groundwater level (Figure 6). Groundwater levels in relation to the soil surface fluctuate depending upon the precipitation received and the evapotranspiration of the vegetative cover. Groundwater levels that average about 6 feet or less in depth are highly susceptible to salinity or sodicity development (Seelig, 2000). Groundwater within 6 feet of the surface can move through capillary action to or near the soil surface resulting in very low or no downward movement of excessive soil water and soluble salts, very low soil oxygen content along with bringing in salts with it. The water evaporates, leaving behind the salts. The longer the groundwater level is close to the surface, the greater level of salts or sodium will develop. In rolling topography, with soil texture discontinuity or hard layers, such as coal seams, saline seeps can develop during periods of high rainfall.



**Figure 6. A well-drained soil with low groundwater level (left) versus a saturated soil with very shallow groundwater level on the right.**

Another major reason for bringing in excessive salts in the plant root zone is the use of excessive irrigation water or having very wet weather conditions (excessive rains), which are man-made and natural respectively. In North Dakota though, predominantly it is the wet cycle which creates ideal conditions for shallow groundwater level, thus causing soil salinity and sodicity.

### Indicators:

In soils suspected as being saline or affected by sodium, the extent of the problem and its management are difficult to determine unless the soil is analyzed using laboratory procedures. Soils should be sampled to at least 2 feet depth in 6-inch increments. Soil salinity can be diagnosed by measuring the salt concentration in soil water (solution) by analyzing it for Electrical Conductivity (EC). EC is the ability of a material to transmit electrical current, which in the case of a soil is the result of salt concentration.

A soil is classified as saline once its saturated paste extract EC will reach 4.00 deciSiemens/meter (dS/m), which will be equal to 4.00 millimhos/centimeter (mmhos/cm) using, the same saturated paste extract method. EC values measured through 1:1 by weight soil:water slurry method will result in lower values versus the saturated paste extract method. Variation among the EC values measured through these two methods will also differ for different soil textures. Following formulas in Table 1, can be used as a rough guide for the conversion of EC values.

**Table 1. General conversion from 1:1 soil:water slurry method used by many commercial labs and the saturated paste extract method used in research applications.**

x = EC of saturated paste extract
y = EC of 1:1 soil:water slurry

| Soil Texture     |                  |                   |
|------------------|------------------|-------------------|
| Coarse           | Medium           | Fine              |
| X = 3.01y – 0.06 | X = 3.01y – 0.77 | X = 2.96y – 0.95  |
| y = 0.33x + 0.06 | y = 0.33x + 0.77 | y = 0.375x + 0.97 |

Hogg, T.J., and Henry, J.L. 1984. Comparison of 1:1 And 1:2 Suspensions and Extracts with the Saturation Extract in Estimating Salinity in Saskatchewan Soils. Canadian Journal of Soil Science, 1984, 64(4): 699-704, 10.4141/cjss84-069. The extent of soil sodicity is measured either through its Exchangeable Sodium Percentage (ESP) or Sodium Adsorption Ratio (SAR). Both measure the sodium content of the soils in relation to calcium and magnesium using specific mathematical formulas. Sodic soils are low in total soluble salts but high in exchangeable sodium, which tends to disperse soil particles and destroys soil structure (Management of Saline and Sodic Soils, Kansas State University, 1992). For taxonomic purposes, a soil will be interpreted as sodic if it has an Exchangeable Sodium Percentage of 15 or more or have Sodium Adsorption Ratio of 13 or more. Sodic soils often have a pH level of 8.5 or more in carbonate-rich soils, such as in northeastern North Dakota, but may also have very low pH, perhaps as low as 4.0 in southeastern North Dakota in soils with no carbonates. Soils having both, salinity as well sodicity problems are considered as saline-sodic soils and will have the characteristics of both. Typical characteristics of saline, sodic and saline-sodic soils are presented in Table 2.

| Classification | Electrical Conductivity<br>(mmohs/cm) | Soil pH | Exchangeable<br>Sodium % | Sodium Adsorption<br>Ratio | Soil Physical<br>Condition |
|----------------|---------------------------------------|---------|--------------------------|----------------------------|----------------------------|
| Saline         | > 4.0                                 | < 8.5   | < 15                     | < 13                       | Normal                     |
| Sodic          | < 4.0                                 | > 8.5   | > 15                     | > 13                       | Poor                       |
| Saline-Sodic   | > 4.0                                 | <8.5    | > 15                     | > 13                       | Normal                     |

= greater than, < = less than

Management of Saline and Sodic Soils, Kansas State University, 1992.

## Management of Saline Soils:

Because salts can only be leached downward in the soils with soil water, attention to drainage is very important. Assessment of where the water comes from that result in the high water table is particularly important. Management might first be based on intercepting water coming into the problem area, with mitigation of the actual salinity as a secondary step. Improved use of in-field and boundary-field ditches can also improve soil drainage and facilitate leaching of salts (figure 7).



**Figure 7. Example of a field ditch along state Highway 17, N.D.**



Drainage might involve planting of water-use efficient crops, intercepting cropping with crops like alfalfa to use water before it enters the problematic area, use of cover crops in non-crop intervals or the installation of surface or subsurface drainage systems like tile drainage (figure 8).



**Figure 8. Installation of tile drainage in progress in Ramsey County along state Highway 17 near Edmore, N.D. (Photo courtesy of Ronald Beneda, NDSU Cavalier County Extension agent).**

A thorough analysis of EC and SAR or ESP should be conducted before the installation of any subsurface drainage system, as excessive leaching of divalent cations (calcium and magnesium) can lead to the sealing of soil layers either around or above the tiles, if placed within or under the sodic layers.

With improved soil permeability and infiltration achieved through drainage under good soil moisture conditions (rainfall or irrigation) desired results should be achieved through the continuous leaching of soluble salts.

In the absence of good soil drainage in place combined with a high groundwater levels, late-maturing, deep-rooted and salt tolerant crops, like alfalfa, sugarbeet and sunflower can also be excellent choices which withstand moderate salt levels and take water from deeper depths (Franzen, 2007). To avoid excessive recharge of groundwater levels through rain along with reducing the soil surface evaporation, continuous cropping can also be very effective.

### **Management of Sodic Soils:**

In order to reclaim sodic soils, it is essential to first replace the excessive sodium from the cation exchange sites with large amounts of calcium supplements before starting the salt leaching process. Common examples of amendments are calcium sulfate and calcium chloride on alkaline soils and calcium carbonate on acidic soils (Sodic Soil Management. Vegetable Soilpak, Chapter D5., Government of Australia).

Management of sodic soils can also be very difficult and expensive depending upon the cost of calcium supplements. Like saline soils, sodic soils also require good soil drainage and low groundwater level. The only difference will be the application of calcium supplements (usually gypsum) and thoroughly mixing it into the soils (figure 8). Once sodium is displaced by calcium from the cation exchange sites, sodium ( $\text{Na}^+$ ) converts into a salt ( $\text{Na}_2\text{SO}_4$ ) and leach out of the rooting zone. Positive results can be achieved by applying 4 to 8 tons/acre of gypsum combined with thoroughly mixing it into the soil. Although gypsum costs may decrease in the future if in-state coal-fired power plants decide to make gypsum instead of calcium sulfite and landfilling the material, currently an 8 ton application would cost about \$1,600 per acre.



**Figure 9. Field gypsum application (photo courtesy of Keith Mount Liming of UK).**

Some success has been reported using sugar beet processing waste lime, but controlled studies using the material have not been conducted. When the dominate soil salts are sulfates, use of calcium chloride might have greater effect, although this material is even higher in cost compared to gypsum (Franzen, 2007).

The exact quantities of gypsum or any other calcium supplement per acre depend upon the level of excessive sodium present in a soil. Reclamation of sodic soils will also be slow compared to the remediation of saline soils as the damaged soil structure in the sodic soils (due to dispersion) will take time to improve. In order to speed up the reclamation process, it is recommended to grow a salt-tolerant crops during the early stages and incorporating the plant residues to increase the soil organic matter level of the soils (Management of Saline and Sodic Soils, Kansas State University, 1992). That will counter soil dispersion by improving soil structure.

### **Management of Saline-Sodic Soils:**

Management of salinity and sodicity becomes more complicated when both occur in the same soil together. A saline-sodic soil normally does not exhibit strong sodicity symptoms. However, as the soil salinity decreases through improved drainage or management, calcium and magnesium salts are preferentially leached away and sodium is more slowly leached and eventually dominates the soil. Its management will be very similar to sodic soils. Like sodic soils, remediation of saline-sodic soils requires an extra step of applying calcium ( $\text{Ca}^{++}$ ) supplements (commonly gypsum) followed by salinity remediation practices of improving soil drainage and lowering down the water-table level.

### **Summary:**

Though not always economically feasible due to the natural causes or heavy costs involved, it may be practical to bring saline and sodic soils back to productivity. First analyze the soils to determine the nature of the problem. If the soil is saline, determine where the water is coming from that is resulting in a shallow groundwater level. A combination of management practices using intercepting crops, improved physical drainage, use of better adapted crops and use of cover crops should improve the conditions. If the soil is sodic, determining whether the cost of amendment and drainage will be worth the investment is an important consideration. If the soil is both saline and sodic, perhaps living with the condition and growing salt-tolerant crops would be better than creating an expensive sodic problem.

## For more information, please contact:

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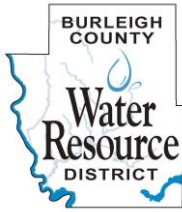
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# **Burleigh County Water Resource District**

**PO Box 1255**

**Bismarck, North Dakota 58502-1255**

**(701) 354-1501**

**[www.bcwrld.org](http://www.bcwrld.org)**

July 8, 2021

Bill Peterson, Director  
North Dakota State Historic Preservation Office  
612 East Boulevard Avenue  
Bismarck, North Dakota 58505

**Re: Sibley Island Flood Control Project – Section 106 Review Request**

Dear Mr. Peterson:

The Burleigh County Water Resource District is seeking to implement the Sibley Island Flood Control Project. As the project involves the placement of an earthen levee on property owned by the United States Army Corps of Engineers (a.k.a., Sibley Island Park) Section 408 review and approval will be required and potentially a Section 404 permit.

As part of our Preliminary Engineering Report, the BCWRD is requesting a Section 106 office review for historical/archeological concerns regarding three potential alignments. Enclosed is a map illustrating the alignments under consideration for which we are requesting a review, and includes the impacted areas within Sibley Island Park, and along Alignment 2, Alignment 3A and Alignment 3B. This review is being requested to identify if further evaluations are necessary as part of final design. It is anticipated that an additional review will be requested as part of the project permitting process, and the final alternative selection.

Please contact me if you have any questions.

Respectfully,

A handwritten signature in blue ink that reads "Rodney Beck".

Rodney Beck, Manager

enclosure

C: Bud Kuhn, Senior Realty Specialist USACE - email  
Reece Nelson, USACE - email  
John Paczkowski, ND Interim State Engineer - email  
Marcus Hall, PE, Burleigh County Engineer - email  
Randy Bina, Bismarck Parks and Recreation District - email  
BCWRD Mangers – July Agenda Book

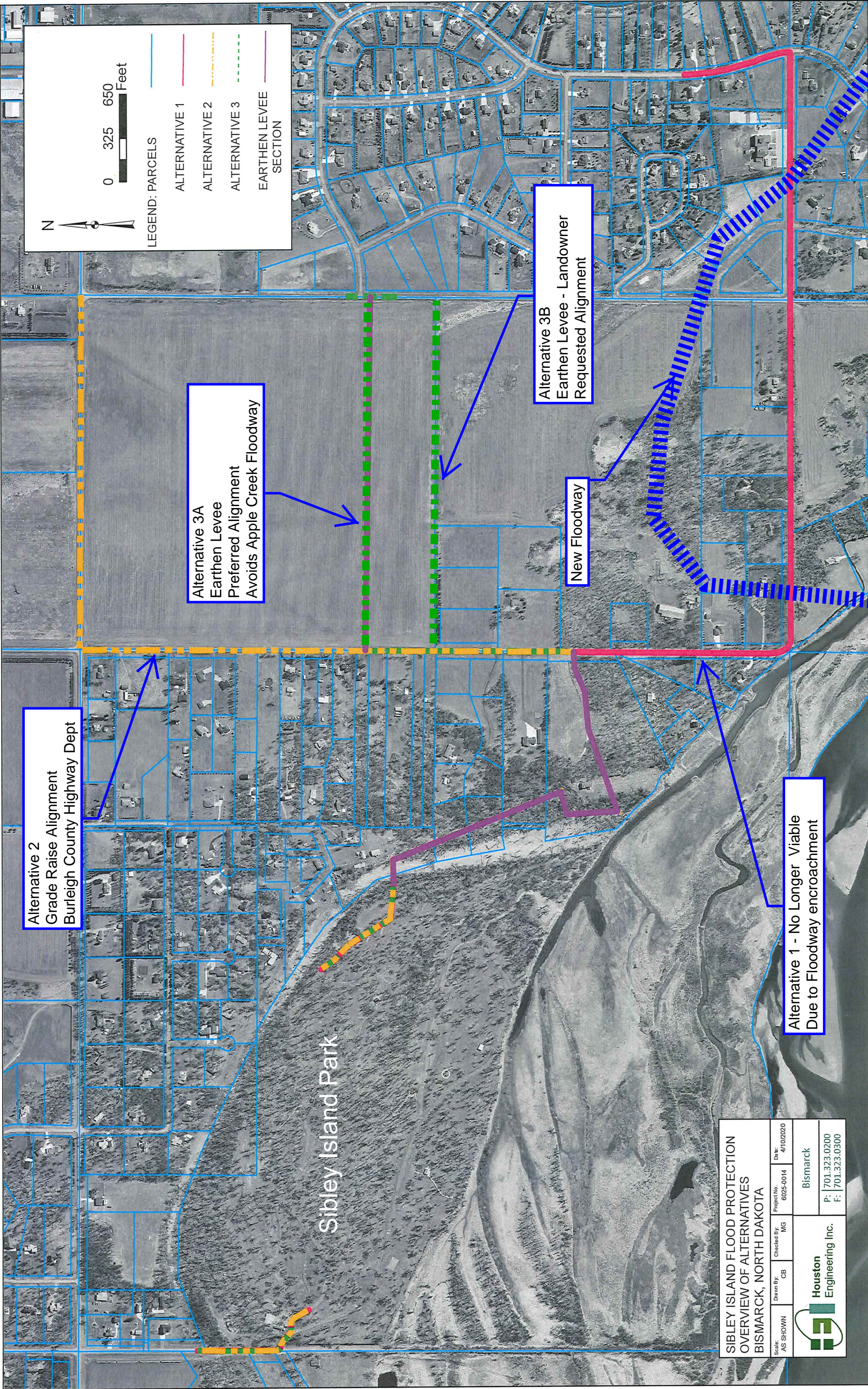
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#### **Current Board Members:**

Dennis Reep, Chairman 595-2142    Rodney Beck, Vice Chairman 220-5313  
Rick Detwiller, Secretary/Treasurer 223-8782    James Landenberger, Manager 426-6439    Cory Palm, Manager 516-4660

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BCWRD July 2021







July 8, 2021

Reece Nelson  
Natural Resource Specialist  
Natural Resource Management Section  
US Army Corps of Engineers  
Omaha District Office  
1616 Capitol Ave, Omaha NE 68102

Dear Mr. Reece:

**Re:    *Sibley Island Flood Control Project***  
***Section 408 Compliance Documentation***

This letter transmits to the United States Army Corps of Engineers (USACE) the following documents, as part of the overall Section 408 permit compliance process for the Sibley Island Flood Control Project (Project), which is partially located on USACE property. This information will also be included as an appendix to the Preliminary Engineering Report.

1. Geotechnical Evaluation – Braun Intertec {December 17, 2020}
2. Hydraulics Impacts – Houston Engineering (BCWRD) {June 8, 2021}
3. Missouri River Interim Hydrology Report – Houston Engineering (NDSWC/FEMA Oct 2020)
4. State Historic Preservation Office (SHPO) {July 8, 2021}

The geotechnical evaluation was completed under an approved USACE permit, to evaluate the soils in the location of a proposed earthen levee. This primarily focused on an existing earthen embankment across the old river oxbow east of the Sibley Island Park. This embankment is located partly on USACE property and partially on private property. The exploration results are included in the enclosed report prepared by Braun Intertec. This report provides data that will be used to design the flood control levee through this area. Additional soils exploration will likely be required during final design.

