MINUTES OF THE MEETING LONG-RANGE PLANNING SUBCOMMITTEE MONTANA STATE HOUSE OF REPRESENTATIVES

February 12, 1985

The meeting of the Long-Range Planning Subcommittee was called to order by Chairman Robert Thoft on February 12, 1985 at 8:04 a.m. in Room 420 of the State Capitol.

ROLL CALL: All members were present, except Senator Van Valkenburg who was excused.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, RENEWABLE RESOURCE DEVELOPMENT PROJECTS: Caralee Cheney (49:A:006 to 49:A:223) Chief, Water Development Bureau, Department of Natural Resources and Conservation (DNRC) went through the Renewable Resource and Water Development Programs book (EXHIBIT 1). She explained each chapter and its contents to committee members.

During Ms. Cheney's presentation Senator Fuller (49:A:130) asked why funding for the Agricultural Land Category is only \$150,000 dollars. This category is supposed to get 15 percent of Renewable Resource Development Funds (RRD) or \$225,000 ($$1,500,000 \times .15 = $225,000$). Ms Cheney said part of the funds are used for administration of the RRD program, for watershed planning by the conservation districts and for centralizing services within DNRC for the program. Senator Fuller asked if these funds are allocated for these services by statute. Ms. Cheney said the administrative funds are, but the others are not. The conservation districts have been given funds out of RRD money for at least six years.

Senator Fuller (49:A:186) asked Ms. Cheney to clarify funding in the "Other Category" of the RRD Program. Ms. Cheney said total requests in this category came to \$207,000 and the department is recommending funding of \$169,000. After the rangeland money is taken out of this category only \$50,000 is left to fund projects. The department proposes to add \$45,000 to this category by taking money out of the other four RRD categories (timber, agricultural lands, etc.). Funding for recommended projects in the Other Category will still be \$70,000 short of what is needed.

Agricultural Land Category

McCone County: Conservation District, Tillage Demonstration, Project 5

Ms. Cheney (49:A:231) read the project description on page 202 of the program book.

PROPONENTS: Representative Dean Switzer (49:A:254), District 28, said project funds will be used to purchase wind, air temperature,

atmospheric and soil temperature reorders. These instruments will measure the soil loss through wind and water erosion.

Jefferson County Conservation District, Noxious Weed Control, Project 4

Ms. Cheney (49:A:284) described the project which is found on page 200 of the program book.

PROPONENTS: Representative Robert Marks (49:A:307), District 75, said he is impressed with this group's cooperative effort. The district started at a grassroots level and identified the problems which exist with noxious weeds and is proposing a well thought out weed control program. Representative Marks said he hoped the committee would raise the recommended funding level, in order to give the project an opportunity to prove that noxious weeks can be controlled through a cooperative process. Representative Marks said this project will not be done on any property which he has an interest in.

Steve Marks (49:A:339), member, Jefferson County Weed Board said land owners met in October of 1983 and decided they wanted to try to control noxious weeds through a cooperative effort. The conservation district received a 223 grant to develop a map of the area which has noxious weeds. Mr. Marks said the district has the cooperaion of the Forest Service, Bureau of Land Management (BLM), Department of Institutions and private land owners. He said the district would like to get \$70,000 in funding to do a good job and to prove a cooperative effort can be successful. He said, since the program is well organized, they can begin spraying weeds in the Spring. Mr. Marks also submitted written testimony (EXHIBIT 2).

Senator Fuller (49:A:387) asked what the funding sources are for the \$294,000 listed as other funds for the project. He also asked if private land owners are contributing to the project. Representative Marks said under the Noxious Weed Law private land owners are responsible to take care of their own weed problems. The district has signed all of these people up to that extent. Caralee Cheney said she will get the breakdown on the \$294,000 in funding.

Chairman Thoft (49:A:409) asked if the district has a working agreement with the Forest Service. Steve Marks said the Forest Service has not signed an agreement with the district yet. However, BLM is close to signing an agreement and the district is hopeful the Forest Service will sign with some peer pressure from BLM. Mr. Marks said BLM is also going to help with funding.

Chairman Thoft (49:A:421) asked if the county mill levy can maintain a long-term weed control program once these funds get the project started. Steve Marks said hopefully the problem will be under control enough that the mill levy and land owners can handle it in the future. Representative Marks said he does not believe these kinds of projects should be funded for more than two bienniums. They should not be ongoing, but representative of how weed control can be accomplished.

Toole County, Marias River Basin Weed Control, Project 1

Ms. Cheney (49:A:484) introduced the project on page 196 of the program book.

PROPONENTS: Harry Simons (49:A:520), Toole County Commissioner, gave the committee information concerning the project (EXHIBIT 3). He said the entire Marias Basin is involved in the project. He said Toole County has agreed to handle the administration of the project.

Senator Fuller (49:A:542) asked what arrangements have been made with the Blackfoot tribe concerning the project. Mr. Simons said the Bureau of Indian Affairs (BIA) is in cooperation with the project. Mr. Simons said a corporation has been formed from the BIA, BLM, private land owners and the four counties in the Marias River Basin.

Senator Fuller (49:A:582) asked if all four counties are levying the 2 mills for weed control. Mr. Simons said Toole and Glacier Counties are, but he did not know about the other two counties.

Dan Tomcheck (49:A:592), member, Marias River Basin Weed Control Board explained the formation of the weed control board to the committee. He also said the group has identified the weed problem, has prepared a situation statement on the board's long-range goals and is ready to get started on the weed control program. He said Glacier County is only using 1.5 to 1.6 mills, Pondera County is using 2 mills and Toole County is using 2 mills. He said he thought Liberty County is using its 2 mills but he is not positive.

Chairman Thoft (49:B:019) asked Ms. Cheney to get the committee information on the total funds recommended for weed control projects in the various programs. Senator Fuller asked how many different programs have money for weed control. Ms. Cheney said the RRD program and the Legacy Program, which gives \$1,000,000 to the Department of Agriculture for weed control. Senator Fuller asked what are 223 funds. Ms. Cheney said it is earmarked Coal Severance Tax money administered through the Conservation Districts Division. This provides money for small grants which are usually \$20,000 or less.

Mile High Conservation District, Reclamation of Ag Lands, Project 2

Caralee Cheney (49:B:037) introduced the project on page 197 of the program book.

PROPONENTS: Hazel Spangler (49:B:064) said she is the rancher who owns the land upon which the project will be performed. She said reclaiming the land is cost prohibitive on an individual basis. She said she has reclaimed 100 acres of her land, but much of it is still not productive because of the heavy metal deposits in the soil. She said if the project is successful in finding a less expensive alternative to putting lime in the soil, many acres of land could be returned to the tax base of the community at a higher taxable value.

Bill Schafer (49:B:121), Soil Scientist, Cooperative Extension Service said he will be overseeing the agricultural economics of the study. He said the study hopes to find a better cost effective method of reclaiming the land. Perhaps through deep tillage or by using smaller amounts of lime and growing plants of a species which is more acid tolerant. By reclaiming the land it will be more productive and there will be less erosion.

Tom Osborne (49:B:152), Hydrogeologist, Montana Bureau of Mines and Geology used a photo to illustrate the heavy metal damage to the land. The bureau will be working on the project and dealing with the hydrological aspects of the heavy metal deposits in the soil.

Chairman Thoft asked how expensive it is to reclaim the land with lime. Mr. Schafer said it takes 8 tons of lime per acre and the cost of the lime is \$30.00 to \$40.00 a ton.

Senator Cecil Weeding (49:B:222), District 14, spoke as a proponent of the McCone County Conservation District's tillage demonstration project. He said he feels the demonstration project is needed and the money will be well spent.

MSU/Teton County, Leafy Spurge, Project 3

Ms. Cheney (49:B:243) introduced the project on page 198 of the program book.

No one was present to offer testimony on this project.

Department of Fish, Wildlife and Parks, Mount Haggin Fencing, Project 6

Caralee Cheney (49:B:284) described this project which can be found on page 203 of the program book.

