2023 SENATE ENERGY AND NATURAL RESOURCES

SB 2097

2023 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Peace Garden Room, State Capitol

SB 2097
1/5/2023

A bill relating to wild and scenic river designations.

9:00 AM Chairman Patten called the meeting to order.
Senators Patten, Magrum, Beard, Boehm, Kannianen and Kessel are present.

Discussion Topics:

- Grazing associations
- County commissions
- Local legislatures
- River and stream designations

9:04 AM Andrea Travnicek, Director of the Department of Water Resources introduced the bill and provided written testimony #12371.

9:12 AM Dani Quissell from North Dakota Water Users Association testified in support of the bill and provided written testimony #12402.

9:14 AM Chairman Patten closed the public hearing.

9:23 AM Chairman Patten asked Andrea Travnicek to submit suggested amendments to the committee.

Additional Written Testimony:

Jullie Ellingson provided written testimony #12419

9:25 AM Chairman Patten adjourned the meeting.

Rick Schuchard, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Peace Garden Room, State Capitol

SB 2097
1/6/2023

A Bill relating to wild and scenic river designations.

8:44 AM The Chairman Patten called the meeting to order.

Present are Chairman Patten, Senators Magrum, Beard, Boehm, Kannianen and Kessel.

Discussion Topics:

- Amendments
- Public hearings for potential designation

8:46 AM Lynn Helms, Department of Mineral Resources, gave oral testimony on the bill.

8:50 AM Chairman Patten closed the meeting.

Rick Schuchard, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Peace Garden Room, State Capitol

SB 2097
1/6/2023

A bill relating to wild and scenic river designations.

11:16 AM Chairman Patten called the meeting to order.

Present are Chairman Patten, Senators Magrum, Beard, Boehm, Kannianen and Kessel are present.

Discussion Topics:

- Others impacted
- Public hearings for potential designation

11:18 AM Senator Magrum moves to adopt amendment LC 23.8120.01001 (23374). Senator Kannianen seconds the motion.

11:18 AM Voice vote was taken. Motion passes.

11:19 AM Senator Magrum moves to Do Pass the bill as amended. Senator Boehm seconded the motion.

1:19 AM Roll call vote taken.

Senators	Vote
Senator Dale Patten	Y
Senator Jeffery J. Magrum	Y
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Jordan L. Kannianen	Y
Senator Greg Kessel	Y

Motion passes 6-0-0.

This bill does not affect Workforce Development.

11:22 AM Chairman Patten closed the meeting.

Rick Schuchard, Committee Clerk

23.8120.01001
Title.02000

Adopted by the Senate Energy and Natural Resources Committee
January 6, 2023

AG 1-6-23 (1-1)

PROPOSED AMENDMENTS TO SENATE BILL NO. 2097

Page 1, line 14, remove the second "and"

Page 1, line 15, replace the underscored period with ";

f. Director of department of land trust;

g. Director of department of mineral resources;

h. The county commission of any county impacted;

i. The legislators of any district impacted; and

j. The grazing associations impacted."

Page 1, line 18, after "3." insert "The county commission shall hold a public hearing regarding the potential designation.

4."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2097: Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2097 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 14, remove the second "and"

Page 1, line 15, replace the underscored period with ";

f. Director of department of land trust;

g. Director of department of mineral resources;

h. The county commission of any county impacted;

i. The legislators of any district impacted; and

j. The grazing associations impacted."

Page 1, line 18, after "3." insert "The county commission shall hold a public hearing regarding the potential designation.

4."

Renumber accordingly

2023 HOUSE ENERGY AND NATURAL RESOURCES

SB 2097

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

SB 2097
3/3/2023

Relating to wild and scenic river designations.

10:46 AM

Chairman Porter opened the hearing. Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Marschall, Novak, Olson, Roers Jones, and Ruby. Absent: Rep Kasper.

Discussion Topics:

- Public hearings
- ND federal designations
- ND Public Service Commission
- Fossil fuel industry challenges

Dr Andrea Travnicek, Director, Department of Water Resources, and the Secretary to the State Water Commission, Testimony 21551
Dani Quissell, executive vice president, ND Water Users Association, Testimony 21511
Julie Ellingson, ND Stockman's Association, oral testimony
Jonathan Emmer, ND Public Service Commission, Testimony 21743
Randy Christmann, Commissioner, PSC, Testimony 21843

11:02 AM Chairman Porter closed the hearing.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

SB 2097
3/9/2023

Relating to wild and scenic river designations.

10:36 AM

Chairman Porter opened the hearing. Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Kasper, Marschall, Novak, Olson, and Roers Jones. Absent: Representative Ruby.

Discussion Topics:

- Committee action
- Amendment 23.8120.02002

Rep Heinert moved to adopt Amendment 02002 (Testimony #23374), seconded by Rep Olson. Voice vote. Motion carried.

Rep Heinert moved a Do Pass as Amended, seconded by Rep Olson.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Jared Hagert	Y
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative Jim Kasper	AB
Representative Andrew Marschall	Y
Representative Anna S. Novak	Y
Representative Jeremy Olson	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	AB

12-0-2 Motion carried. Rep Heinert is carrier.

10:41 AM Meeting adjourned.

Kathleen Davis, Committee Clerk

Prepared by the Legislative Council staff for
Representative Porter
March 3, 2023

3-9-23

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2097

Page 1, line 11, after the first "of" insert "the"

Page 1, line 12, after the first "of" insert "the"

Page 1, line 15, replace "The water" with "Water"

Page 1, line 16, after the first "of" insert "the"

Page 1, line 16, remove "land"

Page 1, line 16, after "trust" insert "lands"

Page 1, line 17, after the first "of" insert "the"

Page 1, line 18, replace "The county" with "County"

Page 1, line 19, replace "The legislators" with "Legislators"

Page 1, line 19, remove "and"

Page 1, line 20, replace "The grazing" with "Grazing"

Page 1, line 20, after "impacted" insert "; and

k. Public service commission"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2097, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2097 was placed on the Sixth order on the calendar.

Page 1, line 11, after the first "of" insert "the"

Page 1, line 12, after the first "of" insert "the"

Page 1, line 15, replace "The water" with "Water"

Page 1, line 16, after the first "of" insert "the"

Page 1, line 16, remove "land"

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Page 1, line 20, after "impacted" insert "; and

k. Public service commission"

Renumber accordingly

TESTIMONY

SB 2097

Testimony
SB 2097—Department of Water Resources
Senate Energy and Natural Resources
Senator Dale Patten, Chairman
January 05, 2023

Chairman Patten, and members of the Senate and Energy Natural Resources Committee, I am Andrea Travnicek, the Director of the Department of Water Resources. I am here today to provide testimony in support of SB 2097.

The National Wild and Scenic Rivers System was created by Congress in 1968, to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. To qualify, a river or river segment must be in a free-flowing condition and must be deemed to have one or more “outstandingly remarkable” scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values.

Since 2019, Congress has designated a total of 192 rivers into the National System, and the Secretary of the Interior has designated another 17 at the requests of governors, for a total of 209 rivers, which includes 12,700 miles of rivers throughout 40 states. Federal agencies, such as the U.S. Forest Service, the Bureau of Land Management, the National Park Service and the U.S. Fish and Wildlife Service, identify rivers eligible for the National System while conducting their comprehensive land management planning processes, which has resulted in over 100 more rivers authorized for study.

Often, protections included in the designations can limit the development of new dams, limit federally funded bank and channel alterations, and also limit new oil, gas, and mineral development. Once these designations are in place, options for economic development, water supply, and flood protection may be impacted.

Currently the State of North Dakota has no federal wild and scenic river designations. In the 1970s, there was a movement for the Little Missouri River to be

designated as a federal wild and scenic river. Instead, the 44th Legislative Assembly (1975) developed the Little Missouri State Scenic River Act (Chapter 61-29) that left the management of the river in the state's control and developed a commission that could advise local or other units of government to afford the protection adequate to maintain the scenic, historic, and recreational qualities of the Little Missouri River and its tributary streams. This commission meets once a year to receive updates and reports from local entities and state agencies.

This bill proposes to create a new section to chapter 61-15 of the North Dakota Century Code codifying a process that provides opportunities for state agencies, local water boards, and county commissions that may be impacted by a potential designation to have a seat at the table to express support or concerns before a Governor or federal agency designates a federal wild and scenic river in the State. It additionally adds the requirement that the governor and the county commission of any county impacted must express written support before a river may be designated as a wild, scenic, or recreational river under the Wild and Scenic Rivers Act.

Federal priorities may change over time, and federal designations have a real impact on state and local water management decisions. SB 2097 allows the state and local stakeholders to be an active participant in these discussions alongside the federal government. By having a process in place that includes local and state input, North Dakota will be in a better position to manage our water resources in the best interest of our citizens and economy.

Thank you for the opportunity to comment, and I would be happy to answer any questions you might have.

