

Yellowstone Basin Advisory Council  
Membership &  
Report of 2013 Public Scoping Activities

Appendix K:  
Regional Meeting #2 (Big Timber) Agenda and Round Table  
Notes





## Regional Meeting #2 (Big Timber) Agenda and Round Table Discussion Notes

**Welcome to the Yellowstone BAC**

Prosperity in Montana depends on meeting water demands for population growth and economic development while satisfying existing beneficial uses. As directed by the Montana Legislature, DNRC-WRD is launching an initiative to update the State Water Plan (§85-1-203 MCA). The Montana Water Supply Initiative (MWSI) engages citizens in a planning process that identifies options to meet future needs, satisfy existing beneficial uses, and protect the state's water resources.

As the MWSI advisory board for the Yellowstone basin, the Yellowstone BAC is in a unique position to advise DNRC-WRD on the development of strategies and recommendations for meeting the water resource needs of the Yellowstone basin.

Thank you for your efforts.  
Sincerely,  
**Paul Azevedo**  
Water Management Bureau Chief




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**Yellowstone Basin Advisory Council**

Regional Meeting for Public Comment  
April 12, 2013



Big Timber, Montana



<p><b>Session 1</b> 10:00-12:00</p>  <ul style="list-style-type: none"> <li>Welcome— Susan Gilbertz</li> <li>Purpose of Water Planning—Jim Robinson</li> <li>Purpose of Regional Meetings— Susan Gilbertz             <ul style="list-style-type: none"> <li>BAC Membership-</li> </ul> </li> <li>Yellowstone Water Budget— Jim Robinson and Chuck Dalby</li> <li>Water Rights—Kerri Strasheim</li> </ul> <p><i>Short Break</i></p> <ul style="list-style-type: none"> <li>Facilitated Round Table Discussions— Collecting Insights from Public Attendees</li> <li>Data Exercise: BAC Q Sort</li> <li>Public Comment Cards</li> <li>Public Comment Statements</li> <li>Basin Identification Map</li> </ul>	<p><b>Lunch Break: 12:00-1:00</b></p> <p><b>Upcoming Regional Meeting</b></p> <p>Wednesday, April 24, 2013 Forsyth Regional Meeting Public Library</p>  <p><b>Scoping Wrap-Up Meeting</b></p> <p>Wednesday, May 8, 2013 Final Scoping Meeting Billings MSUB Downtown Campus</p>	<p><b>Session 2</b> 1:00-3:00</p>  <ul style="list-style-type: none"> <li>Welcome— Susan Gilbertz</li> <li>Purpose of Water Planning—Jim Robinson</li> <li>Purpose of Regional Meetings— Susan Gilbertz             <ul style="list-style-type: none"> <li>BAC Membership-</li> </ul> </li> <li>Yellowstone Water Budget— Jim Robinson and Chuck Dalby</li> <li>Water Rights—Kerri Strasheim</li> </ul> <p><i>Short Break</i></p> <ul style="list-style-type: none"> <li>Facilitated Round Table Discussions— Collecting Insights from Public Attendees</li> <li>Data Exercise: BAC Q Sort</li> <li>Public Comment Cards</li> <li>Public Comment Statements</li> <li>Basin Identification Map</li> </ul>
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Open Discussions—Notes taken before formal questions began:

- Small water use vs large water use
- Value of water under-appreciated
- Stream bank preservation
- Irrigation water supply and protection
- Huntley project
- Weather, climate, population increase: How to balance changing conditions
- Floods, upper and lower flooded in 2012
- KOA—found bureaucracy and gov. regulations difficult
- DEQ, emergency stream permits, lack of responsiveness
- Fires increase runoff
- Competing interests for water, esp anglers vs irrigation
- Low flow impacts habitat and ranchers
- Talk of Stillwater v Dawson. Representation question
- Selling of water rights /leasing them for use in Bakken—lots of illegal uses

