

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: Chair Rob Cook, on January 21, 2013 at 8:00 AM, in Room 317B Capitol

ROLL CALL

Members Present:

Rep. Rob Cook, Chair (R)
Sen. Dave Lewis, Vice Chair (R)
Rep. Carl Glimm (R)
Rep. Bill McChesney (D)
Sen. Rick Ripley (R)
Sen. Jon C. Sesso (D)

Members Excused: None

Members Absent: None

Natural Resources and Transportation Joint Subcommittee Members Present:

Rep. Mike Cuffe, Chair (R)
Rep. Galen Hollenbaugh (D)
Sen. John Brenden (R)
Sen. Jim Keane (D)
Rep. Duane Ankney (R)
Rep. Lea Whitford (D)

Members Excused: Sen. Matthew Rosendale, Vice Chair (R)

Staff Present: Catherine Duncan, Legislative Fiscal Division
Mary Ann Mackay, Committee Secretary
Christine Hultin, Office of Budget and Program Planning
Colleen Dever, Committee Secretary
Christina Butler, Legislative Fiscal Division

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 7, 1/17/2013

00:17:55 Chair Cook

HEARING ON HB 7

Opening Statement by Sponsor:

00:19:17 Rep. Rob Cook (R), HD 27, opened the hearing on HB 7, Reclamation and development grants.

Hearings on HB 7 Projects

00:21:30 Alice Stanley, Bureau Chief, Resource Development Bureau, Department of Natural Resources and Conservation (DNRC)

00:29:44 Alicia Stickney, Reclamation and Developments Grants Program, DNRC

[EXHIBIT\(jlh12a01\)](#)

00:32:24 Sen. Sesso left.

[EXHIBIT\(jlh12a02\)](#)

[EXHIBIT\(jlh12a03\)](#)

Comments:

00:36:49 Chair Cook

00:36:52 Ms. Stickney, DNRC

00:36:55 Chair Cook

00:37:12 Ms. Stickney, DNRC

00:37:33 Chair Cook

00:37:41 Ms. Stickney, DNRC

00:37:48 Ms. Stanley, DNRC

00:37:59 Tom Richmond, Division Administrator and Petroleum Engineer, Oil and Gas Commission, DNRC

00:41:13 Chair Cook

Questions from Committee Members and Responses:

00:41:16 Chair Cook

00:41:32 Mr. Richmond, DNRC

00:42:32 Chair Cook

00:42:38 Mr. Richmond, DNRC

00:42:43 Chair Cook

Comments:

00:42:51 Jeff Teberi, Executive Director, Montana Association of Conservation Districts (MACD)

00:44:13 Chair Cook

00:44:18 Shelby Demars, Montana Weed Control Association (MWCA)

00:44:54 Rep. Mike Lang, HD 35

00:45:24 Chair Cook

00:45:50 Ms. Stickney, DNRC

Missoula County, Kennedy Creek: Lost Cabin and Nugget Mine Reclamation

00:46:23 Nancy Heil, Missoula Community Services

[EXHIBIT\(jlh12a04\)](#)

00:48:20 Sen. Sesso returned.

Questions from Committee Members and Responses:

00:49:25 Sen. Ripley

00:49:33 Ms. Heil

00:50:03 Chair Cook

00:50:07 Ms. Heil

00:50:10 Ms. Stickney, DNRC

Montana Department of Environmental Quality, Abandoned Mine Lands Bureau, South Fork Lower Willow Creek-Black Pine Mine Reclamation

00:50:33 Devin Clary, Reclamation Specialist, Abandoned Mines Program, DNRC

00:54:16 Sen. Ripley left.

00:55:13 Ms. Stickney, DNRC

Town of Philipsburg, Tailings-Contaminated Sludge Disposal from Decommissioned Wastewater Lagoons

00:55:32 Anne Fillmore, Town of Phillipsburg

00:58:26 Ms. Stickney, DNRC

00:58:41 Chair Cook

Montana Department of Environmental Quality, Harlowton Petroleum Product Delineation and Mitigation

00:58:55 Scott Gestring, Lost Brownfields Section, DEQ

01:00:05 Sen. Ripley returned.

01:01:45 Chair Cook left.

01:02:10 Vice Chair Lewis

Questions from Committee Members and Responses:

01:02:21 Vice Chair Lewis

01:02:25 Mr. Gestring, DEQ

01:02:30 Chair Cook returned.

