



ENVIRONMENTAL QUALITY COUNCIL

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GOVERNOR STEVE BULLOCK	HOUSE MEMBERS	SENATE MEMBERS	PUBLIC MEMBERS	COUNCIL STAFF
DESIGNATED REPRESENTATIVE PATRICK HOLMES	BRADLEY MAXON HAMLETT--Vice WILLIS CURDY JANET ELLIS STEVE GUNDERSON THERESA MANZELLA KERRY WHITE	CHAS VINCENT--Chair MIKE LANG MIKE PHILLIPS JP POMNICHOWSKI CARY SMITH GENE VUCKOVICH	SCOTT ASPENLIEDER JOHN C. BRENDEN KYLIE PAUL MATT VINCENT	TREVOR GRAFF, Research Analyst JASON MOHR, Research Analyst HOPE STOCKWELL, Research Analyst ERIN BILLS, Staff Attorney NADINE SPENCER, Secretary JOE KOLMAN, Legislative

MINUTES LOG

September 28, 2017
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.

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

COMMITTEE MEMBERS PRESENT

SEN. CHAS VINCENT, Chair
REP. BRADLEY MAXON HAMLETT, Vice Chair

SEN. MIKE PHILLIPS
SEN. JP POMNICHOWSKI
SEN. CARY SMITH
SEN. GENE VUCKOVICH

REP. WILLIS CURDY
REP. JANET ELLIS
REP. STEVE GUNDERSON
REP. THERESA MANZELLA
REP. KERRY WHITE

MR. SCOTT ASPENLIDER
MS. KYLIE PAUL
MR. MATT VINCENT

COMMITTEE MEMBERS EXCUSED

SEN. MIKE LANG
MR. JOHN BRENDEN
MR. PATRICK HOLMES

STAFF PRESENT

HOPE STOCKWELL, Research Analyst
JAMESON WALKER, Staff Attorney
ERIN BILLS, Legal Staff
NADINE SPENCER, Secretary
JOE KOLMAN, Director

VISITORS' LIST (Attachment 1)

AGENDA (Attachment 2)

COMMITTEE ACTIONS

The Environmental Quality Council (EQC):

- Voted to request a report from the Department of Fish, Wildlife, and Parks outlining the requisite steps to manage elk to eliminate the species' role as a vector for brucellosis;
- Voted to send a letter to Chairman John Hoeven and Ranking Member Jeff Merkley endorsing the letter sent by U.S. Senator Enzi requesting funding for research to develop improved surveillance methods and vaccine systems for brucellosis and to send copies of the letter to the Montana congressional delegation, Governor Bullock, and Interior Secretary Ryan Zinke;
- Voted to reassign .1 FTE from the study creating a report on the status of Montana's natural resources to focus on collecting data related to fires;
- Voted to adopt the final work plan as amended;
- Voted to send the letter to the governor dated September 28, 2017, regarding the removal of Tom Towe as a member of the State Parks and Recreation Board.

CALL TO ORDER AND ROLL CALL

00:00:01 Sen. Vincent called the meeting to order at 8:00 a.m. The secretary noted the roll. **(Attachment 3)** Sen. Lang and Mr. Brenden were excused and left their proxy with Sen. Smith. **(Attachment 4)** Mr. Holmes was excused.

00:00:35 Joe Kolman, director, Legislative Environmental Policy Office, Legislative Services Division (LSD), said that John Tubbs, director, Department of Natural Resources and Conservation (DNRC), provided information on the stream gauges that would be eliminated as a result of proposed agency budget cuts. **(Exhibit 1)**

- 00:00:55 Mr. Kolman provided a copy of the letter from the Governor's office that was written to Tom Towe regarding his time with the State Parks and Recreation Board. **(Exhibit 2)**
- 00:01:21 Sen. Vincent said a motion was made at the meeting yesterday to send a letter to the governor. He said the Council can decide later whether or not the letter answers the Council's questions and if the motion should stand.

