

Results of the Survey on the DRAFT MRRIC Charter

3.0 General Questions on the DRAFT Charter

3.1 Is the DRAFT Charter logically organized?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Yes | 20 | 58.82% | Yes | 8 | 72.73% |
| No | 0 | 0.00% | No | 0 | 0.00% |
| Needs Work | 3 | 8.82% | Needs Work | 3 | 27.27% |
| No Selection | 11 | 32.35% | No Selection | 0 | 0.00% |
| Comments | 3 | 8.82% | Comments | 3 | 27.27% |

If you answered "no" or "needs work", how could the DRAFT Charter be better organized?

Public Comments:

* Add a table of contents so that it's easier to get an overview. Doing that may suggest adding a title page. Switching to a DocBook article format, to LaTeX, or even to OpenOffice.org might make it easier to create such frontmatter. Add header or footer information that shows the current section. To identify sections, I kept flipping back to find the current top two levels in the document hierarchy. Again, DocBook or LaTeX would likely make that easier, although it may be doable in OpenOffice.org or Word. Add internal hyperlinks, where appropriate, for those who read this in electronic format. For example, you could link from each use of a defined word in the body of the text to its entry in the glossary. Section 5) a) ii), iii), and iv) have long lists that could be more compactly and thus transparently shown in tables. Consider treating the numbered sections (1), (2), etc.) as chapters, each starting on a new page.

* I would invite you to consider inserting an introductory paragraph stating something like: "The (insert the name of the agency organizing this committee) is gathering the stakeholders in the Missouri River watershed to form the Missouri River Recovery Implementation Committee (MRRIC.) The Committee's sole purpose is to create (and implement?) a plan to foster the recovery of the pallid sturgeon, the interior least tern and the piping plover in the Missouri River watershed. The MRRIC will be convened under the authority of the Water Resources Development Act of 2007...." I'm not sure what the correct terminology is for the project ~ such as the use of the word watershed ~ but its important for people to know who is forming the committee, why it is being formed, and under what authority.

* There are too many federal agencies participating in this organized group believing they have the right to call the shots and expect their needs met without consideration of the needs of other stakeholders.

Plan Group Comments:

* There isn't much information about the purpose of the committee and how the committee will affect recovery efforts. How will the prioritization, implementation, monitoring, evaluation, and adaptation of recovery actions be guided?

* Speaking on behalf of the Nebraska Wildlife Federation for all responses. More information should be presented at the beginning as to how and why the MRRIC Planning Committee was formed. Unless a person is familiar with the activities of the USACOE and its endeavors with the Spring Rise, etc., there is little information explaining the background and the purpose of the MRRIC for the lay person. Also, how will the committee bring about recovery efforts? Lastly, a Table of Contents would be helpful.

* 1. Paragraph markers i, ii, iii, iv etc are confusing. Use numbers and letters. Those other things are confusing. 2. "Governance and Leadership should be entitled paragraph 6. There is just too much stuff in paragraph 5 to hve membership and governance combined.

3.2 Is the DRAFT Charter generally understandable?

| Public Respondents | | | Planning Group Respondents | | |
|---------------------|----|--------|----------------------------|---|--------|
| Yes | 19 | 55.88% | Yes | 7 | 63.64% |
| No | 1 | 2.94% | No | 0 | 0.00% |
| Needs Clarification | 2 | 5.88% | Needs Clarification | 4 | 36.36% |
| No Selection | 12 | 35.29% | No Selection | 0 | 0.00% |
| Comments | 3 | 8.82% | Comments | 5 | 45.45% |

If you answered "no" or "needs clarification", what sections of the document need work to make them more understandable?

Public Comments:

Results of the Survey on the DRAFT MRRIC Charter

* Highlight the difference between the two proposals in 5) a) i). For example, the first paragraph in each contains a long list of agencies. Those lists may be different, as the paragraphs are of differing lengths, but this approach forces each reader to make the word-by-word comparison. A side-by-side display of the drafts might help. Putting key items in tabular format might help. A brief summary of the differences might help people find them, too. In the "a picture is worth a thousand words" category, you might consider adding labeled maps to show the content of 5) a) ii) and iii), and you might add an organization chart to show other parts of 5). If well done, that might eliminate much space devoted to text. I'm not sure how a quorum is defined. Is it true that a quorum is really 51% of the stakeholders who are at the time appointed to the MRRIC? It seems that you can have none or all state representatives and tribes (tribal representatives?) present without affecting the existence of a quorum. If so, you can make it more understandable by deleting the irrelevant words. Is there any conflict between 6) (1) and 7) c) i)?

* See comments above. (Note: pertaining to "I would invite you to consider inserting an introductory paragraph")

* No, The role of the MRRIC remains unclear. What are the goals, objectives and procedures to accomplish these goals is still a mystery. More explanation is needed.

Plan Group Comments:

* Needs more language on background, scope and purpose

* I would have said yes based on reading it. However, at the 11/7 10:00 am meeting in Omaha, members of the planning and review group seemed to have differences in their interpretations. It's not clear if the Executive Secretary is a paid position or just a member of the committee. What kind of activities are contemplated and who will fund them?

* The Purpose and Scope is not thorough enough. More language and some improvements are needed. Also, not sure how the definition used for a Quorum was determined. A Quorum of those appointed, but not necessarily in attendance, seems an unusual way, and one wonders why it was set to operate this way.

* Some terms need to be defined better. I.E. "Recovery & Restoration"

* 1. Paragraph 6 "Dispute resolution" should follow paragraph 7 "General MRRIC Operations" 2. "Consensus and Decision making" should be a separate paragraph following "General MRRIC operations" and probably after Dispute resolution. 3. Reports, Work Plans and Proposals should be a separate paragraph. 4. Budget and Finance should be a separate paragraph. 5. Interactions outside MRRIC should be a separate paragraph. 6. We need clarify what public notice is. We could add a definition: Public Notice shall be given at least 30 days prior to an event. It shall include but not be limited to written notice given by e-mail and by regular mail to: 1) all members of interest groups who shall sign up to receive notice; 2) persons who have been designated by the members of the committee to receive notice; 3) to newspapers generally covering the basin and to 4) specific newspapers suggested by the members of the committee.

3.3 Does the DRAFT Charter include all the guidance necessary for establishing MRRIC and ensuring it functions effectively?

| Public Respondents | | |
|--------------------|----|--------|
| Yes | 10 | 29.41% |
| No | 4 | 11.76% |
| Not Sure | 8 | 23.53% |
| No Selection | 12 | 35.29% |
| Comments | 8 | 23.53% |

| Planning Group Respondents | | |
|----------------------------|---|--------|
| Yes | 1 | 9.09% |
| No | 1 | 9.09% |
| Not Sure | 9 | 81.82% |
| No Selection | 0 | 0.00% |
| Comments | 3 | 27.27% |

If you answered "no", what is missing from the Charter?

Public Comments:

* Guidance is provided, but that guidance seems like guidance for failure

* It would be very helpful to assemble a technical advisory committee comprised of scientists and other professionals to help interpret scientific data and provide guidance to the MRRIC stakeholders.

* Issues resolution process description that goes beyond "conduct of the Facilitator." Facilitators are not usually the problem.

* Beyond consensus... I would like to see a clear issues resolution process that anyone can use.

* Under 7) c) iii), is notice on a radio station the day of the meeting sufficient? Is "public notice" defined elsewhere? If all is working well, 7) c) iv) (1) seems like a good idea. If things are not working well, I wonder if it is sufficiently clear. That is why you've specified the use of a facilitator, no doubt (5) c) ii)).

* I confess that I did not read the enabling language, but is each stakeholder responsible for their own costs to attend this meeting?

Results of the Survey on the DRAFT MRRIC Charter

* No, see #2 question comments. *(No, The role of the MRRIC remains unclear. What are the goals, objectives and procedures to accomplish these goals is still a mystery. More explanation is needed.)*

* The purpose and scope should focus only the three threatened and endangered species. Federal agencies should only provide unbiased information to the committee and not participate in the discussions. The definition of stakeholder needs to be included. Only stakeholders should be allowed to participate.

Plan Group Comments:

* As stated earlier, it is not clear how recovery efforts will be initiated and implemented. How much of the detailed recovery efforts will MRRIC oversee? If scientific explanations are needed, how will that be obtained? How will notice be given to the public for announcement of applications for the MRRIC and, once established, how will the work of the MRRIC be distributed to the public, and how will public input be obtained? The USACOE's mailing list is definitely not adequate. It reaches very few people, and limiting public contact to just this method will only ensure that the people already sitting on the Drafting Panel will be the likely applicants. There needs to be written into the charter a commitment to utilize various media avenues to reach the public.

* Adaptive management will offer additional science on endangered species. Listing 3 species leaves no room for recovery of other species as science provides information unknown at this time.

* The procedure for selecting members of the committee fails to clearly set out the qualifications. Criteria for Selecting Committee Members Selection of the nongovernmental and local government members of the committee will be based on the following criteria: 1. Ability to commit the time and resources required 2. Willingness to make a good faith effort to seek balanced solutions that address multiple interests and concerns 3. Demonstrated ability to work constructively with others, including traditional adversaries, to build joint solutions 3. Willingness to support and adhere to the Charter. 4. Formal designation or endorsement by an organization, local government, or constituency, as its preferred representative 5. Established communication network to keep constituents informed and efficiently seek their input when needed 6. Commitment to not engage in unnecessary adversarial communications while robustly representing his/her interest during the committee process. There is no listing of the necessary contents of application for membership. Should the application include: Organizations represented. Address, President Availability Need for travel and lodging cost reimbursement Good faith effort to seek balanced recommendations Situation in which worked to build joint solutions with others with different viewpoints. Adhere to Charter Unnecessary adversarial communications Communication network Biography Letters from organizations

3.4 Do you think the DRAFT Charter for MRRIC can be implemented, as written?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Yes | 11 | 32.35% | Yes | 3 | 27.27% |
| No | 4 | 11.76% | No | 0 | 0.00% |
| Not Sure | 5 | 14.71% | Not Sure | 8 | 72.73% |
| No Selection | 14 | 41.18% | No Selection | 0 | 0.00% |
| Comments: | 9 | 26.47% | Comments: | 6 | 54.55% |

If you answered "no" or "not sure", what do you think could prevent the Charter from being implemented?

Results of the Survey on the DRAFT MRRIC Charter

Public Comments:

- * The consensus approach whereby one party can prevent a recommendation from moving forward, i.e., veto power, almost ensures that MRRIC won't be able to move anything but the most innocuous items forward. There is a long history of this in the MO River basin, and there is no incentive for this type of behavior not to continue. The group size seems like it is way too big for MRRIC to be functional. With that many people, and a consensus decision-making structure, it will be difficult to discuss much with any substance, and likely will not be possible to ever reach consensus.
- * The draft was created by the group and not air-dropped on them, so it is more likely to be implementable.
- * I think that some of the details need to be clearer.
- * I believe that there are issues with the concensus making decision process that will hamper implementation. In addition, more consideration should be given to assure that local entities will have input on projects in their area or jurisdiction.
- * I am not sure if there are other documents that need to be drafted and filed to implement MRRIC.
- * There are a couple of thoughts yet to be included; perhaps they will be addressed later in this survey.
- * NO, see previous comments. *(No, The role of the MRRIC remains unclear. What are the goals, objectives and procedures to accomplish these goals is still a mystery. More explanation is needed.)*
- * As usual, the stakeholders will not receive the consideration they deserve because they are against the same obstacles by Federal agencies who are only interested in what all Federal agencies want.
- * Representation on the committee is not in proportion to the population of the various states and the economic and importance of the various interests. The committee fails to include representatives of the downriver states who are very much affected by what happens upstream.

