

**2011-2012 Environmental Quality Council
Draft Work Plan**

May 24, 2011

Table of Contents

Information about the 2011-2012 Draft Work Plan	1
Introduction	1
How the EQC Plans its Work	1
Instructions	3
Potential Work Plan Topics	4
Study Resolutions (or portions thereof) that <u>may</u> be assigned to the EQC by Legislative Council	4
EQC Statutory Duties and Obligations	6
Water Policy Statutory Duties	6
EQC General Statutory Duties	8
EQC General Agency Oversight Statutory Duties	10
Carryover EQC Issue: Petroleum Tank Release Fund Solvency	12
EQC Educational Publications Obligations	13
Draft 2011-2012 Work Plan Timeline	17
Copies of the Applicable Study Resolutions	Attached Document
Draft EQC Work Plan Decision Matrix	Attached Separate Document

Information about the 2011-2012 Draft Work Plan

Introduction

This is the draft work plan for the Environmental Quality Council (EQC or Council) for the 2011-2012 interim. In this document you will find:

- An explanation of how the EQC plans its work.
- Instructions for using the draft work plan to make decisions about the final work plan.
- A description of potential work plan topics and options for addressing those topics.
- A draft timeline.

There are two additional documents--the *Draft Work Plan Appendices*, which contains copies of the study resolutions; and the *Draft EQC Work Plan Decision Matrix*.

How the EQC Plans its Work

Because of the EQC's historically large interim workload demands, the EQC has:

- ✓ a very strong and proud tradition of systematically planning and prioritizing its work-load within existing resources;
- ✓ maintained an extremely high level of productivity throughout each and every interim; and
- ✓ always accomplished its work prior to the September 15th before the Legislative Session as required by the Legislative Council.

How does the EQC accomplish this? Because the EQC has used this work planning process to set up general guide posts for accomplishing it's work within the resources allocated to it since 1995. At times, it may seem like a tedious process, but it is the foundation of the EQC's historical success at getting the job done efficiently and cost-effectively.

During the legislative interim, the EQC typically focuses on one or two major study topics, while also maintaining oversight of programs and rulemaking activities of the

Montana Department of Natural Resources and Conservation (DNRC); the Montana Department of Environmental Quality (DEQ); and the Montana Department of Fish, Wildlife, and Parks (DFWP).

The Council selects study topics at the beginning of the interim. **The primary constraint limiting the EQC study agenda for the interim is the number of issues that can be effectively addressed within the available time and resources of the Council members and its staff.**

This *Draft 2011-2012 Work Plan* is a **DRAFT**. It is really a **decisionmaking tool** to help Council members work together efficiently to set priorities and decide how and where to spend the EQC's limited time and resources. Once you collectively make a decision on the work plan, it will become your blueprint for the 2011-2012 interim. Staff will then develop detailed draft work plans and timetables for each major task. A draft timeline 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.

The draft work plan includes studies that were requested by legislators through study resolutions, study bills, and statutory mandates. The study resolutions have been ranked by the legislators and will be assigned to interim committees by the Legislative Council at its meeting on May 13. Once staff has the Legislative Council committee assignments, we will revise the draft work plan and matrix for the EQC meeting on May 24. The EQC must then decide how to prioritize its interim work regarding how or whether it plans to pursue these assigned study requests.

The 2011 Legislature approved several bills that revise or add to the EQC's list of statutory and agency oversight duties, which will affect the Council's work plan. However, at the time of this draft work plan's printing, the governor's approval of some of these bills had yet to be determined. (Asterisks indicate bills included in the work plan that haven't received final approval.) Staff, therefore, will provide an update on the changes to the EQC's statutory and agency oversight duties at the May 24 meeting during the Council's discussion of this draft work plan.

Instructions

The *DRAFT EQC Work Plan Decision Matrix* is included as a separate document. Council members have found the matrix to be extremely useful in making decisions on the work plan. The decisions you will need to make are simply "What?" and "How Much?"

