

*These abbreviated summary minutes and the audio recording will become the official adopted minutes at the next Montana Sage Grouse Oversight Team meeting when they will be approved. Until then, they are considered a draft.*

**MINUTES**  
**MONTANA SAGE GROUSE OVERSIGHT TEAM**

Friday, December 15, 2017 Meeting Summary  
Montana State Capitol, Helena, Room 137

**Note:** Pursuant to Senate Bill 261 Section 1 (2015 Montana Legislature), meetings of the Montana Sage Grouse Oversight Team (MSGOT) are to be recorded electronically. The electronic recording is the official record. These summary minutes provide an abbreviated summary of the action taken and public comment. The time designations listed are approximate and may be used to locate the referenced discussion on the audio recording of this meeting. Access to the electronic copy of these minutes and the audio recording is provided from the Sage Grouse Habitat Conservation Program webpage hosted by the Montana Department of Natural Resources and Conservation at <https://sagegrouse.mt.gov>. The agenda, summary minutes, MSGOT meeting materials, and audio recordings are listed by meeting date on the MSGOT Meeting Archive webpage.

**Members Present**

John Tubbs, Montana Department of Natural Resources & Conservation, Director  
Tom Livers, Montana Department of Environmental Quality, Director  
Jim Halvorson, Montana Board of Oil and Gas, Administrator  
Diane Ahlgren, Rangelands Resources Executive Committee  
Senator Mike Lang, Malta, Montana  
Mike Tooley, Montana Department of Transportation, Director  
Patrick Holmes – Montana Governor’s Office  
Casey Knudsen – Representative HD 33, Voting by Proxy  
Martha Williams – Montana Department of Wildlife, Fish and Parks, Director, Not Present

**Staff Present**

Ms. Carolyn Sime, Sage Grouse Habitat Conservation Program, Manager

**Call to Order**

00:00:08 Director Tubbs called the meeting to order.

00:01:05 Approval of November 3, 2017 Meeting Minutes. Motion to approve by Senator Lang, seconded by Mr. Holmes. Motion passed unanimously.

**Reports and Implementation of Executive Order 12-2015**

00:03:19 Ms. Ahlgren: The Range Committee will sponsor a grazing forum May 9 and 10 in Billings. The forum will include discussion of fire, grouse and outcome based grazing.

00:03:59 Administrator Halvorson: Nothing to report.

00:04:06 Mr. Holmes: Acknowledged the hard work of the Program to pull together HQT scenarios. Noted the urgency and importance of the outcome.

00:04:54 Director Livers: DEQ working on development of exceptions to keep volume of project submittals down, working on water quality exceptions. Expect a draft will be ready for MSGOT approval in January 2018.

00:05:46 Senator Lang: Nothing to report but stated sage grouse are doing well in north central Montana.

00:06:05 Director Tubbs: Program saved from budget cuts. Prior to HB 261 and the 10% budget cut the Director’s Office was absorbing significant Program IT support. Some of those hours will be billed to the Program. Acknowledged the Program’s efforts and aware of

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need to get the HQT done. One-offs are being done for big projects to keep them moving.

### **Update on Implementation of Executive Order No. 12-2015**

00:08:17 Ms. Sime: The Program has been keeping up with project reviews. See the summary statistics. [Handout 1]. Most projects are in General Habitat. Completion rates are high. The Program will be working on an annual report covering calendar year 2017.

Stewardship Fund Grants: The Montana Land Reliance, Rath's Livestock Conservation Easement project has matched funds with NRCS. There is an executed grant agreement and have completed one round of legal review of the draft easement. The next step will be to sit down together and discuss the terms and then try to finalize them. The Program will do an EA for the easement and solicit public comment. Then, the Program will come back to MSGOT for final approval.

For The Nature Conservancy's (TNC), Hansen Livestock Company Conservation Easement recall that MSGOT approved funding of the easement contingent on TNC securing matching funds. TNC has secured matching funds and communicated that back to the Program. [Handout 2]. MSGOT also approved reallocation of funds associated with the conifer removal portion of the original application to the easement. The Program has sent a draft grant agreement to the TNC and its being negotiated presently. Conservation Easements can take several years to complete. Work is paced to match others' schedules.

Related to mitigation, the MSGOT meeting packet included a summary table of outstanding red flag issues related to the HQT and Guidance Document. The summary table and additional public comments are available on the Program web site under Notes in the MSGOT meeting archive.

