

NORTH DAKOTA WETLANDS TRUST

1997-2000 STRATEGIC PLAN

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MISSION STATEMENT

North Dakota's wetlands are a national treasure. Among the most biologically productive places on earth, these wetlands sustain diverse and unusual plants, and are home to frogs, pelicans, and millions of waterfowl and other marsh creatures. Wetlands provide feed and water for cows and deer. They provide food and resting places for migrating and nesting birds. They offer year-round habitat for resident creatures--from muskrats to pheasants.

Wetlands also hold back water which reduce the chance of floods, recharge aquifers, and filter run-off. In general, wetlands help improve North Dakota's water quality. These benefits are not only for our state, but also for many other states affected by the quality and quantity of our water, and for the migratory birds our wetlands produce and sustain. Wetlands are at the center of the circle that embraces our state's agriculture and natural resources.

Wetland protection and drainage issues are filled with contradictory and emotionally charged opinions by those who represent public and private interests. About 90 percent of North Dakota's wetlands are privately owned, so if wetlands are going to be part of our state's future, a balance of landowner interests and values along with environmental and natural resource values has to be found.

Congress provided the opportunity to achieve this balance when it created a six-member North Dakota Wetlands Trust Board of Directors. The Trust is not part of government, it is a nonprofit, citizen-directed organization. Board members are concerned citizens representing North Dakota's wetland, water and agriculture interests.

Congress directed this group to "preserve, restore, manage, and enhance wetlands and associated wildlife habitat in North Dakota." The United States government and the state of North Dakota gave the Trust a \$13.2 million trust fund through the 1986 Garrison Reformulation Act to do just that.

The Wetlands Trust Board can be innovative and has many options. The Trust can acquire land. It can obtain conservation easements. It can look at wetland conservation techniques and try to improve them. It can work on cooperative projects with private landowners and conservation agencies. It can help both children and adults learn and understand why wetlands are so crucial. The Board believes that through cooperation, people will find ways to promote a better understanding of wetland values.

The Trust is working to prevent further loss of wetlands, to improve existing wetlands, and to help reduce conflicts over wetlands through improved communication about the need for wetland protection and management. The North Dakota Wetlands Trust is working hard to make sure North Dakota's wetland heritage will always be part of our future.

MANDATE

The North Dakota Wetlands Trust (Trust) was born out of conflict over the Garrison Diversion project, wetland acquisition and protection, and wetland drainage and development. As part of the Garrison Diversion Reformulation Act of 1986 (PL 99-294), Congress created the Wetlands Trust. The Trust was created to "preserve, restore, manage, and enhance wetlands and associated wildlife habitat in North Dakota" (PL 99-294).

The Trust Board of Directors is mandated by Federal law to include six-members; three are appointed by the Governor of North Dakota, one is appointed by the National Audubon Society, one by the National Wildlife Federation, and one by the North Dakota Chapter of The Wildlife Society. The North Dakota Wetlands Trust has appointed the North Dakota Game and Fish Department Director as an ex-officio director of the Trust. The Board is empowered to conduct all activities of the Trust, and required to provide annual reports to the Secretary of Interior.

Public law 99-294 authorized the Bureau of Reclamation to provide \$12 million for the Trust on a scheduled proportion of the annual Federal appropriation for the Garrison Diversion Unit. Federal law also required the Governor of North Dakota and the Secretary of the Interior to agree to a process for the State to contribute 10 percent (\$1.2 million) to the Trust. The Trust can use only the interest monies generated from the principal. The Trust is authorized by Federal law to acquire land from willing sellers with the approval of the Governor of North Dakota.

North Dakota's nonprofit corporate farming law (N.D. C.C. 10-06-04.3) also directs certain activities of the Trust. Passed by the State Legislature in 1983, and amended in 1993, the corporate farm law permits the purchase of land but restricts certain actions of the Trust. The law restricts the Trust's land acquisition to 12,000 acres and requires a review and public hearing by both the county commission and a nonprofit acquisition committee composed of representatives of five state agencies, the North Dakota Farm Bureau, and the North Dakota Farmer's Union. The law prohibits the Trust from using any funds except those derived from its interest account for land acquisition and from transferring land to the Federal government. The law also requires approval of the Governor for acquisition. All land acquired must be managed to conserve wildlife habitat.

