

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: Chair Walter McNutt, on January 21, 2011 at 8:06 AM, in Room 317B
Capitol

ROLL CALL

Members Present:

Rep. Walter McNutt, Chair (R)
Sen. Taylor Brown, Vice Chair (R)
Rep. Rob Cook (R)
Rep. Ron Ehli (R)
Rep. Bill McChesney (D)
Sen. Jon Sonju (R)
Sen. Carol Williams (D)

Members Excused: Rep. Jon C. Sesso (D)

Members Absent: None

Staff Present: Catherine Duncan, Legislative Branch
Mary Ann Mackay, Committee Secretary
Christine Hultin-Brus, OBPP

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 11, 1/17/2011

00:00:39 Chairman McNutt

Closing by Sponsor:

00:01:10 Rep. Galen Hollenbaugh on HB 9 which was heard on January 20, 2011.

00:01:33 Chairman McNutt

00:01:49 Ms. Duncan, Legislative Fiscal Division (LFD)

[EXHIBIT\(jlh16a01\)](#)

00:02:53 Chairman McNutt

Hearing on House Bill 7

Opening Statement by Sponsor:

00:03:00 Rep. Tony Belcourt (D), HD 32, opened the hearing on HB 7, Reclamation and development grants.

[EXHIBIT\(jlh16a02\)](#)

00:04:31 Chairman McNutt

00:04:39 Rep. Belcourt

00:05:13 Chairman McNutt

Program Overview:

00:05:21 Ray Beck, Administrator, Conservation and Development Division, Department of Natural Resources and Conservation (DNRC)

00:06:36 Rep. Sesso arrived.

[EXHIBIT\(jlh16a03\)](#)

00:08:42 Chairman McNutt

00:08:51 Alice Stanley, Bureau Chief, Resource and Development, DNRC

[EXHIBIT\(jlh16a04\)](#)

[EXHIBIT\(jlh16a05\)](#)

00:21:02 Chairman McNutt

00:21:25 Alicia Stickney, Reclamation Development Grants Program, DNRC

[EXHIBIT\(jlh16a06\)](#)

Oil and Gas and Mine Reclamation Projects

00:28:22 Ms. Stickney

00:29:13 Ms. Duncan

00:29:23 Chairman McNutt

Fiscal Analysis:

00:29:28 Ms. Duncan

00:35:33 Chairman McNutt

00:35:36 Ms. Duncan

Questions from the Committee:

00:35:38 Rep. Sesso

00:36:01 Ms. Duncan

00:36:44 Rep. Sesso

00:37:17 Ms. Duncan

00:37:39 Chairman McNutt
00:37:42 Rep. Sesso
00:38:15 Ms. Stanley
00:38:59 Sen. Williams left.
00:39:27 Rep. Sesso
00:39:59 Chairman McNutt

Department of Natural Resources and Conservation, Oil and Gas and Mine Reclamation

00:40:07 Tom Richmond, Administrator, Board of Oil and Gas Conservation, (BOGC)
DNRC
00:41:24 Chairman McNutt

Eastern District Orphaned Well Plug and Abandonment and Site Restoration

and

Northern/Eastern District Orphaned Well Plug and Abandonment and Site Restoration

and

Southern District Orphaned Lease Battery Site Restoration

00:41:53 Steven Sasaki, Chief Field Inspector, BOGC, DNRC
00:47:12 Chairman McNutt

Ruby Valley Conservation District Alder Gulch - Phase 1 Improvements

00:47:19 Ms. Stickney
00:47:40 Rebecca Ramsey, Ruby Watershed Coordinator, Ruby Valley Conservation
District
00:51:34 Chairman McNutt left.
00:53:44 Vice Chairman Brown
00:53:50 Ms. Stickney

Department of Environmental Quality, Forest Rose Mine and Mill Site Reclamation

00:54:24 Deven Clary, Project Manager, Remedial Division, Department of Environmental
Quality (DEQ)

EXHIBIT(jlh16a07)

00:55:04 Maureen Connor, Granite, County Commissioner
00:59:49 Vice Chairman Brown

DEQ, Lily/Orphan Boy Mine Reclamation

01:00:32 Pebbles Clark, Project Manager, Remediation Division, DEQ

EXHIBIT(jlh16a08)

