

1999 SENATE NATURAL RESOURCES  
SCR 4028

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR4028

Senate Natural Resources Committee

Conference Committee

Hearing Date February 11, 1999

Tape Number	Side A	Side B	Meter #
1		x	491-2225
Committee Clerk Signature <i>Jula A. Hagen</i>			

Minutes:

SENATOR TRAYNOR opened the hearing on SCR4028: CONCURRENT RESOLUTION URGING UNITED STATES ARMY CORPS OF ENGINEERS TO INCLUDE PROVISIONS FOR THE PROTECTION OF RECREATION, MUNICIPAL, INDUSTRIAL, IRRIGATION, AND OTHER INTERESTS ON THE MISSOURI RIVER IN NORTH DAKOTA IN DEVELOPING A REVISED MASTER MANUAL FOR THE FUTURE OPERATION OF THE PICK-SLOAN PROJECT.

ANDY MORK, BOMM Joint Board testified in support of SCR4028 and explained the bill addresses our needs in ND. The whereas' of the bill are about identical as SCR4027. The Corps of Engineers is working on a new master manual as to how they manage various activities on the river. Recreation has become a huge economic industry when it was decimated years ago. Corps

of Engineers need to keep ND in mind. The State of Missouri is always jealous of ND diverting water out of the Missouri River.

DAVID SPRYNCZYNATYK, State Engineer testified in support of SCR4028. The heart of the resolution is where it says to adopt a master manual that is acceptable to all areas and interests on the Missouri River in ND. In the event of a drought, there needs to be a way where the pain is shared equally, which has been the problem in the past.

SENATOR TRAYNOR asked in connection with the study on the new master manual, is there any discussion about the diversion of water to eastern ND.

DAVID SPRYNCZYNATYK replied not directly. In the master manual, we are attempting to recognize that there will be future depletions without identifying specifically what they are.

Indirectly, we talked about the need to divert water from the Missouri River to the citizens of all of the states.

SENATOR REDLIN asked how are we doing with the Canadians when we talk about Red River Valley enhancement.

DAVID SPRYNCZYNATYK replied most of the discussion with the Canadians and Manitobans is focusing on the NAWS Project taking Missouri River water and crossing the Continental Divide, pretreating it on the Missouri River side, and we hope to have a meeting with the State Department and Dept. of Foreign Affairs in Canada within the next 2 weeks to resolve the issue.

SENATOR REDLIN asked about the insistence downstream that we maintain a certain channel depth irrespective and are they still hard-nosed on that.

DAVID SPRYNCZYNATYK replied the navigation interests are very prominent in downstream politics. They have an industry which is insignificant compared to the rest of the economic

benefit of the Missouri River and the dams and reservoirs. It is insignificant in terms of the grand scheme of operation, but yet they have been very successful in maintaining that channel depth. There may be better ways to navigate the river more efficiently and not require large amounts of water. One big issue with navigation and the release of water is actually on the Mississippi. The Missouri River does not play that much of a role in terms of supporting Mississippi navigation until there is a drought. In a severe drought, the reservoirs and the volumes of water that can be released can be significant down the Mississippi.

MIKE DONAHUE, ND Wildlife Federation testified in support of SCR4028, but objected to page 2, line 31.

GERHARD RAEDEKE stated higher spring flows are necessary in order to regenerate and rejuvenate the river. Lower flows are needed to allow nesting on the islands and sandbars need to be exposed so that Canada geese and Plovers have a place to nest. (See attached press coverage from the Bismarck Tribune)

SENATOR TRAYNOR closed the hearing on SCR4028.

SENATOR HEITKAMP moved for a DO PASS, seconded by SENATOR FISCHER. Roll call vote indicated 5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

SENATOR CHRISTMANN volunteered to carry the bill.

Roll Call Vote #: 1 Date: 2-11-99

**1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.**

Senate Natural Resources Committee

Subcommittee on \_\_\_\_\_  
or

Conference Committee

Legislative Council Amendment Number SCR 4028

Action Taken Do pass

Motion Made By Heitkamp Seconded By Fischer

Senators	Yes	No	Senators	Yes	No
Senator John T. Traynor, Chr	✓				
Senator Tom Fischer, Vice Chr	✓				
Senator Randel Christmann	✓				
Senator Layton Freborg					
Senator Joel C. Heitkamp	✓				
Senator Rolland W. Redlin	✓				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Sen Christmann

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
February 11, 1999 2:04 p.m.

**Module No: SR-28-2609**  
**Carrier: Christmann**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SCR 4028: Natural Resources Committee (Sen. Traynor, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4028 was placed on the Eleventh order on the calendar.**

**1999 HOUSE NATURAL RESOURCES**

**SCR 4028**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 4028

House Natural Resources Committee

Conference Committee

Hearing Date 3/12/99

Tape Number	Side A	Side B	Meter #
1	x		38.5-47.0
Committee Clerk Signature <i>Robin L. Small</i>			

Minutes: SEN. TOMAC did not come to introduce the bill.

ANDY MORK, BOMMM BOARD, introduces the bill. He urges the committee for a do pass.

SUPPORT

DALE FRINK, ASST. STATE ENGINEER FOR THE WATER COMMISSION. FRINK also urges the committee for do pass.

There were no questions.

The committee decided to do action right away.

REP. DEKREY moved for a DO PASS, seconded by REP. DROVDAL. The roll call vote was taken with 9 YES, 1 NO, 5 ABSENT. The motion carries. The CARRIER of the bill is

REP. MARTINSON.



Date: 3.12.99  
 Roll Call Vote #: 1

**1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO.**

House House Natural Resources Committee

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken 4038 Do Pass

Motion Made By DeKrey Seconded By Drovdal

Representatives	Yes	No	Representatives	Yes	No
Chairman Mick Grosz	✓				
Vice-Chairman Dale Henegar	✓				
Representative David Drovdal	✓				
Representative Pat Galvin					
Representative Duane DeKrey	✓				
Rep. Darrell D. Nottestad	✓				
Representative Jon O. Nelson	✓				
Representative Byron Clark	✓	✓			
Representative Todd Porter					
Representative Jon Martinson	✓				
Representative Lyle Hanson	✓				
Representative Scot Kelsh					
Representative Deb Lundgren					
Representative Sally M. Sandvig	✓				
Representative Dorvan Solberg					

Total (Yes) 9 No 1

Absent 5

Floor Assignment W Martinson

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
March 12, 1999 10:48 a.m.

**Module No: HR-45-4636**  
**Carrier: Martinson**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SCR 4028: Natural Resources Committee (Rep. Grosz, Chairman) recommends DO PASS (9 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING).** SCR 4028 was placed on the Fourteenth order on the calendar.

1999 TESTIMONY  
SCR 4028

SCR 4028

# Some say river's economic value is recreational

OMAHA, Neb. (AP) — The Missouri River, mainly used for navigation and flood control in the Midwest for nearly 40 years, also can be a source of entertainment and recreation, say proponents of a plan to reclaim the river in Nebraska and Iowa.

The Back to the River project is an effort to reduce the effects of damming and channeling the Missouri and restore the river's habitat.

"I think the economic value of the river as a recreational destination for individuals and their families is of much greater importance to us right now than any other use besides flood control," said Sen. Bob Kerrey, D-Neb., a primary supporter of the project.

A system of six dams and reservoirs, called the Missouri River Mainstem Reservoir System, was built between 1935 and 1944 to control the river's uses. A master control plan set in 1960 called for using the lower stem of the river — from Sioux City, Iowa, to St. Louis, Mo., — primarily for navigation and flood control.

"I see vastly more potential (for the river) as a recreational resource," Kerrey said. "It's our Rocky Mountains."

The plan encompasses 64 miles along the Missouri River shoreline, through six counties in Nebraska and Iowa. There are nine projects, which focus on wildlife restoration, education and recreation. The hiking trails, habitat restoration areas and riverfront development will affect the stretch of land between Plattsmouth and the Burt County line east of Herman.

Among the completed projects are Boyer Chute, a joint federal and local conservation project that consists of about 2,000

acres near Fort Calhoun, six miles north of Omaha.

Boyer Chute includes nature walks, picnicking areas, bird watching, biking, fishing and canoe areas along a two-mile channel.

The refuge, which opened about a year ago, provides habitat for waterfowl, migratory birds, fish and a host of other creatures. It is located six miles north of Omaha near Fort Calhoun.

Kerrey has been a strong supporter of the "Back to the River" projects and has been working with the Papio-Missouri River Natural Resource District, U.S. Fish and Wildlife Service and Army Corps of Engineers to enhance the Missouri River by providing opportunities to draw area residents back to enjoy a more-natural river.

"When a person is making a decision about where they want to live, recreational opportunities are a very important part of that decision-making," Kerrey said. "People say, 'I want to live in Denver or Los Angeles' because of the recreational opportunities there. I want people saying, I want to live in Omaha, Nebraska, because of that river."

# Nation marking journey

OMAHA, Neb. (AP) — When Lewis and Clark and the Corps of Discovery ascended the Missouri River at St. Louis, Mo., nearly 200 years ago, they thought it was an inexhaustible source of water, food, wildlife and peril.

Generations later, the federal government plans to commemorate the extraordinary journey that culminated in the settlement of the western United States.

The U.S. Army Corps of Engineers, National Park Service, Forest Service, Bureau of Indian Affairs, U.S. Geological Survey, Department of Education and other agencies are developing activities across the country to mark the 2004-2006 bicentennial of trek.

"The actual commemoration is basically a year on either end of that," said Jean Nauss, coordinator of Lewis and Clark commemorative activities for the corps.

Already, national and international interest is increasing.

A new visitors center recently completed at Gavins Point Dam in northeastern Nebraska reports a big jump in visitor numbers.

Most agencies have not yet secured funding, federal or otherwise, to complete planned projects, but preliminary plans call for added visitors centers along the trail and a traveling, technologically advanced touring classroom called "Corps of Discovery II: 200 Years to the Future."

Mark Engler, superintendent of the project, which is spearheaded by the National Park Service, said the traveling classroom would follow the Lewis and Clark trail, beginning in Charlottesville, Va., in 2003.

The classroom would travel in a series of trucks and other vehicles, complete with exhibits, distance learning technology and Internet access, through the American Heartland and winding up in St. Louis.

Engler estimates the cost of the traveling project will be at least \$14.1 million, with full implementation costing \$28.5 million.

January 30, 1999

# Corps wrestling with Missouri River issues

■ Competing interests try to determine future

MOLLY WOOD, *Associated Press*

OMAHA, Neb. — When the Missouri River last burst free of its narrow Midwestern channel, the resulting floods killed 48 people, caused billions of dollars in damage and forced thousands from their homes across the states.

The 1993 disaster also shattered America's faith in the system of dams and reservoirs that had held the great river tightly in check for more than 30 years.

The caretaker of the Big Muddy, the U.S. Army Corps of Engineers, has been working to regain that faith ever since the 1993 flood.

Now, as the corps prepares to decide on a revised management plan to carry the river into the next millenium, it faces a new question: How to unite a Missouri River basin torn by disaster and lacking the trust to compromise?

"The basin is not unified," says Chad Smith, head of American Rivers, an environ-

mental group that has named the Missouri among the most endangered rivers in the nation. "They're a long way from reaching any kind of consensus."

The battle over the Missouri reads like a textbook of the historic American clash between industry and environment.

The river states that rely on the Mighty Mo for recreation resent the use of water to support agriculture and navigation interests.

Wildlife officials and environmentalists conflict with farmers. They want increased spring flows to help native species, but that flow floods farmland needed for spring planting.

Tribal concerns run through most conversations about managing the river. The creation of six dams and reservoirs along the Missouri in the 1930s flooded thousands of acres of tribal land and left American Indians in a constant battle with the federal government over water rights.

The various interests have been locked in a battle that many still fear will never be resolved.

Part of the problem is geography. The ba-

(More on CORPS, Page 10A)

## WHAT NEXT

Important dates in developing the new U.S. Army Corps of Engineers' master manual for the Missouri River:

■ Revised draft environmental impact statement issued, including recommendation of preferred alternative: October 1999.

■ Tribal and public comment period on the revised statement: March 2000.

■ Final environmental impact statement: December 2000.

■ Revise master manual: July 2001.

■ Implement selected plan: March 2002.

# Corps: Decision promised on Missouri

FROM PAGE 1A

sin states — Montana, North Dakota, South Dakota, Nebraska, Iowa, Kansas and Missouri — cover as diverse a land mass as America possesses.

In Montana, where the river carries a federal Wild and Scenic designation, the Missouri starts as little more than a highly regarded fishing stream at Three Forks. The river and the huge Fort Peck reservoir in the eastern part of the state are important tourist draws.

Along the lower stem, the water is managed primarily for the seemingly more utilitarian purposes of flood control, navigation and hydro-power.

"At times we've had big differences between the so-called upstream states and the downstream," said Rep. Doug Bereuter, R-Neb. "Missouri, Nebraska, Iowa and Kansas have different views because we still have commercial barge traffic up to Sioux City (Iowa). Above that, they want higher levels of water in the reservoirs to support recreation."

At the heart of the management debate is the Missouri River Mainstem Reservoir System, the string of dams and reservoirs that channeled the river into a swift, deep, dirty current carrying goods to the Mississippi at the rivers' confluence in St. Louis.

A wave of environmental fury began with the channeling of the river has swept through the arguments ever since.

When the Missouri River was straightened, oxbows, side channels and flood plains that had nurtured birds, fish and other species were left to wither.

The result is three species — the pallid sturgeon, the least tern and the piping plover — on the federal endangered species list and at least two others that are candidates for the list.

Smith, of American Rivers, and other environmentalists say most of the alternatives being offered for debate by the Corps of Engineers would continue the damage.

"We're a long way from where we want to be," Smith says. "Unless the river is managed with some kind of a natural hydrograph,

there's absolutely no way the species on the river that are threatened and endangered are going to recover and they're probably going to move into extinction. That's a hard truth that people have to realize."

Managing the river to conform with the ebb and flow of a natural watershed — including large releases in the spring — would provide the water and plant life needed by fish and wildlife, Smith says.

But the method is unfavorable to navigation and agriculture interests. Farmers say raising the river in the spring would flood their fields during crucial planting times or keep them from draining properly.

Navigators say the rise would mean a shorter season for them because water reserves needed to float their barges during dry periods would be wasted on the spring rise. Siding with the farmers, navigators also say any harm inflicted on agriculture would bite them as well.

"We're opposed to spring rise for two reasons," says Don Huffman, executive vice president of Phoenix Towing Co., in St. Louis. "One is, it hurts agriculture, and navigation cannot and will not support anything that's going to hurt agriculture."

"Additionally, the spring rise ... is another way of using flows to solve problems. We don't think the basin's ever going to come together on a plan that uses flows to solve all the problems."

As far apart as the different factions seem, though, corps offi-

cials say they are closer than ever before.

In 1994, when the corps offered a plan for managing the river that was roundly rejected, the agency turned to the Missouri River Basin Association for help.

With the association as a hopeful consensus-builder, the corps held unprecedented public meetings that ended Jan. 12 on a series of river-management alternatives.

The corps and the association are confident of compromise, says Larry Cieslik, chief of the reservoir control center for the corps' Missouri River Region office in Omaha.

"The basin has come a long way in recent history," he says. "They don't always agree, but it's a lot better than when they weren't talking."

Richard Opper, head of the basin association, says the basin is making progress — for a change.

"For the first time in the basin's history, we're going to be able to agree on some aspects of a river operating plan," he says. "I've been in the middle of it. We've got a history and a real culture of not being able to see eye to eye."

Time is running out.

The corps is scheduled to pick a preferred alternative this fall — and if the basin states and the association cannot agree on a workable alternative, the corps simply will pick one, says Rosemary Hargrave, manager of the project to create a new management plan, called the Missouri River Master Manual.

"We're hoping for a substantial consensus," Hargrave says. "But we do have to make a decision in a timely fashion. We will, and we'll proceed."

Opper is optimistic about reaching an agreement.

"This is our opportunity right now," he says. "I think we recognize that if we don't come to some agreement, we're going to get a plan forced on us."

"This is our shot to solve our own problems, and I don't think we're going to squander our opportunity."

## YOUR VIEWS

### Keep river valley green

SHEILA ROBINSON, Coleharbor 1/26/99

There is less and less of the original Missouri River Valley left — only about 65 miles of the wooded natural areas, and those are being eroded by development that is visible from the opposite side of the river or from the water.

Especially at historic areas, development reduces

or destroys the tourism potential. Modern, highly visible white or light-colored buildings should not be seen by visitors seeking to follow in the footsteps of the early explorers. be done.

Private landholders are asked to help maintain that wooded appearance for those traveling along the river by water or automobile. A 100-foot or 100-yard strip along the riverbank should be left with the original vegetation. If there are few trees in that area, more could be planted, as well as a few native shrubs. Then people could build as they wish back of that screen and still have near access to the water.

