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DEPARTMENT OF GAME, FISH AND PARKS

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523 East Capitol
Pierre, South Dakota 57501-3182

October 31, 2006

Brigadier General Gregg F. Martin
Commander, Northwestern Division
U.S. Army Corps of Engineers
P.O. Box 2870
Portland, OR 97208-2870

Dear General Martin:

We want to thank the Army Corps of Engineers for providing South Dakota the opportunity to comment on the Proposed Framework for Establishing the Missouri River Recovery Implementation Committee (MRRIC). South Dakota understands the need to develop a strong framework for MRRIC. Without a strong framework there is little chance that the Federal Working Group will be able to implement changes that will aid in the recovery of the Missouri River ecosystem.

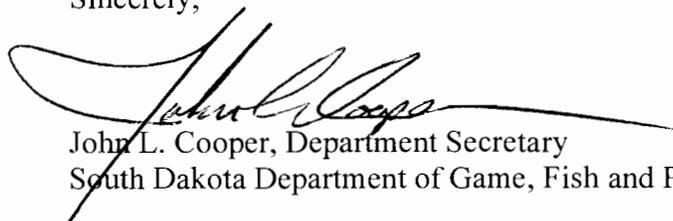
I have asked our staff to review the proposed guidelines and we have the following concerns:

- We recognize how extremely difficult it is for large groups to reach consensus. We recommend as small a group of individuals as possible yet representative of the entire spectrum of interests to develop a draft charter. The anticipated monthly meetings over a nine-month period (page 19) will be a considerable time and financial burden for some groups. South Dakota hopes the number of meetings can be reduced significantly so our attendance and participation can be more consistent since our staff loads are already an issue.
- We recommend each State have two representatives on the planning committee. The States represent a broader range of interests and responsibilities associated with the Missouri River than the other stakeholder groups. South Dakota does not believe a single staff member can adequately speak for the varied interest of the State(s).
- We are concerned that the process of introducing a competing alternative is not so burdensome that stalemate cannot be overcome. This is particularly true if one or more of the stakeholders are not participating in good faith (page 18). Otherwise, it

may be extremely difficult to overcome deadlock when many of the key issues are so extremely polarized.

- We also recommend a mechanism be developed to remove or replace a member of the committee who is not participating in a good-faith manner.
- We recommend a quorum size be developed to insure fairness to all participants.
- Can you provide additional clarification on how an impartial chair, who is familiar with the issues but has no personal stake in the outcome, might be selected?
- South Dakota believes a key issue the planning committee must address is the development of a process for resolving disputes if consensus can not be reached. As pointed out on page 19, it is imperative that this process is determined prior to commencing work on the drafting of the Initial Charter.

Sincerely,



John L. Cooper, Department Secretary
South Dakota Department of Game, Fish and Parks

JLC:pw

cc: Governor M. Michael Rounds
Steve Pirner -- Secretary of SD DENR
Lieutenant General Carl Strock
Colonel David Press
Larry Cieslik-COE-Reservoir Control