01:02:38 Ms. Stickney, DNRC

Confederated Salish & Kootenai Tribes, Elmo Cash Store and Joseph Allotment Cleanup Implementation

01:02:57 Wilhelm Welzenbach, Project Scientist, Newfields Consultant Firm

[EXHIBIT\(jlh12a05\)](#)

01:06:27 Ms. Stickney, DNRC

Powell County, Milwaukee Roundhouse Recreational Subarea-Interim Cleanup Action, Phase 2

01:07:01 Bryan Bender, Planning Director, Powell County

[EXHIBIT\(jlh12a06\)](#)

01:09:21 Ms. Stickney, DNRC

Missoula County, Sawpit Creek and Ninemile Creek Mine Reclamation

01:09:41 Nancy Heil, Missoula County Community and Planning Services

[EXHIBIT\(jlh12a07\)](#)

Questions from Committee Members and Responses:

01:13:26 Sen. Ripley
01:13:43 Ms. Heil
01:13:54 Chair Cook
01:14:02 Ms. Heil

01:14:16 Ms. Stickney, DNRC

City of Malta, Former Malta Airport Facility-Herbicide/Pesticide Cleanup

01:14:29 Courtney Moles, Executive Director, Philco Economic Growth Council, Malta
01:16:51 Chair Cook
01:17:01 Ms. Moles
01:17:08 Chair Cook

01:17:15 Ms. Stickney, DNRC

Cascade County Conservation District, Barker-Hughesville Reclamation Area Fish Barrier

01:17:59 Gayla Wortman, Chairman, Cascade County Conservation District

[**EXHIBIT\(jlh12a08\)**](#)

Questions from Committee Members and Responses:

01:21:31 Sen. Ripley
01:22:30 Ms. Wortman
01:22:40 Chair Cook
01:22:48 Ms. Wortman
01:22:51 Chair Cook
01:23:05 Ms. Wortman
01:23:27 Rep. Glimm
01:23:36 Ms. Wortman
01:24:03 Sen. Ripley
01:24:22 Ms. Wortman

01:24:48 Ms. Stickney, DNRC

Butte-Silver Bow Consolidated City-County Government, Butte Mining District: Reclamation and Protection, Phase 4

01:25:15 Jim Jarvis, City of Butte/Silver Bow

[**EXHIBIT\(jlh12a09\)**](#)

01:29:01 Sen. Jim Keane, SD 38
01:30:24 Chair Cook
01:30:36 Sen. Keane
01:30:42 Chair Cook
01:30:48 Sen. Sesso left.

01:30:51 Ms. Stickney, DNRC

Town of Ryegate, Former Ryegate Conoco Groundwater Remediation

01:31:32 Kevin Rauch, Engineer, Lompas Technical Services, on behalf of Ryegate
01:33:12 Sen. Ripley left.

[**EXHIBIT\(jlh12a10\)**](#)

Questions from Committee Members and Responses:

01:33:48 Sen. Lewis

01:34:38 Mr. Rauch
 01:34:42 Sen. Lewis
 01:34:52 Sen Sesso returned.
 01:35:08 Chair Cook

01:35:16 Ms. Stickney, DNRC

Cascade County Commission, County Shops Continued Remediation of Wood Treatment Preservatives

01:35:37 Joe Murphy, Cascade County

01:38:15 Ms. Stickney, DNRC

Butte-Silver Bow Local Government Planning Department, Irrigation Project for Butte Acidic Mine Waters

01:38:50 Mr. Jarvis, City of Butte/Silver Bow

EXHIBIT(jlh12a11)

01:40:34 Rep. Amanda Curtis, HD 76
 01:41:20 Sen. Jon Sesso, SD 37
 01:46:50 Chair Cook
 01:46:58 Sen. Sesso
 01:48:02 Chair Cook

01:48:14 Ms. Stickney, DNRC

Custer County Conservation District, Addressing Cumulative Effects on the Yellowstone River through Best Management Practices (BMP) Development and Implementation

01:48:56 Nicole Divine McClain, Executive Director, Yellowstone River Conservation District Council (YRCDC)

EXHIBIT(jlh12a12)

01:55:51 Paul Gilbert, Supervisor, Sweet Grass County Conservation, and Councilman, (YRCDC)
 01:57:57 Warren Kellogg, Chairman, Technical Advisory Committee, YRCDC
 01:59:28 Rep. McChesney, HD 48
 02:00:13 Sen. Ripley returned.
 02:00:16 Tony Thatcher, Bozeman
 02:00:22 Rep. McChesney left.

02:01:09 Ms. Stickney, DNRC

Ruby Valley Conservation District, Upper Missouri Headwaters River/Flood Hazard Map Development

02:01:27 Rebecca Ramsey, Ruby Watershed Coordinator for Ruby Water Conservation District and Ruby Watershed Council; and Chair, Missouri River Watershed Project

EXHIBIT(jlh12a13)

02:06:09 Rep. McChesney returned.
 02:06:23 Dave Schulz, Commissioner, Madison County; Second Vice President, Montana Association of Counties (MACo)
 02:08:25 Chair Cook
 02:08:34 Rep Glimm left.
 02:08:40 Sen. Lewis left.

