



January 06, 2026

Dear Chairman Galt,

On behalf of Montana Association of Conservation Districts (MACD), I am requesting time on the Water Policy Interim Committee agenda regarding the necessary revisions to the Natural Streambed and Land Preservation Act (commonly known as 310 law). Last session, the districts partnered with Senator Loge to bring forward SB 472, which intended to modernize enforcement of 310 law, giving districts the ability to levy fines larger than the current cap of \$500 per day (**Title 75, Chapter 7, Part 1, MCA**, Section 75-7-102 for policy and 75-7-123 for current penalty provisions). However, during the amendment process, the bill became conflated with Streamside Management Zone rules (**Title 77, Chapter 5, Part 3, MCA**). In his veto letter, Governor Gianforte expressed the following:

*“I encourage conservation districts, with the support of the Montana Department of Natural Resources and Conservation, to engage with the sponsor and stakeholders over the biennium to conduct a review of enforcement and compliance issues surrounding 310 permits, with the goal of generating a comprehensive proposal for the 2027 legislative session that provides clear, consistent, and fair guidelines for the assessment of penalties.”*

In order to address the Governor’s concerns and his direction to engage stakeholders and conduct a review, MACD has passed a resolution to form a working group tasked with bringing forward a 2026 resolution to re-draft legislation addressing civil penalties, taking into consideration the concerns listed by the Governor in his veto letter. The goals of this working group are: 1) to engage District Supervisors and Administrators alongside DNRC staff to develop guidelines regarding civil penalties; 2) to work with Senator Loge on a re-draft of SB 472; and 3) to participate in stakeholder meetings and ARMs review with DNRC staff regarding Streamside Management Zone overlap with 310.

MACD and our partners have been working in earnest to meet our stated goals for this initiative. At this time, I’d like to request time on the interim committee’s agenda to provide updates in regard to our progress and address any early questions that the committee may have. I am available via email at [rayelynn@macdnet.org](mailto:rayelynn@macdnet.org) or via the following numbers 406-443-1580 (o) or 406-490-5191 (c).

Respectfully,

A handwritten signature in black ink that reads "R. Brandl". The signature is written in a cursive, flowing style.

Rayelynn Brandl  
Executive Director  
Montana Association of Conservation Districts

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January 7, 2026

Interim Water Policy Committee  
PO Box 201706  
Helena, MT 59602-1706

RE: WATER-Cloud Seeding

Dear Committee Members:

Thank you for your time and effort serving on WPIC to study and consider water issues and develop legislative solutions that enhance Montana's capability to fully benefit from the water resources that flow within its boundaries. It is time we consider all options and look at long term strategies all while addressing the immediate concerns relevant to water use and management within the state. Now is the time to consider all options. As the Lt. Governor of Idaho, Scott Bedke said while lobbying in DC: "If we wait, we will be managing shortages instead of opportunities. We must act now to capture and store the extra water available each spring. The choices we make today will decide whether we thrive or struggle in the decades ahead." These are wise words and we must not get bogged down with immediate challenges as our most valuable natural resource flows out of the state without utilizing its potential economic and multiple use benefits. Increasing yield from our decadent watersheds, increasing both surface and ground water storage, and developing a new water source by tapping the atmospheric river that flows overhead using cloud seeding technology are all options we need to embrace.

At the previous October meeting Michael McClain from the DNRC and Sara Tessoroff from The National Science Foundation National Center for Atmospheric Research/ Research Application Laboratory (NSF NCAR/RAL) presented a feasibility study funded by the 68<sup>th</sup> Montana Legislature. This study was designed to identify site specific areas in the Big Hole Watershed that have cloud seeding potential and outlined the development of a pilot program to demonstrate the positive impact cloud seeding could have by increasing high mountain snow pack. This high elevation snow pack represents additional storage from an untapped new water source to increase mid and late season flows in the Big Hole River by 8-15%. This DNRC sponsored feasibility study and potential pilot study are authorized under current law. The 68<sup>th</sup> Montana Legislature provided funding for the feasibility study and the DNCR managed it through completion. This study identified areas in the Big Hole watershed that have potential and presented a preliminary pilot study design. If cloud seeding is to become an integral component of water management in Montana, this pilot study needs to be funded by the next legislature. This would be a 3-5 years study with an estimated budget of \$400K to a \$1M per year. Based on the success of cloud seeding in surrounding states, data from this study will validate that cloud seeding is a viable tool to provide a new source of water and storage as high mountain snowpack in many of the watersheds throughout Montana. Now is the time to embrace cloud seeding as an additional opportunity to enhance Montana's water budget into the future. I encourage the WPIC Committee to promote legislation to fund the proposed pilot study as we look at new opportunities to enhance the water resources we have in the state.