During the negotiations and legislative development of the Garrison Diversion Reformulation Act of 1986, the parties agreed that the Trust should consider innovative approaches to wetland protection. The "Statement of Principles to Support the Agreement for Reformulation of the Garrison Diversion Unit," signed April 14, 1986 by all major parties to the conflict, verified this understanding. The Trust is pursuing cooperation between wildlife, agricultural, and water development interests. There is also an understanding that the Trust is to complement existing wetland programs.

NICHE AND STRATEGY OF THE TRUST

The Wetlands Trust Board of Directors recognizes that even though the Trust is a small organization, it can play a critical role in wetland conservation in North Dakota. To do this, the Trust must expend most of its resources on wetland conservation. The Trust must form effective partnerships with other agencies, organizations, and landowners which will sustain wetland conservation and management. The Trust must not do only what other agencies and organizations are doing--the need for wetland protection is too great.

Land acquisition is only one tool to achieve wetland protection. Rather than only acquiring and subsequently managing lands, the Trust can more effectively make a difference by restoring and enhancing wetlands on acquired property and then transferring long-term management to responsible agencies, organizations or individuals. This will ensure that the Trust's financial resources are not over encumbered by long-term management costs, but will be available for future preservation actions.

The Board of Directors believes the Wetlands Trust can act as a granting organization which fosters partnerships to improve the quality and quantity of wetlands. The Trust will also attempt to maximize the use of matching grants to extend its limited financial resources.

The Trust supports wetland education programs which encourage an understanding of wetland functions and values. In order to achieve our goals, effective communication must take place both within the Trust, and between the Trust and those concerned about the future of wetlands.

GOALS AND OBJECTIVES

I. PROGRAM AREA: IMPROVED WETLAND RESOURCE

Strategic Goal: The Trust will focus on increasing the quantity and quality of wetlands in North Dakota.

A. Goal: Restore a major wetland area for wetland habitat and water management benefits; target an area(s) where wetlands have been drained or are threatened with degradation or loss.

Objectives:

1. Evaluate the possibility of developing one of the following projects: Upper James River Management Site, Hurricane Lake Management, Fessenden Slough Restoration, Cook Slough Watershed, McKenzie Slough, Rush Lake, stream bank restoration and management, or others.
2. Develop a scope of work to include project implementation, coordination, landowner contact, project scope, and agency coordination.
3. Maintain flexibility in project development and in grant funding to utilize other methods to protect threatened wetlands and their associated habitats.

B. Goal: Protect 3,000 acres of land through long-term agreements (30 to 99 years).

Objectives:

1. Develop Board policy on implementation and enforcement of the easement program.
2. Develop information about the easement program scope and provide it to major organizations.

C. Goal: Formulate a small watershed management project.

Objectives:

1. Provide grant funds and technical assistance to organizations who request and receive Trust grant dollars in establishing objectives for watershed management, selecting and developing wetland enhancement and restoration projects to meet their objectives, developing community and landowner support for the project, and developing other partners for the project.¹
2. Integrate existing programs of Natural Resource Conservation Service, U.S. Fish and Wildlife Service, North Dakota Game and Fish Department, North Dakota Agriculture Department, etc. into the watershed project. Utilize programs such as Wetland Reserve, State Waterbank, and Partners for Wildlife.

¹Ensure that the size of the watershed is such that the project can be completed in a short time.

D. Goal: Develop a private lands program using short-term projects that provide long-term benefits to wetlands and landowners.

Objectives:

1. Evaluate the benefits of short-term programs to determine which programs demonstrate long-term benefits.²
2. Suggest changes to short-term programs that increase long-term wetland benefits.
3. Support short-term programs, such as grazing systems and wetland restorations, which provide long-term benefits for wetlands or educational and demonstration values. Include support for the following specific programs:
 - a. Create-a-Wetland - Continue to implement in accordance with current Trust guidelines.
 - b. Adopt-a-Pothole - Provide \$50,000 for the Adopt-a-Pothole Program in 1997.
 - c. State Waterbank - Consider funding the State Waterbank Program up to \$100,000 (\$50,000 in 1997 and \$50,000 in 1998), contingent on state matching funds.
4. Support projects that demonstrate benefits of restoring drained wetlands, increasing upland habitat, improving water quality, and reducing soil erosion.

