

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2127

To forgive certain debt owed by the city of Dickinson, North Dakota.

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IN THE SENATE OF THE UNITED STATES

JUNE 2, 1998

Mr. CONRAD (for himself and Mr. DORGAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To forgive certain debt owed by the city of Dickinson, North Dakota.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. FINDINGS.**

4       Congress finds that—

5               (1) the Bureau of Reclamation constructed  
6       structures known as the bascule gates on top of the  
7       Dickinson Dam on the Heart River, North Dakota,  
8       to provide additional water supply in the reservoir  
9       known as Patterson Lake for the city of Dickinson,

1 North Dakota, and for additional flood control and  
2 other benefits;

3 (2) the gates had to be significantly modified in  
4 1982 because of damage resulting from a large ice  
5 block causing excessive pressure on the hydraulic  
6 system, causing the system to fail;

7 (3) since 1991, the City has received its water  
8 supply from the Southwest Water Authority, which  
9 provides much higher quality water from the South-  
10 west Pipeline Project;

11 (4) the City now receives almost no benefit  
12 from the bascule gates because the City does not re-  
13 quire the additional water provided by the bascule  
14 gates for its municipal water supply;

15 (5) the City has repaid more than \$1.1 million  
16 to the United States for the construction of the bas-  
17 cule gates, and has been working for several years  
18 to reach an agreement with the Bureau of Reclama-  
19 tion to alter its repayment contract;

20 (6) the City has a longstanding commitment to  
21 improving the water quality and recreation value of  
22 the reservoir and has been working with the United  
23 States Geological Survey, the North Dakota Depart-  
24 ment of Game and Fish, and the North Dakota De-  
25 partment of Health to improve water quality; and

1           (7) it is in the public interest to relieve the  
2           United States from further risk or obligation in con-  
3           nection with the collection of construction costs for  
4           the bascule gates by providing for a single payment  
5           to the United States in lieu of the scheduled annual  
6           payments and for the termination of any further re-  
7           payment obligation.

8 **SEC. 2. DEFINITION.**

9           In this Act:

10           (1) **BASCULE GATES.**—The term “bascule  
11           gates” means the structure constructed on the Dam  
12           to provide additional water storage capacity in the  
13           Lake.

14           (2) **CITY.**—The term “City” means the city of  
15           Dickinson, North Dakota.

16           (3) **DAM.**—The term “Dam” means Dickinson  
17           Dam on the Heart River, North Dakota.

18           (4) **LAKE.**—The term “Lake” means the res-  
19           ervoir known as “Patterson Lake” in the State of  
20           North Dakota.

21           (5) **SECRETARY.**—The term “Secretary” means  
22           the Secretary of the Interior, acting through the  
23           Commissioner of the Bureau of Reclamation.

1 **SEC. 3. FORGIVENESS OF DEBT.**

2 (a) IN GENERAL.—The Secretary shall accept a 1-  
3 time payment of \$150,000 in lieu of the existing repay-  
4 ment obligations of the City under the Bureau of Reclama-  
5 tion Contract No. 9-07-60W0384, dated December 19,  
6 1988.

7 (b) OWNERSHIP.—Title to the Dam and bascule  
8 gates shall remain with the United States.

9 (c) COSTS.—

10 (1) IN GENERAL.—In consultation with the City  
11 and the State of North Dakota, the Secretary shall  
12 reallocate responsibility for the operation and main-  
13 tenance costs of the Dam and bascule gates.

14 (2) CONSIDERATION OF BENEFITS.—The re-  
15 allocation of costs shall reflect the fact that the ben-  
16 efits of the Dam and bascule gates are mainly for  
17 flood control, recreation, and fish and wildlife pur-  
18 poses.

19 (d) WATER QUALITY.—

20 (1) IN GENERAL.—The Secretary shall enter  
21 into an agreement with the City to make activities  
22 to improve water quality of the Lake and to enhance  
23 the recreational value of the Lake the responsibility  
24 of the City .

1           (2) ASSISTANCE.—The City may seek the as-  
2           sistance of Federal agencies to assist in improving  
3           the water quality of the Lake.

4           (e) WATER SERVICE CONTRACTS.—The Secretary  
5           may enter into appropriate water service contracts if the  
6           City seeks to use water from the Lake for municipal water  
7           supply or other purposes.

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