



Water Policy Interim Committee

66th Montana Legislature

SENATE MEMBERS

JILL COHENOUR
BRUCE (BUTCH) GILLESPIE
JON SESSO
JEFF WELBORN

HOUSE MEMBERS

BOB BROWN
ZACH BROWN
CARL GLIMM
BRADLEY MAXON HAMLETT
SHANE MORIGEAU
WALT SALES

COMMITTEE STAFF

JASON MOHR, Research Analyst
CORINA HACH, Staff Attorney
NADINE SPENCER, Secretary

MINUTES LOG

June 10, 2019
Room 152, 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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COMMITTEE MEMBERS PRESENT

REP. ZACH BROWN, CHAIRMAN

SEN. JILL COHENOUR
SEN. JON SESSO
SEN. BRUCE (BUTCH) GILLESPIE (by phone)

REP. BOB BROWN
REP. CARL GLIMM
REP. BRADLEY MAXON HAMLETT
REP. SHANE MORIGEAU
REP. WALT SALES

COMMITTEE MEMBERS EXCUSED

SEN. JEFF WELBORN, VICE CHAIRMAN

STAFF PRESENT

JASON MOHR, Research Analyst
CORINA HACH, Staff Attorney
NADINE SPENCER, Secretary

VISITORS' LIST ([Attachment 1](#))

AGENDA ([Attachment 2](#))

COMMITTEE ACTIONS

The Water Policy Interim Committee (WPIC):

- Approved the rules, procedures, and guidelines for the committee;
- Elected Rep. Zach Brown as presiding officer and Sen. Jeffrey Welborn as vice presiding officer;
- Adopted the interim committee work plan;
- Approved the WPIC meeting dates and voted to have the next meeting on September 10 and 11 in Dillon;
- Voted to send a letter to the Drought and Water Supply Advisory Committee regarding the Stream Gauge Oversight Work Group.

CALL TO ORDER AND ROLL CALL

09:03:27 Sen. Sesso called the meeting to order at 9:03 a.m. The secretary called the roll. ([Attachment 3](#)) Sen. Gillespie and Sen. Welborn were excused and gave their proxies to Rep. Sales. ([Attachment 4](#))

Committee member and staff introductions

09:04:32 The committee members and staff introduced themselves.

09:12:28 Sen. Sesso said there are six representatives and four senators on the WPIC and asked the committee to consider whether or not they wanted to vote as a full committee or by chamber.

COMMITTEE OVERVIEW

09:13:57 Jason Mohr, research analyst, Legislative Services Division (LSD), gave an overview of the WPIC.

ADOPTION OF RULES

09:16:10 Sen. Sesso opened discussion on the rules for the interim committee.

09:17:13 Rep. Hamlett asked Sen. Sesso about his concerns regarding the number of senators versus the number of representatives on the committee.

09:17:55 Sen. Gillespie joined the meeting by telephone and introduced himself.

09:18:57 Sen. Sesso asked Sen. Gillespie about his participation in the meeting.

- 09:19:36 Mr. Mohr said the committee received a copy of the updated rules, procedures, and guidelines for interim committees recommended by Legislative Council and discussed the differences from the last interim. **(Exhibit 1)**
- 09:22:21 Sen. Sesso asked Mr. Mohr about voting by committee members that are absent and about written versus electronic proxies.

Motion/Vote

- 09:23:04 Sen. Cohenour moved to allow electronic proxies by committee members that are absent. The motion carried unanimously by voice vote. Sen. Welborn was excused.
- 09:24:09 Rep. Z. Brown asked about the requirement that the WPIC must have a supermajority vote for pre-introduction of committee legislation, and if other interim committees only require a simple majority.
- 09:24:25 Rep. Z. Brown said a supermajority vote worked well in the past and ensures broad bipartisan support.
- 09:25:22 Sen. Sesso asked Mr. Mohr when the supermajority vote was adopted.
- 09:25:40 Sen. Sesso asked Rep. Hamlett about the reason for implementing the supermajority rule.

