



# ENVIRONMENTAL QUALITY COUNCIL

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**GOVERNOR STEVE BULLOCK**  
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JANET ELLIS  
ED LIESER  
THERESA MANZELLA  
KERRY WHITE

**SENATE MEMBERS**  
GENE VUCKOVICH--Chair  
JOHN BRENDEN  
JIM KEANE  
MIKE PHILLIPS  
RICK RIPLEY  
CARY SMITH

**PUBLIC MEMBERS**  
SCOTT ASPENLIEDER  
BROOKE ERB  
BERT LINDLER  
ROY MORRIS

**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

March 9, 2016  
Room 172, Capitol Building  
Helena, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The 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 Log, along with the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed.

Please contact the Legislative Services Division at 406-444-3064 for more information.

### **COMMITTEE MEMBERS PRESENT**

SEN. GENE VUCKOVICH, Chair  
REP. JERRY BENNETT, Vice Chair

SEN. JIM KEANE  
SEN. MIKE PHILLIPS  
SEN. RICK RIPLEY  
SEN. CARY SMITH

REP. WILLIS CURDY  
REP. JANET ELLIS  
REP. ED LIESER  
REP. THERESA MANZELLA  
REP. KERRY WHITE

MR. SCOTT ASPENLIEDER  
MS. BROOKE ERB  
MR. BERT LINDLER  
MR. ROY MORRIS  
MR. TIM BAKER

**COMMITTEE MEMBERS EXCUSED**

SEN. JOHN BRENDEN

**STAFF PRESENT**

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

**AGENDA (Attachment 1)**

**VISITORS' LIST (Attachment 2)**

**CALL TO ORDER AND ROLL CALL**

00:00:00 Sen. Vuckovich called the meeting to order at 10:02 a.m. The secretary called the roll. (Attachment 3) Sen. Brenden was excused and gave his proxy to Sen. Ripley. (Attachment 4)

**ADMINISTRATIVE MATTERS**

00:00:51 Joe Kolman, legislative environmental analyst, Legislative Services Division, said the EQC has approximately \$58,000 left in its budget.

**WATER POLICY INTERIM COMMITTEE UPDATE**

00:01:21 Jason Mohr, research analyst, Legislative Services Division, gave an update on the Water Policy Interim Committee (WPIC) meeting on March 7 and 8. He said the committee continued its study of possible state assumption of Federal Section 404 Permitting, water availability and supply, and the future of the Water Court.

00:01:58 Mr. Mohr discussed state assumption of Section 404 permitting.

00:03:41 Mr. Mohr discussed the study of the future of the Water Court.

00:04:41 Mr. Mohr said Tom Livers, director, Department of Environmental Quality (DEQ), gave an update on a leak that occurred in a storage pond, at the Yellowstone Club, that spilled into the Gallatin River on March 3.

00:05:40 Mr. Mohr said the WPIC's next meeting will be in Bozeman on May 2 and 3.

**ADMINISTRATIVE MATTERS CONTINUED**

**Approval of Minutes**

00:06:04 Sen. Vuckovich asked if there were any additions or corrections to the January minutes.

- 00:06:25 Mr. Kolman said Sen. Brenden called and asked about an addition to the January minutes regarding a comment he made. Mr. Kolman said he will listen to the audio file and the EQC can take action on the minutes tomorrow.
- 00:06:45 Mr. Kolman said Sen. Brenden provided a handout of statements made by Secretary of State John Kerry. **(Exhibit 1)** He said Sen. Brenden also wanted to make sure that the Department of Natural Resources and Conservation (DNRC) had provided the EQC with an update on attorney fees for the lawsuit involving the Friends of the Wild Swan. Mr. Kolman said the report was included in the EQC mailing.
- 00:07:12 Sen. Ripley commented on the article provided by Sen. Brenden.
- 00:07:45 Rep. Ellis asked if the EQC will wait to approve the minutes. Sen. Vuckovich said it will.

