

# FY 23

ANNUAL REPORT

# CONTENTS

MRRIC's Year in Review.....	2
2023 Consensus Recommendations.....	7
Meetings & Activities.....	10
Work Group Activities.....	13
Fiscal Year Financials.....	19
Origins of MRRIC.....	20
About MRRIC.....	21
MRRIC Members.....	22
In Memoriam.....	26
Committee Chairs.....	27
Contact MRRIC.....	27

# MRRIC'S YEAR IN REVIEW

The **Missouri River Recovery Implementation Committee** (MRRIC or the Committee) will celebrate its fifteenth anniversary at the end of 2023. It is hard to exaggerate the historic context, geographic scale, scientific complexity, importance of the issues, and diversity of views on those issues on which MRRIC is charged to provide guidance.

Looking back at responses to the self-assessment survey over the years, members have highlighted many accomplishments, among them that:



- MRRIC has been an important venue for advocating for a strong scientific foundation for species recovery actions on the Missouri River. One of MRRIC's first recommendations was the need to establish an Independent Science Advisory Panel (ISAP), which has played a critical role as a trusted resource in the Missouri River Recovery Program (MRRP).
- The development of the MRRP Science and Adaptive Management Plan (SAMP) was a major focus for the Committee for many years, which provided the basis for those affected by the emerging management plan to understand the rationale for different management actions and to provide input to MRRP on ways different options under consideration might affect those in the Basin.
- Over the years, MRRIC also has been a forum for members representing diverse interests in the Basin to talk with one another, as well as to enhance mutual understanding and to build trust. One member emphasized that the "importance of getting everyone to the table" for dialogue should not be underestimated. This has provided the foundation for finding areas of common ground. MRRIC provided input in early years on the Intake Bypass, which opened this year and saw passage of over 20 pallid sturgeon. This has led in recent years to formal consensus on ways to move forward to implement portions of the MRRP that have been controversial for a long time, including recommendations in 2022 for Interception Rearing Complex (IRC) locations that will be constructed in 2024 and, most recently, concerning the Bank Stabilization and Navigation Program (BSNP) Fish and Wildlife (F&W) Mitigation Project described below.



- MRRIC's support for sound science has continued over the years, and the MRRP's investments in monitoring, modeling, and basic research has advanced understanding about the listed species and contributes to decisions about effective management actions through the adaptive management process. This is evident in the intensive monitoring and modeling of "areas of enhanced capture" for pallid sturgeon which will inform upcoming decisions about possible alternatives to the IRC management action, as well as in the improvements to sampling in the river and the genetics work that follows which has contributed to finding larval pallid sturgeon downstream from Gavins Point Dam. Research by US Geological Survey (USGS) scientists also has contributed to a new understanding of movement by piping plovers between nesting habitats on and off the river, which now is being incorporated into the modeling that informs management decisions for the birds.



- MRRIC members representing Tribal nations have expressed their concerns over the years about impacts on cultural resources in the context of their treaties, water rights, effects of the dams, and the responsibility of federal agencies to comply with Section 106 of the National Historic Preservation Act. While progress on these concerns has been limited so far, efforts by Tribal members this year described below may prove fruitful in helping MRRIC re-engage in the dialogue in a fresh way, in part with a deeper and more holistic understanding of what indigenous people mean by cultural resources as a living resource, as well as with a focus on incorporating Indigenous Traditional Ecological Knowledges (ITEK) in the MRRP.

- MRRIC has withstood many challenges over the years: major floods threatening lives and livelihoods; intense workloads; disagreements over procedures; a global pandemic; and limited MRRP budgets, reducing the Committee's ability to meet. Smaller budgets also have had an impact on the MRRP.

- While many of these challenges remain, MRRIC members point to the value of bringing together diverse interests to build a shared understanding of what is important to the people in the Basin. The opportunity to learn more about each other's perspectives, interests, and concerns has helped to improve collaboration both within and outside MRRIC.

The Committee met twice in person during this fiscal year, first in November 2022 and again in August 2023. Although this was less than envisioned in the Committee's charter, the second meeting was made possible by an effort midway through the year by the US Army Corps of Engineers (USACE) to find additional funding. This was much appreciated given MRRP budget constraints. A tight budget also limited the number of work group calls that could be held.

In 2023, USACE also was able to provide funding for travel stipends to stakeholder members and those representing Tribal Nations. These stipends are being managed through the National Center for Environmental Conflict Resolution (NCECR). The hope is that this new program will ease the participation challenges for these members.

MRRIC continued to operate under a temporary change in the Operating Procedures established at its November 2021 meeting to enable the Committee to function remotely as well as in person as an experiment in 2022 and 2023. During the November 2022 plenary, the Committee approved a one-year continuation of the experiment, with an adjustment to discontinue virtual members from participating in decision making or counting towards attendance or quorum.

MRRIC also elected Jim Horan, a stakeholder member representing hydropower and Executive Director of Midwest Electric Consumers Association, as Vice Chair.

Information sharing and discussions at the November 2022 plenary meeting focused on strategic issues for the MRRP where decisions or actions will be needed in the next few years and MRRIC input is particularly important. These included:

- BSNP F&W Mitigation Project issues and opportunities, with a goal of MRRIC guidance regarding an implementation approach that can be broadly supported; and
- The evaluation of pallid sturgeon response to naturally occurring flows on the Lower Missouri River, to inform a decision in 2027 about whether to implement a test flow from Gavins Point, including the timeline, approach to monitoring, decision-scenarios and potential roles for the ISAP.

