



Water Efficiency and Conservation Long Form Scorecard: *North Dakota*

The following Scorecard is an extended version of the Scorecard included in the *2017 Water Efficiency and Conservation State Scorecard: An Assessment of Laws*. A total of 75 possible points could be earned from the water efficiency and conservation questions. Another 14 points in extra credit could be earned for having particular additional requirements under certain questions. After each question was scored, the total was summed and states were assigned a grade based on the Grading Scale. Additional information about the rubric and scoring methodology is available in Section III of the report.

Grade: D

Grading Scale	
A+	67 to 75
A	58 to 66
A-	49 to 57
B+	40 to 48
B	31 to 39
B-	26 to 30
C+	21 to 25
C	16 to 20
C-	11 to 15
D+	6 to 10
D	1 to 5
*.5's round up	

Question	Points	Possible points
1. What state agency or agencies are in charge of drinking water conservation/efficiency?	2	2
2. Does the state have a water consumption regulation for toilets (that is more stringent than the federal standard)?	0	3
Yes or no?	0	2
<i>Extra Credit #1: Yes and the fixture is subject to a replacement mandate in law</i>	0	1
3. Does the state have a water consumption regulation for showerheads (that is more stringent than the federal standard)?	0	3
Yes or no?	0	2
<i>Extra Credit #2: Yes and the fixture is subject to a replacement mandate in law</i>	0	1
4. Does the state have a water consumption regulation for urinals (that is more stringent than the federal standard)?	0	3
Yes or no?	0	2
<i>Extra Credit #3: Yes and the fixture is subject to a replacement mandate in law</i>	0	1
5. Does the state have a water consumption regulation for clothes washers (that is more stringent than the federal standard)?	0	3
Yes or no?	0	2
<i>Extra Credit #4: Yes and the appliance is subject to a replacement mandate in law</i>	0	1
6. Does the state have a water consumption regulation for pre-rinse spray valves (that is more stringent than the federal standard)?	0	3
Yes or no?	0	2
<i>Extra Credit #5: Yes and the fixture is subject to a replacement mandate in law</i>	0	1
7. Do state building codes or plumbing codes require use of water efficient products (that exceed the federal standard)?	0	3

Question	Points	Possible points
8. Does a state statute(s)/regulation(s) limit water loss in utility distribution systems?	0	15
(a) Yes or no? If yes, what is the requirement?	0	2
<i>Extra Credit #6: State is leveraging state-funding for M36-compliant technical assistance to water systems in support of an existing or potential mandate</i>	0	2
(b) To what water suppliers do the laws apply?	0	2
(c) If there is a numeric limit on leakage or a formula for calculating acceptable levels of leakage, what is it?	0	2
(d) Is submitting audit information required?	0	1
(d)(i) If yes, at what frequency must it be submitted?	0	2
(d)(ii) If yes, is audit data validation required?	0	1
<i>Extra Credit #7: Audits are required to be conducted using the AWWA Free Water Audit Software</i>	0	1
(e) Is leak detection required?	0	1
(f) Is leak correction required?	0	1
9. Does a state statute(s)/regulation(s) require water suppliers to plan and/or implement conservation measures as a condition of a water right permit?	0	15.5
Yes or no? If yes, what is the requirement?	0	2.5
(a) To what water suppliers do the laws apply?	0	2
(b) Is preparing a water conservation plan a prerequisite to obtaining a water right permit?	0	1
(c) Does a state statute(s)/regulation(s) identify required contents of that plan?	0	1
(d) Does a state statute(s)/regulation(s) require the water supplier to incorporate stakeholders in plan development?	0	1
(e) Does a state statute(s)/regulation(s) require the state to evaluate the sufficiency of that plan?	0	1
(f) Does a state statute(s)/regulation(s) identify criteria for evaluating the sufficiency of that plan?	0	1
<i>Extra Credit #8: Especially detailed or pointed set of criteria</i>	0	2
(g) Does a state statute(s)/regulation(s) require that plan to be incorporated into the permit as an enforceable condition?	0	2
(h) Does a state statute(s)/regulation(s) condition approval of municipal water permits/licenses on adoption and/or implementation of water conservation measures?	0	2
10. Does a state statute(s)/regulation(s) require water suppliers to develop a drought preparedness plan?	0	10.5
(a) Yes or no? If yes, what is the requirement?	0	2.5
(b) Does a state statute(s)/regulation(s) identify required content regarding drought in such a plan?	0	1
(c) Does a state statute(s)/regulation(s) require the water supplier to incorporate stakeholders in plan development?	0	1
(d) Does a state statute(s)/regulation(s) require the state to evaluate the sufficiency of that plan?	0	1
(e) Does a state statute(s)/regulation(s) identify criteria for evaluating the sufficiency of that plan?	0	1
(f) How often must a drought preparedness plan be updated?	0	2
<i>Extra Credit #9 & #10: For significantly promoting adaptive management and/or for an exceptionally robust framework of what a drought plan must contain and frequent update requirements</i>	0	2