Motion/Vote

- 09:26:46 Sen. Cohenour moved that the WPIC require a majority vote of seven out of 10 committee members to pass a committee bill. The motion carried 9-1 by voice vote. Rep. B. Brown voted no. Sen. Welborn voted "aye" by proxy.
- 09:28:25 Sen. Sesso opened discussion on voting.
- 09:28:39 Sen. Cohenour said she recommends voting as a full committee.

Motion

- 09:29:24 Sen. Cohenour moved that the WPIC vote as a full committee.

Discussion on the Motion

- 09:29:38 Rep. Z. Brown
- 09:29:55 Rep. Hamlett

Vote

- 09:30:17 The motion carried unanimously by voice vote. Sen. Welborn voted "aye" by proxy.
- 09:30:59 Sen. Sesso opened discussion on other proposed rules.

Motion/Vote

- 09:31:28 Sen. Cohenour moved to adopt the rules, procedures, and guidelines for the interim committee. The motion carried unanimously by voice vote. Sen. Welborn voted "aye" by proxy.

Public comment: None

ELECTION OF WPIC PRESIDING OFFICER AND VICE PRESIDING OFFICER

09:32:49 Sen. Sesso opened nominations for presiding officer.

Motion

09:33:16 Rep. Sales nominated Rep. Z. Brown.

Motion

09:33:51 Rep. B. Brown nominated Rep. Hamlett.

Vote on Rep. Zach Brown

09:35:24 The motion carried 7-3 by roll call vote. Rep. B. Brown, Rep. Hamlett, and Rep. Glimm voted no. Sen. Welborn voted "aye" by proxy. ([Attachment 5](#))

09:37:30 Sen. Sesso opened nominations for vice presiding officer.

Motion/Vote

09:37:57 Sen. Sesso nominated Sen. Welborn. The motion carried unanimously by voice vote. Sen. Welborn voted "aye" by proxy.

09:39:22 Recess

09:40:18 Reconvene

09:40:24 Rep. Z. Brown said he appreciates the WPIC's support.

REVIEW OF 2019 WATER LEGISLATION

09:41:39 Mr. Mohr said the committee received a copy of the natural resource legislation passed during the 2019 Legislative session. ([Exhibit 2](#))

09:42:22 Mr. Mohr discussed the six bills that were proposed by the 2017-18 WPIC and passed by the legislature.

09:48:13 Mr. Mohr discussed the other water-related bills that passed during session.

Public comment: None

Committee questions and discussion:

09:53:53 Rep. Z. Brown asked Rep. B. Brown about the appropriation bill for the Surface Water Assessment and Monitoring Program (SWAMP).

09:54:55 Sen. Cohenour provided information about discussion on the bill during session.

09:56:04 Rep. Hamlett discussed the bill and funding for SWAMP.

09:57:16 Rep. Z. Brown said the program can be discussed with the Montana Bureau of Mines and Geology in the afternoon and during the committee discussion on the work plan.

AGENCY OVERVIEWS OF WATER-RELATED PROGRAMS

Department of Environmental Quality

09:58:02 Shaun McGrath, director, Department of Environmental Quality (DEQ), discussed the department's priorities from the 2019 session.

09:58:34 Mr. McGrath discussed HB 55 (Revise Sanitation in Subdivisions Act).

10:00:16 Mr. McGrath discussed SB 48 (Revising variances to water quality standards).
10:04:00 Mr. McGrath discussed HB 118 (Lead in drinking water in schools) and said the bill did not pass.
10:06:53 Mr. McGrath discussed the issue of harmful algae blooms.

Committee questions and discussion:

