

North Dakota Missouri River Advisory Council

4665 2nd Street Southwest
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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.

July 5, 2018

United States Army Corps of Engineers
Omaha District, Planning Branch
Attn: Luke Wallace CENWO-PWA-C
1616 Capital Avenue
Omaha, NE 68102-4901

Re: Public Informational Meeting - *Final Environmental Assessment Restoration of Emergent Sandbar Habitat Complexes in the Missouri River, North Dakota (July 2013 EA)*.

While pleased you no longer intend to construct ESH in North Dakota in 2018, that message should have been provided to the State of North Dakota and others prior to the public meeting. To not do so was unfair to those preparing for the meeting - we expect better. After further considering the ESH program we are now opposed to the construction of new habitat unless the following conditions are met:

1. A Sovereign Lands permit is secured through the North Dakota State Engineer and the applicable justification is provided for state and local review. This process is necessary as noted in the EA on Page 12, Section 2.2, Constraint #3.
2. The acreage of new ESH created by the 2018 high flows within the Garrison reach is determined. The USACE is encouraged to participate in the lower Garrison reach geomorphology study by assisting in gathering river bathymetry during current high flows to document the extents of the relocated sandbars. Considerable movement and changes have been occurring during these releases. This information could be utilized by the USGS in their collaborative study to predict changes in the sandbar location and formation, as well as possibly the NDSWC in their review of a FEMA Missouri River DFIRM update for Burleigh and Morton County.
3. Only after the trend for standardized ESH indicates that the *total acreage in the Garrison reach will fall measurably below the Bi-Op* requirement within the subsequent three-year period.
4. The science and predictive tools used to determine the trends of natural loss and creation of ESH must be better defined. Based on our understanding there is not a consensus as to its accuracy or applicable use. Again, we believe a geomorphology study in the lower reach, as well as within the proposed project site below the City of Washburn, would provide data for such predictions and project justification, including site suitability and longevity.
5. Releases from Garrison Dam should not exceed the USACE's Construction Reference Plane or a release rate of approximately 35,000 cfs.

Thank you for your consideration of our comments and position.

Respectfully,



Michael H. Gunsch, Chairman

c: Honorable Governor Doug Burgum
North Dakota Congressional Delegation
Garland Eberle, North Dakota State Engineer
NDMRAC Members (email)

Michael Gunsch, Chairman
Friends of Lake Sakakawea

Martin Dahl, Vice Chairman
McLean Electric Cooperative

Mary Massad, Secretary/Treasurer
Southwest Water Authority