

Exhibit Number: 7

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EXHIBIT 7
DATE 1.21.05
HB 251

WEDNESDAY, DECEMBER 17, 2003

■ City Commission

City urges state to fund Gallatin EIS

By **WALT WILLIAMS**
Chronicle Staff Writer

Mayor Steve Kirchhoff will write a letter to the Montana Department of Environmental Quality asking it to fund an environmental review of the Gallatin River.

The Bozeman City Commission voted 3-2 in favor



Kirchhoff

of the letter Monday after listening to a presentation by American Wildlands, a Bozeman-based environmental group pushing to designate the river an Outstanding Resource Water.

"We feel the Gallatin is a public resource," Amy Stix of American Wildlands said. "We are asking to protect part of it to benefit the public."

DEQ is considering using leftover grant money to help Holcim Inc. pay for an environmental impact statement of its proposed tire-burning system at the Trident plant.

American Wildlands believes the money should instead pay for an EIS to designate a 38-mile stretch of the Gallatin River an ORW. The proposal was on DEQ's table 18 months before Holcim came along.

The Gallatin EIS will cost anywhere from \$250,000 to \$500,000, Stix said.

The designation would give the river the toughest protections under state law, but the decision is ultimately up to the state Legislature. The EIS is needed before the proposal can

move forward.

DEQ has less than \$500,000 in grant money left over this year with several projects competing for funding. The agency is leaning toward the Holcim EIS because it has a shorter timeline for completion.

Stix said private companies usually pay for their own studies, so the money should be used for the Gallatin EIS.

However, Commissioner Marcia Youngman questioned the need for an ORW designation, since it only regulates source-point pollution, or pollution that can be traced to a single spot, such as a drain pipe.

Stix responded that sewage remains a significant threat to the river.

Youngman voted for the letter, as did Kirchhoff and Commissioner Jarvis Brown.

Commissioners Lee Hietala and Andrew Cetraro voted against it.

"I think we should know more about the economic impacts of such an effort," Hietala said about ORW designation.

If approved, the Gallatin River would be the first body of water designated an ORW.

It also probably would be the last, since the Legislature changed the rules earlier this year to make it practically impossible to name any body of water an ORW.

The Gallatin River was exempted from the changes since its ORW designation was started before the new rules took effect.

The City Commission voted in favor of ORW status in 2001, before Hietala and Cetraro joined the commission.

Walt Williams is at wwilliams@dailychronicle.com

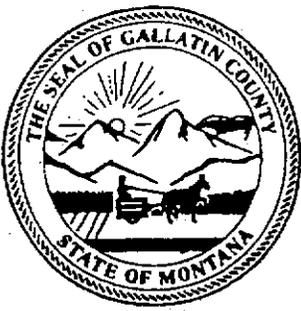
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WEDNESDAY, DECEMBER 17, 2003

50 Cents





GALLATIN COUNTY

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County Commission

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January 26, 2004

Honorable Jan Sensibaugh
Director, Department of Environmental Quality
1520 East Sixth Avenue
Helena, Montana 59620-0901

Dear Ms. Sensibaugh:

On behalf of the Gallatin County Commission, I am writing to request that you allocate the necessary funding to complete the environmental review for the Gallatin River Outstanding Resource Water (ORW) designation. The 2001 Gallatin County Commission voted 2-1 in support of the fact-finding process described in the Montana Water Quality Act and its regulations that enable the Board of Environmental Review and the State Legislature to determine whether the Gallatin River is worthy of an Outstanding Resource Water designation, from the Yellowstone National Park boundary to the confluence with Spanish Creek. We requested that any adverse social or economic impacts caused by such designation be made public and shared with our citizens before the Board makes any recommendation to the Montana Legislature.

As the DEQ is obligated by Montana law to fund the Gallatin River ORW environmental review, the current Gallatin County Commission requests that your Department allocate funding to complete the environmental impact statement. The Gallatin River environmental review has waited funding since March 29, 2002 and the Department of Environmental Quality should prioritize current, available funds for the Gallatin River before completing other environmental impact statements filed after March 29, 2002.