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

**Public Comment:** None

#### **Committee Questions and Discussion:**

- 00:08:26 Rep. White asked Mr. Mohr if the leak at the Yellowstone Club was caused by a design or construction flaw and if DEQ will have a public meeting. Mr. Mohr said a public meeting was held over the weekend and that the DEQ will continue to provide updates. He said the leak may have been caused by ice that had built up and sheared off one of the pipes.

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

- 00:10:25 Sonja Nowakowski, research analyst, Legislative Services Division, said the Energy and Telecommunications Interim Committee (ETIC) will meet on Friday to continue its net metering study and its study of next generation 9-1-1.
- 00:10:50 Ms. Nowakowski discussed HJ 7 (2015) the study of next generation 9-1-1.
- 00:12:32 Ms. Nowakowski discussed SJ 12 (2015) the study of net metering.

**Committee Questions and Discussion:** None

### **111 (d) EPA RULEMAKING SUBCOMMITTEE UPDATE**

- 00:13:47 Sen. Keane said since the Supreme Court issued a stay order on the Clean Power Plan, the 111(d) subcommittee and the governor's task force are no longer meeting. He said there is no need to send a letter to the Attorney General.

**Public Comment:** None

**Committee Questions and Discussion:** None

### **WASHINGTON & OREGON STATE LEGISLATION REGARDING COAL POWER**

- 00:14:28 Ms. Nowakowski said Oregon has ended its 2016 Legislative Session and the Washington Legislature is expected to adjourn tomorrow. She said in Washington SB 6248 passed both the house and the senate and has gone to the governor and in Oregon SB 1547, formerly HB 4036, passed both houses.
- 00:15:00 Ms. Nowakowski provided a summary of SB 6248.

- 00:16:14 Ms. Nowakowski provided a summary of SB 1547.  
00:18:10 Ms. Nowakowski discussed the amendments to SB 6248 that were requested by the Montana delegation.
- 00:20:39 Sen. Ripley said the Montana delegation was able to get more time for Montana to react to the future of Colstrip. He said there will be important issues moving forward that Montana can deal with during its next legislative session. He thanked the EQC for sending the delegation to Washington.
- 00:22:38 Sen. Keane said he is concerned about the cost of energy to Montana ratepayers, businesses, and agricultural producers. He said disruption costs when power is taken off of transmission lines will be another issue. He thanked the EQC for sending the delegation to Washington.

**Public Comment:**

- 00:26:53 Tom Ebzery, representing Puget Sound Energy and Portland General Electric  
00:36:25 Anne Hedges, Montana Environmental Information Center ([Exhibit 2](#))

**Committee Questions and Discussion:**

- 00:49:58 Sen. Phillips asked Bud Clinch, executive director, Montana Coal Council, to provide his thoughts on the Oregon and Washington legislation and if he thought there was value in a proactive effort by the Montana Legislature on the future of Colstrip.
- 00:51:57 Sen. Phillips said the near term future seems unsettled and asked Mr. Clinch if navigating that future will be a challenge. Mr. Clinch said it will be.
- 00:52:52 Sen. Phillips asked Ms. Nowakowski for a copy of the information that was presented by the Montana delegation in Washington. Ms. Nowakowski said she had some information, but referred the question to Sen. Ripley and Sen. Keane.
- 00:53:44 Sen. Ripley said their entire testimony is available on the Washington Legislature's website.
- 00:54:33 Sen. Phillips said he recommends that the EQC consider working on legislation for the 2017 session so that Montana can be prepared for a future that is less reliant on coal revenue.
- 00:55:35 Sen. Keane said he recommends waiting to see what happens with the Washington legislation before taking action. Sen. Ripley agreed.
- 00:56:44 Sen. Phillips said he is proposing a study bill.
- 00:57:24 Rep. Lieser said that time is of the essence considering the rate at which things are changing and a study would provide some tools and information.
- 00:58:40 Rep. White asked Ms. Nowakowski if she can provide information about the true economic cost of closing Colstrip to the state of Montana. Ms. Nowakowski said she will need some guidelines on the specific information requested.
- 01:04:02 Rep. White suggested forming a subcommittee to look at different ideas for legislation.
- 01:04:40 Rep. Ellis asked if there have been any discussions with legislators from Washington about changes to Talon Energy's portfolio and the impacts to industrial customers in Montana. Sen. Keane said they have had discussions along those lines. He commented on why he does not support a study bill.