Just **follow these steps**:

1. Review the draft work plan.
2. Refer to the matrix. Review the topics and add any additional topics that are important to you.
3. For each category in the column on the far left, *choose* from the menu of options.
4. Circle the most appropriate option for that topic.
5. Fill in the resources allocated for that option in the far right column (# Full Time Employee resources (FTE) etc.).
6. Do this for each topic, then add the total. If it is more or less than **1.6 FTE**, reallocate.

Keep in mind that although we have listed "guesstimates" for *staff and Council resources*, each option involves a time commitment from *Council members*. In past interims, some EQC members indicated that they received too much information and that subcommittees were overused to the detriment of members that were not on the subcommittees. You may want to consider this when you make your decisions.

This exercise can be done individually in order to get an idea of your own preference. After Council discussion that should include answers to the question "Why", EQC members may generate proposals for the group to consider. At the end of the May EQC meeting, a plan of *what* the Council plans to work on during the interim and *how much* effort will be placed on each subject should be the result. Any direction on *how* you think the work can best be accomplished will assist staff in preparing detailed work plans on the selected topics.

Once again, the *Draft 2011-20012 Work Plan* is a decisionmaking tool. **Everything in it is subject to approval by the Council.**

Potential Work Plan Topics

Study Resolutions (or portions thereof) that may be assigned to the EQC by Legislative Council at its May 13 meeting.

1) HJ 32 - A study of ways to improve the management, recognition, and coordination of state parks and outdoor recreation and heritage resource programs.

Legislative Poll Ranking: 11 (results incomplete as of this mailing)

Background: This study resolution grew primarily out of ongoing discussions about the solvency and management of Montana's state parks system. The Legislative Finance Committee reviewed the system in the 2009-2010 interim but did not propose legislation. At the request of the Department of Fish, Wildlife, and Parks, the 2011 Legislature passed SB 43, revising the state's list of primitive parks and the types of improvements that may be made at those sites. The 2011 Legislature also approved HB 370, which increases the light motor vehicle registration fee used for operation and maintenance of state parks and state-owned facilities at Virginia and Nevada Cities.

HB 628 (2011), which sought to consolidate the administration of state parks and outdoor recreation and heritage programs under the Department of Commerce with oversight by a citizen board, did not pass but provoked discussion about improved management and coordination of these programs.

Currently, DFWP administers state parks, boating, OHV, and snowmobile programs, while the operation of Virginia and Nevada Cities and the Montana Heritage Preservation and Development Commission are affiliated with the Department of Commerce.

OPTION A	OPTION B	OPTION C	OPTION D
<p>.15 FTE</p> <ul style="list-style-type: none"> All of Option B. Provide analysis of FWP's operation of state parks, boating, OHV, and snowmobile programs. evaluate relationship between local, state, and federal park and recreation programs provide analysis on options for improved management and coordination of state parks, recreation, and heritage programs. <p>Deliverables:</p> <ul style="list-style-type: none"> Interim report Legislation (if any) 	<p>.1 FTE</p> <ul style="list-style-type: none"> All of Option C. Analyze funding options for state parks Review parks, recreation, and heritage program operation and structure in other Rocky Mountain states. <p>Deliverables:</p> <ul style="list-style-type: none"> White paper Legislation (if any) 	<p>.04 FTE</p> <ul style="list-style-type: none"> Provide summary of existing state parks and outdoor recreation and heritage programs. Summarize existing legislative audits and reports on these programs. Panel discussion. Monitor effects of HB 370 on solvency of state parks system. <p>Deliverables:</p> <ul style="list-style-type: none"> Brief summary Legislation (if any) 	<p>No Action</p>

2) 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.

Legislative Poll Ranking: 10 (results incomplete as of this mailing)

Background: This study resolution requests followup by the Environmental Quality Council:

- (1) of DFWP's agency goals and objectives for:
 - (a) the migratory bird program;
 - (b) the upland game bird program; and
 - (c) the brucellosis in elk study; and
- (2) provide interim monitoring, on at least an annual basis, of the DEQ's:
 - (a) cleanup progress at the KRY site; and
 - (b) progress toward resolving (closing) petroleum tank release sites.

