

# PROCESS FOR FILLING MRRIC STAKEHOLDER MEMBER VACANCIES

## Background:

1. The twenty-nine stakeholder representatives on the Missouri River Recovery Implementation Committee (MRRIC) are selected by the US Army Corps of Engineers (Corps) Northwestern Division (NWD) Commander<sup>1</sup> to serve for three year terms. To avoid having all twenty-nine stakeholder members' terms expire at the same time, lots were randomly drawn at the initial MRRIC meeting to appoint one-third of the stakeholder members to one-year terms, one-third to two-year terms, and one-third to three-year terms<sup>2</sup>. Thereafter, all stakeholder members will be appointed for three year terms. In this manner, approximately one-third of the stakeholder members' terms will expire each year.
2. There are sixteen stakeholder interest categories that may have a maximum of two representatives per category. The maximum number of stakeholder members on the MRRIC is twenty-nine<sup>3</sup>. At any time, there are at least three stakeholder "slots" that cannot be filled. All interest categories will be represented by at least one individual.

## Current Status:

1. Stakeholder members whose terms expire on **30 September 2018** (and the categories they represent) are:

	<b>Stakeholder Member</b>	<b>Interest Category</b>
1a	Thomas Ball (Primary)	Environmental/Cons Org
1b	James Redmond (Alternate)	Environmental/Cons Org
2a	Paul Lepisto (Primary)	Environmental/Cons Org
2b	Vacant (Alternate)	Environmental/Cons Org
3a	Bill Drummond (Primary)	Hydropower

<sup>1</sup> As delegated by the Assistant Secretary of the Army for Civil Works in the Implementation Guidance for WRDA 2007 Section 5018, dated 1 July 2008.

<sup>2</sup> Missouri River Recovery Implementation Committee Charter, as revised 14 August 2014, pages 7-8.

<sup>3</sup> Missouri River Recovery Implementation Committee Charter, as revised 14 August 2014, page 7.

3b	Chris Studer (Alternate)	Hydropower
4a	Douglas Hardy (Primary)	Hydropower
4b	Chris VandeVenter (Alternate)	Hydropower
5a	Carla Markt (Primary)	Local Government
5b	Kathy Holstine (Alternate)	Local Government
6a	Franklyn Pogge (Primary)	Local Government
6b	Vacant (Alternate)	Local Government
7a	Ross Silcock (Primary)	Major Tributaries
7b	Vacant (Alternate)	Major Tributaries
8a	Vicki Richmond (Primary)	Navigation
8b	Richard Grenville (Alternate)	Navigation
9a	Mike George (Primary)	Recreation
9b	Carmen Miller	Recreation
10a	Brian Barels	Thermal Power
10b	John Shadle	Thermal Power
11a	Marian Maas	Water Quality
11b	Vacant	Water Quality
12a	Donald "Skip" Meisner	Water Supply
12b	Rich Mach	Water Supply

Note: The above table will be updated annually.

## 2. Stakeholder Categories and Year of Term Expiration:

<b>Interest Category</b>	<b>Seat 1 Term Expires</b>	<b>Seat 2 Term Expires</b>
Agriculture	2020	2020
Conservation Districts	2020	VACANT
Environmental/Conservation Orgs	2018	2018
Fish and Wildlife	2020	2019
Flood Control	2020	2019
Hydropower	2018	2018
Irrigation	2020	VACANT
Local Government	2018	2018
Major Tributaries	2018	2019
Navigation	2020	2018

Recreation	2020	2018
Thermal Power	2018	VACANT
Water Quality	2018	2019
Water Supply	2020	2018
Waterway Industries	2019	2019
At Large	2020	2019

Note: The above table is updated annually.

