

**GARRISON DIVERSION CONSERVANCY DISTRICT****Missouri River Committee****Garrison Diversion Conservancy District  
Carrington, North Dakota  
September 8, 2016**

A meeting of the Missouri River Committee of the Garrison Diversion Conservancy District was held at the Garrison Diversion headquarters, Carrington, North Dakota, on September 8, 2016. The meeting was called to order by Chairman Ongstad at 9 a.m.

**DIRECTORS PRESENT**

Board Chairman Ken Vein  
Committee Chairman Bill Ongstad  
Director Rick Anderson  
Director Mark Cook  
Director Ken Royse  
Secretary Duane DeKrey

**DIRECTORS ABSENT**

None

**OTHERS PRESENT**

Staff members of the Garrison Diversion Conservancy District were present along with others. A copy of the registration sheet is attached to these minutes as Annex I.

The meeting was recorded to assist with compilation of the minutes.

**CONSIDERATION OF MINUTES**

**Motion by Director Anderson to approve the June 9, 2016, minutes as distributed. Second by Director Cook. Upon voice vote, motion carried.**

**ND MISSOURI RIVER ADVISORY COUNCIL UPDATE**

Ken Royse, Vice Chairman, Garrison Diversion Conservancy District, and Garrison Diversion's representative to the ND Missouri River Advisory Council (NDRAC), provided an update on the NDRAC and summarized the topics of discussion from the council's July 21 meeting held in Garrison. He stated that the meeting mainly dealt with setting up a structure for the organization, and a subcommittee was appointed to develop the bylaws. A copy of the meeting recommendations, the draft vision, missions and goals and contact list are attached to these minutes as Annex II.

**RED RIVER VALLEY WATER SUPPLY PROJECT**

Duane DeKrey, Secretary, gave an update on the Red River Valley Water Supply Project (RRVWSP), the activities taking place and work currently being done to keep the project moving forward.

**OTHER BUSINESS**

There being no other business to come before the committee, the meeting adjourned at 10:30 a.m.

(SEAL)

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Bill Ongstad, Chairman

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Duane DeKrey, Secretary

# REGISTRATION

MISSOURI RIVER COMMITTEE  
Carrington, North Dakota  
September 8, 2016

NAME	ADDRESS
Marni Monidean	GDCD
Kenny Rogers	GDCD
<del>Steve McEwen</del>	GDCD
Rick Anderson	GDCD
Frank Cook	GDCD
Bill [Signature]	GDCD
Ken Potre	Burkholder Co -
Lusia Schaper	HDCD
Duane DeKrey	GDCD
Ken Vein	GDCD

## Agenda

North Dakota Missouri River Advisory Council  
Executive Board Meeting - July 21, 2016  
North Shore Inn & Suites, Garrison ND  
2:00 pm - 4:00 pm Central

### Discussion Starter Comments and Recommendations – Michael H. Gunsch

#### 1. June 21 Meeting Overview

There needs to be a process to continue refining the Vision, Mission and Goals before we formally adopt them as part of the organizational creation and by-law approval processes. As we review these periodically there is value to reconsidering and revising as needed. In addition, the By-Laws should also contain a requirement for an **annual review**.

#### 2. Future Decision Making & Quorums

Until the By-Laws are codified by a vote of the membership I recommend a quorum for normal business operations be at **8 members**. Generally we can achieve this via the Executive Board, however I also recommend the By-Laws contain a provision for each organization to send a designated “voting” alternate to the meetings as there needs to be representation and not everyone is able to attend all the time.

#### 3. Path Forward – Work Plan

The work plan, should be based on creating task forces to address the needs and purpose for the organization in 2017. I am not fond of the term “Work Plan” - prefer Strategic Initiatives.

##### a. Organizational

I recommend we create a By-Law Task Force comprised of 3 to 4 members of the Executive Board – volunteers willing to debate organizational structure and function. Their directive is to create a “draft document” to be presented to the Executive Board in October, with membership adoption in November or December. The ultimate objective is to file our articles of incorporation by year’s end and formally up and functional by the legislative session. The organizational type will be debated part of the By-Law discussion, as it relates to the functional structure. We need to remember as stakeholders while we have common interests, our diversity impacts our individual objectives and our goal is to represent the entire state’s interests. We need to stay focused on the issues and not projects and their individual development, the later is the focus of others, though we undoubtedly will discuss.

##### b. Issues of Focus

There is an on-going feeling that we need **to get moving** on discussing the issues, otherwise we could lose momentum on our creation. I recommend we consider the following as the potential 2017 Strategic Initiatives and assign to individual Task Forces. Select three as a maximum to look at, as more will be too distracting.