10:07:58 Rep. B. Brown asked Mr. McGrath about SB 48 and how to determine widespread economic harm.
10:09:43 Rep. B. Brown asked Mr. McGrath about the ability to give variances to help individual citizens pay the increased cost of water and sewer rates for new community systems.
10:12:46 Sen. Cohenour said it is important to give communities time to apply for grant funding. Mr. McGrath agreed.
10:13:39 Sen. Cohenour asked Mr. McGrath about the department's plans for public awareness regarding harmful algae blooms.
10:16:01 Sen. Cohenour commented on public reporting.
10:16:50 Sen. Sesso congratulated Mr. McGrath on his appointment as director.
10:17:25 Sen. Sesso asked Mr. McGrath about U.S. District Court Judge Brian Morris' decision on nutrient variances and the six types of water quality variances authorized under the Clean Water Act. Mr. McGrath said he will provide a copy of the Clean Water regulation that authorizes the variances.
10:18:59 Sen. Sesso asked Mr. McGrath if Judge Morris' decision applies to the widespread economic harm for all six water quality variances.
10:20:06 Sen. Sesso asked Mr. McGrath about any relationship between Judge Morris' decision and the implementation of the variances under SB 325 (2015). Mr. McGrath said he will find out.
10:21:48 Rep. Sales asked Mr. McGrath about the grant the department received from the EPA for lead in drinking water in schools. Rep. Sales requested that the WPIC continue to receive updates from the DEQ.
10:24:12 Rep. Z. Brown asked Mr. McGrath about SB 48 and DEQ's rulemaking schedule.
10:24:53 Rep. Z. Brown asked Mr. McGrath about the status of the Section 319 grant program.
10:27:10 Rep. Hamlett asked Mr. McGrath if the lead that is present in drinking water in schools is coming from the infrastructure.
10:28:32 Rep. Hamlett asked Mr. McGrath to provide a list of the streams in Montana that have naturally occurring nutrient levels or metals in their water that are above EPA standards. Mr. McGrath said he will.
10:28:58 Rep. Hamlett asked Mr. McGrath about the variance standards and the financial capacity for smaller communities to fund and develop a new water system.
10:31:32 Rep. Hamlett asked Mr. McGrath about setting the level of standard for the community of Belt due to drainage from the old coal mines.
10:33:39 Rep. Hamlett asked Mr. McGrath about Judge Morris' ruling and the flexibility it gives Montana.
10:34:50 Rep. Hamlett asked Mr. McGrath about the variance process and communities that are currently being fined by the state.
10:35:25 Rep. Hamlett requested that DEQ provide more information on the clean up in Belt. Rep. Z. Brown agreed and asked Mr. McGrath to provide an update for the committee.

- 10:36:14 Sen. Sesso asked Mr. McGrath about the rulemaking process under SB 325 and distinguishing variances between drinking water standards and discharge water standards.
- 10:42:59 Jon Dilliard, DEQ, said there are no variances on drinking water standards.
- 10:44:05 Rep. Hamlett said the state is headed in a good direction regarding discharge standards, but that communities may be financially unable to achieve a perfect point.
- 10:45:02 Rep. Z. Brown thanked Mr. McGrath.

Department of Fish, Wildlife, and Parks

- 10:45:23 Eileen Ryce, Fisheries Division administrator, Department of Fish, Wildlife, and Parks (FWP), provided an overview of the Fisheries Division.
- 10:48:51 Don Skaar, Habitat Access Bureau chief, FWP, provided an overview of the Habitat Access Bureau.

Committee questions and discussion:

- 10:56:27 Sen. Gillespie asked Mr. Skaar about water leases and drought years.
- 10:58:12 Rep. B. Brown asked Ms. Ryce about the impact to fisheries or the quality of a stream from a variance. Ms. Ryce redirected the question to Mr. Skaar.
- 11:01:00 Sen. Cohenour asked Mr. Skaar about the program used to close fishing access sites and notify the public when pollutants in the water might make fish harmful to consume.
- 11:03:18 Rep. Hamlett asked Mr. Skaar about hoot owl restrictions.
- 11:04:38 Rep. Hamlett asked Mr. Skaar about water leases and if there could be an adverse effect on another water users irrigation system.
- 11:06:23 Rep. Hamlett asked Mr. Skaar about concern regarding pharmaceuticals in water.
- 11:07:53 Rep. Sales asked Mr. Skaar to provide information on water leases. Rep. Z. Brown said it can be added as an agenda item at a future meeting.
- 11:08:40 Rep. Z. Brown asked Mr. Skaar about potential, permanent hoot owl restrictions on the Lower Madison river.
- 11:10:38 Rep. Z. Brown asked Mr. Skaar about naturally occurring mercury in the Madison and Yellowstone rivers.

Department of Natural Resources and Conservation

- 11:12:41 John Tubbs, director, Department of Natural Resources and Conservation (DNRC), provided an overview of the Water Resources Division.

