

STENEHJEM PRAISES COURT'S NAWS RULING

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BISMARCK, ND – The 2002 legal challenge to the Northwest Area Water Supply project has likely come to an end, announced Attorney General Wayne Stenehjem. In an [opinion \(/sites/ag/files/documents/MediaAttachments/2019-05-03-NAWS-Order.pdf\)](/sites/ag/files/documents/MediaAttachments/2019-05-03-NAWS-Order.pdf) issued this morning, the DC Circuit Court ruled in favor of North Dakota and the Bureau of Reclamation, ending over 16 years of litigation, barring a last-ditch appeal to the US Supreme Court.

In August 2017, the District Court in Washington, DC concluded that the Environmental Impact Statement for the NAWS project met the requirements of the National Environmental Protection Act (NEPA) and that Missouri did not have legal standing to bring suit. Both Manitoba and Missouri appealed the decision, though Manitoba later dismissed its appeal. Missouri's appeal continued.

The Court's ruling ended the "most recent leg of the litigation marathon" by affirming the lower court decision that Missouri did not have standing to sue the federal government in this case.

The NAWS project will bring much-needed water from the Missouri River to Minot and surrounding counties in northwest North Dakota. The State Water Commission and Bureau of Reclamation began construction on the NAWS project in early 2002. Though much of the distribution system and supply pipelines have been constructed, litigation and various injunctions have hampered efforts over the last decade to complete the project.

"This is a significant and long-sought victory for the citizens of North Dakota," said Stenehjem. "The State has gone to extraordinary lengths to ensure the safe and successful completion of this project, and it is encouraging to finally move towards the goal of bringing a safer and more reliable source of drinking water to the citizens of Minot and the surrounding counties."

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