

THANK YOU O'Mahoney and Millikin

All of us in North Dakota owe a big thank you to Joe O'Mahoney and Eugene Millikin. Never heard of them? Well, that's not unusual. But if your water supply is from the Missouri River, or if you are an irrigator from that river, or use and enjoy its recreational benefits, or power benefits, or flood control benefits of its dams, then you should be aware of what these two did to help all of us in North Dakota achieve those benefits.

Joe O'Mahoney and Eugene Milliken were both U.S. senators during the 1940s when the federal government began finalizing legislation and plans to build the great dams along the Missouri River. Those large dams, and a collection of minor dams on minor tributaries, are placed from Montana through the Dakotas, Nebraska and Kansas, culminating in the state of Missouri. They include Garrison Dam in North Dakota and Oahe Dam of South Dakota, which backs water up all the way to just south Bismarck.

Plans to harness the Missouri River began in earnest in the early 1940s. The plan was eventually dubbed the Pick Sloan Act; named after the primary architects of the

For readers who would like more information on the O'Mahoney Millikin Amendment, and discussion of the history and deliberations that went into that amendment, please refer to the publication "Big Dam Era" by John R. Ferrell. In his book, Ferrell discusses the contentious debates and deliberations that occurred between advocates of a basin-wide management plan that would favor and ensure a priority for flood control and for a navigational benefit for a river stretch below Sioux City, Iowa, to the confluence of the Missouri with the Mississippi. Conversely, upstream states proposed a "consumptive use" approach to the river development. Consumptive use favored planning and creating projects that put the water on the land in irrigation projects or put the water into pipes or canals for domestic or municipal or industrial use.

The consumptive use approach deemphasized policies and projects that would have favored flood control and navigation. Consumptive use advocates wanted any

plan: Gen. Lewis Pick of the Army Corps of Engineers and district engineer Glenn Sloan of the Bureau of Reclamation. Immediately from the start

there were planning conflicts between the two federal agencies, and also between the interests of the upstream states, (the Dakotas, Montana, Wyoming, and Colorado) versus the interests of the downstream states, (Nebraska, Kansas, Iowa, Missouri). The Corps and downstream states favored a management plan that would emphasize flood control, fish and wildlife protection and navigation interests. The Bureau of Reclamation and upstream states placed emphasis on water supply, irrigation development, recreational opportunities, and power generation. Of course, all the interests and benefits were recognized by both federal entities and all the states as beneficial, but some were deemed a higher priority than others.



KEN ROYSE
Program Manager, Missouri
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projects constructed under programs of the Bureau of Reclamation to have legal protection in the control of that water from any projects that might subsequently be constructed under programs of the Army Corps of Engineers. Essentially the upstream states wanted legislation that would subject the Corps to the established principals of reclamation law. These conflicting viewpoints of river management resulted in conflicting amendments that clearly pushed the interests of one group over the other.

At that time, there was an organization called the Missouri River States Committee (MRSC) which served as an advisory group to the congressional offices and federal agencies dealing with this issue. Seven of the eight states of this committee voted for a resolution that "nothing done in the interests of flood control or navigation shall adversely affect the use of water from irrigation west of the ninety-eighth meridian." The state of Missouri abstained from the vote.

Enter senators O'Mahoney and Millikin. Millikin was a senator from Colorado and O'Mahoney a senator from Wyoming; one a republican, one a democrat. Both of their respective states are contributors of water to the Missouri River system and therefore had a stake in how that river system was to be managed. Despite their interests being somewhat less than in other states where most of the construction would take place, both senators had an immediate and strong appreciation for the needs of the upstream states. The upstream states would contribute essentially all the land needed to construct the major dams – ultimately a contribution of more than 1.7 million acres shared almost equally and exclusively by Montana, North Dakota and South Dakota.

It was also these upstream states that would house the facilities that would provide the power generation facilities of the program, most of which would eventually be shipped out for use by other states. And it was the downstream states that would realize most of the benefits of flood control, water supply, power supply and navigation.

O'Mahoney and Millikin saw the disputes being formed between a program that favored the downstream states with flood control and water supply versus a program that provided larger ensured benefits for the upstream states, particularly for irrigation development. As such, the O'Mahoney Millikin Amendment to the 1944 Flood Control Act was presented and adopted which says that ... *“Navigation shall not conflict with the beneficial consumptive use of water for domestic, municipal, stock water, irrigation, mining or industrial purposes ...”*

A win for North Dakota and for all the upstream states.



Sen. Joe O'Mahoney



Sen. Eugene Millikin

From the passage of the Flood Control Act in 1944, and despite the inclusion of the O'Mahoney Millikin Amendment, we have seen downstream interests in the management of the Missouri River system continue to press for more favorable management and use of the system for their downstream navigation interests. That push for navigation water downstream leaves the upper states in a position of possible low water levels in our reservoirs and in the river at times when we may and do need such water.

That action by the downstream states would certainly be more aggressive and more effective had not the O'Mahoney Millikin Amendment not been included in that Act. Thank you, senators Joe O'Mahoney and Eugene Millikin for the efforts you took over 80 years ago that continue yet to this day to benefit our state of North Dakota.

SAVE THE DATE

Wed., August 10, 2022
Baymont Inn & Suites
Mandan, ND

MISSOURI RIVER STAKEHOLDERS MEETING

TO REGISTER CONTACT
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