MRRIC also learned about the following topics during the November 2022 plenary:

- Steps to engage stakeholders around the approach to implementing the Fort Peck Test Flow;
- The environmental assessment process for the next two interception rearing complex (IRC) sites, providing more opportunities for dialogue with local stakeholders;
- The Lower Missouri River Flood Risk and Resiliency study;
- Tribal-Federal Government relationships, including relevant case law, legislation, executive orders, and treaties; and
- The Information Management System tool developed by USACE.

Three meetings took place the day before the November 2022 plenary meeting. The first provided an opportunity for the ISAP to discuss questions regarding the IRC site selection process with USACE personnel and relevant technical experts. MRRIC's Fish and HC Work Group members were invited to observe the meeting. The other two meetings were "Discuss and Feedback" (D&F) engagements with the ISAP focused on the fish and bird monitoring programs and included Technical Team members, Lead Agency representatives, and Fish and HC Work Group members.

In April 2023, a group of MRRIC members, agency representatives, and support staff visited the Fort Peck Reservation, an opportunity made possible by the generosity of the Fort Peck Tribes and the efforts of MRRIC members representing the Fort Peck Tribes, Dyan Youpee and Martina Wilson. While this was not an official MRRIC activity, it was a valuable learning opportunity. Reflecting on the trip, MRRIC members described the personal impact both of difficult, painful topics discussed on the trip and the beautiful places and things they witnessed. Members expressed appreciation for how much they had learned about the Missouri River's role in the Tribes' economy, infrastructure, and well-being, as well as its sacredness and role in their belief systems and culture. Trip attendees committed to thinking about how to incorporate their learnings into how MRRIC operates and engages.

MRRIC met again in August 2023. During the meeting, MRRIC reached tentative consensus on two recommendations regarding implementation of the BSNP F&W Mitigation Project. This project was established to acquire land to mitigate for lost fish and wildlife habitat but has not acquired lands since 2017. MRRIC recommended the MRRP receive funding to acquire land, particularly on the river side of levees, which either



are inholdings within current BSNP Fish and Wildlife Mitigation Project lands or are contiguous to such project lands and could help address existing access or management problems. MRRIC also recommended the MRRP and other USACE staff continue to work collaboratively with MRRIC to provide information about the Lower Missouri Flood Risk Resiliency Study and related spinoff studies, as well as other efforts where locally supported opportunities for land acquisition that have multiple flood risk reduction and habitat creation benefits are identified. Regarding the spinoff studies, should the locally preferred alternatives include opportunities for land acquisition for BSNP Mitigation, MRRIC recommended the USACE cooperate with local communities and Tribes to take advantage of those opportunities. Looking ahead, MRRIC will be learning about and discussing how BSNP F&W mitigation lands are managed.

During the meeting, USACE informed the Committee that they have begun a limited re-consultation with the US Fish and Wildlife Service (USFWS) to propose a different approach for resolving uncertainties for the Lower Basin pallid sturgeon population around interception dynamics, drift, and recruitment to age one. A revised Biological Assessment (BA) is expected in the spring of 2024.

Reno Red Cloud, Oglala Sioux Tribe, presented a resolution from the Great Plains Tribal Water Alliance calling for revisions in the Missouri River Recovery Program (MRRP) to address “environmental justice for the Great Plains Tribes, to evaluate the impacts of climate change, and to incorporate indigenous traditional ecological knowledge.” MRRIC tasked the Tribal Interests and Human Considerations (HC) Work Groups with jointly reviewing the resolution and determining next steps to address the concerns raised, including potential recommendations. The Tribal Interests Work Group will also be working with one or more other work groups to draft elements of a MRRIC Tribal Policy addressing Tribal engagement in MRRIC for consideration by the Committee.

MRRIC members also took time at the meeting to discuss the USFWS’s recently released Biological Report for the Northern Great Plains (NGP) Piping Plover Population. The report provides foundational scientific information to support USFWS recovery planning and highlights three primary needs: 1) an integrated and standardized surveillance and monitoring program; 2) methods to monitor the population and habitat; and 3) action to reduce the threat of increased habitat loss. The USFWS indicated they would have additional information to share about next steps in recovery planning for the NGP Piping Plover at the December 2023 MRRIC plenary meeting.

This Annual Report, detailing MRRIC’s fifteenth year of operations, was prepared with input from MRRIC’s Communications Work Group.

Gail Bingham  
MRRIC Chair

# 2023 CONSENSUS RECOMMENDATIONS

The Committee reached consensus on two recommendations relating to the implementation of the BSNP Fish and Wildlife Mitigation Program in 2023. The full text of these recommendations is included below.

In addition, the Committee approved multiple process recommendations in November 2022 and August 2023, including a recommendation to temporarily modify MRRIC's Operating Procedures and Virtual Participation Protocols to allow for limited virtual participation in in-person MRRIC meetings.

MRRIC also approved a revision to the Charter addressing a procedural issue. The revision aligned the start of the Vice-Chair's term with the calendar year, rather than the annual meeting cycle. The Committee reached tentative consensus on this change in November 2021 and final consensus at the November 2022 plenary meeting.

MRRIC approved the following recommendation to Beth Coffey, Director of Programs, Northwestern Division, USACE, recommending a targeted approach to BSNP Fish and Wildlife Mitigation Project implementation:







Dear Ms. Coffey,

I am writing on behalf of the Missouri River Recovery Implementation Committee (MRRIC or the Committee) regarding the Bank Stabilization and Navigation Project (BSNP) Fish and Wildlife (F&W) Mitigation Project (Mitigation Project). MRRIC has nearly 70 members comprised of States, Tribes, Federal Agencies, and Stakeholders associated with Missouri River. It was authorized by Congress in Section 5018 of the Water Resources Development Act of 2007 and established in 2008 by the Assistant Secretary of the Army for Civil Works (Secretary). The duties of the Committee include providing guidance to the Secretary regarding the existing Missouri River recovery and mitigation plans, including recommendations on the annual work plan and budget.

