

# House Concurrent Resolution No. 17

## 93RD GENERAL ASSEMBLY

5057L.011

2       **Whereas**, the United States Fish and Wildlife Service has mandated a man-made  
3 "spring rise" for the Missouri River that is purportedly necessary for the survival of the pallid  
4 sturgeon, an endangered species; and

5       **Whereas**, accurately controlling upstream discharges for the "spring rise" is  
6 extremely difficult because Missouri weather and flooding are unpredictable, as evidenced by  
7 the Missouri River's rise of nine feet in less than eighteen hours twice during a drought period  
8 in June of 2005; and

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10       **Whereas**, once water is released for the "spring rise" there are no intervening dams  
11 or locks to halt the rise during the ten-day travel time from Gavins Point Dam in South Dakota  
12 to St. Louis, Missouri, thereby increasing the risk that such a rise would compound flooding  
13 problems resulting from a major rain event; and

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15       **Whereas**, Federal agencies should not be implementing plans that are known to  
16 harm Missouri's farmers solely for the purposes of an experiment to determine whether the  
17 "spring rise" will trigger spawning of the pallid sturgeon; and

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19       **Whereas**, a "spring rise" will potentially exacerbate drainage problems on  
20 agricultural land which could delay crop planting, destroy crops, and require additional pumping  
21 at additional costs for Missouri farmers; and

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23       **Whereas**, by using water in the spring that is needed to support navigation and  
24 other uses in the summer, a "spring rise" will shorten the navigation season during times of water  
25 shortages causing additional financial burdens on shippers, commercial carriers, and producers;  
26 and

27       **Whereas**, Missouri infrastructure, communities, businesses, farmers, ranchers and  
28 the economy all will be put at an increased risk of flooding in the event of a "spring rise"; and  
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30       **Whereas**, it is unjust for Missouri consumers, communities, businesses,  
31 commercial carriers, farmers and ranchers to bear any additional direct or indirect costs for an  
32 unproven experimental plan; and  
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34       **Whereas**, many businesses and residential communities along the Missouri River  
35 suffered great devastation after the flood of 1993; the intentional flooding of the river through  
36 a "spring rise" enhances the risk that such destruction will once again visit these communities,  
37 making it harder and ultimately less attractive to rebuild; and  
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39       **Whereas**, the economic responsibilities that individual families and businesses  
40 have to bear in the face of a devastating flood, like that in 1993, are enormous; to compound and  
41 confuse that responsibility with the uncertainties that accompany a "spring rise" places a heavier  
42 burden on the backs of those families and businesses:  
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44       **Now, therefore, be it resolved** that the members of the House of  
45 Representatives of the Ninety-third General Assembly, Second Regular Session, the Senate  
46 concurring therein, hereby concur with the Governor of the State of Missouri that all reasonable  
47 and necessary action should be taken to prevent the planned man-made "spring rise"; and  
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49       **Be it further resolved** that the members of the Missouri House of  
50 Representatives Ninety-third General Assembly, Second Regular Session, the Senate concurring  
51 therein, respectfully encourage the United States Army Corps of Engineers not to implement an  
52 artificial "spring rise," which would increase the risk of flooding for Missourians, thereby being  
53 in violation of the 8<sup>th</sup> U.S. Circuit Court of Appeals' recent ruling, which held that flood control  
54 and navigation are the dominant uses of the Missouri River; and  
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56        **Be it further resolved** that the Chief Clerk of the Missouri House of  
57 Representatives be instructed to prepare a properly inscribed copies of this resolution for the  
58 Governor of Missouri and the members of the Missouri Congressional delegation.