



# ENVIRONMENTAL QUALITY COUNCIL

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JERRY BENNETT  
VIRGINIA COURT  
ED LIESER  
JEFFREY WELBORN  
KERRY WHITE

**SENATE MEMBERS**  
JOHN BRENDEN--Chair  
JENNIFER FIELDER  
BRADLEY MAXON HAMLETT  
JIM KEANE  
RICK RIPLEY  
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MARY FITZPATRICK  
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**COUNCIL STAFF**  
JASON MOHR, Research Analyst  
SONJA NOWAKOWSKI, Research Analyst  
HOPE STOCKWELL, Research Analyst  
HELEN THIGPEN, Staff Attorney  
NADINE SPENCER, Secretary  
JOE KOLMAN, Legislative Environmental Analyst

## MINUTES LOG

July 10, 2014

Room 137, State Capitol Building  
Helena, Montana

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for *Interim Committees*, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page.

Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

### COMMITTEE MEMBERS PRESENT

SEN. JOHN BRENDEN, Chair  
REP. BILL MCCHESENEY, Vice Chair

SEN. JENNIFER FIELDER  
SEN. BRADLEY MAXON HAMLETT  
SEN. JIM KEANE  
SEN. GENE VUCKOVICH

REP. JERRY BENNETT  
REP. VIRGINIA COURT  
REP. JEFFREY WELBORN  
REP. KERRY WHITE

MR. SCOTT ASPENLIEDER  
MR. DEXTER BUSBY  
MS. MARY FITZPATRICK  
MR. ROY MORRIS  
MR. TIM BAKER

**COMMITTEE MEMBERS EXCUSED**

SEN. RICK RIPLEY  
REP. ED LIESER

**STAFF PRESENT**

HOPE STOCKWELL, Research Analyst  
HELEN THIGPEN, Staff Attorney  
NADINE SPENCER, Secretary  
JOE KOLMAN, Legislative Environmental Analyst

**AGENDA & VISITORS' LIST**

Agenda, [Attachment 1](#).  
Visitors' list, [Attachment 2](#).

**COMMITTEE ACTION**

- The Environmental Quality Council (EQC) voted 14-0 to approve the SJ 4 study of Virginia City, Nevada City, and Reeder's Alley draft report for public comment.
- The EQC voted 14-0 to approve bill draft LCMHC1 for public comment.
- The EQC voted 14-0 to approve bill draft LC4444, as amended, for public comment.
- The EQC voted 14-0 to approve the HB 609 study of hunting and fishing licenses draft report for public comment.
- The EQC voted 16-0 to approve the SJ 15 study of federal land management draft report, as amended, for public comment.
- The EQC voted 7-9 not to approve bill draft LCFED1 for public comment.
- The EQC voted 8-8 not to approve bill draft LCFED2 for public comment.

**CALL TO ORDER AND ROLL CALL**

00:00:01 Sen. Brenden called the meeting to order at 8:00 a.m. The secretary noted the roll, [Attachment 3](#).

## **AGENDA**

### **CABIN AND HOME SITE SALES UPDATE**

00:01:38 John Grimm, Real Estate Management Bureau chief, Department of Natural Resources and Conservation (DNRC), gave an update on the progress made implementing the cabin site sale program, [Exhibit 1](#).