PROPONENTS: Don Hyyppa (49:B:304), Administrator, Parks Division, Department of Fish, Wildlife and Parks (FW&P) said the Mount Haggin property represents the department's best demonstration project for rest rotation grazing. He said it is trying to prove that agricultural uses of state land can be beneficial to wildlife in the same area. He said the prison industries program is being used to build the fences.

Chairman Thoft asked if this funding will complete the fencing needed at Mount Haggin. Mr. Hyyppa said this money will complete the interior fencing needed for the rest rotation project. There is still exterior fencing that needs to be done but these funds are not requested for that purpose.

Senator Fuller (49:B:328) said he had received a letter from a person who said the funding reduction for this project will hurt its success. Senator Fuller asked why the project had been recommended for less funding. Caralee Cheney said the only way a project was given 100% funding was if it had a perfect score in the public benefits category and this one did not. Senator Fuller asked if this kind of a project helps upland game birds and other forms of wildlife other than big game. Mr. Hyyppa said this type of project benefits all forms of wildlife.

Mons Teigen (49:B:355), Montana Stockgrowers Association, said the association supports the FW&P project for fencing at Mount Haggin and submitted written testimony (EXHIBIT 4).

Department of Fish, Wildlife and Parks, Noxious Plant Control, Project 7

Ms. Cheney (49:B:380) explained this project on page 204 of the program book.

Chairman Thoft (49:B:401) asked if any fencing costs were included in this program. Ms. Cheney said yes fencing will cost \$48,000. Chairman Thoft asked if the department is running livestock on the range now. James Flynn, Director, FW&P said just some department horses and not domestic livestock.

PROPONENTS: Mr. Mons Teigen (49:B:422), Montana Stockgrowers Association, supported this project. Mr. Flynn said the department is trying to determine which method of weed control is best suited for public lands with this project. He said they hope to control the weed problem and at the same time maintain the viability of the property for its original purpose.

DNRC, Grazing Management for Noxious Weed Control, Project 8

Ms. Cheney (49:B:466) introduced the project which is on page 206 of the program book.

PROPONENTS: Ray Beck (49:B:484), Administrator, Conservation Districts Division, DNRC said his division is responsible by law to administer the Rangeland Program. He said the division supports this study of the Savory Grazing Method on noxious weed control.

Chairman Thoft asked Mr. Beck to explain the Savory School for Grazing. Mr. Beck said Allen Savory puts on a week long school which explains his grazing management system.

Senator Fuller (49:B:524) asked Mr. Beck what the rangeland funds are used for. Mr. Beck said the division has a rangeland improvement loan program and assists in administering rangeland activities. Senator Fuller asked if any noxious weed projects will be funded out of the rangeland loan program. he also asked if this project could be included with other weed projects. Mr. Beck said some of the rangeland loan program will go for weed control and for this reason the division is not recommending this project be moved up to a higher ranking for funding.

Department of Agriculture, Weed Management Project, Project 9

Ms. Cheney (49:B:565) spoke about the project which is on page 208 of the program book.

Chairman Thoft (49:8:602) asked if the department's weed project in the Legacy Program materializes, if it will take the place of this project. Ms. Cheney said no, but contingencies can be placed on this grant so that if the Legacy project receives funding this project will not. Senator Fuller asked if there has been any coordination of weed projects within the various funding programs. Ms. Cheney said Keith Kelly, Director, Department of Agriculture is proposing to do this. He would like to see the Department of Agriculture centralize the programs for weed control.

DNRC, Rangeland Weed Control Cost Assistance, Project 10

Caralee Cheney (49:B:662) introduced the project on page 209 of the program book.

PROPONENTS: Ray Beck (49:B:679) said the Conservation Districts Division does support this project, but at the time of application did not realize the Department of Agriculture would be putting in a similar request. He said he feels the business of weed control does belong with the Department of Agriculture.

Chairman Thoft (49:B:293) asked Mr. Beck what type of projects will be put under cost sharing if the division receives money for this project. Mr. Beck said many of the districts are already asking for cost sharing projects. Usually these projects are on a 50/50 basis for chemicals.

Chairman Thoft (49:B:706) asked if all the weed control projects can be put in the Legacy Program. Ms. Cheney said the RRD program will be funded for the last time in the 1987 Biennium and after that the funding will come from the Legacy Program, if it is created. Then all of the weed control projects will receive funding from the Legacy Program.

Valley County Conservation District, Leafy Spurge Control, Project 11

Ms. Cheney (50:A:006) spoke about this project which is on page 210 of the program book.

There was no one present to offer testimony on this project.

Senator Fuller (50:A:023) asked if weed control project funding is contingent upon receiving money from BLM and other agencies involved in the projects. Ms. Cheney said yes.

DNRC, Soil Survey Mapping Project, Project 12

Ms. Cheney (50:A:032) described this project which is on page 212 of the program book.

Chairman Thoft (50:A:048) asked how many people are working on soil survey mapping. Mr. Beck said presently the state does not have anyone working on this, but the federal government has 30 to 35 people working on it. Chairman Thoft asked how many counties have completed mapping. Mr. Beck said somewhere between 60 and 65 percent of the state is complete and each county has a permanent record of the soil survey mapping. Mr. Beck said the division also has put in a Legacy Program project for \$550,000 for this, but it looks as though the project is not in the running for funding.

MSU, EconIncentives/Policy Implications of "Plowout", Project 13

Ms. Cheney (50:A:074) described this project which is on page 213 of the program book.

There was no one present to give testimony on this project.

Timber Category

UM, Montana Forest and Conservation Experiment Station, Project 1

Caralee Cheney (50:A:100) introduced this project which is on page 214 of the program book.

PROPONENTS: Hank Goetz (50:A:117) submitted written testimony (EXHIBIT 5). Benjamin Stout (50:A:138), Director, Montana Forest and Conservation Experiment Station submitted written testimony (EXHIBIT 6). Representative Janet Moore, District 19, asked Mr. Stout to present her written testimony on behalf of this project (EXHIBIT 7). Gary Brown (50:A:159), State Forester, Department of State Lands said the department is working in cooperation with the experiment station on this project. He said they are trying to help private land owners accomplish their goals as far as forestry is concerned.

Senator Fuller (50:A:172) asked what the Montana Forest and Conservation Experiment Station is and where it is located. Mr. Stout (50:A:174) said the experiment station is the research arm of the School of Forestry at the University of Montana (U of M). He said it is at Greenough, 30 miles east of Missoula.

Senator Fuller (50:A:202) asked if private firms are coming to the station and taking advantage of the research that has been done. Mr. Goetz said yes, the program is geared toward the small private land owner. Mr. Brown said the farming equipment developed through this project operates light on the land and, therefore, the soil and the timber stands are in better condition than they were prior to harvesting. Mr. Stout said a second project has been developed through the use of the equipment for this project. The Department of Energy project studies the feasibility of using biomass, thinning material out of the overly dense secondary forest, to heat U of M.

Chairman Thoft (50:A:246) asked if it is economically feasible for a small private timber owner to be involved in this kind of a project. Mr. Stout said yes.

Department of State Lands, State Timber Stand Improvement, Project 2

Caralee Cheney (50:A:259) described this project which is on page 215 of the program book.

PROPONENTS: Gary Brown (50:A:282) said the use of these funds will be to carry out a mission of the Department of State Lands. This mission is to manage state owned forest lands and to provide revenue to the educational trust fund. The project funds will be used to put acreage back into high production capability, which results in more revenue for the educational trust. Benjamin Stout (50:A:297) said the experiment station supports this project because it addresses problems now concerning timber stands.

Senator Fuller (50:A:309) asked if there is state forest land in Lewis and Clark, Ravalli or Fergus Counties which will receive treatment. Mr. Brown said the funding is limited to treating forests in those areas which will be most likely to respond to treatment.

