



## ENVIRONMENTAL QUALITY COUNCIL 67th Montana Legislature

### SENATE MEMBERS

Pat Flowers  
Steve Hinebauch  
Tom Jacobson  
Mike Lang  
Cary Smith  
Mark Sweeney

### HOUSE MEMBERS

Willis Curdy  
Paul Fielder  
Steve Gunderson  
Jedediah Hinkle  
Jim Keane  
Marilyn Marler

### COMMITTEE STAFF

Joe Carroll - Attorney  
Joe Kolman - Legislative  
Environmental Analyst  
Nadine Spencer - Secretary  
Hope Stockwell - Research  
Analyst

### PUBLIC MEMBERS

John Brenden  
Dave Galt  
Bradley Hamlett  
Monica Tranel  
Mike Freeman, Governor  
Designated Representative

# MINUTES LOG

March 23, 2022  
State Capitol Building, Room 317 and Zoom  
Helena, Montana

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### **MEMBERS PRESENT:**

Sen. Mike Lang, Presiding Officer (R)  
Bradley Hamlett, Vice Presiding Officer  
John Brenden, Public Member  
Rep. Willis Curdy (D)  
Rep. Paul Fielder (R)  
Sen. Pat Flowers (D)  
Dave Galt, Public Member  
Sen. Steve Hinebauch (R)  
Rep. Jedediah Hinkle (R)  
Sen. Tom Jacobson (D)  
Rep. Jim Keane (D)  
Rep. Marilyn Marler (D)  
Sen. Cary Smith (R)  
Sen. Mark Sweeney (D)  
Mike Freeman, Governor Designated Representative

### **MEMBERS EXCUSED:**

Rep. Steve Gunderson (R)  
Monica Tranel, Public Member

**STAFF PRESENT:**

Joe Carroll, Attorney

Joe Kolman, Legislative Environmental Analyst

Nadine Spencer, Secretary

**AGENDA ([Attachment 1](#))****VISITORS' LIST ([Attachment 2](#))****CALL TO ORDER/ROLL CALL**

08:09:16 Sen. Mike Lang called the meeting to order at 8:09 AM. The committee secretary noted the roll.

08:10:25 Sen. Lang commented on the chart the Council received of the U.S. annual heat wave index from 1895 to 2020 showing over 100-degree temperatures for every state in the 1930s. ([Exhibit 1](#))

08:11:28 Sen. Flowers asked Sen. Lang about the heat wave index.

**ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE UPDATE**

08:12:06 Trevor Graff, research analyst, Legislative Services Division (LSD), provided information on the field trip the Energy and Telecommunications Interim Committee (ETIC) took to the Idaho National Laboratory as part of its study on nuclear energy.

08:20:22 Mr. Graff said at the next ETIC meeting the committee will focus on the study of Montana's electric grid capacity. He said the committee will also look at the finances and costs involved in nuclear energy and at regulatory schemes in other states.

08:22:05 Sen. Lang thanked Mr. Graff.

**EQC questions and discussion**

08:22:23 Mr. Hamlett asked Mr. Graff if the committee received information about the amount of water used to cool nuclear reactor facilities and the danger involved.

**WILDFIRE BEHAVIOR AND MITIGATION**

08:24:11 Joe Kolman, legislative environmental analyst, LSD, provided an introduction.

**Philip Higuera, Professor of Fire Ecology, University of Montana College of Forestry & Conservation**

08:24:54 Mr. Higuera. ([Exhibit 2](#))

08:27:21 Sen. Jacobson entered the meeting.

08:33:44 Sen. Lang asked Mr. Higuera if his references include both forest and grassland in Montana.

08:34:07 Mr. Higuera continued his presentation.

