

**Prepared by the North Dakota Department of Agriculture  
for the Natural Resources Committee  
January 2010**

This information compares the US Army Corps of Engineers Draft Oahe Dam/Lake Oahe Master Plan and the Garrison Dam/Lake Sakakawea Master Plan with regard to land management, specifically grazing and noxious weed control.

The amount of land acquired for each lake differs greatly. The Corps acquired the bare minimum of land needed for Lake Oahe in the late 1950s. Much more land was acquired for Lake Sakakawea approximately a decade earlier. The discrepancy in acreage acquired can be attributed to changing land acquisition guidelines. These guidelines were changed through a new congressional law after the Lake Sakakawea land acquisitions had taken place.

Land classification categories in the master plans are similar. However, acreages within the vegetation and wildlife management categories (those which permit agricultural uses on each lake) differ. The majority of agricultural leases on Lake Sakakawea take place within the vegetation management land classification. There are 40,675 acres that have been placed within this land classification on Lake Sakakawea versus zero acres on Lake Oahe. Agricultural leases on Lake Oahe instead take place within the wildlife management land classification, which contains 85,400 acres.

The following table is a comparison of acres categorized within the land management classifications around both lakes.

Lake Oahe	Lake Sakakawea
Project operation lands-6,500	Project operation lands-1,638
Recreation lands-2,150	Recreation lands-7,410
Mitigation lands-0	Mitigation lands-0
Environmentally sensitive areas-1,750	Environmentally sensitive areas-13
Multiple resource management-87,000 Recreation low density-1,840 Wildlife management-85,400 Vegetation management-0 Inactive/Future recreation-370 Easement-1,895	Multiple resource mgmt-111,635 Recreation low density-4,034 Wildlife management-66,926 Vegetation management-40,675 Inactive/Future recreation-0 Easement-2,988

Resource objectives in the Lake Sakakawea Master Plan directly pertain to grazing. One of the project-wide resource objectives listed in the Lake Sakakawea Master

Plan states "to provide for wildlife and livestock needs by increasing water availability in upland areas." Agricultural use has less focus in the Lake Oahe Master Plan and may only be allowed as an "interim use."

Both master plans briefly address capacity with regard to grazing. The timing of grazing and number of animals allowed to graze is regulated in grazing leases around Lake Sakakawea to prevent the carrying capacity from being exceeded. However, Lake Oahe grazing leases warn of overgrazing but do not specify carrying capacity or Animal Unit Months (AUMs) allowed.

Finally, entry and exit dates vary greatly from lease to lease. In general, grazing on Lake Oahe is not permitted before July 15<sup>th</sup> unless the lessee has an approved grazing management plan. Lake Oahe Corps staff recommend lessees work with the local Natural Resources Conservation Service (NRCS) office to create a grazing plan if they wish to graze prior to July 15. Two NRCS grazing plans have been created for 2 of the 38 grazing leases on Lake Oahe. Only one of the two plans is currently in use and does not include Corps property. As for Lake Sakakawea, availability and entry for grazing also varies from lease to lease. However, entry generally begins earlier (mid/late June through mid August). Depending upon the entry date, the exit date is typically four months from the date with some exceptions.

The North Dakota Department of Agriculture requested that both the Lake Oahe and Lake Sakakawea Corps staff answer a series of questions pertaining to grazing and noxious weed control. Following is a compilation of the information received.

	Lake Oahe	Lake Sakakawea
How many acres of COE lands are leased for agricultural purposes?	Approximately 2,395 acres leased.	Approximately 16,400 acres leased. Acres cropped or hayed, approximately 1,800 acres.
How many acres of the above number are specifically leased for grazing?	Approximately 1,662 acres leased for grazing. The Lessees only pays for the area between the "Take Line" and elevation 1620 msl but they actually have use of the land to the water's edge. An example of what happens is during periods of drought the lessee may be leasing 150 acres but will actually have access to and be grazing 1000 acres. This is dependent on lake elevations.	Approximately 14,600 acres leased for grazing.



