

WATER POLLUTION CONTROL ADVISORY COUNCIL
Metcalfe Building, Room 111
1520 East Sixth Avenue, Helena, MT
January 11, 2013
Meeting Minutes

ATTENDANCE

Council Members Present: Trevor Selch.

Council Members Present via Telephone: Keith Smith, Mitchell Leu, Earl Salley, Corey Fisher, Michael Wendland, Dude Tyler, and Karen Bucklin Sanchez.

Council Members Not in Attendance: Roger Muggli, Stevie Neuman, and Kathleen Williams.

Meeting Recorders Present: Sarah Norman, Carrie Greeley, and Laurie Crutcher.

Department Personnel Present: Amy Steinmetz, John North, and Eric Urban.

Public Present: None.

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Chairperson Trevor Selch.

INTRODUCTIONS

Brief introductions were made by council members. Chairperson Selch introduced Ms. Sarah Norman as Ms. Stephanie Crider's replacement.

APPROVAL OF AGENDA

Mr. Dude Tyler moved to approve the agenda as written; Mr. Earl Salley seconded the motion. There was no opposition to the motion; the motion carried.

APPROVAL OF MINUTES

Mr. Keith Smith moved to approve the November 2012 meeting minutes as written; Mr. Tyler seconded the motion. There was no opposition to the motion; the motion carried.

ACTION ITEMS

Adoption of 2013 Meeting Calendar

Ms. Amy Steinmetz discussed the proposed 2013 WPCAC calendar schedule, and Chairperson Selch noted that he will not be able to attend the April meeting. Mr. Tyler made a motion to adopt the 2013 meeting calendar. Mr. Wendland seconded the motion; the motion carried.

Selection of 2013 Chairperson

Chairperson Selch noted that he would be out of the office occasionally during 2013 and, consequently, he may have to attend some of the meetings via telephone, particularly during the spring and fall seasons. He then asked for nominations for the 2013 Chairperson. Mr. Tyler nominated Mr. Selch to serve another term, and Mr. Salley seconded his nomination. As there were no other nominations,

Chairperson Selch called the decision to a vote. The vote was unanimous, so the motion carried for Mr. Selch to serve as the 2013 WPCAC Chairperson.

BRIEFING ITEMS

Senate Bill 76

Mr. John North, chief legal counsel for DEQ, reported on Senate Bill 76. The bill was introduced by Senator Vincent at the request of DEQ. It was created to amend the Water Quality Act to allow the board to adopt rules specifically relating to the location, design, construction, and capacity of cooling water intake structures. Section 316 of the Water Quality Act says that EPA is responsible for adopting rules to regulate intake structures to ensure that they have the best available technology for minimizing adverse environmental impacts. There are two phases of the federal rules. The first phase, dealing with new intake structures, was adopted in the 1970s. Now, in the second phase, the EPA has come out with rules for existing structures, which will have a potential impact on industries in Montana. This bill is intended to get legislative authority for these rules because they do not deal with discharges. The bill is to be heard for the first time in the Senate on Monday, January 14, 2013. Industries that will potentially be impacted have indicated that they would like for rules not to be more stringent than existing federal rules. Mr. North stated that he believes that this will be achievable and that the bill will pass, albeit with some modifications. Mr. North also noted that DEQ is waiting for the federal rules to be finalized, which is anticipated to go through in April 2013.

Mr. Salley requested some further review of bills of interest to WPCAC council members during the upcoming February meeting. Mr. John North stated that he will give such a review, and he believes there will be more bills to discuss at that time.

Mr. Corey Fisher inquired about legislation that would address rural development growth impacts on Montana. Mr. North said that he has not seen that specifically addressed yet, but that he can report on that in February. He also noted that Steve Kilbreath, from DEQ, has been assigned a temporary one-year position to work on these kinds of impacts. Mr. North intends to bring Mr. Kilbreath to February's meeting to discuss this in more depth.

ROUTINE WPCAC BUSINESS

Public Comment

No public comments were made.

Agenda Items for Next Meeting

The next meeting is scheduled for February 22, 2013. Ms. Steinmetz mentioned that, in addition to a legislative update, the Silverbow Creek Classification Project will possibly be a topic for discussion in February. She believes, however, that it will most likely not be ready until April. Mr. Eric Urban, of DEQ, agreed with Ms. Steinmetz, adding that the project is currently still being finalized.

Chairperson Selch suggested e-mailing bills of interest to council members instead of holding a February meeting, if there are no action items or significant briefing items to discuss at that time. Several members of the council expressed interest in that option. For now, however, the February 22 meeting date will be held, and council members will be kept apprised of any changes to the schedule.

Ms. Steinmetz asked for council members' interest in hearing from John North, or another DEQ attorney, at the next meeting to learn about WPCAC's role in the rulemaking process. Both Mr. Wendland and Mr. Smith expressed interest, stating that it would be good idea, especially for the newer members.

Adjournment

Chairperson Selch moved to adjourn the meeting. All were in favor; the meeting adjourned at 10:26 a.m.

REFERENCED LINKS FOR MEETING MATERIALS

(Sites last updated 1/23/2013)

January 11, 2013 Agenda -

<http://deq.mt.gov/wqinfo/WPCAC/agendasMinutes/2013/January11/AGENDA01-11-13.pdf>

Agenda Links:

- Approved minutes from November 2, 2012 -
<http://deq.mt.gov/wqinfo/WPCAC/agendasMinutes/2012/November2/DRAFTNov2Minutes.pdf>
- 2013 WPCAC Meeting Calendar -
<http://deq.mt.gov/wqinfo/WPCAC/AgendasMinutes/2013/2013WPCACCalendar.pdf>