

Outdoor Heritage Fund Grant Application



Instructions

After completing the form, applications and supporting documentation may be submitted by e-mail to ndicgrants@nd.gov. It is preferred that only electronic copies are submitted.

You are not limited to the spacing provided, except in those instances where there is a limit on the number of words. If you need additional space, please indicate that on the application form, answer the question on a separate page, and include with your submission.

The application and all attachments must be received by the application deadline. You may submit your application at any time prior to the application deadline. **Applicants are strongly encouraged to submit applications prior to the deadline for staff review in order ensure that proposals will be complete when submitted on deadline date.** Incomplete applications may not be considered for funding.

Please review the back of this form to determine project eligibility, definitions, budget criteria, and statutory requirements.

Project Name	McDowell Dam Supplemental Water Supply
Name of Organization	Burleigh County Water Resource District
Federal Tax ID#	45-0409352
Contact Person/Title	James Landenberger, Chairman
Address	P.O. Box 1255
City	Bismarck
State	North Dakota
Zip Code	58502-1255
E-mail Address	james.landenberger@bartwest.com
Web Site Address (If applicable)	www.bcwrld.org
Phone	701-221-8332

List names of co-applicants if this is a joint proposal: NA – This is not a joint proposal

MAJOR Directive:

Choose only one response

Directive A. Providing access to private and public lands for sportsmen, including projects that create fish and wildlife habitat and provide access for sportsmen;

Directive B. Improving, maintaining and restoring water quality, soil conditions, plant diversity, animal systems and by supporting other practices of stewardship to enhance farming and ranching;

Directive C. Developing, enhancing, conserving and restoring wildlife and fish habitat on private and public lands; and

Directive D. Conserving natural areas and creating other areas for recreation through the establishment and development of parks and other recreation areas.

Additional Directive:

Choose all that apply

Directive A.

Directive B.

Directive C.

Directive D.

Type of organization:

State Agency

Political Subdivision

Tribal Entity

Tax-exempt, nonprofit corporation.

Abstract/Executive Summary.

Summarize the project, including its objectives, expected results, duration, total project costs and participants. (no more than 500 words)

The Burleigh County Water Resource District (BCWRD) intends to construct a supplemental water supply for the McDowell Dam Reservoir to prevent the potential degradation of the natural habitat and loss of a valuable recreational resource during periods of continued drought. This degradation will adversely impact swimming, canoeing, kayaking, pedal boat and recreational concession activities. This is a major recreational facility that's use is increasing.

This project accomplishes the key objectives by providing a supplemental water supply by diverting appropriated waters from Apple Creek to the McDowell Dam reservoir. The McDowell Dam watershed is inadequate to maintain full service levels during extended droughts. Water quality also suffers during normal and low water levels, which negatively

impacts the shoreline habitat, fishery and overall public recreational value of the facility. By supplementing the water supply, service levels can be maintained and water quality maintained or improved. Water imported from Apple Creek will be treated prior to discharge into the reservoir to reduce the nitrogen and phosphorous loading.

Project Duration: It is anticipated design work could finish in late 2025 or early 2026 with bidding and construction in 2026 or possibly extend into 2027.

Indicate the intended schedule for drawing down OHF funds.

Anticipated schedule for drawing funds would be after contractor payments have been processed during the 2026 construction season with project completion potentially extending into the 2027 construction season for final payment.

Amount of Grant request: \$ 911,149.13

Total Project Costs: \$1,904,618.75

Note: in-kind and indirect costs can be used for matching funds.

Amount of Matching Funds: \$993,469.62

A minimum of 25% Match Funding is required. Indicate if the matching funds will be in-kind, indirect or cash. Please provide verification that these matching funds are available for your project. Note that effective as of July 1, 2015 no State General Fund dollars can be used for a match unless funding was legislatively appropriated for that purpose.