MRRIC appreciates the time and resources that Missouri River Recovery Program (MRRP) staff have spent to inform MRRIC about the objectives and challenges associated with implementing the BSNP F&W Mitigation Project. As you know, the U.S. Army Corps of Engineers has a responsibility beginning with Section 601(a) of the Water Resources Development Act (WRDA) of 1986 initially to acquire 48,100 acres through fee title or by donated public easement to mitigate for 522,000 acres of fish and wildlife habitat lost, which was increased with Section 334 WRDA 1999 to 166,750 mitigation acres.

MRRIC has worked collaboratively with MRRP staff to understand a diverse range of concerns about the impediments to achieving the BSNP Mitigation project requirements and impacts of project implementation, and to seek solutions that have broad support.

The Committee recommends that MRRP, in cooperation with the appropriate state agencies, take these initial actions to implement the project.

1. MRRP should target funds intended for land acquisition related to the BSNP F&W Mitigation Project in the annual budget requests for FY 2025 and 2026 on land from willing sellers, particularly on the river side of levees, which either are inholdings within or are contiguous to current Mitigation Project lands and could help address existing access or management problems or could take advantage of opportunities consistent with implementing applicable management plans. MRRIC also recommends that MRRP provide regular updates to the Committee to share non-confidential information estimating the approximate acreage this approach might achieve toward implementation of the mitigation program.
2. MRRP should target funds intended for managing BSNP F&W Mitigation Project lands in the annual budget requests for FY 2025 and 2026 on habitat enhancement projects, where recent assessments indicate they are needed. MRRIC also recommends that the MRRP inform the Committee about the factors it considers in making land management decisions regarding habitat enhancement projects. We also ask that this include the understanding of the need for flow conveyance and for reestablishing lost habitat types.
3. Further, MRRP and other USACE staff as appropriate should continue to work collaboratively with MRRIC to provide information about the Lower Missouri Flood Risk Resiliency Study and related spinoff studies and other efforts where locally supported opportunities for land acquisition are identified that have multiple flood risk reduction and habitat creation benefits. With regard to the spinoff studies, should the locally preferred alternatives include opportunities for land acquisition for BSNP Mitigation, MRRIC recommends that USACE cooperate with local communities and Tribes to take advantage of those opportunities.

In addition, MRRIC is sending the attached recommendation letter to Assistant Secretary of the Army, Michael Connor, asking him to direct his budget staff to include funding for MRRP's BSNP F&W Mitigation Project land acquisition budget at the levels in annual budget requests and request the Office of Management and Budget include this in the President's Budget for FY 2025 and FY 2026.

Thank you very much. Please don't hesitate to contact me if you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Gail Bingham".

Gail Bingham  
MRRIC Chair

In addition, MRRIC approved the following recommendation to Michael Connor, Assistant Secretary of the Army for Civil Works, recommending that he provide funding to the MRRP supporting implementation of the BSNP Fish and Wildlife Mitigation Project following the same targeted approach:



Dear Assistant Secretary Connor,

I am writing, as Chair of the Congressionally authorized Missouri River Recovery Implementation Committee (MRRIC or the Committee), to recommend that you support the funding described in the Committee's attached letter to Ms. Beth Coffey, USACE Northwestern Division Director of Programs, regarding the Bank Stabilization and Navigation (BSNP) Fish and Wildlife Mitigation Project.

MRRIC has nearly 70 members comprised of States, Tribes, Federal Agencies, and Stakeholders associated with Missouri River. It was authorized by Congress in Section 5018 of the Water Resources Development Act of 2007 and established in 2008 by the Assistant Secretary of the Army for Civil Works. The duties of the Committee include providing guidance to the Secretary regarding the existing Missouri River recovery and mitigation plans, including recommendations on the annual work plan and budget.

The U.S. Army Corps of Engineers has a responsibility under a series of authorizations beginning in 1986 to acquire 166,750 acres of floodplain lands mitigating the loss of 522,000 acres of fish and wildlife habitat by the Corps' construction and continuing maintenance of the Bank Stabilization Project. To date, the Corps has acquired in fee title or through permanent easement only 66,713 acres, 40% of the total mitigation authorized and less than 13% of the habitat lost. No acreage has been acquired since 2017 but, with your help, the project can proceed again.

The Committee, by consensus, recommends that you support BSNP Mitigation Project funding for the Missouri River Recovery Program (MRRP), in FY 2025 and FY 2026, to acquire lands from willing sellers, particularly on the river side of levees, which either are inholdings within current BSNP Fish and Wildlife Mitigation Project lands or are contiguous to such project lands and could help address existing access or management problems. There is significant acreage that meets these criteria and acquisition of these acres will provide multiple habitat and flood resiliency benefits. We specifically recommend you direct your budget staff to include funding for MRRP's BSNP F&W Mitigation Project land acquisition budget at the levels in the annual budget requests and request the Office of Management and Budget include this in the President's Budget for FY 2025 and FY 2026.

MRRIC expects to continue to work collaboratively with the Corps to explore opportunities that may emerge through the Lower Missouri Flood Risk Resiliency Study and related spinoff studies and other efforts where locally supported opportunities for land acquisition have been identified that have multiple habitat creation and flood risk reduction benefits and to look for opportunities to fund habitat enhancement on existing land owned by USACE, USFWS, and State agencies.

Thank you very much for your attention to this long-standing issue. Please don't hesitate to contact me if you have any questions about this issue or about the Committee.

Respectfully,

A handwritten signature in black ink, appearing to read "Gail Bingham".