- 01:07:53 Sen. Phillips said he recommends that the EQC consider forming a joint subcommittee with the ETIC to work on a study bill.
- 01:09:20 Sen. Vuckovich asked if the EQC wanted to take any action.
- 01:09:30 **Motion:** Sen Phillips moved to form a subcommittee to draft a study bill that the EQC can advance to the 2017 Legislature.

**Discussion:**

- 01:09:52 Sen. Ripley
- 01:11:21 Sen. Keane
- 01:12:32 Sen. Phillips
- 01:14:04 Sen. Ripley
- 01:14:20 Sen. Phillips
- 01:15:02 Sen. Ripley
- 01:15:25 Sen. Phillips
- 01:16:13 Rep. White
- 01:17:43 Sen. Phillips
- 01:18:19 Sen. Ripley
- 01:18:58 Sen. Vuckovich
- 01:19:20 Sen. Phillips
- 01:20:15 Without objection, Sen. Phillips withdrew his motion.
- 01:20:18 Sen. Vuckovich

**ORPHAN SHARE REMEDIAL ACTION AND PETROLEUM TANK RELEASE SITE CLOSURE UPDATE**

- 01:20:50 Jenny Chambers, administrator, Remediation Division, Department of Environmental Quality (DEQ), gave an update on the progress of the petroleum tank release site closures and Orphan Share remediation action project. [\(Exhibit 3\)](#)

**Public Comment:**

- 01:24:13 Terry Wadsworth, executive director, Petroleum Tank Release Compensation Board

**Committee Questions and Discussion:**

- 01:24:43 Sen. Keane asked about the funds not yet committed to projects. Ms. Chambers said it is approximately \$3.5-3.6 million and that the DEQ hopes to have all of the funds obligated over the summer or early fall with some contingencies built in for additional work to be done over winter or next spring.

**STATUTORY ADMINISTRATIVE RULE REVIEW**

- 01:26:52 Helen Thigpen, staff attorney, Legislative Services Division, presented the administrative rule review report. [\(Exhibit 4\)](#)

**Public Comment:** None

**Committee Questions and Discussion:**

- 01:31:54 Mr. Aspenlieder commented on the rule change proposed by the Department of Fish, Wildlife, and Parks (FWP) regarding aquatic invasive species. He said he is concerned about expanding authority to a state agency without going through the legislative process.
- 01:34:22 Sen. Keane said the invasive species law was implemented through the legislative process and commented on the quarantine issue.
- 01:36:55 Sen. Phillips said the rules are derived from very diligent legislative work.
- 01:37:28 Sen. Ripley asked Becky Dockter, chief legal counsel, FWP, to address some of Mr. Aspenlieder's concerns.
- 01:41:05 Rep. White asked about the boat inspection stations that are staffed by volunteers and not by law enforcement or authorized personnel from FWP. Ms. Dockter said the volunteers do inspections, but any law enforcement is done by FWP.
- 01:42:31 Recess for lunch
- 03:06:52 Reconvene

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

- 03:07:36 Nick Gevock, conservation director, Montana Wildlife Federation

**FWP PROGRAM EVALUATION: HABITAT MANAGEMENT**

- 03:09:50 Hope Stockwell, research analyst, Legislative Services Division, thanked FWP for its assistance with the Habitat Management report. [\(Exhibit 5\)](#) She said the three primary components of habitat management are administration, operations and maintenance, and providing technical assistance to outside entities for land use.
- 03:11:34 Ms. Stockwell presented a financial overview and discussed three types of funding.
- 03:14:19 Ms. Stockwell discussed habitat administration.
- 03:25:47 Ms. Stockwell discussed operations and maintenance.
- 03:28:59 Ms. Stockwell discussed technical assistance.

