

Spring Rise Facilitated Process

The US Army Corps of Engineers (Corps) is implementing the US Fish and Wildlife Service's (USFWS) 2003 Amended Biological Opinion (BiOp). The Corps, USFWS, and several other federal agencies have contracted with the US Institute for Environmental Conflict Resolution (US Institute) to select a third party neutral to conduct facilitated meetings to allow the public to help the federal agencies define a "spring rise" as required by the 2003 BiOp for implementation in 2006.

The US Institute is an independent federal agency established by Congress to assist parties in resolving environmental, natural resource, and public lands issues and conflicts. The US Institute serves as an impartial, non-partisan institution providing professional expertise and services to all parties involved in resolving environmental conflicts.

The US Institute will work closely with interested and affected stakeholders, as well as with tribes and the federal and state agencies with jurisdictional authority and responsibilities, in selecting a team of highly skilled and experienced mediators. The mediation team will provide professional impartial facilitation for all meetings.

Once selected, the immediate task of the selected mediation team will be to quickly design the "spring rise" process. In consultation with a small **Core Planning Group**, composed of agency and stakeholder representatives, the mediation team will establish meeting dates and locations.

It is anticipated that the "spring rise" process itself will involve at least two **Plenary Sessions** with broad and inclusive participation by representatives of federal, state, and tribal agencies and governments, as well as interested and affected stakeholders and nongovernmental organizations. As currently envisioned, all substantive deliberations about a proposed "spring rise" would take place within these **Plenary Sessions**. The first meeting of the **Plenary Group** would take place no sooner than mid-May.

In addition, it is anticipated that the **Plenary Group** may want to establish one or more **Working Groups** to examine specific technical issues, gather relevant information, explore options, and prepare proposals for consideration by the full intergovernmental group. The **Working Groups** may consist of **Plenary Group** members and additional experts with knowledge of and interest in the specific areas being addressed by the particular **Working Group**. The **Working Group** meetings would take place in between the meetings of the larger **Plenary Group**.

The US Institute is establishing a **Core Planning Group** to assist the selected mediation team with quickly developing an appropriate specific design for the "spring rise" process. To function efficiently in the short amount of time available, the **Core Planning Group** needs to be relatively small and composed of individuals who are willing to focus on helping the mediation team design a fair and inclusive **Plenary Group** process. The **Core Planning Group** will not be engaging in negotiations over the "spring rise"

proposal. Negotiations and deliberations will be the task and responsibility of the **Plenary Group**.

Following the final **Plenary Session**, a ½ day public workshop will present the potential effects of the preferred “spring rise” alternative that will be included in the 2006 Draft Annual Operating Plan (AOP). The Draft AOP will be developed in August of 2005 and will follow the established review and comment process normally provided with the development of an AOP; public meetings will be held throughout the basin and comments will be taken.

The anticipated timeline for these meetings will be:

Selection of Third Party Neutral – 12 April 2005, Omaha, Nebraska
Spring Rise Tribal Participation Meeting – 26 April 2005, New Town, North Dakota
Core Planning Group Meeting – 28 April 2005, Kansas City, Missouri
First Plenary Session – mid-May 2005
First Working Group Session – Early June 2005
Second Working Group Session – End of June 2005
Second Plenary Session – Early July 2005
Public Workshop – End of July 2005
Draft 2006 AOP Released for Public Review and Comment – August 2005
Final 2006 AOP – December 2005