Gail Bingham  
MRRIC Chair



## MEETINGS & ACTIVITIES

MRRIC held a number of in-person and virtual engagements in FY23, including the first in-person Adaptive Management Workshop since the start of the COVID pandemic.

- MRRIC November 2022 Fall Science Meeting Webinars:** On November 1-3, MRRIC held Fall Science Meeting Webinars dedicated to sharing results of research on pallid sturgeon and piping plovers in the Basin, updates on ongoing studies, and discussing scientific issues relevant to the management of the species.
- MRRIC November 2022 Agencies Updates Webinar:** On November 9, MRRIC held an Agencies Updates Webinar in preparation for the November 2022 plenary meeting. The Lead Agencies shared updates on MRRP activities and provided a Water Management Update. The MRRIC Chair reviewed the agenda and key materials for the upcoming plenary meeting.
- MRRIC November 2022 Plenary Meeting:** On November 16-18, MRRIC held an in-person plenary meeting in Omaha, Nebraska. The Committee made a number of process decisions, including approval of changes to the MRRIC Operating Procedures and Virtual Meeting Protocols, applicable through 2023 only, to allow virtual participants in plenary meetings to participate verbally. The Committee also reached final consensus on a change to the Charter to begin the Vice-Chair's term



at the beginning of the calendar year. MRRIC also learned about and discussed key MRRP issues for collaboration in 2023 and beyond; takeaways from the Fall Science Meetings and highlights of the ISAP Discuss and Feedback engagements on bird and fish monitoring; the evaluation of the effects of natural flow events on pallid reproduction in the Lower River, to inform future decisions about whether or not to implement a test flow; the Environmental assessment process for the next two IRC sites, as well as the selection process for the next IRC sites; ongoing Missouri River Studies; the BSNP F&W Mitigation Project, including opportunities for MRRIC engagement and input looking forward; and a variety of other issues.

- **MRRIC May 2023 Draft AMCR Webinar:** On May 10 and 11, MRRIC held webinars to provide members with an opportunity to learn about key parts of the draft 2022 Adaptive Management Compliance Report (AMCR) and prepare for discussions at the upcoming Adaptive Management Workshop. The May 10 webinar was focused on aspects of the AMCR relevant to pallid sturgeon and the May 11 webinar was focused on aspects of the AMCR relevant to piping plover.
- **MRRIC May 2023 Adaptive Management Workshop:** On May 16-18, MRRIC held an in-person Adaptive Management Workshop in Nebraska City, NE. At the meeting members explored management options building on the draft 2022 AMCR; assessed the AMCR's implications for the MRRP's strategic direction; defined priority information to support future decision-making; and discussed tradeoffs and priorities for implementation and strategic direction given the current budget context. During the May 16 session, which was focused on issues relevant to piping plover, discussion focused on management actions including Emergent Sandbar Habitat (ESH) construction and sandbar augmentation, vegetation management, and predation management; plans for implementing the new bird monitoring program in 2023; and research priorities and plans for the bird program. The morning session on May 17 focused on Upper River issues relevant to pallid sturgeon and related human considerations. Participants discussed the flow management action at Fort Peck; passage at Intake Dam and spawning on the Yellowstone River; and propagation and augmentation on the Upper River. At the afternoon session on May 17 and the May 18 session, which were focused on Lower River issues relevant to pallid sturgeon and related human considerations, discussion focused on Lower Basin propagation and augmentation, spawning habitat-related activities, evaluation of lower river flows at Gavins' Point, and the status of the IRC management action.
- **MRRIC August 2023 Plenary Meeting:** MRRIC held an in-person plenary meeting from August 22-24 in Kansas City, MO. A highlight of the Plenary was that the Committee reached tentative consensus on two substantive recommendations

related to the BSNP Fish and Wildlife Mitigation Project, which included a recommendation for the Assistant Secretary of the Army to provide funding to the MRRP to acquire land from willing sellers that meet specific criteria such as enhancing access and connectivity between existing BSNP lands. In addition, the Committee heard updates on water management in the Missouri River Basin; an update on the status of the Fort Peck Test Flow management action; and an update on recent discussions between USFWS and USACE about MRRP management plan implementation progress, which resulted in a decision to conduct a limited re-consultation on the Lower Missouri River focused on spawning habitat and IRCs. The Committee discussed the results of the USFWS Biological Report for the piping plover and next steps in the recovery planning process; heard from representatives of the Great Plains Tribal Water Alliance about their concerns with the MRRP and a recent resolution; and discussed ways to improve MRRIC's ability to address tribal issues and enhance inclusion of tribal members in MRRIC and respect for tribal sovereignty. The Bird Work Group, Fish Work Group, Tribal Interests Work Group, and HC Work Group all shared updates on their activities. Finally, MRRIC members shared their perspectives on MRRIC, its accomplishments, and lessons learned from their time on the Committee, as well as their goals for the future.

- **MRRIC September 2023 Plenary Webinar:** On September 25, MRRIC met virtually and reached final consensus on two BSNP F&W Mitigation recommendations. In addition, the Committee discussed its areas of focus for Fall 2023, including agenda highlights for the December 2023 plenary meeting.



# WORK GROUP ACTIVITIES

The Committee has established standing Work Groups consisting of MRRIC members, alternates, and others approved by the full Committee. Work Groups allow MRRIC members to better understand the actions at hand and work directly with the agencies to make recommendations on how the MRRP can be as effective as possible. The Work Groups are indispensable for conducting MRRIC's procedural and substantive endeavors. The groups meet by facilitated conference calls and occasional in-person meetings. They track implementation of the MRRP, help prepare and review presentations for plenary sessions, and develop recommendations for MRRIC's consideration.

