

consultations, designation of boundaries of management area, establishment of an action plan, and finally, implementation and monitoring. Section 65 of the committee amendments provides that if, after 12 months after a management area is designated, the NRD or NRDs have not implemented the necessary controls called for in the action plan, the DWR may assume the authorities of the NRD to impose ground water controls with the concurrence of Interrelated Water Review Commission. In other words, the DWR would have to make its case to the IWRC that the NRDs have failed in their duty. Only after IWRC agrees would the DWR be able to assume authority to impose controls normally reserved to the NRDs to control ground water use. AM3746 provides that the DWR must also have the concurrence of the IWRC to begin the process of seeking establishment of a management area. The IWRC would have to agree that there's enough preliminary evidence to justify the department making further investigation. The amendment inserts language at the beginning of Section 55 to accomplish this. The purpose of this amendment is to bring the IWRC into the process earlier. The IWRC with the Governor as a member is expected to be more politically sensitive and therefore more hesitant to impose controls on ground water pumpers. If the IWRC can only be appealed to...if the IWRC can only be appealed to after millions of dollars of studies have been done, hearings held, and otherwise after great amounts of time and money have been invested, the IWRC is less likely to want to throw the whole process out by denying the DWR. It would be politically embarrassing to the Governor, who appoints the director of the DWR to, in effect, say, this director has wasted time and taxpayer money. Relatively simple amendment. Provides the impetus where the impetus should be with the IWRC. And I ask you approval of that amendment.

SENATOR BERNARD-STEVENS: You've heard the opening...

SENATOR DIERKS: No, I'm not through yet, Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Senator Dierks, I'm sorry.

SENATOR DIERKS: How much time do I have left?

SENATOR BERNARD-STEVENS: You have seven minutes remaining, Senator Dierks, if you wish to use that time. And I apologize if I cut you off, I didn't mean to.