The hydraulic impacts associated with Project implementation were evaluated using the effective Flood Insurance (FIS) HEC-RAS Model, as noted in the attached Hydraulic Impacts Report. The findings and conclusions indicate there are no measurable issues related to changes in water surface elevations associated with the Project. Therefore, there are also no adverse impacts to other federally constructed projects, (e.g., the Lower Heart River Flood Control Project, Mandan, North Dakota).


During an initial meeting, the USACE questioned if there were any recent updates to the Missouri River hydrology in this reach. The North Dakota State Water Commission, working with FEMA, is presently updating the flood insurance rate maps for Burleigh County. As part of that process, the Missouri River hydrology was extensively evaluated and updated. The new flow frequencies are provided in the enclosed report that has undergone FEMA review.

The Burleigh County Water Resource District is continuing to evaluate project alternatives and will be completing a Preliminary Engineering Report, after which a public information hearing will be held. It is anticipated, as part of the Section 408 (e.g., NEPA) process, the various agencies will be notified and invited to attend this meeting. A later public hearing will be held with those to be included in the special assessment district whose properties are protected and benefited from Project construction.

The Burleigh County Water Resource District recently sent the enclosed request to SHPO for a preliminary review of the proposed alignments regarding preliminary Section 106 clearance. If there is anything documented in this review, a more in-depth investigation would be required and conducted as part of final design.

If there are any questions regarding these documents, please advise.

Respectfully,



Michael H, Gunsch, PE CFM

enclosures

C: Bud Kuhn, Senior Realty Specialist USACE - email  
Walter Fairbanks, USACE - email  
John Paczkowski, ND Interim State Engineer - email  
Marcus Hall, PE, Burleigh County Engineer - email  
Randy Bina, Bismarck Parks and Recreation District - email  
BCWRD Mangers – July Agenda Book



# **Burleigh County Water Resource District**

**PO Box 1255**

**Bismarck, North Dakota 58502-1255**

**(701) 354-1501**

[www.bcwrld.org](http://www.bcwrld.org)

July 13, 2021

John Paczkowski, P.E.  
Interim State Engineer  
North Dakota State Water Commission  
900 East Boulevard  
Bismarck, ND 58505

*Submitted via Email*

## **Re: Sibley Island Flood Control Project, SWC Project No. 2129**

Dear Mr. Paczkowski:

The State Water Commission approved a 60% cost share, not to exceed \$96,420, for the Burleigh County Water Resource District's effort to complete the pre-construction engineering to develop a flood control project to protect the Sibley Island area south of the City of Bismarck on August 8, 2019. The cost share agreement was approved by the Board on December 12, 2019.

Enclosed are copies of invoices from Houston Engineering for work the completed toward this effort during the period from December 6, 2021 through June 30, 2021, in the amount of \$ 17,215.25. This is the second request for reimbursement, which is for 60% of this total or \$10,329.15. Also enclosed is the requested project *Status and Forecast for the End Of Biennium 19-21*, which notes the current project schedule and carry over amount associated with this project.

FEMA and the NDSWC recently completed their draft preliminary mapping for changes to the Apple Creek floodplain/floodway. Therefore, we are again now working to revise and complete the Preliminary Engineering Report based on these changes and alternative alignment configurations.

State cost share assistance for the construction phase of the project will be a key consideration in determining how and when the project is put to a formal vote by the special assessment district.

Sincerely,

Dennis Reep, Chairman  
Burleigh County Water Resource District

Encl.

C: Michael H. Gunsch, PE, CFM, Houston Engineering

---

### **Current Board Members:**

Dennis Reep, Chairman 223-7052    Rodney Beck, Vice Chairman 220-5313  
Rick Detwiller, Secretary/Treasurer 223-8782    James Landenberger, Manager 426-6439    Cory Palm, Manager 516-4660

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Project Status and Forecast for End Of Biennium 19-21

| <b>Sponsor</b>                                      |
|---|
| <b>Burleigh County Water Resource District</b>      |
| <b>Project</b>                                      |
| <b>Sibley Island Flood Control, Burleigh County</b> |

**Project Status Date:**

Please note **CURRENT** or Projected  
**DATE** for Future Status

|                    |                  |
|--------------------|------------------|
| Study              | <b>2021</b>      |
| Design             | <b>2022</b>      |
| Bid                | <b>2022-23</b>   |
| Begin Construction | <b>2023-2024</b> |
| End Construction   | <b>2024</b>      |
| Final Pay Request  | <b>2024</b>      |

**Dollar Forecast of Reimbursement Requests:**

|  |                    |
|--|--------------------|
| March  | <b>\$0.00</b>      |
| April  | <b>\$0.00</b>      |
| May  | <b>\$0.00</b>      |
| June   | <b>\$0.00</b>      |
| July 12 (for work thru 6/30)   | <b>\$10,329.15</b> |
| <b>Total Pay Requests through End of Biennium</b>  | <b>\$10,329.15</b> |
| Amount to be carried over after July 2021  | <b>\$48,473.10</b> |
| Amount potentially to be released back to SWC if you don't anticipate that all cost-share funds will be utilized | <b>\$0.00</b>      |

**Comments:** A portion of these cost share funds became carry over due to the remapping of the floodway on Apple Creek at the south east end of the project. This placed the preliminary engineering report on hold until that mapping by the NDSWC and FEMA was formalized to a point to where project alternatives could be revised. The result was the need to relocate the proposed levee system to avoid the floodway and impacts on flood elevations on Apple Creek. The Draft Preliminary FIRM's have been provided to the City of Bismarck/Burleigh County and the work on the Preliminary Engineering Report was restarted in May 2021.





## Proposal

**PRIME CONTRACTOR**  
**NORTH DAKOTA**

**Sales:** Mitch Becker  
**-Fox Island 2021**  
North Dakota

**Est ID:** EST2633870  
**Date:** Jul-01-2021

|  |  |                   |
|--|--|-------------------|
| <b>Topsoil/ Seeding Designated Areas</b> |  | <b>\$4,000.00</b> |
| <b>Optional Hydromulch</b>               |  | <b>\$550.00</b>   |
| <b>Subtotal</b>                          |  | <b>\$4,550.00</b> |
| <b>Taxes</b>                             |  | <b>\$0.00</b>     |
| <b>Estimate Total</b>                    |  | <b>\$4,550.00</b> |

### Contract Payment Summary

**PO #** \_\_\_\_\_ **Contract #** \_\_\_\_\_

### Notes

- The two areas to receive topsoil/Seed are on the corner of Far West Dr. and Gallatin Dr.
- The area noted on the SW side of Gallatin Dr. will be sprayed for weeds
- Any additional areas asked to re-seed will be at time and material on top of the proposal

**Contractor:** \_\_\_\_\_  
Mitch Becker

**Client:** \_\_\_\_\_

**Signature Date:** \_\_\_\_\_  
07/06/2021

**Signature Date:** \_\_\_\_\_



# **Burleigh County Water Resource District**

**PO Box 1255**

**Bismarck, North Dakota 58502-1255**

**(701) 354-1501**

**[www.bcwrld.org](http://www.bcwrld.org)**

July 14, 2021

John Paczkowski, P.E.  
Interim State Engineer  
North Dakota State Water Commission  
900 East Boulevard  
Bismarck, ND 58505

*Submitted via Email*

## **RE: Missouri River Revetment GIS Database, SWC Project No. 2133**

Dear Mr. Paczkowski:

The North Dakota State Engineer approved a 50% cost share, not to exceed \$22,500, for the Burleigh County Water Resource District's effort to create a GIS web based inventory of the Section 32 and Garrison-Oahe federal revetment projects constructed along the Missouri River in Burleigh County.

Enclosed are copies of invoices from Houston Engineering for work completed toward this effort from January 31, 2021 through June 26, 2021. During this period, we have been invoiced \$18,702.75. Based on the cost share agreement the remaining funds amount to \$4,561.13. This is the final request for this project, as the web application has been completed, however given cost overruns we are requesting consideration to increase the allocated funding.

The GIS inventory and draft interactive web site were created then shared with the State Water Commission Staff and USACE. The final easement documents on record with the North Dakota Office of the State Engineer were not entered at that time. The State Sovereign Lands Coordinator then provided copies of the available easement documents, which were in greater number than anticipated. This resulted in a significant increase in expenses associated with sorting documents to determine which were recorded and should be uploaded into the system. We also were able to obtain shape files for private stabilization facilities via a USACE survey. Based on the increased costs and the 50% cost share our requested amount is \$9,351.38, or an increase of \$4,790.25 (+21%) over the original allocation. The completed web application will be available to the state and potentially others, after our final testing, now that the remining data has been entered.

We greatly appreciate consideration for the additional funds, and the input and support provided by your staff in this effort.

Sincerely,

Dennis Reep, Chairman  
Burleigh County Water Resource District

Encl.

C: Michael H. Gunsch, PE, CFM, Houston Engineering

---

### **Current Board Members:**

**Dennis Reep, Chairman 223-7052   Rodney Beck, Vice Chairman 220-5313**  
**Rick Detwiller, Secretary/Treasurer 223-8782   James Landenberger, Manager 426-6439   Cory Palm, Manager 516-4660**

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BCWRD July 2021

Project Status and Forecast for End Of Biennium 19-21

| <b>Sponsor</b>  |
|---|
| <b>Burleigh County Water Resource District</b>  |
| <b>Project</b>  |
| <b>Missouri River Federal Bank Stabilization GIS Web Application, Burleigh County</b> |

**Project Status Date:**

Please note **CURRENT** or Projected  
**DATE** for Future Status

|                    |                        |
|--------------------|------------------------|
| Study              | <b>2021 Completion</b> |
| Design             |                        |
| Bid                |                        |
| Begin Construction |                        |
| End Construction   |                        |
| Final Pay Request  |                        |

**Dollar Forecast of Reimbursement Requests:**

|  |                   |
|--|-------------------|
| March  | <b>\$0.00</b>     |
| April  | <b>\$0.00</b>     |
| May  | <b>\$0.00</b>     |
| June   | <b>\$0.00</b>     |
| July 12 (for work thru 6/30)   | <b>\$9,351.38</b> |
| <b>Total Pay Requests through End of Biennium</b>  | <b>\$9,351.38</b> |
| Amount to be carried over after July 2021  | <b>\$0.00</b>     |
| Amount potentially to be released back to SWC if you don't anticipate that all cost-share funds will be utilized | <b>\$0.00</b>     |

**Comments:**

The expenses associated with this GIS database web application were higher than anticipated. The increased costs were associated with the unexpected volume of data provided by the North Dakota Sovereign Lands Coordinator. There was a significant amount of additional easement documentation and duplication within the easement data provided. It was important to review these documents to determine which were current and actually recorded so they could be uploaded into the system. A number of the easement legal descriptions were determined to have discrepancies, therefore a disclaimer notice was added to the site. Information on the location of private stabilization efforts were also obtained from a USACE survey and are included. A request for additional costs share funding was filed in a separate letter, and this summary reflects the requested cost. The original allocation amount would reduce this request to \$4,561.13.

**Application to Install a Subsurface Water Management System No. {Number} for {Applicant Name and Legal description}**

The Board next reviewed an *Application to Install a Subsurface Water Management System No. {Number and date}*, filed with the Board by Applicant {Name} on \_\_\_\_, 20\_\_. Further, Applicant was required to submit a complete Application, including a completed and signed State permit Application; County tax roll evidence regarding ownership of the property Applicant intends to tile; a detailed project design map (an exempt record under North Dakota law); a detailed downstream flow map; and County tax roll evidence regarding property ownership up to one mile downstream of each project outlet, or up to the nearest assessment drain, natural watercourse, slough, or lake, whichever comes first. The Board's staff confirmed the Application was complete on \_\_\_\_, 20\_\_. **[Note: the WRD must notify the Applicant if an Application is incomplete "within three business days after the day the [WRD] receives the Application"; if an Application is incomplete, but the WRD fails to notify the Applicant within three business days, the Application is legally "complete" regardless of what may be missing].** By law, Applicant was required to submit the Board's permit fee (the Board will refund any dollars not used for purposes of processing the Application) before the Board may approve the Application; the Board confirmed Applicant submitted the fee. Since Applicant submitted all required items, the Board may consider and approve the Application. **[Note: The WRDs must consider and approve all "complete" Applications within 30 days of the date of filing; if a WRD fails to approve an Application within 30 days, the Application is automatically approved without any conditions.]**

Under the Application, Applicant seeks to install a

*{Insert project description, including legal description, length, benefited area, outfall location and drainage path}*

**[Note: Detailed flow descriptions, in addition to accurate downstream flow maps from the Applicant, are important for WRDs to protect themselves, as well as Applicant and their projects; if another party were to file a drainage complaint against a project years later, a detailed flow description in the minutes and Notice of Decision will allow a WRD to easily determine if the Applicant installed the system approved by the WRD, in which case the WRD could easily dismiss the drainage complaint.]**

**[Include a discussion here regarding the Board's investigation or review of the proposed project, or the Board's engineer's review, including discussion regarding potential impacts, existence of rural water lines, concerns of downstream parties or road authorities, detailed analysis regarding legal assessment drains and benefits to the tiled property, etc. Remember, WRD decisions are subject to appeal by any aggrieved parties, your minutes should provide a factual and legal basis for each decision you make, including the conditions you attach to any permit.]**

According to the County tax roll information supplied by Applicant, {Name and ownership} Regarding downstream properties, {Name and ownership(s)}. The tax rolls do not indicate if the County or Township owns its highway right of way or if they relies on the statutory 33-foot easement.

{Name}

{Date}

Page 2

Manager \_\_\_\_\_ moved, and Manager \_\_\_\_\_ seconded the motion, to approve *Application to Install a Subsurface Water Management System No. {Number, Date, Applicant and Legal description}*, and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT NO. *{Number}*, subject to the following conditions:

**[Note: The following conditions are the only conditions WRDs can attach to permits under Section 61-32-03.1(4); do no attach all of them to each permit! Only attach those that apply and be certain your WRD has a valid rationale for each condition.]**

- 1) that Applicant set and install any drain tile pump location at least 25 feet from the top of the back slope of {roadway ditch or drainageway}, with a pipe buried from the pump to the outfall;
- 2) that Applicant install and maintain erosion protection at any and all outlets from the system(s) into the roadway, natural drainage way or watercourse.
- 3) that Applicant install and maintain erosion protection or other ditch stabilization materials at any and all outlets into {describe outfall location(s)};
- 4) that Applicant re-establish any areas disturbed installing or maintaining Applicant's tile system, including re-seeding any disturbed areas with the downstream drainage path or right of way;
- 5) that Applicant will not install Applicant's tile system within 20 feet, on either side, of any rural water lines South Central Rural Water District (SWRWD) has within the project area and under any blanket easements, or otherwise beyond the SWRWD's existing easement;
- 6) that Applicant must turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Burleigh County Water Resource District;
- 7) that Applicant must install and maintain a control structure at the gravity outlet, and must close the outlet during "critical flood periods," as determined by the Burleigh County Water Resource District;
- 8) that Applicant must apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. *{number}* in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;



- 9) that Applicant remove silt or vegetation, or repair erosion or scour damages *directly* caused by Applicant's tile system, but only up to one mile downstream from [describe specific outlet, if more than one] the project outlet - **OR** - but only up to the discharge into {description of outfall location and drainage path} - **OR** - {other}.

Upon roll call vote, the motion carried unanimously.

With regard to condition #9, Applicant's obligations to remove silt or vegetation, or to repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant's tile system *directly* caused accumulation of silt or vegetation, erosion, or scouring. [Note: HB 1437 is clear that condition #9 above places the burden of proof on the complaining party, and that party must submit "substantial evidence" that the tile system "directly" caused the silt or cattail growth, erosion, or scouring; a downstream party simply submitting a complaint is not "substantial evidence." If a downstream party or road authority submits "substantial evidence" the project "directly" caused damages, the WRD may consider conducting some type of hearing, or at least inviting all parties to a meeting to discuss the matter, before enforcing this condition. The Board should then issue a written notice to all parties regarding the Board's final decision.]

