

**St. Mary Rehabilitation Working Group
Meeting Minutes
City of Havre - Basement Conference Room
Tuesday, May 23, 2023 – 10:00 - NOON**

In Attendance: Lt. Gov. Kristen Juras, Sen. Mike Lang, Steve Darlinton, Miles Hutton, Bob Nelson, Kristal Fox, Greg Jergeson, Chris Klobofski, Ken Kiemele, Marko Manoukian, Dave Peterson, Kristi Peterson, Toby Tabor, Robert Bruskotter, Shane Fox, Jennifer Patrick, Patrick Johnston (HDN)

Via Teams: Kweb Galbreath, Ann Kulcyk, Cheryl Ulmer, and Autumn Coleman

1. Meeting was called to order by Lt. Gov. Kristen Juras, Co-Chair.
2. Comments by Marko Manoukian, Co-Chair
 - a. Marko thanked everyone for attending the meeting and especially thanked Lt. Gov. Juras and Sen. Lang for joining in person.
3. Introductions were made around the room and on Teams.
4. Agenda for the May 23, 2023 meeting was reviewed and approved.
5. Meeting minutes from June 28, 2022 were reviewed and approved.
6. Meeting Minutes from April 13, 2023 were reviewed and approved.
7. Coordinator Update – Dave Peterson
 - a. The Milk River Project Facebook page is up and running.
 - b. Letters of support for the Ft. Belknap water settlement were sent out to Sen. Daines, Sen. Tester, and Rep. Rosendale.
 - c. Thank you letters were sent out to Sen. Lang, Rep. Tuss, and Sen. Hopkins for working on behalf of The Milk River Project during the legislative session.
 - d. A letter was also sent to Gov. Gianforte to ask for his support of funding The Milk River Project through House Bill 6 and House Bill 8.
 - e. Dave attended the May 2, 2023, International St. Mary/Milk River Study Board meeting in Havre. He said there could have been a better turnout on the US side and hoped that more folks would show up next time. He said Mike Dailey also gave a presentation in the evening to the public.
 - f. Dave talked about getting updates for the Bureau of Reclamation on the Fresno Dam project and sharing those on the Facebook page. He is actively working with Steve Darlinton to keep up to date on the project.

- g. Tim Romanow with Milk River Watershed Council - Canada has requested a Milk River Watershed tour sometime in late June or early July. Dave will be working with him to nail down a date of the tour. It was suggested that this be a US-Canadian tour like the last one.
 - h. Marko requested that Kristi send out the Strategic Work Plan from 2020 so the group could review it and add their comments.
- 8. Financial Update - Bear Paw Development
 - a. Stefnie was not in attendance and there were no available financial statements to review.
- 9. Tribal Updates
 - a. Blackfeet
 - i. KWeb said they are looking at the MOU for the NRCS Watershed Plan (from the diversion to the last drop) and it should be approved at the Council Meeting on June 2, 2023.
 - b. Fort Belknap
 - i. Kristal said they are working with the Department of Interior on final details and hope to finish the bill at the end of the week for the Water Settlement. She said it is exciting to be at the end of the project and she thanked everyone for sending letters of support.
- 10. Legislative Updates
 - a. Federal
 - i. Robert said that the SMRWG letters were received by Sen. Daines' office and they are focused on drafting the Ft. Belknap Water Settlement bill. He said that he felt it would be done very soon and Lt. Gov. Juras echoed that as well.
 - ii. Sen. Daines has not reintroduced the St. Mary Reinvestment Act at this time. Robert said they would like to work on the cost share adjustments before they reintroduce it.
 - b. State
 - i. Sen. Lang thanked Lt. Gov. Juras for supporting HB 6, which had been signed at the time of the meeting and included \$26 million in funding for work on the siphons.
 - ii. Sen. Lang noted that HB 8 also included \$26 million in funding for the Project, but it hadn't been signed at the time of the meeting.
 - iii. Sen. Lang mentioned that he had reviewed the watershed treaty between the US and Canada. It does not obligate Canada to pay for

any maintenance on the Project but he is thinking there is a possibility that may change in the future.

