
Stream Gage Oversight Work Group

Subcommittee of the Governor's Drought and Water Supply Advisory Committee

MEETING #1 SUMMARY

DATE: August 27, 2019

TIME: 1:30 – 4:00

LOCATION: Montana Room, DNRC Headquarters Building, Helena MT

Summary

This was the first meeting of the newly formed Stream Gage Oversight Working Group. The purpose of this meeting was for the Working Group members to: 1) orientate themselves to the task given in SB32, and 2) organize themselves as a group to complete the task. Working Group members represent the seven agencies on the Governor's Drought and Water Supply Advisory Committee (2-15-3308 MCA).

Action Items

- Paul will draft a Process Agreement for the group's consideration.
- Paul will send out a Doodle Poll for a field trip date in early October.

Members Present:

- Stephen Begley – Fish Wildlife & Parks – Co-Chair
- Paul Azevedo – Dept of Natural Resources – Co-Chair
- Brett Heitshusen – Dept of Ag
- Darrin Kron – Dept of Environmental Quality
- Mike Honeycutt – Dept of Livestock
- Jennifer Pelej – Dept of Commerce
- Andrew Long – Military Affairs/DES

Why is it spelled “Gage” and not “Gauge”?

Fredrick H. Newell, first Chief Hydrologist for the USGS is credited with adopting the spelling of “gage” around 1882. Newell may have been influenced by the adoption of “gage” in the Standard Dictionary (the first dictionary produced by Funk and Wagnalls). “Gage” is used in the Montana Water Act – Title 85.

Overview SB32

- Handouts – SB32 Enrolled and SB32 Information sheet
- History –
 - The initial push for SB32 started with stakeholders alarmed by the loss of numerous USGS stream gages that had partially supported by funds from DNRC and FWP. DNRC was forced to scale back its support to accommodate legislatively imposed budget cuts.

FWP was forced to drop several gages because of a shortfall in funding from excise tax revenue provided through Dingel Johnson legislation.

- Stakeholders approached the Water Policy Interim Committee (WPIC) to request a solution. WPIC crafted SB32 which was introduced by Senator Sesso.
- Legislature decided that the Working Group would be comprised of representatives of the seven agencies on the Governor's Drought and Water Supply Advisory Committee (2-15-3308 MCA).
- Policy Considerations (Section 1 of SB32)
 - *(1) Article IX, section 3(3), of the Montana constitution declares that all surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided by law.*
 - *(2) The legal appropriation of water requires that the water be legally and physically available for appropriation.*
 - *(3) Measurement and monitoring of streamflow supports the state's ability to determine when water is physically and legally available to meet new demands while protecting existing water rights.*
 - *(4) The effective management and distribution of water depends on accurate real-time measurement of streamflow.*
- Intent (Section 2 of SB32)
 - *(1) The 2015 state water plan recognizes that improving Montana's water supply and distribution monitoring network will improve the ability of water managers and water users to adjust to seasonal supply and demand imbalances as well as plan for longer term imbalances associated with climate variability.*
 - *(2) It is the intent of the legislature to support local, state, and federal efforts and programs to collect and distribute timely and accurate information on Montana streamflows.*
 - *(3) The legislature recognizes that streamflow information is collected by numerous state and federal agencies and tribes to meet their statutory responsibilities.*
 - *(4) The legislature recognizes that streamflow information collected by state, tribal, and federal entities is critical to administration of the Montana Water Use Act, distribution of water by decree, water supply planning for municipalities, and implementation of plans and agreements that address locally developed drought, fish habitat, or water supply objectives.*
 - *(5) The legislature recognizes it is in the public interest to support and encourage coordination in the collection and distribution of streamflow information.*
- Funding and available resources
 - -Although the SB32 fiscal note included funding for public participation – travel dollars for citizens to make it to meetings, education and outreach, and some staff support, etc – the legislature ultimately decided not to provide funding for this bill. For now, the group is limited to whatever resources member agencies can bring to the table.
- Timeframe
 - The provisions in SB32 terminate on June 30, 2023. Working Group will have to complete their duties within this timeframe.

Group Process

- Working Group members agreed to follow the consensus model for decision making and that four members must be present to form a quorum. Paul Azevedo (DNRC) and Stephen Begley (FWP) were elected to serve as Co-chairs.
- Oversight and reporting
 - The Working Group is a subcommittee of the Governor's Drought and Water Supply Advisory Committee. Working Group will report to both the Drought and Water Supply Committee and the Water Policy Interim Committee.
- Process Agreement
 - Discussed need for creating a Process Agreement documenting the rules of the road for how the Working Group will function and conduct business.
 - **Action Item** – Paul will draft a Process Agreement for the group's consideration.

Stakeholder Involvement

- Extensive discussion on the need for meaningful stakeholder involvement.
- Legislature created Working Group in response to folks on the ground who use and depend on the availability of stream flow data. They want to be part of the process. Important for Working Group to provide an avenue for meaningful involvement.
- Members recognized that true citizen involvement requires communication both ways. Need to think about tools and avenues for stakeholders to provide input to the process and for information to flow to stakeholders.
- Discussed developing a Stakeholder or Interested Parties list. Potential stakeholders include: municipalities, watershed groups, other people that have spoken to the DWSAC. Also revisit the list of people who showed up to testify.
- USGS must also be part of the conversation. They are the number one source of stream flow information in MT.

Work Plan:

- Discussed need to develop a Work Plan. Things to consider:
 - Educate ourselves a little more. Identifying information and education needs.
 - Maps of the stream gages, that includes who is funding each; is there a way to run the analytics for clicks.
 - Meet directly with stakeholders to understand their concerns and challenges. Their input can help shape the work plan.
 - Conduct survey of users. Why are gages important for them?
 - Legislative consideration – would be deadlines next summer.
 - Developing a work plan and a timeline.

USGS Meeting

- USGS is holding a stream gage stakeholder meeting on Sept. 18th. Stephen and Paul worked with USGS on agenda.

- Ideally all Working Group members will attend. This will be a good opportunity to Working Group members to get a better understanding of how USGS operates and maintains its stream gage network and how the network is funded.

Next meeting

- Discussed doing a field trip to a local stream gage in early October. Paul will send out a Doodle Poll for potential dates.

Adjourn