STATE OF MONTANA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NO. 21-89

EXECUTIVE ORDER ESTABLISHING THE
CLARK FORK REHABILITATION ADVISORY COUNCIL

WHEREAS, on July 12, 1989, a thunderstorm washed metal wastes into the upper Clark Fork drainage, resulting in a large fish kill; and

WHEREAS, thereafter ARCO Coal Company donated $250,000 for fisheries rehabilitation and $750,000 for a field demonstration project; and

WHEREAS, a committee is needed to recommend spending decisions for the demonstration project, and

WHEREAS, the demonstration project shall consist of the field construction of any of the following: stream bank stabilization, selective containment, revegetation of tailings, surface water control measures, or any other method determined by this council to be necessary to rehabilitate the upper Clark River project area; and

WHEREAS, this demonstration project shall be complimentary to the existing superfund process, and not a replacement thereof.

NOW, THEREFORE, I, STAN STEPHENS, Governor of the State of Montana do hereby establish the Clark Fork Rehabilitation Advisory Council.

I. **PURPOSE**

1. The Clark Fork Rehabilitation Advisory Council shall analyze and make recommendations on the following:

   a. An optimum location along the upper Clark Fork River for the demonstration project.
   b. Appropriate technologies that could be used in the project.
   c. Planning and budgeting.
   d. Contract implementation and construction.

2. This Council shall prepare and provide quarterly reports to the Governor on expenditures and a status report on the effectiveness of the demonstration project one year after the project has been completed.

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3. All rehabilitation work recommendations shall be subject to a 30 day public comment period prior to implementation.

4. All contracting shall be conducted through the Governor's Office, Department of Health and Environmental Sciences, Department of Fish, Wildlife and Parks, or Department of Natural Resources and Conservation.

5. This Council and State agencies shall attempt to complete construction of the demonstration project by September 1, 1990.

II. COMPOSITION

The following persons shall serve on the Clark Fork Rehabilitation Advisory Council at the pleasure of the Governor:

Senator Tom Beck
651 Greenhouse Road
Deer Lodge, MT 59722

Pat Graham, Ex-officio
Council Organizer
Department of Fish, Wildlife &
  Parks
Fisheries Division
Helena, MT 59620

Ray Tilman
George Grant Chapter
Trout Unlimited
Butte, MT 59701

Dick Hafer, Ex-officio
Clark Fork Coordinator
Governor's Office
Helena, MT 59620

Frank Bennett
Anaconda - Deer Lodge
 Reclamation Advocates
307 E. Park Avenue
Anaconda, MT 59711

Vic Anderson, Ex-officio
Department of Health and
  Environmental Sciences
Solid & Hazardous Waste Bureau
Helena, MT 59620

Bill Williams
ARCO Coal
P.O. Box 1491
Anaconda, MT 59711

Steve Pilcher, Ex-officio
Department of Health and
  Environmental Sciences
Water Quality Bureau
Helena, MT 59620

Peter Nielson
Clark Fork Coalition
P.O. Box 7593
Missoula, MT 59807

Ray Beck, Ex-officio
Department of Natural Resources and
  Conservation
Conservation and Resource Development
  Division
Helena, MT 59620

Joe Roberts
Butte Citizens Committee
1901 Franklin
Butte, MT 59701

Bob Fox, Ex-officio
United States Environmental Protection
  Agency
Federal Building
Helena, MT 59626

Frank Munshower, Ph.D.
Montana State University
Director of Reclamation Research
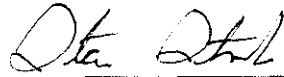Bozeman, MT 59717

II. COMPENSATION

The Council members shall not be eligible for compensation. In addition, no monies shall be used on oversight review or other work by State and Federal agency personnel.

IV. **DURATION**

This Order is effective September 8, 1989. The Council shall exist for two years thereafter, unless terminated sooner or extended upon order of the Governor.

GIVEN under my hand and the GREAT SEAL of the State of Montana, this 8ᵗʰ day of September, in the year of our LORD, One Thousand Nine Hundred and Eighty-Nine.

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STAN STEPHENS, Governor

ATTEST:

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MIKE COONEY, Secretary of State