Plan Group Comments:

- * The two meeting decision rule may need further definition. Otherwise, any change to the decision on the second day could trigger another two meeting decision requirement.
- * The convening authority is given as the WRDA. If WRDA doesn't pass, the MRRIC (I'm not sure how it exists at this point) will review and revise this section. Does it need to say the Planning and Review committees will revise this section?
- * Improvements are needed. Not sure why there has been the pressure to write the charter in such a short time. Understandably it needs to be done in a timely manner, but there hasn't been enough time to write the charter carefully. Such things as determining that MRRIC will operate by consensus, in my opinion, was hurried through.
- * Not clear enough to determine recovery or restoration. It should mean improvement for the river and the ecosystem not status quo.
- * Attention needs to be paid as to how Federal agencies will participate.
- * We truly hope it can be. We will just have to give it our best shot and see what happens.

3.5 Please provide any general comments or feedback on the DRAFT Charter, as a whole.

| | | | | | |
|-------------------------|-----------|---------------|----------------------------|----------|---------------|
| Public Comments: | 11 | 32.35% | Plan Group Comments | 5 | 45.45% |
|-------------------------|-----------|---------------|----------------------------|----------|---------------|

Public Comments:

- * Needs a decision-making framework that enables moving forward. Recommend a supermajority approach similar to the MORAST charter. Also need a smaller, more functional group.
- * I think the stakeholder list is heavily balanced towards industry and agriculture and possibly not enough towards fish, wildlife, and water quality. For instance, why are there two categories of representaion for power (thermal and hydro)? Also, agriculture is very well represented with the categories of irrigation, agriculture, and conservation districts.

Results of the Survey on the DRAFT MRRIC Charter

* Excellent work!

* Hopefully 7) e) i) allows for portraying these statistics in graphical form, which I suspect would be much more useful than tables of numbers. Good luck with your work!

* This will be an immense project that will take several years. It is critical that you get all the stakeholders input, though. Thank you for asking for our input.

* 1. I question the draft charter requiring a consensus on all decisions. A large group like this will find it difficult to reach a consensus. Instead a majority or super majority would be a more effective manner to reach decisions. 2. Consider that the charter include a provision that would more prominently bind the committee members to work towards finding a solution to a substantive issue. Consider making a provision that would provide for removal of a committee member if they are not honestly working towards a consensus decision. We suggest a provision that requires 75% approval from MRRIC membership and concurrence from the Secretary of the Army to remove a member. 3. On page 3 and 4 of the draft charter you asked for input from the public on our preference as to the participation level of the federal agencies. It has been our experience that you need to have all of the agencies at the table in order to make things happen. Please choose the second proposal. 4. In regards to membership, it was interesting that the MRRIC would screen future members. The charter did not include any guidance on the screening criteria. It is my recommendation that membership criteria be established. In our opinion it is very important that a member of MRRIC represent a valid stakeholder group and not champion an individual's cause. The members should have endorsement of their group that they are representing and the knowledge base to effectively convey the needs of that group.

* I have not had the time to completely review the charter, but I do have the following comment. The mission of the effort should be well rounded to include > restoration of the entire floodplain ecosystem to the degree > possible----ie let's move beyond the polarizing endangered species > angle to a system level, that includes substantial human presence and > use. This should also include engaging local communities and networks > of communities in the long term commerce of the corridor. Perhaps this > could include \$\$\$ for positions to stimulate river communities participation and engagement in the process.

* This charter does not ensure the committee will be a "true stakeholder" committee. The MRRIC should be an opportunity for true stakeholders to provide recommendations to the FWS and Corps regarding decisions and projects that may have an impact on their lives and livelihoods. In addition, the committee should work to ensure there are no negative impacts to stakeholders or others whose interests are impacted by activities relating to the Missouri River. A "DO NO HARM" approach should be the focus of the committee members. I am not convinced the MRRIC will be a stakeholder committee without the overbearing influence of federal bureaucrats in the decision-making process.

* Page 2 of 15, bullet K. The definition of 'Recovery' is insufficient. The word recovery describes some form of positive direction. For example the 'numbers are increasing' or the 'population has sufficient recruitment'. Recovery involves removing the threats but also involves improvement in the population. Page 4 of 15 bullet i,1. The federal agencies are involved with making the laws and enforcing the laws but you have removed them from your committee that is suppose to suggest options to the Secretary of the Army. The inclusion of these entities seems to be crucial in this process of enactment and enforcement. Page 6 of 15, bullet iv,1. The number of interest groups are not evenly distributed throughout the different types of interests. For example: Irrigation is for Agriculture but these are two separate groups. Hydro power and flood control are both controlled by the dams but they are also separate groups. Waterway industries and Navigation are to me the same interest group but

but they are separate in your list. Thermal power and Water supply interest are both consuming water, these are the same. I think the interest groups should be listed: Waterway Industries, Agriculture, Water Supply, Flood Control, Fish and Wildlife, Recreation, Water Quality, Conservation Districts, and Major Tributaries. Page 7 of 15, bullet 3b. Maximum term limits should be set to three. page 8 of 15, bullet bi1c. The term of office of the chair can be removed with a 3/4th vote. page 11 of 15, bullet 7ciii. Public notice of each meeting should be posted on your website. page 12 of 15, bullet vi,1. Records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, or other documents should be posted on your website. page 12 of 15, bullet di1. Remove the word 'substantive' from the first sentence. Page 13 of 15, bullet ii 2. Remove the words 'if possible' from the sentence. page 13 of 15, bullet e i 1. Replace the word 'present' with 'observed'. page 14 of 15, bullet iii. Replace the word 'Federal' with 'All', remove the words 'and proposed budget' page 14 of 15, bullet f 2 a. Remove the words dissemination of all information will be available on your website within 3 days of disclosure at a meeting.'

* It is generally a very well thought out framework for MRRIC, but I do have some specific comments in later sections.

* looks okay

Results of the Survey on the DRAFT MRRIC Charter

Plan Group Comments:

- * All Federal Agencies should attend the MRRIC meetings and participate as needed except in determining as non-voting members.
- * Using a consensus approach, rather than a strong majority, will not result in an effective and functioning MRRIC, and ultimately, will keep the status quo on river restoration and protection of the endangered, threatened, and other native species. This is likely the underlying reason that a consensus approach was put into place - to limit any effort that might be endeavored to return the river's flow regime to a more natural state.
- * It's easy to see that a lot of time and effort has been spent to create the document, but the overall mission is to recover and restore the river and that mission isn't clear as of yet.
- * other versions of draft have included language designed to "prevent further decline of native species" stakeholder interests is defined, p3, part 3, either use all as defined or leave out the 4 listed 1(b)1. it is suggested that the list go back to the eight designated uses with eight at large seat. The separation of fish/wildlife and conservation creates a list of 9. 1) Navigation 2) Flood Control 3) Irrigation 4) Fish/Wildlife 5) Recreation 6) Power 7) Water quality 8) water supply 9) Conservation (added when split above) Recreation should be defined as a designated use. map out acceptable take of endangered species section e leaves baseline at today's population numbers and does not include historic numbers or range generally, the document does not address recovery of the Missouri River as a system section e could reference functional recovery of the Missouri River
- * I hope the charter sets up a procedure for stakeholders to fairly and thoroughly examine all of the government's mitigation, recovery, and restoration activities on or near the Missouri River and to be able to secure good and fair science to help and assist in that examination and to report their findings to the appropriate governmental authorities and have the recommendations and findings carefully considered and included in the activities. Should there be a conflict of interests provision with respect to recommendations regarding government contracts?

4.0 Preamble to DRAFT Charter

4.1 Please provide any comments you have on the Preamble.

| | | | | | |
|-------------------------|-----------|---------------|----------------------------|----------|---------------|
| Public Comments: | 15 | 44.12% | Plan Group Comments | 5 | 45.45% |
|-------------------------|-----------|---------------|----------------------------|----------|---------------|

Public Comments:

- * What is the goal of recovery per se? It might be nice to better define recovery, but then again it may make the preamble too long. I also see that this is further covered in the Purpose and Scope.
- * I suggest deleting the term "strive." "Strive" implies weak commitment. "MRRIC will provide..." is much stronger.
- * It's not clear to me why the MRRIC was created: was it in response to a recent listing of a new endangered species, to a recent environmental accident on the Missouri River, to a new piece of Federal or state legislation, or to a new approach to a long-standing environmental concern? If that is of use for readers to know (and if they don't already know it), then you might make that clearer.
- * See my previous comments. (3.1 - I would invite you to consider inserting an introductory paragraph stating something like: "The (insert the name of the agency organizing this committee) is gathering the stakeholders in the Missouri River watershed to form the Missouri River Recovery Implementation Committee (MRRIC.) The Committee's sole purpose is to create (and implement?) a plan to foster the recovery of the pallid sturgeon, the interior least tern and the piping plover in the Missouri River watershed. The MRRIC will be convened under the authority of the Water Resources Development Act of 2007...." I'm not sure what the correct terminology is for the project ~ such as the use of the word watershed ~ but its important for people to know who is forming the committee, why it is being formed, and under what authority.)
- * Excellent
- * I would explicitly identify local communities, organizations and citizens. So many of these things are dominated by agency and NGO staff, and consequently are not as well rounded as they need to be. Note that the first purpose and objective does not include local communities or citizens as well.
- * Remove "strive to" in first line. MRRIC will provide an essential collaborative forum...

Results of the Survey on the DRAFT MRRIC Charter

* The MRRIC will strive to provide an essential collaborative forum for BASIN STAKEHOLDERS to come together and.... The Corps and FWS have gone to great pains to present this process as one for stakeholder participation. Federal representatives from other agencies have plenty of opportunity to provide comments and guidance to the Corps and FWS. The charter should clearly state the committee is for STAKEHOLDERS to have an opportunity to provide recommendations and guidance to the Corps and FWS without the influence of other federal bureaucrats.

* The preamble seems very vague as written and could mean that MRRIC would help guide in the recovery actions of just about anything. Unless it was the drafting committee's goal is ensure that all MRRIC actions strive to "have all ship rise" or no negative outcomes.

* I think this is clear and concise.

* I think it is a good beginning.

* Provides good reading, but will everyone participating be willing to really consider the needs of all concerned.

* Looks fine

* please see letter (in Section 12.8 under Public Comments)

* You use the word "recovery". Recovery from what. A lot of people feel the river is fine just the way it is.

Plan Group Comments:

* Too wordy! The words "strive to" and "essential" should be deleted. The phrase "come together and participate in developing" should be replaced with just "develop". The words "to help" should also be deleted.

* Should include "guide the scientific studies"

* As stated earlier, it is not clear as to why the MRRIC was created. It needs to be clearly stated why it was started, who was involved in those efforts, and what it hopes to accomplish.

* It's OK

* The word "essential" in the Preamble. It would be nice if the activities of the committee were essential as to all government work on the river. If it is the intent of Congress that all such activities are to be presented to the Committee, then the word "essential" should remain. If it is not the intent of Congress then the work "essential" probably should be removed from the Preamble.

5.0 Scope and Purpose

5.1 Please indicate the extent to which you agree with the various elements of proposed Scope and Purpose for the Missouri River Recovery Implementation Committee.

Provide recommendations and guidance to the Secretary of the Army, affected governmental entities, and tribes...

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Strongly Agree | 8 | 23.53% | Strongly Agree | 3 | 27.27% |
| Agree | 12 | 35.29% | Agree | 5 | 45.45% |
| Neutral | 0 | 0.00% | Neutral | 0 | 0.00% |
| Disagree | 1 | 2.94% | Disagree | 0 | 0.00% |
| Strongly Disagree | 3 | 8.82% | Strongly Disagree | 0 | 0.00% |
| No Selection | 10 | 29.41% | No Selection | 3 | 27.27% |

Results of the Survey on the DRAFT MRRIC Charter

Provide recommendations and guidance regarding mitigation, recovery, and restoration activities...

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Strongly Agree | 9 | 26.47% | Strongly Agree | 6 | 54.55% |
| Agree | 12 | 35.29% | Agree | 4 | 36.36% |
| Neutral | 3 | 8.82% | Neutral | 0 | 0.00% |
| Disagree | 0 | 0.00% | Disagree | 0 | 0.00% |
| Strongly Disagree | 0 | 0.00% | Strongly Disagree | 0 | 0.00% |
| No Selection | 10 | 29.41% | No Selection | 1 | 9.09% |

Provide recommendations and guidance regarding the Missouri River's tributaries...

