



North Dakota
Missouri River
Stakeholders

Final Report

2015

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North Dakota Missouri River Stakeholders

Creating grassroots unity, leadership and direction to advocate and protect North Dakota's Missouri River interests.

In 2005, the Missouri River Joint Board (MRJB) was formed to address local issues along the river. After historic flooding in the Missouri River basin in 2009 and 2011, and unprecedented economic development across North Dakota, the State Water Commission was asked to call a meeting of Missouri River stakeholders to explore forming a statewide organization to maximize the Missouri River's potential in North Dakota. In 2012, the workshop attended by 65 North Dakota stakeholders resulted in the formation of a Leadership Committee to create a North Dakota Missouri River organizational strategy. This Leadership Committee was comprised of 12 water leaders from across the state who volunteered their time, effort and expertise to make the vision of a unified voice a reality.

The North Dakota State Water Commission and Garrison Diversion Conservancy District provided startup funding to the MRJB to implement the 2012 workshop outcomes. The Leadership Committee established a path forward, a conceptual framework, and coordinated with the North Dakota Water Users Association to hire a project team to assist in the day-to-day implementation of the Stakeholder vision.

One of the primary recommendations of the Leadership Committee to the project team was to conduct outreach to local stakeholders. That outreach effort began in May 2014 with Lance Yohe and Ryan Norrell travelling across the state to county commissions, city councils, water resource districts, recreation groups, water supply projects and landowners to inform them of this grassroots effort.

During that outreach, stakeholders were invited to attend a workshop on November 20, 2014, at Bismarck State College. Over 100 stakeholders attended, representing diverse interests from the Southwest Water Authority to the Upper Sheyenne Joint Board, from Western Area Water Supply to the Lake Agassiz Water Supply, and from Bismarck homeowners to McIntosh County ranchers. Those attendees were unanimous in agreeing that North Dakota's interests in the river are being challenged and that the time to act with a cooperative approach to protect those interests is now.

During the 65th Legislative Session during the spring of 2015, House Bill 1249 was introduced to create an advisory council which would offer advice to the Governor, State Water Commission and Legislature on Missouri River matters. Ultimately the bill failed on its second reading in the Senate, but the message from legislators to the stakeholders was clear: the Missouri River is important and you don't need a legislative mandate to organize and promote the state's interests in the river.

On June 4, 2015, a conference was held in Bismarck, ND, with another 100 attendees. The attendees hailed from across the state from Cannonball to Minot, from Fargo to Beach. Those attendees confirmed the need for an inclusive statewide organization. Attendees felt this organization needs to be a stakeholder-driven council of grassroots interests, yet plugged into the highest levels of state government. Attendees felt that the State Engineer could chair the Stakeholder organization moving forward on an interim basis and that an executive committee of stakeholders should ultimately determine the permanent chair and organizational structure. The general consensus was that financial support from State agencies and stakeholders would be needed to continue the efforts begun with this process. The key to both the November workshop and June conference was momentum. North Dakotans of all stripes are keenly aware that the state's interests in the Missouri River are currently being challenged, and that current and future drought and development will bring about more challenges. The need to act on the Missouri River is now.

In the following pages, you will see the raw input and feedback received from the stakeholder attendees.

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North Dakota Missouri River Stakeholders

FALL WORKSHOP

November 20, 2014

**Bismarck State College's National Energy Center of Excellence Building
Bismarck, ND**

- 8:30 a.m. – 9:00 a.m. **Registration**
- 9:00 a.m. – 9:10 a.m. **Welcome and Introductions:**
Ken Royse, Chair, NDMRS & Ryan Norrell, Executive Director, NDMRS
- 9:10 a.m. – 9:20 a.m. **Historical Overview of the Process:** Ryan Norrell
- 9:30 a.m. – 9:50 a.m. **Keynote Speaker:** Terry Fleck
- 9:50 a.m. – 10:15 a.m. **First Small Group Breakout:** Lance Yohe, Sr. Advisor, NDMRS
Why are we here?
- 10:15 a.m. – 10:30 a.m. **Reports to Plenary by Small Group Reporters**
- 10:30 a.m. – 10:45 a.m. **Break**
- 10:45 a.m. – 11:30 a.m. **Second Small Group Breakout:** Lance Yohe
What do we want to achieve?
- 11:30 a.m. – Noon **Reports to Plenary by Small Group Reporters**
- Noon – 1:45 p.m. **Luncheon Speaker:** Lance Yohe
Organizational Options to Consider for Action.
- 1:45 p.m. – 2:30 p.m. **Third Small Group Breakout:** Lance Yohe
How do we move forward?
- 2:30 p.m. – 3:00 p.m. **Reports to Plenary by Small Group Reporters**
- 3:00 p.m. – 3:15 p.m. **Break**
- 3:15 p.m. – 3:45 p.m. **Fourth Small Group Breakout:** Lance Yohe
Moving forward, continued.
- 3:45 p.m. – 4:15 p.m. **Reports to Plenary by Small group Reporters**
- 4:15 p.m. – 4:45 p.m. **Open Plenary Discussion/Consensus:** Lance Yohe
Who will lead the effort? When should we gather again to finalize our decisions?
- 4:45 p.m. – 5:00 p.m. **Summations:**
- *Small Group Outcomes:* Lance Yohe
 - *Workshop:* Ken Royse & Ryan Norrell

November 20, 2014 Workshop

Small Group Summary

The Following individuals were the facilitators for the small group discussions reported on the following pages.

Group	Facilitator
1	Duane DeKrey
2	Wade Bachmeier
3	Terry Fleck
4	Pat Fridgen
5	Michael Gunsch
6	Dave Koland
7	Mary Massad
8	Jim Neubauer
9	Ken Royse
10	Bruce Engelhardt
11	Jean Schafer
12	Alan Walter

I. WHY are we here?

Getting on the same page

Goals:

- To determine if we all agree there is a problem.*
- To determine interest and willingness to address the problems.*
- To determine if we are all willing to work and move forward together.*
- To determine if we should engage state wide.*
- To determine commitment.*

Questions:

1. Do you agree that ND's interests (use and needs) for the Missouri River are being challenged? Yes/No
2. Does ND need to act to protect their interests? Yes/No
3. Would a cooperative approach by North Dakotan stakeholders on Missouri River issues provide the best approach in the protection of ND interests? Yes/No
4. Do we need to include the entire state? Yes/No
5. Are you willing to do your part, as an individual and who you represent, in helping? Yes/No

Table 1: Small Group I Results

Small Groups	Q 1	Q 2	Q 3	Q 3	Q 5
1	Y	Y	Y	Y	Y
2	Y	Y	Y	Y	Y
3	Y	Y	Y	Y	Y
4	Y	Y	Y	Y	Y
5	Y	Y	Y	6-Y 1-N	Y
6	Y	Y	Y	Y	Y
7	Y	Y	Y	Y	Y
8	Y	Y	Y	4-Y 2-N	Y
9	Y	Y	Y	Y	Y
10	Y	Y	Y	Y	Y
11	Y	Y	Y	Y	Y
12	Y	Y	Y	Y	Y

Comments:

- Group # 1 began a list of issues.
- Group # 2 stated the need for an umbrella-style cooperative approach, understanding the connection and need for statewide involvement, building awareness and education.
- Group # 3 made a list of challenges, list of reasons to act. Pointed out that cooperation with large groups have more impact, avoid partisan politics and maximize resources.
- Group # 4 was in favor of a statewide approach as long as the Missouri River remained the focus. Stated that education was important.
- Group # 9 expressed a need for a cooperative approach with government entities, a need base of authority is needed.
- Group # 10 asked, "if not us who will do it?" North Dakota sacrificed in 2011, up/downstream issues need to be understood, and there is a need for a unified voice, especially to speak to the national level.
- Group # 11 drafted a list of challenges, list of reasons to act

II. WHAT are we about?

Focusing on the same future direction

Goals:

To determine where there is agreement and difference in views.

