

Commission Info Session Webinar Notes

Reviewing Western Montana Conservation Commission Bill

11/21/22

Panelists: Kate Wilson (FBC/UC³), Cassidy Bender (FBC/UC³), Stacey Schnebel (UC³), Tom Woolf (UC³), Casey Lewis (FBC), Kristen Juras (Lt. Governor), Kerry Davant (DNRC Deputy Director), Mark Bostrom (DNRC CARDD Administrator)

View the full webinar recording here: [https://mt-](https://mt-gov.zoom.us/rec/share/0iNDKFoZn10uJw6JXEAFvOmiz9mLlk8Y0Yers5OBRGkYkGpmf60wRxdNmqXSJ9wc.cPZqeyry9vlvz7DI)

[gov.zoom.us/rec/share/0iNDKFoZn10uJw6JXEAFvOmiz9mLlk8Y0Yers5OBRGkYkGpmf60wRxdNmqXSJ9wc.cPZqeyry9vlvz7DI](https://mt-gov.zoom.us/rec/share/0iNDKFoZn10uJw6JXEAFvOmiz9mLlk8Y0Yers5OBRGkYkGpmf60wRxdNmqXSJ9wc.cPZqeyry9vlvz7DI) [mt-gov.zoom.us]

Password: *KQG=3DN

- **Review of “What We Heard”** from October commission meetings on the proposed bill to consolidate the Upper Columbia Conservation Commission and Flathead Basin Commission into the new *Western Montana Conservation Commission*. If you would like more information on this, it was provided beforehand in “What We Heard” summary.
- **Review of new draft bill** – comments heard at the meetings were considered and addressed in the new draft of the bill. Changes and additions are as follows:
 - Separated hydro + electric co-op seats (now 16 voting members)
 - Now including representatives from either “wastewater or stormwater”
 - Four non-voting legislative seats (same as UC³ currently)
 - Added ex-officio seat for US Army Corps of Engineers (not just BOR)
 - Added ex-officio seat for Montana Bureau of Mines & Geology (groundwater focus)
 - Added ex-officio seat for CSKT Tribal Council (now 2 total seats)
 - Defined area as “all land and water areas west of the continental divide within the Montana portion of the headwaters of the Columbia River Basin”
 - Purpose focused on protecting “aquatic resources” vs. just natural resources
 - Aquatic resources defined as “all beneficial uses of water, including but not limited to water quality and water supply; recreational, scenic, and aesthetic values; and fish, wildlife, and other organisms, including the prevention and management of aquatic invasive species.”
 - AIS as statutory duty moved to #2 (from #5)
 - Flathead emphasis as one of duties: “to provide focused support and programming to the aquatic and natural resources of the Flathead Basin given its economic, cultural, and natural resource importance to the state of Montana.”
- **Lt. Governor, Kristen Juras** – The Governor has decided to move forward with this proposed legislation, and we genuinely believe the commission will be even stronger. We value the work that has been done, especially under Kate’s leadership. We did not ask either commission to take an official vote in support or opposition of the bill because under the Montana Code Annotated, the Governor has the final decision as to whether to proceed with this. The bill will work through the legislative process, and it will be decided by the legislature. We do not anticipate that either commission will appear before the committees testifying as a proponent or opponent, staff will be at the hearings as informational witnesses.

- As individuals representing themselves, members of the commissions are free to testify with thoughts on the proposal. If you do, make sure that when you appear you state in the record that you are speaking on behalf of yourself not representing either commission.
- **Overview of legislative session process- Mark Bostrom**
 - Final bill draft will go to legislative services division to be assigned an LC# (draft bill) and sponsor(s) will be determined.
 - Bill likely to start out in hearings with the House Natural Resource Committee, then move to a floor debate, then to the second chamber for hearings and a floor debate. If approved as drafted, it will then move to the Governor for signature or veto. If there are amendments in the process, it will bounce back to the first committee it was heard and move back through the process from the beginning.
 - You can track bills through the session and receive notices on when/where the bill hearings will happen, with the [Montana Legislative Bill Tracker](#).
 - You can always stream/listen to bill hearings virtually at the [MT Legislative Website](#).
 - If you would like to provide testimony, you have to request in advance on the website and must clarify that you are representing yourself and not the commissions.
- **Overview of commission bylaws vs. enabling statute**
 - Enabling legislation
 - Membership & terms
 - Purpose
 - Statutory duties
 - Status as administrative attachment (DNRC)
 - Bylaws
 - Structure and governance
 - Formation, focus areas & functions of Committees
 - Internal operations
 - Running meetings
 - Voting and decision making
 - Roles and responsibilities
 - Must align with enabling statutes and all applicable state laws, and policies (given that Commissions are administrative attachments)
- **Wrap up & Next steps**
 - Kate has taken a new position with the Bonneville Power Administration; her position has been posted and is open for recruitment until mid-December. Cassidy will be acting Administrator until the position is filled.
 - No additional commission meetings are scheduled at this time. The new commission will not be stood up until July 1, 2023. The last commission meetings for each commission will be scheduled after the result of the bill is finalized and before the new commission is stood up, to go over next steps, priorities moving forward, and to select the 4 commission members (2 from each) that will move forward onto the new commission.
 - Cassidy will provide regular email updates on the status of the bill and when to expect hearings, as well as continue to move projects along as usual. She will be assisted by FBC's Nonpoint Source Coordinator, Emilie Henry.
- **Public Comment**

- Just because there are four current members guaranteed to move forward onto the new commission, that doesn't mean that others cannot apply. You can go through the regular application process on the [Board Openings \(mt.gov\)](https://www.mt.gov/BoardOpenings) website when they are posted.
- How does the appointment of a conservation district representative under an expanded commission work? A: As written, the conservation district representatives will be nominated by Montana Association of Conservation Districts based on area and project focus to best fit the priorities of the new commission.
- Staffing changes to support the anticipated the duties of the new commission: Currently designated 2 FTE (Kate and Cassidy's positions), 1 modified position (Emilie's position with funding secure through EPA grant), and 2 BSWC members. Once the commission is established, we will figure out what the demand is and what staffing support is needed. Then we can address and seek funding for future support; we have been very successful leveraging state appropriations with grant funding.