GRIZZLY BEAR DELISTING

- 00:02:13 Martha Williams, director, Department of Fish, Wildlife, and Parks (FWP), discussed grizzly bear recovery and delisting in the Greater Yellowstone Ecosystem (GYE).
- 00:02:55 Rep. Gunderson entered the meeting.
- 00:09:47 Ms. Williams provided a map of grizzly bear recovery zones and distribution. **(Exhibit 3)**
- 00:10:15 Jodi Bush, office supervisor, Montana State Ecological Services Office, U.S. Fish and Wildlife Service (USFWS), introduced Hillary Cooley, bear recovery coordinator, USFWS. She thanked the EQC for the invitation to present information and answer questions.
- 00:10:42 Ms. Cooley provided an update on grizzly bear recovery. **(Exhibit 4)**
- 00:18:37 Ms. Cooley discussed on-the-ground management of grizzly bears.
- 00:19:29 Ms. Cooley discussed the Cabinet-Yaak ecosystem.

Public comment

- 00:22:38 Nick Gevock, conservation director, Montana Wildlife Federation
- 00:25:16 Butch Gillespie, Marias River Livestock Association
- 00:27:08 Maggie Nutter, Marias River Livestock Association
- 00:30:33 Russ Talmo, Defenders of Wildlife, Missoula

EQC questions and discussion

- 00:32:17 Rep. Gunderson asked Ms. Cooley if HJ 15 (2017) can be accomplished.
- 00:33:59 Rep. Gunderson asked Ms. Cooley why the Selkirk population reaches into Canada and the other ecosystems do not.
- 00:35:37 Rep. Gunderson asked Ms. Cooley about the capacity of the Cabinet-Yaak population.
- 00:36:10 Rep. Gunderson asked Ms. Cooley how the recovery number is determined.
- 00:37:14 Rep. Manzella asked Ms. Cooley about the science that is available to prove or disprove genetic connectivity between populations.
- 00:37:55 Rep. Manzella asked Ms. Cooley if there is GPS tracking information that indicates bears are passing from ecosystem to ecosystem.
- 00:38:44 Rep. Manzella asked Ms. Cooley how to address genetic connectivity as an obstacle in the delisting process.
- 00:39:40 Rep. Manzella asked Ms. Cooley about the science used to determine connectivity.

00:40:47 Rep. Manzella asked Ms. Cooley to provide the names of the plaintiffs in the lawsuits filed. Ms. Cooley said she will.

00:41:19 Rep. Ellis asked Ms. Williams if FWP is working on a statewide grizzly bear management plan.

00:43:49 Sen. Vincent asked Ms. Cooley about the reason the 1993 Grizzly Bear Recovery Plan needs to be updated and if it is because it failed to look at habitat based recovery criteria.

00:44:53 Sen. Vincent asked Ms. Cooley about updating the recovery plan.

00:48:48 Sen. Vincent asked Ms. Cooley about changing USFWS policy.

00:52:14 Sen. Phillips asked Ms. Cooley to provide a map of the entire area where grizzly bears are listed. Ms. Cooley said it is the entire lower 48 states except for Yellowstone National Park.

00:53:02 Sen. Phillips asked Ms. Cooley if the USFWS succeeds in the grizzly bear recovery zones how it would satisfy "significant portion of range".

00:54:13 Sen. Phillips asked Ms. Cooley why the USFWS believes that a piece-meal approach to delisting grizzly bears in the GYE will be successful.

00:55:34 Sen. Phillips asked Ms. Cooley about having a proper review to revise the 1993 recovery plan.

00:56:49 Sen. Phillips asked Ms. Williams about the state's options for managing grizzly bears and how section 4(d) of the Endangered Species Act could be amended to allow the state more management options.

00:58:36 Sen. Phillips commented on the increase in the number of grizzly bears in some areas of Montana and asked Ms. Williams to report back to the EQC on what FWP thinks needs to be done to provide more management flexibility for grizzly bears across the state.

00:59:47 Rep. Curdy asked Ms. Cooley how long the USFWS will provide oversight if the GYE grizzly bear delisting is sustained.

01:01:25 Rep. Curdy asked Ms. Cooley when the USFWS would step in if one of the three states in the GYE pursued a management plan that it felt would push the grizzly bear back into endangered status.

01:02:51 Rep. Curdy asked Ms. Williams if FWP would pursue a range rider program along the Rocky Mountain front.

01:05:43 Rep. Gunderson asked Rep. Mike Cuffe, HD 2, about the science used in the legislation he sponsored.

01:12:57 Rep. Hamlett asked Ms. Cooley about the criteria used for a distribution area.