When riverfront property is sold, the seller could put that restriction or easement into the deed. Better to do it voluntarily. Otherwise, those concerned with the river should come in and make it mandatory.

Visitors from the bustling, frantic, traffic-laden cities of the East or West Coast, and especially from overcrowded cities in Europe, appreciate the great open spaces of our state. Some of those planning to provide tours of the Lewis and Clark Trail do not intend to start at St. Louis, with its traffic and high buildings. They intend to start at Bismarck and the beautiful wooded Missouri River.

Let's keep the atmosphere and vegetation along that historic trail. Make a voluntary easement to maintain natural vegetation along both sides of the Missouri. Or it will be decided by others that it should

*Bismarck Trail*



OUR VIEW

# Corps can't do preservation acting by itself

Recently, two letter-writers on this page have expressed concern about preservation of the "viewscape" from the Double Ditch State Historic Site, north of Bismarck. Developers want to build 62 waterfront houses along a one-mile stretch across the river from the old Indian village, a project that would surely be visually jarring to Double Ditch visitors.

However, the project depends on riprap protection of the riverbank below the houses, which depends, in turn, on a permit to riprap from the U.S. Army Corps of Engineers. The local corps office is in the "very, very final stages" of its review of the permit request, and its recommendation to corps district headquarters, in Omaha, will be coming this month.

Friends of Double Ditch and the Garrison Reach can hope for the best, but the aesthetic and historic values to which they appeal are only two considerations on a long list consulted by the corps. And, contrary to some assertions, the corps has no power — not even under the National Historic Preservation Act — to reach up onto the bank and require setback of houses or earthtone paint jobs, says the corps' Jim Winters.

Winters says such things are the business of county government, in its planning and zoning function. He's right. It is wrong for people to ask the federal government to pull their chestnuts out of the fire, sometimes at the expense of private-property rights, when a local solution is at hand.

At the same time, the Double Ditch issue is part of a larger debate over riprapping on the river, with the corps launching a comprehensive study from Fort Peck to Gavins Point perhaps as early as this month. To be decided is the cumulative impact of hundreds of such projects as the one at Double Ditch, with the possibility that riprapping could be drastically curtailed.

Although the corps will not agree to a general riprap moratorium, it is not asking too much for it to hold off on riprapping at a location as sensitive as Double Ditch until the returns of the study are in.

Double Ditch is a site of tremendous importance, with a special meaning to Bismarck and Mandan: It was here that a young Harvard student of archaeology named George F. Will, the future Bismarck seed man, conducted the first scientific excavation of an earth-lodge village on the Upper Missouri. Gov. Ed Schafer has earmarked Double Ditch for an interpretive upgrading for the thousands of Lewis and Clark visitors we are looking forward to. It would be shame to have the magnificent view downgraded at the same time; a shame, too, to lose it forever just a couple of years before — as is possible — riprapping on the river is largely abandoned.

Whatever happens at Double Ditch, people interested in aesthetic and historical values on the river need to get busy with their local planning and zoning commissions. The suburbanization of Burleigh and Morton counties is proceeding at great speed. As much as those who love Double Ditch might wish it, we can't preserve forever the view from Double Ditch as it is today. The benches along the west side of the river are going to be occupied by humans, just as the high ground at Double Ditch once was.

The best we can do, and it is what we ought to do, is to work through all the public agencies involved to provide for sensible arrangements such as setbacks for houses and preservation of trees that will, as best humans can, accommodate both our past and our present.



*(Tribune editorials are proposed, discussed and generally written by members of the Tribune Editorial Board. In addition to the publisher, the board is composed of Tim Fought, editor, and Fred-eric Smith, opinion editor.)*

*Bismarck Tribune*

1/2/99

**YOUR VIEWS**

# Double Ditch view owed protection

SAMUEL J. WEGNER, *Bismarck*

I respond to Gary Raedeke's Dec. 21 "My View" regarding preservation of the scenic viewshed from the Double Ditch State Historic Site.

The Historical Society of North Dakota shares Raedeke's concerns. Double Ditch is one of the most important sites we manage for the benefit of the people of North Dakota. This site is listed on the National Register of Historic Places, and may soon be elevated to the status of National Historic Landmark. This fascinating site will significantly contribute to the overall positive experience of people who come to this area to celebrate the Lewis and Clark bicentennial.

Much of the "magic" at Double Ditch has been the experience of seeing the landscape much as the Mandan Indians did. This contributes greatly to a special sense of feeling at the site that defies quantification but warrants earnest consideration.

We encourage the U.S. Army Corps of Engineers, Morton County Planning Commission and property owners to help us preserve the historic viewshed of this area through the use of river setbacks, preservation of trees, use of neutral earthtone colors in construction materials and general sensitivity to our efforts to maximize the quality of the experience at Double Ditch. Voluntary efforts to further these goals on the part of concerned citizens and local government will probably accom-

plish more than federal regulations. However, federal regulations are relevant in this matter.

The Corps of Engineers must comply with the National Historic Preservation Act and its implementing regulations. Thus, the corps must either avoid or mitigate adverse effects to significant cultural resource sites such as Double Ditch.

This agency will continue to work closely with the corps and other parties to protect Double Ditch and other significant cultural resource sites from any adverse effects.

*(The writer is superintendent of the Historical Society of North Dakota and the state historic preservation officer. — Editor)*

MY VIEW

# Double Ditch values threatened

GARY RAEDEKE, *Bismarck*

The Tribune recently reported Gov. Ed Schafer's interest in promoting the historical and tourism potential of the Missouri River. The governor is seeking \$2.3 million from the Legislature in preparation for the Lewis and Clark Bicentennial celebration, including expenditures for Double Ditch Indian Village State Historic Site.

While pleased, I find it ironic that millions of dollars are being spent on modern man-made attractions, such as the interpretive center in Washburn and artificial enhancements of the sites, while the natural and actual historical experience offered by Double Ditch Indian Village is being diminished by obtrusive development.

Double Ditch is one of the most significant historical sites along the Garrison Reach. The historic site overlooks the Missouri River from its high east bank, and provides a magnificent view of the river for the visitor. It is one of the few places north of town where the public has access to the river.

Double Ditch is a unique historic site of national significance. It was occupied by the Mandan Indians from 1600 to 1781. In 1804, Lewis and Clark observed a band of Teton Dakota camping near the abandoned village.

When I have visitors from out of state, Double Ditch is where I take them. They are awes-



**Gary Raedeke,** Bismarck, works at the state Supreme Court and is a member of the North Dakota Chapter of the Sierra Club.

truck by the immensity and power of the openness, the tranquility and beauty of the prairie, and the gorgeous sunsets we take for granted. They are also surprised that the site is so uncommercialized and forsaken. At Double Ditch, one can dream and experience the Lewis and Clark expedition and drift back in time to when the site was occupied by the Mandans. One can experience history.

The quality experience Double Ditch offers the public is threatened. Without legal authorization from the U.S. Army Corps of Engineers, Patrick and Michael Wachter began grubbing the trees and rock-riprapping the riverbank directly across from Double Ditch. After being requested to cease work, the Wachters submitted an after-the-fact-application to the corps for a permit to reslope and rock-riprap almost a mile of the riverbank for the purpose of constructing 62 houses, on the river's immediate edge, directly across from Double Ditch.

As part of its decision on whether to issue a

permit for rock riprap, the corps conducts a public-interest review. The corps is required to consider potential impacts to the public's ownership values in the river, including aesthetic and historic concerns. In my opinion, the Wachter permit application should be denied, to preserve the historical values of Double Ditch and the public's ownership values in the river.

A significant aspect of Double Ditch's value as a historic site is the view of the river. The river is entwined and interlaced with the historic site itself. The river explains the reasons for the location of the site, and exemplifies the life of the area's earlier inhabitants. With 62 houses directly below the historic site, visitors will no longer be able to look down on the river and mentally visualize the area as it appeared historically. Visitors are not coming to look at houses along the Missouri River.

Currently, the way much development is occurring along the river, it's right in the face of the public. Managed and planned development is needed along the river to avoid haphazard results and diminishing the public's use and enjoyment of the river and historic sites such as Double Ditch.

For instance, requiring reasonable setbacks and earth-tone colors for houses would help, as would leaving the trees along the riverbank. Why not provide the same care for unique natural resources that we provide for our residential neighborhoods through land-use planning?

# Riprap study gets OK

11/25/78  
RON WILSON  
*Bismarck Tribune*

The U.S. Army Corps of Engineers has agreed to conduct a study aimed at settling the debate over whether Missouri River bank riprapping causes cumulative damage to the environment.

Earlier this month, corps officials said a study to determine the cumulative effects of bank hardening on the river wasn't needed. It was said such a study would repeat work done as part of the corps' ongoing review of the operating plan for release of water from the river's mainstem dams.

Bill Miller, project manager with the corps in Omaha, Neb., said the decision to conduct a study wasn't due to the outcry from conservation groups and wildlife agencies.

"It isn't necessarily a direct result of that," he said. "It's that this year we have the money to address these kinds of issues. Next year, we might not."

Bill Bicknell, biologist with the U.S. Fish and Wildlife Service in Bismarck, said the conservation community and wildlife agencies certainly played a role in getting the corps to agree to the study.

"The important thing is that they are willing to do the study," he said. "This will be a tremendous opportunity to learn more about the river."

The study will include those stretches of river from Fort Peck Reservoir in Montana to south of Gavins Point in South Dakota.

Miller said the study will start with a "scoping process."

"Basically, it's an opening of the door to invite all interested parties to the table to identify what are the issues, what information is currently available to help address the questions or identify information gaps," Bicknell said.

This process could get under way as early as January. How long it will take to scope the issues or collect data is unknown. The cost of the federally-funded study also has not been announced.

"We can say this: 'We're going to make every effort in the world to not drag this process out,'" Miller said.

Andy Mork, a proponent of bank hardening, could not be reached for comment. But he's said in the past that one of his concerns with a riprapping study is the time frame. A two- or three-year study is too long, in his view.

"The scoping process alone could take months," Miller said.

Bicknell said it's long been the belief that there is not adequate information about riprapping to make good decisions about the future of the Missouri.

"We want to have a better understanding of how continued bank stabilization efforts will affect, in the long term, the wildlife habitats provided by the river," he said.

ON THE TRAIL

11/25/98

# Lower Missouri River regains some of old self

*(Interest in Lewis and Clark history is growing as the bicentennial of their historic journey approaches. After a trek along the Lewis and Clark Trail from Bismarck-Mandan to the Pacific Ocean last year, Tribune reporter Jeffrey G. Olson returned to the trail this fall in his trusty van, Voyager. His stories focus on the lower Missouri River, the people from Bismarck-Mandan to St. Louis, and their connection to the 19th century explorers whose journey compares to man's 20th century trip to the moon.)*

JEFFREY G. OLSON  
*Bismarck Tribune*

NEBRASKA CITY, Neb. — Reporters are supposed to be free of preconceived notions, or at least set them aside while on assignment. Mine enhanced a 2,716-mile journey along the first half of the Lewis and Clark trail this fall.

I wasn't very excited about the trip. How, after the breathtaking one-week sprint from Bismarck-Mandan over the Rocky Mountains to the Pacific Ocean and back last fall ... well, how could a trip along the lower Missouri River compare?

Over the years, I've heard the environmental community complain about the barge canal created by the U.S. Army Corps of Engineers. I'd heard biologists

## PREVIEW

Today's story looks at the changes that the Missouri River has gone through since the Corps of Discovery made its journey down the river. On Thursday, a look at the descendants of Capt. Meriwether Lewis.

whisper that commercial fishing "ruined it" for sport anglers.

As I motored those first miles south of Bismarck on Highway 1804, I remembered anecdotes about packing plants at St. Joseph, Mo. Hundreds of thousands of tons of animal waste and guts were dumped in the river, year after year after year after ...

I recalled stories that bird and animal habitat along the lower reaches of the river were forever lost, that the river was a muddy sewer emptying into the Mississippi River north of St. Louis.

Some of those stories were true, some false. My first look at the 730 river miles below Sioux City, Iowa, to the confluence with the Mississippi River was a surprise.

*(More on RIVER, Page 8A)*



By JEFFREY G. OLSON of the Tribune

Wayne Pumel of Auburn, Neb., fishes on the Missouri River at Brownville, Neb. Remnants of a dike, behind Pumel, have been replaced by a rock jetty.

# River: Navigation, recreation dominate fight over Missouri

FROM PAGE 1A

But for the absence of sand bars, so common in North Dakota, the lower river looks pretty familiar.

## Universal truths

People along the waterway view it as a priceless treasure even though they don't always treat it that way. They guard it, jealously, for their own uses. They deny or underestimate its power and are stunned by its fragile nature.

People along the river, from Fort Peck, Mont., to St. Charles, Mo., love to carp about the U.S. Army Corps of Engineers, the federal agency that "tamed" the Missouri.

## They want what?

Many people I visited along the river in Nebraska, Iowa, Kansas and Missouri raised an eyebrow when I mentioned the effort by some folks in North Dakota to riprap or otherwise stabilize part of the riverbank.

For all the millions (maybe billions) of dollars spent to stop flooding and make navigation easier on the Missouri, the corps is now involved in a project to let parts of the lower river go wild again.

The first back-to-nature project began in 1993. Hamburg Bend is a river channel remnant near Nebraska City, where the corps ripped open a levee to recreate a backwater area.

Mike Barnes, a corps program manager in Omaha, Neb., says, "Opening the old side channels creates a slow-moving water area" that is ideal habitat for birds, mammals and fish.

The 1,500-acre Hamburg Bend project represents just a fraction of

lost habitat, but it's a good start, says Chad Smith of the watchdog group American Rivers.

"It's a spectacular program, but I think it's underfunded," Smith says. "It goes only to Sioux City and I think it should continue all the way to the headwaters in Montana."

The corps pays market price to willing sellers, most of whom have struggled through years of flooded fields planted in what used to be the river channel before the agency "improved" the river for barge traffic.

Although the main stem dams on the Missouri provide flood protection, the old meandering Missouri also offered flood protection with its backwaters, swamps, sloughs and side channels.

Today's deep, narrow channel means the river can't handle as much water before it floods when compared with the wide channel and meandering waterway Lewis and Clark traveled on. Studies by the corps indicate that the river near Nebraska City is four to five feet higher when flows reach 100,000 cubic feet per second than the river was during floods of the 1930s.

## The battle

When reservoirs in the Dakotas shriveled during the drought of the late 1980s, recreational boaters, fishermen and resort owners along the upper Missouri complained long and loud about management of the system.

How could the corps, they asked, in spite of the worst drought in more than 20 years, continue to release enough water from main stem dams to keep the barge season running normally?

After months of complaints from

resort owners and howling sport anglers on the upper river, the corps announced it would shorten the navigation season to conserve water.

When The Big Dry curdled the upper Missouri basin, the recreation industry and environmentalists highlighted the out-of-proportion attention the navigation industry received from the corps.

An interstate highway for freight and people in the 19th century, the Missouri River was supposed to carry 20 million tons of cargo each year after the Sioux City, Iowa,-to-St. Louis stretch of the river was tamed.

Those numbers never materialized, Smith says. "Freight peaked at 3.3 million tons per year in 1977. The river now carries 1.5 million tons per year, generating less than \$10 million in economic benefits."

Just 10 percent of market-bound corn and beans grown in Missouri, Iowa, Kansas and Nebraska is shipped on Missouri River barges.

By comparison, the recreational value of the river is \$115 million per year and rising.

The economic benefits remaining in the navigation business are still important to the main streets of river towns.

Nebraska City banker Doug Friedli says there is deep concern for how much of the Missouri River bottomland will be allowed to return to a natural state.

Each spring, tows push barges loaded with dry fertilizer to a large storage facility at Nebraska City. That fertilizer is trucked out for regional use. In the fall, barges haul corn and soybeans downstream.

Farmers can ship beans and grains by truck, rail or barge in the fall and, Friedli says, "That helps keep corn prices higher by five to 10 cents per bushel. ... If they (corps) let it go back to its natural state there won't be enough of a channel for barge traffic."

But if recreational value continues to outstrip freight hauling, will the public care if river barges are converted to river bank museums? Those polluting packing plants at St. Joe are gone, Cordonnier says.

That's a question more and more people along the river think about.

Friedli also is a Lewis and Clark history buff. He sees the value of recreation and tourism now that the National Park Service will build a visitor center nearby to focus on the plant and animal discoveries along the route followed by the Corps of Discovery.

Tens of thousands of new visitors can be expected at the center, at least through the Corps of Discovery bicentennial celebration years. No doubt those folks will need a campground, motel room and a meal.

