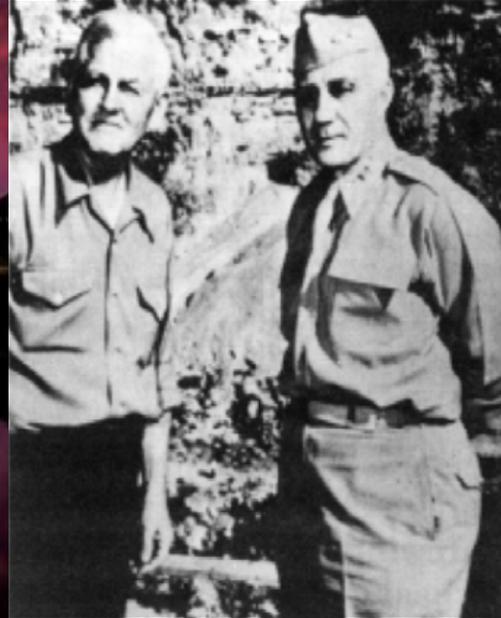


# The Pick-Sloan Plan 1944 Flood Control Act



Development Era Framework in a  
Time When Restoration and  
Sustainability are Needed

# Background

- Drought of the 1930's
- Economic Depression
- Unsustainable Agricultural Practices
- National Industrial Recovery Act
  - 1933, authorized public works projects
  - Fort Peck Dam completed in 1939
- 1943 Devastating Mo River Floods
- Nation Viewed Resources as Unlimited



# October 1944

- Omaha meeting of BR and COE
- Interior Department and Army Collaborate on **1944 priorities** - - - KEY Point!
- Focus on Development
- Support for single plan not unanimous
  - Tribes particularly opposed
  - Displaced thousands of Native Americans
    - Garrison Dam alone displaced 289 of 357 families
    - Compensation never resolved to tribes satisfaction



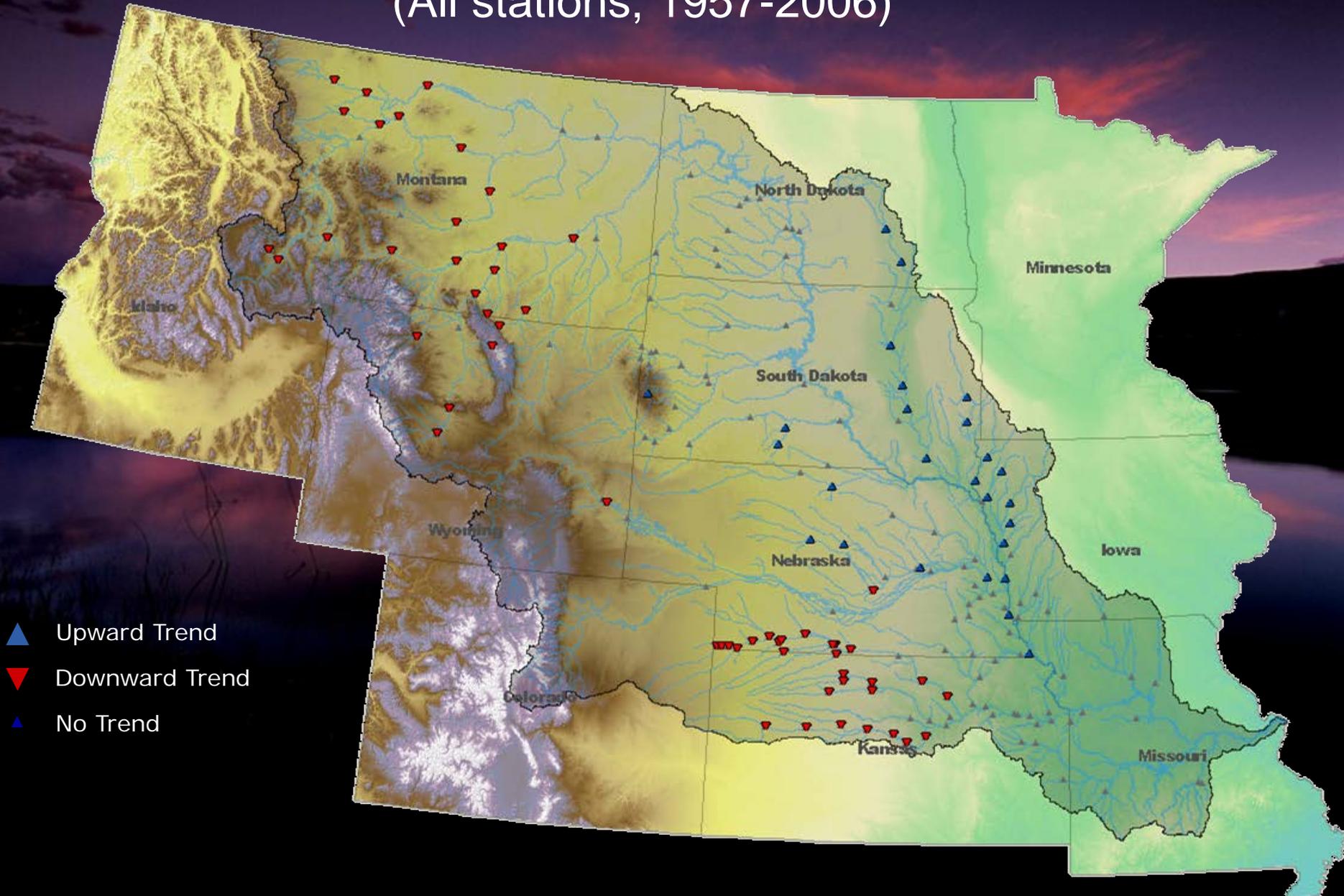
# Contemporariness of Pick – Sloan Need A Comprehensive Review!