02:08:43 Ms. Stickney, DNRC

Montana Department of Environmental Quality Planning Prevention and Assistance Division, Water Quality Planning Bureau, Monitoring and Assessment Section, Baseline Groundwater Sampling in Areas of Anticipated Oil and Gas Development

02:09:31 Darrin Kron, Water Quality Planning Bureau, DEQ

Questions from Committee Members and Responses:

02:12:15 Sen. Sesso
 02:12:18 Rep. Glimm returned.
 02:12:38 Mr. Kron, DEQ
 02:14:17 Sen. Sesso
 02:14:45 Mr. Kron, DEQ
 02:15:04 Sen. Sesso
 02:15:29 Mr. Kron, DEQ
 02:16:37 Sen. Ripley
 02:17:15 Mr. Kron, DEQ
 02:17:47 Chair Cook
 02:18:20 Mr. Kron, DEQ
 02:19:40 Chair Cook
 02:19:51 Mr. Kron, DEQ
 02:20:19 Chair Cook
 02:20:26 Mr. Kron, DEQ
 02:20:32 Sen. Sesso
 02:22:30 Mr. Kron, DEQ
 02:22:52 Chair Cook
 02:23:00 Ms. Stanley, DNRC
 02:26:22 Mr. Kron, DEQ
 02:26:45 Chair Cook
 02:26:55 Rep. McChesney
 02:28:50 Chair Cook
 02:29:21 Ms. Stanley, DNRC
 02:30:31 Chair Cook
 02:30:34 Ms. Stanley, DNRC
 02:30:51 Chair Cook
 02:30:57 Ms. Stanley, DNRC
 02:30:59 Chair Cook

02:31: Ms. Stickney, DNRC

Missoula County, Sawpit Creek and Ninemile Creek Mine Reclamation

02:31:20 Sen Cliff Larsen, SD 50

02:32:22 Sen. Sesso left.

02:32:46 Ms. Stickney, DNRC

Yellowstone Conservation District, Lower Pryor Creek Stabilization and Restoration

EXHIBIT(jlh12a14)

02:33:48 Chair Cook
 02:33:52 John Polaski, Yellowstone County Conservation District, Billings
 02:35:40 Sen. Lewis returned.
 02:36:28 Sen. Sesso returned.

02:37:52 Chair Cook
02:37:54 Sen. Taylor Brown, SD 22

02:38:57 Ms. Stickney, DNRC

Montana Department of Environmental Quality, Abandoned Mines Bureau, Sheridan County 2012-2013 Reclamation

02:39:14 Chair Cook
02:39:17 Hayden Janssen, Reclamation Specialist, Abandoned Mines Program, DEQ

Questions from Committee Members and Responses:

02:43:39 Sen. Sesso
02:44:03 Mr. Janssen, DEQ
02:44:30 Sen. Sesso
02:45:03 Mr. Janssen, DEQ
02:45:25 Sen. Sesso
02:46:10 Mr. Janssen, DEQ
02:46:15 John Kortch, Program Manager, Abandoned Mines Program, DEQ
02:47:30 Sen. Sesso
02:48:09 Mr. Kortch, DEQ

02:49:05 Ms. Stickney, DNRC

Montana Department of Natural Resources and Conservation, Water Resources Division, State Water Projects Bureau, Deadman's Basin Diversion Dam

02:49:48 Tim Davis, Administrator, Water Resources Division, DEQ
[EXHIBIT\(jlh12a15\)](#)

Questions from Committee Members and Responses:

02:51:29 Chair Cook
02:51:34 Mr. Davis, DEQ

Continuation:

02:51:47 Bob Goffena, Chair, Board of Deadman's Basin
[EXHIBIT\(jlh12a16\)](#)

02:53:15 Rep. Tom Berry, HD 45
02:54:02 Sen. Alan Olson, SD 23

02:54:52 Ms. Stickney, DNRC

Montana Department of Environmental Quality Abandoned Mine Bureau, Beal Mountain Mine Barren Pond and Foundation/Footing Removal

02:55:14 John Koerth, DEQ

Questions from Committee Members and Responses:

02:59:14 Sen. Sesso
02:59:27 Mr. Koerth, DEQ

03:02:07 Ms. Stickney, DNRC

Montana Board of Oil and Gas Conservation, 2013 Southern District Orphaned Well Plug and Abandonment, and Site Restoration

and Montana Board of Oil and Gas Conservation, 2013 Northeastern District Orphaned Well Plug and Abandonment, and Site Restoration