NORTH DAKOTA WATER USERS ASSOCIATION

Dedicated to Protecting, Developing, and Managing North Dakota's Water Resources

PO Box 2254, Bismarck, ND 58502-2254 701-223-4615 • 701-223-4645 (Fax)

Senate Energy and Natural Resources Committee

Hearing for SB 2097

January 5, 2023

Testimony of Dave Lang, North Dakota Water Users Association

Chairman Patten and members of the Senate Energy and Natural Resources Committee. The North Dakota Water Users Association supports SB 2097.

The Water Users Association is the state-wide member organization dedicated to protecting, developing, and managing North Dakota's water resources. We have more than 150 members including local, statewide and regional organizations in North Dakota who have an active interest in water. The Water Users' members meet annually to discuss and vote on policy. We have longstanding policy developed and voted on by our members supporting local and state input prior to designating an area a wild, scenic or recreational river. We believe this legislation will help move us closer to achieving our overarching goal of providing adequate protection to existing or future water supplies in designating rivers as wild and scenic and preserving state authority to allocate water rights in the designation of wild and scenic rivers.

We are grateful that the Department of Water Resources included both local governments, including local water resource boards, and state agencies in the list of entities that should be notified. We would ask for your support of SB 2097.

Thank you for the opportunity to provide this testimony.

SB 2097
Senate Energy and Natural Resources Committee
Jan. 5, 2023

Good morning, Chairman Patten and members of the Senate Energy and Natural Resources Committee. For the record, my name is Julie Ellingson and I represent the North Dakota Stockmen's Association, a 93-year-old beef cattle producer trade organization with more than 3,150 members across the state.

We stand in support of SB 2097, which adds a larger scope of entities to the decision-making and communication sphere when a wild and scenic river designation is being contemplated in the state. We think this is a great idea, as we have had long-standing policy citing our concerns about such designations and how they have the potential to curtail grazing and mineral development, stop range improvements, require relocation of homesteads and create an economic hardship on affected producers and communities. More thought-leaders to help thoroughly vet the decision would be beneficial.

For these reasons, we support the enhanced process as outlined in SB 2097.

Thank you for the opportunity to share our testimony.

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House Energy and Natural Resources Committee
Hearing for SB 2097
March 3, 2023
Testimony of Dani Quissell, North Dakota Water Users Association

Chairman Porter and members of the Senate Energy and Natural Resources Committee. I am Dani Quissell, the Executive Vice President of the North Dakota Water Users Association. The North Dakota Water Users Association rises in support of SB 2097 today.

We are the state-wide member organization dedicated to protecting, developing, and managing North Dakota's water resources. The Water Users has more than 150 members including local, statewide and regional organizations in North Dakota who have an active interest in water. Our members meet annually to discuss and vote on policy.

We have longstanding policy developed and voted on by our members supporting local and state input prior to designating an area a wild, scenic or recreational river. We believe this legislation will help move us closer to achieving our overarching goal of providing adequate protection to existing or future water supplies in designating rivers as wild and scenic and preserving state authority to allocate water rights in the designation of wild and scenic rivers.

We are grateful that the Department of Water Resources included both local governments, including local water resource boards, and state agencies in the list of entities that should be notified. We would ask for your support of SB 2097.

Thank you for the opportunity to testify today. I'd be happy to stand for any questions.

Testimony
SB 2097—Department of Water Resources
House Energy and Natural Resources
Representative Todd Porter, Chairman
March 3, 2023

Chairman Porter, and members of the House and Energy Natural Resources Committee, I am Andrea Travnicek, the Director of the Department of Water Resources. I am here today to provide testimony in support of SB 2097.

The National Wild and Scenic Rivers System was created by Congress in 1968, to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. To qualify, a river or river segment must be in a free-flowing condition and must be deemed to have one or more "outstandingly remarkable" scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values.

Since 2019, Congress has designated a total of 192 rivers into the National System, and the Secretary of the Interior has designated another 17 at the requests of governors, for a total of 209 rivers, which includes 12,700 miles of rivers throughout 40 states. Federal agencies, such as the U.S. Forest Service, the Bureau of Land Management, the National Park Service and the U.S. Fish and Wildlife Service, identify rivers eligible for the National System while conducting their comprehensive land management planning processes, which has resulted in over 100 more rivers authorized for study.

Often, protections included in the designations can limit the development of new dams, limit federally funded bank and channel alterations, and also limit new oil, gas, and mineral development. Once these designations are in place, options for economic development, water supply, and flood protection may be impacted.

