



WATER POLICY INTERIM COMMITTEE 68th Montana Legislature

SENATE MEMBERS

Willis Curdy
Bruce Gillespie
Walt Sales
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

March 18, 2024
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.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <https://leg.mt.gov>. From the home page, select the "Committees" drop down menu at the top, then select Administrative or Interim, and the appropriate committee. The written minutes log can be located by expanding the accordion menu for the date of the meeting. Links to the audio/video files can be located by selecting the Video/Audio button on the same page, then the "past/current recordings" button. From there, use the calendar to select the date of the meeting you wish to view/listen to. The written Minutes Log, along with links to the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed. Please contact the Legislative Services Division at 406-444-3064 for more information.

MEMBERS PRESENT:

Rep. Kenneth Walsh, Chair (R)
Rep. Jill Cohenour, Vice Chair (D)
Rep. Bob Carter (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:

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

13:01:37 Presiding Officer Walsh called the meeting to order at 1:01 PM. The committee secretary took roll.

MEETING OVERVIEW

13:03:27 Jason Mohr

13:06:17 Presiding Officer Kenneth Walsh

STUDY OF WATER STORAGE

OPERATION AND MAINTENANCE COSTS FOR STATE PROJECTS

13:06:42 Mark McNeary, Chief, State Water Projects Bureau, Department of Natural Resources and Conservation (DNRC)

[EXHIBIT1](#)

Committee Questions, Discussion

13:26:24 Vice Presiding Officer Jill Cohenour

13:27:03 Mark McNeary, DNRC

13:28:33 Vice Presiding Officer Jill Cohenour

13:28:37 Mark McNeary

13:29:23 Sen. Walt Sales

13:32:58 Mark McNeary

13:33:17 Sen. Willis Curdy

13:39:26 Mark McNeary

13:39:44 Anna Pakenham Stevenson, DNRC

13:42:03 Sen. Willis Curdy

13:42:45 Anna Pakenham Stevenson

13:43:28 Rep. Bob Carter

13:46:05 Mark McNeary

13:46:27 Rep. Marty Malone

13:46:58 Mark McNeary

13:47:18 Rep. Russel Miner

13:48:18 Mark McNeary

GEOLOGIC SUITABILITY OF STORAGE PROJECTS

13:51:37 Michael Stickney, Geologist and Director, Earthquake Studies Office, Montana Bureau of Mines and Geology (MBMG)

[EXHIBIT2](#)

14:00:29 Yann Gavillot, Geologist and Associate Professor, MBMG

Committee Questions, Discussion

14:17:07 Sen. Walt Sales

14:18:28 Yann Gavillot, MBMG

14:19:49 Sen. Walt Sales

DISCUSSION OF POTENTIAL PILOT PROJECTS

14:20:36 Jeff Wivholm, Supervisor, Sheridan County Conservation District

14:26:44 Nathan Shackelford, Supervisor, Sheridan County Conservation District

[EXHIBIT3](#)

14:35:10 Colin Threlkeld, Conservation Program Manager, Madison Conservation District
Moore Creek Restoration Project

[EXHIBIT4](#)

14:41:31 Karl Christians, Supervisor, Lewis and Clark Conservation District

14:43:53 Anna Pakenham Stevenson, DNRC

14:45:59 Conni French, Phillips Conservation District

Committee Questions, Discussion

14:50:16 Rep. Russel Miner

14:50:38 Nathan Shackelford

14:51:25 Presiding Officer Kenneth Walsh

14:51:30 Jeff Wivholm

14:52:59 Rep. Russel Miner

14:53:12 Sen. Willis Curdy

14:55:50 Conni French

Public Comment

14:56:37 Clayton Elliott, Montana Trout Unlimited

15:02:33 Nick Banish, Gallatin Local Water Quality District

15:13:00 Rebecca Boslough-King, Montana Conservation Districts

AGENCY RECORDS REQUEST

15:15:28 Misty Anne Giles, Director, Department of Administration (DOA)

[EXHIBIT5](#)

15:23:31 Amanda Kaster, Director, Department of Natural Resources and Conservation (DNRC)

Committee Questions, Discussion

15:24:58 Rep. Bob Carter
15:25:45 Misty Ann Giles, DOA
15:26:24 Sen. Walt Sales
15:31:39 Amanda Kaster, DNRC
15:32:06 Anna Pakenham Stevenson, DNRC
15:34:05 Sen. Walt Sales
15:34:30 Anna Pakenham Stevenson