### **Update, Federal Agency Partners**

00:15:47 BLM – John Carlson, BLM Management Zone 1 Greater Sage-Grouse Lead: The BLM continues to use the Program to review BLM projects. Have initiated a process to change the BLM 3% cap requirement to 5% to match state policy. A new Instructional Memorandum has been drafted and is being reviewed within BLM.

Comment period has closed for the Notice of Intent on land use plans. Working on comment analysis. No decisions have been made yet. Expect further discussions with states.

00:18:20 Director Tubbs: Two sets of comments were submitted by the state. Asked about project review process involving the BLM state office.

00:18:48 Mr. Carlson: Those are done out of the field offices. He has been involved in the Denbury Pipeline project and a small gravel pit. BLM has been using the Program application tool to enter test/draft projects and preview preliminary results. A field biologist is able to see the preliminary DDCT results prior to formal submittal for planning purposes.

00:20:15 Senator Lang: Asked what caused the Fergus County project to go over the 5% disturbance cap.

00:20:25 Mr. Carlson: Existing disturbance in the area was high, primarily due to cultivated agriculture. BLM also looking at alternative sites.

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- 00:21:07 Senator Lang: Asked if they have been able work with the Program to resolve this.
- 00:21:35 Mr. Carlson: BLM will be submitting the project. This was just the BLM's initial review. The BLM feels, because the gravel pit disturbance already exists, the cap would not apply.
- 00:22:07 Senator Lang: This is the way we need to work with the Program.
- 00:22:12 Mr. Carlson: BLM was also able to identify another location outside of Priority Habitat that could meet their needs.
- 00:22:54 USFWS – Jodi Bush, Office Supervisor: In late September, the USFWS released the draft Candidate Conservation Agreement with assurance for five species, including sage grouse. The CCAA is on land management, primarily ranching and agriculture lands, and the easement is held by the Nature Conservancy. Public comment was accepted on the document through October 25. The USFWS is drafting final documents now, and hopes to have EA and FONSI completed by spring. The 2016 USFWS Mitigation Policy and ESA Compensatory Mitigation Policy are still under review but being implemented until given further direction. Comments are being accepted until January 5, 2018 on potential changes to the goal. The 2014 Greater Sage Grouse Range Wide Mitigation Framework and 2017 interim guidance on implementing the final ESA compensatory mitigation policy and the final prelisting policy. Reviews are complete and those policies are still being implemented until otherwise directed. Working with the Crow Nation on a potential CCAA for sage grouse primarily for mining projects.
- 00:28:17 USFS – John Hagengruber, USFS State Liaison: Forest Service plan for the Beaverhead Deerlodge National Forest, in process of issuing a notice of intent to amend plans. Could result in alternation to some, all, or none of the plans on a state by state basis. Comments are due January 5, 2018. USFS issued an Administrative Modification involving implementation related to completing vegetation assessments. USFS will not be able to meet phase 1 deadline to complete vegetation assessments because the scale of work is more complicated than originally thought. The Administrative Modification allows for more time with language including “when practicable” in order to complete plan’s vegetation assessment commitments.
- 00:30:40 Director Tubbs: Montana experienced a significant fire season, and the fire season is not over as Custer County is currently facing a fire. Asked if there has been discussion between federal agencies considering sage grouse habitat concerns within their post fire review and for federal agencies to provide a report prior to the next MSGOT meeting.

**Conservation Spotlight - Operation Sage-Grouse 2015-2017, National Wildlife Federation Fence Marking Project** [Handout 3]

- 00:34:11 Hayley Connolly-Newman, Sage Grouse Project Coordinator. National Wildlife Federation. PowerPoint presentation.
- 00:43:46 Ms. Ahlgren: Asked Ms. Newman what her take-a-way was from the crew's visit to her ranch.
- 00:43:59 Ms. Newman: The crew had never been exposed to this type information. They appreciated the experience to observe a ranch operation and were impressed by her love of the land.
- 00:44:20 Ms. Ahlgren: Asks about the longevity of the marking tabs placed on fences and the ability to withstand hail storms.