E. Goal: Complete the Maple River Drift Prairie Project within four years.

Objectives:

1. Demonstrate management techniques on Trust lands that improve wetland and wildlife habitat which can be used by other producers on their own property. Complete improvements on Trust property as laid out in management plans.
2. Purchase long-term easements from 12 landowners in the project area, following criteria developed by the Trust.
3. Continue private lands projects that focus on no-till cropping systems, grazing systems, and wetland restorations.

F. Goals: Improve management of existing Trust lands.

Improve the wetland and wildlife habitat resource on existing Trust lands.
Consider the transfer of title and/or management of appropriate properties.

Objectives:

1. Kenner Marsh - Continue to manage and operate in conjunction with North Dakota Game and Fish Department and local organizations.
2. Chase Lake - Consider transfer of the property to the North Dakota Game and Fish Department.

²Remember it may take time (years) to really assess long-term benefits of specific programs.

II. PROGRAM AREA: EDUCATION AND COOPERATION

Strategic Goal: The Trust will increase its emphasis on wetland education and will continue to foster a spirit of cooperation among all interested parties.

A. Wetland Education Goal: Develop a wetland education program that increases public understanding of wetland functions and values.

Education Objectives:

1. Contact 80 percent of landowners in North Dakota and see if they are interested in wetland projects on their land. Contact them through the Farm Service Agency (former ASCS).
2. Identify other target audiences and develop outreach projects to reach these audiences.
3. Develop a statewide effort of promoting an understanding of wetland functions and values, and the need to take action to protect wetlands for present and future generations.

Cooperation Objective:

1. Initiate dialogue with three new partners from the North Dakota agricultural community and increase their awareness of North Dakota Wetlands Trust programs. Encourage these new partners to submit funding proposals.

Conflict Resolution Objective:

1. Communicate success stories of conflict resolution so others can undertake similar efforts to protect and manage wetlands and associated habitats on their own.
2. Improve the newsletter and aggressively pursue articles in existing communication avenues, such as N.D. Water, N.D. REC, and farm organization magazines.
3. Communicate with farmers and ranchers who will use programs and techniques to enhance wetlands.

B. Goal: Complete the Prairie Wetland Interpretive Center.

Objectives:

1. Stay involved in the Prairie Wetland Interpretive Center (Center) Management Committee to ensure it is built, adequately managed, and maintained.
2. Encourage the managers of the Center to hire a person to anchor the interpretive team, to develop educational programs for the Center, and to implement education objective number 3 above.

III. PROGRAM AREA: STRENGTHENING THE WETLANDS TRUST

Strategic Goal: The Trust will be an effective organization that is user friendly, creative, flexible and accountable.

A. Goal: Continue to improve the organizational structure for the operation and management of the Wetlands Trust.

Objectives:

1. Develop an investment policy for Board approval by June 1997.
2. Improve the budgeting process to include multi-year projections of fixed costs, revenue, and project obligations. Complete for the 1998 budget.
3. Continue the communication process to generate innovative project proposals from outside the Trust.
4. Consider hiring someone to evaluate past Trust efforts and develop recommendations on how best to meet the North Dakota Wetlands Trust mandate, after an in-house evaluation is conducted by the Board by June 1997.
 - a. Complete a list of all projects the Trust has been involved in or has considered funding, to include cost and project status.
5. The Board of Directors will become familiar with issues, programs, and projects of the Trust.
6. The Trust's attorney will provide information to the Board of Directors on legal requirements of Board members and the Trust in general.

B. Goal: Develop user friendly application, guidelines, criteria, and evaluation processes for prioritization of future and current Trust projects.

Objective:

Develop a system to prioritize wetlands and projects the Trust should undertake by June 1997. This should include a suggested process on how to develop complex projects.

C. Goal: Improve the public's awareness and understanding of who the Wetlands Trust is and what our guiding principles are.