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Strongly Agree | 8 | 23.53% | Strongly Agree | 3 | 27.27% |
| Agree | 8 | 23.53% | Agree | 5 | 45.45% |
| Neutral | 2 | 5.88% | Neutral | 1 | 9.09% |
| Disagree | 3 | 8.82% | Disagree | 1 | 9.09% |
| Strongly Disagree | 3 | 8.82% | Strongly Disagree | 0 | 0.00% |
| No Selection | 10 | 29.41% | No Selection | 1 | 9.09% |

Provide recommendations and guidance to prevent further declines of other native species....

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Strongly Agree | 6 | 17.65% | Strongly Agree | 0 | 0.00% |
| Agree | 7 | 20.59% | Agree | 6 | 54.55% |
| Neutral | 4 | 11.76% | Neutral | 2 | 18.18% |
| Disagree | 5 | 14.71% | Disagree | 1 | 9.09% |
| Strongly Disagree | 2 | 5.88% | Strongly Disagree | 1 | 9.09% |
| No Selection | 10 | 29.41% | No Selection | 1 | 9.09% |

Provide recommendations and guidance to ensure local stakeholders' economic, social, historical, and cultural issues are recognized...

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Strongly Agree | 14 | 41.18% | Strongly Agree | 5 | 45.45% |
| Agree | 8 | 23.53% | Agree | 3 | 27.27% |
| Neutral | 1 | 2.94% | Neutral | 1 | 9.09% |
| Disagree | 0 | 0.00% | Disagree | 1 | 9.09% |
| Strongly Disagree | 0 | 0.00% | Strongly Disagree | 0 | 0.00% |
| No Selection | 11 | 32.35% | No Selection | 1 | 9.09% |

Provide recommendations and guidance to identify actions that will benefit multiple uses of the river...

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Strongly Agree | 14 | 41.18% | Strongly Agree | 7 | 63.64% |
| Agree | 8 | 23.53% | Agree | 2 | 18.18% |
| Neutral | 1 | 2.94% | Neutral | 1 | 9.09% |
| Disagree | 0 | 0.00% | Disagree | 0 | 0.00% |
| Strongly Disagree | 0 | 0.00% | Strongly Disagree | 0 | 0.00% |
| No Selection | 11 | 32.35% | No Selection | 1 | 9.09% |

Provide recommendations and guidance to avoid, minimize, and/or mitigate adverse impacts...

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Strongly Agree | 14 | 41.18% | Strongly Agree | 7 | 63.64% |
| Agree | 9 | 26.47% | Agree | 3 | 27.27% |
| Neutral | 1 | 2.94% | Neutral | 0 | 0.00% |
| Disagree | 0 | 0.00% | Disagree | 0 | 0.00% |
| Strongly Disagree | 0 | 0.00% | Strongly Disagree | 0 | 0.00% |
| No Selection | 10 | 29.41% | No Selection | 1 | 9.09% |

Results of the Survey on the DRAFT MRRIC Charter

Please provide any additional comments on the proposed Scope and Purpose for MRRIC.

| | | | | | |
|-------------------------|----------|---------------|----------------------------|----------|---------------|
| Public Comments: | 9 | 26.47% | Plan Group Comments | 7 | 63.64% |
|-------------------------|----------|---------------|----------------------------|----------|---------------|

Public Comments:

- * I am not well qualified to comment on this, as I don't know the context in which it exists.
- * Again, the first statement should include local communities and citizens as a target audience. And again, focus should be at an ecosystem level, so to benefit the ecosystem and the species it supports. Let's get above the species level in our intentions.
- * This is well written and thought out. It's an exciting idea.
- * The recommendations from the committee should do no harm to stakeholders and Missouri River interests. The primary focus of the committee should be to ensure mitigation and recovery projects do not have negative impacts to stakeholders, businesses, cultural and historical sites or any of the many other interests throughout the basin. It is not enough just to identify negative impacts. The committee's focus should be to PREVENT negative impacts.
- * First line, agree 2 disagree 3 neutral 4 disagree 5 agree 6 agree 7 agree
- * NRD's in Nebraska are regional government entities that most clearly fit the "Conservation District stakeholder category, but with their broad authorities could fit under categories b, c, d, e, f, g, k, n, or o. The Papio-Missouri River NRD has spent millions of dollars over the past 17 years on mitigation, recovery and restoration projects on the Missouri River. The District has learned many lessons over this time that would be invaluable to MRRIC. For that reason alone, the District should be insured a seat on MRRIC. But even so, all NRDs should be consulted and involved in the MRRIC activities. Therefore we recommend that a 5th item be added to paragraph b) under the purpose and scope. It could read "(5) involve collaboration with local governmental jurisdictions having the authority to plan and implement recovery activities along the Missouri River." I also question the 4th survey item above. I see no place in the charter purpose and scope where prevention of further declines of other native species.... is mentioned. So why is there a survey question about it? Also, the last phrase in a) "only as they pertain to a specific recovery effort" is confusing. Does this phrase pertain to "its tributaries" or to "the Missouri River" or both?
- * Maybe focus should only be on the Missouri River at this point and not the tributaries.
- * There must be action taken to stop degradation of the river bed. It is absolutely necessary to start this above Sioux City, Iowa in order to preserve the Scenic and Natural Missouri River from Ponca, Nebraska to Yankton, SD.
- * please see letter (in Section 12.8 under Public Comments)

Plan Group Comments:

- * Paragraph 1)b) is what MRRIC should really be about - bringing the local stakeholders' issues into the recovery conversation.
- * The first two selection in this section appear to overlap. Distinction between the two is unclear.
- * In reference to preventing declines of native species: Preventing further decline of native species is not a legitimate purpose in itself except for an endangered or threatened species.
- * "Provide recommendations and guidance regarding the Missouri River's tributaries..." - I believe that this statement goes on to say "only as they pertain to a specific authorized recovery effort". This latter phrase is much too restrictive. The major tributaries have major impacts on the Missouri River, and to say that MRRIC will only have interest in them if there is a "specific authorized recovery effort" is reflective of a committee which isn't sincerely dedicated to restoration! Strongly disagree with this phrase. "Provide recommendations and guidance to ensure local stakeholders' economic, social, historical, and cultural issues are recognized..." At the October meeting in Kansas City, the first day's discussions (which finally included the Review Panel), inserted "natural resources" into this sentence. Strangely, the next day, those two words were removed. Strongly disagree with the removal of a reference to the interests of local stakeholders who have environmental interests in the river, and that they, too, should be recognized just as much as the economic, social, historical and cultural interests!
- * I can't agree with providing recommendations and guidance to prevent further declines of other native species because I don't want to see native species stay at the level they are now, I want to see them increase in number. 75% of native fish species are either rare or declining on the lower Missouri and if we don't reverse what we are doing there will be more species listed on the T&E list very soon. We can do things to change that. Staying the course won't do it.

Results of the Survey on the DRAFT MRRIC Charter

* other versions of draft have included language designed to "prevent further decline of native species" stakeholder interests is defined, p3, part 3, either use all as defined or leave out the 4 listed here.

* It is my view that the Scope and Purpose probably pretty well reflect the language of the WRDA statute. If we were to rewrite WRDA, I might have some suggestions, but I feel that the scope and purpose as now drafted are pretty well supported by WRDA.

6.0 Definitions

6.1 Are the definitions clear and understandable?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Yes | 14 | 41.18% | Yes | 6 | 54.55% |
| No | 2 | 5.88% | No | 3 | 27.27% |
| Not Sure | 6 | 17.65% | Not Sure | 2 | 18.18% |
| No Selection | 12 | 35.29% | No Selection | 0 | 0.00% |
| Comments: | 5 | 14.71% | Comments: | 3 | 27.27% |

If you answered "no," please indicate which of the definitions need clarification.

Public Comments:

* See my comment on Quorum previously. (3.2: I'm not sure how a quorum is defined. Is it true that a quorum is really 51% of the stakeholders who are at the time appointed to the MRRIC? It seems that you can have none or all state representatives and tribes (tribal representatives?) present without affecting the existence of a quorum. If so, you can make it more understandable by deleting the irrelevant words.)

* I don't think I know enough about the project to provide input on these.

* Consensus: My understanding "Consensus" is achievable when "majority" of members can support action or recommendation. Impossible to achieve 100% agreement on any Missouri River recovery action or recommendation due to wide diversity of personal interests, goals and objectives of stakeholders. Suggest 2/3 or 3/4 majority more realistic agreement level for "consensus". Quorum: Unless each state agency and tribe is "committed" to representation at each meeting, this definition allows certain federal agencies and certain special interests (which have lots of dollars) to constitute "quorum" and dominate decision making. I don't have a ready alternative definition to address adequate representation of diverse membership at each meeting.

* Much of the charter is open for interpretation.

* see previous comment on the definition of the word 'Recovery'. (The definition of 'Recovery' is insufficient. The word recovery describes some form of positive direction. For example the 'numbers are increasing' or the 'population has sufficient recruitment'. Recovery involves removing the threats but also involves improvement in the population.)

Plan Group Comments:

* Quorum needs to be better defined and Stakeholder Issues should be left open, no definition provided.

* Definite concerns about the definition selected for Quorum. Stakeholder issues should include and "all others who have an interest in the Missouri River and its watershed". Recovery - should have the phrase, "...so that long-term survival in nature can be ensured" re-inserted at the end of the sentence. Restoration - should have the sentence, "The process by which natural areas or ecosystems are returned to a close approximation of their conditions prior to disturbance or to less degraded more natural conditions", re-inserted.

* Restoration and Recovery - they need to be defined to mean what they mean!

6.2 After reviewing the language in the DRAFT Charter, are there additional terms, phrases, or words for which definitions would be helpful?

Results of the Survey on the DRAFT MRRIC Charter

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Yes | 2 | 5.88% | Yes | 3 | 27.27% |
| No | 11 | 32.35% | No | 2 | 18.18% |
| Not Sure | 8 | 23.53% | Not Sure | 5 | 45.45% |
| No Selection | 13 | 38.24% | No Selection | 1 | 9.09% |
| Comments: | 2 | 5.88% | Comments: | 2 | 18.18% |

If you answered "yes," please indicate what words or phrases you would like to be defined.

Public Comments:

* Stakeholder Drafting Team

* It is unbelievable the definitions do not include a definition of a stakeholder. This committee should be made up of people who have something at stake. stakeholder |ˈstāk|höldər| |ˈste:k|höldər| |ˈste:khəldə| noun 1 (in gambling) an independent party with whom each of those who make a wager deposits the money or counters wagered. 2 a person with an interest or concern in something, esp. a business. • [as adj.] denoting a type of organization or system in which all the members or participants are seen as having an interest in its success : a stakeholder economy. This committee should not be filled with bureaucrats from various federal agencies. bureaucrat |ˈbyʊðrəkrət| |ˈbjʊrəkrət| |ˈbjʊərəkɾət| noun an official in a government department. • an administrator concerned with procedural correctness at the expense of people's needs.

Plan Group Comments:

* Page 10 - 6)(2) Fourth line in that paragraph - definition of "sponsoring agency" Page 15 - 8)a)i) First line - definition of "sponsoring agency" Page 14 - f)i)(2) First line - definition of "federal funding agency"

* I would suggest the addition of a definition for "Public Notice" Public Notice shall be given at least 30 days prior to an event. It shall include but not be limited to written notice given by e-mail and by regular mail to: 1) all members of interest groups who shall sign up to receive notice; 2) persons who have been designated by the members of the committee to receive notice; 3) to newspapers generally covering the basin and to 4) specific newspapers suggested by the members of the committee. This need was clearly shown in the public meeting held in Omaha, which consisted of about 600 e-mails to a bunch of folks that the Corps had on their e-mail list. We don't know who was on that list, but it sure didn't bring the public out. It needs to be a list to the stakeholders and probably most of the stakeholders do not regularly correspond by e-mail but do receive regular mail.

