ST. PAUL, MINNESOTA, MAY 23-24, 2002

SECOND ANNUAL LEGISLATORS FORUM
FOR MANITOBA, MINNESOTA, NORTH DAKOTA AND SOUTH DAKOTA

Row 4: Representative Gary Hanson - SD; Senator Tom Fischer - ND; Representative Jon Nelson - ND; Representative Tom Bakk - MN; Mr. Larry McGuire - MB

Row 3: Senator Joel Heitkamp - ND; Senator Dave Knutson - MN; Representative Carol Pitts - SD; Representative Ken Svedjan - ND; Representative Ole Aarsvold - ND; Representative Jim Peterson - SD; Representative Rod Skoe - MN

Row 2: Mr. Jack Penner - MB; Senator Arnold Brown - SD; Senator Ken Solberg - ND; Minister Ron Lemieux - MB; Senator Steve Dille - MN

Row 1: Representative Maxine Penas - MN; Representative Lynda Boudreau - MN; Senator Paul Dennert - SD; Senator Roger Moe - MN; Senator Jane Krentz - MN; Senator Don Brosz - SD; Senator Dave Tomassoni - MN

Steering Committee and 2002 Attendees

Sen. Arnold Brown, Sen. Ken Solberg and Sen. David Knutson

Rep. Ole Aarsvold, Mr. Jack Penner and Rep. Rod Skoe

The Second Annual Legislators Forum met May 23 & 24, 2002 in St. Paul, Minnesota: The group consisted of legislators from Minnesota, Manitoba, North Dakota and South Dakota.

The Steering Committee, appointed to continue activity between annual meetings, is comprised of two legislators from each of the four jurisdictions. Members are - Manitoba: Honorable Rosann Wowchuk and Mr. Jack Penner; Minnesota: Senator Dave Knutson and Representative Rod Skoe; North Dakota: Senator Ken Solberg and Representative Ole Aarsvold; South Dakota: Senator Arnold Brown and Representative Gary Hanson (replacing Representative Jim Hutmacher)

Manitoba

Honorable Rosann Wowchuk, Minister of Agriculture and Food

Honorable Ron Lemieux, Minister of Culture, Heritage and Tourism

Honorable Greg Selinger, Minister of Finance

Mr. Larry Maguire, Member of the Legislative Assembly for Arthur-Virden Constituency; Opposition Environment Critic

Mr. Jack Penner, member of the Legislative Assembly for Emerson Constituency; Opposition Agriculture Critic

Minnesota

Roger D. Moe, Senate Majority Leader (D)

Senator Steve Dille (R)

Senator David Knutson (R)

Senator Jane Krentz (D)

Senator David Tomassoni (D)

Representative Tom Bakk (D)

Representative Lynda Boudreau (R)

Representative Maxine Penas (R)

Representative Rod Skoe (D)

North Dakota

Senator Tom Fischer (R)

Senator Joel C. Heitkamp (D)

Senator Ken Solberg (R)

Representative Ole Aarsvold (D)

Representative Jon Nelson (R)

Representative Ken Svedjan (R)

South Dakota

Senator Arnold Brown (R), President Pro Tem

Senator Don Brosz (R)

Senator Paul Dennert (D)

Representative Gary Hanson (D)

Representative Jim Peterson (D)

Representative Carol Pitts (R)

Rep. Rod Skoe, Sen. Ken Solberg, Sen. Roger D. Moe, Sen. Arnold Brown and Rep. Gary Hanson

Memorandum of Understanding

Memorandum of Understanding
For the Legislators Forum and Steering Committee

WHEREAS legislators from the four jurisdictions of Manitoba, North Dakota, South Dakota and Minnesota met together for the first time in May of 2001 at the request of the International Flood Mitigation Initiative (IFMI); and

WHEREAS the legislators discussed issues related to flood mitigation on the Red River as well as other issues, such as tourism, energy, agriculture harmonization, animal health and food safety; and

WHEREAS the legislators came to an early understanding of how much the four jurisdictions have in common; and

WHEREAS the legislators were able to arrive at early, general agreements on many of the issues they discussed in a very short period of time; and

WHEREAS the legislators formed a Steering Committee to continue the work they began in May; and

