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

March 14, 1985

The meeting of the Long-Range Planning Subcommittee was called to order by Vice Chairman Van Valkenburg on March 14, 1985 at 5:40 p.m. in Room 108 of the State Capitol.

ROLL CALL: All members were present except Chairman Thoft who was excused.

HOUSE BILL 922: Representative Hal Harper (79:A:015), District 44, bill sponsor said this appropriations bill will follow either House Bill 913 or Senate Bill 277. One of these two bills will establish the Legacy Program. Senate Bill 277 is the embodiment of the Governor's Legacy Program. House Bill 913 also establishes another Legacy Program and was developed by Representative Dave Brown and the Natural Resources Committee of the Environmental Quality Council.

Representative Harper said House Bill 922 carries the funding for 51 Legacy Program projects. He said the Long-Range Planning Subcommittee will hear the individual projects and prioritize them on their merits. Funding details will be established later depending on whether Senate Bill 277 or House Bill 913 passes.

Representative Harper said the intent of the 1983
Legislature was to not spend Resource Indemnity Trust
(RIT) interest earnings for general program operations.
The Governor established a cabinet level committee to
determine how RIT interest earnings should be spent.
Representative Harper said many legislators fear the
Legacy Program will become a huge pork barrel. He said
he does not believe this will happen because there are
large numbers of cleanup projects which need to be
done.

Representative Harper (79:A:043) said there are 51 projects in the bill and the Governor is proposing to delay funding until the second year of the 1987 biennium. If this is done only Projects 1 through 14 will receive funding. Representative Harper said the Governor's proposal to use \$4.8 million for operations in the first year of the biennium violates 1983 legislative intent.

Proponents: Larry Fasbender (79:A:057), Director, Department of Natural Resources and Conservation

(DNRC), said there is background information on the program contained in the Montana Legacy Program Book (EXHIBIT 1). He said there is an error on page 1 of the book. It pertains to 6% of the RIT interest which is allocated to DHES for the implementation of the Montana Hazardous Waste Act. He said the book states DHES will received the 6% until 1989 and this is not true. DHES will receive the 6% until deemed otherwise by the Legislature. Mr. Fasbender said the Legacy Program will receive 64% of interest earnings until DHES is no longer allocated the 6%. Mr. Fasbender then explained the project guidelines program information, review and ranking process and program policies and recommendations. Information on these items can be found on pages 2, 3 and 4 of the book.

Jeanne-Marie Souvigney (79:A:085), Northern Plains Resource Council, submitted written testimony and funding information on the Legacy Program (EXHIBIT 2).

There were no opponents to House Bill 922.

Vice Chairman Van Valkenburg (79:A:123) said Representative Dave Brown is making a presentation on another bill and he will be allowed to make his comments on House Bill 922 later.

# DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, LEGACY PROGRAM PROJECTS

# Montana Department of Agriculture, Weed Control Trust Fund, Project 1:

Caralee Cheney (79:A:128), Chief, Water Development Bureau, Water Resources Division, DNRC, introduced this project which is on pages 13, 14 and 15 of the program book (See Exhibit 1). She said DNRC received 13 project applications which deal with weed control. The department is recommending this project be funded and it will disburse money to the other 13 applicants.

Proponents: Keith Kelly (79:A:158), Director, Department of Agriculture, submitted written testimony (EXHIBIT 3). Mr. Kelly said a 1% tax on the retail price of herbicide is included in House Bill 506. This money will be used to establish a weed control trust fund. He said the 1/10th mill levy for weed control has been amended out of the bill. Mr. Kelly said with the passage of the Legacy Program and the herbicide assessment it will take 7 years to get a fully funded weed program. He said the weed control problem is at a crisis stage and needs to be addressed. Mr. Kelly said

it will take 30 to 40 years for Montana to get rid of weed infestation problems.

Charles Hahnkamp (79:A:187), resident, Beaverhead County, said he is affiliated with East Pioneer Stewardship which has been trying to coordinate a weed control project in the county for the last three years. He said four other counties have started spinoff projects from the one in Beaverhead County. He said weed control funds in his area will be used to help land owners with weed problems. Mr. Hahnkamp said if the weeds are not controlled now it will cost even more money in the future to do the job that needs to be done.

Marie McAlear (79:A:206), Commissioner, Madison County, said her county tried a coordinated weed control program two years ago. She said it was quite difficult to coordinate funding from the federal, state and local governments and from private land owners. She said the program was only partially successful. At a later date Madison County joined with Beaverhead, Granite and Silver Bow counties for a weed control proposal. Ms. McAlear said these counties urgently need state funding for their weed control effort.

Representative Ernst (79:A:218), District 29, spoke as the legislative member of the Montana Weed Control Association. He said the association has had problems in the past with funding. Representative Ernst said the association objects to placing the burden of funding on land owners. He said this project will offer state-wide funding support.

There were no opponents to Project 1.

Committee Discussion: Senator Fuller (79:A:228) said the purpose of the RIT tax is to provide security against loss or damage to Montana's environment, from the extraction of nonrenewable natural resources. He asked what this purpose has to do with weed control. Keith Kelly (79:A:240) said there are many mine swells in the state which have weed infestations. Much of Montana's soil has been distrubed by mining and has become a breeding ground for weeds. He said it becomes a natural resource issue because of the impact of weed growth on wildlife habitat. He said he believes the weed control project fits within the confines of the program.

Senator Fuller (79:A:250) asked how long it will take to get the \$2.5 million from the herbicide tax for the weed project. Mr. Kelly said the department estimates

it will be raising \$250,000/annum for the herbicide tax. He said the mill levy issue has been dropped from House Bill 506. The department estimates that with the \$500,000 of Legacy funds and the herbicide tax it will be between the 7th or 8th year before the \$2.5 million will be in place for the program. Without the Legacy money it would take 13 to 14 years before the department could have a program in place.

Representative Bardanouve (79:A:265) asked how the Department of Agriculture will choose which projects should receive funding. Mr. Kelly said DNRC has gone through an extensive process of ranking the projects and his department will use their priorities in determining which projects should receive funding. He said with \$500,000 going into the trust fund and \$500,000 going to projects the department will accept the highest ranking projects for funding on DNRC's list. The \$500,000 should fund four weed projects which are: 1) the four-county project for Madison, Granite, Jefferson and Silver Bow counties, 2) the Marias River project; 3) an MSU Research project; and 4) a Missoula County Conservation District project.

Vice Chairman Van Valkenburg (79:A:293) asked Mr. Fasbender to respond to Senator Fuller's question regarding justification for weed projects in the Legacy Program. Larry Fasbender said DNRC feels agriculture and the environment are natural resources which must be protected. He said weed infestation in Montana is becoming quite severe and a coordinated effort to attack this problem will reap benefits for future generations. He said the state-wide weed control program will be funded one time from the Legacy Program. The Legacy money will establish the turst and the weed control program will be funded from the herbicide tax after this initial funding.

FURTHER PROPONENTS TO HOUSE BILL 922: Representative Dave Brown (79:A:315), District 72, said he supports House Bill 922. He suggested the committee look carefully at both Legacy bills (Senate Bill 277 and House Bill 913). Representative Brown said both of the Legacy bills were introduced because of the insistance of the last legislature that funds not be spend willy-nilly.

He strongly urged the committee to appropriate funds in House Bill 922 in line with House Bill 913 because it provides for a more reasonable and consistent way of funding. Representative Brown also suggested the committee request a list of projects, from DNRC, which would be funded under House Bill 913. He said if House

Bill 913 passes there are a number of the 51 projects submitted which would not belong in Legacy Program.

Hosue Bill 913 will establish the same portion of funds for water projects as exists now. It will triple the Renewable Resource Development (RRD) funding and double the hazardous waste funding. He said House Bill 913 does try to narrowly confine the use of funds and tries to make funds available on a state-wide basis. House Bill 913 emphasizes reclamation and research related to the extractive industry which pays the RIT tax. Representative Brown said he will comment on individual projects as they are heard and point out where they should be funded under House Bill 913.

Dan Worsdall (79:A:413), City Manager, Anaconda, said he is in favor of House Bill 913. He said the RIT money was earmarked some time ago for mining impacted areas. He said 913 does provide for reclamation projects in mining impact areas.

Vice Chairman Van Valkenburg (79:A:429) asked if there were any other individuals who wished to speak in general about House Bill 922, not House Bill 913. There were none.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, LEGACY PROGRAM PROJECTS (CONT.)

MSU, Department of Biology, Stream Restoration on Grasshopper Creek, Project 2: Ms. Cheney (79:A:434) introduced this project which is on pages 15, 16 and 17 of the program book.

Proponents: Ray White (79:A:464), Associate Professor, Fish, Wildlife and Management, Department of Biology, Montana State University (MSU) said there are two parts to this project. One portion of the project proposes to reclaim an area which was damaged by placer mining and which effects the channel of the stream. second part of the project is directly below the Bannack State Park. There was a water quality problem in the past at this site. The mine tailings and chemicals were leaking into the creek. This has been prevented from reoccurring by rip-rapping the creek. The fish are no longer contaminated and the stream invertebrate population is now rebounding since water quality is better. The present rip-rap does not allow trout to dwell in the stream because it has created an embankment which is poor habitat for trout. project will remedy this problem.

There were no opponents to Project 2.

Committee Discussion: Senator Fuller (79:A:526) said one-fourth of the total project budget is for overhead which seems high. He said 10% goes for contract administration, 10% goes for contingency inflation and 14% for MSU indirect costs. He said one-third of the budget goes to MSU to manage project costs. Ms. Chenev said the 14% is somewhat low for indirect costs as compared to other grants. DNRC required the 10% for contingency inflation be put into all project budgets. If it is not needed it will not be used. Senator Fuller asked how contract administration is different from indirect cost. Ms. Cheney said indirect cost is the blanket overhead for the university and the contract administration funds are for salary.

Representative Bardanouve (79:A:554) asked why the conservation district is not doing this project. Mr. White said MSU is working in cooperation with the district on the project.

Department of Fish, Wildlife and Parks, Bannack Apex Mill Rehabilitation, Project 3: Caralee Cheney (79:A:562) described this project which is on pages 17, 18 and 19 of the program book.

Proponents: Don Hyyppa (79:A:590), Administrator, Parks Division, Department of Fish, Wildlife and Parks (FW&P) said Bannack is one of the crown jewels of the state. It was the territorial capitol and there are over 90 buildings there. He said FW&P has been trying to stabilize the area in an attempt to make it an important tourist attraction. He said the Apex Mill is a significant part of Bannack and this project will reclaim the site and make it available to the public. He said it will also properly interpret the mill's significance.

There were no opponents to Project 3.

Committee Discussion: Representative Bardanouve (79:A:618) said he believes reclaiming the area around the mill is a proper use of Legacy funds. But he said he does not believe restoration of the mill should be included. It should be in the state parks program. He said cleaning up hazardous waste is fine, but he opposes the \$80,000 for the mill restoration.

Senator Fuller (79:A:648) asked if any Coal Tax Park Acquisition funds will be spent at Bannack. Mr. Hyyppa said House Bill 2 does include Coal Tax Park Acquisition funds for work at Bannack. He said the site is presently supported by the General Fund.

Representative Bardanouve (79:A:665) asked if coal money could be used for the \$80,000 renovation project. Mr. Hyppa said if House Bill 2 passes, FW&P will look at this possibility in the future biennium.

Vice Chairman Van Valkenburg (79:A:679) posed a hypothetical situation to Mr. Hyyppa. He asked if the reclamation of the Anaconda Stack site would be eligible for funds under this program and if so what would the grant amount be. Mr. Hyyppa said the state is not responsible for cleanup at the stack site and he does not know how much it would cost.

Montana Bureau of Mines and Geology, Groundwater Information Center, Project 4: Ms. Cheney (79:A:708) explained this project which is on pages 19, 20 and 21 of the program book.

Proponents: Tom Patton (79:B:013), Montana Bureau of Mines and Geology, gave members a fact sheet on the Groundwater Information Center (EXHIBIT 4). Mr. Patton used several charts to describe the two types of service areas in the project (the basic data service area and the basic field service area). He said the data collected and stored can be used for aquifer studies, well yields and well depths. Mr. Patton said the field service areas will collect data on mining related activities and reclamation projects. 53% of the information handled by the field offices is related to general water problems.

Representative Brown (79:B:065) said a good portion of this project would be fundable under the reclamation section of House Bill 913. Other portions of the project would be funded under the RRD section or Water Development section of the bill. He said this project follows the intent of House Bill 913 very closely because it deals with the mineral industry. He said projects of this type would receive 45% to 55% of funding from the reclamation category in House Bill 913.

Max Fox (79:B:086), Engineer, Hydrometrics, said he uses the data from the Bureau of Mines and Geology and he has found this to be the best groundwater data base available to private citizens.

There were no opponents to Project 4.

Committee Discussion: Representative Bardanouve (79:B:101) asked if this project will be setting up another agency, which will have to be financed from the General Fund. Ms. Cheney said DNRC has in general

tried to avoid funding ongoing programs. But if start-up costs can be identified, as they have been here, DNRC feels Legacy funds can appropriately be used for this. It is not DNRC's intent to look at ongoing funding for the program and if Senate Bill 277 passes the center could not receive ongoing funding.

Representative Bardanouve said the book notes the field program would be more appropriately funded from the General Fund. Ms. Cheney said DNRC did not recommend use of Legacy funds for the field program because it is an ongoing program without definable start-up costs.

Senator Fuller (79:B:128) said he is confused about the number of FTEs required for the project and the funding of these FTEs. He asked Ms. Cheney to supply him with a copy of the budget costs per FTE. She said she will do this. Senator Fuller said he feels the salary budget is too high.

Vice Chairman Van Valkenburg (79:B:161) asked Mr. Patton to describe what agency he works for. He said the Groundwater Information Center really does not exist yet. Mr. Patton said the Montana Bureau of Mines and Geology is currently answering inquiries on groundwater. He said the bureau has operated for years on a little state money, but mostly federal money. Federal money has funded this groundwater information service in the past. However, the federal funds are not coming for the groundwater projects any more. Mr. Patton said the bureau is instituting a program (the Groundwater Information Center) under an existing agency (Montana Bureau of Mines and Geology). He said the bureau has been supported in the past, primarily by federal funds. Mr. Patton said the program is valid and he does not see anything wrong with asking for state funds.

Vice Chairman Van Valkenburg (79:B:190) asked Mr. Patton to tell him where ongoing funds for the program will come from when Legacy funds run out. Mr. Patton said the Legacy money will help the bureau to get existing data on the computer and if General Fund monies are not available in the future perhaps the data can be kept current through the operations of the bureau.

Anaconda, Deer Lodge County, Erosion Control, Project 5: Ms. Cheney (79:B:222) introduced this project which is on pages 22, 23 and 24 of the program book.

Proponents: Dan Worsdall (79:B:236), City/County Manager, Anaconda/Deer Lodge County, said erosion is a problem in Deer Lodge County. It causes problems to

home owners, storm drain systems, etc. He said this is a legitimate reclamation project.

Milo Manning (79:B:249), Planning Director, Anaconda/Deer Lodge County, said this project truely addresses the intent of the Legacy Program. It is a cooperative effort to replant and reseed slopes which are eroding badly. Some of DNRC's concerns about the project are: 1) is it in a Superfund area; and 2) who is liable for reclaiming the land. Mr. Manning said Environmental Protection Agency (EPA) letters and maps indicate the land is not in a Superfund area. He said the Anaconda Company does own the land, but according to the company's environmental officer and an attorney general opinion the company is not liable for reclaiming the slopes. The mining was done in the late 1800's and the liability issue is grandfathered out for the company. He said the company is cooperating in the project. Mr. Manning said this a 3 year project and 20,000 trees have been ordered for planting this year. 40,000 trees will be planted in the next two years.

Fred Staedler (79:B:298), Headwaters RC&D Forester, Department of State Lands, said he developed the forestry portion of this project.

George Ochenski (79:B:303), Environmental Information Center, said he is not a proponent of reinforcing property owned by the Anaconda Company. However, the people in Anaconda need to be put back to work and they can work on this project. He believes the Anaconda Company should have to match state funds for this project. Mr. Ochenski is not in favor of using state funds to solve the problem created by the Anaconda Company.

There were no opponents to Project 5.

Committee Discussion: Representative Bardanouve (79:B:327) asked if DNRC is recommending the state renovate 300,000 acres of land for a private company. Ms. Cheney said the department recommends this, if the Superfund area cannot be expanded to include the site. She also said DNRC recommends getting a lien on the land to recover the cost of reclamation. Representative Bardanouve asked if the Anaconda Company will deed the land to the state. Ms. Cheney said she will have to look into this.

Senator Fuller (79:B:352) asked what projects funds will be spent for. Ms. Cheney said the major portion of the funds will be used to buy trees and to construct erosion dams. She said there are some labor costs

involved but in kind services will also be used to do the project.

MSU, Department of Biology, Stream Restoration Confederate Gulch and Deep Creek, Project 6: Caralee Cheney (79:B:367) explained this project which is on pages 24 through 27 of the program book.

Proponents: Ray White (79:B:399), Department of Biology, MSU, said placer mining in streams has one of the most devastating effects of mineral extraction in this state. He said placer mining leaves streams in a condition which is unsuitable for trout habitat. This project will apply various stream restoration techniques suited to the life histories of the fish in the streams. The project will demonstrate what can be used in the future for other sites. He said the Canyon Ferry Reservoir, one of the state's largest fishing resources, is in jeopardy because of the effects of placer mining on its tributaties.

There were no opponents to Project 6.

