

The State Water Plan

By

Rich Moy

Water Resource Division

DNRC

Presentation

- The State Water Plan Statute
- History of Water Planning in Montana
 - Water Development Era (pre-1965)
 - Basin Planning Era (1965-1981)
 - Transition Period (1981-1986)
 - State Water Planning (1987- present)
 - Future Challenges

Water Resources Act of 1967

- The State Water Plan (SWP) should:
 - Be comprehensive;
 - Be coordinated;
 - Provide for multiple uses;
 - Outline a program for the conservation, development and utilization of the state's water; and
 - Consider alternative uses.
- In developing the plan, DNRC is to:
 - Consult with and solicit the advice of the Environmental Quality Council;
 - Hold public meetings prior to plan adoption;
 - Adopt the plan;
 - Publish the plan; and
 - Submit the plan to the Environmental Quality Council and Legislature.

Water Development Era (pre-1965)

- Montana is very semi-arid.
- Hay production is vital to maintain cattle herds through the long harsh Montana winters.
- Water had to be stored and diverted to the place of use.
- Created in 1933, the Montana Water Resources Board developed 181 projects with 141 storage projects of 438, 014 acre-feet of water. Projects include: Tongue, Painted Rocks, Deadman Basin, Hylite, & Nevada Creek reservoirs.
- Presently, DNRC oversees 2,000 leases or contracts for stored water from 18 reservoirs for a total of about 300,000 af/yr.



Tongue River Reservoir

U.S. Congress got involved

- Created in 1902, Bureau of Reclamation (previously called Reclamation Service) built numerous projects in MT from 1907-1939 (Nelsen, 1915; Sherburne, 1921; Gibson, 1929; Fresno, 1939). These projects were vital for irrigation and flood control.
- After the 1944 Flood Control Act, the federal government built large projects through the **Pick-Sloan Program**.
 - Projects include: Canyon Ferry Reservoir (1949), Tiber Dam (1952); Helena Valley Dam (1957) Clark Canyon Dam (1961) and Yellowtail Dam (1969).
 - MT was entitled to 936,000 acres of new irrigation under P-S program, but only able to develop 45,000 acres. All remaining P-S irrigation projects have been de-authorized.
- In the Columbia Basin Projects: Hungry Horse (1948) and Libby dams (1968) were built.



Sherburne Dam
&
ST Mary Drop
Structure



The End of the Storage Era

- In late 1960s, the U.S. Congress perceived that the West was reclaimed and there was no further need for additional federal water projects.
- Very few new storage projects have been built after 1970 in the West and none in Montana.

Montanans with the help of state and federal governments did a great job of developing water. If water flowed, they figured away to develop it.

Federally Led Basin Planning Era

1965-1981

- Water Resources Act of 1965 created River Basin Commissions to prepare level A (Framework), Level B (Basin Analysis) and C (Implementation) reports.
- Montana was involved with 5 Level B reports for the Missouri, Yellowstone, Clark Fork and Flathead River Basins.
- Level B studies were:
 - Costly and took 2-3 years to complete;
 - Very bureaucratic with a top down process;
 - Classic basin-wide analysis;
 - Balanced economic with environmental protection;
 - Projected future needs;
 - Obtained public input;
 - Provided good technical information; but
 - Solved no water problems.

They became "Classic Shelf Art"



Transition Period (1981-1986)

- President Reagan abolished the Basin Commissions and Title III funding (\$100,000/yr).
- Even though the SWP passed in 1967, water planning was accomplished in a piece meal fashion---there was no formal process.
- The Select Committee on Water Marketing and EQC criticized DNRC for not having a State Water Plan in 1983.
- DNRC present a report entitled *Montana's Water Planning Program* in 1985 to the legislature and EQC and they were not overwhelmed. We were not sure what this animal called a state water plan should look like.
- DNRC reviewed other states water planning processes and patterned our approach after the “Kansas Approach” and presented it to EQC and legislature in 1987 entitled, *State Water Plan Development: a revised approach*.



The New Planning Approach

Mission: Solve statewide and basin-specific water management problems. The focus is on collaborative problem-solving and more effective policy-making.

Planning Goals:

- Be comprehensive;
- Be a continuous process;
- Be responsive to public needs and concerns;
- Improve coordination among management agencies;
- Pursue consensus solutions;
- Public participation through out the process;
- Implement solutions;
- Evaluate Implementation; and
- Allow flexibility for regular re-evaluation, updating and revision.

The Players

- State Water Plan Advisory Council (11- 14 members)
 - Helps DNRC select issues, monitor steering committee progress on analyzing issues and selects recommendations.
 - Membership includes: four legislators; two from Senate and two from House, four natural resource directors, representatives from agricultural, recreation, native Americans & communities, and the University system.
- Technical Steering Committees (12-15 members)
 - Based on the issue, represent all interests from water user groups and professionals and scientists knowledgeable about the topic.
 - The committees were asked to research the issue and to make recommendations on solutions.
- The public helped select issues and commented on plan content and recommendations.