**EQC questions and discussion**

None

**Mark A. Finney, Ph.D. Research Forester USDA Forest Service Missoula Fire Sciences Laboratory, Rocky Mountain Research Station**

08:41:51 Mr. Finney. (Exhibit 3)

**EQC questions and discussion**

None

**John Radke Landscape Architecture and Environmental Planning, City and Regional Planning Center for Catastrophic Risk Management University of California, Berkeley**

08:56:53 Mr. Radke. (Exhibit 4)

**EQC questions and discussion**

09:17:17 Rep. Fielder asked Mr. Finney if he has noticed a difference in fire spread or fire suppression since the U.S. Forest Service (USFS) began its road management program to remove much of the road system within the national forest.

09:18:10 Rep. Fielder asked Mr. Finney if taking out a road system removes a natural fire break and hinders access.

09:20:27 Rep. Hinkle asked Mr. Finney if closing fewer interior roads would result in better access for prescribed burning.

09:21:38 Sen. Lang said most of the problem is caused by building outside of cities and into forested land. He said legislative action does not mean much in how wildfire burns, and the Council needs to be thoughtful about working with state and federal agencies to prevent forest fires.

09:23:51 Rep. Keane asked Mr. Higurea about the area to focus on to prevent fires.

09:26:16 Rep. Keane commented on the approach taken in New Zealand and said he recommends looking at the efforts taken by other countries.

09:27:53 Mr. Higurea agreed and said the U.S. is not alone in the challenges it faces.

09:28:59 Sen. Hinebauch commented on fires caused by powerlines.

09:29:45 Mr. Brenden commented on the percentage of fires caused by humans. Sen. Lang said people need to be accountable.

09:32:10 Rep. Marler said there needs to be an emphasis on personal responsibility. She said indigenous nations in North America had very different relationships with fire on the landscape and a lot could be learned from traditional methods of fire and forest management.

09:34:00 Sen. Flowers said he appreciated the presentations and the suggestion that the state needs to prioritize where to apply management treatments. He said Montana has 120-years of fuel buildup because of fire management practices and asked how the state can solve the wildfire crisis it is in now through increased logging and fuel treatment on a broad scale.

09:35:31 Mr. Higurea.

09:37:42 Mr. Finney.

09:39:21 Sen. Lang said one of the underlying problems is smoke inhalation from wildfire and prescribed burns.

09:39:46 Sen. Flowers asked about the expected increase in global temperatures and how that will affect weather and fire behavior.

09:40:26 Mr. Higurea.

09:42:14 Rep. Hinkle commented on preemptive wildfire management and issues regarding the Equal Access to Justice Act.

09:44:07 Rep. Keane asked Mr. Higuera about vapor pressure deficit. [\(Exhibit 5\)](#)

09:47:17 Sen. Lang said state and federal agencies need a better way to inform people about extreme fire danger.

09:48:29 Rep. Fielder said it may take decades to fix problems associated with the intensity and the magnitude of wildfires. He recommended harvesting timber rather than doing prescribed burns because of the health effects related to smoke.

09:52:23 Sen. Flowers said the legislature has a responsibility to future generations and needs to focus on how to mitigate the implications associated with projected temperature increases and find ways to reduce the amount of carbon released into the air.

09:53:44 Mr. Hamlett said in the year 2019 California and Montana had a significant decrease in fire activity and acres burned. He asked about the reason for the decrease.

09:54:14 Mr. Higuera provided information on quiet fire seasons.

09:55:37 Rep. Curdy thanked the presenters and said he appreciates the work being done.

09:56:45 Mr. Hamlett asked if there will ever be a study done on the effect that road closures have on initial attack and prescribed burns. Mr. Finney said he was unaware of any studies being done.

09:57:45 Mr. Hamlett asked Mr. Finney why structures burn in some fires and vegetation does not.

09:59:23 Mr. Hamlett asked about the ability to identify critical areas that need the most treatment and ideas for moving forward.

10:00:17 Mr. Finney.

10:01:33 Mr. Radke.

10:05:21 Mr. Hamlett asked about access issues.

10:06:25 Mr. Higuera.

10:09:54 Mr. Hamlett asked about the negative effects of carbon dioxide and the release of soot into the atmosphere from wildfires.

10:10:18 Mr. Higuera.

