SENATE FINANCE AND CLAIMS
EXHIBIT NO. 3
DATE 2-9-05
BILL NO. SB 233

Senate Bill 233

Testimony before Senate Finance and Claims Committee

by

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A Bill FOR AN ACT ENTITLED: " "AN ACT ESTABLISHING THE LOWER MISSOURI RIVER PARTNERS COUNCIL; PROVIDING FOR MEMBERSHIP ON THE COUNCIL; REQUIRING THAT THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROVIDE STAFF SUPPORT FOR THE COUNCIL; PROVIDING FOR THE DUTIES OF THE COUNCIL; AND PROVIDING AN IMMEDIATE EFFECTVIE DATE."

Department Position

The Department of Natural Resources and Conservation supported SB 233 in front of the Senate Natural Resources Committee, but is an informational witness on the issue of the appropriation and fiscal note.

Background

There are significant issues affecting the operations of Fort Peck reservoir and flows in the lower Missouri River between Fred Robinson Bridge and the Montana/North Dakota border. The Bureau of Reclamation controls the flows into Fort Peck with the operations of Tiber and Canyon Ferry Reservoirs. The Corps of Engineers operates Fort Peck Reservoir and downstream releases. The U.S. Fish and Wildlife Service is responsible for the listing of species as endangered and for mitigating their impacts. Presently, three species are listed as endangered in the lower Missouri River basin. Local businesses and the Fort Peck Advisory Council are interested and concerned about the fishery and recreation opportunities in the reservoir and river. The Lower Missouri River CRM is interested in any change in flows in the lower Missouri River that could affect irrigation and channel erosion. Other concerns include drought impacts and water quality.

What SB 233 Does

This bill creates a unique partnership between local, state, tribal, and federal governmental agencies that are responsible for the management of the river, Fort Peck Reservoir and the lands surrounding the river and reservoir; and the local residents that use and depend on the river and reservoir for their livelihood and recreation. If passed, the bill will allow the local water users to speak with a stronger voice in the management of the Lower Missouri River, Fort Peck Reservoir and surrounding lands. At times, the Fort Peck Advisory Council and the Lower Missouri River CRM have made conflicting recommendations on the operations of the reservoir and downstream releases into the river.

The bill also requires the payment of travel, lodging and meal expenses to the non-governmental entities on the Council and a $25 stipend/day for participating at council meetings. This would be precedent setting as no other citizen members of watershed groups are reimbursed for their participation.