



Water Policy Interim Committee

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65th Montana Legislature

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FINAL AGENDA

WATER POLICY INTERIM COMMITTEE

Room 152, STATE CAPITOL

September 10, 2018

AGENDA TIMES ARE APPROXIMATE

8 a.m. **Call to order**

- Roll call
- Approval of July, 2018 minutes

8:10 a.m. **Update from Environmental Quality Council**

- Joe Kolman, environmental analyst, LEPO

8:30 a.m. **Adjudication update (85-2-281, MCA)**

- DNRC
- Water Court
- Public comment
- Committee questions and discussion

9 a.m. **Staff program evaluation: Water Quality Division (DEQ)**

- Mr. Mohr
- Public comment
- Committee questions and discussion

9:30 a.m. **Environmental Protection Agency: Overview of water issues in Montana**

- Darcy O'Connor, assistant regional administrator, Office of Water Protection (EPA)
- Public comment
- Committee questions and discussion

10 a.m. **The federal budget (H.R. 1625) and state water programs**

- Tim Davis, Water Quality Division administrator (DEQ)
- Jan Langel, Water Resources Division administrator (DNRC)
- Public comment
- Committee questions and discussion
- Committee consideration of bills for pre-introduction

10:30 a.m. **Break**

10:45 a.m. **Overview of proposed agency legislation**

- Don Skaar, Habitat Bureau chief (FWP)
- Mr. Davis
- Mr. Langel
- Public comment
- Committee questions and discussion
- Committee consideration of bills for pre-introduction

11:15 a.m. **Data use and modeling in DNRC streamflow analyses**

- Attila Felnagy, groundwater hydrogeologist (DNRC)
- Public comment
- Committee questions and discussion

11:45 a.m. **Analysis of Montana water law**

- Kristin Sleeper, doctoral student, W.A. Franke College of Forestry and Conservation (University of Montana)
- Public comment
- Committee questions and discussion

Noon **Lunch**

1 p.m. **Summary of public comments on reports and legislation**

- Mr. Mohr
- Additional public comment
- Committee questions and discussion
- Committee adoption of final reports
 - Study of the process of changing a water right
 - Study of exempt groundwater wells

2 p.m. **Break**

2:15 p.m. **Committee consideration of draft legislation**

- Draft legislation:
 - Define a “supplemental notice” within the Montana Administrative Procedure Act (LCw001)
 - Revise certain water right adjudication processes (LCw002)
 - Extend the deadline to correct an application for a permit or a change of water right (LCw003)
 - Clarify that legal availability analysis does not determine adverse effects as criteria in a water rights change application (LCw004)
 - LCw04a
 - LCw04b
 - LCw04c
 - Clarify the criteria for a water right permit relying on a waiver of adverse effect (LCw005)
 - Study Montana’s stream gauge network (LCw006)
 - Maintain stream gauge network (LCw008)
 - Revise laws related to distribution lists (LCw009)
 - Revise laws related to river basin councils (LCw010)
- Public comment (*may be taken after each individual bill*)
- Committee questions and discussion (*may be held after each individual bill*)
- Committee approval of bills for pre-introduction (*may be taken after each individual bill*)
- Assignment of sponsors

4 p.m. **Administrative matters**

- Administrative rule review – Legal Services Office
- Staff evaluation form – Mr. Mohr
- Public comment
- Committee questions and discussion

4:15 p.m. **Public comment on any issue within the jurisdiction of the WPIC**

4:30 p.m. **Adjourn**

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