

MINUTES

**MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION
COMMITTEE ON STATE ADMINISTRATION**

Call to Order: By Senator Eleanor Vaughn, on February 1, 1993,
at 10:00 a.m.

ROLL CALL

Members Present:

Sen. Eleanor Vaughn, Chair (D)
Sen. Jeff Weldon, Vice Chair (D)
Sen. Jim Burnett (R)
Sen. Harry Fritz (D)
Sen. John Hertel (R)
Sen. Bob Hockett (D)
Sen. Bob Pipinich (D)
Sen. Bernie Swift (R)
Sen. Henry McClernan (D)
Sen. Larry Tveit (R)

Members Excused: None.

Members Absent: None.

Staff Present: David Niss, Legislative Council
Deborah Stanton, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SR 3, SB 186
Executive Action: None.

HEARING ON SR 3

Opening Statement by Sponsor:

Sen. Vaughn turned the chair to the Vice Chair, Sen. Weldon, while she presented SR 3. She explained SR 3 is the confirmation of Governor's appointments to the cabinet. She told the Committee the candidates have all been very cooperative and willing to answer any questions.

She presented the Committee with the appointment to Director of the Department of Natural Resources and Conservation, Mr. Mark Simonich, Woodbridge, Virginia. Mr. Simonich spoke of his qualifications (Exhibit #1). Mr. Simonich stated Montana is a

leader in management protection of its resources and as a director of the Department of Natural Resources he would like to see the state maintain that position in leadership.

The presentation as a Member of the Pacific Northwest Electric Power and Conservation Planning Council was Mr. Stan Grace. Mr. Grace, a Montana native raised in West Yellowstone has spent most of his working life in western Montana. He told the Committee his vocational background has been in ranching, construction, and logging. Other experiences include membership in various sportsman groups; trustee of Ravalli Election Co-op for six years which brought about the interest in the Power Planning Council. He explained that during the NWPPC tenure, he was Power Committee Chairman in 1991, Vice-Chairman in 1992, and presently chair the council in 1993. He stated he looks forward to being a member of Governor Racicot's team, using his experience in furthering the best interest of the people of Montana and the Northwest. He stated the region is facing an electrical energy shortage which is compounded by the endangered species listings and the petitioning of several salmon stocks in the Columbia River Basin. Mr. Grace told the Committee he felt confident in his ability to make decisions needed to achieve balance in meeting the power and the environmental requirements.

The presentation as a Member of the Pacific Northwest Electric Power and Conservation Planning Council, Mr. John Etchart. Mr. Etchart spoke of his qualifications (Exhibit #2). He explained his goals will be to work first to support the leadership activities of the chairman in assuring Montanans are protected in advance. He explained it's a new day on the energy supply scene in the Northwest. There is a serious shortage of power. He said the state is in a situation called resource load balance, which means if Montana wants to grow it will have to add to the resource. Whether done by conservation or by building new generation, it will cost money. He told the Committee Montana consumers will be directly and immediately affected by higher prices and higher rates. The first goal is to make sure the rates are as low as possible. The second goal is when money is expended, as the act requires, those expenditures should be made based on real science. He stated they should earn real return for the ratepayer on that investment; that is what the act requires, a thoughtful and deliberate balance of environmental and commercial realities. It also requires that the members actively and affirmatively engage the public. He told the Committee that is what he intends to do if confirmed.

Proponents' Testimony:

Rep. Joe Quilici spoke for the confirmation of John Etchart. He first met Mr. Etchart when he was negotiating with Burlington Northern on station closing and rail abandonment. Rep. Quilici told the Committee Mr. Etchart made sure everyone was treated with dignity and respect. Rep. Quilici said BN is not the issue;

the issue is the confirmation of John Etchart. He stated one could not put a better person in the job than John Etchart. Rep. Quilici told the Committee he (Rep. Quilici) worked on issues pertaining to the NWPPC since 1973 in setting up this organization. He explained the organization is important to Montana and that is why he took the time to speak for someone who he thinks would do a great job in the NWPPC. He told the Committee what is being addressed is going to be important to all Montanans; and the best possible people, such as John Etchart and Stan Grace should be on this council.

Hal Stearns also spoke in favor of the confirmation of John Etchart. Mr. Stearns told the Committee he (Mr. Stearns) was given the responsibility of director of two campaigns of the six mill levy for the University System. He explained he had to raise all of the money from private funds and contributors. He explained he had talked to John Etchart, who agreed to help. Mr. Etchart consulted with the Burlington Northern people because he thought it was a good public service cause. Within a couple days he called to say he would give \$1000 from BN. Mr. Stearns explained this gave him a start; people from other sources and all 56 counties voted enthusiastically because there was adequate money to travel to all the counties, and there was an effective campaign. Mr. Stearns told the Committee that anyone who can go away from his ordinary pursuits and come up with ideas is an individual who will have capabilities to do any kind of job for Montana.