Water Reservations Category

Lower Yellowstone Conservation District, Reserved Water Development Investigation, Project 1

Ms. Cheney (50:A:342) introduced this project which is on page 217 of the program book.

No one was present to give testimony on this project.

DNRC, Water Reservation Development Program, Project 2

Ms. Cheney (50:A:372) spoke about this project which is on page 218 of the program book.

PROPONENTS: Ray Beck (50:A:390) said the Conservation Districts Division has been given the responsibility of obtaining the agricultural interests along rivers and streams through the reservation process. He said they have almost completed the reservation program for the Yellowstone River and are now starting on the Upper Missouri River and the Clark Fork River.

Other Category

Gallatin County, Bear Proof Refuse Container, Project 1

Caralee Cheney (50:A:412) introduced the project on page 219 of the program book.

PROPONENTS: Joe Nash (50:A:439) submitted written testimony on the project (EXHIBIT 8). Bob Anderson (50:A:498), Executive Director, Greater Yellowstone Coalition said the group is in support of this project because it helps to find a solution to the problem of Grizzly Bear mortality. He said the Grizzly Bear is an important renewable and economic resource to the state of Montana. He said the containers will help to reduce the mortality rate of Grizzlies and will also address the public safety issue of having bears in the community's garbage. Janet Ellis (50:A:592) submitted written testimony on behalf of the Montana Audobon Council (EXHIBIT 9). Don Hyyppa (50:A:620) said the department supports this project.

Chairman Thoft (50:A:627) asked if there really is a bear proof garbage container and if small children can become trapped in these containers. Ms. Nash described the container and said it is being made in Canada now, but a man in Belgrade says he can make the same type of container. Ms. Ellis gave the committee a copy of the grant application which contains pictures of the containers (EXHIBIT 10). Mr. Anderson said to date there have not been any reports of safety problems with the containers.

City of Missoula, Missoula Open Space, Project 2

Ms. Cheney (50:B:006) described this project which is on page 220 of the program book.

PROPONENTS: Jack Wright (50:B:030) appeared on behalf of the City of Missoula as a proponent of the project. He said the project is not regulatory in any fashion. The system is totally voluntary and gives tax breaks to landowners who choose not to develop their agricultural land. Mr. Wright said over 100,000 acres are currently protected by conservation easements. He said this process does not remove the land from the tax records as agricultural land. He gave examples of where this system has worked in the Missoula area. He said this project will set up options which are not part of a regulatory system.

Chairman Thoft (50:A:072) said he is concerned about the funds being used to develop zoning which will keep land owners who are interested in developing their property from doing so. Mr. Wright said he wanted to reassure Chairman Thoft that this is not a regulatory process. It is totally voluntary.

Mr. Wright gave the committee written testimony from the Mayor of Missoula (EXHIBIT 11), the Missoula Board of County Commissioners (EXHIBIT 12) and Hank Goetz (EXHIBIT 13).

MSU, Economics of On-Farm Wind Generation, Project 3

Ms. Cheney (50:B:083) introduced this project on page 222 of the program book.

No one was present to give testimony on this project.

Chairman Thoft asked why this project is not in the Alternative Energy Program. Ms. Cheney said it could be.

City of West Yellowstone, Rendevous Ski Trail, Project 4

Caralee Cheney (50:B:102) described the project to members by using pages 223 and 224 of the program book.

No one was present to give testimony on this project.

Cascade County Park Board, King's Hill Ski Center, Project 5

Ms. Cheney (50:B:116) described this project to the committee. The project description is on page 224 of the program book.

No one was present to give testimony on this project.

DNRC, Conservation Education Grants Program, Project 6

Ms. Cheney (50:B:146) introduced the project which is described on page 225 of the program book.

PROPONENTS: Ray Beck appeared as a proponent of the project and submitted written testimony (EXHIBIT 14). Representative Bardanouve asked how soil damage calculations are made. Mr. Beck said the calculations are made by the Soil Conservation Service through various formulas and spot checks. Dave Donaldson also appeared as a proponent and submitted written testimony (EXHIBIT 15).

There being no further business before the subcommittee the meeting was adjourned at 10:35 a.m.

ROBERT THOFT, Chairman

DAILY ROLL CALL

LONG-RANGE PLANNING SUB COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date February 12, 1985

NAME	PRESENT	ABSENT	EXCUSED
Rep. Robert Thoft, Chairman	Х		
Sen. Fred Van Valkenburg, Vice Chair			X
Sen. Dave Fuller	x		
Sen. Larry Tveit	X		
Rep. Francis Bardanouve	x		
Rep. Gene Ernst	х		

Renewable Resource and Water Development Programs

Project Evaluations and Recommendations for 1986–1987 Biennium and 1984–1985 Biennium Status Report

Presented to the Forty Ninth Montana Legislature January 1985

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SHELBY, MONTANA 59474

The Marias Basin Weed Control Group is a non-profit corporation, formed to control noxious weeds in the four county area of Liberty. Toole, Glacier and Pondera.

The four counties contain a total of 5,180,543 acres of land. One or more noxious weeds presently infest (18% or) 962,476 acres of land in the Marias Basin. Weed control efforts proposed in this project should protect wildlife habitat, reduce further infestation of noxious weeds, and prevent an average annual forage loss to the Basin of over four million dollars due to weed spread projected for 1990.

PROJECT OBJECTIVES

- 1. Contain existing noxious weed infestations.
- 2. Control or eradicate new weed out breaks.
- 3. Control Leafy Spurge and Knapweed infestations where they occur within and on the outer extremities of the Marias River Basin.
- 4. Demonstrate, through project success, that such coordinated actions will best serve weed control thoughout the drainage Basin and State of Montana.
- 5. Raise landowner awareness of the noxious weed problem at the public and private level in order to insure good land stewardship for future generations.

SUMMARY OF 1984 ACTIVITIES

A steering committee composed of representatives of each of the four county weed boards, all of the Federal and State land owning agencies in the basin, as well as the SCS, private landowners, and the Extension Service directs the activities of the corporation.

Below is a brief summary of the steering committee's activities and accomplishments this past year.

We have prepared a 98 page Situation Statement which describes the extent of the weed infestations in the Marias Basin by identified weed and acreage infested. We also described the present and projected economic losses to these weeds in the four county area.

The Situation Statement includes a weed inventory which we compiled.

A weed inventory map developed from the Situation Statement shows the location of the various weed infestations and was used in developing our long range plan.

We have also explored funding sources and have found that the Renewable Resources fund administered by the DNRC is the most promising. We have applied for a grant from this fund as well as a smaller grant from the DNRC under HB223. We have solicited financial support from the four counties and from the Federal and State agencies involved, and have received several hundred dollars from each of the four counties and \$1,000 from the USFS. The majority of collected funds were utilized to develop and print the Situation Statement.

We have hired a secretary to do our typing and clerical work.

The board wanted to begin an on-ground project in 1984. For this purpose, the Spotted Knapweed infestation at Swift Dam was chosen. The Pondera County Weed Board, BLM and BIA had a control plan which was to be conducted gradually over a period of years. The MRBWC joined in this effort by applying for a 223 grant to enable Pondera County, BLM and BIA to accelerate the rate of their project. The initial spraying has now been completed. We hope to be able to support follow-up work and reseeding efforts with the grant funds.

We have developed a long range plan to combat weeds. Our long range plan targets Knapweed and Leafy Spurge as the primary noxious weed problems in the basin.

Depending on our success in securing funding, we propose to control Knapweed in those areas where it occurs in isolated infestations in previously clean areas. Toole and Liberty Counties have some isolated infestations.

If we are successful in obtaining sufficient funding, we propose to begin working on Knapweed at the heads of the Birch Creek, Badger Creek, and Two Medicine River drainages, and gradually work downstream in Glacier and Pondera Counties.

Leafy Spurge will be approached in a similar manner, attempting to control small infestations in new areas and contain other large infestations. There are some isolated infestations in Liberty and Clacier counties. We propose to contain the large infestations in the Sweetgrass Hills and along the Marias bottom.