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District will recommend that Applicant consider complying with the following:

- 1) that Applicant obtain easements from the owners of the {legal description} to install, construct, and maintain Applicant's tile system;
- 2) that Applicant obtain a pipeline easement from the owners the {legal description} to install, construct, and maintain a buried pipeline;
- 3) that Applicant obtain written permission from the {Township Board of Township Supervisors, or Burleigh County Highway Department or NDDOT} to discharge into, or otherwise utilize, any of its township road/highway ditches; to install, operate, and maintain buried pipe in any of its township road/highway ditches; or to bore through its township road/highway; and
- 4) that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

The Board will provide copies of the Board's NOTICE OF DECISION, SUBSURFACE WATER MANAGEMENT PERMIT NO. {Number}, and Applicant's downstream flow map to the State Engineer's Office, {Applicant}, NDDOT, Burleigh County Water Resource District, and the Burleigh County Highway Department; the Board will send the parties copies by first-class mail, attested by an affidavit of mailing, all as required under Section 61-32-03.1(6). Applicant's detailed project design map is an exempt record, and the Board will not provide copies to any third parties.

DRAFT

**BCWRD Letterhead**

***This is a sample letter subject to edits and inclusion of the applicable information related to the project***

*{Date}*

**VIA FIRST-CLASS MAIL**

*{Name}*

*{Address #1}*

*{Address #2}*

*{City, State, Zip}*

**RE: {Applicant}**

APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM NO. ***{Number}***  
Burleigh County Water Resource District -- NOTICE OF DECISION

This letter is to inform you of the Burleigh County Water Resource District's (the "District") decision regarding APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM NO. ***{Number, Dated}***. Under the Application, Applicant seeks to install a

***{Insert project description, including legal description, length, benefited area, outfall location and drainage path}***

According to the County tax roll information supplied by Applicant, ***{Legal Owner and Renter, if applicable, along with legal parcel description}***. Regarding downstream properties they are owned by: ***{Legal Owner and Renter, if applicable, along with legal parcel description}***. The tax records do not indicate if the County/Township owns its roadway right-of-way or if they relies on the statutory 33-foot easement.

***[Consider including a paragraph regarding the Board's, or the Board's engineer's, review of the project, potential downstream concerns, assessment drain considerations, etc.]***

At its meeting on ***{Date}***, the District approved APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM NO. {Number, dated}, and approved SUBSURFACE WATER MANAGEMENT PERMIT NO. ***{Number}***, regarding a proposed tile system in the {legal description, Sec, Twp, Range}, subject to the following conditions:

- 1) that Applicant set and install any drain tile pump location at least 25 feet from the top of the back slope of {roadway ditch or drainageway}, with a pipe buried from the pump to the outfall;
- 2) that Applicant install and maintain erosion protection at any and all outlets from the system(s) into the roadway, natural drainage way or watercourse.

SMF Sample NOTICE OF DECISION - HB 1437  
(NDCC \_\_\_\_\_)

- 3) that Applicant install and maintain erosion protection or other ditch stabilization materials at any and all outlets into {describe outfall location(s)};
- 4) that Applicant re-establish any areas disturbed installing or maintaining Applicant's tile system, including re-seeding any disturbed areas with the downstream drainage path or right of way;
- 5) that Applicant will not install Applicant's tile system within 20 feet, on either side, of any rural water lines South Central Rural Water District (SWRWD) has within the project area and under any blanket easements, or otherwise beyond the SWRWD's existing easement;
- 6) that Applicant must turn off any pump outlets and otherwise close all outlets during "critical flood periods," as determined by the Burleigh County Water Resource District;
- 7) that Applicant must install and maintain a control structure at the gravity outlet, and must close the outlet during "critical flood periods," as determined by the Burleigh County Water Resource District;
- 8) that Applicant must apply for an amendment to SUBSURFACE WATER MANAGEMENT PERMIT NO. {number} in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;
- 9) that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream from [describe specific outlet, if more than one] the project outlet - **OR** - but only up to the discharge into {description of outfall location and drainage path} - **OR** - {other}.

Your permit will not become effective until you satisfy the conditions identified in this NOTICE OF DECISION. Further, please note that if, at any time, you fail to comply with the conditions above, your permit will no longer be valid.

With regard to Condition #9, Applicant's obligations to remove silt or vegetation, or to repair erosion or scour damages, will only arise upon submission of substantial evidence to the Burleigh County Water Resource District by a downstream landowner or road authority that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends that Applicant consider complying with the following:

SMF Sample NOTICE OF DECISION - HB 1437  
(NDCC \_\_\_\_\_)

{Name}  
{Date}  
Page 3

- 1) that Applicant obtain easements from the owners of the *{legal description}* to install, construct, and maintain Applicant's tile system;
- 2) that Applicant obtain a pipeline easement from the owners the *{legal description}* to install, construct, and maintain a buried pipeline;
- 3) that Applicant obtain written permission from the {Township Board of Township Supervisors, or Burleigh County Highway Department or NDDOT} to discharge into, or otherwise utilize, any of its township road/highway ditches; to install, operate, and maintain buried pipe in any of its township road/highway ditches; or to bore through its township road/highway; and
- 4) that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Please note any aggrieved party may appeal a decision of the Burleigh County Water Resource District to District Court in accordance with N.D. Cent. Code " 61-16.1-54 and 28-34-01.

Sincerely,

Bliss Law Firm, LLC

David R. Bliss

Enc. (SUBSURFACE WATER MANAGEMENT PERMIT NO. *{Number}* and downstream flow map)

cc: Chance Nolan -- North Dakota State Engineer's Office  
**{Downstream Landowners}**  
Marcus Hall, Burleigh County Engineer  
**{District Engineer}**, North Dakota Department of Transportation  
**{BCWRD Manager}**

SMF Sample NOTICE OF DECISION - HB 1437  
(NDCC \_\_\_\_\_)



**BURLEIGH COUNTY WATER RESOURCE DISTRICT**

**In the Matter of APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM  
No. {Number – Date}**

**Applicant:** \_\_\_\_\_

STATE OF NORTH DAKOTA     )  
  ) ss.  
COUNTY OF CASS                     )

**AFFIDAVIT OF SERVICE  
BY FIRST-CLASS MAIL  
AND E-MAIL**

David Bliss, attorney for the Burleigh County Water Resource District, being first duly sworn and being of legal age, deposes and says that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, he served the following by first-class mail:

**NOTICE OF DECISION OF BURLEIGH COUNTY WATER RESOURCE DISTRICT REGARDING  
APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM NO. {Number – Date},  
\_\_\_\_\_, Applicant**

upon the following parties, by placing a true and correct copy in envelopes addressed as follows:

|                    |                        |
|--------------------|------------------------|
| Applicant          | {Downstream Landowner} |
| {Address}          | {Address}              |
| {City, State, Zip} | {City, State, Zip}     |

|   |  |
|---|--|
| Marcus Hall, PE<br>Burleigh County Engineer<br>8100 43rd Ave NE<br>Bismarck, ND 58503 | Kirk Hoff, District Engineer ( <i>or Twp Supervisor</i> )<br>North Dakota Department of Transportation<br>218 Airport Road<br>Bismarck, ND 58503 |
|---|--|

and deposited the same, with postage prepaid, in the United States mail at West Fargo, North Dakota, and sent a true and correct copy thereof by e-mail to **Chance Nolan** at the Office of the State Engineer at the following e-mail address: **swcregpermits@nd.gov**.

\_\_\_\_\_  
David Bliss

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public, Burleigh County, ND

(SEAL)

SMF Sample Affidavit of Service - HB 1437



**SUBSURFACE WATER MANAGEMENT PERMIT**  
**ACCORDING TO NORTH DAKOTA CENTURY CODE § 61-32-03.1**  
OFFICE OF THE STATE ENGINEER  
REGULATORY DIVISION  
SFN 61243 (5/2021)

Number

(OSE USE ONLY)

Number

(WRD USE ONLY)

|  |         |                   |   |          |
|--|---------|-------------------|---|----------|
| Issuing Water Resource District (WRD) In Which System Is Located   |         |                   |   |          |
| Permittee Name   |         |                   |   |          |
| Address  |         | City              | State   | ZIP Code |
| Telephone Number   |         | Cell Phone Number |   |          |
| Email Address  |         |                   |   |          |
| Location Of Land To Be Tiled   |         |                   |   |          |
| 1/4  | Section | Township          | Range   | County   |
| 1/4  | Section | Township          | Range   | County   |
| 1/4  | Section | Township          | Range   | County   |
| 1/4  | Section | Township          | Range   | County   |
| Outlet Information   |         |                   |   |          |
| 1/4  | Section | Township          | Range   | County   |
| 1/4  | Section | Township          | Range   | County   |
| Type Of System Outlet (check all that apply) <input type="checkbox"/> Gravity - No Control Structure <input type="checkbox"/> Gravity - With Control Structure <input type="checkbox"/> Pump |         |                   |   |          |
| Where Does The Outlet Discharge (check all that apply)   |         |                   |   |          |
| <input type="checkbox"/> Road Ditch <input type="checkbox"/> Assessment Drain <input type="checkbox"/> Natural Waterway/Watercourse  |         |                   |   |          |
| <input type="checkbox"/> Private Drain <input type="checkbox"/> Pond, Slough, Or Lake <input type="checkbox"/> Other (Explain) _____   |         |                   |   |          |
| Other Information  |         |                   |   |          |
| Total Land Area To Be Tiled (Acres)  |         |                   |   |          |
| Drainage Coefficient Of The System (inches/day)  |         |                   | Does The System's Design Include Surface Intakes                          |          |
| <input type="checkbox"/> 1/4 <input type="checkbox"/> 3/8 <input type="checkbox"/> 1/2 <input type="checkbox"/> Other _____  |         |                   | <input type="checkbox"/> Yes (quantity) _____ <input type="checkbox"/> No |          |
| Who Is Installing The System?  |         |                   |   |          |
| <input type="checkbox"/> Self <input type="checkbox"/> Contractor _____  |         |                   |   |          |
| Who Owns The Land Where The System Will Be Located?  |         |                   |   |          |
| <input type="checkbox"/> Applicant <input type="checkbox"/> Other (please explain) _____   |         |                   |   |          |

| This Permit Approval Requires (WRD Check All That Apply To This Permit Approval)  |
|---|
| <input type="checkbox"/> Pump(s) And Control Structure(s) Set-Back Distance From Assessment Drain Backslopes<br>(Minimum 25 Feet Set-Back Unless Noted Otherwise)               |
| <input type="checkbox"/> Installation And Maintenance Of Proper Erosion Control At All Outlets  |
| <input type="checkbox"/> Re-Establishment Of Disturbed Areas To Previous Conditions   |
| <input type="checkbox"/> Minimum Set-Back Distance From Rural Water Supply Lines  |
| <input type="checkbox"/> Installation Of Control Structure(s) At Project Outlet(s)  |
| <input type="checkbox"/> Outlet Control Must Be Shut Off During Critical Flooding Periods   |
| <input type="checkbox"/> Permit Amendment(s) If Project Is Changed Beyond Original Approval   |
| <input type="checkbox"/> Assessment Or Reassessment Considerations  |
| <input type="checkbox"/> Removal Of Silt And Vegetation, Or Repair Erosion And Scour Damages Directly Caused By The System<br>(See Notice of Decision for Detailed Explanation) |
| WRD Notification Method For Closure Of Tile Outlet Control Structure (if applicable, check all that apply)  |
| <input type="checkbox"/> Direct Notification From WRD   |
| <input type="checkbox"/> WRD Website _____  |
| <input type="checkbox"/> USGS Gage Or NWS Flood-Stage Trigger   |
| <input type="checkbox"/> Other (explain)  |

| This Permit Is Approved                       |      |
|---|------|
| WRD Signature (authorized WRD representative) | Date |

**WRD NOTICE (North Dakota Century Code § 61-32-03.1(6))**

Upon approval of a permit, the district shall forward notice of the approved permit and the downstream flow map to the State Engineer and to each landowner who owns property within one mile [1.61 kilometers] downstream of each project outlet according to the tax rolls of the county in which the property is located, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile [1.61 kilometers] downstream of the proposed outlet, in which case the district shall provide notice to landowners with property between the outlet and the nearest assessment drain, natural watercourse, slough, or lake. The district shall send copies of the notice by first-class mail, attested by an affidavit of mailing. The district does not need to provide copies of the permit application under this subsection.

**EXEMPT RECORDS (North Dakota Century Code § 61-32-03.1(3)(d))**

Detailed project design drawings submitted as part of a complete application may not be provided with the notice of an approved permit.

See Attached Notice For More Detail On This Permit Approval.

Additional Sheets May Be Attached If Necessary.



**APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM**  
OFFICE OF THE STATE ENGINEER  
REGULATORY DIVISION  
SFN 61244 (5/2021)

This application must be submitted to the Water Resource District (WRD) in which the system is located (please visit [http://www.swc.nd.gov/info\\_edu/water\\_links/nd\\_resource\\_boards](http://www.swc.nd.gov/info_edu/water_links/nd_resource_boards) for contact information).

Failure to complete the application and provide all necessary information may delay or impede approval of this application. The WRD will review this application and notify the applicant of incomplete information within three business days after the application is received.

| Location Of Land To Be Tiled   |         |          |   |        |
|--|---------|----------|---|--------|
| 1/4  | Section | Township | Range   | County |
| 1/4  | Section | Township | Range   | County |
| 1/4  | Section | Township | Range   | County |
| 1/4  | Section | Township | Range   | County |
| Outlet Information   |         |          |   |        |
| 1/4  | Section | Township | Range   | County |
| 1/4  | Section | Township | Range   | County |
| Type Of System Outlet (check all that apply) <input type="checkbox"/> Gravity - No Control Structure <input type="checkbox"/> Gravity - With Control Structure <input type="checkbox"/> Pump |         |          |   |        |
| Where Does The Outlet Discharge (check all that apply)   |         |          |   |        |
| <input type="checkbox"/> Road Ditch <input type="checkbox"/> Assessment Drain <input type="checkbox"/> Natural Waterway/Watercourse  |         |          |   |        |
| <input type="checkbox"/> Private Drain <input type="checkbox"/> Pond, Slough, Or Lake <input type="checkbox"/> Other (Explain) _____   |         |          |   |        |
| Other Information  |         |          |   |        |
| WRD In Which System Is Located   |         |          |   |        |
| Total Land Area To Be Tiled (Acres)  |         |          |   |        |
| Drainage Coefficient Of The System (inches/day)  |         |          | Does The System's Design Include Surface Intakes                          |        |
| <input type="checkbox"/> 1/4 <input type="checkbox"/> 3/8 <input type="checkbox"/> 1/2 <input type="checkbox"/> Other _____  |         |          | <input type="checkbox"/> Yes (quantity) _____ <input type="checkbox"/> No |        |
| Who Is Installing The System?  |         |          |   |        |
| <input type="checkbox"/> Self <input type="checkbox"/> Contractor _____  |         |          |   |        |
| Who Owns The Land Where The System Will Be Located?  |         |          |   |        |
| <input type="checkbox"/> Applicant <input type="checkbox"/> Other (please explain) _____   |         |          |   |        |

(continued on page 2)



Complete Application

As Required Under North Dakota Century Code § 61-32-03.1, The Following Information Is Required To Consider This Application Complete.