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- 00:44:42 Ms. Newman: They found using tabs without slats are stronger and are expected to last 20-25 years.
- 00:45:20 Ms. Newman: Most of the youth crews were from Helena and Great Falls but had never seen eastern Montana before.
- 00:45:31 Director Tubbs: Hundreds of miles of fence were lost in the Lodgepole fire at a cost of 15 million dollars. Asked if others were working on post fire fence replacement and how new fence could be improved for all species.
- 00:46:38 Ms. Newman: Fence replacement is on the Wildlife Federations radar.
- 00:46:51 Ms. Ahlgren: Fences went up quickly with what materials were on hand. Conservation districts are trying to increase awareness about installing wildlife friendly fence.
- 00:47:30 Director Tubbs: Offered the Program or DNRC assistance.
- 00:48:00 Ms. Sime: Hopes to provide more conservation spotlights at future MSGOT meetings to share conservation efforts by the Program and other stakeholders.
- 00:48:40 BREAK

**Presentation Development of Sage Grouse Mitigation: Special Focus on HQT [Handout 4]**

- 00:48:44 Ms. Sime, Sage Grouse Habitat Conservation Program Part 1. PowerPoint presentation.
- 01:14:09 Mr. Holmes for Director Tubbs: Called for questions.
- 01:14:19 Senator Lang: Asked for a definition of policy modifiers.
- 01:14:37 Ms. Sime: Policy modifiers are found in the draft Guidance document. Policy modifiers incorporate a policy choice that would change the overall mitigation obligation for policy reasons to either encourage or discourage certain practices. This would be a policy decision and is one of the areas where there is stakeholder disagreement.
- 01:16:15 Senator Lang: Asked for a definition of hierarchy.
- 01:16:20 Ms. Sime: Mitigation hierarchy is an overall conceptual approach to think about ways to decrease impacts to sage grouse through avoidance, minimization, restoration and finally compensation to make up for any remaining residual impact. A concept with various steps to minimize impacts to habitats important to sage grouse. The hierarchy for sage grouse is similar to the approach for wetlands mitigation.
- 01:17:43 Director Tooley: Wetland mitigation is understood by MDT, and MDT is looking for same kind of predictability. Wetland mitigation is simple because if you take an acre then put an acre back. MSGOT needs to take close look to ensure the HQT is predictable so any proponent can set up a budget.
- 01:18:46 Mr. Holmes: The mitigation history of avoiding, minimizing and compensating for impacts, has been around since 1978 when codified in NEPA regulations then translated into wetland mitigation. Much of the mitigation policy has been in practice, balancing conservation for some time.
- 01:19:28 Senator Lang: Asks if compensatory mitigation is in law in Montana.
- 01:20:02 Ms. Sime: Compensatory mitigation is provided for in the Stewardship Act but there is no definition. Reading from slide 9 in the presentation; "the Legislature finds that allowing a

developer to provide compensatory mitigation for debits is consistent with purpose of incentivizing voluntary conservation.”

- 01:20:40 Senator Lang: Asked where the definition of compensatory mitigation came from, if it's in stone. Asked if MSGOT has to come up with a definition.
- 01:21:06 Ms. Sime: The statute does not define compensatory mitigation. The stakeholders grappled with a definition (slide 9). There is general agreement with the universal concept of the mitigation hierarchy.
- 01:21:28 Senator Lang: MSGOT needs to look at this. Preservation, enhancement or restoration terms are broad. MSGOT is trying to establish a resource to compensate for unavoidable impacts. Asks if preceding words are needed or put a fog on the situation. MSGOT needs a definition that is effective but not complicated.
- 01:22:43 Director Tubbs: Asked for further discussion. Noted, this is a lot of information to consume.
- 01:23:05 Director Livers: Asks if Senator Lang's concern is with the words themselves or overarching desire to keep it simple.
- 01:23:38 Senator Lang: He wants it to be more understandable. Director Tubbs has been through this but this is the first time MSGOT has seen it. MSGOT is going to have to make big decisions. MSGOT wants to enhance a resource. MSGOT will have to explain it to the citizens and come up with a decision to benefit Montana and the birds.
- 01:25:14 Mr. Holmes: Good conversation on a definition is important. Mitigation is one tool among many and not the only tool. Need for thoughtful consideration to keep definitions concise and directed to the type of conservation desired.
- 01:26:02 Director Tubbs: Hopes later in the presentation some of Senator Lang's concerns will be addressed. Balancing will be a key point. Part of the work so far has been to make sure measures behind the screen are doing what we want them to do. It is a data driven model requiring a lot of skills. We'll need to demonstrate the tool measures both sides of the equation, when there is error, the error is equal on each side. A number of policy measures will drive the product. Today's presentation is related to the model only, to determine if it is fair. Discussion on the policy side comes later. The model will be driving a market tool, eventually based on dollars and is why 100 years make sense for purposes of perpetual conservation easements for credits.
- 01:29:45 Director Livers: Asked when the policy modifiers would be discussed.
- 01:30:00 Director Tubbs: Modifiers will be discussed at the January MSGOT meeting. Separating the two steps make sense.
- 01:30:20 Mr. Holmes: Notes that it's difficult to wrap your head around the fact that many spatial analysis layers and data components are collapsed into a single number. We are hoping that the model is running with a high degree of scientific integrity. Asks what level of further peer review and analysis of the model is anticipated so we can have that confidence?
- 01:31:00 Ms. Sime: Stakeholders are committed to the scientific integrity, including significant literature review. Independent peer review of the model is anticipated and supported by stakeholders. The Program still needs to unpack how the base layer was created and then determine if buffers, pixel sizes are appropriate. Expect to ask peer reviewers to address those kinds of things. Integrating scientific peer review into the process is

