

MAR 20 2000



US Army Corps
of Engineers
Walla Walla District

Lower Snake River Juvenile Salmon Migration Draft Feasibility Report/ Environmental Impact Statement

The U.S. Army Corps of Engineers invites any person who has an interest in the Draft FR/EIS or represents a group of people that have an interest in the subject matter of this study, to make comments. The Corps will respond to the comments related to their Draft FR/EIS in their next NEPA document produced for the Lower Snake River Juvenile Salmon Migration Feasibility Report/EIS. Comments will be accepted through March 31, 2000.

Name: Clarence Taber, Pres. by: Chuck Samuelson, Public Access Dir.
Montanans For Multiple Use Representing 300 members
Organization: P.O.Box 3050
Columbia Falls, MT 59912

Comments:

Alternative 1 is our preference of alternatives, with further study and improvements as proven necessary in the future and as addressed in alternatives 2 & 3 on a slow purposefull scale over a long period of experimentation, study and time.

The current means of transport of juvenile fish should be continued with modifications, study, and improvement.

Hasty decisions, such as alternative 4, could be a further detriment to the fish as well as human effects and effects to the valuable river systems. Alternative 4 cannot be an option. Such an action cannot be proven to be successful in the end result.

Breaching the dams would mean a replacement source of power generation would be needed. That source would mean nuclear or fossil fuels for generation. That is not feasible or acceptable. The Green Environmentalist would resist nuclear and fossil fuels generation.

If breached, the sediment loading behind the dams would be unacceptable being flushed down stream and would violate clean water standards related to sediment transport and would disrupt the social and economic future of the basin beyond repair.

A long term commitment was made when the dams were built. It is apparent that problems of juvenile fish migration may not be the only problem in survival of the various species.

Citizens of Montana have a great stake in the alternative of breaching the four dams on the Snake River as well as the resulting effects down stream and would have an effect of waters originating in the upper basin in Montana.

Possible effects in Montana have been expressed by Resolutions passed by the 56th Legislature of the State of Montana. House Joint Resolution No. 11 and HJR 17 along with Senate Joint Resolution No. 20 are attached.

Thank you for the opportunity to respond, even though adequate time to research from a laymans standpoint was not allowed.

Please enter the comments and the attachment of Resolutions in the comments records.

ATTACHMENTS:

Titled:

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 THE 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 (watered down)

~~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 PART OF THE COLUMBIA RIVER BASIN RESIDENT FISH AND WILDLIFE THROUGH THE USE OF SCIENCE-BASED INTEGRATED RULE CURVES.~~

Please enter our address on the mailing list.

Montanans For Multiple Use
P.O. Box 3050
Columbia Falls, MT 59912

Representing 300 members in NW Montana

Clarence Taber, Pres.

by: *CSamuels* 3/14/00

Chuck Samuelson,
Public Access Dir.

Copies: U.S. Congressional Delegation
MT State Legislators

Passed 84-16 House
39-10 Senate

LC0737.01

56th Legislature

Water

HOUSEJOINT RESOLUTION NO. 11

Reinard Mash

1

2 INTRODUCED BY *Curtiss*
(Primary Sponsor)

3 *ORR* *Rose* *Bud Johnson*

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

8
9 WHEREAS, the western states of the United States are critically dependent upon present and
10 future water resources for their quality of life and economic base; and

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

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

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

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

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

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

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

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



Mr. Bob Anderson
passed

INTRODUCED BILL
HJ 11

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 *Can 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*
To the appropriate agencies

7 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, ^{that} and 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* and without

16 *OR* ~~duplication of~~ state water resource programs and state water law; and

17 *recognize and cooperate with the*
 18 (4) ~~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 -

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 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 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

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.

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- END -

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 ~~state's citizens a loss of recreational opportunities, an increase in electrical rates, a loss of recharge water~~
 2 ~~for the state's 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