WHEREAS Minnesota has invited the legislators of the four jurisdictions to come together again in May of 2002 in St. Paul; and

WHEREAS the Steering Committee has suggested that the 2003 meeting be held in South Dakota, the 2004 meeting in North Dakota, and the 2005 meeting begin the rotation again in Manitoba; and

WHEREAS the legislatures of the four jurisdictions desire to encourage the four jurisdictions to discuss common issues and develop agreements on how the jurisdictions can work together for the good of all the people in these jurisdictions,

NOW, THEREFORE, WE AGREE that the undersigned will designate 8 legislators from each of our jurisdictions to continue the Legislators Forum; the eight legislators will be designated considering political, geographical and gender balance, for two-year terms and can be re-appointed to ensure continuity. We further agree to designate two legislators from each jurisdiction as members of the Steering Committee to continue activities between the meetings of the Legislators Forum and to plan for the next year's Forum. We further agree to seek appropriate funding for the designees' attendance at, support for and hosting of the Legislators Forum meetings.

Manitoba Premier, Gary Doer

Minnesota Speaker of the House, Steve Sviggum

South Dakota Chair of the Legislative Research Council Executive Board, Arnold Brown

North Dakota Chair of the Legislative Council, Wes Belter

Minnesota Senate Majority Leader, Roger Moe

Dated in Bismarck, North Dakota, May 20, 2002

THURSDAY, MAY 23, 2002
RADISSON CITY CENTER HOTEL, ST. PAUL MINNESOTA

The proceedings began with a steering committee meeting and a pre-Forum press conference involving the four leaders of the delegations: Senator Roger Moe (MN), Minister Rosann Wowchuk (MB), Senator Ken Solberg (ND) and Senator Arnold Brown (SD). Moe welcomed the delegates to Minnesota and reviewed the outcome of the First Legislators Forum, May 23-24, 2001, in Winnipeg, Manitoba. Moe said he found the Winnipeg meeting to be one of the most productive 24 hours of his legislative life and expressed hope that this meeting would be equally productive. Dick Gross of the Policy Consensus Initiative (PCI) and the Consensus Council (CC) in Bismarck, ND, served as facilitator for the Forum. The following ground rules were established:

1. **It's your show**
2. **Everyone is equal**
3. **No relevant topic is sacred**
4. **No discussion is ended**
5. **Respect each other's opinions and the time**
6. **Silence on decisions is agreement**
7. **Make sure I write what you meant**
8. **Have fun**

Legislators introduced themselves and offered comments on the First Legislators Forum in Winnipeg. Most of the remarks from the U.S. members related to the genuine hospitality attendees felt at the meeting. Many noted that legislators had made a great deal of substantive progress in a very short period of time. Some said the broad level of consensus achieved so quickly surprised them and was an indication of how much the four jurisdictions have in common.

Following the introductions, the five working groups presented their findings and accomplishments over the past year.

Energy Transmission

Shaun Loney (MB) introduced the other panelists for the Energy Transmission Working Group Panel. They were Ron Mazur of Manitoba Hydro, Jerry Lein of the ND Public Service Commission and Linda Taylor of the MN Department of Commerce.

The panel began by discussing the Mid-Continent Area Power Pool (MAPP) Region. Formerly, generation and transmission were planned together. The new challenge, in an open access environment, is to plan transmission for third party generation interconnection and routing of transmission. In transmission planning and construction, there are four areas of concern. First, there is the need for planning of transmission to meet the numerous generation and transmission service requests. One challenge is to coordinate planning for the numerous generator connection requests in transmission owner queues and the transmission service requests that are queued separately. The second challenge is cost recovery, including who benefits and who pays. The third challenge is siting and routing. This involves landowner issues in a wide area since electricity markets are regional. We lack a multi-state/provincial regulatory process at this time. The final challenge is the lack of education about the need for regional transmission.

Panelists discussed the Harvey-Glenboro Power Line, which is a new international power line from Harvey, ND, to Glenboro, MB. The line will increase transmission capacity between Manitoba and the United States by 200 megawatts. The project runs 95 miles in North Dakota and 50 miles in Manitoba and required both U.S. and Canadian permits. The estimated cost of the new line is $50 million and it is scheduled to begin operations in October 2002. Utility companies involved are Manitoba Hydro, Xcel Energy, and Otter Tail Power Company.

