

**Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE CONCURRENT RESOLUTION NO. 3021
(Representative D. Johnson)
(Senator Kreun)

A concurrent resolution urging Congress and the President of the United States to fulfill the federal government's promises to North Dakota, allow the utilization of the Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water supply for eastern and central North Dakota, irrigation, and for all other authorized project purposes, not deauthorize or repurpose any part of the Garrison Diversion Unit, and to allow the continuation of the Garrison Diversion project canal system to aid the delivery of water to the Red River Valley.

WHEREAS, the federal government invested millions of dollars designing and constructing the Garrison Diversion Unit; and

WHEREAS, the federal government promised North Dakota one million acres of irrigation and a water supply for eastern and central North Dakota, among other things, in exchange for hundreds of thousands of acres of prime river bottom land to build the Garrison Dam, a promise that has never been fulfilled; and

WHEREAS, the operation of the Garrison Diversion Unit does not violate the Boundary Waters Treaty of 1909 with Canada; and

WHEREAS, the Dakota Water Resources Act of 2000 recognizes the dire need for a reliable, high-quality water supply in eastern North Dakota; and

WHEREAS, after studies and reports authorized under the Dakota Water Resources Act of 2000, the United States Bureau of Reclamation's needs and options report clearly concluded there is a significant need for a municipal, rural, and industrial water supply in eastern North Dakota; and

WHEREAS, the environmental impact statement, developed jointly by the Bureau of Reclamation and North Dakota, represented by the Garrison Diversion Conservancy District, further identifies the Missouri River as the most reliable water source and utilizing the Garrison Diversion Unit principal supply works as the most cost-effective way to supply the needed water to eastern North Dakota; and

WHEREAS, a report by the United States Department of the Interior's Office of Inspector General recommended the Garrison Diversion Unit be deauthorized by the federal government; and

WHEREAS, the Bureau of Reclamation on more than one occasion supported title transfer of the Garrison Diversion Unit to North Dakota, but with restrictions that made the title transfer unfeasible; and

WHEREAS, representatives of the Bureau of Reclamation conducted limited sensing sessions in North Dakota, and were told by citizens of North Dakota to utilize the Garrison Diversion Unit project and not repurpose it; and

WHEREAS, the United States Bureau of Reclamation and the Garrison Diversion Conservancy District completed an environmental impact statement evaluating eight alternatives for supplying the Red River Valley with water in 2005, supplemented the statement in January 2007, and completed a final environmental impact statement in December 2007; and

WHEREAS, the federal government and the state both selected the Garrison Diversion Unit import to the Sheyenne River as the best alternative for the project, taking into consideration water permitting, environmental impacts, and technical, hydrologic, and design evaluations; and

WHEREAS, the Bureau of Reclamation sent a comprehensive report of the Garrison Diversion Unit to Congress in 2008;

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

That the Sixty-fifth Legislative Assembly urges Congress and the President of the United States to fulfill the federal government's promises to North Dakota, allow the utilization of the Garrison Diversion Unit facilities, including the McClusky Canal and the Snake Creek pumping plant, as a water supply for eastern and central North Dakota, irrigation, and for all other authorized project purposes, not deauthorize or repurpose any part of the Garrison Diversion Unit, and to allow the continuation of the Garrison Diversion project canal system to aid the delivery of water to the Red River Valley; and

BE IT FURTHER RESOLVED, that the Garrison Diversion Conservancy District and State Water Commission be requested to study the desirability, feasibility, and affordability of taking title to the Garrison Diversion Unit and utilizing it for authorized project purposes; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the President of the United States and each member of the North Dakota Congressional Delegation.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate