

**2019 HOUSE ENERGY AND NATURAL RESOURCES**

**HB 1428**

# 2019 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau A Room, State Capitol

HB 1428  
1/24/2019  
31366

- Subcommittee  
 Conference Committee

Committee Clerk	Kathleen Davis
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### Explanation or reason for introduction of bill/resolution:

Relating to the Missouri River Council; to provide for the acquisition and management of the shoreline of the Missouri River; to provide for a report to the legislative management

### Minutes:

Attachment 1,2,3,4
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**Chairman Porter** called the hearing to order on HB 1428.

**Rep. Steiner**, Dist.37, Dickinson: presented Attachment 1 regarding access issues to shoreline of Lake Sakakawea.

Second section of the bill is new, shoreline management. I will return back to Legislative Council to find where Game and Fish is exempt because yesterday I saw it and today I don't.

**Rep Heinert**: In Section 2 of the bill, the negotiation portion, if that is not acquired, what will the commission do?

**8:19**

**Rep. Steiner**: You could make it contingent upon receiving the management of the shore this council then would be put in place. They have other issues. There is a water advisory group. They don't deal with access to the lake issues. There's another group that takes issues.

**Rep Heinert**: Friends of the Lake, they take complaints from residents and take it to the Army Corp of Engineers.

**Steiner**: They do but do not always get access success? This is to see if we can get management of the lake shore because right now it doesn't work for small groups to get a path to the water. In the past, Gov. Dalrymple felt we had enough councils to handle this but nothing has happened.

**Chairman Porter**: Has nothing happened because the federal government isn't interested or because we have enough councils?

**Steiner:** I would argue we do not assert our rights as the tribe did to get our shore back. We have as much shore line as California, and we don't have a hotel or motel for 68 years on the shore to take your family for a couple days. We rent their land for campsites that are full on holidays. Our young people are outdoor driven and want access. There are private landowners who struggle with having a few cabins and trying to get one common path. The Army Corp of Engineers says they'll do it but they require a lot of reports and requirements, it's expensive and it doesn't get done.

**Chairman Porter:** In section 1, I'm curious to Burleigh County being in this.

**Steiner:** You could take Burleigh out of this if it's an issue.

**Chairman Porter:** It's not. I'm just wondering why.

**Steiner:** Last session there was a bill that took things south to work out Lake Oahe problems. I wanted to make sure it stated with Morton and I wasn't sure on Burleigh. Originally the bill was everybody but wasn't passed so last session they came in and tried to carve out just Lake Oahe issues. I believe that was passed. Burleigh is technically not on Lake Sakakawea.

**Rep. Devlin:** If we already have a Missouri River Advisory Council, why do we need another one?

**Rep. Steiner:** they manage water districts i.e. SW Water. They take raw water out of the lake, and are not inclined towards recreation. I think this needs to be elected officials from around the lake to bring us solutions. We have to start thinking about recreation in our state for the young people.

**Chairman Porter:** Did you look at adding additional responsibility to the existing council?

**Chairman Porter:** Did you look at adding responsibility to the existing council as a priority, or is it you wish to have separate.

**Rep. Steiner:** It would be to stay separate. We could possibly amend it and ask them to do it too.

**Chairman Porter:** further testimony in support? Opposition?

**Michael Grunsch, ND Missouri River Advisory Council:** The issues brought up are real and need to be addressed. We opposed because of the "how". Presented Attachment 2 & 3.

**Chairman Porter:** questions? Further testimony? Opposition? Closed the hearing.

Attachment 4 : J.R. Doll, did not testify.

# 2019 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau A Room, State Capitol

HB 1428  
1/31/2019  
31901

- Subcommittee  
 Conference Committee

Committee Clerk	Kathleen Davis
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### Explanation or reason for introduction of bill/resolution:

Relating to the Missouri River Council; to provide for the acquisition and management of the shoreline of the Missouri River; to provide for a report to the legislative management

### Minutes:

**Chairman Porter** called the hearing to order on HB 1428. This bill is the shoreline of the Missouri River.

Rep Bosch: I move a Do Not Pass.