Committee Discussion: Representative Ernst (79:B:469) asked if land owner cooperative agreements with the Soil Conservation Service have been signed. Mr. White said yes. Representative Ernst asked if further digging in the stream will cause pollution. Mr. White said tailings pollution is not an issue in this stream and the water is of good quality. Representative Ernst said contractors are under strict pollution control laws and wondered if MSU will be also. Mr. White said he believes the project will be subject to the same regulations as contractors. He said he believes the regulations can be dealt with properly.

Representative Bardanouve (79:B:499) asked if the channels dug through gravel deposits in the stream will fill up again during floods. Mr. White said if the gravel pit is stabilized the channels should not fill up again.

Senator Fuller (79:B:517) said the indirect costs for this project are 10% of the total cost. He asked Mr. White to explain this. He said MSU has two projects and, therefore, needs more staff and more space for the projects. He said he calculated indirect costs as 30% of salaries rather than 20% of the total project cost. Senator Fuller asked Ms. Cheney for the budget details.

Department of Health and Environmental Sicences,
Hazardous Waste Management Collection, Project 7: Ms.

Cheney (79:B:545) introduced this project which is on pages 27, 28 and 29 of the program book.

Proponents: Duane Roberts (79:B:595), Chief, Solid and Hazardous Waste Bureau, Environmental Sciences Division, Department of Health and Environmental Sciences (DHES), spoke in support of the project (EXHIBIT 5).

Larry Weinberg (79:8:670), Montana University System, said the university system as well as other schools which operate laboratories generate materials which constitute hazardous waste. He said the quantities generated are small and the per unit cost of trying to dispose of the waste material is prohibitive. He said this measure will cut disposal costs by centralizing the collection of hazardous wastes.

Keith Kelly (80:A:001) said the Department of Agriculture supports this project proposal (EXHIBIT 6).

George Ochenski (80:A:015), Environmental Information Center, said the center feels this project is a top priority. He said the disposal of hazardous wastes needs to be addressed immediately. Mr. Ochenski said he feels this project is important to Montana's environmental future.

Representative Dave Brown (80:A:025) said House Bill 913 sets aside specific funds for this kind of project. He said he is uncertain about how long Montana will be able to ship its waste materials to collection and disposal sites in other states. Montana will need its own collection site soon.

Sue Weingartner (80:A:033) spoke as a proponent of the project (EXHIBIT 7).

Marie McAlear (80:A:047), Legislative Resolutions Chairman, Montana Association of Counties, said the association sees this proposal as aiding local governments in their liability for disposing of hazardous waste.

There were no opponents to Project 7.

Committee Discussion: Representative Ernst (80:A:057) asked if farm herbicide containers are considered hazardous waste. Mr. Kelly said it depends on the herbicide being used. Some herbicides are hazardous and others are not.

Senator Fuller (80:A:062) asked Representative Brown to explain the funding available for this project in House

Bill 913. Representative Brown said \$800,000 is available in House Bill 913 for this project. \$600,000 is for construction of the facility and \$200,000 is for operating costs. Representative Brown said at some point a decision will have to be made concerning charges for use of the facility.

Vice Chairman Van Valkenburg (80:A:075) asked Mr. Robertson how operational costs will be paid after the 1987 biennium. Mr. Robertson said the funds in House Bill 913 will supply funding through 1987. He said the Legislature has passed a fee schedule in the Hazardous Waste Act. These fees can be assessed on the generators of hazardous waste. DHES does not feel the operational costs can be completely covered by the fees. In order to encourage use of the facility, DHES will have to keep fees relatively low, and therefore, the facility will probably need some support from the Legacy Program or the General Fund.

Vice Chairman Van Valkenburg (80:A:092) said he is concerned about ongoing maintenance and operational costs for the facility in future bienniums. Mr. Robertson said if House Bill 913 passes, 6 percent of the Legacy Program is set aside to run the hazardous waste and Superfund programs. Five percent is set aside to operate the collection and transfer facility proposed in this project. Mr. Robertson said, if Senate bill 277 passes, DHES will be asking for funds in the next session from either the General Fund or the Legacy Program.

Vice Chairman Van Valkenburg (80:A:108) said he thinks this project is only marginally related to the purposed use of RIT money. Representative Brown said this bothers him to some extent also. He said the 6% in House Bill 913 is for cleaning up hazardous wastes in Superfund areas and this is directly related to mineral extraction in this state. Representative Brown said this project is somewhat of an exception to this rule. However, the regulations for the disposal of hazardous wastes must be met and the state will need a facility for this purpose in the future. He said he is hopeful the \$800,000 used to build the facility will at some point be reverted back into the Superfund account. time and operation of the facility will be the determining factors in the reversion because it is not yet know if user fees can adequately cover operational expenses.

Representative Bardanouve (80:A:142) asked what type of capital equipment is included in the project budget.

Mr. Robertson said lab equipment, protective suits, oxygen masks, monitoring wells and office equipment.

Representative Bardanouve (80:A:152) asked how hazardous waste is removed from the building. Mr. Robertson said after a semiload of a particular kind of waste is collected it will be trucked out to a disposal site by the lowest bidder.

Representative Bardanouve (80:A:186) asked how much money is available in the Legacy Program for allocation. Mr. Fasbender said in the first year there is \$450,000 available for the weed program and some operational costs. In the second year there is about \$4 million available. Vice Chairman Van Valkenburg pointed out that these figures are included in the Governor's budget proposal.

Senator Fuller (80:A:210) asked if DNRC is supporting funding for one or two years since the Governor wants to delay funding of the program for one year. Mr. Fasbender said DNRC supports legislation as recommended by the Governor.

Government of Butte-Silver Bow, Butte Hill Mining Reclamation, Project 8: Caralee Cheney (90:A:231) described this project by reading from pages 29, 30 and 31 of the program book. She said the project includes four major components which are: 1) drainage and erosion control - \$1.4 million; 2) surface reclamation - \$700,000; 3) recreational reclamation and reforestation - \$900,000; and 4) storm sewer rehabilitation - \$3.2 million. The cost of overhead and contingencies on the project bring the total request to \$8.1 million.

Ms. Cheney said the site of the project is in a Superfund area and any changes made to the site may disallow the liability of the Anaconda Company to pay for cleanup in the area. She said the area is being studied by the Superfund program and the study will not be completed until the end of this biennium. DNRC is only recommending funding for portions of the project which are not included in the Superfund area. She said DNRC is not recommending funding for the storm sewer rehabilitation portion of the project because the department does not feel this relates to the Legacy Program.

<u>Proponents</u>: Representative Brown (80:A:339) said the <u>problems</u> addressed by this project are definitely related to the mineral extraction industry in Montana. He said he does not know all the details of the

project, but would like the record to show him as a proponent of the project.

There were no opponents to Project 8.

Committee Discussion: Vice Chairman Van Valkenburg (80:A:356) said he thinks the ballfield component of the project is somewhat suspect. Representative Brown said on the surface it does seem suspect, but he does not know the specific aspects of the project and hopefully it is not. He said he will try to get an answer to Vice Chairman Van Valkenburg's question.

Toole County, North Toole County Reclamation Project, Project 9: Ms. Cheney (80:A:365) introduced this project which is on pages 33, 34 and 35 of the program book.

<u>Proponents</u>: Ken Valentine (80:A:408), representing the <u>Toole County Commissioners</u>, submitted written testimony, pictures and a map which shows the area to be reclaimed (EXHIBIT 8).

Wayne Gillespie (80:A:453), from Kevin, Montana, represented the Toole County Conservation District. Mr. Gillespie said at the present time the land is covered with oil field debris and is disowned by the oil companies and landowners in the area. The land can only be used for grazing livestock and it is hazardous to use it even for this purpose. He said land owners can lease the land from the state for \$.60 to \$.70/acre and if it is reclaimed it can be used for crop production and leases will generate \$80 to \$100/acre. Mr. Gillespie said this project will boost the Montana and Toole County economy and generate extra tax dollars. It will also restore the aesthetic value of the land.

Ron Fairhurst (80:A:509), member, Toole county Planning Board, and a farmer in the area, supports the project because of the reclamation aspect of it.

Senator Delwyn Gage (80:A:527), District 5, said this area used to be part of his district and he said it is a mess. He said he believes the RIT program funding is designed for this type of project. The area is littered with tarpaper shacks, central pumping units, and rod lines to the pumping units. The salt water produced from the wells over the years has devasted the land. Senator Gage said the people who live in the area now were not present when the oil field was in production and are not responsible for the problems which exist in the area. Senator Gage said he is amazed that this project is being recommended for

reduced funding, when it is one of the projects which truely meets the criteria of the program. He asked the committee to consider giving it full funding.

There were no opponents to Project 9.

Committee Discussion: Representative Ernst (80:A:581) asked if any of the debris littering the land is salvagable. Mr. Valentine said there is some salvage value in the pumps and rods, but it would not cover the cost of picking up the metal.

Montana Governor's Office, Clark Fork River Projects, Project 10: Caralee Cheney (80:A:590) described this project which is on pages 36, 37, 38 and 39 of the program book.

Proponents: Howard Johnson (80:A:645), Coordinator, Clark Fork River Project, submitted written testimony (EXHIBIT 9).

Vicki Watson (80:B:008), Assistant Professor, Aquatic Ecology, Environmental Studies Program, University of Montana (UM), said she supports this project because the Clark Fork River may also be impacted by mining in future years. She said the money spent on this project now will actually help to save money in the future because reclamation will not need to be done in the years to come.

Jennifer Cote (80:B:019), Clark Fork Coalition, supports this project (EXHIBIT 10).

Representative Brown (80:B:060) said he strongly supports this project. It will clearly fit in the Legacy Program if House Bill 913 passes. Representative Brown suggested the committee appropriate more money than is being recommended for this project because it will speed up the reclamation process on the river. He said, if 913 passes, there will be more funds available for this project.

Steve Pilcher (80:B:079), Chief, Water Quality Bureau, DHES, said his bureau will be directly involved in the first part of this project. He said a considerable amount of time has been spent collecting water samples from the river and this project will expand this effort.

There were no opponents to Project 10.

Committee Discussion: Vice Chairman Van Valkenburg (80:B:096) asked Representative Brown to explain how

House bill 913 will provide more funding for this project. Representative Brown said House Bill 913 makes \$6 million available for mining reclamation and research. He said the Governor's proposal makes \$4 million available in this category. He said he also thinks \$1.8 million in projects can be cut from DNRC's ranking because the projects do not belong in this category. If 913 passes \$4 million more will be available in this category for projects.

Vice Chairman Van Valkenburg (80:B:108) asked Mr. Johnson if he is prepared to spend more than \$100,000. Mr. Johnson said yes.

Powder River Conservation District, Powder River Irrigation Water Quality Study, Project 20: Ms. Cheney (80:B:164) described this project which is on pages 58, 59 and 60 of the program book.

Proponents: Representative Marion Hanson (80:B:177), District 100, said Wyoming is developing several tributaries of the Powder River by damming them. These tributaries have good quality water in them.

The Salt Creek drainage does not have good quality water in it and if the other tributaries are dammed this will be the only source of water for the Powder River. Representative Hanson said the water quality study needs to be done now so that Montana has information on the Powder River water prior to the development of the dams.

Steve Pilcher (80:B:206) said DHES is aware of the impacts of oil field development in Wyoming on the Powder River. DHES is working with the state of Wyoming and EPA in an effort to reduce the amount saline water which is being collected in the Powder River drainage.

There were no opponents to Project 20.

Committee Discussion: Representative Ernst (80:B:219) asked if Wyoming is being cooperative with Montana concerning the adverse effects of the dam development. Representative Hanson said at first Wyoming was very adverse to any communications on the subject. But once Wyoming agencies realized EPA would become involved if the water quality of the Powder River was degraded they became more cooperative about working with Montana. Representative Hanson said the water quality of the Powder River is at best marginal for irrigation.

DNRC, Conservation District Division, Reclamation of Streambanks, Project 11: Ms. Cheney (80:B:257) explained this project by reading from pages 39, 40 and 41 of the program book.

<u>Proponents</u>: Ray Beck (80:B:278), Administrator, Conservation Districts Division, DNRC, said the project was submitted at the request of four districts. There is now one more district interested in the project. Mr. Beck circulated pictures illustrating streambanks prior to mining activities and the destructive aftermath which follows mining.

Mile High Conservation District, Reclamation of Contaminated Agricultural Lands Project 12: Ms. Cheney (80:B:293) introduced this project which is on pages 41, 42 and 43 of the program book.

Proponents: Mary Seccombe (80:B:312), Chairman, Headwaters Resource Conservation District and member of the Mile High Conservation District, said the districts feel this is a test project which can benefit many farmers by reclaiming land which is now contaminated by toxic metals. If the project is successful it will bring higher valued land into the tax base. Presently the land is useless.

Representative Brown (80:B:329) said this project is one of many which should be included for funding by this Legislature. He said the project can be funded in House Bill 913.

There were no opponents to the project.

Committee Discussion: Vice Chairman Van Valkenburg (80:B:342) asked where this project had been included in earlier programs heard by the committee. Ms. Cheney said it was recommended for funding in the RRD Program under the Improvements to Ag Lands Category. Vice Chairman Van Valkenburg asked how much funding was recommended for the project in the RRD Program. Ms. Cheney said the same amount as in the Legacy Program, \$88,400. She said if it is funded from the RRD Program it will not receive Legacy money.

Montana Governor's Office, Cabin Creek Reference to the IJC, Project 13: Ms. Cheney (80:B:356) explained the project which is on pages 43, 44, 45, 46 and 47 of the program book.

Proponents: Brace Hayden (80:B:387), Governor's Office, submitted written testimony in support of this project (EXHIBIT 11).

Don Hyyppa (80:B:439) said FW&P strongly endorses this project.

Lauren McKinsey (80:B:445), Director, 49th Parallel Institute, said the group has followed the Cabin Creek issue for many years. A great deal of effort and money has been expended to prepare a case on the Cabin Creek Mine. He said it is encouraging that a favorable recommendation is anticipated to be received from the International Joint Commission. Hopefully this will eliminate some of the fears about the effect of the Cabin Creek Mine on Flathead Lake. Mr. McKinsey said there is interagency support for this project and the Governor said in his State of the State address this project is the kind he has in mind for the Legacy Program.

Steve Pilcher (80:B:474) said DHES supports this project. He said state agencies are expected to contribute staff time to this project. He wants the committee to recognize the additional expense for agency travel needs.

There were no opponents to the project.

Committee Discussion: Representative Ernst (80:B:495) asked if the study is for premining or for existing mining. Mr. Hayden said the mine in Canada is proposed, but there is no mining going on at the site currently. He said the provincial government in British Columbia will be placing the conditions on the mine. Mr. Hayden said this is why he feels reclamation standards similar to Montana's need to be made available to British Columbia. He said there is no intention to prohibit the mining, but there does need to be some assurance about the use of proper safeguards for water quality protection, fisheries protection, etc.

Mr. McKinsey said the project is to provide research for assessment of past or potential environmental damage.

Representative Ernst (80:B:533) said he believes this is the right time to do such a project, prior to the mining. Vice Chairman Van Valkenburg said it probably is the proper time for the project, but he believes it is stretching the terms of the program.

MSU, Water Resources Research Center, Cyanide and Heavy Metals in the Judith Mountains, Project 14: Caralee Cheney (80:B:549) described this project from pages 47, 48 and 49 of the program book. Ms. Cheney said this is

the only project which DNRC recommended more funding for than was requested.

Proponents: Howard Peavy (80:B:607), Director, Water Resources Research Center, said the center sponsors reasearch proposals primarily with federal money. There are always more projects than funds so this year the center submitted their 1984 applications which met the Legacy Program criteria to this grant process. He said the applications he submitted to the Legacy Program are projects 14, 18, 22 and 41. He said funding will come to the research center and then will be disbursed by it to the various projects.

Vickie Watson (80:B:654) submitted written testimony (EXHIBIT 12). She also said the results of this project will be applicable to other areas of the state and the West which have similar geologies. She said there is very little information available on cyanide contamination and the proposal is very inexpensive. Dr. Watson said the student involved in this project would like to graduate after 1986 and therefore Dr. Watson asked the committee to consider funding the project in the first year of the biennium rather than the second.

Lorna Naegele (80:B:696), graduate student at UM, said she will be doing the research for this project. She said the area is very torn up by mine tailings and she feels it fits very well in this program.

Representative Ernst (81:A:002), District 29, said he has many constituents in his district who are concerned about the effects of the cyanide and heavy metals in this area.

There were no opponents to the project.

Committee Discussion: Vice Chairman Van Valkenburg (81:A:012) asked if DNRC might be able to fund this project in the first year of the biennium. Ms. Cheney said funds for the first year are supposed to go to the Department of Agriculture for the weed program, but DNRC might be able to work something out for this project.

MSU, 49th Parallel Institute, MT/Alberta Milk River Joint Impoundment, Project 16: Ms. Cheney (81:A:034) spoke about this project and used pages 51 and 52 of the program book in doing so.

Proponents: Lauren McKinsey (81:A:056) submitted written testimony on this project (EXHIBIT 13).

There were no opponents to Project 16.

Committee Discussion: Vice Chairman Van Valkenburg (81:A:088) said he does not understand why this project was not included in the Water Development Program. Mr. McKinsey the project fits the criteria for the Legacy Program in several respects and the need for it did not surface until after the deadline date for Water Development projects.

Brace Hayden (81:A:104) said Project 13 and this one were submitted in good faith under the criteria in the DNRC proposal.

Vice Chairman Van Valkenburg (81:A:110) said part of the problem in hearing projects is that applications were solicited prior to the establishment of the program and its critera.

