

Montana State Legislature

2015 SESSION

ADDITIONAL DOCUMENTS

Business Page

[Signed by Chairman]

Roll Call

Standing Committee Reports

Tabled Bills

Fiscal Reports

Rolls Call Votes

Proxy Forms

Visitor Registrations

***Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

***Witness Statements that were not presented as exhibits.**

Montana Historical Society Archives

225 N. Roberts

Helena MT 59620-1201

2015 Legislative

E-Document Specialist Susie Hamilton

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
64th LEGISLATURE - REGULAR SESSION**

HOUSE NATURAL RESOURCES COMMITTEE

Date: Friday, February 20, 2015
Place: Capitol

Time: 3:00 PM
Room: 172

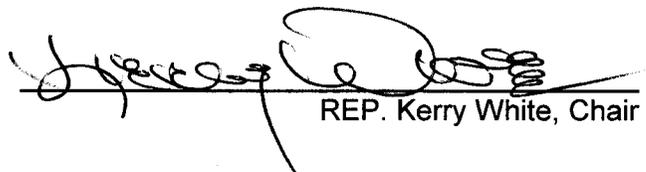
BILLS and RESOLUTIONS HEARD:

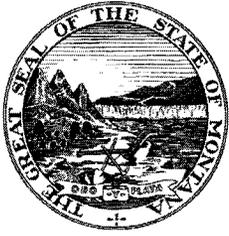
HB 525 - Revise aquatic invasive species fund laws - Rep. Mark Noland
HB 541 - Revise laws related to property right sales - Rep. Bill Harris
HB 553 - Generally revise aquatic invasive species laws - Rep. Mark Noland
HB 570 - Revise flood plain notification process - Rep. Clayton Fiscus

EXECUTIVE ACTION TAKEN:

HB 519	Do Pass As Amended
HB 465	Tabled
HJ 19	Tabled
HB 570	Tabled
HB 541	Tabled
HB 553	Do Pass
HB 525	Do Pass As Amended

Comments:


REP. Kerry White, Chair



The Big Sky Country

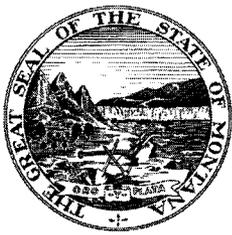
MONTANA HOUSE OF REPRESENTATIVES

NAT. RESOURCES COMMITTEE

ROLL CALL

NAME	PRESENT	ABSENT/EXCUSED
REP. ED LIESER, VICE CHAIRMAN	✓	
REP. JERRY BENNETT		✓
REP. BOB BROWN	✓	
REP. ZACH BROWN	✓	
REP. VIRGINIA COURT	✓	
REP. MARY ANN DUNWELL	✓	
REP. STEVE FITZPATRICK, VICE CHAIRMAN		✓
REP. KELLY FLYNN	✓	
REP. THERESA MANZELLA	✓	
REP. NATE MCCONNELL	✓	
REP. DALE MORTENSEN	✓	
REP. MARK NOLAND	✓	
REP. ANDREA OLSEN		✓
REP. KEITH REGIER	✓	
REP. RAY SHAW		✓
REP. SCOTT STAFFANSON	✓	
REP. KATHLEEN WILLIAMS		✓
REP. KERRY WHITE, CHAIR	✓	

18 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

NAT. RESOURCES COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 519

DATE 2/20/2015

MOTION Do Pass As Amended

NAME	AYE	NO	PROXY
REP. ED LIESER, VICE CHAIRMAN		✓	
REP. JERRY BENNETT	✓		
REP. BOB BROWN	✓		
REP. ZACH BROWN		✓	
REP. VIRGINIA COURT		✓	✓
REP. MARY ANN DUNWELL		✓	
REP. STEVE FITZPATRICK, VICE CHAIRMAN	✓		
REP. KELLY FLYNN	✓		
REP. THERESA MANZELLA	✓		
REP. NATE MCCONNELL		✓	
REP. DALE MORTENSEN	✓		
REP. MARK NOLAND	✓		
REP. ANDREA OLSEN		✓	
REP. KEITH REGIER	✓		
REP. RAY SHAW	✓		
REP. SCOTT STAFFANSON	✓		
REP. KATHLEEN WILLIAMS		✓	
REP. KERRY WHITE, CHAIR	✓		

11 7

18 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

NAT. RESOURCES COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 465

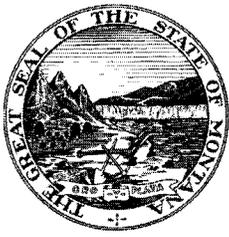
DATE 2/20/2015

MOTION Be Amended

NAME	AYE	NO	PROXY
REP. ED LIESER, VICE CHAIRMAN		✓	
REP. JERRY BENNETT	✓		
REP. BOB BROWN	✓		
REP. ZACH BROWN		✓	
REP. VIRGINIA COURT		✓	✓
REP. MARY ANN DUNWELL		✓	
REP. STEVE FITZPATRICK, VICE CHAIRMAN	✓		
REP. KELLY FLYNN	✓		
REP. THERESA MANZELLA	✓		
REP. NATE MCCONNELL		✓	
REP. DALE MORTENSEN	✓		
REP. MARK NOLAND	✓		
REP. ANDREA OLSEN		✓	
REP. KEITH REGIER	✓		✓
REP. RAY SHAW	✓		
REP. SCOTT STAFFANSON	✓		
REP. KATHLEEN WILLIAMS		✓	
REP. KERRY WHITE, CHAIR	✓		

11 7

18 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

NAT. RESOURCES COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 465

DATE 2/20/2015

MOTION Do Pass As Amended

NAME	AYE	NO	PROXY
REP. ED LIESER, VICE CHAIRMAN		✓	
REP. JERRY BENNETT	✓		
REP. BOB BROWN	✓		
REP. ZACH BROWN		✓	
REP. VIRGINIA COURT		✓	✓
REP. MARY ANN DUNWELL		✓	
REP. STEVE FITZPATRICK, VICE CHAIRMAN		✓	
REP. KELLY FLYNN	✓		
REP. THERESA MANZELLA	✓		
REP. NATE MCCONNELL		✓	
REP. DALE MORTENSEN	✓		
REP. MARK NOLAND	✓		
REP. ANDREA OLSEN		✓	
REP. KEITH REGIER	✓		✓
REP. RAY SHAW		✓	
REP. SCOTT STAFFANSON	✓		
REP. KATHLEEN WILLIAMS		✓	
REP. KERRY WHITE, CHAIR	✓		

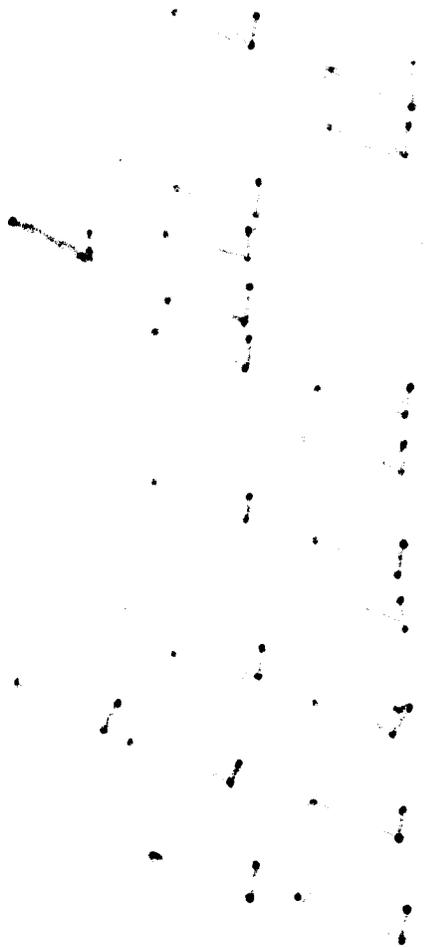
9 9

18 MEMBERS

1900

1900

1900





The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

NAT. RESOURCES COMMITTEE

ROLL CALL VOTE

BILL NUMBER HJ 19

DATE 2/20/2015

MOTION Do Pass

NAME	AYE	NO	PROXY
REP. ED LIESER, VICE CHAIRMAN	✓		
REP. JERRY BENNETT		✓	
REP. BOB BROWN		✓	
REP. ZACH BROWN	✓		
REP. VIRGINIA COURT	✓		✓
REP. MARY ANN DUNWELL	✓		
REP. STEVE FITZPATRICK, VICE CHAIRMAN	✓		
REP. KELLY FLYNN		✓	
REP. THERESA MANZELLA		✓	
REP. NATE MCCONNELL	✓		
REP. DALE MORTENSEN		✓	
REP. MARK NOLAND		✓	
REP. ANDREA OLSEN	✓		
REP. KEITH REGIER		✓	✓
REP. RAY SHAW	✓		
REP. SCOTT STAFFANSON		✓	
REP. KATHLEEN WILLIAMS	✓		
REP. KERRY WHITE, CHAIR		✓	