No one is asking that the entire river be turned loose, Smith says. "We think there's an alternative that supports river wildlife, recreation on the reservoirs and river stretches and supports navigation in the most critical times of spring and fall."

Along the Missouri at sunset, one of his favorite places and times, Mackley dispenses a bit of River Rat wisdom: "The Missouri River is like a bottle of fine wine. You have to care for it and be careful of it."



# Agencies working on wildlife habitat

11/25/95

JEFFREY G. OLSON, *Bismarck Tribune*

NEBRASKA CITY, Neb. — The Missouri River Fish and Wildlife Mitigation Project was born in Congress in 1984 after a 1981 study detailed fish, wildlife and habitat losses due to bank stabilization for navigation.

Four decades after the Pick-Sloan Act began to harness the river for hydroelectric power, irrigation, navigation and flood protection, Congress authorized the same U.S. Army Corps of Engineers to purchase 29,900 acres of undeveloped land along the river for wildlife mitigation. Another 18,200 acres of existing public land along the Missouri falls under the program umbrella.

When corps engineers and laborers "improved" the river to aid barge traffic, the original 300,000-acre channel below Sioux City, Iowa, was reduced to 112,000 acres.

The 188,000 surface acres of water was reduced to fewer than 88,000 acres and the trip from Sioux City to St. Louis was cut short by 127 miles.

American Rivers, the watchdog environmental group, says 20 percent of wildlife species native to the river have declined and the interior least tern, the piping plover and the pallid sturgeon are on the Endangered Species list.

So far, the corps has spent \$16 million to buy about 19,000 acres of land along the river.

Mike Barnes, a corps mitigation manager in Omaha, Neb., says it will take another \$19 million over five or six years to purchase the remaining 10,000 acres authorized.

State wildlife agencies in Iowa, Nebraska, Kansas and Missouri also are active in restoration of river habitat. Missouri is the leader with a 4,300-acre wetland project on land purchased from the city of St. Louis at the confluence of the Missouri and Mississippi rivers.

The U.S. Fish and Wildlife Service also is involved in habitat restoration with a 60,000-acre project called The Big Muddy in central Missouri.

In all, state and federal mitigation projects are under way or on the drawing board near Washington, Columbia, Boonville and Waverly, Mo., Atchison, Kan., Rulo, Nemaha, Peru, Nebraska City, Plattsmouth, Blair and Macey, Neb.

# Corps puts Missouri riprap study in limbo

11/3/95

RON WILSON  
*Bismarck Tribune*

Despite repeated calls for a study to determine whether Missouri River bank riprapping causes cumulative damage to the environment, the U.S. Army Corps of Engineers has hesitated, saying it has the information it needs.

The concern, expressed by the U.S. Fish and Wildlife Service and the state Game and Fish Department, as well as private groups, is that, while small stretches of riprap here and there may not cause major problems, those small stretches might eventually add up to significant damage.

Kevin Quinn, chief of public affairs with the corps, said corps officials believe a cumulative impact study would be redundant since one was done as part of the corps' ongoing review of the operating plan for release of water from the river's mainstem dams.

Others disagree with the corps assessment.

Bill Bicknell, biologist with the U.S. Fish and Wildlife Service, said that while the corps study is a good step, it's not good enough.

"Primarily, our concern is that the (corps) study didn't go into adequate detail concerning fish and wildlife habitat resources," he said. "It's a good step, but it doesn't meet all the concerns raised."

It's difficult to tell which side of the fence the corps will fall off, but Bicknell said some signs indicate it might be on the side of further study.

Bicknell, who attended a meeting last week in Omaha, Neb., where bank stabilization from Garrison Dam to the headwaters of Lake Oahe was discussed, said corps officials are looking into the possibility of conducting another, yet different, cumulative impact study.

"They (corps officials) were not able to give us a definitive answer — something you could hang your hat on," Bicknell said. "But they

*(More on RIVER, Page 14A)*

## River: Corps reviewing issue

FROM PAGE 1A

said we'd find out sooner than later on funding for a cumulative impact study. We're in a wait-and-see type mode in what we can expect from them."

Andy Mork, bank stabilization proponent from Mandan, said the Burleigh, Oliver, McLean, Mercer and Morton counties joint water resource district board doesn't think a study is a high priority.

"But we would not object to the study," said Mork, BOMMM board chairman. "We look at it as a positive thing if it's done rapidly. We think a study like that will show how good the river is. I think an objective study will show that."

Mork, however, said not to call it

a cumulative impact study because that sounds negative.

"We prefer a cumulative effect study," he said.

No matter what you call it, Bicknell said the key is the focus of the study.

"The (corps) study was primarily designed to look at different flow regimes and how they would affect erosion," he said. "What we are asking them to do is focus on fish and wildlife habitat and how continued bank stabilization will affect the riverine wetlands, braided channels, fish spawning habitat ... those areas that make the Missouri one of the most important and diverse wildlife habitats in North Dakota."

There has been some speculation that it would take a year to define the focus of the study, then maybe another two years to conduct it.

Mork said that is not acceptable.

"The part we don't like is the time frame," he said. "What they (riprapping opponents) want to do is stop development along the river. That's what that is all about. Dragging it on for three years is a good way of doing that."

The time frame aside, Bicknell said a study on bank hardening is needed.

"The study may very well reveal that we can further stabilize without doing further harm," he said. "Yet, we may find that further stabilization may be harmful."

# EPA says put limits on riprap

■ Agency says more study is needed on stabilization effects along Missouri River

RON WILSON  
*Bismarck Tribune*

The Environmental Protection Agency has joined in the chorus with wildlife agencies calling for a halt to all nonemergency river riprapping until the cumulative effects of bank stabilization on the Missouri River have been determined.

The EPA's recommendation to the U.S. Army Corps of Engineers, however, does not mean an end to all riprapping on the stretch of river from Garrison Dam to the headwaters of Lake Oahe.

"All parties have agreed that a moratorium will not go into effect," said Jim Winters, with the corps office in Bismarck. "We will continue to issue permits on a case-by-case basis on the Missouri River."

Bill Bicknell, wildlife biologist with the U.S. Fish and Wildlife Service in Bismarck, said the EPA has been silent on the issue for some time. But, he said, the federal agency picked a good time to take a closer look at the bank hardening issue as development and stabilization along the Missouri are at an all-time high.

"I think the EPA is advising the corps that they need to be very cautious about what is done to the river," Bicknell said. "I look at the Missouri River as the defining characteristic of Bismarck-Mandan

and it's changing under our watch."

In a letter to the corps, William Yellowtail, EPA regional administrator, wrote: "We recognize that some individual bank stabilization projects may have limited direct effects on the environment. However, we are highly concerned that a continuation of the current piecemeal approach to addressing bank erosion may have cumulative adverse effects on the environment and contribute to the significant degradation of the Missouri..."

Winters said that, as talks continue on bank stabilization, it's important for all the agencies involved to not forget those people who own land along the Missouri.

"The key is to reach a goal of environmentally sustainable development," he said. "And it's very important that the private property owners have a say in this because they have a lot at stake."

Ayn Schmit, EPA Missouri River Coordinator in Denver, said it makes sense to slow down the amount of riprapping while erosion studies are done.

"The people of the lower basin have finally come to the understanding that bank stabilization and channelization are things you can take too far," she said in reference to the channelized river environment found south of Sioux City, Iowa.

"I would hate to see the people of the upper river go too far down the same path without giving full consideration of how bank stabilization projects will affect the river."

Gary Raedeke, with the Teddy Roosevelt Group of the Sierra Club,

(More on EPA, Page 14A)

## EPA: Official encourages using care

FROM PAGE 1A

said the significance of the EPA's letter to the corps is clear.

"It's very good news to have an agency like the EPA recognizing the significance of the Missouri River and that if we don't stop our current course of action, our river could have the characteristics of an armor-plated canal," he said.

Todd Sando, with the State Water Commission, said you can't draw any comparisons with the Garrison Reach of the Missouri to those portions south of Sioux City.

"The facts just aren't there right now that bank stabilization is destroying our river," he said. "But that doesn't mean that we shouldn't be careful with what we do with the river."

# Consider recreationists and wildlife, corps told

10/15/98

RON WILSON  
Bismarck Tribune

Craig and Shelley Larson were running on a tight schedule Wednesday afternoon — things to do, places to go. But the Bismarck couple's day wasn't so jammed that they couldn't squeeze in a chat with visiting Army Corps of Engineer officials.

"We wanted the corps to know that the river and how they plan to care and operate it are important to us," Shelley said.

The Larsons were among only a handful of visitors who attended an afternoon workshop at the Bismarck Civic Center held by the corps to inform people about eight alternatives it is proposing for operating six dams on the 2,300-mile river. An evening workshop was also held.

The corps is holding a series of workshops up and down the Missouri to give people like

the Larsons a chance to comment on how proposed changes to its operating plans might affect them.

"With the old master plan, downstream navigation was the driving force," Craig said. "We hope that changes. We hope that they put upstream recreation into the proper perspective in the next plan."

And don't forget about wildlife, Shelley added.

Craig said taking time out of their day to make sure someone heard their opinions was important.

"I think the Missouri River defines western North Dakota ... that's why a lot of us live here," he said. "We're very protective of this resource. The corps has within its power to keep things the way they are, to improve upon them or to make things worse. We just want them to keep us in mind when they

(More on RIVER, Page 12A)

## River: Want list as long as Missouri

FROM PAGE 1A

make their decisions."

Meaning: Regulate water releases from the six dams with anglers, wildlife and recreationists in mind, not just barges.

Paul Johnston, chief of public affairs with the corps, said there is nothing sacrosanct about the corps' eight alternatives. When a preliminary preferred plan is drawn up from a year from now, it's likely it will be a hybrid of several alternatives.

"The comments we'll hear today and down the road are the very soul of these workshops," he said. "Peoples' preferences are very important ... they'll be factored in the decision making."

Todd Sando, with the state Water Commission, said opinions aired Wednesday will help influence decision for future generations of North Dakotans.

"The plan the corps is operating under now has been set for years ... the benefits of that plan have been

weighed more towards downstream states than North Dakota," he said.

Sando said change is needed.

"We need better conservation measures during times of drought," he said. "If inflows are low, then releases should be low. It's a waste if the water is only released downstream to float barges."

Sando said some alternatives call for permanent pool levels in the reservoirs to be much higher than is called for now. Under one alternative, for example, a permanent pool level of 31 million acre feet would be the rule, which would provide less support to navigation and more to water conservation during a drought. Under the current plan, the permanent pool level is 18 million acre feet.

"That (31 maf) would be great for North Dakota," Sando said. "But you have to remember that these issues are very complicated. Every decision you make impacts someone else."

# Dakota

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TAMING THE  
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# Taming the MISSOURI RIVER

by Bill Mitzel

**P**rogress has caught up with the Missouri River in North Dakota. Particularly around Bismarck-Mandan, river-front homes are being constructed at a record pace and along with that, the pattern of river bank stabilization has become a major issue among recreationists, conservation groups, wildlife managers, landowners, and, of course, river-front homeowners.

The issue of bank stabilization has risen first from several river-side landowners who want public funds to create rip-rap along shoreline they own. The problem proliferated last year, with the extremely high water releases through the summer caused by excessive snow and rainfall during the winter of 1996-97. The heavy current and high water through all of the summer and fall resulted in strong shoreline

losses in some areas of the river, prompting a cry from many landowners for help in stabilizing the river's shoreline.

A second pattern has emerged in recent years with the construction of hundreds of new homes along the river, as developers and citizen chase the American dream — to live next to water.

Many individual homeowners, as part of the process to protect their property, rip-rap their shorelines to keep river erosion at

bay. The two factors have forced officials to take a serious look at the situation and develop a plan for future river alterations.

One of the agencies involved, the North Dakota Game and Fish Department, has called for a go-slow approach, and suggests that extensive study is needed on any future channelization, citing the potential damage to wildlife and the river itself.

Most important, officials say, is the need to carefully watch the



*River-front development and bank stabilization comes of age on the Missouri River in North Dakota, and it's created some conflict.*

"piecemeal destruction of these resources (fish and wildlife) through increasing numbers and size of bank stabilization projects". That was part of a statement sent to the U.S. Army Corps of Engineers by the U.S. Fish and Wildlife Service, urging a moratorium on any future Missouri and Yellowstone river bank stabilization projects.

Six major dams operate on the Missouri River system from Fort Peck, Montana to southeastern South Dakota, and the construction of these dams has resulted in major benefits to Dakota citizens, not the least of which are flood control and recreation. And further downstream near Sioux City, Iowa, the channelization of the river for commercial barge traffic has all but eliminated an semblance of a fishery or wildlife haven.

In a position statement to the North Dakota Game and Fish Director, **Dean Hildebrand**, several officials of the department called for other alternatives than stabilizing eroding banks on private landowners' property, which would be paid for from public funds.

The statement said, "The economic cost of traditional riverbank protection (riprapping) or agricultural land appears far in excess of the value of the land being lost. According to Corps data, 1,100 acres of shoreline will be lost to erosion in the next 50 years at a present day cost of \$274,000. In contrast, bank stabilization of river property would cost approximately \$600,000 to \$1 million dollars per mile."

They suggested other ways to avoid channelization of one of the last free-flowing portions of the Missouri River, including sloughing easements, conservation easements adjacent to the river, or acquisition in fee title, all less expensive and much more environmentally friendly, especially for agricultural lands.

Since the construction of the dams in the 1950s, the system has developed into a world-class fishery for a wide variety of species, and those who manage and use the system for recreation are discouraged by efforts of continued river shoreline restrictions. Fishing, alone, is so good that in certain areas of the Garrison

Reach, says Game and Fish Department research, more than two tons of walleyes are harvested annually per river mile.

"If allowed to continue," the Game and Fish report says, "bank stabilization will likely reduce the remaining spawning and rearing habitat for the river's fishery, thus causing the loss of this important state and regional fishing industry."

In addition to the recreational value of the river, the system is home to four threatened or endangered species, including the

bald eagle, pallid sturgeon, piping plover and least tern.

"We must accurately determine the cumulative impacts of bank stabilization," the report continued. "Not doing so may cause the Garrison Reach of the Missouri River to become a biologically unproductive, channelized river environment such as that found south of Sioux City, Iowa. Bank stabilization will likely continue to occur at some level, but cumulative impacts must be addressed with the goal of maintaining the integrity of the system."

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Meanwhile, the North Dakota Chapter of the Sierra Club has expressed strong concern about future development and shoreline control of the Missouri River, particularly at the public's expense, and has launched an advertising campaign to get the public involved. It's estimated that 40 percent of the river's shoreline in the Bismarck-Mandan area has already been directly stabilized (rip-rapped).

Much of the rip-rap construction has been done at taxpayer expense, and the Sierra Club, for one, doesn't believe that's justifiable.

At present, landowners and developers are asking Congress for \$13.6 million to channelize 17 additional miles of riverbank, and many officials say it would be cheaper to simply buy the lost shoreline areas from landowners.

"The agricultural or reasonable economic value of riverbank property being lost to erosion is minimal," the Sierra club report said. "The cost of compensating landowners for land lost to erosion is far less than the cost of bank armoring."

Continuing, they say, "Some landowners erroneously argue they are entitled to rock riprap on their river because the releases from the dam cause more erosion today than occurred naturally before the dam. Data from the U.S. Army Corps of Engineers refutes their contention. Prior to the dam, the erosion rate for the Garrison Reach was 222 acres per year. Today, the erosion rate is typically around 22 acres per year."

The group also cites statistics that indicate erosion problems were much higher before dam construction, with the average annual peak flow before 1953 at 136,000 cubic feet per second (cfs), with peak flows over 500,000 cfs some years of excessive runoff.

Economics aside, many are calling for preservation of the historic value of the Missouri River as well. While much of the system has been altered, channelized and reconstructed, much of it remains free-flowing, with abundant wildlife, almost intact forest growth, a solid scenery and pristine beauty. They want to keep it that way.

According to the Sierra Club,

the solution to much of the problem is, "Instead of having the taxpayer pay for bank armoring, conservation and sloughing easements could be used to protect the river corridor and to compensate landowners for land lost to erosion. Revenue from the river's hydropower dams could be used to protect this remaining stretch of free-flowing river. While more than \$6 billion has been spent to construct and maintain flood control and navigation infrastructure, less than \$50 million has been spent to enhance habitat or recreational uses of the river."

In its concluding statement on future riprapping on the Missouri River, the Game and Fish Department said, "The Garrison Reach of the Missouri River is an important resource for all

North Dakotans. It's history, value to adjacent residents, recreational attributes and natural resources mandate responsible stewardship for today's and future North Dakota citizens. Addressing the issues that may threaten these values in an objective and sensible manner is in the best interest of all those who use and care for the Missouri River, including both government and the public. For us to do otherwise would be irresponsible and a breach of our public trust responsibility." •

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# Agency joins call for river moratorium

## ■ Halt wanted to stabilization work on Missouri, Yellowstone

PATRICIA STOCKDILL  
*Tribune Correspondent*

The U. S. Fish and Wildlife Service wants the Army Corps of Engineers to issue a moratorium on all nonemergency bank stabilization permits along the Yellowstone and Missouri rivers until more is known about its cumulative impacts.