Montana State Library, Natural Resources Information System and Natural Heritage Program, Project 24: Caralee Cheney (81:A:132) introduced this project which is on pages 67, 68 and 69 of the program book.

Proponents: Representative Brown (81:A:162) said he strongly supports this project. He said this information system will provide both environmentalists and industry with the data they both need. He gave the committee a list of the major businesses which back the actions of the Nature Conservancy (EXHIBIT 14).

Mary Linda Kemp (81:A:189), Northern Lights Institute, submitted written testimony and other documentation in support of the project (EXHIBIT 15).

Janet Ellis (81:A:241), Montana Audubon Council, said the council supports this project (EXHIBIT 16).

Terry Murphy (81:A:250), Montana Farmers Union, said this project will be valuable to agriculture in many ways and will coordinate natural resource information.

Sara Parker (81:A:257), State Librarian, said the state library has statutory responsibility to provide state agency information to citizens. She said the library would like to see this project funded.

Pat Wilson (81:A:272), MONTCO, appeared as a proponent of this project. She said MONTCO spent 6 years and \$6 million on the permitting process for a mine application. Ms. Wilson said MONTCO paid the Department of State Lands \$543,000 for an Environmental Impact Statement. She said all the information gathered is

now sitting on a bookshelf at the department and will not be used again until MONTCO applies for another permit. She said it is important that the information on cultura, biological, groundwater, air and land resources is available not only to companies, but to other interested parties. Ms. Wilson submitted silent testimony from Gene Phillips of Pacific Power & Light (EXHIBIT 17). (This testimony was also included in Exhibit 15.)

Bob Kiesling (81:A:297), Director, Nature Conservancy, in Montana and Wyoming, he said this organization invented half of this project, the Natural Heritage System. He said the project will make conservation more economical to Montana. Mr. Kiesling said this type of expertise in information and inventory needs to be developed in Montana. He said since industry and conservation groups are both backing the proposal it must have merit.

There were no opponents to the project.

Teton County Conservation District, Upper Teton Water Conservation Study, Project 21: Caralee Cheney (81:A:360) explained this project on pages 60, 61, 62 and 63 of the program book. If this project receives funding in the Water Development Program it will not get funding here.

Proponents: Ruth Makin (81:A:386), represented the Teton County Conservation District, and submitted letters of support for this project (EXHIBITS 18, 19, 20 AND 21).

Representative Rex Manuel (81:A:415), District 11, said he endorses this study strongly because of the violence which has erupted from time to time in the Choteau area because of the lack of water.

Tom Osborne (81:A:428), Hydrogeologist, Montana Bureau of Mines and Geology, said the bureau will be offering the conservation district technical help with the project.

There were no opponents to the project.

Committee Discussion: Vice Chairman Van Valkenburg (81:A:441) asked what the connection is between this project and natural resource extraction. Ms. Cheney said this project relates to the conservation of a renewable resource in the Governor's proposed plan for the Legacy Program.

MSU, Water Resources Research Center, Heavy Metal Contamination of the Clark Fork River, Project 18: Ms. Cheney (81:A:454) introduced the project which is on pages 54, 55 and 56 of the program book.

Proponents: Vickie Watson (81:A:480) gave the committee copies of her written testimony (EXHIBIT 22).

There were no opponents to Project 18.

Committee Discussion: Representative Ernst (81:A:554) asked how the heavy metal contamination will be corrected along the Clark Fork River. Dr. Watson said the contaminated sites will be located with aerial photographs. Some of these sites will have the potential to erode into the river and others are not on the banks, but are in the floodplain area. If the river changes course they could become a problem. The sites along the river banks have the highest priority in the project. Livestock should be fenced out of these areas of the river so the banks are not broken down. Some sites may have lime added to them and metal tolerant plants grown in the soil.

MSU, Water Resources Research Center, Copper Availability in the Upper Clark Fork, Project 22: Caralee Cheney (81:A:618) described this project which is on pages 63, 64 and 65 of the program book.

Proponents: Howard Peavy (81:A:651) said the Water Resources Research Center is funding the beginning of this project. The Legacy Program request will find the study for two more years. If there is only one year of funding available through the Legacy Program the center will pick up the second year of funding for this project.

There were no opponents to Project 22.

Department of Health and Environmental Sciences, Forest Land Watershed Improvement Program, Project 23: Ms. Cheney (81:A:684) introduced this project which is on pages 65, 66 and 67 of the program book.

Proponents: Steve Pilcher (81:B:001) said Montana has vast acres of forest lands and these lands are put to a multitude of uses. They are used for logging, grazing, mineral and gas exploration. These activities along with road construction have had serious impacts on water quality. This request will create several demonstration projects for watershed improvement. The projects will focus on land restoration methods which

will keep the soil and associated pollutants in place and out of the rivers and streams.

There were no opponents to Project 23.

Vice Chairman Van Valkenburg (81:B:018) said, without objection, the committee will deem Projects 15, 17, 19 and 25 submitted on the basis of the information and recommendations in the DNRC Legacy Program Book.

Ms. Cheney (81:B:022) said the sponsor of Project 15 asked if they could be heard on March 15, 1985. Vice Chairman Van Valkenburg said the sponsor can present the project tomorrow.

There being no further business before the subcommittee the meeting adjourned at 9:30 p.m.

ROBERT THOFT, Chairman

### DAILY ROLL CALL

# LONG-RANGE PLANNING SUB COMMITTEE

#### 49th LEGISLATIVE SESSION -- 1985

Date March 14, 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	X		
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Montana Icgacy Program Exhibit: "!| 3-14-25 DN2U

Recommendations for the FY 86-87 Biennium

January 1985



# NORTHERN PLAINS RESOURCE COUNCIL 3-14-85 #B 922

Field Office Box 858 Helena, MT 59624 (406) 443-4965 Main Office 419 Stapleton Building Billings, MT 59101 (406) 248-1154 Field Office 'Box 886 Glendive, MT 59330 (406) 365-2525

Testimony on HB 922

March 14, 1985

Mr. Chairman, and members of the subcommittee, I am Jeanne-Marie Souvigney, with the Northern Plains Resource Council.

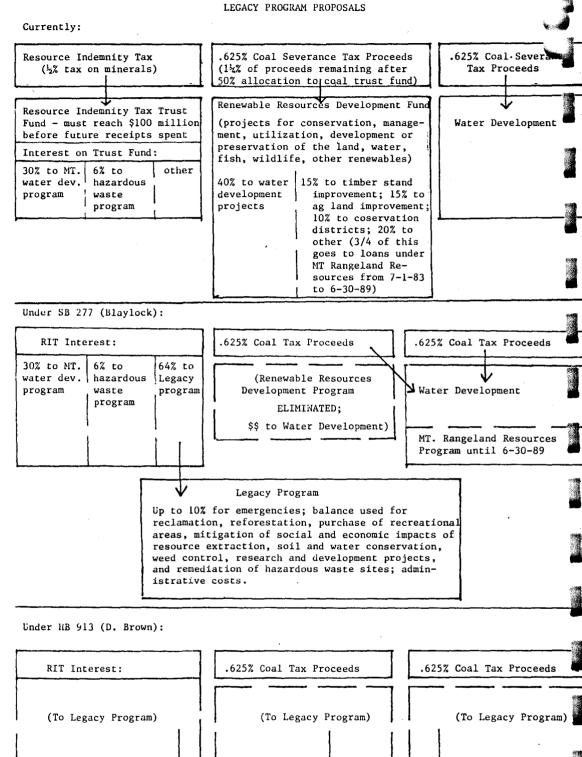
We support the appropriation of Resource Indemnity Trust Fund interest to a Legacy Program. The 1983 Legislature clearly directed that these funds should no longer be used to support the day-to-day operations of state agencies, as had been the practice, so a Legacy Program is needed.

As you are aware, there are two Legacy Program bills - SB 277, introduced by Sen. Blaylock, and HB 913, introduced by Rep. Dave Brown. We don't know yet which of these bills is going to be the vehicle which establishes the Legacy Program. HB 922, somehow, should be designed to appropriate money for whichever bill is approved by this Legislature.

We do support funding the Legacy Program for both years of the biennium. We understand that the governor has proposed funding only project #1 during the first year of the biennium, and allowing the rest of the interest income to revert to the general fund that first year, and then implementing the entire Legacy Program the second year. This proposal ignores the legislature's directive of 1983, which stated that RIT revenues should not be used to support the day-to-day operations of state government. There are many projects that were initially recommended for funding, and would be funded under the two-year program, that would not be under this new proposal to cut the Legacy program in half. We support the full funding of the Legacy program, without any reversions to the general fund.

One other concern we have with the Legacy Program recommendations is that this program still seems to be a catch-all for projects not funded elsewhere, perhaps because of lack of money or other priorities. If projects are eligible under other state programs, that is where these proposals should go, and the only place they should go. The Legacy Program should be established to meet specific goals and criteria, and only recommend projects that meet these criteria. Some of the projects, such as ghost town rehabilitation or park acquisition and improvements, as worthwhile as they might be, seem to really stretch the intent of the Legacy Program, and certainly do not reflect our support for the program. We also oppose using this state money for projects on private lands, which a couple of these proposals do, unless there is a clear danger to the health andsafety of the public. We request that you very closely look at any such proposals.

Thank you for your consideration of HB 922.



RIT Interest:

.625% Coal Tax Proceeds

.625% Coal Tax Proceeds

(To Legacy Program)

Legacy Program

Environmental Contingency Account
Admininstrative costs

37% - water development

37% - mineral reclamation and research
15% - renewable resources
11% - hazardous wastes

Exhibit #3 3-14-85 Project 1

# TESTIMONY OF MONTANA DEPARTMENT OF AGRICULTURE DIRECTOR KEITH KELLY FOR THE HOUSE APPROPRIATIONS COMMITTEE ON HB 922 HELENA, MONTANA MARCH 14, 1985

The Montana Department of Agriculture endorses HB 922. Noxious weeds are having a significant adverse impact on agriculture and other lands in terms of production, grazing, recreational use and wildlife habitat that exceeds \$100 million dollars a year. The funds proposed to be allocated to the Department of Agriculture (\$1 million) will be used in the biennium for two primary programs. They will be used to fund upto \$500,000 for the locally organized community weed projects and a biocontrol project as recommended by the Department of Natural Resources and Conservation. The remaining \$500,000 will be placed into a weed trust fund. HB 506 establishes this weed trust fund. I believe its approval by this legislature is essential.

The trust will be funded by a herbicide tax and these legacy funds. Once the trust reaches \$2.5 million the interest and revenue of the tax will be used to continue supporting coordinated community projects involving private, state and federal lands and other special weed projects. This initial \$1,000,000 will be of enormous asset in building the trust fund more while at the same time, allowing for coordinated weed management projects to be implemented immediately.

I recommend to this committee favorable consideration for these monies to used for the weed trust fund, community projects and the biocontrol project.

## FACT SHEET GROUND-WATER INFORMATION CENTER

#### DESCRIPTION:

The Ground-Water Information Center (GWIC) as established at the Montana Bureau of Mines and Geology consists of 4 service units loosely incorporated into 2 large program areas: the Office Program and the Field Program. The four service areas are: Library - consisting of a collection of MBMG-USGS-and EPApublished and unpublished data as well as numerous environmental impact statements and other reports on Montana's ground water; 2) Basic data - consisting of 4 electronic data bases 3 of which are partially established and I planned. The established data bases are derived from water-well logs and water-quality analyses in the MBMG files; 3) Interpretive - including water-well siting, water-quality interpretation, water availability, hydrogeologic analysis of drill-hole data and; 4) Field - a technical-assistance and field-data-gathering program intended to provide state agencies and other decision makers in groundwater management with pertinent and accurate ground-water resource information. Library and Basic Data services comprise the Office Program--Field services comprise the Field Program; and both programs overlap in the area of Interpretive services.

NEED:

The Governor's Council on Ground-Water has recommended that the GWIC be established to provide better service to Montana's citizens and to prevent loss of important ground-water data. The center has been endorsed by the Department of Natural Resources (DNRC), Department of State Lands (DSL), Department of Health and Environmental Sciences (DHES), U.S. Geological Survey (USGS), Environmental Protection Agency (EPA), Governor's Office and others. The need for ground-water data by Montana's citizenery is statewide. More than 3,000 requests for these data were received from all areas of the state during the years 1983 and 1984.

PURPOSE:

The purposes of the GWIC are to:

Collect ground-water data in areas of critical need

Organize ground-water data

Disseminate ground-water data to the public

Interpret ground-water data for the public

PRODUCTS:

Products (other than direct service) include interpretive maps of the data (for example depth of well vs. yield); water-quality data presented in user-defined formats and basic-data reports for different areas of the state.

## PREVIOUS FUNDING:

The GWIC has not been previously funded. Work accomplished to date has been funded by services rendered primarily to Federal grants and contracts. The formost of these have been the USGS Northern Great Plains Resource Evaluation Program and the EPA Underground Injection Program. State matching funds to these programs have provided as much as a 3:1 (federal to state) dollars funding mix to pay for portions of the program. The federal funding sources are no longer available.

## PROPOSED FUNDING:

The GWIC is an ongoing program that needs a stable funding base. Because of the shortage of General Fund dollars this biennium, the Water Development and Legacy programs have been approached and have given high rankings to the GWIC and its program. Additionally, a small portion of funding is being sought through the budget modification process. The funding level proposed to the Legacy Program was \$555,141 to provide 5.25 temporary FTE's to the Office and Field Programs and for expenses to operate the Field Program at a viable level. The Water Development Program has recommended \$100,000 for the GWIC for the purchase of computer hardware. Full details of the GWIC funding package are shown on the attached table.

# ECONOMIC BENEFIT TO THE STATE:

The GWIC will provide for research, demonstration and technical assistance to promote the wise use of Montana's ground-water resources. Also provided will be the availability of information needed to protect the state's renewable resources and assess past or potential environmental damage from natural resource development. All users of Montana's ground-water resources as well as Montana's ground-water managers will benefit from this project.

# FOR FURTHER INFORMATION:

Marvin Miller
Tom Patton
Bob Bergantino
Montana Bureau of Mines and Geology
Montana College of Mineral Science and Technology
Butte, MT 59701
(406) 496-4156
496-4153

# GROUND-WATER INFORMATION CENTER (GWIC)

# FUNDING PACKAGE - MARCH 12, 1985

	NUDGET	NUDGET (1)	WATER DEVELOPMENT	LEGACY	MBMG MATCH	PROGRAM TOTAL WITHOUT MATCH	TAL TCH	
OFFICE PROGRAM	\$ 3	,390	\$ 22,500	\$205,392	\$ 62,730	\$267,192		
COMPUTER	7.7	00	109,300(3)	-0-	6,590(5)	186,300		
FIELD PROGRAM		å	-0-	349,749	159,139	349,749		
COAL HYDRO. DATA PROGRAM		-0-	-0-	66,680	14,380	66,680		MICRE
TOTAL REQUESTED	\$1,300	300	\$131,800	\$621,821	\$245,839	\$869,921	53%	47%
TOTAL RECOMMENDED	•	-0-(2)	\$100,000	\$257,300 <sup>(4)</sup>	\$231,459	\$357,300	989	32%
% OF REQUEST RECOMMENDED		-0-	(16%)	(37%)GWIC (75%)COAL HYDRO.	(94%)	(41%)		

<sup>1)</sup> INCLUDES 50% OF SALARIES (\$39,300), 50% OF OPERATIONS (\$5,000) AND 100% OF CAPITAL (\$72,000) APPROVED BY EDUCATION SUBCOMMITTEE.

DATA

<sup>2)</sup> KILLED BY SUBCOMMITTEE 3-7-85.

<sup>\$12,000;</sup> 3) INCLUDES MAINTENANCE \$8,700; ROOM PREPARATION \$4,500; 6% INFLATION FACTOR \$7,500; PLOTTER COMPUTER \$75,600; AND MISCELLANEOUS EXPENSES \$1,000.

<sup>4)</sup> INCLUDES \$50,000 FOR COAL DATA LEGACY APPLICATION AND \$207,300 FOR GWIC OFFICE PROGRAM.

<sup>5)</sup> INCLUDES MATCH FOR WATER DEVELOPMENT APPLICATION OF \$5,500 AND 6% CONTINGENCY OF \$4,090.

#### OUTLINE TRANSFER STATION

Exhibit #5 3-14-85 Project 7 Robertson

#### \*CHANGES IN NATIONAL STANDARDS WILL:

- -Double amount of hazardous waste to be handled
- -Increase number of regulated generators by at least 1000

# \*NEW REGULATED GENERATORS WILL HAVE DIFFICULTY COMPLYING WITH:

- -Transport requirements
- -Manifest procedures
- -Technical requirements
- -Expensive disposal costs

#### \*NEW REGULATIONS CAN LEAD TO:

- -Illegal disposal of hazardous chemicals at local landfills
- -Midnight dumping

#### \*UNSAFE TRANSPORT OF HAZARDOUS WASTE CAN LEAD TO:

- -Accidental spills
- -Expensive spill clean-ups

# \*82 POTENTIAL ABANDONED HAZARDOUS WASTE SITES BEING INVESTIGATED:

- -Number of sites will need clean-up
- -Clean-up will require transfer of wastes to permitted disposal facilities

# \*SHWB PROPOSING DEVELOPMENT OF COLLECTION/TRANSFER PROGRAM

#### \*PROGRAM WOULD:

- -Provide on-going collection of hazardous waste state-wide
- -Store waste for full-load shipments
- Assist generators in waste identification and notification procedures
- —Insure proper packaging, handling and transport of hazardous waste
- Lower transport and disposal costs

#### \*SHWB REQUESTING FUNDING FROM LEGACY PROGRAM:

- -Feasibility Analysis \$ 70,000
- -Pre-design \$ 45,000
- -Capital costs \$720,000

# MONTANA DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES Solid and Hazardous Waste Bureau Helena, MT 59620

### BRIEFING PAPER - TRANSFER STATION APPLICATION LEGACY PROGRAM

The intent of the proposed project is to decrease the risk of environmental contamination by hazardous wastes through safe, timely transport and proper disposal. The current small quantity hazardous waste generator exemption limits have been substantially lowered by the U.S. Congress. With the exemption changes, it is anticipated that the volume of hazardous waste shipped off site for proper disposal will double. In addition, it is expected that the number of new members added to the regulated community will increase at least tenfold to over 1000. Many of these "new" generators will find it technically and economically difficult to comply with hazardous waste transport and manifest procedures.