Currently, the State of North Dakota has no federal wild and scenic river designations. In the 1970s, there was a movement for the Little Missouri River to be

designated as a federal wild and scenic river. Instead, the 44th Legislative Assembly (1975) developed the Little Missouri State Scenic River Act (Chapter 61-29) that left the management of the river in the state's control and developed a commission that could advise local or other units of government to afford the protection adequate to maintain the scenic, historic, and recreational qualities of the Little Missouri River and its tributary streams. This commission meets once a year to receive updates and reports from local entities and state agencies.

This bill proposes to create a new section to chapter 61-15 of the North Dakota Century Code codifying a process that provides opportunities for state agencies, local water boards, legislators, county commissions, and other stakeholders that may be impacted by a potential designation to have a seat at the table to express support or concerns before a Governor or federal agency designates a federal wild and scenic river in the State. It additionally adds a requirement for a public hearing and a requirement that the governor and the county commission of any county impacted to express written support before a river may be designated as a wild, scenic, or recreational river under the Wild and Scenic Rivers Act.

Federal priorities may change over time, and federal designations have a real impact on state and local water management decisions. In fact, the Bureau of Land Management's most recent Draft North Dakota Resource Management Plan and Environmental Impact Statement includes alternatives to designate 3 eligible wild and scenic rivers within the state. SB 2097 allows the state and local stakeholders to be an active participant in these discussions alongside the federal government. By having a process in place that includes local and state input, North Dakota will be in a better position to manage our water resources in the best interest of our citizens and economy.

Thank you for the opportunity to comment, and I would be happy to answer any questions you might have.

Senate Bill 2097

Presented by: **Jonathan Emmer**
Public Service Commission

Before: **House Energy and Natural Resources Committee**
The Honorable Todd Porter, Chairman

Date: **March 3, 2023**

TESTIMONY

Good morning, Chairman Porter and members of the House Energy and Natural Resources Committee. For the record, my name is Jonathan Emmer, and I am here to testify on behalf of the North Dakota Public Service Commission.

We stand in support of SB 2097, which adds a larger scope of entities notified when a wild and scenic river designation is being contemplated in the state. However, we offer an amendment adding the Public Service Commission to the agencies that a political subdivision must notify before engaging in meetings with the federal agencies.

The Public Service Commission's Reclamation Division administers the State's surface coal mining program and evaluates surface mining permit applications and revision applications that add land to a current permit. It is important that we are aware of areas under study for wild and scenic designation early in the permitting process and planning stages for our Abandoned Mine Lands (AML) projects. North Dakota Century Code 38-14.1-07(1) prohibits coal mining on any lands within the boundaries of units of the North Dakota state park system, the national park system, the national wildlife refuge systems, the national system of trails, the national wilderness preservation system, the national wild and scenic rivers system, including study rivers designated under section 5(a) of the Wild and Scenic Rivers Act [Pub. L. 90-542; 82 Stat. 906; 16

U.S.C. 1271 et seq.], and national recreation areas designated by Act of the Congress of the United States.

The Public Service Commission's Public Utilities Division also administers the State's siting rules and laws. While evaluating the impacts of sited facilities, the Commission evaluations a number of factors and directs developers to exclude or avoid certain locations from development. The areas include designated or registered national or state wild, scenic or recreational rivers.

Accordingly, the Public Service Commission requests that SB 2097 be amended to include the Public Service Commission to the list of entities to be notified before a political subdivision engages in meetings with federal agencies to have any waterbody in the state designated as a wild, scenic, or recreational river under the Wild and Scenic Rivers Act.

Thank you for the opportunity to provide this testimony. I am available to stand for questions.

Sixty-eighth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSED SENATE BILL NO. 2097

Page 1, after line 14, insert:

e. The Public Service Commission;

Page 1, line 15, replace "e" with "f"

Page 1, line 16, replace "f" with "g"

Page 1, line 17, replace "g" with "h"

Page 1, line 18, replace "h" with "i"

Page 1, line 19, replace "i" with "j"

Page 1, line 20, replace "j" with "k"

Renumber accordingly

Senate Bill 2097

Presented by: **Randy Christmann, Chair**
Public Service Commission

Before: **House Energy and Natural Resources Committee**
Honorable Todd Porter, Chair

Date: **March 3, 2023**

TESTIMONY

Mr. Chair and committee members, I am Randy Christmann, Chair of the Public Service Commission, and I wanted to take this opportunity to share with you some additional information about this subject and about challenges fossil fuels industries and our Coal Reclamation Division are facing with federal agencies.