01:02:39 Vice Chairman Brown

DEQ, Sand Coulee Public Water Supply System Restoration

01:02:43 Ms. Stickney
01:02:58 Tom Henderson, Reclamation Specialist, DEQ
EXHIBIT(jlh16a09)
01:04:51 Kent Luoma, President of Sand Coulee Water District
EXHIBIT(jlh16a10)
01:08:13 Vice Chairman Brown

DEQ, Beal Pit Run on Controls, Pond Removal

01:08:19 Ms. Stickney
01:08:39 John Koerth, Abandoned Mines Program, Section Supervisor, Remediation
Division, DEQ

EXHIBIT(jlh16a11)

01:12:12 Vice Chairman Brown

Pondera and Teton County Oil and Gas Well Plug and Abandon

01:12:34 Ms. Stickney
01:12:40 Corrine Rose, Sanitarian, Teton and Pondera Counties

EXHIBIT(jlh16a12)

01:15:05 Rep. Sesso and Ms. Duncan left.
01:16:45 Rep. McChesney left.
01:17:17 Vice Chairman Brown
01:17:26 Mr. Sasaki, for Tom Richmond, Board of Oil and Gas, supports this project

Fort Peck, Assiniboine and Sioux Tribes, Reclamation of the Phillip Red Eagle 2-25 Salt Water Disposal Well

01:17:49 Ms. Stickney
01:18:08 Deb Madison, Environmental Program Manager, Fort Peck Tribe
01:21:24 Vice Chairman Brown

Missoula County, Ninemile Creek Mining District- Phase II

01:21:32 Ms. Stickney, to be heard later in schedule

DEQ, Zortman and Landusky Mines - Source Control Prioritization and Feasibility Evaluation

01:22:05 Ms. Stickney
01:22:44 Wayne Jepson, Hydrologist, DEQ
01:25:21 Ms. Duncan and Rep. Sesso returned.
01:27:57 Rep. Sesso left.
01:28:27 Vice Chairman Brown

DEQ, Landusky Mine, Clarifier Construction

01:28:30 Mr. Jepson
01:30:55 Rep. Sesso returned.
EXHIBIT(jlh16a13)
01:32:36 Rep. McChesney returned.
01:33:05 Ms. Stickney

Butte, Silver Bow City County Government, Butte Mining District Reclamation and Protection Project (Phase III)

01:33:05 Ms. Stickney
01:33:20 Jim Jarvis, Historic Preservation Officer, Butte Silver Bow County Planning Board
EXHIBIT(jlh16a14)
01:37:44 Sen. Williams returned.
01:37:52 Vice Chairman Brown

Meagher County Conservation District, Thomas Creek Placer

01:38:02 Ms. Stickney
01:38:21 Otto Ohlson, Conservation District and Supervisor of Meagher County Weed District
01:40:30 Matthew Kmon, rancher
[EXHIBIT\(jlh16a15\)](#)
[EXHIBIT\(jlh16a16\)](#)
01:42:44 Vice Chairman Brown
01:42:50 Brian Obert, Economic Development Agent, Meagher County
01:43:24 Vice Chairman Brown
01:43:31 Rep. Harry Klock, HD 83, Harlowton
01:43:45 Jeff Tiberi, Montana Association of Water Conservation Districts (MADC)

Fish, Wildlife and Parks, Impacts of Energy Development and Leasing Stipulations on Mule Deer

01:44:04 Ms. Stickney
01:44:19 Ken McDonald, Wildlife Bureau Chief, FWP
01:45:23 Rep. Sesso left.
01:48:49 Vice Chairman Brown

Questions from Committee:

01:48:51 Sen. Sonju
01:49:07 Mr. McDonald
01:49:32 Sen. Sonju
01:49:34 Mr. McDonald
01:49:37 Sen. Sonju
01:49:56 Mr. McDonald
01:50:23 Sen. Sonju
01:50:30 Mr. McDonald
01:50:40 Rep. Cook
01:50:54 Mr. McDonald
01:50:57 Rep. Cook
01:51:04 Mr. McDonald
01:51:29 Rep. Cook
01:51:52 Mr. McDonald
01:52:18 Sen. Sonju
01:52:29 Ms. Duncan
01:53:08 Vice Chairman Brown
01:53:30 Mr. McDonald
01:53:38 Rep. Sesso returned.
01:53:42 Justin Gude, Wildlife Research and Technical Services, Section Manager, FWP
01:53:59 Vice Chairman Brown
01:54:09 Mr. Gude
01:54:40 Vice Chairman Brown
01:54:43 Rep. McChesney left.
01:55:07 Vice Chairman Brown

Anaconda-Deer Lodge County, Anaconda Superfund Remediation Trails Program

01:55:22 Ms. Stickney
01:55:39 Connie Daniels, Planning Director, Anaconda-Deer Lodge County
01:58:18 Vice Chairman Brown
01:58:24 Robert Neihart, Consultant

EXHIBIT(jlh16a17)

01:59:57 Vice Chairman Brown
02:00:10 Rep. Sesso
02:01:14 Ms. Daniels
02:01:18 Rep. Sesso
02:01:22 Ms. Daniels
02:01:24 Rep. Sesso
02:01:43 Ms. Daniels
02:04:05 Rep. Sesso
02:05:33 Vice Chairman Brown
02:05:47 Ms. Daniels
02:05:48 Vice Chairman Brown
02:06:01 Ms. Stickney
02:06:10 Vice Chairman Brown

02:06:14 Break
02:25:30 Resume

Rep. Sesso, Sen. Sonju and Sen. Williams did not return from break.

02:25:34 Vice Chairman Brown

Hazardous Materials Remediation Projects

02:25:35 Ms. Stickney

Fish, Wildlife and Parks, Big Spring Creek PCB Remediation

02:26:03 Ms. Stickney
02:26:25 Bruce Rich, Chief of Fisheries, FWP

EXHIBIT(jlh16a18)

02:27:18 Sen. Sonju returned.
02:30:41 Vice Chairman Brown

Questions from Committee:

02:30:45 Sen. Sonju
02:30:52 Mr. Rich
02:31:04 Sen. Sonju
02:31:09 Mr. Rich
02:31:14 Sen. Sonju
02:31:23 Mr. Rich
02:31:39 Sen. Sonju
02:31:41 Mr. Rich
02:31:47 Rep. Cook
02:31:58 Mr. Rich

EXHIBIT(jlh16a19)

02:32:34 Rep. Cook

02:32:45 Mr. Rich
02:33:04 Rep. Cook
02:33:08 Mr. Rich
02:33:11 Vice Chairman Brown

City of Shelby, Shelby Refinery

02:33:21 Ms. Stickney
02:33:33 Rep. Sesso returned.
02:33:42 Chris Reynolds, Tetra Tech, Consultant for Shelby on petroleum projects
02:35:11 Sen. Williams returned.

Questions from Committee:

02:35:36 Rep. Cook
02:35:51 Mr. Reynolds
02:36:29 Vice Chairman Brown
02:36:48 Mr. Reynolds
02:38:18 Vice Chairman Brown

City of Missoula, Missoula Sawmill Site Wood Reclamation

02:38:25 Ms. Stickney
02:38:48 Chris Behan, Missoula Redevelopment Agency

EXHIBIT(jlh16a20)

02:47:55 Vice Chairman Brown

Questions from Committee:

02:48:04 Rep. Cook
02:48:24 Mr. Behan
02:49:26 Rep. Cook
02:49:33 Mr. Behan
02:50:31 Vice Chairman Brown

Fergus County Road Department, Pentachlorophenol "Penta" Cleanup

02:50:35 Ms. Stickney
02:50:53 Sandy Youngbauer, Fergus County Commissioner
02:54:16 Vice Chairman Brown
02:54:21 Sen. Sonju
02:54:33 John Anderson, Fergus County Road Department
02:54:51 Sen. Sonju
02:54:58 Mr. Anderson
02:55:05 Sen. Sonju
02:55:14 Mr. Anderson
02:55:32 Sen. Sonju
02:55:43 Mr. Anderson
02:55:54 Sen. Sonju
02:55:57 Vice Chairman Brown

Critical State Needs

Sanders County, Managing Aquatic Invasive Plant Species to Protect Montana's Water

02:56:10 Ms. Stickney
02:56:34 Celestine Duncan, Consultant
02:58:01 Sen. Sonju left.

