



Montana
Board of Environmental Review

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MINUTES

October 29, 2013

Call to Order

The Board of Environmental Review's regularly scheduled meeting was called to order by Chairman Shropshire at 1:00 p.m., on Tuesday, October 29, 2013, in Room 111 of the Metcalf Building, 1520 East Sixth Avenue, Helena, Montana.

Attendance

Board Members Present: Chairman Shropshire, Joan Miles, and Marietta Canty

Board Members via Teleconference: Heidi Kaiser, Chris Tweeten, Larry Mires, and Joe Russell

Board Attorney Present: Katherine Orr, Attorney General's Office, Department of Justice

Board Secretary Present: Joyce Wittenberg

Court Reporter Present: Laurie Crutcher, Crutcher Court Reporting

Department Personnel Present: John North and Paul Nicol – Legal; Barb Kingery – Public Water Supply & Subdivisions Bureau;

Interested Persons Present (*Disclaimer: Names are spelled as best they can be read from the official sign-in sheet.*):

Mr. North took roll call of Board members present.

- I.A. In the matter of the Department's proposed amendments to the Administrative Rules of Montana (ARM) 17.30.702, 17.36.345, 17.36.914, and 17.38.101 pertaining to Department Circular DEQ-4 that were initially published on December 20, 2012.

Ms. Kingery provided a briefing on the current revision process of DEQ-4 and asked that the Board adopt it.

Chairman Shropshire asked if there were any questions from Board members. Mr. Russell complimented the department on the work done on it and Chairman Shropshire concurred.

Chairman Shropshire asked if any member of the public would like to comment on the rulemaking. There was no response.

Chairman Shropshire called for a motion to adopt the proposed amendments pertaining to DEQ-4. Ms. Kaiser so MOVED. Ms. Canty SECONDED the motion. Mr. Russell made a friendly AMENDMENT to also adopt the 521 and 311 Analyses, the Presiding Officer's Report, and the Department's Responses to Comments. Mr. Mires so MOVED. Ms. Miles SECONDED. The motion CARRIED with a unanimous vote.

- I.B. In the matter of violations of the Sanitation in Subdivision Act and Public Water Supply Laws by Steve R. and Shanna L. Lunderby at North Drive Mobile Home Court, Sidney, Richland County, BER 2013-05 SUB.

Ms. Orr explained that the parties have reached agreement and this is a Rule 41(a) Motion to Dismiss.

Mr. Russell MOVED to authorize the Chair to sign the dismissal order for this matter. Ms. Kaiser SECONDED the motion. The motion CARRIED with a unanimous vote.

Mr. North provided more information about the case at the request of Board members.

- II. General Public Comment

Chairman Shropshire called for general public comment. There was no response.

- III. Adjournment

Chairman Shropshire called for a motion to adjourn. Ms. Miles so MOVED. Ms. Canty SECONDED the motion. The motion CARRIED with a unanimous vote.

The meeting adjourned at 1:24 p.m.

Board of Environmental Review October 29, 2013, minutes approved:

Robin Shropshire

ROBIN SHROPSHIRE
MADAM CHAIR
BOARD OF ENVIRONMENTAL REVIEW

1/21/2014

DATE