10:13:46 Mr. Finney.

10:14:49 Rep. Hinkle asked Mr. Finney about the good neighbor authority and the ability for the state to harvest timber and do prescribed burns along access roads through federal land.

10:17:28 Rep. Hinkle asked Mr. Finney to provide information to staff.

10:18:01 Sen. Jacobson commented on addressing the issue and the need for responsible harvest, strategic access, and targeted prevention. He asked about Council action and moving forward on a fire mitigation plan.

10:20:12 Sen. Lang commented on the need for state and federal agencies to work on a plan together, with the legislature, to protect the assets and resources of Montana. He encouraged members of the EQC to create an outline of ideas.

#### **Public comment**

10:22:09 KC York, Trap Free Montana

10:25:53 Recess

10:38:50 Reconvene

## **FIRE SEASON & WATER SUPPLY UPDATE**

- 10:39:05 Sonya Germann, Forestry Division administrator, Department of Natural Resources and Conservation (DNRC), provided an update on the fire season.
- 10:41:43 Ms. Germann provided answers to Council member questions from the January meeting. She discussed the ability to bring in and share resources with other states.
- 10:44:06 Ms. Germann provided information on whether the state can build the capacity to stand up more Type 3 incident management teams.
- 10:47:39 Ms. Germann introduced Matt Hall, Fire Protection Bureau chief.

## **EQC questions and discussion**

- 10:48:21 Mr. Galt asked Ms. Germann if the initial attack policy, issued August 6, 2021, is still in effect. He asked what the DNRC can or cannot do when a fire is on federal land.
- 10:50:51 Rep. Curdy asked Ms. Germann if the DNRC is having any trouble hiring firefighters and will be able to fully staff fire crews.
- 10:54:43 Rep. Curdy asked Ms. Germann about hiring incentives and hazard pay.
- 10:56:05 Ms. Germann provided information on the cost to purchase a water scooper.
- 10:58:05 Rep. Hinkle asked Ms. Germann about the cost to contract water scoopers from Canada or other states.
- 11:01:54 Rep. Hinkle asked Ms. Germann about the average amount the state spends on contract costs.
- 11:02:59 Sen. Lang asked Ms. Germann about the amount of money the state can generate by loaning out aviation resources.

## **Public comment**

None

## **EQC questions and discussion continued**

- 11:04:27 Mr. Hamlett asked about the Helena area and if the DNRC or local fire departments can respond to initial attack on forest service land.
- 11:06:02 Sen. Lang asked Ms. Germann about working with federal agencies to manage fires.
- 11:07:41 Sen. Lang asked Ms. Germann about DNRC plans to help mitigate fire reduction in Montana and what the legislature can do to bridge the gaps.
- 11:12:51 Mr. Hamlett asked Ms. Germann if she has met with Bill Avey, former supervisor, Helena National Forest recently.

## **FEDERAL LAND MANAGEMENT AND STATE COORDINATION**

### **Acting State Director Theresa Hanley, Bureau of Land Management**

- 11:14:22 Ms. Hanley.

## **EQC questions and discussion**

- 11:28:05 Rep. Curdy asked Ms. Hanley about hiring for the fire season.
- 11:31:19 Rep. Curdy asked Ms. Hanley about enhancing water storage and if the BLM has an inventory of all its stock ponds on BLM administered land in Montana.

11:32:32 Rep. Curdy asked Ms. Hanley to provide an inventory of stock ponds and plans to rehabilitate any stock ponds for grazing and use during fire season.

11:34:06 Mr. Galt disclosed that he was the executive director of the Montana Petroleum Association until 2015 and still performs contract work. He asked Ms. Hanley about the federal lease sale notice for 3,500 acres in Powder River County that was deferred pending completion of three items and if those items had been completed.

11:36:58 Mr. Galt asked Ms. Hanley if there will be an oil and gas lease sale in Montana in 2022.

11:38:50 Mr. Freeman asked Ms. Hanley about the extent litigation has on decisions made by the BLM.

