

Kolman, Joe

From: Dave Wanzenried [daveew@gmail.com]
Sent: Saturday, June 13, 2009 9:31 AM
To: Kolman, Joe; McNutt, Walter; Everts, Todd; Chas Vincent
Subject: Priority worksheet

Good morning, Mr. Kolman.

Here are my priorities from the worksheet you provided in our packets. All of my priorities (and, yes, there are more rankings than there were choices on your list) assume the maximum amount of coordination with EQC, so as to develop a coordinated, complementary work plan.

Following my rankings, I have provided a narrative concerning a broader look at water issues.

Administrative :

1. General permitting - implementation oversight (HB 40), particularly "substantial credible evidence" criteria
2. Phosphorous Ban - implementation oversight
3. Monitor SB 507 implementation, specifically issue DNRC list of meandering streams
4. Consumptive use rule - implementation oversight
5. Ownership record update - data base interface
6. Closed basin permitting

Water use:

1. Exempt wells
2. Water marketing - examine initiatives in other states to develop tools in addition to the in-stream flow option
3. Coalbed methane water use
4. Ground water study oversight (HB 52)
5. Water plan oversight (SB 303)

I also recommend that the Committee devote time to developing a longer-term perspective than one interim. For example, planning and rulemaking may not always fit neatly into a two-year period. Expenditures for planning must continue beyond one biennium and should be regarded as investments. It should also try to develop guiding principles about studies and rulemaking to ensure senior water rights are safeguarded. Further, to the greatest extent possible, other legislators and the public need a distilled version of our proceedings and major findings as we go along.

There are long-term trends and initiatives that Montana should be cognizant of, most particularly the consequences of reduced stream flows, increased in-state demands for water and designs by other states (Missouri River Basin and Columbia River Basin) and the federal government (Bonneville Power Administration) for our water. We may want to consider having several hearings and invite those with a broad or specific perspective to testify.

Finally, the Committee's work and work products (including drafts) should be available on-line as much as possible. The water rights and adjudication processes seem to be a paper chase - - - I recommend that the Committee work diligently to avoid adding to it.

I apologize for taking liberties with your request for feedback.