Committee questions and discussion:

- 11:19:57 Rep. Hamlett asked Mr. Tubbs about issues at Painted Rocks Reservoir and about public safety for the community downstream if the dam was breached.
- 11:20:36 Rep. Z. Brown left the meeting. Sen. Cohenour assumed the duties of the Chair.
- 11:24:46 Rep. Z. Brown returned to the meeting and resumed the duties of the Chair.
- 11:25:12 Rep. Hamlett asked Mr. Tubbs if there are plans to upgrade the early warning system at Painted Rocks Reservoir.
- 11:26:43 Rep. B. Brown asked Mr. Tubbs about HB 286 (2019).

11:28:42 Rep. Z. Brown asked Mr. Tubbs if the governor signed HB 286 or if it went into law without his signature. Mr. Tubbs said he thought it went into law without the governor's signature. Sen. Gillespie said it did.

11:29:08 Sen. Sesso asked Mr. Tubbs about the challenge to the constitutionality of HB 286.

11:30:19 Sen. Sesso asked Mr. Tubbs about the funding sources for dam rehabilitation.

11:32:23 Rep. Hamlett asked Mr. Tubbs about HB 286 and whether the state can force delivery of a state owned water right if there was a new lessee of the state property.

11:34:16 Rep. Sales asked Mr. Tubbs about the grant for Lidar surveying. Rep. Sales asked Mr. Tubbs to keep the committee updated.

11:36:12 Rep Glimm asked about the DNRC's legal challenge to HB 286.

11:37:23 Sen. Gillespie asked Mr. Tubbs for clarification regarding water from a private landowner that was used to upgrade state land.

11:39:08 Rep. Hamlett asked Mr. Tubbs about the right for a landowner with an existing water right, who chose to divert it on to a state lease. What happens when they lose the lease?

11:41:10 Rep. Hamlett asked Mr. Tubbs about compensation for property owners.

11:43:47 Rep. Hamlett asked Mr. Tubbs about property owners adjacent to leases if land goes up for sale.

11:45:51 Rep. Hamlett asked Mr. Tubbs about the department's position.

11:47:13 Rep. Z. Brown thanked Mr. Tubbs. He said that the committee is interested in the implementation of HB 286 and asked staff to keep the committee updated.

Public comment:

11:48:14 Steve Roth, rancher, Big Sandy

11:49:15 Krista Lee Evans, Senior Water Rights Coalition, Association of Gallatin Agricultural Irrigators

DISCUSSION OF 2019-20 INTERIM PRIORITIES

Overview of Work Plan

11:51:11 Mr. Mohr provided an outline of the WPIC work plan. [\(Exhibit 3\)](#)

Committee questions:

12:01:15 Sen. Cohenour asked Mr. Mohr about adding time for legal staff.

Overview of Administrative Rulemaking

12:02:48 Cori Hach, legal staff, LSD, provided an overview of administrative rulemaking authority.

12:04:40 Ms. Hach said the committee received a memo providing an overview of administrative rulemaking. [\(Exhibit 4\)](#)

12:08:14 Ms. Hach said she will provide the committee with updates, and that the committee received a memo summarizing all the rules concerning water quality and quantity since the last meeting in 2018. [\(Exhibit 5\)](#)

Public comment:

12:09:55 Hon. Russ McElyea, chief water judge, Montana Water Court

12:18:23 John Bloomquist, attorney, Helena
12:24:20 Abigail St. Lawrence, attorney, Helena

Committee discussion:

12:30:00 Rep. Glimm said the WPIC needs to focus on the future of the Water Court and the water right change process. He said he recommends minimizing the time spent on agency review, requested that reports be sent in advance, and staff can be available to answer questions at the meeting.

12:32:41 Sen. Cohenour commented on reviewing the water right change process.

12:34:43 Rep. Hamlett commented on the change process.

12:36:23 Rep. Z. Brown said he and Rep. Sales prepared a draft work plan for the committee to review. [\(Exhibit 6\)](#)

12:39:24 Recess for lunch at 12:39 p.m.

13:25:35 Reconvene at 1:25 p.m.