11:41:49 Mr. Freeman asked Ms. Hanley what the BLM is doing to try and lessen the impact of litigation.

11:44:38 Rep. Fielder asked Ms. Hanley if the permitting process for oil and gas leases moves more quickly through the BLM process or through the state process and why.

11:47:25 Rep. Hinkle asked Ms. Hanley about public access and if the BLM has been consolidating land to pursue public access or through easements.

11:50:44 Rep. Hinkle asked Ms. Hanley about BLM's success rate for pursuing access.

11:51:39 Mr. Hamlett asked Ms. Hanley about access for volunteer fire departments and the DNRC to BLM property for initial attack.

11:53:03 Mr. Hamlett asked Ms. Hanley if the BLM allows a current leaser to remove non-natural structures that contain water.

11:55:12 Mr. Hamlett asked Ms. Hanley to provide information on stock ponds have been created or removed from BLM property.

11:55:33 Mr. Hamlett asked Ms. Hanley if the public has the right to access BLM land through a leaser's land.

11:56:46 Mr. Hamlett asked Ms. Hanley if there is an inventory of the number of wolves and grizzly bears on BLM land.

11:57:53 Sen. Lang asked Ben Conrad, U.S. Fish and Wildlife Service (USFWS), if he is available to give his presentation after the lunch break. He said the rule review presentation will be moved to the end of the agenda.

11:58:50 Sen. Lang thanked the BLM for its support of the Montana Sage Grouse Oversight Team (MSGOT) and the Montana sage grouse plan.

11:59:27 Sen. Lang asked Ms. Hanley about the Federal Land Management Policy Act and working with people at the local level.

12:01:04 Sen. Lang asked Ms. Hanley to compare the weight of local versus non-local input on management decisions.

12:02:52 Sen. Lang asked Ms. Hanley how wildlife management fits into grazing allotment reductions and water use and availability.

12:05:23 Sen. Lang asked Ms. Hanley about the level of environmental assessment required for fence maintenance and fence reconstruction.

12:07:01 Sen. Lang asked Ms. Hanley to provide information about fence maintenance done by the BLM in Phillips County.

12:07:44 Sen. Lang asked Ms. Hanley when the record of decision will be finalized on the application for season long grazing by American Prairie.

12:09:32 Sen. Lang thanked Ms. Hanley for the BLM's support on sage grouse.

12:09:45 Mr. Hamlett asked Ms. Hanley if the BLM's multiple use doctrine helps when the agency is challenged in court.

12:11:15 Recess for lunch  
12:46:16 Reconvene

## **FEDERAL LAND MANAGEMENT AND STATE COORDINATION CONTINUED**

### **Acting Supervisor Ben Conrad. U.S. Fish and Wildlife Service Montana Ecological Services Office**

12:46:27 Mr. Conrad provided information on the USFWS ecological services program.

### **EQC questions and discussion**

12:49:37 Sen. Lang asked Mr. Conrad about avian predation on sage grouse chicks and if he had any information on a proposal to control ravens in Idaho and if it was ever proposed in Montana.

12:50:26 Mr. Hamlett asked Mr. Conrad about grizzly bears in Montana.

12:51:02 Mr. Hamlett asked Mr. Conrad if the USFWS includes the bears range into Canada and the Cabinet Wilderness Area.

12:51:59 Mr. Hamlett asked Mr. Conrad about the range of grizzly bears in eastern Montana and if they are present in the Charles M. Russell National Wildlife Refuge.

12:52:26 Rep. Fielder asked Mr. Conrad about the Cabinet-Yaak grizzly bear recovery zone and individual bear management units in the recovery zone.

12:55:18 Rep. Fielder said the grizzly bear recovery plan, including the Cabinet-Yaak recovery area, was written in 1993 and the recovery goals were based on data from radio telemetry and not GPS collars. He asked Mr. Conrad if there are any plans to update the grizzly bear recovery plan to better reflect current information and redefine the recovery goal.

12:58:12 Sen. Lang asked Mr. Conrad how wildfire and smoke has influenced USFWS studies on the Endangered Species Act in Montana.

