

FEDERAL CAUCUS PUBLIC COMMENT FORM

SCOPE OF CONSIDERATION:
ADEQUACY OF THE ANALYSES PRESENTED:
AND: ADDITIONAL ANALYSES NEEDED:

Not addressed, considered, or analyzed in the salmon recovery program are:

1. Effects of recent changes in ocean temperatures. El Nino and the possible effects to salmon.
2. Drought. The 10 year drought, from about '85 to '95 in which time a succession of low stream and river flows and difficulty of filling basin reservoirs located in the Columbia Basin.
3. Off-shore commercial fishing by foreign country's and the apparent effects on basin salmon.
4. Harvest problems and conflicts between the United States, Canada, and Alaska, and Indian Tribes.
5. The apparent over abundance and uncontrolled populations of sea lions on the west coast areas. Example are reports of any salmon being unable to enter streams in the Seattle area without being killed by sea lions for sport. What will be done to control sea lions to protect returning salmon? Does the same problem exist at the mouth of the Columbia River?
6. Habitat Conditions: Not addressed are deteriorating conditions on federal lands within National Forests timber lands that are amassing intolerable fuel loadings from dead and dying timber. Such conditions will eventually result in catastrophic wildfires with resulting sediment releases. Forests in the upper portions of the Columbia Basin are in trouble as are the salmon and salmon fisheries. Private land owners are managing timber lands in a far superior manner than the U.S. Forest Service management or non-management.

1 The U.S. Forest Service has been in the process of destroying forest system roads for over 5 years. Stream culverts are excavated in violation of Clean Water Laws. Water diversions not implemented and heavy equipment working in running streams while excavating. Excavated crossing sites are left without rebuilding the stream bed or stream banks. Refer to attachment, 56th Legislature of the State of Montana, House Joint Resolution No. 26, page 2, lines 6,7,&8. HJR No. 26 is a direct result of National Forest System Road destruction and specifically culvert excavations that violate State and Federal water quality laws, Montana's Streamside Zone Regulations and Best Management Practices for timber Harvest. Photo documentation is available upon request. One example is one small watershed that had 41 culverts ripped out in one summer season. All 41 had water that flowed and flushed tremendous amounts of sediment into a stream that is closed yearlong to fishing as it is a bull trout spawning stream. This one act of many destroys the statement made in the public literature that federal lands are usually in the best condition over private lands. A private land owner would be in prison for such an act just described.

This is contrary to the Federal Caucus report which is in error by stating federal lands are generally better managed than non-federal. These facts need to be addressed by the Caucus.

7. Replacement of electrical power lost if dams are breached. What would be the alternate form of electrical power. Would fossil fuel or nuclear generation be acceptable. Power shortages are currently predicted, even without dam breaching.

APPROPRIATENESS OF GOALS AND OBJECTIVES:

Breaching of any of the systems dams cannot be considered in the options by reasonable, intelligent, and responsible federal or state officials no matter how much pressure or rationalizing to justify.

Using such an option will destroy the credibility and public trust of the agencies and individuals involved as well as further endangering the likelihood of recovering the salmon. In addition, it will devastate the country, economically and morally. If performed, it would be a catastrophe long remembered with possible dire consequences unknown or unpredicted. BREACHING SHOULD NOT BE AN OPTION.

Hydropower: Option 1, With ongoing improvements. Breaching cannot be an option. See attachments of the 56th Montana State Legislature. House Joint Resolution No. 11 and 17. And Senate Joint Resolution No. 20. Resolutions that express Montana's concerns with States Rights and responsibilities.

Hatcheries: Option 1, Release hatchery juvenile fish in streams rather than direct from hatchery.

Habitat: Option 1, Exception is taken to descriptions given and are no doubt the worst misinformation given as to description of the habitat. It immediately causes suspicion of the editors and the knowledge behind the written descriptions. There is absolutely no basis for most of the statements made. **The descriptions given in the Fall Citizens Update destroys the credibility** of the whole source of information provided by supposed credible sources and individuals. It is untrue and gives no credit whatsoever to state and private entities following State and Federal Laws. Suspicion indicates it was drafted and written from input by the most extreme radical socialist environmentalist available.

As stated in Item 6 above. The U.S. Forest Service is beyond doubt, the current poorest land managers in relation to habitat in the Columbia River Basin and especially in NW Montana. Lands under public ownership and managed by the U.S. Forest Service are the worst violators of land and water management laws and regulations. Current management practices are a detriment to habitat and will contribute immensely in the future due to the inevitability of large forest fires from lack of active forestry and forest management practices.