## ADAPTIVE MANAGEMENT GOVERNANCE PLANNING (AMGP) WORK GROUP

- **PURPOSE:** Building on MRRIC's Adaptive Management Governance recommendation (November 2016), this Work Group will track the governance aspects of AM Plan v7 and develop recommendations regarding how MRRIC should engage in efforts to implement the AM Plan.
- **FY 23 HIGHLIGHTS:** AMGP Work Group activities were reduced during FY23 because of budget constraints. However, the AMGP Work Group held one call to learn about revisions to the MRRIC Work Plan, receive an overview of the 2023 AM Workshop, and discuss the 2019 AM Governance recommendations and AM implementation.

## AGENDA WORK GROUP

- **PURPOSE:** Collaborates with the Committee's Chair in developing the agenda for each MRRIC meeting.
- **FY 23 HIGHLIGHTS:** The Agenda Work Group helped the Chair prepare for the November 2022 and August 2023 plenary meetings. Agenda Work Group members provided important insights into the key questions and issues to address during the plenary meeting and strategies to enhance relationship building during the meeting. Each of the plenary meetings included sessions focused on helping members learn more about each other. One session in November 2022 included a series of short presentations from eight people about the interests they represent on the Committee. In August 2023, MRRIC Vice-Chair Jim Horan led a dialogue between long-time and new members of the Committee regarding accomplishments, lessons learned, and goals for MRRIC in the future. Both sessions provided valuable opportunities for MRRIC members to learn more about the people sitting around the table.





## BIRD WORK GROUP

- PURPOSE:** Understand the science and technical issues that relate to the piping plover and closely monitor USACE activities underway intended to achieve the bird objectives presented in the 2018 BiOp and Adaptive Management Plan as well as any that might jeopardize the continued existence of the Piping Plover on the river. Understand what actions are being implemented for the birds, monitoring methods and results, the status of hypotheses related to the birds, and the implications of model results. Keep MRRIC informed of the science and Bird Team deliberations, provide an opportunity for MRRIC to discuss MRRP activities, and develop recommendations for MRRIC's consideration.
- FY 23 HIGHLIGHTS:** Work Group members engaged in Adaptive Management implementation efforts, including participation in discussions about monitoring and research results during the virtual Fall Science Meeting and discussions at the Adaptive Management Workshop regarding the implications of science on the implementation of management actions for the Piping Plover. The Bird Work Group continued to track development of the new bird monitoring program, which included a meeting between the Bird Technical Team and the ISAP to discuss and get feedback on the new monitoring program; learning about plans for implementing the program at a pilot scale in 2023; and developing a charge for another ISAP engagement on monitoring in the fall of 2023. The Bird Work Group continued to track implementation of bird-related MRRIC recommendations, review bird-specific sections of the MRRP Strategic Plan; and began to utilize the new MRRP Information Management System (IMS).

## COMMUNICATIONS WORK GROUP

- PURPOSE:** Develop the Committee's communication materials, including post-plenary meeting communications packets and MRRIC Annual Reports. Facilitate the Committee's annual self-assessment process, and facilitate communication among MRRIC members and agencies.

- FY 23 HIGHLIGHTS:** The Communications Work Group developed the Annual Report, updated and helped administer the self-assessment survey, and continued its efforts to strengthen and enhance MRRIC's internal and external communications. In particular, the group focused on revising the self-assessment survey questions to shorten the survey and target the most important issues for Committee attention. The group discussed strategies to help increase effective communications to members' constituents and address issues raised in the self-assessment survey responses. The Communications Work Group is also involved in planning activities to celebrate MRRIC's 15th Anniversary at the December 2023 plenary meeting.

## FISH WORK GROUP

- PURPOSE:** Track progress toward fish objectives presented in the 2018 Environmental Impact Statement (EIS) and the Science and Adaptive Management Plan (SAMP) through an understanding of the science and technical issues related to pallid sturgeon recovery and conservation. Work with agency staff to review actions implemented for the fish, including research and monitoring methods and results, status of hypotheses related to fish, how models work, and implications of updated modeling results. Provide information on program activities and insights based on science findings to the full MRRIC for discussion, and draft recommendations for MRRIC's consideration.

- FY 23 HIGHLIGHTS:** Fish Work Group (FWG) members engaged in AM implementation efforts by contributing agenda topics and participating in the November 2022 virtual Fall Science Meeting and the May 2023 AM Workshop. The FWG worked with the HC Work Group to review the draft Adaptive Management Compliance Report (AMCR), consider priorities outlined in the MRRP Strategic Plan, and learned more about program implementation. Working collaboratively, the HC Work Group and the FWG developed recommendations on the Fish and Wildlife Mitigation Project for the Bank Stabilization and Navigation Project. The recommendations call for the Corps to seek the needed funding for mitigation and target private inholdings and parcels adjacent to existing mitigation sites, from



willing sellers, on the lower river. It also calls on the Corps to work with state and local governments and Tribal Nations on future mitigation efforts. The recommendations received tentative consensus from MRRIC in August, and final approval in September. Building on the MRRIC recommendation from August 2022, two Interception Rearing Complexes (IRCs) are scheduled to be constructed in 2024. However, they may be the last IRCs built, ending the experiment from the 2018 Record of Decision and SAMP.

In September 2023, the Corps entered formal consultation with the USFWS to develop a new Biological Assessment (BA) for pallid recovery. The FWS will issue a Biological Opinion, and the Independent Science Advisory Panel (ISAP) will review the proposed new approach. The Fish Work Group and HC Work Group continued discussions regarding the potential HC impacts of possible future flow actions from Ft. Peck Dam regarding Upper Basin pallid recovery.