To determine long term visions (25 years and beyond) for the Missouri River.

To determine short term (next 1-5 years) vision for the Missouri River.

To begin building a list of issues with priorities.

To clarify commitment.

To help participants realize everyone has a role.

Questions:

1. What is your vision for the long term future of Missouri River in ND – 25 years from now? What would you like to see? (Prioritize: A, B, or C)
2. What is your vision for the short term future of Missouri River in ND – next 1-5 years? What can we do now? (Prioritize: A, B, or C)
3. What are the issues? (Prioritize: A, B, or C)
4. What are you willing to do to help?

Small Group Two Results:

Table 2.A: 25 Year Vision

Level	Issue	Groups
A	Flood Control,	1, 8, 10,
A	Preservation/Conservation/Protection,	1, 5, 8,
A	Water Rights on MR (agreement to protect Voting rights on Garr Dam, state control, Sovereign land: access/ATV's/Congressional Action/beaches/ESA/Industrial sites, state vs federal overreach (agreement), no fees, Revise Master Manual use it or lose it, fed govt acknowledge states' rights, less fed regs,	1, 2, 3, 5, 7, 9, 10, 11,
A	Water Supply): Supply (all 4 state), Irrigation, Industrial, (don't lose to other states, to eastern ND), Irrigation in drought, beneficial uses,	1, 4, 6, 7, 9, 10, 12,
A	Access, State control, Sovereign land: /ATV's/Congressional Action/beaches/ESA/Industrial sites,	3, 7,
A	Unified Message/stakeholders/now-future, communication-educate, advocacy program,	3, 11,
A	Lake Levels (better managed), local input into management,	4,
A	Public Access-improve/recreation areas, views, less development, river system that meets needs of people,	4, 7, 9, 12,
A	Require COE to adhere to 8 authorized uses, do a study,	6, 7, 9, 10
A	Water Quality (maintain & access), sedimentation-bank erosion,	6, 9, 12,
A	Completely different group of operation for MR	6,
B	Communication Understanding	1, 10,
B	River Lake Levels Constant	1,
B	Bank Stabilization`	1, 10,

Level	Issue	Groups
B	Sustainable water management plan on MR in ND, blended management state-federal, ND must take ownership, sustainable operating plan,	2, 3, 10,
B	Running water at sites,	3,
B	Revenue Re-Allocation	5,
B	Recreation/access/use, modify ESA,	5, 10,
B	Expand Water Use/Irr-supply-indust-comm/eliminate charges permanently,	5, 8, 10, 12,
C	Balance Multiple Uses/Non-Mining of Water,	1,
C	Water Quality	1,
C	Non-Channelization	1,
C	Sedimentation	1,
C	Flood Control with I-t drought plan	2,
C	State Prosperity Depends on Water, workable regs,	3, 8,
C	Recreation	8,

Table 2.B: 1-5 Year Vision

Level	Issue	Groups
A	Water Education (grad/college), public information,	1, 4, 7, 11, 12,
A	Promotion; Unified Voice, strong leadership, Staff and funding, MR advocacy,	1, 4, 7, 11,
A	Government (federal/state),	1,
A	ID ND Water Needs, no WOTUS, state policy on MR,	2, 9, 12,
A	Stakeholder Id,	4,
A	Water Supply, systems to meet growth demands, consumptive water uses, no fees	4, 5, 9,
A	More Access	4, 7,
A	Study for Additional Storage, I-t strategic plan, Riparian rights-high/low water, tribal rights	4, 7, 9
B	Bank Stabilization	1, 9,
B	Develop ND Master Plan on Water Usage	2, 12,
B	Revenue Re-Allocation	5,
B	Recreation/access/use, debris removal	5, 9,
B	Education	5, 12,
C	Stable River/Lake Levels	1,
C	ND MRS to formally org, promote education on MR issues: (COE, ESA, Communication)	2,
C	Inspire & Involve (people/MO)	5,

Groups 4, 6, 12 each comprised a list of issues.

III. HOW do we protect ND Missouri River interests?

Creating a leadership structure

Goals:

To determine where there is agreement for a path forward.

To determine organizational leadership.

To determine organizational structure.

Questions:

1. How do we move forward together?
2. MRB Leadership: New Board? Yes/No, Statewide? Yes/No
3. Link or Connect to/with other groups? Yes/No
4. New Organization? Yes/No
 - o Who should be included?
5. Links to current organizations/structures, or other options? Yes/No
 - o How and who?
6. Continue to use Leadership Committee? Yes/No
7. Add members to Leadership Committee? Yes/No
8. Conference to Organize—3-4 June 2015? Yes/No

Table 3: Small Group Three Results

Group	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
1	List of Pros and Cons on moving forward, new org, and linkages to Water Users							
2	Y	Y	Y	Y	Y	Y	Y	Y
3	Steiner Announcement							
4	N/A	Y	Y	Y	N/A	Y	N/A	Y
5	Y	Y	N/A	Y	N/A	Y		Y
6	Y	Y	Y	Y	Y	Y	Y	Y
7	Y	N	Y	Y	Y	Y	Y	Y
8	Y	Y	Y	Y	Y	Y		Y
9	Y	N/A	Y	Y				
10	Y	Y		Y		Y	Y	Y
11	Y	N	Y			Y		Y
12	Y	N – new org Y – new board	Y	N	Y	Y	Y	Y

NOVEMBER 20, 2014

WORKSHOP SUMMARY

As exemplified in Table 3 there were a number of suggestions for moving forward. All groups for the most part liked the idea of gathering again in June. There were ideas suggested related to the formation of a new organization. Some suggested details for an organization, structure, board, and members. Other groups listed some portions of these. There were suggestions related to links or connections to other organizations. There were a variety of suggestions in the leadership and linkage area. Some suggestions were general in nature to address statewide and more inclusive representation -- in either a new organization, the Leadership Committee, or if linkages to other organizations emerge. Some linkage suggestions were more specific related to linking to or being under the Water Users. One suggestion was related to legislation that is being proposed for the upcoming session.