The EQC has monitored most of these programs in some form or another in past interims. The Legislative Council may assign the duties related to DFWP and DEQ to the EQC or may assign them to the Legislative Finance Committee (LFC) for this interim. If assigned to the EQC, the Council could continue minimal monitoring efforts as part of its regular agency oversight efforts or could choose to conduct more extensive analysis. If assigned to the LFC, staff for the two committees would coordinate to ensure that the EQC remains informed about the LFC effort.

The upland game bird program currently is required to provide reports prepared for the Upland Game Bird Citizens' Advisory Council to the fish and game committee of each house of the legislature every two years. HB 613* (2011) also requires the DEQ to report is progress in resolving petroleum tank release sites to the EQC on a biannual basis through 2015.

OPTION A	OPTION B	OPTION C	OPTION D
		<p>.02 FTE If assigned to EQC:</p> <ul style="list-style-type: none"> • require reports of DFWP and DEQ • panel discussions <p>Deliverables:</p> <ul style="list-style-type: none"> • Brief summary • Legislation (if any) 	<p>No Action</p>

EQC Statutory Duties and Obligations

1) Water Policy Statutory Duties

Source/authority: 75-5-313; 85-1-203; 85-1-621; 85-2-105; 85-2-281; 85-2-350; 85-2-436.

Background: In 2009, the Legislature created a Water Policy Committee to study water policy issues. The water policy committee is to coordinate with the EQC to avoid duplication of work. The legislation did not take water policy duties away from the EQC, however some of those duties are no longer mandatory. The duties, set forth in 85-2-105, MCA, are paraphrased as follows:

The EQC *may*:

1. Advise the Legislature on the **adequacy of Montana's water policy**.
2. Advise the Legislature on **important state, regional, national, and international developments** that affect Montana's water resources.
3. Oversee **policies and activities of executive branch agencies** and other state institutions that affect Montana's water resources.
4. Assist with **interagency coordination** related to water resources.
5. **Communicate with the public** about water policy and water resources.

The EQC *shall*:

1. Analyze and comment on the **State Water Plan**, when prepared by the Montana Department of Natural Resources and Conservation (DNRC).
2. Analyze and comment on the **Renewable Resource Grant and Loan Program** report.
3. Analyze and comment on **water-related research** by state entities.
4. Analyze, verify and comment on the information in the **Water Information System of the Natural Resource Information System**.
5. Report to the Legislature.

Water-related statutory duties of the EQC include:

- **75-5-313**, requires the DEQ to provide a summary of the status of the base numeric nutrient standards, the nutrient standards variances, and implementation of those standards and variances, including estimated economic impacts. (revised 2011, SB 367)
- **85-1-203, MCA**, requires the DNRC to submit a copy of the State Water Plan or any plan changes to the EQC. (SB 303, 2009, accelerated requirements)
- **85-1-621, MCA**, requires the DNRC to submit a biennial report to the EQC that describes the status of the Renewable Resource Grant and Loan Program financed with funds from the Resource Indemnity Trust.
- **85-2-281, MCA**, requires the Water Court and the DNRC to report to the EQC on the progress of the adjudication process until 2020.
- **85-2-350, MCA**, requires Clark Fork River Task Force to report to the EQC annually.
- **85-2-436, MCA**, requires the DFWP to submit a summary report to the EQC by December 1 of odd-numbered years of all appropriation rights changed to an instream flow purpose in the previous 2 years.

OPTION A	OPTION B	OPTION C
<p>.5 FTE</p> <ul style="list-style-type: none"> • All mandatory duties. • Participate in mandatory and water-related meetings. • Accept reports and select some for EQC review, analysis, and comment. • Selected water issues. • Public involvement through EQC meetings. • Review and discuss applicability of statutory responsibilities related to water policy issues. • Regular involvement and oversight on water adjudication program - DNRC and Water Court. <p>Deliverables:</p> <ul style="list-style-type: none"> • Update water rights and water quality handbook. • Brief report to Legislature. • Legislation (if any) 	<p>.2 FTE</p> <ul style="list-style-type: none"> • All mandatory duties. • Selected water issues. • Public involvement through EQC meetings. • Review and discuss applicability of statutory responsibilities related to water policy issues. • Basic involvement and oversight on water adjudication program - DNRC and the Water Court. <p>Deliverables:</p> <ul style="list-style-type: none"> • Update water rights and water quality handbook. • Brief report to Legislature. • Legislation (if any) 	<p>.1 FTE</p> <ul style="list-style-type: none"> • Mandatory duties only. • Detailed updates on WPIC activities. • Coordination discussion with WPIC at each EQC meeting. <p>Deliverables:</p> <ul style="list-style-type: none"> • Update water rights and water quality handbook. • Legislation (if any)