Q#1: Immediate Concerns

- How water is used: wastes and grey water
- Document how much water is used
- Recreation, agriculture and other uses need to be balanced
- Water is owned by all, but a some are freeloaders (fish/rec.) ?
- Rural sub-divisions, wells, septic systems near buildings
- Increase water quality by addressing return flows w/ irrigation
- Fracking issues/major questions: where is the water coming from for fracking? More groundwater monitoring
- Create balance with uses other than irrigation
- Water availability: levels and temperatures
- Recharge rates
- How many reserve rights are being developed?
- Industrial uses? What effect—thermal pollution
- Ag run-off
- Invasive species: zebra mussels? Also, work to keep cut-throat trout from extinction
- Need to grab a baseline of groundwater
- Surface water samples
- Flow monitoring—increased number of gauges
- Balance water interests now: Mill Creek is an example
- Gov. should encourage technologies that maximize efficiency of use and should partly fund users who switch to new technologies
- Concerned about water use and reduced water tables.
- Off-stream storage should be considered
- Need to know more about conversion of flood to irrigation
- Park Co canal losses feed Spring Creek
- Water year is reflected in springs
- Conversion to sprinklers has peaked in upper basin
- Develop a system to have water discussions (govt. sponsored); need to discuss:
  - Water market
  - Leasing (esp. in terms of valuation)
  - Need a “level playing field

- Ag leasing to instream
- Ag leasing to industry
- Transparency of water rights
- Create a reasonable balance when considering needs and allocations; need better conversations
- Address fickleness of rain/snowfall—fluctuations of available water must be addressed
- Work towards conservation
- Build awareness that livestock and wildlife as “natural” polluters
- Need to understand the cumulative impact of water wells on quantity and quality—need to balance the needs of well-users and others
- How will wildlife management and regulations impact water quality (i.e., bison in upper and lower Yellowstone)
- Availability: WY and MT storage projects
- Upper vs Lower Basin competition
- Drought years and availability
- Homeowners and municipalities
- Off stream storage and reservoirs
- Concern: water storage will be expensive
- Flood irrigation as the primary method, do we know it is best?
- How does Wyoming impact the lower basin, which then turns to upper basin for more water
- Regulations and measurements needed to ensure no one is over-using
- It is more and more difficult to enforce water rights due to illegal uses and development
- Determine the threshold number of wells before you impact river flow
- Must finish adjudicating water rights
- Need to maximize what stays in the river and what is used
- Need more gauges, esp because irrigation is stuck with a terrible model: if I don't use it I will lose it. Thus, overuse is common and no one wants gauges.
- Evaporation losses are huge, those need to be addressed.
- Seepage losses can be prevented by lining the ditches, but then groundwater tables will be compromised.
- References to discussion of City of Laurel that occurred at Billings meeting #1. Billings uses surface water from the river system, aquifer decline, septic systems are dysfunctional. Need for development. Laurel's problem is channel migration.
- # of pivots and sprinklers going in vs flood irrigation and aquifer recharge in spring, but sprinklers deplete the aquifers & not recharged. Pivots will cause problems downstream
- Dams: NRCS needs to look into of-stream storage
- No money, lots of objections
- Need permit...stock water pond insertion
- They want to store the same water
- w/MT in the dirty thirties put in dams
- Water pulled out for fracking
- 3 billion gal/well to drill
- 1800 water right on Boulder River, connected to Yellowstone Flow

- Irrigation needs are a priority
- Subdivision developments are impacting the system
- Groundwater concerns: If you stop irrigating will aquifer dry up?
  - Downstream demands are due to population growth: new subdivisions, groundwater wells, septic systems and fewer irrigated lands
- Meandering channels
  - Is there a solution so headgates don't have to be moved?
  - Permits and paperwork are frustrating
- Do we understand our water uses: properly used? Wasted? Conditions? Evaporation?
- Can better monitoring be put in place? i.e., GIS and gauges?
- Must account for future municipal needs
- Must account for future industrial needs
- Water management should (?should not?) occur on the local level, ex: oil field uses
- Non-point sources of pollution need to be regulated
- Mill Creek: water rights cause water to be kept for in stream flow, but not always enough for irrigators. Perhaps a model for other situations (?)
  - Using water to frack oil and gas wells is beneficial to one party, but not to others.

#### Q#2: Long-Term Concerns

- Planning ? utility? Need to look at history
- Rain, use and accounting
- Planning for growth; reserving water
- Recreational uses have value
- Role of storage, more storage?
- Interstate compact needs to be addressed
- Fracking as long-term effects: is that water out of the system?
- Need to evaluate the functionality of the river ecosystems—what does the river need?
- Quantity of use is the main concern
- Off-stream storage
- Must be able to raise flow during drought
- Must balance wildlife conservation with agriculture and human needs
- How will urban development happen?
  - Legal redistributions of water?
  - Water re-purposing?
- Maintain Montana's water rights vs downstream states
- Manage changing needs from traditional uses to development/ex-urban/suburban uses
- Discuss sustainable uses—not all traditional uses are sustainable
- How do industrial uses and resource extraction endanger water quality—anticipate these issues and prepare for them
- Prepare for droughts before they happen—be prepared to protect farmers and ranchers
- 20-year window is too short for a long-term plan
- Consider water storage solutions that are more “natural,” such as wetlands and riparian buffers
- Address leaky irrigation canals, use better and more efficient methods to reduce loss from canals—waste and evaporation