## HUMAN CONSIDERATIONS WORK GROUP

- PURPOSE:** Understand the technical aspects of AM that relate to human uses of the Missouri River System and their impact on humans, including economic, cultural, health, and safety impacts. Understand how human considerations (HC) are being accounted for in AM. Understand the hydrologic, hydraulic, economic, or other models used to predict the effects to HC. Keep MRRIC informed of the HC Work Group deliberations, provide an opportunity for MRRIC to discuss program activities, and develop recommendations for MRRIC's consideration.
- FY 23 HIGHLIGHTS:** Work Group members engaged in AM implementation efforts, including the November 2022 Fall Science Meeting and plenary, and the May 2023 AM Workshop. The HC Work Group, in coordination with the Bird Work Group and Fish Work Group, reviewed the draft AM Compliance Report (AMCR), considered priorities outlined in the MRRP Strategic Plan, and learned more about program implementation.





Working collaboratively, the HCWG and the FWG developed recommendations on the Fish and Wildlife Mitigation Project for the Bank Stabilization and Navigation Project. The recommendations call for the Corps to seek the needed funding for mitigation and target private inholdings and parcels adjacent to existing mitigation sites, from willing sellers, on the lower river. It also calls on the Corps to work with state and local governments and Tribal Nations on future mitigation efforts. The recommendations received tentative consensus from MRRIC in August, and final approval in September. The HC Work Group continued discussions regarding the implementation of, and stakeholder concerns associated with, the BSNP Fish and Wildlife Mitigation Program and specifically began to set the stage for upcoming conversations about issues associated with management of the BSNP F&W Mitigation Project lands.

The HC Work Group continued to track possible HC implications of future Ft. Peck flow test for pallid sturgeon as well as ongoing pallid monitoring in response to natural flow events on the lower river. The HC Work Group and Fish Work Group also continued discussions regarding repairs to MRRP constructed features. In May 2023, HC Work Group members were among the participants in on-site meetings, a tribal council meeting, and discussions with the Fort Peck Tribes near Wolf Point.

In August 2023, the HC Work Group received a charge from MRRIC to work with the Tribal Interests Work Group on tribal issues. The group's initial focus is on Indigenous Tribal Ecological Knowledges and how to integrate it into the MRRP and specifically the Science and Adaptive Management Plan as it is revised.

## MEMBERSHIP, PROCESS & PROCEDURES (MP2) AD HOC GROUP

- **PURPOSE:** Address processes and procedures related to the operations of MRRIC. The Ad Hoc Group also assists the lead agencies (USACE and USFWS) with aspects of stakeholder membership in MRRIC.

- **FY 23 HIGHLIGHTS:** At the November 2022 plenary meeting, the Committee reached final consensus on the recommendation of the Membership, Process and Procedures Ad Hoc Group's (MP2's) recommendation to include an edit to the MRRIC Charter to start the Vice Chair's term at the beginning of the calendar year. MRRIC also reached consensus at the November plenary on a package of procedural updates applicable to virtual participation procedures for 2023. The 2023 experiment continues elements of the 2022 experiment, allowing virtual participants to contribute verbally to Committee discussions, with verbal participation limited to one MRRIC member per seat. The experiment discontinued virtual members counting towards attendance or quorum. MRRIC also reached consensus regarding edits to the Operating Procedure's definition of "meetings," which enables the Chair to call a virtual meeting under extraordinary circumstances.

MP2 was charged with evaluating the above changes and making recommendations about whether to continue, abandon, or modify them by the end of CY 2023, or these procedures would sunset. At the August 2023 plenary meeting, the MP2 requested MRRIC feedback on how these virtual engagement protocols have been working. Additionally, new questions regarding perspectives on virtual engagement were added to the MRRIC Assessment survey. The MP2 is considering both of those types of data in developing a recommendation for MRRIC consideration at the December 2023 plenary meeting.

## TRIBAL INTERESTS WORK GROUP

- **PURPOSE:** Provide information and advice on Tribal-related issues, increase Tribal participation in MRRIC, and incorporate Tribal concerns into the work of MRRIC.
- **FY 23 HIGHLIGHTS:** The Tribal Interests Work Group took stock of the range of issues raised by MRRIC members representing Tribal nations in previous meetings and calls through an "Inventory of Concerns." Building on a review and discussion of the document, the Tribal Interests Work Group focused their efforts on three main issues: input on outreach strategies to build awareness among eligible MRRIC members about the availability of funding for travel to meetings; ways to advance Committee discussions about integrating Indigenous Knowledges into the MRRP (building on White House guidance released in December 2022); and the development of a Tribal Policy, intended to answer questions about what the Committee wants to gain from Tribal engagement.

# FISCAL YEAR FINANCIALS

MRRIC Financials	Actual
NCECR & Contractor Fees October 1, 202 through September 30, 2023	
<b>NCECR Contractor Fees</b>	
Facilitation Team	\$384,351.38
Chair	\$141,969.19
ORAU	\$87,707.18
<b>A. Subtotal Contractor Fees (Labor &amp; Direct Costs)</b>	<b>\$614,027.75</b>
Meeting Expenses (Committee meetings& adaptative management meetings: fees for room rental, A/V, etc.)*	\$100,929.50
<b>NCECR Services, Direct Costs, and Fees</b>	
NCECR Services (labor) - 2,541.5 hours**	\$313,275.00
NCECR Services - Travel Stipend Program (362 labor hours)	\$39,027.50
NCECR Direct Costs (e.g. phone charges, materials, shipping, international travel & travel expenses)	\$18,202.86
Contract Administration Fee	\$25,765.42
<b>B. Subtotal NCECR (Services, Direct Costs, Fees)</b>	<b>\$396,270.78</b>
<b>Total NCECR &amp; Contractor Fees (Sum of Lines A &amp; B above)</b>	<b>\$1,010,298.53</b>
<b>TOTAL ESTIMATED EXPENDITURES</b>	<b>\$1,010,298.53</b>

\* Meeting expenses are broken out for reference, but included in the facilitation team costs listed above.

