

**SENATE CONCURRENT RESOLUTION NO. 4058**

Introduced by

Senators Traynor, G. Nelson, Mathern, Thompson

Representatives Dorso, Boucher

(Approved by the Delayed Bills Committee)

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

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

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

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

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

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

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

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

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

23 **WHEREAS**, the United States Army Corps of Engineers' plan, after broad review, is  
24 judged to offer the best balance among the above criteria and consists of pumping Devils Lake

1 water over the divide between Devils Lake and the Sheyenne River via the Twin Lakes outlet  
2 route; and

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

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

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

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

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