



WATER POLICY INTERIM COMMITTEE

68th Montana Legislature

SENATE MEMBERS

Willis Curdy
Bruce Gillespie
Walt Sales
Jacelyn Sterling
Jeffrey Welborn

HOUSE MEMBERS

Bob Carter
Jill Cohenour
Marty Malone
Russel Miner
Bob Phalen
Kenneth Walsh

COMMITTEE STAFF

Jason Mohr - Research Analyst
Alexis Sandru - Attorney
Jacelyn Sterling - Secretary

MINUTES LOG

January 16, 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. Kenneth Walsh, Chair (R)
Rep. Jill Cohenour, Vice Chair (D)
Sen. Willis Curdy (D)
Sen. Bruce Gillespie (R)
Rep. Marty Malone (R)
Rep. Russel Miner (R)
Rep. Bob Phalen (R)
Sen. Walt Sales (R)
Sen. Jeffrey Welborn (R)

MEMBERS EXCUSED:

Rep. Bob Carter (D)

MEMBERS ABSENT:

STAFF PRESENT:

Jason Mohr, Research Analyst
Alexis Sandru, Attorney
Jacelyn Sterling, Secretary

AGENDA [\(Attachment 1\)](#)

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

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

10:04:00 Presiding Officer, Kenneth Walsh called the meeting to order at 10:04 AM. The committee secretary took roll.

MEETING OVERVIEW

10:05:58 Jason Mohr

10:10:56 Presiding Officer Walsh

HB 520 STUDY OF PRIVATE PONDS

10:11:37 Jason Mohr

10:13:24 Eileen Ryce, Administrator, Fisheries Division, Fish Wildlife and Parks (FWP)

[EXHIBIT1](#)

[EXHIBIT2](#)

Public Comment

10:34:44 Clayton Elliott, Montana Trout Unlimited

10:39:32 John Keller

[EXHIBIT3](#)

Committee Questions, Discussion

10:43:15 Sen. Curdy

10:45:48 Rep. Miner

10:46:50 Vice Presiding Officer Cohenour

10:48:13 Rep. Malone

10:52:06 Sen. Gillespie

10:54:08 Sen. Curdy

10:59:19 Sen. Welborn

11:01:11 Rep. Phalen

11:02:16 Rep. Phalen to John Keller

11:04:26 Rep. Phalen

11:05:54 Presiding Officer Walsh

11:09:46 Sen. Curdy

11:10:40 Sen Sales

11:14:16 Rep. Miner

11:19:04 Rep. Phalen

REPORT ON INSTREAM LEASING

11:20:59 Jason Mohr

11:21:13 Bill Schenk, Manager, Land and Water Program, FWP
[EXHIBIT4](#)

Public Comment

11:43:46 Clayton Elliott, Montana Trout Unlimited

Committee Questions, Discussion

11:45:32 Sen. Sales

11:48:48 Rep. Malone

11:51:30 Rep. Phalen

UPDATE ON WESTERN MONTANA CONSERVATION COMMISSION

11:55:10 Jason Mohr

11:55:21 Casey Lewis, Executive Director, Western Montana Conservation Commission
[EXHIBIT5](#)

Public Comment

None

Committee Questions, Discussion

12:06:54 Vice Presiding Officer Cohenour

12:08:25 Sen. Curdy

12:12:09 Sen. Gillespie

12:14:09 Rep. Phalen

Recess

12:15:49

Reconvened

13:40:38

MONTANA RESEARCH: MONTANA WATER CENTER

13:41:13 Jason Mohr

13:41:23 Stephanie Ewing, Director, Montana Water Center
[EXHIBIT6](#)
[EXHIBIT7](#)

Public Comment

14:03:17 Ann Schwend, Sustainable Communities Policy Director, Montana
Environmental Information Center