Rep. Eidson: Second.

Chairman Porter: Discussion? Seeing non the clerk will take the roll on a Do Not Pass on HB 1428. 9 yes 2 no 3 absent. Motion carried. Rep. Zubke is carrier.

Date: 1-31-19  
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1428**

House Energy and Natural Resources Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep Bosch Seconded By Rep Eidson

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter	✓		Rep. Lefor	✓	
Vice Chairman Damschen	✓		Rep. Marschall		✓
Rep. Anderson		AB	Rep. Roers Jones	✓	AB
Rep Bosch	✓		Rep. Ruby	✓	
Rep. Devlin	✓		Rep. Zubke	✓	
Rep. Heinert	✓				
Rep. Keiser		AB	Rep. Mitskog	✓	✓
			Rep. Eidson	✓	

Total (Yes) 9 No 2

Absent 3

Floor Assignment Rep. Zubke

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

*Motion carries*

**REPORT OF STANDING COMMITTEE**

**HB 1428: Energy and Natural Resources Committee (Rep. Porter, Chairman)**  
recommends **DO NOT PASS** (9 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING).  
HB 1428 was placed on the Eleventh order on the calendar.

**2019 TESTIMONY**

**HB 1428**

House Energy and Natural Resources Committee

Chairman Todd Porter

Good morning, Mr. Chairman Porter and Members of the Energy and Natural Resources Committee.

Vicky Steiner, District 37, Dickinson.

This bill is an old friend. We passed this bill in part, the first part on the formation of a council to manage the issues of Lake Sakakawea. However, the Senate killed it.

This bill establishes a Missouri River council made up of people who live along the lake. This council can assist our residents longing to get access on shoreline issues. When shoreline issues arise, there is no place to take complaints of Army Corps of Engineers over-reach. They are removing dock permits that have been in place since the 60s. They never say no, but they ask for residents to spend money on studies until out of frustration, the residents just give up.

I've added a new section that the state will negotiate with the federal Army Corps of Engineers to take back the management of the shoreline. It recognizes that the federal government paid for the lake so there is a token \$1 dollar there. It should be noted that federal government did return the shoreline back to the Three Affiliated Tribes at no cost to the tribe.

The management of the dam would be left with the Corps and the area needed for that would be a part of the negotiation.

I understand that a new Pembina area water council was recently formed to solve issues in that part of the state. I believe our state government should be looking for ways to assist our residents with issues that they cannot resolve as one person. This council will be able to identify solutions to the lack of access, how we can take down the federal barbwire fences, and how our people can get access to Lake Sakakawea.

Please give this bill a Do Pass and let's see if the Senate will give a yes vote this time.

Thank you.



**OUR MISSION** - Working collaboratively with North Dakota stakeholders to provide unified representation, advocate for the responsible use of resources, and improve awareness and education relating to the Missouri River and its Tributaries.

***Hearing HB1428  
Energy and Natural Resources Committee  
January 24, 2019 – 9:00 am***

Chairman Porter and committee members, I'm Michael Gunsch, Chairman of the North Dakota Missouri River Advisory Council. We stand in opposition to HB1428. So why would that be?

Let me start by providing a brief history. NDMRAC is a grass roots organization that was in the process of its formation several years prior to the sixty-fourth legislative session (2015). This was a long complex process of outreach, collaboration and communications with various and diverse stakeholders interested in the Missouri River. Then during the 2015 session we were diverted onto a separate path when HB1249 was submitted. This previously proposed Missouri River legislation was subsequently modified through the input of interested legislators, various stakeholders and the North Dakota State Water Commission. These stakeholders are now our member organizations! Our membership list leads our testimony and includes representatives from the counties listed under **Section 1 Item 1.a.** in HB1428.

There is a lot to cover in a short period, so we are providing a copy of HB1249, which passed by the House, then failed in the Senate. Our website link is <https://ndmrac.weebly.com/>. Please check out what we are about, as the site contains our bylaws, mission, vision, along with a membership application.

