

5:30 p.m. WPIC Meeting Recess

Wednesday, July 11, 2007:

8:00 a.m. Reconvene **WPIC** Meeting

8:05 a.m. Discussion and Adoption of Work Plan Options
1. Public comment

9:00 a.m. Adoption of Interim WPIC Calendar
1. Public comment

9:15 a.m. Review and Discuss Current Montana Water Law and Case Law Related to Closed Basins — Staff
1. Committee questions and discussion
2. Public comment

9:45 a.m. Surface **Water/Ground** Water in Montana — Ms. Evans
1. Committee questions and discussion
2. Public comment

10:15 a.m. Alternatives for Management of Water
1. Other states water management strategies — Ms. Evans
a. Idaho
b. Colorado
c. Washington
d. Arizona
2. Water management alternatives in Montana including use of aquifer recharge — panel discussion
a. Agency perspective — Montana Department of Natural Resources and Conservation (DNRC) — Rich Moy
b. Subdivision perspective — Montana Department of Environmental Quality — Steve Kilbreath
c. Consultant perspective — PBS & J — John Westenberg
d. Hydrogeologist perspective — Nicklin Earth and Water — Michael Nicklin
e. Legal perspective — Mr. Bill Hritsco
3. Public comment

12:15 p.m. Lunch (on your own - dining hall is open)

1:15 p.m. Alternatives for Applying the Use of Mitigation, Augmentation, and Aquifer Recharge in Montana
1. Current law — Ms. Evans
2. Panel discussion
a. Agency perspective — DNRC — John Tubbs (Invited)
b. Consultant perspective — Water Rights Solutions — David Schmidt
c. Hydrogeologist perspective — HKM Engineering — Jim Potts
d. Legal perspective — Moore, O'Connell & Refling, Michael Cusick
3. Public comment

- 3:00 p.m. **HB 831 Case Study Progress — MBMG**
1. Summary of existing ground water study data
2. Other case study information including location of sites
3. Committee questions and discussion
4. Public comment
- 4:00 p.m. **HB 831 Implementation Update — DNRC**
1. Committee questions and discussion
2. Public comment
- 4:30 p.m. **Public Comment** on any matter not contained in this agenda and that is within the jurisdiction of the WPIC
- 5:00 p.m. **Other Business**
- 5:15 p.m. **Instructions to Staff**
- 5:30 p.m. **Adjourn**

Please Note: Our website address for this interim is :

http://leg.mt.gov/css/lepo/2007_2008/water_policy/default.asp

FINAL AGENDA

WATER POLICY INTERIM COMMITTEE

Museum of the Rockies, Hager Auditorium

Thursday, August 16,2007 - Friday, August 17,2007

NOTE: AGENDA ITEM TIMES ARE APPROXIMATE—SOME ITEMS MAY **TAKE** MORE OR LESS TIME THAN IS **ALLOTTED**.

Thursday, August 16,2007:

- 9:00 a.m. Call to Order • Roll Call
- 9:05 a.m. Administrative Matters
1. Minutes
 2. WPIC budget overview
 3. Travel vouchers
- 9:10 a.m. Committee Perspectives on Water Issues
- 9:30 a.m. HB 831 Implementation Update — Terri McLaughlin, DNRC
1. Committee questions and discussion
 2. Public comment
- 9:45 a.m. Current ground water quality laws — Tom Reid, DEQ /Julie DalSoglio, EPA
1. Permitting requirements
 2. Standards
 3. Federal/State law — primacy — where/when
 4. Discharge requirements
 5. Mixing zones
 6. Drinking water standards and interaction with ground water
 7. Public comment
- 10:30 a.m. Water quality testing requirements with regard to mitigation and aquifer recharge — John Tubbs, DNRC/Tom Reid, DEQ
1. Committee questions and discussion
 2. Public Comment
- 11:00 a.m. A short history of nutrient and microbial trends in Ground Water in the **Gallatin** Valley — implications for needed actions — Dr. Steve Custer, Department Head, Associate Professor of Geology, Dept. of Earth Sciences, MSU
- 11:30 a.m. Basic **ground** water chemistry "Learning Session"^u — John Metesh, MBMG
- 12:00 p.m. LUNCH (on your own)

- 1:00 p.m. **Load Bus for Upper Missouri Overview and Tour of Gallatin Valley**
Basin overview: Alan English, Dir., Gallatin Local Water Quality District (15 min)
Stops to include:
- 1:30 1. Utility Solutions — water and sewer district — water supply, sewage treatment facilities and system
 - 2:30 2. Flying A Holdings — aquifer storage and recovery water supply system & water quality testing
 - 3:30 3. JTL Gravel Pit — ground water to surface water, water quality issues, water right permit requirements
 - 4:30 4. City of Manhattan — municipal water supply, sewage treatment facilities and system

5:30 p.m. **WPIC Meeting Recess**

Friday, August 17, 2007:

- 8:00 a.m. **Reconvene WPIC Meeting**
- 8:05 a.m. **Coordinating surface water and ground water quantity and quality permitting activities** — John Tubbs, DNRC, Steve Kilbreath, DEQ
1. Existing coordination
 2. Future coordination changes if any
 3. Public Comment
- 8:30 a.m. **Appropriate level of water quality analysis associated with storage or introduction of surface water to ground water resources**
1. Panel Discussion
 - a. Ms. Kate Miller, Compliance Section Supervisor, Public Water Supply and Subdivision Bureau, DEQ
 - b. Dr. Tim Ford, Microbiology Dept Head, MSU
 - c. Dr. Warren Jones, Professor of Civil Engineering, MSU
 - d. Dr. Gary Icopini, Research Hydrogeologist, MBMG
 2. Committee Questions and Discussion
 3. Public Comment
- 10:30 a.m. **Break**
- 10:45 a.m. **Cumulative impacts for water quality** — Tom Reid, DEQ/Tom Patton, MBMG
1. Surface water
 2. Ground water
 3. Committee questions and discussion
 4. Public comment
- 11:15 a.m. **Alternative water quality standards** — Tom Reid, DEQ
1. Committee questions and discussion
 2. Public Comment
- 12:15 p.m. **Lunch** (on your own)

- 1:15 p.m. **Economic development and growth with protection of senior appropriators and water quality** — Panel Discussion
1. Legal perspective — Russ McElyea, Counsel, Moonlight Basin Ranch
 2. County growth perspective — Greg Sullivan, Planning Director, Gallatin County
 3. County sanitation perspective — Tim Roark, Director of Environmental Health, Gallatin City/County Health Dept.
 4. Senior appropriator perspective — Holly Franz, PPL Montana
 5. Committee questions and discussion
 6. Public Comment
- 3:00 p.m. **HB 831 Case Study Progress** — Montana Bureau of Mines and Geology
1. Case study site locations and contact progress
 2. Other case study information and progress
 3. Committee questions and discussion
 4. Public comment
- 4:00 p.m. **Public Comment** on any matter not contained in this agenda and that is within the jurisdiction of the WPIC
- 4:30 p.m. **Other Business**
- 4:45 p.m. **Instructions to Staff**
- 5:00 p.m. **Adjourn**

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DRAFT AGENDA -- Revised 9/5/07
WATER POLICY INTERIM COMMITTEE
Thompson Falls High School, Alternative Learning Center
Wednesday, September 12, 2007 - Thursday, September 13, 2007

NOTE: AGENDA ITEM TIMES ARE APPROXIMATE—SOME ITEMS MAY TAKE MORE OR LESS TIME THAN IS ALLOTTED.

Wednesday, September 12, 2007:

- 9:00 a.m. **Call to Order - Roll Call**
- 9:05 a.m. **Administrative Matters**
1. Minutes
2. WPIC budget overview
- 9:10 a.m. **Ground water modeling -- Dr. William Woessner, Prof. of Hydrogeology, UM**
1. Committee Questions and Discussion
- 10:00 a.m. **Monitoring to determine effectiveness of mitigation and aquifer recharge plans -- Panel Discussion**
1. Water quantity-- Russell Levens, Hydrogeologist, DNRC
2. Science Perspective -- Dr. William Woessner, Prof. of Hydrogeology, UM
3. Water quality -- Kate Miller, DEQ
4. Water user -- Randy Overton, RLK Hydro
5. Committee Questions
6. Public Comment
7. Committee Discussion and Action, if any
- 11:15 a.m. **Cumulative Impact Analysis for water quantity -- Panel Discussion**
1. Agency perspective -- Mike Roberts, Surface Water Hydrologist, DNRC
2. Senior Appropriator perspective -- Steve Fry, Avista
3. Applicant perspective -- Marc Spratt, RLK Hydro, Inc.
4. Committee Questions
5. Public Comment
6. Committee Discussion and Action, if any
- 12:30 p.m. **Lunch** (on your own)
- 1:30 p.m. **Montana Sanitation and Platting Laws -- Panel Discussion**
1. Sanitation -- Bonnie Lovelace, DEQ
2. Platting -- Myra Shults, Land Use Attorney
3. Contract County-- Barbara Woodbury, Sanders County
4. County Experiences -- Jim Carlson, Env. Health Director, Missoula Co.
5. Committee Questions
6. Public Comment
7. Committee Discussion and Action, if any
- 3:15 p.m. **Water availability determination in subdivision review -- Eric Regensburger, DEQ**

