



Water Policy Interim Committee

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65th Montana Legislature

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To: Water Policy Interim Committee members

Dec. 19, 2017

From: Jason Mohr, committee staff

Re: Jan. 8-9 meeting

WPIC meets for two days, beginning at 10 a.m. Jan. 8 in room 172 of the State Capitol. At this meeting, WPIC will continue work on its two studies – study of exempt groundwater wells and study for the process for changing a water right – and discuss water quality, the recent (and perhaps ongoing) drought, and the aftermath of the 2017 wildfires.

The enclosed meeting materials will be posted online at www.leg.mt.gov/water. I'd like to point your attention to the following documents:

- Tab 3: This letter from U.S. Forest Service regional forester Leanne Marten detailing the service's post-wildfire efforts. These efforts range from reforestation to salvage harvesting. The USFS will give a more detailed assessment of each wildfire's effects during their presentation.
- Tabs 4 and 5: These documents focus on the committee's previous discussions on water quality, and follow up on information the committee requested of the Department of Environmental Quality. Tab 4 refers to the historical Helena Valley nutrient load. Tab 5 contains proposed administrative rules related to Senate Bill 325 (2015), which allow a variance from water quality standards to account for historical, pre-existing pollution – i.e. "anthropogenic sources" that "cannot reasonably be expected to be remediated during the permit term."
- Tab 6: The committee's study of exempt groundwater wells will cover many areas. January's meeting includes a discussion of how aquifer conditions affect groundwater wells; water right permit and exempt well data since 2010 (see document tab 6); the "buffer zone" concept discussed at your October meeting (see document at tab 6); and a committee staff review of how proposed administrative rules might affect stream depletion zones and controlled groundwater areas (see document at tab 6). In addition the Department of Natural Resources and Conservation will present their responses to public comments about the October administrative rules package. Finally, the committee will need to decide whether to continue its objection to those rules or not.

- Tab 7: Staff will give an overview of the change of water right process in other regional states (see document at tab 8). The committee will also need to direct staff as to the next step in this study.
- Tab 8: The committee has been invited to participate in the Montana Water Summit, which coincides with your March meeting dates, and to tour the Tintina Black Butte Copper Mine Project in May (see related documents at tab 9).

Please let me know if you have any questions. Otherwise, I will see you in January.

Merry Christmas and Happy Holidays,

A handwritten signature in black ink, appearing to read "J Mohr". The signature is written in a cursive style and is positioned above a yellow rectangular highlight.

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