In an August letter sent to Gen. Robert Griffin, the corps' Northwest Division commander, the agency expressed concerns that "the piecemeal destruction of these resources (fish and wildlife) through increasing numbers and size of bank stabilization projects has continued unabated, thus requiring me to elevate this issue to your office." The request was

issued by Ralph Morgenwick, Fish and Wildlife Service Region 6 director, Denver, on behalf of the service's Bismarck and Helena, Mont., offices.

The corps is the federal agency in charge of issuing stabilization permits under Section 404 of Clean Water Act. It also happens to be the agency managing Missouri River water control operations.

The Fish and Wildlife Service has worked closely with the corps' Bismarck regulatory office in addressing issues concerning direct impacts of stabilization projects and they meet on a regular basis, said Bill Bicknell, Fish and Wildlife Service biologist for corps projects and permits. "Where we've been unsuccessful is looking at what effect all these projects have on the cumulative impact. This is one that has just been beyond the capability of our local offices. So we've taken another step to bring attention to this issue," he said.

The request echoes a similar sentiment by the North Dakota Game and Fish

Department: A recently released report by department heads to the its director, Dean Hildebrand, suggests that no public funds be appropriated for stabilization on private lands adjacent to the river and that water and river experts study stabilization's cumulative impacts.

The corps did one study on cumulative impacts, but it compared the current water control operating plan with one proposed in 1994, said Roger Collins, Fish and Wildlife Service biologist for Missouri River issues. While the study is a good start, "it does not adequately address cumulative impacts to fish and wildlife in relation to the 404 (permitting) process," he said.

"What we need is the information to determine what reaches are critical and what could stand stabilization," Bicknell said.

The corps' Portland, Ore., office is headquarters for its Omaha district and division offices.

The federal Clean Water Act gives the Fish and Wildlife Service authority to push

certain issues such as stabilization permits to higher levels of decision-making.

When the service makes such a request, that kicks off a 60-day analysis period. Also the issue can be referred to the assistant secretary of fish and wildlife of the Department of the Interior and the assistant secretary of civil works of the Army.

"So it can end up in Washington eventually if we can't resolve it at this (regional) level," said Al Sapa, field supervisor of the Bismarck Fish and Wildlife Service's Habitat Office.

In North Dakota, most stabilization permit requests involve longer stretches of riverbank, sometimes several thousand feet in length.

More than 500 permits have been issued along the Yellowstone River, but involve smaller distances. The Yellowstone is the longest free-flowing river remaining in the lower 48 states and enters the Missouri River just east of the North Dakota-Montana border.

*Bismarck Sunday Tribune, Sept 6, 98*

# Report urges new river look

*Bismarck Tribune, Sept. 1, 98*

RON WILSON  
*Bismarck Tribune*

A report from the state Game and Fish Department says immediate action should be taken to determine the cumulative impacts of bank stabilization on the Missouri River.

Not doing so, according to the report, may cause the stretch from the Garrison Dam to the headwaters of Lake Oahe to become a biologically unproductive, channelized river environment like that found south of Sioux City, Iowa.

"It would just seem prudent and in the best interests of the citizens of North Dakota, those people who own the river, to step back and see what is happening to the river before we get too far down the road," said Mike McKenna, department natural resource division chief. "To me, that is simply responsible management."

The report, titled *The Missouri River in North Dakota Garrison Reach*, was developed by department staff as part of an ongoing effort to address issues affecting North Dakota's fish and wildlife.

Dean Hildebrand, department director, said the report is available for public viewing at Game and Fish headquarters.

Terry Steinwand, department fisheries division chief, said there is a need for a more structured approach to what is going on along the river.

"It's a matter of doing the best thing for the people of North Dakota including those who live along the river and those who use it," he said. "At this point in time we don't know what the impact (of riprapping) is. But it's something we certainly need to find out."

Game and Fish officials realize that bank stabilization will continue at some level. However: "Unless an appropriate plan of action based on sound engineering and scientific analysis is formulated, publicly funded stabilization on private lands should not occur."

Hildebrand said not everyone will agree with what is in the working document.

"The important thing is that we come together and work on this jointly," he said. "This stretch of river is so precious, we have to do whatever we can to protect it."

The report addressed a number of issues including:

■ **River flow:** "In order to maximize recreational, aesthetic and fish and wildlife benefits, a planned flow regime should range from a

*(More on RIVER, Page 8A)*

## River: Report addresses many issues

FROM PAGE 1A

low of 14,000 cubic feet per second to a high of 40,000 cfs representing a river stage ranging from 4.5 to 11.5 feet at Bismarck.

"Daily minimum and maximum flows necessary to deal with emergency situations should under no circumstances fall below 10,000 cfs or rise above 60,000 cfs and must honestly reflect the severity of the emergency."

■ **Fish management:** River flows "must be sensitive to fishery management whenever possible. An example would be the recognition of Lake Oahe's elevation as an

important and integral part of the fishery — spawning and rearing habitat."

■ **Bank stabilization:** "The economic cost of traditional riverbank protection (riprapping) for agricultural land appears far in excess of the value of land being lost. According to current U.S. Army Corps of Engineer's data, 1,100 acres of shoreline will be lost to erosion in the next 50 years at a present day cost of \$274,000. In contrast, bank stabilization of river property would cost approximately \$600,000 to \$1 million per mile. Sloughing easements, conservation easements adjacent to the river, or

acquisition in fee title would appear to be viable alternatives to riprapping, all likely less expensive and much more environmentally friendly, especially for agriculture lands."

■ **Development:** "Maximum protection of the river ecosystem would call for no further development along the river. This is unrealistic as private land development will continue to occur at a steady or increasing rate. If the river becomes lined with homes and the banks stabilized with riprapping, then the very factors which made the area desirable for development may well be destroyed."

yellow Labs. I have a few Labs who are almost white, and they seem to last longer in the heat.

If you hunt sharp-tailed grouse in the early season, the afternoons can be very warm. During the 1997 North Dakota grouse opener in North Dakota, weather produced such a warm afternoon. I hunted a chocolate Lab and a black Lab together for the first few hours. There was a water hole at the halfway point that day, and by the time we got back to the truck, both dogs were very tired and both filled up with water before I put them away.

For the rest of the day, I hunted a different chocolate Lab and a very light yellow. Back at the truck after the walk, the yellow Lab was in much better shape, still wanting to hunt or fool around with the other dogs.

The next day we awoke to overcast skies, which resulted in a light rain later on. There was nearly a 20-degree temperature difference between the two days, and we took all four dogs out to work together to fill our limit. After two hours of hunting, there was very little difference in how the dogs acted. I believe I had all four dogs in the best shape possible.

You must also take into consider-

ation how much you hunt the dog. If you only hunt a few weekends a season, there will be much less stress and wear on your dog. If you hunt 30 days or more, your dog must be in very good shape.

We hunted from September through January last year and showed only an eight-pound weight difference on my three-year-old black Lab. The rest of the dogs showed even less weight losses. If your dog stays outside during the winter as mine do, they can't afford a great weight loss going into the cold season.

Start right away to get the pooch into hunting shape. Make time for exercise. Sharpen his obedience, too. There's nothing less effective than those hunters who attempt to do all their training in the field.

Make sure you buy quality dog food and be sure to carry plenty of water during each hunting trip. If you don't let your hunting buddy down, he won't let you down either.

Good hunting. •

*Jim Enlow is the owner of North Country Labs in Marvel, North Dakota.*

## Stop Your Tax Dollars From Supporting Private Riverfront Development

The Senate Appropriations Bill contains a provision for **\$750,000** in public funding enhancing private development along your Missouri River.

Call or write Senators Dorgan and Conrad:

- Ask them to remove the \$750,000 in public funding for rock rip-rap from the Appropriations Bill.
- Remind them public money should be used for public good.
- Ask them to use the money to preserve the recreational, historical and wildlife values of your Missouri River.

Senator Byron Dorgan  
US Senate  
Washington, DC 20510  
Ph: 701-250-4618  
Toll Free: 800-666-4482

Senator Kent Conrad  
US Senate  
Washington, DC 20510  
Ph: 701-258-4648  
Toll Free: 800-223-4457



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## Public money for public good

MARY R. CHRISTENSEN

*Bismarck*  
*Mandan* 8/30/98

Over \$63 million in public funds will be spent on home buyouts and property acquisitions as a result of North Dakota's devastating floods of 1997. Yet, our government continues to be insensitive about the risks associated with riverfront development. You would think it would now be obvious that, despite the promises of engineering, some terrain is just not appropriate for development.

Instead of respecting and appreciating the free-flowing and dynamic characteristics of the Missouri River near Bismarck, the North Dakota State Water Commission has identified 17 additional miles of riverbank for rock riprapping, at a cost to the taxpayer of \$13.6 million. U.S. Sens. Byron Dorgan and Kent Conrad have begun the financing by inserting an appropriation of \$750,000 into federal legislation. Ultimately, if this continues, our beautiful river will be constricted like an armor-plated canal. This is what happened to the channelized river south of Sioux City, Iowa.

Millions of our tax dollars have already subsidized much of Bismarck's riverfront property. Riprapping targets agricultural land for development; because, with the banks protected, homes can be constructed on the immediate edge of the water. The agricultural value of the land is not worth the cost of rock riprapping, which costs close to a million dollars per mile of riverbank.

Using public money to benefit a few private landowners and to promote riverfront development exploits taxpayers. Public money should be used for public good. The ultimate costs of riverbank development need to be remembered. The floods of 1997 need to be remembered.

As one of the few remaining stretches of river Lewis and Clark would recognize today, the Garrison Reach of the Missouri River is one of our state's greatest treasures. As we approach the bicentennial of their historic expedition, let's ask Dorgan and Conrad to preserve our river's historical, recreational and wildlife values for all the public, instead of promoting riverfront development for the private pleasure of a few.

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Merle E. Lofgren,  
(S.D.) Messenger

virtually meaningless, if we sell our souls and  
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values.

Our great country is so powerful that we  
were able to ban prayer and the Ten Com-

Our ... is convincing us that Christian  
value ... als and ethics, and what's right or  
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I, along with a handful of other curious citi-  
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The Bible talks about corrup ... ders and  
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right. It may not be a bad idea to open our Bi-  
bles to find out what is right!

Bismarck Tribune, Aug 27, 1988

MY VIEW

# Must we change our river?

JAN SWENSON, *Bismarck*

In the early 1970s, as a just-out-of-college, just-back-from-city-pavement, just-married kid, I rediscovered my hometown. The big draw was the river. It spoke eons. It was all the world, and it was home.

By chance, I fell into the most idyllic years of my life — a little rental house five miles north of town and five minutes' walk from the river. Flooded several times through the years, the house had been jacked up on its own small hillock and had become the "second" on the farmstead my landlords occupied. In the evenings, it was off with the work clothes, on with the swimsuit, beckon the dog and down to the river. Mornings were coffee on the front porch, with deer in the garden and birdsong galore.

The seasons did not change the exhilaration. Never had fallen leaves crunched with such clarity. Skis came out in winter, and the trail started at our front door. Spring was wild pride in the clumped mud on one's hiking boots.

Most of the folk who lived along the river then were longtime residents. There was the occasional family of wealth that hankered after owning horses, or the not-so-ex hippie eking out a living before organic was a sought-after kind of produce. Bismarck-Mandan, as a



Jan Swenson, Bismarck, a member of the Sierra Club, works for a local recording company.

rule, did not see the charms in river life yet. Boats on the river were rare. Proximity to the convenience of town still ran in our recently farm-bred blood.

It is to a great extent because I lived along the river that I have to say, please stop.

Twenty-five years later, the city has moved to the country, and particularly the river. We have discovered Jet Skis and riverfront marina communities. And we show little forethought in the speed and extent of our sprawl.

It is our responsibility and privilege, as a community, to determine the future face of the Missouri River. The importance of this river is the quality in each of our lives, the local and national heritage that surrounds it, and the other-than-human life that depends on it.

The scientific community that makes up our public agencies — such as North Dakota Game and Fish, the U.S. Fish and Wildlife Service

and the U.S. Army Corps of Engineers — needs to hear from us. Public input is so genuinely a part of their mission that, without our comment in defense of the river, time and monies will go elsewhere.

Game and Fish has called for a moratorium on rock ripping of riverbanks. Recent press coverage of the Fish and Wildlife's effort to relieve the plight of least terns, piping plovers and the pallid sturgeon feeds public awareness. Members of the Corps have said it is not if, but when, the river will flood again. The disaster that raked Grand Forks, and diminishes it still, ought to be some lesson. Will all those homes that line our Missouri River become casualties for FEMA someday?

U.S. Sens. Kent Conrad and Byron Dorgan have signed onto a bill appropriating \$750,000 for further riprapping of "hot spots" along the Garrison Reach of the Missouri River. At an estimated \$1 million per mile of river riprapping, \$750,000 will not go far. Yet, introduction of this money encourages proponents of the state Water Commission's 17 additional miles of hot spots. The cost of such rocking exceeds the monetary value of the agricultural land it is deemed to protect. There is little doubt these agricultural lands are targeted for development.

Our Missouri River is no longer the river of Lewis and Clark. Yet, a living river still flows through our community, it graces our lives and calls for our respect. It is difficult to say nay to the friend in love with a new riverfront home, but it is essential to dissuade the next.

# Riprapping some, not all riverfront property

ANDY MORK, *Mandan*

This is in response to yet another letter to the Tribune requesting a stop to all riprapping on our Missouri River. It is time for even a mild, patient person like myself to tell it like it is.

These preservationists, who want the river to be like it was when Lewis and Clark came, have several things in common. They don't own any riverfront, they have no knowledge of the predam Old Muddy, none are engineers, and they always compare our efforts here to the Sioux City-to-St. Louis straitjacketed navigation channel (which is like comparing apples to elephants).

Our Missouri River group — composed of the five county governments involved, an organization of hundreds of actual landowners and those who actually use the river — has long supported a river plan. The plan calls for protecting only the eroding areas, which has been and can be done by project and private funds, and to allow the remaining banks to be natural.

A state Water Commission study and published report by its registered professional engineers in 1997 states that 75 percent of the needed revetment is already in place. When the remaining needed riprap is installed, 60 percent of the banks will remain natural.

An example of our plan is the two-mile stretch north from the I-94 bridge. There, the west bank is riprapped and grown in with trees. The east side, with its small channels and islands, is and will remain natural. Look at it when you next drive west along the river. It is our idea of a river pleasant and useful for

all river users. Lewis and Clark would be pleased with our efforts here!

Our joint board is planning a long-range information program that will include the history, the needed protection and the price of doing nothing.

*(The writer, a riverfront farmer, is chairman of the BOMMM Joint Water Resource Board, representing Burleigh, Oliver, Mercer, McLean and Morton counties and "dedicated to the protection and preservation of the banks of the Missouri River." — Editor)*

*Bismarck Tribune  
Aug. 20, 78*

Bismarck, N.D. 58101

Aug 14, 98

## YOUR VIEWS

# Easements better than river riprap

MATT ODEGARD, *Bismarck*

I was appalled when I read that Sens. Byron Dorgan and Kent Conrad had inserted a \$750,000 appropriation into federal legislation for riprapping the Missouri River near Bismarck. Public money should not be used to enhance private riverfront development.

The money would benefit only a couple of landowners, who would then be able to construct trophy homes on the immediate edge of the river and laugh all the way to the bank. The cost of rock riprapping is greater than the agricultural value of their land. What a deal!

Dorgan and Conrad need to be reminded that public money should be used for public good. Rock riprapping costs almost \$1 million per mile. The agricultural value of land that will be lost to erosion in the next 100 years along the entire Garrison Reach is far less than \$750,000.

Instead of being given away to just a couple of landowners for rock riprapping, the money should be used to benefit more landowners with erodible riverbank and the public. The \$750,000 could be used to purchase, along the entire Garrison Reach, conservation and sloughing easements whereby landowners would be paid for preserving the river corridor and for any land lost to erosion.

Easements would protect the agricultural nature of the land and the public's use and enjoyment of the river by prohibiting development on the water's immediate edge and by preventing channelization. Easements provide a win-win solution.

# Is there a difference

Is there a difference between trees that start as volunteers — wild trees — and those that people plant? Is one better than the other? Does one have more value than the other?

The question came up in a discussion about the trees felled along River Road to make way for a waterline serving a riverside development south of Bismarck. One fellow suggested the loss of the trees wasn't so bad because, since many of them had been planted only a decade or so ago, they weren't wild trees. He sees domestic plantings as worth less than those that survive the natural process.