#### **Committee questions and discussion**

- 00:05:39 Sen. Keane asked how DNRC will speed up the sale process once the pilot program is complete. Mr. Grimm said it will depend on the funding and staff resources available.
- 00:06:27 Sen. Keane asked for a plan on how the DNRC will staff and expedite the sale process at the next EQC meeting. Shawn Thomas, Administrator, Trust Lands Management Division, DNRC, said a fiscal note was provided with the bill during the last legislative session to sell approximately 40 parcels per year rather than five. He said he will provide information to staff.
- 00:08:21 Sen. Keane said he would like to see the program get back on its previous schedule.
- 00:09:15 Rep. McChesney asked if it is possible to outsource some of the work. Mr. Thomas said DNRC is doing some contracting, but there is still a certain amount of staff time required.
- 00:10:33 Rep. McChesney asked if DNRC is short of staff. Mr. Thomas said in order to do more, DNRC needs more resources.
- 00:10:54 Sen. Brendon asked how many properties DNRC has to sell. Mr. Thomas said there are approximately 770 cabin and home sites.
- 00:11:24 Sen. Brenden asked if a bill draft would help expedite the sale process. Mr. Thomas said DNRC could help draft a bill, but noted that not all cabin site lessees may want to buy a lot.
- 00:12:48 Sen. Brenden asked who is doing the appraisals. Mr. Thomas said DNRC is using certified appraisers familiar with the area.
- 00:13:32 Sen. Brenden asked about the size of a lot near Rogers Lake. Mr. Thomas said the lot is 1.5 acres. Sen. Brenden said the appraisal price seems high.
- 00:14:19 Sen. Brenden recommended putting in a bill draft. Sen. Keane agreed and said DNRC should be able to schedule 40 sales per year.
- 00:15:25 Sen. Hamlett said that in 1916 lots on Flathead Lake were offered for \$10 an acre.

### **Public comment**

- 00:16:06 Margaret Morgan, Montana Leaseholders Association
- 00:19:47 Rep. Court asked who pays for the appraisal. Mr. Grimm said DNRC pays for the portion of the appraisal for deriving the value of the land and the lessee pays for the expense to derive the value of the improvements.
- 00:20:33 Rep. Court asked what slows down the time of the appraisal. Mr. Grimm said it is trying to work into the appraisers' schedule.

### **LAND BANKING REPORT AND LAND EXCHANGE PROGRAM**

- 00:21:10 Mr. Grimm gave the land banking report and status of the land exchange program, [Exhibit 2](#). He provided information on the steps in a land exchange for state trust lands and the DNRC land exchange criteria, [Exhibit 3](#).

**Public comment** None

### **Committee questions and discussion**

- 00:25:41 Sen. Brenden commented on the value of the program.

### **BRINE CONTAMINATION ON THE FORT PECK INDIAN RESERVATION**

- 00:26:34 Joanna Thamke, U. S. Geological Survey, presented the results from a brine contamination study near the East Poplar oil field, [Exhibit 4](#).

**Public comment** None

### **Committee questions and discussion**

- 00:39:29 Rep. White asked if brine injection wells are a new process and if there is a required depth for the injections. Ms. Thamke said there have always been brine disposal wells in the Williston Basin and the East Poplar oil field. She said there is a required depth.
- 00:42:37 Sen. Brenden commented on the new wells that are being drilled and the water quality in Northeastern Montana.
- 00:43:59 Sen. Fielder asked if a protocol is used to ensure that the science is non biased. Ms. Thamke said she will forward a copy of the protocol the USGS uses.
- 00:45:17 Rep. Court asked about disposal of water from fracking. Ms. Thamke said the majority of the water is being disposed of by disposal wells.

- 00:47:17 Rep. Court asked if the Poplar River flows into the Missouri River. Ms. Thamke said it does, but because of the flow level of the Missouri River the saline brine is diluted.
- 00:48:35 Ms. Court asked if it is possible to get the Poplar River back to its natural state. Ms. Thamke said some of the contaminated groundwater is being pumped out and re-injected into a deeper formation, but the remainder will be allowed to flow through and discharge. The goal is to ensure there are no further active sources of contamination.
- 00:49:43 Sen. Brenden said the Poplar River does not have a lot of water in it.

#### **PETROLEUM TANK RELEASE SITE CLOSURE UPDATE**

- 00:50:44 Rebecca Ridenour, section supervisor, Hazardous Waste Cleanup Bureau (HWCB) - Petroleum Tank Cleanup, Remediation Division, DEQ, gave an update on closure of petroleum tank release sites, [Exhibit 5](#).
- 00:52:51 Mike Trombetta, bureau chief, HWCB, DEQ, discussed the Tier 2 fund solvency assessment completed by the EPA and the DEQ's response, [Exhibit 6](#). He provided a history of the petroleum tank release program, [Exhibit 7](#).

#### **Public comment**

- 01:08:16 Terry Wadsworth, executive director, Petroleum Tank Release Compensation Board, said he provided a report on the financial history, budget status, and obligation activity, [Exhibit 8](#).

#### **Committee questions and discussion**

- 01:08:54 Sen. Keane discussed the pilot program and said closing sites using the new model should be a priority. Mr. Trombetta agreed.
- 01:11:24 Sen. Keane said he would like to see any documents that result from the meeting with the Petroleum Tank Release Compensation Board. Mr. Trombetta said he will provide the information at the EQC meeting in September.
- 01:12:07 Mr. Trombetta said he can provide information on how the funds appropriated by the 2013 legislature from the Orphan State Fund were spent.
- 01:12:23 Sen. Brenden said he agreed to get together with Tom Livers, deputy director, DEQ, at the EQC meeting in September.
- 01:12:48 Mr. Morris asked if there are any risk based Brownsfield sites that are closed or about to be closed. Ms. Ridenour said they have been trying to close sites with the risk based closure or petroleum mixing zone, but DEQ has not been successful.

- 01:14:10 Mr. Morris asked if legislation is required to close the sites. Mr. Trombetta said DEQ is working with stakeholders to do a rule amendment and plans on bringing something before the legislature.
- 01:14:58 Rep. White asked if there will be a reduction in the number of sites that are closed in the future because of their complexity. Mr. Trombetta said the rate of closures will decrease because they are long-term sites that are more complex and expensive to close.
- 01:17:12 Rep. White asked Mr. Trombetta if he agreed with EPA's estimated cost for clean up. Mr. Trombetta said a lot of the numbers are based on averages and said he hopes to have an analysis done by the end of the month.
- 01:19:03 Recess  
01:33:22 Reconvene

### **STATE PARKS BOARD UPDATE**

- 01:33:38 Chas Van Genderen, administrator, State Parks Division, Department of Fish, Wildlife, and Parks (FWP), gave an update on the division and the progress of the Montana State Parks and Recreation Board created under HB 24 (2013), [Exhibit 9](#).

#### **Public comment**

- 01:40:23 Diane Conradi, member, Montana State Parks & Recreation Board

#### **Committee questions and discussion**

- 01:46:02 Rep. White asked if the parks division is looking at developing an Off-Highway Vehicle (OHV) park or similar recreational activity. Mr. Van Genderen said the agency has not started an inventory of riding opportunities, but is actively talking with people who have motorized interests.
- 01:48:21 Sen. Hamlett asked if the Board toured First Peoples Buffalo Jump State Park. Ms. Conradi said it did.
- 01:49:14 Sen. Hamlett asked if the Board has a plan to address damage from a prairie dog town, wind erosion, and loss of native grasses. Ms. Conradi said it has discussed the problems and challenges of managing the resource.
- 01:51:50 Ms. Conradi discussed some of the challenges facing cultural and historic resources.
- 01:53:14 Sen. Brenden thanked Mr. Van Genderen and the Board for their effort in traveling the state.

01:54:27 Mr. Van Genderen said FWP is in the process of drafting a management plan to deal with the issue of the prairie dogs.

01:55:43 Sen. Hamlett commented on prairie dogs and the damage they are causing to the jump.

#### **SJ 4 - STUDY OF VIRGINIA CITY, NEVADA CITY, REEDER'S ALLEY**

01:56:43 Leanne Kurtz, research analyst, LSD, gave an overview of the SJ 4 report, [Exhibit 10](#).

**Public comment**      None

02:00:55 Sen. Brenden thanked the SJ 4 work group.

02:01:03 **Motion/Vote:** Sen. Keane moved to send the SJ 4 draft study report for public comment. The motion carried 14-0 by voice vote. Sen. Ripley voted by proxy. Rep. McChesney and Rep. Lieser were excused.

02:01:37 **Motion/Vote:** Sen Keane moved the bill draft, LCMHC1, for public comment. The motion carried 14-0 by voice vote. Sen. Ripley voted by proxy. Rep. McChesney and Rep. Lieser were excused.

02:02:48 Sen. Keane thanked the members of the work group and the Montana Heritage Commission.

#### **ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE UPDATE**

02:03:11 Sonja Nowakowski, research analyst, LSD, gave an update on the agenda for the Energy and Telecommunications Interim Committee (ETIC) meeting scheduled for July 18.

#### **WATER POLICY INTERIM COMMITTEE UPDATE**

02:06:15 Jason Mohr, research analyst, LSD, gave an update from the Water Policy Interim Committee (WPIC) meeting on July 8.

02:10:27 Sen. Hamlett discussed the exempt from filings claims and the definition of "Waters of the U.S." He suggested the EQC write a letter to the DEQ asking about state assumption of 404 permitting by conservation districts. Sen. Brenden agreed.

02:13:28 Mr. Aspenlieder said he supports the state taking over management of 404 permits, but cautioned that rural counties and some conservation districts do not have enough technical expertise to handle the permits.

02:14:47 Sen. Keane said he thought applications for 404 permits still need to go through the conservation districts.

- 02:15:07 Mr. Kolman said 310 permits are administered by the conservation districts and often work in conjunction with 404 permits so there is some precedence.
- 02:15:28 Mr. Brenden said to put it on the agenda for the September meeting.
- 02:15:52 Mr. Aspenlieder said it is important to have technical expertise on a local level.
- 02:17:02 Sen. Hamlett asked if there was time for the EQC to advance a study resolution. Mr. Kolman said without objection from the Council staff can prepare the study resolution, but it will not be able to go out for public comment. Sen. Brenden agreed.
- 02:17:47 Sen. Hamlett asked if a letter should be sent to DEQ about the mechanics of the state assuming 404 permitting. Sen. Brenden asked staff to obtain information so it can be provided to the EQC.

### **STATE WATER PLAN UPDATE**

- 02:19:10 Tim Davis, administrator, Water Resources Division, DNRC, provided a copy of the public notice summary and work that has been done on the State Water Plan, [Exhibit 11](#).
- 02:22:13 Paul Azevedo, Water Management Bureau chief, DNRC, discussed the time-line for releasing the State Water Plan and the opportunities for public comment.

**Public comment** None

### **Committee questions and discussion**

- 02:25:29 Sen. Brenden commented on sending the plan out for public comment statewide.

### **FIRE SEASON UPDATE**

- 02:26:03 Bob Harrington, administrator, state forester, Forestry Division, DNRC, gave an update on the fire season.

### **Committee questions and discussion**

- 02:27:28 Sen. Brenden asked about DNRC policy for fireworks during the fire season. Mr. Harrington said on DNRC land the agency can impose restrictions and prohibit fireworks. He said fireworks and the regulation of fireworks is at the discretion of local governments.
- 02:28:09 Sen. Brenden explained why he put in a bill opposing fireworks during the fire season. Mr. Harrington said he agreed about the risks and said that without state or county regulation it is difficult to control behavior. He said people are liable for the cost of fire suppression and the damage it causes.

Public comment      None

**PUBLIC COMMENT ON ANY MATTER NOT CONTAINED IN THIS AGENDA AND THAT IS WITHIN THE JURISDICTION OF THE EQC**

02:32:39      Dave Galt, executive director, Montana Petroleum Association

02:36:16      Tammy Johnson, executive director, Montana Mining Association

**OTHER BUSINESS**

**HB 609 - Study of Hunting and Fishing Licenses**

02:37:50      Hope Stockwell, research analyst, LSD, provided a copy of public comment received by email regarding the study, [Exhibit 12](#). She said the EQC needs to decide how it wants to proceed on the draft report and the draft legislation. She said FWP provided information on options for reducing the amount of money generated by the fee proposal from the Licensing and Funding Advisory Council, [Exhibit 13](#).

02:40:56      Sen. Keane said he wants to take the contingency money out of the bill draft.

02:41:37      Mr. Morris said he does not object to raising the age for a senior license to 67.

02:42:02      Sen. Brenden provided a letter from David Henrich opposing any fee increase, [Exhibit 14](#).

02:42:50      Rep. Court commented on the grandfather clause for the senior license. Sen. Brenden agreed.

02:44:38      Rep. McChesney said he does not support having a grandfather clause.

02:45:27      Sen. Fielder said that options for cost savings by FWP should have been discussed earlier. She said there should have been more public outreach about what the fees do and why they are necessary.

02:47:02      Rep. Court commented on public turnout at meetings.

02:47:55      **Motion:** Sen. Keane moved to reduce the proposed fee increase by \$500,000.

**Discussion:**

02:48:26      Ms. Stockwell requested specific information on the fee reduction.

02:48:59 **Motion:** Sen. Keane amended the motion to say "70% of the \$500,000 reduction should come from Montana resident licenses and 30% from nonresident licenses".

02:49:26 **Vote:** The motion carried 11-3 by voice vote with Sen. Fielder, Rep. Court, and Mr. Morris voting no. Sen. Ripley and Rep. Lieser were excused.

02:49:53 **Motion:** Sen. Keane moved to approve the draft bill, LC4444, as amended, for public comment.

02:50:25 **Motion:** Sen. Brenden moved to retain the 10-day nonresident fishing license.

**Discussion:**

02:51:36 Rep. Welborn asked if the pricing structure remains the same. Sen. Brenden said it will.

02:52:04 **Vote:** The motion carried 14-0 by voice vote. Sen. Ripley and Rep. Lieser were excused.

02:52:12 **Motion:** Sen. Keane moved to approve the draft bill, as twice amended, for public comment.

**Discussion:**

02:52:33 Sen. Vuckovich

02:52:47 Ms. Stockwell

02:53:06 Sen. Brenden

02:53:11 Sen. Fielder

02:53:27 Sen. Brenden

02:53:40 Mr. Aspenlieder

02:54:13 Rep. Welborn

02:55:15 Sen. Brenden

02:55:34 Sen. Hamlett

02:56:28 Sen. Brenden

02:56:56 **Vote:** The motion carried 14-0 by voice vote. Sen. Ripley and Rep. Lieser were excused.

**Public comment**      None

02:57:26 Ms. Stockwell discussed the HB 609 draft study report and said she will add today's comments by the EQC under findings and recommendations and asked if there were any changes to the report.

02:58:24      **Motion/Vote:** Sen. Keane moved to approve the HB 609 draft study report for public comment. The motion carried 14-0 by vote voice. Sen. Ripley and Rep. Lieser were excused.

### **SJ 15 Public Land Study**

02:59:06      Sen. Brenden

03:00:07      Rep. McChesney discussed his edits under step 5, recommendations, item 1.

#### **Discussion:**

03:02:04      Sen. Brenden

03:02:58      Rep. McChesney

03:03:18      Mr. Kolman

03:03:49      Sen. Brenden

03:03:59      Rep. McChesney

03:04:09      Sen. Brenden

03:04:22      Rep. McChesney

03:04:34      Sen. Brenden

03:04:41      Sen. Keane

03:05:06      Sen. Brenden

03:05:09      Rep. McChesney

03:05:23      Sen. Brenden

03:05:32      Sen. Hamlett

03:06:07      Rep. McChesney

03:06:17      Sen. Fielder

03:07:00      Sen. Hamlett

03:07:19      Sen. Brenden

03:07:28      Sen. Fielder

03:07:43      Sen. Brenden

03:07:48      Ms. Fitzpatrick

03:08:04      Mr. Kolman

03:08:35      Sen. Keane

03:09:26      Mr. Kolman

03:10:04      **Motion/Vote:** Rep. McChesney moved to amend step 5, recommendations, item 1 to read "in cooperation with SJ 15 work group members, the governor's office shall establish Federal Lands Committee that works to coordinate, collaborate, and assist federal, state, county, public, and private land managers to resolve problems and expedite project planning and implementation. The intent is to work in partnership with federal land managers to help meet forest management goals and objectives including goals for vegetation, wildlife, recreation, and watersheds by extending the SJ 15 effort by continuing to explore and implement solutions to address the risks, concerns, and recommendations identified in this report". The motion carried 12-2 by voice vote with Sen. Fielder and Rep. White voting no. Sen. Ripley and Rep. Lieser were excused.