**Public Comment:**

- 03:29:58 Jeff Hagener, director, FWP
- 03:30:15 Mark Lambrecht, director of Government Affairs, Rocky Mountain Elk Foundation
- 03:30:42 Nick Gevock, conservation director, Montana Wildlife Federation
- 03:32:47 Robert Sanders, manager, Montana Conservation Programs, Ducks Unlimited

**Committee Questions and Discussion:**

- 03:33:45 Mr. Aspenlieder said the 2009 audit identified a 15% allocation of funds for administrative costs and asked what the current allocation is. Ms. Stockwell said the amount cannot exceed 15% a year.
- 03:35:04 Rep. Curdy asked Mr. Hagener about the funds generated by grazing and farming leases. Mr. Hagener said he will find out.

- 03:35:52 Rep. Curdy asked Mr. Hagener about forestry projects south of Missoula and how much money FWP generates from timber sales. Mr. Hagener said he will get the information.
- 03:36:37 Rep. White asked about restrictions on additional land purchases. Ms. Stockwell said in HB 403 (2015), where the money for FY 2016/2017 was appropriated, the funds are restricted from land purchases except in cases where FWP was already negotiating the purchase.
- 03:37:48 Rep. White asked Ms. Stockwell if the 9,488 acres of fee title purchase located in the Sun River, Beartooth, and Blackleaf Wildlife Management Areas was already being negotiated or if it is a new purchase. Ms. Stockwell referred the question to FWP. Mr. Hagener said FWP was already negotiating the purchase.
- 03:39:22 Ms. Erb asked Ms. Stockwell about the terms of sale when a conservation easement is sold to a new owner.
- 03:40:51 Mr. Aspenlieder asked Ms. Stockwell how the 15% limit on administrative costs is determined. Ms. Stockwell said it is 15% of the overall program budget not just the expenditures for that year. She deferred the question to FWP.
- 03:42:09 Ken McDonald, administrator, FWP, said that legislation in 2009 repealed the 15% requirement for administrative costs. He said costs for administration is based on a percent of the budget allocated per year.
- 03:43:51 Sen. Ripley asked Mr. McDonald if the definition of administration varies within the agency's programs. Mr. McDonald said it does.
- 03:44:42 Ms. Stockwell clarified that the program evaluation accurately reported that HB 499 (2009) repealed the 15% limit on administrative costs and that her previous statement was incorrect.
- 03:45:16 Sen. Phillips asked Mr. Hagener if FWP would be able to administer an influx of new land and whether it is content with the amount of land it has or wants to acquire more land. Mr. Hagener said FWP's primary emphasis is on the management of its current wildlife areas and their proper operation and maintenance. Mr. Hagener said there are critical pieces of habitat land that the agency would like to acquire in order to create a buffer zone from development.
- 03:46:58 Sen. Phillips asked Mr. Hagener if that land is held in private ownership. Mr. Hagener said that most of it is and that some of it is trust land held by the DNRC.

#### **GRIZZLY BEAR DELISTING PROPOSAL**

- 03:50:00 Mr. Hagener said the grizzly bear delisting proposal is a U.S. Fish and Wildlife Service (USFWS) rule and involves an amendment to the existing recovery plan, a conservation strategy, and the actual rule. He said the draft proposal for the conservation strategy and draft recovery plan are currently out for a 60 day comment period.

#### **Committee Questions and Discussion:**

- 03:54:00 Rep. Ellis asked Mr. Hagener about the Endangered Species Act (ESA) delisting process and if each state will have to come up with its own plan. Mr. Hagener said the Memorandum of Understanding (MOU) will be a joint issue between all the states, but each state will have its own parameters.
- 03:55:41 Rep. Curdy asked Mr. Hagener about the fiscal impact to Montana if the grizzly bear is delisted.