Amount of Match	Funding Source	Type of Match (Cash, In-kind or Indirect)
\$317,011.99	NDDWR Funding for Infrastructure in North Dakota	Cost Share Grant
\$676,457.63	Burleigh County Water Resource District	Cash (Local Share)
\$		
\$		
\$		
\$		

Certifications

X I certify that this application has been made with the support of the governing body and chief executive of my organization.

X I certify that if awarded grant funding none of the funding will be used for any of the exemptions noted in the back of this application.

Narrative

Organization Information – Briefly summarize your organization’s history, mission, current programs and activities.

Include an overview of your organizational structure, including board, staff and volunteer involvement. (no more than 300 words)

The Burleigh County Water Resource District (BCWRD) has a five-member Board of Commissioners, including a Chairman, Vice Chairman, Secretary/Treasurer and two Managers.

The general authorities of the BCWRD are described in ND Century Code Section 61-16.1-09. In addition to these broadly defined general authorities, the BCWRD has other specific and statutorily defined regulatory authorities.

The BCWRD was the original local sponsor for the construction of McDowell Dam by the Soil Conservation Service (now NRCS). In accordance with the 1975 project agreement, the BCWRD is the owner of the project and since its creation has acquired additional properties to expand this recreation area. The BCWRD is responsible for operation and maintenance throughout the projected 50 year project life, as well as after the agreement expires.

Purpose of Grant – Describe the proposed project identifying how the project will meet the specific directive(s) of the Outdoor Heritage Fund Program

Identify project goals, strategies and benefits and your timetable for implementation. Include information about the need for the project and whether there is urgency for funding. Indicate if this is a new project or if it is replacing funding that is no longer available to your organization. Identify any innovative features or processes of your project. Note: if your proposal provides funding to an individual, the names of the recipients must be reported to the Industrial Commission/Outdoor Heritage Fund. These names will be disclosed upon request.

For tree/shrub/grass plantings: provide a planting plan describing the site design, planting methods, number of trees/shrubs by species and stock size, grass species and future maintenance. A statement certifying that the applicant will adhere to USDA-NRCS tree/shrub/grass planting specifications along with the name of the governmental entity designing the planting may be substituted for a planting plan.

For projects including Section 319 funding: provide in detail the specific best management practices that will be implemented and the specific projects for which you are seeking funding.

For projects including fencing: A minimum cost share of 40% by the recipient is preferred. Include detailed information on the type of fencing to be installed, whether funding is requested for boundary fencing, new or replacement of existing fencing, and/or cross fencing.

The project's goal is to provide a supplemental water supply by diverting available waters from Apple Creek in the spring into the McDowell Dam reservoir. The ND State Engineer has allocated 50 acre-feet annually for such use. Water quality suffers during low reservoir levels, which negatively impacts the facility's public recreational value. The recreation area saw over 70,500 vehicles entering the site in in the first 9 months of 2025. By supplementing the reservoir's water supply from Apple Creek, full services levels can be maintained, and water quality will improve. The grant funding will help to preserve and protect the water levels and quality enjoyed by community residents.

Attachment A contains figures depicting a preliminary design layout. The BCWRD has finalized the routing of the intake line. Factors that determined the final route include cost, ease of construction, ease of access for operation and maintenance, and landowner willingness to grant an easement. All disturbed areas will be restored to preconstruction status. Additionally, trees will be placed near the project structures to enhance the aesthetic and provide a visual barrier for the pump station and treatment structure. Exact tree and shrub placements have not yet been determined; however, a planting plan will need to be developed as part of final facility design and easements.

The project will take an innovative approach by employing a water treatment facility to remove nitrogen and phosphorus from the waters being delivered from Apple Creek to and prevent additional detrimental nutrient loading in the reservoir.

If selected, this project will likely be designed, bid and constructed in 2026 with the possibility of construction extending into 2027.

Is this project part of a Comprehensive Conservation Plan? Yes No

If yes, provide a copy with the application.

Note: Projects involving buildings and infrastructure will only be considered if part of a Comprehensive Conservation Plan. Please refer to the "Definitions" section at the back of the form for more details.