Likewise, many people believe that if you replace a tree that's cut down with new plantings, then it's all right.

I don't think so. I think that a tree that

grows to be strong and fine can't be discarded just because it was planted by the hand of man. And no tree should be discarded because it's inconvenient.

I would not go so far as the people of Findhorn, Scotland. They believe that the consciousness of trees goes beyond the sawmill, that the trees are aware of the homes into which they are made and the people who live in them.

Still, in North Dakota, trees of any kind have great value.



Ken  
Rogers



## Romanticized wilderness

# between wild, domestic trees?

The distinction between wild and domestic remains troubling, however.

Recently, I read that some people are concerned that the commercially raised bison — as well as those in Yellowstone Park — aren't the same as the bison that roamed the prairie 200 years ago. Today's bison, they say, are no longer wild and have lost something. (Ask the man who had his car trashed by a bison bull in TR park this summer if the buffalo have lost their wildness.)

There's a certain germ of truth in this view of the wild. That, unable to roam the unfenced prairie, the bison are changed. Not for the better.

Is a wild river better than one that the Corps of Engineers has had its way with?

Andy Mork of Mandan makes the argument that the Missouri River today, because it is more useful for agriculture, recreation, residential development and electrical power generation, is improved from its wild state. However, if you have traveled the Missouri River in the White Cliffs area of Montana, where it's a wild and scenic river, you might dispute whether the Missouri River south of Garrison Dam has been improved.

But where's the value? In the way that what's wild can be used by people, or in how people can live with what's wild.

The question isn't easily answered. And, I think, it's an important one. Especially, as Bismarck and Mandan push north and south along the Missouri River. It's part of the debate we have with the reintroduction of wolf and bear.

As the volume of what we call wild continues to diminish, our balance between the value of wild and domestic shifts. The farther we get from the wilderness, the more it's romanticized.

This is a good debate to have as the nation approaches the bicentennial celebration of the Lewis and Clark Expedition — the first serious American attempt at economic development on the Upper Missouri. Consider what change we have wrought on the river in 200 years.

*(Mandan resident Ken Rogers can be reached by writing The Bismarck Tribune, P.O. Box 1498, Bismarck, 58502 or kvrogers@ndonline.com, or by calling 223-2500 Ext. 250.)*

Missouri Tribune  
July 31, 1943

**YOUR VIEWS**

# Where is good in riprapping?

DIANE M. WARNER, *Bismarck*

I support the Game and Fish Department's call for a stop to riprapping of the Missouri River near Bismarck. I hope riprapping will stop before the river is completely lined with rock and channelized like the river south of Sioux City. Already, 30 percent of the river's banks between the Garrison Dam and Oahe Reservoir have been riprapped.

There will always be another so-called "hot spot" allegedly needing to be riprapped. Trying to stop "hot spots" is like trying to catch the wind. Any change to the active river causes a reaction, and erosion will simply occur elsewhere. Yet, the Water Commission has identified 17 additional miles of riverbank for riprapping, at a cost to taxpayers of \$13.6 million. Sens. Byron Dorgan and Kent Conrad have begun the financing with an appropriation of \$750,000.

Public money to benefit private interests and promote riverfront development exploits taxpayers. Damaging the river in this manner not only diminishes the public's enjoyment of the river, it destroys one of our most unique and natural treasures. Continued riprapping will channelize the river. With fewer islands, backwater areas and braided channels, the river will have less value for fish, wildlife and the citizens of North Dakota.

Landowners along the river have already received substantial benefits from the public. As a result of the dam's construction and controlled flows, there is now far less erosion, and the land can now be used for agricultural purposes, because the river no longer floods each March and June.

It is hard to believe that native sons would vote in Congress to diminish one of North Dakota's greatest natural resources. Hopefully, Sens. Dorgan and Conrad will divert this \$750,000 appropriation to a more noble cause — for instance, preservation of the river.

Appropriations that further damage the river are not right. Public money should be used for public good.

*(The writer is a member of the Sierra Club. — Editor)*

# Bill may remove riprap

RON WILSON  
*Bismarck Tribune*

On the face of it, a bill now before Congress appears to be working toward opposite purposes on different stretches of the Missouri River.

Conservationists are shaking their heads about proposed federal legislation that would, in part, pay to remove rock riprap downstream, yet pay to harden banks with boulders upstream.

Riprap proponents in North Dakota, however, have said the two stretches of the Missouri River are different, so comparisons are invalid.

"It's as if the one hand doesn't know what the other one is doing," said Scott Faber of American Rivers, a leading nonprofit river conservation group. "Sadly, it's as if North Dakota has stepped back 30 to 40 years in time and unlearned all of the problems riprapping has caused downstream."

Andy Mork, a longtime bank stabilization proponent, replied that, no matter how hard conservationists shake their heads, the money would be well-spent in North Dakota. He said the upstream stretch of the Missouri is a better river because of the rock riprap used to keep banks from being swept away.

"The riprap along the Missouri River between Bismarck and the dam have not caused any problems," said Mork, chairman of the Burleigh, Oliver, McLean, Mercer and Morton counties joint water resource district board, also known as the BOMMM board. "Our stretch of the Missouri is probably the most improved river in the nation. I know what it used to be like, and it's much better now. We now have high quality water and a world-class walleye fishery."

That wasn't the case before the dam was built and segments of the river were riprapped, he said.

The bill is calling for \$8 million to be spent on downstream stretches of the Missouri to remove rock riprap that has been in place for decades in an effort to restore the river's natural oxbows and meanders that were lost to channelization. At the same time, the bill would appropriate \$750,000 for riprap in North Dakota to stop erosion.

Figures have been tossed around that it can take anywhere from about \$600,000 to \$1 million to riprap one mile of riverbank.

North Dakota State Engineer Dave Sprynczynatyk said the Garrison reach of the Missouri and downstream stretches in, say, Nebraska and Iowa are two different worlds entirely. He said you can't compare the nearly bank-to-bank riprapping in states such as Nebraska and Iowa to what has been done in North Dakota.

"No one in North Dakota who I have talked to has any intention of riprapping like they have downstream," he said. "We are trying to protect some areas from erosion, not create a navigational channel. In North Dakota, we are trying to find a balance between saving the environmental qualities of the river and protecting our stream banks from major erosion."

Faber said hardening the banks is a mistake because the river will eat a deeper, faster channel and eliminate prime loafing and spawning habitat for wildlife.

*(More on RIPRAP, Page 12A)*

# Riprap: No plans for major stretches

FROM PAGE 1A

"When you harden the banks, you trigger a war of riprap. Because one landowner has hardened his banks, his neighbor has to harden his because he is losing land," he said. "And because the river will no longer be able to erode from side-to-side, it will dig itself a deeper channel and you are going to end up with something like the lower Missouri River."

Sens. Kent Conrad and Byron Dorgan both voted for the bill.

Conrad, said he supports the bill, which is now in a House-Senate conference committee, because he believes it's important to harden the most highly erodible banks. However, he has concerns about environmental problems that too much riprapping could cause.

Conrad, like Sprynczynatyk, also said there is no plan to extensively riprapping major stretches of the Missouri.

"Something like that wouldn't be affordable," he said. "Plus there are some environmental concerns when you riprapping extensively."

Downstream states know all about the latter.

"They (the downstream states) have come to realize that from an environmental standpoint what they are dealing with now is a disaster," Sprynczynatyk said.

Gary Raedeke, with the Teddy Roosevelt Group of the Sierra Club, an opponent to riprapping, said \$750,000 would benefit only a few landowners who, at the cost of taxpayers, would have their land hardened with rocks.

Sprynczynatyk disagreed.

"The thing about it is, as erosion occurs, some of that sediment ends up downstream in Lake Oahe south of Bismarck," he said. "If we can do something to stop that sediment buildup, that will benefit a lot of people."

Sprynczynatyk said that, to begin with, \$750,000 wouldn't pay for the riprapping projects on the three areas deemed critical in a 1997 state Water Commission study.

According to the study, the top three sites encompass nearly 3 miles of river bank. In total, 36 sites, or 17 miles, were tabbed as sites in need of bank stabilization. The estimated cost was \$13.6 million.

Sprynczynatyk said some of the \$750,000 could be used to study the erosion and riprapping issue.

"We think it would be a wise expenditure to spend some of the money to look at these impacts," he said. Of course, the bill has to be passed before decisions like that can be made.

Terry Steinwand, fisheries division chief for the state Game and Fish Department, agreed that further study is needed on the river.

"How much is too much riprapping? We don't know," he said. "Those are the kinds of questions that we need to answer. Our main concern is one of protecting the resource. We don't want to harm the resource."

In the interim, Raedeke hopes that people come to realize the damage riprapping can cause to sensitive wildlife habitat.

"I think a lot of people in Bismarck take the river for granted," he said. "It's there for us to enjoy, yet it's easy to forget the quality of river we have running through town. The river is something we need to protect ... it defines Bismarck."

Conrad said he would encourage the U.S. Army Corps of Engineers to try some new methods of bank stabilization, methods that he said would be cost effective and environmentally friendly.

But even if the most cost effective means were initially used, Conrad said \$750,000 wouldn't pay for shoring up the Water Commission's top three sites.

Mork thinks rock riprapping has worked just fine. And even if traditional methods continued to be used, he said it's not like the entire reach from Bismarck to Garrison Dam will be bank-to-bank boulders.

Mork said when, and if, all the highly erodible sites along the upper stretch of the Missouri have been hardened, 60 percent of the river's banks from the dam to Bismarck will remain free of rocks.

Mork said he has a "serious difference of opinion" with conservationists who would like to see zero riprapping.

"They want the river to look like it did when Lewis and Clark went up it ... they're against development along the river," he said. "They don't like development and want to keep it natural. I guess some folks are just like that. I see nothing wrong with it (development) if it is done tastefully."

# Reactions differ to river bank money

Stabilization proponents cheer, opponents decry

PATRICIA STOCKDILL  
*Tribune Correspondent*

Gary Raedeke, longtime Missouri river bank stabilization opponent, and Andy Mork, longtime stabilization proponent, agree on one thing: the \$750,000 in the 1999 Fiscal Year's Energy and Water Development Appropriation could help pave the way for future bank stabilization on the Missouri River.

But that's probably the only thing the Bismarck resident and rural landowner agree on.

The money spells good news for

Mork, chairman of the Burleigh, Oliver, McLean, Mercer and Morton counties joint water resource districts board. He's worked to support stabilization for Missouri River adjacent landowners.

It's not good news for Raedeke, spokesman for the Teddy Roosevelt Group of the Sierra Club, who's worked passionately to protect what remains of the environmental and aesthetic qualities of the river.

"It's a step in the right direction," said Mork.

Mork also acknowledged that many more hurdles remain to be crossed before the first federally-assisted stabilization features will be in place. Just getting necessary permits can be time-consuming.

But according to Raedeke, it's a

**'It's a step in the right direction.'**

Andy Mork,  
stabilization supporter

step in the wrong direction. The funding benefits few people at the expense of the general taxpaying public, Raedeke said — and more importantly, nothing is done to address the delta issue, an on-going buildup of sediment in the headwaters of the Missouri River below Bismarck.

"But in the meantime, (stabilization's) going to harm the river," he said.

Under the legislation, which passed the Senate in June by a 98-1 margin, the Army Corps of Engineers is "directed to use \$750,000 of available funds to undertake bank stabilization for the most serious erosion sites along 174 miles of riverbank identified in a 1997 report by the North Dakota State Water Commission."

The money is not an additional

appropriation, instead directing the corps to allocate funds from what would be their 1999 operations and maintenance budget.

The bill is now in Senate and House conference committee, said Dana McCallum, spokeswoman for Sen. Byron Dorgan, D-N.D.

It will not be addressed until sometime in September, after Congress returns from its August recess. Dorgan serves on the Senate Committee on Appropriations, as well as the subcommittee on Energy and Water Development.

He will be a member of the House and Senate Energy and Water Appropriations conference committee.

*Bismarck Tribune, July 13, 98*

# Officials to seek halt of rip-rap

■ Game and Fish Department says bank stabilization may hurt river life

(Front Page)

DON DAVIS  
Bismarck Tribune

6/27/98

North Dakota Game and Fish Department officials plan to seek a moratorium on Missouri River bank stabilization activities until a study determines the impact on fish, wildlife and waterfowl.

"It is a little disturbing and there is a lot of concern that we may see an impact to a world-class walleye fishery if we allow it to continue," Terry Steinwand said Friday.

Steinwand, the Game and Fish Fisheries Division chief, said the moratorium request will come in a little more than a week when the department releases a white paper asking for a study on the use of rip-rap to stabilize river banks.

"The Missouri River is absolutely a beautiful river and everybody wants to live along side of it," Steinwand said. "Our fear is we are going to love the river to death because as soon as you buy a house or a lot and you build a house on that lot, you want to protect what is your land."

Often, that protection comes in the form of rip-rap, rocks piled along the river bank to prevent erosion. However, Steinwand said, rip-rap also may prevent fish and other animals from living where they do today.

"Every river and every flowing water has a hunger for dirt or sediment of some sort," he said. "If it can't take it from the ... banks, it is going to take it from someplace else, which is the river bottom."

If the river begins removing the sediment from the bottom, "it may have some tremendous consequences that we as resource managers are not willing to accept," said Steinwand, appearing on "We the People," a Prairie Public Radio-Bismarck Tribune interview show airing at noon CDT today and 6:30 p.m. Monday.

Among the consequences Steinwand said could occur is cutting off backwater areas, places where walleye, northern pike, small mammals such as beavers and water fowl live.

Steinwand said no one knows how much impact continued bank stabilization will have on animals.

"Maybe we can afford 10 percent more or 10 miles more stabilization activities along the river," Steinwand said. "Our point is, we don't know right now."

Game and Fish will suggest that the U.S. Army Corps of Engineers lead the study, which would involve a variety of federal, state and local agencies, as well as private organizations. Steinwand had no estimate for when a study would be done, and when any bank stabilization moratorium would be lifted.

Game and Fish must ask other government officials to get a moratorium.

(More on HALT, Page 12A)

## Halt: Funds already OK'd for rip-rap

FROM PAGE 1A

torium; it does not have the power to institute one.

"We are not saying stop all development," Steinwand said. "We're saying, let's do it in a very orderly fashion to make sure we don't harm that resource that we hold so valuable."

The federal government recently announced it would provide \$750,000 to stabilize Missouri River banks in North Dakota, mostly between Garrison Dam and Lake Oahe.

Developers and those living along the Missouri frequently express concerns about the rapidly eroding banks. They have pushed hard to get government help to slow the erosion.

TUES. June 16, 98

# Missouri riparian council to meet

PATRICIA STOCKDILL  
*Tribune Correspondent*

The newly created Missouri River Riparian Council, representing landowners and other interests along free-flowing stretches of the Missouri River met Monday in Bismarck to chart a course for erosion protection.

Spokesman Andy Mork, rural Mandan, said the group will focus on more than river bank stabiliza-

tion, broadening its scope to include river bank and adjacent land protection and preserving environmental aspects along remaining sections of the river.

North Dakota representatives from the State Water Commission, Citizens for Riverfront Preservation, Missouri River Adjacent Landowners Association and Burleigh-Oliver-Mercer-McLean and Morton Counties Joint Water Resource District Boards met with counterparts from Montana, South

Dakota and Nebraska. The next step, Mork said, will be for each state to confer with their congressional delegations.

They will meet later this summer to plan a more extensive fall meeting to address erosion concerns throughout the upper basin. More than 100 miles of free-flowing Missouri River exist below Montana's Fort Peck Dam and about 60-plus miles of river are below Gavins Point Dam before turning into the channelized river below Sioux City, Iowa.

# McLean joins river bank effort

6/6/98 Bismarck Tribune

■ County pledges  
thousands for  
stabilization

PATRICIA STOCKDILL  
*Tribune Correspondent*

McLean County has joined four other Missouri River counties in supporting a multi-county water resource board's efforts to stabilize eroding river banks.

The Burleigh, Oliver, McLean, Mercer and Morton joint water resource districts board — BOMMM — received a \$6,150 commitment from McLean County for its share of a targeted \$30,000 budget.

The funding, an increased assessment above what Burleigh, Oliver, McLean, Mercer and Morton counties currently contribute to BOMMM, will be used for several endeavors, said Andy Mork, BOMMM chairman from rural Mandan:

- Informational brochures.
- To establish a mailing list of all adjacent river landowners.
- To hire part-time executive director Mike Dwyer to coordinate overall efforts to obtain stabilization permits, private and federal stabilization funding and define riparian landowner rights.

BOMMM recently adopted a strategic plan, Mork said. "We know we have a tremendous education challenge," he said.

Two factors determined the amount each county kicked in — the number of river miles and county assessments.