14:05:01 Krista Lee Evans, Agricultural Resources Association

Committee Questions, Discussion

14:06:33 Vice Presiding Officer Cohenour

14:08:59 Rep. Miner

14:11:27 Sen. Sales

14:13:51 Rep. Malone
14:15:17 Sen. Curdy
14:18:42 Sen. Gillespie

STUDY OF WATER STORAGE

14:21:53 Jason Mohr
14:23:46 Ginette Abdo, manager, Ground Water Investigation Program, Montana Bureau of Mines and Geology (MBMG)
[EXHIBIT8](#)

Public Comment

15:13:29 Mike Murphy, Montana Water Resources Association
15:14:18 Clayton Elliott, Montana Trout Unlimited
15:16:59 Krista Lee Evans, Association of Gallatin Agricultural Irrigators (AGAI)
15:19:40 Raylee Honeycutt, Montana Stock Growers Association

Committee Questions, Discussion

15:21:13 Sen. Gillespie to Ginette Abdo
15:22:32 Rep. Miner to Ginette Abdo
15:25:58 Sen. Sales to Ginette Abdo
15:35:19 John Metesh, Director, MBMG
15:37:52 Vice Presiding Officer Cohenour to John Metesh
15:39:39 Sen. Gillespie to Ginette Abdo
15:41:35 Rep. Miner to Ginette Abdo

PROPOSED ADMINISTRATIVE RULES

15:42:49 Jason Mohr
15:43:27 Alexis Sandru
[EXHIBIT9](#)

15:44:55 Lyndsey Krywaruchka, Administrator, Water Quality Division, Department of Environmental Quality (DEQ)
[EXHIBIT10](#)

Public Comment

15:55:41 Kelly Lynch, Montana League of City and Towns
15:59:59 Alan Olsen, Montana Petroleum Association
16:02:41 John Sandru, Montana Mining Association
16:03:23 John Iverson, Treasure State Resource Association

Committee Questions, and Discussion

16:03:55 Sen. Curdy
16:05:49 Alexis Sandru
16:06:45 Sen. Curdy

16:08:33 Vice Presiding Officer Cohenour
16:09:02 Lyndsey Krywaruchka, DEQ
16:11:56 Vice Presiding Officer Cohenour
16:12:43 Rep. Phalen
16:13:02 Lyndsey Krywaruchka
16:13:57 Rep. Phalen
16:14:12 Alan Olsen
16:14:29 Vice Presiding Officer Cohenour
16:15:09 Kelly Lynch
16:15:42 Sen. Welborn
16:17:39 Lyndsey Krywaruchka
16:19:29 Sen. Welborn
16:20:35 Sen. Sales
16:22:05 Lyndsey Krywaruchka

FEDERAL RULES RELATED TO WATER

16:22:46 Jason Mohr
16:24:21 Greg Bureauy, Lead in School Drinking Water Rule Manager, Public Water
Supply, DEQ
[EXHIBIT11](#)
[EXHIBIT12](#)

16:32:22 Lyndsey Krywaruchka, DEQ
[EXHIBIT13](#)

Public Comment

None

Committee Questions, Discussion

16:35:23 Sen. Curdy

GROWTH-RELATED DEMANDS AND IMPACTS

16:38:06 Jason Mohr
16:38:28 Chris Dorrington, Director, DEQ

Public Comment

None

Committee Questions, Discussion

16:42:32 Sen. Curdy
16:44:30 Sen. Sales

UPDATE ON GALLATIN RIVER IMPAIRED WATERS

16:50:12 Jason Mohr
16:50:46 Eric Sivers, Water Quality Division Advisor, DEQ

Public Comment

None

Committee Questions, Discussion

16:54:27 Rep. Cohenour
16:56:58 Sen. Sales
16:59:07 Presiding Officer Walsh to Stephanie Ewing

UPDATE ON OPERATION OF SKD DAM AND FLATHEAD LAKE

17:03:15 Jason Mohr
17:04:47 Brian Lipscomb, CEO, Energy Keepers Inc.

Public Comment

None

Committee Questions, Discussion

17:08:44 Sen. Curdy
17:12:30 Sen. Sales
17:17:53 Vice Presiding Officer Cohenour

Closing Remarks

17:18:40 Presiding Officer Walsh

ADJOURNMENT

Adjournment: 17:19:42