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Judge rules construction on pipeline may continue

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North Dakota may go ahead with plans to lay 14.9 miles of pipeline between Minot and Lake Sakakawea as part of an effort to supply lake water to northwestern North Dakota, a federal judge ruled.

In a decision filed Friday, U.S. District Judge Rosemary Collyer said North Dakota's Water Commission may continue building elements of the Northwest Area Water Supply project, if it can show the work will not affect the project's water sanitizing options.

Manitoba is challenging the project in federal court in Washington, D.C., with provincial officials saying it has not received adequate environmental review and could harm Canadian waters. The NAWS service area in north-central and northwestern North Dakota is within Manitoba's watershed.

Manitoba had asked Collyer to stop construction until a more thorough environmental review was completed. The judge, in her seven-page decision Friday, said the province's concerns merited “scrupulous attention to the manner and timing of NAWS construction.”

“Still, a respect for these concerns does not demand a blanket injunction, preventing all activity in furtherance of NAWS,” she wrote.

Jim Lennington, the project's manager, said Friday that as many as three years' worth of work could be done

without choosing an option for water treatment.

“It's as good as we could have hoped for at this point,” Lennington said of Collyer's decision.

For example, a booster pump station near Max, in northern McLean County, and a pump station at the Minot water treatment plant for pumping drinkable water will be needed for the project, regardless of the method used for sanitizing the water, Lennington said.

Last month, the Water Commission awarded a contract to lay 14.9 miles of pipeline from Max south to Lake Sakakawea, from which the pipeline water will be drawn. Construction should be completed late this fall.

The \$145 million project is intended to bring lake water to Minot and communities in northwestern and north-central North Dakota. The newest pipeline segment, which will complete a 45-mile pipeline stretching from the lake to Minot, will cost about \$10.5 million.

Gov. John Hoeven praised the ruling. The pipeline is “an environmentally sound project that will bring high-quality water to the people of northwestern North Dakota,” Hoeven said in a statement issued late Friday.

Sen. Kent Conrad, D-N.D., called the decision “a big win.”

“It is unfortunate that Manitoba, as a neighbor, has chosen to attack this critical project in the courts,” Conrad said in a statement.