\*\* The NCECR contributed 63.60 unbillable hours (with a value of \$6,995.00) to the MRRIC project over & above the hours listed in line 1.



# ORIGINS OF MRRIC



The Missouri River is the longest river in North America, flowing over 2,340 miles through seven states. Its basin encompasses over 529,000 square miles. It has been a source of sustenance and transportation for more than 12,000 years. The river basin was heavily developed in the 20th century, affecting the environment and human interests.

In 1989, the USACE announced it would undertake a revision of the Master Water Control Manual (Master Manual) for Missouri River Reservoir Operations, the principal water management tool for the river. The extensive revision process coincided with the listing of the pallid sturgeon, least tern and piping plover as threatened or endangered species under the federal Endangered Species Act; the issuance by the USFWS of two biological opinions on steps necessary to preclude jeopardy to these species; and extensive federal and state court litigation on water management and species recovery issues. When USACE finalized the revised Master Manual in 2004, the agency committed to establishing a group consisting of stakeholders and sovereign nations to be known as the Missouri River Recovery Implementation Committee, often referred to as MRRIC.

Commencing in 2005, USACE, USFWS, and other federal agencies enlisted the assistance of the National Center for Environmental Conflict Resolution (formally known as the U.S. Institute for Environmental Conflict Resolution) to develop a process for establishing MRRIC. These steps included a Situation Assessment which concluded that a group, such as the MRRIC, was needed to assist in the coordination of recovery actions in the Basin. The assessment also concluded federal agencies take a leadership role in establishing this Committee.

A Working Group of federal agency representatives organized a Planning Group and a Review Panel to draft a governing document for MRRIC. The groups were comprised of appointed members and alternates from basin Tribes and states, and self-selected nongovernmental participants from a wide range of basin interests. The Planning Group, with the Review Panel's concurrence, proposed a Charter to the Secretary of the Army in February 2008.

Following Government-to-Government consultation with basin Tribes, the Charter was approved by the Assistant Secretary of the Army for Civil Works at the Planning Group's final meeting in St. Louis, Missouri on July 1, 2008. For additional information on the background of MRRIC, please visit [www.MRRIC.org](http://www.MRRIC.org).

The Missouri River Recovery Program (MRRP) is designed to comply with the 2018 USFWS Biological Opinion and has a number of elements to the program to include flow management, habitat creation, AM, hatchery support, and research. This program is funded annually to support these activities as well as the activities of MRRIC which was authorized in 2007. MRRIC is comprised of nearly 70 representatives of Tribes, stakeholder groups, states, and federal agencies from all parts of the Missouri River Basin. Through this Committee, members can express their interests in a collaborative forum while developing a shared vision and comprehensive plan for Missouri River recovery.

## ABOUT MRRIC

The Committee's purposes are set forth in Section 5018 of the 2007 Water Resources Development Act (WRDA) and include:

- Providing guidance to federal agencies on the existing Missouri River recovery plan, including priorities for recovery work and implementing changes based on the results of AM.
- Providing guidance to federal agencies on a long-term study of the Missouri River and its tributaries to determine actions required to mitigate losses of aquatic and terrestrial habitat, recovery of federally listed species, and restore the ecosystem to prevent further declines among other native species.
- Developing recommendations that recognize the social, economic and cultural interests of stakeholders; mitigate the impacts on those interests; and advance the multiple uses of the river.

The Committee approves its recommendations by a consensus vote; each recommendation proposal is fully vetted through Work Group deliberations and discussions at one or more MRRIC meetings. While this process takes time, it encourages informed decision-making and widespread agreement for approved recommendations. The preamble to the MRRIC Charter reiterates that the Committee's purpose is to "make recommendations and provide guidance on a study of the Missouri River and its tributaries and on the existing Missouri River recovery and mitigation plan." The Charter also defines recommendations as "official suggestions, comments, or advice representing the consensus of the Committee and provided to the appropriate governmental or non-governmental agencies, groups or persons." Recommendations include substantive recommendations to federal agencies as well as process recommendations related to the Committee's operations.

Consensus recommendations made on substantive issues require a two-step decision making process, with a tentative recommendation made at an initial meeting and a final recommendation made no sooner than the next MRRIC meeting. The two-step process is intended to allow time between the tentative and final consensus recommendation determinations for members to deliberate and consult with their constituents.

MRRIC's Annual Report is prepared by MRRIC's Communications Work Group and approved by MRRIC each year.

## MRRIC MEMBERS

MRRIC has nearly 70 members who represent a wide array of local, state, Tribal and federal interests throughout the Missouri River Basin. MRRIC's 2023 membership included representatives of eight states and 19 of the eligible 29 basin Tribes. The 29 stakeholder members, representing 16 different interest categories, apply to and are selected by the USACE's Northwestern Division Commander to serve three-year terms. Federal agency representatives are appointed by their agency. State representatives are appointed by the governor. Tribal representatives are appointed by tribal leadership. USACE and USFWS serve as lead agencies. For additional information about MRRIC membership, please visit [www.MRRIC.org](http://www.MRRIC.org).

Members select the Vice Chair and provide input on selection of the Committee's Chair and facilitation team. USIECR provides support services to MRRIC through a Memorandum of Understanding with USACE, and in turn contracts with the Chair and the facilitation team.