There are some suggestions that models be developed by the Leadership Committee for the June meeting. Based on the feedback from the small groups at the workshop, there were at least 4 options proposed:

1. New Organization: structure, board, members, funding, stand alone, own legal status, etc.
2. New Board or Leadership from Stakeholder Groups that could become an organization or structure or link to other groups: Leadership could be from representatives of other groups and include stakeholders not already represented
3. Link to North Dakota Water Users, as umbrella, under, as task force, etc.
4. Rep. Steiner legislation option (which would become HB 1249 in the 65th Session) (see attached exhibit A)

The Leadership Committee decided it would need to have discussions on how to move forward and prepare for the June meeting. This was discussed further in the following days and weeks. As the committee was exploring whether to add to the Leadership Committee ahead of preparing for the June meeting, House Bill 1249 was introduced on January 13, 2015 (Exhibit A). Initially, the hope was that the June conference would focus on models, as well as funding, and ultimately addressing the tasks that showed up in the 25-year vision (Table 2.A, above) and the 1-5 year vision (Table 2.B, above) in the small groups.



NDMRS SPRING CONFERENCE

June 4, 2015

- 9:00 – 9:30 AM **Opening**
Welcome: Ken Royse
Accountability Report & Legislative Session Activities: Ryan Norrell
- 9:30 – 10:00 AM **Panel: How Things Work**
Moderator: Mary Massad, Manager/CEO
Pick-Sloan Authorized Purposes, Chris VandeVenter, Basin Electric, Legislative Representative
Missouri River Recovery Implementation Committee, Terry Fleck
Sedimentation, Erosion, and Bank Stabilization, Michael Gunsch, Professional Engineer
- 10:05 – 10:15 AM **Keynote Address**
Missouri River's Importance to North Dakota
Governor Dalrymple
Introduction: Ken Royse
- 10:15 – 10:30 AM **Break**
- 10:45 AM – Noon **Leadership Committee Recommendations, Path Forward:** Ken Royse
Small Group Discussions, Goals and Charge: Lance Yohe
- 12:00 – 1:00 PM **Lunch Keynote**
Missouri River Statewide Unity and Engagement
Representative Jim Schmidt
Introduction: Duane DeKrey
- 1:00 – 1:30 PM **Small Group Reports to Plenary on Recommendations:** Path Forward
- 1:30 – 2:15 PM **Small Group Discussions – Leadership Committee Recommendations (Continued)**
Lance Yohe
- 2:15 – 2:30 PM **Small Groups Report to Plenary**
- 2:30 – 2:45 PM **Break**
- 2:45 – 4:00 PM **Panel: What ND Needs**
Moderator: Wade Bachmeier, Missouri River Joint Water Board, Chairman
MR Basin, ND Challenges and Cooperation, Todd Sando, SWC, State Engineer
Cooperation, Water Supply, and Irrigation, Duane DeKrey, GDCD, General Manager
Statewide Water Community Efforts on Missouri River, Michael Dwyer, NDWUA, Executive Vice President
Big Muddy & Local Water Managers, Ken Royse, NDMRS, Chairman
- 4:00 – 4:45 PM **Small Group Discussion and Reporting**
Path Forward and Missouri River Issues: Lance Yohe
- 4:45 PM **Wrap – Up**
Lance Yohe, Ken Royse
- Social to follow**

June 4, 2015

Conference Report

The conference had speakers and small group discussion interspersed throughout the day to provide opportunities to learn and to weigh in on Leadership Committee (LC) recommendations by providing feedback on key questions to help clarify the path forward.

The conference speakers covered a number of topics to aid in small group discussions.

The small group breakouts were facilitated overall by Lance Yohe (ND MRS Sr. Advisor) with assistance from Ryan Norrell (ND MRS Executive Director). The facilitators for the small groups were:

Groups	Facilitators
1	Eric Volk
2	Duane DeKrey
3	Ken Royse
4	Mary Massad
5	Kathleen Jones
6	Wade Bachmeier
7	Pat Fridgen
8	Michael Gunsch
9	Merri Mooridian
10	Mike Ell
11	Kimberly Cook
12	Chris VandeVenter
13	Jim Collins

The small groups were set up for participants to discuss and provide feedback on the LC recommendations that were in a handout (see attached sheet) that Ken Royse (LC Chair) presented to the participants before the first small group breakout. These questions and results follow:

- 1. Do you like the LC recommendations of a new organization to be called either a ND MR Advisory Council or ND MR Leadership Group? (See Exhibit B) Yes/No**
 - Are you ok with the new organization board making the final selection on the name? Yes/No
 - Other Ideas?
 - Record the Small Group tally for their preferred name.

Table 4: Question 1 Results

Groups	Q! ND MR Advisory Council	ND MR Leadership Group	Brd Select Name	Other Names	Talley
1	No	Like the word - Leadership	Yes	ND MR Leadership Council	Unanimous
2	Yes	No	Yes	None	Unanimous
3	No	No	?	ND MR Stakeholders Group	Unanimous
4	Yes	No	Yes	No – Name should be memorable	Unanimous
5	No	Yes – add Stakeholder	Yes	ND MR Stakeholder Leadership Group	Unanimous
6	1	No	Yes	Coalition-4, Stakeholders-1	1, 4, & 1
7	Yes	No	Yes	None	Unanimous
8	Yes-3	No		ND MR Leadership Council-2	3 & 2
9	No	No	Yes	ND MR Stakeholders	Unanimous
10	Yes	No	Yes	None	Unanimous
11	No	No	Yes	ND MR Commission	Unanimous
12	Yes – add Coordination	No	Yes	Use Coordination after Advisory	Unanimous
13	Yes	No	Yes	ND MR Coalition	Unanimous

SUMMARY: The most groups liked the ND MR Advisory Council. 1 group added Coordination after Advisory. ND MR Leadership Group did not appeal to any groups. 1 group was ok with the name if Stakeholders was added before Leadership. Suggested other names: ND MR Leadership Council had some support from 2 groups. Words such as: Council, Stakeholders, Leadership, Coalition, Commission, and Coordination were added to suggested names by some groups. 11 of the groups were ok with the new board finalizing the name. The other 2 groups were not clear on this issue. Group name should be a good acronym, have a website name available and not be tied to or copy another organization name

- LC recommended names:
 - ND MR Advisory Council – Yes-5 (5 unanimous, 1 majority (3 for 2 other)
 - ND MR Leadership Group – Yes-1, No-11.
- Board make final name selection: Yes all groups – for Board to Select Final Name
- Other Names
 - 1 group ND MR Leadership Council
 - 1 group ND MR Stakeholders Group
 - 1 group if modified to ND MR Stakeholder Leadership Group
 - 1 group voted 4 to Use Coalition or 1 to Use Stakeholders
 - 1 group had 2 votes for ND MR Leadership Council
 - 1 group for ND MR Stakeholders
 - 1 group for ND MR Commission
 - 1 group ND MR Advisory Coordination Council
 - 1 group for MD MR Coalition

- 2. Do you like the LC recommendations on the board size (around 38) for the new organization (ND MR Advisory Council or ND MR Leadership Group or) (see Attached Exhibit B)? Yes/No**
- a. Or should it be a much smaller group? (10-15)
 - i. If a smaller group should the Governor appoint? Yes/No
 - b. If a smaller group, what size would be ideal?