Paul Roos spoke in favor of the confirmation of John Etchart. Mr. Roos told the Committee he was a fly fisherman, and educator. He stated Mr. Etchart has been active in conservation issues since 1970 when he was co-chair of a small group of Lincoln residents who successfully fought the transfer of state land to the Anaconda Company. Mr. Roos stated he is convinced that the nomination of John Etchart to the NWPPC is a wise one. Mr. Roos told the Committee he believes Mr. Etchart will listen to all sides of an issue; and that he has no particular prejudice that would impair his judgment. Mr. Roos said Mr. Etchart is intelligent, fair minded and energetic; and has the potential to serve Montana well.

Leo Berry spoke in favor of confirmation of John Etchart. Mr. Berry told the Committee he was Governor Schwinden's first appointee to the NWPPC in 1981; and he has some idea of what it takes to perform the job. He explained he had filled both roles as the Department of Natural Resources and Conservation and appointee to the NWPPC. He stated, "in keeping with Governor Schwinden's style, I was only paid for one job. I didn't actually go to a meeting but I did learn what the Council is about and what it takes to effectively administer that law." During his tenure, Mr. Berry stated he became acquainted with John Etchart. Mr. Berry explained the qualities that one acquires in the private sector are often the same qualities that are effective in the public sector. The roles and

responsibilities are different. The qualities and characteristics benefit the other. Mr. Berry presented the Committee with a letter of support for Mr. Etchart. (Exhibit #3 & 4).

Opponents' Testimony:

Jim Jensen, Montana Environmental Information Center, spoke in opposition. He stated the Committee's inquiry should be somewhat detailed in this matter, that Montanans deserve that. He explained that inquiry has not been made public. He stated that throughout the country and Montana there is a building cynicism about potential conflict of interest and anything these candidates can do to minimize these possibilities is important. He stated a candidate should be held accountable to public scrutiny and include financial information. He has specific concerns about Mr. Etchart's appointment. One is his prior work history. He [Mr. Etchart] has been in favor of fossil fuel development which is a bias which this region needs to set aside; he has no experience in energy acquisition and resource acquisition; his work with Burlington Northern Railroad and the illegal dumping in Livingston is a concern. Mr. Jensen told the Committee one thing that has been a problem with his predecessor is will he be a full-time council member. He stated a dilemma Mr. Etchart will face is the company held by Burlington Northern, Plum Creek Timber Company, which is one of the leading polluters in the Northwest and the Columbia River Basin causing significant water quality damage that affect the restoration of salmon. Mr. Jensen told the Committee the question is how someone who has represented their interest for so long will respond to making the decisions regarding Plum Creek. He asked that the Committee get answers to these questions.

Mr. Jensen said in regard to Mr. Simonich's appointment, he pointed to an article in today's paper in which he [Mr. Simonich] has taken the position on behalf of the Governor and the Department of Natural Resources that the threats to the geothermal resources in Yellowstone National Park do not rise to the level of concern sufficient to take small action at the department to protect those resources. Mr. Jensen told the Committee that is Senator Burns' position; and that is something the Department of Natural Resources in Montana can do to protect the potential diminishment of the geothermal resource in Yellowstone that is so valuable to our economy. He asked that the Committee ask Mr. Simonich about his position.

Dennis Olson from the Northern Plains Resource Council and the Bear Creek Council spoke neither in favor or opposing either candidate. He spoke of the article in the paper and he has concerns about Mr. Simonich's statements to the affect that he doesn't view well drilling around Yellowstone Park as a threat. Mr. Olson told the Committee NPRC could not disagree more; they are concerned that an appointee of the Director of DNRC would

take such a nonchalant and misinformed attitude toward this issue especially given the historical record of state agencies being incapable of holding the CUT in Yellowstone Valley accountable to state law. He explained CUT illegally drilled a well in violation of a litigation agreement that they were working on in Upper Yellowstone Valley. DHES shut them down because they were in violation of that agreement. CUT went to DNRC and was given a permit for that illegally drilled well. He told the Committee they think that was inappropriate. He stated they now have information that CUT has drilled 5 wells that was not mentioned in the Draft Environmental Impact Statement that they are currently going through now. He told the Committee they have photos that show there is steam coming out of one of those wells that would indicate that they have hit a geothermal well. He explained they don't know what the results of those 5 well drillings have been; whether they are dry, or whether they are over the 35 gallons per minute, that would trigger more public review or whether they are hitting geothermal resources. NPRC and Bear Creek Council disagree with Mr. Simonich on that issue and we urge this Committee to press Mr. Simonich to clarify whether his recent public statements reflect his and the Governor's position on this issue.