EXHIBIT(jlh16a21)

Questions:

02:58:32 Vice Chairman Brown
02:58:44 Ms. Celestine Duncan
02:59:59 Vice Chairman Brown
03:00:17 Ms. Celestine Duncan

EXHIBIT(jlh16a22)

03:01:08 Sen. Sonju returned.
03:01:54 Vice Chairman Brown
03:02:00 Jeff Tiberi, MADC, is a proponent
03:02:25 Vice Chairman Brown

DNRC St Mary & Milk River Basins Water Management Initiative

03:02:31 Ms. Stickney
03:03:01 Dave Peterson, Director of Public Works, Havre, and member of St Mary & Milk River Water Management Initiatives 2010.

EXHIBIT(jlh16a23)

03:08:59 Vice Chairman Brown

Crow Tribe of Indians, Little Big Horn River Restoration

03:09:09 Ms. Stickney
03:09:29 John Doyle, Crow Tribe
03:10:26 Larry Kindness, Crow Tribe, Absalooka Water Users and Little Big Horn College
03:12:47 Vice Chairman Brown

Richland County Conservation District, Lower Yellowstone Riverbank Restoration

03:12:58 Ms. Stickney
03:13:14 Warren Kellogg, representing Richland County Conservation District

EXHIBIT(jlh16a24)

03:16:36 Vice Chairman Brown

Oil and Gas and Mine Reclamation Projects

Missoula County Ninemile Creek Mining District - Phase II

03:16:45 Ms. Stickney
03:16:58 Linda Stoll
03:18:23 Vice Chairman Brown
03:18:26 Sen. Sonju left.

Projects not Funded:

03:18:29 Ms. Stickney

Closing by Sponsor:

03:19:12 Rep. Tony Belcourt
03:20:05 Vice Chairman Brown
03:20:08 Ms. Duncan
03:20:19 Rep. Belcourt
03:20:23 Vice Chairman Brown

Hearing on House Bill 8

Opening Statement by Sponsor:

03:20:47 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 8, Renewable resource bonds and loans.

03:22:57 Vice Chairman Brown

RRGL Fiscal Analysis:

03:23:05 Ms. Duncan
03:24:09 Vice Chairman Brown

RRGL Program Overview:

03:24:13 Anna Miller, Bureau Chief, Loan and Financial Management, DNRC

[EXHIBIT\(jlh16a25\)](#)

[EXHIBIT\(jlh16a26\)](#)

03:27:49 Vice Chairman Brown

03:27:52 Ms. Miller

[EXHIBIT\(jlh16a27\)](#)

03:33:36 Vice Chairman Brown

Ruby Dam Rehabilitation Project

and

Refinancing Existing Debt or Rehabilitation of Water and Sewer Facilities

and

Sunset Irrigation District, Stevensville

03:33:40 Bob Fischer, Civil Engineer, Resource Development Bureau, DNRC

[EXHIBIT\(jlh16a28\)](#)

03:36:47 Vice Chairman Brown

03:37:33 **Closing by Sponsor:**

03:37:33 Rep. Jon, Sesso

03:37:44 Vice Chairman Brown

Instructions to Staff:

03:38:02 Ms. Duncan
03:40:02 Vice Chairman Brown
03:40:05 Ms. Duncan
03:40:07 Vice Chairman Brown

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03:40:12	Rep. Sesso
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03:40:48	Rep. Sesso
03:40:52	Ms. Duncan
03:41:30	Sen. Williams
03:41:34	Ms. Duncan
03:41:37	Rep. Sesso
03:42:03	Vice Chairman Brown
03:42:12	Ms. Duncan
03:42:38	Vice Chairman Brown

ADJOURNMENT

03:42:53 Adjournment:

Mary Ann Mackay, Secretary

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Additional Exhibits:

[**EXHIBIT\(jlh16a29\)**](#)

[**EXHIBIT\(jlh16a30\)**](#)

Additional Documents:

EXHIBIT([jlh16aad.pdf](#))