

Not an inclusive list!! Need more input from EQC Members! I would even like more input from Agencies on areas/topics they would like to have EQC investigate or have a conversation about.

1. Northwestern Energy 2023 Integrated Resource Plan includes Pumped Storage Hydro - More info on pumped Hydro – ETIC – Katie Zolnikov report back to EQC
2. Study MEPA – Changes? Amendments?
3. Black Butte mine tour – All set up, just need a date and time that works for everyone.
4. Stillwater mine tour
5. Greater Sage Grouse ESA relisting FAR vol 88 # 81
6. DEQ Algae bloom in the Yellowstone and Gallatin rivers. Report Status and outcome to EQC over the interim
7. Study recreational agreement on private timberlands owned by Stoltze, Green Diamond and others
8. State-wide Natural Resource plan – require coordination between Federal and State agencies concerning fire, mining, oil and gas, renewable energy resources and infrastructure, endangered species, predator species, etc.
9. Study split estates impacts on conservation easements –
10. Study on federal mining compact – Historic mining districts
11. FWP pheasant program status and update and study – implement legislation to protect the program through anticipated
14. HB 364, SB 240, “high quality waters”, and local review/permitting of municipal sanitary facilities oversight – question why not being implemented - reviews for past due applications
15. Field trip to Libby
 - a. WR Grace KDID and Spillway projects
 - b. NRDP program for Libby
 - c. Selenium Standard impacts and HB473
 - d. CWD Status Local and State-wide
 - e. Good Neighbor projects and current litigation
 - f. WUI litigation vs. Habitat security/safety
 - g. Libby Dam/Lake Koocanusa operations
 - h. Update from Hecla on Rock Creek and Montanore projects. Montanore tour
 - i. Troy Mine Reclamation / Grizzly bear habitat restoration
16. Selenium levels and effects on aquatic life outside the Kootenai River basin
17. Petroleum tank program funding – Brad Longcake
18. HJ18 Smurfit Stone make last EQC meeting a public meeting onsite at Smurfit to “Help establish/set up framework of LASOC type committee in anticipation of EPA Superfund site designation – “give them the keys to the committee””
19. Rare earth mineral prospecting and mining in the State. Rare Earth Elements and Critical Minerals: have MBMG give a presentation on their mapping efforts statewide to identify these resources. Perhaps have the US Critical Materials group that is looking at exploration in the Bitterroots come present. Also, Montana Resources is working with MMA and others to explore the feasibility of taking REEs out of the Berkeley Pit.
- 20.
21. Revisit Senator Vincent change to WIPIC oversight of water – water quality - EQC? Water quantity - WPIC? What determines? What water issues should be in the purview of EQC?
22. Revisit SB72 are there acceptable changes that can be proposed?
23. Exempt wells
24. Nutrients and Nutrient standards

25. Grizzly Bear recovery / State Grizzly Bear Management
26. SB 240, "high quality waters", and local review/permitting of municipal sanitary facilities
27. Categorical Exclusion from MEPA EA requirements for Coal Permit Minor Revisions
 - a. Current law requires that if there is ANY human impact by a project where a minor revision is required, but has no significant mining impact (e.g., the movement of a road), then DEQ is still required to do an Environmental Assessment (EA). EA's are often subjective and therefore open to interpretation and challenge in courts, which could lead to a minor revision potentially impacting the entire permit. Additionally, they can be costly and time consuming for the Agency. Propose to revise the MCA under Title 75 to add this categorical exclusion to avoid this issue and streamline the process for minor revisions.
28. Coal Severance Tax Trust Fund (Portion to Adjust DEQ and other Permitting Agency Salaries to Reflect Pay Parity with Industry for Professional Staff
 - a. Recruiting and retention of professional staff at DEQ has been difficult and very often DEQ is understaffed or cannot recruit or retain qualified and experienced professional staff (lawyers, hydrologists, etc). We proposed to modify the State's compensation to allow certain staff to achieve pay parity (competitive pay) with industry to solve this issue (similar how the Federal government's SEC has pay parity for lawyers). We propose to fund these increases by carving out a small portion of the Coal Severance Tax Trust fund for these specific positions.
29. Allow data modeling in lieu of physically sampling sediment at Phase 4 bond release.
 - a. Once demonstrated at Phase 2 (Vegetation growth established and trending towards Phase 3) the requirement for sediment data on all drainages should be eliminated. Once drainages have been moved into Western Alkaline, MPDES no longer requires sampling, yet MSUMRA does.
30. xDetermine a path forward for warning letters.
 - a. Change 82-4-251 MCA to include warning letters that if corrected will not result in a Notice of Non-Compliance or inclusion in the Applicator Violator System. If a warning letter cannot be utilized develop language that directs DEQ to "vacate" if complied with in 90 days.
31. xProtection from not maintaining the required 10 year/24-hour capacities after storm events.
 - a. Define an amount of time between rain events that do not meet the 10 year/24-hour storm event to return the ponds to the appropriate capacity levels.
32. xBonding – Formalize the method of calculation.
 - a. Include all available equipment that a contractor could use. Draglines, large shovels, large haul trucks, etc.
 - b. Establish rates for each piece of equipment based on local markets or nearby coal producing States and not handbooks.
33. Cleanup of old bills.
 34. Montana Tunnels debrief/evaluation report: What can we do (legislative, other) to prevent similar situations (e.g., DEQ unable to forfeit/acquire bonding due to bankruptcy) in the future? Also could revisit HB460 to have a discussion on how we can implement it to Jefferson County and Montana's economic benefit. Tunnels is a relatively clean site environmentally and has a viable polymetallic resource of Gold, silver, lead and zinc, which is a critical mineral.

35. On Libby Field Trip: include an and take a field trip to Montanore/Troy mines
36. Federal Rules/Regs and how they affect MT Mining: WOTUS, interagency Working Group on Mining Reform, BLM/FS conservation rules, WSAs/Mineral Withdrawals/USFWS Conservation Areas, and IMCC, of which MDEQ is now a voting member as a result of SB55. I can get National Mining Association to present via Zoom if you guys want to tackle this item in depth. I think it would be a really good discussion.
37. DEQ Nutrient Rules
38. And we as an association committed to working with DEQ on the following this interim:
39. DEQ Rule Making on HB 347 Administrative Deficiency process.
40. HB170 NRO sunset and Hard Rock Mining Fees adjustments
41. Re-definition of Complete and Abandoned in MMRA.
- 42.

A handwritten signature in black ink, appearing to be "R. H. [unclear]", written in a cursive style.