Harvest: Option 1, Previously mentioned in Items 1 thru 5. In addition, the slaughter of adult salmon returning to hatcheries is not an answer and further alienates the public. Especially when viewed on television news.

Please enter these comments and the attachments House Joint Resolution 26, 11, 17, and Senate Joint Resolution 20 from the 56th Legislature of the State of Montana expressing the concerns of the Legislature and citizens of the State of Montana.

Four (4) Attachments Titled:

HOUSE JOINT RESOLUTION NO. 26

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT THE CURRENT FEDERAL GOVERNMENT POLICIES ON NATIONAL FOREST ROAD CLOSURES AND OBLITERATION BE SUSPENDED AND THAT THE CONGRESS REAFFIRM ITS DIRECTIVES THAT FOREST LANDS BE MANAGED IN ACCORDANCE WITH FOREST PLANS THAT PROVIDE FOR MULTIPLE-USE MANAGEMENT

HOUSE JOINT RESOLUTION NO. 11

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ENCOURAGING THAT ANY NEW OR REVISED FEDERAL POLICY RECOGNIZE AND INCORPORATE WESTERN STATE AUTHORITIES AND INTERESTS IN WATER RESOURCE POLICIES AND ISSUES.

HOUSE JOINT RESOLUTION NO. 17.
A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE FEDERAL GOVERNMENT TO TAKE CERTAIN ACTIONS CONCERNING THE INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT.

SENATE JOINT RESOLUTION NO. 20.
A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ENDORING THE STATE OF IDAHO'S POSITION IN SUPPORTING HEALTHY STOCKS THE BALANCE OF THE NEEDS OF NATIVE ANADROMOUS FISH AND OPPOSING FLOW AUGMENTATION AND THE REMOVAL OF DAMS ON IDAHO AND MONTANA RIVERS AND TRIBUTARIES THAT ARE A PART OF THE COLUMBIA RIVER BASIN RESIDENT FISH AND WILDLIFE THROUGH THE USE OF SCIENCE-BASED INTEGRATED RULE CURVES.

Please retain our organization on the mailing list for any further documents and decisions. MFMU represents 300 members in NW Montana.

Name: Clarence Taber, Pres.
Organization: Montanans For Multiple Use
Address: P.O. Box 3050
Columbia Falls, MT 59912



by: Chuck Samuelson, Public Access Dir. 3/13/00

Copies to: Montana Congressional Delegation
Montana State Legislative Delegates

1 HOUSE JOINT RESOLUTION NO. 26

2 INTRODUCED BY R. BITNEY, P. CLARK, A. CURTISS, A. ELLIS, G. GOLIE, J. HARP, M. LINDEEN,
3 J. QUILICI, P. SLITER, S. STANG, J. STOVALL

4
5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
6 MONTANA REQUESTING THAT THE CURRENT FEDERAL GOVERNMENT POLICIES ON NATIONAL FOREST
7 ROAD ~~CLOSURES AND~~ CLOSURES AND OBLITERATION BE ~~RESCINDED~~ SUSPENDED AND THAT
8 CONGRESS REAFFIRM ITS DIRECTIVES THAT FOREST LANDS BE MANAGED IN ACCORDANCE WITH
9 FOREST PLANS THAT PROVIDE FOR MULTIPLE-USE MANAGEMENT.

10
11 WHEREAS, there are 737 million acres of forested land covering approximately one-third of the
12 United States, a nation that has created the largest legally protected wilderness system in the world,
13 while at the same time sustaining a highly productive and efficient wood products industry; and

14 WHEREAS, the federal government owns approximately two-thirds of the land in western Montana
15 and these lands are primarily administered by the U.S. Forest Service; and

16 WHEREAS, the management of federal lands has a direct impact on economic and recreational
17 opportunities and the quality of life for thousands of Montana residents; and

18 WHEREAS, Congress has declared in the federal Multiple-Use Sustained-Yield Act of 1960 that
19 national forests are established and must be utilized for outdoor recreation, range, timber, watershed, and
20 wildlife and fishery purposes; and

21 WHEREAS, the national forest road system represents a significant capital infrastructure
22 investment and a valuable existing forest asset for forest managers and the public, providing access for
23 a multitude of recreational opportunities, for emergency response efforts, and for resource management,
24 protection, and improvement activities; and

25 WHEREAS, the federal government continues to close roads to public access by motorized vehicles
26 and, in early 1998, the forest service proposed and is now planning to implement an 18-month
27 moratorium on all new road building in roadless areas pending a review of its road management policies;
28 and