Hon. Ron Lemieux, Rep. Ken Svedjan and Sen. Jane Krentz

North Dakota processing for this transmission line began with meetings with landowners and local government officials. The state filed an application, held a hearing, and issued a routing permit. Construction began in late 2001. Construction in Canada required a Manitoba provincial license and a Canadian National Energy Board permit. Manitoba Hydro met with landowners and local government officials early in the process. The company filed a permit with Manitoba Conservation and formed a technical advisory committee. A hearing was unnecessary since all issues were addressed by public/government consultations during the site selection and environmental assessment processes. The companies received provincial and federal licenses within six months and construction began in March 2002. Many view the project as a success. The time from commitment to service date will be about 3.5 years. The project's success is due to early public/landowner consultation and communication with government stakeholders.

Panelists said that there are several different entities involved in discussion of transmission issues. These include the Federal Energy Regulatory Commission, North American Electric Reliability Council, Mid-continent Area Power, Midwest Independent Systems Operators, state and provincial regulatory bodies, the National Governors' Association, the Midwest Governors' Association, and the U.S. Department of Energy Transmission Grid Study. Part of the problem is that there are so many entities involved in these discussions.

In closing, panelists said regulatory cooperation and coordination are important and transmission reliability is a regional issue. Government or quasi-government regional entities must be involved, but, most importantly, the four jurisdictions need to speak as one voice. To assist in these efforts, legislators need to provide appropriate and adequate resources to the state and provincial agencies doing the work.

Panelists said that transmission constraints are caused by stability issues or thermal-loading limits on transmission lines. These constraints are not jurisdictional but physical.

When asked who coordinated the Harvey-Glenboro project, panelists replied that sponsoring utilities joined together and planned the project using the MAPP regional transmission planning process. Since the Midwest Independent Transmission System Operator (MISO) was developed it will likely plan future projects, but transmission owners will continue to provide local expertise and advice.

Legislators asked if they could do anything in the short term regarding the urgency of resource demands. Panelists said that legislation is needed, but it is complicated by state and provincial powers that have been ceded to regional entities. They suggested legislators start by facilitating better coordination between state/provincial entities involved in siting interstate and inter-province transmission lines.

Summary of areas of agreement among the legislators on the Energy Transmission report:

1. More transmission capacity and a streamlined process, especially on a regional basis, is essential.
2. This forum is an essential venue to receive regular updates on progress, or lack of progress, relative to development of transmission capacity.
3. An emphasis on health and environmental issues and public involvement in the process are needed.
4. While last year's meeting suggested some exploration of the MN ethanol legislation and infrastructure, not much has been done over the year. Delegates would like to see more significant emphasis placed on renewable fuels -- including bio-mass and ethanol, wind and hydrogen cells -- for presentation at next year's meeting. Delegates made no decision to change the current working group or to form another working group, but interest in renewable fuels has grown substantially since last year's meeting. Next year, a presentation on the Powering the Plains (PTP) process would be valuable. The steering committee agreed to address that interest.
5. Delegates might consider legislation allowing for a regional approach to the energy transmission process and adding states like Wisconsin, Iowa and Nebraska to the regional planning processes.

Agriculture Harmonization

Representative Jon Nelson (ND) introduced panelists on the Agriculture Harmonization Working Group. Panelists included Nelson; Jim Gray, ND Department of Agriculture; Paul Liemandt, MN Department of Agriculture; and Barry Todd, MB Department of Agriculture.

The Agriculture Harmonization Working Group Panel reported that harmonization is viewed differently by stakeholders. Farmers see agriculture harmonization as one-sided. They see that certain products are available in Canada, but not in the United States. Harmonization is actually a two-pronged issue that includes market access and market segmentation. Problems with market access come into play when products are registered in one country but not in the other. Some products are not registered in either country. Canadian law places restrictions on pesticides. North Dakota's Department of Agriculture (NDDA) addresses the market segmentation issue.

