

Introduced by

Representatives Jones, Brandenburg, Kasper, Maragos, Monson, Steiner, Zubke

Senators Bowman, Kannianen, Rust

1 A concurrent resolution requesting the United States Army Corps of Engineers divest land not  
2 needed for the management of the Garrison project area in North Dakota.

3 **WHEREAS**, the United States Army Corps of Engineers manages land purchased for the  
4 operation of the Garrison project area in North Dakota; and

5 **WHEREAS**, Congress and the federal courts have established in federal law that the  
6 Pick-Sloan project areas must be managed for flood control, river navigation, hydroelectric  
7 power, irrigation, water quality and supply, recreation, and fish and wildlife; and

8 **WHEREAS**, the purchasing criteria used by the United States Army Corps of Engineers to  
9 acquire land for the Garrison project area required land be purchased based on a rectangular  
10 grid line above the reservoir's high water mark, and the rectangular grid size used for purchase  
11 criteria could be smaller in some cases and not interfere with recreation and wildlife uses; and

12 **WHEREAS**, the United States Army Corps of Engineers should develop a divestment  
13 process for the lands by working in cooperation with the North Dakota Board of University and  
14 School Lands and the North Dakota Congressional Delegation, if the Garrison project can be  
15 managed without tracts of land between the reservoir high water mark and that tract's  
16 rectangular grid take line;

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

19 That the Sixty-fifth Legislative Assembly requests that any land subject to divestment under  
20 an agreement between the United States Army Corps of Engineers and the North Dakota Board  
21 of University and School Lands include a purchase right for prior owners who own the land the  
22 parcels were detached from, their heirs who own the land the parcels were detached from, or  
23 successors who own the land the parcels were detached from; and

- 1        **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
- 2 to the Under Secretary of Public Works for the United States Army Corps of Engineers and each
- 3 member of the North Dakota Congressional Delegation.