All Boxes Must Be Checked And The Necessary Information Must Be Submitted With The Application For The Application To Be Considered Complete.

|   |
|---|
| <input type="checkbox"/> Application Fee (Payable To The WRD)   |
| <input type="checkbox"/> Landownership Evidence<br><i>Evidence Of Ownership For Each Parcel To Be Tiled According To The Tax Rolls Of The County In Which The Parcel Is Located</i>   |
| <input type="checkbox"/> Project Design - A Project Design Includes:  |
| <input type="checkbox"/> A Detailed Drawing Depicting The System's Location Overlain On An Aerial Photograph  |
| <input type="checkbox"/> Legal Description (¼, Section, Township, Range Or Relevant Block And Lot Number)   |
| <input type="checkbox"/> Approximate Project Footprint  |
| <input type="checkbox"/> Tile-Mains Sizes And Locations   |
| <input type="checkbox"/> Any Laterals To The Tile-Main Sizes And Locations  |
| <input type="checkbox"/> Surface Inlet Sizes And Locations  |
| <input type="checkbox"/> Outlet Sizes, Locations, And Types   |
| <input type="checkbox"/> Flow Direction Map (Must Be Included On A Seperate Map)<br><i>A Detailed Map Or Depiction Of The Flow Direction From Each Outlet Location For One Mile [1.61kilometers] Downstream Which Includes The Location Of The Downstream Parcels By Legal Description Identifying Either The Relevant Quarter, Section, Township, And Range Or The Relevant Block And Lot Number</i>   |
| <input type="checkbox"/> Evidence Of Ownership for Each Parcel Within One Mile Downstream<br><i>Evidence Of Ownership For Each Parcel Within One Mile [1.61kilometers] Downstream Of Each Project Outlet According To The Tax Rolls For The County In Which The Parcel Is Located, Unless The Distance To The Nearest Assessment Drain, Natural Watercourse, Slough, Or Lake Is Less Than One Mile [1.61kilometers] Downstream Of A Proposed Outlet, In Which Case The Applicant Shall Provide Evidence Of Ownership For Each Parcel Between The Outlet And The Nearest Assessment Drain, Natural Watercourse, Slough, Or Lake.</i> |

(continued on page 3)

| Applicant Certification |                   |       |          |
|-------------------------|-------------------|-------|----------|
| Applicant Name          |                   |       |          |
| Address                 | City              | State | ZIP Code |
| Telephone Number        | Cell Phone Number |       |          |
| Email Address           |                   |       |          |

I, the undersigned, am applying for a permit as required under North Dakota Century Code (N.D.C.C.) § 61-32-03.1. I understand the following:

- That My Application Must Be Complete To Be Timely Processed;
- That My Project Is Accurately Described And Depicted In This Application As I Intend To Construct It;
- That I Must Comply With N.D.C.C. § 61-32-03.1 And Must Adhere To Any Conditions Required By The Water Resource District As Part Of An Approved Permit For This Application; And
- That There Are Other Regulatory Considerations Outside Of This Permit Process, Including:
  - Road Authority Permissions Or Approvals;
  - Rural Water Line Set Backs;
  - Utility Locates;
- Other Local, State, And Federal Permits Or Permissions, If Required.

| My Signature Below Acknowledges That I Have Read And Agree To The Statements Above. |      |
|---|------|
| Applicant Signature   | Date |

| COMPLETE APPLICATION CERTIFICATION (FOR WRD USE ONLY)  |                           |
|--|---------------------------|
| WRD Permit Number  | Application Received Date |
| WRD Completeness Certification - WRD Signature Below Signifies That The Application Was Found Complete |                           |
| Name   | Date                      |



**NOTIFICATION TO INSTALL SUBSURFACE WATER MANAGEMENT SYSTEM**  
OFFICE OF THE STATE ENGINEER  
REGULATORY DIVISION  
SFN 61990 (5/2021)

**ONLY FOR SYSTEMS LESS THAN 80 ACRES**

**This Form Serves As A Notification Required Under North Dakota Century Code § 61-32-03.2 To Notify Your Water Resource District (WRD) Prior To Installation Of A Subsurface Water Management System Less Than 80 Acres.**

**Alternatively, The Information In This Form May Also Be Provided To The WRD Via Phone Or Email.**

**Systems 80 Acres Or More Require A Permit And Require A Separate Application Titled "Application To Install A Subsurface Water Management System - SFN 61244," Which Is Located On The State Water Commission's Website Or Available From Your WRD.**

**Number**

(WRD USE ONLY)

| Location Of Land To Be Tiled   |         |                                |       |          |
|--|---------|--------------------------------|-------|----------|
| 1/4  | Section | Township                       | Range | County   |
| 1/4  | Section | Township                       | Range | County   |
| 1/4  | Section | Township                       | Range | County   |
| 1/4  | Section | Township                       | Range | County   |
| Outlet Information   |         |                                |       |          |
| 1/4  | Section | Township                       | Range | County   |
| 1/4  | Section | Township                       | Range | County   |
| Type Of System Outlet <input type="checkbox"/> Gravity - No Control Structure <input type="checkbox"/> Gravity - With Control Structure <input type="checkbox"/> Pump            |         |                                |       |          |
| Flow Direction From Each Outlet (check all that apply) <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West |         |                                |       |          |
| Total Land Area To Be Tiled (Acres)  |         | WRD In Which System Is Located |       |          |
| Contact Information  |         |                                |       |          |
| Notification Provided By (print name or organization)  |         |                                |       |          |
| Address  |         | City                           | State | ZIP Code |
| Telephone Number   |         | Cell Phone Number              |       |          |
| Email Address  |         |                                |       |          |

| WRD Receipt Information (FOR WRD USE ONLY) |               |
|--|---------------|
| WRD Signature                              | Received Date |

## NOTIFICATION TO INSTALL SUBSURFACE WATER MANAGEMENT SYSTEM

### Additional Information For Project Owner

- Your Project Must Comply With The Provisions of N.D.C.C. § 61-32-03.2, which states:
  - A person required to notify the water resource district shall install the subsurface water management system such that:
    - Pump and control structures at pump outlets are installed no closer than twenty-five feet [7.62 meters] from the top of the back slope of an assessment drain;
    - Proper erosion controls are installed and maintained at all outlets; and
    - Pumps and control structures at project outlets are closed or turned off during critical flood periods.
- There Are Other Regulatory Considerations Outside Of This Notification, Including:
  - Road Authority Permissions Or Approvals;
  - Assessment Drain Set Backs;
  - Rural Water Line Set Backs;
  - Utility Locates;
  - Other Local, State, And Federal Permits Or Permissions, If Required.



**BURLEIGH COUNTY WATER RESOURCE DISTRICT  
RESOLUTION OF POLICY  
REGARDING TILE DRAINAGE APPLICATION FEES**

WHEREAS, the Burleigh County Water Resource District (the “District”) is a North Dakota water resource district and political subdivision under Chapters 61-16 and 61-16.1 of the North Dakota Century Code.

WHEREAS, the District supports tile drainage as a method of maximizing production potential for ag producers in Burleigh County.

WHEREAS, in accordance with Section 61-32-03.1 of the North Dakota Century Code, the District must process, consider, investigate, and approve each tile drainage application submitted to the District, also known as an “APPLICATION TO INSTALL A SUBSURFACE WATER MANAGEMENT SYSTEM,” under Section 61-32-03.1 of the North Dakota Century Code.

WHEREAS, tile permit applications require the District to conduct certain reviews and investigations before the District can make final decisions, including determinations of land ownership, potential impacts of the system to legal drains or other infrastructure, and other considerations, all in accordance with Section 61-32-03.1.

WHEREAS, the tile application review criteria are technical and legal in nature, and require compliance with specific legal procedures that typically require the District to confer with engineering and legal consultants to ensure proper review and consideration.

WHEREAS, the District’s general fund budget is comprised of those dollars generated by a maximum mill levy, as limited by applicable North Dakota law, and the District must utilize its general fund to finance and fund all of its operations, with the exception of assessment projects.

WHEREAS, the District must pay for the costs required to properly consider, investigate, and process all surface and subsurface drainage permit applications with the District’s limited general fund dollars, and utilizing general fund dollars for processing permits severely limits the District’s ability to construct, operate, maintain, and improve other projects and water infrastructure that could benefit all residents of Burleigh County.

WHEREAS, in light of the financial burden on the District’s general fund as a result of the District’s obligation to review, consider, investigate, and process all tile drainage permit applications in Burleigh County in accordance with North Dakota law, the District has concluded adoption of a formal policy regarding the expenses associated with all tile drainage applications is necessary.

WHEREAS, during the 2021 Legislative Session, the North Dakota Legislature enacted HB 1437 to amend Section 61-32-03.1, and to modify the tile permitting process; one of the provisions of HB 1437 affords the District the ability to charge tile permit fees up to a maximum of \$500 per application.

THEREFORE, the Burleigh County Water Resource District has set its permit fee at \$500.

## **BURLEIGH COUNTY WATER RESOURCE DISTRICT SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The financial statements of the Burleigh County Water Resource District ("District") shall be prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applicable to governments. The Governmental Accounting Standards Board (GASB) is the accepted setting body for establishing governmental accounting and financial reporting principles. The more significant of the District's accounting policies are described below.

### **Financial Reporting Entity**

The District has considered all potential component units for which the District is financially accountable and other organizations for which the nature and significance of their relationships with the District are such that exclusion would cause the District's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) the ability of the District to impose its will on that organization or (2) the potential for the organization to provide specific financial benefits to or impose specific financial burdens on the District.

Based on these criteria, there are no component units within the Burleigh County Water Resource District as a reporting entity.

### **Basis of Presentation**

*Government-wide statements.* The statement of net position and the statement of activities shall display information about the primary government. These statements include the financial activities of the overall government, except for fiduciary activities. Eliminations shall be made to minimize the double-counting of internal activities. Governmental activities generally are financed through taxes, intergovernmental revenues, service charges, and other non-exchange transactions.

The statement of activities shall present a comparison between direct expenses and program revenues for each function of the District's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include (a) fees and charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, interest, and non-restricted grants and contributions, shall be presented as general revenues.

*Fund Financial Statements.* The fund financial statements shall provide information about the District's fund. Separate statements shall be provided for the governmental fund. The emphasis of fund financial statements is on the major governmental fund.

The District reports the following major governmental fund:

*General Fund:* This is the District's primary operating fund. It accounts for all financial resources of the general government.

### **Measurement Focus / Basis of Accounting**

*Government-wide Financial Statements:* The government-wide financial statements shall be reported using an economic resources measurement focus and an accrual basis of accounting. Revenues shall be recorded when earned and expenses at the time liabilities are incurred, regardless of when the related cash flows take place. Non-exchange transactions, in which the District gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, entitlements, and donations. On an accrual basis, revenue from property taxes shall be recognized in the fiscal year for which the taxes are levied. Revenue from grants, entitlements, and donations shall be recognized in the fiscal year in which all eligibility requirements have been satisfied.

*Governmental Fund Financial Statements:* The governmental fund shall be reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. The District considers all revenues reported in the governmental funds to be available if the revenues are collected within sixty days after year-end. All revenues are considered to be susceptible to accrual. Expenditures are recorded when the related fund liability is incurred, except for principal and interest on long-term debt, and claims and judgments, which are recognized as expenditures to the extent they have matured. Capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of long-term debt and acquisitions under capital leases are reported as other financing sources.

Under the terms of grant agreements, the District funds certain programs by a combination of specific cost- reimbursement grants and general revenues. Thus, when program expenses are incurred, there is both restricted and unrestricted net position available to finance the program. It is the District's policy to first apply cost-reimbursement grant resources to such programs, and then by general revenues.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources as they are needed.

### **Cash**

Cash consists of amounts in demand deposits and money market accounts.

### **Capital Assets**

Capital assets include property, plant, and equipment. Assets shall be reported in the governmental activities column in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized. Interest incurred during the construction phase of capital assets is not capitalized.

Capital assets shall be depreciated using the straight-line method over the following estimated useful lives:

| Assets                   | Years      |
|--------------------------|------------|
| Buildings                | 50         |
| Equipment                | 10         |
| Land & Land Improvements | INDEFINITE |
| Infrastructure           | 10 - 6     |
| Vehicles                 | 5          |
| Office Equipment         | 3          |
| Major Projects           | 50         |

### Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations shall be reported as liabilities in the governmental activities statement of net position.

In the fund financial statements, the face amount of the debt shall be reported as other financing sources. When applicable, premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs are reported as debt service expenditures. Issuance costs are reported as debt service expenditures.

### Fund Balance Classifications

It is the policy of the District to spend restricted resources first, followed by unrestricted resources. It is also the policy of the Board to spend unrestricted resources of funds in the following order: committed, assigned and then unassigned.

*Restricted Fund Balances.* Restricted fund balances are shown by primary function on the balance sheet. Restricted fund balances are restricted by tax levies (enabling legislation) and by outside 3rd parties (state and federal governments for various grants & reimbursements).

*Committed* – These amounts can only be used for specific purposes pursuant to constraints imposed by formal resolutions or ordinances of the board of commissioners-the District's highest level of decision-making authority. Those committed amounts cannot be used for any other purpose unless the board of commissioners removes the specified use by taking the same type of action imposing the commitment. This classification also includes contractual obligations to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual requirements.

*Assigned* – This classification reflects the amounts constrained by the District's "intent" to be used for specific purposes but are neither restricted nor committed.

*Unassigned* – This fund balance is the residual classification for the General Fund. It is also used to report negative fund balances in other governmental funds.



## **Net Position**

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources as they are needed.

Net investment in capital assets is reported for capital assets less accumulated depreciation, as well as net of any related debt to purchase or finance the capital assets. These assets are not available for future spending.

Restrictions of net position in the statement of net position are due to restricted tax levies and restricted federal & state grants/reimbursements.

## **Custodial Credit Risk**

Custodial credit risk is the risk associated with the failure of a depository institution, such that in the event of a depository financial institution's failure, the District would not be able to recover the deposits or collateralized securities that in the possession of the outside parties. The District does not have a formal policy regarding deposits that limits the amount it may invest in any one issuer.

In accordance with North Dakota Statutes, deposits must either be deposited with the Bank of North Dakota or in other financial institution situated and doing business within the state. Deposits, other than with the Bank of North Dakota, must be fully insured or bonded. In lieu of a bond, a financial institution may provide a pledge of securities equal to 110% of the deposits not covered by insurance or bonds.

Authorized collateral includes bills, notes, or bonds issued by the United States government, its agencies or instrumentalities, all bonds and notes guaranteed by the United States government, federal land bank bonds, bonds, notes, warrants, certificates of indebtedness, insured certificates of deposit, shares of investment companies registered under the Investment Companies Act of 1940, and all other forms of securities issued by the State of North Dakota, its boards, agencies or instrumentalities or by any county, city, township, school district, park district, or other political subdivision of the state of North Dakota. Whether payable from special revenues or supported by the full faith and credit of the issuing body and bonds issued by another state of the United States or such other securities approved by the banking board.

## **Property Taxes**

Property taxes are levied as of January 1. The property taxes attach as an enforceable lien on property on January 1. The tax levy may be paid in two installments: the first installment includes one-half of the real estate taxes and all the special assessments; the second installment is the balance of the real estate taxes. The first installment is due by March 1 and the second installment is due by October 15. A 5% discount is allowed if all taxes and special assessments are paid by February 15. After the due dates, the bill becomes delinquent and penalties are assessed.

## **Risk Management**

The District is exposed to various risks of loss relating to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters

In 1986, state agencies and political subdivisions of the state of North Dakota joined together to form the North Dakota Insurance Reserve Fund (NDIRF), a public entity risk pool currently operating as a common risk management and insurance program for the state and over 2,000 political subdivisions. The District pays an annual premium to NDIRF for liability coverage. The coverage by NDIRF is limited to losses of \$2,000,000.

The District also participates in the North Dakota Fire and Tornado Fund and the State Bonding Fund. The District pays an annual premium to the Fire and Tornado Fund to cover property damage to buildings and personal property. Replacement cost coverage is provided by estimating replacement cost in consultation with the Fire and Tornado Fund. The Fire and Tornado Fund is reinsured by a third-party insurance carrier for losses in excess of two million dollars per occurrence during a 12-month period. The State Bonding Fund currently provides the District with blanket fidelity bond coverage in the amount of \$1,222,704 for its employees. The State Bonding Fund does not currently charge any premium for this coverage.

## **Tax Abatements**

Burleigh County and political subdivisions within the County can negotiate property tax abatement agreements with individuals and various commercial entities/businesses. Burleigh County and the political subdivisions within have the following types of tax abatement agreements with various individuals and commercial entities at December 31, 2020.

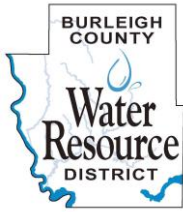
The District will state individually the parties who received a benefit of the reduction in taxes of 20% or greater when compared to the total reduction of taxes for all tax abatement programs.