- iv. Autumn explained that the HB 6 funds include money to fix the siphons and HB 8 authorizes traditional loans for the Project that will be available as needed.
- v. Lt. Gov. Juras said the language of Section 5 of HB6 was intended by the Legislature to ensure that there is adequate assurance of (i) the ability to repay a loan and (ii) existence of a construction/repair plan.
- vi. Jenn said the language in HB6 sets up a fund to use for future maintenance on the Project and the ability to start planning for the future. She said he hoped it would force a cost share on the cost of fixing the siphons.
- vii. Greg had concerns about the HB6 funding and felt that the language changed the name of a grant to a loan. He wanted that to be on the record. He asked if, per the ability to pay study, cities will be assessed a cost share fee in the future to use the water. Juras said they weren't at the point where they could answer that question. Jenn also said there is going to be a two-year gap before an agreement can be made and there are a lot of moving pieces and parts to consider. They are not ready to go to the DNRC to talk budget.
- viii. Greg said that the cities of Chinook and Havre had not been approached regarding possible cost share and he asked if the Budget Director is going to force the cities to pay. Dave and Jenn both said that the cities already have a contract in place with the BOR that obligates them to cost share. Steve said that the ability to pay study doesn't change anything; it helps legislators support more funding for the SMRWG. The \$26 million could cover everyone's cost.
- ix. Greg asked where else the Budget Director gets to micromanage large appropriations. Autumn said that the Budget Office looks at all budgets, grants, loans, etc.

11. Agency Updates

a. Milk River Joint Board

- i. Jenn said they are irrigating everywhere except Glasgow.

- ii. Gov. Gianforte declared an emergency in Glasgow to rebuild canals after the flood in April. Steve said that washouts are a risk for all old canals.
 - iii. There was also a washout in the canal that pushes water to Nelson and that was fixed quickly with the help of the county. Sen. Lang said they did a great job.
 - iv. Nelson is a foot from the top and Fresno is looking good as well. It looks to be a good year, but more moisture is always welcome.
 - v. Marko said the soil profile is still really dry.
- b. Bureau of Reclamation
- i. Steve echoed Marko's comments, saying that St. Mary is still pretty dry. They are in need of some rain to move late season water to Fresno to help with the following year.
 - ii. Steve shared the flyover that Jenn shot of the Fresno project. He said they are moving a lot of dirt and excavating the face to build a bench to install wells, etc. They are getting ready to build a sand filter trench.
 - iii. The impacts of the Fresno Project included going to a single lane on the road on June 5th. Steve said they will send out a press release. He also said the biggest complaint at the moment is dust and they are doing their best to keep everything sprayed down.
 - iv. Steve thanked the Joint Board for their support.
 - v. The comment period for the St. Mary Diversion Dam is over and they received only one comment in support. They are currently waiting on the biological assessments. Steve also said the lawsuit is now closed. The project will be up against a five-year timeframe requirement. Design is nearly 100% and will be completed by June 6th. Steve said that the contracting will be out late fall and should be awarded in June 2024.
- c. DNRC
- i. Autumn said she will be working with Kristi on the progress report for the coordinator contract and the second payment.
 - ii. Ann said that Bear Paw Development requested another installment and she would be working with them.
- d. IJC

- i. Lt. Gov. Juras said that John Tubbs is on that committee and that the State had representation. She also said that international negotiations are slow.
- ii. Jenn said that Michael Downey wants to present to the group on the drought plan at our next meeting.

e. NRCS

- i. Steve said that they are working through the process for the watershed plan with NRCS. They will be having a public meeting in July. Notices will go out to the public.

f. No other updates.

12. Milk River Watershed Council Canada Tour

- a. Jenn asked if anyone is interested in doing a tour and Lt. Gov. Juras said yes. She said it would help educate the legislators on the Project.

13. No public comment.

14. Membership Update

- a. Kristi reminded the group that they each should have an alternate and she requested that they let her know who the alternates are so she can add them to the mailing list.

15. Next Scheduled Meeting

- a. The next meeting may be the summer tour. The group said they could ask Toole County transit to help transport people again. The date may be in July and Dave would round up some proposed dates.

16. Final comments

- a. Miles asked if the Project has any “enemies” in Helena that are not in support of the funding. Lt. Gov. Juras said that she doesn’t know of any. There was quite a battle for the surplus funds and the Project ended up being a winner. Sen. Lang said that he was happy the State provided the funding and that he had a good feeling about HB 8. Jenn said that the cost share adjustment had been sent from the Governor’s office to Rep. Zinke’s office. Everyone wants the cost share flip.
- b. Marko thanked Jenn for her time and travel during the session, along with Sen. Hopkins. Jenn said that the DNRC and BOR have been great. She also said now that the session is over the funds will be transferred to a special interest-bearing account and cannot be obligated to another project outside of St. Mary’s. Overall, it was a positive session for the Project.

17. Meeting was adjourned.