29 WHEREAS, ~~one ANOTHER ONE~~ stated purpose of the moratorium is to close or obliterate existing
30 roads, thus creating additional defacto roadless areas contrary to the interests of Montana's citizens; and

Passed 54-16 House
39-10 Senate

56th Legislature

LC0737.01

Water

HouseJOINT RESOLUTION NO. 11

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INTRODUCED BY Curtiss Business Mash
(Primary Sponsor) Rose Bud Johnson

ORR

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ENCOURAGING THAT ANY NEW OR REVISED FEDERAL POLICY RECOGNIZE AND INCORPORATE WESTERN STATE AUTHORITIES AND INTERESTS IN WATER RESOURCE POLICIES AND ISSUES.

WHEREAS, the western states of the United States are critically dependent upon present and future water resources for their quality of life and economic base; and

WHEREAS, the western states are geographically, hydrologically, and economically diverse and distinct from each other and from the eastern states; and

WHEREAS, the western states have developed and customized a system of water allocation under the prior appropriation doctrine in response to the arid conditions of the region; and

WHEREAS, water resources in many of the major interstate river basins in the West are apportioned and administered through interstate and other compacts or court decrees between two or more states; and

WHEREAS, there has been a long-standing policy of federal deference to the states in the areas of water resources administration, management, allocation, and protection; and

WHEREAS, the western states have extensive experience in managing water resources, both surface and ground water supplies, and recognize the importance of protecting their water resources for present and future beneficial uses; and

WHEREAS, all western states have a system of law for allocation of water rights, and there is broad consensus within the federal system that states should continue to have the exclusive responsibility to create and administer water rights; and

WHEREAS, state water law provides for public participation and is based upon the allocation, transfer, and protection of water resources in the public interest; and

WHEREAS, the number of federal agencies involved in some aspect of water policy or management continues to increase, adding duplication, confusion, and conflicting missions to the historic state systems; and



McCoe Amendment
passed

INTRODUCED BILL
HJ 11

MONTANA HOUSE OF REPRESENTATIVES
56TH LEGISLATURE
1999 REGULAR SESSION
VOTE TABULATION

DATE: FEBRUARY 19, 1999
TIME: 4:55 PM

SEQ. NO: 32.1
BILL NO: HJ 11
BILL SP: CURTISS

YES	NO	EXC	ABS
84	16	0	0

ORDER OF BUSINESS 7 2ND READING
2ND READING D/PASS

Y	ADAMS	Y	GUTSCHE	Y	PAVLOVICH
Y	AHNER	N	HAGENER	N	PECK
Y	ANDERSEN, J	Y	HAINES	Y	QUILICI
Y	ANDERSON, S	Y	HANSON	Y	RANEY
Y	BARNETT	Y	HARPER	Y	REHBEIN
Y	BARNHART	Y	HARRINGTON	Y	ROSE
Y	BECK	Y	HEDGES	N	RYAN
Y	BERGSAGEL, E	Y	HIBBARD	N	SCHMIDT
Y	BERGSAGEL, P	Y	HOLDEN	Y	SHOCKLEY
Y	BITNEY	N	HURDLE	Y	SIMON
Y	BOOKOUT	Y	JACKSON	Y	SLITER
Y	BRAINARD	Y	JOHNSON	N	SMITH
Y	BROWN	Y	JORE	Y	SOFT
N	BUZZAS	Y	JUNEAU	Y	SOMERVILLE
Y	CLARK, E	Y	KASTEN	Y	SQUIRES
Y	CLARK, P	Y	KITZENBERG	Y	STORY
Y	CLARK, R	Y	KRENZLER	Y	STOVALL
Y	COBB	Y	LAWSON	Y	SWANSON
Y	CURTISS	Y	LENHART	Y	TASH
Y	DALE	Y	LINDEEN	Y	TAYLOR
Y	DAVIES	N	MANGAN	Y	THOMAS
Y	DELL	Y	MASOLO	Y	TREXLER
N	EGGERS	Y	MATTHEWS	N	TROPILA
N	ERICKSON	Y	McCANN	N	TUSS
Y	EWER	Y	McCULLOCH	Y	VICK
Y	FACEY	Y	McGEE	Y	WAGNER
Y	FISHER	Y	McKENNEY	Y	WALTERS
Y	FUCHS	Y	MENAHAN	Y	WILLIAMS
Y	GALLUS	N	MOLNAR	Y	WITT
N	GALVIN-HALCRO	Y	MOOD	N	WYATT
N	GILLAN	Y	NOENNIG	Y	YOUNKIN
Y	GOLIE	Y	OHS	Y	ZOOK
Y	GRINDE	Y	ORR	Y	MR. SPEAKER
Y	GUGGENHEIM				

VOTED ABSENTEE: DALE, YES; MOLNAR, NO.