Management of Project – Provide a description of how you will manage and oversee the project to ensure it is carried out on schedule and in a manner that best ensures its objectives will be met.

Include a brief background and work experience for those managing the project.

The project will be designed by Houston Engineering Inc. (HEI) as the BCWRD's engineering consultant. HEI is experienced in the design and construction of such projects. HEI has been providing guidance to the BCWRD on these facilities including the completion of a TMDL Study {2004}, a strategic plan {2005}, an alum treatment {2006} a supplemental water supply study {2009}, and various facility maintenance and improvements. The BCWRD has an onsite Park Manager as well as a contract with the Bismarck Parks and Recreation District to manage this facility. It has taken time for the BCWRD to accumulate the necessary funds, during which it has been fortunate that no extended drought has occurred.

Evaluation – Describe your plan to document progress and results.

Please be specific on the methods you will utilize to measure success. Note that regular reporting, final evaluation and expenditure reports will be required for every grant awarded.

Measuring the project’s success will consist of ensuring the system operation, including annual testing and maintenance to assure its ability to deliver waters to the McDowell Dam reservoir. The pipeline route will be monitored after its installation to ensure the natural plants and grasses are restored within any disturbed areas. Water quality testing for Apple Creek, the reservoir and discharges into the reservoir will be part of the operations process.

Financial Information

Project Budget – Use the table below to provide an itemized list of project expenses and describe the matching funds being utilized for this project.

Indicate if the matching funds are in the form of cash, indirect costs or in-kind services. The budget should identify all other committed funding sources and the amount of funding from each source. **A minimum of 25% match funding is required.** An application will be scored higher the greater the amount of match funding provided. (See Scoring Form.)

Certain values have been identified for in-kind services as detailed under “Budget Information” at the back of this form. Refer to that section and utilize these values in identifying your matching funds.

NOTE: No indirect costs will be funded. Supporting documentation for project expenses, including bids, must be included or application will be considered incomplete.

Project Expense	OHF Request	Applicant's Match Share (Cash)	Applicant's Match Share (In-Kind)	Applicant's Match Share (Indirect)	Other Project Sponsor's Share	Total Each Project Expense
Construction	\$895,11.07	\$298,370.36	\$	\$198,913.57	\$	\$1,392,395.00
Engineering Design/Permits	\$8,018.03	\$72,171.26	\$	\$59,049.21	\$	\$139,239.50
Construction Management	\$8,019.03	\$72,171.76	\$	\$59,049.21	\$	\$139,239.50
Contract Admin	\$0.00	\$69,619.75	\$	\$0.00	\$	\$69,619.75
Easements	\$0.00	\$164,125.00	\$	\$0.00	\$	\$164,125.00
	\$	\$	\$	\$	\$	\$
Total Costs	\$911,149.13	\$676,457.63	\$	\$317,011.99	\$	\$1,904,618.75

Note: Costs for seeding, fencing, pipelines, wells, and cover crops cannot exceed NRCS Field Office Tech Guide without justification. Projects involving perimeter fencing must follow NRCS eligibility standards.

Budget Narrative – Use the space below to provide additional detail regarding project expenses.

Applicant’s indirect match share is a cost share from the North Dakota Department of Water Resources through the Funding for Infrastructure in North Dakota program. The commission may provide cost sharing up to 40% for projects related to water-based recreation. Typical projects provide or compliment water based recreation associated with dams.

Sustainability – Indicate how the project will be funded or sustained in future years.

Include information on the sustainability of this project after OHF funds have been expended and whether the sustainability will be in the form of ongoing management or additional funding from a different source.

After construction, the BCWRD will be responsible for funding the Operations and Maintenance of the supplemental waters supply system. Routine maintenance assistance may be provided by the Bismarck Parks and Recreation District (BPRD) as part of the park management agreement.

Partial Funding – Indicate how the project will be affected if less funding is available than that requested.

