

**FIRST ENGROSSMENT
with House Amendments**

**ENGROSSED SENATE CONCURRENT
RESOLUTION NO. 4027**

Introduced by

Senators Tomac, Christmann, Freborg, Kilzer

Representatives Grosz, Mahoney

1 A concurrent resolution directing the Legislative Council to study issues related to the Missouri
2 River in North Dakota.

3 **WHEREAS**, the Flood Control Act of 1944, as amended, assured benefits to all 10
4 states within the Missouri River basin under a control and management program that came to
5 be commonly known as the Pick-Sloan Project; and

6 **WHEREAS**, the Congress has directed the United States Army Corps of Engineers to
7 build, operate, and maintain all the features of the Pick-Sloan Project; and

8 **WHEREAS**, the United States Army Corps of Engineers stated in its final report to
9 Congress dated December 1981 concerning the Missouri River streambank erosion that "bank
10 erosion in this reach results in a permanent net loss of high value lands. This process, unless
11 halted, would eventually transform the present river into a wide area of sandbars and channels,
12 occupying an increasing proportion of the valley width between the bluffs"; and

13 **WHEREAS**, the lands adjacent to the Missouri River have been and will continue to be
14 seriously eroded and permanently lost to the local landowners and the State of North Dakota
15 because of reservoir management that releases highly fluctuating amounts of clear water
16 capable of eroding and transporting large amounts of soil; and

17 **WHEREAS**, soil eroded from the banks of the Missouri River is being deposited as a
18 delta in the headwaters of the Oahe Reservoir and Lake Sakakawea thereby causing the water
19 table to rise under the adjacent land, and is increasing the frequency and severity of ice jam
20 hazards and has, according to recent United States Army Corps of Engineers'
21 pronouncements, endangered 6,000 acres of land containing 150 homes, industrial
22 development, and valuable farmland around Lake Oahe; and in the headwaters area of Lake
23 Sakakawea, the delta is endangering the Buford-Trenton irrigation district, the water intake for
24 the city of Williston, and many acres of valuable farmland; and

1 **WHEREAS**, a similar bank erosion problem exists for a 58-mile reach on the South
2 Dakota-Nebraska border downstream from the Gavins Point Dam and also between the Fort
3 Peck Dam in Montana and Lake Sakakawea; and

4 **WHEREAS**, the Missouri River will continue to change without additional bank
5 stabilization; and

6 **WHEREAS**, destructive bank erosion continues when high winter water releases for
7 power generation occur;

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

10 That the Legislative Council study issues related to the Missouri River in North Dakota;
11 and

12 **BE IT FURTHER RESOLVED**, that the study include an examination of the Pick-Sloan
13 Missouri Basin program, the United States Army Corps of Engineers' master plan, land and
14 natural resource issues, water management, bank stabilization, land use, and development of a
15 long-range vision for the Missouri River in North Dakota; and

16 **BE IT FURTHER RESOLVED**, that the Legislative Council in conducting the study seek
17 input from the Missouri River Coordinated Resource Management Program and the Corps of
18 Engineers; and

19 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
20 recommendations, together with any legislation required to implement the recommendations, to
21 the Fifty-seventh Legislative Assembly.