2) EQC General Statutory Duties

Source/authority: Sections 2-15-1514; 2-15-1523; 75-1-201 and 75-1-208; 75-1-314; 75-10-111; 76-13-145; 77-2-366; 77-5-301; 82-2-701, MCA and 87-1-230.

Background: Following the establishment of the EQC in 1971, the Legislature has occasionally authorized the Council to play a role in some specific programs or activities of state government. These directives are in addition to the more general oversight authorities for environmental programs and policies found in section 75-1-324, MCA. This general authority is arguably sufficient to address the specific programs and policies. However, and particularly for new environmental programs or policies, the Legislature has called upon the EQC to act as its liaison with the executive branch.

In the past, the EQC has prioritized its duties as the need for specific oversight changes with interest, time, and circumstance. They are listed as follows:

- **2-15-1514, MCA**, requires the participation of a Legislative Services Division employee on the natural resource data system advisory committee. This has typically been assigned to the EQC staff on an as needed basis.
- **2-15-1523, MCA**, requires the participation of a representative of the Legislative Services Division on the Groundwater Assessment Steering Committee. This has typically been assigned to the EQC staff on an as needed basis.
- **75-1-201 and 75-1-208, MCA**, states executive agencies are required to submit copies of environmental review documents prepared in accordance with the Montana Environmental Policy Act (MEPA) to the EQC. The EQC staff has created and maintains a database of MEPA documents. Effective in 2001, a project sponsor may appear before the EQC at a regularly scheduled meeting to discuss issues regarding an executive agency's environmental review of the project.
- **75-1-314, MCA**, states the Departments of Environmental Quality, Agriculture and Natural Resources and Conservation are required to report specific compliance and enforcement information to the EQC on a biennial basis. This is the result of a 1997 EQC interim study.
- **75-10-111, MCA**, requires the DEQ to circulate solid waste management and resource recovery plans to the EQC for its review.
- **76-13-145, MCA**, requires the DNRC to report its progress in designating wildland-urban interface parcels to an appropriate interim committee assigned to study wildland fire suppression or to the EQC. (SB 131, 2009)
- **77-2-366, MCA**, requires that the DNRC submit a detailed report of the land banking program to the EQC by July 1 of even-numbered years. (HB 402, 2009, extended this requirement)
- **77-5-301 et. seq., MCA**, is the Streamside Management Zone law. The statement of intent for the enabling legislation requires the DNRC to periodically evaluate and report on the implementation of the act to the EQC.
- **75-5-703, MCA**, requires the DEQ to report its progress in completing TMDLs (total maximum daily load) and the current schedule for completion of TMDLs, on or before July 1 of each even-numbered year. (HB 267, 2011)
- **82-2-701, MCA**, requires the Montana Bureau of Mines and Geology to report to the EQC and the Education and Local Government Interim Committee on its investigation of the state's sand and gravel deposits within one year of starting its investigations.
- **87-1-230, MCA**, requires the DFWP to provide an annual report to the EQC regarding deposits into and withdrawals from the agency's water and land maintenance account related to implementation of the Good Neighbor Policy.

