

Introduced by

Representatives Schmidt, Carlson, Hofstad, Porter

Senators Schaible, Stenehjem

1 A concurrent resolution urging the United States Army Corps of Engineers to forego any attempt  
2 to charge water users in North Dakota a fee to use water from Lake Sakakawea or Lake Oahe.

3 **WHEREAS**, the Pick-Sloan Project, as authorized in the Flood Control Act of 1944, as  
4 amended, provides major flood control benefits, recreational benefits, water supply benefits,  
5 hydropower benefits, and navigational benefits for the downstream states of Iowa, Nebraska,  
6 Missouri, and Kansas through construction of large reservoirs in the state's lying upstream from  
7 these states; and

8 **WHEREAS**, the Pick-Sloan Project reservoirs have been in place for many years, thus  
9 providing downstream states in the Missouri River Basin all the benefits promised in the  
10 Pick-Sloan Project; and

11 **WHEREAS**, the state of North Dakota lost more than 500,000 acres of valuable river  
12 bottom lands as a result of construction of the Missouri River reservoirs and the Flood Control  
13 Act of 1944, causing an annual loss of millions of dollars in economic gross product and an  
14 additional annual loss in personal income as well as other serious impacts to individuals,  
15 political subdivisions, and North Dakota's Indian nations; and

16 **WHEREAS**, tourism, recreation, and the well-being of the citizens and communities in North  
17 Dakota depend upon an adequate and dependable source of water; and

18 **WHEREAS**, the future development of industry and businesses in North Dakota also  
19 depend upon an adequate and dependable source of water; and

20 **WHEREAS**, irrigation development in North Dakota depends upon an adequate and  
21 dependable source of water; and

22 **WHEREAS**, the Flood Control Act of 1944, as amended in 1958, limits any repayment  
23 requirement by any water user for a term not to exceed 50 years; and

24 **WHEREAS**, any attempt by the United States Army Corps of Engineers to impose a storage  
25 fee or other restriction on the state to its lawful right to use and allocate water is misguided;

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

3       That the Sixty-second Legislative Assembly urges the United States Army Corps of  
4 Engineers to forego any attempt to charge water users in North Dakota a fee to use water from  
5 Lake Sakakawea or Lake Oahe; and

6       **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution  
7 to the District Engineer, Omaha District, United States Army Corps of Engineers; the Division  
8 Commander of the Northwestern Division of the United States Army Corps of Engineers; the  
9 Secretary of the Army; the Secretary of the Interior; the Governor; the Attorney General; each  
10 member of the State Water Commission; and each member of the North Dakota Congressional  
11 Delegation.