Table 5: Question 2 Results

Groups	Q2 LC Recommended Size	Smaller	If So What Size	Governor Appoint
1	Yes	No – but Use smaller for EC structure	EC 5-10	No
2	Yes	No – goal to inclusive, keep large	20 Ideal – but group doesn't want smaller	No
3	Yes	No – want to be able to add		N/A
4	Yes	No – but with EC or smaller Leadership Committee	EC of 8-10 (7-9 for voting)-Auth Uses	No-4, Yes-2
5	Yes	No – but with EC of smaller size		No
6	Yes-1, No- 5	Yes – size varied	10-15 – 3 votes, 5-9 – 1 vote, 10 – 1 vote	No-5, Yes-1
7	No	Too Big, smaller is easier to manage, Consolidate 1 & 2 lists	EC could be way to trim down	No
8	Yes	No – but have smaller EC	10-15 EC	No
9	Yes	No – but EC smaller core group	No recommendation on size	No
10	Yes	Do more with smaller – but who do you take off – keep it large	Membership related to use of water	No
11	Yes-5, No-1	Yes-1, No-5	Represent larger group with committees	No
12	Yes	No, but with smaller EC (with voting rights)	No rec on size	No
13	Yes	No –but with EC and Working Groups	Issue drive for working groups	No

SUMMARY: The larger board recommended by the LC (See Attached Exhibit B) was consensus choice by participants to be inclusive and therefore large, with a smaller Executive Committee. Some groups want small committees as working groups on issues. Participants did not want board members appointed by the Governor.

- LC recommended size: Yes-11 groups for LC recommended size: 10 groups unanimous, 1 group Yes-5, No-1. No-2 groups for LC recommended size: (1 groups unanimous, 1 group Yes-1, No-5).
- Smaller size: Smaller comments related to: larger board to be more inclusive, being able to add more, and who would be removed. Smaller Executive Committee recommended by 8 groups. Size recommendations for EC 5-15 with odd number. 1 group liked a 20 member board as ideal size but kept it larger to be inclusive. 1 suggestion to combine list B1 & B2 on LC recommended board members to get the board smaller.
- Governor appointed: No-11 groups for Governor appointed. 2 other groups Yes-1, No-5 and Yes-2, No-4 to Governor appointed. 1 group said the issue is N/A. Group 4 said if the governor appoints the members, it would really mean something, which could have its own implications on both sides of this answer (yes or no).

3. Do you like the LC recommendation of that the board for the new organization (ND MR Advisory Council or ND MR Leadership Group or?) be composed of state wide stakeholders? Yes/No

- a. If No, what other options should be considered?

4. If we follow the LC recommendations, do you like the concept of voting board members for the new organization (ND MR Advisory Council or ND MR Leadership Group) representing stakeholders on specific issues (loosely based on the authorized purposes, see B.2 on Attached Exhibit B) Yes/No

- a. Are there any additional?
- b. Should we leave the process for board membership to the new board? Yes/No
- c. Other Ideas?

Table 6: Questions 3-4 Results:

Groups	Q3 State Wide Stakeholders	Other Options	Q4 Stakeholders of Org/Groups	Additional Org/Groups	Leave Appointment Process to Board	Other Ideas
1	Yes	None	Yes	None	No	Self-Appointed
2	Yes	None	Yes	None	Yes	
3	Yes	None	Yes	Soil Conservation Districts Cons/Env spot, but no specific group NW Area Landowner Assn	Yes	
4	Yes	None	Yes	B-1 could be classified as categories in B-2 with B-2 as voting	Yes	
5	5- Yes, 1- No	None	Yes	None	Yes	Use 2 on B-1 for EC Replace h with SWC
6	Yes	None	Yes	None	Yes	Need EC – elected B-1 represents B-2 (not needed)
7	Yes	None	Yes	Who Is ND Adjacent Landowners?	Yes Groups Self-Appnt	Process needs to be open for all to participate and raise questions at mtgs.
8	Yes	None	Yes	Sport Fishing Congress Cons/Env Groups	Yes	
9	Yes	None	Yes	None	Yes	Agencies don't vote

Groups	State Wide Stakeholders	Other Options	Stakeholders of Org/Groups	Additional Org/Groups	Leave Appointment Process to Board	Other Ideas
10	Yes	None	Yes	Recreation Retailers Tourism Industry/Tourism at-large Maybe Hydropower on B-1		
11	Yes	None	Yes	None	Yes	Self-Appointed final ok by Board
12	Yes	None	Yes - Avoid duplication c, d, e, g, h, i, j, k, n, o, p, q, s, u, v, & w should be the executive committee a, b, f, l, m, r, & t should be ex-officio	None	Yes	The council should appoint an executive committee of around 15 people that mirrors the items under B2
13	Yes	None	Yes	Fish/Wildlife Soil Conservation Districts	Yes	

SUMMARY: The organizations should be state wide. The LC recommendation list for organizations or groups seems fairly complete and acceptable. Self-appointments by organizations or groups on the list had the most support with the board clarifying the process in the future. Several suggested new organizations or groups: ND SCD's, tourism, fishing/wildlife, and Cons/Env org that could be added to B-1 (See Attached Exhibit B) list of org/groups for board positions.

- Statewide: Yes-13 groups voted for statewide approach (12 groups unanimous, 1 group Yes-5, No-1).
- Organizations of Groups List: Yes-13 groups agreed with basic LC list recommendations on organizations or groups. 1 group clarified roles on the B-1 list.
- Additional Groups: Suggestions of additional organizations or groups to add for board consideration: ND Soil Conservation District-2, Conservation or Environmental group-2, NW Area Landowners Ass'n-1, Sport Fishing Congress (fish/wildlife)-2, Recreation retailers, Tourism-1, and maybe hydropower to B-1; prior to the Conference, Ducks Unlimited and North Dakota Resources Trust were proposed as additional members.
- Appointments process for board to determine: Yes-12 (1 group indicated use self-appointments process). No-1 (use self-appointment).
- Other: self-appointed-2 other groups, comments on B-2 list: incorporate into B-1, use B-2 to guide EC selection

5. If we follow the LC recommendations, do you like the concept of voting board members for the new organization (ND MR Advisory Council or ND MR Leadership Group) representing stakeholders of tribes, see B.2 on Attached Exhibit B) ? Yes/No

- Are there any additional issues that should be represented?
- Should we leave the process for board membership to the new board? Yes/No
- Other ideas.

6. If we follow the LC recommendations, do you like the concept of non-voting/ex-officio board members for the new organization (ND MR Advisory Council or ND MR Leadership Group) representing stakeholders of state agencies or state elected (See B.3 on Attached Exhibit B)? Yes/No
- Are there any additional tribes?
 - Should we leave the process for board membership to the new board? Yes/No
 - Other ideas?
7. If we follow the LC recommendations, do you like the concept of non-voting/ex-officio board members for the new organization (ND MR Advisory Council or ND MR Leadership Group or?) representing stakeholders of state agencies or state elected (See B.4 on Attached Exhibit B)? Yes/No
- Are there any additional that should be added to the list?
 - Other ideas?
8. Should the new organization (ND MR Advisory Council or ND MR Leadership Group or?) welcome federal agency/elected to attend board meetings and participate as needed but with no voting rights? Yes/No
- Other Ideas?