### Process to Fill Vacancies:

Consistent with the MRRIC Charter, the process to fill vacancies will be the same for Primary and Alternate members. The Charter states that: "Alternates will apply in the same manner as stakeholder members and will be recommended by the stakeholder member. Upon appointment by the Secretary, the alternate will serve during the temporary absence of the member. In the instance of the permanent absence of the member, the alternate will fill the remainder of the term." Primary and Alternate members are encouraged to apply as a package during each yearly "term" vacancy cycle. To facilitate clear understanding of which applicant is applying as the Primary and which as the Alternate, the membership application form and the renewal letter for existing members require this designation. If an Alternate is named outside of the term vacancy cycle, or a Primary Member wishes to switch Alternate Members outside of the term vacancy cycle, the process for filling out-of-cycle vacancies will be followed as explained below. If a Primary or Alternate Member wishes to switch to a different stakeholder category the Member must submit a new application package for that category.

The process to fill Alternate Member positions as described in this document will take effect during the 2018 term vacancy cycle.

### Definitions:

**Term Vacancies** – those vacancies created by the expiration of the current stakeholder representative's term.

**Out-of-Cycle Vacancies** – those vacancies created by the exit of a stakeholder representative who is unable to fulfill his or her term and who does not have an approved alternate.

- 1. Vacancies Compiled:** The MRRIC Chair will forward to the NWD Commander a list of stakeholder members whose terms are to expire and which of those members wish to remain on the MRRIC as well as any "out-of-cycle" vacancies that currently exist by **12 June 2018**.

**2. Process to Fill “Term” Vacancies for Persons who are Not Existing Members:** The application process described in the Charter<sup>4</sup> and used by the Corps for initial stakeholder member appointments will be followed for all term vacancies:

- a. **Notice:** Vacant stakeholder categories, including those now filled by existing members, will be advertised by the Corps in the following: the Federal Register, a press release and public notices advertised in newspapers throughout the basin. The Corps will also disseminate the notice through the Corps email lists and to Committee members to circulate among their constituents. Vacant stakeholder categories include all of those categories with members whose terms are to expire on 30 September and the three category “slots” that are not filled. Travel expenses incurred by members of the Committee are not currently reimbursed by the federal government as specific funding for this purpose has not been appropriated at this time. Vacancies will be advertised for 30 days, beginning no later than **22 June 2018**.
- b. **Applications Accepted:** Interested parties that are **NOT Existing Members** will submit applications to the NWD Commander along with endorsement letters by **27 July 2018**. **Primary and Alternate members MUST submit separate, individual endorsement letters.** Valid endorsement letters will be dated no more than 90 days (**27 Apr 2018**) before the member application deadline. The Corps may verify constituents’ support of the applicant. See Attachment B for a sample endorsement letter.
- c. **MRRIC Recommendation:** Applications from interested parties will be forwarded to the MRRIC for the purpose of providing a recommendation of appointment following its decision-making process<sup>5</sup>. MRRIC’s review process (see Attachment A) will be completed by **17 August 2018**.

**3. Streamlined Process for Existing Members:**

- a. **Renewal Letter Required:** Incumbent Primary and Alternate stakeholder members wishing to be re-appointed to the MRRIC do not need to re-submit an application<sup>6</sup>. However, incumbent Primary and Alternate stakeholder members wishing to have their appointment renewed **must** submit a renewal letter (see

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<sup>4</sup> Missouri River Recovery Implementation Committee Charter, as revised 14 August 2014, page 8.

<sup>5</sup> Missouri River Recovery Implementation Committee Charter, as revised 14 August 2014, pages 10-13.

<sup>6</sup> Missouri River Recovery Implementation Committee Charter, as revised 14 August 2014, pages 7-8.