McLean was the last county to approve its additional share. Other county assessments: Burleigh, \$11,500; Oliver, \$4,050; Mercer, \$3,450; and Morton County, \$4,800.

BOMMM will now ask the State Water Commission to match that amount, similar to what the agency has done in the Red River Valley and Devils Lake.



## Mitzel will be missed

JEAN LUTTRELL, *Washburn*

I do not fish or hunt, but I love the out-of-doors, and I am fortunate to have grown up in Washburn, near the Missouri River. I appreciate Bill Mitzel's thoughts regarding our river and the need to treasure and respect it — especially the last of the free-flowing Missouri from Garrison Dam to Oahe.

I remember the years, before construction of the dam, when our world connected us to the river, with rides on the ferry in summer and the excitement of seeing the ice breaking up in spring, with the flooding of the river that filled Wildwood Lake, where we swam and boated and camped.

Those days are gone, but we still have some of the free-flowing river to enjoy. And I hope, as does Bill Mitzel, that it will be possible to protect and save what is left.

I will miss Bill Mitzel's column in the Tribune. I share his feelings about our wonderful North Dakota. Thanks, Bill.

*(Long-time Tribune outdoors columnist Bill Mitzel signed off May 30 after 27 years. — Editor)*

6/4/78

# An exhilarating,

With this column, I end approximately 27 years of weekly scripts. How well I remember walking into then-editor John Hjelle's office to talk about a weekly outdoor column. The meeting was brief. He offered me \$5 per column and simply said, "Write like you talk," and I left.

Not literally, of course.

But it's been a trip, and it's opened a lot of doors. This column has survived five Tribune publishers, all of whom have allowed me to choose my own direction. I've been fortunate to be able to often go fishing under the guise of "work," and after all these years and tens of thousands of hours in the elements, both friendly and harsh, there's no other place I'd rather be ... at any cost.

Not that I'm retiring or anything like that. The Tribune has asked me to step down, indicating it wants to make some changes on the outdoor page. And, like anything else in life, change is inevitable.

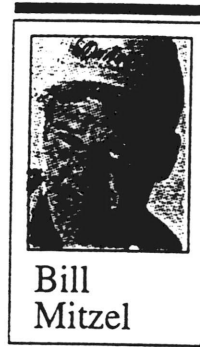
It's difficult to sum up 27 years of writing this column in a final episode. Perhaps it's best concluded with the thought that nothing surpasses doing what you enjoy.

Through this column, I've been able to go fishing and hunting, then come back and write about it. Over the years, my fishing skills probably advanced a little faster than my writing skills, but I got by.

However, it's not been all cushy, either. There has been controversy at times, as well as that always present, stressful dead-

line, and, rain or shine, deadlines have to be met. More than anything else, though, it's been a wonderful learning experience, and being able to proclaim our wonderful resources to the rest of the world in this space each week gave me a high.

Going out, I want to emphasize to everyone how fortunate we



Bill  
Mitzel

should consider ourselves to live here amid all this marvelous outdoor enjoyment. North Dakota is truly the last frontier. When all the guns are taken away from pri-

vate citizens in the rest of the world, when the rivers and lakes are polluted to the point of being unsalvageable, when there's no place left to cast a fly rod or raise a shotgun to a mallard at sunrise, North Dakota will still be here. We must maintain our pride in that.

And we must take care of it, and a conservative philosophy will help us keep what we have.

While it's difficult to single out a special outdoor favorite in North Dakota, the Missouri River system rates at or near the top. So much of our recreation, both hunting and fishing, evolves around this majes-

many wonderful memories

5/30/98

# 27-year trip comes to a end

## WILSON COLUMN STARTS NEXT WEEK

Next week, Tribune reporter Ron Wilson will begin a weekly column that will cover an array of outdoors topics.

His premiere column will examine the upcoming release of hardhead, a rainbow trout hybrid, into North Dakota's river system. To learn what the ecological significance is, check out Wilson's column next week.

tic place that you can't help become addicted to it. **Throw in the rich historic value, and it's a place like no other on earth. It needs to be treasured and taken care of.**

There's going to be continued development on the river, both from private and business concerns. Whether it's conveyor tunnels, houses or businesses, the mighty Missouri is raising eyebrows, and less we blink, the river as we know it could someday go the way of the channelized barge-carriers downstream. That can't be allowed to happen.

Actually, all the things we enjoy here deserve our respect and dedication. World-

class duck and goose hunting, abundant deer herds, wonderful upland bird opportunities, fine trout and salmon fishing, and of course, unsurpassed walleye fishing opportunities need to be more valued than they are. And much of it wouldn't be possible without access to private land. I do know this: There is no other state in the nation where hunters enjoy a better relationship with landowners than North Dakota. That, friends, can never be taken for granted.

As I finish, let me express a big thank you to all the readers and supporters of this column over the years. It was always so gratifying when people stopped me on the street or at the boat ramp and mentioned they read this column. Without the support of the readership, this would have ended a long time ago.

I'll still be talking to you on the pages of Dakota Country magazine, and until next time, I hope you'll continue to treasure our outdoor recreation with your friends and family. Nowhere is it better.

*(Bill Mitzel is editor-publisher of Dakota Country magazine.)*

# Riverfront development diminishes Missouri value

BETTY MORGAN, *Bismarck*

Recently I attended the "Rally for Our River" celebration at Double Ditch Indian Village. What an appropriate spot to honor the Missouri River and contemplate its history and future.

The area stretching between Garrison Dam and the Oahe Reservoir remains one of the few free-flowing stretches of this magnificent waterway. Sitting on a hill overlooking the river, it was easy to envision the part Lewis and Clark played by its waters in the life of Mandan Indians occupying the site between 1600 and 1781. Lewis and Clark followed the river on their renowned journey of exploration. The river played a major role in the fur trade industry — providing a way to and from the trapping grounds. The steamboat era lent color and excitement to the river's history. Man has altered the river, but it is still possible to visualize it as it looked when these events took place.

Returning our attention to the present, we noted sandbars vital to survival of threatened and endangered least terns and piping plovers. The sandbars are also necessary to continuation of the outstanding walleye fishery. White pelicans staged a spectacular aerial display. Cormorants, gulls and other birds treated us to fly-bys. It was exhilarating to hear western meadowlarks heralding the coming of spring.

Directly across the river, however, trees have been grubbed and new houses appear on the riverbank. The Wachters are proposing a new housing development, the River Place Subdivision. Sixty-two houses are planned. Application has been made to the U.S. Army Corp of Engineers for a permit to reslope and line almost a mile of the west riverbank with 3,300 tons of rock riprapping.

The Missouri River belongs to the public. Thus, the river is owned by all of us. Bank stabilization and consequent development on its immediate edge diminishes your use and enjoyment of the river. Excessive bank alteration could channelize the river. Should this happen, the river would flow narrower, faster and deeper — eliminating sandbars and backwaters. This has happened to the river south of Sioux City, Iowa. Historic, scenic, spiritual and recreational values will be lessened if the corps issue the permit for riverbank development across the river from the state historic site. The corps should protect the public's interest by denying the permit.

**MARGARET WADE**  
*Publisher*

**TIM FOUGHT**  
*Editor*

**FREDERIC SMITH**  
*Opinion Editor*

*The Bismarck Tribune*  
**OPINION**

*Pulitzer Prize: Meritorious Public Service*

# We're losing the

**PEDER STENSLIE**, *Mandan*

I fell in love with the Missouri River in 1984. That was when I took my first canoe trip down the river. Since then, I've paddled about 20 trips from the Garrison Dam to Fort Lincoln, on which I've guided as many as 150 people. Today, my wife and I operate Matah Adventures — a canoe-rental business — during the summer months. Through that work, I've been able to continue my love affair with the river.

I've seen a lot of changes along the river in the last 13 years. Mostly, from my point of view, the changes have been distressing.

For example, when I first started canoeing the river, Double Ditch was a significant marker. As far south as Double Ditch, people felt like they were in the wilderness. They always felt the surroundings were beautiful, peaceful, natural. A small island just south of Double Ditch was always our last campsite.

After Double Ditch, it was just a matter of getting the trip done as soon as possible. Because of extensive development along the banks, the trip really ended there, even though there was a good four hours of paddling left.



**Peder Stenslie**,  
Mandan, teaches social  
studies at Mary Stark  
Elementary School.

Today, no one feels like they are in the wilderness at Double Ditch. The area has been wholly transformed by the clearing, riprapping and building that have been occurring there. I understand that, currently, a permit application has been submitted to the Army Corps of Engineers to riprap nearly a mile more of the bank across from Double Ditch, so that 56 additional lots can be developed there.

The Missouri River is one of the state's greatest natural treasures. On the river, one experiences some of North Dakota's most stunning beauty. To either side, there are rugged buttes and great, sloping,

*"Seeking to find and publish the truth,  
that the people of a great state might  
have honest light by which to guide  
their destiny."*

— Stella Mann, Tribune publisher, 1939

## MY VIEW

# Missouri River quickly

grass-covered hills. Vast cottonwood stands adorn the banks and bottomlands. On the prairies and among the great cottonwoods, one always sees a rich diversity of wildlife — white-tailed deer, mule deer, fox, porcupine, coyote, beaver, eagles, owls, herons, and pelicans — to name a few.

On the river, one is refreshed by cool, sparkling water. One delights in sunny sandbars, fresh air and blue sky. Then, there are all the sites of tremendous historic interest: Knife River Indian Villages, Fort Clark, Fort Mandan, Cross Ranch State Park, Double Ditch Indian Village and Fort Lincoln State Park. All of these features make the Missouri River a wonderful, unique and important place.

However, the river is a treasure not just to North Dakota. It is also a national treasure. Not only does our little stretch of river have breathtaking beauty and sites of state historic interest, it is an important piece of our national heritage. There are countless ancient Indian sites, and there are many important sites pertaining to Lewis and Clark and other early western explorers.

I feel that development along the river is wrong.

So little of the river is left. Most of it, from Mon-

tana to Nebraska, is flooded by huge dams. A special treasure like the Missouri River — what little of it remains — should be preserved, as much as possible, in its natural state, for the enrichment of all and for future generations to enjoy. It shouldn't be the private possession of a privileged few.

It's easy for me to understand why people want to have a place along the river. There is, to my mind, no finer place to relax in the evening or wake up in the morning. But we just can't afford — it is just not right — to fritter away what's left of our beautiful river for the sake of the private interests of a very few.

As we approach the 200th anniversary of the Lewis and Clark expedition, we should be working on plans to preserve the natural beauty and historic significance of the river, not cutting down more cottonwoods, riprapping more bank and building more houses along the river.

I encourage people to write a letter to the Army Corps of Engineers asking them to deny the present permit application for bank stabilization across from Double Ditch State Park.

# Many take the Missouri's lure

More humans, more fishing: Walleye catches double in the 1990s

*This is the first in an occasional series of articles on life and issues on the Missouri River.*

RON WILSON, *Bismarck Tribune*

MISSOURI RIVER — As you motored stream last week among the legions of birds, Warriors and Yarcrafts, you imagined that Bismarck consisted of empty offices and deserted malls, no one doing business except mini-golf dealers.

Give a number of boats on the river, who's left to work or shop?

Numerous anglers — some working two rods at a time — jigged jigs, pulled crankbaits and fished Lindy Rigs all in the hopes of catching the beauty of walleyes; the state's No. 1 sport fish. The lure to the Missouri is great, and growing. The beauty along stretches of the river rivals that of the fishing. And the fishing, at times, can be outstanding. The Missouri River has been touted as one of the top walleye fishing waters in the nation.

When the word spreads that the bite is on, boats dot the river in all the prime spots and anglers recline on shore where access is available.

As the angling pressure has increased, so has the number of fish being caught.

According to state Game and Fish Department surveys, in 1993, 232,500 walleyes



## ■ Hungry river snacks on the banks (1C)

were caught, 154,150 were kept, and 78,420 were released.

Last year, 500,625 were caught, 180,925 were kept and 319,700 were released.

The surveys were conducted from the Garrison Dam to the South Dakota border from March 1 to Oct. 15.

"The encouraging thing is that we're seeing an increased number of fish being released on the river," said Terry Steinwand, department fisheries chief. "I think that anglers are regulating themselves. We know there are a number of small fish in the river and people have set standards for themselves and have said they aren't going to keep anything under 14 inches, or whatever."

The rising number of anglers and the growing catch raise the question: Are we loving the river too much?

Steinwand said it's too early to answer, but it's certainly one that has been posed. Efforts to monitor pressure being placed on the fishery are under way, he said.

"At this point in time, we can't say if the pressure is detrimental or not," he said. "It is safe to say that we are cautiously concerned."

Standing in a friend's Lund boat as you fought a 4-pound walleye — easily the third or fourth fish hooked within the last hour — it was difficult to think anything but encouraging thoughts concerning the river's — and its walleye's — future.

"The last five years the fishing has been getting better and better," Steinwand said. "Someone was saying in 1993 or 1994 that the fishing just couldn't get any better ... but it has."

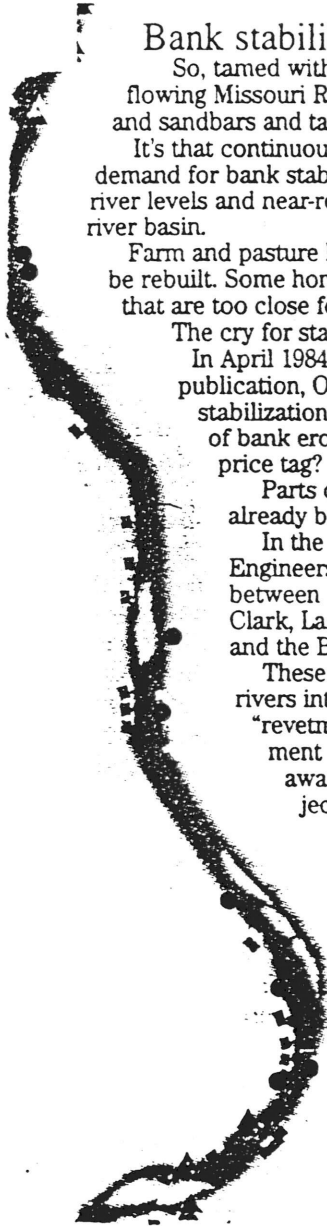
However: "The river, just like anything else, has to be taken care of," he said. "The Red River Valley may be some of the best agricultural land in the Upper Midwest, but it doesn't last that way unless it's taken care of."

Jon Bry of Bismarck has for as long as he can remember been drawn to the river. He's an angler, he said, but that's secondary when it comes to the Missouri.

"It's such a beautiful place," said Bry, 34. "I used to walk down to the river every day to swim and play in the sand. There used to be no one around, but that has changed."

The development along the Missouri is what worries Bry most. But he said he can't fault people for wanting to be close to a river that he still considers his sanctuary.

"I think we should be spending more time protecting the river than building along it," he said. "I don't think some people from North Dakota realize what a wonderful, beautiful thing we have here. If they did, they might try to preserve more of it and keep it in its natural state."



## Bank stabilization

So, tamed within relatively safe confines, what remains of the free-flowing Missouri River searches for sediment from her banks, riverbed and sandbars and takes whatever her tributaries contribute.

It's that continuous demand for sediment that has increased public demand for bank stabilization in recent years as acres succumb to high river levels and near-record runoff from throughout the 529,000-square-mile river basin.

Farm and pasture land has disappeared. Irrigation intakes have had to be rebuilt. Some homes, built for their view of the river, have gotten views that are too close for comfort.

The cry for stabilization goes back some years.

In April 1984, the North Dakota State Water Commission's official publication, *Oxbow*, carried a story headlined "Missouri River bank stabilization is vital." It also said that "By the fall of 1983, 45 sites of bank erosion had been identified in North Dakota ..." The price tag? An estimated \$22.64 million.

Parts of the 87 miles of river below Garrison Dam had already been stabilized.

In the late 1960s and early 1970s, the U.S. Army Corps of Engineers spent \$8 million on seven stabilization projects between Garrison Dam and Lake Oahe headwaters — Fort Clark, Lake Mandan, Dry Points, Square Butte, Burnt Creek and the Bismarck-Mandan area.

These works were built to the specifications used to make rivers into navigational channels — they are heavy duty rock "revetments," a French word that means a "facing." A revetment is used on a river bank to keep the water from eating away at the soil. Rock revetments, especially lighter projects, often are called "riprap."

Bruce Engelhardt, an engineer with the State Water Commission, calls the earliest structures massive.

