

**Planning Group Process to Develop a MRRIC Charter  
(Missouri River Recovery Implementation Committee)**

**DRAFT Charter Federal Agency Participation  
Language Proposals**

**November 20, 2007**

**1) Background:** Starting with the Minneapolis meeting, there have been a total of four proposals for Charter language dealing with federal agency participation. The purpose of this document is to provide a single reference that contains those four proposals.

**a) DRAFT Charter Outline Proposal 1:**

This proposal represents a consensus compromise worked out at the Minneapolis meeting. This proposal was provided to the public for comment at the public workshops in Omaha and during the public comment period as Proposal 1 in version 24 of the Draft MRRIC Charter.

**b) DRAFT Charter Outline Proposal 2:**

This proposal was developed based on Federal Working Group feedback concerning DRAFT Charter Outline Proposal 1 at the Kansas City meeting. The Federal Working Group was uncomfortable with the status of what were defined at the time as Participating Agencies. Draft Charter Outline Proposal 2 was designed to address this issue and initially had consensus at the Kansas City meeting. This consensus broke down later in the meeting, and the Drafting Team decided to provide Proposal 1 and Proposal 2 to the public for comment at the public workshops in Omaha and during the public comment period.

**c) Consolidated, Proposed Language:**

This language was developed in an attempt to consolidate the feedback from Planning Group members following the Omaha public workshops. This language does not reflect Membership Committee or Drafting Team consensus.

**d) Membership Committee Conference Call Commissioned Language:**

Following the public workshops in Omaha, the Membership Committee held a conference call to consider the feedback from those workshops. At that conference call, the committee learned that there appeared to be some discomfort at the Assistant Secretary of the Army's office over the two tier system for federal agency participation outlined in the DRAFT MRRIC Charter version 24. Based on this information, the Membership Committee commissioned new language that would take this into account. This language does not reflect Membership Committee or Drafting Team consensus.