9 9

18 MEMBERS



HOUSE STANDING COMMITTEE REPORT

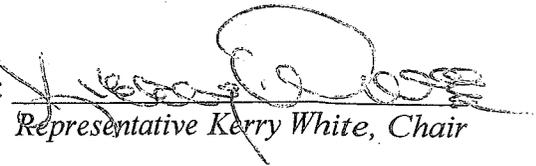
February 20, 2015

Page 1 of 3

Mr. Speaker:

We, your committee on Natural Resources recommend that House Bill 519 (first reading copy - white) do pass as amended.

Signed:


Representative Kerry White, Chair

And, that such amendments read:

1. Title, page 1, line 7.

Following: "WATER;"

Insert: "PROVIDING ENFORCEMENT MEASURES FOR VIOLATIONS OF LAWS RELATED TO EXEMPT APPROPRIATIONS OF WATER;"

2. Page 8, line 8.

Following: "zone"

Insert: ", is 35 gallons a minute or less,"

Strike: ":",

3. Page 8, line 9.

Strike: "(A)"

Strike: "10"

Insert: "7.5"

4. Page 8, line 11.

Strike: "0.5"

Insert: "0.375"

Strike: "as defined in 76-4-102;"

5. Page 8.

Strike: line 12 in its entirety

6. Page 8, line 13.

Following: "as"

Committee Vote:

Yes 11, No 7

Fiscal Note Required

HB0519001SC.hbb


2/21/15
10:15

Insert: "the term is"

Following: "76-4-102"

Strike: "."

Insert: "; or"

7. Page 8, line 17 through line 18.

Following: "under"

Strike: remainder of line 17 through line 18 in its entirety

Insert: "subsection (3)(a)(iii):

(i) one or more wells or developed springs that exceed the limits provided in subsection (3)(a)(iii) require a permit;

(ii) any subsequent subdivision as defined in 76-4-102 of a subdivision lot may not receive an additional appropriation pursuant to this section;

(iii) an appropriation on a tract of record that is not part of a subdivision as defined in 76-4-102 may not exceed 7.5 acre-feet a year on any 20 acres; and

(iv) more than one appropriation may not be physically connected if the total volume will exceed 7.5 acre-feet a year.

(c) For an appropriation under subsection (3)(a)(iii), 0.21 acre-foot a year for each dwelling unit is exempted from the appropriation limits in this section unless the dwelling unit is served by a public sewage system, as defined in 75-6-102, that is located outside the exterior property line of the subdivision."

Renumber: subsequent subsections

8. Page 8, line 29.

Strike: "(d)"

Insert: "(e)(i)"

9. Page 9.

Following: line 6

Insert: "(ii) At the request of an appropriator, the department shall reissue a certificate of water right issued pursuant to subsection (3)(e)(i) to a volume less than the volume allowed on the original certificate of water right to accommodate a future appropriation subject to subsection (3)(a)(iii).

(iii) The department shall adopt rules to address violations of conditions provided in subsection (3)(e)(i) or any appropriation exceeding the exception provided in (3)(a)(iii). The rules must include but are not limited to:

(A) provisions for notice of violation;
(B) provisions and timelines for achieving compliance after a violation; and

(C) provisions for the termination of an appropriator's certificate of water right and a subsequent application process for an appropriation permit pursuant to 85-2-311 for continued use of a ground water well or developed spring. "

10. Page 9, line 7.

Strike: "To satisfy"

Insert: "For the purposes of satisfying"

11. Page 9, line 8.

Strike: "when" through "chapter 4"

12. Page 13, line 11.

Strike: ", assuming"

Insert: "if"

13. Page 13, line 12.

Following: "available"

Insert: "and other appropriators will not be adversely affected"

- END -



HOUSE STANDING COMMITTEE REPORT

February 20, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 553** (first reading copy -
- white) **do pass**.

Signed:

A handwritten signature in black ink, appearing to read "Kerry White".

Representative Kerry White, Chair

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required

HB0553001SC.hbb

M
2/21/15
7-15A



HOUSE STANDING COMMITTEE REPORT

February 20, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on Natural Resources recommend that House Bill 525 (first reading copy - white) do pass as amended.

Signed:


Representative Kerry White, Chair

And, that such amendments read:

1. Page 1, line 23.

Following: "bequests,"

Insert: "or"

Following: "donations"

Strike: ", or appropriations"

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required

HB0525001SC.hbb


2/21/15
9:45

BILL TABLED NOTICE

HOUSE NATURAL RESOURCES COMMITTEE

The HOUSE NATURAL RESOURCES COMMITTEE TABLED

HB 465 - Preserve the ability of Montana citizens to heat structures by burning wood - Rep. Theresa Manzella

HB 541 - Revise laws related to property right sales - Rep. Bill Harris

HB 570 - Revise flood plain notification process - Rep. Clayton Fiscus

HJ 19 - Resolution against efforts to claim, take over, litigate, or sell federal lands - Rep. Ed Lieser

by motion, on **Friday, February 20, 2015** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Chief Clerk of the House)

12:00 2/21/15
(Time) (Date)

February 21, 2015 (12:02pm)

Sherri Row, Secretary

Phone: 444-4877



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Ed Lieser

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 051901.AJM	X				
HB 519		X			
HB 046502.asn		X			
HJR 19	X				
HB 570-table	X				
HB 541-table	X				
HB 553	X				
HB 052501.AH	X				
HB 525	X				
HB 465		X			

Rep. VJ Court
(Signature)