RECESS

15:35:18

RECONVENED

15:44:44

REPORT ON OVERSIGHT OF STREAM GAUGE NETWORK (2-15-3308)

15:45:48 Anna Pakenham Stevenson, Water Administrator, DNRC

[EXHIBIT6](#)

[EXHIBIT7](#)

Committee Questions, Discussion

15:56:44 Sen. Willis Curdy
15:58:06 Anna Pakenham Stevenson
15:58:42 Sen. Willis Curdy
15:59:42 John Kilpatrick, USGS
16:00:56 Rep. Marty Malone
16:01:30 Rep. Bob Carter
16:02:36 Matt Norberg, Data Section Supervisor, DNRC
16:03:16 Rep. Bob Carter
16:03:25 Matt Norberg

Public Comment

16:04:10 Clayton Elliot, Montana Trout Unlimited

ELK RIVER POLLUTION STUDY

16:08:38 Jason Mohr
16:09:12 Meryl Storb, USGS,
[EXHIBIT8](#)

Committee Questions, Discussion

16:22:38 Rep. Russel Miner
16:25:02 Meryl Strob, USGS
16:25:32 Rep. Bob Carter
16:25:44 Meryl Strob
16:26:33 Sen. Bruce Gillespie
16:27:05 Meryl Strob
16:27:34 Rep. Bob Phalen
16:28:10 Meryl Strob

Public Comment

None

**ACTIVATION OF INTERNATIONAL JOINT COMMISSION FOR ELK-KOOTENAI
WATERSHED POLLUTION**[EXHIBIT9](#)

16:29:14 Chris Dorrington, Director, DEQ

Committee Questions, Discussion

16:33:36 Sen. Willis Curdy
16:34:05 Vice Presiding Officer Jill Cohenour
16:34:38 Chris Dorrington, DEQ
16:34:47 Sen. Walt Sales
16:35:09 Chris Dorrington
16:36:23 Sen. Walt Sales
16:36:43 Vice Presiding Officer Jill Cohenour
16:37:09 Chris Dorrington
16:38:03 Sen. Willis Curdy
16:39:31 Chris Dorrington

Public Comment

None

PROPOSED ADMINISTRATIVE RULES

16:40:37 Jason Mohr
16:40:52 Alexis Sandru

[EXHIBIT10](#)**Committee Questions, Discussion**

16:44:10 Sen. Willis Curdy
16:44:23 Alexis Sandru

16:44:48 Sen. Willis Curdy
16:45:01 Alexis Sandru
16:45:40 Presiding Officer Kenneth Walsh

PROPOSED ADMINISTRATIVE RULES

16:51:25 Lyndsey Krywaruchuka, Water Quality Division Administrator, DEQ
[EXHIBIT11](#)

Public Comment

16:54:37 Kelly Lynch, Montana League of Cities and Towns
[EXHIBIT12](#)
[EXHIBIT13](#)
[EXHIBIT14](#)
[EXHIBIT15](#)

17:01:53 Matt Vincent, Montana Mining Association
17:12:06 John Iverson, Treasure State Resource Association,
17:13:09 Shawn Kohtz, City of Bozeman
17:16:51 Ed Coleman, City of Helena
[EXHIBIT16](#)

Committee Questions, Discussion

17:21:58 Sen. Bruce Gillespie
17:22:37 Chris Dorrington, DEQ
17:24:14 Sen. Bruce Gillespie
17:24:51 Rep. Bob Phalen
17:25:10 Chris Dorrington
17:27:53 Rep. Bob Phalen
17:28:02 Chris Dorrington
17:29:39 Sen. Walt Sales
17:31:00 Chris Dorrington
17:32:05 Vice Presiding Officer Jill Cohenour
17:32:26 Chris Dorrington
17:34:02 Vice Presiding Officer Jill Cohenour
17:35:26 Eric Sivers, Policy Analyst Water Quality Division, DEQ
17:38:49 Vice Presiding Officer Jill Cohenour
17:39:52 Eric Sivers, DEQ
17:40:24 Vice Presiding Officer Jill Cohenour
17:40:54 Eric Sivers
17:43:01 Rep. Bob Carter

17:43:28 Chris Dorrington
17:47:13 Rep. Bob Carter
17:47:28 Chris Dorrington
17:48:58 Presiding Officer Kenneth Walsh

ADJOURNMENT

Adjournment: 17:50:38