

Flathead Reservation Water Management Board

PO Box 37, Ronan, MT 59864 | contact@frwmb.gov | (406) 201-2532

Date: **DRAFT** October 30, 2023

To: Tom McDonald, Tribal Chairman of the Confederated Salish and Kootenai Tribes and Greg Gianforte, Governor of the State of Montana

RE: Request to modify Flathead Reservation Water Management Board compensation rates from \$175 per meeting to **\$300** per meeting

The water right compact entered into by the Confederated Salish and Kootenai Tribes (CSKT or Tribes), the State of Montana, and the federal government designates the Flathead Reservation Water Management Board (FRWMB or Board) as the water right administrative body for the Flathead Reservation. As a part of the negotiated settlement, the Board is charged to be separate and independent from Tribal, State, and federal governments in their role of administering water rights and water uses on the Reservation. The Board spends an substantive amount of time working on all facets of starting up their water rights administration office, the Office of the Water Engineer, setting water policy, and directing methods to achieve the implementation of the Compact. The Board met formally 22 times in the last year, not including committee, workgroup, conference, and other ancillary meetings. Board meetings typically last from four to six hours and include substantial prework to be reviewed and prepared before the start of the meeting.

Current Board Compensation Situation:

In 2022, the State and the Tribes fixed compensation at a flat rate of \$175 per meeting for Tribal and State appointees and the fifth board member selected by the other four board members. The State and the Tribes intended the per-meeting rate to compensate for the Board member's time spent participating and preparing for the meeting. Compensation may include mileage for travel at IRS reimbursement rates and per diem at rates that match those for State of Montana employees in travel and work status. The Funding Agreement between the Tribes and the State includes \$72,000 per year for Board compensation.

Issues Related to the Current Compensation Structure:

At the \$175/meeting rate the Board compensation budget generously accommodates more than six meetings/month:

$$\$72,000 \div 5 \text{ Board Members} \div \$175/\text{meeting} \div 12 \text{ months/year} = 6.86 \text{ meetings/month}$$

This is a great arrangement for frequent Board meetings, but the Board and the Office of the Engineer have determined that fewer meetings that are longer in duration are a more efficient approach to engaging in the water topics of the FRWMB and the Compact and with the public and interested parties. The \$175 rate, however, is insufficient to provide appropriate compensation for these longer and less frequent meetings that require a more substantial level of prework and research to be successful.

Proposed Update to the Board Compensation Structure:

The Board is composed of experts in their respective fields; any agreeable compensation package is unlikely to match the true value of their time allocations, but in our collective consideration toward one another's contributions, we suggest that increasing the meeting rate from \$175 to \$300 will both acknowledge the importance of Board participation and ease the burden of performing the hours of essential prework that goes into each and every Board meeting.

$$\$72,000 \div 5 \text{ Board Members} \div \$300/\text{meeting} \div 12 \text{ months/year} = 4 \text{ meetings/month}$$

As the Board does not typically meet 4 times/month, this update will ensure to leave room in the budget for travel, per diem, conferences, appeals, hearings, and other Board expenses.

We appreciate your taking the time to consider this proposal. Please direct your response to FRWMB Chairman, Clayton Matt and FRWMB Vice Chairman, Roger A Noble by email at contact@frwmb.gov or via mail to PO Box 37, Ronan, MT 59864

Sincerely,

Date: _____

FRWMB Chair, Clayton Matt:

Date: _____

FRWMB Vice Chair, Roger A Noble: