



Water Policy Interim Committee

PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

64th Montana Legislature

SENATE MEMBERS

BRADLEY MAXON HAMLETT, CHAIR
JENNIFER FIELDER
SHARON STEWART-PEREGOY
CHAS VINCENT

HOUSE MEMBERS

CARL GLIMM, VICE-CHAIR
BOB BROWN
ZACH BROWN
KATHLEEN WILLIAMS

COMMITTEE STAFF

JASON MOHR, Lead Staff
HELEN THIGPEN, Staff Attorney
NADINE SPENCER, Secretary

(as of April 26, 2016)

WATER POLICY INTERIM COMMITTEE

Bozeman City Commission Chambers

121 N. Rouse Ave.

May 2-3, 2016

Field trips are limited to committee members and confirmed guests, as space is limited. Guests must be confirmed by April 27 by contacting Jason Mohr, WPIC staff, at 444-1640 or jasonmohr@mt.gov.

AGENDA ITEM TIMES ARE APPROXIMATE

Monday, May 2

9 a.m. **Call to Order** – Sen. Hamlett

- Roll Call
- Approval of minutes from March 2016
- Administrative matters – Mr. Mohr

9:05 a.m. **Case studies of water supply options**

- Deborah Stephenson, DMS Natural Resources LLC
- Craig Woolard, City of Bozeman Public Works Department director
- Brian Popiel, chairman, Southwest Montana Building Industry Association
- Colleen Coyle, Farmer's Canal Co. of Gallatin Valley
- Krista Lee Evans, Association of Gallatin Agricultural Irrigators
- Public comment
- Committee discussion, questions

10:30 a.m. **Update from Governor's Drought and Water Supply Advisory Committee**

- Tim Davis, Water Resources Division administrator, Department of Natural Resources and Conservation
- Public comment
- Committee discussion, questions

11 a.m. **State water plan update (85-1-203, MCA)**

- Mr. Davis, DNRC
- Public comment

- Committee discussion, questions

11:15 a.m. **Future of the Water Court study**

- Water right ownership updates
 - Linda Stoll, Montana Association of Clerks and Recorders (*via phone*)
 - Rocky Haralson, Property Assessment Division regional manager, Department of Revenue
 - Mr. Davis, DNRC
- Discussion of certain Constitutional issues regarding jurisdiction over water rights– Ms. Thigpen
- Consideration of water distribution issues identified by Adjudication Advisory Committee
 - When is a Water Court decree enforceable? – Chief Water Judge Russ McElyea
 - Judge Holly Brown, 18th Judicial District
 - Water Commissioner statutes – Judge Brown, Water Commissioner George Alberda
- Draft findings
- Public comment
- Committee discussion, questions
- Committee action, if any

Noon **Working lunch**

2 p.m. **Leave for field trip**

- Four Corners Water and Sewer District, 495 Quail Run Road
- Middle Creek Parklands subdivision, Huffine Lane (Highway 191) at Circle F Trail
- Farmers Canal

6 p.m. **Recess**

Tuesday, May 3

9 a.m. **Reconvene**

9:05 a.m. **Update on Yellowstone Club effluent spill**

- DEQ
- Public comment
- Committee discussion, questions

9:30 a.m. **Water-related research (85-2-105, MCA): Biofilm engineering and wastewater treatment design and operation**

- Ellen Lauchnor, Civil Engineering assistant professor, Montana State University
- Public comment
- Committee discussion, questions

- 10 a.m. **SJ2 study: State assumption of federal Section 404 permitting program**
- Transition costs and scenarios
 - Christian Schmidt, Planning, Prevention, and Assistance Division administrator, Department of Environmental Quality
 - Draft findings
 - Public comment
 - Committee discussion, questions
 - Committee action, if any
- 11:45 a.m. **Adjudication update (85-2-281, MCA)**
- Mr. Davis, DNRC
 - Chief Water Judge Russ McElyea
 - Public comment
 - Committee discussion, questions
- Noon **Working lunch**
- 12:05 p.m. **The water right change process and the *Hohenlohe* decision**
- Abigail St. Lawrence, attorney, Bloomquist Law Firm, PC
 - Mr. Davis, DNRC
 - Public comment
 - Committee discussion, questions
- 1 p.m. **2016 Water Resources Evaluation: Water Use in Closed Basins**
- Ms. St. Lawrence, Montana Association of Realtors
 - Public comment
 - Committee discussion, questions
- 1:30 p.m. **Vegetative management in Bozeman municipal watershed**
- Lisa Stoeffler, Bozeman District ranger, Gallatin National Forest, U.S. Forest Service
 - Craig Woolard, City of Bozeman Public Works Department director
 - Public comment
 - Committee discussion, questions
- 2 p.m. **Discussion of draft legislation**
- SJ2
 - Future of the Water Court
 - Public comment
- 3 p.m. **Agency administrative rule update – Ms. Thigpen**
- 3:15 p.m. **Public Comment on any issue within the jurisdiction of the WPIC**

3:30 p.m. **Other business**

- Public comment
- Committee discussion and action

3:45 p.m. **Instructions to staff**

4 p.m. **Adjourn**

Tentative: Optional field trip for committee members to Yellowstone Club for tour of effluent spill site
Meeting attendees who may need services or accommodations should contact Jason Mohr (406-444-1640 or jasonmohr@mt.gov) at least 5 working days before the meeting.