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important, but the timing of when to integrate a scientific peer review into the decision unclear. Suggest doing a review the same time as when there are near-final documents for public review and the public is reviewing proposed rules (which are expected to resemble the circular approach used by DEQ).

- 01:33:00 Director Tubbs: Montana is being looked at closely by other states. There is some excitement that we get it right. He expects a thorough review because we need confidence in the final product.
- 01:34:13 Director Tooley: Asked if peer review will touch only on the science and policy modifier wouldn't be part of the review.
- 01:34:36 Director Tubbs: Anticipates the review done for each part would be different. Modifiers are straight forward. The model shows sensitivity by making a difference to the bottom line. The model must use good science. A sensitivity analysis will direct the policy side.
- 01:36:00 Ms. Sime: We should look at both sides. We need science experts to look at the HQT side, but it is MSGOT's prerogative to set the policies. A reviewer could consider whether, taken together, the HQT and the policy accomplishes our policy goals and gets us where we want to be. Sage grouse experts from other states might comment on the policy document. Other reviewers might include those like Willamette Partnership. We're open to feedback as to who appropriate reviewers might be.
- 01:37:44 Director Tooley: The tool should be peer reviewed with a holistic review of the policy factors. From a proponent's point of view, policy could change the bottom line.
- 01:38:19 Mr. Holmes: Suggested the process for draft rules offer an opportunity for wide involvement with the public. With a need for urgency to move project forward, he suggested the public and science reviews be concurrent.
- 01:39:02 Director Tubbs: Anticipates a good product, but in the future, there may be a need for improvements as we obtain better/new data or better data resolution. Recognizing the shortcomings in the current data available, as time goes on, this should be a living system. There may be a new base map each year.
- 01:41:06 Ms. Sime: Stakeholders endeavor to have a single system in Montana that federal partners would use as well. There should be consistency across all landownerships given the "all hands all lands" approach.
- 01:42:20 Mr. Holmes: Referred to the Governor's advisory council process. The desire is for one consistent system based on state checkerboard land ownership.
- 01:43:13 Director Tubbs: Governor Mead and Governor Bullock have worked closely to provide for consistency across state lines.
- 01:44:00 BREAK
- 01:44:32 Ms. Sime: Sage Grouse Habitat Conservation Program Part 2. PowerPoint presentation.

Discussion during presentation:

- 02:02:13 Director Livers: Asked if the reclamation period for a solar farm would be the same as for a gravel pit.
- 02:02:20 Ms. Sime: In the example, the full 75-year term was used. The reclamation period could be different depending on site conditions. Reclamation in the HQT would not be the same as bond release.

