

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven**

SENATE CONCURRENT RESOLUTION NO. 4058  
(Senators Traynor, G. Nelson, Mathern, Thompson)  
(Representatives Dorso, Boucher)  
(Approved by the Delayed Bills Committee)

A concurrent resolution expressing the consensus of the Legislative Assembly and urging the United States Army Corps of Engineers to design and construct the emergency outlet for Devils Lake.

**WHEREAS**, the primary and most critical water management problem in the Devils Lake Basin is the flooding of Devils Lake; and

**WHEREAS**, this flooding is causing economic, social, and other hardships to the citizens of the Devils Lake Basin; and

**WHEREAS**, the fifth year of flooding is causing critical impacts to all resources, creating an emergency; and

**WHEREAS**, the Governor has declared that an emergency due to the disastrous flooding conditions exists within the State of North Dakota; and

**WHEREAS**, the state has initiated an emergency response plan which includes infrastructure preservation, upper basin water storage, and an outlet; and

**WHEREAS**, the United States Army Corps of Engineers has announced, in a plan dated August 12, 1996, an emergency outlet to reduce the flooding problems at Devils Lake; and

**WHEREAS**, this plan was developed after consideration of a number of criteria, including engineering feasibility, availability of information, relative effectiveness, views of the Spirit Lake Nation, costs, environmental impacts, downstream concerns, and construction time; and

**WHEREAS**, more than a dozen meetings were held within the Devils Lake Basin and downstream along the Sheyenne and Red Rivers during the fall of 1996 to gather public comment and questions about the United States Army Corps of Engineers' plan; and

**WHEREAS**, the United States Army Corps of Engineers' plan, after broad review, is judged to offer the best balance among the above criteria and consists of pumping Devils Lake water over the divide between Devils Lake and the Sheyenne River via the Twin Lakes outlet route; and

**WHEREAS**, in order to move forward the United States Army Corps of Engineers requires consensus on the part of state and local political leaders for this project; and

**WHEREAS**, the state is committed to a comprehensive solution to this flood emergency situation, including infrastructure preservation and restoration, upper basin water storage, and an outlet;

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That the Fifty-fifth Legislative Assembly has reached consensus and approves of and urges the United States Army Corps of Engineers to move forward with the design and construction of the Twin Lakes Devils Lake outlet or the Peterson Coulee outlet; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to the Assistant Secretary of the United States Army for Civil Works and to each member of the North Dakota Congressional Delegation.

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1997,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State