The regulating of smaller hazardous waste generators can lead to the illegal disposal of hazardous chemicals in such locations as local landfills. Contaminated landfills in turn can become toxic waste sites. In addition, unsafe transport of hazardous wastes can lead to accidental spills requiring extensive cleanup.

There are a large number of known potentially uncontrolled hazardous waste sites in Montana. Preliminary investigation of 82 such sites is taking place. It is anticipated that remedial action will take place at a number of these sites in the future. In most cases, cleanup of these sites will include the proper transfer of hazardous wastes to permitted hazardous waste disposal facilities.

The Solid and Hazardous Waste Bureau (SHWB) administers the state's hazardous waste program. The bureau is concerned about the growing lack of hazardous waste management capabilities in Montana. The SHWB is requesting funding through the Legacy Program for development of a hazardous waste management collection/transfer program. The transfer station concept is intended to store wastes until full-load quantities are available for shipment to permitted hazardous waste disposal facilities. The system envisioned also would assist generators with required notification and waste identification procedures, and the proper packaging and handling of hazardous wastes.

With Legacy Program funding, the program will be developed in a series of phases: additional feasibility analyses, pre-design, and design/construction. Requested funds for project are: feasibility analysis-\$70,000; pre-design--\$45,000; capital costs--\$720,000.

Anticipated benefits of a hazardous waste collection/transfer program:

1] Assist small quantity generators in determining if their wastes are hazardous and management of those.

- 2] Provide for the safe transport of hazardous wastes.
- 3] Reduce flow of hazardous wastes to municipal landfills and therefore minimize local government exposure to liability.
- 4] Reduce costs associated with proper disposal of hazardous wastes for generators—costs which can be significant for smaller businesses.
- 5] Provide a supporting role in the cleanup of abandoned hazardous waste sites.
- 6] Overall cost/benefits of transporting full loads to approved disposal facilities. General transport/disposal costs for a small generator (10 drums) is \$337/drum; same costs for large generator (160 drums) is \$138/drum.

# Persons Being Affected By Reduction In Hazardous Waste Exemptions

#### Services

Automobile Dealerships

Machine Shops

Truck and automobile repair

Paint shops

Dry cleaning

Retail, such as hardware stores

Hospitals

Solvents, caustics, paints
Solvents, paints
Solvents
Solvents
Solvents
Solvents
Lab waste, infectious wastes

Wastes

#### <u>Agricultural</u>

Commercial pesticide applicators Pesticides
Aerial applicators Pesticides
Grain elevators Pesticides
Commercial distributors Pesticides

#### Government

University system laboratories
Agricultural Experiment Stations
High school laboratories
County weed control districts
State agencies such as DHES, Dept. of
Fish, Wildlife & Parks, Dept. of
Agriculture, and Dept. of Highways

Lab Wastes
Pesticides
Lab wastes

In Montana, this could represent at least 1,000 Businesses and Others, Many of Whom Have Not Previously Been Concerned with Environmental Regulation Pertaining to Hazardous Waste Management.



# STATE OF MONTANA DEPARTMENT OF AGRICULTURE

Exhibit #6 3-14-85 Kelly, Project 7 AREA CODE 406 444-3144

OFFICE OF THE DIRECTOR
AGRICULTURE/LIVESTOCK BLDG.
CAPITOL STATION
HELENA, MONTANA 59620-0201

KEITH KELLY

March 14, 1985

Dr. John Drynan, Director Department of Health and Environmental Sciences Capitol Station Helena, MT 59620

Dear Dr. Drynan:

The Department of Agriculture supports the funding and development of a collection/transfer program in Montana as proposed in HB 922. This department regulates commercial and government pesticide applicators (1,600) many who have a need, from past and current operations, to dispose of pesticide hazardous wastes. It is difficult for these small businesses or government units on their own to send these wastes out of state to a hazardous waste disposal site. The volume of paper work, coordination with out of state hazardous waste firms and the high costs of disposal are almost prohibitive for them to accomplish proper disposal.

Having a coordinated statewide collection/transfer system would provide numerous benefits to these applicators; reduce paperwork, lower costs, and the state plan exactly setting forth how to handle these wastes would insure protection of the environment. Improper disposal in rural agricultural areas could have an adverse effect on the land, water and people. This system would eliminate or decrease these situations.

A prime example of the need for this system is the experience this state had on the temporary collection program held in Missoula this past spring. This project cost over \$130,000 and resulted in the collection of 32,000 lbs. of hazardous waste. One-half of the products collected were pesticides. There were a significant number of pesticide businesses and governmental units that could not participate in this system. The number of calls received by this department from these individuals expressing their frustation illustrates the essential need for a permanent state managed collection/transfer system.

Based upon the every increasing number of calls from farmers and ranchers concerning disposal of pesticides, this proposed system

Dr. John Drynan Page 2 March 14, 1985

would also benefit them. While in some cases disposal of certain hazardous pesticide wastes may be legally done on a farmers own land, increasingly farmers and ranchers desire disposal off of their lands.

For these reasons, the department supports your proposal for a Montana collection/transfer station under the state legacy program.

Sincerely,

Keith Kelly Director

GLG/emr

Exhibit #7 3-14-85 Project 7



# Montana Solid Waste Contractors, Inc.

34 South Last Chance Mall No. 1 • Helena, Montana 59601 • 406-443-1160

HB 922

For the record, my name is Sue Weingartner. I reside at 4480 Last Straw

Drive, Helena, Montana. I am Executive Director of the Montana Solid Waste

Contractors Association.

We support the concept of the Department of Health's hazardous waste collection and transfer program. New Federal hazardous waste regulations and liabilities which lower generator exemptions will also place additional responsibilities/
on our industry as haulers. In past years, neither the industry nor our customers made much distinction between hazardous waste and non-hazardous wastes. Now, of course, waste types are well-defined, regulated and the subject of increased public and environmental safety and concern.

As society continues to accept the advantages of the chemical processes that create hazardous wastes and will continue to do so, there is a need for facilities and practices to safely manage the risks produced by these wastes. Government, as regulators, and industry, as service providers, will ideally work together to accomplish such a goal.

We believe the State's proposed program is a step forward in meeting this need and urge your support in prioritizing a hazardous waste program.

TOM SHERRARD, Chairman

HARRY A. SIMONS, Commissioner

AE KALBFLEISCH, County Attorney

ELIZABETH MUNSON, Clerk and Recorder

VERN L. ANDERSON, Sheriff



# **COUNTY OF TOOLE**

SHELBY, MONTANA

March 14, 1985

NORTH TOOLE COUNTY RECLAMATION PROJECT

PENNY UNDERDAHL, Clerk of Court

JUDITH J. NEVINS, Treasurer

CORRINE MERHAR, Assessor

THELMA O. ROBERTSON, Co. Supt.

JERRY MURRAY. Coroner

TONY LUNDA. Public Administrator

JAMES C. FARRAR, Justice of the Peace

Exhibit #8 3-14-85 Valentine Project 9

The Toole County Commissioners submitted the North Toole County Reclamation Grant application in response to the need for reclamation of sites in North Toole County adversely affected by past oil and gas exploration, extraction and processing.

DNRC evaluators indicated concern that responsible parties not be funded with legacy funds. The elected advisory board members will document in cooperation with the county attorney, Montana State Oil and Gas Conservation Commission, land owner and oil and gas lease holders, all sites as to legal reclamation responsibility before funds are expended. This would be provided to D.N.R.C. in the form of the county attorney's legal opinion.

Oil and gas reclamation enforcement authority did not come into effect until 1954, Operations prior to this data have been grandfathered into the law and most likely are exempt from this statute. From 1954 to date, the law essentially says DNRC will keep a list of abandoned oil and gas wells and when a party who abandoned the well cannot be identified or located, DNRC will utilize R.I.T. Funds when available for reclamation. 82-10-402 (History: En60-149 by Sec. 3, Ch. 260, 1974; R.C.M. 1947, 60-149).

Toole County, in accepting this grant will be contributing in-kind services in the areas of administration, legal services, clerical and office space requirements. Further cooperating land owners will assist with post reclamation revegetation where appropriate.

Technical assistance will be provided by Montana Bureau of Mines and Geology; Triangle Conservation District, Soil Conservation Service, County Department of Environmental Health and Extension Service.

This project, as recommended for funding, will demonstrate viability of reclamation techniques and provide cost and scheduling information for other like projects in the future.

Thank you. Are there any questions.

Testimony of Clark Fork River Basin Project before the Long Range Planning Subcommittee concerning Montana Legacy Program Funding, March 14, 1985

Mr. Chairman, members of the Committee:

My name is Howard Johnson, Coordinator of the Clark Fork River Basin Project which is located in the Governor's Office. I am here today to urge your support for the Clark Fork River Basin Projects proposed by the Governor's Office. These joint projects are ranked and listed as number ten (10) in the Montana Legacy Program Recommendations for the FY 86-87 Biennium.

Before discussing the importance of this proposal, I would like to briefly explain the purpose of the Clark Fork River Basin Project and our interest in the proposal.

The Clark Fork River Basin Project was initiated by the Governor's Office to "bridge the gap" between the various individual studies being conducted in the basin. The project is intended to provide coordination, minimize duplication and maximize efficiency, thereby stretching the limited funds available for these studies. The project was strongly recommended by various agencies, local governments and citizen groups to insure the state would derive the maximum benefit from the study efforts. The ultimate goal of the project is to develop a comprehensive reclamation and

management plan for the Clark Fork River Basin,. We plan to accomplish this within the next two to four year period.

The project staff is assisted in this effort by an interagency task force and a citizen's advisory council. In fact, the Clark Fork River Basin Project proposals to the Legacy Program were recommended by the interagency task force. Each of these monitoring efforts are considered necessary for future decisions on reclamation and management schemes.

The first project would be conducted by the Montana Department of Health and Environmental Sciences' Water Quailty Bureau. It will monitor water quality at selected sites in the upper basin. This data, coupled with their current efforts in the lower basin, will provide a baseline for developing the comprehensive management plan.

The second project, to be conducted by the U. S Geological Survey, will measure the movement of sediments and heavy metals from the upper basin. This data will allow us to identify sources of toxic metals, define the extent of their downstream impacts and suggest possible methods for mitigation. This project will be matched with \$33,000 from the U.S. Geological Survey. The collection and use of this data will be carefully coordinated with the Water Quality Bureau's

efforts to avoid duplication and to enhance there usefulness to other study efforts on the river.

In conclusion, there are four points which I feel strongly support the need for Legacy funding for this project:

- 1. The timing for this project is critical. If the project is substantially delayed the continuity with existing study efforts will be diminished as will our goal of having a reclamation plan completed within two to three years.
- 2. The 50% matching funds (\$33,000) now available from the U.S. Geological Survey, must be committed this year or they will be diverted to other regional projects.
- 3. The success of the Clark Fork Coordinating Project is dependent on the joint efforts and funding by industry, federal agencies and the state. Industry and federal funds are now providing a major share of the Clark Fork study costs. Legacy funding for this proposal will strengthen the project and enhance our opportunity to obtain additional funds from private and federal sources.

4. The Clark Fork River Basin Project clearly meets the criteria established for the Resource Indemnity Trust Fund and the Legacy Programs. The reclamation of land and water affected by past mineral extraction and processing is a major goal of the project.

Thank you for the opportunity to explain these projects.

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

Long -Range Planning Subcommittee Montana State Legislature Helena,MT

Exhibit #10 3-14-85 Cote Project 10

Re: Item No. 10 in Montana Legacy Program

The Clark Fork Coalition is a citizen's group of individuals and organizations ranging from the League of Women Voters to Trout Unlimited. Communities are represented beginning at Anaconda and following the Clark Fork river into Idaho. In the past year we have banded together to assess problems in the Clark Fork drainage and plan for the future.

#### 1. CLARK FORK MONITORING

One of the most frustrating obstacles in an intelligent assessment of the problems on the Clark Fork river has been the lack of baseline data. Following the application by the Champion Frenchtown Pulp Plant for a new wastewater discharge; several interest groups negotiated a commitment from industry and the EPA to begin studies including monitoring on the Clark Fork. The studies which will soon end but have indicated a need for further information. These studies also did not address the upper portion of the river. If the funding can be made available through this Legacy request an additional year of monitoring on the whole year will give us good information.

The time is ripe to complete the monitoring on the river. It should be more cost effective to carry on from current monitoring than to implement a new two or three year program in the future. Several planned projects on the Clark Fork including mining, repairs to the Milltown dam and water diversion will affect the river. As citizens we can better evaluate these projects which effect both our economic future and and the place in which we live if we can have this baseline data available.

The Clark Fork Coordinating Project has worked at identifying where holes in information exist. I would support their request for additional monitoring.

### 2. CLARK FORK SUSPENDED SEDIMENT SAMPLING

In conjunction with the basic water monitoring study mentioned above, there is a big lack of information on sediments both above and below Milltown dam. Current monitoring below Missoula has indicated that there may be problems from heavy metals as far downriver as Superior and Thompson Falls. Since the reconstruction of Milltown Dam will tentatively begin in the next two years, we need to know how the sediments act in the river, where they are coming from, and how much is coming into the river from direct activity or from runoff.

I urge you to approve funding for the sediment study so both the agencies and citizen's groups involved can evaluate whether decisions concerning the dam construction are workable.

Thank you for your time.

Jennifer Cote Representing the Clark Fork Coalition 542-2129 HB 922 (LEGACY PROGRAM PROJECTS)

TESTIMONY IN SUPPORT

OF

PROVIDING \$80,000 FOR

MONTANA'S PARTICIPATION

IN THE

INTERNATIONAL JOINT COMMISSION
STUDIES OF THE EFFECTS OF THE

PROPOSED CABIN CREEK COAL MINE IN BRITISH COLUMBIA

ON

MONTANA'S FLATHEAD BASIN

BRACE HAYDEN

OFFICE OF THE GOVERNOR

MARCH 14, 1985

The construction and operation of Sage Creek Coal Company's proposed Cabin Creek coal mine in southeastern British Columbia could seriously damage the water qualtiy in Montana's portion of the Flathead Basin. The mine is proposed to be built near tributaries of the North Fork of the Flathead just a few miles from the U.S.-Canada border and the boundary or Glacier National Park.

On February 15, 1985, the International Joint Commission (IJC) agreed to conduct an investigation of the transboundary water impacts of the proposed Cabin Creek Coal Mine. The request for this investigation (reference) came jointly from the U.S. State Department and the Canadian Ministry of External Affairs. The IJC will now spend 18 months analyzing the Cabin Creek case and will then recommend conditions to the U.S. and Canadian governments under which it believes the mine could open without harming water quality, fisheries, and other values in the Flathead Basin.

It is likely that from 10-12 state experts will be asked to serve on the Cabin Creek Investigative Board, and the Technical Committee's assisting the Board. Some of these individuals will be devoting 40% or more of their time during the height of the deliberations. \$200,000 is needed to

help pay the costs of the participation by these individuals, \$80,000 of which is included in this Legacy Program application.

These monies would be used for the following purposes:

- 1. <u>Travel</u>—State agencies and units of the Montana University system have not budgeted for the substantial travel costs involving their participation in the IJC deliberations. Meetings of the Investigative Board and Technical Committees will be held at the mine site, in Victoria, BC, in Ottawa, in the Flathead, and elsewhere.
- 2. Reclamation Specialist and Secretary—Support personnel for the State's efforts is needed in the form of a half-time reclamation specialist and for secretarial services as needed. Specific duties for the reclamation specialist include:
  - (a) Provide information and counsel on mine reclamation issues;
  - (b) Provide literature searches and technical support on research, standards, regulations, and objectives in related cases of international dispute over reclamation, water quality, fisheries or water uses.

Contracted Studies——As needed to bolster the states arguments before the IJC.

The Environmental Protection Agency has already pledged \$95,000 to provide funding for state participation in the deliberations and the Flathead Basin Commission has pledged \$5,000 from their FY 85 budget.

#### <u>Background</u>

Montana state government has extensively studied the mine plan and its potential impacts and has communicated those concerns to the governments of British Columbia and Canada. In 1984, the British Columbia government gave Stage II approval (approval-in-principle) to the mine and only a currently slack coal market has been keeping the mine sponsors from seeking the Stage III permits necessary to begin construction. It is at State III that operational requirements and performance standards will be imposed.

With the agreement of the IJC to hear this case, Montana has recently been provided with a new forum for expressing its arguments concerning the mine plan's deficiencies.

Vigorous participation in the IJC proceedings by state government is essential to attaining recommendations favor-

able to the downstream environment. Protection of the Flathead Basin is too important to Montana for the responsibility to be left exclusively to the federal government and its agencies. On the other hand, without additional funding being provided, the brief but intense study period will strain Montana's governmental resources to the point that active participation would not be possible.