Let me clarify the message we received through the 2015 legislative session and actions. Through various representatives we were told to continue our delayed pursuit of a grassroots stakeholder organization. We did just that, and now exist for the purposes outlined in our vision, mission and objectives under the auspices of our 501©(3) organization. This was a very time-consuming process not to be taken lightly by anyone attempting to bring together stakeholders with the diversity of and complexity of those representing Missouri River issues.

**Michael Gunsch, Chairman**  
Friends of Lake Sakakawea

**Martin Dahl, Vice Chairman**  
McLean Electric Cooperative

**Mary Massad, Secretary/Treasurer**  
Southwest Water Authority

*Our vision is to preserve and protect the rights of North Dakota and its people, to the Missouri River and its tributaries, for the benefit of current and future generations.*

*Our mission is to work collaboratively with North Dakota stakeholders to provide unified representation, advocate for the responsible use of resources, and improve awareness and education relating to the Missouri River and its tributaries.*

NDMRAC is in the process of developing nearly thirty strategy sheets, which we will prioritize for further consideration and action. One relates to expanding recreational access and development around Lake Sakakawea. So, we are already looking at doing in part what we believe is the underlying intent of HB1428, in **Section 2**. Our stakeholders understand the complexities and frustrations with the USACE, as well as attempting to function under their {federal} rules. And seeking to change them to provide solutions to issues of concern.

The USACE has a masterplan for land uses for federal properties they own and control around Lake Sakakawea. This nearly 800-page 2007 report contains mapping of the designated land uses, not unlike many communities and county zoning maps. One mapping panel is included in our testimony, and we are willing to share the full report with anyone desiring to read it.

Regarding the public property around Lake Sakakawea they were acquired, along with mineral rights in some cases, under the 1944 Flood Control Act specifically for the authorized purposes under the Garrison Project. The land transfer from the USACE to the Department of the Interior (DOI) to be held in trust for the Three Affiliated Tribes occurred as a government to government transfer. HB1428 sets up a “council” to work on various issues, including a property transfer to the State of North Dakota, however that requires congressional action. The South Dakota land transfer that occurred years ago is an example.

Our stakeholders have firsthand knowledge with the federal land transfer issues. Subsequently, we are prepared to take on the complex tasks noted in HB1428. In fact, **Section 1 Item 6** outlines objectives similar to those our organization was created to address. I refer you to the designated positions held by our Board of Directors, each having a purpose. **Section 1 Item 7** requires an annual update be presented to the governor and legislative management. We are willing to provide such an update on request, on the issues contained in **Section 1 Item 6**, without creating another entity. Understand we cannot reasonably address every concern at once... ..as we are a volunteer organization with no dues structure.

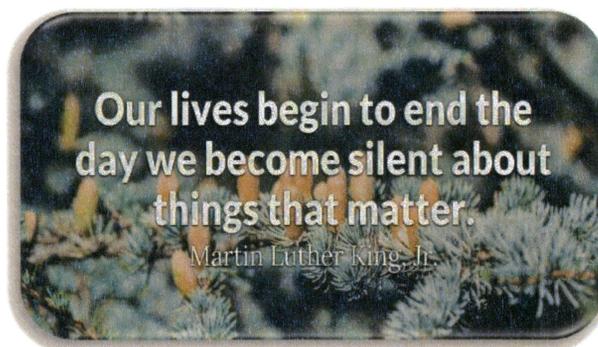
So, what have we accomplished since our founding? Our website includes position letters sent to the USACE regarding Missouri River Management (AOP), Snake Creek Embankment, Emergent Sandbar Habitat construction, their proposed Water Supply Rule, and the need for a geomorphology study. We continue working on our strategy sheets and as a new organization we are just getting started, and there remains a lot to be done.

**Section 1 Item 1c** notes legislative involvement; we welcome and encourage any legislator who is interested in our vision and mission to participate in our discussions.

We are also concerned with the potential unintended consequences created by using the name "Missouri River Council". Should this legislation move forward we respectfully request the name be changed. Based on what we presented today we believe HB1248 is unnecessary and respectfully request that you take a **"DO NOT PASS"** position on this bill.