NDDA has attempted to use Section 24(c) registration for Canadian products. They are facilitating the import of appropriately labeled Canadian products. They worked with the Environmental Protection Agency (EPA) and the congressional delegation to draft the Pesticide Harmonization Act. NDDA staff co-chairs the North American Free Trade Agreement Industry Working Group (NAFTA IWG) "Equal Access to Products Team" to push for adoption of NAFTA pesticide labels.

Panelists discussed the Pesticide Harmonization Act (S.532), which is sponsored by U.S. Senator Byron Dorgan (ND). The bill allows U.S. growers to access Canadian pesticides at prices comparable to those available to Canadian growers. If passed, the bill would allow states or persons to serve as registrants for certain Canadian pesticides, thereby allowing importation of those products.

Canada and the United States have participated in joint reviews of new pesticide products. With joint reviews, there is less risk to growers who have the added advantage of sharing technical advancements. So far, the process is working very well.

Panelists indicated that grower groups must organize and advocate for harmonization. Grower groups should begin discussions with manufacturers and get in touch with regulators such as the EPA. Legislatively, not much can be done in Canada because pesticide regulation is handled federally. To fix the consumer access component, the U.S. Congress should pass the Pesticide Harmonization Act and develop NAFTA pesticide labels. To fix the market access component, the industry must clearly identify legislative and administrative changes that are necessary. Panelists said that industry is the major roadblock. Price is the greatest concern to producers. Other needs regarding agricultural products should be prioritized.

Following the presentation, legislators asked about the availability, legality and price of products, and what could be done to alleviate problems. Panelists said that price is an international issue. Many barriers exist including federal laws. Price and costs vary from states to provinces and depend on what the market will bear. The states play dual roles in determining availability and legality - they are required to enforce federal laws but also to act as farmer advocates.

Panelists suggested legislators talk with their respective congressional delegations to identify legislation needed to make regulations equitable on both sides of the border. State regulations alone may not accomplish much. Legislators could also send a letter of support to the EPA to encourage and address these issues. Panelists said NAFTA labeling may be the easiest answer.

Summary of areas of final agreement among the legislators on the Agriculture Harmonization report:

1. States and provinces need to explore more opportunities for sharing data and information regarding agriculture harmonization issues.

2. The work of the North American Free Trade Agreement (NAFTA) technical working groups over the last five years has harmonized the chemical registration process. However, the process is slow to address new and old registration applications. Legislators should write a letter of support to the U.S. Environmental Protection Agency (EPA) and the Canadian Pest Management Regulatory Agency (PMRA) applauding the efforts of the working groups and asking that they broaden, expedite and prioritize their efforts. The steering committee agreed to work on a draft letter of support that will be shared with the Agriculture Harmonization Working Group and circulated to the legislators.

3. Relative to registration and reciprocity, the Forum agreed to language, generally, but asked that it be revised in a more summary form, that would say:

   The Legislators Forum urges Congress to adopt legislation granting states the authority to issue state registration to parties who wish to import Canadian crop protection products that are identical or substantially similar to products registered by the EPA for use in the United States, and urges the Canadian government, through PMRA, to adopt equivalent provisions to provide practical registration options for parties who wish to import U.S. crop protection products that are identical or substantially similar to products registered by PMRA for use in Canada.

   We agree that an orderly process of crop development and protection materials be encouraged to be developed and used to provide food security and safety in an international and inter-jurisdictional basis. We further agree that the crop protection materials be given inter-jurisdictional status via an arrangement of reciprocal agreements to accommodate the transfers of crop protection materials that are used on specific crops in countries, states and provinces that trade in these crops, or food processed from these crops, for human or animal consumption.

4. A letter of support from the Legislators Forum for the Pesticide Harmonization Act aimed at harmonizing (not equalizing) prices and de-segmenting markets would also be appropriate.

Tourism

The Tourism Working Group Panel consisted of John Edman of the Department of Trade and Economic Development for the State of Minnesota and Hubert Mesman of the Tourism Division for the Province of Manitoba.

On July 13, 2001, Minnesota and Manitoba signed an agreement to cooperate in bilateral trade, regional tourism and energy market development. Subsequently, North Dakota and South Dakota joined Minnesota and Manitoba's regional marketing initiative now called "2 Nation Tours" promoting multi-state/province vacations.