12:59:52 Sen. Flowers asked Mr. Conrad to provide an update on the response of the USFWS to the petition to relist wolves in the northern Rockies.

13:00:43 Sen. Lang asked Mr. Conrad to provide an update as details become available.

### **FWP**

13:01:44 Hank Warsech, director, Department of Fish, Wildlife, and Parks (FWP), said FWP has a good working relationship with the BLM and the USFWS coordinating federal land management.

## **AGENCY UPDATES FROM DIRECTORS**

### **FWP**

13:02:40 Mr. Warsech.

### **EQC questions and discussion**

13:03:35 Sen. Flowers asked Mr. Warsech to provide an update at the next EQC meeting on the Habitat Montana program.

13:05:05 Rep. Curdy asked Mr. Warsech about FWP's relationship with the USFWS to relocate grizzly bears out of urban areas.

13:07:01 Rep. Curdy asked Mr. Warsech about working with the Montana Department of Transportation to add more wildlife crossings on Interstate 15 and Interstate 90.

13:09:21 Sen. Smith asked Mr. Worsech about the status of the trapper education safety program established in SB60 (2021).

13:10:16 Rep. Marler said legislation passed in 2021 allows black bear hunters to use hounds. She asked Mr. Worsech if FWP intended for the new hunting license to automatically include a hound training license and if it will make it hard to gauge interest in hound hunting.

13:11:44 Rep. Marler said the sportsman license comes with a black bear license but does not specifically mention hounds. She recommended that it be standardized so it is consistent.

13:12:49 Rep. Marler asked Mr. Worsech for an update on the non-target animal trapping and snare results.

13:14:17 Rep. Fielder asked Mr. Worsech about progress on redefining the boundaries of lynx protective zones.

13:15:44 Rep. Fielder asked Mr. Worsech if the department is considering any options to meet the intent of the wolf management plan to reduce the wolf population in Montana.

13:17:37 Sen. Jacobson asked Mr. Worsech about the biennium budget goals and priorities for FWP. Mr. Worsech redirected the question to Dustin Temple, deputy director, FWP. [\(Exhibit 6\)](#)

13:19:11 Sen. Jacobson asked Mr. Temple about the status of the fish cleaning stations at Tiber and Canyon Ferry reservoirs.

13:20:33 Mr. Temple provided information regarding Sen. Smith's earlier question about the status of the trapper education safety program.

13:20:55 Mr. Temple said there is no bear license or any other license that automatically gives a hunter a hound training license.

13:21:13 Sen. Jacobson asked Mr. Worsech about special revenue accounts within FWP and if there is any direction regarding how much is needed to be fiscally prudent and what should be done with any extra.

13:24:38 Mr. Brenden asked Mr. Worsech about the budget for spraying noxious weeds.

13:26:39 Sen. Flowers asked Mr. Worsech if all designated lynx and grizzly bear habitat was excluded when the department set the boundaries for snaring during the season setting process.

13:27:27 Mr. Hamlett asked Mr. Worsech how far east of the continental divide grizzly bears have moved.

13:28:10 Mr. Hamlett asked Mr. Worsech about the grizzly bear population for the northern continental divide area.

13:28:32 Mr. Hamlett asked Mr. Worsech about the Durfee Hills hunting area.

13:30:10 Rep. Curdy asked Mr. Hamlett about the airstrip near Durfee Hills.

13:31:24 Mr. Worsech said people are not allowed to hunt the same day they fly into an area.

13:31:53 Sen. Lang asked Mr. Worsech about the number of acres in Durfee Hills.

## **FEDERAL LAND MANAGEMENT AND STATE COORDINATION**

### **DNRC**

13:32:50 Amanda Kaster, director, DNRC. [\(Exhibit 7\)](#)



## **AGENCY UPDATES FROM DIRECTORS**

### **DNRC**

13:35:55 Ms. Kaster.