The 2022-2023 MRRIC members and alternates\* are as follows:



# STAKEHOLDER CATEGORIES

Stakeholder Categories	Stakeholder Members	Stakeholder Alternates
Agriculture	Dan Engemann	
Agriculture	David Sieck	Leo Ettleman
At Large	Larry Buss	
At Large	Kenneth Reeder	<i>Harold Higman, Jr.</i>
Conservation Districts	Richard Iversen	Molly Masters
Environmental/Conservation Org	Caroline Pufalt	Edward ("Ted") Heisel
Environmental/Conservation Org	Paul Lepisto	
Flood Control	Robert Vincze	
Flood Control		<i>Daniel Kuenzel</i>
Hydropower	Jim Horan	Jeff Peters
Hydropower	Douglas Hardy	Chris Studer
Irrigation	Scott Olson	
Local Government	Tom Bullock	Carla Markt
Local Government		Franklyn Pogge
Major Tributaries	Ross Silcock	
Major Tributaries	Dan Rostad	
Navigation	Justin Lampert	Lynn Muench
Navigation	Lucy Fletcher	Steven Engemann
Recreation	Terry Fleck	Jesse Kist
Recreation	Larry Shepard	Scott Mansker
Thermal Power	Ryan Lyman	Chris Vritska
Water Quality	Marian Maas	
Water Quality	Craig Giesmann	Julianne Randazzo
Water Supply	Greg Totzke	Melissa Polito/ <i>Michael Armstrong</i>
Water Supply	Michelle Bostinelos	Jeff Dooley
Waterway Industries	Bill Becker	
Waterway Industries	Shane Kinne/ <i>David Shorr</i>	Frank Huseman

# MISSOURI RIVER BASIN TRIBES

Missouri River Basin Tribes	Tribal Members	Tribal Alternates
Cheyenne River Sioux Tribe	Robert Walters	
Chippewa Cree of the Rocky Boy's Reservation	Harlan Baker	
Eastern Shoshone Tribe of the Wind River Reservation	Baptiste Weed	
Flandreau Santee Sioux Tribe	Elizabeth Wakeman	Anthony Reider
Fort Belknap Indian Community	John Allen	Dennis Longknife
Fork Peck Assiniboine & Sioux Tribes	Martina Wilson	Dyan Youpee
Iowa Tribe of Kansas & Nebraska	Alan Kelley	Lance Foster
Oglala Sioux Tribe	Reno Red Cloud	
Omaha Tribe of Nebraska	Alan Harlan	Tim Grant/Jessica Webster-Valentino
Osage Nation	Andrea Hunter	Caitlin Nichols
Ponca Tribe of Nebraska	Stacy Laravie	Nick Mauro
Prairie Band of Potawatomi of Kansas	Virginia LeClere	
Rosebud Sioux Tribe	Syed Huq	
Sac & Fox Nation of Missouri in Kansas & Nebraska		Kirby Robidoux
Santee Sioux Nation	Alonzo Denney/Roger Trudell	David Henry
Spirit Lake Sioux Nation	Robert Thompson	Joan Black
Standing Rock Sioux Tribe	Doug Crow Ghost	Jon Eagle
Three Affiliated Tribes of Mandan, Hidatsa & Arikara Nation	Toni Fettig-Smith	
Winnebago Tribe of Nebraska	Sunshine Thomas-Bear	
Yankton Sioux Tribe	Colton Archambeau/Kip Spotted Eagle	

## STATES REPRESENTED

States Represented	State Members	State Alternates
Iowa	Chris Larson	
Kansas	Steve Adams	
Missouri	Erin Fanning	Michael Weller
Montana		Eric Roberts
Nebraska		Shuhuai Zheng
North Dakota	John Paczkowski	Clay Carufel
South Dakota	John Lott	Chris Longhenry
Wyoming	Jeff Cowley	Michelle Gess

## FEDERAL AGENCIES REPRESENTED

Federal Agencies Represented	Federal Members	Federal Alternates
Bureau of Indian Affairs		Wayne Stone
Bureau of Land Management	<i>Mike Philbin</i>	
Bureau of Reclamation	Jason Gibbons	
Federal Highway Administration	Brian Yanchik	
Maritime Administration		Travis Black
National Park Service	Brandon Gerig	Hector Santiago
National Weather Service/NOAA	Maren Stoflet	Wendy Pearson
Natural Resources Conservation Service	Carrie Lindig/ <i>Xavier Montoya</i>	Richard Vaughn
U.S. Army Corps of Engineers	Beth Coffey	Brad Thompson
U.S. Fish & Wildlife Service	Anna Muñoz	Wayne Nelson-Stastny
U.S. Geological Survey	Josh Valder	Rip Shively
U.S. Forest Service	<i>John Hagenruber</i>	
Western Area Power Administration	Lloyd Linke	John Russell

\*Where two members are listed on one line, this indicates the position was held by different individuals at different points in the fiscal year. If a member is listed in italics, this indicates the individual is no longer with the Committee.



# IN MEMORIAM

*The Committee was saddened by the recent passing of a longtime MRRIC member. His participation & contributions were valued, & will be remembered.*



**David Shorr**

May 24, 1955 - December 26, 2022

# COMMITTEE CHAIRS

**Gail Bingham**  
MRRIC CHAIR



**Jim Horan**  
MRRIC VICE-CHAIR



# CONTACT MRRIC

**Connect with the Missouri River Recovery Program online at:**  
[www.MoRiverRecovery.org](http://www.MoRiverRecovery.org)

**Connect with MRRIC online at:**  
[www.MRRIC.org](http://www.MRRIC.org)

**Contact the MRRIC Chair at:**  
[mrric@usace.army.mil](mailto:mrric@usace.army.mil)