OPTION A	OPTION B	OPTION C
<p>.75 - 1.0 FTE</p> <ul style="list-style-type: none"> • Fulfill all statutory requirements. • Participate in all mandatory meetings and other environmental policy meetings (e.g. Board of Environmental Review, FWP Commission, etc.) • Rewrite and reprint <i>Our Montana Environment</i> or similar effort. • Establish MEPA training for state employees and others. • Notify/solicit permit applicants to present MEPA concerns to EQC. • Review and comment on certain agency MEPA documents for compliance and consistency. • Review and comment as a Council on environmental reviews for selected projects. 	<p>.5 FTE</p> <ul style="list-style-type: none"> • Fulfill selected statutory duties in greater detail. • Accept reports and select some for EQC review, analysis, and comment. • Select specific topics for further analysis or presentation. • Request trend information for each topic reviewed by EQC. • Rewrite selected segments of EQC trends publication, <i>Our Montana Environment</i>, and post on EQC website. • Provide MEPA training to state agencies on as requested basis. • Provide updated web access to MEPA database. • Review selected controversial MEPA documents/projects. • Track MEPA litigation during interim. 	<p>.05 FTE</p> <ul style="list-style-type: none"> • Minimum of activity. • Solicit and accept agency reports as required. • Fulfill statutory requirements at minimal level of effort. • Select oversight topics and issues for presentation and review at EQC meetings on an ad hoc basis. • Maintain MEPA database. • Participate in meetings as necessary. • Identify and describe trends in EQC interim study work. • Update MEPA handbook as needed. • Provide MEPA handbooks to agencies and others as requested.

3) EQC General Agency Oversight Statutory Duties

Source/authority: 2-4-402- 412, 5-5-202, 5-5-211, 5-5-215, 5-16-101 through 5-16-105, 75-1-324, MCA.

Background: Under MEPA (75-1-324), the EQC has broad statutory oversight authority and has historically used that authority to review agency activities on an issue by issue basis as the need arises. In 1999, 2001, and 2003, the Legislature further expanded and defined the EQC's oversight authority to include draft legislation review, administrative rule review, program evaluation, and monitoring the functions of the DEQ, DNRC, and the DFWP. The EQC's oversight of these agencies includes entities that are attached to these agencies.

The Legislature's actions in 1999 required a more systematic approach to agency oversight, especially in terms of administrative rule review. Pursuant to 2-4-402 through 412, MCA, the Council has the authority to request records; make recommendations for adoption, amendment, or rejection of a rule; institute, intervene in, or otherwise participate in rulemaking proceedings; review the conduct of administrative proceedings; request a legislative poll; request an economic impact statement on a rule; or object to violation of authority for a rule.

The EQC is also required to review proposed draft legislation from each of the departments within its jurisdiction. At the end of the interim, the EQC schedules time to review this draft legislation.

Additionally, the 2011 Legislature approved HB 142, which requires all interim committees to review the statutorily established advisory councils and required reports of their assigned agencies and to make recommendations regarding the retention or elimination of those advisory councils and required reports. The EQC must review eight advisory councils and more than a dozen reports.

Traditionally, the EQC has one or more agency oversight issues on the agenda for each meeting. The Council has also historically allocated the necessary resources to respond to issues as they arise. There are also a number of statutorily required agency reports that are scheduled for presentations before the Council. One of the more significant reports is the compliance and enforcement of environmental and natural resource laws report required pursuant to 75-1-314, MCA.

- **2-4-402 through 2-4-412, MCA** - This section set out the administrative rule oversight powers and duties of the EQC.
- **5-5-202, 5-5-211 and 5-5-215, MCA**, discusses the organization and duties of interim committees. Title 5, chapter 5, part 2 requires the EQC and the Water Policy Interim Committee to coordinate on water issues.
- **5-16-101 through 5-16-105, MCA**, discusses the composition and terms of the EQC.
- **75-1-324, MCA** - This section of law contains the general oversight and policy review and recommendation responsibilities of the EQC. Members are urged to review it in detail. The EQC is directed to gather information concerning conditions and trends in the quality of the environment; to review state programs and activities to enhance or maintain environmental quality; to conduct studies, analyze proposals, and make recommendations concerning environmental issues; and to generally act as the Legislature's source of information and advisor on environmental policy issues and direction.