### **EQC questions and discussion**

13:38:07 Mr. Brenden asked Ms. Kaster about the appraisal process for the sale of state land including land banking.

### **Public comment**

None

### **EQC questions and discussion continued**

13:39:29 Mr. Hamlett asked Ms. Kaster about the status of the lawsuit related to HB286 (2019).  
13:40:42 Mr. Hamlett asked Ms. Kaster about access for state land leases.  
13:42:33 Sen. Lang commented on how an objection brought by a lease holder in his area was settled.  
13:43:28 Rep. Curdy asked Ms. Kaster about the DNRC's role in administering water right adjudications after the Water Court issues the final decrees and if the department will have the capacity to administer all the water right changes.  
13:45:13 Rep. Curdy asked Ms. Kaster if the supreme court decision in *Dept. of State Lands v Pettibone* is still considered good water law.  
13:45:37 Rep. Curdy asked Ms. Kaster about the status on a lease for a vacant parcel of land in Missoula.  
13:46:48 Mr. Hamlett asked Ms. Kaster about the role of the DNRC in water management and if the DNRC should become the enforcement agency for water rights.  
13:47:55 Mr. Hamlett asked Ms. Kaster to provide an update on stakeholder meetings regarding the role of the DNRC for water management in the state to staff.  
13:48:11 Sen. Lang asked Ms. Hanley who owns the water right when a person with a grazing lease creates a pit for stock water on BLM land.

### **DEQ**

13:50:41 Chris Dorrington, director, Department of Environmental Quality (DEQ).

### **Questions/discussion**

13:56:26 Sen. Flowers asked Mr. Dorrington if changing to a narrative nutrient standard will address non-point source pollution.  
13:59:00 Sen. Flowers said the narrative standard must be approved by the EPA. He asked Mr. Dorrington if the EPA has indicated how it views Montana going away from a numeric standard to a narrative standard.  
14:01:18 Sen. Flowers asked Mr. Dorrington if the process to go from a numeric to a narrative standard will also address changing the beneficial uses and if the EPA is aware that it is being considered.  
14:02:20 Sen. Hinebauch asked Mr. Dorrington about the cost to have a septic tank approved.  
14:06:57 Mr. Brenden commented on septic systems in Washington and Oregon that are conducive to lake shore property and asked Mr. Dorrington to find out more information.

14:09:18 Mr. Hamlett asked Mr. Dorrington about the status of a lawsuit filed against the state because of poor air quality due to wildfires.  
14:11:01 Sen. Lang thanked Mr. Dorrington.

**PUBLIC COMMENT ON ANY MATTER NOT ON AGENDA BUT WITHIN THE JURISDICTION OF EQC**

None

**NEXT STEPS FOR HJ27 CONSERVATION DISTRICT STUDY**

14:11:35 Sen. Lang opened discussion on next steps.  
14:12:01 Sen. Flowers said he talked to Ms. Boslough about receiving a detailed description of budgetary needs.  
14:12:55 Sen. Lang asked about information for the meeting in May.  
14:13:23 Mr. Brenden recommended moving forward sooner rather than later.  
14:13:36 Rep. Curdy asked about a shortfall for this fiscal year. He also asked about contacting the budget director about using money from the American Rescue Plan Act (ARPA) for a part of the next biennium.  
14:14:37 Rep. Keane said the ARPA money is already committed for projects in the state and cannot be used to plug holes in state government funding. He said there was a push on the marijuana funding tax to do something for the environment and is an ongoing source of revenue for conservation districts.  
14:16:35 Sen. Flowers said he supports using the tax money from marijuana if it was targeted to go into the general fund.  
14:17:10 Rep. Keane said he agrees money should come out of the general fund and not from other committed portions.  
14:18:09 Sen. Lang asked Mr. Kolman if he had a breakdown of the money distribution in HB701 (2021).  
14:20:31 Sen. Lang asked about directing Mr. Kolman to analyze exactly what the conservation districts need and about continuing to get portions of funding from the coal trust fund.  
14:21:20 Sen. Keane said he recommends continuing to receive funding from the coal trust. He said the Council needs a better projection on tax collections from marijuana and what percentage of marijuana money that would go to the general fund would go to conservation districts to fill the funding hole.  
14:23:15 Sen. Hinebauch said he recommends using money from Habitat Montana and the marijuana tax.  
14:23:49 Mr. Hamlett said he recommends accessing either a percentage or a fixed amount of the marijuana money and to also look at accumulating a trust fund to handle emergencies. He said he does not recommend taking money from Habitat Montana.  
14:25:26 Rep. Hinkle said he did not know if conservation districts located in areas of the state that did not support marijuana will want to utilize the money generated.  
14:26:29 Mr. Brenden said Daniels County did not support marijuana sales, but probably would not be opposed to using the money for funding conservation districts. He commented on getting information on the realistic amount of money needed by conservation districts and agreed with the idea to set aside money for emergencies.  
14:28:05 Sen. Lang asked Mr. Brenden who should oversee the money being set aside for emergencies.

