

2009 - 2010
Water Policy Interim Committee
Work Plan
DRAFT

September 21, 2009

DRAFT

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Introduction

This is the work plan for the Water Policy Committee (WPIC) for the 2009-2010 interim. In this document you will find:

- Staff for the WPIC.
- An explanation of how the WPIC plans its work.
- A description of study topics identified by the WPIC and work plan tasks.
- An interim time line.

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How the WPIC Plans its Work

The WPIC was created in 2009 through Senate Bill 22 to study water policy.

During the legislative interim, the WPIC may focus on the study topics it has been assigned as well as any water policy issue. It also may address issues and improve law as it deems to be in the best interest of the state. The Legislative Council did not assign the committee any studies in the form of joint study resolutions ranked by legislators following the close of the 2009 Legislature.

The WPIC establishes its work plan at the beginning of the interim. **The primary constraint limiting the study agenda for the interim is the number of issues that can be effectively addressed within the available time and resources of the committee members and its staff.**

This *Draft 2009-2010 Work Plan* is a **DRAFT**. It is a **decision-making tool** to help committee members work together efficiently to set priorities and decide how and where to spend the WPIC's limited time and resources. The work plan sets out a strategy for fulfilling the WPIC's responsibilities throughout the 2009-2010 interim.

Once you collectively make a decision on the work plan, it will become your blueprint for the 2009-2010 interim. Staff will develop detailed draft work plans and timetables for each major study. A draft time line illustrating the overall schedule that these work plans will fit into once the meeting schedule and work plan are finalized is presented at the end of this document.

Water Policy Committee Work Plan Topics

Source/authority: Senate Bill No. 22 (2009)

Background: Senate Bill No. 22 was supported both by the Environmental Quality Council and the 2007-08 WPIC, which was a temporary interim committee. SB22 made the WPIC a permanent interim committee.

The legislation specifically directed the WPIC to study water policy. At the July 2009 meeting, WPIC members discussed several topics to study over the interim. This work plan and the attached decision matrix attempt to reflect that discussion and allocate staff resources to each topic.

Resource Allocation

There is approximately .80 FTE of staff time available to conduct the study outlined in this work plan. A breakdown of the allocation is included in the attached Work Plan Decision Matrix.

Date	Tasks
July 9, 2009	<ul style="list-style-type: none">➤ Elect officers➤ Agency/program overviews➤ Public input on study issues➤ Discuss possible study issues➤ Adopt rules➤ Review budget, meeting dates➤ Overview water policy study history - staff➤ Public comment

<p>Sept. 21, 2009</p>	<ul style="list-style-type: none"> ➤ Overview of beneficial use history in Montana and the West - staff ➤ Legal opinion regarding term "navigable waters" - staff ➤ Overview of prior appropriation doctrine - UM Law School ➤ Science of water - presentations, DNRC, MBMG, Water Center, MT Watercourse ➤ Presentations on beneficial use permitting - DNRC, other interested parties ➤ Update on drought status - DNRC ➤ Update on GWIP, MBMG ➤ Overview of adjudication performance audit, Legislative Audit Division ➤ Update on adjudication, water right ownership transfers, DNRC, WC, DOR ➤ Identify areas where more information is needed - WPIC ➤ Revisions to work plan, if necessary - WPIC ➤ Adopt work plan - WPIC ➤ Public comment
<p>Jan. 13-14, 2010</p>	<ul style="list-style-type: none"> ➤ Differences in ground and surface water permitting, presentations <ul style="list-style-type: none"> ➤ Ground water permitting in closed basins ➤ Update on implementation of new controlled ground water area statutes ➤ Comparison of exempt well statutes and issues - staff ➤ Presentations on exempt wells, DNRC, DEQ, and other interested parties ➤ Permitting CBM wells, DNRC, DEQ, MBOGC ➤ Update on GWIP - MBMG ➤ Summary of Legislative Council on River Governance and Water Law conference - staff and WPIC members ➤ Results of adjudication performance audit, Audit Division, if available ➤ Update on adjudication, water right ownership transfers, DNRC, WC, DOR ➤ Presentation on implementation of state water plan update, DNRC ➤ Identify areas where more information is needed - WPIC ➤ Revisions to work plan, if necessary - WPIC ➤ Discussion of draft report, legislation, if necessary - WPIC ➤ Public comment

<p>March 10-11, 2010</p>	<ul style="list-style-type: none"> ➤ Overview of Montana water supply, storage report, aquifer storage opportunities - DNRC, MBMG ➤ The change of appropriation process, historic consumption, salvage water - DNRC, interested parties ➤ Overview of water marketing - staff ➤ Water marketing opportunities in Montana - Interested parties ➤ Results of adjudication performance audit, Legislative Audit Division ➤ Review FWP instream leasing report ➤ Update on GWIP - MBMG ➤ Enforcement of water rights - DNRC, AG, WC, water commissioners ➤ Identify areas where more information is needed - WPIC ➤ Revisions to work plan, if necessary - WPIC ➤ Discussion of draft report, legislation, if necessary - WPIC ➤ Public comment
<p>May 12, 2010</p>	<ul style="list-style-type: none"> ➤ Update on adjudication, water right ownership transfers, DNRC, WC, DOR ➤ Update on Reserved Water Rights Compact Commission ➤ Identify areas where more information is needed - WPIC ➤ Revisions to work plan, if necessary - WPIC ➤ Discussion and approval of draft report, legislation for public comment period - WPIC ➤ Public comment
<p>June 2010</p>	<ul style="list-style-type: none"> ➤ Public comment on draft report, proposed legislation
<p>July 20-21 2010</p>	<ul style="list-style-type: none"> ➤ Implementation of phosphorus ban - DEQ ➤ Update on drought status ➤ Update on nutrient working group - DEQ ➤ Update on TMDL process - DEQ ➤ Review public comment on draft report, legislation ➤ Identify areas where more information is needed - WPIC ➤ Revisions to work plan, if necessary - WPIC ➤ Revisions to draft report, legislation - WPIC ➤ Public comment
<p>Sept. 8-9, 2010</p>	<ul style="list-style-type: none"> ➤ Approve proposed legislation - WPIC ➤ Selection of bill sponsors - WPIC ➤ Approve WPIC report - WPIC ➤ Overview of proposed agency legislation - DNRC, DEQ, FWP ➤ Public comment