The SWP was developed in Sections

Each section addressed a specific topic or problem.

Plan Format include:

- Introduction to the problem or issue
- Background
- Policy Statement
- Issues and Recommendations
- Implementation Strategy
 - Legislative Action
 - Administrative Action
 - Financial requirements and funding strategy
 - Time Schedule

All plan sections were placed in a 3-ring binder.

Planning Process or Cycle



First Planning Cycle

The First planning cycle did not go very well.

- Formed the State Water Plan Advisory Council.
- Conducted five scoping meetings across the state to identify issues.
- Four issues were selected:
 - Federal Hydropower Licensing and State Water Rights
 - Agricultural Water Use Efficiency
 - Instream flow Protection
 - Water Information System
- DNRC planning staff produced the draft plan sections with alternatives.
- Technical Steering Committees reviewed and commented on each draft.
- Conducted six public hearings on the draft plans across the state and all hell broke loose.
- The four plan sections were eventually adopted in 1989.



Planning Approach was Modified

- DNRC did not choose representatives to the technical committees, but rather asked groups to select their representatives.
- The technical committees drafted plan sections not the DNRC. DNRC planning staff provided research and staff support to Technical Committees.
- Statewide issues addressed through this modified approach included:
 - Water Storage 1990
 - Water Policy
 - Water Financing
 - Water Regulation
 - Integrated Water Quality Quantity Management 1992
 - Groundwater Plan 1999
- Watershed issues addressed include:
 - Upper Clark Fork Water Management Plan 1994
 - Clark Fork Basin Management Plan 2004
- Implementation Update 1993-94.

Seven of eight SWP bills became law.

1994 State Water Plan Evaluation

- The evaluation was undertaken:
 - to see if the process accurately represents the interest of Montanans;
 - define reasonable and viable solutions to problems; and
 - was the best approach for building a State Water Plan.

- Evaluation team consisted of:

Jo Brunner	Stan Bradshaw
Hal Harper	Mike Zimmerman
Lorents Grosfield	Jerry Sorensen
John Wordell	Debbie Schmidt
Mark Simonich	

- Evaluation Process
 - Surveyed 75 steering committee members;
 - Held one-on-one dialogues with 20 prominent organizations ranging from Stock Growers, Ass. of Counties, to Northern Plains Resource Council;
 - Facilitated forums with citizens; and
 - Conducted a literature search of other state planning activities.

Summary of Evaluation

- SWP should address both statewide policy and watershed issues.
- For watershed issues, DNRC role is to provide financial and technical support.
- For statewide policy issues, DNRC role is to provide facilitation, research and administrative support.
- Guidelines for watershed plans should be clearly outline in basin planning materials—inclusiveness, balance all needs, address effects, open meetings and public notices.
- DNRC decision to resolve statewide issues should be based on recommendations from scoping meetings, Governor, Legislature, DNRC Director and EQC.
- Designate a percentage of the RIT funds or other sources of funds to implement plan recommendations.

Since 1994, DNRC has focused on Basin Planning

- DNRC assisted the Montana Watershed Coordination Council. The three primary goals of the Council is coordination, assistance and education among governments and local watershed groups.
- DNRC provides facilitation, technical, and financial support to local watershed groups to:
 - improve local water management;
 - enhance riparian habitats;
 - prepare flood plain and channel maps;
 - address drought, weed, ESA and growth issues; and
 - rehabilitate deteriorating infrastructure.



St. Mary Canal

Future SWP Challenges

- Complete an accurate adjudication.
- Develop a cost-effective mechanism for enforcing water rights.
- Remove the rigidity from Montana's water law by providing better flexibility through water leasing and banking programs.
- Drought proof the state by enhancing water conservation through lowering total depletions. Emphasize demand-side solutions rather than supply-side.
- Better understanding the hydrology of our surface and ground water systems, now and into the future.
- Address growth and exempted wells and septic systems that decrease surface water flows and contaminate groundwater.
- Better utilize storage in existing state and federal reservoirs.
- Address point and non-point sources of pollution.
- Define basin water supplies and our ability to meet future growth needs.
- Resolve conflicts between recreation and consumptive water users over limited water supplies.

The Primary Challenge for Water Planning

“How do we protect the rights of senior water users, keep streams alive and still meet Montana’s population growth needs knowing there will probably be less water due to expansion of existing water rights, illegal appropriators, more frequent droughts and increased evapotranspiration with increased temperatures”

Recent court decisions in the Smith River and at Thompson Falls have limited the availability of surface and ground water for appropriation.

“Montana needs basin planning to prepare for the future. We need to determine where water will come from to meet our future needs.”



Questions?