January 8, 2018

Exhibit 8

Dear Water Policy Interim Committee,

The Clark Fork Task Force operated under §85-2-350 Montana Code Annotated to update the State Water Plan and to consult the DNRC on water management. The Task Force carried out a number of activities and served as the basin advisory committee for the Montana State Water Plan. After the Water Plan was published in 2015, the Clark Fork Task Force no longer received funding through the Montana DNRC.

In October 2015, stakeholders of the Clark Fork Basin desired to play a role in implementing elements of the Basin and State Water Plans, and approached MWCC to assist in revisioning the Task Force. MWCC hosted three meetings which established that a basin-wide coordinating entity provides added value to on-the-ground natural resources management. Stakeholders discussed and approved a Charter and elected an Executive Committee and three working groups (Communication, Data, and Natural Systems Health and Water Availability). The Council also heard from community members in the Kootenai who agreed to be included in the Council.

During this revisioning process, the 2015-2016 interim session was under way and the Water Policy Interim Committee requested the group's input on revising or eliminating §85-2-350, MCA. The nascent Council ultimately requested that the Water Policy Interim Committee take no action and work with the Council in the 2018 Interim on drafting a replacement statute.

A key observation that was made during the interim session discussions was that any revisions to the statute should address the whole state, not just the Clark Fork Basin. We recognize that a "one size fits all" approach is difficult to develop because priorities vary across watersheds. There is substantial interest statewide in implementing the State Water Plan. Council stakeholders and watershed groups at large had concerns about creating a structure that would overlay, perhaps undermine, and possibly compete with the capacity of existing community based natural resource organizations. The Council would like to work with WPIC to develop a statute that avoids these concerns by supporting successful work that is currently ongoing.

Since WPIC decided not to pursue revisions, the Council has worked with Montana Watershed Coordination Council to maintain the relationship with the 2017-2018 WPIC Interim Committee and begin the process of revising §85-2-350, MCA.

MWCC currently recognizes 63 watershed groups in the directory and State of the Watersheds Report. This list includes:

- Non profit organizations
- Conservation districts

- Conservation district councils
- Municipalities
- Volunteer organizations without a tax status

Although these groups vary in structure, the approach to natural resource management unifies their efforts. Termed the "Watershed Approach," these entities operate with the following shared principles:

1. Hydrologic boundaries,
2. Inclusivity of natural resource concerns within a watershed,
3. Ground up model of self governance,
4. Consensus driven,
5. Local leadership,
6. Connection to implementing the State Water Plan and basin water plans, and
7. Some degree of regional coordination.

Codifying the watershed approach in §85-2-350, MCA, would maintain the statutory legitimacy of the Clark Fork and Kootenai River Basins Council as it currently exists. Such a revision would also provide the following benefits:

- Assist the State of Montana in water plan implementation,
- Identify similar entities as vehicles for implementing State Water Plan,
- Promote locally led and voluntary natural resource management,
- Prevent competition for state capacity and resources, and
- Increase opportunities to leverage state and private resources to support local natural resource managers statewide.

We look forward to exploring the next steps to drafting a revision to §85-2-350, MCA, that is satisfactory for the Water Policy Interim Committee.

Sincerely,

Clark Fork and Kootenai River Basins Council

Executive Committee Members: David Brooks, Meg Casey, Maureen Conner, Thomas Cox, Michael Howell, Bonnie Holzworth, Verdell Jackson, Susan Lake, James Rokosch, Travis Ross, Jennifer Schoonen, David Shively