Table 7: Questions 5-8 Results

Groups	Q5 Stake on Issue	Additional	Appoint Process to Board	Other Ideas	Q6 Tribes	Additional	Q7 State Agency Elected Ex-officio, non-voting	Additional	Q8 Federal attend participate with non-voting
1	Yes	None	Yes	None	Yes	Trenton	Yes	Through Chair of MR	Yes, esp. Sen/House
2	No	None	N/A	Move some B-2 to B-1	Yes	Include all:	Yes	EMO, ND DOT	Yes
3	No	None	No – too difficult to id indiv on issues	Roll B-2 into B-1	Yes	Spirit Lake Turtle Mtn	Yes	ND SCD	No
4	Yes	Water Law, Media, Chambers, Tourism, PR/ Marketing Public Outreach	Yes	Application Process	Yes	All Tribes	Yes	All regulatory and financial depts.	Yes
5	Yes	None		B-2 be EC	Yes	Trenton Indian Service Area- invite	Yes	None	Yes
6	Yes	None	Yes	None	Yes	No	Yes-5, No-1	None	Yes

Groups	Q5 Stake on Issue	Additional	Appoint Process to Board	Other Ideas	Q6 Tribes	Additional	Q7 State Agency Elected Ex-officio, non-voting	Additional	Q8 Federal attend participate with non-voting
7	No	None	N/A	Roll B-2 into B-1	Yes				
8	Yes	Cons/Env Groups	Yes	None	Yes	Trenton-Invite	Yes	ND-DOT	Yes
9	Yes	Bank Erosion Sedimentation	Yes	None	Yes	MR Tribes only-others non-voting	Yes	None, but if they have MR concerns ok	Yes, esp. delegation
10	No	N/A	N/A	Roll B-2 into B-1	Yes	None	Yes	Advisory, Technical, if on Brd they vote	Yes
11	Yes	River Transport	Yes	Strengthen Invest in Auth Purposes	Yes	Trenton Indian Services	Yes	Attorney General	Yes, ND Cong Del,
12	No	Cultural & Historical Preservation			Yes		Yes	invited to attend and brief the council as needed	Yes
13	Yes	Cultural Res-Any Culture	Yes	Application Process	Yes	None	Yes	State Leg reps-Maj/Min	Yes

SUMMARY: There was majority agreement to have board members added representing issues. Several good comments for the board to consider on additions and about incorporating B-2 stakeholders on issues into B-1 list somehow. There was unanimous agreement to include and invite tribes on LC recommendations, with consideration to invite all tribes in state with some being non-voting. There was unanimous agreement on LC recommendation regarding state agencies/elected to invite them as ex-officio, non-voting. There was almost unanimous agreement on federal agencies/elected to invite them to join the meetings as non-voting.

- Stakeholders on Issues: Yes-8, No-5. All 5 groups voting No felt that B-2 could be combined into B-1 somehow.
 - o Other Issues to Consider: water law, media, chambers, tourism, PR-marketing, conservation/environmental, bank erosion/sedimentation, river transport, and cultural/historical preservation.
 - o Final appointment process by board: Yes-7, those groups voting No on Issue representation on board indicated this question is N/A or too difficult to do.
 - o Group 12 expressed B-2 organizations will already serve on the council, but should not have a separate council member.
 - o B-2 framework for Executive Council

- Tribes: Unanimous Yes-13.
 - o Additions: 9 groups wanted to increase the list and add tribes—some as voting as some as non-voting.
 - o Group 12 stated Standing Rock, MHA, and Spirit Lake should be invited as voting members. Turtle Mountain, Sisseton, Tribal Historic Preservation Officers and tribal natural resource officers should be invited as ex-officio. • State agency/elected: Yes-13, all groups voted to include state agency and elected, 1 group voted Yes-5, No-1.
 - o Additions: The following suggestions for board consideration: ND SCD, ND DOT, EMO, Att. Gen., Legislator's and all fiscal/regulatory agencies.
- Federal agency/elected: Yes-12, No-1 as recommended by the LC.
 - o Group 12 stated that Federal agencies should be invited to meetings. The public at large should be included as well.

9. Do you like the LC Recommendations on MRC to be chaired by the SWC Engineer? Yes/No

a. If not, who should chair?

10. Do you like the LC recommendation that stakeholder groups be contacted by the LC (project team) a with the goal of receiving board names by June 30th, so the chair can call the first meeting as soon as possible thereafter? Yes/No

11. Do you like the LC recommendations that the new board carry out the following:

- a. Chair appoint nominating committee. Yes/No
- b. Nominating Committee select Executive Committee members that the board votes on. Yes/No
- c. The new board determine the “Path Forward” from here on, to include all actions for a new organization: funding, budget, staff needs, office, organizational documents, workplan, and etc. Yes/No

Table 8: Questions 9-11 Results

Groups	Q9 Chair, SWC State Engineer	Other Options	Q10 Board Names By June 30	Q11 Board Actions: Chair Appt Nom Com	Board Actions: Nom Com select EC, that Board votes on	Board Actions: new Board determine Path Forward
1	Yes – No equal split	None	Yes	Yes	Yes	Yes
2	Yes – until new board – then re-look at it	None	Yes, but could take longer	Yes	Yes	Yes
3	Yes-2, No-4, maybe for interim SWC Chr	None	Yes, timeline may be issue	Yes	Yes	Yes
4	Yes-1, No-6	Board Select	Yes-6, No-1 – Maybe July 15, keep it moving	Yes	No, full board, unless SWC is interim chair	Yes
5	Yes, at least to begin	None	Yes, if possible	No	No – Use B-2	Yes
6	Yes-1, No-5	Brd elect Chr	Yes	Yes	Yes	Yes
7	Yes	None	Yes, if possible	No – wait let board decide, Use B-2 to guide	No – wait let board decide, Use B-2 to guide	Yes
8	Yes, facilitate board formation process	None	Yes, meeting asap	Yes	Yes, with additional floor nominations	Yes, once board is set
9	Yes-2, No-2, 1 abstain, 2-other	Brd Select, SWC maybe interim Chr, St Eng. busy MR important	Yes	Yes, once board is set	Yes, once board is set	Yes
10	No-worried about conflict issues if stakeholders take position	Chr from Org	Yes, but Sept 30 may be more realistic	Yes	Yes	Yes, use EC

Groups	Chair, SWC State Engineer	Other Options	Board Names By June 30	Board Actions: Chair Appt Nom Com	Board Actions: Nom Com select EC, that Board votes on	Board Actions: new Board determine Path Forward
11	Yes	Gov. or Board Appointed	Yes, if possible	Yes	Yes, as long as Board has final vote	No, EC does draft and Board final vote
12	No	Elected from Stakeholders (Board)	Yes, if possible	No nominating committee. LC should solicit the new stakeholders for members.	No, EC should come from stakeholders (Board).	Yes
13	Yes-short term	Elected by Board long term	Yes	Yes	Yes, final vote by Board	Yes

SUMMARY: Participants were not uniform in the path forward related to the Chair position. The SWC State Engineer had the most support for being Chair – at least in the interim to call the first board meeting and until the board makes its own determination about the Chair. All groups liked the June 30 goal of getting board members, but many groups expressed concern over this being too short of a timeline, and adjustments were likely to be necessary to get the new organization and board in place and operating. There was a lot of support for a longer timeline if needed, as long as momentum wasn't lost. Most of the groups liked the Chair picking the nominating committee who would nominate board members for the executive committee, but this process should be implemented when the new board is operational so that the board can have final say in the executive committee membership. All groups liked the board developing the organization details.