7.0 Charter Amendment

7.1 Does the method for amending the MRRIC Charter seem practical?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Yes | 16 | 47.06% | Yes | 8 | 72.73% |
| No | 3 | 8.82% | No | 1 | 9.09% |
| Not Sure | 4 | 11.76% | Not Sure | 1 | 9.09% |
| No Selection | 11 | 32.35% | No Selection | 1 | 9.09% |
| Comments: | 6 | 17.65% | Comments: | 1 | 9.09% |

If you answered "no," can you recommend a better method for amending the Charter?

Public Comments:

* It seems straightforward. I don't know if the threshold for change is as high as you want, but perhaps it is.

* Is it practical to say that the Secretary of the Army will provide the final "say?"

* Not certain whether the concensus requirement is appropriate. Amendments should be judged or agreed to under the same standards as the original charter document.

* Amendments to the charter should be presented to the public. Once the charter is finalized and adopted, it should not be easily amended. Any changes should be presented for public review, comment and approval.

Results of the Survey on the DRAFT MRRIC Charter

* please see letter (in Section 12.8 under Public Comments)

* This method of changing the charter is like letting a football team change the rules in the middle of the game.

Plan Group Comments:

* An amendment to the charter should be well publicized to the stakeholders and have a public meeting where stakeholders can appear and be heard and present their comments or forward comments which will be presented to and considered by the committee. After the public meeting then the amendment could be considered by the committee.

8.0 Membership and Representation of Interests - Members & Alternates

8.1 Which of these interests do you most closely identify with (please identify no more than 3)?

| Public Respondents | | | Planning Group Respondents | | |
|------------------------|---|--------|----------------------------|---|--------|
| Water Supply | 2 | 5.88% | Water Supply | 3 | 27.27% |
| Flood Control | 6 | 17.65% | Flood Control | 1 | 9.09% |
| Navigation | 2 | 5.88% | Navigation | 2 | 18.18% |
| Hydro Power | 1 | 2.94% | Hydro Power | 1 | 9.09% |
| Irrigation | 0 | 0.00% | Irrigation | 0 | 0.00% |
| Thermal Power | 1 | 2.94% | Thermal Power | 0 | 0.00% |
| Conservation Districts | 3 | 8.82% | Conservation Districts | 1 | 9.09% |
| Local Government | 6 | 17.65% | Local Government | 4 | 36.36% |
| At large/other | 4 | 11.76% | At large/other | 2 | 18.18% |
| Waterway Industries | 1 | 2.94% | Waterway Industries | 0 | 0.00% |
| Agriculture | 5 | 14.71% | Agriculture | 1 | 9.09% |
| Major Tributaries | 1 | 2.94% | Major Tributaries | 0 | 0.00% |
| Recreation | 9 | 26.47% | Recreation | 2 | 18.18% |
| Water Quality | 8 | 23.53% | Water Quality | 5 | 45.45% |
| Fish & Wildlife | 7 | 20.59% | Fish & Wildlife | 2 | 18.18% |
| No Selection | 8 | 23.53% | No Selection | 0 | 0.00% |

8.2 Listed below are the nongovernmental and local government stakeholder interests the Planning Group has determined should be represented on MRRIC. Please read through the list of stakeholder interests and indicate your concurrence with their representation on the MRRIC by clicking next to the specific interest. If you do not agree that a particular interest should have a representative on MRRIC, leave it blank.

| Public Respondents | | | Planning Group Respondents | | |
|---------------------|----|--------|----------------------------|---|--------|
| Agriculture | 19 | 55.88% | Agriculture | 6 | 54.55% |
| At large/other | 18 | 52.94% | At large/other | 7 | 63.64% |
| Conservation | 20 | 58.82% | Conservation | 6 | 54.55% |
| Fish & Wildlife | 18 | 52.94% | Fish & Wildlife | 6 | 54.55% |
| Flood Control | 19 | 55.88% | Flood Control | 5 | 45.45% |
| Hydro Power | 18 | 52.94% | Hydro Power | 6 | 54.55% |
| Irrigation | 19 | 55.88% | Irrigation | 5 | 45.45% |
| Local Government | 19 | 55.88% | Local Government | 5 | 45.45% |
| Major Tributaries | 15 | 44.12% | Major Tributaries | 5 | 45.45% |
| Navigation | 20 | 58.82% | Navigation | 7 | 63.64% |
| Recreation | 18 | 52.94% | Recreation | 7 | 63.64% |
| Thermal Power | 14 | 41.18% | Thermal Power | 3 | 27.27% |
| Water Quality | 20 | 58.82% | Water Quality | 7 | 63.64% |
| Water Supply | 20 | 58.82% | Water Supply | 6 | 54.55% |
| Waterway Industries | 16 | 47.06% | Waterway Industries | 3 | 27.27% |
| Other | 0 | 0.00% | Other | 0 | 0.00% |
| No Selection | 12 | 35.29% | No Selection | 1 | 9.09% |

Results of the Survey on the DRAFT MRRIC Charter

If there are other stakeholder interests that you think should be included, please list them here.

| | | | | | |
|-------------------------|----------|---------------|----------------------------|----------|---------------|
| Public Comments: | 7 | 20.59% | Plan Group Comments | 5 | 45.45% |
|-------------------------|----------|---------------|----------------------------|----------|---------------|

Public Comments:

* The composition of nongovernmental stakeholders is heavily stacked against preservation or conservation of natural heritage values. For example, agricultural interest are represented three times by the categories Agriculture, Irrigation, and Conservation Districts. Similarly, industry is represented by Hydro Power, Thermal Power, Navigation, and Waterway Industries. In contrast, Fish and Wildlife is only represented by one group, as is Recreation. I recommend expanding these two groups by adding stakeholder categories for River Recreation, Impoundment Recreation, and Fish and Wildlife Conservation Non-profit Groups.

* Tourism, Chambers of Commerce

* There are over 400+ parties that consider themselves stakeholders along the Lewis and Clark National Historic Trail. Contact that NPS office in Omaha for more information about those stakeholders. Obviously, you can't have 500 people at a meeting to draft a document, but they may all want to enter their comments about the proposal.

* Anyone wishing to serve on the committee should have an opportunity to serve.

** see previous comment (Page 6 of 15, bullet iv, 1. The number of interest groups are not evenly distributed throughout the different types of interests. For example: Irrigation is for Agriculture but these are two separate groups. Hydro power and flood control are both controlled by the dams but they are also separate groups. Waterway industries and Navigation are to me the same interest group but they are separate in your list. Thermal power and Water supply interest are both consuming water, these are the same. I think the interest groups should be listed: Waterway Industries, Agriculture, Water Supply, Flood Control, Fish and Wildlife, Recreation, Water Quality, Conservation Districts, and Major Tributaries.)*

* As noted in comments to 5. above, local government entities that have authorities in planning and implementing recovery activities should be guaranteed a place at the table. Therefore we recommend adding a stakeholder interest group of "Local Mitigation, Recovery and Restoration Agencies".

* The McCook Lake Chapter of IWLA has spent \$2.8 million to dredge McCook Lake, a Missouri River oxbow lake. Fourteen feet of Missouri River degradation has left the river much lower than McCook Lake. The McCook Lake Chapter spends \$52,000 a year to support the pumping of water from the Missouri River into McCook Lake. Our costs increase every year and we don't receive any outside assistance in maintaining this valuable resource.

Plan Group Comments:

* Public Water Suppliers (Drinking Water)

* Conservation organizations, reservoir recreation

* The nongovernmental stakeholders listed above is heavily stacked against protection of the species, the natural flow regime, and restoration of the river. "Users" of the river far exceed those who wish to protect the river. For example, agricultural interests have three seats (Agriculture, Irrigation, Conservation districts), industry is represented by four seats, Hydropower, Thermal power, Navigation, and Waterway industries. In contrast, protection of the species and the river is found in only Fish and Wildlife, and perhaps Water Quality. If there is to be even a semblance of balance made, there needs to be the addition of additional categories, such as Watershed Conservation, River and Stream Protection, etc. As it now stands, many environmental and related interests are not represented and the MRRIC membership is significantly skewed.

* Resorts, guide services, and tourism groups

* conservation

Results of the Survey on the DRAFT MRRIC Charter

9.0 Membership

9.1 The Planning Group has developed two options regarding the membership status and level of participation allowed for federal agencies. Option 1: MRRIC would determine if and when a "Participating Federal" agencies would be invited to temporarily participate in discussions as a "Lead Agency" for a designated period on specific agenda items. Option 2: A "Participating Agency" would determine when its status would change to that of a "Lead Agency" so that it could temporarily participate in discussions on specific agenda items, rather than MRRIC making that determination. Please indicate which of the two options you prefer regarding the role of federal agencies on MRRIC.

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Option 1 | 15 | 44.12% | Option 1 | 5 | 45.45% |
| Option 2 | 4 | 11.76% | Option 2 | 1 | 9.09% |
| Neither | 5 | 14.71% | Neither | 3 | 27.27% |
| No Selection | 10 | 29.41% | No Selection | 2 | 18.18% |
| Comments | 10 | 29.41% | Comments | 7 | 63.64% |

Please comment on your choice.

Public Comments:

- * It's not clear why you say Lead Agencies will not be counted in the quorum. Does that mean Participating Agencies will be? I think not, but I had to double-check.
- * I am not qualified to answer this question. The federal agencies will need to do so.
- * The FWS and Corps should act as lead agencies. All other agencies should be considered "resource agencies". Resource agencies should be allowed to attend the meetings of the committee and be available to answer questions and provide information to the committee. They should not participate in committee discussions or in any way be allowed to guide or influence the discussions and decisions of the committee. Recommendations from the committee should be STAKEHOLDER recommendations NOT the combination of stakeholder and federal agency recommendations.
- * MRRIC is a "stakeholder group" and as such " and has been repetitively characterized as a stakeholder group over the past several years. Therefore, it needs to be a group composed of real honest to goodness stakeholders not agencies or agencies clustered in a groups. It would be counterproductive to create a group that is dominated with agency folks and only have a few stakeholders at the table. This would likely end up where the various agencies dominate the forum and marginalize the stakeholders input, which would lead to even more limited stakeholder participation in the future. The Corps of Engineers and the FWS are responsible for the Biological Opinion and therefore should be the only agencies playing a lead role in MRRIC. The other agencies should be given opportunity to make comments, particularly when it affects their duties and obligations but otherwise should only be available as a resource.
- * Option #2 seems to be very concise and focused.
- * The Participating Agency could change its status if/when it's own interests rise above the interests of the whole group. It doesn't seem appropriate that they should be allowed to make that determination on their own. That kind of thing should be done by the consensus of the group as a whole.
- * Many of the participating Federal Agencies have an important stake in this matter, but for the sake of organization having 2 Lead Federal agencies is adequate. The committee should have the ability to determine if and when participation by the other federal agencies is warranted.
- * The participating federal agencies should not be classified as a Lead Agency. They should be able to only make comments not a determination on any agenda item. MRRIC is being formed to provide the stakeholders a voice. The people participating in this process are interested enough to provide the expense and time to go through this process with the hope that they will be heard. The people representing the Federal Agencies are salaried with taxpayer money that the non-government people help pay. They personally are not affected by the river plan like those of us that live along the river and depend on it for our livelihood.
- * The FWS and CORPS are lead agencies over recovery efforts and have authoiry over all recovery activities, therefore they should be involved in all discussions. The other agencies should o9nly participate when their congressional authorization or responsibility is in questions. For all other situations, they should be available for resource and informational purposes only. Stakeholder input could be overwhelmed by the feds if too many agencies are involved in discussions at any one time.
- * Non- Federal stakeholders should determine the participation level of federal agencies. The Corps has always touted MRRIC as a stakeholder group offering advise on recovery efforts. If MRRIC is a true stakeholder group as the Corps has stated, the stakeholders should decide when a federal agency should particiapte in discussions.

Plan Group Comments:

Results of the Survey on the DRAFT MRRIC Charter

* Can live with option #2 as well.