MONTANA SENATE
 56th LEGISLATURE
 1999 REGULAR SESSION

MAR 22 1999
 1:38 PM

HJR 11
 CURTISS
 THIRD READING
 BE CONCURRED IN

PRESIDING: CRIPPEN

39 YEAS 10 NAYS 0 NOT VOTING 1 EXCUSED 0 PAIRED

N	BARTLETT	Y	JABS
Y	BECK	Y	JERGESON
Y	BERRY	Y	KEATING
N	BISHOP	Y	KEENAN
Y	BOHLINGER	Y	LYNCH
N	CHRISTIAENS	Y	MAHLUM
N	COCCHIARELLA	Y	MCCARTHY
Y	COLE	Y	MCNUTT
Y	CRISMORE	Y	MESAROS
Y	DEPRATU	Y	MILLER
Y	DEVLIN	Y	MOHL
N	DOHERTY	N	NELSON
N	ECK	Y	ROUSH
Y	EKEGREN	Y	SHEA
N	ELLINGSON	Y	SPRAGUE
Y	ELLIS	Y	STANG
N	FRANKLIN	Y	SWYSGOOD
Y	GLASER	Y	TAYLOR
Y	GRIMES	Y	TESTER
Y	GROSFIELD	Y	THOMAS
Y	HALLIGAN	E	TOEWS
Y	HARGROVE	Y	WATERMAN
Y	HARP	Y	WELLS
Y	HERTEL	N	WILSON
Y	HOLDEN	Y	CRIPPEN

Y=YEAS N=NAYS E=EXCUSED -=ABSENT OR NOT VOTING
 YP=PAIRED YEA NP=PAIRED NAY Y+=CENTRAL YEA N*=CENTRAL NAY

HOUSE JOINT RESOLUTION NO. 17

APPROVED BY COMMITTEE
ON STATE/FEDERAL RELATIONS

INTRODUCED BY A. CURTISS, S. ORR

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA URGING THE FEDERAL GOVERNMENT TO TAKE CERTAIN ACTIONS CONCERNING THE
6 INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT.

7
8 WHEREAS, the President of the United States, by Executive Order, initiated the Interior Columbia
9 Basin Ecosystem Management Project (ICBEMP) to create a scientifically sound, legally defensible,
10 ecosystem management plan; and

11 WHEREAS, the ICBEMP was to be a broad-scale, 12-month project that would give general
12 direction to public land managers for ecosystem management but has become a top-down, highly
13 prescriptive set of management directives; and

14 WHEREAS, the management direction provided by the ICBEMP does not match the purpose and
15 need statements made in the environmental impact statement (EIS), which were to restore and maintain
16 a healthy forest, to provide sustainable and predictable levels of products and services, and to support
17 economic and social needs of people, cultures, and communities; and

18 WHEREAS, the ~~Columbia~~ COLUMBIA Basin ecosystem is a very diverse and complex environment,
19 and basinwide standards could be a detriment to some or all forest-dependent and range-dependent
20 economies; and

21 WHEREAS, experts maintain that the ICBEMP violates the Multiple-Use Sustained-Yield Act of
22 1960, the National Forest Management Act of 1976, the Forest and Rangeland Renewable Resource
23 Planning Act of 1974, the Regulatory Flexibility Act, and the Small Business Regulatory Enforcement
24 Fairness Act of 1996; and

25 WHEREAS, the ICBEMP was intended to be a scientifically sound management plan but has
26 become politically based on selective science, which supports predetermined preservation goals with a
27 top-down, one-size-fits-all, highly prescriptive set of management objectives and standards; and

28 WHEREAS, the recent interim roadless policy proposed by federal agencies indicates a strong
29 desire to create de facto wilderness areas and circumvent the authority of Congress (in direct violation
30 of the previously listed laws) and indicates the political direction incorporated into the ICBEMP, which

1 multiple-use management of public lands located in those states; and

2 WHEREAS, there is increasing national and world demand for renewable, recyclable goods and
3 services, including recreation, wildlife, fisheries, food, fiber, clean air, and clean water; and

4 WHEREAS, in Montana, the U.S. Forest Service has reduced timber harvest by over 50% since
5 1950, even though wood is the preferred raw material for home building, and transferred global
6 environmental consequences were never discussed or considered when decisions were being made to
7 reduce budgets; and

