



## ENVIRONMENTAL QUALITY COUNCIL 68th Montana Legislature

### SENATE MEMBERS

Dan Bartel  
Bob Brown  
Willis Curdy  
Pat Flowers  
Steve Hinebaugh  
Theresa Manzella

### HOUSE MEMBERS

Paul Fielder  
Steve Gunderson  
Jedediah Hinkle  
Jonathan Karlen  
Rhonda Knudsen  
Marilyn Marler

### PUBLIC MEMBERS

Mike Freeman  
Dave Galt  
Jim Keane  
Jon Metropoulos  
Dan Vermillion

### COMMITTEE STAFF

Jason Mohr, Research Analyst  
Joe Carroll, Attorney  
Katy Callon, Research Analyst  
Jolanda Songer - Secretary

# MINUTES LOG

January 19, 2024

Helena, Montana

Please note: This document is a Minutes Log and provides annotation 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 recording 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 the 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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### **MEMBERS PRESENT:**

Rep. Steve Gunderson, Chair (R)  
Sen. Willis Curdy, Vice Chair (D)  
Sen. Bob Brown (R)  
Rep. Paul Fielder (R) – Via Zoom  
Sen. Pat Flowers (D)  
Sen. Steve Hinebaugh (R) – Via Zoom  
Rep. Jedediah Hinkle (R) – Via Zoom  
Rep. Jonathan Karlen (D)  
Rep. Rhonda Knudsen (R)  
Sen. Theresa Manzella (R) – Via Zoom  
Rep. Marilyn Marler (D)

### **MEMBERS EXCUSED:**

Sen. Dan Bartel (R)

### **MEMBERS ABSENT:**

**STAFF PRESENT:**

Jason Mohr, Research Analyst  
Joe Carroll, Attorney  
Katy Callon, Research Analyst  
Jolanda Songer, Secretary

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

09:02:17 Presiding Officer Gunderson called the meeting to order at 9:02 AM.

**STATE DROUGHT PLAN****Department of Natural Resources and Conservation (DNRC)**

09:02:53 Valerie Kurth, Water Resource Planner, Planning, Implementation and  
Communications Bureau, DNRC  
[EXHIBIT 8](#)

**Public Comment on State Drought Plan**

09:18:31 Clayton Elliott, Conservation and Government Affairs Director, Montana Trout  
Unlimited.

**Committee Questions and Discussion**

09:22:49 Presiding Officer Gunderson

09:23:45 Sen. Flowers directed a question to Valerie Kurth.

09:26:37 Anna Pakenham Stevenson, Division Administrator, DNRC

09:27:30 Vice Presiding Officer Curdy

09:28:39 Council Member Keane directed a question to Clayton Elliott.

09:34:36 Jason Mohr

09:35:09 Council member Metropoulos directed a question to Valerie Kurth.

09:38:10 Sen. Brown directed a question to Valerie Kurth.

**STATE-FEDERAL COOPERATION AND GOOD NEIGHBOR AUTHORITY**

09:40:01 Amanda Kaster, Director, DNRC

09:44:31 Wyatt Frampton, Deputy Administrator, Forestry Division, DNRC  
[EXHIBIT 9](#)

09:52:32 Leanne Marten, Regional Forester, USFS Region 1

09:59:49 Clayton Elliott, Conservation and Government Affairs Director, Montana Trout Unlimited.

10:06:21 Paul McKenzie, Vice President and General Manager, Stoltze Land and Lumber Co.

10:14:25 Julia Altemus, Executive Director, Montana Wood Products Association  
[EXHIBIT 10](#)

10:19:19 Jason Todhunter, Montana Logging Association

10:22:40 Director Kaster

10:24:02 Katie Devlin, Policy Administrator for Sen. Daines

10:28:36 Austin Bray, Legislative Assistant for Rep. Zinke

10:32:29 Director Kaster

**Public Comment on State-Federal Cooperation and Good Neighbor Authority**

10:34:10 None

**Committee Questions and Discussion**

10:34:28 Mike Freeman

10:35:09 Rep. Marler directed a question to Director Kaster.