Objective:

1. Prepare a video about the Trust and its projects, utilizing footage developed by Ducks Unlimited in their Prairie Pothole educational video.
2. Distribute the video and other informational materials.
3. Develop wetland field days and tours of Trust projects that demonstrate cooperation and wetland compatibility with agricultural production.
4. Consider funding an assessment of wetland educational needs, target groups, and most effective educational methods for informing them about the Trust and about changing attitudes and behaviors toward conservation of wetlands.
5. Investigate the possibility of using electronic media, such as a WEB page, television, and interactive video to inform the public about the Trust and wetland conservation.

PROJECT TYPES, GUIDELINES AND CRITERIA

Project Types: The means by which we will work to achieve our goals.

There are a variety of tools the Trust can use to preserve, restore, manage, and enhance wetlands. Most of the tools are not new; they have been used previously by agencies, organizations, and individuals. Acquisition of land, purchase of long-term conservation easements, short-term management agreements, and information and demonstration projects can all be used to safeguard wetland habitats. One tool, wetland legislation or regulation, is not available to the Trust because of restrictions in our corporate charter.

The Trust sees itself using these tools in three ways: grants, cooperative projects, and projects that are solely the Trust's.

Grants

Grants will be used by the Trust to fund wetland projects developed by individuals, agencies, organizations, and cooperating groups. The Trust will provide full or partial funding. Project proponents will have the responsibility to plan, initiate, develop or construct, complete, evaluate, maintain, and report on the project to the Trust. The Trust may chose to define specific areas for grant proposals.

Cooperative Projects

In cooperative projects, the Trust will be a partner with others to complete a specific project, whether it is an acquisition, management agreement, educational project, or other effort. The Trust may initiate the project and seek partners, or the Trust may become involved at the request or invitation of the partners. In cooperative projects, the Trust will share in the responsibility for project planning, initiation, development, completion, and evaluation with the partners.

Trust Projects

The Trust may see the need or the opportunity to complete wetland projects entirely on its own. In those cases, the Trust would plan, initiate, develop, evaluate, and report on the project. Depending on the project, the Trust may hire engineers, contractors, realtors, attorneys, facilitators, and educators as needed to complete a project.

Project Guidelines: Areas of interest.

All projects considered and reviewed by the Trust, whether grants, cooperative efforts, or self-managed projects, will be evaluated and ranked by the same guidelines: solution, cooperation, innovation, demonstration, education, continuation, evaluation, completion, and participation.

1. **Solution:** The proposed project should solve a problem or remove a threat.
2. **Cooperation:** Projects should demonstrate partnerships, especially ways for farmers and wildlife conservationists to work together.
3. **Innovation:** Projects should have something innovative, not to be different, but to be more efficient, more acceptable, more successful than other approaches to similar projects or problems.
4. **Demonstrations:** Proposals must provide appropriate biological data, literature reviews, engineering data, and public support to show the project can be completed and have its desired effect. Permit requirements and other agreements should be obtained or clear plans to obtain them must be described.
5. **Education:** Projects must improve the understanding of wetlands and educate individuals about the value of wetlands and their long-term benefits.
6. **Continuation:** The proponents must describe how the project will be maintained for the project duration and how benefits will continue in the future.
7. **Evaluation:** Proponents must demonstrate how they will evaluate the success or effect of a project during its development as well as after completion. Proponents must identify who and how the project will be monitored or evaluated, and who will be responsible to the Trust for the evaluation.
8. **Completion:** At the completion of the project, proponents must notify the Trust and report units of accomplishment, final expenditure of Trust funds, any follow up work needed, and recommendations about the project or potential similar projects for the future.
9. **Participation:** In programs that seek to use Trust resources as matches for certain federal, state or private grants, the Trust will give additional consideration to applicants who put at least 25 percent of their own resources into the program.

Project Criteria

The following are standards by which a determination can be made for Trust projects. They are to be used to identify and prioritize significant projects which will preserve, restore, manage, and enhance wetlands and associated wildlife habitat in North Dakota. These criteria will be used to ensure that an objective, scientific, and thorough assessment is prepared for all proposals presented to the Trust.

The Trust recognizes that we have limited resources and are not able to fund every project that is proposed. The Trust will chose projects which most effectively and efficiently invest our resources in wetland conservation. The test of the effectiveness of the Trust shall be whether or not its efforts increase and enhance the wetland base in North Dakota.

