



## Water Policy Interim Committee

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### 63rd Montana Legislature

#### SENATE MEMBERS

CHAS VINCENT--Chair  
JENNIFER FIELDER  
BRADLEY MAXON HAMLETT  
SHARON STEWART-PEREGOY

#### HOUSE MEMBERS

KATHLEEN WILLIAMS--Vice Chair  
PAT CONNELL  
STEVE FITZPATRICK  
REILLY NEILL

#### COMMITTEE STAFF

JASON MOHR, Lead Staff  
HELEN THIGPEN, Staff Attorney  
NADINE SPENCER, Secretary

# MINUTES LOG

June 6, 2014

Room 335, State Capitol Building  
Helena, Montana

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for *Interim Committees*, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page.

Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

#### **COMMITTEE MEMBERS PRESENT**

SEN. BRADLEY MAXON HAMLETT, Acting Chair

SEN. JENNIFER FIELDER  
SEN. SHARON STEWART-PEREGOY

REP. PAT CONNELL  
REP. REILLY NEILL

#### **COMMITTEE MEMBERS EXCUSED**

SEN. CHAS VINCENT, Chair  
REP. KATHLEEN WILLIAMS, Vice Chair  
REP. STEVE FITZPATRICK

## **STAFF PRESENT**

JASON MOHR, Lead Staff  
HELEN THIGPEN, Staff Attorney  
JOE KOLMAN, Legislative Environmental Analyst  
NADINE SPENCER, Secretary

## **AGENDA & VISITORS' LIST**

Agenda, [Attachment 1](#).  
Visitors' list, [Attachment 2](#).

## **COMMITTEE ACTION**

None

## **CALL TO ORDER AND ROLL CALL**

00:00:13 Sen. Hamlett called the meeting to order at 10:10 a.m. The secretary called the roll, [Attachment 3](#).

## **AGENDA**

### **UPDATE FROM CSKT COMPACT TECHNICAL WORKING GROUP**

00:00:55 Sen. Hamlett

00:01:01 Jason Mohr, Research Analyst, Legislative Services Division (LSD), provided information on the members of the Confederated Salish and Kootenai (CSKT) Compact technical working group. He said that the working group has met twice and provided the dates for additional meetings that have been scheduled.

00:04:51 Sen. Hamlett asked if any members of the public were present. Mr. Mohr said the members of the public that were present at the two work group meetings.

00:05:43 Sen. Hamlett asked if any of the working group members are present at the meeting today. Mr. Mohr said that John Metesh, Director and State Geologist, Montana Bureau of Mines and Geology (MBMG) is present.

00:05:58 Mr. Metesh gave an update on the work group meetings.

00:12:27 Rep. O'Neil left the meeting.

00:12:42 Sen. Hamlett asked if Bill Greiman, Engineer, Reserved Water Rights Compact Commission (RWRCC), will be available for the June 12 meeting. Mr. Metesh said he will be present.

### **Committee questions and discussion**

- 00:13:36 Sen. Fielder asked about addressing the issue of surface water data quality. Mr. Metesh said they will use the data, but will not get into the data validation process.
- 00:15:38 Sen. Fielder asked if Kate Vandemoer has participated with the working group. Mr. Metesh said that she has not. Sen. Fielder suggested she be included.
- 00:16:30 Rep. Connell said that in the preliminary information that has been reviewed nothing has been uncovered that is in conflict with data in the compact. He asked that the WPIC be advised of any issues that may arise that conflicts with some basis of the discussion that has occurred between the state, the tribes, and the federal government.
- 00:17:53 Sen. Stewart Peregoy asked if the CSKT reports will be utilized by the work group. Mr. Metesh said they will be used.
- 00:19:33 Sen. Hamlett asked about the amount of material that is available for review. Mr. Metesh said that he would rather have more material than less.
- 00:20:57 Sen. Stewart-Peregoy asked if any of the work group meetings are scheduled to be held on the CSKT Reservation. Mr. Metesh said they are not.
- 00:21:58 Mr. Mohr said that the tribe will be presenting to the working work on June 12 and gave a schedule for additional work group meetings.
- 00:22:50 Sen. Hamlett said that all meetings are noticed to the public. Mr. Mohr agreed.
- 00:23:36 Sen. Hamlett said that the amount of information that is available is beneficial to everyone.
- 00:24:06 Sen. Fielder asked when the next WPIC meeting is scheduled. Mr. Mohr said that the meeting is scheduled for August 7.
- 00:24:30 Sen. Hamlett asked Mr. Metesh if he had any additional information. Mr. Metesh said he did not.
- 00:24:45 Sen. Hamlett asked if there are an adequate number of stream gauges to collect data in the area. Mr. Metesh said they have a considerable amount of data.
- 00:26:46 Rep. Connell said that it is up to interested parties to engage and participate in meetings of the work group.

**Public comment** None

## OTHER BUSINESS

- 00:28:20 Sen. Hamlett said that public notification of the work group meetings is important and encouraged members of the WPIC to participate as well.
- 00:29:25 Mr. Metesh said that it is important for the success of the working group to have people come to the meetings and ask questions about the difference between the model result or data, and negotiated numbers that made the compact.
- 00:30:39 Sen. Hamlett said it is important to know if the decisions that were made in the compact are based on accurate information.
- 00:31:03 Sen. Fielder commented on the time frame for the economic report that is being completed.
- 00:32:43 Sen. Hamlett asked if the date for the last WPIC meeting can be changed. Mr. Mohr said that the meeting date can be changed or a meeting can be added.
- 00:33:09 Sen. Hamlett said it is good to know that there are options. Sen. Fielder agreed.
- 00:34:03 Rep. Connell asked about the remaining schedule for the WPIC meetings. Mr. Mohr said the remaining meeting dates.
- 00:35:34 Sen. Hamlett said that the WPIC can meet in October if necessary.
- 00:35:47 Sen. Stewart-Peregoy asked when the conclusion of the economic analysis is expected to be done. Sen. Fielder said it should be done just after the September WPIC meeting.
- 00:36:39 Sen. Stewart-Peregoy said the WPIC should consider moving the September meeting. Mr. Mohr said the WPIC does have the option of moving the meeting.
- 00:37:21 Sen. Hamlett said it will be better to wait before deciding on whether or not to change the meeting date. He asked when the change in meeting date needs to be noticed to the public. Mr. Mohr said that notice will need to be given by mid to late August.
- 00:38:13 Sen. Hamlett said the economic report needs to be received before the WPIC's last meeting.
- 00:38:52 Sen. Hamlett asked about the schedule for the next work group meetings. Mr. Mohr provided the schedule.
- 00:40:20 Sen. Hamlett adjourned the meeting at 10:50 a.m.

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