WATER RIGHTS ADJUDICATION UPDATE (85-2-281, MCA)

Department of Natural Resources and Conservation

13:26:47 Matt Murphy, acting bureau chief, Adjudication Bureau, DNRC, provided an update on the adjudication process. [\(Exhibit 7\)](#)

Montana Water Court

13:32:49 Hon. Russ McElyea, chief water judge, Montana Water Court, provided an update on final decree issuance. [\(Exhibit 8\)](#)

13:36:14 Mr. McElyea discussed the number of decrees issued. [\(Exhibit 9\)](#)

13:37:22 Mr. McElyea provided information on claims closed. [\(Exhibit 10\)](#)

13:40:01 Hon. Steve Brown, associate water judge, Montana Water Court, provided information on compact status and gave an update on the Blackfeet Tribe compact. [\(Exhibit 11\)](#)

13:44:22 Mr. Brown discussed Montana Administrative Policy Act (MAPA) cases.

Public comment:

13:45:14 Rich Roth, IX Ranch, Big Sandy

Committee questions and discussion:

13:50:15 Rep. Hamlett asked Mr. Roth about listing the number of cattle on a water source.

13:53:59 Rep. Hamlett asked Mr. Roth about his experience with the adjudication process.

13:55:52 Rep. Hamlett commented on the exempt from filing bills he carried during the legislative session.

13:56:58 Rep. Z. Brown asked Mr. Murphy about the Bureau of Land Management (BLM) exempt from filing claims under HB 110 (2017) and the processing fees.

13:59:14 Mr. Tubbs provided additional information on processing HB 110 claims.

13:59:37 Rep. Hamlett provided information on HB 110.

14:00:45 Rep. Z. Brown discussed the cap that was put on HB 110.

- 14:01:14 Rep. Z. Brown asked Mr. Murphy about ownership updates and the purpose of geocodes.
- 14:03:45 Rep. Z. Brown asked Mr. Brown about Turtle Mountain claims.
- 14:05:52 Rep. Sales asked Mr. Murphy about ownership updates.

DROUGHT, WATER SUPPLY, AND WILDFIRE OUTLOOK

- 14:08:50 Michael Downey, Water Planning Section supervisor, DNRC, presented a PowerPoint presentation on the early summer water supply outlook. [\(Exhibit 12\)](#)
- 14:19:32 John Monzie, deputy chief, Fire Operations, DNRC, provided an outlook for the 2019 fire season. [\(Exhibit 13\)](#)

Public comment: None

Committee questions and discussion:

- 14:27:29 Rep. Sales asked Mr. Downey about tracking percent and the standard period of record.
- 14:29:36 Sen. Gillespie asked Mr. Monzie about the different approaches used for fire suppression by local governments versus federal agencies.

NUMERIC NUTRIENT STANDARDS REPORT (75-5-313, MCA)

- 14:32:19 Michael Suplee, acting section supervisor, Water Quality Standards and Modeling Section, DEQ, provided a report on numeric nutrient standards, variances, and implementation of the standards and variances for 2018-19. [\(Exhibit 14\)](#)

Public comment: None

Committee questions and discussion:

- 14:37:06 Sen. Sesso asked Mr. Suplee about setting standards and the criteria used to analyze the appropriateness of a variance.
- 14:45:02 Sen. Gillespie asked Mr. Suplee about new technology available to help with the cost effectiveness of waste water improvement.
- 14:48:56 Rep. Hamlett asked Mr. Suplee about nutrient balance changes due to increased geothermal activity at Yellowstone National Park and if there will be different variances for cities and towns.
- 14:50:12 Rep. B. Brown asked Mr. Suplee about removing ammonia through aeration and if it is dissipated into the air.

WATER RESEARCH

Montana Bureau of Mines and Geology

- 14:52:37 John Metesh, state geologist and director, Montana Bureau of Mines and Geology (MBMG), said the committee received information on the Ground Water Assessment Program and the Ground Water Investigation Program [\(Exhibit 15\)](#) and discussed the 2019 water research projects. [\(Exhibit 16\)](#)

Department of Natural Resources and Conservation

14:56:36 Paul Azevedo, bureau chief, Water Management Bureau, DNRC, provided an update on the department's water related research projects and said they are in line with the recommendations from the 2015 state water plan. **(Exhibit 17)**

Department of Environmental Quality

15:06:09 George Mathieus, deputy director, DEQ, discussed the work the agency does related to water quality and current projects.

