

Sixty-third
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3010

Introduced by

Representatives Steiner, Delzer, Froseth, Hatlestad, Heller, Kreidt, Laning, Rohr, Schmidt,
Onstad

Senators Lyson, Unruh

1 A concurrent resolution urging Congress and the United States Army Corps of Engineers to
2 address access issues on Lake Sakakawea and Lake Oahe or to return to the state of North
3 Dakota land controlled by the United States Army Corps of Engineers which is not necessary to
4 flood control.

5 **WHEREAS**, the well-being of the residents of North Dakota and economy of this state are
6 dependent on agriculture, commerce, and access to recreational opportunities, all of which are
7 enhanced by Lake Sakakawea and Lake Oahe; and

8 **WHEREAS**, the United States, through the United States Army Corps of Engineers, has
9 acquired certain lands around the Missouri River water system, including Lake Sakakawea and
10 Lake Oahe and the Corps does not need some of the land for authorized purposes, for example
11 flood control; and

12 **WHEREAS**, the United States Army of Corps of Engineers does not have the resources to
13 provide reasonable access, including access for the mobility impaired at recreation and wildlife
14 management areas, for use of Lake Sakakawea and Lake Oahe and the Corps does not have
15 the resources to manage the unneeded property; and

16 **WHEREAS**, in South Dakota, certain land that is not necessary for flood control by the
17 United States Army Corps of Engineers has been returned to the state and is managed by the
18 state; and

19 **WHEREAS**, the state of North Dakota has the resources to provide greater use and access;
20 and

21 **WHEREAS**, state parks that border land managed by the United States Army Corps of
22 Engineers should be given special consideration for the return of the unneeded property,
23 especially as to the purchase price; and

1 **WHEREAS**, Congress should hold at least six public hearings at times and places as
2 designated by the Governor before December 31, 2013, for the purpose of negotiating for areas
3 of the lake that may have useable shoreline, dock access, or useable water access; and

4 **WHEREAS**, Congress should consider legislation by 2014 to allow shoreline areas of
5 established developments that benefit the state's economy to be returned to this state through
6 negotiations between the Governor and the United States Army Corps of Engineers; and

7 **WHEREAS**, the Legislative Assembly supports the funding of the negotiation process and
8 the funding of any lawsuit necessary for the return of land from the United States Army Corps of
9 Engineers to this state;

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

12 That the Sixty-third Legislative Assembly urges Congress and the United States Army
13 Corps of Engineers to address access issues on Lake Sakakawea and Lake Oahe or to return
14 to the state of North Dakota land controlled by the United States Army Corps of Engineers
15 which is not necessary to flood control; and

16 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
17 to the commanding general of the United States Army Corps of Engineers and each member of
18 the North Dakota Congressional Delegation.