Date 2-20-15





The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Steve Fitzpatrick

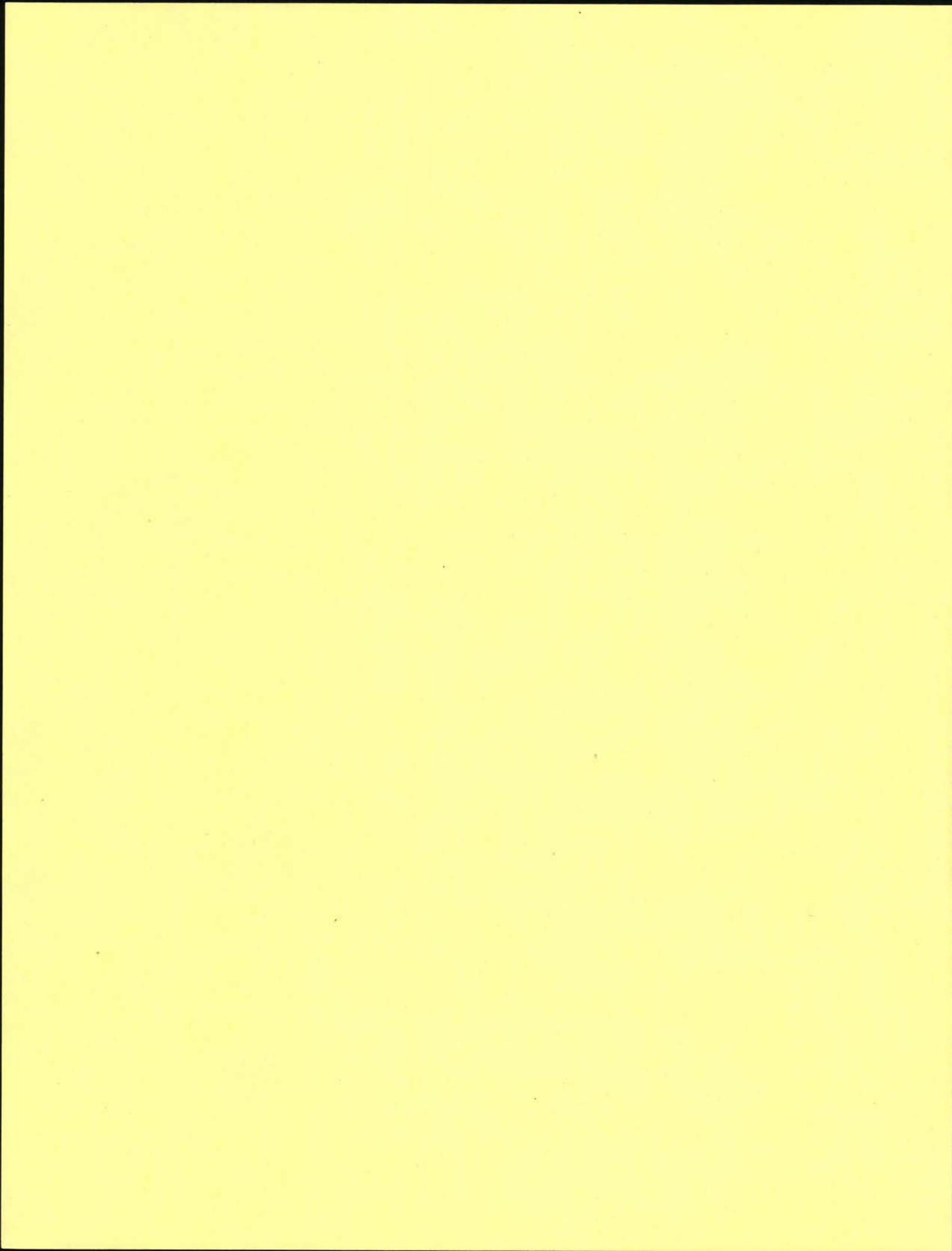
Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO BILL/AMENDMENT AYE NO

HB 046502 as n	X	
HB 465	X	
HJR 19		X
HB 570 Table	X	
HB 541 Table	X	
HB 553	X	
HB 525 a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, s, t, u, v, w, x, y, z	X	
HB 525	X	

Rep. Keith Regier
(Signature)

Date 2/20/15



**MONTANA House of Representatives
Visitors Register
HOUSE NATURAL RESOURCES COMMITTEE**

Friday, February 20, 2015

HB 553 - Generally revise aquatic invasive species laws

Sponsor: Rep. Mark Noland

Name	Representing	Support	Oppose	Info
Amy Seaman Spark Stunt	Montana Audubon MCM	support		X
Greg McCormick	Flathead Lakers	X		
Jerry Marke	Missoula County Weed District	X		
Jim Olivarez	Missoula County Weed Board	X		
Sue McCormick	Flathead Lakers	X		
Celeste Duman	Sanders Co AIP	X		
Montana Weed Assoc.	C. Duman	X		
Curtis Spaulding	Sanders County AIP	X		
Jon Swartz	MDT			X
AD Chelcie Cremer	MTFBF	X		
Holly Franz	Clark Fork Tack Force	✓		
Angelus	FBC	✓		
ROBIN CANNINGHAM	FOAM	✓		
Cary Wiens	MT Elec. Corps' Ass'n	✓		
Mike Murphy	MWRA	X		
Jacob Cowgill	MT Farmers Union	X		
Karen Lehtela	Blackfoot Challenge and Powell County Weed Coordinator	X		
Art Woogon	Northwestern Co.	X		
Ray Seal	DWRP	X		
John Moody	BSB MHCN	X		
Lindsey Bona Eggerman	MT Weed Control Ass.	X		
Stephanie Hester	DNRC	X		
Alicia Stikleny	DNRC	X		
GREG AMES	MT DEPT ARC	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Nick Gevock	mwf	X		
Share Morigeau	CSKT	X		
Jim Jensen	MEIC	X		

JEFF + IBERA
Bine Rev

HTCD
FWD

X
X

**MONTANA House of Representatives
Visitors Register
HOUSE NATURAL RESOURCES COMMITTEE**

Friday, February 20, 2015

HB 525 - Revise aquatic invasive species fund laws

Sponsor: Rep. Mark Noland

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Oreg McCormick	Flathead Lakers	X		
Alexine Duvrau	Sawyer Co Task Force	X		
Montana Weed Association		X		
Jerry Marks	Missoula County Weed District	X		
Jim Duvrez	Missoula County Weed Board	X		
Sue Mc Cormick	Flathead Lakers	X		
Curtis Spindler	Sawyer's County AFS	X		
Karen Haitala	BLACKFOOT CHALLENGE & POWELL COUNTY WEED BOARD	X		
Chelcie Cremer	MFBF	X		
Camp Miser	FBR	X		
ROBIN CUMMINGS	FOAM	✓		
Gary Wiers	MT. Elec. Co-ops' Ass'n	✓		
Mike Murphy	MWRA	X		
Hilly Franz	Clark Fork Task Force	✓		
Jared Cagill	MT Farmers Union	X		
Katy Deek	DNRC	X		
John Moody	Mike Hugh CD Butte	X		
Lindsey Bona-Pegeman	Montana Weed Control Ass.	X		
Stephanie Aster	DNRC	X		
Alicia Stickney	DNRC	✓		
Mark Bostrom	DNRC	X		
GREG Amis	MT Dept Ag	X		
Nick Gerock	MWF	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Jim Jensen MEHC, X
 Shane Morigeau CSKT X
 Amy Seaman Montana Audubon X

JEFF TIBERI
Bruce Rata

MATCH
FWP

X
X

Mr. Chairman and members of the committee. My name is Bill Harris. Harris is spelled H-A-R-R-I-S. I represent House District 29. My district includes most of Fergus County, including the towns of Lewistown, Grass Range, Winifred, Roy and all of Petroleum County, which includes the town of Winnett.

Today I bring to you HB 541 entitled "AN ACT GENERALLY REVISING LAWS RELATED TO PROPERTY RIGHTS; REQUIRING A MAJORITY VOTE OF EACH HOUSE OF THE LEGISLATURE TO SELL SURFACE, MINERAL, OR WATER RIGHTS TO THE UNITED STATES, ANOTHER STATE, OR A FOREIGN GOVERNMENT."

HB 541 brings transparency to the people of Montana. Montanan's have the right to know if property within the State of Montana is being separated out by sale or transfer to be put under ownership of a foreign government, the U.S. Government or another sovereign state.

To be clear HB 541 does not change present law or create new law governing property ownership in Montana.

HB 541 does give the people of Montana a voice through the legislature to intercede in this type of sale or transfer if they choose to.

It can be argued that Montanan's already have this right. This is no doubt a correct assessment.

However HB 541 creates transparency and oversight through reporting of this type of transfer or sale. It also gives Montanan's a voice in directing the future of the state through their elected representation.

Thomas Jefferson said "Leave no authority existing Not responsible to the people."

To oppose this bill is to oppose transparency and governmental accountability.

Please support HB 541



MONTANA ASSOCIATION OF LAND TRUSTS

ADDITIONAL DOCUMENTS



P.O. Box 892, Helena MT 59624
Glenn Marx, Executive Director 490-1659
Email: montanamalt@q.com
Website: montanalandtrusts.org

172

MALT MEMBERS

Bitter Root Land Trust, Hamilton

Kaniksu Land Trust, Sand Point, ID

The Conservation Fund, Missoula

Five Valleys Land Trust, Missoula

Flathead Land Trust, Kalispell

Gallatin Valley Land Trust, Bozeman

Montana Land Reliance, Helena

The Nature Conservancy, Helena

Prickly Pear Land Trust, Helena

Rocky Mountain Elk Foundation, Missoula

The Trust for Public Land, Bozeman

Vital Ground Foundation, Missoula

AFFILIATE MEMBERS

Missoula County Community and Planning Services

Plum Creek Timber Company

Ducks Unlimited

February 19, 2015
Testimony on HB 541

Mister Chairman and members of the committee my name is Glenn Marx and I am with the Montana Association of Land Trusts.