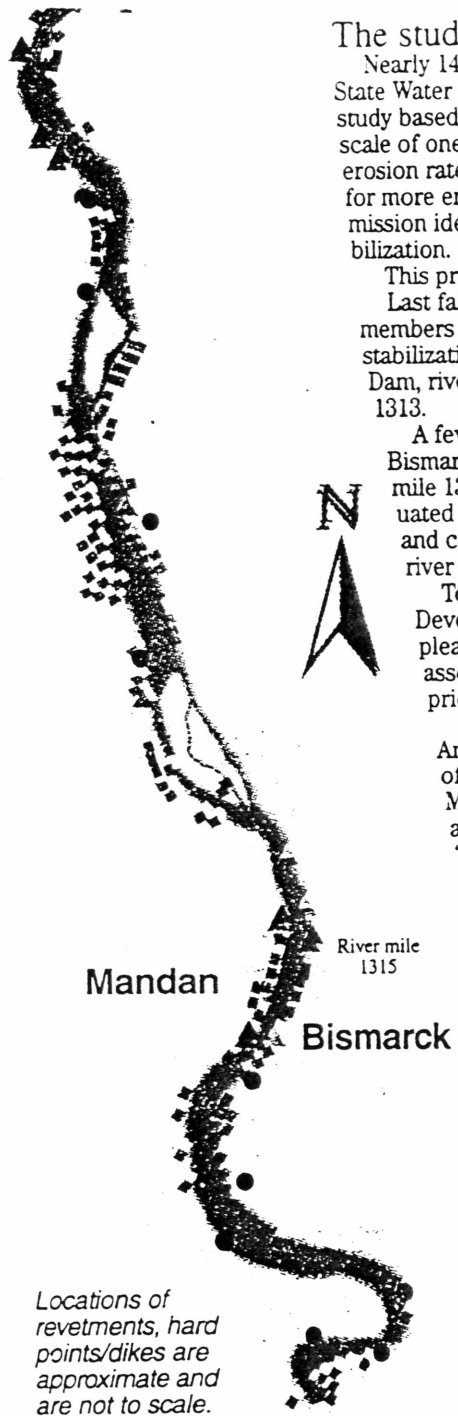
"Efforts were made to train the river," he said.

In the late 1970s and early 1980s, 17 stabilization projects were constructed along North Dakota's portion of the river. This time, traditional stabilization structures of jetties and revetments were combined with the idea of erosion protection rather than more industrial-strength standards.

"Those all seem to be working in varying degrees of success," Engelhardt said.

The later projects were done with the idea of lower construction costs, providing general stabilization and erosion protection.





### The study

Nearly 14 years after the Oxbow article, the State Water Commission once again conducted a study based on surveys. Sites were ranked on a scale of one to 10 based on current streambank erosion rates, adjacent land use and the potential for more erosion. In a December report, the commission identified 36 priority sites in need of stabilization.

This price tag? An estimated \$13.64 million.

Last fall, Water Commission engineers and members of organizations concerned with bank stabilization toured the river from Garrison Dam, river mile 1390, to Bismarck, river mile 1313.

A few weeks later, they went from Bismarck to Lake Oahe headwaters at river mile 1303. Erosion rates were noted and evaluated by comparing 1995 aerial photographs and corps maps and drawings showing the river in 1950, 1975 and 1984, 1985 or 1986.

Todd Sando, the commission's Water Development Division director, said he was pleasantly surprised that this recent assessment didn't point out more areas in priority need of stabilization.

So, too, was rural Mandan's "river rat," Andy Mork, chairman of the joint board of Burleigh, Oliver, McLean, Mercer and Morton county water resource districts and long-time stabilization advocate.

"We're much further along than what I thought," Mork said. "However, you have to realize that a lot of those sites (now identified) have really taken a beating. This is a very important thing because it put numbers on it."

The next step, Sando, said would be to look at options for financing bank stabilization projects, addressing highest priority sites first.

*Locations of revetments, hard points/dikes are approximate and are not to scale.*

## Funding

Sen. Kent Conrad of North Dakota has heard the explosive crash of a chunk of prime farmland as it plunks into the Missouri's grips. He's toured the river, seeing firsthand its sloughing banks.

He's exploring options to finance part of the stabilization projects. A request, specific to the state's portion of the river between Garrison and Lake  
*(More on RIVER, Page 5C)*

### FROM PAGE 1C

Oahe headwaters, would be part of the Energy and Water Development Appropriations Bill. Any legislation wouldn't be drafted until this summer, for the 1999 fiscal year.

The Army Corps of Engineers has authority for bank stabilization projects under the recent congressional legislation. In North Dakota, that funding involved repairs to existing structures in 1994. It also included two non-traditional test structures in Montana and McKenzie County and the offer of sloughing easements, Engelhardt said.

Sloughing easements are payments to landowners to allow erosion to proceed. The corps purchases the right to have the bank erode should that occur.

- Landowners along the Missouri's stretch through North Dakota haven't bitten. About \$500,000 remains available to purchase sloughing easements, said Bill Miller of the corps' Omaha district. Only one landowner has expressed interest, and negotiations are under way.

## The controversy

Not everyone embraces stabilization efforts.

The majority of land adjacent to the Missouri River is privately owned. But the river itself belongs to the public, said Gary Raedeke, Bismarck resident and member of the Teddy Roosevelt Group of the Sierra Club.

"The public does have ownership interests at stake," Raedeke said, citing public trust doctrine in which the state holds trust to the river and therefore, he said, the duty to protect the river.

Conservation groups don't see stabilization as the way to protect the natural, sediment-hungry nature of the Missouri.

Under North Dakota law, the riverbed — and land within the river's ordinary high watermark — is state land. An eroded river bank becomes state land.

Raedeke understands concerns landowners face in fighting the constant erosion battle. But who built next to the river? he asks.

"We're not opposed to river development," Raedeke said. "It just needs to be back away from the bank." That is, if humans don't build right next to the river, there's no need to build stabilization projects.

Raedeke expressed concern that the recent water commission study promotes stabilization without looking at the long-term, cumulative impact of bank stabilization. Raedeke and other conservationists argue that before any more work is done along the river, a study needs to determine what the effect of another round of stabilization projects would be.

A hungry river, conservationists argue, will take its nourishment somewhere. If some stretches are protected, that puts greater erosion pressure on other, unprotected stretches.

The Sierra Club is focusing its efforts on public education and awareness with a post-card campaign directed to North Dakota's congressional delegation, state officials and the corps, Raedeke said.

Similar concerns did not go unnoticed by another state agency, the North Dakota Game and Fish Department. In a letter to the Water Commission, the department raised several issues, including lack of information on at-risk environmental resources, cumulative effects of bank stabilization and how data was analyzed.

## Permits

While bank stabilization and its surrounding debate heats up, some landowners over the years have chosen to not wait for federal stabilization programs.

They opt to pay for the work themselves and to wade through the time-consuming process of obtaining necessary permits, through the same agency that manages the Missouri River — the Army Corps of

Engineers, also charged with administering Section 404 permits of the 1997 federal Clean Water Act.

This law amended the Federal Water Pollution Control Act of 1972 and established the corps as the regulatory agency for any dredging or fill work on waters in the United States. There are a welter of other laws governing the rivers, including the Rivers and Harbors Act of 1989, which prohibits unauthorized obstruction or alteration of any navigable waters, including the Missouri River.

Enter Jim Winters and his small staff at the corps' Bismarck regulatory office. They give out the permits for the river work.

What activities need regulatory office permits?

Dredging, fill work (such as wetlands), riprap, boat docks, any work on the top bank.

"So, there's really very little I can do without triggering the Rivers and Harbors Act," Winters said. "The bottom line is that someone cannot just go out and throw something in the river to protect their land."

While laws leans toward environmental protection, he said, they still acknowledge landowner rights to protect private property. That's the trick — finding the balance of public trust and private property rights, Winters said.

Permits are researched and most decisions made on their issuance are at the Bismarck level, Winters said. But the final decision for major projects several thousand feet long are handled at the Omaha district level — and could even involve officials from the Washington level.

The process is long and complex, and it can frustrate landowners tired of losing priceless farmland, homeowners with a front yard dangerously close to the water's edge and developers holding up potential projects.

Actual stabilization work is not cheap, and the federal government doesn't pay for all of it. Bank stabilization projects can run to several hundreds of thousands of dollars depending on the length, the type of revetment and how well it's done.

But the permit process is a necessary one, Winters said, because of the national significance of the Missouri River.

"Bank stabilization is a very complex issue within the Missouri River Garrison reach," he said. "It's one of the last unique pieces of water of 2,151 miles of river."

The summer of 1997, with its continuous high river levels, was the first time Winters issued emergency permits for riprap protection of existing buildings. "That has been a very good way of authorizing and saving buildings," he said.

A decision is expected soon on several major stabilization permits, Winters said, declining to name specific sites.

Winters' office is currently looking at permit applications totaling about 20,000 linear feet, not including small projects of 100 or 200 feet. Some are in various stages of the permit process, others have yet to apply, he said. He urges anyone planning to work near or around the water of the Missouri River to contact him early on.

"This 80-mile stretch is really the last, best stretch," Winters said, but at the same time the river can be a real beast. The public needs to educate itself on the responsibilities of decisions to develop and live on the river, he

**'Bank stabilization is a very complex issue within the Missouri River Garrison reach. It's one of the last unique pieces of water of 2,151 miles of river.'**  
Jim Winters of the Army Corps of Engineers' Bismarck regulatory office

## The delta

The headwaters of Lake Oahe and yet another problem for the Missouri River begin several miles downstream of Bismarck-Mandan. As it enters the headwaters of the reservoir behind Lake Oahe, the Missouri is

depositing a load of sediment.

It's not an unexpected situation. Rather, the buildup of what is commonly referred to as the Oahe Delta south of Bismarck has occurred as anticipated in the project's design.

And it's not a situation unique to this area. Williston and Pierre, S.D., have echoes — similar and perhaps greater problems thanks to delta buildups associated with Lake Sakakawea and Lake Sharpe.

John Remus, hydraulics and rivers section chief from the corps' Omaha district office, said sediment occurs from several sources, including tributaries, river banks and the riverbed itself. What is not known, however, is how much comes from where.

Stabilization proponents, such as Mork, feel a majority of delta problems are caused by eroding river banks and not tributaries.

As part of a Federal Emergency Management Administration review of flood plain elevations, the Bismarck-Mandan area will undergo an additional study to assess the delta.

A growing delta has several associated problems. There's a potential for raising the water table and reducing hydropower production during winter months. Another potential problem is braiding in the channel that leads to shallower water for boaters. The delta could widen the river and, in summers such as 1997's, swamp more yards along the river.

Mork said the delta could affect existing developments and potential growth along the river, as well as recreational opportunities.

One thing few, if any, early engineers counted on was the human factor — that of man's attraction to the river and the desire to live, work and play so close to its back yard. As we seek to be ever near to the river's beauty, to better absorb its wonders, we clash with yet another growing problem — a reservoir's delta.

# River: Conservation groups say

Sunday, April 19, 1998 □ The Bismarck Tribune □ Page 5C

## stabilization disrupts nature

### The future

The Missouri River will continue to do what she's done for centuries — feed her appetite for the mud and muck that earned her nicknames and folklore — albeit within man's modern constraints.

Man has created a relatively "safe" river, offering economic development, abundant recreational opportunities and a sanctuary from the ravages of flood.

But what will be her future course? Bank stabilization and development? River preservation? A combination of give and take?

What would the river have been today without the dams? What path would she have carved out for herself? Would she be much different now than she was in a rare 1875 photograph of Fort Lincoln?

Where would she have gone in 1997 with record 100-year runoff? One can only guess. The Missouri has a long record of frequent floods, at least before the Garrison Dam was put in place.

North Dakota's Missouri River of today features one of the finest sportfisheries in the country. She's home to endangered wild species. She provides one of man's most vital resources — water. She provides energy.

And with six earthen structures in three states, she's the most dammed-river in the United States, considered among the country's most endangered by the river conservation organization, American Rivers.

A diverse group of people, from a local as well as a national perspective, continue to grapple with the issues raised by a hungry river and to try to figure out what should be the future course of the mighty Missouri River.

# a prize thought or two

where the Herald staff was celebrating, and we marveled at the day. I told him that the Herald staff had been stalwart and beautiful and that they made us proud. That's what I feel most about last week, proud to be among people who mean so much to the community.

The Tribune's staff had a little celebration, too. News Editor Steve Wallick brought two bottles of bubbly, and Wade got out the Tribune's Pulitzer medal. It also was for community service, awarded in 1937 for coverage of the drought. The medal is gold and hefty and mighty impressive, even to this curmudgeon.

We sipped a bit and mused about North Dakota's three Pulitzers, all won for covering natural disasters. (The Forum won one in the 1950s for covering a tornado.)

We decided that we knew of only one journalist who has worked for all three of North Dakota's Pulitzer papers. Tribune City Editor Randy Bradbury also was at the Herald last year and in the 1980s was the Forum's correspondent at the state Capitol.

Then we got back to work. That's what newsies do all across the world, what the Herald won its Pulitzer for, getting back to work.

## The other flood of '97

Last week, a questioner at a Kiwanis meeting asked me whether I thought Grand Forks was doing enough to protect itself against another flood. My answer was: Really, I don't know.

I have my doubts about rebuilding downtown Grand Forks, but to make way for new dikes, the city is tearing down hundreds of fine houses, enough to build

a small city. It's a costly, heartbreaking effort. Some say that the city has suffered four disasters — blizzard, flood, fire and bulldozer. I agree.

But Grand Forks was not the only city to flood last year.

Bismarck had a flood, too. Not a big one. No damage to speak of. Just a lot of pools around expensive new houses along the river.

But it was a flood. And it should have taught us a lesson: The dam is not proof against a flood.

The U.S. Army Corps of Engineers had its hands full last summer trying to empty the Missouri River reservoirs fast enough. At Garrison Dam, water was running through the spillway, which meant the river managers were running out of options.

As bad as things were, they could have been worse. The river system was full, but the countryside was dry. What if the Missouri Basin had had rain last year instead of drought?

Nature has its own sort of Murphy's law. If something can happen, it will. Someday, the river system will be full and there will be rain, and we'll have a big flood in Bismarck.

The longer it takes for that someday, the worse the results are going to be. We're developing the riverbanks pell-mell and just asking for disaster.

Yes, short of the dam cracking, Bismarck isn't going to flood the way Grand Forks did.

But I'd say that anybody living in these parts who questions Grand Forks had better think twice about the home front. What's going on along the Missouri is foolhardy.

*(Tim Fought is editor of the Tribune.)*

# Laws govern river's run

## ■ Waters inundated by state and federal rulings

Several state and federal laws govern how Missouri River water will be used and what can and cannot be done on the river itself:

■ Clean Water Act, 1977, amended from the 1972 Federal Water Pollution Control Act, established Section 404 with the Army Corps of Engineers having regulatory authority over the discharge of dredged or fill material into U.S. waters.

■ Rivers and Harbors Act, 1989, Section 10 prohibits unauthorized obstruction or alteration of any navigable waters, which includes the Missouri River.

■ Clean Water Act, 1977, Section 401, requires applications for corps license or permit that could involve discharge of a pollutant into water to obtain state permit. The North Dakota Department of Health issues permits and has established state water quality standards.

■ Endangered Species Act, 1973. Amended in 1986, the ESA requires the corps, in consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service, to carry out conservation programs for endangered and threatened species and to insure that any corps action does not jeopardize a species' continued existence or adversely alter critical habitat.

■ Fish and Wildlife Act, 1956, protects the quality of aquatic environments as it affects conservation, improvement and enjoyment of fish and wildlife resources. If the corps proposes to modify a body of water, it must consult with the Fish and Wildlife Service and North Dakota Game and Fish Department, which administers the state's wildlife resources.

■ National Environmental Policy Act, 1969, the basic national charter for environmental protection.

■ Pick-Sloan Act, 1944, authorized construction of the five mainstem dams of the Missouri River.

■ Flood Control Act, 1946, Section 14 authorizes bank stabilization to prevent damage to public facilities such as roads, water and sewage treatment plants, schools and parks. It does not authorize protection of private land.

Other federal laws governing the river:

■ National Historic Preservation Act, 1966, including 1992 amendments.

■ Archeological and Historic Preservation Act, 1974.

■ American Indian Religious Freedom Act, 1978.

■ Religious Freedom Restoration Act, 1993.

■ Native American Graves Protection and Repatriation Act.

■ Water Resources Development Act, 1976.

■ Water Resources Development Act, 1988, Section 33.

■ Clean Air Act, 1972.

In addition, the North Dakota Sovereign Lands Law means those areas, including river bed and islands, lying within the normal high water mark of the river is sovereign state land. Permits from the state engineer are required prior to construction of any project that would lie totally or partially below the river's ordinary high water mark.

Seven executive presidential orders and two memorandums also pertain to the Missouri River.



# The Muddy Missouri likes to be cold and fast

■ Speed, temperature are important factors in the river's sediment load

The Missouri River is a youngster who loves playing in the dirt.