* This question does not reflect either the language or the4 [sic] concepts considered by the Drafting team. Option two should have described all federal agencies as being members of the committee. The Corps and USFWS would be lead agencies, represented by SES staff, and would be responsible for representing the federal response to MRRIC recommendations. Other federal agencies would be members of the committee, but without a requirement for SES representation.

* I think it should be the Corps of Engineers in consultation with other federal agencies as needed.

* All Federal Agencies should provide input but not vote on decisions.

* Option #2 as described above is not how it was described in Version 24. We support the inclusion of all Federal Agencies on an equal basis.

* I think the federal agencies should all be able to participate at any time in the committee, not just when "someone" determines it's time for them to weigh in. They are the experts and also the ones who will have to implement the changes recommended by the committee.

* The problem with having a number of federal agencies at the table is that they could monopolize the discussions. There is no reimbursement for the stakeholders for attending the meetings. Technically under WRDA there should be no reimbursement for time, mileage or lodging of the government agencies for attending the meetings either. I doubt that that the technical interpretation will be enforced. So we will have the government being paid and a limitless number possible at the table while only those stakeholders who are willing to donate their time and resources. It is obvious who will be outnumbered. Number 1 probably won't protect the stakeholders, but might put them in not quite as bad a position. The government will have the last say anyway, so does it really matter whether or not they are at the table?

9.2 Do you agree that the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service should serve as "Lead Federal Agencies?"

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Agree | 15 | 44.12% | Agree | 6 | 54.55% |
| Disagree | 6 | 17.65% | Disagree | 3 | 27.27% |
| Not Sure | 4 | 11.76% | Not Sure | 1 | 9.09% |
| No Selection | 9 | 26.47% | No Selection | 1 | 9.09% |
| Comments | 7 | 20.59% | Comments | 5 | 45.45% |

If you disagree, please explain.

Public Comments:

* The lead should be by a neutral party. If the job is to give advice to these agencies, then the advice should not originate from their lead. That is already going on.

* I don't think Fish and Wildlife needs to be involved.

* I'm not sure why those two were chosen above the others.

* Why should the Fish and Wildlife Service be able to dictate about the maintenance of the Missouri River?

* Fish and wildlife should not be a lead, but a participant

* I agree with the U.S. Fish and Wildlife Service as a "Lead Federal Agency". I regard the U.S. Army Corps of Engineers as the agency that fights to maintain the status quo.

* These agencies are not stakeholders and only exist by the favor of the people of this country. They should only provide unbiased technical information and not participate in the discussions.

Plan Group Comments:

* I think it should be the Corps and they consult with the USF&W.

* All Federal Agencies should be no-voting members

* With the passage of WRDA, I understand that the USACOE becomes the lead Federal Agency. We strongly believe that the US Fish and Wildlife Service should maintain a co-leadership role for MRRIC.

* Again, I don't feel only the 2 should be singled out.

Results of the Survey on the DRAFT MRRIC Charter

* I would suggest that the Corps of Engineers be the Lead Federal Agency

9.3 Do you agree that the Bureau of Reclamation, Natural Resource Conservation Service, Environmental Protection Agency, Western Area Power Administration, National Park Service, and the U.S. Geological Survey should serve as "Participating Federal Agencies?"

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Agree | 16 | 47.06% | Agree | 6 | 54.55% |
| Disagree | 2 | 5.88% | Disagree | 2 | 18.18% |
| Not Sure | 5 | 14.71% | Not Sure | 2 | 18.18% |
| No Selection | 11 | 32.35% | No Selection | 1 | 9.09% |
| Comments | 5 | 14.71% | Comments | 4 | 36.36% |

If you disagree, please explain.

Public Comments:

* The agencies listed should all be included. However, the US Forest Service should be added as a major land management agency in headwaters regions.

* Participating agencies should include any agency the committee feels they need input from. These agencies should participate ONLY in a resource-providing manner and should not be allowed to influence the decisions or recommendations of the committee. Federal agencies have plenty other opportunity to provide recommendations to the FWS and Crops. The MRRIC should be an opportunity for stakeholders to provide recommendations without the influence of federal bureaucrats.

* The corps is sufficient. The

* I agree they they should participate, but do not know the criteria that made gave them a lesser status on the committee than the lead agencies.

* They should provide information only.

Plan Group Comments:

* All Feds participate but not be part of decision making process.

* They should be able to participate freely at each meeting on equal basis and under no restrictions to be able to speak or provide guidance and assistance.

* When they feel an issue impacts them they should be able to particiapte without permission.

* If they want to be there.

9.4 Are the tribes listed in the DRAFT Charter inclusive of those in the Missouri River Basin?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Yes | 7 | 20.59% | Yes | 3 | 27.27% |
| No | 0 | 0.00% | No | 0 | 0.00% |
| Not Sure | 17 | 50.00% | Not Sure | 7 | 63.64% |
| No Selection | 10 | 29.41% | No Selection | 1 | 9.09% |
| Comments | 1 | 2.94% | Comments | 2 | 18.18% |

If "no," what other tribes should be represented on MRRIC?

Public Comments:

* It should be up to the tribes to make this determination.

Plan Group Comments:

* If a tribe is not contiguous to the Mo. River or have a treaty that includes the MO. Riv. they should not be members or part of the dicision making process. Further, we have too many members as is and don't needed tribes that are not directly associated with the river.

* I really don't know about the tribes

9.5 Are the states listed as members of the MRRIC inclusive of those in the Missouri River Basin?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|--|--|----------------------------|--|--|
|--------------------|--|--|----------------------------|--|--|

Results of the Survey on the DRAFT MRRIC Charter

| | | | | | |
|--------------|----|--------|--------------|---|--------|
| Yes | 20 | 58.82% | Yes | 9 | 81.82% |
| No | 4 | 11.76% | No | 1 | 9.09% |
| Not Sure | 0 | 0.00% | Not Sure | 0 | 0.00% |
| No Selection | 10 | 29.41% | No Selection | 1 | 9.09% |
| Comments | 4 | 11.76% | Comments | 2 | 18.18% |

If you answered "no," what other states should be members of MRRIC?

Public Comments:

- * Illinois, Kentucky, Tennessee, Arkansas, Mississippi and Louisiana are all impacted by decisions regarding the Missouri River. Th
- * Either include Colorado or dump Wyoming
- * What about the states in the lower Missouri River basin?
- * The list should include Illinois, Kentucky, Tennessee, Arkansas, Mississippi, and Louisiana. When the water from the Missouri River hits the Mississippi it doesn't stop being Missouri River water.

Plan Group Comments:

- * Colorado and Minnesota are within the watershed of the Missouri River.
- * You might even want to include the Mississippi River states if they are interested.

Results of the Survey on the DRAFT MRRIC Charter

9.6 As outlined in the DRAFT Charter, MRRIC could include up to 64 members, not including federal agency representatives. What, in your opinion, is the appropriate number of members for MRRIC?

| Public Respondents | | | Planning Group Respondents | | | CL |
|--------------------|----|--------|----------------------------|---|--------|----|
| 5-10 | 0 | 0.00% | 5-10 | 0 | 0.00% | |
| 10-20 | 4 | 11.76% | 10-20 | 1 | 9.09% | |
| 20-30 | 2 | 5.88% | 20-30 | 0 | 0.00% | |
| 30-50 | 5 | 14.71% | 30-50 | 5 | 45.45% | |
| 50-75 | 8 | 23.53% | 50-75 | 3 | 27.27% | |
| 75-100 | 1 | 2.94% | 75-100 | 1 | 9.09% | |
| Larger than 100 | 3 | 8.82% | Larger than 100 | 0 | 0.00% | |
| No Selection | 11 | 32.35% | No Selection | 1 | 9.09% | |
| Comments | 12 | 35.29% | Comments | 6 | 54.55% | |

Please comment on your choice.

Public Comments:

- * (10-20) When a committee becomes too big, with too many interests, they become less manageable and less effective. With the proposed decision making framework, consensus, a smaller committee is necessary.
- * (50-75) This will be a challenge. I'm not sure what the right answer is.
- * (Larger than 100) Many conservation groups and fish and wildlife interests will not be represented by the proposed composition of MRRIC stakeholders.
- * (30-50) I believe that if the group gets too large it will not be able to function in the most efficient manner. I also think you will see representatives drop out over time as their interest declines
- * (Larger than 100) This charter and the WRDA seems more concerned with setting boundaries and limits on who can participate rather than trying to include anyone wishing to participate. If properly conducted, the number of members and size of the committee should not effect the production of the committee. The excuse that having too many members would prevent the committee from doing its business is an admission of poor leadership ability. With proper leadership and planning, the size should not make a difference in the production of the committee. The committee should be open to any true stakeholders willing to commit themselves to the work of the committee.
- * (30-50) Tribes could likely cluster representatives since it is very unlikely all tribes will actually participate.
- * (10-20) It's probably not workable at 20 but it certainly is not workable with larger groups.
- * (10-20) It's difficult to get much done with a large group. . . from getting a quorum assembled to making decisions on issues. 10-20 well chosen members should be able to make a significant impact.
- * (50-75) The stakeholder group should be expanded to a maximum of thirty (30) members so that each of the 15 interests is guaranteed 2 representatives at the table. If our recommendation in 8. above to add another interest is adopted, the stakeholder group maximum should be 32 members.
- * (30-50) This should be a good number to have as representatives of the interests as long as the federal agencies do not have more than 6 or 7.
- * (75-100) I don't know how 64 was determined.
- * (50-75) I agree with the MRRIC Draft Charter and the number of potential members.

Plan Group Comments:

- * (30-50) Larger groups will be difficult to manage, but it is doubtful that all 28 Tribes will provide members, so 64 is not a realistic number to expect.
- * (30-50) It's going to be difficult to get a quorum.
- * (50-75) The "up to 64 members" itself seems excessive, but with the range of interests concerning the Missouri River and with some members at opposite poles, this may be a good place as any to start. Strong and fair leadership will be required for this to project to work. I think there will be bumps along the way. As long as members can play by the rules and stay engaged in the process, then MRRIC has a good chance to succeed.
- * (75-100) The proposed composition of stakeholders has omitted many environmental and conservation interests, and therefore, to correct this, more stakeholder positions need to be added to provide a balance. If this can not be done, then there needs to be a removal of those where duplicate agricultural and industry categories exist.

Results of the Survey on the DRAFT MRRIC Charter

* (10-20) It will be too hard to get a large committee to agree on changes and even get them together often enough to make changes. We need to limit the number of members so this can be workable.

* (no selection) I don't think the number of members is important. What is important is to have all necessary interests appropriately represented. After you get that done, then add up the number of members necessary. By selecting a number ahead of time we are putting the cart before the horse.

10.0 Membership Selection Process / Terms of Office

10.1 The following language from the DRAFT Charter outlines the selection process: (a) Interested parties will submit applications to the Secretary of the Army/MRRIC. (b) Initially, the Drafting Team would act as the screening entity. MRRIC would screen future applications. MRRIC (and the Drafting Team before it) would make its membership recommendations based on consensus. (c) MRRIC submits a recommended slate of members to the Secretary of the Army for formal appointment. If the Secretary declines to appoint a person recommended by MRRIC, s/he would come back to the MRRIC to request and receive an alternate recommendation for that seat. Interested parties will submit applications to the Secretary/MRRIC. Do you agree with the membership selection process as described in the DRAFT Charter?

| Public Respondents | | | Planning Group Respondents | | | CN |
|--------------------|----|--------|----------------------------|---|--------|----|
| Yes | 12 | 35.29% | Yes | 8 | 72.73% | |
| No | 6 | 17.65% | No | 2 | 18.18% | |
| Not Sure | 6 | 17.65% | Not Sure | 0 | 0.00% | |
| No Selection | 10 | 29.41% | No Selection | 1 | 9.09% | |
| Comments | 9 | 26.47% | Comments | 4 | 36.36% | |

If you answered "no," please comment and provide your recommended process for selecting the members of MRRIC.

