



# Water Policy Interim Committee

67th Montana Legislature

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## COMMITTEE STAFF

JOE CARROLL, legal staff  
JASON MOHR, lead staff  
NADINE SPENCER, secretary

FINAL agenda

# Water Policy Interim Committee

May 17-18, 2022

Room 137

Agenda times are approximate

## Tuesday, May 17

1 p.m. Call to order

- Roll call
- Meeting overview—Mr. Mohr

1:05 p.m. Adjudication update (85-2-436, MCA) *(Tab 1)*

- Laura Hinck, supervisor, Adjudication Bureau (Department of Natural Resources and Conservation)
- Water Court
- Public comment
- Committee discussion and action, if necessary

1:30 p.m. Clarification of combined appropriation guidance *(Tab 2)*

- Nate Ward, specialist, New Appropriations Program (DNRC)
- Public comment
- Committee discussion and action, if necessary

2 p.m. Discussion of litigation related to H.B. 286 (Revise water right laws related to state water claims (2019)) *(Tab 3)*

- Brian Bramblett, chief legal counsel (DNRC)
- Public comment
- Committee discussion and action, if necessary

2:30 p.m. Drought and Water Supply Advisory Committee report to the governor *(Tab 4)*

- Michael Downey, supervisor Water Planning Section (DNRC)

- Public comment
- Committee discussion and action, if necessary

3 p.m. Update on Waters of the United States rulemaking (*Tab 5*)

- Mr. Mohr
- Public comment
- Committee discussion and action, if necessary

3:30 p.m. Test flows from Fort Peck Dam (*Tab 6*)

- Joe Bonneau, manager, Missouri River Recovery Program (U.S. Army Corps of Engineers)
- Missouri River Conservation Districts Council
- Public comment
- Committee discussion and action, if necessary

4 p.m. Agency rulemaking update (*Tab 7*)

- Joe Carroll, legislative attorney, Legal Services Office
- Public comment
- Committee discussion and action, if necessary

4:30 p.m. Recess

## **Wednesday, May 18**

8:30 a.m. Reconvene

8:35 a.m. Study of Flathead River erosion (SJ28) (*Tab 8*)

- Operation of the Selis Ksanka Qlispe Dam
  - Travis Togo, chief commercial officer, Energy Keepers Inc.
- Recommendations from the Flathead Conservation District
  - Samantha Tappendeck, interim resource conservationist, FCD
- Review of study progress: Draft report findings
  - Mr. Mohr
- Committee discussion and action, if necessary

10 a.m. Lead in school water fixtures

- Greg Montgomery, drinking water scientist (Department of Environmental Quality)
- Public comment
- Committee discussion and action, if necessary

10:30 a.m. Update on narrative nutrient rulemaking

- DEQ
- Public comment
- Committee discussion and action, if necessary

11 a.m. Study of selenium standards for Lake Koocanusa (HJ37): Written findings in response to BER stringency review (75-5-203, MCA) *(Tab 9)*

- DEQ
- Review of study progress: Draft report findings
  - Mr. Mohr
- Public comment
- Committee discussion and action, if necessary

11:30 a.m. Administrative matters

- Future meeting dates
- Directions to staff

Noon Adjourn

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During times set aside for public comment on the agenda, members of the public who have joined by Zoom may "raise their hand" and participate after being recognized by the presiding officer or Zoom manager. Comments will be taken in order. Written public comment may be sent via email in advance of the meeting to [jasonmohr@mt.gov](mailto:jasonmohr@mt.gov) and will be provided to committee members. Any oral or written public comment provided to the committee is a public record that is recorded, archived, and available on the web.

The Montana Legislative Services Division will make reasonable accommodations for persons with disabilities who wish to participate in this public meeting. For questions about accessibility or to request accommodations, please contact Jason Mohr ([jasonmohr@mt.gov](mailto:jasonmohr@mt.gov), (406)444-1640) as soon as possible before the meeting date.