Tony Schooner represented the Beaverhead Concerned Citizens, an alliance of conservation groups, ranchers and other interested individuals in Montana. He told the Committee they started their movement 16 years ago to protect the Beaverhead National Forest from unwise logging practices which directly affected the Big Hole River, a blue ribbon trout stream, the elk herds and their calving grounds. He explained that in 1986 through 1989, Mr. Simonich was the public relations manager for the F.H. Stoltze Lumber Company. (Exhibit #7, 8, 9) He told the Committee their group does not oppose logging, but just want to make sure that things were done with proper public review. He stated Mr. Simonich, in one of his interviews with the Montana Standard, stated that he has never been hostile to environmental protection. Mr. Schooner told the Committee this is not the case. He asked that the Committee ask him if he had any part in the "ouster" of John Mumma and Ms. Metzmeier. Mr. Schooner said Mr. Simonich was the person who dealt with these issues from Sen. Burns' office. Mr. Schooner told the Committee the Beaverhead Concerned Citizens would like Mr. Simonich rejected outright; or at the very least, to go through a thorough background check. Mr. Schooner asked that this be publicized because the public has the right to know.

Mr. Schooner stated, as a spokesman for the Skyline Sportsmen Club of Butte, we also are very concerned about his appointment to a position as important as the Director of the Department of Natural Resources primarily because he is going to be dealing with water. (Exhibit #10) He stated water is one of the most serious issues facing this state, and the Skyline Sportsmen Club feels that there has to be more review, background and public knowledge about what is going on. He told the Committee this is

a very important position and they have had a very good relationship with Karen Barclay Fagg; the relationship with Mark Simonich will not be as straight forward as it was with Mrs. Fagg.

Questions From Committee Members and Responses:

Sen. Pipinich asked John Etchart about the charges raised against him by the opponents. Mr. Etchart said the description Mr. Jensen gave of him being fossil fuel biased is better than some of the descriptions. He said he had no such bias and the act that controls the activities of the NWPPC establishes clearly the preference and at the bottom of that pecking order is fossil fuels. He clarified he does not think that it makes sense for the decision makers of this state to ignore any valuable fossil fuels that we know how to use well and productively. He stated that Mr. Jensen said that he [Mr. Etchart] is smart and a quick study. Mr. Etchart said he expects that he will have the capacity to deal with this matter as well. He told the Committee he had no involvement whatever with the dumping in Livingston. Mr. Etchart answered Mr. Jensen's question as to whether or not Mr. Etchart would be full-time. Mr. Etchart stated he thinks Governor Racicot requires all of his appointees to be full-time and Mr. Etchart made that commitment outright. Mr. Etchart said Mr. Jensen asked for a financial disclosure. He explained the NWPPC requires one and Mr. Etchart has made it. He told the Committee the legal staff stated that he had no conflicts and should any arise the legal staff will advise him. He addressed Mr. Jensen's question as to whether or not Mr. Etchart could separate himself from Burlington Northern and the affiliates. He pointed out members of both Houses serve ably well and with durability here after having worked for that company or its predecessors. He stated there is a most capable member of the Supreme Court that is a long time employee of the largest regulated entity in the State. He told the Committee he did not think having worked for BN should have anything to do with his capacities.

Sen. Pipinich asked Mr. Etchart if he was aware of the fisheries at Dwarschek Dam. Mr. Etchart said he was not. Sen. Pipinich said they were steelhead and salmon hatcheries; that last year they shut the water off in the Snake River and it had a devastating effect for that area. Sen. Pipinich explained this was to wash the smelts down when they brought the water up again. He said it had a devastating effect on the fishery down there. He stated it is a good salmon and steelhead run and if they keep fluctuating the water like they are right now there is going to be a kill in the salmon and steelhead run. He asked Mr. Etchart what his feelings were about that situation? Mr. Etchart said he was not familiar with the situation; the fishery is a fragile area. He stated that one operation change for the benefit of one species has an intended negative effect on another species. He told the Committee Montanans stand the danger of operating that river and hydro system in a way that would benefit downstream salmon.

Sen. Pipinich asked Mr. Grace about the fishery at the Dwarschek Dam. Mr. Grace said that situation was an experiment that did not turn out in a favorable way.

Sen. McClernan asked Mr. Simonich about his statements concerning the geothermal situation in Yellowstone Park. Mr. Simonich stated he had not read the paper but that he would research the situation. Sen. McClernan asked Mr. Simonich about his involvement with John Mumma and Ms. Metzmeier. Mr. Simonich said he had nothing to do with Mr. Mumma or Ms. Metzmeier being replaced. He was a staff member of Sen. Burns and represented Sen. Burns.

