

MINUTES

**North Dakota State Water Commission
Telephone Conference Call Meeting
Bismarck, North Dakota**

April 20, 1989

The North Dakota State Water Commission held a conference call meeting in Bismarck, North Dakota, on April 20, 1989. Lt. Governor-Chairman, Lloyd Omdahl, called the meeting to order at 4:00 p.m., and requested State Engineer and Secretary, Vernon Fahy, to call the roll and present the agenda.

MEMBERS PRESENT:

Lt. Governor Lloyd Omdahl, Chairman
Joyce Byerly, Member from Watford City
Jacob Gust, Member from West Fargo
Lorry Kramer, Member from Minot
William Lardy, Member from Dickinson
Daniel Narlock, Member from Oslo, MN
Norman Rudel, Member from Fessenden
Jerome Spaeth, Member from Bismarck
Vernon Fahy, State Engineer and Secretary, North Dakota
State Water Commission, Bismarck

MEMBER ABSENT;

Sarah Vogel, Commissioner, Department of Agriculture, Bismarck

OTHERS PRESENT:

State Water Commission Staff Members

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

**SOUTHWEST PIPELINE PROJECT -
CONSIDERATION OF SOUTHWEST
PIPELINE CULTURAL RESOURCE
CONTRACT
(SWC Project No. 1736)**

On February 7, 1989, the State Water Commission sent requests for proposals to nine cultural resource contractors relative to cultural mitigation studies for the Southwest Pipeline Project. Secretary Fahy said the mitigation work is located along the first seven miles of the pipeline near Lake Sakakawea (Contract 2-1) and is related to an archeological site encountered north of Zap, ND. In 1987, the pipeline was rerouted

around the main archeological site, but federal regulations require additional work be performed in the rerouted area. Secretary Fahy said it is not possible to reroute around the present site without incurring equally costly cultural resource investigations, which are estimated to be \$100,000.

Secretary Fahy said responses to the proposal have been submitted by Larson-Tibesar Associates from Laramie, Wyoming for \$95,397.11, and from Mariah Associates, Inc., from Laramie, Wyoming, for \$144,557. Secretary Fahy commented that the other contractors, including the University of North Dakota, indicated they are fully committed to other work in 1989 and, therefore, did not submit a proposal.

The State Historical Society and the U.S. Bureau of Reclamation have reviewed the proposals for the cultural resource mitigation studies and indicated they are adequate to meet the federal requirements. It was the recommendation of the State Engineer that the State Water Commission consider approving the award of contract to Larson-Tibesar Associates, from Laramie, Wyoming.

Commissioner Lardy said it is important to identify the archeological sites but the State Water Commission and the public need to be advised of costs that are incurred when it is necessary to reroute the pipeline because of archeological concerns. Commissioner Lardy requested staff to provide a summary of the archeological costs involved to reroute the segment of the pipeline the Commission is considering, and any previous archeological costs that have been incurred for the Southwest Pipeline Project.

Dale Frink, Project Manager for the Southwest Pipeline Project, responded that approximately \$250,000 will have been expended in this area to reroute the pipeline and for the cultural resource studies. Mr. Frink stated the Commission will be provided a summary of the total archeological costs for the Southwest Pipeline Project at its next meeting.

It was moved by Commissioner Byerly and seconded by Commissioner Rudel that the State Water Commission approve the award of the contract for the mitigation requirements for sites 32ME797, 32ME847 and 32ME799-K of the Southwest Pipeline Project to Larson-Tibesar Associates, Laramie, Wyoming.

Commissioners Byerly, Gust, Kramer, Lardy, Narlock, Rudel, Spaeth, and Chairman Omdahl

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voted aye. There were no nay votes. The Chairman declared the motion unanimously carried.

It was moved by Commissioner Lardy, seconded by Commissioner Rudel, and unanimously carried, that the State Water Commission telephone conference call meeting adjourn at 4:15 p.m.



George A. Sinner
Governor-Chairman

SEAL

ATTEST:



Vernon Fahy
State Engineer and Secretary

April 20, 1989