



Water Policy Interim Committee

PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

65th Montana Legislature

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DRAFT AGENDA

WATER POLICY INTERIM COMMITTEE

Room 152, STATE CAPITOL

September 10, 2018

AGENDA TIMES ARE APPROXIMATE

- 8 a.m. **Call to order**
- Roll call
 - Approval of July, 2018 minutes
- 8:10 a.m. **Update from Environmental Quality Council**
- Joe Kolman, environmental analyst, LEPO
- 8:30 a.m. **Adjudication update (85-2-281, MCA) (Tab 1)**
- DNRC
 - Water Court
 - Public comment
 - Committee questions and discussion
- 9 a.m. **Staff program evaluation: Water Quality Division (DEQ) (Tab 2)**
- Mr. Mohr
 - Public comment
 - Committee questions and discussion
- 9:30 a.m. **Environmental Protection Agency: Overview of water issues in Montana (Tab 3)**
- TBD
 - Public comment
 - Committee questions and discussion
- 10 a.m. **The federal budget (H.R. 1625) and state water programs**
- DEQ
 - Jan Langel, Water Resources Division administrator (DNRC)
 - Public comment
 - Committee questions and discussion
 - Committee consideration of bills for pre-introduction
- 10:30 a.m. **Break**

10:45 a.m. **Overview of proposed agency legislation (Tab 4)**

- Don Skaar, Habitat Bureau chief (FWP)
- Tim Davis, Water Quality Division administrator (DEQ)
- Mr. Langel
- Public comment
- Committee questions and discussion
- Committee consideration of bills for pre-introduction

11:15 a.m. **Data use and modeling in DNRC streamflow analyses**

- Millie Heffer, Water Rights Bureau chief (DNRC)
- Public comment
- Committee questions and discussion

11:45 a.m. **Analysis of Montana water law**

- Kristin Sleeper, doctoral student, W.A. Franke College of Forestry and Conservation (University of Montana)
- Public comment
- Committee questions and discussion

Noon **Lunch**

1 p.m. **Summary of public comments on reports and legislation (Tab 5)**

- Mr. Mohr
- Additional public comment
- Committee questions and discussion

1:30 p.m. **Committee adoption of final reports (Tab 6)**

- Mr. Mohr
 - Study of the process of changing a water right
 - Study of exempt groundwater wells
- Public comment
- Committee questions and discussion
- Committee adoption of final reports

2 p.m. **Break**

2:15 p.m. **Committee consideration of draft legislation (Tab 7)**

- Draft legislation:
 - Define a “supplemental notice” within the Montana Administrative Procedure Act (LCw001)
 - Revise certain water right adjudication processes (LCw002)
 - Extend the deadline to correct an application for a permit or a change of water right (LCw003)
 - Clarify that legal availability analysis does not determine adverse effects as criteria in a water rights change application (LCw004)
 - LCw04a
 - LCw04b
 - LCw04c
 - Clarify the criteria for a water right permit relying on a waiver of adverse effect (LCw005)
 - Study Montana’s stream gauge network (LCw006)
 - Maintain stream gauge network (LCw008)
 - Revise laws related to distribution lists (LCw009)
 - Revise laws related to river basin councils (LCw010)
- Public comment (*may be taken after each individual bill*)
- Committee questions and discussion (*may be held after each individual bill*)
- Committee approval of bills for pre-introduction (*may be taken after each individual bill*)
- Assignment of sponsors

4 p.m. **Administrative matters (Tab 8)**

- Administrative rule review – Legal Services Office
- Public comment
- Committee questions and discussion

4:15 p.m. **Public comment on any issue within the jurisdiction of the WPIC**

4:30 p.m. **Adjourn**

Meeting attendees who may need services or accommodations should contact Jason Mohr (406-444-1640 or jasonmohr@mt.gov) at least 5 working days before the meeting.