Sen. Hockett asked Mr. Simonich about his position on hazardous waste burning. Mr. Simonich stated there would be further research on this situation. He stated we in Montana make waste, and we need to look at ways of disposing of the waste in Montana.

Sen. Weldon asked Mr. Etchart if he had a financial interest in Burlington Northern and if he does how would he adjust his work on the council to not interfere with that conflict. Mr. Etchart stated he spent nine years with the company and he does have accumulation of pension and security interest in Burlington Northern. He told the Committee he divulged that as the law requires to the NWPPC legal staff. The legal staff told him it does not pose a conflict for him and they will advise him if it does. He stated he would then seek their advice on whether he should divest it. He said even if he held a substantial amount of Burlington Northern stock and even if he voted to promote that the effect it could ever have on the stock price by virtue of the scope is infinitesimal.

Sen. Weldon asked Mr. Grace about his participation at meetings. Sen. Weldon said it was investigated and found that the attendance was good but for the record the Committee would like Mr. Grace to confirm the findings of the investigation. Mr. Grace stated he missed six meetings in a period of four years out of 48 meetings. He stated he has in fact been to a lot of meetings that he was not required to attend.

Closing by Sponsor:

Sen. Vaughn closed the hearing on SR 3.

HEARING ON SB 186**Opening Statement by Sponsor:**

Sen. McClernan, Senate District #34, presented SB 186 which is reapportionment of the Public Service Commission. He explained there is no trigger mechanism in the law to start the process to reapportion the PSC districts; that the districts are defined in statute. He stated there is simply a listing of which counties will be in which public service districts. Sen. Towe redefined the reapportionment districts for PSC. He explained the intent of the bill is to try to separate from the legislative process the reapportionment of the PSC districts. When redefining the legislative districts the Reapportionment Commission asks the Legislature for input but they can do what they want. He explained with this bill a committee of citizens would have meetings to look at the census data the same way the legislative committee looks at reapportionment. They would put a plan together and bring it to the Legislature in the form of a bill. With the bill is a fiscal note. In terms of cost Sen. McClernan would estimate 1/5 of the cost on the fiscal note. He told the Committee there will be a revised fiscal note. Sen. Towe has suggested that the PSC pick up the cost of the bill. Since the bill was drafted the issue has been raised about whether or not the original intent was to provide for equal representation and equal population in the districts. The people on the plains have different utility needs and different options than the people in Missoula. There are different requirements for telephone and electrical services. The Legislative Council is looking into that.

Proponents' Testimony:

Bob Anderson, Chairman of the Public Service Commission. Mr. Anderson explained the PSC appears as proponents of this bill because they recognize there may be a problem with the population balance of the PSC districts. Two of the districts are out of balance. The Northwestern district is about 18% higher than average and the Northeastern district is about 18% lower than average. He explained that is due in part to the general population dynamics of Montana over the last 10 to 15 years. He stated there has been a decrease in eastern Montana counties and an increase of western Montana counties; and as a result, in Northwestern Montana, the population is high. In Eastern Montana the population is low. Mr. Anderson told the Committee the PSC is somewhat suspect about this issue and wonders if it is serious enough to address. He explained the PSC is charged by law to be objective on very difficult matters so it tries to be objective on this matter also. He stated that one important criteria is one person/one vote or one rate-payer/one vote. He told the Committee another important criteria is economic or cultural aspects of a region, trade centers. The amount on the fiscal

note could be high and the Public Service Commission asks that the burden not be put on them. He said if the Committee thinks this issue is serious enough to consider the PSC asks the Committee to consider what criteria will be used to solve the issue.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

Sen. Fritz asked Sen. McClernan why not let the Legislative Reapportionment Committee draw up new districts every ten years. Sen. McClernan said there was nothing telling the Legislative Reapportionment Committee to do that. The law would have to be modified; it would simplify things.

Sen. Weldon asked Sen. McClernan where the idea came from. Sen. McClernan said it was from his own understanding of Reapportionment of the Legislature and thought the idea would work for the PSC reapportionment.

Sen. Weldon asked Mr. Anderson if there was any federal or case law that might guide the Committee on this issue. Mr. Anderson said he did not know of any case law. There are about a dozen states in which Public Service Commissions are elected and only one or two of those are by district.

Sen. Weldon asked Mr. Anderson what he thought of statewide districts. Mr. Anderson said there were statewide districts up until 1975. They were financed by industries who had too much influence as a result.

Sen. Vaughn asked Mr. Anderson if there were many complaints about how the Public Service Commission is divided now from the public. Mr. Anderson said there were none to his knowledge.

Closing by Sponsor:

Sen. McClernan said Mr. Anderson made a good point about whether this bill is really needed or not. He told the Committee one of the arguments in favor of SB 186 is maintaining public confidence in the system. He stated he will look at the data again and by executive session will bring a modified bill.