Since Monday was the birthday of Martin Luther King I want to end with one of his quotes that applies to those passionate about the Missouri River:

I stand for questions, on our position on HB1248, or about our organization.



Please contact me any time to visit about Missouri River issues, my contact information is provided below.

*Michael H. Gunsch, Chairman*  
[mgunsch@outlook.com](mailto:mgunsch@outlook.com)  
701-527-2134 (cell)

# NDMRAC GOALS

North Dakota  
Missouri River  
Advisory Council



Provide a forum for communication and education among government entities, Tribal Governments, and North Dakota Stakeholders with an interest in the Missouri River and its Tributaries.



Protect the people of North Dakota's rights to use, enjoy and benefit from the Missouri River and its Tributaries and oppose policies and actions that negatively impact those rights.



Support efforts that provide the people of North Dakota with clean, adequate and reliable water sources for all uses.



Support improved access and recreational opportunities within the Missouri River and its Tributaries.



Work collaboratively to minimize negative environmental impacts to the Missouri River and its Tributaries

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# NDMRAC GOALS

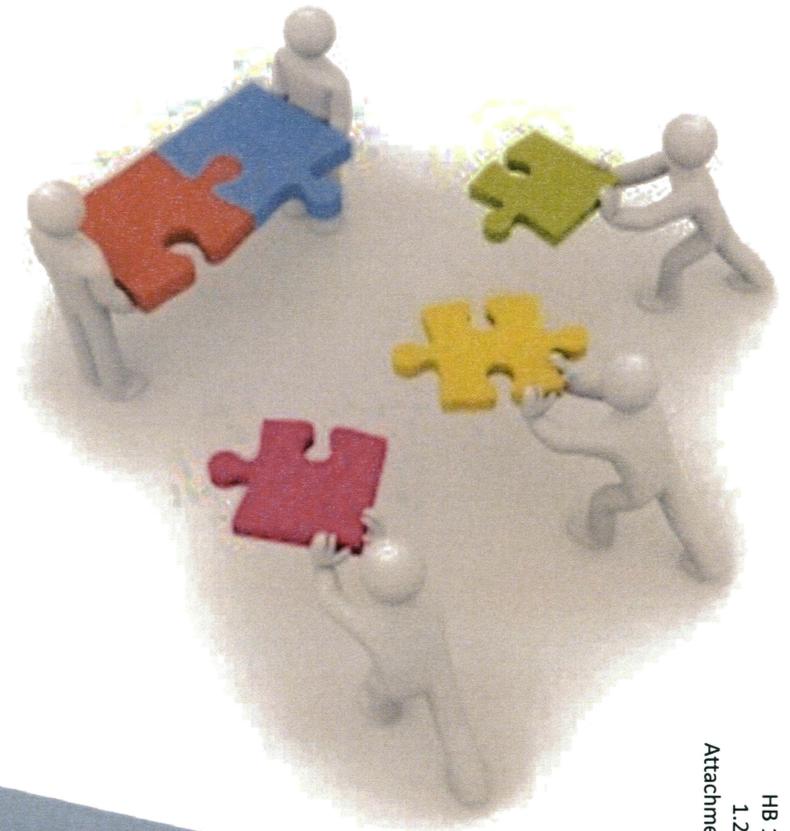
North Dakota  
Missouri River  
Advisory Council

-  Maintain, protect and improve water quality efforts in the Missouri River and its Tributaries
-  Maintain and protect North Dakota's fish and wildlife resources in and along the Missouri River and its Tributaries
-  Support efforts that reduce flood risks to people and infrastructure
-  Support, expand and improve irrigation on the Missouri River and its Tributaries
-  Support protections of riparian landowner rights on the Missouri River and its Tributaries
-  Support appropriate bank stabilization and sediment reduction efforts on the Missouri River and its Tributaries.