03:10:20 Rep. McChesney discussed his edits under step 5, recommendations, item 4 and 5.

**Discussion:**

03:11:38 Sen. Fielder

03:12:21 Rep. McChesney

03:12:42 **Motion/Vote:** Rep. McChesney moved to amend step 5, recommendations, item 4 to read "identify funding options for assisting in the improvement of multiple use public access on federally controlled public lands", and item 5 to read "identify funding options for implementing habitat enhancement work which increases big game carrying capacity and reduces wildfire fuels in restoring priority areas within federally controlled public lands". The motion carried 13-1 by voice vote with Rep. White voting no. Sen. Ripley and Rep. Lieser were excused.

03:13:15 **Motion:** Sen. Hamlett moved to amend step 5, recommendations, item 6 to read "provide education and expertise necessary to assist local governments and related entities in developing resource plans, implementing effective government-to-government relations, and incorporating local priorities in state and federal actions related to public land, natural resource, water, and wildlife issues".

**Discussion:**

03:14:16 Mr. Kolman

03:14:43 Sen. Brenden

03:14:46 Sen. Hamlett

03:14:54 Sen. Fielder

03:15:27 **Vote:** The motion carried 14-0 by voice vote. Sen. Ripley and Rep. Lieser were excused.

03:15:39 Sen. Keane discussed his edits to step 5, recommendations, item 10.

03:16:30 **Motion:** Sen. Keane moved to amend step 5, recommendations, item 10 to read "state agencies, local governments, and other organizations should pursue collaboration and cooperative agreements with federal land management agencies".

**Discussion:**

03:16:47 Sen. Fielder asked to amend the motion to include coordination.

03:17:20 **Motion/ Vote:** Sen. Keane amended the motion to read "state agencies, local governments, and other organizations should pursue coordination, collaboration and cooperative agreements with federal land management agencies". The motion carried 14-0 by voice vote. Sen. Ripley and Rep. Lieser were excused.

03:17:47 Sen. Keane requested to add, under step 5, recommendations, item 11, "the legislature should not pursue the transfer of federally-owned lands to state ownership".

03:18:10 Sen. Brenden  
03:18:18 Sen. Keane  
03:18:35 Sen. Fielder

03:19:29 **Motion:** Sen. Keane moved to add under step 5, recommendations, item 11, "the legislature should not pursue the transfer of federally-owned lands to the state of Montana".

**Discussion:**

03:20:18 Sen. Hamlett  
03:21:38 Mr. Aspenlieder  
03:23:57 Ms. Fitzpatrick  
03:24:38 Sen. Fielder  
03:26:09 Rep. Court  
03:27:28 Mr. Aspenlieder  
03:30:11 Sen. Fielder  
03:31:36 Sen. Vuckovich  
03:31:45 Sen. Brenden  
03:32:03 Sen. Keane  
03:33:01 Mr. Kolman clarified the motion.  
03:33:20 Sen. Vuckovich  
03:33:32 Sen. Hamlett  
03:34:35 Sen. Keane  
03:35:23 Sen. Brenden

03:37:16 **Substitute Motion:** Rep. McChesney made a substitute motion to add to item 11, "the legislature should not pursue the transfer of federal lands to the state of Montana until all other options have been investigated".

**Discussion:**

03:38:00 Sen. Keane

03:38:33 **Vote:** The motion carried 10-6 by voice vote with Rep. Bennett, Sen. Fielder, Mr. Aspenlieder, Rep. White, Sen Brenden, and Sen. Ripley voting no. Sen. Ripley and Rep. Lieser voted by proxy.

03:39:12 Sen. Hamlett requested to add to step 5, recommendations, item 7, "to protect irrigation and municipal watersheds and to protect the wildfire urban interface".