ADJOURNMENT

Adjournment: 12:00 noon.



SENATOR ELEANOR VAUGHN, Chair



DEBORAH STANTON, Secretary

EV/ds

ROLL CALL

SENATE COMMITTEE STATE ADMINISTRATION DATE 2-1-93

NAME	PRESENT	ABSENT	EXCUSED
Sen. Eleanor Vaughn	✓		
Sen. Jeff Weldon	✓		
Sen. Jim Burnett	✓		
Sen. Harry Fritz	✓		
Sen. John Hertel	✓		
Sen. Bob Hockett	✓		
Sen. Henry McClernan	✓		
Sen. Bob Pipinich	✓		
Sen. Bernie Swift	✓		
Sen. Larry Tveit	✓		
David Niss	✓		

SENATE STATE ADMIN.

EXHIBIT NO. 1

MARK ANTHONY SIMONICH
2514 Deepford Drive
Woodbridge, Virginia 22192

DATE 2-1-93

BILL NO. SR3

EDUCATION: Graduated from Tooele High School, Tooele, Utah in June 1974. Graduated from Utah State University with a B.S. degree in Forest Management in June 1978.

EMPLOYMENT:

May 5, 1989 to Present. Legislative Assistant to Senator Conrad Burns Washington, D.C.

March 17, 1986 to May 4, 1989. Forester/Public Relations. F.H. Stoltze Land and Lumber. Dillon/Columbia Falls, Montana.

November 1, 1982 to February 17, 1986. Timber Manager. Brand S Corporation. Livingston, Montana.

August 20, 1979 to October 31, 1982. Forester. Edward Hines Lumber Company. St. Anthony, Idaho.

June 6, 1977 to August 17, 1979. Forester/Cost Share Specialist. St. Regis Paper Company. Libby, Montana

September 1976 to June 1977. B&W Logging. Logan, Utah.

July 1976 to September 1976. Sawyer, Triangle Forest Products. Rand, Colorado.

July 1975 to September 1975. Student Forester. Hoff Lumber Company. Rexburg, Idaho

June 1974 to September 1974. Engineering Aid. U.S. Gov't. Tooele Army Depot. Tooele, Utah.

1970 - 1974. Gardener. McFarland and Hullinger Mining Company Tooele, Utah

EXPERIENCE:

FORESTRY/FIELDWORK

All aspects of forestry including tree planting; nursery work; thinning; regeneration surveys; surveying; cruising; road location; purchasing private, state and federal timber; contracting and supervision of contract loggers; contract administration and slash disposal.

Simonich, Mark M.

GOVERNMENT AGENCIES

Have worked with state and federal regulatory and natural resource management agencies including: Montana Department of State Lands; Montana Department of Fish, Wildlife & Parks; Montana Department of Health and Environmental Sciences; Montana Department of Natural Resources and Conservation; U.S. Forest Service; Bureau of Land Management; National Park Service; U.S. Fish and Wildlife Service; Bureau of Mines; Bureau of Reclamation; the Environmental Protection Agency; the Small Business Administration; and the Northwest Power Planning Council.

LEGISLATIVE

Have previously worked to promote forestry and timber industry position at state legislature. Have testified on pending legislation before both the Montana legislature and the U.S. Congress.

Staffed Senator Conrad Burns on the Senate Energy and Natural Resources Committee on all issues relating to public lands and natural resources. This includes tracking all legislation in these areas; drafting legislation; preparing briefings; and writing hearing and floor statements. This often involved working closely with other Senators and Representatives offices, as well as various government agencies.

MEDIA/COMMUNICATIONS

Have had contact with the Montana press throughout my career on forestry and public lands issues. Served on the MWPA Communications Committee. Completed the Montana Wood Products Communications workshop in 1988. Have done editorial board briefings with Montana daily and weekly newspapers on wilderness. Have provided background information to the press on a variety of public lands, natural resource and environment issues during my tenure in Washington D.C.

NETWORKING

Have developed contacts throughout the United States with individuals interested in all aspects of multiple use of our public lands.

ORGANIZATION AFFILIATION: Member of the Society of American Foresters, Secretary/Treasurer of Montana SAF for 1988, past member of the Montana Eastside Forest Practices Committee including serving as an officer and board member for four years, member of St. Elizabeth Ann Seton Catholic Church, unsuccessful candidate for Montana state legislature - GOP nominee for House District 8 in 1988.

PERSONAL DATA: Birthdate: 11/22/55 Age: 36

Married, two children ages 7 and 9 years.

Health: Excellent.

Home Telephone: (703) 491-9520

Work Telephone: (202) 224-3538

JOHN N. ETCHART
5013 Ranch View
Fort Worth, Texas 76109

Home: (817) 731-9152

SENATE STATE ADMIN.

