

## FINAL AGENDA

EQC Agency Oversight Subcommittee  
Room 172, State Capitol  
Thursday, January 26, 2006, 8:00 a.m. to 6:30 p.m.

**NOTE:** **AGENDA ITEM TIMES ARE APPROXIMATE SOME ITEMS MAY TAKE MORE OR LESS TIME THAN IS ALLOTTED.**

- 8:00 a.m. **Call to Order** -- Rep. Harris, Co-Chair
- 8:05 a.m. **Legislative Finance Committee Resource Indemnity Trust Subcommittee Update** -- Barb Smith, LFC Staff
- 8:15 a.m. **DEQ Enforcement/Permitting Issues**  
\* Thompson Falls Power Plant Air Quality Issues Update - DEQ Staff  
\* Holcim Air Quality Permit Update - DEQ Staff
- 8:45 a.m. **DFWP Financial Compliance Audit Overview**  
\* Legislative Audit Staff - Vickie Rauser  
\* DFWP Staff
- 9:45 a.m. **Environmental Protection Agency** - John Wardell  
\* Lone Moose Meadows Wetland Enforcement Issues Update  
\* HJR 34 Information
- 10:05 a.m. **University of Montana Proposal to Assist the Subcommittee on HJR 34 Study Research** - Professor Robin Saha
- 10:20 a.m. **HJR 34 Study - Bozeman Solvent Site Panel**  
\* Kate Fry, DEQ Project Officer (20 minutes)  
\* Doug Kasefang, Director of Environmental Affairs, Albertsons (15 minutes)  
\* Esther Nelson, Bozeman Solvent Site Citizen's Group (15 minutes)  
\* Phillip Forbes, City of Bozeman representative (15 minutes)  
\* Mike Ellerd, Joint Consultant for the City of Bozeman and Jewel (15 minutes)  
\* Scott Compton, Regional Manager, DNRC (15 minutes)  
\* Public Comment
- 12:20 p.m. **Public Comment** on any matter not contained in this agenda and that is within the jurisdiction of the EQC Agency Oversight Subcommittee
- 12:30 p.m. **Lunch**
- 1:00 p.m. **HJR 34 Study - Livingston/Burlington Northern Panel**  
\* Jarrett Keck, DEQ Project Officer and Denise Martin, DEQ Section Supervisor (20 minutes)  
  
\* John Norris, BNSF Environmental Consultant (15 minutes)  
\* Dave Smith, BNSF Railway Company (15 minutes)  
\* Clint Tinsley, Director of Public Works, Livingston (15 minutes)

- \* Jim Barrett, PCEC Executive Director (15 minutes)
- \* Mandy Cunningham, Former DEQ Project Manager (15 minutes)
- \* Public Comment

3:00 p.m.     **Break**

3:10 p.m.     **HJR 34 Study - Brewery Flats Panel**

- \* David Bowers, DEQ Project Officer (20 minutes)
- \* Duane Ferdinand, Planning Director, City of Lewistown (15 minutes)
- \* Ted Hawn, Big Spring Creek Watershed Partnership (15 minutes)
- \* Chris Reynolds, Environmental Consultant for City of Lewistown (15 minutes)
- \* Public Comment

5:10 p.m.     **Agency Rule Review**

- \* Update on BER Proposed Hard Rock Mining Administrative Rule Amendments Pertaining to Operating Permit Application Requirements - Richard Opper, Director of DEQ
- \* Update on BER Proposed Coal Bed Methane Administrative Rule Amendments - Richard Opper, Director of DEQ
- \* Public Comment

5:45 p.m.     **Review of significant Natural Resource and Environmental State Court Cases**

5:55 p.m.     **Overview of Kelo v. City of New London U.S. Supreme Court Case and the Impact on Eminent Domain Law in Montana -- Todd Everts, Staff**

6:10 p.m.     **MEPA Handbook/Permit Index Review and Approval for Publication -- Todd Everts, Staff**

6:25 p.m.     **Instructions to Staff/Next Subcommittee Meeting**

6:30 p.m.     **Adjourn**

Information Notes: copies of staff memorandums, agendas, minutes can be found at the following web site address: [http://leg.mt.gov/css/services division/lepo/default.asp](http://leg.mt.gov/css/services%20division/lepo/default.asp)