- State Engineer Chair:
 - o Yes-6 (3 groups of the Yes were for interim, short term, or until board can make other decision regarding the Chair).
 - o No-5. (2 groups were unanimous No and 3 groups had mostly No votes, but some Yes votes. 1 group Yes-2, No-4. 1 group Yes-1, No-6. 1 group Yes-1, No-5).
 - o 1 group equally split Yes/No.
 - o 1 group Yes-2, No-2, Abstain-1, Other-2.
- 7 groups indicated the board should have a role in selecting the Chair the others had no feedback.
- All groups liked the June 30 goal for board names, but 9 groups realized the timeline may be too short and should be extended to make things work.
- 10 groups liked the chair selecting a nominating committee.
- 9 groups liked the nominating committee selecting the executive committee—(7 wanted to be sure the board elects the executive committee). 2 groups thought the board should use the B-2 list to guide executive committee selection.
- All groups want the board to set all direction for the organization. 1 group begins the process with the EC.
- Group 4 felt included in the “path forward” (Question 11.c) should be the goals and the mission statement

12. The LC is recommending the following “Path Forward” option.

- a. A totally new stand-alone organization.
 - i. Housing the new organization at the SWC, for an interim time.
- b. Others Ideas?

13. Would you be comfortable with any of these options (if new ones are suggested), depending on how the new board determines the best path forward? Yes/No

14. Do you like the LC recommendation that the current LC prepare a combined workshop and conference report, communicate with stakeholder groups regarding board positions, and continue to function until the new board is in place (June 30th). Yes/No

Table 9: Questions 12-14 Results

Group s	Q12 LC Rec: Stand-alone Org	Housed at SWC - interim	Other Options	Q13 Ok with new Board selecting best path forward	Q14 LC prepare Final Report, Continue to function - interim
1	Yes	New Brd decide, maybe with another group	None	Yes	Yes
2	Yes-3, No-2	Yes	New Org should decide own administration, 1-at WU	Yes	Yes, Report to all participants
3	Yes	Yes-2, No-4, org evolves after year to non SWC led	Separate from WU & SWC, who funds, 1 vote for WU	Yes	Yes
4	Yes	No-SWC, but maybe not ready yet	Maybe-WU	Yes	Yes
5	Yes	Yes, mtg support from SWC	None	Yes	Yes
6	Yes	Not run by SWC, local buy-in, interim No-5, Yes-1	Brd decide, like minded org	Yes	Yes
7	Yes	Yes	1 vote WU	Yes, only if other options emerge	Yes, Rpt. 1 st to MRJWRDB
8	Yes 501-c-3	Yes, transition by June 30, 2017	1 vote WU	Yes	Yes, Rpt. To MRJWRDB
9	Yes	Yes, interim	1 vote WU	Yes	Yes
10	Yes	No- conflict potential	Maybe WU, any place is conflict, address only, where is \$ coming from – Red River of Devil Lake models	Yes, depends on funding	Yes
11	Yes	Yes, until more organized	None	Yes if 12 is followed	Yes

Groups	LC Rec: Stand-alone Org	Housed at SWC - interim	Other Options	Ok with new Board selecting best path forward	LC prepare Final Report, Continue to function - interim
12	Yes	No. What funding source will be used	Is it possible to extend the contract for 30-45 days for a transition period? Is there any money left over? If not would need to seek approval prior to June 30.	Yes	Yes. Would it be prudent in the report to recommend a contract extension for transition purposes?
13	Yes	Yes, Short term	Maybe can stay at WU, but there is still an appearance issue	Yes	Yes

SUMMARY: All groups and all participants (but 2) want the new organization to be a stand-alone organization. A majority of groups and participants were ok with the new organization being housed at the SWC, at least for an interim time until the new organizational board could weigh in on the location. All groups were ok with the new board making final selections on type, location, etc. of the new organization. All groups were ok with the LC staying in place to finalize the report (as called for by the contract ending June 30, 2015). There was a request for the report to be sent to all participants. Participants were also ok for the most part with the LC staying in place as needed to assist in the transition, which will shift to the SWC. (Footnote: If the SWC needs assistance from the LC that assistance would likely be forthcoming).

- Stand Alone: Yes-12, (1 group Yes-3, No-2).
- Housed at SWC: Yes-7 (4 of these wanted this to be short term or until board can make other decisions); No-5 (of these 5 groups 2 groups had mixed vote: 1 group Yes-1, No-5; 1 group Yes-2, No-4); 1 group wanted to leave the decision entirely to the new board.
- Only other suggestion for location was WU: 5 individual votes for WU, 3 groups suggested maybe WU. 1 group wanted location with a like-minded organization.
- All groups were comfortable with the board selecting the best path forward.
- All groups were comfortable with the LC report and transition efforts.

1. **Do you like the idea of annual MR summit conference of some sort? Yes/No This was brought up during the plenary session and the feedback was positive, with the general consensus to delegate this to the new organizational board.**

- a. If yes, what would you like the conference to accomplish/cover? There was no conference discussion on this. The workshop report on issues was referenced as a place to begin.

Conference Summary

A majority of the small groups at the June Conference liked the North Dakota Missouri River Advisory Council as the potential name. Though a couple variations on the name and other suggestions were provided, almost all of the groups were comfortable with the new board, once established, finalizing the name.

The conference participants agreed by consensus that in order to be inclusive, the new organization needed a large board. Some groups suggested establishing working groups on issues and most participants did not want board members appointed by the Governor.

There was almost unanimous consensus by conference participants that the organization should be state-wide and that the organization be comprised of the suggested list of stakeholders groups in Exhibit B. Participants requested that the new board consider adding ND Soil Conservation Districts, tourism, fishing/wildlife and conservation/environmental representatives to the board. The consensus among conference participants was that self-appointments by the Stakeholder groups in Exhibit B was best way to determine membership. It was suggested that the new board clarifies the appointment process in the future.

The majority of small groups consented to have board members added representing specific issues (Part B.2 of Exhibit B). Participants provided several good comments for the board to consider on additions and about incorporating issue stakeholders into organization or group stakeholders, which are included in the above tables. There was consensus that the board establish the selection or appointment process for Section B.2 board members. There was unanimous agreement to include and invite tribes with consideration to invite all tribes in state with some tribes, specifically those not on the River, being non-voting members. Standing Rock and Three Affiliated Tribes would be invited as voting members. As to whether to invite state agencies or elected officials as ex-officio, non-voting members of the new organization, the conference participants were unanimous in support. There was also near-unanimous agreement to invite federal agencies and elected officials to join the meetings as non-voting members

Participants were not uniform in the path forward related to the chair position. Though the SWC State Engineer had the most support for being chair – at least during the transition of leadership and to call the first board meeting -most participants thought the board should make its own determination about the permanent chair. All groups liked the June 30th goal for board member appointments, if the timeline can be met, or as soon as possible so that momentum is not lost. Most small groups agreed that the appropriate process to select an executive committee was for the Chair to appoint a nominating committee after the new board is in place, and the nominating committee presenting names for executive committee members to the new board, who will approve the final executive committee. All groups liked the idea of the new board developing all the organization details: mission, vision, by-laws, articles, procedures, workplan, funding and related items.

