

**RESOLUTION  
OF THE  
UPPER MISSISSIPPI RIVER BASIN ASSOCIATION  
MAY 13, 1998  
ST. PAUL, MINNESOTA**

WHEREAS, the member states of the Upper Mississippi River Basin Association adopted a resolution on September 24, 1997 that called on Congress and the Executive Branch to assure that no construction of Devils Lake outlet or inlet projects be initiated prior to complete and full analysis of alternatives and the completion of an Environmental Impact Statement, consistent with the requirements of the National Environmental Policy Act;

WHEREAS, Kathleen McGinty, Chair of the Council on Environmental Quality, assured the Upper Mississippi River Basin Association, in a letter dated March 13, 1998, that “the Corps intends to comply fully with NEPA by completing the Environmental Impact Statement and Record of Decision using the normal NEPA process”;

WHEREAS, individual member states of the Upper Mississippi River Basin Association communicated an interest in participating in public agency scoping meetings that are required by the National Environmental Policy Act (NEPA);

WHEREAS, despite communicating an interest in participating in such public agency scoping meetings, member states of the Upper Mississippi River Basin Association were not notified of the agency scoping meeting that was held on January 14, 1998, in North Dakota;

WHEREAS, the Federal Register Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS) on the Devils Lake Outlet provided no notice of the dates of agency scoping meetings, as is common practice in Federal Register notices announcing preparation of draft environmental impact statements;

WHEREAS, no subsequent public agency scoping meetings have been scheduled to address Upper Mississippi River Basin Association member states’ repeated expressions of interest in participating in the National Environmental Policy Act public process;

NOW, THEREFORE BE IT RESOLVED, that the Upper Mississippi River Basin Association reaffirms the concerns it expressed in its September 24, 1997 resolution and further requests that both the Upper Mississippi River Basin Association and its individual member states be notified of all NEPA-related public meetings and agency scoping meetings associated with the Devils Lake project.

BE IT FURTHER RESOLVED, that the staff of the Upper Mississippi River Basin Association (UMRBA) is directed to:

- a) Prepare and transmit letters to the Chair of the Council on Environmental Quality, the Acting Assistant Secretary of the Army for Civil Works, and the Commanders

- of the Mississippi Valley Division and St. Paul District of the Corps of Engineers conveying the concerns and requests embodied in this resolution, and
- b) Monitor the NEPA process associated with the Devils Lake project and inform UMRBA member states of all opportunities to participate in that process.

Approved May 13, 1998 by the Upper Mississippi River Basin Association at its Quarterly Meeting.