Attachment C for a sample renewal letter) to the NWD Commander by **27 July 2018**. **Primary and Alternate members MUST submit separate, individual renewal letters.** The renewal letter **must** reaffirm that the stakeholder member:

- ◆ Is able to commit the time required to participate fully in the Committee;
- ◆ Is committed to making good faith (as defined in the Charter) effort to seek balanced solutions that address multiple interests and concerns;
- ◆ Agrees to support and adhere to the approved MRRIC Charter and Operating Procedures;
- ◆ Can demonstrate a formal designation or endorsement by an organization, local government, or constituency as its preferred representative (see Attachment B for a sample endorsement letter);
- ◆ Can demonstrate an established communication network to keep constituents informed and efficiently seek their input when needed;
- ◆ Agrees to participate in collaboration training as a condition of membership; and

b. **Endorsement Letter Required:** Letters of endorsement from the constituent group(s) the stakeholder member intends to represent for the new 3 year term **must** accompany the renewal letter. **Primary and Alternate members MUST submit separate, individual endorsement letters.** Valid endorsement letters will be dated no more than 90 days (**27 Apr 2018**) before the member application deadline. The Corps may verify constituents' support of the applicant. See Attachment B for a sample endorsement letter.

c. **MRRIC Recommendation:** Renewal letters and letters of endorsement will be compiled with the applications received in 2c.

#### 4. Selection Process:

a. **Selection Panel Determination:** To ensure balance and diversity of views on the MRRIC, the Selection Panel<sup>7</sup> will select at least one representative for each stakeholder interest category on the Committee. If there are no sitting members or qualified applicants (including renewing members) for an interest category, the Corps will notify the Committee and re-advertise that interest category as

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<sup>7</sup> Selection Panel is currently made up of senior members of the Corps and USFWS: For the Corps, Special Assistant – Missouri River Basin Programs, Northwestern Division; Chief of Missouri River Water Management Division, Northwestern Division; Deputy Omaha District; Deputy Kansas City District; Senior MRRP Manager. For the USFWS: the Deputy Regional Director, or designee, USFWS Region 6 Mountain-Prairie Region

vacant as outlined in 5c, "Process to Fill "Out-of-Cycle" Vacancies", below.

- b. **Selection Process and Criteria:** The application review process will be completed by the Selection Panel by **31 August 2018**. Selection criteria that will be used by the Selection Panel is:
- ◆ Is able to commit the time required to participate fully in the Committee;
  - ◆ Is committed to making good faith (as defined in the Charter) effort to seek balanced solutions that address multiple interests and concerns;
  - ◆ Agrees to support and adhere to the approved MRRIC Charter and Operating Procedures;
  - ◆ Can demonstrate a formal designation or endorsement by an organization, local government, or constituency as its preferred representative (see Attachment B for a sample endorsement letter);
  - ◆ Can demonstrate an established communication network to keep constituents informed and efficiently seek their input when needed;
  - ◆ Agrees to participate in collaboration training as a condition of membership; and
- c. **Notification of Appointment:** Upon completion of the application review and selection process, the Corps will send a letter to the appointed Primary and Alternate Members. Applicants who are not selected will be notified either in writing or by phone. All applicants will be notified by **21 September 2018**.

## **5. Process for Filling "Out-of-Cycle" Vacancies:**

- a. **Permanent Absence Before End of Term:** In accordance with the Charter provisions, in the instance of the permanent absence of a stakeholder member before their term is completed the alternate member will fill the remainder of the original member's term<sup>8</sup>. Upon assuming Primary membership the member will notify the Committee Chair. If an Alternate is named outside of the term vacancy cycle, or a Primary Member wishes to switch Alternate Members outside of the term vacancy cycle, the process for filling out-of-cycle vacancies will be followed as explained below. I