- Competing interests for a finite resource—Montanans must:
  - Work together
  - Build trust
  - Educate one-another about how values and interests are different
- Identify and promote best practices that serve multiple user groups
- Identify best practices that are sensitive to time of year a flow (i.e., early spring best practices can be very different from late summer best practices)
- Address how to allocate future water rights.
- Subdivisions and development along rivers, esp when they illegally drop in pumps when they have no rights.
- Must address groundwater tables as uses
- Water quality issues should be addressed, ex: pipeline ruptures that pollute the river, discharges from coal mines, hospital waste in Big Horn County
- Lagoon systems can eliminate solid waste treatment
- At Greycliff the river is moving and taking land and the road is threatened; Only solution is to riprap, but ACOE doesn't want to give the permit.
- Should be ready for snowpack to be less
- Need more snowpack monitoring sites
- There are a lot of weeds that no one seems to take care of
- Long term = Storage
- Billings as rural/urban populations develop
- Priority use dates
- 1976 = use priority = will it ever come to pass the legislature?
- Colorado has it. Lobbyists see agriculture as he losing (group) compared to urban user
- City of Billings has largest rep in legislature
- Be careful of water reservations = we don't even use the ones we have in Park county, but we need to have it regardless, 1978-1979 water priority dates.
- Billings new discharge law – reusing waste water from the treatment plant w/ agriculture
- Reserve water limitations: irrigation only, industrial pressures
- We're not short on water, we just don't have it where we want it.
  - Legal framework to transfer water
  - Prior appropriation doesn't give incentive to conserve water
  - FWP
- Changes in land use: no ranches, no recharge of aquifers from irrigation canals
- Drought planning: some areas have a plan where the ppl volunteer to reduce use.
  - Ag areas:= take as much as they can, won't shut down
  - Storage is the only solution, reactionary (crisis driven)
  - Prior appropriations is the plan
- Population increases = increased demands
- Recreational demands will increase over time
- Must address agriculture, city services, and recreation.
- Are we losing irrigation rights as water is shifted to markets and municipal needs?
- Not one irrigation method is the right approach in all places at all times. People need help to know what is best.
  - AS Wy switched to sprinklers, it seems MY gets less water.
- MT should protect it water rights, for Montanans
- Endangered species complicate what can and cannot be done.

- Off-stream and in-stream storage
- Discharge Issues: if water taken out, doesn't come back, what then?
- Consumptive use technologies
  - Are pivots better than flood irrigation?
  - What do golf courses use?
- Cost are associated with repairing ditches
- Agriculture and cities seem to be heading towards a competitive problem
  - Subdivisions and their impacts
- Growth in tribal uses, do we need to jointly address more storage?
- Can we fine-tune our uses doctrine? Are some uses priorities? Do we know where the water is really going?

### Q#3: Time Horizon

- BAC only for 2 years, needs to move fast
- Off- and on-stream storage
- Off stream = higher storage
- Problem with permitting: takes forever
- Problems of recreation, irrigation and competing uses
- Water quality and effect of uses
- Salt cedar consumption
- Mitigation for water uses
- Vulnerability of municipal water (Laurel pipeline and Billings water supply)
- Start at any level, just start
- Need near-term responsiveness
- Go further than a 20-year plan
- Realize a long-term plan can be addressed again later
- Consider short-terms plans like first aid, then try to prevent further injury by creating a plan, working with the legislature and building public awareness
- Need to know our water statistics; is it possible to forecast?
- Consider adjudication and decree issues that are coming in the future.
- Should be prepared to deal with the 100 year drought
- Can we get 10-year, then 20-year reports?
  - Need to get data before something happens
  - Get the drilling data
  - Collect background water samples
- 20-year plan is about right, guessing too far into the future is too unlikely
- Wyoming spends a lot of money, esp on Tongue River, but MT does not and thus we don't compete well with Wyoming
- Are agricultural crops such as barley for beer and sugar for Pepsi really that important in the long run?
- Off-stream storage would be helpful
- Think ahead about urban development
- Be cautious concerning downstream demands, i.e., Missouri river barges

### Q#4: How to Avoid Pitfalls

- Don't focus on large sources—think in terms of smaller systems
- Politics and special interests