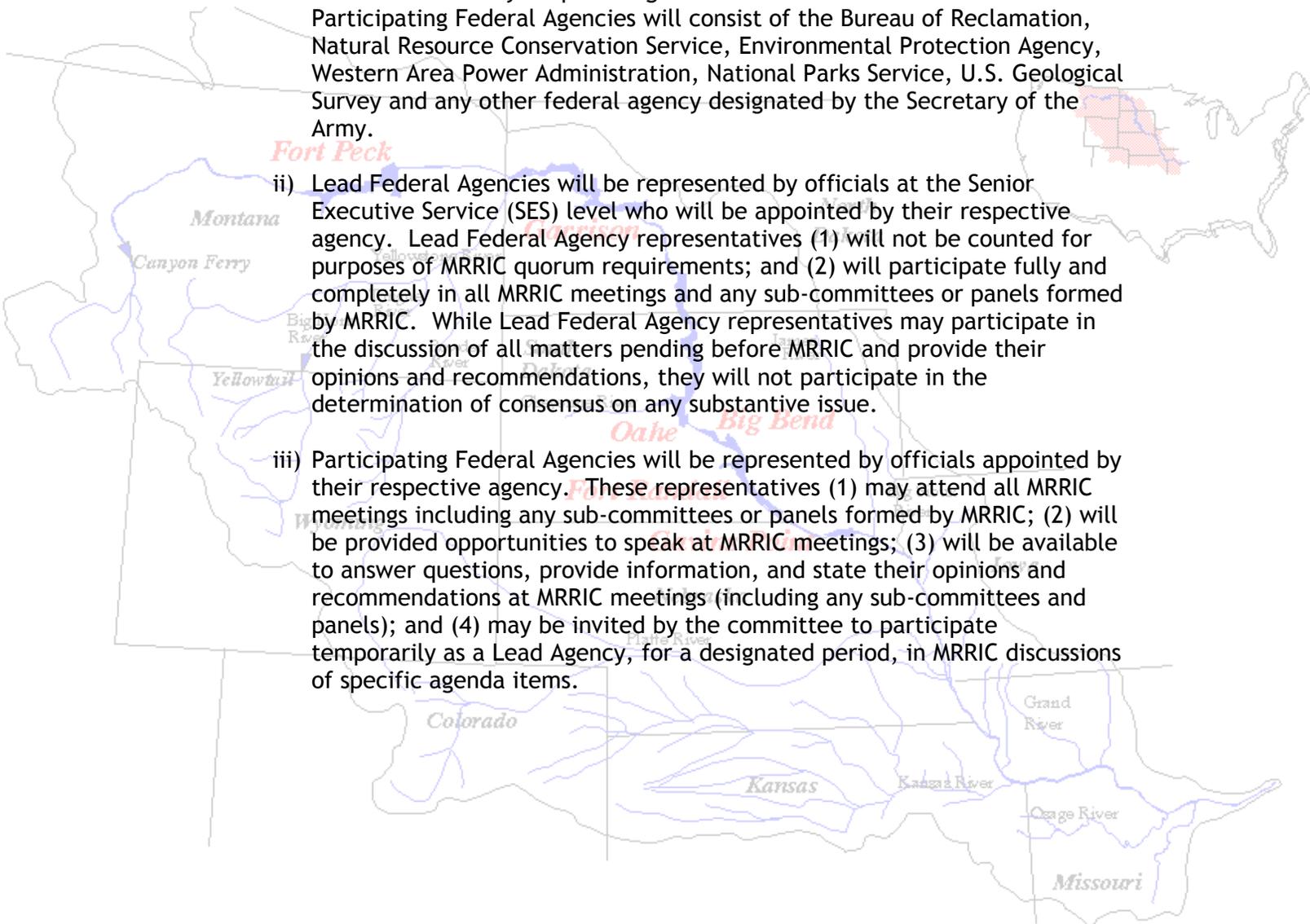
## 2) Draft Language Proposals

### a) DRAFT Charter Proposal 1:

i) Federal agencies will participate in the MRRIC as either Lead Federal Agencies or Participating Federal Agencies. Lead Federal Agencies will consist of the Army Corps of Engineers and the Fish and Wildlife Service. Participating Federal Agencies will consist of the Bureau of Reclamation, Natural Resource Conservation Service, Environmental Protection Agency, Western Area Power Administration, National Parks Service, U.S. Geological Survey and any other federal agency designated by the Secretary of the Army.

ii) Lead Federal Agencies will be represented by officials at the Senior Executive Service (SES) level who will be appointed by their respective agency. Lead Federal Agency representatives (1) will not be counted for purposes of MRRIC quorum requirements; and (2) will participate fully and completely in all MRRIC meetings and any sub-committees or panels formed by MRRIC. While Lead Federal Agency representatives may participate in the discussion of all matters pending before MRRIC and provide their opinions and recommendations, they will not participate in the determination of consensus on any substantive issue.

iii) Participating Federal Agencies will be represented by officials appointed by their respective agency. These representatives (1) may attend all MRRIC meetings including any sub-committees or panels formed by MRRIC; (2) will be provided opportunities to speak at MRRIC meetings; (3) will be available to answer questions, provide information, and state their opinions and recommendations at MRRIC meetings (including any sub-committees and panels); and (4) may be invited by the committee to participate temporarily as a Lead Agency, for a designated period, in MRRIC discussions of specific agenda items.

