

HOUSE BILL NO. 360

INTRODUCED BY B. HAMLETT, B. BROWN, Z. BROWN, P. CONNELL, C. GLIMM, C. VINCENT,
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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE SURFACE WATER ASSESSMENT AND
MONITORING PROGRAM; AND PROVIDING PROGRAM DUTIES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Surface water assessment and monitoring program -- steering committee. (1) The Montana bureau of mines and geology shall develop and implement a surface water assessment and monitoring program for the purpose of collecting and compiling surface water information. The bureau shall gather data, compile existing information, conduct field studies, and prepare a detailed hydrogeologic assessment report for each subbasin. The bureau shall develop a monitoring plan and a hydrogeologic model for each subbasin for which a report is prepared.

(2) (a) There is a surface water assessment and monitoring program steering committee consisting of:
(i) an employee of each of the following state agencies that have responsibility for surface water protection, management, or information who is appointed by the head of the respective state agency:

(~~ii~~)(A) the department of natural resources and conservation;

(~~iii~~)(B) the department of environmental quality;

(~~iv~~)(C) the department of agriculture; and

(~~v~~)(D) the Montana state library, natural resource information system; AND

(II) AT LEAST ONE REPRESENTATIVE OF TRIBAL GOVERNMENTS IN MONTANA, APPOINTED BY THE GOVERNOR.

(b) The committee may include representatives of the following agencies and units of government with expertise or management responsibility related to surface water:

(i) the legislative services division;

(ii) the board of oil and gas conservation;

(iii) the Montana bureau of mines and geology;

(iv) a soil and water conservation district;

(v) a unit of the Montana university system, other than the Montana bureau of mines and geology,

1 appointed by the board of regents of higher education for the university system;
2 (vi) a county government, appointed by an organization of Montana counties;
3 (vii) a city, town, or city-county government, appointed by an organization of Montana cities and towns;
4 and
5 (viii) each principal federal agency that has responsibility for surface water protection, management, or
6 research, appointed by the Montana head of the respective federal agency.

7 (c) The committee may include one representative of each of the following organizations and groups,
8 appointed by the governor, to serve as ex officio members:

- 9 (i) agricultural water users;
10 (ii) industrial water users;
11 (iii) a conservation or ecological protection organization; and
12 (iv) the development community.

13 (3) The steering committee shall prioritize subbasins for investigation based on current and anticipated
14 growth of agriculture, industry, housing, and commercial activity. Permit applications for the development of
15 surface water or ground water and the timing of the adjudication of water rights may be taken into account when
16 prioritizing subbasins.

17 (4) The steering committee shall elect a presiding officer from its voting members.

18 (5) The Montana bureau of mines and geology shall provide staff support to the steering committee.

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20 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
21 integral part of Title 85, and the provisions of Title 85 apply to [section 1].

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