



## Water Policy Interim Committee

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### 65th Montana Legislature

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#### FINAL AGENDA

# WATER POLICY INTERIM COMMITTEE

Room 172, STATE CAPITOL

Jan. 8-9, 2018

AGENDA TIMES ARE APPROXIMATE

## Monday, January 8

### 10 a.m. Call to order

- Roll call
- Approval of minutes from October, 2017

### 10:10 a.m. Update from Environmental Quality Council

- Joe Kolman, environmental analyst, LEPO

### 10:30 a.m. Definition of "distribution lists" (2-6-1017, MCA)

- Barbara Chillcott, attorney, DNRC
- Public comment
- Committee questions and discussion

### 11 a.m. Water right adjudication update (85-2-281, MCA) (Tab 1)

- [DNRC](#)
- [Montana Water Court](#)
- Public comment
- Committee questions and discussion

### 11:30 a.m. Update from Adjudication Advisory Committee

- Holly Franz, attorney, Franz & Driscoll PLLP
- Public comment
- Committee questions and discussion

### Noon Lunch

### 1 p.m. Implementation of State Water Plan (85-1-203, MCA)

- Paul Azevedo, resource conservation manager, Water Resources Division (DNRC)
  - Water storage
  - Missouri Headwaters Impact Assessment and Basin Study
- Public comment
- Committee questions and discussion

### 1:30 p.m. U.S. Forest Service water reservations report (85-20-1401, MCA) [\(Tab 2\)](#)

- DNRC
- Dave Schmid, deputy regional forester, Northern Region
- Public comment
- Committee questions and discussion

2 p.m.                    **Clark Fork and Kootenai River Basins Council**

- Erin Farris-Olsen, coordinator, Montana Watershed Coordinating Council
- Public comment
- Committee questions and discussion

2:30 p.m.                **Break**

2:45 p.m.                **Instream leasing report (85-2-436, MCA)**

- Bill Schenk, agency legal counsel, Department of Fish, Wildlife and Parks
- Public comment
- Committee questions and discussion

3 p.m.                    **Flash drought of 2017**

- Michael Downey, water planning section supervisor, Water Resources Division (DNRC)
- Public comment
- Committee questions and discussion

3:30 p.m.                **Wildfires of 2017: BAER reports [\(Tab 3\)](#)**

- Dave Schmid, deputy regional forester, Northern Region (USFS)
- Public comment
- Committee questions and discussion

4 p.m.                    **Recess for the day**

**Tuesday, January 9**

8:30 a.m.                **Reconvene**

8:35 a.m.                **Improvements to Montana's water quality: Follow up on Helena Valley nutrient load [\(Tab 4\)](#)**

- Tim Davis, administrator, Water Quality Division (DEQ)
- Public comment
- Committee questions and discussion

9:15 a.m.                **Implementation of SB325 (Revise process for adopting water quality regulations (2015) [\(Tab 5\)](#)**

- Tim Davis, administrator, Water Quality Division (DEQ)
- Public comment
- Committee questions and discussion

9:45 a.m.        **Break**

10 a.m.        **Study of exempt groundwater wells** (*Tab 6*)

- Groundwater wells and the differences between confined and dispersed aquifers
  - John Metesh, state geologist, Montana Bureau of Mines and Geology
  - Public comment
  - Committee questions and discussion
- [Permit and exemption data, 2010-2017](#)
  - Millie Heffner, resource conservation manager, Water Resources Division (DNRC)
  - Public comment
  - Committee questions and discussion
- [Suggestions for HB339](#)
  - Buffer zone concept
    - Laura Ziemer, senior counsel and water policy advisor, Trout Unlimited
  - Other suggestions
  - Public comment
  - Committee questions and discussion
- [Proposed DNRC rules \(MAR Notice No. 36-22-196\)](#)
  - LSD staff review of administrative rules and controlled groundwater areas, stream depletion zones
    - Ms. Bills
  - DNRC response to comments received by DNRC on proposed rules
    - DNRC
  - Public comment
  - Committee action on objection to rules

Noon            **Lunch**

1 p.m.        **Status of federal funding for water-related programs in state government**

- Jan Langel, administrator, Water Resources Division (DNRC)
- Tim Davis, administrator, Water Quality Division (DNRC)
- Public comment
- Committee questions and discussion

1:30 p.m.     **The history and future of federal water storage in Montana**

- Steve Davis, Montana area manager, Montana Field Office (U.S. Bureau of Reclamation)
- Public comment
- Committee questions and discussion

2 p.m.        **Break**

2:15 p.m.     **Study of the process for changing a water right** (*Tab 7*)

- Summary of change process in other Western states – Mr. Mohr
- Public comment
- Committee questions and discussion

2:45 p.m.     **Update on Water Information System**

- Troy Blandford, Water Information System manager, Montana State Library

- Public comment
- Committee questions and discussion

3:15 p.m.        **Administrative matters (Tab 8)**

- Budget overview – Mr. Mohr
- DNRC Water Summit
- Tour of Tintina Black Butte Copper Mine Project
- Revisions to water rights handbook
- Instructions to staff
- Public comment
- Committee questions and discussion

3:45 p.m.        **Public comment on any issue within the jurisdiction of the WPIC**

4 p.m.            **Adjourn**

*Meeting attendees who may need services or accommodations should contact Jason Mohr (406-444-1640 or [jasonmohr@mt.gov](mailto:jasonmohr@mt.gov)) at least 5 working days before the meeting.*