There are also some small infestations of Dalmation Toadflax which we hope to eradicate before they spread, and we propose to utilize a seed head fly on Musk Thistle at several locations. This fly is effective and relatively inexpensive method of control.

Sclerotinia Fungus was released on Blackfeet Tribal Land on Spotted Knapweed through a cooperative effort of Toole County Directors, MSU Biological Researchers, and Ross Racine, B.I.A. Representative.

Board members met with the Montana Congressional Delegation in August in Shelby regarding the noxious weed problem. This meeting, arranged by the U.S. Forest Service, which is represented on our Board of Directors, demonstrates the advantages of a coordinated Resource Management Group. Federal funding for control of noxious weeds on Forest Service Land was proposed by Senators Baucus, Melcher, and McClure and passed in October.

At the regular Board of Directors Meeting in September, held in St. Mary's in Glacier Park, invited guests from Environmental Lobbies toured Spotted Knapweed infestations that are rapidly spreading in the Park.

The Renewable Resources Crant prepared by Board members has been ranked as the number one priority by the DNRC Screening Committee for recommendation to the '85 Legislator.

Directors travel to meetings at Agency, County or personal expense, having put in approximately 50 hours each on this project thus far.

Directors held ten regular meetings in all four counties, several sub-committee meetings and one Congressional Meeting.

The Annual Meeting and report was held June 22, 1984, during the Montana Weed Fair.

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ORDINANCE NO. 105

AN ORDINANCE PROSCRIBING CERTAIN ACTIVITIES WITH RESPECT TO WILD BEARS IN WEST VELLOWSTONE AND REGULATING DISPOSAL OF GARBAGE, REFUSE AND OTHER WASTE IN WEST YELLOWSTONE FOR THE PROTECTION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE AND THE INDIGENOUS WILD BEAR POPULATION.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE:

Section 1. It shall be unlawful for any person in the Town of West Yellowstone to:

- (a) Feed any bear for any purp is whatsoever.
- (b) Harass any bear, including but not limited to approaching any bear by foot or vehicle, for any purpose, including photography.
- (c) Knowlingly or purposely make any food of any kind available to bears in the Town of West Yellowstone.

Section 2. All garbage, refuse, and any other feed of any type whatsoever edible by bears shall be kept in bear-proof containers designed to make such containers resistant to entry by bear, or shall be otherwise made unavailable to bears, in the Town of West Yellowstone. Any individual who either violates the preceeding sentence or who directs his or her efficer, manager, agent or employee to violate said provision shall be guilty or a misdemeanor as hereinafter provided.

The suitability of such refuse and food containers to meet the purposes of this section shall be approved by the Chief of Police. In this connection, the Chief of Police may, and shall whenever possible, for the purposes of determining such suitability, consult with and seek the advice of any other person or agency familiar with methods for minimizing human-bear confrontations and conflicts.

Section 3. The Chief of Police and all other Town officials shall cooperate in all reasonable respects with the West Yellowstone-Hebgen Basin Refuse Disposal District in implementing a system of collection containers for refuse that will incorporate the best design methods to make such containers resistant to entry by bears.

Section 4. For the purposes of this Ordinance, "Food" shall mean any food materials, or attractants, attractive for bear use, such as human, livestock and pet foods, garbage and refuse, livestock carrion, game meat in the possession of man, and other edibles and/or garbage which is allowed to accumulate or the residue thereof.

"Unavailable" shall mean hung out of reach or secured in a solid-sided bear-proof structure; or otherwise made unavailable through proper storage, handling and disposal.

Section 5. All trash cans and other refuse disposal receptacles that are not of a bear-resistant design, whether located at residential or commercial facilities, shall be located inside the building served.

Section 6. The Town Councilmay, in its discretion, require that garbage pickup by any commercial garbage covector under contract with the Town shall schedule garbage pickup to prevent overflow of cans and other containers so as to leave as little garbage as possible available to bears cornight.

in the second

ORDINANCE NO. 105 CONTINUED

Section 7. Any person convicted of purposely or knowingly violating any provision of this Ordinance shall be guilty of a misdemeanor, and shall be junished by a fine not to exceed \$500.00, a sentence to a term of imprisonment in the Town jail not to exceed 30 days, or both.

PASSED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR THIS 15th DAY OF NOVEMBER, 1984.

Sauce W. Desi

ATTEST:

Town Clerk

(

February 12, 1985

TO: APPROPRIATION'S COMMITTEE (and sub-committee)

Montana State Legislature

Room #420 - State Capitol Building

Helena, Montana 59601

Mr. Chairman and Members:

My name is Joy Nash. I live in Bozeman and am a former member of the Board of Gallatin County Commissioners and also, a former Board Member of the West Yellowstone/Hebgen Lake Refuse District #2.

Today, I am representing the present Gallatin County Commissioners in seeking your approval for the grant proposal we submitted to the Department of Natural Resources and Conservation last year.

The grant proposal is to assist in "bear proofing" garbage containers in the town of West Yellowstone and Hebgen Lake Basin Refuse District

The town of West Yellowstone has already adopted an Ordinance #105 which requires "bear proof containers" within the city limits. A copy of this ordinance is enclosed for your information.

The Hebgen Lake Zoning Commission of Gallatin County is in the process of adopting a similar ordinance for future building in this area.

There is much interest in this project and we feel we will be able to find the necessary matching monies.

It will be costly to the community for a change over of garbage cans and the grant monies will greatly aid in this transition. There are containers manufactured and for sale, but discussion has been expressed re renovation of the containers now being used.

The new "bear proof containers" would help to solve the severe natural resource problems, the health and safety of the citizens of the community and to support the grizzly bear recovery program.

The U. S. Forest Service is now using a "bear Proof Container" in West at this time - and it is working!

We urge your consideration of this request.

Thank you.

707 1/ Nash P.O. Box 1302

Bozeman, Montana 59715

Enclosure (1)

Montana Audubon Council

Testimony for Renewable Resource Program Applications: West Yellowstone Bear-proof Dumpster Proposal February 12, 1985

Mr. Chairman and Members of the Committee,

My name is Janet Ellis and I'm here today representing the Montana Audubon Council. The Council is composed of eight Chapters of the National Audubon Society and represents over 2000 members throughout the state.

The Council strongly supports the application for bear-proof dumpsters in West Yellowstone under the Department of Natural Resource's Renewable Resource Program.

When grizzly bears are allowed to feed in garbage facilities, they become dependent on the garbage for food. Such facilities disrupt the bears' essential behavioral patterns, including their feeding patterns. Such facilities also cause direct injury to the bears, because the bears become habituated to people and often must then be killed.

West Yellowstone is the only site in the Yellowstone ecosystem that does not have bear-proof garbage facilities. This is an ecosystem where no grizzly bear hunting is allowed. Human-bear encounters hence do not automatically discourage bears from keeping a distance from humans. To create a "distance" between humans and bears everything possible must be done to keep the possible encounters to a minimum.

The bear-proof garbage facilities proposed in West Yellowstone would give bears little reason to come into town.

Half of the funding for this program will come from private sources. The National Audubon Society is actively seeking this matching funding. Already two applications have been submitted to private companies to raise the matching \$70,000. Several other companies have also been identified as potential sources for these monies.

The matching fund applications would be given creditability if the state of Montana would commit itself to one half of the project's total cost. The grizzly bear is a unique "renewable resource" in Montana. The West Yellowstone dumpster proposal is a simple solution to a very real problem. The cost of a single life, either human or grizzly, is surely worth a value greater than the total project cost.

We hope that you will grant funding for this application project. I can provide you with the names of National Audubon Society contacts who are actively seeking the matching fund money. And I will be happy to answer any questions regarding this issue that I can.

Thank you.