## **Charitable Organization**

Under NDCC §57-02-08(8), buildings belonging to institutions of public charity, including public hospitals and nursing homes licensed pursuant to NDCC §23-16-01 under the control of religious or charitable institutions, used wholly or in part for public charity, together with the land actually occupied by such institutions not leased or otherwise used with a view to profit are exempt

| Description  | Purch. Month | Purch. Year | Useful Life | Original Value      | Salvage \$ | Annual Dep.      | Accum. Dep.       | Bal. to Dep.        |
|--|--------------|-------------|-------------|---------------------|------------|------------------|-------------------|---------------------|
| <b>Land</b>  |              |             |             |                     |            |                  |                   |                     |
| Land Mcdowell Dam                                    | 4            | 1974        | ---         | 15,719.00           | -          | -                | -                 | 15,719.00           |
| Land Mcdowell Dam                                    | 8            | 1988        | ---         | 89,162.50           | -          | -                | -                 | 89,162.50           |
| Land Road Easement                                   | 8            | 2003        | ---         | 7,600.00            | -          | -                | -                 | 7,600.00            |
| <b>Total Land</b>                                    |              |             |             | <b>112,481.50</b>   | <b>-</b>   | <b>-</b>         | <b>-</b>          | <b>112,481.50</b>   |
| <b>Infrastructure:</b>                               |              |             |             |                     |            |                  |                   |                     |
| Roads Mcdowell Dam                                   | 1            | 1979        | 40          | 92,848.00           | -          | -                | 92,848.00         | -                   |
| Missouri River Correctional Center Flood Control Prc | 11           | 2017        | 40          | 1,515,343.34        | -          | 37,883.58        | 116,807.72        | 1,398,535.62        |
| Fox Island Flood Control Project                     | 10           | 2020        | 40          | 5,071,801.19        | -          | 21,132.50        | 21,132.50         | 5,050,668.69        |
| <b>Total Infrastructure</b>                          |              |             |             | <b>6,679,992.53</b> | <b>-</b>   | <b>59,016.08</b> | <b>230,788.22</b> | <b>6,449,204.31</b> |
| <b>Improvements:</b>                                 |              |             |             |                     |            |                  |                   |                     |
| Playground   | 9            | 2009        | 15          | 72,351.86           | -          | 4,823.46         | 54,263.90         | 18,087.96           |
| Mcdowell Dam Multi-Use Trail                         | 12           | 2010        | 15          | 179,998.41          | -          | 11,999.89        | 119,998.94        | 59,999.47           |
| Burnt Creek Drainage                                 | 7            | 2009        | 20          | 531,456.67          | -          | 26,572.83        | 303,373.18        | 228,083.49          |
| Dam  | 1            | 1976        | 40          | 453,152.00          | -          | -                | 453,152.00        | -                   |
| Burnt Creek  | 11           | 2016        | 40          | 524,578.72          | -          | 13,114.47        | 53,550.74         | 471,027.98          |
| Neideffer Dam  | 11           | 2016        | 40          | 48,495.96           | -          | 1,212.40         | 4,950.63          | 43,545.33           |
| <b>Total Improvements</b>                            |              |             |             | <b>1,810,033.62</b> | <b>-</b>   | <b>57,723.05</b> | <b>989,289.39</b> | <b>820,744.23</b>   |
| <b>Buildings:</b>                                    |              |             |             |                     |            |                  |                   |                     |
| Garage Building Mcdowell                             | 5            | 1984        | 40          | 5,956.00            | -          | 148.90           | 5,447.26          | 508.74              |
| Main Restroom  | 1            | 1976        | 40          | 35,000.00           | -          | -                | 35,000.00         | -                   |
| Small Bathouse                                       | 1            | 1976        | 40          | 10,000.00           | -          | -                | 10,000.00         | -                   |
| Shelters (4) 1951 93Rd St Ne                         | 1            | 1977        | 40          | 18,208.00           | -          | -                | 18,208.00         | -                   |
| Maintenance Shop                                     | 1            | 1976        | 40          | 22,000.00           | -          | -                | 22,000.00         | -                   |
| Storage Building                                     | 1            | 1980        | 40          | 6,000.00            | -          | 12.50            | 6,000.00          | -                   |
| Caretakers House                                     | 1            | 1978        | 40          | 40,000.00           | -          | -                | 40,000.00         | -                   |
| Cold Storage Building                                | 10           | 2004        | 40          | 23,371.54           | -          | 584.29           | 9,446.00          | 13,925.54           |
| McDowell Dam - Metal Building #4                     | 9            | 2013        | 40          | 27,124.14           | -          | 678.10           | 4,916.25          | 22,207.89           |
| <b>Total Buildings</b>                               |              |             |             | <b>187,659.68</b>   | <b>-</b>   | <b>1,423.79</b>  | <b>151,017.51</b> | <b>36,642.17</b>    |
| <b>Furniture &amp; Equipment:</b>                    |              |             |             |                     |            |                  |                   |                     |
| Tractor Belarus 400A 2Wd                             | 5            | 1993        | 10          | 9,925.00            | -          | -                | 9,925.00          | -                   |
| Loader 1975 Kubota 4Wd Diesel                        | 1            | 1977        | 10          | 17,600.00           | -          | -                | 17,600.00         | -                   |
| Mower Kubota F200 4Wd Diesel                         | 12           | 1989        | 10          | 12,500.00           | -          | -                | 12,500.00         | -                   |
| Floating Fishing Dock                                | 1            | 2001        | 10          | 6,800.00            | -          | -                | 6,800.00          | -                   |
| Mower Toro Groundmaster 325D 4Wd 6' Rotary           | 7            | 2000        | 10          | 16,955.00           | -          | -                | 16,955.00         | -                   |
| Mower Kubota 2021                                    | 2            | 2003        | 10          | 8,250.00            | -          | -                | 8,250.00          | -                   |

| Description                                    | Purch. Month | Purch. Year | Useful Life | Original Value      | Salvage \$ | Annual Dep.       | Accum. Dep.         | Bal. to Dep.        |
|--|--------------|-------------|-------------|---------------------|------------|-------------------|---------------------|---------------------|
| 2011 Bobcat Ct450 Cab Tractor W/ 9TI Ct Loader | 11           | 2011        | 10          | 33,465.00           | -          | 3,346.50          | 30,397.38           | 3,067.62            |
| 2017 John Deere 1550 w/72 "mower deck          | 10           | 2017        | 10          | 19,356.79           | -          | 1,935.68          | 6,129.65            | 13,227.14           |
| 2017 John Deere 1550 w/72 "mower deck          | 10           | 2017        | 10          | 19,356.79           | -          | 1,935.68          | 6,129.65            | 13,227.14           |
| 2020 John Deere Z997R                          | 10           | 2020        | 10          | 17,998.00           | -          | 299.97            | 299.97              | 17,698.03           |
| <b>Total Furniture</b>                         |              |             |             | <b>162,206.58</b>   | <b>-</b>   | <b>7,517.83</b>   | <b>114,986.65</b>   | <b>47,219.93</b>    |
|  |              |             |             | <b>8,952,373.91</b> | <b>-</b>   | <b>125,680.75</b> | <b>1,486,081.77</b> | <b>7,466,292.14</b> |



# **Burleigh County Water Resource District**

**PO Box 1255**

**Bismarck, North Dakota 58502-1255**

**(701) 354-1501**

**[www.bcwrld.org](http://www.bcwrld.org)**

June 10, 2021

Gerald R. Heiser, ND Sovereign Lands Manager  
North Dakota State Water Commission  
900 East Boulevard Avenue  
Bismarck, ND, 58505

Re: Sovereign Lands Permit No. S-2198 - Stacy L. Tschider

Dear Mr. Heiser:

This Sovereign Lands permit is requesting authorization to install a boat dock within a bank stabilization easement held by the Burleigh County Water Resource District. This easement governs property set aside to construct and maintain a Section 32 Bank Stabilization Project {Document No 272821}. As such historically activities have occurred within said easements contrary to their purpose. Subsequently, there are already unauthorized encroachments on this property, see **Exhibit A**. Therefore, the applicant needs to be aware of the easement and the limitations for use. No permanent structures or obstructions to access are permitted to be constructed within the easement.

In this situation, installing the boat dock does not limit access or use of the easement, however it is placed in a location of a federal structure, which likely has already been modified by the property owner. Subsequently, the Sovereign Lands permit should be conditioned such that any damages to the federal facility are the responsibility of the permit holder to repair, if such damages result from any private modifications or installation of the proposed dock. In addition, no authorization is being provided to alter or otherwise modify the federal facilities. Depending upon the determination by the USACE this installation may require Section 408 review.

We appreciate the notice and opportunity to respond to this application. This letter serves as notice to allow the installation within the existing easement, subject to the above restrictions and conditions. If you have any questions, please contact me or Michael Gunsch, Houston Engineering.

Respectfully,

A handwritten signature in black ink, appearing to read "Rick L. Detwiller".

Rick Detwiller, Manager

C: Stacy Tschider, Applicant  
Toni Erhardt, USACE  
BCWRD Managers

---

## **Current Board Members:**

Dennis Reep, Chairman 595-2142    Rodney Beck, Vice Chairman 220-5313  
Rick Detwiller, Secretary/Treasurer 223-8782    James Landenberger, Manager 426-6439    Cory Palm, Manager 516-4660  
Page 84 of 123  
BCWRD July 2021



Missouri River

Existing Easement Line  
100 ft from top of bankline

Unauthorized  
Encroachments

N

Exhibit A  
Sovereign Lands Permit No. S-2198  
Location Map and Easement Lines



**Bain Agency, Inc.**  
1500 East Capitol Avenue Bismarck, ND 58501  
Phone (701) 223-2233 Fax (701) 223-0284  
[www.bainagency.com](http://www.bainagency.com)

June 21, 2021

Burleigh County Water Resource District  
Wendy Egli  
PO BOX 1255  
Bismarck ND 58502

|     |                     |  |
|-----|---------------------|--|
| RE: | Policy Description: | Commercial Property & General Liability Policy |
|     | Policy Number:      | FT1914-02 & GL0340107                          |
|     | Insurance Company:  | North Dakota Insurance Reserve Fund            |
|     | Effective Dates:    | 07/01/2021 to 07/01/2022                       |

Dear Wendy:

We at Bain Agency Inc. appreciate the opportunity to provide the insurance protection for your business. Enclosed is your Commercial Property & General Liability Policy. Please take a few minutes to read the policy to be sure limits meet your needs and no items have been omitted.

We thank you for your business and look forward to working with you in the year ahead. If you have any questions concerning this policy or we can be of further assistance, please do not hesitate to contact our office.

As a reminder your agency contacts are listed below

Jared Blackwood  
Account Executive  
[Jared@bainagency.com](mailto:Jared@bainagency.com)  
701-595-7770

Nyla Maxwell  
Account Manager  
[Nyla@bainagency.com](mailto:Nyla@bainagency.com)  
701-595-7774

Enclosure: Summary of Insurance

## **Summary of Insurance**

We are pleased to offer you a summary of the coverages provided. Please refer to your insurance policy for specific details of coverage.

### **Property**

Location: 1951 93<sup>rd</sup> St NE Bismarck, ND 58503

#### **Buildings:**

|                                   |            |
|-----------------------------------|------------|
| Property 1: 3-Shelters with walls | \$ 76,200  |
| Property 2: Restroom              | \$ 145,400 |
| Property 3: Bathhouse             | \$ 56,100  |
| Property 4: Maintenance/Office    | \$ 117,900 |
| Property 5: Caretaker Dwelling    | \$ 271,000 |
| Property 10: Storage Building     | \$ 33,000  |
| Property 11: Garage with Carport  | \$ 30,100  |
| Property 15: Concession Building  | \$ 12,200  |
| Property 16: Picnic Shelter       | \$ 25,300  |
| Property 17: Storage Building     | \$ 28,600  |
| Property 19: Storage Building     | \$ 57,100  |
| Property 20: Aero Picnic Shelter  | \$ 30,400  |
| Property 21: Aero Picnic Shelter  | \$ 10,200  |

#### **Outdoor Property:**

|                                      |           |
|--------------------------------------|-----------|
| Property 6: Submersible Lift Station | \$ 11,750 |
| Property 18: Playground Equipment    | \$ 52,970 |

Special Peril

Actual Cash Value

90% Coinsurance

Deductible \$ 1,000

### **Liability**

|                                    |             |
|------------------------------------|-------------|
| Personal Injury & Property Damage  | \$2,000,000 |
| Medical Payments                   | \$ 2,500    |
| Governance Liability               | \$2,000,000 |
| Hired and Non-Owned Auto Liability | \$2,000,000 |

### **Financial Rating**

The company providing coverage is a self-insurance pool for government entities in ND and does not have an AM Best Rating.

#### **North Dakota Insurance Reserve Fund**

### **Premium**

The annual premium is **\$4,501.00** and is payable to Bain Agency Insurance.

**Disclaimer**

Please review the summary and refer to the policy for specific details of coverage. If you should have any questions or wish to make any changes, please contact our office. This summary is only a very general reference to what coverage the actual insurance policy provides and is not intended to describe all details in the policy of insurance and is subject to all terms, provisions, conditions and exclusions as contained therein. You should not rely upon this general summary, but review the actual policy for complete description and details regarding coverage.

ASSET DEPRECIATION SHORT REPORT  
**Burleigh County Water Resource District - Dec. 31, 2019**

Assets: 29 of 29 Included  
 Include: All Assets  
 Method: Book - Std Conventions Applied

