

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Jeffrey W. Welborn, on February 3, 2021 at 3:00 PM, in Room 303 Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Jeffrey W. Welborn, Chair (R)
Sen. Jason D. Small, Vice Chair (R)
Sen. Duane Ankney (R)
Sen. Bob Brown (R)
Sen. Jill Cohenour (D)
Sen. Bruce Gillespie (R)
Sen. Brian Hoven (R)
Sen. Tom Jacobson (D)
Sen. Mike Lang (R)
Sen. Ryan Lynch (D)

Members Present by Zoom Video Conference:

Sen. Pat Flowers, Vice Chair (D)
Sen. JP Pomnichowski (D)

Members Excused: None

Members Absent: None

Staff Present: Lauren de Paepe, Committee Secretary
Jason Mohr, Legislative Branch
Jacquie Simmons, Remote Meeting Coordinator

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: SB 136, 1/28/2021; SB 164, 1/28/2021

HEARING ON SB 164**Opening Statement by Sponsor:**

15:00:39 Sen. Carl Glimm (R), SD 2, opened the hearing on SB164, Revise non-degradation standard for nitrates.

Proponents' Testimony:

15:02:38 Rick Breckenridge, Proctor
15:08:26 Jeff Larsen, civil engineer, Lakeside
15:11:11 Nathan Lucke, civil engineer, Big Fork
15:12:24 Ron Warren, Rocky Mountain Surveyors
15:14:06 Tobias Liechti, professional engineer, water and wastewater operator

Additional Testimony Received:

[EXHIBIT\(nas23a01\)](#)

Opponents' Testimony:

15:16:28 Ruben Castren, Montana Public Interest Research Group
15:17:34 Clayton Elliott, Montana Trout Unlimited
15:19:21 Derf Johnson, Montana Environmental Information Center
15:21:48 Shannon Therriault, Montana Environmental Health Association (MEHA)
15:26:14 Dr. Jon Kenning, Water Protection Bureau, Department of Environmental Quality (DEQ)
15:27:29 Guy Alsentzer, water quality attorney, Upper Missouri Waterkeeper

[EXHIBIT\(nas23a02\)](#)

15:31:57 Andrew Gorder, Clark Fork Coalition
15:34:59 Amy Seaman, Montana Audubon

[EXHIBIT\(nas23a03\)](#)

15:36:28 Thomas Kallenbach, professional engineer
15:41:34 Amanda Knuteson, general counsel, Eliminate, Inc.; land use and environmental attorney

Additional Testimony Received:

[EXHIBIT\(nas23a04\)](#)

Informational Testimony:

15:43:55 Chair Welborn introduced informational witness Jim Murphy, Department of Public Health and Human Services.

Questions from Committee Members and Responses:

15:43:55 Sen. Cohenour
15:45:24 Mr. Kenning, DEQ
15:45:38 Sen. Gillespie
15:47:05 Mr. Kenning
15:47:41 Sen. Pomnichowski
15:48:10 Mr. Kenning
15:48:23 Sen. Pomnichowski

15:49:01 Sen. Glimm
 15:50:49 Sen. Pomnichowski
 15:51:39 Ms. Knuteson, Eliminate, Inc.
 15:53:31 Sen. Flowers
 15:54:18 Mr. Kenning
 15:54:41 Sen. Flowers
 15:54:50 Sen. Cohenour
 15:55:44 Ms. Therriault, MEHA
 15:57:05 Sen. Cohenour
 15:58:40 Mr. Kenning

Closing by Sponsor:

15:59:08 Sen. Glimm

HEARING ON SB 136

Opening Statement by Sponsor:

16:00:58 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB136, Clarify criteria for permits and water right changes.

Proponents' Testimony:

16:03:24 Holly Franz, NorthWestern Energy (NWE)

EXHIBIT(nas23a05)

16:07:09 Krista Lee Evans, Senior Water Rights Coalition (SRWRC) and Association of Gallatin Agricultural Irrigators (AGAI)
 16:08:02 Mike Murphy, Montana Water Resources Association
 16:08:48 Jay Bodner, Montana Stockgrowers Association
 16:09:19 Rachel Cone, Montana Farm Bureau Federation

Opponents' Testimony:

16:10:29 Andrew Gorder, Clark Fork Coalition
 16:14:24 Bonnie Gestring, Earthworks
 16:16:13 Derf Johnson, Montana Environmental Information Center
 16:18:45 Steve Moore, Water for Flathead's Future, Kalispell

Additional Testimony Received:

EXHIBIT(nas23a06)

Informational Testimony:

16:24:00 Chair Welborn introduced informational witness Brian Bramblett, Department of Natural Resources and Conservation (DNRC).

Questions from Committee Members and Responses:

16:24:22 Sen. Pomnichowski
 16:24:42 Sen. Fitzpatrick
 16:25:09 Sen. Pomnichowski
 16:26:01 Ms. Evans, SRbv WRC, AGAI
 16:27:00 Sen. Pomnichowski
 16:28:03 Mr. Bramblett, DNRC

16:28:48 Sen. Pomnichowski
16:29:25 Mr. Gorder, Clark Fork Coalition
16:31:36 Sen. Pomnichowski
16:32:06 Mr. Bramblett
16:32:27 Sen. Lang
16:33:16 Ms. Franz, NWE
16:35:33 Sen. Flowers
16:37:04 Mr. Bramblett
16:38:40 Sen. Cohenour
16:39:00 Mr. Bramblett

Closing by Sponsor:

16:39:41 Sen. Fitzpatrick

ADJOURNMENT

Adjournment: 4:41 PM

Lauren de Paepe, Secretary

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Additional Documents:

EXHIBIT([nas23aad.pdf](#))