# EXECUTIVE BOARD

## North Dakota Missouri River Advisory Council

1. Michael Gunsch, Chairman – Flood Control
2. Marty Dahl, Vice Chairman - Hydropower
3. Mary Massad, Secretary/Treasurer – Water Supply
4. Jim Neubauer - Cities
5. Wade Bachmeier - City/Township
6. Eric Volk – Water Quality
7. Jason Bohrer – Thermo Electric
8. Ken Royse - Environmental
9. Mike Dwyer – Irrigation
10. Corey Paryzek – Fish and Wildlife
11. Terry Fleck - Recreation
12. Jared Wirtz – Riparian Landowners
13. Tribal – Jim Mosset (TAT)



# Contact List

North Dakota Missouri River Advisory Council (NDMRAC)

Member Representatives & Executive Board

(\* Indicates Executive Board Member)

ORGANIZATION	REPRESENTATIVE	EMAIL
Friends of Lake Sakakawea	Michael Gunsch*	mgunsch@outlook.com
Voices for Lake Oahe	Tony Splonskowski	tsplon@hotmail.com
Garrison Diversion Conservancy District	Ken Royse*	ken.royse@bartwest.com
Southwest Water Authority	Mary Massad*	mmassad@swwater.com
Western Area Water Supply	Jaret Wirtz*	jaret.wirtz@wawsp.com
Lake Aggasiz Water Authority	Timothy J. Mahoney	tmahoney@cityoffargo.com
Northwest Area Water Supply	Kenny Rogers	rogerske@srt.com
North Dakota Irrigation Association	Roger Gunlickson	rgun@nccray.com
North Dakota Water Users Association	Mike Dwyer*	mdwyer@ndwaterlaw.com
North Dakota Rural Water Systems Association	Eric Volk*	ericvolk@ndrw.org
North Dakota Ag Coalition	Jim Bahm	jim.bahm1961@gmail.com
North Dakota Petroleum Council	Ron Ness	ronness@ndoil.org
Lignite Energy Council	Jason Bohrer*	jasonbohrer@lignite.com
North Dakota League of Cities	Blake Crosby	blake@ndlc.org
North Dakota Water Resource Districts Association	Dave Ashley	dwasley56@gmail.com
North Dakota Assoc. of Rural Electric Cooperatives	Marty Dahl*	martindd@mcleanelectric.com
North Dakota Recreation and Parks Association	Randy Bina	rbina@bisparks.org
Independent Water Providers	Vacant	
Missouri River Joint Board	Wade Bachmeier*	wade@btinet.net

Tribal	Representative	email
Fort Berthold	James Mossett	jmossett@mhanation.com
Standing Rock		

At Large	Representative	email
At Large Appointed by the State Engineer	Terry Fleck*	tfleck@attitudedr.com

# Contact List

North Dakota Missouri River Advisory Council (NDMRAC)

Member Representatives & Executive Board

(\* Indicates Executive Board Member)

Cities	Representative	email
Bismarck	Keith Hunke	khunke@bismarckng.gov
Fort Yates	Vacant	
Garrison	Vacant	
Mandan	Jim Neubauer*	jneubauer@cityofmandan.com
New Town	Thomas Nash	thomas.nash627@gmail.com
Pick City	Vacant	
Riverdale	Vacant	
Washburn	Kit Baumann	kitbaumann@hotmail.com
Williston	David Tuan	davidt@ci.williston.nd.us

Counties	Representative	email
Burleigh	Kathleen Jones	kjathome@midco.net
Dunn	Vacant	
Emmons	Herb Grenz	
Mountrail	Lars Enerson	larsener@hotmail.com
McLean	Vacant	
Williams	Corey Paryzek*	corey.paryzek@nd.usda.gov
McKenzie	Jeff Shaffer	
Mercer	Wes Gunsch	wesjane@westriv.com
Morton	Tony Goetzfried	tjwillow@midco.net
Oliver	Vacant	
Sioux	Vacant	

## Technical Assistance

SWC Staff	Name	email
State Engineer	Garland Erbele	gerbele@nd.gov
Planning and Education Division Director	Pat Fridgen	pfridgen@nd.gov
Public Information Officer	Jessie Wald	jessiewald@nd.gov
Planner	Steve Best	stevebest@nd.gov
Water Resource Engineer	Laura Ackerman	lcackerman@nd.gov

