



ENVIRONMENTAL QUALITY COUNCIL 68th Montana Legislature

SENATE MEMBERS

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

HOUSE MEMBERS

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

COMMITTEE STAFF

Joe Carroll - Attorney
Jason Mohr - Research Analyst
Jolanda Songer - Secretary

PUBLIC MEMBERS

Mike Freeman
Dave Galt
Jim Keane
Jon Metropoulos
Dan Vermillion

MINUTES LOG

March 14, 2024
Room 317
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)
Sen. Pat Flowers (D)
Mike Freeman, Public Member
Dave Galt, Public Member
Sen. Steve Hinebauch (R)
Rep. Jedediah Hinkle (R)
Rep. Jonathan Karlen (D)
Jim Keane, Public Member
Rep. Rhonda Knudsen (R)
Sen. Theresa Manzella (R)
Rep. Marilyn Marler (D)

MEMBERS EXCUSED:

Sen. Dan Bartel (R)
Jon Metropoulos, Public Member
Dan Vermillion, Public Member

MEMBERS ABSENT:

STAFF PRESENT:

Joe Carroll, Attorney
Jason Mohr, Research Analyst
Jacelyn Sterling, Secretary

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

COMMITTEE ACTION

MEETING CONVENED

09:01:13 Presiding Officer Gunderson called the meeting to order at 9:01 AM.

ADMINISTRATIVE RULE REVIEW

09:01:25 Joe Carroll
[EXHIBIT 7](#)

Public Comment

09:02:42 None

Committee Questions/Discussion

09:03:01 Sen. Flowers

09:03:25 Alex Scolavino, Legal Counsel, FWP
[EXHIBIT 7](#)

09:08:16 Sen. Flowers

09:08:48 Alex Scolavino

09:09:43 Sen. Flowers requested information.

09:20:04 Sen. Flowers

09:24:22 Rep. Hinkle

09:25:31 Rep. Fielder

09:27:11 Mike Freeman

09:29:18 Sen. Lang

09:31:05 Rep. Marler

09:33:38 Presiding Officer Gunderson

09:33:49 Rep. Hinkle

09:35:23 Rep. Marler

09:36:08 Rep. Hinkle

09:36:48 Rep. Marler

09:37:33 Sen. Flowers

09:40:08 Rep. Marler

09:41:17 Council Member Keane

09:42:27 Joe Carroll

09:45:05 Sen. Flowers

09:47:04 Presiding Officer Gunderson requested information.

09:47:39 Jason Mohr

09:48:29 Rep. Fielder

09:49:31 Sen. Hinebauch

09:50:25 Vice Presiding Officer Curdy

09:51:32 Sen. Lang

09:53:02 Rep. Karlen directed a question to Joe Carroll.

09:56:15 Mike Freeman

09:56:22 Sara Clerget, Chief Legal Counsel, FWP

09:57:58 Presiding Officer Gunderson

09:58:08 Sen. Manzella directed a question to Joe Carroll.

10:00:29 Vice Presiding Officer Curdy

OVERVIEW OF LIVESTOCK LOSS BOARD

10:01:15 George Edwards, Staff, Livestock Loss Board

Public Comment

10:15:51 Karli Johnson, State Affairs Coordinator, Montana Farm Bureau

10:17:56 Rep. Loge

Committee Questions/Discussion

10:20:16 Rep. Fielder

10:23:17 Sen. Manzella

POLICY ISSUES RELATED TO HARD ROCK MINING AND RECLAMATION

10:29:20 Sonja Nowakowski, Administrator, Air, Energy, and Mining Division, DEQ

10:29:47 Dan Walsh, Chief, Mining Bureau, DEQ

10:32:32 Sonja Nowakowski

10:38:27 Chris Dorrington, Director, DEQ

Public Comment

10:44:05 None

Committee Questions/Discussion

10:44:17 None

RECOVERY OF CRITICAL MINERALS/RARE EARTH ELEMENTS FROM BERKELEY PIT

10:44:50 Matt Vincent, Executive Director, Montana Mining Association

[EXHIBIT 8](#) (Slides 1 - 6)

10:57:57 Ben Raffety, President, Montana Mining Association

[EXHIBIT 8](#) (Slides 7 – 9)

11:02:39 Mark Thompson, Vice President, Environmental Affairs, Montana Resources
[EXHIBIT 9](#)

Public Comment

11:18:11 None

Committee Questions/Discussion

11:18:25 Mike Freeman

11:19:17 Matt Vincent

11:21:25 Mark Thompson

11:22:36 Rep. Hinkle directed a question to Mark Thompson.

11:26:06 Presiding Officer Gunderson directed a question to Mark Thompson.