8 WHEREAS, domestic raw materials production is being increasingly restricted in the United States,
9 even in light of rising domestic consumption and the United States' position as a massive net importer
10 of raw materials; and

11 WHEREAS, decisions are being made on a daily basis and at all levels of government to restrict
12 raw materials production, almost always on environmental grounds, yet consumption is virtually never
13 discussed; and

14 WHEREAS, the ICBEMP draft documents fail to adequately and truthfully define and disclose the
15 economic, environmental, and social conditions of Montana's communities and local government units
16 and the future effects on these entities of implementation of the proposed ecosystem management
17 practices; and

18 WHEREAS, the ICBEMP represents a top-down management paradigm that reduces or eliminates
19 effective local input to natural resource management and environmental decisionmaking; and

20 WHEREAS, the ICBEMP has become a 6-year, over \$40 million project, with no end in sight.

21
22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
23 STATE OF MONTANA:

24 That the federal government be strongly urged to:

25 (1) terminate the ICBEMP and issue no Record of Decision on the ICBEMP;

26 (2) forward the accurate ecosystem management data developed through the ICBEMP to relevant
27 BLM district managers and U.S. Forest Service forest supervisors;

28 (3) ensure that all public comments on the ICBEMP be incorporated into the public record for the
29 ICBEMP;

30 (4) forward to district managers and supervisors the public comments provided on the ICBEMP

MONTANA SENATE
56th LEGISLATURE
1999 REGULAR SESSION

HJR 17
CURTIS
THIRD READING
BE CONCURRED IN

PRESIDING: CRIPPEN

31 YEAS 18 NAYS 0 NOT VOTING 1 EXCUSED 0 PAIRED

N	BARTLETT	Y	JABS
Y	BECK	N	JERGESON
Y	BERRY	Y	KEATING
N	BISHOP	Y	KRENAN
Y	BOHLINGER	N	LYNCH
N	CHRISTIAENS	Y	MAHLUM
N	COCCHIARELLA	N	MCCARTHY
Y	COLE	Y	MCNUTT
Y	CRISMORE	Y	MESAROS
Y	DEPRATU	Y	MILLER
Y	DEVLIN	Y	MOHL
N	DOHERTY	N	NELSON
N	ECK	E	ROUSH
Y	EKEGREN	N	SHEA
N	ELLINGSON	Y	SPRAGUE
Y	ELLIS	Y	STANG
N	FRANKLIN	Y	SWYSGOOD
Y	GLASER	N	TAYLOR
Y	GRIMES	N	TESTER
Y	GROSFIELD	Y	THOMAS
N	HALLIGAN	Y	TOEWS
Y	HARGROVE	N	WATERMAN
Y	HARP	Y	WELLS
Y	HERTEL	N	WILSON
Y	HOLDEN	Y	CRIPPEN

