



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

May 21, 2024

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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, Presiding Officer (R)
Rep. Jill Cohenour, Vice Presiding Officer (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, Legislative Environmental Analyst
Alexis Sandru, Attorney
Jacelyn Sterling, Secretary

AGENDA ([Attachment 1](#))

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

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

08:06:53 Presiding Officer Kenneth Walsh called the meeting to order at 8:06 AM.

MEETING OVERVIEW

08:07:28 Jason Mohr, Legislative Environmental Analyst, Legislative Services Division (LSD)

PROPOSED ADMINISTRATIVE RULES

08:10:07 Presiding Officer Kenneth Walsh

08:10:23 Alexis Sandru, LSD

[EXHIBIT1](#)

08:16:27 Lyndsey Krywaruchka, Administrator, Water Quality Division, Department of Environmental Quality (DEQ)

[EXHIBIT2](#)

Public Comment

08:20:29 Matt Vincent, Montana Mining Association

08:25:57 Louis Ingles, Billings

[EXHIBIT3](#)

08:33:47 Ed Colman, Deputy Director, Public Works, City of Helena

08:40:22 Rika Ashley, Member, Nutrient Work Group

08:45:43 Allan Olsen, Petroleum Association

[EXHIBIT4](#)

08:50:51 Kelly Lynch, Montana League of Cities and Towns

08:54:49 John Iverson, Treasure State Resources Association

08:57:45 Shannon Holmes, Public Works, City of Livingston

Committee Discussion/Questions

08:59:56 Vice Presiding Officer Jill Cohenour

09:00:17 Chris Dorrington, Director, DEQ

09:09:18 Vice Presiding Officer Jill Cohenour

09:09:28 Sen. Bruce Gillespie

09:11:56 Chris Dorrington

09:12:50 Sen. Willis Curdy

09:13:33 Lyndsey Krywaruchka, DEQ

09:16:47 Rep. Bob Carter

09:17:35 Chris Dorrington
09:22:55 Lyndsey Krywaruchka
09:23:44 Rep. Bob Carter
09:24:04 Lyndsey Krywaruchka
09:24:13 Rep. Bob Phalen
09:28:03 Lyndsey Krywaruchka
09:30:33 Sen. Walt Sales
09:31:41 Alan Olsen
09:33:21 Sen. Jeffrey Welborn
09:34:22 Chris Dorrington
09:35:32 Sen. Jeffrey Welborn
09:36:24 Kelly Lynch
09:42:06 Rep. Marty Malone
09:43:20 Kelly Lynch
09:45:45 Vice Presiding Officer Jill Cohenour
09:46:32 Chris Dorrington
09:49:29 Sen. Willis Curdy
09:50:17 Chris Dorrington
09:50:58 Rep. Bob Phalen
09:51:19 Lyndsey Krywaruchka

09:52:13 **Recessed**
10:03:27 **Reconvened**

CHALLENGES AND OPPORTUNITIES OF PRAIRIE SNOW

10:04:05 Jason Mohr
10:04:53 Eric Sproles, Montana State University (MSU)

Public Comment

10:28:39 None

Committee Discussion/Questions

10:29:06 Rep. Marty Malone
10:29:26 Eric Sproles, MSU
10:31:40 Sen. Bruce Gillespie
10:32:07 Eric Sproles
10:33:51 Rep. Russel Miner
10:34:34 Eric Sproles

UPDATE ON COMPREHENSIVE WATER REVIEW

10:36:38 Anna Pakenham Stevenson, Administrator, Water Resource Division,
Department of Natural Resources and Conservation (DNRC)
[EXHIBIT5](#)

Public Comment

10:58:29 Clayton Elliot, Montana Trout Unlimited (MTU)
11:00:41 Raylee Honeycutt, Montana Stockgrowers Association
11:01:53 Jon Metropoulos, Senior Water Rights Alliance
11:07:16 Nathan White

