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MISSOURI RIVER CONSERVATION DISTRICTS COUNCIL

October 27, 2006

Federal Working Group
c/o U.S. Army Corps of Engineers
125 65 W. Center Road
Omaha, NE 68144-3869

*Sent via e-mail to:
Missouri.Water.Management@nwd02.usace.army.mil*

RE: Proposed Framework for Establishing the Missouri River Recovery Implementation Committee

Dear Members of the Federal Working Group:

The Missouri River Conservation Districts Council is a grassroots collaboration of the 15 Conservation Districts along the Missouri River in Montana. We represent the local stakeholders most impacted by management, operation, and recovery efforts in the U.S. Corps of Engineers' Missouri River Mainstem System in Montana. Our Council Members have previously participated in the Plenary Group, the Annual Operating Plan process, as well as the CDR Associates' surveys and polls regarding the MRRIC Spring Rise and Situation Assessment. After reviewing the Proposed Framework for Establishing the MRRIC, we submit the following comments:

1. We appreciate the Federal agencies' commitment to fully consider the MRRIC recommendations. Page 1 of the Proposed Framework states that "If recommendations of the MRRIC are not implemented, the reasons will be explained." Thank you for including this statement in the Proposed Framework. It is vital for stakeholders at all levels to feel that their input and recommendations will be taken seriously.
2. The 10-year vision for the Missouri River Basin provided on Page 10 (Paragraph D.1.) does not provide the clear focus that MRRIC will need to be successful. We encourage you to clarify the vision and provide some concrete goals for the MRRIC. The MRRIC will be a diverse group of oftentimes opposing interests; to ensure that they make progress, the Federal Working Group should provide a vision statement that is clear and provides solid ground for the MRRIC to build upon.
3. Page 11 of the Proposed Framework (Paragraph D.2.) provides that the federal agencies will encourage MRRIC to focus on a multi-disciplinary approach to recovery, one that is based on true science, uses adaptive management, and maintains the socioeconomic features of the river system – these are good goals and should be the driving force behind all MRRIC operations.

Gallatin Conservation District
Broadwater Conservation District
Lewis & Clark Conservation District
Cascade County Conservation District
Chouteau County Conservation District
Big Sandy Conservation District
Fergus County Conservation District
Blaine County Conservation District



Petroleum County Conservation District
Phillips Conservation District
Garfield County Conservation District
Valley County Conservation District
McCone Conservation District
Roosevelt County Conservation District
Richland County Conservation District

4. Federal Agencies should be a resource for the Planning Committee but should not be voting members of the Committee. Allowing the federal agencies to vote negates the advisory capacity of the MRRIC and its Planning Committee. Other government agencies, including state, local, and Tribal entities, should be given a vote on the Planning Committee and the MRRIC.
5. Paragraph F.2.d. on page 14 provides only two members from Local Governments, we feel that number should at least be doubled. Representatives from local Governments will provide key insights from the grassroots level. Their view of the system will consider a variety of impacts from a more independent and wider vantage point than other Planning Committee members. There are many voices in the basin, but only those elected by the public through a democratic process truly represent the needs of the basin. Additionally, for any recovery effort to be successful, it will need unwavering support from the local citizens. Local governments are more in tune with these citizens than other groups and should be afforded greater representation on the Planning Committee.
6. The Non-governmental Categories of Membership for the MRRIC Planning Committee described in Paragraph 3 (Pages 14 and 15) are not clearly defined and leave the process open to inappropriate influence from special interest groups. The danger in the “squeaky wheel getting the grease” is that the remaining wheels are no longer able to function properly. The loudest voice in the basin does not necessarily represent the true needs of 4basin users. We encourage you to define the groups so they truly represent all basin users. Non-governmental groups chosen for the Planning Committee should have proven grassroots ties to the basin; a history of involvement in Missouri River basin operations; a demonstrated commitment to logical, fact-based decision-making; an established line of communication with their represented community; and a demonstrated ability to work with and reach consensus with a variety of groups and other interested parties. The Planning Committee will have a lot of work to do in a short period of time, so care should be taken to choose members that can complete the task in an efficient, effective manner without causing rifts or swaying the process to benefit only their special interests.
7. In soliciting applications for the Planning Committee, the Federal Working Group should disseminate the information continuously and to the widest audience possible. The applications should be provided to local groups such as County Governments, Conservation Districts, Water Users Associations, and City Governments. Publicity must hit a variety of media and provide a local contact to personally follow-up with interested parties. Soliciting applications is a critical step and should be carefully planned and executed. The old saying that “garbage in equals garbage out” applies to this process. For example, the MRRIC Open House hosted in Billings, Montana was poorly attended – not because Montanans are disinterested in the process, but because the Open House was poorly advertised, located more than 200 miles from the Missouri River, and occurred in the middle of a week day. To ensure a good group of applicants respond to the MRRIC process, the Federal Working Group must cater to basin residents by providing ample opportunity for interested parties to get involved. Use local contacts to determine the best time, place, and method for advertising to all Missouri River users in the basin.
8. The Travel Assistance noted on Page 16 (Paragraph F.7.) is critical to ensuring that the process includes all basin users and results in true recovery of the basin. The Federal Working Groups is wise to include travel assistance and promote that feature up-front in the process. Providing travel assistance allows the local residents who depend upon the basin for the livelihoods to participate. Normally, this group of residents is under-represented due to a lack of funding and time. Frankly, the business of earning a living keeps them stretched too