- 02:03:14 Director Tubbs: It would be helpful to look at different reclamation recovery rates. Sites with sagebrush or in a low moisture area would take longer to reestablish.
- 02:04:24 Director Livers: It would be good to keep this in mind when evaluating the model.
- 02:04:35 Director Tubbs: A proponent may want to consider planting seedlings. A linear feature like a pipeline may be able to reduce the impact by using a smaller trench width.
- 02:06:33 Director Livers: If sagebrush doesn't establish until years later, you won't see the benefit until much later.
- 02:06:50 Ms. Sime: The HQT document contains a table that reflects reclamation curves where rapid reestablishment of grasses / forbs. The model will bring some cells on line faster using a gradual curve. Sagebrush is the last thing to come back on line. There may be things that can be done to achieve faster results. We might take a cue from coal mining reclamation as to how to recover sagebrush faster so that reclamation can be fully completed sooner. Stakeholders and the Program have commented vigorously on the current reclamation table in the model. Concerns expressed about whether the table and curves are supported by the scientific literature. Program is looking into this.
- 02:08:18 Director Livers: Asked if sagebrush wouldn't be established until much later, would credits be delayed until the sagebrush is established.
- 02:09:04 Ms. Sime: Grasses and forbs coming on sooner and faster is accounted for in the model. Using an excel table, imagine there is a line for every year of construction, a line for every year of operation of the project, and a line for every year of reclamation. One of the columns will account for flipping the switch for when a pixel or cell for vegetation on the ground comes back on line providing habitat. The model accounts for more rapid establishment of grasses and forbs but there is still a time lag before sagebrush is fully functional. Indirect impacts are accounted for, through time, until you achieve fully functioning habitat with sagebrush. The toolbox we received from SWCA for this had a manual process using excel that is subject to human error that could be replicated. The DNRC IT staff is working on automating the excel table calculations to avoid math errors and so that model accounts for the time lag in full so that impacts are zero when reclamation is complete at 75 years.
- 02:10:52 Director Tubbs: With initiation of a project a cell value may be blue (poor habitat) initially but when operations are complete and with initiation of reclamation the cells habitat value would improve rapidly due to the shutdown of the project operation and establishment of grasses so the dark blue becomes a lighter blue and eventually pink and closer to red.
- 02:11:56 Senator Lang: Asked if any real project sites were used in the model examples and if we have photos of actual reclamation to compare and utilize to see if the model is right.
- 02:12:28 Ms. Sime: Protocols allow for credit site providers or developers to do an onsite visit. An onsite visit is the bridge from the model to the on the ground reality. There may be more sagebrush than the model shows or there may be greater disturbance or noxious weed that the model did not account for. The Guidance document includes opportunity for proponent to modify results with on the ground monitoring data using the Level 3 adjustment. This would entail changing numbers early in the process and the math carries through the entire model.
- 02:14:25 Senator Lang: He would challenge stakeholders to not challenge the program but use reclamation monitoring data and documentation from a project to compare what they see over time.

- 02:14:56 Ms. Sime: The Program anticipates the model will need a lot of care and feeding. Expect to update the model with current satellite imagery on a regular basis through time to update the base map. Also incorporation of field data could improve the base maps through time. Stakeholders support this but also recognize the challenges from a technical perspective
- 02:15:40 Ms. Sime: Returned to the presentation.
- 02:25:20 Administrator Halvorson: Asked how you determine value for buried vs overhead power lines. Asked how a debit is calculated if the ground is reclaimed.
- 02:26:11 Ms. Sime: The results are informed by the literature that tells us there are impacts both direct and indirect. Overhead powerline impact would be greater due to predation factor. The literature indicates there are population affects having to do with survival and productivity. This may influence sage grouse population trends.
- 02:27:37 Senator Lang: In summation are we willing to say predation is an issue in sage grouse territory?
- 02:27:45 Director Tubbs: The presence of a powerline will cause the bird to avoid the area regardless of the presence of ravens.
- 02:28:30 Senator Lang: Hopes someone will do a review on predation. While driving highways to Billings says he has never seen so many predators on reflectors along the highways. We need to decide if we want a barren country, with nothing on top or, how much damage is really done. There are places to perch and we should be recognizing what the predator can do.
- 02:29:18 Ms. Sime: What Senator Lang is getting at has to do with the mechanisms and what about tall structures should we be thinking about.
- 02:29:33 Ms. Sime: Returned to the presentation.
- 02:35:00 End part 2 of presentation.
- 02:35:32 Ms. Sime: Sage Grouse Habitat Conservation Program Part 3. PowerPoint presentation.
- 02:54:00 End part 3 of presentation.
- 02:54:15 Director Tooley: The HQT seems to be going the right direction. He looks forward to how we value the credits. Coming from wetland mitigation where one credit cost \$60,000. He is concerned, here we are looking at an obligation of 384,000 debits.
- 02:54:51 Director Tubbs: The difference is the HQT is a measure of functional acres over time. The number is not a dollar figure. It is the quality of the habitat measured over time. On the credit side, the same investment is calculated over a long time. The market determines the financial value. A high quality functional acre score can result in a low investment cost.
- 02:56:55 Ms. Sime: Added, the understanding from stakeholders, when the Stewardship Act was first drafted folks never contemplated the state as a market actor for purposes of mitigation. The market will decide the cost. We don't have an independent market actor, creator or administrator. There is an unanswered question how it will work and how credits are valued. We expect the market and cost will be determined by supply and demand.