03:02:38 Steven Saski, Chief Field Inspector, Montana Board of Oil and Gas Commission (MBOGC), DNRC

Questions from Committee Members and Responses:

03:07:09 Chair Cook

03:07:16 Mr. Saski, DNRC

03:07:37 Chair Cook

03:08:21 Mr.Saski, DNRC

03:11:18 Recessed

03:29:37 Resumed

Joint Meeting with Natural Resources and Transportation Subcommittee on Aquatic Invasion Species (AIS)

03:29:42 Chair Cook

03:31:20 Rep. Cuffe

03:32:55 Chair Cook

Legislative Fiscal Division, Overview of Aquatic Invasive Species (AIS)

03:32:59 Christina Butler, Legislative Fiscal Division (LFD)

EXHIBIT(jlh12a17)

03:35:28 Chair Cook

03:35:45 Sen. Brendan

03:35:50 Chair Cook

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, DNRC

03:36:01 Ray Beck, Administrator, Conservation and Resource Development Division, DNRC

EXHIBIT(jlh12a18)

Questions from Committee Members and Responses:

03:40:54 Sen Ripley

03:41:01 Mr. Beck, DNRC

03:42:02 Chair Cook

03:42:18 Mr. Beck, DNRC

Continuation:

03:42:37 Glen Magera, Sanders County Commissioner and Rancher

EXHIBIT(jlh12a19)

03:46:35 Sunny Heikes-Knapton, Coordinator, Madison Watershed

EXHIBIT(jlh12a20)

03:48:43 Jerry Marks, Department Head, Missoula Extension Office and Weed District; and Clark Fork Coalition

EXHIBIT(jlh12a21)

03:50:24 Bryce Christiaens, Missoula County Weed District

[EXHIBIT\(jlh12a22\)](#)

03:52:24 Jim Beck, Associate Supervisor, Broadwater Conservation District, Townsend

03:56:35 Dave Shulz, Commissioner, Madison County and Second Vice President,
Montana Association of Counties (MACo)

03:58:57 Jill Allen, Jefferson County Weed Coordinator

Questions from Committee Members and Responses:

04:00:48 Sen. Lewis

04:01:11 Ms. Allen

Continuation:

04:01:54 Christi Buffington, Flathead Lakers

[EXHIBIT\(jlh12a23\)](#)

Questions from Committee Members and Responses:

04:04:20 Rep. Cuffe

04:04:32 Ms. Buffington

04:04:39 Rep. Cuffe

04:04:42 Ms. Buffington

Continuation:

04:05:05 Sarah Holden, private contractor, Mountain Valley Plant Management

[EXHIBIT\(jlh12a24\)](#)

04:07:48 Chair Cook

04:07:54 Shane Morigeau, Confederated Salish Kootenai Tribes

[EXHIBIT\(jlh12a25\)](#)

04:10:05 Chair Cook

FISH WILDLIFE AND PARKS (FWP)

04:10:24 Mike Volesky, Deputy Director, Fish Wildlife and Parks (FWP)

04:14:04 Eileen Ryce, Hatchery Bureau Chief, Supervisor of AIS, FWP

04:20:15 Allison Begley, Coordinator, AIS, FWP

[EXHIBIT\(jlh12a26\)](#)

Questions from Committee Members and Responses:

04:26:03 Rep. Hollenbaugh

04:27:22 Mr. Volesky, FWP

04:29:56 Ray Ames, Administrator, Agricultural Science Division, Montana Department of
Agriculture (AGR)

[EXHIBIT\(jlh12a27\)](#)

Questions from Committee Members and Responses:

04:37:02 Rep. Whitford

04:37:4 Mr. Ames, AGR

Comments:

04:39:01 Rep. Duane Ankney, HD 43

04:40:42 Chair Cook

04:40:58 Kim Baker, Advisor, Office of the Governor, Natural Resource Policy

Questions from Committee Members and Responses:

04:43:15 Chair Cook

04:43:25 Mr. Baker

04:43:50 Chair Cook

04:43:53 Mr. Baker

04:44:10 Chair Cook

04:44:18 Chair Cook

04:44:39 Rep. Cuffe

04:45:01 Chair Cook

Closing by Sponsor:

04:45:12 Rep. Cook

Comments:

04:45:44 Chair Cook

ADJOURNMENT

Adjournment: 04:45:58

Mary Ann Mackay, Secretary

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Additional Documents:

EXHIBIT([jlh12aad.pdf](#))