Question	Points	Possible points
11. Independent of a water right permitting process and drought plans, does a state statute(s)/regulation(s) require water suppliers to develop plans for water conservation and/or efficiency?	0	14
Yes or no?	0	1
(a) To what water suppliers do the laws apply?	0	1.5
(b) Does a state statute(s)/regulation(s) identify required contents of those plans?	0	1
<i>Extra Credit #11: Exceptionally robust framework of what a plan must contain</i>	0	1
(d) Does a state statute(s)/regulation(s) require the state to draft guidelines to aid water suppliers in preparing the plans?	0	1
(e) Does a state statute(s)/regulation(s) require the water supplier to incorporate stakeholders in plan development?	0	1
(f) Does a state statute(s)/regulation(s) require the state to evaluate the sufficiency of those plans?	0	1
(g) Does a state statute(s)/regulation(s) identify criteria for evaluating the sufficiency of those plans?	0	1
(h) How often must those plans be updated?	0	2
(i) Does a state statute(s)/regulation(s) explicitly require implementation of plans or other water conservation measures?	0	1
(j) Does a state statute(s)/regulation(s) require water suppliers to: identify financial resources and/or legal authorities necessary for plan implementation, prepare implementation schedules, and/or submit progress reports to the state?	0	1.5
(k) Does a state statute(s)/regulation(s) allow the state to penalize, fine, revoke permits from, or withhold privileges from a water supplier for not implementing those plans?	0	1
12. Does the state offer financial assistance other than DW SRFs to utilities, cities, or counties for urban water conservation?	1	5
13. Does the state offer technical assistance for urban water conservation programs?	2	3
Online resources	1	1
Direct technical assistance	1	1
<i>Extra Credit #12: Other technical assistance</i>	0	1
14. Does a statute(s)/regulation(s) require water connections that are part of a public supply to be metered?	0	2
15. Does a statute(s)/regulation(s) require water suppliers to implement volumetric billing?	0	2
16. Does a statute(s)/regulation(s) require rate structures explicitly designed to encourage water conservation?	0	2
Total	5	89*

*89 is the absolute maximum number of points available when the base point value of 75 and the additional 14 extra credit points are taken together.



Climate Resiliency Long Form Scorecard: *North Dakota*

The following Scorecard is an extended version of the Scorecard included in the *2017 Water Efficiency and Conservation State Scored: An Assessment of Laws*. The questions below establish an “either, or” structure wherein states could receive points *either* for having a plan, *or* for a legal framework that was comparable to a plan. States with plans could receive a maximum of 28 points and states without a plan could received a maximum of 25 points. These total possible points include points awarded for extra credit offered under select questions. After each question was scored, the total was summed and states were assigned a grade based on the Grading Scale. Additional information about the rubric and scoring methodology is available in Section III of the report.

Grading Scale	
A+	23 to 25
A	20 to 22
A-	18 to 19
B+	15 to 17
B	13 to 14
B-	11 to 12
C+	8 to 10
C	5 to 7
C-	3 to 5
D+	1 to 2
D	0
*.5's round up	

Grade: D

Question	Points	Possible Points
1. Does the state have a climate action, adaptation, or resiliency plan?	0	5
If Yes:	0	15
What water resource management goals does it include, if any?	0	5
On what water supply-related impacts, if any, of climate change or changing weather patterns does the plan focus?	0	4
What agencies, organizations, or stakeholders are responsible for implementing the water resources strategies in the plan?	0	1
<i>Extra credit #1: Well aligned strategies/plans among agencies, between agency and state plans, and/or between stakeholders</i>	0	1
How often is the plan updated?	0	2
<i>Extra credit #2: An especially robust combination of enforcement provisions and requirements</i>	0	2
If No:	0	12
What state statute(s)/regulation(s), if any, provide legal authority or requirements regarding climate action or resiliency?	0	1
What water resource management goals does it include, if any?	0	5
On what water supply-related impacts, if any, of climate change or changing weather patterns does the plan focus?	0	4
<i>Extra credit #3: An especially robust combination of enforcement provisions and requirements</i>	0	2
2. Does the state require any climate change-related actions of the water and/or wastewater industries in:	0	5
Resiliency plans?	0	2.5
Statutes/regulations?	0	2.5
3. Does the state have specific benchmarks against which it measures progress toward increased water resource resiliency?	0	3
Total	0	28