Missoula, Montana 59812

Exhibit #12 3-14-85 Watson Project 14

ENVIRONMENTAL FATE OF CYANIDES AND HEAVY METALS FROM HISTORIC CYANIDE LEACH OPERATIONS IN THE JUDITH MOUNTAINS

(Project 14 in the Montana Legacy Program Ranking)

The Maiden-Giltedge region of the Judith Mountains is dotted with many historic cyanide leach operations that predate water quality protection laws. Some minimal water quality studies conducted in the area have found traces of cyanide and on occasion high metal levels in streams. No ground water sampling has been conducted.

The proposed project would:

- 1) determine the levels of cyanide and metals remaining in abandoned tailings:
- 2) survey area tailings for potential erosion into streams;
- 3) determine whether cyanide or metals are leaching into groundwater; and
- 4) determine whether contamination is currently reaching or has reached surface waters in the past.

The DNRC has recommended a funding level higher than that requested by the project proposers. Our request reflected our desire to stay within a budget level recommended by the Water Resource Research Center. The additional metal analyses suggested by the DNRC would increase the usefulness of the project and we support this recommendation.

For more information about this project, contact:

Professor V. J.Watson Botany/Environmental Studies University of Montana Missoula, MT 243-5153 or 5222



)

<sup>the</sup>49<sup>th</sup>parallel·

Exhibit # 13 3-14-85 Mckinsey, Proj.

AN INSTITUTE FOR CANADIAN/AMERICAN RELATIONS

Natural Resource Legacy Program

Milk River Storage Alternatives Assessment

Research is proposed to evaluate a project to store additional water in the Milk River on the Alberta side of the Canadian border.

Funds are requested to support Montana agency participation in a joint study together with Alberta and Canadian federal agency officials. It may be possible to agree on a project that would truly exemplify international cooperation to the tangible benefit of both sides: on the Montana side, provision might be made to divert additional water for both countries from the St. Mary River to the Milk River; on the Canadian side, provision might be made to build a dam large enough to store water for growing irrigation needs in both countries.

The U.S. Bureau of Reclamation has identified the Virgelle Diversion from the Missouri River as its preferred alternative for meeting the needs of Montana's Milk River irrigators. In its study of alternatives, however, the bureau concedes that it did not devote sufficient analysis to allow for satisfactory comparison with an impoundment in Alberta. The Alberta alternative could be the most cost-effective for Montana irrigators at least to meet near term shortages.

The U.S. study team would be constituted of representatives of those interests currently seeking a solution to the water shortage problem: the DNRC, the irrigation districts, the U.S. Bureau of Reclamation and others. The 49th Parallel Institute, as the staff to the Governor's Border Waters Clearinghouse, would coordinate the international liaison activities. At last fall's legislative Montana-Alberta exchange, Alberta officials agreed that Milk River shortages are the number one priority in relations between the province and the state. The consultations will help insure that both sets of officials are aware of the array of plans on both sides of the border to address a common problem, to avoid the risks of unilateral action by either side.

The underlying assumption is that cooperative international basin planning will be far less expensive in the long run than reactionary conflict. The lessons of Cabin Creek, the Poplar River project and the bitter conflict over the Garrison Diversion are ample testimony to the expense of the failure to consult.

# Small-minded Winnipeo Sun

What a bunch of jerks.

What else can you say about our "friends"

south of the border?

For years they tried to sneak the Garrison Diversion through Congress, ignoring Canadian pleas and the concerns of their own environmentalists.

Using underhanded procedural ploys — like attaching Garrison funds to omnibus bills which could not be defeated without breaking the entire U.S. treasury — Garrison supporters tried to bypass the mounting evidence that the project would do irreparable harm to the environment here and in North Dakota.

The reason was plain. North Dakota politicians saw Garrison as the ultimate porkbarrel. Millions of dollars would be spent in their con-

stituencies, among their voters.

Whether the water diversion project would ever do any good was a secondary concern. Greedy, small-minded politicians wanted that

money and wanted it badly.

Thankfully, the irresponsible boondogle was stopped before it could destroy our waterways. The irony here, of course, is that Canadians fought to save an environment that Americans like to call their own every summer.

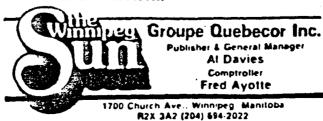
Hordes of American hunters and fishermen felt they had the right to use our wilderness while their politicians did everything in their

power to destroy it.

Now, as Republican Earl Strinden pointed out yesterday, those same politicians are out "to get even" for their Garrison defeat. They've launched a series of bills whose sole intent is to make Manitobans pay for having the temerity

to stand up to Uncle Sam.

It's bullet-headed bullying of the kind the U.S. usually reserves for Third World nations. North Dakotans should be ashamed of their rednecked, short-sighted and vindictive legislators who freely admit that this legislation is intended only to coerce concessions from Canada and Manitoba on Garrison.



#### Corporate Associates

as of August 1, 1984

#### \$10,000 and Over

Exxon Company, U.S.A., TX \*\*\*\*\*\*\*\*
Knight-Ridder Newspapers, Inc., FL \*
The Lennox Foundation, TX \*\*\*\*\*
Metropolitan Life Foundation, NY \*\*\*\*\*\*\*
The Procter and Gamble Fund, OH \*\*\*\*\*\*\*\*\*\*

#### \$5,000 to \$9,999

Aetna Life and Casualty Company, CT \*\*\*\*\*\*\*\* Alcoa Foundation, PA Beneficial Corporation, DE \*\* Celanese Corporation, NY \*\*\*\*\* Cigna Corporation, PA \*\*\*\*\* The Coca-Cola Company, GA \*\*\*\*\*\*\* Colgate-Palmolive Company, NY \*\*\*\* Commerce Union Bank, TN \* The Continental Group, Inc., CT \*\*\*\*\* General Motors Corporation, MI \*\* General Telephone and Electronics Corporation, CT \*\*\*\*\*\* Gulf Oil Foundation, PA \*\*\*\*\*\* IBM Corporation, NY \*\*\*\*\*\*\* International Paper Company, NY \*\*\*\*\*\*\* Kimberly-Clark Foundation, Inc., WI \*\*\*\*\*\*\* Mobil Foundation, Inc., NY \*\*\* The Nalco Foundation, IL \*\*\*\*\* New York Life Foundation, NY \*\*\*\*\*\*\*\*\* Owens-Illinois, Inc., OH \*\*\*\*\*\* PPG Industries Foundation, PA \*\*\*\*\*\* Phillips Petroleum Foundation, Inc., OK \*\*\*\*\*\* Raytheon Company, MA \*\*\* Shell Companies Foundation, TX \*\*\*\*\* Standard Oil Company of California, CA \*\*\*\*\*\*\* Standard Oil Company of Ohio, OH \*\*\*\*\*\* The Stroh Brewery Foundation, MI \*\*\*\*\*\* Summa Corporation, NV \* Union Pacific Corporation, NY \*\*\*\*\* U.S. Steel Foundation, Inc., PA \*\*\*\*\*\*

#### \$2,500 to \$4,999

U.S. Sugar Corporation, FL \*

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American Telephone and Telegraph Company, NY \*\*\*\*\*\*\*
Armco, Inc., OH \*\*\* Atlantic Richfield Foundation, CA \*\*\*\*\*\*\* Bankers Trust Company, NY \*\*\* The Bristol-Myers Fund, NY \*\*\*\*\*\* Bullocks Wilshire, CA Burlington Northern, Inc., WA \*\* Chemical Bank, NY \*\*\* Cigna Corporation, CT \*\*\*\* Donaldson, Lufkin & Jenrette, Inc., NY \*\*\*\* E.I. du Pont de Nemours and Company, DE \*\*\*\*\*\* Emerson Electric Company, MO \* The First Boston Corporation, NY \*\* Fluor Corporation, CA \*\*\* Ford Motor Company Fund, MI \*\*\*\*\*\*\*\*\* General Electric Company, CT \*\*\*\*\*\* General Mills Foundation, MN \*\*\*\*\*\*\* General Wine and Spirits Company, NY \*\*\* Georgia-Pacific Corporation, GA \* Getty Oil Company, CA \*\*\*\*\* Grace Foundation, Inc., NY \*\*\*\*\*\*

Ben Hill Griffin, Inc., FL\*
J. M. Huber Corporation, NJ\*\*\*\*\*\*

Manufacturers Hanover Trust Company, NY \*\*\*\*\*

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Pfizer, Inc., NY \*\*\*\*\*\*
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St. Regis Corporation, NY \*\*\*\*\*\*
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Union Oil Company of California, CA \*\*\*\*\*\*\*\*
Westinghouse Electric Corporation, PA \*\*\*
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#### \$1,500 to \$2,499

• Michigan Bell, MI

· Alico, Inc., FL \* Arnhold Ceramics, Inc., NJ \*\*\*\*\*\*\* Arvida Corporation, FL \*\*\*\* Bank of America, CA \* L. L. Bean, Inc., ME \*\*\*\*\*\*\* Best Products Foundation, VA \*\*\*\*\* Boeing Company, WA \*\*\*\*\*\* Boston Globe, MA \*\*\*\*\*\*\* Brown-Forman Distillers Corporation, KY \*\*\*\*\*\*\* Cabot Corporation Foundation, Inc., MA \*\*\*\*\*\* Cargill Foundation, MN \*\*\* Carolina Power & Light Company, NC \*\* Champion International Corporation, CT \*\*\*\*\*\*\* Chubb Corporation, NY \* Colonial Life & Accident Insurance Company, SC \*\*\* Copperweld Corporation, PA \*\*\* Crocker National Bank Foundation, CA \*\*\*\*\*\* Detroit Edison, MI \*\*\* Digital Equipment Corporation, MA \*\*\*\*\*\* R. R. Donnelley and Sons Company, IL \*\*\*\*\*\*\* E. I. du Pont de Nemours and Company, SC \*\* Eastdil Realty, Inc., NY \*\*\* Eastman Kodak Company, NY \*\*\*\*\*\* El Paso Natural Gas Company, TX \*\*\*\*\*\* Enterprise Leasing Company, MO \*\* First Bank System, Inc., MN \*\*\*\*\*\*\*\* First Colony/Prulean Farms, Inc., NC \*\*\* First Interstate Bank of California, CA \*\*\*\*\*\*\*\* Fleet National Bank, RI \*\*\*\* Forest Oil Corporation, CO \*\*\* Golf Hosts International, Inc., FL \*\*\* Great American Federal Savings, CA \* Grootemaat Foundation, Inc., WI \*\*\* John Hancock Mutual Life Insurance Company, MA \*\*\*\*\* Hanes Companies, NC \*\*\*\* Industrial Indemnity Company, CA \*\*\*\*\* Inland Container Corporation Foundation, Inc., IN \*\*\*\*\*\* Johnson & Higgins, NY \*\*\*\* Johnson & Johnson Associated Industries Fund, NJ \*\*\*\*\*\*\* Johnson Controls Foundation, WI \*\*\*\* Kaufman, Davis, Ruebelmann, Posner & Kurtz, DC \*\*\*\*\*\* Lake Peak Corporation, NM \*\*\*\*\* Marine Midland Bank, NY \*\*\* Martin Marietta, MD \*\*\*\*

(continued)

#### Corporate Associates (continued)

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Rouse Company, MD \*\*\*\*\*\* Safeco Insurance Companies, WA \*\*\*\*\*\*\* Saga Corporation, CA St. Joe Minerals Corporation, NY \*\*\*\*\* J. Henry Schroder Bank & Trust Company, NY \*\*\*\* Security Pacific National Bank, CA \*\*\*\*\* SmithKline Beckman Corporation, PA \*\*\* State Bank of Albany, NY \*\*\*\*\*\* Stephenson Incorporated, VA \*\*\*\* Storer Broadcasting Company, FL \*\*\*\*\*\*\*\* Superior-Pacific Fund, PA \*\*\* Tennant Company Foundation, MN \*\*\* Tenneco, Inc., TX \*\*\*\*\*\* The TICOR Foundation, CA \*\*\*\*\*\*\*\*\* The Times Mirror Foundation, CA \*\*\*\*\*\*

#### \$1,000 to \$1,499

Aid Association For Lutherans, WI \*

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Allendale Mutual Insurance Company, RI \*\*\*\*\*
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Arkansas Power & Light Company, AR \*\*

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• ASARCO Foundation, NY \*
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Geralds, Moloney & Jones, KY 3

B. F. Goodrich Company, OH \*\*\*\*\*

Gray Lumber Company, VA \*\*\*\*\*\*\*

Great Northwest Federal Savings, WA \*\*

The Gillette Company. MA \*\*\*

• P. H. Glatfelter Company, PA \*

Greatbatch Enterprises, Inc., NY \* Greene Manufacturing Company Foundation, WI \*\* Hawaiian Electric Company, Inc., HI \* • Highland Lakes Bank, TX \* Hilton Hotels Corporation, CA \* Hobart Brothers Company, OH \*\*\*\*\* Hockman-Lewis Limited, NJ \* Holland & Hart, CO \* Home Federal Savings and Loan, CA \* Homestake Mining Company, CA \*\*\* Hospital Corporation of America, TN \* Houghton-Carpenter Foundation, PA \*\*\*\* • Intel Corporation, CA \* International Minerals and Chemical Corporation, IL \*\*\*\*\* International Multifoods, MN \*\* International Salt Company, PA \*\*\*\*\* Inter-Science Research Associates, Inc., NY \* Intoximeters, Inc., MO \*\* The Irvine Company, CA \* Jacobus/Heritage Foundation, WI \*\* Jefferson-Pilot Corporation, NC \*\*\*\*\*\* Kansas City Star/Kansas City Times, MO \* Kaye, Scholer, Fierman, Hays & Handler, NY \* Kentucky Medical Insurance Company, KY \* F. W. Kibler Milling, Inc., OH \*\* Krause Milling Company, WI \*\*\* Lane Publishing Company, CA \*\*\*\*\*\* • Leucadia National Corporation, UT \* Liberty Life Insurance Company, SC \*\*\* Liberty Mutual Insurance Company, MA \*\*\* Eli Lilly and Company, IN \*\*\* Lindsay, Hart, Neil & Weigler, OR \*\* Loomix Incorporated, CA \*\* Lubrizol Corporation, OH \* Manville Fund, Inc., CO \*\*\*\*\*\*\* Marsh and McLennan Companies, NY \*\*\* Marshall and Ilsley Bank Foundation, Inc., WI \*\*\* Maui Land and Pineapple Company, Inc., HI \* The McGraw-Hill Foundation, Inc., NY \*\* McKesson, Inc., CA \* The McLean Contributionship, PA \*\*\*\* McNeill Enterprises, CA \* The Mead Corporation Foundation, OH \*\*\*\*\*\*\* Measurex Corporation, CA \* Mellon Bank Foundation, PA \* Merrill, Lynch, Pierce, Fenner & Smith, NY \*\* Messer, Rhodes & Vickers, FL \*\* Mid American National Bank and Trust Company, OH \*\*\* Mid-South Mortgage Company, AR \* Minnegasco, Inc., MN \*\* Modine Manufacturing Company, WI \*\*\* David Muench Photography, CA \* NCNB Corporation, NC \* National Bank of Detroit, MI \*\*\*\*\*\* National Life Insurance Company, VT \* National Steel Corporation, PA \*\*\* Natomas Company, CA \*\*\* The Newhall Land and Farming Company, CA \* Nissan Motor Company, TN The Nordson Foundation, OH \*\*\*\* Northeast Utilities, CT \* Northwest Pipeline Company, UT \*\*\* Northwestern National Life Insurance Company, MN \*\*\* Ohio Music Corporation, OH \*\* Orvis Company, VT \*\*\*\*\*\*\* Pacific Gas & Electric Company, CA \*\*\*\*\*\* Pacific Mutual Life Insurance Company, CA \*\*\*\*\*\* Pacific Northwest Bell, WA \*\*

Pacific Power and Light Company, OR \*\*\*\*\*\*

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Pennwalt Foundation, PA \*

Pepsico, NY \*

Pebble Beach Corporation, CA \*\*\*\*\*

Pitney Bowes, Inc., CT \*\* Post and Courier Foundation, SC \*\*\* Printronix Inc., CA The Providence Journal-Bulletin, RI \*\*\*\* Provident Life and Accident Insurance Company, TN \*\*\*\*\*\*\*\*\* Puget Sound Power & Light Company, WA \*\*\* Pyles Lumber Company, MD \* The Ouaker Oats Foundation, IL \*\*\*\*\* Raven Industries, Inc., SD Remington Arms Company, Inc., CT \*\*\*\*\*\*\* Republic Steel Corporation, OH \* Roberts Motors Company, OR \* Rohm and Haas Company, PA \*\* Rosenberg Capital Management, CA \*\* Ross Island Sand and Gravel Company, OR \*\*\*\* Russ Togs, Inc., NY \*\*\*\* Ryan Homes, Inc., PA \*\*\*\*\*\* Sabin Metal Corporation, NY \* Safeguard Business Systems, PA \* St. Louis Newspaper Publishers' Association, MO \*\*\* San Diego Gas & Electric Company, CA \*\* Charles Schwab & Company, Inc., CA \*\* Scott Paper Company, PA \*\*\*\*\*\*\*\*\* Scovill Foundation, CT \*\* Shaklee Corporation, CA \* The Shorelands Corporation, CA \* J. R. Short Milling Company, IL \*\* Silverstein and Mullens, DC \* Sonat Marine, Inc., PA South Carolina Electric and Gas Company, SC \* Southern California Edison Company, CA \*\*\* Southern California Gas Company, CA \*\*\*\*\*\*\* Southwestern Bell Telephone Company, MO \*\*\* Special Expeditions, NY \*\* Squibb Corporation, NY \*\*\*\* Stanhome Inc., MA The Stanley Works, CT \*\*\*\*\* Stegall & Son Ranch Company, AZ \* Steiner-Liff Foundation, TN \*\*\* Sweco, Inc., CA \*\* Syntex (U.S.A.) Inc., CA \*\*\*\*\*\*\*\*\*\*\* TRW Foundation, OH \*\* Teleflex Foundation, PA \*\*\*\*\* Tennessee Natural Gas Lines, TN \* Third National Bank, TN \* The 13-30 Corporation, TN \* Thompson Medical Company, Inc., NY \* Tonsmeire Construction Corporation, AL \*
The Toro Company, MN \*\*\*\*\*\* Transpacific Development Company, CA \* Travelpower, Inc., WI \* Union Bank Foundation, CA \* Union Carbide Corporation, CT \*\*\*\*\*\* U.S. Air, Inc., DC \*\* United Virginia Bank, VA \*\*\*\*\*\*\* Univar Corporation, WA \*\* Universal Foods Foundation, WI \* Utah International, Inc., CA \* Utah Power & Light Company, UT \* Victor Emanuel Nature Tours, TX \*\* Henry Vogt Machine Company, KY \*\* Vulcan Materials Company, AL Washington Manufacturing Company, TN \* Washington Trust Bank, WA \* Washington Water Power Company, WA \* Wausau Insurance Companies, WI \* • The H. O. West Foundation, PA \* Wisconsin Electric System, WI \*\* Wright Schuchart, Inc., WA \*\*\*\*

Yaffe & Offutt Associates, Inc., MD \*

The York Hill Trap Rock Quarry Company, Inc., CT \*

Yoder Brothers, Inc., OH \*\*\*

The Ziegler Foundation, Inc., WI

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William D. Blair, Jr. President The Nature Conservancy

Frank D. Boren Partner McNeill Enterprises

J. C. Brenton Executive Vice President and Treasurer

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William S. Brewster Former Chief Executive Officer USM Corporation

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Kenneth E. Hill Former Executive Vice President Blyth, Eastman, Dillon and Company, Inc.