National Audubon Contacts on the West Yellowstone Dumpster Proposal:

Polly Plaza
National Audubon Society
Rocky Mountain Regional Office
4150 Darley, Suite 5
Boulder, Colorado 80303
303-499-0219

Amos Eno
National Audubon Society
645 Pennsylvania Ave., SE
Washington, D.C. 20003
202-547-9009

State of Montana

County of Gallatin

Bozeman

August 14, 1984

Ms. Pauline D. Plaza Regional Representative National Audubon Society 4150 Darley, Suite 5 Boulder, CO 80303

Dear Ms. Plaza:

We are applying for a grant through the Department of Natural Resources and Conservation/Water Resources Division, to obtain bear-proof garbage containers in the West Yellowstone, Montana area. The grant is for \$69,959.00, and we hope to obtain commitments to match these funds making the total project cost \$139,918.00.

We understand that your agency is willing to help us with this grant. Would you please let us know if you would be able to commit funds toward this grant?

Enclosed herewith is a copy of the grant application and a copy of the dumpster used by the U.S. Forest Service in West Yellowstone.

Thank you.

Sincerely,

GALLATIN COUNTY COMMISSION

Joy I. Nash Chairman

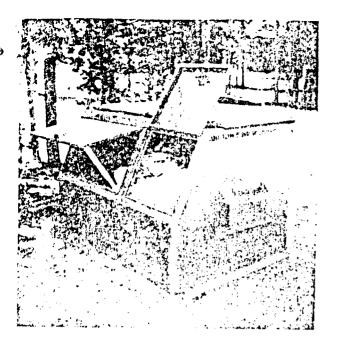
Wilher Visser Member

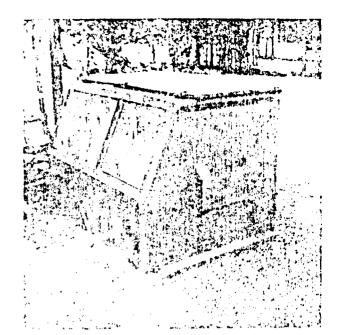
Jane Jelinski, Member

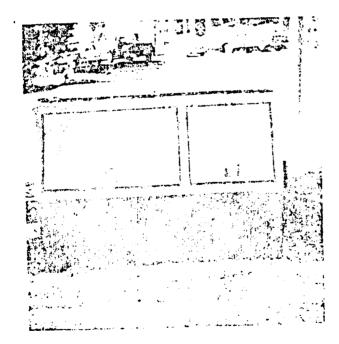
JN:vj

Enc.

cc: Clyde Seely, Chairman, Refuse District No. 2







ALL APPLICANTS APPLICATION SUMMARY

Please include a \$150 application fee. Returned if project not funded.

I.	APP	PLICANT INFORMATION Applicant Name Gallatin County/West Yellowstone-Hebgen B	asin Refuse
	A.		District
	В.	Mailing Address P. O. Box 1905	
	C.	City, State, Zip Bozeman, MT 59715	
	D.	Telephone business: 587-7316 home:	•
	E.	Contact Person Joy Nash, Chairman, County Commission	
		1. Address if different from Project Sponsor	
		2. Telephone business: home:	
	F.	Type of Applicant	
		☐ Individual ☐ State gov. ☐ Rural improvement district	
		☐ Corporation ★★ General ☐ Irrigation for profit purpose district local government	
		☐ Nonprofit ☐ County water ☐ Conservation corporation or sewer dist. ☐ Conservation	
		☐ Partnership ☐ Association ☐ Other (Specify)	
I.	PRO	DJECT INFORMATION	
	Α.	Project Title Garbage Container Bearproofing	
	B.	Type of Project	
		Water Development Construction	
		 □ Water Development Non-Construction ☑ Non-Water Renewable Resource 	
	C.	Brief Project Description 140 garbage containers in the West Yellowstone/Hebgen Basin Solid Waste District	•
		will be bearproofed.	
	D.	Has construction begun on the proposed project? No X Yes Describe extent of construction and money spent.	

ĮE.	How long will it take to complete your project or active	vity? 1 year
F.	When do you plan to begin your project or activity?	
	⅓ 1985 ☐ 1986	. 🗆 1987
	If you anticipate a more specific start date please state	July 1, 1985
G.	Project Budget	
	DNRC Funding Request: Grant \$ 69,959 Loan \$	Total \$_69,959
	Applicant Funds \$ Other Funding	Sources \$_69,959
	Total Project Cost: \$ 139,919	Sources J
H.	Authorizing Statement	
	I (We) hereby declare that the information and all a true, complete and accurate to the best of my (our) k activity is in compliance with all applicable state, local	nowledge and that the project or
,	I (We) further declare that I (we) are legally capable binding contractual agreement with the Department of tion for the purpose of obtaining loan and grant fun	Natural Resources and Conserva-
	Carley lend !	7/31 , 1984
	Signature and Title Robert R. Throsse of Authorized Deputy County Attorney Representative of Public Entity Applicant	
PRIVATE A	PPLICANTS:	
IND	DIVIDUAL	
Sign	nature of applicant	Date
Sign	nature of co-applicant	Date
PAF	RTNERSHIP	
	Name:	a Montana partnership
	Ву:,	
		a partner
		a partner
	Date:	
CO	RPORATION	
	Name:	a Montana corporation
	Ву:,	President
	Date:	

APPLICATION INDEX ALL APPLICANTS

Торіс	Attachment Number
Application Summary — All Applicants .	13
Technical Feasibility Narrative — All Applicants	17
Technical Documentation — All Applicants	-
a. Statistical or technical reports on natural resource features of the project site by title	
b. Narrative reports on the natural resource features of the project site by title	
Grizzly bear recovery plan	•
c. Engineering design reports Drawingbear proof container	
d. Maps by title	•
West Yellowstone/Hebgen	
Basin Solid Waste District	
e. Property records and permits by title	

Topic

Page or Attachment Number

b.	Utilize Water and Promote the Conservation and Efficient Use of Water or other renewable resource		
	Documentation:		81
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•	Need and Urgency Documentation:		
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		•	
	Environmental Impact Documentation:	,	
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•	Enhancement of Public Resources Documentation:		
			87
•	Statewide Application Potential Documentation:		
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•	Previous Funding from Programs Documentation:		0.1
			91
	Effect on a Family Farm Operation Documentation:		

ALL APPLICANTS TECHNICAL FEASIBILITY NARRATIVE

Applicant	Gallati	n County		
Project Title	Garbage	container	bearproofing	

Goal: Ensure a healthy, viable, genetically diverse population of grizzly bears in the Greater Yellowstone ecosystem.

Objective: Reduce human-caused bear mortality in the Greater Yellowstone ecosystem to zero.

In 1975, the U.S. Department of the Interior listed the grizzly bear in the lower 48 states as "threatened". In 1982, a plan was adopted for the recovery of the grizzly in the Greater Yellowstone ecosystem (Attachment A).

The population of grizzlies in the Greater Yellowstone ecosystem is perilously low, perhaps as low as 200 individuals. More importantly, the number of reproducing-age females may be as low as 30.

In the Greater Yellowstone ecosystem, the population trend in recent years has been downward, as a result of two factors:

- 1. loss of habitat to human development, and
- 2. excessive human-caused mortality

Bear mortality usually results whenever humans and bears interact. These mortalities can often be directly related to habituation of bears to the ready food supply offered by garbage containers.

Over the last few years, conscious efforts have been made by local, state and federal agencies as well as private entities to wean bears from garbage and revert them to natural feeding habits. These efforts have largely been successful.

A notable exception is the West Yellowstone area, now the only site in the entire three-state ecosystem that is not sanitized with respect to bears.

The problem is exacerbated by the prospect of the approval of Ski Yellowstone. Even if that project is constructed and operated with bears and sanitation in mind, the inevitable increase in human activity in the area coupled with habituation of bears to garbage in the surrounding area will lead to an increase in human-caused mortality of bears.