The criteria address the following:

- a) Priorities.
- b) Types of projects the Trust will not fund.
- c) Monitoring and evaluation of Trust projects.

Priorities

- Projects which protect unique or high quality wetlands and wetland complexes that are at risk of being destroyed or degraded. An adequate management plan that includes costs must be prepared for all Trust fee title acquisitions prior to Board approval.
- Projects which restore or protect uplands or watersheds around unique or high quality wetlands and complexes at risk from drainage or degradation.
- Long-term restoration of unique or high quality wetlands and complexes alone or in partnership with other individuals or organizations.³
- Long-term enhancement of unique or high quality wetlands or wetland complexes alone or in partnership.³
- Grants to individuals or organizations for stewardship of wetlands and wetland complexes on a long-term easement basis.³ The Trust wants its programs to be flexible in providing options ranging from perpetual to less than perpetual protection for landowners and organizations.
- Grants to individuals or organizations for stewardship of wetlands and wetland complexes on a temporary basis (five years or less) which provide long-term wetland

³Restoration and enhancement of natural wetlands takes preference over created ones.

benefits or have educational or demonstration value. The Trust prefers such temporary programs become self-sustaining within five years.

- Grants to individuals or organizations for wetland education programs. Wetland education programs must have measurable results such as the number of wetland acres protected, number of people reached, attendance at workshops or programs, and reaction or support for protecting the state's wetland base.
- Grants for new and innovative programs for protecting the North Dakota wetland base. The Trust prefers long-term protection programs over temporary ones for these new and innovative approaches.

The Trust will expend its resources on these priorities both on an annual and cumulative basis. It is cumbersome to assign a percentage of Trust expenditures to each priority. The Trust should continuously track its disbursements to assure those expenditures fulfill the mission of conserving the wetland base in North Dakota.

Programs Not Funded by the Trust

1. The Trust will not fund research.
2. The Trust will not allow its resources and wetland restoration acres on future projects to be used for Swampbuster mitigation.
3. In mitigation, outside Swampbuster, the Trust shall make the decision on whether its restoration acres can or cannot be used for mitigation on a case-by-case basis.

Monitoring and Evaluation

The Trust will adopt an evaluation system that measures the impact of its efforts. It will quantify the outcomes of the projects it funds over a given period, and compare them to a standard agreed upon by the Board. The standard shall be the fulfillment of the Trust's goals and objectives. Measuring progress towards achieving the goals and objectives of the Trust is challenging, but it must be done. Information gained from monitoring and evaluation will measure progress toward accomplishing our goals and objectives.

The first step in evaluation is requiring the applicants to do an evaluation worksheet prior to submitting proposals to the Trust. It should be impartial and the Trust will provide applicants a standard model for types of proposals.

For education and new programs, the recipients have the responsibility to provide an annual letter of accomplishment. The Trust will tailor this responsibility to the specific program funded and the needs of the recipients on an individual basis.

HUMAN RESOURCE PLAN

The Directors and staff each have distinct and separate responsibilities. The Strategic Plan will be implemented by the staff of the Trust, with direction setting, review, and oversight by the Board.

The Directors' responsibilities are to:

- Communicate with stakeholders they represent.
- Plan and set direction of the Trust.
- Employ and direct Trust staff.
- Provide fiscal oversight and accountability.
- Ensure that programs fit with goals and objectives.
- Set policy.
- Be aware of liabilities, both individual and collective, described by the Trust's attorney.