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Richard L. Terrell Former Vice Chairman General Motors Corporation

R. E. Turner Chairman Turner Broadcasting System, Inc.

Frederick L. Webber Executive Vice President National Soft Drink Association

Thomas R. Wilcox Chairman of the Executive Committee Crocker National Corporation

Natural Assets is a semiannual publication of the Corporate Relations Committee of

# The Nature Conservancy

1800 North Kent Street Arlington, Virginia 22209 (703) 841-5300



# A Report of Corporate Achievements in Land Conservation

Volume IX, Number 2 Fall 1984

## Prudential Insurance Company Donates Prime Wetlands

Nearly 120,000 acres of prime wetlands and forest lands in North Carolina, valued at more than \$50 million, will be preserved as a newly-created national wildlife refuge as a result of action taken by **The Prudential Insurance Company of America**.

The Prudential, a nine-year Conservancy Corporate Associate, made the donation to the U.S. Fish and Wildlife Service with the help of The Nature Conservancy.

According to **G. Ray Arnett, Assistant Secretary of Interior for Fish and Wildlife and Parks,** "This gift by The Prudential is one of the most significant in the history of American conservation. The Alligator River Refuge represents an exceptionally wide range of wetland habitats and includes some of North Carolina's best examples of non-riverine swamp forests, pocosin, and salt- and freshwater marshes.

"This is an outstanding example of corporate responsibility and effective public/private partnership. The Nature Conservancy once again has been the catalyst for a significant conservation achievement because of its unique ability to bring the public and private sectors together and to build a bridge between ecology and economics."

Robert A. Beck, Chairman and Chief Executive Officer of The Prudential, stated, "We are delighted to be making this gift to the U. S. Fish and Wildlife Service. The gift is the culmination of several years of discussions between The Prudential, First Colony Farms and The Nature Conservancy. We hope that this donation, which becomes part of the Conservancy's National Wetlands Conservation Project, will go a long way toward aiding the Conservancy in achieving its ambitious wetlands conservation goals and will encourage other corporations to look at conservation as an alternative highest and best use for some of their holdings."

#### Procter & Gamble Donates 400-Acre Trade Land

More than 400 acres of rolling farmland in Tennessee have been donated to The Nature Conservancy by the **Procter & Gamble Company** of Ohio, an 11-year Conservancy Corporate Associate. The undeveloped site in Humphreys County was acquired by Procter & Gamble in 1969 for development as an industrial area, but the company later discontinued the project.

The gift is considered a trade land, a gift of non-ecologically significant property that can be sold on the open market to generate resources for the acquisition of critical natural areas. The property was given to the Conservancy with the understanding that it may be sold if the site is found to contain no rare animal or plant species.

Procter & Gamble officials said ninety percent of the proceeds from the sale will be allocated to the Conservancy's National Wetlands Conservation Project, a five-year, \$50 million private/public effort to protect endangered, water-related ecosystems in the United States, and ten percent to the Conservancy's Silver Creek Preserve in Idaho.

## Bargain Sale by Buckeye Cellulose Saves Southern Land

Thirteen thousand acres along Florida's Lower Suwannee River, appraised at \$4.5 million, were acquired by The Nature Conservancy from the **Buckeye Cellulose Corporation**. Purchased at considerably less than fair market value, the land is a project of the Conservancy's successful Rivers of the Deep South Program.

According to Buckeye's Lands and Timber Manager Dale Nixon, the 19-square-mile Suwannee project is the largest environmental land transaction in the company's history. Buckeye Cellulose is a subsidiary of the **Procter & Gamble Company**, an 11-year Conservancy Corporate Associate.

Florida Governor Robert Graham stated, "The Suwannee River is among Florida's most treasured resources. The Buckeye Cellulose Corporation's and The Nature Conservancy's actions to preserve this property are outstanding examples of the benefits available from public/private partnership in land conservation."

The Conservancy plans to transfer the property to the U. S. Fish and Wildlife Service for addition to the Lower Suwannee River National Wildlife Refuge, bringing the total acreage of the refuge to 48,000.

## Texas Heritage Program Draws Corporate Support

The Burlington Northern Foundation, a Corporate Associate of the Conservancy, recently pledged \$50,000 toward the Texas Natural Heritage Inventory Program, a cooperative effort by the Conservancy and the General Land Office of the State of Texas to provide comprehensive and factual information on the state's natural features, systems, and species.

Exxon Company, U.S.A., has pledged \$40,000 to the Texas program and Cooper Industries Foundation, in its first gift to the Conservancy, has pledged \$30,000.

The Texas Heritage Program will provide a method for setting sound conservation priorities and will thus help ensure that scarce conservation resources are targeted at (and only at) the most important natural areas in the state. At the same time, the program will assist business by helping to identify those areas where development poses no threat to critical biological features.

# Combustion Engineering Donates Cape May Addition

A seven-acre addition to South Cape May Meadows, one of the eastern seaboard's most important stopover areas for migratory birds, was donated to The Nature Conservancy by **Combustion Engineering, Inc.**, of Connecticut. In 1981, the company donated 180 acres at Cape May to create this preserve at the southern tip of New Jersey.

The southern tip of the peninsula supports the largest concentration of migrating birds of prey in the United States, and is one of the top birding areas in the world. The nation's most dramatic hawk migration occurs at the Meadows every fall, with an annual average fall count of approximately 80,000 birds of prey, including the endangered bald eagle, peregrine falcon, osprey and Cooper's hawk.

# Gulf Oil Contributes \$25,000 to Eagle Preserve

The **Gulf Oil Foundation** donated \$25,000 earlier this year to the Conservancy's Jackson Canyon Eagle Preserve in Wyoming, one of the most important wintering bald eagle habitat areas in the lower 48 states.

A steep-walled hanging canyon cut in limestone and situated among rolling hills and prairies, Jackson Canyon is a key wintering ground for bald and golden eagles from all over the northern United States and Canada. The eagles roost from November through April in the heavily timbered canyon and feed along a stretch of the North Platte River kept open by warm springs, then return north in early spring to nest.

Gulf Oil's gift establishes the Jackson Canyon Eagles Endowment Fund, a management endowment to cover the Conservancy's stewardship costs at the preserve.

## Union Camp Donates Zuni Pine Barrens

Approximately four miles southwest of Zuni, Virginia, lies an example of a rare plant community known as the southern pine barrens. **Union Camp Corporation**, a ten-year Corporate Associate, recently donated this 318-acre site to the Conservancy.

The barrens—associations of longleaf pines, turkey oaks, and evergreen shrubs on dry, sandy soil—once covered fairly large sections of the southeastern coastal plain; they are now extremely rare. By the Conservancy's estimate, these remnant communities today are found on less than one percent of their former range in Virginia; the Zuni Pine Barrens is one of the last remaining sites.

The donation helps the Conservancy launch the five-year, \$5 million Conserve Virginia Campaign, an ambitious effort to identify and protect the state's rarest and most threatened natural areas.

**Union Camp** is donating the land as part of its Corporate Land Legacy Program, which was established in 1975 to identify and preserve tracts of special ecological or historical significance among its landholdings. To date, Union Camp has given The Nature Conservancy ten separate properties encompassing over 75,000 acres.

## The Nature Conservancy Names New Board Members

George C. Hixon of Texas, Leland S. Prussia of California, and Richard S. Weinstein of Florida have been appointed to the Board of Governors of The Nature Conservancy, announced Charles J. Hedlund, chairman of the board.

Hixon has been a strong supporter of Conservancy efforts in Texas. He is vice president of **Hixon Properties Incorporated** in San Antonio, Texas, and has a long-standing commitment to conservation, having served on the board of a number of environmental organizations.

As chairman of the California Chapter, Prussia has used his business acumen to lead the chapter to the successful completion of the \$15 million California Critical Areas Program. Prussia is chairman of the board of BankAmerica Corporation and Bank of America NT&SA.

Weinstein is one of the Conservancy's most active volunteers in Florida and has assisted the Conservancy for nearly 15 years. He is currently chairman of the Florida Chapter. Weinstein recently retired from his position as a senior partner in the firm of Weinstein, Shields, Hirsch and Lev.

# Arkansas Power & Light Donates Island

Electric Island, a 118-acre island located in Lake Hamilton, Arkansas, near Hot Springs, was given to The Nature Conservancy by the Arkansas Power & Light Company.

Commenting on the gift, **AP&L Senior Vice President Charles L. Steel** said, "Arkansas Power & Light Company is very pleased that a professional organization of the stature, dedication and business acumen of The Nature Conservancy shares our belief that Electric Island should remain a place of tranquil beauty for all citizens to enjoy."

The Conservancy plans to lease the island to the Arkansas Game and Fish Commission for its non-game wildlife program. The Commission is creating a management plan to make the island an outstanding nature preserve.

# Atlantic Richfield Backs Navajo Heritage

The **Atlantic Richfield Foundation** of California, a Conservancy Corporate Associate for eight years, has made a \$25,000 grant to the Navajo Natural Heritage Program.

A cooperative effort between the Conservancy and the Navajo Tribe, the Navajo Natural Heritage Program will identify and locate the unique and least protected natural features on the Navajo Indian Reservation, which spans Arizona, Colorado, New Mexico and Utah. Often used to avoid expensive and unnecessary conflicts between development and conservation, the Natural Heritage Program is an important planning tool to help balance immediate economic needs and the preservation of natural resources.

## Amoco Foundation Supports Three Midwest Projects

Three Conservancy programs in the Midwest have received support from a \$60,000 grant from the **Amoco Foundation**, **Inc.** The Conservancy will use \$25,000 for the Mink River Estuary in Wisconsin; \$25,000 for its Indiana Land Preservation Fund; and \$10,000 for its North Dakota Natural Areas Registry Program.

"We are glad to continue support of The Nature Conservancy's efforts to preserve unspoiled examples of this country's diverse natural areas such as wetlands, barrier islands, forests and prairies," said **Don Schroeter**, **Executive Director of Amoco Foundation**, the philanthropic arm of **Standard Oil Company (Indiana)**.

The Mink River Estuary is the largest and most pristine of Wisconsin's few remaining coastal wetlands and is an important area for migrating birds and spawning fish. The Indiana Land Preservation Fund, an internal loan fund, provides capital on a revolving basis to support the Conservancy's work in acquiring and preserving natural areas and rare species habitat in Indiana. The North Dakota Natural Areas Registry Program is a new protection program designed to seek the voluntary cooperation of private land-owners in protecting the rare natural features on their property.

# **Equator Bank Lends Computers for Connecticut Program**

The Nature Conservancy last year launched the Connecticut Critical Areas Program, a three-year, \$3.1 million campaign to preserve the rarest and most threatened ecosystems in the state. The Natural Diversity Data Base portion of the program is a comprehensive inventory of Connecticut's rare and endangered species, vanishing natural communities, and special geological features. By establishing ecological priorities for future land acquisition, the Data Base will provide informed land use data that can resolve environmental conflicts before they arise.

The computer services for the Data Base are being contributed by the Hartford Representative Office of **Equator Bank Ltd.**The bank has provided the Conservancy with computer access and storage and with technical support for the Data Base Management System.

# Exxon Corporation Gives \$40,000 to International Program

The Exxon Corporation of New York has provided a \$40,000 grant to support the Conservancy's International Program.

Outside the United States, the Conservancy's role is institution building; it assists individuals and groups, public and private, dedicated to similar conservation goals in their own countries. While the Conservancy's International Program participates in a variety of projects to set global protection priorities, conservation action is taken through local organizations.

Half of Exxon's grant will be used in Colombia, toward the initial expenses of a new conservation organization called Fundacion Natura. The other half will be shared between Conservation Data Centers in Panama and Puerto Rico.

# Cooper Laboratories Provides \$50,000 for California Critical Areas

**Cooper Laboratories, Inc.,** has given the Conservancy a \$50,000 grant toward the completion of the California Critical Areas Campaign, a drive to protect representative examples of the state's most endangered ecosystems.

In its three-year campaign, the California program has managed to safeguard more than 16,000 acres — habitat for 54 rare species or natural systems — and has established preserves embracing the state's 11 most imperiled biological communities. These include vernal pools, freshwater marshes, riparian woodlands, coastal dunes and valley grasslands.

# Union Pacific Supports Layton Marsh

The Union Pacific Foundation of New York, a Corporate Associate of the Conservancy for five years, has pledged \$25,000 to Layton Marsh, the largest undeveloped wetland remaining along the eastern shore of the Great Salt Lake.

Because of high water damage to adjacent state and federal marshes, Layton Marsh has provided habitat for the highest concentration of nesting waterfowl on the Great Salt Lake this year. This crucially timed purchase also protects critical habitat for avocets, stilts, white pelicans, egrets, white-faced ibis and numerous raptor species.

Other corporate contributions received for Layton Marsh have included \$10,000 from the **Amax Foundation** of Connecticut and \$3,000 from **Sperry Corporation** of New York.

# FRIENDLY FOE

# INDUSTRY'S FAVORITE ENVIRONMENTAL GROUP

By WILLIAM H. MILLER

hey might not shout at each other quite as nastily as they would have, say, a decade ago. But you'd still be advised not to seat an environmental activist next to a business executive at a dinner party.

Despite encouraging progress toward detente (IW, July 11, 1983, Page 46), the relationship between the environmental and business communities remains distrustful—and often antagonistic. Environmentalists still seem to derive glee from publicly lambasting, demonstrating against, and suing companies whose actions they regard as damaging to the nation's natural heritage. For their part, many executives continue to scorn environmentalists as wild-eyed ideologists who won't be satisfied until people are back living in caves.

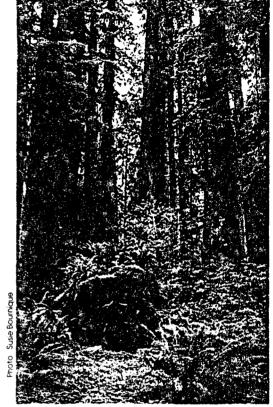
Amid this climate of mutual suspicion, however, a surprisingly chummy relationship has developed between corporations and at least one national environmental organization—the Nature Conservancy.

Based in Arlington, Va., the 34-year-old group works to protect, in its words, "ecologically significant natural areas and the diversity of life they support." During its period of surging growth in the last five years it has attracted an average of about \$35 million annually in corporate contributions.

On top of that, companies have donated tracts of natural areas valued at more than \$50 million on the real estate market. Meanwhile, gifts of "trade lands"—surplus corporate real estate that has no ecological value but can be resold to raise funds to buy property that is ecologically important—have been averaging \$12 million a year in value.

The Conservancy's board of governors, too, has broad business representation. Its current chairman is Charles J. Hedlund, retired president of Esso Middle East, an affiliate of Exxon Corp.; one of three vice chairmen is S. Bruce Smart Jr., chairman and CEO of Continental Group Inc.

Other board members include Charles C. Haffner, vice chairman of R. R. Donnelley & Sons Co.; Samuel Cooke, senior vice president of Dean Witter Reynolds Inc.; Thomas R. Wilcox, chairman of the executive committee and former chairman of Crocker National Corp., San Francisco; and Peter W. Stroh, chairman of Stroh Brewery. Other well-known executives—men like U. S. Steel Corp. Chairman and CEO David M. Roderick and Turner Broadcasting System Chairman Ted Turner—sit on the Conservancy's corporate-relations committee. Still others—Bank of America Chairman Leland S. Prussia



Obtained by the Nature Conservancy, the Van Duzen Redwoods are part of a California park system.

and Hewlett-Packard Co. Chairman David Packard among them—are active in state chapters.

APPEALING STYLE. Business likes to work with the Conservancy because—in contrast to such other national environmental groups as the Sierra Club, the Wilderness Society, and Friends of the Earth—it doesn't rely on confrontation to achieve its goals.