Technical alternatives to bearproofing garbage containers include:

continuous incineration of garbage at every source, and

PUBLIC ENTITY APPLICANTS FINANCIAL FEASIBILITY NARRATIVE

Applicant	Gallatin	n County		
Project Title	Garbage	container	bearproofing	

By statute, the refuse district is authorized to assess a fee for service. For fiscal year 83-84, the fee for refuse disposal was \$66.25 per unit. Individuals generated 1,520 units refuse. The federal lands utilizing the services of the district generated 772 units. The private units of 1,520 were assessed an additional \$13.75 to build up a reserve equal to an amount the federal agencies had loaned the district to support the initial construction of the transfer station.

The budget for fiscal year 83-84 was \$151,852.00. Of this amount, \$146,100.00 was paid to the contractor who operates the transfer station and hauls the refuse to the Ennis landfill. The balance of the budget of \$5,752.00 is taken up by various administrative costs and professional service fees incurred by the district. None of the budget is used to provide any type of household collection service. Individuals in the West Yellowstone area must transport the refuse to the transfer station themselves or make arrangements with the local collector to provide the service.

State statute limits the power of refuse districts to expend money to that raised by a service fee. The district was able to develop the transfer station and close the landfill because it received assistance from federal agencies. The district does not have the authority to sell bonds or borrow money except from those programs specifically designed to assist refuse disposal. Any effort to institute a bearproof system of collection containers would have to be apportioned among the private landowners in the district. The only other option would be for the district over a period of years to increase its reserves until it was in a position to purchase the necessary containers.

For the changeover to bearproof containers to be successful, all containers must be uniform. Only one collector in the area has the proper licensing from the Public Service Commission. The collector has indicated his support for the program if all the containers are of uniform design. He can modify his equipment accordingly. He cannot operate numerous trucks if a uniform system is not implemented.

The cost of a complete changeover in containers is set forth herein. Even with half the funding coming from private sources,

PUBLIC ENTITY APPLICANTS APPLICATION BUDGET Construction Projects

I. CONTRACT ADMINISTRATION

II.

A.	Personnel Services: Include salaries, wages and fringe benefits require. List is not inclusive.	or c	ontract fees for	services the activity will
	Administrator	S _	5,000	
	Accountant	_		
	Attorney	_	1,000	·
		7		
	Subtotal Personnel Services	S _	6,000	
В.	Associated Costs: Include as appropriate office rent, equipmer This figure may be provided in a lump sum.	ıt, o	ffice supplies, tel	lephone, postage, travel.
		S_ 		
	Subtotal Associated Costs	S _		- -
C.	TOTAL CONTRACT ADMINISTRATION			\$ 6,000
FIN	NANCING COSTS			
Α.	Bond Attorney: The city or county attorney in a jurisdiction close to you which issues bonds to finance facilities may be able to direct you to an attorney who can provide a cost estimate.	-		
B.	Interest During Construction: If you anticipate beginning construction following legislative approval but before state bond proceeds become available (4 to 6 months) you may want to finance a short term loan or a bond anticipation note. Consult a financial institution for an interest estimate. Interest on short term notes is an allowable project cost.	-		

•	. C.	for state bond sale. Enter 5% of loan request	\$	
	D.	TOTAL FINANCING COSTS		\$
III.	PR	OFESSIONAL/TECHNICAL COSTS		
	A.	Personnel Services: Include salaries, wages, and fringe benefits require. List is not inclusive.	s or contract fees for s	ervices the activity will
		Engineer .	\$ 5,000	-
		Hydrologist		-
	-	Soils Scientist		-
		Geologist		•
				• <i>,</i> •
			, 5 000	•
		Subtotal Personnel Services	\$ 5,000	-
		Include laboratory costs, supplies for the passociated with final design work, mapping a costs. Blanks are provided to list major costs sum.	and printing costs for the	final design and permit
		Cost provided in lump sum		•
		Subtotal Other Costs	s	•
	c.	TOTAL PROFESSIONAL/ TECHNICAL COSTS		<u>\$ 5,000</u>
IV.	CC	INSTRUCTION COSTS		
	A.	Labor: Provide a number for total expected to be employed and wage anticipated Employees Wage	S	-
	В.	Equipment: Include anticipated purchase and rental costs	\$ 109,620	_
	C.	Land, right-of-way, or structure acquisition:	s	_
	D.	Materials		S
	E.	TOTAL CONSTRUCTION COSTS		\$ 109,620

v .	PROJECT COST	\$ 120,620	
VI.	Inflation contingency at 6% per year until your beginning date (Average Inflation forecast for decade)	\$7,237	
VII.	Add a minimum of 10% of the project cost as a contingency for unexpected costs State percentage used 10%	\$12,062	
VIII.	TOTAL PROJECT COST	\$ 139,919	
		,	
ıx.	TOTAL REVENUE FOR ACTIVITY A. DNRC Revenue Grant Request Loan Request S S S		
	Subtotal DNRC revenue B. Other resources: List and specify grant or loan	\$ 69.959	
	DrW & P \$ 3,000 Private sources 63,960	-	
`		- -	
	Subtotal other resources	s 69,960	
	C. TOTAL PROJECT REVENUE:	s <u>139,919</u>	
ANY	UR GRANT REQUEST HAS TO BE REDUCED DO YOU WANT TO BE RESIDUAL AMOUNT AS A LOAN?NONONONO	BE CONSIDERED FOR	

PUBLIC ENTITY APPLICANTS STATEMENT OF FINANCIAL CONDITION

Applicant:	Gallatin	County	·		
Project Title:	Garbage o	container be	arproofing		 -
assessment rol ble to all taxpa	l was \$ lyers which has been		age rate excluding during the curren	cant entity as shown on the l special assessments not appli t fiscal year is and the millage for FY 1979 v	ca-
bonds of the ty	_	tion, special improv	ement, or revenue	or exclusively for the payment) and in the amounts (of unp	
	ame of fund or account	Name or des		Unpaid principal Amount	
NOTE:					
allow for to incur loan mone district:	r property t indebtednes ey for refus	ax assessme so through pose disposal. source of	nts. The or rograms specified by the specified specified by the specified	se districts does district is only ecifically created is not allowed by the district is	allowed d to refuse
	s listed in paragraph Date of N	n 2 above are more	particularly descri	bed as follows: Payment and	
L	Issue	Purpose	Rate	Maturity Dates	

4. The entity has no general or special indebtedness of any kind, other than as described above, and no cash or similar assets other than as described above, except as follows: (Respond on back)

ŧ.

ALL GRANT APPLICANTS AND PUBLIC ENTITY APPLICANTS

PUBLIC BENEFIT RANKING CRITERIA NARRATIVE

Applicant	Gallatin County	
Project Title	Garbage Container	Bearproofing

Our society has expressed its desire to perpetuate the grizzly through:

- 1. Passage of the national endangered species act,
- 2. Listing the grizzly as a threatened species under the act,
- 3. Designating the grizzly as Montana's official mammal, and
- 4. Informal political expression

The bear has been the subject of countless letters, speeches, symposia, studies, conferences, articles, books and films.

The proposed project would conserve the population of grizzlies by preventing human-caused mortality. The availability of bears would increase.

Bears would tend to use their natural habitat more effectively and increase their use of recently unoccupied habitat.

In an effort to enhance the prospects for grizzly recovery, the National Park Service has restricted human use of much of Yellowstone National Park. Improved prospects for the bear would thus lead to an easing of those restrictions and an accompanying increase in recreational opportunities.

Bears with natural feeding habits are unlikely to damage property.

ALL GRANT APPLICANTS AND PUBLIC ENTITY APPLICANTS

UTILIZE WATER, CONSERVATION AND EFFICIENT USE OF RESOURCE RANKING CRITERIA NARRATIVE

Applicant	Gallatin County
••	Garbage Container Bearproofing

For this proposed project, grizzly bears are the resource we are trying to conserve. At this time, the bear's population is so low in the Greater Yellowstone ecosystem, its very survival is at stake. For the bear, there is no greater efficiency than survival.

Grizzlies habituated to garbage became threats to human life and candidates for their own demise. A single life, either human or grizzly, has a value to our society greater than the total project cost.

