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**MEETING MINUTES**  
**WATER POLLUTION CONTROL ADVISORY COUNCIL**  
**Friday, January 9, 2015**  
**10:00 AM – 11:00 AM**  
**Metcalf Building**  
**1520 E. Sixth Ave, Helena, MT 59620**

**PRESENT**

*Council Members Present:*

*Barbara Chillcott (by phone)*

*Mack Cole (by phone)*

*Mitchell Leu (by phone)*

*Earl Salley (by phone)*

*Karen Bucklin Sanchez (by phone)*

*Trevor Selch*

*Keith Smith (by phone)*

*Michael Wendland (by phone)*

*Council Members Absent:*

*Stevie Neuman*

*Dude Tyler*

*Kathleen Williams*

*Montana Department of Environmental Quality Staff Members Present:*

*Kirsten Bowers*

*Jon Kenning*

*Adam McMahon*

*Kurt Moser*

*Sarah Norman*

*Lynda Saul*

*Amy Steinmetz*

**CALL TO ORDER**

Chairperson Trevor Selch called the meeting to order at 10:02 a.m.

**APPROVAL OF AGENDA**

Chairperson Selch moved to approve the agenda as written. There was no opposition; the motion carried.

**APPROVAL OF MINUTES**

Mr. Keith Smith moved to approve the November 7, 2014, meeting minutes as written; Mr. Mitchell Leu seconded the motion. There was no opposition; the motion carried.

**BRIEFING ITEMS**

**Waters of the US Update –**

Ms. Amy Steinmetz said that the comment period for the proposed rule closed in November 2014. The proposed rule received 860,000 comments. Not including mass mailings, approximately 18,000 substantive comments were submitted.

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The state of Montana commented on the proposed rule. Attorney General, Tim Fox, opposed the rule. He explained that his opposition was based on assumptions within the proposed rule that overreached logical reasoning. Governor Steve Bullock commented that the proposed rule causes confusion. He referred to a comment submitted by John Tubbs, Director of Montana Department of Natural Resources and Conservation. Mr. Tubbs, summarizing comments from state agencies, said that there had been open communication with EPA. He did not feel that the Water Quality Act would be affected by the proposed rule. Mr. Tubbs also commented on a lack of communication from the U.S. Army Corps of Engineers. He asked that the proposed rule be withdrawn and suggested areas needing clarification if the rule is not withdrawn. Ms. Steinmetz said that, from a water quantity perspective, the letter expressed concern with how the proposed rule might be interpreted to overreach federal influence.

Ms. Barbara Chillcott requested that Ms. Steinmetz email the comments from Governor Bullock, Mr. Fox, and Mr. Tubbs to Water Pollution Control Advisory Council members. Mr. Smith asked if Ms. Steinmetz knew how many counties submitted comments, and Ms. Steinmetz replied that she was unsure. Mr. Mack Cole and Mr. Michael Wendland responded that they were aware that several counties had commented on the proposed rule.

### **ACTION ITEMS**

#### **2015 Chair and Vice Chair Elections –**

After some discussion of nomination for Mr. Dude Tyler, Ms. Steinmetz mentioned that Mr. Tyler had said he would accept a nomination to continue serving as vice chair.

Mr. Earl Salley nominated Mr. Selch for reelection as chairperson. Mr. Selch said that he would be willing to accept the nomination. There were no other nominations. All voted in favor of Mr. Selch serving as chair and Mr. Tyler serving as vice chair during 2015.

#### **2015 WPCAC Calendar –**

Council members discussed the meeting dates proposed by Ms. Steinmetz. Ms. Steinmetz confirmed that Friday meetings are still acceptable to council members. Chairperson Selch sought a motion to accept the proposed 2015 calendar. Mr. Cole moved to approve the calendar and Mr. Salley seconded the motion. All were in favor; the motion carried.

#### **Public Comment –**

There was no public comment.

#### **Agenda Items for Next Meeting –**

The next meeting is scheduled for February 27, 2015. Ms. Steinmetz noted that this meeting may be a teleconference or might end up being canceled, as rulemaking is slow during legislative session. There are no action items for this upcoming meeting. Briefing items for the meeting could include a legislative update on bills that would affect the department. Ms. Steinmetz said that if the council does not meet, she can send out an email with that information. An additional briefing item included the continuation of the department section presentations. The final briefing item suggested was a presentation by Chairperson Selch on the Fish Consumption Advisory Group.

Ms. Steinmetz asked the council members for additional briefing items. Mr. Smith said that he would appreciate an email update on legislative issues if the February meeting ends up being cancelled. Mr. Cole expressed interest as well.

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If council members have additional suggestions for briefing items they can be sent to Ms. Steinmetz or Chairperson Selch via email.

**ADJOURN**

Chairperson Selch sought a motion to adjourn the meeting. A motion was made; the meeting adjourned at 10:20 a.m.

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**REFERENCED LINKS FOR MEETING MATERIALS**

(Sites last 1/9/2015)

**January 9, 2015 Agenda -**

[http://deg.mt.gov/wqinfo/WPCAC/agendasMinutes/2015/January9/AGENDA\\_1-5-15.pdf](http://deg.mt.gov/wqinfo/WPCAC/agendasMinutes/2015/January9/AGENDA_1-5-15.pdf)

**Agenda Links:**

Minutes from November 7, 2014 -

<http://deg.mt.gov/wqinfo/WPCAC/agendasMinutes/2015/January9/11-7-2014ApprovedMinutes.pdf>

Submitted by,

Sarah Norman 1/9/2015