I think the sponsor's heart is in the right place, but there are some issues in this bill that are very difficult to resolve. The legal note suggests some fairly significant and serious legal constitutional conflicts inherent in the bill.

Our chief concern with HB 541 is it's intent to add restrictions and procedures that condition, diminish, impair and possibly deny the use of an existing property right.

Line 25 of the bill prohibits the sale or transfer of "surface rights" to the federal government and others without ratification by the Montana Legislature.

We believe landowners should continue to be able exercise all existing property rights without these kinds of restrictions or unwarranted and mandated legislative actions.

There is also some real uncertainty with the term "surface rights." Fee title acquisition is assumed to be within the realm of "surface rights." Within the context of this bill, are conservation easements viewed as "surface rights" that are "transferred?" The US Department of Agriculture, for instance, works with landowners – and at times with land trusts – on a voluntarily basis to conserve agricultural practices on their property. Should a landowner be subjected to up to a two-year delay and a legislative vote just to exercise an existing basic property right?

There are several Farm Bill and agricultural programs in which a landowner voluntarily works with NRCS on grazing practices, water improvements, sagebrush management, weed control, riparian area management and more in which agency enforcement or USDA management stipulations that under this bill could create a "surface right" that maybe could be viewed as a property right "transfer." It shouldn't be viewed that way, but it could be. Within the language of the bill it is nearly impossible to tell.

Making landowners wait for up to two years for an uncertain decision would make these basic USDA programs unworkable and financially detrimental for the landowner and his farm and ranch operation.

Mister Chairman HB 541 conditions and diminishes existing property rights and creates too many land management delays and uncertainties. We urge a Do Not Pass on this bill. Thank You.



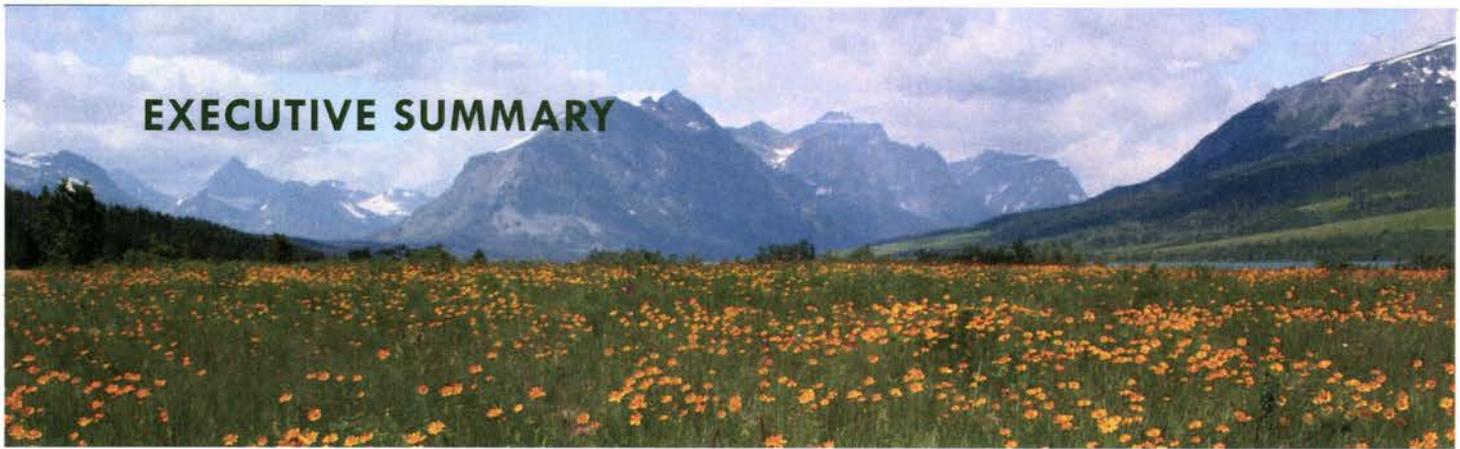
1. Good afternoon, my name is Mike Mueller, Senior RMEF Lands Program Manager. I represent the Rocky Mountain Elk Foundation and live in Missoula, MT. I represent over 13,000 RMEF members in MT.
2. Today I speak in **opposition** to HB 541.
3. One of RMEF's primary mission objectives is to conserve land for elk, other wildlife, hunters, the general public and future generations. We do this in a cooperative fashion with landowners, state, local and federal agencies, and private partners. We respect private property rights while working to provide access to public lands and protection of key habitats.
4. We have worked closely with the USFS and private landowners such as the Bair Ranch Foundation, RY Timber, the Neild Family Partnership and the Holland Family on a willing basis to conserve important habitat and make it available to the public. You may recognize places like the OTO Ranch & Royal Teton Ranch, north of YNP, Ray Creek east of Canyon Ferry Lake, Tenderfoot Creek, a valuable fishery that empties into the Smith River, and the Watershed Acquisition, all now in federal ownership, that provide outstanding wildlife habitat, opportunity for hunters and other recreationists, as well as continued grazing access and multiple use. Undertaking and completing these types of projects currently requires a very detailed and open due diligence process.
5. We believe that HB 541 infringes on private property rights by limiting a private landowners ability to choose who he or she wants to sell their property too. Some of the landowners who I have mentioned previously specifically wanted their property to be available to the public in perpetuity.
6. HB 541 would also create a very laborious and bureaucratic process for approving a potential sale which will cost state and local governments more time and money, unnecessarily.
7. Lastly, I am sure you are aware of the access to public lands issue that we face in this state. Some estimate that nearly 2 million acres of public land in MT have access blocked in some way. RMEF is working hard to address this issue by working cooperatively with the USFS and others where these access limitations exist. It may be the voluntary acquisition of a key small parcel inside the Forest boundary, maybe it is a road access easement, or even a new trailhead that can open up the access to thousands of acres of public land. This bill, if passed, will shut down much of this access work!
8. Again, RMEF opposes HB 541. Thank you for the opportunity to comment.

**ADDITIONAL
DOCUMENTS**

Flathead Basin Commission 2013-2014 Biennial Report

www.flatheadbasincommission.org

EXECUTIVE SUMMARY



Aquatic Invasive Species (AIS)

- Leveraged over \$700,000 from federal, state, tribal, local and NGO partners to implement the Flathead AIS Strategic Plan, which includes watercraft inspection stations at Ronan, Clearwater Junction and Highway 2.
- Launched AIS detection dog pilot program in 2014 and continued volunteer boat inspection program.
- Continued implementation of a treatment plan for curlyleaf pondweed.
- Eradication of Eurasian watermilfoil at Beaver Lake close to completion.
- Assisted partners in leveraging funds to survey for mussels and aquatic invasive plants.
- Continued multi-faceted outreach efforts.
- Completed DNA protocols to enhance early detection in both the Flathead and throughout the State.
- Secured funding for focus group testing to improve AIS messaging.

Monitoring

- Continued ongoing Surface Water Quality Monitoring program with Basin partners.
- Continued the Northwest Lake Volunteer Monitoring Network to include approximately 50 monitoring sites. Sites are monitored for water chemistry and presence of AIS.

Transboundary Resource Efforts

- Working through the Great Northern Landscape Conservation Cooperative, commenced initial steps to implement the British Columbia-Montana Memorandum of Understanding on Environmental Protection, Climate Action and Energy (which permanently banned strip mining and oil & gas development in the B.C. headwaters of the Flathead River).
- Working through the Crown Managers Partnership (CMP), expanded the cooperative AIS project to protect water resources in the Crown of the Continent.
- Working through the CMP, continued work the on Ecological Health Project, which is designed to provide resource managers with improved and consistent metrics to enable more informed decisions.