- Development of Recreation Industry
- Navigation Industry Never Reached Projections
  - Tonnage peaked in 1970's
- M&I Projects
- Fraction of Irrigation Projects Completed
- Mo. River Ecosystem Restoration
  - \$51 Million in '08 Budget
  - 2 Billion over next 20 years – COE Projected Need
- Tribal Issues Remain Largely Unaddressed

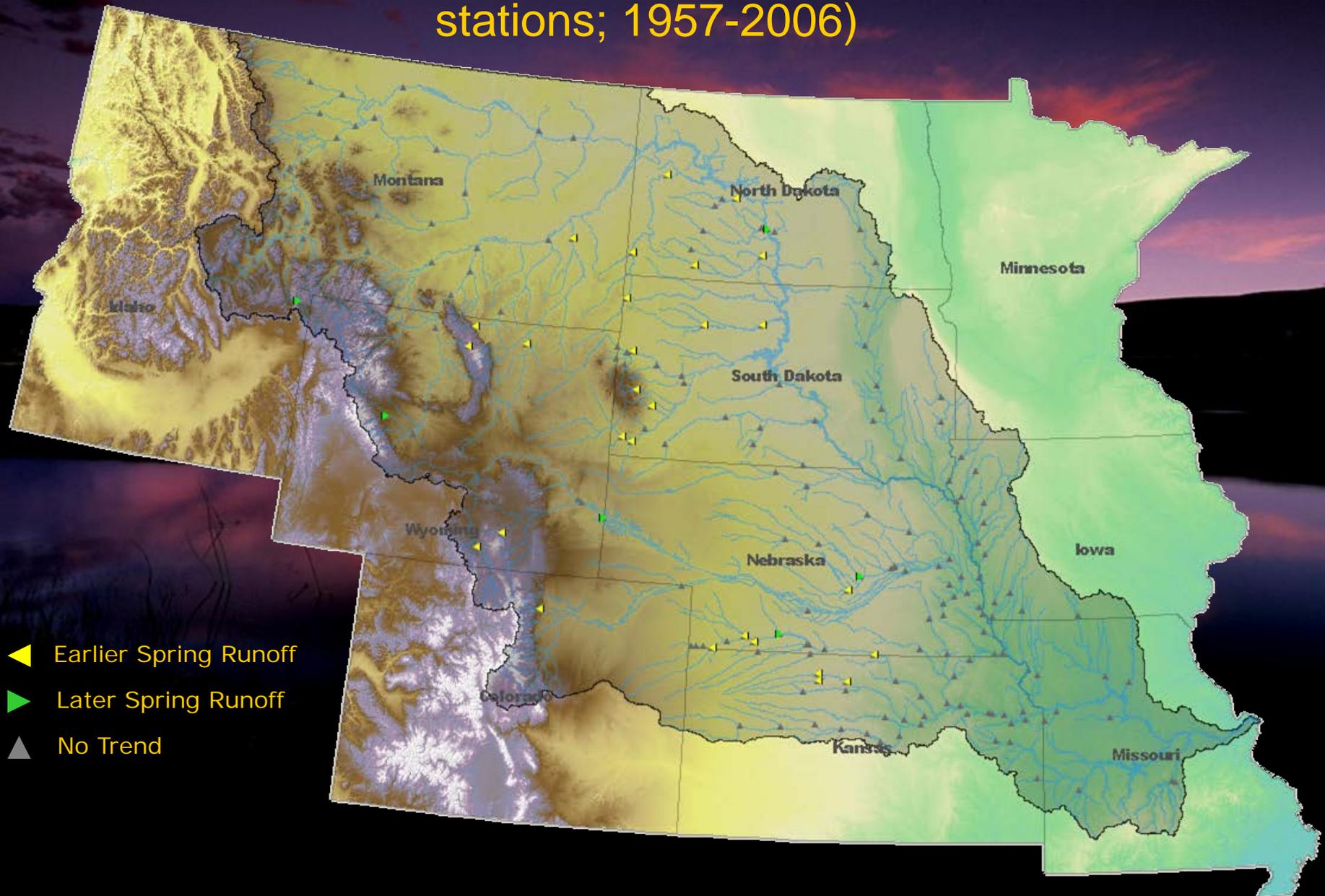
# Other Issues – 64 years later

- Sedimentation Issues
  - Lewis and Clark Lake sediment pool ½ full
  - Williston, Bismarck, Pierre, Niobrara
  - New Orleans protection diminished
  - Tributary Reservoirs
- Bed Degradation - Threatens Infrastructure
- Water Rights
  - Tribal, State, Navigation, Fed - Regulatory
- Need for greater stakeholder collaboration & adaptive management approach to operations
- NEPA, ESA, Master Manual,
- Recent Court Actions
- Global climate shift may = less runoff?

# Trends in Annual Streamflow in the Missouri River Basin (All stations; 1957-2006)



# Trends in Seasonality in the Missouri River Basin (All stations; 1957-2006)



# Pick Sloan

1944

- Control The River
- Mo River Nav. Focus
- Little Concern for Tribal Issues
- Irrigation
- Non-Collaborative Governance
- Sediment Issues Not Considered

# 64 years later

2008

- Restore The River
- Bed Degradation
- Greater Emphasis on Tribal Issues
- M&I Supply
- Focus on Collaborative based Governance
- Sediment Issue Major Concern

In the 19th century, we devoted our best minds to exploring nature.  
In the 20th century, we devoted ourselves to controlling and harnessing it.  
In the 21st century, we must devote ourselves to restoring it.  
— Stephen Ambrose

# So....where do we go from here?

- Act Passed in 1944, Should Be Periodically Reviewed and Perhaps Rewritten
- Development Era Framework in a Time When Sustainability is Needed
- Study Is the Vehicle
- Contemporary Uses (Recreation, MR&I Projects, Mississippi Nav, Ecosystem Restoration, Tribal Needs) Should be Basis of New Legislation
- Time for Leadership...