Manitoba, Minnesota, North Dakota and South Dakota are taking a cooperative marketing approach. They are holding regional meetings, including conference calls and face-to-face meetings, which began in November 2001. The four jurisdictions are working on strategic planning and shared responsibilities.

Regional and national tourism trends include: the impact of September 11th; decrease in travel; travel close to home; shorter trips visiting family and friends; and the interest in a value vacation. The region is well positioned to take advantage of these trends because it offers a variety of attractions and accommodations; it is an affordable get-away vacation; it is perceived as a safe and comfortable place; it is stress free away from crowds; and it is possible to travel by car.

The tourism panel discussed marketing plans including itinerary development, tour

Sen. Paul Dennert and Rep. Carol Pitts

operator targeting, promotional material development, direct mail programs, web portals, travel trade media promotion and trade show promotions. Tourist Information Centers (TICs) can distribute literature and regional materials and promote events. Panelists discussed state and provincial tourism budgets and the nine-to-one return on investment in federal, state and local taxes. The tourism industry employs over 200,000 people in the region. Panelists said the timing is right for regional tourism -- the market is growing in this sector and work needs to be done to get an appropriate share of the market.

The 2 Nation Tours initiative is a significant effort between Manitoba, Minnesota, North Dakota and South Dakota. Several tour itineraries promote regional history, heritage, wildlife and nature, trade and festival promotions. Panelists also discussed branding for the 2 Nations Tours concept. Panelists have researched the region's potential, common objectives and themes. Logo treatment and names are important. Panelists are making efforts to jointly incorporate the brand in future promotions. Progress over the past year has been significant.

Summary of the discussion/agreement on tourism issues:

1. Legislators need to advocate for financial support of tourism efforts, especially those aimed at developing a regional theme.
2. Legislators need to create awareness of the needs of tourism agencies and need to urge their colleagues to take the message of what the region has to offer to contacts around their countries and around the world.
3. Delegates should meet with their tourism agencies to receive and share information about tourism efforts and needs.
4. Delegates need to be aware that support of infrastructure development and maintenance is essential to growing tourism. If tourists come to the region but find parks, roads and buildings in disrepair, they are far less likely to spread the word or to return.
5. Tourism agencies of the region need to develop a list of barriers to tourism infrastructure needs and a list of criteria needed to attract tourist dollars and report back to next year's forum.
6. It is essential to involve the private sector in regional tourism efforts.

Animal Health & Food Safety

Dr. Sam Holland, SD State Veterinarian, introduced panelists for the Animal Health and Food Safety Working Group presentation. Panelists were Holland; Dave Micklos, SD Department of Health; Shirley Bohm, MN Department of Agriculture; and Dr. Allan Preston, director, Veterinary Services Branch, MB Agriculture and Food.

The panel defined regionalization as an attempt to apply geography and science in the process of regulating movements of animals and food products. Regionalization is a result of state and provincial clauses in major trade agreements. Methods of regionalization are risk assessment and risk assignment. In the United States, almost 100 percent of the regionalization experience has been in response to importers' requests.

In Canada, the U.S. Consultative Committee on Agriculture (CCA) reached a Record of Understanding (ROU) on agriculture trade on December 4, 1998. According to the ROU, Canada would complete regionalization regulations by the first quarter of 2001. U.S. regulations were completed in 1997. Regionalization efforts protect animal health and food safety/security, mitigate risk and minimize disruption. Several trade agreements include regionalization regulations.

Mr. Larry Maguire, Sen. Dave Tomassoni and Rep. Ole Aarsvold

Animal Health and Food Safety panelists said sanitary/phytosanitary (SPS) requirements must be addressed in any regionalization effort as directed by trade agreements. Panelists also indicated regionalization must come at the request of the nation's chief veterinary officer (CVO) under established trade agreements.

After reviewing the plans of the jurisdictions, panelists discussed areas for improvement. In Manitoba, these include animal identification, animal movement controls, disease surveillance, information dissemination and legislative support. Areas to improve in Minnesota include food/animal emergency response plans; prevention, preparation and response programs; and information dissemination. In North Dakota, areas needing improvement include prevention, preparedness, bio-security response, disease surveillance, animal slaughter and disposal, animal welfare and compensation issues. Areas to improve in South Dakota include integration with state emergency plans, food/animal emergency response plan, animal welfare issues and compensation issues.