**Discussion:**

03:40:21 Mr. Aspenlieder

03:40:28 Mr. Kolman  
03:40:57 Sen. Fielder  
03:41:10 Sen. Hamlett  
03:41:18 Sen. Fielder suggested adding utility lines to the motion.  
03:41:27 Sen. Brenden  
03:41:31 Sen. Hamlett  
03:41:56 Sen. Fielder  
03:42:02 Mr. Kolman restated the motion to add "and protect irrigation and municipal watersheds, the wildland urban interface, and transmission and utility corridors".  
03:42:58 Sen. Brenden  
03:43:03 Sen. Keane  
03:43:47 Rep. Court  
03:43:55 **Vote:** The motion carried 11-0 by voice vote. Mr. Busby, Rep. McChesney, Rep. Bennett, Sen. Ripley, and Rep. Lieser were excused.  
03:44:12 Rep. Court suggested changes in step 4, findings.  
03:45:35 Sen. Brenden  
03:45:52 Rep. Court  
03:45:54 Sen. Brenden  
03:46:05 Sen. Fielder  
03:46:29 Rep. Court  
03:46:42 Sen. Brenden  
03:47:08 Sen. Vuckovich  
03:47:21 Rep. Court  
03:47:37 Sen. Brenden  
03:48:04 Sen. Fielder  
03:48:10 Mr. Kolman  
03:48:17 Rep. Court  
03:49:18 **Motion:** Rep. Court moved to amend in step 4, findings, item 4(b) the number of counties responding instead of the percentage of counties responding to the question.

**Discussion:**

03:49:28 Mr. Kolman restated the motion.  
03:50:00 Ms. Fitzpatrick  
03:50:14 Mr. Kolman  
03:50:48 Mr. Morris  
03:51:07 Mr. Kolman  
03:51:38 Sen. Vuckovich  
03:51:54 Sen. Brenden  
03:51:57 **Vote:** The motion carried 12-1 by voice vote with Mr. Aspenlieder voting no. Rep. McChesney, Sen. Ripley, and Rep. Lieser were excused.  
03:52:35 Sen. Vuckovich

03:54:26 Sen. Fielder

03:54:47 **Motion/Vote:** Rep. McChesney moved to approve the report, as amended, for public comment. The motion carried 16-0 by roll call vote. Sen. Ripley and Rep. Lieser voted by proxy, [Exhibit 15](#).

03:55:47 Rep. McChesney

03:56:09 Sen. Brenden

03:56:31 Mr. Kolman

03:56:37 Sen. Brenden opened discussion on bill draft LCFED1.

03:57:25 Sen. Keane

03:58:24 Sen. Brenden

03:59:37 Mr. Kolman

03:59:50 **Motion/Vote:** Sen. Keane moved do pass on bill draft LCFED1 for public comment. The motion failed 7-9 by roll call vote with Rep. Bennett, Rep. Welborn, Rep. White, Sen. Fielder, Sen. Hamlett, Mr. Aspenlieder, and Mr. Busby voting aye. Sen. Ripley and Rep. Lieser voted by proxy, [Exhibit 16](#).

04:01:30 Mr. Kolman explained bill draft LCFED2

04:03:29 Rep. McChesney

04:03:45 Mr. Kolman

04:04:35 Sen. Fielder

04:05:07 **Motion:** Sen. Hamlett moved do pass on bill draft LCFED2 for public comment.

**Discussion:**

04:05:13 Sen. Keane

04:06:02 **Vote:** The motion failed 8-8 by roll call vote with Rep. Court, Rep. Welborn, Sen. Keane, Sen. Vuckovich, Mr. Busby, Ms. Fitzpatrick, Mr. Morris, and Rep. McChesney voting no. Sen. Ripley and Rep. Lieser voted by proxy [Exhibit 17](#).

**Public comment** None

04:07:53 Mr. Kolman said the next EQC meeting is scheduled for September 10-11.

04:08:03 Sen. Brenden adjourned the meeting at 12:08 p.m.

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