- ✓ Surplus Water (COE Report) – Water Supply
- ✓ Oil Development Around Lake Sakakawea – Water Quality/Water Supply/Environmental
- ✓ COE Land Transfer (TAT) – Tribal/Recreation
- ✓ Reservoir Management - Flood Control
- ✓ Quick Take Process – WRD’s
- ✓ Legislative Funding Priorities – Discussion Only
- ✓ Others – Please place those of interest to you on the table!

#### 4. Next Meeting

Meeting Notes  
NDMRAC Member Representatives  
June 21, 2016  
Baymont Inn  
Mandan, ND

**Member Representatives:**

Michael Gunsch – Friends of Lake Sakakawea  
Jaret Wirtz – Western Area Water Supply  
Ken Royle – Garrison Conservancy District  
Mary Massad – Southwest Water Authority  
Wes Gunsch – Mercer County  
Roger Gunlikson – North Dakota Irrigation Association  
Cindy Solberg – North Dakota Ag Coalition  
Terry Fleck – At Large Member  
Jeff Shaffer – McKenzie County  
Kathleen Jones – Burleigh County  
Jim Neubauer – City of Mandan  
Tyler Hamman – Lignite Energy Council  
Kenny Rogers – NAWS  
Tony Goetzfried – Morton County  
Mike Dwyer – North Dakota Water Users Association

**General Audience:**

Wayne Crow – Ackerman-Estvold  
Milton Lindvig – NDIA  
Kevin Thomas – Minnkota Power  
Lance Yohe – RRVWRD  
Duane DeKrey – GDCCD  
Steve Metzger – GDCCD  
Larry Bares – S.W.A  
Hannah Straw – NDWU  
Whitney Wells – NDDOH  
Jackie Nye – NDWU  
Bill Ongstad – GDCCD  
Kristen Hamman – Sen. Hoeven  
Edward Swiontek – Sen. Hoeven

**SWC Staff:**

Todd Sando  
Garland Erbele  
Pat Fridgen  
Steve Best  
Jessie Wald

To open the meeting, Pat Fridgen gave an opening statement and had the meeting attendees introduce themselves.

- There were not enough NDMRAC Member Representatives present for a quorum.

The first order of business was to review the minutes from the April 7, 2016 NDMRAC Member Representative meeting as well as the meeting minutes from the May 11 and 24, 2016 Executive Board meetings.

- Staff reviewed the minutes that were handed out in packets, as well as emailed to meeting participants ahead of time.
- There were no comments on the presented notes, however there was discussion about whether notes could be approved as there are no bylaws that outline how approvals can be made.
- It was decided that the notes would be tabled until a time when bylaws were formed and a quorum was defined so that a decision could be made.

Todd Sando and Pat Fridgen then gave a recap of what happened at the last full membership NDMRAC meeting on April 7, 2016.

Todd Sando moved the discussion toward the Draft Vision statement that the Executive Board (EB) worked on during the May 11, 2016 meeting.

- Todd Sando read the Draft Vision and Pat Fridgen summarized the process that was taken to form the vision. It was drafted from several EB member suggestions.
- The draft vision was as follows:
  - ***To preserve and protect the rights of North Dakota and its people in the Missouri River System for the benefit of current and future generations.***
- The group settled on a final draft version of the Vision statement as follows:
  - ***To preserve and protect the rights of North Dakota and its people in the Missouri River and its tributaries for the benefit of current and future generations.***
- There was no quorum at the meeting so no further action could be taken concerning the draft vision.

The focus of the meeting then turned to the draft mission statement that was crafted by the EB.

- Todd Sando read the draft mission statement:
  - ***Work collaboratively with North Dakota Stakeholders to provide unified representation, to communicate and advocate responsible use of resources, and to improve awareness and education relating to the Missouri River System.***
- The group ultimately decided to take the work "system" out and came up with the following draft mission text:

- ***Work collaboratively with North Dakota stakeholders to provide unified representation, to communicate and advocate responsible use of resources, and to improve awareness and education relating to the Missouri River and its tributaries.***

Pat Fridgen then steered the group to start working through the ten goal statements what were produced.