Public Comments:

* The US Army has not demonstrated they want an effective decision-making body. Their way to ensure MRRIC fails is by appointing representatives that have a history of being obstacles to success. Some outside entity with nothing at stake, should make the selections

* How will the announcement be made to 'interested persons' so that they can apply?

* Should not require Secretary of Army formal appointment

* Is the Sec. of the Army going to be sending all the nominations he/she receives to the screening entity. I'm not certain if that is clear enough. The initial screening will be done by the drafting team. I believe that no member of the initial screening team should be allowed to become a candidate for membership. This will avoid a situation where the screening group can nominate themselves for appointment. Stakeholder groups should be allowed to nominate 1 or more candidates for screening with the understanding that the candidate is supported by the entire. I question whether consensus should be required for nomination. I believe that you want creative members who will bring ideas and concerns to the table and not simply members who are there because everyone likes them or feels they won't cause any trouble.

* Someone other than the USACOE should be the contact for membership. Again an independent entity should facilitate the process.

* Please provide more instruction on how to apply.

* The charter should provide anyone wishing to participate on the committee an opportunity to apply each year. The drafting team has written the charter so it is easy for them to be appointed but more difficult for an "outsider" to make application and be considered by the Secretary. Each year there should be an opportunity for others to apply and be considered for membership on the committee. Because some on the drafting committee are not true stakeholders with something personally at stake. I do not feel everyone on the drafting committee should automatically be considered qualified to serve on the MRRIC. The charter needs to list the qualifications a stakeholder must meet before being eligible to serve on the MRRIC. This charter does not ensure true stakeholders will be conducting the business of the committee.

* I'm not sure the Secretary of the Army has the inherent knowledge to make that kind of decision without more assistance. I would prefer to see an additional provision where the committee could override the Secretary's decision to deny an application if the committee felt the applicant would be particularly helpful to MRRIC.

* please see letter (in Section 12.8 under Public Comments)

Plan Group Comments:

Results of the Survey on the DRAFT MRRIC Charter

* In the last sentence of (c) above (page 7, (2)(c) of the charter), the words "of the Army" need to be added after "Secretary" to eliminate any confusion.

* With the Drafting Team serving as the screening entity, they are stacking the deck to ensure their own applications and applications from the agriculture and industry interests get recommended to the Secretary. Again, this is a way that the Drafting Team can ensure a MRRIC membership that will be favorable to Agriculture and Industry. Additionally, the USACOE has its own philosophy and program, and has not been conducive to environmental approaches towards management of the river in the past. An outside entity with nothing at stake, should make the selections. Also, as stated previously, how will the announcement for applicants be made to the public, so that interested people might apply? It is important to bring-in new people, not the same ones who have been involved. This requires far more than the USACOE's mailing list.

* I don't think the Drafting Team should approve applicants if members of the Team are trying to get a seat on the committee. In essence they will be voting for themselves.

* We need to focus in on the application form, which the interested parties are to submit to the Secretary of the Army. Why worry about screening. Won't the secretary make the decision as to the members? The drafting team may make some recommendations, but the secretary will do the job. I am not sure the charter describes the selection process as it is going to be. We may not have given representation to all parties, particularly those who will be involved as the implementation strategy increases in geographical area. In that instance the MRRIC should identify and recommend to the Secretary the addition of stakeholder interests and persons representing the additional stakeholders in the expanded area.

10.2 The term of office for members of the MRRIC is two (2) years. Is a 2-year term...

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Just right | 15 | 44.12% | Just right | 7 | 63.64% |
| Too short | 5 | 14.71% | Too short | 2 | 18.18% |
| Too long | 0 | 0.00% | Too long | 0 | 0.00% |
| No Selection | 14 | 41.18% | No Selection | 2 | 18.18% |

10.3 The DRAFT Charter sets no limits on the number of terms that a member could serve on MRRIC. Do you agree there should be no term limits?

| Public Respondents | | | Planning Group Respondents | | | CQ |
|--------------------|----|--------|----------------------------|---|--------|----|
| Yes | 15 | 44.12% | Yes | 7 | 63.64% | |
| No | 6 | 17.65% | No | 2 | 18.18% | |
| Not Sure | 3 | 8.82% | Not Sure | 0 | 0.00% | |
| No Selection | 10 | 29.41% | No Selection | 2 | 18.18% | |
| Comments | 7 | 20.59% | Comments | 4 | 36.36% | |

Results of the Survey on the DRAFT MRRIC Charter

If you answered "no," how many 2-year terms do you think a member should be allowed to serve on MRRIC?

Public Comments:

- * Maximum of 4 years
- * 3 years
- * Two 2 year terms??
- * Three two-year terms no more than six years.
- * Two (2).
- * no see previous comment (*Maximum term limits should be set to three.*)
- * please see letter (in Section 12.8 under Public Comments)

Plan Group Comments:

- * Pragmatically, this will be needed to ensure adequate representation.
- * 2, with a staggered start giving half the members a 3 year term so the committee won't complete turnover in one year.
- * 2 terms, staggered
- * If there is great interest in this organization, then maybe there should be limits. If not much interest then it may be hard to find someone to take that expensive job. If there is great interest in this organization, then maybe there should be limits. If not much interest then it may be hard to find someone to take that expensive job. If there is great interest in this organization, then maybe there should be limits. If not much interest then it may be hard to find someone to take that expensive job. If there is great interest in this organization, then maybe there should be limits. If not much interest then it may be hard to find someone to take that expensive job.

10.4 Do you agree that each member of MRRIC may recommend an alternate to serve during the temporary absence of the member?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Agree | 19 | 55.88% | Agree | 6 | 54.55% |
| Disagree | 2 | 5.88% | Disagree | 0 | 0.00% |
| Not Sure | 2 | 5.88% | Not Sure | 0 | 0.00% |
| No Selection | 11 | 32.35% | No Selection | 0 | 0.00% |
| Comments | 4 | 11.76% | Comments | 2 | 18.18% |

If you disagree, please explain.

Public Comments:

- * Yes, as long as temporary is limited to only a few months.
- * Members should have a way of being included even if not physically present. Telephone, virtual meetings online, written submissions of opinions, ideas, etc. are alternative methods of input. Substitute attendees create hugely different team dynamics unnecessarily.
- * I think this depends on the interest group. In some cases it might be appropriate for the member to select the alternate in others the group that the member represents should have that authority. You could argue that the alternate should be selected using the same process as the regular member. In some cases the alternate may be present as much or more than the regular member.
- * please see letter (in Section 12.8 under Public Comments)

Results of the Survey on the DRAFT MRRIC Charter

Plan Group Comments:

* Alternate must be vetted.

* If a member cannot attend, then it would be nice if he could appoint an alternate to go to the meeting and act for him. There probably wouldn't be enough time for the secretary to appoint them? Will the alternates have the same qualifications as the member? Will the alternates be expected to attend the meetings when the member attends?

11.0 Roles and Responsibilities - Governance and Leadership

11.1 The DRAFT Charter states: "The MRRIC shall select a Chair and Vice Chair who must be a member of the MRRIC. The Chair will be responsible for protecting the interests of all MRRIC members and alternates. S/he will act in a fair and balanced manner with respect to the MRRIC's operation and the conduct of MRRIC meetings. The Chair, with the assistance of the facilitator, will strive to determine the views of all MRRIC members regarding MRRIC advice and work to achieve consensus." Please offer any comments on this proposed governance arrangement.

| | | | | | |
|------------------------|----------|---------------|----------------------------|----------|---------------|
| Public Comments | 7 | 20.59% | Plan Group Comments | 5 | 45.45% |
|------------------------|----------|---------------|----------------------------|----------|---------------|

Public Comments:

* Sounds like this could be a very challenging position.

* Good

* Sounds logical.

* I agree with the approach.

* chair can be voted out with a 3/4th's vote

* It sounds good. I hope it works!

* OK

Plan Group Comments:

* The chair should not be a federal representative. The chair's alternate should be seated on the committee to maintain balance among stakeholder groups.

* The facilitator should have most of the responsibility to ensure all viewpoints are heard.

* This person will be key to making the process work.

* It's fine.

* The committee is a committee of stakeholders and if the chair is not a stakeholder then he/she is in a position to remove the control of the committee from the stakeholders. What good would it do for the stakeholders to attend a meeting when they are not free to run the meetings? I am not really sure the facilitator is really necessary. Too much staff and too many leaders.

11.2 Are the roles and responsibilities of the Coordinating Subcommittee, Working Groups and Independent Panels clear and understandable?

| Public Respondents | | |
|--------------------|----|--------|
| Yes | 15 | 44.12% |
| No | 1 | 2.94% |
| Not Sure | 4 | 11.76% |
| No Selection | 14 | 41.18% |
| Comments | 1 | 2.94% |

| Planning Group Respondents | | |
|----------------------------|---|--------|
| Yes | 5 | 45.45% |
| No | 0 | 0.00% |
| Not Sure | 4 | 36.36% |
| No Selection | 2 | 18.18% |
| Comments | 1 | 9.09% |

Results of the Survey on the DRAFT MRRIC Charter

If you answered "no," please tell us what needs clarification.

Public Comments:

* No member of the committee or agency, business or company associated with any member should receive public money to do scientific investigations and studies on the river related to the MRRIC and/or MRRP. No member of the committee should receive gifts for their service on the committee. The charter needs a clause relating to member's "conflict of interest".

Plan Group Comments:

* I think the committee system is overkill. I guess they will be ok, but they will complicate the procedure and make it more expensive and time consuming. That coordinating subcommittee sure is fluff.

12.0 General MRRIC Operations

12.1 The DRAFT Charter states that there will be at least four (4) meetings each year. Given the Scope and Purpose of MRRIC, is the minimum number of meetings

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Too many | 4 | 11.76% | Too many | 0 | 0.00% |
| Too few | 1 | 2.94% | Too few | 0 | 0.00% |
| About right | 18 | 52.94% | About right | 9 | 81.82% |
| No Selection | 11 | 32.35% | No Selection | 2 | 18.18% |
| Comments | 5 | 14.71% | Comments | 1 | 9.09% |

If you answered "Too few," how many times per year do you think MRRIC should meet?

Public Comments:

- * Logistics are difficult - having meeting in hub cities like Minneapolis make it easier and less expensive
- * I would suggest that a conservative number of meetings be used. Since the term minimum number is used additional meetings can always be scheduled. Don't end up meeting just because the rules say you need to meet.
- * This should be determined by the committee.
- * Seems overly burdensome to make so many meetings for actual stakeholders who have to make a living as well as serve on this board. Many of the projects that this groups would likely make recommendations would have long time horizons to implement and monitor. It seems like two meetings are more realistic.
- * about right

Plan Group Comments:

* The number of meetings will depend upon the number and complexity of the projects assigned to the committee. We don't know what is out there, so we can't make an intelligent decision about the number of meetings.

12.2 As currently described in the DRAFT Charter, all meetings of the MRRIC will be open to the public, except for Executive Sessions. Please provide any comments on this provision for Executives Sessions.

| | | | | | |
|------------------------|-----------|---------------|----------------------------|----------|---------------|
| Public Comments | 10 | 29.41% | Plan Group Comments | 6 | 54.55% |
|------------------------|-----------|---------------|----------------------------|----------|---------------|

Public Comments:

- * See my earlier comment. Define what this means in more detail. Does this prohibit phone calls, email, or online communications between MRRIC members?
- * Because these involve federal agencies, don't they all have to be open?
- * Sounds fine
- * There should be no need for executive sessions. The committee should not deal with personnel issues because they have no budget to hire personnel. The FWS and Corps should provide support personnel. The committee should not be involved in property transfer issues. ALL meetings should be open and transparent.
- * Executive sessions stick to only the items mentioned in the charter and not decision items.
- * This is acceptable and quite common.

Results of the Survey on the DRAFT MRRIC Charter

- * all meeting notes should be posted on website
- * None
- * This is an issue that should have very few closed sessions
- * Excellent, no negative comment

Plan Group Comments:

- * ok
- * The facilitator should ensure that the members understand the purpose for Executive Sessions.
- * This is OK
- * I have no problem with this.
- * It's OK, some items need to be behind closed doors, but the vast majority of things should be open.
- * I don't think there will be any meetings that fall within the purview of the executive sessions. (Hiring, firing, real estate, or investments) We won't have any employees, we won't handle any real estate and we won't have any money. We shouldn't have any closed meetings either. Full transparency is the guide star.

