

House Concurrent Resolution No. 17

95TH GENERAL ASSEMBLY

1166L.011

1 **Whereas**, the State of Missouri contains 553 miles of the Missouri River,
2 which borders 23 Missouri counties and over 50 Missouri communities, making it one of
3 Missouri's greatest natural resources; and
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5 **Whereas**, the Missouri General Assembly supports this natural resource as a
6 vital link in the State of Missouri's total transportation system and desires to maximize this
7 valuable asset in order to move freight and to support Missouri's economy; and
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9 **Whereas**, barge transport allows for significant economic benefits and cost
10 savings, since one barge can transport the same amount of freight as 15 rail cars or 60 trucks;
11 and
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13 **Whereas**, river transportation is the most environmentally friendly form of
14 transporting goods and commodities, creating virtually no noise pollution and emitting 35 to
15 60 percent fewer pollutants than either trucks or trains; and
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17 **Whereas**, barges are also the most fuel efficient method of freight transport.
18 Barges can move one ton of cargo 576 miles per gallon of fuel compared to 423 miles per
19 gallon of fuel for rail and only 155 miles per gallon of fuel for trucks; and
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21 **Whereas**, the Missouri General Assembly recognizes that the State of Missouri
22 is investing more of its resources to develop and improve public ports in the state, including
23 those on the Missouri River; and
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25 **Whereas**, the Flood Control Act of 1944, as amended, expresses the United
26 States Congress' intent to support inland waterway navigation and provide flood control on
27 our nation's rivers; and

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29 **Whereas**, the June 4, 2003, August 16, 2005, and February 8, 2008, decisions
30 of the United States Court of Appeals of the Eighth Circuit held that navigation and flood
31 control are the two dominant functions of the Flood Control Act of 1944; and

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33 **Whereas**, navigation on the Missouri River is operated in accordance with the
34 updated Missouri River Master Water Control Manual, which contains the management plan
35 for the River and was adopted by the United States Army Corps of Engineers in 2004; and

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37 **Whereas**, the Missouri General Assembly recognizes that the United States
38 Army Corps of Engineers utilized extensive public processes to complete the 2004 Missouri
39 River Master Water Control Manual and worked to balance the needs and desires of many
40 competing stakeholder groups in establishing the Manual's navigation guidelines; and

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42 **Whereas**, the 2004 Manual was finalized after 15 years of debate and litigation
43 and after the expenditure of over \$35 million in federal funds; and

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45 **Whereas**, the 2004 Manual reduced the length of the navigation season,
46 shifting a large amount of water away from navigation and other downstream uses of the
47 Missouri River to benefit upstream uses, such as reservoir recreation; and

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49 **Whereas**, the upstream states have requested that the United States Army Corps
50 of Engineers conduct a study to reexamine the authorized purposes of the Missouri River
51 reservoir system as outlined in the 1944 Flood Control Act; and

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53 **Whereas**, the study requested by the upstream states would be the first of its
54 kind, because it would scrutinize the authorized purposes of the Missouri River reservoir
55 system rather than studying the current Missouri River Master Water Control Manual,
56 thereby undermining the Manual's management plan for the Missouri River; and

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58 **Whereas**, in requesting this study, the upstream states are seeking an additional
59 shift in water to upstream states, despite congressional authorization of downstream uses of
60 Missouri River water, including navigation; and

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62 **Whereas**, increasing Missouri River water in upstream states will have a
63 significant, negative impact upon Missouri and other downstream states by impacting
64 navigation, power generation, flood control, and drinking water availability; and

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66 **Whereas**, eighteen power plants, which have the capacity to generate over
67 11,000 megawatts of electricity, draw cooling water from the lower Missouri river basin, and
68 the viability of those power plants would be jeopardized if the authorized purposes of the
69 Missouri River reservoir system were changed; and

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71 **Whereas**, the State of Missouri has constructed infrastructure to support water
72 supply and power generation in the lower Missouri River basin with the understanding that
73 reliable navigation flows would be maintained in the future, and this study would threaten the
74 reliability of those navigation flows; and

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76 **Whereas**, the Missouri General Assembly believes that all of the
77 congressionally authorized uses of the Missouri River should be promoted, not just those uses
78 benefiting the upstream states:

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80 **Now, therefore, be it resolved** that the members of the House of
81 Representatives of the Ninety-fifth General Assembly, First Regular Session, the Senate
82 concurring therein, hereby urge the United States Congress to deny any request that would
83 authorize a study of the Missouri River's congressionally authorized purposes; and

84 **Be it further resolved** that the Missouri General Assembly urges
85 Missouri's Congressional delegation to actively oppose the authorization and funding of the
86 Missouri River study proposed by the upstream states; and

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88 **Be it further resolved** that the Chief Clerk of the Missouri House of
89 Representatives be instructed to prepare a properly inscribed copy of this resolution for the
90 United States Army Corps of Engineers and each member of the Missouri Congressional
91 delegation.

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