

CSKT Water Compact Settlement Discussions**Draft Issues and Meeting Schedule**

November 3, 2011 DRAFT

Summary

This document lists the negotiation issues identified by the three parties and a schedule to address these issues in future meetings. The parties understand that the schedule and the list of issues will need to be reviewed and revised based on the status of the negotiations. A revised list of issues follows the schedule.

Schedule**Major Milestones**

June 2012: Draft Compact for public review and comment, legislative review

July through October: Public meetings and comment

September through December: Resolve issues and finalize settlement

December 2012: Request for drafting for Montana Legislation

January 2013: Montana Legislative Session

2013 or 2014: Federal legislation.

November 2011

Federal, CSKT, and Montana Legal and Technical Group: November 29th in Missoula at the Montana DNRC Office, 2705 Spurgin Road, Missoula, MT. Receptionist desk phone: 406-542-4300.

Proposed agenda:

1. Introductions and review agenda.
2. Quantification Matrix
 - a. Finalize Wetlands without diversions.
 - b. Finalize Wetlands on federal and state lands.
 - c. Finalize Wetlands with diversions.
 - d. Finalize High Mountain Lakes.
 - e. Discuss minimum pool levels at FIIP reservoirs.

- f. Discuss status of Off-Reservation proposal.
 - g. Discuss DCMI issues.
 - h. Discuss CSKT proposal on Groundwater.
 - i. Stipulation status.
 - j. Discussion of other categories in matrix.
3. Status of instream flow quantification issues.
 - a. Discuss compliance points of measurement.
 - b. Discuss status of analysis and next steps.
 4. Discuss Secretarial Water and Allottee issues.
 5. Discuss status of updating NIIMS data.
 6. Discuss Flathead System Compact Water (aka Replacement Water).
 - a. Discuss Montana biological issues.
 - b. Discuss alternatives for characterization of water rights (e.g. water right in Hungry Horse or storage right of CKST water right).
 - c. Discuss leasing
 - d. Status of CSKT economic analysis on micro-hydro development and Montana's response on the issue of CSKT proposal on hydro development.
 - e. Discuss compensation issues.
 7. Discuss potential land exchange issues.
 8. Public outreach plan.
 9. Review agenda items for Negotiation Group meeting.
 10. Review issues list and schedule and discuss next steps.
 - a. Issues and Meeting Schedule.
 - b. Schedule for Process (Gantt Chart).
 - c. Review draft of Settlement Tasks.

Negotiation Group Meeting: November 30, 2011 at the Tribal Council chambers in Pablo; CSKT to chair.

January 2012

Federal, CSKT, and Montana Legal and Technical Group: January 17th and 19th in Missoula.

Proposed agenda:

1. Outstanding issues from previous meetings.
2. Discuss instream flows below diversions outside FIIP.