OPTION A	OPTION B	OPTION C
<p>.40 FTE Active EQC Involvement</p> <ul style="list-style-type: none"> • Option B intensified! • Consistent EQC involvement encompassing a broad range of oversight issues. • In depth systematic review of a larger number of state agency programs than in Option B. • Possible report and recommendations/legislation for changes in implementation of state policy. • Active EQC review of rules and legislation. 	<p>.2 FTE</p> <ul style="list-style-type: none"> • Systematic oversight. • In addition to Option C, systematically evaluate and monitor a specific number of state agency programs. • More intensive review of administrative rules than Option C (Council Attorney provides synopses of significant and controversial proposed rules). • Review draft agency legislation. • Receive and comment on the compliance and enforcement report required pursuant to 75-1-314, MCA. • Systematic oversight for targeted programs. • Active EQC review of rules and legislation. • Legislation (if any). 	<p>.1 FTE</p> <ul style="list-style-type: none"> • Organize oversight issues before the EQC on an as requested basis. • Fulfill requirements of HB 142, 2011 • Fulfill requirements of HB 613, 2011 • 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. • Review draft agency legislation. • Receive and comment on the compliance and enforcement report required pursuant to 75-1-314, MCA. • Oversight on an as needed basis. • Legislation (if any).

4) Carryover EQC Issue: Petroleum Tank Release Fund Solvency

Source/authority: 2007-2008, 2009-2010 Interim EQC Discussions, SJ 26, HB 613

Background: The solvency of the Petroleum Tank Release Fund has been tracked by the EQC during the last two interims. The Fund is the default payor for cleanup of releases (spills, leaks) from underground and aboveground petroleum storage tanks, as well as home heating oil tanks. The Fund's primary revenue source -- a \$.0075/gallon fuel tax -- hasn't kept pace with the cleanup work that is waiting to be done. Funding is therefore prioritized and lower-priority sites (based on risk to public health) cannot be resolved/closed.

The 2011 Legislature passed two bills intended to increase the number of releases that are resolved. SB 9, requested by the 2009-2010 EQC, authorizes the use of petroleum mixing zones to hasten the completion of work under certain circumstances. HB 613* establishes a series of performance benchmarks for the Department of Environmental Quality, by which the department must resolve a certain number of sites or money appropriated for petroleum tank release prevention will not be included in the department's base budget in the next budgeting cycle. As previously mentioned, SJ 26 tasked the EQC with reviewing, on at least an annual basis, the progress toward more petroleum site closures.

It is up to the 2011-12 EQC to determine whether it would like to monitor the impact that SB 9 and HB 613* have on the Fund's solvency during the biennium.

OPTION A	OPTION B	OPTION C	OPTION D
		<p>. 02 FTE</p> <ul style="list-style-type: none"> • Monitor implementation of SB 9 and HB 613 and financial outcomes. <p>Deliverables:</p> <ul style="list-style-type: none"> • Biannual summary report 	<p>No Action</p>

5) EQC Educational Publications Obligations

Source/authority: 75-1-324, MCA.

Background: Under MEPA (75-1-324), the EQC has broad statutory authority and the EQC has historically used that authority to produce high quality, easy to understand, objective, nonpartisan, educational publications in addition to the study reports that the EQC produces during any given interim. These educational publications are well regarded and are constantly requested by the general public, legislators, state and federal agencies, other states, and industry and conservation groups. Several EQC publications have received national awards. The EQC has produced the following educational publications:

- ☆ *Montana Index of Environmental Permits (produced in 1976 and updated in 1978, 1981, 1984, 1987, 1988, 1991, 1994, 1996, 1998, 2000, 2002, 2004, 2006, 2008 and 2010)*

Explanation: The EQC Permit Index is a complete guide to the permits and licenses needed to conduct activities that may affect the state's

environment. The permit index lists the permits required, the permitting agencies, and the statutes and rules that regulate each permit. The Permit Index is the EQC's longest-standing ongoing publication.

- ☆ *Our Montana Environment: Where Do We Stand? (produced in 1996)*
Explanation: The EQC conducted its first comprehensive environmental indicators project in 1975. With the production of this publication 20 years later, the EQC revisited that effort to develop indicators to document changes in the state's environment over time.

- ☆ *A Guide to Montana Water Quality Regulation (produced in 1996 and updated in 2002, 2008, and 2009)*
Explanation: This publication is a primer that addresses water quality regulation in Montana. The impetus for producing this guide (which is one of the first educational primers that the EQC produced for a specific subject matter area) came from numerous requests from the general public and legislators for an easy to understand reference booklet on the complex area of water quality.