"Corporations feel comfortable with us," acknowledges William D. Blair Jr., a former journalist and State Dept. official who has been the Conservancy's president for nearly five years. "They are pleasantly surprised to find that we are not going to sue them or demonstrate against them."

Indeed, the Conservancy "tries to work within the system," observes Mr. Smart. "It understands the constraints in which business operates and the need for economic progress. It doesn't say, 'We're good and you're bad,' to business; rather, it says, 'Look, here's something that needs to be done in the interest of everyone. Here's how you can help in getting that done in a way that will benefit you.'

"It's a balanced style that very much appeals to business executives."

Among environmental organizations. the Nature Conservancy is unique. It's attracting increasingly greater corporate contributions because business feels "comfortable" with it. A nonconfrontational approach is a majorreason but when the Conservancy wants a particular tract of land, look out.

Thumbs down on waste dumps.



**BLAIR** 

"Corporations feel comfortable with us. They are pleasantly surprised to find that we are not going to sue them or demonstrate against them."



One of 800 preserves obtained — and still being operated — by the Nature Conservancy is the Byron River Gorge Preserve in Connecticut.

Moreover, executives are impressed by the Conservancy's efficient, businesslike methods. A distinct air of professionalism pervades its headquarters, located in a high-rise office building across from Washington overlooking the Potomac River. Instead of the scruffy, dungareeclad outdoor types that typically seem to populate the offices of other environmental groups, a visitor to the Nature Conservancy meets experts in finance, marketing, and real estate; they're often dressed in three-piece suits and would seem perfectly at home on Wall Street. Several of its executives, as noted earlier, do have corporate backgrounds. And its 500-member staff—100 at headquarters, the others in 38 state and regional offices—includes as many M.B.A.s as biologists.

In the best corporate tradition, all of its employees undergo performance appraisals that are linked to a system of management by objectives. There's even a five-year plan, constantly updated and reviewed at board meetings.

Comments another board member, Clifford E. Messenger, chairman and CEO of Oven Systems Inc., a New Berlin, Wis., industrial oven manu-

facturer: "I've served on a lot of boards in both the public and private sectors. Never have I seen an organization run as efficiently as the Nature Conservancy."

BOTTOM-LINE PAYOFF. Results attest to the Conservancy's effectiveness. Since its founding, the organization has won protection for more than 2.3 million acres of selected ecologically important wetlands, deserts, forests, prairies, and islands. Much of the land it has bought—or been given—has been transferred to public agencies and other conservation groups. But it still owns and manages nearly 900 tracts, the world's largest system of private nature sanctuaries.

This private ownership provides "a wonderful feeling of assurance," asserts Mr. Messenger. A former activist with the Wilderness Society, he switched his involvement to the Conservancy several years ago when, he explains, "I began to realize that you can win a victory today in Congress but lose it eight years later. But if you own the land, it will stay protected."

The Conservancy, which boasts nearly | 5







230,000 individual members (up from only 25,000 in 1977) and some 420 corporate associates, plus 600 other corporate donors, doesn't seek land willy-nilly. An array of staff scientists in its state offices are carefully inventorying natural areas in each state, compiling ecological "scorecards" that assign priorities to land the Conservancy wants to obtain.

Then, the Conservancy approaches the owner, negotiates to buy the property, or—better still—seeks it as a gift. Thanks to its knowledgeable staff of tax experts, it can frequently show the owner—whether an individual or a corporation—the bottom-line financial benefits of making the donation.

#### RADE LANDS ARE LUCRATIVE

In this manner, for example, the Conservancy obtained title to much of the Great Dismal Swamp, now a national wildlife refuge astride the North Carolina-Virginia border. A 50,000-acre gift from Union Camp Corp. and an 11,000-acre donation from Weyerhaeuser Co. helped make it possible.

Those gifts, in the 1970s, marked the beginning of a concerted effort by the Conservancy to work with industry. "We had approached companies before to try to obtain targeted tracts," says J. Mason Morfit, vice president of development, "but didn't talk to industry in a big way. I guess we were just too dumb to do so." Even then, the Conservancy limited its contacts primarily to natural resource-based companies, he says. Now it "goes after everyone."

Adds Mr. Blair, Conservancy president: "It is no coincidence that the graph of our progress began to rise at the same time we started working with the corporate community."

The trade-lands approach, begun in 1981, has proved especially lucrative. The organization now receives between 60 and 70 gifts a year of such properties. The biggest so far came in '83 when Consolidation Coal Co., a subsidiary of Du Pont Co., donated a 6,600-acre abandoned surface mine in Fulton County, Ill.

Among other large corporate gifts of trade lands: Gulf Oil Corp., 300 acres in Kentucky, left from its sales of a chemical subsidiary, valued at \$1 million; Kimberly-Clark Corp., 360 undeveloped acres in northeast Wisconsin, valued at \$1.6 million; Mobil Corp.,  $4\frac{1}{2}$  acres of salt marsh near its terminal and tank farm on Jamaica Bay, N Y., worth \$1.5 million; Procter & Gamble Co., 400 acres on Kentucky Lake, Tenn. (value confidential); Chevron Corp., site of a closed service station in Yakima, Wash., with proceeds of \$110,000 earmarked for the Conservancy's Santa Cruz Island preserve in California.

The Conservancy, which is highly selective in the gifts of land it will accept as natural areas, doesn't even automatically take all the trade lands offered to it. It has rejected nearly one-third of trade lands offered, fearing it wouldn't be able to get a good resale price. On more than one occasion it has turned down donations of hazardous waste dumps, for instance.

**PLAYING HARDBALL.** Far more often, the Conservancy faces the problem of how to obtain

particular tracts it *does* want. And it is not above resorting to deceptive tactics to get them.

Once, for example, it set up a dummy corporation, Offshore Development Inc., to bid for a barrier island needed to complete its Virginia Coastal preserve. The island's development-minded owner wanted to sell, but not to a conservation organization. On another occasion, to get a large, key tract for its Mashomack preserve on Shelter Island, 100 miles east of New York City, it bought out the realty company that owned the property.

But such instances are rare. "Ninety-nine percent of the time we get land through one-on-one negotiations with corporations," notes Ray M. Culter, vice president of protection projects. "We seldom get thrown out on our ear."

That wasn't always the case. Until recent years, the Conservancy often had trouble gaining entree into corporations. That was partly because few firms had heard of it. "But we often sensed hostility by firms, too," admits Mr. Morfit. "We had more trouble recruiting our first 50 participants than the next 150. And it gets easier all the time as more companies discover what we're all about."

What hostility the Conservancy does face comes mainly from smaller firms, seldom from large corporations, says Mr. Blair. "When I walk into a company for the first time, the odds are good that it will recognize the Nature Conservancy's name. That wasn't true ten years ago."

'NOT OUR BAG.' Ironically, while the Conservancy now encounters little hostility from the business community, it sometimes draws criticism from its sister environmental organizations. One Sierra Club staffer, for example, praises the Conservancy's effectiveness, but admits that many environmental activists are suspicious of it because of its "palsy-walsy" relationship with corporations. The Conservancy's close ties to the Reagan Administration and its refusal to join in coalitions with other groups for lobbying on environmental issues have stirred further ill feelings among some environmentalists.

"One thing I get paid for is to say 'no' to other conservation groups who want us to join coalitions," says Mr. Blair. "We have nothing against them, but issues are not our bag. We've chosen to save the land. We stick to that, and do nothing else."

Pleased as he is about the enthusiastic corporate response to the Conservancy's activity, Mr. Blair clearly would like it to be even greater. "Only 1% of the charitable dollar goes for conservation causes," he points out. "We're all used to poverty, hunger, religious, and medical needs—and because of that, they get the other 99%.

"Yet, environmental concerns are a survival need. It's a question of whether our kids will have enough food resources, oxygen to breathe, and other basic needs that depend on the land. This is not aesthetic stuff we're talking about."

Obviously, more and more companies are beginning to agree. Especially when it helps them on the bottom line.

NATURAL HERITAGE PROGRAM AND NATURAL RESOURCE INFORMATION SYSTEM

TESTIMONY HB 922

MARY-LINDA KEMP
NORTHERN LIGHTS INSTITUTE
Long Range Planning Committee
13 March 1985

Exhibit # 15 3-14-85 Kemp Project 24

Mr. Chairman and Members of the Committee:

My name is Mary-Linda Kemp and I work for Northern Lights Institute in Missoula. I am as a proponent for the Natural Heritage Program and Natural Resource Information System.

Northern Lights is a non-partisan research and education institute; we have adopted this issue because we feel the Natural Heritage Program and the Natural Resource Information System are essential to producing reliable, neutral information for natural resource planning in the state of Montana.

The Natural Heritage Program and Natural Resource Information System are two parts of a program to coordinate the natural resource data in the state. The Natural Resource Information System would create a directory of all state agency studies on natural resources, while the Heritage Program would complement this by obtaining data on rare and exemplary flora and fauna. The Heritage data would then be used in a centralized data base system housed in the State Library. The Heritage Program has been implemented successfully in 43 states and regions around the country.

The two-part program would result in several advantages for the state. The Natural Resource Information System would help to point out -- and avoid - the duplication of effort that now exists within and between state agencies.

The Heritage Program would accomplish the following:

\*Take the boxes of data on flora and fauna that sit in the basements of various state agencies such as DNRC, Dept. of State Lands, and the Dept. of Fish, Wildlife, and Parks, and process them into a usable form to prevent repetition of studies over the years to obtain the same data over and over again.

\*Provide the best, neutral information for decision-makers in the state to make timely, verifiable decisions in natural resource planning.

\*Speed up the environmental review process in state agencies, since it would provide baseline data on various sites at the outset of the process.

\*Reduce the costs of Environmental Impact Statements to the private sector.

\*Avoid litigation between citizen's groups and the private sector, since Heritage data is available to the general public. Opposition to a given site would be voiced prior to any major planning and construction effort on the part of the companies.

\*Aid the agricultural community in its contribution to genetic diversity, an important tool to successful agriculture, and in processing weed data gathered by the Dept. of Agriculture.

Recognizing the difficult budget situation the state is in, we have done our best to find alternative sources of funding. The Nature Conservancy has offered to raise 20% of the budget, and, if approved in the budget process, the Department of Fish, Wildlife, and Parks will give us \$75,000. If both of these sources come to fruition, our budget request will fall from \$472,639 to \$301,239.

In addition, there are two federal matches that may be available. Commissioner Dennis Hemmer at the Department of State Lands has offered to apply to the Office of Surface Mining for the \$43,800 available for the state. Fish, Wildlife and Parks has also informed us that up to \$30,000 might be obtained through the U.S. Fish and Wildlife Service if we qualify. If both of these sources become available, our request will fall another \$73,800; nevertheless, it is important to recognize that none of these sources can be counted on until the money is in hand.

Thank you.

### MONTANA SUPPORTERS OF THE NATURAL HERITGE PROGRAM AND NATURAL RESOURCE INFORMATION SYSTEM

### Industry and Business

Pacific Power and Light Montana International Trade Commission Montana Mining Association Montco

**ASARCO** Montana Coal Council Burlington Northern Inc. Montana Power Co.

#### Government

Governor's Council on Economic Development University System Dept. of Fish, Wildlife and Parks Dept. of Administration

State Library

Governor's Council on Management Dept. of State Lands Dept. of Highways Environmental Quality Council Dept. of Agriculture

Dept. of Health and Environmental Sciences

### Citizen's Groups

Farmer's Union Montana Audubon Society Montana Wildlife Federation Montana Bow Hunters Assoc. Montana Walleyes Unlimited

Montana Assoc. of Planners Montana Guides and Outfitters The Nature Conservancy Trouts Unlimited Northern Plains Resource Council

# NATURAL HERITAGE PROGRAM AND NATURAL RESOURCE INFORMATION SYSTEM TESTIMONY REPRESENTATIVE DAVE BROWN March 14, 1985

I sponsored HB 785 in the '83 session, which set the ground work for the Natural Heritage Program and the Natural Resource Information System, because I think the systems will encourage sound economic development while assuring Montanans a quality longterm resource base. We've wasted a lot of state government and private sector money by duplicating resource data for each EIS carried out. And in many cases we're operating in the dark about development siting impacts because we lack the kind of basic knowledge Heritage and NRIS would provide.

In addition, a great deal of time and money are wasted on conflicts over resource development that potentially could be avoided with the type of clear resource data Heritage and NRIS will give us.

It is essential for business and industry to support this issue to get it through the legislature this session. I believe it will aid industry directly in terms of cash benefits, which Gene Phillips from Pacific, Power and Light will now speak about.

# NATURAL HERITAGE PROGRAM AND NATURAL RESOURCE INFORMATION SYSTEM TESTIMONY

March 14, 1985 Statement of Gene Phillips, Pacific Power & Light

I testified last session in support of this bill, because I believe it will save a great deal of time and money to any industry that must provide EISs. Let me give you a few examples of this.

In Washington state's fourth year of its Heritage program, 248 requests for input on EISs were handled. The state estimates that this represents a savings of about \$496,000 for this one year alone. Although the savings were shared by the public and private sectors, Bob Robinson, head of the Energy Division of Montana's DNRC, believes that most of the direct dollar savings were realized by industry.

What about those other savings that are more difficult to put a dollar figure on? In the Washington state program, an oil pipeline was planned for a route that would have destroyed one of the few remaining populations of two rare plants and a rare prairie community. When the project planners checked with the Heritage program in the state, they decided to reroute the pipeline, and eventually the area was acquired as a natural preserve. With no litigation, little money spent by anyone, and no projects postphoned, the exemplary area remains intact and the company is happy.

In short, once a Natural Heritage Program is established, the public and private sector in Montana will have access to a state-of-the-art coordinated natural resource data system - at a cost of about 17¢ per year per citizen. And the private sector will have a means by which to speed up the environmental review process and reduce its own costs.

DONALD M. LEUSCHEN

March 14, 1985

The Honorable Dave Brown
Montana State House of
Representatives
Capitol Station
Helena, Montana 59601

Dear Representative Brown:

The Montana Power Company supports and endorses your efforts to implement the Natural Resource Information System and the Natural Heritage Program which will establish an accessible natural resource data system in our state.

Specifically, we support House Bill 860 which you have sponsored. Authorizing the Montana State Library to implement and operate the resource plans and programs will enhance the objectives and purposes of the Information System and Heritage Program.

As you know, these programs have been adopted in many other states. We are aware that utilities in those states have generally found the programs to be constructive, efficient and useful.

Availability of reliable resource information at a reasonable cost would benefit Montana Power in its planning efforts for our electric and gas facilities. Similar benefits through these programs would likewise benefit government agencies, other companies and the public. Therefore, we hope that HB 860 is passed.

Sincerely,

Um Juschen

cc: Chairman and members of the Senate Natural Resource

#### Montana International Trade Commission

Suite 612, Power Building Helena, Montana, U.S.A. 59601 Telephone 406-443-7910 Telex (TWX) 910 963-2454

March 13, 1985

Representative Bob Thoft Chairman Long Range Planning Committee House of Representatives Capitol Station Helena, Montana 59620

Dear Representative Thoft:

I want you and the other Committee members to know that we support the Natural Heritage Program and Natural Resource Information System. Attached is a copy of our letter of support for HB 785 in the 1983 session which initiated these programs.

Our position and opinions are the same. Natural resources will be the basis of our economy for a long time. Developing and regulating the development of resources has been a controversial, fragmenting, polarizing, unhappy process in Montana over the past 15 years.

The confrontation, litigation and obfuscated public debate of resource development has contributed mightily to our present economic decline.

These programs may help us to move beyond the rehtorical blizzard and excesses by all sides that has held back Montana's economic progress.

These programs can provide a common information base for both government regulators and industry which could begin to loosen the present regulatory log jam.

On behalf of our entire membership I encourage you and your colleagues to support these programs.

Sincerely,

Mike Fitzgerald President & Managing Director

# MONTANA INTERNATIONAL TRADE COMMISSION

April 8, 1983

Senator Matt Himsl Chairman Finance & Claims Committee Montana State Senate Helena, Montana 59601

Dear Senator Himsl and Members of the Senate Finance and Claims Committee:

The Montana International Trade Commission would like to go on record supporting House Bill 785 to establish a planning framework for the development of a Natural Resource Information System and to establish an ongoing Montana Natural Heritage Program. Natural Resources will continue to be an important part of Montana's economy so we believe that it is necessary to continue to find better ways to develop our natural resources while minimizing impacts on the natural environment. We believe that a Natural Resource Information System could be of great benefit to both industry and those responsible for regulating and protecting the environment. If you pass this measure we will be committed to assisting with the implementation of such a system and program during the interim.

Sincerely,

/om Supres Thomas Staples Vice President

# The Natural Heritage and Natural Resource Information System Program

The Heritage-NRIS Program will provide readily accessible information on the state's natural resources, and identify the significant natural features in Montana. Information on natural resources will be gathered through a careful review of the existing data collected by state and private agencies. The data will remain at the respective agencies, but there will be a centralized catalog and index to provide access to the available information. A systematic inventory of the state's unique and significant natural features will augment this index and be the major objective of the program.

Development and protection of Montana's natural resources, including minerals, forests, water, agriculture and wildlands, wildlife, and unique ecological areas requires careful planning. The Heritage-NRIS program will contribute to responsible, long-range resource planning by providing accurate and organized information to public and private planners, and to Montana's citizens.

In 1983 the Legislature established the Natural Heritage-NRIS Program, without funding, and set up an interim committee to study the need for the program. The committee, composed of representatives from 12 state agencies, endorsed the program and recommended that the State Library administer it.