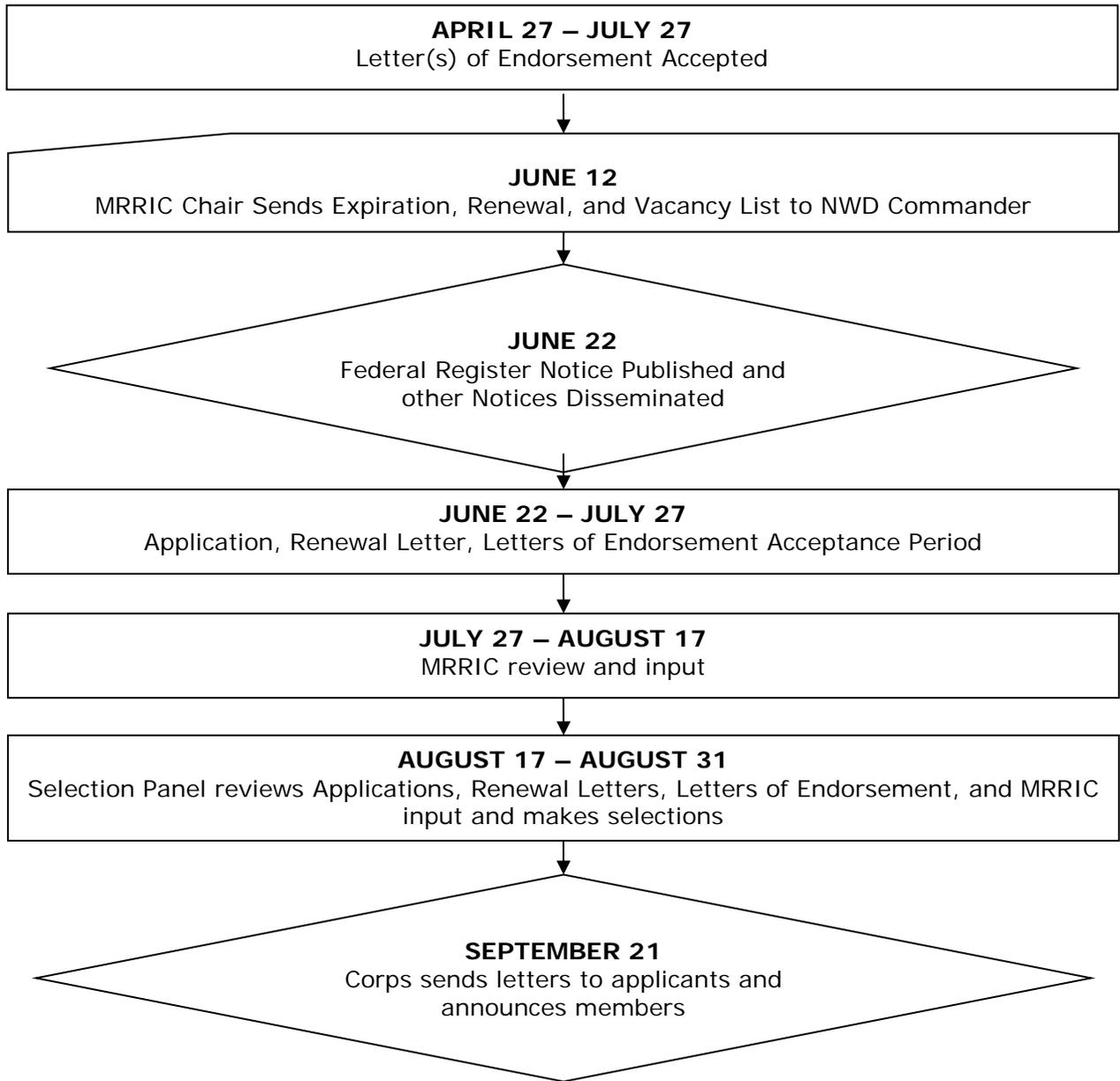
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<sup>8</sup> Missouri River Recovery Implementation Committee Charter, as revised 14 August 2014, pages 7-8

- b. **“Out-of-Cycle” Vacancies:** If a stakeholder member becomes unable to serve and has not appointed an alternate then there is an “out-of-cycle” vacancy.
- c. **Process to Fill “Out-of-Cycle” Vacancies:** Any “out-of-cycle” vacancy (including any term vacancies that were not filled (see Section 1 paragraph e: “Process to Fill Term Vacancies”)), will be advertised by the Corps in the Federal Register and through public notices throughout the basin. Vacancies will be advertised for 30 days.
- To ensure every effort is made to have at least one representative for each stakeholder category, vacancies will be re-advertised a maximum of three times (for a total of 90 days).
  - In the event that no qualified applicant is found for an interest category and to ensure the maximum number (29) of stakeholder representatives is seated on the Committee, the Corps will review qualified applicants from the interest categories with one representative and select a second representative for one of the interest categories.
  - If selected to fill a vacancy created “out-of-cycle”, the selected qualified applicant will serve for the remainder of the vacated term.
  - If selected to fill a term vacancy, the selected qualified applicant will serve until the end of that term (3 years).