Q t

ALL GRANT APPLICANTS AND PUBLIC ENTITY APPLICANTS

NEED AND URGENCY RANKING CRITERIA NARRATIVE

Applicant	Gallatin County				
Project Title	Garbage	Container	Bearproofing		

The West Yellowstone/Hergen Lake Basin is the only area in the entire Greater Yellowstone ecosystem which has not been sanitized with respect to grizzly bears. Thus, the need for this project is great.

The loss of a single reproducing-age female bear could tip the balance for a population as low as this one toward extinction:

Throughout the Greater Yellowstone ecosystem, grizzly habitat is being threatened by ski areas, oil and gas drilling, mining, logging, and roads. Therefore, this project is urgent—the bear is desperate for every marginal advantage.

ALL GRANT APPLICANTS AND PUBLIC ENTITY APPLICANTS

ENVIRONMENTAL IMPACT RANKING CRITERIA NARRATIVE

Applicant	Gallatin	County	
Project Title	Garbage	Container	Bearproofing

This proposed project will have no detectable adverse environmental impact. The environment will improve as a result of cleaner garbage disposal sites, a healthier bear population, renewed predator-prey relationships between bears and elk, and increased recreational opportunities.

ALL GRANT APPLICANTS AND PUBLIC ENTITY APPLICANTS

ENHANCEMENT OF PUBLIC RESOURCES RANKING CRITERIA NARRATIVE

Applicant	Gallatir	County		
Project Title	Garbage	Container	Bearproofing	

The grizzly bear is a threatened species in the lower 48 states. This project could provide the marginal difference which would insure the species' survival in the Greater Yellowstone ecosystem. If that population survives, it could be the anchor for recovery of the species in the other five bear ecosystems in the lower 48 states.

The result of the bear's survival will be improved recreational opportunities and the lessening of restrictions on economic development activities in the bear's habitat. Examples are mining, logging, and oil and gas drilling.

ALL GRANT APPLICANTS AND PUBLIC ENTITY APPLICANTS

STATEWIDE APPLICATION POTENTIAL RANKING CRITERIA NARRATIVE

Applicant	Gallatin County	
Project Title	Garbage Container Bearproofing	
	y bear habitat exists in Montana in three ecosystems in the Greater Yellowstone:	n /

Northern Continental Divide Cabinet Yaak Selway Bitterroot

If this project is successful, it could be readily applied to all of these ecosystems.

ALL GRANT APPLICANTS AND PUBLIC ENTITY APPLICANTS

PREVIOUS FUNDING RANKING CRITERIA NARRATIVE

Applicant	Gallatin County
Project Title	Garbage Container Bearproofing
•	

This is a new project. No previous funding has been received.

ALL APPLICANTS ENVIRONMENTAL ASSESSMENT

1.	Does the project deal solely with the rehabilitation of existing facilities?				
			_ No		
2.	Will the proposed project or activity take pla	oce on or near a	state or federal:		
	a. wild and scenic river	Yes	_ No		
	b. wilderness area				
	c. primitive area		No		
	d. wildlife management area		_ No		
	e. recreational site		No		
3.	Is the planned diversion of water from a bl	ue ribbon strear	n or water source with a similarly		
	important fishery resource?		No _ <u>X</u>		
4.	Will the proposed project or activity take pla	ice on or near:			
	a. big game winter or seasonal range		_ No		
		YesX_	_		
	c. bald eagle nesting sites		No		
	d. waterfowl and furbearer habitats		No		
	e. important riparian areas		_ No		
	Cportant ripatian areas				
5.	Is saline seep (soil salinity) a present or potenti	ial problem in th	e vicinity of the proposed project or		
	activity?		NoX		
6.	Are there any known sites of historic or pre	historic import	ance near the proposed project or		
••	activity?		_ NoX		
7.	Are there any present land uses that would	be limited or pr	ecluded if the proposed project or		
	activity is undertaken?	Yes	_ No <u>x</u>		
8.	Is there any other information about the pro-		that should be taken into consider		
0.	Is there any other information about the proation?	oject of its site t	nat should be taken into consider-		
	Virtually all the environm	ental eff	ects of the project		
	would be positive				
In co	nsideration of the above responses, particularly	v those in the of	firmative note below any environ-		
	al or social impacts which may be caused by th				
The	e social, economic and physi	cal envir	onment for bears and		
	for people will				

MISSOULA OPEN SPACE AND AGRICULTURAL LAND CONSERVATION PROGRAM Renewable Resources Grant Application Testimony

The City and County of Missoula contain a wealth of agricultural land, open space, recreational opportunities, ecological values, and historic sites and structures. Although there is a substantial amount of public land in the county, many of the conservation resources important to local residents abound on private land, and most of that is in agricultural use. Development and recreational pressures have created conditions which place these values at risk.

Missoula and Missoula County have recently experienced some of the most dramatic increases in population in Montana. The City/County grew from 58,263 residents in 1970 to 76,016 residents in 1980. This represents a 30% increase in a scant 10 years. The Missoula Comprehensive Plan Issues Statement indicates a projected population for the area of 96,800 residents by the year 2000 (a 27% increase). Population growth is now causing subdivision and development of more and more agricultural and open space land. The trend for the future appears to be much the same. Traditional land use planning techniques such as zoning, floodplain, and subdivision regulations have had an uneven record in conserving important components of the local landscape.

Local commitment to conservation is well evidenced in this area. The Rattlesnake National Recreation Area and Wilderness was formed by a land exchange initiated at the local level. The minicipal water supply is now protected in this watershed. City voters passed a \$500,000 conservation bond several years ago, and funds went to purchase land and conservation easements. The nationally-famous Blackfoot River Recreation Corridor is an exceptional case study in the protection of key agricultural, ecological, and

recreational resources using a variety of conservation tools. Agricultural landowners and other City and County residents would like to see productive agricultural land and open space remain so. The central aim of the City/County Open Space and Agricultural Land Conservation Program use of voluntary, compensating techniques to accomplish these goals.

Voluntary approaches to land conservation are now in practice in Missoula and Missoula County, as well as throughout the nation. These compensating techniques include conservation easements, land exchanges, partial development options, conservation easement districts, and donations of land. This set of tools provides an effective complement to regulatory systems of land use control. The proposed program will provide a formal process for conserving agricultural and open space land in the City and County of Missoula.

The content of the project was determined from issues identified by the public in the Missoula Comprehensive Planning process, from the Missoula Department of Parks and Recreation, and from recommendations of the Missoula Open Space Committee. The project consists of two phases, each lasting one year, each with a budget of \$27,500.

The first year of the project has been funded locally and is well underway. The City and County of Missoula have appropriated \$27,500 and secured the services of a well-established consulting firm. This firm is presently preparing and implementing a strategy for the conservation of Mount Jumbo. A detailed mapping effort is also underway which is identifying areas which are crucial to conserve for their agricultural, recreational, natural resource, and open space values. The City/County planning budget also provides a one-time line item of \$23,000 to provide the staff time to work with the consultants. This local support is ample demonstration of the high

priority which is given the project. However, this high level of support is not a feasible expense for the project's second year.

It is proposed that a Renewable Resources grant of \$27,500 be received to fund the second year of the program. The second phase is needed to hire a consultant specializing in conservation planning to accomplish the following: 1) develop workable conservation strategies for areas identified during the first year of the program, 2) hold training seminars for local public agency personnel who will have long-term responsibility for implementation of the strategies, and 3) prepare step-by-step procedural manuals on how land trades, conservation easements, and other tools work. This second phase is essential in order to develop a staff trained in the use of non-regulatory planning techniques. Without a trained staff, it will not be possible to fully utilize the first year's studies. Additionally, it is in the City/County's best interests to develop an in-house capability to help local residents rather than continue to use outside consultants. This inhouse capability will open many new options to landowners who are considering what they will do with their land. The program will make available compensating choices other than land development.