The Canadian Food Inspection Agency (CFIA) and provinces have multiple roles in animal health and food safety. Foreign Animal Disease (FAD) response is a federal responsibility in Canada. CFIA controls international livestock movement. Minimal inter-provincial controls exist. Provinces are responsible for disease control until a confirmed positive diagnosis is made. There is no provincial animal health board.

USDA and state entities have multiple roles in this area. The state and state animal health boards are responsible for animal health issues within the state. The state sets requirements for movement. FAD response is a shared federal and state responsibility in the United States.

Panelists said that agencies are well prepared for accidental emergencies, but need to prepare for intentional emergencies. Communication is the most crucial step in dealing with terrorist threats to the food supply. The group discussed several ways to communicate between states and provinces and among the jurisdictions.

Maintaining consumer confidence is a key factor in animal health and food safety. Negative effects on the economy result from a lack of information, a lack of assistance and a loss of confidence in the government's ability to protect the food system and the food supply itself. Panelists said that legislators and stakeholders must provide information, training, risk assessments and response plans. Most importantly, the information provided must be accurate. Jurisdictions can prevent panic and misunderstanding with reliable facts.

A growing concern about animal health began with hoof and mouth disease in the United Kingdom. Each jurisdiction must have plans to protect against the disease. Panelists from Minnesota and South Dakota indicated that their respective states have a lot of legislative support in this area. They stressed that animal health and food safety have an impact on tourism and the economy and they emphasized just how easily a disease can spread.

Manitoba Delegation and Panelists *(left to right)*

Mr. Larry McGuire (MLA), Dr. Allan Preston (Veterinary Services, Manitoba Agriculture and Food), Shaun Loney (Legislative Assistant), Ron Mazur (Manitoba Hydro), Hubert Mesman (Toursism Division), The Honorable Greg Selinger (MLA), Mr. Jack Penner (MLA), the Honorable Rosann Wowchuk (MLA), the Honorable Ron Lemieux (MLA), Dr. Barry Todd (Manitoba Agriculture and Food)

Summary of areas of final agreement among the legislators regarding the Animal Health and Food Safety report:

1. After discussion of the panel presentation, delegates adopted a draft version of a recommendation on a regional approach that reads:

   We agree to write letters to appropriate agencies in the federal governments of Canada and the United States to encourage the adoption of a regional inter-jurisdictional action process in case of disease outbreak, to ensure the containment and quick eradication of these outbreaks in our region and to ensure food safety and security in an economical and efficient manner by using the available inter-jurisdictional expertise and scientific technology. We also agree that regional actions for the purpose of the elimination of disease be referenced in amendments to existing, and newly agreed to, trade pacts.

2. Other issues that the delegates would like to have addressed by the Animal Health and Food Safety Working Group for next year's meeting include: potential over-use of antibiotics in animal agriculture and on humans; bio-terrorism; and training of local emergency management personnel relative to all of these issues.

3. Delegates also agreed that it is essential to understand that public notification and education in this area is crucial. It is also important to avoid inappropriate announcements that may simply scare the population unnecessarily.

FRIDAY, MAY 24, 2002, MINNESOTA STATE CAPITOL

The morning of the second day, delegates met with working group panelists at separate breakfast tables to further discuss first day presentations and areas of agreement. Following those discussions, delegates heard the final presentation of the Forum from the Water and Flood Mitigation Working Group.

Water and Flood Mitigation

Lance Yohe, executive director of the newly formed Red River Basin Commission, introduced the four water and flood mitigation panelists: Bruce Furness, mayor of Fargo; George Sinner, former ND governor; Genevieve Thompson, director of the Greenway on the Red and vice-president for Dakota Audubon; and Chuck Fritz, Red River Institute director.

The water panel reported that the Red River Basin Initiative (RRBI) is working on applied flood mitigation research and education initiatives. The RRBI works with universities throughout the basin to marshal research resources and have a watershed education project for children that involves a canoe release.

