



**TO:** Water Policy Interim Committee  
**FROM:** Department of Natural Resources and Conservation  
**DATE:** August 27, 2020  
**RE:** 2021 Proposed Legislation

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The following is a summary of DNRC's proposed legislation that has been approved through the Executive Planning Process for introduction to the 2021 Montana Legislature. DNRC appreciates WPIC's review of this proposal and consideration for pre-introduction.

**1. Berkley Pit Exemption**

**Division:** Water Resources

**Draft Bill Title:** An Act Amending 85-2-306 and 85-2-336; providing a permit exception for appropriations from the Berkeley Pit.

**Proposal:** The Berkley Pit is in a closed basin and has unique hydrologic and environmental conditions that make it a liability and an asset for natural resource management. The purpose of this legislation is to allow for the beneficial use of water in the Berkley Pit that would otherwise not be available for use and is a significant environmental liability.