The Open Space and Agricultural Land Conservation Program will do much more than generate studies and technical materials. By identifying the key conservation features in the area, by working with landowners and seeking to provide them with compensation for keeping their land in agricultural use, and by actively incorporating conservation easements, land trades, and other proven voluntary tools into the land use planning process, it is our belief this program will have an extremely positive long-term impact on renewable resources within Missoula and Missoula County. Your support of this worthwhile application would be greatly appreciated.

John Toole, Mayor City of Missoula

7/1/SSOULA COUNTY

BOARD OF COUNTY COMMISSIONERS

• Missoula County Courthouse • Missoula, Montana 59802 (406) 721-5700

BCC-85-079 February 11, 1985

Representative Bob Thoft, Chairman Joint Long-Range Planning Sub-Committee Capitol Station Helena, Montana 59624

Dear Bob:

The Missoula County Commission strongly supports the allocation of Renewable Resource Program money to the Missoula City and County Open Space Program. We have already appropriated money for the first year, and we hope that the Legislature will allow us to complete the program.

Sincerely,

Ann Mary Dussault, Chair

Missoula Board of County Commissioners

AMD/HS/1s

cc: Dave Wilcox, Chief Administrative Officer City of Missoula

WITNESS STATEMENT

NAME Hank GOETZ		BILL NO.
ADDRESS Lubrecht Forest	t, Greenough,	MT DATE
WHOM DO YOU REPRESENT?	Myself	
SUPPORT	OPPOSE	AMEND
PLEASE LEAVE PREPARED STATI	EMENT WITH SECRETA	ARY.
Comments: Support The " Agricultural Land As a revident of initial member of conservation project advicated in the cust-effective for will be or great musoula county in other areas	The Black to present are 7 preceiving of whiting from 7 cenerit, no	the Techniques he most oen space. his proposal or only to the proposal

Exhibit #14 2-12-85

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

CONSERVATION DISTRICTS DIVISION



TED SCHWINDEN, GOVERNOR

32 SOUTH EWING

STATE OF MONTANA

(406) 444-6667

HELENA, MONTANA 59620

RENEWABLE RESOURCE DEVELOPMENT PROGRAM "OTHER" CATEGORY DNRC CONSERVATION EDUCATION GRANT REQUEST

The advancement of technology has not solved all of Montana's natural resources problems. Our state currently ranks second nationwide in the number of acres damaged by wind erosion. Water quality degradation, stream sedimentation, saline seep, noxious weed infestation, and rangeland deterioration are examples of other critical resource problems in Montana. The only long-term solution to our soil and water conservation crisis is the development of a sound land ethic in our citizens, particularly in our young people.

Soil and water conservation and agricultural education is extremely important in our schools and for the urban people in this state. These are the people who will become more and more involved with the state's agricultural future and natural resource protection. Most farmers and ranchers are not looking for sympathy; they are looking for understanding by the people.

This proposed project would assist a renewable resource by providing funds and assistance for conservation education materials, outdoor classroom activities, micro computer software, teacher workshops, and other awareness and education material as deemed appropriate to the situation.

This project would help to educate youth that have limited ties to the land and have little opportunity to be educated or involved with Montana's natural resources and agriculture.

Ray Beck



Association Of Conservation Dring Association Original Property 12, 1985

7 Edwards Helena, Montana 59601 Ph. 406-443-5711

Febuary 12, 1985

TO: The Honorable Bob Thoft, Chairman House Long Range Planning Subcommittee

TESTIMONY ON CONSERVATION EDUCATION GRANTS PROGRAM SUBMITTED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION.

The Association has shown an interest in conservation education for the state of Montana. At the past annual meeting, 2 resoutions that suggested there should be more education of conservation, were passed. The possiable topics include wind and water erosion, weed encroachment, pollution, overgrazing, urbanization, etc. All of which are increasing at an alarming rate.

The spread of knowledge and awareness has not kept up with the developement of technology. Conservation Districts can play a key role in spreading this knowledge and awareness and in bringing the conservation story to the people of Montana.

Areas the Association are working on now, are developing a Summer Conservation Workshop for teachers and developing computer software for teaching soil and water conservation. Other projects that districts work on throughout the state are range camps, conservation days, weed awareness, and others.

The Association strongly supports conservation education for the state of Montana and asks for your support.

Thank You for your consideration.

Dave Donaldson Executive Vice President Montana Association of Conservation Districts

MONTANA ASSOCIATION OF CONSERVATION DISTRICTS

YOUTH EDUCATION COMMITTEE:

Resolution No. 3

WHEREAS despite tremendous advances in technology, degradation of our soil and water resources from wind and water erosion, weed encroachment, pollution, overgrazing, urbanization, etc. is increasing at an alarming rate; and

WHEREAS the spread of knowledge and awareness of conservation issues throughout our rapidly growing population has not kept pace with the development of technology available to protect our natural resources; and

WHEREAS the technology for a conservation economy is available but education is the only way to convince people to do it. Conservation districts can play a key role in bringing the conservation story to the people; and

WHEREAS active conservation education throughout our schools has the potential to reach a broad segment of the population of Montana; and

WHEREAS computers have the potential to be very effective tools for teaching soil and water conservation because kids like to use them. Also, Montana has one of the better student-computer ratios in the nation; and

WHEREAS the problem of programming for the development of computer software may be solved by having graduate students or teachers do the programming, to cut down on expense. Also, content could be supplied by a steering committee made up of soil scientists, professors, etc.

THEREFORE BE IT RESOLVED that the Montana Association of Conservation Districts will support and encourage the development of computer software for teaching soil and water conservation.

Adopted: November 10, 1984

Resolution from Area VI (Jefferson Valley CD)
Area Resolution #33
Committee Resolution # 3

MONTANA ASSOCIATION OF CONSERVATION DISTRICTS YOUTH EDUCATION COMMITTEE:

Resolution No. 4

WHEREAS despite tremendous advances in technology, degradation of our soil and water resources from wind and water erosion, weed encroachment, pollution, overgrazing, urbanization, etc. is increasing at an alarming rate; and

WHEREAS the spread of knowledge and awareness of conservation issues is a priority with most of Montana's conservation districts; and conservation districts can play the key role in bringing the conservation story to the people; and

WHEREAS active conservation education through our elementary and secondary level teachers has the potential to reach a broad segment of the population of Montana; and

WHEREAS establishing a summer conservation workshop for teachers where graduate or continuing education credit would be available would give teachers the opportunity and background to apply ecological principles learned from environmental programs to practical, on-the-ground resource problems. Also, a lesson plan, based on issues covered in the workshop, should be required at the end of the workshop to promote the useful application of knowledge to the classrooms of Montana.

THEREFORE BE IT RESOLVED that the Montana Association of Conservation Districts will encourage the development of a summer conservation workshop for teachers.

Adopted: November 10, 1984

Resolution from Area VI (Jefferson Valley CD) Area Resolution #34 Committee Resolution # 4

WITNESS STATEMENT

NAME HARRY SIMONS	BILL NO
ADDRESS Shelby	DATE
WHOM DO YOU REPRESENT? Toole County	
SUPPORT OPPOSE	AMEND
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.	
Comments.	

VISITORS' REGISTER

LONG-RANGE PLANNING SUBCOMMITTEE

RENEWABLE RESOURCE BILL NO. DEVELOPMENT PROJECTS	DATE FEBRUARY 12,	1985	
BILL NO: 2-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	DATE TOTAL		
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Dan B. Tomsheck	Glacier Co		
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Marvin Miller.	Butte	V	
Murk Luda	Whitehall		
Tom Osbane	Butte	<u> </u>	
Joy NASh	Bozeman	L	
Harry Golfz	Greenrigh	V	
BB Stout	Mussoula		
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Harry Simons	Shelley		
K.M. Kelly	Helena T	V	
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

LONG-RANGE PLANNING SUB COMMITTEE

BILL NO. RENEWABLE RESOURCE DEVELOPMENT PROJECTS	DATE FEBRUARY 12, 1985		
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NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.