Public comment:

15:09:44 Valerie Jaffe, Helena **(Exhibit 18)**

Committee questions and discussions:

15:22:22 Sen. Sesso asked Mr. Metesh about the status of SWAMP and funding.
15:25:22 Sen. Sesso asked Mr. Metesh about the data on wells that is available to the public from the Ground Water Information Center.
15:28:05 Sen. Sesso asked Mr. Mathieus about the department's role in subdivision review and determining if there is sufficient water resources to support a development. He asked what happens when approval of a subdivision has an adverse effect on an existing property owner.
15:30:45 Sen. Sesso asked Mr. Azevedo about implementing SB 32 (2019) and the members appointed to the Stream Gauge Oversight Work Group.
15:33:31 Sen. Sesso asked Mr. Azevedo if the Drought and Water Supply Advisory Committee will appoint public members to the work group.
15:36:30 Sen. Sesso said he recommends that the WPIC consider writing a letter to the Drought and Water Supply Advisory Committee to clarify the WPIC's intent that public members be included in the work group. Rep. Z. Brown agreed.
15:37:01 Rep. Glimm commented on the importance of groundwater and surface water information and the statutory appropriation available.
15:38:44 Rep. Z. Brown asked Mr. Metesh about funding for SWAMP and the Farmers Canal project.
15:39:31 Rep. Hamlett asked Mr. Metesh to explain how the SWAMP program was initiated, and why MBMG is unable to do a statewide mission.
15:40:35 Rep. Hamlett asked Mr. Metesh about the benefit of funding for SWAMP.
15:42:26 Rep. Hamlett asked Mr. Mathieus about the solution for pollution for Belt and Sand Coulee. Mr. Mathieus redirected the question to Scott Graham, project manager, Abandoned Mines Program, DEQ.
15:46:45 Rep. Hamlett asked Mr. Graham about the affect of the clean up on the city of Belt sewage treatment plants.
15:48:01 Rep. Z. Brown thanked Ms. Jaffe for the information she provided and encouraged her to follow up with Mr. Mathieus and to keep the committee updated.

AQUATIC INVASIVE SPECIES UPDATE

15:48:30 Thomas Woolf, AIS bureau chief, FWP, provided an update on the Aquatic Invasive Species Program. **(Exhibit 19)**

Public comment: None

Committee questions and discussion:

- 15:53:59 Rep. Sales asked Mr. Woolf about HB 608 (2019).
15:56:01 Rep. Hamlett asked Mr. Woolf about an adverse report that was issued by a watchdog group.
- 15:58:22 Recess
16:11:18 Reconvene

Sen. Gillespie did not return to the meeting.

ADMINISTRATIVE MATTERS

Adoption of Work Plan

- 16:11:36 Rep. Z. Brown opened discussion on the draft work plan. (see exhibit 6)

Committee discussion:

- 16:12:16 Mr. Mohr
16:13:07 Rep. Z. Brown
16:13:22 Sen. Cohenour
16:16:23 Rep. Glimm
16:17:49 Sen. Sesso
16:18:26 Rep. Hamlett
16:21:34 Rep. Z. Brown
16:22:33 Rep. Hamlett
16:24:02 Rep. Z. Brown
16:25:05 Rep. Hamlett
16:26:42 Rep. Sales
16:29:04 Rep. Morigeau
16:30:36 Rep. B. Brown
16:35:25 Sen. Cohenour

Motion

- 16:36:25 Sen. Cohenour moved to put 0.3 FTE on HJ 14 study; 0.15 FTE on HJ 40 study; 0.1 FTE on study future climate considerations for water rights; 0.15 FTE on emerging issues.