15.0336.07000

**FIRST ENGROSSMENT**

Sixty-fourth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1249**

THIS IS THE HOUSE VERSION THAT WAS PASSED.  
IT FAILED IN THE SENATE (2015-2017)

Introduced by

Representatives Steiner, Carlson, Delzer, Hofstad, Onstad

Senators Schneider, Wardner

1 A BILL for an Act to create and enact chapter 61-42 of the North Dakota Century Code, relating  
2 to the creation of the Missouri River empower advisory council.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Chapter 61-42 of the North Dakota Century Code is created and enacted as  
5 follows:

6 **61-42-01. Missouri River empower advisory council - Generally.**

7 The Missouri River comprises the vast majority of surface water flow in the state and is  
8 essential for providing the water supply for people, industry, irrigation, agriculture, energy, fish  
9 and wildlife, and recreational opportunities. A Missouri River empower advisory council is  
10 established to create a unified vision and voice for North Dakota and its stakeholders regarding  
11 the use and management of the Missouri River, and to advise the governor, legislative  
12 assembly, and state agencies on issues concerning the Missouri River.

13 **61-42-02. Members - Terms - Expenses.**

14 1. The following voting stakeholder members of the council must be appointed by the  
15 governor:

- 16 a. A representative of recreation;  
17 b. A representative of irrigation;  
18 c. A representative of cities;  
19 d. A representative of regional rural water systems;  
20 e. A representative of agriculture;  
21 f. A representative of energy;  
22 g. A representative of environment and conservation;  
23 h. A representative of the Garrison Diversion Conservancy District;  
24 i. Two at-large representatives;

Sixty-fourth  
Legislative Assembly

- 1           j. Three county representatives, each representing counties along the Missouri  
2           River, one representing counties along the free flowing reach of the Missouri  
3           River, one representing counties bordering Lake Sakakawea, and one  
4           representing counties bordering Lake Oahe; and  
5           k. The governor's designee.
- 6           2. Additional voting members of the council must include:  
7           a. The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation, or  
8           designee;  
9           b. The chairman of the Standing Rock Sioux Tribe, or designee; and  
10          c. The chairman of the Trenton Indian service area, or designee.
- 11          3. The following entities may be represented on the council, but are nonvoting members:  
12          a. A legislator, appointed by the legislative management;  
13          b. The director of the game and fish department, or designee;  
14          c. The director of the parks and recreation department, or designee;  
15          d. The state engineer, or designee;  
16          e. The state health officer, or designee;  
17          f. The commissioner of the department of commerce, or designee;  
18          g. The director of the Indian affairs commission, or designee;  
19          h. The commissioner of the department of trust lands, or designee;  
20          i. The director of the oil and gas division, or designee; and  
21          j. The commissioner of the department of agriculture, or designee.
- 22          4. All other state agencies shall provide assistance to the council as requested.
- 23          5. All appointed members shall serve for a term of four years or until their successors are  
24          appointed and qualified. Terms expire on the first day of July. The terms of appointed  
25          members must be staggered so that the terms of at least four members expire each  
26          year. Appointed members may be reappointed for additional terms and serve at the  
27          pleasure of the governor.
- 28          6. The governor or the governor's designee is chairman of the council.
- 29          7. The members of the council are entitled to receive mileage and expenses at the rates  
30          and under the terms as provided by law for state employees. The state water  
31          commission shall pay the expenses of council members.

1       8. The state water commission shall provide staffing and support services to the council.

2       **61-42-03. Duties - Report to legislative assembly.**

3       1. The council shall hold meetings at least twice per year, or as often as the chairman  
4       deems necessary. The meetings must be open to the public and provide an  
5       opportunity for the public to present issues or concerns to the council. The council  
6       shall provide the governor, legislative assembly, and state agencies with  
7       recommendations related to issues needing to be studied or addressed and relating to  
8       the protection and use of the Missouri River and operations of the reservoirs. The  
9       council shall gather input to build consensus, collaboration, and partnership  
10       opportunities to promote and advocate for North Dakota and its stakeholders' rights  
11       and interests in the Missouri River. The council shall recommend ways to strengthen  
12       the state's working relationship with the United States army corps of engineers, in  
13       order to improve the state's negotiating position with the United States army corps of  
14       engineers.

