

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE CONCURRENT RESOLUTION NO. 4034

Introduced by

Senators Tomac, Freborg

Representatives Grosz, Mahoney

1 A concurrent resolution urging the United States Army Corps of Engineers to include provisions
2 for the protection of recreation, municipal, industrial, irrigation, and other interests on the
3 Missouri River in North Dakota in developing a revised master manual for the future operation
4 of the Pick-Sloan Project.

5 **WHEREAS**, the Flood Control Act of 1944, as amended, assured benefits to all 10
6 states within the Missouri River Basin under a control and management program that came to
7 be commonly known as the Pick-Sloan Project; and

8 **WHEREAS**, the Congress of the United States has directed the United States Army
9 Corps of Engineers to build, operate, and maintain all the features of the Pick-Sloan Project;
10 and

11 **WHEREAS**, the Pick-Sloan Project provides major flood control benefits, recreational
12 benefits, water supply benefits, hydropower benefits, and navigational benefits for the
13 downstream states of Iowa, Nebraska, Missouri, and Kansas through construction of large
14 reservoirs in states lying upstream from these states, and by channelizing the Missouri River
15 from Sioux City, Iowa, to St. Louis, Missouri, at federal expense; and

16 **WHEREAS**, the Pick-Sloan Project reservoirs have been in place for many years, thus
17 providing the downstream states in the Missouri River Basin all of the benefits promised in the
18 Pick-Sloan Project; and

19 **WHEREAS**, construction of facilities under the Pick-Sloan Project has, to date, resulted
20 in \$10.6 billion of flood protection to downstream interests and has allowed these downstream
21 interests to develop the original floodplain of the Missouri River for industrial, municipal, and
22 agricultural uses; and

23 **WHEREAS**, under the Pick-Sloan Project, North Dakota has sacrificed over 550,000
24 acres of land, which has meant the permanent loss of 2,641 jobs, \$45 million of annual
25 personal income, and \$131 million of annual gross business volume; and

1 **WHEREAS**, the United States Army Corps of Engineers is now in the process of
2 revising its master manual for the operation of the entire Pick-Sloan Project in future years; and

3 **WHEREAS**, the construction of the Pick-Sloan Project has divided the Missouri River in
4 North Dakota into four distinct regions, namely, the Missouri River reach above Williston, Lake
5 Sakakawea, the Missouri River reach from Garrison Dam to the headwaters of Lake Oahe, and
6 Lake Oahe; and

7 **WHEREAS**, as the recreation industry on the Missouri River mainstem in North Dakota,
8 which has developed into a \$67 million per year industry, suffered severely when the United
9 States Army Corps of Engineers allowed lake levels to drop drastically during the drought of the
10 late 1980s and the early 1990s; and

11 **WHEREAS**, the United States Army Corp of Engineers, in its new proposed operation
12 plan called the Missouri River Master Manual Preferred Alternative, is planning to allow Lake
13 Sakakawea to drop to 1,775 feet mean sea level and Lake Oahe to 1,540 feet mean sea level
14 in future drought years, thereby again severely damaging North Dakota's recreation industry;
15 and

16 **WHEREAS**, the riverbanks in the Garrison Dam to Oahe Reservoir reach consist of
17 ancient floodplain deposits that have been and will be severely eroded with great loss of
18 valuable land whenever high water flows are released from Garrison Dam; and

19 **WHEREAS**, the irrigators, fishermen, boaters, industrial, and municipal water intakes,
20 dredged channels, and marinas have all utilized the moderate summer river levels of the
21 Garrison to Oahe reach both before and after the construction of the Garrison Dam; and

22 **WHEREAS**, the United States Army Corps of Engineers, in its proposed master manual,
23 is proposing high spring releases every third year and these releases will cause severe bank
24 erosion and loss of much valuable land; and

25 **WHEREAS**, the United States Army Corps of Engineers is also proposing very low
26 water releases during the summer to allow endangered shore birds to nest, which will seriously
27 affect many irrigators, recreation users, water intakes, dredged channels, and marinas;

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

1 That the Fifty-fifth Legislative Assembly requests the United States Army Corps of
2 Engineers to respect the large sacrifice North Dakota has made in order that the Pick-Sloan
3 Project could be built; and

4 **BE IT FURTHER RESOLVED**, that the United States Army Corps of Engineers, in its
5 new master manual, provide for Lake Sakakawea minimum levels of at least 1,802 feet mean
6 sea level and Lake Oahe levels of at least 1,569 feet mean sea level, so that North Dakota's
7 flourishing recreation industry may continue to operate; and

8 **BE IT FURTHER RESOLVED**, that the United States Army Corps of Engineers, in its
9 master manual, delay any unnecessary high and very high water releases on the free flowing
10 reaches of the Missouri River, which cause the unnecessary loss of valuable land and an
11 increase in flood damage until such time when the riverbanks are protected; and

12 **BE IT FURTHER RESOLVED**, that the United States Army Corps of Engineers more
13 evenly balance the needs of endangered species in the Upper Missouri River Basin with the
14 requirements for water supply, the reduction of bank erosion, recreation, and flood control in the
15 free flowing stretches of the Missouri River; and

16 **BE IT FURTHER RESOLVED**, that the Governor, members of the North Dakota
17 Congressional Delegation, the State Engineer and staff, director of the Game and Fish
18 Department and staff, and many others be commended for their efforts to date and be urged to
19 continue to work diligently at the local and national levels to influence the United States Army
20 Corps of Engineers to adopt a master manual for the future operation of the Missouri River that
21 is acceptable to all areas and interests on the Missouri River in North Dakota; and

22 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this
23 resolution to the Division Commander of the Missouri River Division of the United States Army
24 Corps of Engineers in order to be part of the public record for the Missouri River Master Manual
25 Draft Environmental Impact Statement; the Secretary of the Army; the Secretary of the Interior;
26 the District Engineer, Omaha District, United States Army Corps of Engineers; the Governor;
27 each member of the State Water Commission; and each member of the North Dakota, South
28 Dakota, Wyoming, and Montana Congressional Delegations.