- ☆ *Water Rights in Montana (produced in 2004 and updated in 2006, 2008, and 2009)*
Explanation: This publication is a primer on Montana's water right system. The EQC and the Department of Natural Resources and Conservation teamed up to produce this publication that distills a very complex area of law and regulation into a very easy to understand and readable document.

- ☆ *A Guide to the Montana Environmental Policy Act (produced in 1998 and updated in 2004, 2006, and 2009)*
Explanation: The EQC was created by the Montana Environmental Policy Act (MEPA) in 1971. The EQC has historically been very active in MEPA implementation and oversight and in developing policy related to MEPA. This guide was produced by the EQC at the request of Montana citizens, legislators, agencies, and industry and conservation groups in order to provide an easy to understand reference guide on MEPA.

- ☆ *Eminent Domain in Montana (produced in 2001 and updated in 2007)*
Explanation: This handbook was one of several products that the EQC produced as a result of its 1999-2001 interim study on eminent domain in Montana. This handbook was developed in order to help citizens better understand the state's eminent domain laws.

- ☆ *An informational Guide to State Debt (produced in 2004)*
Explanation: At the request of the 2003-04 EQC Energy Policy Subcommittee, the State Bond Counsel compiled the information for this brochure to assist those with projects utilizing state bonding mechanisms. The brochure defines state debt, describes bonds, describes the types of state debt, and provides other related information.

- ☆ *A Guide to Split Estates in Oil and Gas Development (produced in 2006)*
Explanation: This guide was produced in 2006 at the request of an EQC subcommittee that studied split estate issues. In 2007, EQC-approved legislation was signed into law requiring that the most current version of this brochure be provided to surface owners prior to oil and gas exploration and drilling.

- ☆ *Conservation easements: 20 things everyone should know (produced in 2008 and updated 2010)*
Explanation: This brochure was first produced as part of a study of conservation easements on state land. It provides basic information about conservation easements.

- ☆ *Permitting in Montana: (produced in 2009)*
Explanation: This reference guide provides a quick overview of three permitting process that affect different types of projects ranging from power plants to gravel pits. This guide includes a series of flowcharts and summaries outlining the responsibilities of the applicant, the regulatory agencies, and the public within various permit processes in order to assist people in planning for a permitting process.

With some exceptions, the EQC’s educational publications become outdated every interim as a result of legislative changes or administrative changes in the particular areas of law or rule that the publication addresses. Sometimes the updates require minimal time and effort, but some updates like the permit index require a more intensive effort.

OPTION A	OPTION B	OPTION C
<p>.20 FTE</p> <ul style="list-style-type: none"> • Options B and C • Add three additional permitting processes to the Permitting Primer. 	<p>.12 FTE</p> <ul style="list-style-type: none"> • In addition to Option C, update the Permit Index. 	<p>.04 FTE</p> <ul style="list-style-type: none"> • Update publications that require minimal effort. • Have the EQC review and approve updates

Draft 2011-2012 Work Plan Timeline

[*Note: This draft timeline is provided to give you an idea of the timeline that each study will need to fit into in order to complete the work on time. It is subject to final approval of the EQC meeting dates. The timeline shows the last date for completion of certain items.*]

May 24, 2011	EQC Meeting. Interim work plan prioritization and EQC organizational meeting. Selection of studies and topics.
September 15-16, 2011	EQC Meeting. Adoption of detailed work plans for each selected study or topic.
January 12-13, 2012	EQC Meeting.
March 8-9, 2012	EQC Meeting. If public comment is desired on an EQC report, the contents of the <i>draft</i> report should be determined by this date. [May be earlier for some studies.]
May 3-4, 2012	EQC Meeting. Last date to suggest revisions to a <i>draft</i> document if a 30 day public comment period is desired. Comments received from the public will be compiled by staff and distributed to the EQC 1-2 weeks before the July 19-20, 2012 meeting.
July 19-20, 2012	EQC Meeting. Decision on recommendations, any proposed legislation, final report contents.
September 13-14, 2012	EQC Meeting. Final approval of recommendations, reports, proposed legislation. Select bill sponsors. Develop strategy. Review agency bill draft requests.

Council interim work must be completed prior to September 15, 2012.