# U.S. Army Corps of Engineers Civil Works Policy

## Pocket Reference



**US Army Corps  
of Engineers®**

December 2005

# U.S. Army Corps of Engineers Civil Works Policy Pocket Reference

Prepared by the  
Policy and Policy Compliance Division  
and  
Planning Community of Practice  
Directorate of Civil Works  
Headquarters  
U.S. Army Corps of Engineers

December 2005

This edition of the  
Civil Works Policy Pocket Reference  
Reflects legislation through and including  
WRDA 2000 (P.L. 106-541; 114 Stat. 2572)

## REVIEW OF COMPLETED PROJECTS (Section 216)

### Authorities

- Section 216, 1970 FCA (P.L. 91-611)
- Sections 103, 105 and 905; WRDA 1986, (P.L. 99-662)

### Provisions

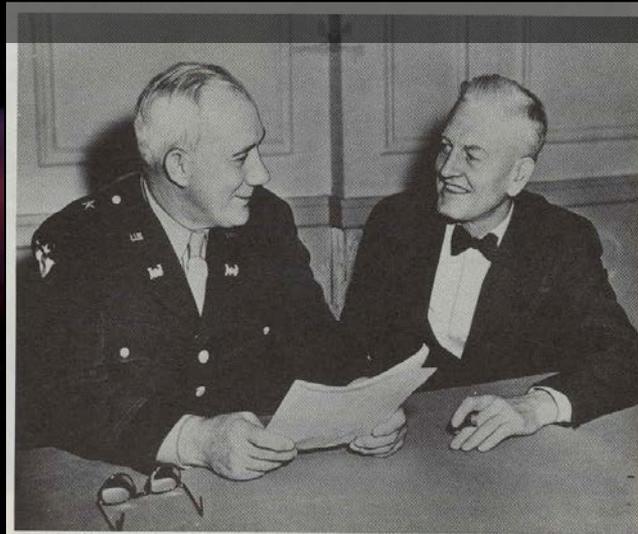
- General authority for the Secretary of the Army to review operations of completed projects, when found advisable due to changed physical, economic, or environmental conditions. A report is made to Congress on advisability for modifying structures or operations.

### Cost Sharing

- Studies - Initial Appraisal (using Operation and Maintenance, General funds) – 100% Federal; Reconnaissance - 100% Federal; Feasibility - 50% Federal/50% non-Federal.
- Improvement costs are allocated to the Federal government or non-Federal sponsors in accordance with the basic project authority and existing policies.

**Be prepared to take full advantage of this great river development,” he added, “it will eliminate destructive floods, provide vast new acreage of irrigated land, make available a new source of vital power, provide more water for domestic use, give an impetus to river navigation and provide recreation at areas which will attract thousands of tourists.”**

**General Pick - 1948**



*General Lewis A. Pick and William Glenn Sloan.*

“The question is whether the legitimate offspring of two programs which matured in contrasting climates, wet and dry, have proved to be adapted to the peculiar climate of the Missouri basin...The question is whether the ten-year olds show promise of growing to maturity and doing a man’s work.”

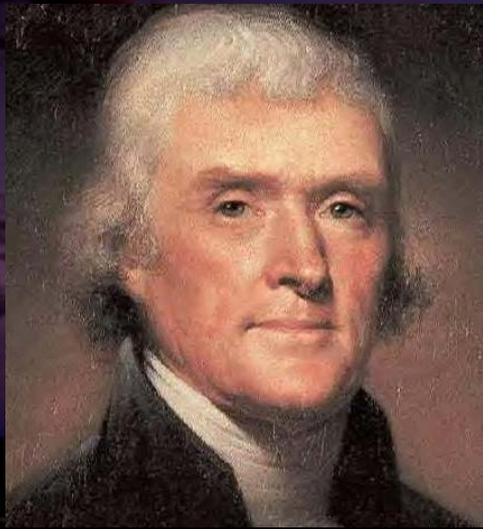
Henry Hart, The Dark Missouri - 1957



*General Lewis A. Pick and William Glenn Sloan.*

# New Law Approach

- Multi-faceted, Contemporary Look At National and Regional Priorities
- Follows recommendation from National Academy of Science
- Major Filters
  - Tribal
  - Ecological
  - Economic
  - Sustainable Management
  - Collaborative Governance



**I am certainly not an advocate for frequent changes in laws and constitutions. But laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, ...institutions must advance also to keep pace with the times.**

**-Thomas Jefferson**