Y-YEA N-NAY E-EXCUSED --ABENT OR NOT VOTING
YP-PAIRED YEA NP-PAIRED NAY Y*-CENTRAL YEA N*-CENTRAL NAY

MONTANA HOUSE OF REPRESENTATIVES
56TH LEGISLATURE
1999 REGULAR SESSION
VOTE TABULATION

DATE: FEBRUARY 23, 1999
TIME: 8:16 AM

SEQ. NO: 19.0
BILL NO: HJ 17
BILL SP: CURTISS

YES	NO	EXC	ABS
59	40	0	1

ORDER OF BUSINESS 8 3RD READING
3RD READING D/PASS

Y	ADAMS		N	GUTSCHE		
Y	AHNER		N	HAGENER		N PAVLOVICH
Y	ANDERSEN, J	Y		HAINES		N PECK
Y	ANDERSON, S	Y		HANSON		N QUILICI
Y	BARNETT		N	HARPER		N RANEY
N	BARNHART		N	HARRINGTON		Y REHBEIN
N	BECK	Y		HEDGES		Y ROSE
Y	BERGSAGEL, E	Y		HIBBARD		N RYAN
Y	BERGSAGEL, P	Y		HOLDEN		N SCHMIDT
Y	BITNEY		N	HURDLE		Y SHOCKLEY
Y	BOOKOUT	Y		JACKSON		Y SIMON
Y	BRAINARD	Y		JOHNSON		Y SLITER
Y	BROWN	Y		JORE		N SMITH
N	BUZZAS		N	JUNEAU		Y SOFT
Y	CLARK, E	Y		KASTEN		Y SOMERVILLE
N	CLARK, P	Y		KITZENBERG		N SQUIRES
Y	CLARK, R		N	KRENZLER		Y STORY
Y	COBB	Y		LAWSON		Y STOVALL
Y	CURTISS		N	LENHART		N SWANSON
Y	DALE		N	LINDEEN		Y TASH
Y	DAVIES		N	MANGAN		A TAYLOR
N	DELL	Y		MASOLO		Y THOMAS
N	EGGERS		N	MATTHEWS		Y TREXLER
N	ERICKSON	Y		MCCANN		N TROPILA
N	EWER		N	MCCULLOCH		N TUSS
N	FACEY	Y		McGEE		Y VICK
Y	FISHER	Y		McKENNEY		Y WAGNER
Y	FUCHS		N	MENAHAN		Y WALTERS
N	GALLUS	Y		MOLNAR		N WILLIAMS
N	GALVIN-HALCRO	Y		MOOD		Y WITT
Y	GILLAN		N	NOENNIG		N WYATT
N	GOLIE	Y		OHS		Y YOUNKIN
Y	GRINDE	Y		ORR		Y ZOOK
N	GUGGENHEIM					Y MR. SPEAKER

VOTED ABSENTEE: NONE.

SENATE JOINT RESOLUTION NO. 20

INTRODUCED BY B. MCCARTHY, W. CRISMORE, C. SWYSGOOD, B. TASH

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ENDORSING THE STATE OF IDAHO'S POSITION IN SUPPORTING HEALTHY STOCKS THE BALANCE OF THE NEEDS OF NATIVE ANADROMOUS FISH AND OPPOSING FLOW AUGMENTATION AND THE REMOVAL OF DAMS ON IDAHO AND MONTANA RIVERS AND TRIBUTARIES THAT ARE A PART OF THE COLUMBIA RIVER BASIN RESIDENT FISH AND WILDLIFE THROUGH THE USE OF SCIENCE-BASED INTEGRATED RULE CURVES.

WHEREAS, the Legislature of the State of Montana is a member of the Legislative Council on River Governance, which also includes the States of Idaho, Washington, and Oregon; and

WHEREAS, the purpose of the Legislative Council on River Governance is to assert state legislative duty and authority over natural resources and river governance and to unite states for a proactive agenda of legislative action and communications; and

WHEREAS, the State of Idaho has requested the support of the members of the Legislative Council on River Governance for healthy stocks of native anadromous fish and for opposing flow augmentation and the removal of dams on the Snake River and its tributaries; and

WHEREAS, the State of Montana, like the State of Idaho, has a vested interest in federal and regional decisions concerning water flows in the Columbia River Basin that could affect the Clark Fork and Kootenai Rivers; and

WHEREAS, the State of Montana concurs with LIKE the State of Idaho in ~~supporting~~ SUPPORTS the continued multiple use of the Columbia River tributaries for fish and wildlife, hydropower generation, irrigation, transportation, flood control, MUNICIPAL USE, and recreation; and

WHEREAS, the State of Montana concurs with LIKE the State of Idaho in ~~recognizing the legal priority that agricultural, irrigation, and industrial applications have within each state,~~ RECOGNIZES THE IMPORTANCE OF MULTIPLE USES OF WATER WITHIN THE COLUMBIA RIVER BASIN; and

WHEREAS, the State of Montana, LIKE THE STATE OF IDAHO, has concerns; ~~along with the State of Idaho, that the removal or breaching of dams on any tributary in Montana or Idaho and the water taken from each state for~~ ABOUT THE IMPACTS OF anadromous fish enhancement efforts ~~would inflict on each~~

1 WHEREAS, the scheduled destruction of nearly 2,000 miles of roads in the 10 national forests in
2 Montana can have significant environmental, economic, and cultural impacts upon the fabric of many
3 Montana communities and its citizens; and

4 WHEREAS, 650 miles of forest system roads in the Flathead National Forest alone have been
5 scheduled for obliteration and 200 miles have already been destroyed; and

6 WHEREAS, destruction or obliteration of existing forest system roads can cause short-term and
7 long-term increased discharges of sediment to streams, adversely affecting certain sensitive or
8 endangered fish species and resulting in further restrictions on other multiple-use activities.

9

10 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
11 STATE OF MONTANA:

12 (1) That the 56th Montana Legislature opposes the current administration's policy on national
13 forest roads ROAD CLOSURE AND OBLITERATION and urges the immediate ~~repeal of the administration's roads~~
14 ~~moratorium~~ SUSPENSION OF ROAD CLOSURE AND OBLITERATION ACTIVITIES.