12.3 The goal of the MRRIC is to reach consensus on recommendations made by its membership. The definition of "consensus" for the purposes of MRRIC is defined as "All members of the MRRIC can support or live with an action or recommendation." Is this definition clear, understandable, and workable?

| Public Respondents | | | Planning Group Respondents | | | DA |
|---------------------|----|--------|----------------------------|---|--------|----|
| Yes | 18 | 52.94% | Yes | 7 | 63.64% | |
| No | 4 | 11.76% | No | 0 | 0.00% | |
| Needs Clarification | 0 | 0.00% | Needs Clarification | 3 | 27.27% | |
| No Selection | 12 | 35.29% | No Selection | 1 | 9.09% | |
| Comments | 6 | 17.65% | Comments | 3 | 27.27% | |

If you answered "no," or "needs clarification" what definition of consensus would you recommend?

Public Comments:

- * I disagree with the framework
- * With the broad, competing interests represented by MRRIC, reaching consensus on virtually any issue will be impossible and will lead to very few decisions being rendered. I recommend changing to a two-thirds majority.
- * I think this could be a difficult challenge for a group of this size and diversity
- * ALL = 100 %
- * you will never get "all members to support or live with an action or recommendation", unless you're saying that if the majority favors an issue then the rest just has to live with it.
- * There may be a consensus but it doesn't mean it will be workable.

Plan Group Comments:

- * "Can live with" is vague.
- * It is difficult to know what "can live with" actually means. It is vague and unquantifiable. To reach a consensus is a very difficult task for any group, and especially one that includes representatives from groups with strong feelings.
- * I feel that the consensus requirement is clear. Everyone will have to agree or be able to live with the project. If the committee doesn't come to consensus the world won't come to an end. The government agencies will decide what to do with the project and life will go merrily on. If we do come to consensus they will decide whether or not to follow the recommendation. If we make a recommendation, everyone must be on board. We are not a decision making body, we just pass out recommendations like we do at the barbershop. The fellows in town don't always follow my brilliant recommendations. It is possible the government won't follow the committee's brilliant recommendations.

Results of the Survey on the DRAFT MRRIC Charter

12.4 The decision-making rule in the DRAFT Charter states that: "The Committee shall only make recommendations where there is a consensus." Please provide any comments on this requirement.

| Public Comments | 17 | 50.00% | Plan Group Comments | 5 | 45.45% |
|-----------------|----|--------|---------------------|---|--------|
|-----------------|----|--------|---------------------|---|--------|

Public Comments:

- * This is a near sure way to ensure MRRIC fails. Consensus among a group of 64 very diverse interests is noble but futile. Recommend a super-majority type of decision framework
- * See previous comment about very few recommendations receiving consensus by all members.
- * It's your choice. It's a choice made by the IGPC.
- * Interesting... seems like there should be some provision to share majority approved items as well. Maybe not as a formal recommendation, but as feedback or input.
- * I have discussed the concensus concept with people who have served on groups that have used this decision making process. In general they have not be overly satisfied with the results. The most common comment that I've heard is that you sit through long meetings without achomplishing much. Consensus is also concerning with the potential large size of this group. Some process needs to be included to address issues for which a concensus cannot be reached. I believe that at a minimum the majority opinion should be documented as that and include a minority opionion.
- * This will likely be difficult. But there is reason for optimism.
- * Undue "peer pressure" should not be placed on members to gain their acceptance for the purpose of reaching consensus.
- * Sounds logical. If this groups is to have a "shared vision" and make positive recommendations which benefit all parties.
- * I like this approach.
- * This is logical
- * I think this is wise.
- * We use this concensus process in a number of stakeholder groups and have found that it works very well.
- * None
- * If this is the case then no reason for the committee, unless you're using a very broad definition of the word.
- * Does consensus mean all are in agreement? Can a single holdout scuttle an entire project?
- * Agree
- * See note above. *(There may be a consensus but it doesn't mean it will be workable.)*

Results of the Survey on the DRAFT MRRIC Charter

Plan Group Comments:

- * I agree that there needs to be full consensus before a recommendation goes forward.
- * Some good ideas will likely die under this arrangement. I think there could be allowance for recommendations that don't have a consensus but have majority or super-majority support. The opposition could then be able to write a "minority opinion" that would go along with the recommendation.
- * This Ok and consistent with promises how MRRIC will operate.
- * Consensus is tough to do and may not always be possible, but I agree with the statement.
- * It is a good rule. Paragraph 5 Absolutely. If the committee has to attend meetings and consider projects, the least the government agencies can do is tell us what they are doing. The Government will be paid to give us that report.

12.5 The DRAFT Charter calls for the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers and other agencies to provide at least annual summary reports on the status of recovery activities for the listed species. Is this a reasonable requirement?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Yes | 21 | 61.76% | Yes | 8 | 72.73% |
| No | 0 | 0.00% | No | 0 | 0.00% |
| Not Sure | 2 | 5.88% | Not Sure | 2 | 18.18% |
| No Selection | 11 | 32.35% | No Selection | 1 | 9.09% |

12.6 Are the budgeting and finance protocols set forth in the DRAFT Charter practical?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Yes | 9 | 26.47% | Yes | 3 | 27.27% |
| No | 2 | 5.88% | No | 2 | 18.18% |
| Not Sure | 11 | 32.35% | Not Sure | 5 | 45.45% |
| No Selection | 12 | 35.29% | No Selection | 1 | 9.09% |
| Comments | 4 | 11.76% | Comments | 4 | 36.36% |

If you answered "no" or "not sure," please explain what would make them more implementable?

Public Comments:

- * The adequacy of funding should be determined and set by congress. It is unreasonable for the committee to think they will have an unlimited budget and the ability to determine how much money they will have to spend.
- * no, I don't see why you need budgets from agencies working on the missouri river
- * please see letter (in Section 12.8 under Public Comments)
- * Who oversees the federal funding agent?

Plan Group Comments:

- * need to provide financial support to stakeholders that need it
- * All Federal, State, and any other identities should free and quicly provide any information they have on any aspect of the Mo. Riv. Basin if they are requested.
- * Page 14 f)i)(1) in the charter states, in the third line of that paragraph "...the funds will be administered by an independent fiscal agent." Not sure that this is implementable. Page 14 f)i)(2)(d), that paragraph speaks to meeting cost and cost associated with travel being reimbursable. This conflicts with WRDA.
- * I seriously doubt whether law authorizes the budgeting and finance protocols. Maybe some good lawyer can look at them and give us an opinion. I am afraid we will have to rely upon the Corps of Engineers to handle secretarial and the budgeting and finance procedures for us.

Results of the Survey on the DRAFT MRRIC Charter

12.7 Is the proposed Dispute Resolution Process practical and implementable?

| Public Respondents | | | Planning Group Respondents | | |
|--------------------|----|--------|----------------------------|---|--------|
| Yes | 10 | 29.41% | Yes | 8 | 72.73% |
| No | 0 | 0.00% | No | 0 | 0.00% |
| Not Sure | 12 | 35.29% | Not Sure | 1 | 9.09% |
| No Selection | 12 | 35.29% | No Selection | 2 | 18.18% |
| Comments | 4 | 11.76% | Comments | 3 | 27.27% |

Your recommendations for improving the proposed dispute resolution process.

Public Comments:

- * Depends on how you define dispute.
- * See my earlier comments. (Editor's note: can't find anything in this respondent's previous comments that refer to dispute resolution.)
- * Not sure if the federal working group would want to decide on MRRIC disputes. It seems like MRRIC should be able to solve MRRIC disputes.
- * please see letter (in Section 12.8 under Public Comments)

Plan Group Comments:

- * The question above does not relate to dispute resolution but conduct of committee members. Dispute resolution normally refers to disagreement among committee members on a substantive issue.
- * Need definition of "sponsoring agency".
- * Not sure. A little complicated. Does it matter. How are we going to get into too much of a dispute over a recommendation anyway? We have to rely on the corps to get things done.

12.8 If you would like to provide additional comments or recommendations for the DRAFT Charter not covered in the survey, please add them here.

| | | | | | |
|------------------------|----------|---------------|----------------------------|----------|---------------|
| Public Comments | 6 | 17.65% | Plan Group Comments | 4 | 36.36% |
|------------------------|----------|---------------|----------------------------|----------|---------------|

Public Comments:

- * This concept is a refreshing and exciting approach to how best to assure representation of various stakeholders and interests. I applaud the draft committee for their thoughtful work on this draft.
- * The Charter should include protocol for issuing Public Notice. The public notice for the Omaha Workshop was a complete failure as demonstrated by the poor attendance. The format for public participation should allow for members of the public to have an opportunity to directly address the members of the committee through written and verbal testimony. The Charter needs to list qualifications true stakeholders must meet before being selected as members of the committee. Therefore, the drafting Committee should include a definition of a stakeholder in the charter as well. There are some on the drafting committee who may not meet the definition of a true stakeholder and should not automatically be accepted as members of teh MRRIC. The Charter should not allow federal agencies to have influence over the committee's decisions or recommendations to the FWS and Corps. Recommendations from the committee should be STAKEHOLDER recommendations NOT the combination of stakeholder and federal agency recommendations. The recommendations from the committee should do no harm to stakeholders and Missouri River interests. It is not enough just to identify negative impacts. The committee's focus should be to PREVENT negative impacts. The FINAL DRAFT of the charter should be presented to the public for additional comment before it is adopted.
- * no other comments at present
- * None

Results of the Survey on the DRAFT MRRIC Charter

* none

***Response/Letter:** we believe the appropriate forum for public comments should be open and not multiple choice. Please see the inserted letter which will also be sent hard copy for comments from the Upper Missouri River Basin Pallid Sturgeon Recovery Workgroup. **[letter begins]** Upper Basin Pallid Sturgeon Recovery Workgroup November 19, 2007, To Whom It May Concern: The Upper Basin Pallid Sturgeon Recovery Workgroup (UB Workgroup) appreciates the opportunity to comment on the Missouri River Recovery Implementation Committee (MRRIC) and the recently drafted charter. The UB Workgroup is a multi-agency cooperative effort to address and implement recovery actions for pallid sturgeon in the Upper Missouri River Basin of Montana, North Dakota, South Dakota and a small portion of Nebraska. The UB Workgroup includes members of Federal, State and other organizations, many of which are involved with development and participation in the Missouri River management and specifically, the MRRIC. As such, we envision the development of MRRIC as means of improving coordination with stakeholders and increasing effectiveness of efforts to manage the Missouri River system among diverse interests. We would like to take pro-active measures to ensure MRRIC can consider and coordinate with the UB Workgroup on our process for planning and implementing recovery actions as you develop a charter, process and program. The ultimate goal of the UB Workgroup is to recover the pallid sturgeon in the Upper Missouri River (and promote recovery basin-wide) to the extent of delisting whereupon protection under the Endangered Species Act is no longer warranted. We believe we share this goal with MRRIC and other interests in the Missouri River. We hope to accomplish this by working collaboratively among the many agencies, committees and enterprises with jurisdiction and interest in the Missouri River through implementation of ecologically, environmentally and scientifically sound recovery actions. We recognize the key to successful management and recovery of pallid sturgeon includes good communication and striving towards buy-in at all levels of management interest. By developing a process that integrates coordination among MRRIC, the basin Workgroups and other Missouri River entities, we may not alleviate all conflicts but we can provide assurances that concerns from the many groups involved will be considered and management decisions will be made in the best interest of long-term sustainability of the pallid sturgeon, the Missouri River and its many ecological and societal values. The UB Workgroup members include those biologists, scientists and managers who have the most extensive and direct experience with pallid sturgeon biology, ecology, and management in the upper Missouri River basin. We have developed a scientifically rigorous and objective process to address planning and implementation of pallid sturgeon recovery actions in the upper Missouri River basin. We understand MRRIC will be working with Federal, State and other organizations. As such, we would do well to work together to capitalize on our strengths and to prevent redundancy and conflicting management. It is not clear to us exactly how MRRIC will operate within an already bureaucratically complex and geographically diverse system. In fact, a number of agencies represented on the UB Workgroup will be providing comments or are directly involved in developing the MRRIC charter and yet, there lacks a clear understanding of MRRIC's role. For that reason, it is difficult for the UB Workgroup to make any specific comments on the charter. We do ask that before MRRIC finalizes any formal documents such as the charter or operating procedures, MRRIC engage existing and functional committees, workgroups and multi-organizational efforts in the Missouri River basin, such as the UB Workgroup, to collaboratively lay out an integrated process for developing recommendations, making decisions and implementing actions. This step would allow us to effectively manage issues with a clear understanding of roles, functions, and responsibilities and would prevent unnecessary bureaucracy, redundancy and jurisdictional train-wrecks. Lastly, we would like to emphasize the importance of working with local management and expertise within an integrated process for decision-making. Therefore, we are inviting MRRIC to become familiar with UB Workgroup efforts and to meet with the UB Workgroup Governing Board to discuss if and how we might be most effective at accomplishing our mutual goals. Thank you for the opportunity to work together and to provide comments on development of the MRRIC. We ask that you please respond to this letter with your thoughts on how we might best work together. If you have any questions, please feel free to contact any of the members of our Governing Board listed below. Sincerely, Upper Basin Pallid Sturgeon Recovery Workgroup Governing Board Yvette Converse, Chair – US Fish and Wildlife Service Bill Gardner, RPMA 1 Representative – Montana Fish, Wildlife and Parks Mike Ruggles, RPMA 2 Representative – Montana Fish, Wildlife and Parks Dr. Rob Klumb, RPMA 3 Representative – US Fish and Wildlife Service Dr. Patrick Braaten, Research Representative – US Geological Survey Matt Jaeger, Habitat Representative – Montana Fish, Wildlife and Parks Ken Staigmilller, Fish Health – Montana Fish, Wildlife and Parks Rob Holm, Propagation – US Fish and Wildlife Service [letter ends]