01:15:19 Rep. Hamlett asked Ms. Cooley if there is a difference in how grizzly bears are managed depending on whether they reach an area on their own or are transplanted there.

01:16:24 Rep. Hamlett said he believes that FWP needs to be able to take the lead in grizzly bear management in the state.

USFWS ACTIVITY IN MONTANA

01:20:26 Mr. Kolman said the work plan includes updates from federal agencies on issues they are working on in Montana.

01:21:27 Ms. Bush provided information on the USFWS Ecological Services Program.
(Exhibit 5)

- 01:24:20 Ms. Bush said the USFWS recently developed a draft Statewide Candidate Conservation Agreement with Assurances (CCAA) with private landowners that covers sage grouse and four other species. **(Exhibit 6)**
- 01:27:06 Ms. Bush said the USFWS is working with the DNRC on an application to amend an incidental take permit to authorize additional incidental take on 81,416 acres of proposed Habitat Conservation Plan (HCP) land. **(Exhibit 7)**

Public comment

- 01:29:14 Jim Brown, Montana Wool Growers Association **(Exhibit 8)**

EQC questions and discussion

- 01:33:28 Mr. Aspenlieder commented on litigation involving the pallid sturgeon and its placement on the endangered species list.
- 01:37:29 Sen. Phillips asked Ms. Bush about the CCAA program.
- 01:40:37 Sen. Phillips commented on the CCAA program.
- 01:42:18 Sen. Vincent commented on incentive based programs.
- 01:43:04 Sen. Vincent asked Ms. Bush about the litigation involving the HCP and the settlement agreement that required revisions to the incidental take permit with the DNRC. Ms. Bush redirected the question to Sonya Germann, Forest Management Bureau chief, Trust Lands Management Division, DNRC.
- 01:46:46 Rep. Hamlett asked Ms. Bush about wildfire and the threat to sage grouse.
- 01:47:25 Rep. Hamlett asked Ms. Bush about initial fire attack response for wildfires that start on federal land within sage grouse habitat.

FIRE AND WATER SUPPLY UPDATE

- 01:50:02 Sue Clark, acting division administrator, Forestry Division, DNRC, provided an update on the fire season.
- 01:56:43 Ann Schwend, water resource planner, Water Resources Division, DNRC, provided an update on water supply.

Public comment None

EQC questions and discussion

- 02:02:40 Rep. White asked David Klemp, Air Quality Bureau chief, Department of Environmental Quality (DEQ), about the health effects from wildfire smoke and if he feels the department is vulnerable to a class action lawsuit for not being engaged with federal agencies to try and move projects forward that reduce fuel loads in the forest.
- 02:09:17 Rep. White asked Mr. Klemp what the department can do moving forward to try and reduce fuel loads.
- 02:11:29 Rep. Hamlett asked Michael DeGrosky, chief, Fire and Aviation Bureau, DNRC, about state and federal fire management plans.
- 02:14:11 Sen. Hamlett asked Mr. DeGrosky if increased fuel load makes initial attack on wildfires more important.
- 02:15:18 Sen. Vincent thanked the DNRC for its efforts during the fire season.
- 02:16:06 Recess

02:27:43 Reconvene

Public comment continued

02:28:36 Bob Sivertsen, Havre (**Exhibit 9**)
02:36:17 David Sheppard, emergency manager, Hill County
02:37:39 Mr. Gillespie
02:38:44 Craig Hansen, fire chief, Chinook Volunteer Fire Department and Blaine County fire warden

FIRE-RELATED STUDY TOPICS

Update on Good Neighbor Policy

02:41:40 Ms. Clark provided an update on good neighbor authority in the state.

02:46:19 Bill Avey, forest supervisor, Helena Lewis and Clark National Forests, discussed collaboration on projects with the state and the value of using good neighbor authority.