Discussion on the Motion

- 16:36:42 Rep. Z. Brown
16:41:13 Sen. Sesso
16:42:51 Rep. Z. Brown
16:44:11 Sen. Sesso
16:44:59 Rep. Hamlett
16:47:52 Rep. Sales
16:50:33 Rep. Morigeau
16:52:26 Rep. Glimm
16:55:28 Rep. Z. Brown
16:56:07 Mr. Mohr
16:57:06 Rep. Glimm

16:57:31 Rep. Hamlett
16:58:11 Rep. Z. Brown
16:58:41 Sen. Sesso
16:59:39 Rep. Z. Brown
17:00:02 Mr. Mohr
17:01:44 Rep. Z. Brown restated the motion.

Substitute Motion

17:02:56 Sen. Cohenour made a substitute motion to put 0.35 FTE on HJ 14 study, 0.15 FTE on HJ 40 study, 0.1 FTE on study future climate considerations for water rights, 0.15 FTE on emerging issues and to include statutory obligations and member topics.

Discussion on the Motion

17:03:19 Mr. Mohr
17:03:36 Rep. Z. Brown
17:03:49 Rep. B. Brown

Vote

17:05:43 The motion carried 8-2 by roll call vote with Rep. B. Brown and Rep. Glimm voting no. Sen. Gillespie and Sen. Welborn voted "aye" by proxy.
(Attachment 6)

17:06:39 Rep. Z. Brown

Budget Overview

17:07:23 Mr. Mohr provided information on the budget.
17:07:55 Rep. Hamlett asked Mr. Mohr about the budget amount for two-day meetings.
17:08:46 Rep. Hamlett asked about money for a field trip.
17:08:59 Sen. Cohenour provided information from the Montana Watershed Coordination Council on a watershed tour on September 11 and said she recommends the committee meet on September 10-11 in Dillon and attend the tour as part of the meeting. **(Exhibit 20)**

Adoption of WPIC Meeting Dates

Committee discussion:

17:10:44 Rep. Z. Brown
17:10:50 Mr. Mohr
17:11:06 Rep. Z. Brown
17:12:13 Rep. B. Brown
17:13:00 Sen. Cohenour
17:14:06 Rep. Hamlett
17:14:55 Sen. Sesso
17:15:33 Erin Farris-Olsen, Montana Watershed Coordination Council
17:17:18 Rep. Z. Brown
17:17:29 Ms. Farris-Olsen
17:18:03 Rep. Sales

17:18:19 Ms. Farris-Olsen
17:18:52 Sen. Cohenour
17:19:08 Rep. Z. Brown
17:19:49 Rep. B. Brown

Motion/Vote

17:20:29 Sen. Cohenour moved that the next WPIC meeting be held in Dillon on September 10 and 11. The motion carried 8-2 by voice vote with Rep. Glimm and Rep. B. Brown voting no. Sen. Gillespie and Sen. Welborn voted "aye" by proxy.

17:21:30 Rep. Z. Brown opened discussion on the other WPIC meeting dates.
17:21:47 Rep. Morigeau asked about emailing calendar invitations for meeting dates. Mr. Mohr said he can send invitations using Microsoft Outlook.

17:22:58 Rep. Z. Brown said the DNRC is hosting a water summit in March and the committee can decide in January whether it wants to coordinate the March meeting around the water summit.

Committee Contact Information

17:23:44 Mr. Mohr asked the committee members to verify their contact information.
17:23:58 Sen. Cohenour asked that the information be given to all of the committee members.

Public Comment: None

Other Business

17:24:36 Sen. Sesso requested that staff draft a memo to the Drought and Water Supply Advisory Committee asking the chair to include the stakeholders in the Stream Gauge Oversight Work Group.
17:26:56 Mr. Mohr provided recommendations for the stakeholders.

Motion

17:27:14 Sen. Sesso moved to send a letter to the Drought and Water Supply Advisory Committee asking the chair to engage stakeholders in the Stream Gauge Oversight Work Group.

Discussion on the Motion

17:27:29 Rep. B. Brown
17:27:57 Sen. Sesso
17:28:36 Sen. Cohenour
17:29:51 Rep. B. Brown

Vote

17:30:13 The motion carried unanimously by vote voice of those present and voting.

PUBLIC COMMENT ON ANY ISSUE WITHIN THE JURISDICTION OF THE WPIC

None

ADJOURN

17:31:08

Rep. Z. Brown adjourned the meeting at 5:31 p.m.

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