- 03:56:54 Sen. Phillips referred to the Greater Yellowstone ecosystem grizzly bear population map (**Exhibit 6**) and asked Mr. Hagener if there was ever a distinct population listed for grizzly bears in the federal code of regulations.
- 03:58:17 Sen. Phillips asked Mr. Hagener if grizzly bear are listed range wide as an endangered species. Mr. Hagener said they are.
- 03:58:25 Sen. Phillips said a U.S. district judge reinstated federal protections for gray wolves in the Great Lakes region saying the removal was arbitrary and violated the ESA. He asked Mr. Hagener how the courts might interpret piecemeal delisting of the grizzly bear. Mr. Hagener said the USFWS has appealed that decision.
- 03:59:29 Sen. Phillips said the court has determined if a species is listed as endangered across the U.S. then that is the only way it can be delisted. He said that although the ruling has been appealed, delisting the grizzly bear may not go as smoothly as the USFWS might like.
- 04:01:55 Matt Hogan, deputy regional director, USFWS, via phone, said the USFWS has proposed a rule to delist the Greater Yellowstone ecosystem population of grizzly bears. He said it should be published in the federal register on March 11, followed by a 60-day public comment period.
- 04:02:58 Mr. Hogan discussed how the ESA works.
- 04:05:51 Mr. Hogan discussed the conservation strategy for grizzly bear.
- 04:06:35 Mr. Hogan discussed the recovery criteria for grizzly bear.
- 04:08:53 Mr. Hogan said there are public comment meetings scheduled in Cody, Wyoming and Bozeman on April 11 and 12.

**Public Comment:**

- 04:09:24 Mr. Gevock, MWF

**Committee Questions and Discussion:**

- 04:12:18 Sen. Phillips asked Mr. Hogan about the failure of the piecemeal approach used to remove the gray wolf population from the ESA in the Great Lakes region and how the USFWS expects a different outcome with grizzly bears. Mr. Hogan said the USFWS is appealing the decision and believes it has the ability to designate a distinct population segment (DPS) and delist it at the same time.
- 04:14:38 Sen. Phillips said a two-step process of listing the Greater Yellowstone grizzly bear as a DPS, and then delisting it, would take more time, but would be a cleaner process than doing it in one step. Mr. Hogan agreed and explained why the USFWS is doing it in one step.
- 04:15:44 Rep. Lieser asked Mr. Hogan to provide examples on how the conservation strategy changed with delisting.
- 04:18:41 Rep. White asked about grizzly bears in the Twin Bridges area and the delisted zone for hunting. Mr. Hogan said the mortality limits will be in the demographic monitoring area (DMA). He said outside the DMA the state will have flexibility managing the bear. Mr. Hagener said Twin Bridges is outside the DMA.

- 04:21:58 Rep. White said if the bear is delisted, hunting will be allowed in the area of the map marked as suitable grizzly bear habitat, except for Yellowstone National Park, and that the number of bears will be monitored to a targeted amount set at the time of delisting. Mr. Hagener said the plan in the conservation strategy is a sliding scale that targets an average population size of bears.
- 04:24:02 Rep. White asked if there is a trigger in place if the bears get to a certain number then they will be relisted. Mr. Hogan said there is not a specific number, but there are several places in the rule that can call for a review.
- 04:26:51 Mr. Lindler asked Mr. Hagener if the Yellowstone grizzly bear is delisted, and Montana establishes a hunting season, what measures will ensure that the bears in the Northern Continental Divide can establish biologically effective genetic connectivity with the bears in Yellowstone. Mr. Hagener said studies have shown that the population in Yellowstone has been proven to be genetically viable and there is not a concern that there is introgression.
- 04:29:26 Sen. Vuckovich asked if the EQC wanted to take any action.
- 04:29:30 **Motion:** Rep. White moved to have the EQC send a letter to support delisting the Greater Yellowstone grizzly bear.

**Discussion:**

- 04:29:41 Sen. Phillips said he recommends waiting until after the proposed rule is published in the federal register. Sen. Vuckovich agreed.
- 04:30:14 Without objection, Rep. White withdrew his motion.

**EQC ENVIRONMENTAL INDICATORS UPDATE**

- 04:30:40 Mr. Mohr, presented an update on environmental indicators and said the EQC received a memo outlining some of the history. **(Exhibit 7)** He said part of the EQC's duties is to gather timely and authoritative information concerning the conditions and trends on the quality of the environment.
- 04:31:38 Mr. Mohr said staff will develop an online repository of the indicators and said the EQC was given a copy of a screen shot of the environmental indicators home page and examples of charts of individual indicators. **(Exhibit 8)**

**Public Comment:** None

**Committee Questions and Discussion:**

- 04:34:28 Mr. Aspenlieder asked Mr. Mohr why the data is not current. Mr. Mohr said it is dependant on information available at the time.
- 04:36:00 Mr. Aspenlieder said the relevancy of the data is almost out-of-date by the time it is produced. Sen. Vuckovich asked Mr. Aspenlieder if he had a suggestion on how to address the issue. Mr. Aspenlieder said he did not think the data was useful to the private sector.
- 04:37:32 Sen. Phillips said the data does provide trend lines giving a better prediction of the future.