14:28:41 Rep. Marler said she does not support using the money allocated to Habitat Montana but does support using the marijuana tax.

14:29:29 Sen. Lang said a lot of cities and counties that received coal money did not support coal.

14:29:48 Sen. Flowers asked Rebecca Boslough, Montana Association of Conservation Districts (MACD), if she can survey district supervisors to find out whether they would be willing to accept the money if their counties did not support marijuana.

14:30:21 Ms. Boslough said MACD has already surveyed districts and a super majority of districts said yes.

14:31:06 Sen. Flowers said existing coal tax funds could be earmarked to counties that are not comfortable taking money from the marijuana tax.

14:31:33 Sen. Lang asked Ms. Boslough about the need for an audit of MACD and conservation districts.

14:33:47 Sen. Lang said money in the bill draft would go to the DNRC to distribute to conservation districts.

14:34:03 Rep. Keane asked Mr. Kolman about the need for an audit.

14:36:46 Sen. Lang asked Mr. Kolman about how the money conservation districts receives is disbursed and whether it is in statute or at the discretion of the DNRC.

14:38:02 Mr. Hamlett said conservation districts will be accessing new dollars from the general fund.

14:38:39 Rep. Keane recommended contacting the audit division to find out how much money goes to conservation districts and how much goes the DNRC to operate the program. Sen. Lang said Mr. Kolman can find out.

14:39:56 Mr. Hamlett said it is pass through money that goes into the DNRC account and is then distributed.

14:40:20 Sen. Lang asked Mr. Kolman if he had any questions about the direction given by the Council. Mr. Kolman said he will reach out to the DNRC and work with the conservation districts. He said part of the charge of the DNRC is to provide technical guidance and serve as an administrator for conservation districts.

14:41:05 Sen. Lang commented on his experience on the conservation district in Phillips County and the administrative costs for the DNRC staff to provide help.

14:41:34 Mr. Kolman said he will prepare a couple of bill draft options.

14:41:52 Sen. Lang asked Mr. Kolman to include hard numbers and a percentage.

14:42:04 Rep. Keane agreed.

### **RULE REVIEW**

14:42:33 Joe Carroll, staff attorney, LSD, discussed the administrative rule memo ([Exhibit 8](#)) and two additional rules.

### **EQC questions and discussion**

14:45:21 Rep. Keane said he recommends receiving information at the next meeting about money that may be available for the aquatic invasive species (AIS) program after the elimination of the watercraft inspection requirements at Tiber reservoir. He said he would like to receive an update on all the inspection station locations.

14:46:29 Rep. Curdy agreed and said he would like information about extending some of the inspection station hours.

14:47:09 Sen. Lang said he recommends looking at the amount of traffic going into Fort Peck and Yellowtail dams.

14:47:31 Rep. Curdy said to include information about extending hours at the Nashua inspection station as well.  
14:47:47 Sen. Lang thanked the Council and staff.

**ADJOURNMENT**

14:48:26 Sen. Lang adjourned the meeting at 2:48 p.m.