EXHIBIT NO. 2

DATE 2-1-93

BILL NO. SR3

Office: (817) 870-2728

SUMMARY

Public/government affairs professional with proven leadership and management skills and extensive key role experience. Broadly acquainted at Federal and State levels. Demonstrated abilities in diplomacy, issues management, strategic planning for government affairs initiatives, coalition building, and effective representation of unpopular causes in inhospitable circumstances.

EXPERIENCE

BURLINGTON NORTHERN RAILROAD, Ft. Worth, Texas 1988-PRESENT
Vice President State Government Relations 1991-Present

Directed company relationships with governors, legislatures and agencies in 25 states. Managed staff of 6 professionals and 25 contract lobbyists and consultants. Aided in development of industry policy. Prepared and presented testimony. Lobbied in state capitols and Washington, D.C.

- Re-directed professional staff so they developed in-depth issue competence which improved government relations input into the corporate strategic planning process.
- Participated as a key player in industry wide initiative to improve cooperation and effectiveness among railroad representatives at state and federal levels.
- Led broad coalition of Western coal producers and transporters assembled to counter legislation protecting coal production in midwestern states.

Vice President Communications and Public Affairs, Ft. Worth, Texas 1989-1991

Responsibility for community and public affairs, media relations, employee communications, strategic and crisis communications planning and financial/shareholder communication support. Managed staff of 15 and consultants. Chief Executive of Burlington Northern's Foundation.

- Organized strong staff by adding key selections from field organization and realigning reporting relationships along precise functional lines. Reduced staff and improved focus of company publications.
- Directed the reduction of Burlington Northern Foundation giving by nearly \$10 million annually with only minimal adverse reaction among recipients.

BURLINGTON NORTHERN, INC., Helena, Montana

1984-1988

Vice President Government Affairs

Handled company's troubled relationships with Montana state government and congressional delegation. Managed government affairs issues involving company's transportation, real estate, resource and production businesses.

- Led major effort which improved BN's stature in Montana especially with Governor, Legislature, state agencies and media/editorial writers.
- Managed activities which led to repeal of statutes which had imposed substantial cost on the company's operations for decades.

BUREAU OF RECLAMATION, DEPT. OF INTERIOR, Washington, D.C. 1983-1984

Special Assistant to the Commissioner

Assisted Bureau's Chief Executive with responsibility for liaison with local water promotion, environmental, and economic development groups.

- Chaired inter-agency task force of Bureau of Reclamation and Army Corps of Engineers executives which developed a unique cost sharing method for construction of water projects.

NORTHERN TIER PIPELINE COMPANY, Seattle, Washington

1979-1983

Inland States Director, Seattle, Washington

1981-1983

Managed siting and permitting activities of proposed \$2.5 billion crude oil pipeline from West Coast to Midwest. Represented project to state and local officials, media, interest groups, and public. Lobbied Congressional delegations, and state governors, legislators, and agencies. Recommended project modifications designed to achieve interest group and governmental support.

- Formulated and negotiated a multi-million dollar agreement with Confederated Salish and Kootenai Tribes for a right-of-way grant in an effort involving extensive work with Tribal Council and with reservation publics.
- Directed Northern Tier's relationship with Washington Treaty Tribes in application review process before Washington Siting Council. Increased local and state support for project across five states among taxpayer, business, labor and agricultural organizations.

Montana Coordinator, Billings, Montana

1979-1981

Directed Northern Tier's contacts with state agencies having project review and permitting authority. Represented project to state and local officials, media, interest groups and public.

- Company participant in process which led to acquisition of 135 right-of-way environmental permits.
- Successfully sought establishment of Interagency Pipeline Task Force (IPTF) which coordinated permitting activities of several Montana agencies.

SCHOOL DISTRICT #2, Billings, Montana 1976-1978

School Psychologist

Served students, faculty, and parents as a Counselor and School Psychologist. Wrote and managed behavioral training programs. Directed the operation of Learning Resource Center.

UNITED STATES MARINE CORPS, Washington, D.C. 1968-1972

Infantry Officer

Commissioned following Marine Corps OCS in Quantico, Virginia, served in various command billets including combat tours as a Rifle Platoon Commander and Infantry Company Commander in Vietnam. Awarded: Bronze Star, Vietnamese Cross of Gallantry, Combat Action Award.

EDUCATION

M.S. - Guidance/School Psychology, 1976
Eastern Montana College, Billings, Montana

Graduate work in political science, University of Montana, 1972
Graduate work in law, University of San Francisco, 1973-1974

B.A. - History/English, 1968
Carroll College, Helena, Montana

CIVIC ACTIVITIES

Trustee - Carroll College, Helena, Montana (Current)
Director - North Texas March of Dimes (Current)
Director - Mountain States Legal Foundation
Director - St. Peter's Community Hospital
Director - Montana State Chamber of Commerce
Director - Western Environmental Trade Association

PERSONAL

Born and raised in Glasgow, MT. Graduated G.H.S. in 1963. Married, one daughter (age 8). Age 47, excellent health. Interests include politics, golf, tennis and fly-fishing.

