Presentation To
North Dakota Legislative Council
Natural Resources Committee
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Mr. Chairman and members of the Natural Resources Committee. I am Dale Frink, State Engineer, and Chief Engineer-Secretary to the State Water Commission.

House Concurrent Resolution 3044, as adopted by the Legislature, directed the Legislative Council to study, 1) how the state might pursue additional uses of the Missouri River, and 2) how the state could promote a congressional review of the 1944 Flood Control Act.

The Missouri River has about 90 percent of the surface water flowing in North Dakota. This is one reason why the State Water Commission spends a substantial amount of its resources promoting the development of water projects from the Missouri River. The State Water Commission was formed in 1937 with a primary purpose of promoting the development of Missouri River water. The construction of the Garrison Dam was suppose to be the key factor to provide high quality water supplies statewide. The Garrison Diversion project was to be the distribution arm of this grand plan.

Although the original Garrison project never materialized, the distribution of Missouri River water remains a major goal in North Dakota. The Southwest Pipeline Project now serves 28 communities and 3,000 rural customers. Eight (8) individual cities also obtain their water from the Missouri River as do 5 rural water systems. The Northwest Area Water Supply (NAWS) project and the Red River Water Supply project are two large projects currently in the construction phase that will provide Missouri River water to a major portion of central and eastern North Dakota.

Ten (10) large energy-related industries will also obtain their water supplies directly from the Missouri River. In fact, the Missouri River is the only source of water for large water users in the state.

Recreation along the Missouri River corridor through North Dakota is big business. However, our recreational infrastructure continues to be improved especially those located around Lake Sakakawea and Lake Oahe. The new marina at Fort Stevenson state park is one example. The Corps of Engineers has recently completed a recreation master plan for Lake Sakakawea and one is underway for Lake Oahe. One intent for

these plans is to study recreation opportunities that are less vulnerable to large fluctuations in reservoir levels.

My last comments relate to a congressional review of the 1944 Flood Control Act. I want to be very clear that I and, I believe, the North Dakota water community would very much like to make some major changes to the 1944 Flood Control Act. Navigation enjoys a much higher priority than what can be justified. The problem is making significant changes happen. The new master manual process took 14 years to complete. We did make progress by building in reservoir conservation measures at the expense of navigation. However, navigation remains a priority use and the State of Missouri and other states are adamant that it stay that way. The point is that it took 14 years to make the changes to the master manual and it would be more difficult to make changes to the 1944 Flood Control Act. It is not that we should not explore potential changes but we must consider the timing and impacts it may have on projects like the Red River Water Supply project, which still must be authorized by congress.

Several of us have discussed potential changes to the 1944 Flood Control Act, and I have asked Mike Dwyer to add a few comments to our discussions.