Sort #1: Asset A/C#

|   |   |           |              |               |               | Includes Section 179 |              |              |              |              |
|---|---|-----------|--------------|---------------|---------------|----------------------|--------------|--------------|--------------|--------------|
| Date Acq  | Description                                 | Meth/Life | Cost         | Salvage Value | Depr Basis    | Beg A/Depr           | Curr Depr    | End A/Depr   |              |              |
| Asset A/C#: BUILDINGS - BUILDINGS   |   |           |              |               |               |                      |              |              |              |              |
| 01/01/76  | Main Restroom                               | SLP / 40  | 35,000.00    | 0.00          | 35,000.00     | 35,000.00            | 0.00         | 35,000.00    |              |              |
| 01/01/76  | Small Bathouse                              | SLP / 40  | 10,000.00    | 0.00          | 10,000.00     | 10,000.00            | 0.00         | 10,000.00    |              |              |
| 01/01/76  | Maintenance Shop                            | SLP / 40  | 22,000.00    | 0.00          | 22,000.00     | 22,000.00            | 0.00         | 22,000.00    |              |              |
| 01/01/77  | Shelters (4) 1951 93rd St NE                | SLP / 40  | 18,208.00    | 0.00          | 18,208.00     | 18,208.00            | 0.00         | 18,208.00    |              |              |
| 01/01/78  | Caretakers House                            | SLP / 40  | 40,000.00    | 0.00          | 40,000.00     | 40,000.00            | 0.00         | 40,000.00    |              |              |
| 01/01/80  | Storage Building                            | SLP / 40  | 6,000.00     | 0.00          | 6,000.00      | 5,837.50             | 150.00       | 5,987.50     |              |              |
| 05/01/84  | Garage Building McDowell Dam                | SLP / 40  | 5,956.00     | 0.00          | 5,956.00      | 5,149.46             | 148.90       | 5,298.36     |              |              |
| 10/01/04  | Cold Storage Building                       | SLP / 40  | 23,371.54    | 0.00          | 23,371.54     | 8,277.42             | 584.29       | 8,861.71     |              |              |
| 09/01/13  | McDowell Dam - Metal Building #4            | SLP / 40  | 27,124.14    | 0.00          | 27,124.14     | 3,560.04             | 678.10       | 4,238.14     |              |              |
| Totals: BUILDINGS - BUILDINGS ( 9 assets )  |   |           | 187,659.68   | 0.00          | 187,659.68    | 148,032.42           | 1,561.29     | 149,593.71   |              |              |
| Asset A/C#: FURNITURE - FURNITURE & EQUIPMENT   |   |           |              |               |               |                      |              |              |              |              |
| 01/01/77  | Loader 1975 Kubota 4WD Diesel               | SLP / 10  | 17,600.00    | 0.00          | 17,600.00     | 17,600.00            | 0.00         | 17,600.00    |              |              |
| 12/01/89  | Mower Kubota F200 4WD Diesel                | SLP / 10  | 12,500.00    | 0.00          | 12,500.00     | 12,500.00            | 0.00         | 12,500.00    |              |              |
| 05/01/93  | Tractor Belarus 400A 2WD                    | SLP / 10  | 9,925.00     | 0.00          | 9,925.00      | 9,925.00             | 0.00         | 9,925.00     |              |              |
| 07/01/00  | Mower Toro Groundmaster 325D 4WD 6'...      | SLP / 10  | 16,955.00    | 0.00          | 16,955.00     | 16,955.00            | 0.00         | 16,955.00    |              |              |
| 01/01/01  | Floating Fishing Dock                       | SLP / 10  | 6,800.00     | 0.00          | 6,800.00      | 6,800.00             | 0.00         | 6,800.00     |              |              |
| 02/01/03  | Mower Kubota 2021                           | SLP / 10  | 8,250.00     | 0.00          | 8,250.00      | 8,250.00             | 0.00         | 8,250.00     |              |              |
| 11/01/11  | 2011 Bobcat Ct450 Cab Tractor W/ 9TI Ct...  | SLP / 10  | 33,465.00    | 0.00          | 33,465.00     | 23,704.38            | 3,346.50     | 27,050.88    |              |              |
| 10/01/17  | 2017 John Deere 1550 w/72" Mower Deck       | SLP / 10  | 19,356.79    | 0.00          | 19,356.79     | 2,258.29             | 1,935.68     | 4,193.97     |              |              |
| 10/01/17  | 2017 John Deere 1550 w/72" Mower Deck       | SLP / 10  | 19,356.79    | 0.00          | 19,356.79     | 2,258.29             | 1,935.68     | 4,193.97     |              |              |
| Totals: FURNITURE - FURNITURE & EQUIPMENT ( 9 assets )  |   |           | 144,208.58   | 0.00          | 144,208.58    | 100,250.96           | 7,217.86     | 107,468.82   |              |              |
| Asset A/C#: IMPROVEMEN - IMPROVEMENTS   |   |           |              |               |               |                      |              |              |              |              |
| 01/01/76  | Dam   | SLP / 40  | 453,152.00   | 0.00          | 453,152.00    | 453,152.00           | 0.00         | 453,152.00   |              |              |
| 07/01/09  | Burnt Creek Drainage                        | SLP / 20  | 531,456.67   | 0.00          | 531,456.67    | 250,227.52           | 26,572.83    | 276,800.35   |              |              |
| 09/01/09  | Playground                                  | SLP / 15  | 72,351.86    | 0.00          | 72,351.86     | 44,616.98            | 4,823.46     | 49,440.44    |              |              |
| 12/01/10  | McDowell Dam Multi-Use Trail                | SLP / 15  | 179,998.41   | 0.00          | 179,998.41    | 95,999.15            | 11,999.89    | 107,999.04   |              |              |
| 11/01/16  | Burnt Creek                                 | SLP / 40  | 524,578.72   | 0.00          | 524,578.72    | 27,321.81            | 13,114.47    | 40,436.28    |              |              |
| 11/01/16  | Neideffer Dam                               | SLP / 40  | 48,495.96    | 0.00          | 48,495.96     | 2,525.83             | 1,212.40     | 3,738.23     |              |              |
| Totals: IMPROVEMEN - IMPROVEMENTS ( 6 assets )  |   |           | 1,810,033.62 | 0.00          | 1,810,033.62  | 873,843.29           | 57,723.05    | 931,566.34   |              |              |
| Asset A/C#: INFRASTRUC - INFRASTRUCTURE   |   |           |              |               |               |                      |              |              |              |              |
| 01/01/79  | Roads - McDowell Dam                        | SLP / 40  | 92,848.00    | 0.00          | 92,848.00     | 92,654.57            | 193.43       | 92,848.00    |              |              |
| 11/01/17  | Missouri River Correctional Center Flood... | SLP / 40  | 1,515,343.34 | 0.00          | 1,515,343.34  | 41,040.55            | 37,883.58    | 78,924.13    |              |              |
| Totals: INFRASTRUC - INFRASTRUCTURE ( 2 assets )  |   |           | 1,608,191.34 | 0.00          | 1,608,191.34  | 133,695.12           | 38,077.01    | 171,772.13   |              |              |
| Asset A/C#: LAND - LAND   |   |           |              |               |               |                      |              |              |              |              |
| 04/01/74  | McDowell Dam Land                           | LAND / 7  | 15,719.00    | 0.00          | 15,719.00     | 0.00                 | 0.00         | 0.00         |              |              |
| 08/01/88  | McDowell Dam Land                           | LAND / 7  | 89,162.50    | 0.00          | 89,162.50     | 0.00                 | 0.00         | 0.00         |              |              |
| 08/01/03  | Road Easement                               | LAND / 7  | 7,600.00     | 0.00          | 7,600.00      | 0.00                 | 0.00         | 0.00         |              |              |
| Totals: LAND - LAND ( 3 assets )  |   |           | 112,481.50   | 0.00          | 112,481.50    | 0.00                 | 0.00         | 0.00         |              |              |
| Grand totals for all accounts: ( 29 assets )  |   |           | 3,862,574.72 | 0.00          | 3,862,574.72  | 1,255,821.79         | 104,579.21   | 1,360,401.00 |              |              |
| Codes that may appear next to the date acquired include: A - Addition, D - Disposal, T - Traded, I - Inactive, C - Construction In Progress, MQ - Mid Quarter Applied |   |           |              |               |               |                      |              |              |              |              |
| Additional Summary Statistics:  |   |           | Cost         | Curr Yr Salv  | Prior Yr Salv | Depr Basis           | Beg A/Depr   | Curr A/Depr  | End A/Depr   | Net Book Val |
| Grand Totals for All Assets   |   |           | 3,862,574.72 | 0.00          | 0.00          | 3,862,574.72         | 1,255,821.79 | 104,579.21   | 1,360,401.00 | 2,502,173.72 |
| Inactive Assets   |   |           | 0.00         | 0.00          | 0.00          | 0.00                 | 0.00         | 0.00         | 0.00         | 0.00         |
| Less: Disposed Assets   |   |           | 0.00         | 0.00          | 0.00          | 0.00                 | 0.00         | 0.00         | 0.00         | 0.00         |
| Less: Traded Assets   |   |           | 0.00         | 0.00          | 0.00          | 0.00                 | 0.00         | 0.00         | 0.00         | 0.00         |
| Net Totals (Active & Inactive Assets)   |   |           | 3,862,574.72 | 0.00          | 0.00          | 3,862,574.72         | 1,255,821.79 | 104,579.21   | 1,360,401.00 | 2,502,173.72 |





## TERMINAL SERVER CONTRACT

Frontier Payroll Services, Inc. (FPS) is now offering access to a terminal server. The terminal server provides the following:

- Automatic daily backups of data
- Remote data storage at a secured location
- No fees for software updates
- Remote access to Quickbooks file from any secure web browser
- Ability for FPS to review your Quickbooks information simultaneously

### Fees

1<sup>st</sup> User: \$55 per month

All Other Users: \$35 per month

The terms of this agreement shall continue until written notice of termination is given by either party. This agreement may not be altered or amended except by agreement duly executed by FPS and Burleigh County Water Resource District.

Please signify your approval of this agreement by signing below.

Signature\_\_\_\_\_ Date\_\_\_\_\_  
Burleigh County Water Resource District

Signature\_\_\_\_\_ Date\_\_\_\_\_  
Frontier Payroll Services, Inc.

**State of North Dakota  
Temporary Water Permit  
SWC Project No. 1400A**

In response to an application for a temporary water permit dated 6/3/21 as received in this office 6/3/21, authority is hereby granted to:

Baranko Bros., Inc.  
PO Box 820  
Dickinson, ND 58602

Contact Person: Cody Idso

Telephone: (701) 483-5868

**A Temporary Water Permit as follows:**

**Source:** Salt Lake

**Point of Diversion:** NW1/4 SE1/4 Sec. 11 Twp. 144 Rng. 076

**Nature of Use:** Road Construction

**Total Quantity of Water:** 15.344 Acre-Feet

**Maximum Withdrawal Rate:** 300.0 gpm

**Period of authorized usage:** 6/14/21 through 10/23/21

This temporary water permit does not authorize the construction of any dam or crossing. Future water use from this source for this purpose may require a conditional water permit. Temporary water permits are not a water right, are non-transferrable, cannot be modified, and water must only be used for the specified nature of use. This temporary water permit is granted subject to water use by senior appropriators. Withdrawals authorized by this temporary water permit must cease upon order of the State Engineer. Noncompliance with permit conditions may result in possible civil or criminal penalties. Development of a water project with a temporary water permit is at the permit holder's risk.

**Conditions**

1. Water must be withdrawn from the right of way.
2. A weather-protected copy of this temporary water permit must be present and on display at the equipment withdrawing water at all times.

Dated: 6/8/21

cc: Burleigh WRD

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John Paczkowski, P.E.  
Interim State Engineer  
ND State Water Commission  
900 East Boulevard  
Bismarck, ND 58505



Christopher D. Bader  
Director, Water Appropriations Division

**State of North Dakota  
Temporary Water Permit  
SWC Project No. 1400A**

3. The permitholder must complete every enclosed Annual Water Use Report, even if no water is withdrawn based on the following:
  - a. For temporary water permits that are inclusive to one (1) calendar year:
    - i. One (1) Annual Water Use Report must be submitted to the Office of the State Engineer within thirty (30) days after the expiration date of the permit.
  - b. For temporary water permits that span two (2) calendar years:
    - i. The first Annual Water Use Report must be submitted to the Office of the State Engineer within thirty (30) days after the close of the first calendar year, which must report the total water withdrawn in the first calendar year, and
    - ii. The second Annual Water Use Report must be submitted to the Office of the State Engineer within thirty (30) days after the expiration date of the permit, which must report the total water withdrawn in the second calendar year.
4. Any works associated with this temporary water permit are subject to inspection at any time by representatives of the Office of the State Engineer. Refusal to allow inspection is grounds for temporary water permit cancellation.
5. Failure to comply with any order of the State Engineer may result in temporary water permit forfeiture.

Dated: 6/8/21

cc: Burleigh WRD

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John Paczkowski, P.E.  
Interim State Engineer  
ND State Water Commission  
900 East Boulevard  
Bismarck, ND 58505



Christopher D. Bader  
Director, Water Appropriations Division

July 2021 Bills

| Name                        | Project                                 | Invoice     | Amount              |
|-----------------------------|---|-------------|---------------------|
| Bain Agency                 | Insurance - Liability                   | 481         | \$ 3,508.00         |
| Bain Agency                 | Insurance - Property                    | 482         | \$ 993.00           |
| Bliss Law Firm              | General                                 | 226         | \$ 1,000.00         |
| Bliss Law Firm              | Rainbow Acres Drainage Complaint        | 226         | \$ 340.60           |
| Bliss Law Firm              | Audit                                   | 226         | \$ 78.60            |
| Fronteer Payroll Services   | May Presort Charges                     | 1886        | \$ 50.00            |
| Fronteer Payroll Services   | Workforce Safety Premium Reimbursement  | 1902        | \$ 250.00           |
| Fronteer Payroll Services   | Monthly Admin Fee                       | 1911        | \$ 1,950.00         |
| Fronteer Payroll Services   | ESRI Renewal (Approved at May Meeting)  | 1933        | \$ 500.00           |
| Houston Engineering         | Missouri River Bank Stabilization       | 54682       | \$ 430.00           |
| Houston Engineering         | Apple Creek Watershed                   | 54683       | \$ 376.25           |
| Houston Engineering         | Policy Manual                           | 54684       | \$ 2,516.50         |
| Houston Engineering         | Fox Island Flood Control (O&M Services) | 54686       | \$ 1,185.50         |
| Houston Engineering         | McDowell Dam Bank Stabilization         | 54677       | \$ 1,615.50         |
| Houston Engineering         | General Engineering Services            | 54678       | \$ 1,215.00         |
| Houston Engineering         | Sibley Island Flood Control             | 54679       | \$ 6,764.55         |
| Houston Engineering         | Drainage Complaints                     | 54680       | \$ 1,623.25         |
| Office of the State Auditor | 2020 Audit                              | SA000001715 | \$ 9,750.00         |
|                             |   |             |                     |
| Payroll 2nd Quarter         |   |             |                     |
| Cory Palm                   |   |             | \$ 436.35           |
| Dennis Reep                 |   |             | \$ 1,059.72         |
| James Landenberger          |   |             | \$ 748.04           |
| Ricky Detwiller             |   |             | \$ 748.04           |
| Rodney Beck                 |   |             | \$ 415.57           |
|                             |   |             |                     |
|                             | <b>Total</b>                            |             | <b>\$ 37,554.47</b> |
|                             |   |             |                     |



210 East Grand Crossing  
Mobridge, SD 57601

|                |             |
|----------------|-------------|
| Invoice # 481  | Page 1 of 1 |
| Account Number | Date        |
| BURLCOU-05     | 6/21/2021   |
| Balance Due On |             |
| 7/1/2021       |             |
| Amount Paid    | Amount Due  |
|                | \$3,508.00  |

Burleigh County Water Resource District  
**PO BOX 1255**  
Bismarck, ND 58502

|                   |                          |                                 |
|-------------------|--------------------------|---------------------------------|
| General Liability | Policy Number: GL0340107 | Effective: 7/1/2021 to 7/1/2022 |
|-------------------|--------------------------|---------------------------------|

| Item #                 | Trans Eff Date | Due Date | Trans | Description                               | Amount     |
|------------------------|----------------|----------|-------|---|------------|
| 18908                  | 7/1/2021       | 7/1/2021 | RENB  | Renewal of CGL 126-CGL Effective 7/1/2021 | \$3,508.00 |
| Total Invoice Balance: |                |          |       |   | \$3,508.00 |





210 East Grand Crossing  
Mobridge, SD 57601

|                |             |
|----------------|-------------|
| Invoice # 482  | Page 1 of 1 |
| Account Number | Date        |
| BURLCOU-05     | 6/21/2021   |
| Balance Due On |             |
| 7/1/2021       |             |
| Amount Paid    | Amount Due  |
|                | \$993.00    |

Burleigh County Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

|          |                         |                                 |
|----------|-------------------------|---------------------------------|
| Property | Policy Number: FT191402 | Effective: 7/1/2021 to 7/1/2022 |
|----------|-------------------------|---------------------------------|

| Item #                 | Trans Eff Date | Due Date | Trans | Description                            | Amount   |
|------------------------|----------------|----------|-------|--|----------|
| 18909                  | 7/1/2021       | 7/1/2021 | RENB  | Renewal of Property Effective 7/1/2021 | \$993.00 |
| Total Invoice Balance: |                |          |       |  | \$993.00 |

Bliss Law Firm, LLC  
400 East Broadway, Suite 308  
Bismarck, ND 58501

Burleigh County Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

July 2, 2021

Invoice #226

Professional Services

|   | <u>Hrs/Rate</u>   | <u>Amount</u>     |
|---|-------------------|-------------------|
| 6/9/2021 (312) Prepare for Board meeting; attend Board meeting.   |                   | 1,000.00          |
| (960-2) Follow-up telephone call to Dennis Reep with regard to Schick Drive issue.                                    | 0.40<br>262.00/hr | 104.80            |
| (960-2) Follow-up telephone call to Commissioner Jones with regard to Schick Drive matter.                            | 0.50<br>262.00/hr | 131.00            |
| 6/10/2021 (312) Email from Brian Hermanson, North Dakota auditor, with regard to a second 14-day notice of reporting. | 0.30<br>262.00/hr | 78.60             |
| 6/11/2021 (960-2) Follow-up telephone call to Mike Gunsch with regard to Schick Drive options.                        | 0.40<br>262.00/hr | 104.80            |
| For professional services rendered  | 1.60              | \$1,419.20        |
| Previous balance  |                   | \$1,000.00        |
| Accounts receivable transactions  |                   |                   |
| 6/10/2021 Payment - Thank You. Check No. 1943   |                   | (\$1,000.00)      |
| Total payments and adjustments  |                   | (\$1,000.00)      |
| Balance due   |                   | <u>\$1,419.20</u> |



Fronteer Payroll Services Inc  
4007 State Street, Ste 20 P.O. Box 1315  
Bismarck, ND 58502-

Date: May 31, 2021  
Invoice #: 0000001886  
Terms: Net

Burleigh Co. Water Resource District

Bismarck, ND

**Total Due: \$50.00**

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Detach And Return With Payment

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Fronteer Payroll Services Inc 4007 State Street, Ste 20 P.O. Box 1315, Bismarck, ND 58502-

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| Description              | Amount  | Total          |
|--------------------------|---------|----------------|
| May 2021 Presort Charges | \$50.00 | \$50.00        |
| <b>Total:</b>            |         | <b>\$50.00</b> |

Thank you for your business!



Fronteer Payroll Services Inc  
4007 State Street, Ste 20 P.O. Box 1315  
Bismarck, ND 58502-

Date: June 24, 2021  
Invoice #: 0000001902  
Terms: Net

Burleigh Co. Water Resource District

Bismarck, ND

**Total Due: \$250.00**

Detach And Return With Payment

Fronteer Payroll Services Inc 4007 State Street, Ste 20 P.O. Box 1315, Bismarck, ND 58502-

| Description              | Amount   | Total           |
|--------------------------|----------|-----------------|
| Workforce Safety Premium | \$250.00 | \$250.00        |
| <b>Total:</b>            |          | <b>\$250.00</b> |

This Invoice Has Been Paid By ACH. Thank You For Your Business!



Fronteer Payroll Services Inc  
4007 State Street, Ste 20 P.O. Box 1315  
Bismarck, ND 58502-

Date: June 30, 2021  
Invoice #: 0000001911  
Terms: Net

Burleigh Co. Water Resource District

Bismarck, ND

**Total Due: \$1,950.00**

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Detach And Return With Payment

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Fronteer Payroll Services Inc 4007 State Street, Ste 20 P.O. Box 1315, Bismarck, ND 58502-

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| Description                       | Amount     | Total             |
|-----------------------------------|------------|-------------------|
| Monthly Admin Fee - Per Agreement | \$1,950.00 | \$1,950.00        |
| <b>Total:</b>                     |            | <b>\$1,950.00</b> |

Thank you for your business!





Fronteer Payroll Services Inc  
4007 State Street, Ste 20 P.O. Box 1315  
Bismarck, ND 58502-

Date: June 30, 2021  
Invoice #: 0000001933  
Terms: Net

Burleigh Co. Water Resource District

Bismarck, ND

**Total Due: \$500.00**

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Detach And Return With Payment

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Fronteer Payroll Services Inc 4007 State Street, Ste 20 P.O. Box 1315, Bismarck, ND 58502-

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| Description                                 | Amount   | Total           |
|---|----------|-----------------|
| ESRI Annual Review Software - Reimbursement | \$500.00 | \$500.00        |
| <b>Total:</b>                               |          | <b>\$500.00</b> |

Thank you for your business!

**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
1720 Burnt Boat Drive, Suite 205  
Bismarck, ND 58503

July 9, 2021

Invoice No: 0054682

Due Date: August 8, 2021

Project R146025-0021 Missouri River Bank Stabilization Issues

BCWRD Account No.: 937I-1

See attached Project Status Report and Invoice Description.

**Professional Services from May 30, 2021 to June 26, 2021**

Phase 004 COE Section 32 Easement Documentation

**Professional Personnel**

|                    | <b>Hours</b> | <b>Rate</b>               | <b>Amount</b> |                 |
|--------------------|--------------|---------------------------|---------------|-----------------|
| Sr Project Manager | 1.25         | 215.00                    | 268.75        |                 |
| Engineer I         | 1.25         | 129.00                    | 161.25        |                 |
| Totals             | 2.50         |                           | 430.00        |                 |
| <b>Total Labor</b> |              |                           |               | <b>430.00</b>   |
|                    |              | <b>Total this Phase</b>   |               | <b>\$430.00</b> |
|                    |              | <b>Total this Invoice</b> |               | <b>\$430.00</b> |



## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

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|                          |   |
|--------------------------|---|
| <b>HEI Project No.:</b>  | <b>6025-0021: Missouri River Bank Stabilization</b> |
| <b>BCWRD Account No.</b> | <b>937</b>  |
| <b>Project Name:</b>     | <b>Missouri River Bank Stabilization</b>            |

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**Billing Period:** *May 30, 2021, through June 26, 2021*

Professional engineering and surveying services related to Missouri Riverbank Stabilization easements and permitting requests under the Garrison-Oahe and Section 32 Programs.

***Tasks Completed:***

***Bank Stabilization Agreements and Easements***

- Review of Sovereign Lands permit application within the BCWRD's easement located on Hogue Island.
- Researched easement document for location and boundary (on GIS system)
- Prepare letter to ND State Engineer regarding Stacy Tschider application

**Comments and Issues**

- Work on this Sovereign Land application review is completed.

**See accompanying invoice for personnel cost breakdown.**

**Total Invoice \$ 430.00**

**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Dennis Reep  
Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

July 9, 2021

Invoice No: 0054683

Due Date: August 8, 2021

Project R146025-0022 BCWRD - Apple Creek Watershed Projects

BCWRD Account No.: 941

See attached Project Status Report and Invoice Description.

**Professional Services through June 25, 2021**

Phase 003 2021 Floodplain Revisions

**Professional Personnel**

|                    | <b>Hours</b> | <b>Rate</b>               | <b>Amount</b> |                 |
|--------------------|--------------|---------------------------|---------------|-----------------|
| Sr Project Manager | 1.75         | 215.00                    | 376.25        |                 |
| Totals             | 1.75         |                           | 376.25        |                 |
| <b>Total Labor</b> |              |                           |               | <b>376.25</b>   |
|                    |              | <b>Total this Phase</b>   |               | <b>\$376.25</b> |
|                    |              | <b>Total this Invoice</b> |               | <b>\$376.25</b> |



HoustonEngineering Inc.

## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

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|                          |                              |
|--------------------------|------------------------------|
| <b>HEI Project No.:</b>  | <b>R146025-0022</b>          |
| <b>BCWRD Account No.</b> | <b>910 – Shared Projects</b> |
| <b>Project Name:</b>     | <b>Apple Creek Watershed</b> |

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**Billing Period:** *April 25, 2021 through June 25, 2021*

Professional engineering services associated with the evaluation and coordination of comments related to the Draft Preliminary FIS mapping the Burleigh County and City of Bismarck. Principal areas of interest included the Apple Creek Floodway Revisions.

### Tasks Completed:

- Finalize letter to the SWC regarding draft preliminary floodplain/floodway mapping
  - Board Signature secured and letter mailed
- Discussion with City Floodplain Administrator regarding future public meeting

### Comments and Issues:

- Comment letter from the BCWRD was submitted to the State Water Commission for consideration, responses to this letter have not been provided.

**Total Invoice \$ 376.25**

**See accompanying invoice for personnel cost breakdown.**



**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Mr. Greg Larson  
Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

July 9, 2021

Invoice No: 0054684

Due Date: August 8, 2021

Project R156025-0024 Burleigh County WRD Policy Manual

BCWRD Account No.: 910

See attached Project Status Report and Invoice Description.

**Professional Services from February 21, 2021 to June 26, 2021****Professional Personnel**

|                    | <b>Hours</b> | <b>Rate</b>               | <b>Amount</b> |                   |
|--------------------|--------------|---------------------------|---------------|-------------------|
| Sr Project Manager | 3.50         | 215.00                    | 752.50        |                   |
| Project Manager    | 9.00         | 196.00                    | 1,764.00      |                   |
| Totals             | 12.50        |                           | 2,516.50      |                   |
| <b>Total Labor</b> |              |                           |               | <b>2,516.50</b>   |
|                    |              | <b>Total this Invoice</b> |               | <b>\$2,516.50</b> |



HoustonEngineering Inc.

## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

---

|                          |                              |
|--------------------------|------------------------------|
| <b>HEI Project No.:</b>  | <b>R096025-0024</b>          |
| <b>BCWRD Account No.</b> | <b>910 – Shared Projects</b> |
| <b>Project Name:</b>     | <b>BCWRD Policy Manual</b>   |

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**Billing Period**                      *February 21, 2021 through June 26, 2021*

Professional engineering services related to the creation of policy documents associated with the activities of the Burleigh County Water Resource District. The services provided included, but were not limited to, the following:

- Preliminary discussions of Missouri River policy
- Drain Tile Policy – Draft developed, additional revisions required prior to Board review
- Accounting Policy – Draft Based on Audit Statements for July meeting

### **Comments and Issues**

- Policy manual review continues, the objective being to edit and complete various sections, monthly, during 2021.
- Update of other policies remain under consideration.

**See accompanying invoice for personnel cost breakdown.**

**Total Invoice                      \$ 2,516.50**

**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

July 9, 2021

Invoice No: 0054686

Due Date: August 8, 2021

Project R006025-0027 Fox Island Flood Control - O&amp;M

BCWRD Account No.: 937 - Special Assessment Projects

See attached Project Status Report and Invoice Description.

**Professional Services from May 30, 2021 to June 26, 2021**

Phase 002 2020 O &amp; M Services

**Professional Personnel**

|                    | <b>Hours</b> | <b>Rate</b>               | <b>Amount</b> |                   |
|--------------------|--------------|---------------------------|---------------|-------------------|
| Sr Project Manager | .50          | 215.00                    | 107.50        |                   |
| Project Manager    | 5.50         | 196.00                    | 1,078.00      |                   |
| Totals             | 6.00         |                           | 1,185.50      |                   |
| <b>Total Labor</b> |              |                           |               | <b>1,185.50</b>   |
|                    |              | <b>Total this Phase</b>   |               | <b>\$1,185.50</b> |
|                    |              | <b>Total this Invoice</b> |               | <b>\$1,185.50</b> |



HoustonEngineering Inc.

## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

---

|                          |  |
|--------------------------|--|
| <b>HEI Project No.:</b>  | <b>6025-0027</b>                                   |
| <b>BCWRD Account No.</b> | <b>937 – Special Assessment Projects</b>           |
| <b>Project Name:</b>     | <b>Fox Island Flood Control – O&amp;M Services</b> |

---

**Billing Period:** *May 30, 2021 through June 26, 2021*

Professional engineering services associated with the completion of the Operation and Maintenance manual for the Fox Island Flood Control Project, including the various appendices and associated project documents.

### Tasks Completed:

- Site evaluation of grass conditions, and consideration of watering and weed control with Board Manager.
- Prepare a memorandum for the Board recommending options based on site observations.
- Worked with *Next2Nature* to secure topsoil and seeding costs for critical area.

### Comments and Issues:

- The Board has a quote to topsoil and seed areas deemed critical for revegetation.
- Fox Island Homeowners Association representative contacts

|  |                    |
|--|--------------------|
| <u>Phase (002) 2020 O&amp;M Services</u> | <u>\$ 1,185.50</u> |
| <b>Total Invoice</b>                     | <b>\$ 1,185.50</b> |

**See accompanying invoice for personnel cost breakdown.**

**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

July 9, 2021

Invoice No: 0054677

Due Date: August 8, 2021

Project R001032-0105 McDowell Dam Bank Stabilization 2021

**Professional Services through June 26, 2021**

Phase 001 Design/Environmental/Permitting

**Professional Personnel**

|                    | <b>Hours</b> | <b>Rate</b>             | <b>Amount</b> |                   |
|--------------------|--------------|-------------------------|---------------|-------------------|
| Sr Project Manager | 2.50         | 215.00                  | 537.50        |                   |
| Project Manager    | 4.00         | 196.00                  | 784.00        |                   |
| Totals             | 6.50         |                         | 1,321.50      |                   |
| <b>Total Labor</b> |              |                         |               | <b>1,321.50</b>   |
|                    |              | <b>Total this Phase</b> |               | <b>\$1,321.50</b> |

Phase 002 Construction Management Services

**Professional Personnel**

|                    | <b>Hours</b> | <b>Rate</b>               | <b>Amount</b> |                   |
|--------------------|--------------|---------------------------|---------------|-------------------|
| Project Manager    | 1.50         | 196.00                    | 294.00        |                   |
| Totals             | 1.50         |                           | 294.00        |                   |
| <b>Total Labor</b> |              |                           |               | <b>294.00</b>     |
|                    |              | <b>Total this Phase</b>   |               | <b>\$294.00</b>   |
|                    |              | <b>Total this Invoice</b> |               | <b>\$1,615.50</b> |



## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

---

|                          |  |
|--------------------------|--|
| <b>HEI Project No.:</b>  | <b>1032-0105: McDowell Dam Recreation Area</b>               |
| <b>BCWRD Account No.</b> | <b>905</b>   |
| <b>Project Name:</b>     | <b>McDowell Dam Recreation Area –<br/>Bank Stabilization</b> |

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**Billing Period:** *May 30, 2021 through June 26, 2021*

Professional engineering and surveying services related to the application for a Heritage Fund Grant Application to protect the McDowell Dam Trail System including, but not limited to the following:

- Continue working with the USACE and NDDEQ to secure the Section 404 Permit
- Review comments provided by agencies and the EPA
- Prepare a letter responding to the EPA's suggestion of a bio-engineered stabilization
- Monthly progress report to the Outdoor Heritage Fund

**Comments:**

- Securing the USACE individual permit remains. This requires extra work to provide information to the NDDEQ related to water quality impacts.
- Construction start date remains to be determined, after permit is secured
- Timeline provided in the Outdoor Heritage Fund Grant is through October, which provides for the added construction timeline.
- There is a National Archery Event is scheduled for August 6-8, during which the contractor will have the site fully available for trail access

**See accompanying invoice and cost summary for personnel cost breakdown.**

**Total Invoice            \$ 1,615.50**



# INVOICE



**HoustonEngineering Inc.**

**Remit to:**

1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

July 9, 2021

Invoice No:

0054678

Due Date:

August 8, 2021

Project R084241-0000 BCWRD - General Engineering Services

**Email Invoices: BCWRD@midco.net & rdetwillerbcwrd@gmail.com**

BCWRD Project No.: 315 - Engineering Administration

See attached Project Status Report and Invoice Description.

**Professional Services from May 30, 2021 to June 26, 2021**

Phase 000 Burleigh Co. WRD - General

Monthly Lump Sum Amount

**Fee 1,000.00**

**Total this Phase \$1,000.00**

Phase 007 General Services - Hourly

**Professional Personnel**

|                    | Hours | Rate   | Amount        |
|--------------------|-------|--------|---------------|
| Sr Project Manager | 1.00  | 215.00 | 215.00        |
| Totals             | 1.00  |        | 215.00        |
| <b>Total Labor</b> |       |        | <b>215.00</b> |

**Total this Phase \$215.00**

**Total this Invoice \$1,215.00**



## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

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|                          |  |
|--------------------------|--|
| <b>HEI Project No.:</b>  | <b>4241-0000: BCWRD General Services</b> |
| <b>BCWRD Account No.</b> | <b>315 – Engineering Administration</b>  |
| <b>Project Name:</b>     | <b>General Engineering Services</b>      |

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**Billing Period:** *May 30, 2021, through June 26, 2021*

Professional engineering administrative services related to routine monthly activities and issues addressed at the request and direction of the BCWRD during this billing period, including time associated with, but not limited to the following:

- **June Meeting**
- Meeting preparation and discussion
- Review of minutes and agenda updates
- Various BCWRD issues, contacts, and calls
- Additional services related accounting and budget process.

**Comments:**

- This invoice is for Board meeting related time along with limited small contact and coordination items that are not project related. In accordance with Board direction, all costs associated with drainage complaints, stormwater plan review, and other project related activities are invoiced to assigned project numbers.
- Additional services are related to providing project information related to the budgeting process and spreadsheet, which was outside the typical monthly duties and budgeted amount.

|   |                         |
|---|-------------------------|
| <b>General Services</b>                                       | <b>\$ 1,000.00</b>      |
| <b><u>Additional Services - Project Accounting/Budget</u></b> | <b><u>\$ 215.00</u></b> |
| <b>Total</b>  | <b>\$ 1,215.00</b>      |

# INVOICE



**HoustonEngineering Inc.**

**Remit to:**

1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

July 9, 2021

Invoice No:

0054679

Due Date:

August 8, 2021

Project R126025-0014 Sibley Island Flood Control Project FHMP

Work Order #18

See attached Project Status Report and Invoice Description.

