

Draft Environmental Quality Council Work Plan Decision Matrix 2011-12						
Topic	Why is this a topic?	Option A Banquet	Option B Cheeseburger	Option C Fries	Option D Fasting	Resources Allocated
The following topics are either study bills or legislative study resolution requests that may be assigned by the Legislative Council to the EQC. (The Legislative Council meets on May 13.) Staff has identified issues that are likely to be assigned to the EQC -- this list may change.						
<b>HJ 32 - A study of ways to improve the management, recognition, and coordination of state parks and outdoor recreation and heritage resource programs.</b>  <b>Poll rank: 6</b>	Study resolution	<b>.15 FTE</b> All of Option B. <ul style="list-style-type: none"> <li>Provide analysis of FWP's operation of state parks, boating, OHV, and snowmobile programs.</li> <li>evaluate relationship between local, state, and federal park and recreation programs</li> <li>provide analysis on options for improved management and coordination of state parks, recreation, and heritage programs.</li> </ul> <b>Deliverables:</b> <ul style="list-style-type: none"> <li>Interim report</li> <li>Legislation (if any)</li> </ul>	<b>.06 FTE</b> <ul style="list-style-type: none"> <li>All of Option C. Review parks, recreation, and heritage program operation and structure in other Rocky Mountain states.</li> </ul> <b>Deliverables:</b> <ul style="list-style-type: none"> <li>White paper</li> <li>Legislation (if any)</li> </ul>	<b>.04 FTE</b> <ul style="list-style-type: none"> <li>Provide summary of existing state parks and outdoor recreation and heritage programs. Summarize existing legislative audits and reports on these programs. Panel discussion.</li> <li>Monitor effects of HB 370 on solvency of state parks system.</li> </ul> <b>Deliverables:</b> <ul style="list-style-type: none"> <li>Brief summary</li> <li>Legislation (if any)</li> </ul>	No Action	
<b>SJ 26 - A study recommending interim monitoring activities by legislative administrative and interim committees (including the EQC) as recommended by the joint subcommittees of the House Appropriations and Senate Finance and Claims standing committees.</b>  <b>Poll rank: 8</b>	Study resolution			<b>.02 FTE</b> <ul style="list-style-type: none"> <li>require reports of DFWP regarding: migratory and upland game bird programs, and brucellosis in elk study</li> <li>require reports of DEQ on KRY site cleanup and resolution of petro tank release sites</li> <li>panel discussions</li> </ul> <b>Deliverables:</b> <ul style="list-style-type: none"> <li>Brief summary</li> <li>Legislation (if any)</li> </ul>		

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<b>The following topics are statutory duties or obligations of the EQC</b>						
<b>Water Policy</b>	Statute	<p><b>.5 FTE</b></p> <ul style="list-style-type: none"> <li>All mandatory duties.</li> <li>Participate in mandatory and water-related meetings.</li> <li>Accept reports and select some for EQC review, analysis, and comment.</li> <li>Selected water issues.</li> <li>Public involvement through EQC meetings.</li> <li>Review and discuss applicability of statutory responsibilities related to water policy issues.</li> <li>Regular involvement and oversight on water adjudication program - DNRC and the Water Court.</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>Update water rights and water quality handbook.</li> <li>Brief report to Legislature.</li> <li>Potential legislation to address statutory responsibilities</li> </ul>	<p><b>.2 FTE</b></p> <ul style="list-style-type: none"> <li>All mandatory duties.</li> <li>Selected water issues.</li> <li>Public involvement through EQC meetings.</li> <li>Review and discuss applicability of statutory responsibilities related to water policy issues.</li> <li>Basic involvement and oversight on water adjudication program - DNRC and the Water Court.</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>Update water rights and water quality handbook.</li> <li>Brief report to Legislature.</li> <li>Potential legislation to address statutory responsibilities</li> </ul>	<p><b>.1 FTE</b></p> <ul style="list-style-type: none"> <li>Mandatory duties only.</li> <li>Detailed updates on WPIC activities.</li> <li>Coordination discussion with WPIC at each EQC meeting.</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>Update water rights and water quality handbook.</li> <li>Potential legislation to address statutory responsibilities</li> </ul>	No Action	