New Initiatives

- Cooperative Rail Safety Planning effort
- Secured funding for the following projects in 2014:
 - Flathead Basin Drought Management Plan
 - Flathead Wastewater Management Plan
 - AIS Strategic Plan update



INTRODUCTION

The Flathead Basin Commission was created in 1983 by the Montana Legislature to monitor and protect water quality, natural resources and the economic well-being of one of the State's most important watersheds. The Commission is a uniquely structured non-regulatory organization that works to accomplish its mandate in a consensus-building manner, stressing education, community involvement, partnerships with agencies, nonprofit groups, and basin residents.

The 23-member Commission represents a wide cross-section of citizens, and local, state, tribal, federal and provincial agency representatives who work collectively to implement innovative, cost-effective solutions that work on the ground.

The Commission has become a model of successful citizen and inter-agency cooperation in a geographically vast and ecologically diverse watershed characterized by its pristine character, international dimension, and multi-jurisdictional nature.

This report summarizes the Commission's activities and initiatives, and provides an overview of water quality trends.

Visit our website at:
flatheadbasincommission.org
or contact us at:

Flathead Basin Commission
655 Timberwolf Parkway
Kalispell, MT, 59901
Caryn Miske, Executive Director
406.240.3453
cmiske@mt.gov

Cover Photo: Michael Hewston

MESSAGE FROM THE CHAIR

The State of Montana is known as the "last best place" in the U.S. And the Flathead Basin represents one of the "last best watersheds" in the state. It is the statutory mission of the Flathead Basin Commission to protect the natural resources within this spectacular watershed, and to ensure that our children and grandchildren can enjoy the bounty still present on this unique landscape.

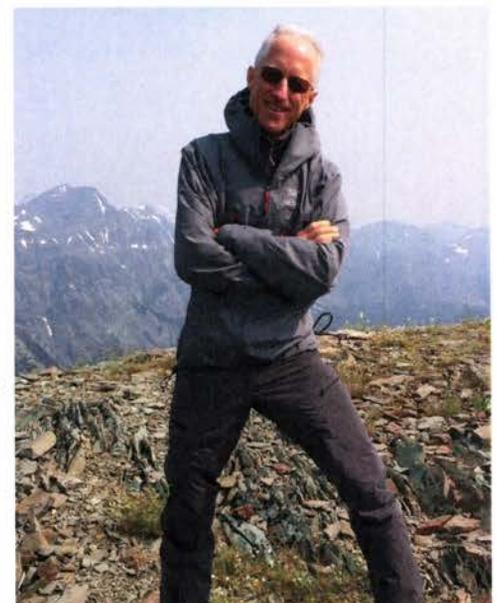
The Commission has experienced some great successes in recent years, including the signing of the B.C.-MT Memorandum of Understanding in 2010, which protects the Basin from the impacts of strip mining in the headwaters of the Flathead River in British Columbia, and the

establishment of a regional Aquatic Invasive Species program. However, much remains to be done. Some of the most pressing challenges facing the Basin include, but are not limited to: rail safety standards for hazardous materials and emergency response; wastewater management; and adaptive management protocols to address large-scale changes across the landscape.

It is our goal to maintain the successes of our existing programs while tackling the new issues facing the Basin. Natural resources straddle manmade boundaries in this transboundary region. We must recognize that in the future management requires cooperative

partnerships to ensure positive results.

We thank the Montana Department of Natural Resources and the State legislature for their continued support. – Chas Cartwright



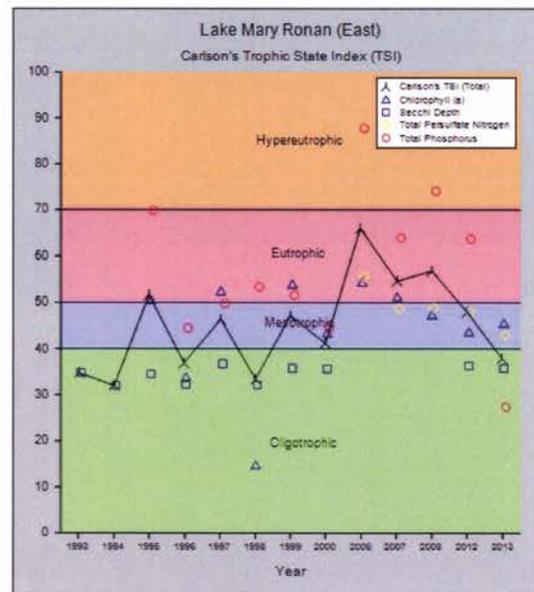
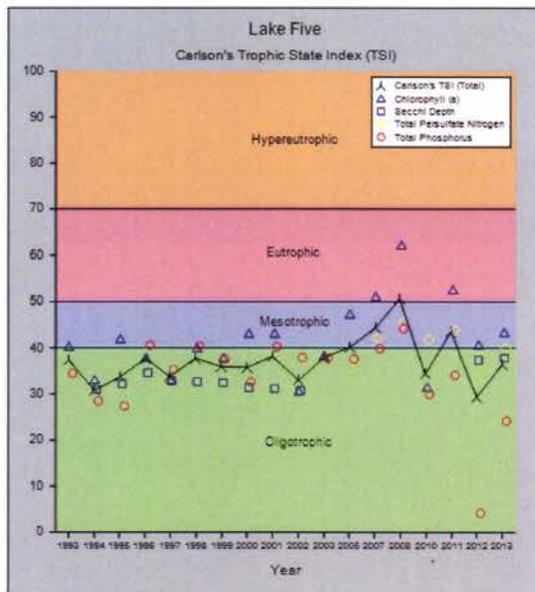
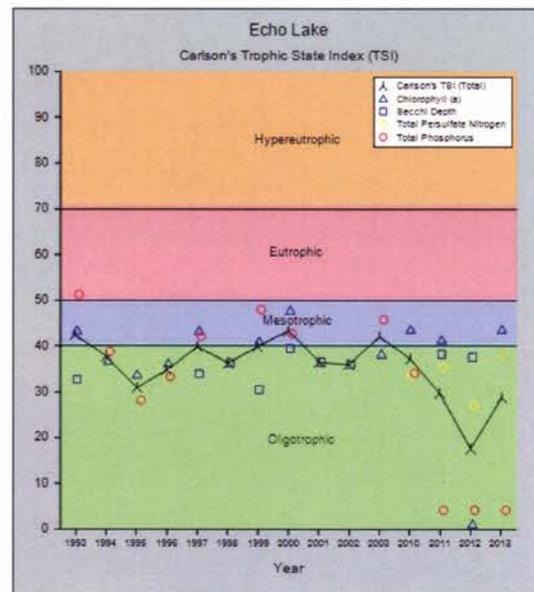
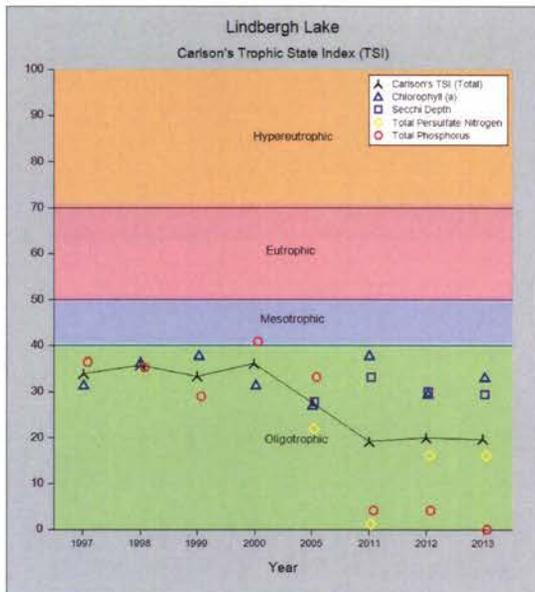
2013 WATER QUALITY MONITORING

The Northwest Lakes Volunteer Monitoring Network is a partnership between the Flathead Basin Commission, Whitefish Lake Institute and MT Fish, Wildlife & Parks. Program staff train “citizen scientists” to monitor 40 lakes in Flathead, Lake, Lincoln and Missoula Counties, by collecting basic water quality measurements that help

establish lake data over time, and to monitor for the presence of aquatic invasive species. The partnership enables resource managers to extend their monitoring reach through volunteer efforts, while involving community members in understanding and protecting our natural resources. Volunteers can access information and enter their

data in an interactive website. Volunteers contribute nearly 1000 hours annually to the program. The graphs below illustrate long-term water quality trends in several lakes within the watershed.