Public comment None

EQC questions and discussion

02:50:33 Rep. White asked John Hagenruber, state liaison, USFS, if any of the proposed good neighbor projects in Region 1 are in litigation. Mr. Hagenruber said no.
02:51:36 Rep. White asked Mr. Hagenruber if the good neighbor policy and coordination between the DNRC and the USFS reduces the chance for litigation.
02:52:30 Rep. White asked Mr. Hagenruber if Region 1 has a National Environmental Policy Act (NEPA) "strike team" that is assisting in completion of the NEPA documents necessary to move projects forward.
02:55:09 Rep. White asked Mr. Avey for his response to the same question.
02:56:24 Rep. Curdy asked Mr. Avey about the budget for planning on-the-ground projects during his tenure as forest service manager.
03:00:33 Mr. Hagenruber commented on the Forest In Focus Initiative and said it has expedited projects.
03:01:08 Sen. Vincent asked Mr. Hagenruber about opportunities with the categorical exclusion under the Farm Bill authority. Mr. Hagenruber redirected the question to Mr. Avey.
03:03:44 Sen. Vincent asked Mr. Avey about litigation involving the Smith-Shield project in the Custer-Gallatin National Forest and the effect of state participation.
03:04:31 Rep. Hamlett commented on legislation he drafted dealing with litigation on public lands. He said it allows the Attorney General's Office to intervene on projects when it is beneficial for the citizens of Montana and encouraged the DNRC to work with the attorney general.
03:05:33 Rep. Curdy asked Mr. Avey if using categorical exclusions will cause further litigation by circumventing NEPA requirements. Mr. Avey said no.

Review of 2007-08 Fire Suppression Committee

03:06:55 Leanne Kurtz, research analyst, LSD, gave a review of the 2007-08 fire suppression committee.

- 03:11:17 Ms. Kurtz said the Council received a copy of the recommendations from the committee. **(Exhibit 10)**
- 03:13:59 Ms. Kurtz discussed the committee's specific recommendations and the final status of legislation. **(Exhibit 11)**
- 03:15:53 Ms. Kurtz discussed the fire protection assessments. **(Exhibit 12)**

Overview of fire suppression fees

- 03:17:20 Ms. Kurtz gave an overview of fire protection fees. **(Exhibit 13)**

Public comment None

EQC questions and discussion

- 03:19:23 Rep. Ellis asked Sen. Vincent about the formula for fire suppression fees.
- 03:24:27 Rep. Ellis asked Sen. Vincent about coverage for counties that vote against the fire suppression fee.
- 03:26:35 Sen. Vincent opened discussion on next steps.
- 03:26:47 Sen. Phillips said he would like more information on the fire assessment process.
- 03:27:08 Mr. Aspenlieder agreed and said legislation has been passed requiring fire suppression in rural subdivisions.
- 03:29:35 Rep. Ellis asked about reviewing previous legislation and if the DNRC can help to prioritize legislation going forward. Sen. Vincent asked John Tubbs, director, DNRC, for his recommendations.
- 03:38:14 Sen. Phillips commented on property based assessments and asked Mr. Tubbs about a state-wide solution.
- 03:42:01 Rep. Hamlett said the EQC needs to look at legislation that the fire suppression committee brought forward during the 2009 Legislative session and which bills passed and which bills did not. He commented on the effect that forest fires have on the state.
- 03:47:22 Rep. Ellis asked Mr. Tubbs for his opinion on what the EQC should consider.
- 03:52:08 Rep. Curdy asked Mr. Tubbs to look at what other states are doing to pay for wildfires for future EQC discussions.
- 03:54:20 Rep. Curdy asked Mr. Tubbs if the department is looking at Federal Excess Personal Property (FEPP) to replace outdated aircraft in the future.
- 03:57:17 Sen. Vincent said legislation drafted by the fire suppression committee and that was passed allows the DNRC to engage in initial attack on all lands, regardless of jurisdiction, if the fire threatens to move onto state or private land. Mr. Tubbs commented on DNRC initial attack.
- 04:00:57 Ms. Kurtz said she can summarize a study that was done by the University of Idaho comparing state funding of wildfire suppression in western states. Sen. Vincent said staff can compare what other states are doing rather than the DNRC. Mr. Tubbs said the department can help provide data.
- 04:02:06 Recess for lunch at 12:02 p.m.
- 05:02:58 Reconvene at 1:03 p.m.