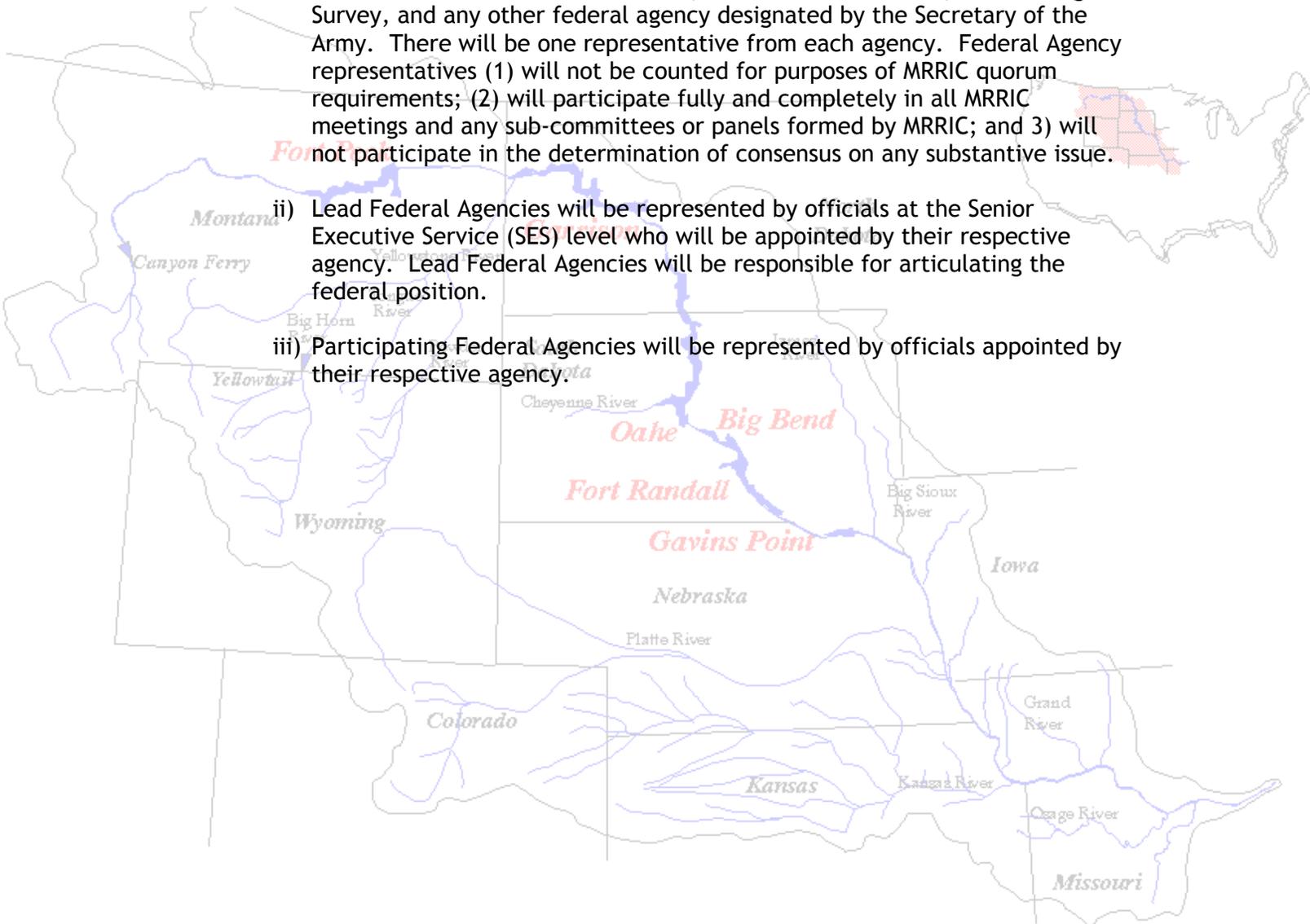


**b) DRAFT Charter Proposal 2:**

i) Federal agencies will participate in the MRRIC as either Lead Federal Agencies or Participating Federal Agencies. Lead Federal Agencies will consist of the Army Corps of Engineers and the Fish and Wildlife Service. Participating Federal Agencies will consist of the Bureau of Reclamation, Natural Resource Conservation Service, Environmental Protection Agency, Western Area Power Administration, National Parks Service, U.S. Geological Survey, and any other federal agency designated by the Secretary of the Army. There will be one representative from each agency. Federal Agency representatives (1) will not be counted for purposes of MRRIC quorum requirements; (2) will participate fully and completely in all MRRIC meetings and any sub-committees or panels formed by MRRIC; and 3) will not participate in the determination of consensus on any substantive issue.

ii) Lead Federal Agencies will be represented by officials at the Senior Executive Service (SES) level who will be appointed by their respective agency. Lead Federal Agencies will be responsible for articulating the federal position.

iii) Participating Federal Agencies will be represented by officials appointed by their respective agency.



**c) Consolidated, Proposed Language:**

i) Federal agencies with programs affecting the Missouri River may be members of the MRRIC. Federal agency membership may include those agencies currently represented on the Missouri River Basin Roundtable (MRBIR) and any other federal agency designated by the Secretary of the Army. This includes Federal agencies with management responsibilities, jurisdiction by law, regulatory authorities, technical expertise, and/or resource responsibilities affecting the Missouri River. To initiate MRRIC, the lead agencies will be the Army Corps of Engineers and the Fish and Wildlife Service. Participating federal agencies may include the Bureau of Reclamation, Natural Resource Conservation Service, Environmental Protection agency, Western Area Power Administration, Maritime Administration, the National Park service, and any other agency designated by the Secretary of the Army.

ii) Lead Federal Agencies will be represented on the MRRIC by officials at the Senior Executive Service (SES) level or their deputies. Lead Federal Agency representatives (1) will not be counted for purposes of MRRIC quorum requirements; (2) will participate fully and completely in all MRRIC meetings and any sub-committees or panels formed by MRRIC; and (3) will not participate in the determination of consensus recommendations.

iii) Participating Federal Agencies will be represented by officials appointed by their respective agency. These representatives: (1) may attend all MRRIC meetings including any sub-committees or panels formed by MRRIC; (2) will be provided opportunities to speak at MRRIC meetings; (3) will be available to answer questions, provide information, and state their opinions and recommendations at MRRIC meetings (including any sub-committees and panels); and (4) will be able to participate temporarily as a Lead Agency, as approved by the MRRIC, when any issue being discussed or considered by the MRRIC could directly affect the Participating Federal Agency's management or resource responsibilities, jurisdiction by law, or regulatory authorities.

**OR**

*(alternative language to replace item number (4) above)*

at the invitation of the MRRIC Chairperson, will be incorporated in the full committee when any issue being discussed or considered by MRRIC could affect that Participating Federal Agency in its role as an Action Agency for that issue.) When participating as a Lead Federal Agency, the representative will be of the Senior Executive Service (SES) level appointed by his/her respective agency. (The temporary Lead Agency must be represented by an SES or his/her deputy.)

iv) Neither MRRIC, nor any sub-committees, panels, or other working groups will include more federal employees at the table than stakeholders, states, and tribal representatives.

**d) Membership Committee Conference Call Commissioned Language:**

i) Federal agencies that choose to participate in the MRRIC process will be represented by officials that are familiar with Missouri River basin issues as designated by their agencies.

ii) Representatives from the Federal Agencies:

(1) Will be represented by a Senior Executive Service (SES) level official familiar with Missouri River basin issues at MRRIC meetings.

(2) Will attend and participate fully (ie: provide information, ask and answer questions) at all MRRIC meetings including any sub-committees or panels formed by MRRIC

(3) Will not be counted for purposes of MRRIC quorum requirements will not participate in the determination of MRRIC consensus recommendations. Federal agencies that choose to participate in the MRRIC process will be represented by officials that are familiar with Missouri River basin issues as designated by their agencies.