15       2. The county and stakeholder representatives shall work to understand and represent  
16       grassroots efforts being undertaken by organizations and individuals.

17       3. Any recommendations developed by the council must receive support from ten voting  
18       members before submission to the governor, legislative assembly, or state agencies.

19       4. The council may establish working groups and collaborate with organizations to make  
20       recommendations or accomplish objectives to protect all interests and rights of North  
21       Dakota and stakeholders in the Missouri River. This includes the eight authorized  
22       purposes identified in the Flood Control Act of 1944 and implemented by the United  
23       States army corps of engineers in their master manual, along with erosion and  
24       sedimentation, the management of federal lands, and any other existing or potentially  
25       beneficial uses.

26       5. The council shall report accomplishments, ongoing activities, and potential legislation  
27       to the legislative assembly.

# Master Plan

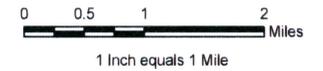
## Garrison Project / Lake Sakakawea

Current Land Classification

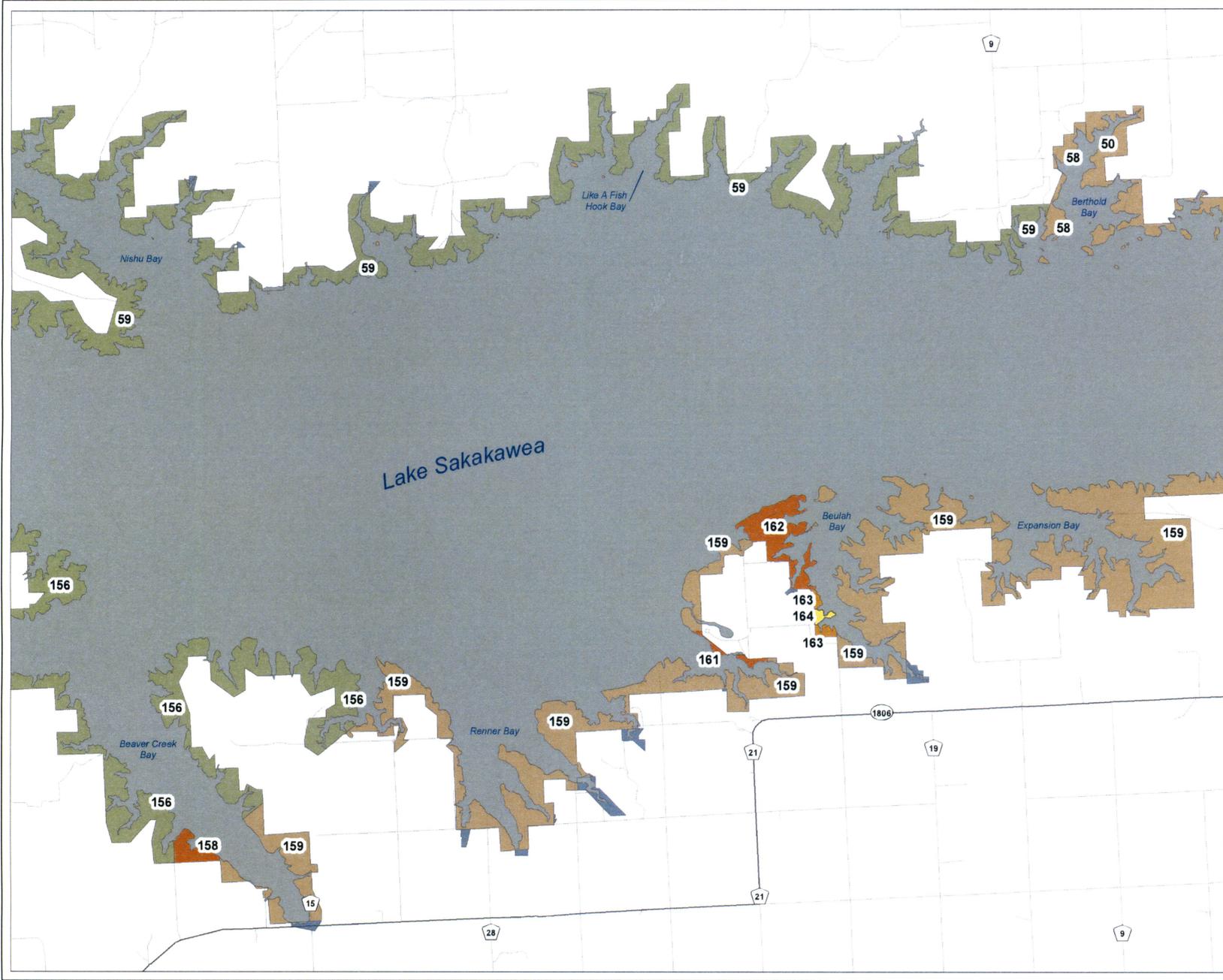
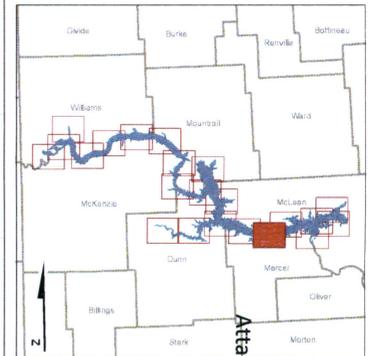
### Land Classification