15 (2) That existing roads are a valuable and necessary capital investment in public lands that should
16 not be lost or destroyed.

17 (3) That forest plans specifying multiple-use management for timber harvest, outdoor recreation,
18 range, watershed, and fish and wildlife values should be given priority as the appropriate and necessary
19 management guidance to the forest service.

20 BE IT FURTHER RESOLVED, that copies of this resolution be sent by the Secretary of State to the
21 Montana Congressional Delegation, the Secretary of the federal Department of Interior, the Secretary of
22 the federal Department of Agriculture, the Director of the United States Forest Service, the Director of
23 the United States Fish and Wildlife Service, the President of the United States Senate, the Speaker of the
24 United States House of Representatives, and the President and Vice President of the United States.

25

- END -

1 WHEREAS, the U.S. Congress often considers legislation related to water resources management,
 2 some of which contains elements that could increase the federal role in water administration and
 3 subsequently undermine the primacy of state programs.

4 ~~Conflict with the state's responsibility~~

5 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
 6 STATE OF MONTANA: *Montana's congressional delegation be respectfully advocate*

7 *To the appropriate agencies*
 That any new or revised federal legislation or policy should:

8 (1) recognize that water resources administration, management, allocation, and protection are
 9 primarily the responsibility of the states and ^{that} federal policy should be supportive of this role of the western
 10 states;

11 (2) provide flexibility for states to continue to develop and refine water resource programs
 12 appropriate for their own circumstances, taking into consideration items such as, hydrology, existing
 13 water rights, potential development of the area, interstate and other compact obligations, and the public
 14 interest;

15 (3) require all federal agencies to conduct their activities in accordance with, *and in support*
 16 *of* ~~duplication of~~ state water resource programs and state water law; and

17 *recognize and cooperate with the*
 18 ~~not interfere~~ with the states' prerogative and ability to manage, administer, and develop their
 19 water resources.

19 BE IT FURTHER RESOLVED that the Secretary of State send copies of this resolution to the
 20 President of the United States, the Vice President of the United States, the President Pro Tempore of the
 21 Senate of the U.S. Congress, the Speaker of the House of Representatives of the U.S. Congress, and the
 22 Montana Congressional Delegation.

23

- END -

1 obfuscates the tireless, good faith efforts of local representatives who participated in the ICBEMP
2 process; and

3 WHEREAS, public lands administered by the U.S. Forest Service and U.S. Bureau of Land
4 Management (BLM) are to be managed for multiple use for the benefit of the citizens of the United States,
5 and road closures proposed within the ICBEMP EIS preferred alternative will severely limit the multiple use
6 of millions of acres of public land; and

7 WHEREAS, current road closures already dramatically limit physical and financial abilities to control
8 noxious weeds, and the ICBEMP-proposed further closures pose a serious threat of further and more
9 serious weed encroachment into Montana's forests and grasslands; and

10 WHEREAS, the ICBEMP has become a political document, rather than a resource management
11 planning document; and

12 WHEREAS, the ICBEMP contains too many economic assumptions and too few economic
13 projections based on accurate information; and

14 WHEREAS, implementation of the ICBEMP will directly affect management of 16 BLM districts
15 and 30 national forests, all in the western United States; and

16 WHEREAS, the ICBEMP coverage extends to 104 counties and 144 million acres of land (72 million
17 acres of which are private), and the ICBEMP implementation will directly and indirectly affect the
18 livelihoods of millions of citizens in the planning area; and

19 WHEREAS, a major component of the basic economies of about two-thirds of the affected rural
20 and natural resource-dependent counties would be directly and potentially severely impacted by
21 implementation of the ICBEMP; and

22 WHEREAS, the citizens of Montana, Montana's local government units, and Montana's
23 communities have a direct interest in public land management that produces payments in lieu of taxes
24 and (most importantly) forest receipts that generate revenue to the federal treasury and significantly
25 contribute to funding public schools and roads; and

26 WHEREAS, it is questionable whether Congress will fund the ICBEMP implementation, and the
27 impacts of inadequate implementation funding would be significantly more disastrous for natural resources
28 than if implementation were fully funded; and

29 WHEREAS, the citizens of the United States and communities throughout the western United
30 States depend on the stewardship, sustained yield, and even-flow production of goods and services from

1 for the managers' and supervisors' consideration related to updates to the land and resource management
2 plans required by federal law; and

3 (5) coordinate plan revisions between adjoining management units to provide consistency and
4 connectivity and to consider cumulative impacts in dealing with broad-scale issues that affect multiple
5 jurisdictions.