- 02:58:04 Director Tubbs: The Program can provide a cost basis for credit we have created for conservation easements purchased through the Stewardship Act funds.
- 02:58:36 Mr. Holmes: Looking back at past investments is an important opportunity to determine credit values. Asked if the stakeholder process discussed the penalties to a given HQT score where a project is in General Habitat. Would a possible reduction or discount to the HQT score be considered for a good project that meets all the EO stipulations in General Habitat?
- 03:00:05 Ms. Sime: That concept was not discussed by the stakeholders. Thought was if we land on a multiplier in Core Areas, we reduce the multiplier in General Habitat. It would be interesting to see what that might do.
- 03:00:39 Mr. Holmes: Acknowledged potential challenges for individual projects where developers have high up-front capital costs. Asked if a delayed payment option might be considered due to economic constraints of a given project, where a developer may not see revenue for years after high startup cost.
- 03:01:29 Ms. Sime: The stakeholders talked about having mitigation in place as soon as habitat is taken off line and discussed phased credit release on the credit side. It was not discussed how this might function on the developer side.
- 03:02:10 Director Tubbs: Contemplating measurable recovery; where disturbance was less than expected or recovery occurred sooner than expected and how the proponent would be compensated. Also, who owns the credit balance if didn't need them all is a question we might want to think about. It may just be the developer's fate. Asked if we might look for a way to reduce the obligation, recognizing a proponent's effort to implement aggressive recovery, minimize their impact or continue to work on sage grouse conservation. Should we find a way to incentivize these efforts?
- 03:04:21 Director Tooley: Should we consider opportunities for net conservation benefit? Should we require at least a 1:1 or improve conservation using a 1.1:1. This would improve conservation.
- 03:04:54 Director Tubbs: Net benefit will be clearer at the next meeting.
- 03:05:08 Director Livers: Reclamation falls into two buckets. If reclamation happens at a different pace than anticipated, there needs to be symmetry at credit and debit side or a developer takes certain steps to accelerate the reclamation.
- 03:06:06 Director Tubbs: Asked for additional comments.
- 03:06:34 Senator Lang: What if committee approved a project with a bunch of credits or debits and a big fire goes through? Glad to see the fence marking project. Might have spotlights on industry, farming and ranching spotlights. Commented he does not believe populations are declining. They do decline but aren't at the bottom. Montana has some of the highest populations for sage grouse. Sage grouse are affected by weather and predators.
- 03:08:56 Mr. Holmes: Everyone has responsibility to reflect on the progress being made by legislature, partners and acknowledging the work being done by private landowners for sound stewardship to conserve habitat.
- 03:09:52 Director Tubbs: Sen. Lang's comment is an accurate statement about the sage grouse population in the United States. May be conflicting message because Montana has a

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strong population with private landowners supporting habitat. Under ESA, have to think of this as a western issue. Montana carrying other states' luggage with our higher populations resulting from good land stewardship. Will be maintained through good land stewardship here.

Dir. Williams shared an update with Dir. Tubbs: FWP is working to update the Montana Legislature on the requirement to provide a population estimate and will provide EQC with updated information, too. FWP will provide it at the next MSGOT meeting, too. Commission submitted comments to BLM on the Notice of Intent to possibly amend the plans. Lastly, FWP is working with NRCS on matching grants for private land stewardship projects.

### **Public Comment on Other Matters**

- 03:12:08 Director Tubbs: Called for public comment on other matters.
- 03:12:21 Gary Forrester, MDU Resources.
- 03:14:57 Todd O'Hare, Cloud Peak Energy and Spring Creek Coal Mine.
- 03:17:16 Dave Galt; Consultant with Browning, Kaleczyc, Berry and Hoven representing coalition of industry.
- 03:20:57 Glenn Marks, Montana Association of Land Trusts.
- 03:24:18 Director Tubbs: Asked for additional public comment. None. Confirmed 2018 meeting schedule dates: May 4, 2018 and September 14, 2018.

### **Adjournment**

- 03:32:23 Director Tooley moved to adjourn and the motion was seconded. Motion passed. Meeting Adjourned.

Chair for this meeting:

/s/ John Tubbs  
Director John Tubbs