The staff's responsibilities are to:

- Conduct day-to-day business of the Trust, such as board meeting management, office management, correspondence, records management and retention, insurance needs, reports to Bureau of Reclamation, and receipt and coding of invoices.
- Manage land acquisitions and coordinate approval process.
- Communicate Trust activities with Board of Directors, project partners and other stakeholders.
- Assist with new Board member training.
- Coordinate Trust needs with accountant, Trust fund manager, and legal advisor.
- Propose and initiate, with Board approval, programs and projects that meet Trust goals and objectives.
- Manage and coordinate proposals received from potential project partners.
- Manage Trust projects from planning to implementation.
- Manage Trust needs for partner projects: agreements, reporting, and evaluation.
- Manage lands owned by the Trust that are not given to another agency or organization to manage. Prepare management plans for Board approval, identify lessees and contractors to carry out goals and objectives, and oversee all lessee and contractor activities.
- Oversee management of Trust lands that are managed by another managing organization.
- Assist with strategic planning by coordinating logistics and staff needs, gathering and presenting information, and providing follow up as requested.
- Provide background information to Board for policy decisions.
- Draft grant proposals for Board approval.
- Track legislation that affects the Trust at the North Dakota Legislature.

Board Communication and Training

The Trust's Directors must remain knowledgeable of the Trust's activities. The Directors meet at least three times a year and may develop a system of Director Committees to meet more frequently in order to complete reviews or evaluations of proposals on accepted projects and make recommendations to the full Board for action.

Individual Directors may have to meet more frequently with their respective constituency or appointing entity, and Directors may want other Directors to accompany them to some of the meetings.

The Directors also may conduct telephone conference calls at a set-frequency. A frequent, more personal contact will help improve the flow of information and enthusiasm better than written correspondence. The Trust should continually evaluate the Trust's newsletter to see if it meets the Trust's needs.

It would be valuable for all Directors to become better versed in wetland and agricultural programs, wetland ecology, farm management and economics, wetland facts and figures, state and federal programs, regulations, and land holdings. At each Board meeting, the Board will have presentations on topics such as the Section 404 program, Swampbuster, Wetland Reserve Program, U.S. Fish and Wildlife Service Acquisition Program, a farmer's views, and a farm organization's views. The Directors will suggest topics and the Manager will coordinate and schedule guest speakers.

In addition, from time to time, agency coordinated activities and field trips can provide insight into better understanding of wetland related issues. The North Dakota Game and Fish Department, U.S. Fish and Wildlife Service, and other agencies are encouraged to include invitations to members of the Board when these activities permit.

FINANCIAL PLANS

The Trust has three main responsibilities for financial planning and accountability: planning and approving budgets, accounting for expenditures, and managing the Trust's funds. These responsibilities are tied to the Strategic Plan through goals and objectives.

To effectively carry out the mission of the Trust, Board members must have useful and timely information about the Trust's financial obligations, assets, anticipated revenues, and liabilities. The Board is responsible for the Trust's fiscal well-being and the annual budgeting process. The Board will oversee work of the staff, accountant, and trust fund manager in preparing budgets for the work described in the strategic plan, and establishing an accounting system tied to the budget and goals, for presentation at the annual meeting. The Directors will also make decisions on management of the interest income accumulated over the past years.

Budgeting

Budgets will be developed by staff, and revised and approved by the Directors on an annual basis. In addition, budgets will be estimated for the three to four years following. The budget will include estimated costs of anticipated program management or activities, based on the strategic plan (goals and objectives), and estimated revenues by fund (accumulated interest income, annual interest revenue, grant revenue, and other revenue).

Accounting

Expenditures will be tracked on a program (project) basis by line item. Special projects that receive outside grants will be tracked separately. A quarterly financial statement by revenue and expense (for each program and cumulative) will be sent to the Board by the accountant.

Fund Management

The Trusts funds will be tracked and managed separately, to include:

- Government Deposit Fund (principal)
- Accumulated Income Fund
- Annual Interest Income
- Grants

MONITORING, CONTINGENCIES, AND EVALUATION

The Trust Board will review accomplishments toward the goals and objectives laid out in this strategic plan at their annual board meeting. The Board will review the strategic plan biennially and make changes as needed.

SUPPORTING MATERIAL ON FILE

* *A. Plan Development Materials:*

1. Strategic issues
2. Stakeholder list
3. Strengths, weaknesses, opportunities, threats
4. Goal and objective ranks

B. Legal Documentation

1. Public Law 99-294, Section 5
2. North Dakota Century Codes 10-06-04.3
3. Contractual Agreement with Bureau of Reclamation
4. Contract with Secretary of Interior and State of North Dakota

* *C. Supporting Materials*

1. Budget projections for 1997-2000
2. Proposal application
3. Work plans