Note: to avoid the need to advertise vacancies out-of-cycle, it is important that members appoint alternates.

Timeline for Process:



## **Attachment A. Proposed MRRIC Review Process**

Once the applications and renewal letters are received, the Corps project manager will compile a list of all (Primary and Alternate) applicant names and interest categories applicants are seeking to represent and forward the list to the Committee.

Individual Committee members will complete an on-line survey with two options:

1. to recommend all applicants or
2. to choose which individual applicants they wish to recommend.

The survey will include the option to abstain from making a yes or no recommendation.

Survey responses will be compiled by the Corps and the input used by the Selection Panel during their deliberation.

## Attachment B. Sample Endorsement Letter

**Please note:** An organization may endorse only ONE Primary and ONE Alternate candidate as its preferred representative(s) in each applicable stakeholder category. A candidate may have endorsement letters from more than one organization. At least one endorsement letter is required.

Return Address of Endorsing Entity

Date

Major General [Commander of Northwestern Division]  
Northwestern Division, US Army Corps of Engineers  
PO Box 2870  
Portland, Oregon 97208-2870

Dear General [Commander of Northwestern Division]:

The [endorsing entity] supports [name of applicant] as its preferred [Primary / Alternate] representative on the Missouri River Recovery Implementation Committee.

[Endorsing entity] is a [governmental / non-governmental] organization located in [town, county, state, etc]. It is made up of [number] [members, utilities, regions] that [interest in the Missouri River, e.g., draw water from the river, navigate on the river, farm near the river, recreate on the river, etc].

[Name of applicant] is qualified to represent [interest category] because [he or she] has [xx years, extensive, life-long] expertise as a [insert occupation or activity that illustrates the expertise, e.g., power plant manager, barge captain, flood plain farmer, scientist, etc].

The applicant will represent the constituents in [this endorsing entity] by providing updates and seeking feedback through regular [speeches or briefings at member meetings, postings on entity's website, e-mail newsletter to members, etc].

[Name and title of person signing the endorsement letter]  
include phone number and e-mail address in case verification is required

## Attachment C. Sample Renewal Letter

Your Return Address  
Phone Number  
E-Mail Address

Date

Major General [Commander of Northwestern Division]  
Northwestern Division, US Army Corps of Engineers  
PO Box 2870  
Portland, Oregon 97208-2870

Dear General [Commander of Northwestern Division]:

I respectfully submit this letter as my formal request to be re-appointed to the Missouri River Recovery Implementation Committee (MRRIC). I currently serve as a [Primary / Alternate] representative for [stakeholder interest category] and wish to continue in the same capacity.

In the past [three] years of representing [stakeholder interest category], I have attended [number; all] MRRIC meetings and am able to continue to commit the time required to fully participate in the Committee. I have also participated on [number] work groups and / or ad hoc groups [and have served as a Point-of-Contact for the [Work Group Name] Work Group].

I [am or am not] currently directly employed by a government\* entity. [If you are, please share the agency or program name, your position, and describe any decision-making roles or responsibilities that you have.]

I will continue to make good faith efforts to seek balanced solutions that address multiple interests and concerns, and support and adhere to the MRRIC Charter and Operating Procedures.

I have enclosed a letter of endorsement from [entity] as that organization's preferred [Primary / Alternate] representative. Using the communication network(s) I have established, I will continue to keep constituents informed and efficiently seek their input when needed.

I understand that travel expenses incurred by members of the Committee are not currently reimbursed by the federal government as specific funding for this purpose has not been appropriated at this time, and that the federal government does not compensate members for their time.

Thank you for your consideration,  
[Name]

\* Note: "government" encompasses state, tribal, and federal agencies and/or programs.