The State Library is an information facility and already nas a cataloging system in place for this kind of information storage. The Library is also a politically neutral facility: its role is to give out information without judging it.

# **FUNDING**

For the first biennium, the Heritage-NRIS Program will require \$462,639 for full implementation. The primary funding source targeted is the proposed

Heritage-NRIS Program successfully meets the Legacy funding criteria by:

- \* protecting the state's renewable resources from future unplanned resource development; and
- \* providing for research to assess past or present environmental damage resulting from natural resource development.

# THE PROGRAM IN OPERATION

The Heritage Program has been established in 34 states and regions in the last decade. In these states the program has assisted in well-planned development by:

- \* providing reliable resource information at <u>early</u> stages of development planning;
- \* preventing duplication of data gathering, such as when two agencies look at a resource area for different purposes;
- \* streamlining the environmental review process;
- \* identifying gaps in the resource data base, and allowing well-planned research to fill these gaps.

# SUCCESS IN OTHER STATES

In 1981, in its 4th year of operation, the Washington State Heritage Program processed 804 information requests. These included 248 requests for input on Environmental Impact Statements. Agencies using the Heritage Program for this process reported savings of \$500 to \$5000 per request. This represented a savings of \$496,000 to state, local, federal and private agencies.

In many states the Program has resulted in the delisting of rare and endangered species which are not really rare but whose whereabouts are simply unknown. For example, in Wyoming, the Heritage Program has been able to reduce the list of rare plant species from 37 to 6, by gathering more data on distribution and abundance.

A Unique Program to Build Montana Better

# WHO USES THE PROGRAM

A wide range of public and private groups use the Heritage Program. Here are examples of users in other states:

# **Industry and Business**

Pacific Gas & Electric Arkansas Power & Light Exxon El Paso (BNI subsidiary) Cole Engineers Carolina Power & Light Espey, Huston & Assoc. Engineering W.R. Grace

#### Government

Bonneville Power Administration Bureau of Land Management Fish and Game Department Department of Natural Resources State Energy Facility Site Evaluation Council

### Citizens Groups

The Nature Conservancy

National Audubon Society

# HERITAGE: BENEFITTING MONTANA

\* In 1983 more than 150 environmental reviews were conducted by state and federal government in Montana as part of the permit application process for development projects. These reviews regularly include such projects as:

Mining
Oil and gas exploration
Energy facilities
Transmission lines
Highway construction
Forest plans

Pesticide use
Pipelines
Air & water pollution discharge
Solid & hazardous waste disposal
Subdivisions

and money by coordinating existing resource data tiles, and making this information readily accessible.

\* Corridor analysis and environmental impact statements under the Montana Major Facility Siting Act are often hampered by lack of accessibility to all the data sources for the areas of concern. This results in excessive costs to state and private industry in both time and money. The Heritage Program would make this kind of information more accessible.

\* Montana does not have an inventory of the state's significant natural features. The Heritage Program will supply this inventory, and point out areas of potential development conflict before much planning, time and effort have gone into a project. The Program can save planners money by providing this "early warning device".

\* Resource information will be available to small groups and businesses who many not have the financial resources to hire specialists to collect this information.

# MONTANA SUPPORTERS OF THE PROGRAM

# **Industry and Business**

Pacific Power and Light MT International Trade Commission Montana Mining Association

### Government

Governor's Council on Economic Development University System Department of Fish, Wildlife and Parks Department of Administration State Library

### Citizens Groups

Montana Wildlife Federation Montana Audubon Council Montana Bow Hunters Association Montana Walleyes Unlimited James's Union

ASARCO Montana Coal Council Burlington Northern

Governor's Council on Management Department of State Lands Department of Highways Environmental Quality Council

Montana Association of Planners Montana Guides and Outfitters Association The Nature Conservancy Fronts Unlimited

Montana Audubon Council Testimony on HB 922, Project Number 24:

Natural Heritage Program & Natural Resource Information System March 14. 1985

Exhibit #16 3-14-85 Ellis tem Project24

Mr. Chairman and Members of the Committee,

My name is Janet Ellis and I'm here today representing the Montana Audubon Council.

The Council supports funding for a Natural Heritage Program and Natural Resource Information System in the State Library.

A popular phrase used this session is "Build Montana." Economic Growth is certainly important to the state. Montana citizens are also keenly aware that this is a special state to live in - and we want to keep it that way.

The Heritage Program will be an important step towards "building Montana." It will provide us with a catalog of information on our flora, fauna, and biological communities. With such a system in place, it will be possible to keep tabs on our unique natural heritage - hence keeping Montana special.

The program helps build Montana by avoiding the time and money spent on project delays and litigation. Numerous states, idustries and environmental groups have hailed this program because it helps us develop our resources responsibly - a little planning through a Natural Heritage Program goes a long way.

We have helped in the search for start-up money for this program. Research has identified several sources of revenue to get this program started. At least partial funding from the Legacy Program's RIT money would enable this program to get its feet on solid ground. We hope that you will examine this program closely. If money is available, please appropriate it and let us begin planning to build Montana in a responsible manner.

Thank you.

Exhibit #17 3-14-85 Wilson Project 24

# NATURAL HERITAGE PROGRAM AND NATURAL RESOURCE INFORMATION SYSTEM TESTIMONY March 14, 1985

Statement of Gene Phillips, Pacific Power & Light

I testified last session in support of this bill, because I believe it will save a great deal of time and money to any industry that must provide EISs. Let me give you a few examples of this.

In Washington state's fourth year of its Heritage program, 248 requests for input on EISs were handled. The state estimates that this represents a savings of about \$496,000 for this one year alone. Although the savings were shared by the public and private sectors, Bob Robinson, head of the Energy Division of Montana's DNRC, believes that most of the direct dollar savings were realized by industry.

What about those other savings that are more difficult to put a dollar figure on? In the Washington state program, an oil pipeline was planned for a route that would have destroyed one of the few remaining populations of two rare plants and a rare prairie community. When the project planners checked with the Heritage program in the state, they decided to reroute the pipeline, and eventually the area was acquired as a natural preserve. With no litigation, little money spent by anyone, and no projects postphoned, the exemplary area remains intact and the company is happy.

In short, once a Natural Heritage Program is established, the public and private sector in Montana will have access to a state-of-the-art coordinated natural resource data system - at a cost of about 17¢ per year per citizen. And the private sector will have a means by which to speed up the environmental review process and reduce its own costs.

Exhibit # 18
3-14-85

Makin

Praject 21

1 arah 14, 1985

### Donn Chaireds

As both a water-mass and a land agree in the Haner Petan River Dunimore lyes, I feel back a sindy of the water flows in the error is imposite. This study would insure the continual second water in the many in the city of the water into process.

Therefore, I support the Union Weton Water Conservation Study, Appliedation We. 21.

whenk you.

Walter D. Makisu

Whitee D. Pelone Route 2 or 157 Cotton. PT 59420

Exhibit #19 3-14-85 Makin Project 21 Choteau, Montana

March 13, 1984

Mr. Chairman, members of the Committee,

I'm Ray Anderson a well driller and farmer from Teton County and the Farmington Bench. Presently I am enrolled in a Farm Work Shop Management School sponsored by the Extension Service, so have asked Ruth Makin from the Teton County Soil Conservation District to read this for me.

I've been a licensed Montana Water Well Driller since 1969, and have drilled 180 test holes, domestic, and irrigation wells in this basin of discussion and conflict. I've had many meetings and telephone conversations with representatives from the Montana State Department of Natural Resources. From a carefull personal study and a working knowledge of this aquifer, I am certain that it has been grossly over-appropriated. Presently we have a very undesireable situation pitting farmer against farmer. Until a study that will determine sources, flows, effects of future and established permits, the area is in a considerably hostil state.

Representative Rex Manuel attended a meeting with representatives from the Department of Natural Resources and concerned farmers on this project. Marvin Miller, hydrogeologist from the Montana School of Mines has met with the Teton County Soil Conservation District and area farmers. Mr. Miller feels an urgent need to clearify and study this aquifer.

I respect the Governor Mr. Schwinden, the DNR, and Legisltors desires to get unappropriated waters appropriated, however we must know what there is left to appropriate, or presently over-appropriated. We can not continue to wontonly-unknownly issue permits.

Thank you,

y anderson

# CITY OF CHOTEAU

38 FIRST AVE. N.W.
P. O. DRAWER X
CHOTEAU, MONTANA 59422

OFFICE OF CITY CLERK

March 14, 1985

Exhibit #20 3-14-85 Makin Project 21

To Whom It May Concern:

The City of Choteau has in the past few years had the small creek running through the city dry up and the water level in our city wells drop during the spring and summer. If this continues to get worse it could endanger the water supply for the 2000 people in Choteau who are dependent on this for their health and wellbeing.

Therefore we urge the funding for the Upper Teton Water Conservation Study be approved from the Legacy fund.

Yours truly,

James A. Hamilton, Mayor City of Choteau, Montana

Exhibit #21 3-14-85 Makin Project 21

March 13, 1985

Mr. Chairman,

The Eldorado Co-operative Canal Co. in Teton County utilizes irrigation water adjudicated from the Teton River.

We, as members, support the allocation of funds for a study of the Teton drainage area. It appears there is sufficient water flowing from Teton Canyon to meet the needs of most water users in the area. However, it seems as though too much of the water is lost into the gravel strata as the river traverses the land east of the canyon.

We expect the conclusions of the study would show the water flow on the surface and underground. Better understanding this water flow, the District could plan and construct water ways and water control devices to manage the water more efficiently.

Increased efficiency would benefit the community by providing a more consistent supply of irrigation water. Added benefits may include a more reliable source of water for users downstream and those users with later water rights. Also, the economic base of the community would be broadened.

We urge your support for the funding of the Upper Teton Water Conservation Study, Application Number 21.

Sincerely,

Tim Saylor, President

Eldorado Co-operative Canal Co.

Jesse Malone, Jr., Member

Board of Directors

Lesse Malone

Eldorado Co-operative Canal Co.

Exhibit # 22 3-14-85 Watson Project 18

Missoula, Montana 59812

HEAVY METAL CONTAMINATION IN THE CLARK FORK RIVER FLOODPLAIN

AND IMPACTS ON THE BIOTIC RESOURCES OF THE RIVER

(Project 18 in the Montana Legacy Program Ranking)

Contamination of the Clark Fork River floodplain by historic mining operations has been shown to extend from Anaconda to Drummond (see figure 1). Sites near Garrison and Drummond were found to have levels of heavy metals as high as those at the Anaconda smelter and Silver Bow Creek Superfund sites. The area from Deer Lodge to Milltown is not addressed by any state or federal mitigation program at present. Yet impacts on the river fisheries have been suggested by studies of the Montana Dept. of Fish, Wildlife and Parks (see figure 2). Impacts on agriculture in the area are undetermined. This study proposes to:

- 1) locate and access the magnitude and degree of contamination in the Clark Fork River floodplain from Deer Lodge to Milltown;
- 2) evaluate the significance of this contamination to the fishery and to agriculture in the area;
- 3) compare the likely impacts of metals from the floodplain to those coming from the superfund sites upstream;
- 4) make recommendations to state and federal agencies concerning the advisability of concentrating all cleanup efforts on the current superfund sites given the impacts of the floodplain sources of contamination.

For more information on this project, contact:

Professor V. J. Watson Botany/Environ. Studies University of Montana Missoula, MT 243-5153 P. M. Rice Gordon Environmental Lab University of Montana Missoula, MT 243-2671

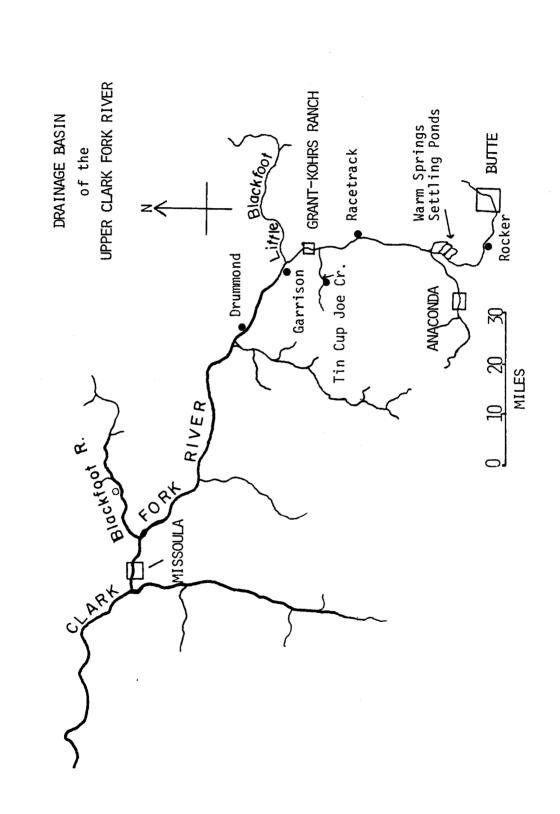


Figure 1. Concentrations of metals in floodplain

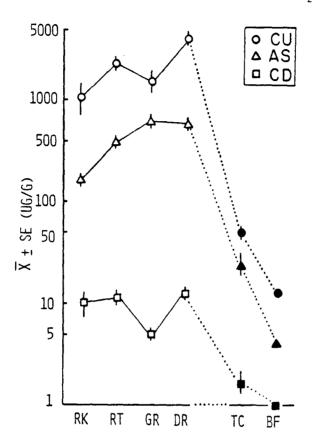
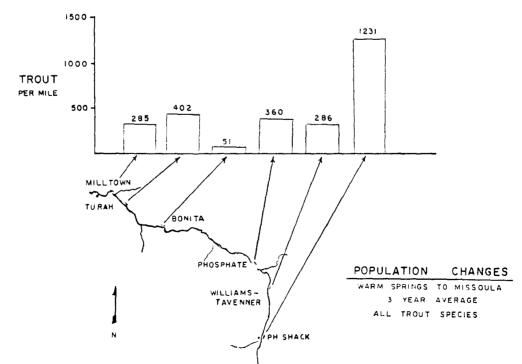


Figure 2. Trout populations in upper Clark Fork



### WITNESS STATEMENT

NAME WAR. Jones		_ BILL NO
ADDRESS Choteau, Men	<b>/</b>	DATE 3/14/81-
WHOM DO YOU REPRESENT?	ense. Dist - Taba Co. G	mmissionic
SUPPORT	OPPOSE	AMEND
PLEASE LEAVE PREPARED STATEMEN	T WITH SECRETARY.	

Comments:

Knowledge of This water resource which is or is not peneath the surface of this erea is very important to Comostro and egricultarel users. Those who depend on the water which is stored or released by this vost area need to be well appraised if the potential, that appropriate uso may be made and that adequate conservation messaves can be ! instituted.

The cost of thus project will undoubtedly be retained many fold over the ensuing years.

### VISITORS' REGISTER

# LONG-RANGE PLANNING SUB COMMITTEE

BILL NO.	LEGACY PROGRAM PROJECTS	DATE MARCH 14, 1985
SDONSOD	House Bill 922 - Harper	

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
LAUREN MCKINSEY	MONTANA STATE U.	/	
FRed Staedler	Headwaters RC+D Awarenda		
Mary J. Seccombe	Butte, MT 59701	~	
Fom Osborne	Butte, MT.	~	
Buth Makin	Choteau, Mt. 59422	V	
Tom Patta	Butte nut.	7	
Jon Borns	Chinoo Kht	-	
HOWARD E. JOHNSON	GOVERNORS OFFICE	L	
RAY J. WHITE	MONTANA STATE U.	V	
KEITH KELLY	MONT DEPT. OF AGR	V	
MILO MANNING	ANACONDA - Decalores Co	~	
Day Worsdall	11 11	V	
Wayne Gillespie	Kevin, Mt	/	
HOWARD PEAU	BUZEMAN MT	<u></u>	
Larry Welchen	Helena	<u> </u>	
WIM 12 JONES	Choteau		
Harold John	Butte		
Ken Ballandyne	Shelby sold Wiste	/	
Su Meinggewen	Helony Centerchon	1	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

### VISITORS' REGISTER

## LONG-RANGE PLANNING SUBCOMMITTEE

BILL NO. HOUSE BILL 922	DATE MARCH 14, 1985		·
SPONSOR HAL HARPER			
NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Jemine Cote	Missoula		
Marie Mealear	Madison Co	~	
Ronald Fairhurst	Sunburst	L	
Chas Hahnkamp	melrose BYHDC.	2	
Marvin R. Miller	Butte MT.	4	
James Marie Sow grey	NPRC		
Dave Brown	State Rep. House Dist. #72	when H	B-913
Many Linder Komp	Missoule - Northernhights	el. T. V	
Brace Hande	Gov. Office Bosin Can		- 4
GEORGE OCHENSKI	ENU. INF. CENTER	Junder	HB-913
Lorna Naegele	Missoula		
DON HYYPPA	HELENA, DFWP	L-	
Marian H. Hanson	ashland Dist 100	~	
STEVE PICKERY	Rest. et Health + For. Sc;	~	
Sura Turker	State Lebeater	2	
Lan Reel	CAD IDURC	V#11	
A sales	115	./# ZN	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

# LONG-RANGE PLANNING SUBCOMMITTEE

BILL NO. HOUSE BILL 922	DATE	MARCH 14, 1985		
SPONSOR HAL HARPER				
NAME (please print)	RESIDENCE		SUPPORT	OPPOSE
Janet Ellis - MT Auduban Turn Murphy M.F.V. & Vicki Watson U. Mon.	Council -	Helena	Project#24	
Turn Murphy M.F.W.	Great F.	allu	#24	
R. Vicki Watson U. Mon.	509 Daly	Missoula	project 14,18	
				-

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.