04:38:16 Rep. Ellis asked Mr. Mohr if he wanted ideas from the EQC on how to expand the environmental indicators. Mr. Mohr said staff will work on it internally, but the information is for the members of the EQC and they can make suggestions.

### **AGENCY LITIGATION REPORTS**

04:39:15 Mr. Kolman said the EQC received a list of litigation that the agencies it has oversight over are involved in or have recently been involved in. [\(Exhibit 9\)](#)

04:40:25 Mr. Kolman said the EQC received information on attorney fees and settlements over the last decade for the DNRC and the DEQ. He provided a copy of the information from FWP that was not included in the mailing. [\(Exhibit 10\)](#)

**Public Comment:** None

### **Committee Questions and Discussion:**

04:41:35 Rep. White asked Mr. Kolman about litigation trends. Mr. Kolman said he will check with the agencies on tracking the information.

04:42:45 Sen. Keane commented on *Silver Bow Creek Headwaters Coalition v. State* and said the community is thankful for the judge's decision to change the name of the channel from "Metro Storm Drain" to "Silver Bow Creek."

04:43:28 Recess

04:59:17 Reconvene

### **HJ13 STUDY**

04:59:44 Mr. Kolman gave an overview of the draft report on the HJ 13 study. [\(Exhibit 11\)](#)

**Public Comment:** None

### **Committee Questions and Discussion:**

05:02:00 Rep. Bennett commented on the draft report and thanked Rep. White and the EQC staff for their effort.

05:02:49 Rep. White thanked staff for putting the report together.

05:03:25 Rep. White discussed findings he drafted that could be inserted as bullet points into the report. [\(Exhibit 12\)](#)

05:04:23 Rep. White discussed finding 1 - the U.S. Forest Service (USFS) has closed 21,951 miles of roads to public use in the last 15 years.

05:05:25 Rep. Curdy

05:06:11 Rep. White

05:06:20 Rep. Curdy

05:06:35 Rep. Ellis said she would like to have more time to look at the information before making a decision on findings.

05:08:00 Rep. White said when he put together the findings he pulled out facts from the executive summary and the report. He said he would like to put the report out for public comment and not take any formal action today.

05:09:08 Mr. Kolman discussed the public comment period and said the findings and recommendations are generally put in before the draft report goes out for public comment.

05:11:28 Sen. Vuckovich commented on finding 1.

05:12:41 Sen. Phillips said he would also like some time to study the report before discussing the summary of facts.

05:13:02 Rep. White said the findings are what he has pulled out of the report and thinks are important for the public to see.

05:14:55 Rep. Bennett said any member of the EQC can make suggestions for the key findings and recommendations.

05:15:57 Mr. Lindler asked about HB 352 (2015). Rep. White asked to take the findings in order. Sen. Vuckovich agreed.

05:16:23 Rep. White commented on finding 1.

05:17:12 Rep. White discussed finding 2 - approximately 1,623 square miles of public lands are inaccessible in elk distribution areas.

05:18:27 Sen. Phillips

05:18:42 Rep. White

05:20:04 Mr. Kolman

05:20:38 Rep. White

05:20:59 Rep. White discussed finding 3 - the USFS does not have records to document road closures prior to the early 1990s.

05:21:49 Mr. Kolman

05:22:23 Rep. White

05:22:38 Sen. Keane said the finding of fact changes the tone of the report.

05:23:36 Rep. White

05:24:49 Sen. Keane

05:25:55 Rep. White

05:26:33 Rep. White discussed finding 4 - actual number of USFS closed roads is not known.