Near-unanimous consensus was reached on the issue of the new organization existing as a stand-alone organization. A majority of groups and participants were comfortable with the new organization being housed at the State Water Commission, at least for an interim time until the new board could weigh in on the permanent location. It was agreed unanimously that the new board should make the final selections regarding type of organization, location, and related details for the new organization. The conference participants reached unanimous consensus that the Leadership Committee should stay in place to finalize the report (as called for by the contract ending June 30, 2015) and should assist, as needed, in the transition of leadership to the State Engineer and, subsequently, the new board. Conference participants requested that the final report be sent to all participants.

Endnote: If the State Water Commission needs assistance from the Leadership Committee during and after transition, that assistance would be forthcoming.

Final Recommendation

It is clear that the Missouri River Stakeholders is important to North Dakota, can add value to the State, and the effort needs to continue. The immediate challenges facing the organization moving forward are organizational and financial.

In regards to the organizational challenges, the Leadership Committee recommends that the Missouri River Joint Board (MRJB) coordinate with the State Engineer to call a meeting of the Stakeholder organizations listed in item B.1 of Exhibit B (B.1 Stakeholders) to form a new stakeholder board and to move this effort forward. This meeting should be held as early as practicably possible, possibly in July 2015.

The Leadership Committee recommends that the State Engineer serve as the Chairman of the organization, at least on an interim basis and to leave the duration of the State Engineer's chairmanship in the discretion of the new stakeholder board. We further recommend that each of the B.1 Stakeholders submit names to the State Engineer of members willing to serve as delegates or alternate delegates on the new stakeholder board. At the July 2015 meeting, or shortly after, the B.1 Stakeholders may determine the legal structure of the board, whether a coalition or council, a 501(c)(3) or 501(c)(6) organization. The Stakeholders project team has prepared the documents for formation of a legal entity and will turn those over to the MRJB.

The July meeting should also seek to appoint an executive committee of a handful of members to help move the effort forward. The Leadership Committee would recommend an executive committee of B.1 Stakeholders members roughly based on the issues enumerated in item B.2 of Exhibit B.

In regards to financial challenges, a recurring concern amongst individual stakeholders was having to pay for another membership organization, however some did indicate that they would be willing to "pitch in" to help fund this effort going forward. At the June Conference it was expressed that if the B.1 Stakeholders were willing to dedicate funds to support this effort, the State Water Commission may be likely to assist funding this effort. Therefore the Leadership Committee recommends approaching the B.1 Stakeholders at the July meeting and seeing if any are willing to help fund this effort going forward and then approach the State Water Commission for funding.

The amount of funding needed will be dictated by the scope of work the B.1 Stakeholders would like see accomplished. We recommend the B.1 Stakeholders use Exhibit C to prioritize goals and action items and establish a work plan for potential staff, volunteers and members. The Project Team has prepared a draft work plan that could be used as a starting point for the new stakeholder board, and will submit that to the MRJB.

Should the B.1 Stakeholders decide on full-time staffing, funding would need to support an executive director, administrative support, equipment, and rent, among other items. The June Conference attendees expressed an openness to housing this effort within the State Water Commission, but the Leadership Committee stresses that such an arrangement would need to be temporary and a separate office and location should be obtained.

The Leadership Committee recommends staffing the effort with non-State Water Commission employees so as not to tax an already overworked SWC Staff. The Project Team has prepared a sample budget to be used in planning for the funding of this effort and will submit the same to the MRJB.

Ultimately the Leadership Committee recommends moving forward with this effort in a timely manner. The Stakeholders are engaged and ready to establish a statewide, inclusive, long-term, and sustainable Missouri River organization dedicated to promoting and protecting North Dakota's interests.

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED HOUSE BILL NO. 1249**

Introduced by

Representatives Steiner, Carlson, Delzer, Hofstad, Onstad

Senators Schneider, Wardner

1 A BILL for an Act to create and enact chapter 61-42 of the North Dakota Century Code, relating
2 to the creation of the Missouri River advisory council.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Chapter 61-42 of the North Dakota Century Code is created and enacted as
5 follows:

6 **61-42-01. Missouri River advisory council - Generally.**

7 The Missouri River comprises the vast majority of surface water flow in the state and
8 provides the water supply for people, industry, irrigation, agriculture, energy, fish and wildlife,
9 and recreational opportunities. A Missouri River advisory council is established to coordinate
10 communication among stakeholders regarding the use and management of the Missouri River,
11 and to advise the governor and legislative assembly on issues concerning the Missouri River. A
12 member or employee of the council may not represent to any person that the council has the
13 authority to negotiate on behalf of the state.

14 **61-42-02. Members - Terms - Expenses.**

15 1. The following voting stakeholder members of the council must be appointed by the
16 governor:

- 17 a. A representative of agriculture;
- 18 b. A representative of cities;
- 19 c. A representative of energy interests;
- 20 d. A representative of environment or natural resource conservation issues,
21 including fish and wildlife;
- 22 e. A representative of the Garrison Diversion Conservancy District;
- 23 f. A representative of irrigation;

- 1 g. A representative of the Missouri River Joint Water Board to represent counties
2 along the free flowing reach of the Missouri River, counties bordering Lake
3 Sakakawea, and counties bordering Lake Oahe;
- 4 h. A representative of recreation interests;
- 5 i. A representative of water supply;
- 6 j. One at-large representative; and
- 7 k. The governor's designee.
- 8 2. The governor shall invite the following to join the council as voting members:
- 9 a. The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation, or
10 designee; and
- 11 b. The chairman of the Standing Rock Sioux Tribe, or designee.
- 12 3. The chairman of the legislative management shall appoint to the council as voting
13 members three legislative members to include at least one member of the minority
14 party.
- 15 4. All appointed members shall serve for a term of four years or until their successors are
16 appointed and qualified. Terms expire on the first day of July. The terms of appointed
17 members must be staggered so that the expiration of terms is evenly distributed.
18 Appointed members may be reappointed for one additional term and serve at the
19 pleasure of the governor.
- 20 5. The governor or the governor's designee is chairman of the council.
- 21 6. Except for the members appointed by the chairman of the legislative management,
22 members of the council are entitled to receive mileage and expenses at the rates and
23 under the terms as provided by law for state employees. Except for the members
24 appointed by the chairman of the legislative management, the state water commission
25 shall pay the expenses of council members. The legislative council shall pay the
26 compensation and expense reimbursement for the legislative members.
- 27 7. The state water commission shall provide staffing and support services to the council.
- 28 **61-42-03. Duties - Report to legislative assembly.**
- 29 1. The council shall hold meetings at least twice per year, or as often as the chairman
30 deems necessary. The meetings must be open to the public and provide an
31 opportunity for the public to present issues or concerns to the council. The council

- 1 shall provide the governor and legislative assembly with recommendations related to
2 issues needing to be studied or addressed and relating to the protection and use of
3 the Missouri River and operations of the reservoirs. The council shall gather input to
4 build consensus, collaboration, and partnership opportunities to promote and advocate
5 for North Dakota and its stakeholders' rights and interests in the Missouri River.
- 6 2. The appointed representatives shall work to understand and represent grassroots
7 efforts being undertaken by organizations and individuals.
- 8 3. Any recommendations developed by the council must receive support from nine voting
9 members before submission to the governor or legislative assembly.
- 10 4. The council may establish working groups and collaborate with organizations to make
11 recommendations to accomplish its objectives to fairly represent all interests of North
12 Dakota and stakeholders in the Missouri River. This includes the eight authorized
13 purposes identified in the Flood Control Act of 1944 and implemented by the United
14 States army corps of engineers in its master manual, along with erosion and
15 sedimentation, the management of federal lands, and any other existing or potentially
16 beneficial uses.
- 17 5. The council shall report accomplishments, ongoing activities, and recommendations to
18 the legislative assembly.