If for some reason the grant is either not or only partially funded, BCWRD would work to consider other funding sources. There is the possibility of obtaining additional cost share through the North Dakota Department of Water Resources. The BCWRD has already contacted NDDWR to discuss this opportunity.

Partnership Recognition - If you are a successful recipient of Outdoor Heritage Fund dollars, how would you recognize the Outdoor Heritage Fund partnership? * *There must be signage at the location of the project acknowledging OHF funding when appropriate.*

Yes, preliminary plans are to place signs at the intake pump station and near the treatment facility. A news release will also be completed noting the project funding and intent. The implementation itself will not directly impact park operations.

Awarding of Grants - Review the appropriate sample contract for your organization on the website at <http://www.nd.gov/ndic/outdoor-infopage.htm>.

Can you meet all the provisions of the sample contract? X Yes No

If there are provisions in that contract that your organization is unable to meet, please indicate below what those provisions would be:

The BCWRD is willing to comply with the provisions of the sample contract.

ABOUT OHF:

The purpose of the North Dakota Outdoor Heritage Fund is to provide funding to state agencies, tribal governments, political subdivisions, and nonprofit organizations, with higher priority given to projects that enhance **conservation** practices in this state by:

Directive A. Providing access to private and public lands for sportsmen, including projects that create fish and wildlife habitat and provide access for sportsmen;

Directive B. Improving, maintaining and restoring water quality, soil conditions, plant diversity, animal systems and by supporting other practices of stewardship to enhance farming and ranching;

Directive C. Developing, enhancing, conserving and restoring wildlife and fish habitat on private and public lands; and

Directive D. Conserving natural areas and creating other areas for recreation through the establishment and development of parks and other recreation areas.

EXEMPTIONS

Outdoor Heritage Fund grants may not be used to finance the following:

- Litigation;
- Lobbying activities;
- Any activity that would interfere, disrupt, or prevent activities associated with surface coal mining operations; sand, gravel, or scoria extraction activities; oil and gas operations; or other energy facility or infrastructure development;
- The acquisition of land or to encumber any land for a term longer than twenty years; or
- Projects outside this state or projects that are beyond the scope of defined activities that fulfill the purposes of Chapter 54-17.8 of the North Dakota Century Code.

OHF funds may not be used, except after a finding of exceptional circumstances by the Industrial Commission, to finance:

- A completed project or project commenced before the grant application is submitted;
- A feasibility or research study;
- Maintenance costs;
- A paving project for a road or parking lot;
- A swimming pool or aquatic park;
- Personal property that is not affixed to the land;
- Playground equipment, except that grant funds may be provided for up to 25% of the cost of the equipment not exceeding \$10,000 per project and all playground equipment grants may not exceed 5% of the total grants per year (see Definitions/Clarifications for how this will be calculated);
- Staffing or outside consultants except for costs for staffing or an outside consultant to design and implement an approved project based on the documented need of the applicant and the expenditures may not exceed 5% of the grant to a grantee if the grant exceeds \$250,000 and expenditures may not exceed 10% of the grant to a grantee if the grant is \$250,000 or less (see Definitions/Clarifications for how this will be calculated);
- A building except for a building that is included as part of a comprehensive conservation plan for a new or expanded recreational project (see Definitions/Clarifications for definition of comprehensive conservation plan and new or expanded recreational project); or
- A project in which the applicant is not directly involved in the execution and completion of the project.

The goal of the Industrial Commission is that at a minimum 15% of the funding received for a biennium will be given priority for recreation projects that meet Directive D.

The following projects are not eligible for funding, unless there is a finding of exceptional circumstances by the Industrial Commission include:

- Construction or refurbishment of indoor/outdoor ice rinks,
- Construction or refurbishment of indoor/outdoor athletic courts and sports fields,
- Other substantially similar facilities.
- Infrastructure that is not part of a comprehensive conservation plan.
- Projects not meeting a minimum funding request of \$2,500.