NATURAL RESOURCE DATA COLLECTION AND REPORTING

Overview

- 05:03:45 Mr. Kolman said the next agenda items are about collecting data and information and have their roots in the Montana Environmental Policy Act (MEPA).
- 05:06:47 Mr. Kolman discussed the Natural Heritage Program (NHP). **(Exhibit 14)**

Study of Natural Heritage Program

- 05:11:43 Jennie Stapp, state librarian, presented information about the Natural Heritage Program. **(Exhibit 15)**
- 05:17:41 Bryce Maxell, program coordinator, Montana State Library, presented a PowerPoint presentation on the NHP. **(Exhibit 16)**
- 05:24:30 Mr. Maxell discussed the online field guide.
- 05:28:20 Mr. Maxell discussed the MapViewer.
- 05:29:50 Mr. Maxell discussed the environmental summary report. **(Exhibit 17)**

User panel

The following individuals discussed the NHP data they use.

- 05:35:22 Kristi Ponzoso, public policy director, DEQ
- 05:39:24 Bill Avey, supervisor, Helena Lewis and Clark National Forest
- 05:41:46 Dave Burch, Weed Program manager, Department of Agriculture **(Exhibit 18)**
- 05:45:53 John Beaver, senior biologist, project manager, WESTECH Environmental Services

Public comment None

EQC questions and discussion

- 05:50:55 Rep. Hamlett asked Ms. Stapp about budget cuts.
- 05:52:27 Rep. White asked Mr. Maxell if information on the FWP database of trails can be added to the NHP database.
- 05:54:02 Rep. White asked Mr. Maxell about the number of GIS staff. Mr. Maxell redirected the question to Evan Hammer, digital library administrator, Montana State Library.
- 05:56:11 Rep. White asked Mr. Hammer if GIS platforms interconnect.
- 05:57:07 Rep. White asked Mr. Burch about comprehensive weed mapping information on the NHP database.
- 05:59:33 Rep. Ellis commented on NHP funding.
- 06:00:25 Sen. Vincent asked Mr. Maxell about summary reports and other information that is only available to agencies.
- 06:02:46 Sen. Vincent asked Mr. Avey about the percentage of baseline data, used by the USFS for NEPA work in Region 1, that comes from the NHP data center.
- 06:05:03 Sen. Vincent asked Mr. Hammer about integrating the DNRC water right data base.
- 06:07:27 Sen. Vincent asked staff about looking at funding for the program during the January meeting.

Study creating report on state of natural resources

06:08:03 Mr. Kolman said the work plan includes looking at the creation of a report on the status of Montana's natural resources and provided a history of what the EQC has done in the past. **(Exhibit 19)**

Public comment None

EQC questions and discussion

06:15:31 Sen. Phillips asked Mr. Kolman about the duties of the EQC to analyze and interpret data.

06:18:01 Rep. White said all of the information that can be collected and put into a database is important and commented on the amount of staff time to analyze and interpret the data. He said there are other critical issues that the EQC can look at in its work plan. Mr. Aspenlieder agreed.

06:22:18 Sen. Phillips said analyzing and interpreting data is the only effective way to look at MEPA and it is the duty of the EQC.

06:24:50 Mr. Aspenlieder said he did not believe it would be a productive use of time.

06:26:08 Mr. Vincent asked Mr. Kolman who determines how the EQC best does its job.

06:29:36 Mr. Vincent asked about spending time on the topic.

06:30:06 Sen. Vincent said the EQC does not need to make any interpretive conclusions and asked if the Council wants to continue to do the data collection which may show a trend in the future. He said having data to inform policy decisions is important.

06:31:39 Rep. Hamlett said getting data and analyzing it is important, but it should be for information that has merit such as forest fires.

06:32:43 Ms. Paul said she recommends doing a minimum amount of data collection, adding it to the website, and spending more time on the resources used most often.

06:34:38 Rep. Gunderson said that future EQC interim committees will require that the data is collected and made available to them.

06:35:04 Sen. Vincent said it is a statutory requirement of the EQC and recommended continuing data collection. He asked staff about the amount of FTE allocated for the study.

06:37:23 Sen. Vincent said there is adequate time to add air quality data.

06:37:48 Rep. White said he would like to include increased health costs as a result of air quality from wildfire smoke and the environmental consequences of forest projects that are blocked and are unable to move forward.

06:40:28 Mr. Aspenlieder asked about a motion regarding next steps.

06:40:45 Sen. Phillips said he recommends analyzing and interpreting data for the issues that are most important.