Any parent knows what that means: You might get the youngster bathed and scrubbed every once in a while, but it won't last.

Soon, the youngster will be dirty again.

The geology textbooks call this "equilibrium."

It means that a river tends to snap back to a state that balances its slope, speed, load of sediment and other variables.

Speed is the important variable.

The faster a river flows, the more sediment it can hold in suspension. In its natural state, a river is constantly adjusting

its sediment load. When it slows down for a bend, it drops some; when it speeds up downriver, it picks up some.

Dams slow down a river big time. That's why there's a big buildup south of Bismarck known as the "delta." The Oahe Dam in South Dakota is slowing down the river. Such buildups are always found at the beginning of a reservoir, as muddy water slows down and drops its load.

Once that water goes through a reservoir and gushes out from a dam as "clear" water, though, it wants to re-establish equilibrium. That means it has a greater-than-natural hunger to pick up sediment — either from its tributaries or, as North Dakotans have seen, by clawing away at riverbanks.

North Dakota State Geologist John Bluemle says another variable is at play: temperature.

The water that comes out of Garrison Dam comes from the bottom, where it is colder. The colder that water is, the greater its capacity for carrying sediment.

## Earth Day protest raps river plans

*Bismarck Tribune 7/17/78*

The Teddy Roosevelt Group of the Sierra Club will celebrate Earth Day by hosting a "Rally For Our River" today at the north entrance of the Double Ditch Indian Village.

The event will get under way at the village, located about 8 miles north of the Interstate Bridge on Highway 1804, at 1 p.m.

The rally is in part to protest requests by development interests to install riprap along a 3,850-foot stretch of the Missouri across from Double Ditch.

Club officials say the project would have negative effects on the Indian village because it would alter the view and "diminish the spiritual values of the area."

The rally will feature Dave Borlaug of the Lewis and Clark Trail Heritage Foundation and Keith Bear, Native American flutist and traditional story teller from New Town.

Lunch will be provided at 2 p.m. Participants are asked to bring their own blankets and lawn chairs.

# Permit to stabilize delays big topic for water group

## ■ BOMMM gets course from Army Corps of Engineers

PATRICIA STOCKDILL  
*Tribune Correspondent*

Why does it take months — even years — to get a permit to stabilize land along the Missouri River? That's what members of Burleigh, Oliver, McLean, Mercer and Morton counties joint water resource districts board want to know.

The BOMMM board met Tuesday with representatives of the U.S. Army Corps of Engineers Bismarck Regulatory Office and got an introduction to how permits are issued and the work involved in making a decision to approve or deny permits.

"Our observation is that this thing is kind of mired down in a

whole list of procedures," said Andy Mork, BOMMM chairman from Mandan. "It's frustrating to see so many hoops you have to jump through."

Federal law requires an extensive review process before the corps can issue a Section 404 permit under the Clean Water Act. These are the permits needed before landowners or developers can conduct bank stabilization along the river.

About 20 people attended the meeting at the State Water Commission office in Bismarck with Jim Winters, head of the corps' regulatory office. Mork described it as an informative session.

So what's the next step in BOMMM's efforts to shore up critical sloughing areas along the river?

BOMMM will continue to encourage landowners to undertake the necessary, lengthy permit process,

Mork said. And the group needs to consider meetings with other agencies who share a vested interest in the river, like the North Dakota Game and Fish Department and U. S. Fish and Wildlife Service.

But landowners have another option, Mork said, and it's one that does not require any permits — set-back revetments.

"If you can't save your bank any other way ...," Mork said. A set-back revetment, a rock-filled trench, would not subject to any federal permits if built on private land. If and when the bank sloughs away to the point where it reaches the set-back revetment, the rocks would then tumble to the edge.

"It's gotten to point where it's unworkable," Mork said of the permit process. Yet he feels most North Dakotans are happy with the present state of the river. Based on a State Water Commission report 75 percent of needed stabilization is already complete.

# Boards seek bank erosion support

■ Water resource districts looking for money, staff

PATRICIA STOCKDILL  
*Tribune Correspondent*

A group of central North Dakota water boards is looking for more money and permits to stop erosion of Missouri River banks.

The organization is known as BOMMM, referring to the agencies involved, the joint board of water resource districts of Burleigh, Oliver, McLean, Mercer and Morton counties. Representatives of the group met Friday at the State Water Commission's Bismarck office.

Board chairman Andy Mork of

Morton County said the group will make a plan and give a budget to the Water Commission, requesting matching funds.

The proposal would be similar to commission support already in place for water boards in Fargo and Devils Lake, Mork said.

In addition, BOMMM wants to hire Mike Dwyer, executive secretary of the North Dakota Water Users Association, part time to obtain funding and bank stabilization permits.

"Just the board members themselves can't do it," Mork said.

Each county would make its own budget for BOMMM participation, based on river miles in the county and taxable valuation.

Mork said the push for permits and money is a result of high water and increased erosion.

"The last three years, especially

*Bismarck Tribune* — 1/24/98  
**'Just the board members themselves can't do it.'**

Andy Mork, board chairman

1997, really brought the issue to a head," Mork said.

BOMMM will also help coordinate the Federal Emergency Management Administration's efforts for a updated flood-management study of the Missouri River.

FEMA doesn't have enough money to complete the entire project area from the Oahe Reservoir to the Morton-Oliver County line, Mork said.

BOMMM will coordinate local funding in which the State Water Commission pays \$26,000 and the cities of Bismarck and Mandan and Burleigh and Morton counties share in the remaining \$26,000 needed to complete the study.

"Now we'll be able to see how much the delta (Oahe delta below Bismarck) has grown down there," Mork said, once the FEMA study is done.

BOMMM also wants to meet with environmental and preservation organizations who have expressed concerns regarding the group's efforts towards bank stabilization, he said.

Each of the five counties has one member represented on BOMMM. Members include: Ken Royse, Burleigh County; Carlyle Hilstrom, Oliver County; Jerry Oberg, McLean County; John Klein, Mercer County and Mork, Morton County.

# Groups plan

PATRICIA STOCKDILL  
*Tribune Correspondent*

As a hint of Indian summer touched the Missouri River, the Teddy Roosevelt Group of the Sierra Club asked sportsmen and conservation organizations to help promote the creation of a broad-based plan for the future of the river.

"I want to challenge you today — what's this river going to be like in 35 years?," Sierra Club spokesman Gary Raedeke asked representatives of several local and statewide groups touring the river near Bismarck on Tuesday afternoon.

The Sierra Club, along with the North Dakota Chapter of the Wildlife Society, an

organization of natural resource professionals, is launching a campaign encouraging local, state and federal officials to work with the general public, wildlife organizations, developers and landowners to create a long-range management plan for the dynamic river.

Such a plan is needed to protect the public's interest in fisheries, recreation and the environment, Raedeke said.

"We recognize that bank stabilization is going to continue to occur, development is going to continue to occur," said Greg Power, North Dakota Game and Fish Department central division fisheries supervisor. "Trying to find the common ground is the

# Missouri's future

*Bismarck Tribune, Sept. 10, 1997*



challenge. There's no question that as Bismarck develops there will be increased demands."

"We want it done in a manner so it doesn't diminish the public's ownership of the river," Raedeke added. "Most people don't realize that what a private landowner does to the banks has an effect on the public's interest in the river."

In addition, the barge tour sought to heighten support in opposition to possible federal

funding of several river bank stabilization projects.

About 50 percent of the river below Garrison Dam to Bismarck has already been stabilized in some manner, Raedeke said. "We especially think it's unfair to make the public pay the cost for increasing the value for private developers," he said of potential new stabilization.

New funding, sought by a coalition of adjacent riverfront property owners, would shore up several highly erodable areas over a period of years.

Most stabilization techniques center around the use of rocks, Power said. While more environmentally sensitive techniques have been tried, they remain less effective and continue to change the natural dynam-

ics of a river.

Dick McCabe, spokesman for the North Dakota Wildlife Federation, and Errol Behm, from the Bis-Man Reel and Rec Club, both plan to bring the issues before their organizations as a result of the tour. With a heightened possibility of local access and recreational opportunities moving further away and becoming more limited, it's an issue that could spark the club's attention, Behm said.

The tour also raised other issues: The Army Corps of Engineers needs to take public interests into account when reviewing stabilization applications, Raedeke said. And conservation and sloughing easements pose a more economical and environmentally pleasing alternative to stabilization.

**Raedeke:**  
Challenge.

support in opposition to possible federal

# Crew records river erosion

## ■ Documentation to go to Congress, Corps of Engineers

JEFFREY G. OLSON, *Bismarck Tribune*

Thursday on the Missouri River was one of those sunny, hot summer days River Rats like Curt Dahl will forever brag about to office-, factory- or farm-bound friends.

Hosting a pack of like-minded river lovers on a 30-foot cabin cruiser, Dahl pointed out the fallen trees and miles of riverbank that have slumped into the Missouri this summer because of high water. His guests took detailed notes, shot copious amounts of video tape, 35 mm film and repeatedly punched in numbers on what looked like a hand-held telephone.

The troupe of sunburned landlubbers was actually an ad hoc committee that included certified engineers documenting erosion on the river from Garrison Dam to the headwaters of Lake Oahe south of Bismarck-Mandan. The hand-held phone was a Global Positioning System unit to record exact locations where the group found bank erosion.

"We're sending a report to Congress and the U.S. Army corps of Engineers," said Dahl, owner of Rick-er's Marina and a proponent of bank stabilization. "We hope they pay attention." And come up with \$45 million to \$50 million over 10 years for a Missouri River bank stabilization program.

The pay attention part is likely. Releases from Garrison Dam averaged 59,000 cubic feet per second for much of the summer and pushed the Missouri River to 14 feet at Bismarck, flooding some expensive low-lying residential areas in the metro area. The corps ran the river so high to evacuate Lake Sakakawea, which sloshed over the top of emergency spillway gates for weeks.

The report goes to the office of U.S. Sen. Kent Conrad, D-N.D., who supports riverside land owners, farmers and ranchers who use the river for irrigation and resort owners who want to stop the river from grinding away the banks.

Getting the corps to spend money on bank stabilization, Dahl said, would take an act of Congress — lit-

erally.

"When you look at the value of land along the river," Dahl said, "We're not asking a lot. There are 160 miles of riverbank from the dam to the headwaters and if you broke it up into 1-acre lots and sold them for \$10,000 an acre, that'd be \$800 million. That's the potential of the river."

How much land has been taken by the river this summer is unknown, but it should be protected, said Andy Mork, a rural Mandan farmer who lives along the river. The character of the river was changed when the dams were built in Montana and North Dakota and South Dakota. "The river used to flood each year and there was erosion, too. But the river today just takes away the banks; before the dams, if it took away in one spot it built back up somewhere else downstream."

Representing a west river rural water management board, Mork was the still photographer on the last leg of the mission. Two weeks ago, the same group floated from the dam to Bismarck-Mandan to note streamside erosion. State Water Commission engineer Bruce Engelhardt, chief of the investigations section, handled the GPS unit while water commission engineer Leslie Horgan kept video cameras rolling. Paul Lange of rural Bismarck was aboard for the Burleigh County water board.

Mork said it was Conrad who asked the volunteers to document the riverside erosion. "That was in January when we were meeting with the corps. The senator asked us also to identify the erosion sites, note the worst sites and prioritize them. He'll try to get appropriations in Congress to protect four or five of the worst sites."

At the end of the afternoon, Engelhardt said, "From here we'll use aerial pictures from earlier years and estimate the erosion losses and document land use patterns which go into decision-making when it comes to prioritizing the sites."

"The corps was asked to do this same study two years ago," Dahl said. "They estimated it would cost \$50,000 to \$100,000 and said they didn't have the money to do it. We're doing it with volunteers, and Bruce and Leslie are just doing their jobs as engineers for the state Water Commission."

*Bismarck Tribune, Aug. 27, 1997*

# Missouri bank erosion

ANDY MORK, *Mandan*

I was shocked and disappointed to read a July 10 letter to the editor by Kevin Johnson of the Federal Fish and Wildlife Service in which he advocates no bank erosion protection on our Garrison to Bismarck Missouri River so the fish can propagate "naturally." He also showed no sympathy for those who are utilizing the river banks. It is regrettable that a federal employee, who is paid by all of us, has such a narrow and erroneous view.

It is difficult in the space I have here to cover all the aspects of a great river I have known and have worked for its development since 1930, but I will try.

The Missouri River's chain of dams, known as the Pick-Sloan Project, was built for many purposes: flood control, hydro generation, downstream navigation, irrigation and in recent years, recreation has assumed an equal status.

Flood control meant the high bottom lands could now be utilized and they have, including the airport in Omaha, Neb., the Kirkwood Shopping Center and homes along the river. Flood control also means Kirkwood and all of south Bismarck are not flooded today which they would have been if the Garrison Dam was not in place!

The dam has accomplished many great things, but there is much fine tuning or project completion before we have an ideal river. I know, and a Government Accounting Office study shows, that while the pre-dam river did erode its banks the process was much slower than now and it always built back as much as it took. Now, the clear, hungry water devours the banks and leaves nothing but low sandbars. The extremely dangerous part is not

only the continual loss of land, but the deposition of the eroded soils at the headwaters of the Oahe. This delta is already causing river levels one foot higher today in south Bismarck than an equal amount of water did in 1975. Eighty-five percent of the delta comes from the upstream eroded banks. If allowed to continue it will permanently affect all of south Bismarck — yes, even Kirkwood. The growing delta has and will cause high groundwater tables and ice jam flooding in both fall and spring. It is already reducing allowable winter releases by one third and reducing flexibility of discharges at Garrison.

Bismarck officials and all south side property owners should be extremely alarmed! I urge those who think I am an alarmist to contact the state engineer's office at the State Water Commission or Swenson, Hagen and Co., an engineering firm in Bismarck, who have a long and deep involvement with the river — or make a trip to Williston and see what their delta, which has grown much faster than ours, has done to them.

Yes Kevin, our Missouri River is not a simple fish pond and everything we do or do not do has consequences. Your cost figures are also ridiculous. We only advocate protecting where banks are being attacked and not strait-jacketing the entire river on both banks as was done from Sioux City to St. Louis. The two miles upstream from the I-94 bridge is an example of what we advocate. Here the west bank is protected by rock revetment and the river is allowed to roam on the east side through small channels and vegetated sandbars where no bank protection is needed. We estimate the job is already 25 percent done on the Garrison to Oahe reach. The revetment cost would be charged to the project, as GAO recommended, and would not be a direct federal

**protection essential**

EWS

expenditure. Much private effort is also available if permitted.

It is ironic that the North Dakota Game and Fish Department has their riverfront property protected in Oliver County and the Federal Fish and Wildlife Service have and are continuing to protect bird habitat islands from water erosion, and they now are advocating no protection for humans.

I agree that we should have strict requirements for river front development such as proper setbacks and retention or replacement of shore line trees.

We are now going through a precarious period on our river because of this 200-year water event. We must all learn and then cooperatively develop a river that can more nearly serve all the people all of the time.

## Bank erosion

KEVIN JOHNSON, *Mandan*

Recently, a Tribune story highlighted the plight of homeowners along the Missouri River. It seems these people have made a bad business decision, and now want me to fix their problem. In an attempt to soften the blow from their bad business decision, they want to stabilize the river bank at a cost to me, Joe Taxpayer, of \$1 million per mile.

Had these people done any research prior to buying property along the river, they would have learned the Missouri River is a constantly changing entity, ebbing and flowing at the whim of precipitation falling across several states. The river has always caused stream-bank erosion, and always will. These people made a business decision to buy property regardless of the river's ever-changing nature.

Fortunately, they now have an opportunity to do the research they failed to do initially. Before promoting a boondoggle, pork-barrel, fleecing-of-America bank stabilization project, they should contact the fine folks in Nebraska and Missouri, where hundreds of miles of Missouri river bank have already been stabilized. Ask them what they think of their river.

They will say their sport fishery is nowhere near the great fishery we have, and recreating on their river is like jet-skiing on the McClusky Canal. The Professional Walleye Fishing Tournament and all its money probably will not be visiting the Missouri River in those two states. It's ironic that people along the river in North Dakota want what Nebraska and Missouri have, and Nebraska and Missouri want what North Dakota has.

River-bank erosion feeds the river. Small aquatic invertebrates feed upon the trees and grass deposited by bank erosion. Larger invertebrates feed upon the smaller ones; small fish feed upon the invertebrates; larger fish feed upon the smaller fish; and so goes the food chain.

This issue really comes down to people vs. the environment. People don't need a house on the river to survive, but do need a healthy environment. The river needs bank-erosion to stay healthy and survive. There are better things to do with my tax money than bail someone out of a bad business decision.

*(The writer is a wildlife biologist with the U.S. Fish and Wildlife Service. — Editor)*

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