6 BE IT FURTHER RESOLVED, that federal natural resource planning and environmental management
7 feature site-specific management decisions made by local decisionmakers, local citizenry, and parties
8 directly and personally affected by these decisions for our public lands.

9 BE IT FURTHER RESOLVED, that the federal government acknowledge that the alternatives
10 presented in the ICBEMP EIS are inconsistent with but should be consistent with the balanced "Purpose
11 of and Need for Action" statements in the same documents, which are:

12 (1) "restore and maintain long-term ecosystem health and ecological integrity" (i.e., restore and
13 maintain a healthy forest); and

14 (2) "support economic and/or social needs of people, cultures, and communities, and provide
15 sustainable and predictable levels of products and services from our public lands administered by the
16 Forest Service or BLM ...".

17 BE IT FURTHER RESOLVED, that copies of this resolution be sent by the Secretary of State to the
18 President of the United States, the Vice President of the United States, the Secretary of Agriculture, the
19 Secretary of the Interior, the presiding officers of the Appropriations Committees of the U.S. Senate and
20 U.S. House, the Montana Congressional Delegation, the Chief of the Forest Service, and the Director of
21 the Bureau of Land Management.

22

- END -

1 ~~state's citizens a loss of recreational opportunities, an increase in electrical rates, a loss of recharge water~~
 2 ~~for the states' aquifers, a loss of navigation, an increased risk of floods, a reduction in economic activity,~~
 3 ~~and a threatened quality of life~~ ON RESIDENT FISHERIES AND WATER WITHIN THE RESPECTIVE STATES; and

4 WHEREAS, the State of Montana ~~concurs with, LIKE~~ the State of Idaho's belief IDAHO, BELIEVES that
 5 the native anadromous fish decline is due to many factors, some of which are diminished habitat,
 6 increased predation, unfavorable ocean conditions, hatchery practices, harvest impacts, and changing
 7 climatic conditions, as well as hydropower generating dams; and

8 WHEREAS, the State of Montana ~~concurs with, LIKE~~ the State of Idaho in ~~recognizing,~~ RECOGNIZES
 9 the need to protect and enhance native anadromous fish populations and will work to accomplish this
 10 while also protecting the needs of the citizens of each state; AND

11 WHEREAS, INTEGRATED RULE CURVES FOR THE OPERATION OF LIBBY DAM AND HUNGRY HORSE DAM IMPROVE
 12 DAM OPERATIONAL PRACTICES TO PROVIDE MORE FAVORABLE BIOLOGICAL CONDITIONS FOR RESIDENT FISH IN THOSE
 13 RESERVOIRS AND AFFECTED RIVER REACHES AND HELP BALANCE CONDITIONS FOR ANADROMOUS AND RESIDENT FISH
 14 SO THAT THE RECOVERY OF ONE IS NOT PURSUED AT THE EXPENSE OF THE OTHER; AND

15 WHEREAS, INTEGRATED RULE CURVES WERE DEVELOPED BY THE STATE OF MONTANA AND THE
 16 CONFEDERATED SALISH AND KOOTENAI TRIBES, ADOPTED BY THE NORTHWEST POWER PLANNING COUNCIL IN ITS FISH
 17 AND WILDLIFE PROGRAM, AND WERE ORDERED ON JANUARY 19, 1999, BY FEDERAL MAGISTRATE BART ERICKSON OF
 18 MISSOULA TO BE CONSIDERED BY THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE BUREAU OF RECLAMATION
 19 AT EACH RELEVANT STAGE OF DECISIONMAKING PROCESSES, INCLUDING IN-SEASON DECISIONS, REGARDING THE
 20 OPERATION OF HUNGRY HORSE AND LIBBY DAMS.

21
 22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
 23 STATE OF MONTANA:

24 That federal and state enhancement efforts for native anadromous fish must be undertaken in a
 25 manner that protects state sovereignty over water resources, ~~protects needed dams, and prohibits~~
 26 ~~contributions of water from state reservoirs for flow augmentation, except those authorized by each state~~
 27 AND BALANCES THE NEEDS OF ANADROMOUS FISH WITH THE NEEDS OF RESIDENT FISH AND WILDLIFE. IN MONTANA,
 28 THIS BALANCE IS BEST ACHIEVED THROUGH IMPLEMENTATION OF INTEGRATED RULE CURVES AT LIBBY AND HUNGRY
 29 HORSE DAMS.

30 BE IT FURTHER RESOLVED, THAT THE STATE OF MONTANA SUPPORT THE STATE OF IDAHO'S CALL FOR