- Ken Royle made the suggestion that to stay consistent with the Vision/Mission statements that the words “Missouri River System” should be changed - as most all of the goals had used that language.
- Goal 1 changed from:
  - ***Provide a forum for communication and education among government entities, Tribal Governments, and North Dakota stakeholders with an interest in the Missouri River System.***
  - To:
  - ***Provide a forum for communication and education among government entities, Tribal Governments, and North Dakota stakeholders with and interest in the Missouri River and its tributaries.***
- Goal 2 changed from:
  - ***Protect the people of North Dakota’s rights to the beneficial use of water in the Missouri River system in North Dakota and oppose policies and action that negatively impact those rights.***
  - To:
  - ***Protect the people of North Dakota’s rights to use, enjoy, and benefit the Missouri River and its tributaries and oppose policies and actions that negatively impact those rights.***
- Goal 3:
  - ***Support efforts that provide the people of North Dakota with clean, adequate, and reliable sources of water for all uses.***
    - There was a short discussion concerning goal statement #3. However, it was left unchanged.
- Goal 4 changed from:
  - ***Support improved access and recreational opportunities within the Missouri River System in North Dakota.***
  - To:
  - ***Support improved access and recreational opportunities within the Missouri River and its tributaries.***
- Goal 5 changed from:
  - ***Work Collaboratively to minimize negative environmental impacts to the Missouri River System.***
  - To:

- *Work collaboratively to minimize negative environmental impacts to the Missouri River and its tributaries.*
- Goal 6 changed from:
  - *Maintain, protect, and improve water quality efforts in the Missouri River system in North Dakota.*
  - To:
  - *Maintain, protect, and improve water quality efforts in the Missouri River and its tributaries.*
- Added Goal:
  - *Maintain and protect North Dakota's fish and wildlife resources in and along the Missouri River and its tributaries.*
- Goal 7 changed from:
  - *Support efforts that reduces flood risks to people and infrastructure.*
  - To:
  - *Support efforts that reduce flood risks to the people of North Dakota and its infrastructure.*
- Goal 8 changed from:
  - *Support, expand, and improve irrigation on the Missouri River system.*
  - To:
  - *Support, expand, and improve irrigation on the Missouri River and its tributaries.*
- Goal 9 changed from:
  - *Protection of riparian landowner rights.*
  - To:
  - *Protection of riparian landowner rights on the Missouri River and its tributaries.*
- Goal 10 changed from:
  - *Support appropriate bank stabilization and sediment reduction efforts.*
  - To:
  - *Support appropriate bank stabilization and sediment reduction efforts on the Missouri River and its tributaries.*
- After changes were made to the 10 draft goals, Pat Fridgen asked the group if they thought anything was missing or should be added.
  - Wes Gunsch suggested that a draft goal be developed for fish and wildlife resources.
  - Mary Massad suggested the possibility of including a goal concerning economic development.
    - After a short discussion, it was decided that economic development would probably better fit as an objective under one of the goals.
  - Mike Dwyer made a comment concerning the draft goal that was added that talks about fish and wildlife. There was concern about the possibility or supporting in-stream flows, something the state has not traditionally supported.



- At this point, the focus of the meeting switched to talking about bylaws. Pat Fridgen explained that the next step of the process will be to start working through some of the organizational structure for the group and asked the group what kind of organization they wanted to be because this would affect how bylaws are developed.
  - Mike Dwyer shared his thought that NDMRAC has to be a 501c6 to lobby.
  - Roger Gunlickson asked if it is ok to be a state funded organization and still be able to lobby?
  - Michael Gunsch described the group as not being a one-item group, but rather an entire group of stakeholders. He said that there are going to be disagreements. He also asked if the group would be advocating a unified position.
  - Duane Dekrey, a meeting attendee with Garrison Diversion, had an example from the National Conference of State Legislatures (NCLS). He described the NCLS as being a group similar to NDMRAC. He suggested that the group should have some sort of a lobbying arm in order to be effective.
  - Michael Gunsch said that the Friends of Lake Sakakawea is switching from a 501c6 to a 501c3 because they are missing out on many grants that are only available to 501c3 organizations.
  - Lance Yohe gave an explanation of how a lobbying group might work. His explanation described a set percent of the group that would need to agree. He also said that the group will have to analyze how all of this ties together with the SWC, AG, and Governor. He said that he really didn't have a definitive answer.
  - Ken Royse spoke about some of the costs and also asked if the group should be waiting for direction from the next governor.
  - Michael Gunsch stated that the state of North Dakota is behind when it comes to stakeholder groups. He doesn't think that the development of NDMRAC should be put off because of the unknown. He also stated that he doesn't want the group to lose momentum.
  - Mike Dwyer also stated that there is nothing holding the group back in its current form for taking actions if anything arises.
  - Kathleen Jones suggested that there should be a timeline set to get things in order for the next legislative session.
  - Jeff Shaffer suggested that NDMRAC should get a chairman, secretary, etc. in place to take the load off of the SWC staff.
  - Todd Sando suggested a timeline like the following: 1 Executive Board meeting prior to August 15 and probably 2 more full group meetings after that date.