**Professional Services from May 30, 2021 to June 30, 2021**

Phase 101 Preliminary Design

**Professional Personnel**

|                         | Hours | Rate   | Amount   |                   |
|-------------------------|-------|--------|----------|-------------------|
| Engineer I              | 21.25 | 129.00 | 2,741.25 |                   |
| Totals                  | 21.25 |        | 2,741.25 |                   |
| <b>Total Labor</b>      |       |        |          | <b>2,741.25</b>   |
| <b>Total this Phase</b> |       |        |          | <b>\$2,741.25</b> |

Phase 102 Site Survey and Landowner Contacts

**Professional Personnel**

|                         | Hours | Rate   | Amount   |                   |
|-------------------------|-------|--------|----------|-------------------|
| Sr Project Manager      | 8.00  | 215.00 | 1,720.00 |                   |
| Totals                  | 8.00  |        | 1,720.00 |                   |
| <b>Total Labor</b>      |       |        |          | <b>1,720.00</b>   |
| <b>Total this Phase</b> |       |        |          | <b>\$1,720.00</b> |

Phase 104 Hydraulic Analysis and Report

**Professional Personnel**

|                          | Hours | Rate   | Amount |               |
|--------------------------|-------|--------|--------|---------------|
| Sr Project Manager       | .50   | 215.00 | 107.50 |               |
| Project Engineer         | .75   | 179.00 | 134.25 |               |
| Administrative Assistant | .25   | 83.00  | 20.75  |               |
| Totals                   | 1.50  |        | 262.50 |               |
| <b>Total Labor</b>       |       |        |        | <b>262.50</b> |

**Unit Billing**

|                         |  |  |             |                 |
|-------------------------|--|--|-------------|-----------------|
| (MPL) Postage           |  |  | 1.20        |                 |
| <b>Total Units</b>      |  |  | <b>1.20</b> | <b>1.20</b>     |
| <b>Total this Phase</b> |  |  |             | <b>\$263.70</b> |

Phase 105 Regulatory Compliance

|                        |              |   |         |            |
|------------------------|--------------|---|---------|------------|
| Project                | R126025-0014 | Sibley Island FHMP                      | Invoice | 0054679    |
| Professional Personnel |              |   |         |            |
|                        |              | Hours                                   | Rate    | Amount     |
| Sr Project Manager     |              | .50                                     | 215.00  | 107.50     |
| Totals                 |              | .50                                     |         | 107.50     |
| Total Labor            |              |   |         | 107.50     |
| Total this Phase       |              |   |         | \$107.50   |
| -----                  |              |   |         |            |
| Phase                  | 106          | Easement Considerations                 |         |            |
| Professional Personnel |              |   |         |            |
|                        |              | Hours                                   | Rate    | Amount     |
| Project Manager        |              | 6.00                                    | 196.00  | 1,176.00   |
| Totals                 |              | 6.00                                    |         | 1,176.00   |
| Total Labor            |              |   |         | 1,176.00   |
| Unit Billing           |              |   |         |            |
| (BSK) Mileage - Car    |              | 10.0 Miles @ 0.56                       |         | 5.60       |
| Total Units            |              |   |         | 5.60       |
| Total this Phase       |              |   |         | \$1,181.60 |
| -----                  |              |   |         |            |
| Phase                  | 107          | Public Informational Meeting            |         |            |
| Professional Personnel |              |   |         |            |
|                        |              | Hours                                   | Rate    | Amount     |
| Project Manager        |              | 3.50                                    | 196.00  | 686.00     |
| Totals                 |              | 3.50                                    |         | 686.00     |
| Total Labor            |              |   |         | 686.00     |
| Total this Phase       |              |   |         | \$686.00   |
| -----                  |              |   |         |            |
| Phase                  | 109          | Geotechnical Exploration and Evaluation |         |            |
| Professional Personnel |              |   |         |            |
|                        |              | Hours                                   | Rate    | Amount     |
| Engineer I             |              | .50                                     | 129.00  | 64.50      |
| Totals                 |              | .50                                     |         | 64.50      |
| Total Labor            |              |   |         | 64.50      |
| Total this Phase       |              |   |         | \$64.50    |
| Total this Invoice     |              |   |         | \$6,764.55 |



## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

---

|                          |  |
|--------------------------|--|
| <b>HEI Project No.:</b>  | <b>6025-0014</b>                         |
| <b>BCWRD Account No.</b> | <b>937 – Special Assessment Projects</b> |
| <b>Project Name:</b>     | <b>Sibley Island Flood Control</b>       |

---

**Billing Period:** *May 30, 2021 through June 30, 2021*

Professional engineering and surveying services related to the activities associated with the Sibley Island Flood Control Project and Specific Authorization #28.

**Tasks Completed:**

**Phase 101 – Preliminary Design**

- Evaluation of Landowner Requested Alternative Design and OPC

**Phase 102 – Site Survey and Landowner Contacts**

- Meeting with landowner regarding alternative alignment, location and impacts

**Phase 104 – Hydraulic Analysis and Report**

- Finalize Report

**Phase 105 – Regulatory Compliance**

- Letter to the USACE transmitting data for Section 408 permitting.
- Letter to SHPO to request office archeological alignment review.

**Phase 106 – Easement Considerations**

- Landowner discussion and property ROW needs and options.

**Phase 107 – Public Informational Meeting**

- Setting up report sections to address alignment changes and documents for appendices.

**Comments and Issues:**

- The Apple Creek flood insurance mapping impacted project alignment along the Township roadways and the properties within the special assessment district. The draft preliminary floodplain/floodway maps have been provided to community officials. *A separate public informational meeting is recommended to provide the revised mapping information to the residents in this area – likely to be held in August.*
- The project realignment has resulted in increased costs to complete the preliminary design and engineering report. This shifts the scope of services from the BCHD to the BCWRD for the revised design features. Therefore, the BCWRD budget will need to increase to accommodate that change. This does not influence the State Water Commission Cost Share submittal only who pays for these services.
- Revisiting the scope of services is required to set the next step in the design process.

**Invoice Summary**

|   |                    |
|---|--------------------|
| Phase 101 – Preliminary Design                      | \$ 2,741.25        |
| Phase 102 – Site Survey and Landowner Contacts      | \$ 1,720.00        |
| Phase 104 – Hydraulic Analysis and Report           | \$ 263.70          |
| Phase 105 – Regulatory Compliance                   | \$ 107.50          |
| Phase 106 – Easement Considerations                 | \$ 1,181.60        |
| Phase 107 – Public Informational Meeting            | \$ 686.00          |
| Phase 109 – Geotechnical Exploration and Evaluation | \$ 64.50           |
| <b>Total Invoice</b>                                | <b>\$ 6,764.55</b> |

See accompanying invoice for personnel cost breakdown.

**INVOICE****HoustonEngineering Inc.****Remit to:**1401 21<sup>st</sup> Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

Dennis Reep  
Burleigh County (ND) Water Resource District  
PO Box 1255  
Bismarck, ND 58502-1255

July 9, 2021

Invoice No: 0054680

Due Date: August 8, 2021

Project R146025-0018 Burleigh County WRD Drainage Complaints

BCWRD Account No.: 960

See attached Project Status Report and Invoice Description.

**Professional Services from September 27, 2020 to June 26, 2021**

Phase 000 General Inquires

**Professional Personnel**

|                         | Hours | Rate   | Amount |                 |
|-------------------------|-------|--------|--------|-----------------|
| Sr Project Manager      | 1.00  | 215.00 | 215.00 |                 |
| Totals                  | 1.00  |        | 215.00 |                 |
| <b>Total Labor</b>      |       |        |        | <b>215.00</b>   |
| <b>Total this Phase</b> |       |        |        | <b>\$215.00</b> |

Phase 031 Rainbow Acres Groundwater Complaint

**Professional Personnel**

|                           | Hours | Rate   | Amount   |                   |
|---------------------------|-------|--------|----------|-------------------|
| Sr Project Manager        | 3.25  | 215.00 | 698.75   |                   |
| Engineer I                | 5.50  | 129.00 | 709.50   |                   |
| Totals                    | 8.75  |        | 1,408.25 |                   |
| <b>Total Labor</b>        |       |        |          | <b>1,408.25</b>   |
| <b>Total this Phase</b>   |       |        |          | <b>\$1,408.25</b> |
| <b>Total this Invoice</b> |       |        |          | <b>\$1,623.25</b> |





HoustonEngineering Inc.

## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

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|                          |                            |
|--------------------------|----------------------------|
| <b>HEI Project No.:</b>  | <b>6025-0018</b>           |
| <b>BCWRD Account No.</b> | <b>960 Shared Projects</b> |
| <b>Project Name:</b>     | <b>Drainage Complaints</b> |

---

**Billing Period:** *September 27, 2021 through June 26, 2021*

Professional engineering and surveying services related to the evaluation of assigned drainage complaints.

### **General Inquires (000)**

Board review and response on inquiry from Jason Wetch east of England Street in South Bismarck. This was determined to be a non-jurisdictional and the issue referred to the Bismarck Floodplain Administrator for consideration.

### **Rainbow Acres Groundwater (031)**

Rainbow Acres Groundwater Complaint, review of plat, topography, soils conditions and conduct an initial review of options to remediate the groundwater concerns. The time includes only an initial draft of the memorandum and additional investigation was completed after the date of this invoice.

### **Comments:**

- The Rainbow Acres Groundwater Memorandum will be provided to the BCWRD at their July meeting. After which it could be provided to the residents.

|  |                    |
|--|--------------------|
| Phase (000) – General Inquires                 | \$ 215.00          |
| <u>Phase (031) – Rainbow Acres Groundwater</u> | <u>\$ 1,408.25</u> |
| <b>Total Invoice</b>                           | <b>\$ 1,623.25</b> |

**See accompanying invoice for personnel cost breakdown.**

# INVOICE

## Please Remit To:

Office of the State Auditor  
600 East Boulevard - Dept. 117  
Bismarck ND 58505-0400  
United States

Page:

1

Invoice No:

SA0000017154

Invoice Date:

06/11/2021

Customer Number:

8010

Payment Terms:

Due Immed

Due Date:

06/11/2021

## Bill To:

BURLEIGH COUNTY WATER RESOURCE DISTRICT  
Secretary  
1720 BURNT BOAT DR. STE 205  
BISMARCK ND 58503

AMOUNT DUE:

9,750.00 USD

Amount Remitted

For billing questions, please call 701-328-2241

| Line   | Adj | Identifier       | Description          | Quantity | UOM | Unit Amt | Net Amount |
|--|-----|------------------|----------------------|----------|-----|----------|------------|
| 1  |     | POLITICAL SUB    | Political Sub Audits | 1.00     | EA  | 9,750.00 | 9,750.00   |
|  |     | YEAR ENDED: 2020 |                      |          |     |          |            |
| PLEASE RETURN TOP PORTION WITH PAYMENT. THANK YOU! |     |                  |                      |          |     |          |            |
| SUBTOTAL:  |     |                  |                      |          |     |          | 9,750.00   |
| TOTAL AMOUNT DUE :                                 |     |                  |                      |          |     |          | 9,750.00   |


STANDARD

Original



P.O. Box 1255, Bismarck, ND 58502

|                    |                                     |                |                 |
|--------------------|-------------------------------------|----------------|-----------------|
| Claimants Name:    | <u>Dennis W. Reep</u>               | Position:      | <u>Chairman</u> |
| Claimants Address: | 2213 East Ave F, Bismarck, ND 58501 | Date Rendered: | 30-Jun-21       |

| Item | Date      | Materials Provided or Services Rendered   |  |  |  | Hours       | Mileage     | Misc       | Per Diem       | Total       |
|------|-----------|---|--|--|--|-------------|-------------|------------|----------------|-------------|
| 1    | 4/13/2021 | Burleigh WRD Meeting Prep   |  |  |  | 3           |             |            |                | 135         |
| 2    | 4/14/2021 | Burleigh WRD Meeting  |  |  |  | 3           |             |            |                | 135         |
| 3    | 4/23/2021 | ND WRD Legislative Committee Meeting  |  |  |  | 1           |             |            |                | 45          |
| 4    | 5/4/2021  | ND WRD Legislative Committee Meeting  |  |  |  | 1           |             |            |                | 45          |
| 5    | 5/8/2021  | Burleigh WRD Meeting Prep   |  |  |  | 3           |             |            |                | 135         |
| 6    | 5/12/2021 | Burleigh WRD Meeting  |  |  |  | 3           |             |            |                | 135         |
| 7    | 5/28/2021 | ND WRD Legislative Committee Meeting  |  |  |  | 0.5         |             |            |                | 22.5        |
| 8    | 6/2/2021  | Burleigh WRD Budget Meeting   |  |  |  | 2           |             |            |                | 90          |
| 9    | 6/6/2021  | Burleigh WRD Meeting Prep   |  |  |  | 3           |             |            |                | 135         |
| 10   | 6/9/2021  | Burleigh WRD Meeting  |  |  |  | 3           |             |            |                | 135         |
| 11   | 6/29/2021 | ND Water Education Tour   |  |  |  | 3           |             |            |                | 135         |
| 12   |           |   |  |  |  |             |             |            |                |             |
| 13   |           |  |  |  |  |             |             |            |                |             |
| 14   |           |   |  |  |  |             |             |            |                |             |
| 15   |           |   |  |  |  |             |             |            |                |             |
| 16   |           |   |  |  |  |             |             |            |                |             |
| 17   |           |   |  |  |  |             |             |            |                |             |
| 18   |           |   |  |  |  |             |             |            |                |             |
| 19   |           |   |  |  |  |             |             |            |                |             |
| 20   |           |   |  |  |  |             |             |            |                |             |
|      |           |   |  |  |  |             |             |            |                |             |
|      |           |   |  |  |  |             |             |            |                |             |
|      |           |   |  |  |  |             |             |            |                |             |
|      |           |   |  |  |  |             |             |            |                |             |
|      |           |   |  |  |  |             |             |            |                |             |
|      |           |   |  |  |  | Total Hours | Total Miles | Total Misc | Total Per Diem |             |
|      |           |   |  |  |  | 25.5        | 0           | 0          | 0              |             |
|      |           |   |  |  |  | \$ 1,147.50 | \$ -        | \$ -       | \$ -           | \$ 1,147.50 |

I DO HEREBY CERTIFY THAT THE WITHIN BILL, CLAIM, ACCOUNT OR DEMAND IS JUST AND TRUE; THAT THE MONEY HEREIN CHARGED WAS ACTUALLY PAID FOR THE PURPOSE HEREIN STATED; THAT THE SERVICES HEREIN CHARGED WERE ACTUALLY RENDERED AND OF THE VALUE THEREIN CHARGED, AND THAT NO PART OF SUCH BILL, CLAIM, ACCOUNT, OR DEMAND HAS BEEN PAID, AND THAT THE GOODS HEREIN CHARGED WERE ACTUALLY DELIVERED AND WERE OF THE VALUE CHARGED.

I CERTIFY THAT THE ABOVE CLAIM IS CORRECT AND THAT THE GOODS WERE RECEIVED OR SERVICES PERFORMED.

Dennis W. Reep

---

Chairman

*Amir Raza*

Sign Here

Firm or Company

## 1720 Burnt Boat Drive, Suite 205 – Bismarck, ND 58503

[illegible]

Sign Here James Landenberger

PO Box 1255 Bismarck ND 58502

Treasurer

7-3-21

**Address:** 1900 Harbor Dr Bismarck ND 58504

I DO HEREBY CERTIFY THAT THE WITHIN BILL, CLAIM, ACCOUNT OR DEMAND IS JUST AND TRUE; THAT THE MONEY HEREIN CHARGED WAS ACTUALLY PAID FOR THE PURPOSE HEREIN STATED; THAT THE SERVICES HEREIN CHARGED WERE ACTUALLY RENDERED AND OF THE VALUE THEREIN CHARGED, AND THAT NO PART OF SUCH BILL, CLAIM, ACCOUNT, OR DEMAND HAS BEEN PAID, AND THAT THE GOODS HEREIN CHARGED WERE ACTUALLY DELIVERED AND WERE OF THE VALUE CHARGED.

Rick Detweiler

*David Roberts*

Sign Here

Firm or Company



## 1720 Burnt Boat Drive, Suite 205 – Bismarck, ND 58503

Rendered: 2021

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