Budget Information

In-kind services used to match the request for Outdoor Heritage Fund dollars shall be valued as follows:

- Labor costs \$15.00 an hour
- Land costs Average rent costs for the county as shown in the most recent publication of the USDA, National Agricultural Statistics Services, North Dakota Field Office
- Permanent Equipment Any equipment purchased must be listed separately with documentation showing actual cost. (For example: playground equipment)
- Equipment usage Actual documentation
- Seed & Seedlings Actual documentation
- Transportation Mileage at federal rate
- Supplies & materials Actual documentation

More categories will be added as we better understand the types of applications that will be submitted. We will use as our basis for these standards other State and Federal programs that have established rates. For example, the North Dakota Nonpoint Source Pollution Management Program has established rates. If your project includes work that has an established rate under another State Program, please use those rates and note your source.

Definitions/Clarifications:

Building - Defined as "A structure with a roof either with walls or without walls and is attached to the ground in a permanent nature."

Comprehensive Conservation Plan - Defined as "A detailed plan that has been formally adopted by the governing board which includes goals and objectives--both short and long term, must show how this building will enhance the overall conservation goals of the project and the protection or preservation of wildlife and fish habitat or natural areas." This does not need to be a complex multi-page document. It could be included as a part of the application or be an attachment.

New and Expanded Recreational Project means that the proposed building cannot be a replacement of a current building. The proposed building must also be related to either a new or expanded recreational project--either an expansion in land or an expansion of an existing building or in the opportunities for recreation at the project site.

Playground equipment calculation - Only the actual costs of the playground equipment (a bid or invoice showing the amount of the equipment costs must be provided) - cannot include freight or installation or surface materials or removal of old equipment, etc.

Staffing/Outside Consultants Costs - If you are requesting OHF funding for staffing or for an outside consultant, you must provide information in your application on the need for OHF funding to cover these costs. For example, if you are an entity that has engineering staff you must explain why you don't have

sufficient staff to do the work or if specific expertise is needed or whatever the reason is for your entity to retain an outside consultant. If it is a request for reimbursement for staff time then a written explanation is required in the application of why OHF funding is needed to pay for the costs of that staff member(s) time. **The budget form must reflect on a separate line item the specific amount that is being requested for staffing and/or the hiring of an outside consultant.** This separate line item will then be used to make the calculation of 5% or 10% as outlined in the law. Note that the calculation will be made on the grant less the costs for the consultant or staff.

Maintenance – Activities that preserve or keep infrastructure in a given existing condition, including repairs. Repair means to restore to sound condition after damage, to renew or refresh; except repairs due to damage caused by Acts of God.

Scoring of Grants

Oral Presentation. Please note that you will be given an opportunity to make a ten-minute Oral Presentation at a meeting of the Outdoor Heritage Fund Advisory Board. These presentations are strongly encouraged.

Open Record. Please note that your application and any attachments will be open records as defined by law and will be posted on the Industrial Commission/Outdoor Heritage Fund website.

All applications will be scored by the Outdoor Heritage Fund Advisory Board after your ten-minute oral presentation. The ranking form that will be used by the Board is available on the website at <http://www.nd.gov/ndic/outdoor-infopage.htm> .

Awarding of Grants

All decisions on requests will be reported to applicants no later than 30 days after Industrial Commission consideration. The Commission can set a limit on duration of an offer on each application or if there isn't a specific date indicated in the application for implementation of the project, then the applicant has until the next Outdoor Heritage Fund Advisory Board regular meeting to sign the contract and get the project underway or the commitment for funding will be terminated and the applicant may resubmit for funding. Applicants whose proposals have been approved will receive a contract outlining the terms and conditions of the grant.

Responsibility of Recipient

The recipient of any grant from the Industrial Commission must use the funds awarded for the specific purpose described in the grant application and in accordance with the contract. The recipient cannot use any of the funds for the purposes stated under Exemptions on the first page of this application.

If you have any questions about the application, the Commission can be reached at 701-328-3722 or ndicgrants@nd.gov.

Revised: November 4, 2019, April 12, 2023