- Federal control of water
- Need policy education
- Problems of use and water quality effects (i.e., nutrients, fertilizers)
- Avoid political issues
- Leave historic water rights alone
- Stay out of water rights
- Water and ditch information difficult to get from ditch companies
- GIS water info should be gathered at a level of detail similar to cadastral systems
- Prepare a plan before the crisis hits instead of during a flood or drought
- Consider how improvements in conservation will be paid for.
- If you focus on low-hanging fruit, you will be politically popular, cost less to implement, and find it easier...but keep the planning process alive, organic and on-going. Identify low-hanging fruit for each time frame: 5-10 years, 10-30 years and 30+ years.
- Don't study things to death, with no progress.
- Be prepared for protests from people who do engage in the public process.
- Resist federal intervention
- Limit the influence of gov. entities and NGOs in the final documents
- Don't waste time trying to change the constitution.
- Educate those that feel entitled to water, but who do not have water rights, that the system protects existing water rights.
- Pitfalls = Billings and Laurel situation
- Out of state comments
- Representations from other counties
- Main issue in Paradise Valley: people worry more about fishing than agriculture or the Bakken, money is going thru simply for fish; river frontage makes property move valuable
- Millcreek = pipeline = sprinkler irrigation; put more water back into the creek. Fisher-people don't understand.
- Millcreek is seeping. Fishers do not want the river pumped.
- Water reservation is a water right.
- Do not wait 30 years for water planning
- Avoid politics
- Listen to concerns voiced by the people
- Listen to all sides of the issues
- Take more than just a water-based approach
- Provide incentive for people to use best practices and to conserve water
  - Billings will use stormwater to create a wetland, maybe we need new rules for discharging irrigation water, too
- If irrigation practices change how can we know what will the effects be?
- One size will not fit all.
- Different interests can lead to a point of no progress
- Don't support United Nations Agenda 21
  - Sustainability is an idea that shrouds giving away sovereign powers
- People looking for money do not take primary users into consideration.
- Short term benefits can create a long-term disaster
- Development can change water quality, too.

Q#5: How to keep Ground-Up Approach

- Better out-reach to communities
- Involve youth more
- Reword meeting announcements—esp. times as morning or afternoon
- Discussion tables work
- Listen to what people say
- Understand what they want
- Personal, face-to-face meetings work best
- Work with local watershed groups; they need funding for coordination
- Public meetings are a good idea. The more locals you can get to come, the better.
- Make meetings more inviting a bigger variety of people.
- Collect knowledge of localities and issues
- Find money to support local groups and to coordinate outreach
- Keep info posted on a website
- Public inputs/meeting/written reports
- Need to advertise to a larger audience
- Collaboration and feedback for meetings to public are important
- Citizen groups must be coordinated and collaborative—work together
- Takes money to keep people involved, even in meetings. Might need to find sponsors

Q#6: How to Ensure Success?

- Maintain independence
- Keep folks involved
- Get word out to grass roots efforts
- Understand what process and goals are
- Make sure programs are implemented—get from planning to on-the-ground- projects
- Keep tributaries clean
- Educate landowners
- Identify incentives for doing what's good for the river and publicize them.
- Emphasize the positive aspects of the river rather than assessing problems, publicize the gift of the river.
- Make sure government does not end up with more power.
- Basin is so big, river so long, perhaps more meetings need to be planned.
- A citizen-based plan has more standing in MT legislature
  - Regional meetings are important
  - Will need more out-reach, will need to reach across watersheds, too.
- Choose outcomes that are measurable
- Implement conservation project and large storage projects
- Determine how to deal with big fluctuations in availability
- Consider changes: perhaps irrigation from Sept-Oct is needed.
- Gather public knowledge/ inputs
- Design for uncontroversial topic first, plan for long-term (10-30 years) in phases.
- Use local watershed groups,: present the plans and get feedback
- Allow public a chance to see drafts and to comment
- Continue to hold community meetings
  - Have follow-up meetings and ways for the public to know what come of this.
  - Allow the public to comment drafts

- State funding should extend beyond 2014.
- Wyoming has money because they created a fund from extraction, we should look at how they created that trust fund.
- After Discussion:
  - Wyoming = reference to Billings meeting. WY spends so much money to fund these water studies, but Billings is on a tight budget
  - Agriculture-don't see any impacts to their water.
  - Navigability issue as upstream/downstream concerns
  - Obstructions and diversions need to be looked at—fish passage
  - Native fish management