Committee Discussion/Questions

11:08:30 Rep. Russel Miner
11:08:39 Clayton Elliot, MTU
11:09:48 Rep. Bob Phalen
11:10:05 Anna Pakenham Stevenson, DNRC
11:12:30 Vice Presiding Officer Jill Cohenour
11:13:03 Anna Pakenham Stevenson
11:21:20 Sen. Willis Curdy
11:22:40 Anna Pakenham Stevenson
11:24:19 Sen. Walt Sales
11:29:13 Anna Pakenham Stevenson

ADJUDICATION REPORT (85-2-281)

11:34:54 Nate Ward, Bureau Chief, Water Right, DNRC
[EXHIBIT6](#)
11:43:52 Russ McEleyea, Chief Judge, Montana Water Court
[EXHIBIT7](#)

Public Comment

11:51:57 None

Committee Discussion/Questions

11:52:07 Sen. Bruce Gillespie
11:52:32 Judge Russ McEleyea

UPDATE ON WATER RIGHTS INFORMATION SYSTEM IMPROVEMENTS AND FUNCTION

11:55:22 Presiding Officer Kenneth Walsh
11:56:35 Russ McEleyea, Chief Judge, Montana Water Court
11:58:30 Anna Pakenham Stevenson, Administrator, Water Resource Division, DNRC
[EXHIBIT8](#)
12:02:56 Sen. Welborn left the meeting.

Public Comment

12:16:22 None

Committee Discussion/Questions

12:16:37 Vice Presiding Officer Jill Cohenour
12:17:16 Anna Pakenham Stevenson, DNRC
12:24:17 Vice Presiding Officer Jill Cohenour
12:24:33 Rep. Bob Carter
12:25:03 Trevor Watson, Deputy Administrator, Water Resources Division, DNRC
12:26:17 Sen. Walt Sales
12:26:42 Anna Pakenham Stevenson
12:30:12 Presiding Officer Kenneth Walsh

UPDATE FROM WATER RESOURCES DIVISION: DISTRIBUTION PROJECTS/RED BOOKS, UPDATED MANUALS AND PROCEDURES

12:31:14 Nate Ward, Bureau Chief, Water Rights, DNRC

Public Comment

12:38:50 None

Committee Discussion/Questions

12:39:04 Rep. Marty Malone
12:39:23 Nate Ward, DNRC
12:40:10 Presiding Officer Kenneth Walsh
12:40:47 Sara Calkins, Administrator, Montana Water Court

Public comment on any issue within the jurisdiction of WPIC

12:42:17 Nicole White, Augusta
12:55:38 Nate White, Augusta
13:03:18 Presiding Officer Kenneth Walsh
13:03:45 Nate White

ADMINISTRATIVE MATTERS

13:05:07 Rep. Marty Malone
13:05:25 Rep. Bob Carter
13:05:43 Jason Mohr, LSD
13:06:30 Rep. Bob Carter
13:07:09 Alexis Sandru, Attorney, LSD
13:09:34 Rep. Bob Carter
13:09:45 Alexis Sandru
13:10:45 Sen. Bruce Gillespie
13:11:46 Sen Gillespie

13:12:11 Rep. Marty Malone
13:12:38 Vice Presiding Officer Jill Cohenour

Motion

13:11:09 Sen. Gillespie moved to informally object to the proposed nutrient rule standard from DEQ.
13:20:58 **Vote:** Failed 8 - 1 by voice vote with Sen. Gillespie voting yes.

Discussion

13:17:05 Sen. Walt Sales
13:17:34 Presiding Officer Kenneth Walsh
13:19:35 Rep. Marty Malone
13:19:53 Rep. Bob Carter
13:20:17 Alexis Sandru, LSD
13:21:54 Rep. Bob Carter
13:22:56 Presiding Officer Kenneth Walsh
13:23:38 Jason Mohr, LSD

ADJOURNMENT

Adjournment: 13:24:26