Plan Group Comments:

* Pretty good shape overall. Definitions need to be tightened up and made consistent. Needs to be more clear statement on Vision, Scope, Purpose and End Goal of MRRIC.

Results of the Survey on the DRAFT MRRIC Charter

* Page 8 of the charter, under b)i)(1)(b)second sentence of that paragraph, "With the support of the Coordinating Committee..." It should read "With the support of the Coordinating Sub-Committee..." Page 9 of the charter, under iii)(a) last sentence of that paragraph, "Independent members or entities may be compensated for their services." Not sure if this is implementable. Page 9 of the charter, under c)i)(1) The term "Executive Secretary" should be changed to "Administrative Coordinator" and the term "Administrative Coordinator" should replace the term "Executive Secretary" throughout the charter. Page 10 of the charter under ii)(1) last sentence of that paragraph, "Support staff shall include a professional note taker...". However, on page 11 of the charter under 7)c)v)(1) it states, "Detailed minutes of each MRRIC meeting shall be kept by a qualified note taker." Whichever term, professional or qualified, is used, it just needs to be consistent in those two sections. Page 12 of the charter under d)i)(4), "If consensus cannot be reached, the co-chairs will..." The word co-chairs should be changed to Chair. Page 12 of the charter under d)i)(4), "...the meeting minutes will not characterize or quantify the level of support for the differing views." Characterizing the different views in the meeting minutes still seems okay as issues are likely to come back in the future and the minutes should capture the essence of the discussion. Page 13 of the charter under (5), "...representatives whether they will endorse the substantive issue." should be changed to "...representatives whether they will endorse recommendations pertaining to the substantive issue." Page 13 of the charter under (6), "...or provide the reason(s) for not implementing (we request that the ..." should be changed to "...or provide the reason(s) for not implementing (it is requested that the..." Page 13 of the charter under ii)(3) "Committee members are free to abstain from a determination of consensus." Will those abstaining count against a quorum determination for taking action? Page 13 of the charter under Reports, Work Plans, and Proposals a report on incidental takes should be added to the list of summary reports. Page 14 of the charter under (4) "Progress and effectiveness of adaptive management toward the pallid sturgeon, interior least tern, and piping plover recovery." Should this be stronger with actual recovery goals stated and milestones for reaching the goals? Page 14 of the charter under iii) "Federal agencies involved in recovery and restoration efforts in the basin will submit annual work plans and proposed budgets to the MRRIC." Should be changed to read "Federal agencies involved in recovery and restoration efforts in the basin will provide proposed annual work plans and estimated costs to the MRRIC." Page 15 of the charter under 8)a)i), "The sponsoring agency shall maintain..." Is the "sponsoring agency" the same a "lead agency" or same as the "sponsoring agency mentioned on page 10, under 6)(2)? Page 15 of the charter under 8)a)i), "...as a clearinghouse for information." Should be changed to read, "...as a clearinghouse for MRRIC related information." Thanks to the drafting team for all of their hard work and for the opportunity to comment on this draft charter.

* The name of the committee is the Missouri River Recovery Implementation Committee. By that it demands that Recovery of the river and the species that call it home are the top priority. The members of the committee, when selected, have to go into their work with that goal in mind. Not to keep on keeping on with the current management of the river which has seen declines in habitat and species. The committee needs to live up to the name!

* You all have done an excellent job of putting down all our comments. This is a good set of questions that makes us think. I am sure they took quite a while to draft. I am glad it is not a school final. I probably won't agree with all of the charter, but it is not because you haven't tried to be fair.

Additional comments received by e-mail and mailed letters: 2

* Comments received via e-mail dated 11/14/2007 from Mike Cooper:

As a person with personal and business interests in Missouri River issues I would like to introduce myself and point out an important issue which seems to be left out of the MRRIC agenda. I own Cooper's Landing, the only business providing a wide range of marina services along the Missouri River in the state of Missouri, <http://www.cooperslanding.net/>. I serve as a member of the board of directors of Missouri River Communities Network, <http://www.moriver.org> and Missouri River Cultural Conservancy, <http://www.morivcc.org/>. I am also a strong supporter of Missouri River Relief, <http://www.riverrelief.org/>. I believe a successful management plan for the Missouri River must include consideration and implementation of regulations concerning construction and maintenance of levees along the Missouri River. Levees contribute to many of the problems we have along the Missouri River. They create increased flooding in areas not protected by levees, limit habitat for wildlife and limit periodic flooding of farmlands along the river leading to depletion of the topsoil and excessive use of fertilizers which further threaten water quality. Considerable governmental funds are being spent on the construction of levees which contribute to the problems we have along the Missouri River. I urge you to include levee management as part of Missouri River Restoration and Recovery planning. I would also like to see the three local organizations mentioned above involved in the planning process.

Sincerely, Michael C. Cooper, Columbia, MO 65203, E-mail: cooperslanding@tranquility.net

Results of the Survey on the DRAFT MRRIC Charter

* Comments received via US mail dated 11/21/2007 from David L. Pope, Executive Director, Missouri River Association of States and Tribes:

Dear Mr. Eng: Thank you for the opportunity to provide comments regarding the draft Charter released for public comment by the Drafting Committee for the establishment of the Missouri River Recovery Implementation Committee (MRRIC). Our members understand the importance of this process and are very supportive of the need for an effective committee to deal with this critical issue and carry out the provisions of the recently passed Water Resources Development Act (WRDA). These comments are a follow-up to verbal remarks provided by David Pope, our Executive Director, at your workshop in Omaha, Nebraska, on November 8th.

We are supportive of the results of the process so far, recognizing the hard work and the improved working relationships being developed by divergent interests in the basin. We thank the Planning Committee and especially the Drafting Committee, as well as the Co-Chairs, facilitation team and U.S. Institute for their dedication and service.

In general, the Draft Charter represents a reasonable framework for the organization and operation of MRRIC. Most of our comments relate to specific provisions, as they are important for the fair and effective functioning of the committee. Specific comments follow:

1. Section 1, Purpose and Scope. The role of State and Tribes should be better recognized in the draft, as they have legal responsibilities for management of fish and wildlife, water resources and other natural resources within their purview. We request the following proposed language be inserted, perhaps as new item d):

It is recognized that States and Tribes have certain legal responsibilities for the management of fish and wildlife, water and other natural resources within their boundaries. While their participation in the MRRIC process is very important, neither the participation of these entities in the MRRIC nor any of the provisions of this Charter shall impair or constitute a relinquishment of these authorities.

This would be somewhat of a counterpart to the language for Tribes in c) of the same Section.

2. Section 1, Purpose and Scope, Subsection b)(1). We recommend that "environmental" be included as one of the local stakeholder's issues, since mitigation, recovery and restoration activities pursuant to WRDA and the Endangered Species Act is a major purpose of MRRIC.

3. Review Charter for consistency with WRDA. Since WRDA has now become federal law, the Charter should be reviewed carefully for consistency with it. In particular, in WRDA, each of the three membership categories for MRRIC, Federal agencies, States and other appropriate entities "shall" be represented. Other appropriate entities are to include "water management" and "fish and wildlife" agencies (an apparent reference to State agencies), Indian Tribes and nongovernmental stakeholders. Neither the record leading up to the MRRIC planning process or WRDA indicated that this was expected to be a "nongovernmental stakeholder" dominated committee. As a result, it should be a balanced committee to help facilitate a collaborative approach.

4. Section 5, Membership and Representation of Interests. While some States would prefer two members on the committee -- one representing the "water management" and one the "fish and wildlife" agency or equivalent agencies, we understand they are generally willing to be represented by one member in order to help limit the size of the committee, assuming there is balance between water management and fish and wildlife agency representation, perhaps with a member from one and an alternate from the other type of agency for each State. This would seem reasonably consistent with WRDA. However, it seems a bit inconsistent to limit each State to one primary representative while including so many nongovernmental stakeholders. This relates to the recent increase in the size of the committee to add positions and new categories. For example, adding "waterway industries" and breaking power into two categories seems unnecessary. If States can represent all the various interest of the State and its Governor, it would seem that some of the closely related stakeholder interests could be combined. The larger the committee, the more difficult it may be to reach consensus. However, it is important to maintain balance and adequate representation of all major interests.

Results of the Survey on the DRAFT MRRIC Charter

5. Section 5, Membership and Representation of Interests. We are concerned about the language putting MRRIC in the role of "screening" new applicants for positions and to essentially recommend their successors. That may limit new viewpoints. Given the consensus decision process, one or two members could "veto" a person from being recommended to the Secretary for the appointment, if they did not agree with the applicants viewpoint. We understand this language is rough and did not get completely finished.

6. Section 5, Membership and Representation of Interests. Since this is a collaborative process, it should be inclusive. It appears Draft Proposal 2, for the role of Federal agencies, does a better job of allowing participation and interaction by federal agencies, than the alternative, and would seem to be more consistent with WRDA. It is expected that federal agency representatives will respect their unique role, if allowed to participate on the committee, and avoid trying to dominate the group's discussion. In contrast, not being allowed to speak except when requested, does not seem to be consistent with a fully collaborative process. Good communications and willingness to listen to different perspectives, even if one does not agree with them, should improve the chances for reaching consensus recommendations that can be accepted and implemented by Federal agencies and others.

7. Section 5, Membership and Representation of Interests, Subsection b) ii). With regard to the role of the Coordinating Sub-Committee, it would seem appropriate to clarify that any member of the committee should be able to suggest agenda items and other procedural matters, non just the Chair or Sub-Committee.

8. Section 7, General MRRIC Operations. There seems to be many instances where mandatory language is used regarding the requirements for actions by federal agencies or others. This may exceed the authority of the committee, especially with regard to budgets and funding by Congress.

Again, thank you for the opportunity to comment and for the great progress the committee has made to move this process forward. Please let David Pope or me know if you have questions.

Sincerely, David L. Pope, Executive Director, Missouri River Association of States and Tribes.