For more information, please visit www.nwmtlvmn.org.



Northwest Montana Lakes Volunteer Monitoring Network



Aquatic Invasive Species

Monitoring: In 2013, thirty-three plankton samples were collected from twenty-five lakes to determine whether or not AIS were present. The Flathead Lake Biological Station (FLBS) performed DNA analyses by looking for sequences of Eurasian watermilfoil, northern watermilfoil (native) and diressenid mussels. Detailed information specific to each lake can be found at www.nwmtlvmn.org.

FLATHEAD BASIN COMMISSION IN ACTION

AQUATIC INVASIVE SPECIES (AIS)

Aquatic Invasive Species are any non-native species that can harm aquatic ecosystems and their capacity to benefit people. Once introduced into new habitats these organisms destroy native species and can ultimately cause extinction of valued organisms. AIS can also affect humans by causing adverse impacts to commerce, agriculture and recreation that depend on water resources for their viability.

Mandatory Inspections: In 2010, the Flathead Work Group, under the leadership of the Commission, completed the Basin's Strategic AIS Plan to guard against the introduction and spread of invasive species. One of the key recommendations of the Plan was the establishment of boat inspection stations at the gateways into the Flathead Basin for more robust perimeter defense. In 2013 and

2014, the Commission secured funding to operate inspection stations at Clearwater Junction and on Highway 2 (photo). Funding partners included:

- Bureau of Rec. Hungry Horse
- City of Whitefish
- Whitefish Water & Sewer District
- Lake County
- Trout Unlimited – Flathead Ch.
- U.S. Forest Service.

The Commission partnered with Fish, Wildlife & Parks for station management in 2014. To view a map of boat inspection stations in the basin, visit http://flatheadbasincommission.org/chd_sec3pg5.asp.

Volunteer Boat Inspections:

Partnering with the Swan Lakers, Flathead Lakers, and Whitefish Lake Institute, volunteers inspected over 400 boats in 2013-14. Data indicated that 35% of boaters had not been previously inspected at a mandatory

inspection station. While no mussels were found on boats, volunteers were able to reach out to boaters unfamiliar with the CLEAN, DRAIN AND DRY message.

Volunteer Monitoring Program: AIS monitoring is ongoing. See page 4.

Education Efforts: Education is a cornerstone of the AIS prevention program. To complement our ongoing educational activities and to facilitate best management practices, the Commission produced a video targeted to both local and out-of-state boaters. The video can be viewed at :

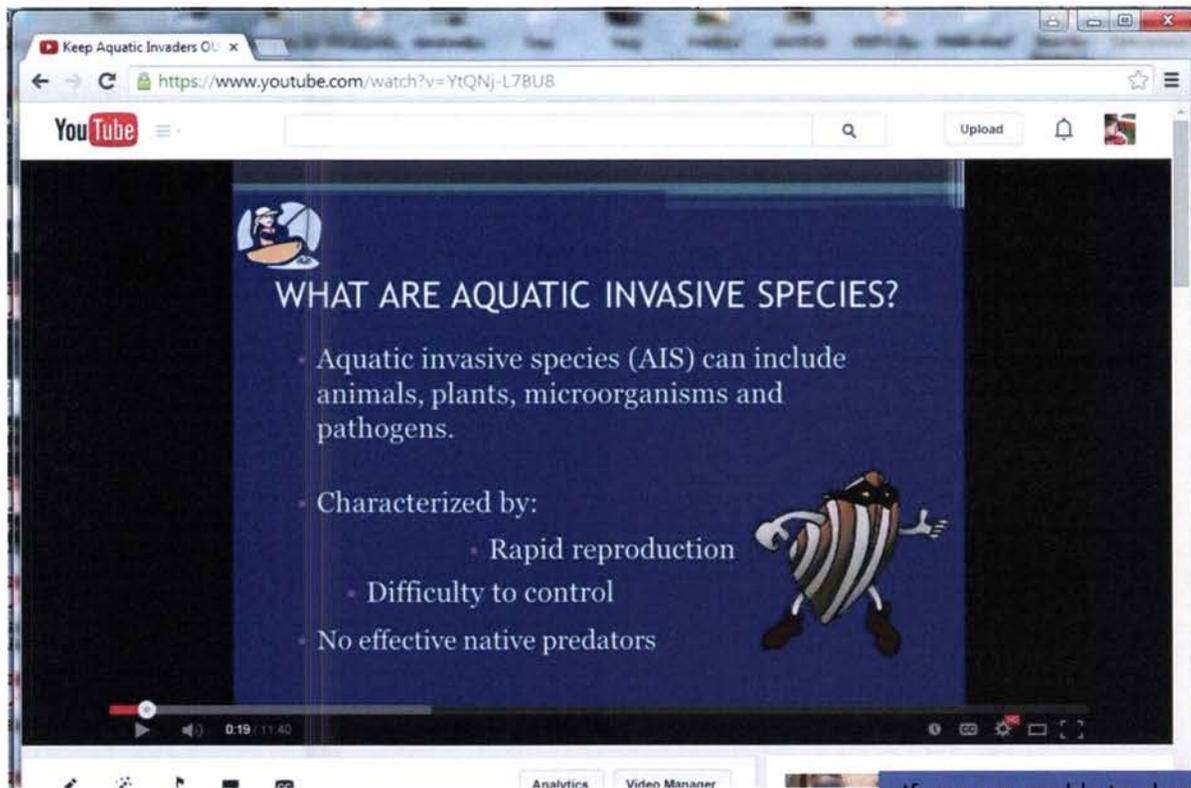
<https://www.youtube.com/watch?v=IMs87qKpL4U>

Leveraging AIS Funds: We have been able to assist agencies/governments in leveraging funds in excess of \$350,000 to support work critically need in the Basin.



FLATHEAD BASIN COMMISSION IN ACTION (cont.)

AQUATIC INVASIVE SPECIES



AIS Strategy: The Commission is working with the Provinces of British Columbia and Alberta to develop a protocol for the Crown of the Continent that will facilitate: data collection protocols to ensure that data can be analyzed across jurisdictional boundaries; rapid response and notification; perimeter defense; and coordinated educational messaging.

Research: Using DNA technology, the Commission partnered with the Flathead Lake Biological Station to complete a new protocol for zebra and quagga mussel veligers (photo, right) which allows for improved AIS monitoring and early detection.

Focus group testing: The Commission secured funding from the Great Northern Landscape Conservation Cooperative to conduct testing to determine the efficacy of existing AIS education messaging. The test results will be used to develop messaging to raise awareness and to facilitate broader adoption of "clean, drain, dry" protocols for watercraft and gear.



If you are unable to check out a Speakers Trunk, you can still view the Flathead AIS videos online. AIS brochures can also be downloaded from the Commission's website.

Outreach: Two "Speakers Trunks" were completed in the summer of 2013. The all-inclusive kits contain videos, brochures, and narrated PowerPoints to be used for AIS outreach by non-AIS experts. Trunks can be checked out from the Flathead Lakers in Lake County and Whitefish Lake Institute in Flathead County. The PowerPoint (photo above) can also be viewed online at <https://www.youtube.com/watch?v=YtQNj-L7BU8>

AIS CONT.

Curlyleaf Pondweed (CLP)

Management: Significant progress was made in containing and controlling the CLP infestation in Flathead Lake and River. Of the 8 areas previously identified as positive in Flathead Lake, only 2 sites remain positive for CLP: Lakeside Marina and a small area outside of Bigfork. Control work at these sites achieved a 90% level of control. In the river, scattered plants were documented throughout the lower 10 miles immediately above Flathead Lake. Suppression in the river continues, but a significant effort will be needed in the future to control this area of the infestation.