## **North Dakota Missouri River Advisory Council Draft Vision, Mission, & Goals**

### **Draft Vision**

To preserve and protect the rights of North Dakota and its people in the Missouri River and its tributaries for the benefit of current and future generations.

### **Draft Mission**

Work collaboratively with North Dakota stakeholders to provide unified representation, to communicate and advocate responsible use of resources, and to improve awareness and education relating to the Missouri River and its tributaries.

### **Draft Goals**

Provide a forum for communication and education among government entities, Tribal Governments, and North Dakota stakeholders with an interest in the Missouri River and its tributaries.

Protect the people of North Dakota's rights to use, enjoy, and benefit from the Missouri River and its tributaries and oppose policies and actions that negatively impact those rights.

Support efforts that provide the people of North Dakota with clean, adequate, and reliable sources of water for all uses.

Support improved access and recreational opportunities within the Missouri River and its tributaries.

Work collaboratively to minimize negative environmental impacts to the Missouri River and its tributaries.

Maintain, protect, and improve water quality efforts in the Missouri River and its tributaries.

Maintain and protect North Dakota's fish and wildlife resources in and along the Missouri River and its tributaries.

Support efforts that reduce flood risks to people and infrastructure.

Support, expand, and improve irrigation on the Missouri River and its tributaries.

Protection of riparian landowner rights on the Missouri River and its tributaries.

Support appropriate bank stabilization and sediment reduction efforts on the Missouri River and its tributaries.

**Exhibit C**

# 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/nov-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 l-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

# Contact List

North Dakota Missouri River Advisory Council (NDMRAC)  
Member Representatives & Executive Board  
(\* Indicates Executive Board Member)

ORGANIZATION	REPRESENTATIVE	EMAIL
Friends of Lake Sakakawea	Michael Gunsch*	mgunsch@outlook.com
Voices for Lake Oahe	Tony Splonskowski	tsplon@hotmail.com
Garrison Diversion Conservancy District	Ken Royse*	ken.royse@bartwest.com
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Western Area Water Supply	Jaret Wirtz*	jaret.wirtz@wawsp.com
Lake Aggasiz Water Authority	Timothy J. Mahoney	tmahoney@cityoffargo.com
Northwest Area Water Supply	Kenny Rogers	rogerske@srt.com
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North Dakota Water Users Association	Mike Dwyer*	mdwyer@ndwaterlaw.com
North Dakota Rural Water Systems Association	Eric Volk*	ericvolk@ndrw.org
North Dakota Ag Coalition	Paul Anderson	ndcorngrower@yahoo.com
North Dakota Petroleum Council	Ron Ness	ronness@ndoil.org
Lignite Energy Council	Jason Bohrer*	jasonbohrer@lignite.com
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North Dakota Water Resource Districts Association	Dave Ashley	dwashtley56@gmail.com
North Dakota Assoc. of Rural Electric Cooperatives	Marty Dahl*	martindd@mcleanelectric.com
North Dakota Recreation and Parks Association	Randy Bina	rbina@bisparcs.org
Independent Water Providers	Vacant	
Missouri River Joint Board	Wade Bachmeier*	wade@btinet.net

Tribal	Representative	email
Fort Berthold	James Mossett	jmossett@mhanation.com
Standing Rock	Dave Archambault II*	darchambaultii@standingrock.org

At Large	Representative	email
At Large Appointed by the State Engineer	Terry Fleck*	tfleck@attitudedr.com

# Contact List

North Dakota Missouri River Advisory Council (NDMRAC)

Member Representatives & Executive Board

(\* Indicates Executive Board Member)

Cities	Representative	email
Bismarck	Bill Wocken	bwocken@bismarcknd.gov
Fort Yates	Vacant	
Garrison	Vacant	
Mandan	Jim Neubauer*	jneubauer@cityofmandan.com
New Town	Thomas Nash	thomas.nash627@gmail.com
Pick City	Vacant	
Riverdale	Vacant	
Washburn	Kit Baumann	kitbaumann@hotmail.com
Williston	David Tuan	davidt@ci.williston.nd.us

Counties	Representative	email
Burleigh	Kathleen Jones	kjathome@midco.net
Dunn	Vacant	
Emmons	Herb Grenz	
Mountrail	Lars Enerson	larsener@hotmail.com
McLean	Vacant	
Williams	Corey Paryzek*	corey.paryzek@nd.usda.gov
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Mercer	Wes Gunsch	wesjane@westriv.com
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Oliver	Vacant	
Sioux	Vacant	

## Technical Assistance

SWC Staff	Name	email
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Planning and Education Division Director	Pat Fridgen	pfridgen@nd.gov
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Planner	Steve Best	stevebest@nd.gov
Water Resource Engineer	Laura Ackerman	lcackerman@nd.gov