- A. A (council)(coalition) shall be created to support, protect, and advocate North Dakota's interests in the Missouri River. The State Engineer shall chair the (council)(coalition).
- B. Members.
1. The following stakeholder organizations may each have a representative on the (council)(coalition).
 - a. The friends of Lake Sakakawea;
 - b. The voices of Lake Oahe;
 - c. The garrison diversion conservancy district;
 - d. The southwest water authority;
 - e. The western area water authority;
 - f. The Lake Aggasiz water authority;
 - g. The northwest area water supply advisory committee;
 - h. The North Dakota irrigation association;
 - i. The North Dakota water users association;
 - j. The North Dakota rural water systems association;
 - k. The North Dakota ag coalition;
 - l. The North Dakota petroleum council;
 - m. The lignite energy council;
 - n. The North Dakota league of cities;
 - o. The North Dakota Association of Counties;
 - p. Five representatives from counties. representing Lake Sakakawea, Lake Oahe, and the free flowing reach of the Missouri River below Garrison Dam;
 - q. The North Dakota water resource districts association;
 - r. The Missouri River adjacent landowners association;
 - s. The North Dakota association of rural electric cooperatives;
 - t. The North Dakota recreation and park association;
 - u. The Independent Water Providers;
 - v. Missouri River Joint Water Resource Board;
 - w. An at large, appointed by the State Engineer.
 2. Additional representatives of the (council)(coalition) may include:
 - a. A representative of flood control;
 - b. A representative of hydropower;
 - c. A representative of water quality;
 - d. A representative of fish and wildlife;
 - e. A representative of water supply;
 - f. A representative of irrigation;
 - g. A representative of recreation;
 - h. A representative of thermal electricity generators on the river;
 - i. A representative of conservation or environmental concerns.
 3. Additional members of the (council)(coalition) may include:
 - a. The chairman of the Three Affiliated Tribes of the Fort Berthold Reservation, or designee;
 - b. The chairman of the Standing Rock Sioux Tribe, or designee.
 4. The following agencies may be represented on the (council)(coalition):
 - a. The director of the game and fish department, or designee;
 - b. The director of the parks and recreation department, or designee;
 - c. The state engineer's designee;
 - d. The state health officer, or designee;
 - e. The commissioner of the department of commerce, or designee;
 - f. The director of the Indian affairs commission, or designee;
 - g. The commissioner of the department of trust lands, or designee;
 - h. The director of the oil and gas division, or designee; and
 - i. The commissioner of the department of agriculture, or designee.
 - j. State Historical Preservation office, or designee;
 - k. The Governor, or designee.
 5. Representative(s) of the North Dakota Legislative Assembly may be included.

NDMRS Workshop Issue Small Group Summary November 20, 2014

RESULTS:

25 Year Vision

		Groups
A	Flood Control	1, 8, 10
A	Preservation/Conservation/Protection	1, 5, 8
A	Water Rights on MR (agreement to protect Voting rights on Garr Dam, state control, Sovereign land: access/ATV's/Congressional Action/beaches/ESA/Industrial sites, state vs federal overreach (agreement), no fees, Revise Master Manual use it or lose it, fed govt acknowledge states' rights, less fed regs	1, 2, 3, 5, 7, 9, 10, 11
A	Water Supply): Supply (all 4 state), Irrigation, Industrial, (don't lose to other states, to eastern ND), Irrigation in drought, beneficial uses	1, 4, 6, 7, 9, 10, 12
A	Access, State control, Sovereign land: /ATV's/Congressional Action/beaches/ESA/Industrial sites	3, 7
A	Unified Message/stakeholders/now-future, communication-educate, advocacy program	3, 11
A	Lake Levels (better managed), local input into management	4
A	Public Access-improve/recreation areas, views, less development, river system that meets needs of people	4, 7, 9, 12
A	Require COE to adhere to 8 authorized uses, do a study	6, 7, 9, 10
A	Water Quality (maintain & access), sedimentation-bank erosion	6, 9, 12
A	Completely different group of operation for MR	6
B	Communication Understanding	1, 10
B	River Lake Levels Constant	1
B	Bank Stabilization	1, 10
B	Sustainable water management plan on MR in ND, blended management state-federal, ND must take ownership, sustainable operating plan	2, 3, 10
B	Running water at sites	3
B	Revenue Re-Allocation	5
B	Recreation/access/use, modify ESA	5, 10
B	Expand Water Use/Irr-supply-indust-comm/eliminate charges permanently	5, 8, 10, 12
C	Balance Multiple Uses/Non-Mining of Water	1
C	Water Quality	1
C	Non-Channelization	1
C	Sedimentation	1
C	Flood Control with I-t drought plan	2
C	State Prosperity Depends on Water, workable regs	3, 8
C	Recreation	8

1-5 Year Vision

		Groups
A	Water Education (grad/college), public information,	1, 4, 7, 11, 12
A	Promotion; Unified Voice, strong leadership, Staff and funding, MR advocacy	1, 4, 7, 11
A	Government (federal/state)	1
A	ID ND Water Needs, no WOTUS, state policy on MR	2, 9, 12
A	Stakeholder ID	4
A	Water Supply, systems to meet growth demands, consumptive water uses, no fees	4, 5, 9
A	More Access	4, 7
A	Study for Additional Storage, I-t strategic plan, Riparian rights-high/low water, tribal rights	4, 7, 9
B	Bank Stabilization	1, 9
B	Develop ND Master Plan on Water Usage	2, 12
B	Revenue Re-Allocation	5
B	Recreation/access/use, debris removal	5, 9
B	Education	5, 12
C	Stable River/Lake Levels	1
C	ND MRS to formally org, promote education on MR issues (COE, ESA, Communication)	2
C	Inspire & Involve (people/MO)	5
B	Expand Water Use/Irr-supply-indust-comm/eliminate charges permanently	5, 8, 10, 12
C	Balance Multiple Uses/Non-Mining of Water	1
C	Water Quality	1
C	Non-Channelization	1
C	Sedimentation	1
C	Flood Control with I-t drought plan	2
C	State Prosperity Depends on Water, workable regs	3, 8
C	Recreation	8