06:42:55 Mr. Aspenlieder asked about the amount of FTE allocated in the work plan. Sen. Vincent said it was .1. Mr. Aspenlieder asked staff about the FTE allocated during the last interim.

Motion

06:43:45 Mr. Aspenlieder moved to eliminate the .1 FTE from the work plan for the study creating a report on Montana's natural resources and use it for the study of wildfire.

Discussion on the Motion

06:45:59 Rep. Curdy
06:46:49 Sen. Vincent
06:47:55 Mr. Kolman
06:48:01 Mr. Vincent
06:49:15 Rep. Ellis
06:50:20 Sen. Vincent
06:52:12 Rep. Curdy
06:52:40 Mr. Aspenlieder
06:53:31 Sen. Pomnichowski
06:55:42 Ms. Paul
06:56:51 Sen. Vuckovich
06:57:40 Sen. Vincent
06:58:11 Sen. Phillips
06:58:30 Sen. Vincent
06:59:49 Rep. Hamlett
07:00:11 Mr. Aspenlieder withdrew his motion.

BISON AND BRUCELLOSIS TOPICS

Interagency Bison Management Plan update

07:00:50 Mike Volesky, chief of Operations, FWP, gave an update on the Interagency Bison Management Plan (IBMP).

07:06:00 Dr. Marty Zaluski, state veterinarian, Department of Livestock, said a population count taken in early August showed that there were 4,800 bison in Yellowstone National Park and the number is subsequent to a removal of 1,274 animals.
07:07:02 Mr. Zaluski discussed the Taylor Fork area field trip that was taken by the IBMP.
07:08:23 Mr. Zaluski discussed bison quarantine and moving Yellowstone bison to the Fort Peck Indian Reservation.

Public comment None

EQC questions and discussion

07:13:36 Rep. White commented on the Taylor Fork field trip and safety concerns he has in the area.
07:14:40 Rep. White asked Mr. Zaluski about the percentage of bison that are positive for brucellosis in Yellowstone National Park.
07:15:30 Rep. White asked Mr. Zaluski about the brucellosis infection rate for elk in areas around Yellowstone National Park. Mr. Zaluski redirected the question to Quentin Kujala, Wildlife Management Section chief, FWP.
07:17:42 Rep. White commented on the spread of brucellosis by animals that come out of Yellowstone National Park and the cost and burden to Montana.
07:19:47 Rep. Curdy asked Mr. Zaluski if the Stephens Creek capture facility will be double-fenced for use as an approved quarantine facility.
07:20:27 Rep. Curdy asked Mr. Zaluski if the Corwin Springs facility will also be double-fenced and used as an approved quarantine facility.

- 07:20:52 Rep. Curdy asked Mr. Zaluski about testing for brucellosis in cow bison and the quarantine process.
- 07:23:47 Sen. Phillips asked Mr. Zaluski if the state supports sending brucellosis free bison to Fort Peck and would therefore not need a quarantine facility.
- 07:25:13 Sen. Phillips asked Mr. Zaluski about the mode of transmission for brucellosis and the potential risk of transmission from bull bison.
- 07:26:41 Sen. Phillips asked Mr. Zaluski about the transmission of brucellosis to livestock by elk.

Committee action

Motion

- 07:27:58 Sen. Phillips moved that the EQC request a report from FWP outlining the requisite steps to manage elk to eliminate the species role as a vector for brucellosis.

Discussion on the Motion

- 07:30:01 Rep. White
- 07:31:18 Sen. Phillips
- 07:32:05 Rep. Curdy
- 07:33:00 Rep. Hamlett
- 07:33:37 Rep. Ellis
- 07:34:15 Sen. Phillips
- 07:35:35 Rep. Hamlett
- 07:36:05 Mr. Volesky redirect
- 07:36:18 Mr. Kujala
- 07:37:38 Rep. Hamlett
- 07:37:53 Mr. Kujala

Vote

- 07:39:21 The motion carried 10-6 by roll call vote with Sen. Smith, Rep. White, Rep. Manzella, Sen. Lang, Mr. Aspenlieder, and Mr. Brenden voting no. Sen. Lang and Mr. Brenden voted no by proxy. [\(Attachment 5\)](#)