1. Level of analysis regarding **water** availability(both physical and legal)
2. Does the level of analysis vary on the size of the subdivision, subsequent **minors**, etc and
3. Is there a difference between the state and the **county** contracted review
4. Committee Questions
5. Public **Comment**
6. Committee Discussion and Action, if any

4:15 p.m. **Water Right Enforcement --** Panel discussion

1. County Attorney perspective -- Coleen I. **Magera**, Sanders County Attorney
2. DNRC perspective
3. Water User perspective -- Stephen R Brown, Attorney
4. Committee Questions
5. Public Comment
6. Committee Discussion and Action, if any

5:45 p.m. **Committee Discussion and Analysis of days topics**

6:15 p.m. **WPIC Meeting Recess**

Thursday, September 13, 2007:

8:00 a.m. **Reconvene WPIC Meeting**

8:05 a.m. **Wells exempt from permitting process**

1. **DNRC**
 - a. Number of exempt wells currently in Montana
 - b. Number expected at current rates by 2020
 - c. Types of beneficial uses for which exempt wells are used
 - d. Reasonable use of water in comparison with the current statutory limits **including volume**, flow rate, and any other criteria
 - e. Other pertinent information
2. DEQ -- Eric Regensburger
 - a. Number of subdivisions using exempt wells
 - b. Analysis **and/or** correlation of subdivision size and exempt well usage
 - c. General size of lots with exempt wells
 - d. Other pertinent information
3. Committee Questions
4. Public Comment
5. Committee Discussion and Action, if any

9:30 a.m. **Measurement of exempt well water usage -- DNRC**

1. Options and alternatives
2. Committee Questions
3. Public Comment
4. Committee Discussion and Action, if any

10:00 a.m. **Alternatives for water in highly appropriated areas --** Panel Discussion

1. Clark Fork Basin Alternatives -- Mike **McLane**, **Clark** Fork Task Force

2. AquiferStorage and Recovery- the **Washington** Experience -- Linton Wildrick,
Pacific Ground Water Group
3. AquiferStorage and Recovery-- Montana Feasibility-- Kirk **Waren**, MBMG
4. Surface Storage Opportunities - small and large -- John Tubbs, DNRC
5. Committee Questions
6. Public Comment
7. Committee Discussion and Action, if any

11:30 a.m. **Milltown Dam Water Rights** -- Gerald Mueller

1. Committee Questions
2. Public Comment
3. Committee Discussion and Action, if any

12:00 p.m. **Lunch**

1:15 p.m. **Clark Fork Task Force Update** -- Gerald Mueller

1:45 p.m. **Confederated Salish Kootenai Tribe Water Rights Compact Negotiations**

1. John Carter, CSKT
3. Committee Questions
4. Public Comment
5. Committee Discussion and Action, if any

2:15 p.m. **HB 831 Implementation Update** — DNRC

1. DNRC update
2. DNRC Rules -- Net Depletion Definition (committee discussion)
3. Public comment
4. Committee questions, discussion, and action (if any)

3:00 p.m. **HB 831 Case Study Progress** — Montana Bureau of Mines and Geology

1. Case study site locations and contact progress
2. Other case study information and progress
3. Committee Questions
4. Public Comment
5. Committee Discussion and Action, if any

3:15 p.m. **Committee Discussion and Analysis of days topics**

1. Prioritization of topics
2. Work Plan assessment

4:15 p.m. **Public Comment** on any matter not contained in this agenda and that is within the jurisdiction of the WPIC

4:45 p.m. **Other Business**

5:00 p.m. **Instructions to Staff**

5:15 p.m. **Adjourn**

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