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<b>EQC Statutory Duties</b>	Statute	<p><b>.75 - 1.0 FTE</b></p> <ul style="list-style-type: none"> <li>• Fulfill all statutory requirements.</li> <li>• Rewrite and reprint <i>Our Montana Environment</i> or similar effort.</li> <li>• Establish MEPA training and training schedule for state employees and others.</li> <li>• Review and comment on certain agency MEPA documents for compliance and consistency.</li> <li>• Review and comment as a Council on environmental reviews for selected projects.</li> </ul>	<p><b>.5 FTE</b></p> <ul style="list-style-type: none"> <li>• Fulfill selected statutory requirements in greater detail.</li> <li>• Accept reports and select some for EQC review, analysis, and comment.</li> <li>• Select specific topics for further analysis or presentation.</li> <li>• Request trend information for each topic reviewed by EQC.</li> <li>• Rewrite selected segments of EQC trends publication, <i>Our Montana Environment</i>, and post on EQC website as time allows.</li> <li>• Provide MEPA training to state agencies on as requested basis. Conduct needs assessment and develop periodic training schedule accordingly.</li> <li>• Provide updated web access to MEPA database.</li> <li>• Review selected controversial MEPA documents/projects</li> <li>• Track MEPA litigation during interim.</li> <li>• Notify/solicit permit applicants to present MEPA concerns to EQC.</li> <li>• Participate in all mandatory meetings and other environmental policy meetings (e.g. Board of Environmental Review, Fish, Wildlife and Parks Commission, etc.)</li> </ul>	<p><b>.05 FTE</b></p> <ul style="list-style-type: none"> <li>• Minimum of activity.</li> <li>• Solicit and accept agency reports as required.</li> <li>• Fulfill statutory requirements at minimal level of effort.</li> <li>• Select oversight topics and issues for presentation and review at EQC meetings on an ad hoc basis.</li> <li>• Maintain MEPA database.</li> <li>• Participate in meetings as necessary.</li> <li>• Identify and describe trends in EQC interim study work.</li> <li>• Update MEPA handbook as needed.</li> <li>• Provide MEPA handbooks to agencies and others as requested.</li> </ul>	<b>No Action</b>	

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Agency Oversight	Statute	<p><b>.40 FTE</b> <b>Active EQC Involvement</b></p> <ul style="list-style-type: none"> <li>• Option B intensified!</li> <li>• Committee of the whole involved</li> <li>• Consistent EQC involvement encompassing a broad range of oversight issues.</li> <li>• In depth systematic review of a larger number of state agency programs than in Option B.</li> <li>• Possible report and recommendation s/ legislation for changes in implementation of state policy.</li> <li>• Active EQC review of rules and legislation.</li> </ul>	<p><b>.2 FTE</b></p> <ul style="list-style-type: none"> <li>• Systematic oversight.</li> <li>• In addition to Option C, systematically evaluate and monitor a specific number of state agency programs.</li> <li>• More intensive review of administrative rules (Council Attorney provides synopses of significant and controversial proposed rules).</li> <li>• Review draft agency legislation.</li> <li>• Receive and comment on the compliance and enforcement report required pursuant to 75-1-314, MCA.</li> <li>• Systematic oversight for targeted programs.</li> <li>• Active EQC review of rules and legislation.</li> <li>• Legislation (if any)</li> </ul>	<p><b>.1 FTE</b></p> <ul style="list-style-type: none"> <li>• Organize oversight issues before the EQC on an as requested basis.</li> <li>• Fulfill requirements of HB 142, 2011</li> <li>• Fulfill requirements of HB 613, 2011</li> <li>• Council members receive copies of rule notices of proposed adoption of rules. Council members responsible for notifying staff or the Council Chair if they want more information.</li> <li>• Review draft agency legislation.</li> <li>• Receive and comment on the compliance and enforcement report required pursuant to 75-1-314, MCA.</li> <li>• Oversight on an as needed basis.</li> <li>• Legislation (if any).</li> </ul>	No Action	
Carryover EQC Issue: Petroleum Tank Release Fund solvency	Previous interim work			<p><b>.02 FTE</b></p> <ul style="list-style-type: none"> <li>• <b>Monitor implementation of SB 9 and HB 613 and outcomes.</b></li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>• <b>Summary reports Jan. and July 2012 meetings</b></li> </ul>	No Action	
EQC Publications	Statute and Historic Precedence	<p><b>.2 FTE</b></p> <ul style="list-style-type: none"> <li>• Option B and C</li> <li>• Expand "Permitting in Montana" to outline three additional environmental permitting process</li> </ul>	<p><b>.12 FTE</b></p> <ul style="list-style-type: none"> <li>• In addition to Option C, update the Permit Index.</li> </ul>	<p><b>.04 FTE</b></p> <ul style="list-style-type: none"> <li>• Update publications that require minimal effort.</li> <li>• Have the EQC review and approve updates</li> </ul>		

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Eminent Domain	Member Suggested Topic			<b>.05 FTE</b> <ul style="list-style-type: none"> <li>track ongoing litigation and provide legal analysis of issues related to public uses and the enumeration of the authority to exercise the power of eminent domain in response to the outcome</li> <li>review eminent domain discussions in other Western states and related statutes</li> <li>panel discussion</li> </ul>		
Navigability	Member Suggested Topic			<b>.01 FTE</b> <ul style="list-style-type: none"> <li>analyze various legal definitions of the term navigability as it pertains to rivers</li> <li>panel discussion</li> </ul>		
<b>Total Available Staff Resources</b>						<b>1.36 FTE allocated of 1.6 possible</b>

**Interim FTE Equivalents**

1 Interim FTE = 16.5 months = 2880 hrs.

.05 FTE = 144 hrs = 18

.10 FTE = 288 hrs = 36 days

.25 FTE = 720 hrs = 90 days

.50 FTE = 1440 hrs = 180 days

.75 FTE = 2160 hrs = 270 days

1 FTE = 2880 hrs = 360 days