Eurasian Watermilfoil Management:

Control work on the Eurasian watermilfoil (EWM) in Beaver Lake continued. In 2014, only about ten plants weighing less than a pound

were removed from the lake. That is a significant reduction from the 25 lbs removed in 2012 and 5 lbs in 2013. It is likely that EWM plants will still be identified and removed over the next couple of years, but full eradication is expected within the next five years.

Other AIS Efforts : Significant work was completed under DNRC's Renewable Resource grant. AIS assessments were made at over 50 sites; plankton sampling for zebra/quagga mussels occurred at 70 sites; and a database of calcium (needed for mussel survival) levels in Flathead Basin lakes was completed. No new invasives were detected. The effort to conduct contingency planning for at-risk facilities is ongoing and will be completed by the end of the year.

Flathead AIS **Work Group Partners**

- City of Polson
- City of Whitefish
- Clark Fork Coalition
- Clearwater Resource Council
- Confederated Salish and Kootenai Tribes
- Flathead Basin Commission
- Flathead Conservation District
- Flathead Chapter of Trout Unlimited
- Flathead Lake Biological Station
- Flathead Lakers
- Flathead National Forest
- Flathead Protection Association
- Glacier National Park
- Lake County
- Lake County Weed District
- Lolo National Forest
- Missoula County Weed District
- Montana Department of Agriculture
- Montana Department of Fish, Wildlife and Parks
- Swan Lakers
- U.S. Bureau of Reclamation
- U.S. Geological Survey
- U.S. Fish and Wildlife Service
- Whitefish Lake Institute
- Whitefish Water and Sewer District



FLATHEAD BASIN COMMISSION IN ACTION AQUATIC INVASIVE SPECIES



In partnership with Lake County, Montana Department of Natural Resources, and the government of Alberta, the Commission engaged Working Dogs for Conservation to pilot an effort to train and deploy dogs to sniff out zebra and quagga mussels during watercraft inspections. This forward-thinking approach to inspections is on the cutting edge as only two US states, and no Canadian provinces, have incorporated detection dogs to their aquatic invasive species programs. Working Dogs for Conservation trained four dogs to detect live and

dead zebra and quagga mussels. From June to August 2014, teams deployed on 13 occasions at 5 inspection locations in Montana and Alberta. A total of 110 watercraft were searched and no mussels were detected. Based on blind tests, the dog/handler teams were both more efficient and effective at detecting mussels as compared to human inspectors alone. Public reception to the dogs was extremely positive as 89% of boat owners wanted to watch the dogs work, take pictures, or had questions or comments which indicated their

appreciation for the dogs. The dogs also attracted local and national media attention providing outreach opportunities regarding the problem of invasive mussels that would not have been possible without the dogs. Alberta plans to expand the use of dogs in 2015. Similar efforts could be undertaken in Montana now that the efficacy of the dogs has been demonstrated, along with broad public acceptance of canine inspections.

*Working Dogs for Conservation is a Montana-based non-profit organization that partners with detection dogs to further conservation initiatives around the world by non-invasively monitoring endangered animals or seeking out invasive species to eradicate known population or prevent spread or introduction to new areas. Since its inception, Working Dogs for Conservation has deployed dog and handler teams to detect nearly 40 species in 18 states and 10 countries.

TRANSBOUNDARY: AN INTERNATIONAL WATERSHED

Flathead Basin (Montana and British Columbia)

In 2010, British Columbia and Montana signed the Memorandum of Understanding and Cooperation on Environmental Protection, Climate Action and Energy (MOU). The MOU sets out a framework for environmental and economic cooperation on clean energy development, and permanently bans mining and oil and gas development in the Transboundary Flathead River. During this biennium, the Commission continued to work with its partners in British Columbia to undertake studies designed to protect and improve bull trout and cutthroat trout habitat in the transboundary Flathead fishery.



Great Northern Landscape Conservation Cooperative (GNLCC):

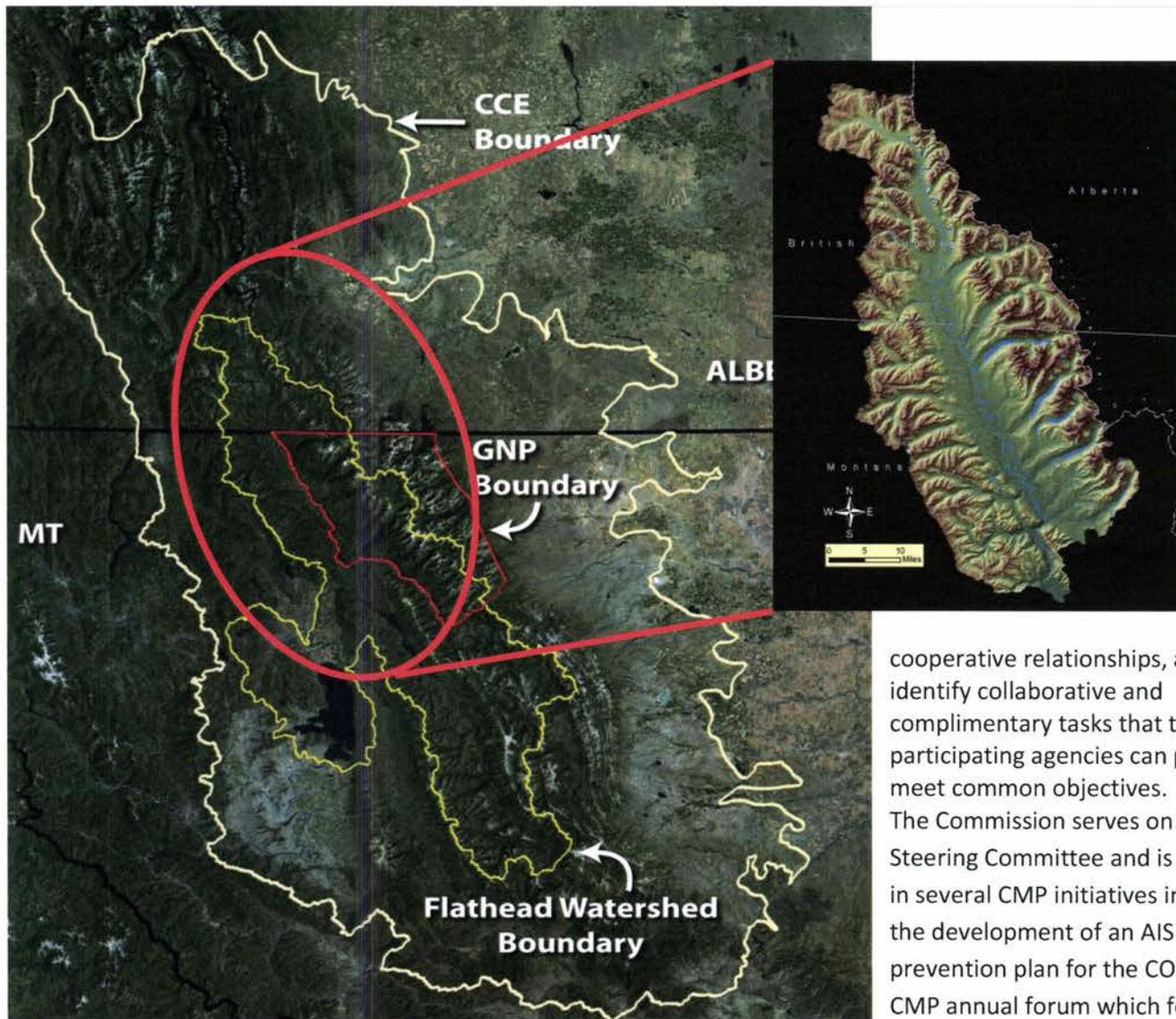
The GNLCC is a federal cooperative that brings together land and resource managers from Montana, Wyoming, Idaho, Washington, and Oregon, along with the Provinces of British Columbia and Alberta to coordinate, facilitate and promote projects that support increased resource resilience in the face of landscape-level stressors. The GNLCC focuses on scientific research, conservation action, and monitoring and evaluation to sustain diverse natural systems across a large landscape. The Commission is working with the GNLCC to assist in the development of a coordinated, large landscape AIS strategy, along

with efforts at the Crown level that can be scaled up for use at the larger landscape level (see Focus Group Testing and Crown AIS Strategy on

page 7). Such efforts will improve and protect both our regional resources, as well as our state resources here in Montana.