Thompson said that the Greenway on the Red has a goal of developing a 600-mile greenway on the Red River and its tributaries to aid in flood mitigation. The goal is to get people, animals and buildings out of harm's way, to reduce flood damage and to realize economic benefits. They have done, and will do, extensive mapping to identify where the greenway should be placed. They are also identifying the advantages for farmers. Some of the benefits of the greenway are improved water quality and habitat for wildlife, increased recreational opportunities and promoting the 2 Nation Tours tourism campaign. They have funding partnerships with the Bremer Foundation and the EPA.

Furness reported that the Red River Basin Commission was started to deal with the 1997, 2000, and 2001 flooding in Fargo. Before the 1997 flood, the commission was called the Red River Basin Board. Several organizations, now merged into one to build consensus, vision and integration. The commission will promote a positive vision for increased water quality and quantity of the basin through four activities: leadership, partnerships, communication, and technical research and assistance. One potential solution is the Conservation Reserve Enhancement Program (CREP), which would create buffer zones.

Sinner said the greenway project is an attempt to move people out of the 100-year flood frequency area. They are also trying to find ways to keep water out of areas where people live. Advocates and individuals involved have vested interests such as agriculture, wildlife, and economic interests. He said that we must build a basin-wide perspective and be open to all solutions. Three things are necessary: responsibility in state authority, a source of money and an advisory commission.

Following the presentation, delegates made comments and asked questions. Legislators asked where the authority should be vested. Panelists said it could be the state engineers, likely under the "water people."

Legislators asked what the vision is for the greenway. Panelists said that it is not simply 1,000 feet on either side of the Red River, but based on the hydrology of the basin. The uses must be appropriate to land conditions.

Legislators asked for a definition of the greenway and an explanation of what happens to it in the cities. Panelists said that Grand Forks and East Grand Forks already have completed a lot of acquisition. Fargo has made an effort to acquire at-risk homes and land, but there are still some owners holding out. It could take a generation for transition. It is possible to build dikes to hold off the floods, but dikes would be everywhere.

Sen. Roger D. Moe and Gov. George Sinner

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Legislators said that fragmentation has been a problem in the basin, and they were supportive of unification through the commission. They wonder if the group is broad enough. Panelists said that the vision is to include everyone who is affected by the river. The board has 41 members to include representatives of all stakeholders, plus federal and state agencies. Legislators said that North Dakota does not permit perpetual easements. They asked how the greenway will handle temporary easements. Panelists said that some "emergencies" are permanent, otherwise they must work around it.

Legislators asked about Devils Lake and other areas for water projects. Sinner proposed a region-wide one-quarter percent increase on sales tax for projects. Legislators asked how storage could be built for drought and flood proofing. Panelists said that a basin-wide engineering study is needed to identify storage solutions and funding. It is also a tax issue because it is hard to raise revenue. Manitoba has acquired some lands for the greenway along the river, and is trying to identify lands to be purchased and put into the greenway.

Legislators asked how well the greenway board is cooperating. Panelists said that there is good communication between Manitoba and state members on the greenway board. Inventory is the first goal, and Manitoba is doing inventory on the Canadian side. Wetlands should be restored as part of the mitigation. They also need crisis storage and better information on how much water can be stored in the wetlands. Legislators encouraged the commission to include Devils Lake, because it will continue to be a big problem if the weather continues in the current pattern. The commission should be comprehensive including Devils Lake and Pembina River representatives. Panelists assured legislators that Devils Lake is included in the deliberations. This is a very sensitive subject internationally.

Summary of the final agreement regarding Water and Flood Mitigation:

The Legislators Forum should support Canadian and U.S. federal funding for data collection and CREP-like programs and use programs in place, particularly in MN (for CREP), to leverage federal dollars enabling work on a regional basis to enhance data collection and CREP-like programs in the region.

Conclusion

The Forum concluded with a press conference involving the four delegations and their leaders. South Dakota will host next year's meeting May 21-22, 2003. The Steering Committee asked Dick Gross to continue as facilitator for the 2003 Legislators Forum and for steering committee meetings during the interim. Videotapes of the meetings are available. Contact Steve Senyk, director of Minnesota Senate Media Services, at (651) 297-1731 or steve.senyk@senate.leg.state.mn.us.

Sen. Roger D. Moe, Sen. Arnold Brown, Rep. Gary Hanson and Sen. David Knutson