05:27:29 Sen. Vuckovich commented on finding 2.

05:28:07 Rep. White

05:28:55 Sen. Vuckovich

05:29:05 Rep. White

05:29:12 Sen. Phillips

05:29:38 Sen. Phillips suggested that staff offer key findings in the same way that the report was assembled.

05:30:23 Mr. Kolman

05:32:02 Sen. Vuckovich

05:32:09 Mr. Kolman

05:32:51 Rep. White commented on finding 2.

05:35:19 Mr. Kolman

05:36:00 Rep. White

05:36:43 Rep. White continued the discussion on finding 4.

05:37:17 Mr. Kolman

05:37:41 Rep. White

05:37:55 Mr. Kolman

05:38:41 Mr. Lindler

05:39:56 Rep. White

05:40:57 Rep. Lieser

05:42:19 Rep. Ellis asked about finding 3.

05:43:09 Mr. Kolman

05:43:53 Rep. Ellis

05:44:29 Rep. White  
05:46:05 Rep. Ellis asked if members of the EQC will be able to comment on the draft report.  
05:47:08 Mr. Kolman  
05:48:04 Sen. Ripley  
05:49:25 Sen. Phillips  
05:50:18 Rep. White  
05:50:49 Rep. White discussed finding 5 - the Bureau of Land Management (BLM) does not have a statewide inventory of roads.  
05:51:37 Rep. White discussed finding 6 - do not know if road closures created isolated parcels.  
05:52:42 Mr. Lindler  
05:53:29 Rep. White  
05:53:46 Sen. Ripley  
05:53:57 Rep. White  
05:54:27 Mr. Lindler  
05:55:07 Rep. White  
05:55:16 Rep. White discussed finding 7 - road law from HB 352.  
05:56:49 Rep. White discussed finding 8 - elk distribution on private land has increased by 17% since 2004.  
05:57:38 Rep. White discussed finding 9 - 80 hunting districts are over elk target population.  
05:57:58 Mr. Kolman  
05:58:05 Rep. White  
05:59:31 Rep. White discussed finding 10 - 2 hunting districts are 10 times over elk population objective.  
06:00:18 Rep. White discussed finding 11 - there is no relationship between isolated parcels and hunter success rates.  
06:05:45 Sen. Vuckovich  
06:05:55 Rep. White  
06:06:17 Sen. Vuckovich  
06:06:25 Rep. White  
06:06:49 Mr. Kolman  
06:08:59 Mr. Lindler  
06:09:48 Rep. Manzella  
06:10:04 Mr. Kolman  
06:11:17 Rep. Manzella  
06:12:01 Mr. Kolman  
06:12:29 Rep. Manzella commented on finding 3.  
06:13:12 Mr. Kolman  
06:13:47 Sen. Smith commented on the draft report.  
06:16:06 Rep. White commented on the Oregon study regarding the direct impact of roads and traffic on elk.  
06:17:22 Rep. White asked Mr. Kolman about Montana Forest Service roads.  
06:18:11 Mr. Kolman  
06:18:29 Rep. White asked about the statistics on elk killed in 2014.  
06:19:10 Mr. Kolman  
06:19:30 Rep. White

06:19:42 Mr. Kolman  
06:19:58 Rep. White finished his presentation.  
06:20:20 Sen. Vuckovich opened discussion on further action.  
06:20:34 Rep. Bennett  
06:21:15 Rep. White  
06:25:39 Sen. Phillips  
06:26:23 Sen. Vuckovich opened discussion on next steps.  
06:26:45 Rep. Lieser said he recommends that the EQC review the draft report and submit any findings to staff so they can be combined and discussed at the May meeting.  
06:27:40 Sen. Vuckovich  
06:27:51 Rep. Lieser  
06:27:58 Mr. Kolman said he will let the EQC know when he needs to receive comments by so they can be included in the mailing for the May meeting.  
06:28:45 Sen. Keane  
06:29:56 Rep. White  
06:30:18 Rep. Curdy

**ADJOURN**

06:31:39 Sen. Vuckovich adjourned the meeting at 4:33 p.m.

CI0099 6103nsxb.