TRANSBOUNDARY: AN INTERNATIONAL WATERSHED



cooperative relationships, and identify collaborative and complimentary tasks that the participating agencies can pursue to meet common objectives. The Commission serves on the CMP Steering Committee and is involved in several CMP initiatives including the development of an AIS prevention plan for the COC; the CMP annual forum which focuses on information sharing and interagency cooperation; and the CMP Ecological Health Project. One of the most recent CMP collaborations involved the launch of the AIS detection dog pilot program (see page 8). Other focus areas include landscape connectivity projects, fire management, whitebark pine restoration, etc. These cooperative efforts have allowed us to leverage funding and expertise to better protect resources in this unique landscape.

Crown Managers Partnership (Montana, Alberta and British Columbia) The Crown of the Continent (COC) is one of North America's most ecologically diverse and jurisdictionally fragmented ecosystems. Encompassing the shared Rocky Mountain region, and immediately adjacent landscapes of Montana, British Columbia and Alberta, this 28,000 square mile region straddles two federal governments; one state and two provinces; multiple Tribal/First Nation sovereign governments;

municipal authorities; and both public and private land blocks. Recognizing that natural resources straddle jurisdictional boundaries, land and resource managers from Alberta, Montana and British Columbia voluntarily collaborate on selected natural resource issues, such as Aquatic Invasive Species prevention, in order to better protect shared resources in the COC. While the Crown Managers Partnership (CMP) does not manage (the individual agencies manage), this partnership seeks to build

FLATHEAD BASIN COMMISSION IN ACTION NEW PROJECTS

Wastewater Management: The Commission recently obtained funding from U.S. Bureau of Reclamation (BOR) to develop a wastewater management strategy to improve water quality. The Plan will be designed to reduce nutrient loads related to septic systems and other non-point pollution sources adjacent

to surface water sources, and issues associated with the land application of septage. The Commission applied for a 2014 RRGL grant to supplement the funding provided by BOR.

Drought Management: With funding from BOR, the Commission will develop a drought management strategy in the Flathead Basin by

working with stakeholders to develop a voluntary, “buy-in” plan to collaboratively and cooperatively share water resources in times of drought. The Commission applied for a 2014 RRGL grant to supplement the funding provided by BOR.



Rail Safety: Given concerns raised by local communities and the number of derailments that have already occurred in Montana, the issue of rail safety is an increasing area of focus for the commission. To this end, the Commission is coordinating with Burlington Northern and other stakeholders to facilitate a dialogue to identify priority areas where cost effective improvements can be made to enhance current safety and prevention plans. The Commission is working to ensure that rail safety standards and emergency response plans protect, to the greatest extent possible, both human health and the natural resources which make the Flathead unique.



PHOTOGRAPHY CREDITS

Cover photo:	Michael Hewston www.michaelhewston.com
Page 1, Mountains	Caryn Miske
Page 1, Arnica	Heidi Sedivy
Page 2, Message from the Chair:	Chas Cartwright
Pages 3-4 Map and Graphics:	Whitefish Lake Institute
Page 5, Boat Inspection:	Heidi Sedivy
Page 6, Powerpoint:	Screenshot from Youtube.com
Page 6, Veliger:	NOAA Great Lakes Environmental Research Laboratory
Page 7, Quagga Mussels	Heidi Sedivy
Page 8 Sniffer Dog:	Cindy Sawchuk
Page 9, Fish:	Jonny Armstrong
Page 10, COC Graphics:	Erin Sexton
Page 11, Rail Yard:	Whitefish People and Places
Page 13, Ravens:	Heidi Sedivy

COMMON ACRONYMS

AIS: Aquatic Invasive Species

BOR: United States Bureau of Reclamation

CLP: Curlyleaf Pondweed

COC: Crown of the Continent

DNRC: Montana Department of Natural Resources and Conservation

EWM: Eurasian Watermilfoil

GNLCC: Great Northern Landscape Conservation Cooperative

MOU: Memorandum of Understanding

APPENDIX A: BUDGET

FY 2013

Personal Services	\$80,117
Operating Expenses	\$21,727
Total:	\$101,844

FY 2014

Personal Services	\$81,177
Operating Expenses	\$16,757
Total:	\$97,934

Grants/Contracts/Donations Managed during the Biennium:

DNRC RRGL AIS	\$100,000
BOR AIS	\$95,000
BOR WaterSmart	\$100,000
Whitefish Lake Inst.	\$1,000
City of Whitefish	\$20,000
Whitefish Water & Sewer	\$5,000
CMP/GNLCC	\$40,000
Trout Unlimited	\$5,000

Total: **\$366,000**

Leveraged funding secured during the Biennium for AIS: \$350,000

Leveraging Resources: With a base budget of under \$100,000, the Commission has been able to directly raise over \$350,000 for the programs described herein. In addition, we have been able to assist agencies/governments in leveraging funds in excess of \$350,000 to support work critically need in the Basin. The modest investment in the Commission pays significant dividends, with over \$700,000 coming into the Basin to support a variety of projects, including drought management, wastewater management and Aquatic Invasive Species prevention.

The Commission would like to thank the State legislature for its support. We would also like to thank all of the individuals and organizations that provide funding and invaluable in-kind assistance. Without such support our work would not be possible.

Persons with disabilities who need an alternative, accessible format of this document should contact the FBC. 300 copies of this document were printed at an estimated cost of \$4.33 per copy. That total cost of printing includes \$1,296.37 for printing and \$0.00 for distribution.

Appendix B: FLATHEAD BASIN MEMBERS

Tim Baker
Policy Advisor for Natural Resources
Office of the Governor, Montana

Ray Beck
Deputy Director
Montana Dept. of Natural Resources and Conservation

Tom Bell
Regional Director, Kootenay Okanagan B.C. Parks
British Columbia, Canada

Susan Brueggeman
Director
Lake County Environmental Health Dept.

Chas Cartwright, FBC Chair
Governor Appointed Member
Columbia Falls

Jasmine Courville-Brown
Governor Appointed Member
Ronan, Montana

Julie Dalsoglio (Ex-Officio)
Office Director, Montana
Region 8, U.S. Environmental Protection Agency

Steve Frye
Area Manager
Montana Dept. of Natural Resources and Conservation,
Northwest Land Office

Kate Hunt
Governor Appointed Member
Creston, MT

Rich Janssen
Department Head
Natural Resources Dept. – Div. of Environmental Protection
Confederated Salish and Kootenai Tribes

Jon H. Jourdonnais
Manager of Hydro Licensing and Compliance
Northwestern Energy

Gary Krueger
Flathead County Commissioner
Flathead County

Jeff Mow
Superintendent
Glacier National Park

George Mathieus
Administrator
Montana Department of Environmental Quality

Jan Metzmaker
Governor Appointed Member
Whitefish, Montana

Dennis Philmon
Superintendent, Hungry Horse Dam
U.S. Bureau of Reclamation

Jack Potter
Governor Appointed Member
Columbia Falls, Montana

Mark D. Reller (Ex-Officio)
Montana Liaison
Bonneville Power Administration

Jim Williams
Division Regional Supervisor
Montana Department of Fish, Wildlife and Parks

Jim Simpson
Supervisor – Board Chair
Lake County Conservation District

Dean Sirucek
Supervisor
Flathead Conservation District

Thompson Smith, FBC Vice Chair
Governor Appointed Member
Charlo, Montana

Chip Weber
Supervisor
Flathead National Forest