The citizen petition to designate the Gallatin River an Outstanding Resource Water is a non-profit effort designed to protect a public resource revered for its outstanding native fishery and scenic beauty, potentially benefiting many area businesses, ranchers, landowners, and the public. Projects with broad environmental value, benefiting the public-at-large, are suited to receive state funds. In fact, the 2003 Legislature reaffirmed the Gallatin River Outstanding Resource Water EIS is a worthwhile public benefit to be funded with taxpayer dollars.

The Gallatin County Commission understands the Montana Legislature has not appropriated sufficient monies to the Department of Environmental Quality to fund concurrent projects. We hope the next Legislature will remedy this situation. In the meantime, we urge you to utilize your discretion to finance the environmental review for

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How can bill that protects Gallatin be source of controversy?

Your headline in last week's paper, "Bill could prevent some area development," saddened me greatly. I wish it had read, "Community Welcomes Protection Efforts of Our River." Instead, the proposed bill (House Bill 251) is portrayed as something that would cost thousands of jobs and millions of dollars. Please read the bill. It states only that "The department may not issue a permit that could reasonably cause permanent, substantial degradation of the Gallatin River between the Yellowstone national park boundary and the Gallatin River's intersection with Spanish Creek." How could anything be less threatening to anyone who would want to respect the environmental integrity of this beautiful landscape? Are those who are up in arms over this bill saying that they WANT to be able to permanently and substantially degrade this beautiful river? I'm sure there is not anyone in this area who would claim to take that stance. Surely, there must be confusion about what the bill actually says. The bill does NOT limit building in areas that do not harm the river.

The Gallatin is the heart of this area, a ribbon of life that offers more than \$\$\$, and much more than the starter castles can ever give. The bill is a mere safeguard to protect this special river as it is until the EIS has been completed. That termination of the limited moratorium is also clearly stated in the bill. I'm sure that the development that has changed the face of this area in recent years will still continue unimpeded, even with the passing of this bill. I don't understand how this can be a controversy in today's age. We know we humans have the ability to degrade things. We've seen the results of that all around us. But we also know that we have the knowledge and the wisdom to keep from degrading things. Why can't we call that knowledge and wisdom into play for once? And BEFORE we change the river more than we have!

All life is precious and rivers are life of all kinds. Let's recognize that we as responsible citizens must place reasonable limits on our hungers, desires and profits, and watch out for the life of this river that gives us so much. Someday I pray that I will indeed see that headline I dream for.

Jim Stoltz

Big Sky

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Amy Stix

From: Montana Whitewater Rafting [mtwhitewater@yahoo.com]
Sent: Thursday, January 20, 2005 4:38 PM
To: astix@wildlands.org
Cc: gallating@aol.com
Subject: Re: Help Protect the Gallatin River - Important Legislative Hearing this Friday

Dear

Our family owns and operates Montana Whitewater a rafting and kayaking company on the Gallatin River. We live at our raft company in the Gallatin Canyon, just a few minutes walk from the Gallatin River- near spectacular Castle Rock.

We have and continue to be supporters of the Gallatin River OWR Campaign for a few profoundly important reasons.

The Gallatin River is an ultra high quality recreational river. People come to enjoy it because of it's purity, it's beauty and amazing fishing and boating opportunities. Guests come rafting with us and are drawn to the clarity and cleanliness of this river and it's healthy riparian zone. Because we live here, it's easy to forget that the Gallatin is one of the greatest river corridors in the lower 48 states.

Our business depends on the water quality of the Gallatin - and we depend on you to protect this invaluable resource for all the people that live here, as well as those that travel here to enjoy the Gallatin. We must preserve the outstanding nature of this river- it is worth even more than just the current dollars that it generates. At the same time, we cannot discount the enormous impact that tourism has on our economy.

Development in this area is on the rise. In Big Sky, it is in high gear. We fear that developers will continue to look for ways to discharge waste into the Gallatin River. It will not be long before the quality of our area declines -- unless we are wise enough to put some protections in place. The Gallatin River deserves this - it's the least we can do to preserve what makes this area so inviting and amazing. For now, we are asking you to please support HB 251.

Margot and Bill Zell
Montana Whitewater
PO Box 1552
Bozeman. MT 59771

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