-  Project Operations
-  Recreation - Intensive Use
-  Recreation - Low Density Use
-  Wildlife Management
-  Vegetation Management
-  Environmentally Sensitive
-  Water
-  Lake Easement
-  Private Property

Sheet 6 of 22



U.S. Army Corps of Engineers / Omaha District - Omaha, Nebraska  
 Operations - Natural Resources Section (J. Cozeman) (01 Oct 07)  
 Garrison Master Plan Plus/garrison master plan maps - data completion.mxd



4

Attachment 3  
 HB 1428  
 1.24.19

Mr. Chairman,  
Mr. Vice Chairman,  
Members of the House Energy and Natural Resources Committee,

My name is J.R. Doll and I'm from Bismarck.

I am here today in opposition to HB 1428 and to encourage this committee to provide a do not pass recommendation.

Both the waters and shorelines of Lake Sakakawea and the Missouri River have provided me, my family, and my friends innumerable recreational opportunities and hours of enjoyment. I began exploring and recreating upon these lands and waters shortly after moving to North Dakota in 1999 to attend the University of Mary right here in Bismarck. To a homesick kid with a passion for all things outdoors, these lands provided me an outlet. They provided me with opportunities to catch walleye, to hunt ducks, geese, or pheasants, and sometimes they served to fill the need to enjoy a quiet place along the river. In all, they helped keep me attending U Mary, and ultimately played a large part in keeping my family and I in North Dakota.

There are two portions of this bill that cause me concern.

The first is in Section 1, bullet point 6 where it states the council shall, "work to strengthen the state's working relationship with the United States Army Corps of Engineers and *enhance the economic development of the state.*"

The second is all of section 2. I am opposed to the sale of ACOE land surrounding Lake Sakakawea to the state. The state of North Dakota does not have the best track record when it comes to maintaining ownership of lands. The final sentence states, "the Missouri River council shall manage the acquired shoreline for the state as to maximize residents' access to Lake Sakakawea.

"Economic development" and "access" sound good on the surface and I'm not inherently opposed to either. However, I'm concerned "access" will replace the "diversity of opportunity" exists currently. Does access mean more roads, more boat ramps, more walkways, or does it combine with section 1, bullet point 6, and turn into housing and energy developments?

While I am now able to afford a lot along the lake in a yet undeveloped area that would provide me with **private** access to Lake Sakakawea, I fear doing so will take opportunities to enjoy the lake away from the next homesick kid or family moving here. Please help keep the Missouri River and Lake Sakakawea the way they are now, full of opportunities for those wanting to enjoy them, and vote no on HB 1428.

Thank you for your time and consideration.