Proposed brucellosis research letter

- 07:40:48 Sen. Phillips said the Council received a copy of a letter written by U.S. Senator Michael Enzi to Chairman John Hoeven and Ranking Member Jeff Merkley, on the US Senate Agriculture Subcommittee, requesting funding for research to develop improved surveillance methods and vaccine systems for brucellosis. He requested that the EQC send a letter to support Sen. Enzi's letter. [\(Exhibit 20\)](#)
- 07:42:34 Sen. Vincent asked Sen. Phillips if he made a motion. Sen. Phillips said he did not and asked staff for the best way to proceed.
- 07:42:55 Sen. Phillips requested that the Montana congressional delegation, Governor Bullock, and Interior Secretary Ryan Zinke also receive a copy of the letter.
- 07:43:17 Rep. White said he supports a letter as an endorsement of Sen. Enzi's letter, but not a separate letter. Sen. Phillips said it is an endorsement of Sen. Enzi's letter. Sen. Vincent said he will sign the letter and make sure it is within the motion.

Motion/Vote

07:44:14 Sen. Phillips moved that the EQC send a letter to US Senate Agriculture Subcommittee Chairman John Hoeven and Ranking Member Jeff Merkley endorsing the letter sent by Sen. Enzi and to also send copies of the letter to the Montana congressional delegation, Governor Bullock, and Interior Secretary Ryan Zinke. The motion carried unanimously by voice vote. Sen. Lang and Mr. Brenden voted yes by proxy.

Public comment None

ADOPTION OF FINAL WORK PLAN

07:44:54 Sen. Vincent said the hard rock mining program evaluation was removed from the work plan and more time will be spent on fire-related topics.

Motion

07:45:22 Mr. Aspenlieder moved to reassign .1 FTE from natural resource and data collection to focus on collecting data related to fires.

Discussion on the Motion

07:46:54 Sen. Phillips

07:47:57 Rep. White

Vote

07:49:12 The motion carried 11-5 by roll call vote. Rep. Curdy, Rep Ellis, Sen. Phillips, Sen. Pomnichowski, and Ms. Paul voted no. Sen. Lang and Mr. Brenden voted aye by proxy. ([Attachment 6](#))

Mr. Aspenlieder left the meeting and gave his proxy to Rep. White. ([Attachment 7](#))

Motion/Vote

07:50:14 Rep. White moved to adopt the final work plan as amended. The motion carried 13-3 by voice vote with Sen. Phillips, Sen. Pomnichowski, and Rep. Curdy voting no. Sen. Lang, Mr. Brenden, and Mr. Aspenlieder voted aye by proxy.

Public comment None

REVIEW PROPOSED TOPICS FOR NEXT EQC MEETING

07:51:41 Sen. Vincent

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

None

INSTRUCTIONS TO STAFF

07:52:04 Rep. White asked Sen. Vincent if the EQC will receive an update on the MSU lab study at every meeting.

Motion

07:52:27 Rep. Ellis moved to not send the letter to the governor that was approved at the EQC meeting yesterday regarding the removal of Tom Towe as a member of the State Parks and Recreation Board.

Discussion on the Motion

07:52:54 Rep. White ([Exhibit 21](#))

07:53:57 Sen. Vincent

07:54:09 Rep. White

Substitute Motion/Vote

07:54:32 Rep. White made a substitute motion to send the letter to the governor dated September 28, 2017. The motion carried 9-7 by roll call vote with Rep. Curdy, Rep. Ellis, Sen. Phillips, Sen. Pomnichowski, Sen. Vuckovich, Ms. Paul, and Mr. Vincent voting no. Sen. Lang, Mr. Brenden, and Mr. Aspenlieder voted aye by proxy. ([Attachment 8](#))

07:55:45 Rep. Curdy asked about including the results of the vote in the letter.

Discussion

07:56:07 Sen Vincent

07:56:18 Rep. Curdy

Motion/Vote

07:56:39 Rep. Curdy moved to include the vote tally in the letter to the governor. The motion failed 7-9 with Rep. Curdy, Rep. Ellis, Sen. Phillips, Sen. Pomnichowski, Sen. Vuckovich, Ms. Paul, and Mr. Vincent voting yes. Sen. Lang, Mr. Brenden, and Mr. Aspenlieder voted no by proxy. ([Attachment 9](#))

ADJOURN

07:57:52 Sen. Vincent adjourned the meeting at 3:58 p.m.

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