11:26:41 Council Member Keane

11:30:28 Presiding Officer Gunderson directed a question to Matt Vincent.

11:32:23 Matt Vincent requested a letter of support and invited the council to several events.

11:36:06 Council Member Galt

RECESS

11:37:03 Reconvened at 11:50:26

WILDLIFE CROSSINGS: TYPES AND EFFECTIVENESS, UPCOMING FUNDING OPPORTUNITIES

11:50:48 Dwane Kailey, Chief Operation Officer, MDT

[EXHIBIT 10](#)

[EXHIBIT 11](#)

[EXHIBIT 12](#)

[EXHIBIT 13](#)

[EXHIBIT 14](#)

Committee Questions/Discussion

11:59:48 Presiding Officer Gunderson

Public Comment

12:01:29 Rep. Loge, HD 14

12:04:58 Danica Nelson

Committee Questions/Discussion

12:07:10 Council Member Galt

12:08:05 Council Member Keane

11:11:56 Vice Presiding Officer Curdy

12:15:50 Rep. Fielder

12:18:52 Rep. Karlen

12:22:34 Council Member Keane

UPDATE ON SUPERFUND REMEDIATION AT COLUMBIA FALLS ALUMINUM CO. SITE

12:24:21 Matt Dorrington, Remedial Project Manager for CFAC, EPA

12:28:12 Amy Steinmetz, Administrator, Waste Management and Remediation Division
Administrator, DEQ

12:30:00 Dick Sloan, State Remedial Project Manager for CFAC, DEQ

[EXHIBIT 15](#)

12:40:46 Katherine Hausrath, supervising attorney, Natural Resources Damage Program,
DOJ

[EXHIBIT 16](#)

Public Comment

12:49:56 Peter Metcalf, Coalition for a Clean CFAC

12:54:16 Dell Phipps, Coalition for a Clean CFAC

[EXHIBIT 17](#)

12:58:09 Mayre Flowers, Coalition for a Clean CFAC and Citizens for a Better Flathead

[EXHIBIT 18](#)

[EXHIBIT 19](#)

[EXHIBIT 20](#)

[EXHIBIT 21](#)

[EXHIBIT 22](#)

13:05:45 Phil Matson, Coalition for a Clean CFAC

Committee Questions/Discussion

13:11:29 Rep. Fielder

13:12:00 Amy Steinmetz, DEQ

13:13:06 Rep. Karlen directed a question to Katherin Hausrath.

13:17:35 Chris Dorrington, Director, DEQ

13:20:57 Council Member Keane directed a question to Peter Metcalf.

13:22:46 Presiding Officer Gunderson

13:24:28 Peter Metcalf

13:25:36 Vice Presiding Officer Curdy

13:26:33 Chris Dorrington

13:27:49 Matt Dorrington, EPA

13:29:13 Vice Presiding Officer Curdy

13:29:39 Peter Metcalf

13:30:16 Vice Presiding Officer Curdy

13:30:51 Presiding Officer Gunderson

13:31:54 Rep. Karlen

13:32:17 Presiding Officer Gunderson

13:32:22 Rep. Karlen

13:32:49 Phil Matson

13:34:07 Presiding Officer Gunderson

DIRECTOR'S REPORTS

13:35:19 Dustin Temple, Director, FWP

13:38:59 Chris Dorrington, Director, DEQ

13:44:12 Amanda Kaster, Director, DNRC

Public Comment

13:51:43 Clayton Elliott, Montana Trout Unlimited

Committee Questions/Discussion

13:53:05 Presiding Officer Gunderson directed a question to Amanda Kaster.

13:54:58 Rep. Karlen

13:56:53 Rep. Hinkle directed a question to Quentin Kujala, DEQ

14:03:01 Rep. Marler directed a question to Joe Kolman, US Forest Service

14:05:04 Mike Freeman

PUBLIC COMMENT ON ANY ISSUE WITHIN THE JURISDICTION OF EQC

14:05:45 Kristen Corbin

14:16:58 Chris Dorrington, DEQ

14:18:51 Rep. Marler

14:19:33 Rebecca Boslough-King, Executive Director, Montana Association of Conservation Districts

ADMINISTRATIVE MATTERS

14:22:33 Jason Mohr

14:24:22 Presiding Officer Gunderson

14:24:32 Jason Mohr
14:25:03 Presiding Officer Gunderson

14:25:10 Rep. Marler

14:25:16 Presiding Officer Gunderson

14:25:49 Jason Mohr

14:26:01 Presiding Officer Gunderson

14:26:55 Vice Presiding Officer Curdy

14:27:15 Sen. Manzella

14:27:20 Presiding Officer Gunderson

ADJOURNMENT

14:28:18 Presiding Officer Gunderson adjourned the meeting at 2:28 p.m.