10:37:36 Rep. Karlen directed a question to Director Kaster.

10:38:56 Wyatt Frampton

10:40:14 Sen. Brown directed a question to Leanne Marten.

10:43:24 Sen. Brown directed a question to Director Kaster.

10:43:50 Jason Todhunter

10:44:54 Vice Presiding Officer Curdy directed a question to Wyatt Frampton.

10:49:20 Leanne Marten

10:50:48 Presiding Officer Gunderson directed a question to Leanne Marten.

10:53:18 Sen. Flowers directed a question to Leanne Marten.

10:58:39 Sen. Flowers directed a question to Director Kaster.

10:59:59 Wyatt Frampton

11:04:57 Council Member Keane directed a question to Leanne Marten.

11:08:09 Sen. Brown requested information from Leanne Marten.

11:09:46 Director Kaster

**POLICY ISSUES RELATED TO COAL MINING RECLAMATION**

**Department of Environmental Quality (DEQ)**

11:10:33 Sonja Nowakowski, Division Administrator, Air, Energy and Mining Division

**FEDERAL AGENCY AND COURT DECISIONS RELATED TO COAL MINING AND RECLAMATION**

**Department of Environmental Quality**

11:21:04 Chris Dorrington, Director

**Public Comment on Federal Agency and Court Decisions Related to Coal Mining and Reclamation**

11:34:26 Derf Johnson, Montana Environmental Information Center

**Committee Questions and Discussion**

11:37:52 Sen. Flowers directed a question to Director Dorrington

11:38:35 Sonja Nowakowski

11:38:48 Sen. Flowers directed a question to Director Dorrington

11:41:30 Dan Walsh, Chief, Mining Bureau, DEQ

11:43:30 Director Dorrington

11:44:10 Council Member Keane directed a question to Director Dorrington.

11:45:59 Council Member Keane directed a question to Derf Johnson.

11:46:55 Council Member Metropoulos

**UPDATE ON INTERSTATE MINING COMPACT COMMISSION**

**Department of Environmental Quality**

11:48:44 Dan Walsh

**Public Comment on Update on Interstate Mining Compact Commission**

11:50:09 None

**Committee Questions and Discussion**

11:50:36 Presiding Officer Gunderson

**DIRECTOR'S REPORTS (Including HB 190 Annual Plans)**

11:51:38 Dustin Temple, Director, FWP

11:56:28 Director Dorrington

12:00:40 Director Kaster

**Public Comment on Update on Interstate Mining Compact Commission**

12:03:12      None

**Committee Questions and Discussion**

12:03:32      Vice Presiding Officer Curdy directed a question to Director Temple.

12:04:54      Vice Presiding Officer Curdy directed a question to Director Dorrington.

12:07:14      Rep. Hinkle directed a question to Director Temple.

12:08:41      Rep. Karlen directed a question to Director Temple.

**PUBLIC COMMENT ON ANY ISSUE WITHIN THE JURISDICTION OF EQC**

12:10:45      Jim Bell

**ADMINISTRATIVE MATTERS**

**Position of Environmental Analyst**

12:13:12      Jerry Howe, Executive Director, Legislative Services Division

**Public Comment on Administrative Matters**

12:16:07      None

**Committee Questions and Discussion**

12:16:30      Sen. Flowers

12:17:00      Presiding Officer Gunderson

12:17:50      Sen. Brown

**Motion**

12:18:36      Sen. Brown moved to accept Jason Mohr as the next Environmental Analyst.

**Vote**

12:18:59      The motion carried unanimously by voice vote.

12:19:41      Jason Mohr

**Directions to Staff**

12:20:56      Sen. Flowers requested a formal response from FWP.

12:21:23      Rep. Hinkle

12:22:07      Presiding Officer Gunderson

**ADJOURNMENT**

12:22:34      Presiding Officer Gunderson adjourned the meeting at 12:22 p.m.