MAJOR FRED HOULE, USMC(RET)
5 LEWIS LANE
RONAN, MONTANA 59264

SENATE STATE ADMIN.

EXHIBIT NO. 3

DATE 2-1-93

BILL NO. SR3

The Honorable Eleanor Vaughn, Chair
State Administration Committee
Montana State Senate
Helena, Montana 59801

Dear Senator Vaughn,

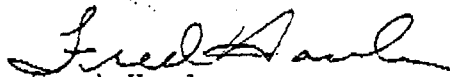
I am writing to support the Governor's nominee to the Pacific Northwest Public Power Planning Council, John Etchart. I became acquainted with Mr. Etchart when he was a member of a team negotiating for a pipeline right of way across the Flathead Reservation for the Northern Tier Pipeline Company. I was Executive Tribal Secretary for the Confederated Tribes at the time and, with Chairman Tom Pablo, was charged with conducting the negotiations for of the Tribes's.

It is not my purpose to enumerate Mr. Etchart's qualifications because they are well known. He has always placed his great talents at the service of his organization whenever there was a call to duty.

I would, however, point out that throughout the negotiation on the pipeline right of way, which lasted some months, I found him to be very sensitive to all environmental concerns raised by the Tribes. He displayed a deep commitment to protecting the environment. I feel it was this sensitivity and commitment that subsequently resulted in the Tribes, by referendum, agreeing to the pipeline right of way.

If you have any questions please call.

Sincerely,



Fred Houle
Executive Tribal Secretary (Ret.)
Conf. Salish & Kootenai Tribes
5 Lewis Lane
Ronan, Montana 59264
675-4401

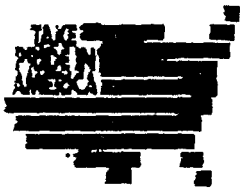
cc: John Etchart



United States Department of the Interior

NATIONAL PARK SERVICE
GLACIER NATIONAL PARK
WEST GLACIER, MONTANA 59936

(406) 888-5441
FAX: (406) 888-3581



IN REPLY REFER TO:

February 1, 1993

Senator Eleanor Vaughn
Montana State Senate
State Capitol
Helena, Montana 59620-1702

SENATE STATE ADMIN.
EXHIBIT NO. 4
DATE 2-1-93
BILL NO. SR3

Dear Senator Vaughn:

It is my understanding that you will be holding confirmation hearings concerning the Northwest Power Planning Council post and the nomination of Mr. John Echart by Governor Racicot.

I wanted to convey to you my positive working experience with Mr. Echart while he was employed by Burlington Northern. Mr. Echart, myself and several others were involved with the negotiations of the Burlington Northern Environmental Stewardship Area in 1991, an agreement between industry, government and the State which is designed to mitigate impacts of the railroad on grizzly bears in this system.

A copy of the agreement is attached for your information. We believe it to be an important step in depolarizing issues between industry and the environment and is likely a first of its kind in regard to the underlying issues.

John was a member of Burlington Northern's negotiating team and I found him to be cooperative, understanding and easy to work with. He was concerned about the issue and showed serious interest in the future of the grizzly and the issues being discussed.

This agreement, which also starts a trust fund for further action in the corridor, is currently being implemented with success and improving relations.

I wanted you to be aware of our very positive experience with Mr. Echart. Thank you.

Sincerely,

H. Gilbert Lusk
Superintendent

Enclosure

**BURLINGTON NORTHERN ENVIRONMENTAL STEWARDSHIP AREA (BNESA) OPERATING
PROTOCOL**

Marias Pass from East to West Glacier

WHEREAS, in the spirit of fostering a positive working between industry, government and conservation interests, Burlington Northern Railroad Company (BNRR) and the signatory state and federal agencies (Agencies) mutually desire to create an operationally and environmentally safe and compatible rail corridor through portions of Marias Pass Montana;

WHEREAS, BNRR and the Agencies acknowledge the importance of balancing the interests of commerce, farmers, users of rail passenger service, natural resources and wildlife and also acknowledge the areas underlying nationally significant qualities and their importance to the region;

WHEREAS, in the past certain portions of the corridor have been sites of accidental railroad derailments causing spillage of agricultural commodities;

WHEREAS, working with appropriate officials of the United States Forest Service, the National Park Service, the U.S. Fish and Wildlife Service and the Montana Department of Fish, Wildlife & Parks, BNRR has made reasonable and aggressive efforts to remove the spilled commodities from the derailment sites and the Agencies recognize their significant progress to date;

WHEREAS, the Agencies acknowledge the efforts and investments already made by BNRR to improve train operations in this area, including, but not limited to, the installation of concrete ties and welded rail, the undercutting of ballast, the hiring of contractors to vacuum and hand-pick spilled corn, etc;

WHEREAS, BNRR has voluntarily agreed to initiate and implement special management practices to minimize the disposal of waste or garbage within the special corridor;

WHEREAS, the parties desire to establish an annual review process for this Protocol whereby the implementing measures may be modified from those attached hereto;

WHEREAS, the parties desire to minimize train / bear incidents through the implementation of the measures identified herein.