The Bureau of Land Management (BLM) is currently proposing to designate three river segments eligible for inclusion in the National Wild and Scenic Rivers System in North Dakota. These three river segments are identified in BLM's draft Resource Management Plan and draft Environmental Impact Statement. The three river segments involve 8.1 miles along the Little Missouri River in Dunn County, 3.4 miles along the upper reach of the Missouri River in McKenzie and Williams Counties and 0.1 miles along the Yellowstone River. It is not entirely clear how this designation might adversely affect future mineral development, pipeline corridors and agricultural interests such as irrigation. Scenic designation might create restrictions on oil and gas development, and the one in Dunn County might create further restrictions to power plants in Mercer County. These

are just some of the reasons why the Commission is requesting to be notified when these designations are being considered.

As an example of the problems federal meddling can cause, a challenge we are currently dealing with involves federal coal leases. Over the past decade, surface coal mining companies in North Dakota have had an extremely difficult time obtaining approval to mine federal coal. Leasing federal coal is a time consuming and expensive process that can take a decade or more, and even after a federal coal lease has been secured, the Secretary of the U.S. Department of Interior must also approve the mine plan before mineral removal can begin. The Interior Department is currently delaying mine plan approval on several tracts of federal coal in North Dakota and it is not clear if approval will ever be granted. Some of these mineral tracts are only partially owned by the federal government, so their obstinance will rob the private co-owners of their ability to monetize their assets while the land all around them is being mined. Adjacent mineral owners are also robbed as the mining operation cannot physically mine right up to the edge of the land containing federally owned minerals. The checkerboard nature of federal coal in North Dakota is resulting in increased costs to mine coal, increased utility costs for our citizens, and increased surface disturbance as mines expand operations to replace bypassed federal coal.

As you can see, the federal government's war against fossil fuel industries is being waged on multiple fronts and they have a history of using their powers capriciously. This makes it imperative that the Commission is aware of National Wild and Scenic Rivers designation proposals as soon as possible. Mr. Chair, this concludes my testimony. I will be happy to answer any questions.

23.8120.02002
Title.

Prepared by the Legislative Council staff for
Representative Porter
March 3, 2023

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2097

Page 1, line 11, after the first "of" insert "the"

Page 1, line 12, after the first "of" insert "the"

Page 1, line 15, replace "The water" with "Water"

Page 1, line 16, after the first "of" insert "the"

Page 1, line 16, remove "land"

Page 1, line 16, after "trust" insert "lands"

Page 1, line 17, after the first "of" insert "the"

Page 1, line 18, replace "The county" with "County"

Page 1, line 19, replace "The legislators" with "Legislators"

Page 1, line 19, remove "and"

Page 1, line 20, replace "The grazing" with "Grazing"

Page 1, line 20, after "impacted" insert "; and

k. Public service commission"

Renumber accordingly

23.8120.02002

Sixty-eighth
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2097

Introduced by

Energy and Natural Resources Committee

(At the request of the Department of Water Resources)

A BILL for an Act to create and enact a new section to chapter 61-15 of the North Dakota Century Code, relating to wild and scenic river designations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 61-15 of the North Dakota Century Code is created and enacted as follows:

Wild and scenic rivers.

1. Before a political subdivision engages in meetings with federal agencies to have any waterbody in the state designated a wild, scenic, or recreational river under the Wild and Scenic Rivers Act [16 U.S.C. 1271, et seq.] the political subdivision must notify the:
   a. Director of the department of water resources;
   b. Director of the department of environmental quality;
   c. Director of game and fish;
   d. Director of parks and recreation;
   e. ~~The water~~Water resource board of any water resource district that would be impacted;
   f. Director of the department of ~~land~~ trust lands;
   g. Director of the department of mineral resources;
   h. ~~The county~~County commission of any county impacted;
   i. ~~The legislators~~Legislators of any district impacted; ~~and~~
   j. ~~The grazing~~Grazing associations impacted; and
   k. Public service commission.
2. Any written communications between the political subdivision and federal agencies regarding such designation must be copied to the list in subsection 1.

3. The county commission shall hold a public hearing regarding the potential designation.

4. The governor and the county commission of any county impacted must express written support before the state or a federal agency designates a wild, scenic, or recreational river under the Wild and Scenic Rivers Act.

23.8120.01001
Title.02000

Adopted by the Senate Energy and Natural Resources Committee
January 6, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2097

Page 1, line 14, remove the second "and"

Page 1, line 15, replace the underscored period with ";

f. Director of department of land trust;

g. Director of department of mineral resources;

h. The county commission of any county impacted;

i. The legislators of any district impacted; and

j. The grazing associations impacted."

Page 1, line 18, after "3." insert "The county commission shall hold a public hearing regarding the potential designation.

4."

Renumber accordingly