thin to participate in groups like the MRRIC; however, their input is vital to the process. As noted earlier, recovery efforts will require support from the local communities and local landowners to be truly successful. The group of people that depends the most on the basin's resources is usually the group that has the least time and money to participate in a process such as the MRRIC Planning Committee. Providing travel assistance enables this essential group to participate.

9. The Decision-Making Rules described in Paragraph F.8.g. (Pages 18 and 19) concern us. At its best, consensus brings participants together to find common ground; but at its worst, consensus leaves the most important, highly-charged issues undecided because no consensus can be reached. A good example of this is the Plenary Group. While the process was valuable, no formal recommendation was provided because consensus could not be reached. The MRRIC and its Planning Committee should be set up for success with a clearly structured decision-making process that will result in usable recommendations.
 - a. Allowing a committee member who cannot agree with or live with a proposal to simply resign from the Planning Committee (Page 19) is wrong – resignation should not be an option specified in the Framework. Instead, there should be a provision for additional education, where opposing sides of an issue and the federal agencies present factual data on the issue. The focus should remain on factual data and a clear set of recovery goals.
 - b. The Proposed Framework does include a provision for a dissenting member to demonstrate why the proposal in question is significant to the group he or she represents and encourages an alternative proposal to be presented (Page 18). That provision reflects a consensus-seeking process and should remain in the framework, but more emphasis on factual data should be provided.
 - c. The Decision-Making Rules should include a back-up provision for a recommendation that is supported by the majority of the Planning Committee to move forward even if consensus is not reached. The recommendation should move forward as long as the opposing views can provide a narrative describing the impacts of the recommendation and why they can or cannot support it. Additionally, when a recommendation is supported by the majority of the Planning Committee, but full consensus has not been reached, the federal agencies should be brought in to describe the true implications of the recommendation. A brainstorming session with a wider audience that includes the federal agencies may bring the Committee closer to true consensus.
10. The Framework should provide a clear mechanism for the MRRIC and the Planning Committee to interface with on-going operation and management of the basin, especially projects such as the Corps' Creation of Emergent Sandbar Habitat and the Annual Operating Plan process. Some recovery efforts have already begun and progress reports should be provided to the MRRIC and the Planning Committee in a timely manner.

Thank you for considering our comments and concerns with the Proposed Framework. We sincerely appreciate the opportunity to be involved and provide input in the process. Please contact our Coordinator, Vicki Marquis, at (406) 468-0056 if you have any questions regarding our comments.

Sincerely,

Curt McCann
Chairman