	Lake Oahe	Lake Sakakawea
How many lessees are there?	Total Ag Leases – 38 Leases with only grazing - 14 Leases with grazing and haying – 6 Leases with only cropping/haying - 18	Currently we manage fifty-seven (57) lessees and two (2) grazing associations on Lake Sakakawea.
Do your grazing leases specify the number of AUM's or other measureable means for the carrying capacity of the lease?	No	Yes, all leases are set up on either an AUM number or 50% utilization of the available forage.
How often are leases made available for bid?	Current advertisements are 5 years with a 5 year renewal option.	This varies from lease to lease; the maximum is 5 years with a 5 year renewal to the minimum of 1 year with no renewal.
How are prices for the grazing leases set, and what are they?	Price for the leases are high bidder with the COE able to refuse any and all bids should they not meet the fair market value of the rangeland (The minimum amount excepted is the average cost for grazing lands by county as determined by the North Dakota State University Extension Service). 12/16/09 Ralph Gabrysh clarified-fair market value minus 25%	Price for the leases are high bidder with the COE able to refuse any and all bids should they not meet the fair market value of the rangeland (The minimum amount excepted is the average cost for grazing lands by county as determined by the North Dakota State University Extension Service).
What are the standard entry and exit dates for the grazing leases?	All leases are set up so that grazing does not start before July 15 <sup>th</sup> or the lessee has an approved grazing management system. One lease in Morton County is set up for grazing from April 15 to May 15 <sup>th</sup> to be used only during calving. There are provisions in the leases to control grazing to 50% of the forage value or to the end of the season. During the drought we relaxed the enforcement of this requirement.	Availability for grazing, or entry, varies from lease to lease, but in general begins at mid-calendar year (mid/late June through mid-Aug) for entry and December for exit. Depending upon the entry date, the exit date is typically four months from that date with some exceptions (i.e. two-month grazing cycle).

	Lake Oahe	Lake Sakakawea
Is fencing provided?	Fencing material is provided by the Corps of Engineers and the lessee is to provide the labor. Some exceptions are made depending on unique situations. Maintenance and repairs of all existing fences on government boundary are the responsibility of the lessees.	Yes, in some circumstances fencing materials are provided to the lessee, with the intent to fence the government boundary. The lessee's labor for installing the fence is the off-set for rental fees. Note: the repair and maintenance of all existing fences on government boundary are the responsibility of the lessee's and are not eligible for rental offset.
Is grazing an authorized project purpose?	No; neither grazing nor agricultural use of COE managed lands is considered an authorized project purpose. The uses of agricultural practices or grazing are used as an interim management tool.	No; neither grazing nor agricultural use of COE managed lands is considered an authorized project purpose. The uses of agricultural practices or grazing are used as an interim management tool.
Is there a grazing land classification unit?	No	No
Are lessees responsible for weed control?	Yes; the lease conditions state the lessee is responsible to control all noxious weeds located within the lease.	Yes; the lease conditions state the lessee is responsible to control all noxious weeds located within the lease.
Is the weed control issue enforced?	Yes; the leases are inspected at least twice a year by project personnel.	Yes; the leases are inspected at least twice a year by project personnel.
On Lake Sakakawea and that part of Lake Oahe located in the state of North Dakota what has been the largest acreage of exposed shoreline between the lake and the take line?	Record low reservoir elevation for Lake Oahe was 1570.0 msl in 2005. Note that when Lake Oahe is at this elevation we are into the original channel in North Dakota. Estimates for land/exposed lake bed at varying reservoir elevations: - at 1620.0 msl: 19,662 acres land - at 1607.5 msl: 48,616 acres land - at 1570.0 msl: 70,000 acres land	Record low reservoir elevation for Lake Sakakawea was 1805.8 msl in 2005. Estimates for land/exposed lake bed at varying reservoir elevations: - at 1850.0 msl: 94,500 acres land vs. 368,000 acres of water - at 1838.0 msl: 121,057 acres land vs. 341,443 acres of water - at 1805.8 msl: 181,491 acres land vs. 281,009 acres of water

	Lake Oahe	Lake Sakakawea
How many miles of shoreline is there on each lake	Lake Oahe has approximately 2,240 miles of shoreline in North and South Dakota. There are approximately 340 miles of shoreline in ND.	Lake Sakakawea has approximately 1,530 miles of shoreline.
How many acres of those weeds listed as noxious weeds by the State of North Dakota are present on each lake?	This acreage fluctuates depending on precipitation, lake level, success of treatments, etc. As the lake levels fall the newly exposed area are extremely vulnerable to weeds. As the water levels come back these areas are flooded out.	Approximately 73,600 acres max during drought. This acreage fluctuates depending on precipitation, lake level, success of treatments, etc.
Do grazing management plans exist for each grazing lease?	Yes; Two NRCS plans exist of which one is being utilized. 12/16 Ralph Gabrysh clarified-grazing plans for 2 of the 38 grazing leases have been created. One of these two is actually being used.	No; not all grazing leases have grazing management plans.

Information included in this document was gleaned from the following sources:

- Personal communication with Corps staff
- Draft Oahe Dam/Lake Oahe Master Plan
- Garrison Dam/Lake Sakakawea Master Plan with Integrated Programmatic Environmental Assessment