NOW, THEREFORE, BNRR and the Agencies agree as follows:

Exhibit # 4
2-1-93
SR-3

SPECIFIC POINTS

1. The rail corridor between milepost 1138, East Glacier Park and milepost 1196, Belton is designated by BNRR as a special environmental stewardship area (BNESA). Within this area, particular attention will be paid to the operation and maintenance of the railway system because of the area's importance to several threatened and endangered species, including grizzly bears, wolves, and bald eagles. Affected federal, state, county and local governments will work with BNRR in this zone to assure cooperation and necessary agreements in furtherance of the goals established for the area. The area designated by BNRR will coincide with their existing rights of way and ownership within the area. The Agencies will also support the intent of this agreement within lands which they own or administer.
2. BNRR will work cooperatively with adjoining jurisdictions in planning for emergency response to derailments, should they occur. This includes the provision of emergency equipment necessary for response to spills. Equipment will be placed so as to expedite response times and prevent materials from entering rapidly flowing bodies of water. BNRR agrees to continue to work cooperatively with adjacent agencies and Flathead and Glacier Counties in this regard.
3. Within the BNESA, wildlife biologists from the FWP will determine specific sections (zones) of track (by milepost) where hazards exist to grizzly bears or where animals are noted to be crossing in large numbers or on a frequent basis. These specific zones will be reviewed and updated each year based on evaluation of results (reduction of bears killed) and information on bear locations passed on to FWP by train engineers and crews (noted by milepost). A meeting in January or February of each year, which will be open to the public, will be held between the signers of this document to conduct the above review and modify procedures when necessary.
4. BNRR agrees to educate and instruct train crews to exercise special care in the BNESA including strict adherence to speed restrictions and sounding of train whistle within the zone so as to attempt to reduce the number of bear / train incidents in the zone. As necessary, special electrified fencing will be erected by BNRR to either keep bears away from attractants and food sources created by train derailments or to direct their movements into or away from specific areas. Fences will not be placed in a manner or location that will interfere with normal railroad operation.

5. Special operating procedures and protocols will be adopted by BNRR within the BNESA and shall include at a minimum:
- a. Expedited response to spills within the area.
 - b. Placement of environmental spill cleanup material at key points within the BNESA to assist with spills.
 - c. Strict adherence to a speed limit, within specified zone(s) which will maximize the safe operation of trains in the corridor consistent with reduction of grizzly bear mortality. Such zone(s) will be reviewed each year and established by milepost designation. Such speed will not be changed without consulting with the Agencies. The Agencies will work to achieve the cooperation of Amtrak in this effort as well.
 - d. Continued use of continuous welded rail, welded turnouts and concrete ties between Belton and East Glacier. As technology improves, quality and efficiency of new track components will be pursued and utilized.
 - e. Erection of fences at locations mutually agreed to and at key zones identified by FWP's personnel.
 - f. Special training and educational programs for all BNRR personnel operating in the area, to be conducted by appropriate personnel from the Agencies.
 - g. Control of all human waste, litter and track debris within the corridor with the goal of a total clean-up of the area and elimination of all attractants for bears.
 - h. The parties agree to work with AMTRAK in controlling human waste disposal within the area, spillage of gray water and other bear attractants. BNRR will cooperate and facilitate in negotiations and discussions with AMTRAK.
 - i. Special goals regarding these issues will be developed by Burlington Northern Railroad and routinely communicated to all work crews and personnel who operate within the area.

Exhibit # 4
2-1-93
SR-3

- 6. The Burlington Northern Environmental Stewardship Area (BNESA) will be recognized with an appropriate plaque placed at Marias Pass and with other plaques or displays placed at the Belton and East Glacier train depots. These plaques will depict a visual representation of the area, the name of the area and the goals established for the area.

- 7. A conservation trust fund with a minimum goal of \$1,000,000 will be established with an initial donation by BNRR. Burlington Northern Railroad will entertain requests to the BN Foundation for the funding of items discussed in this protocol as the trust fund grows to a self-sustaining amount. The remaining portion of funds shall be raised through other corporations and institutions. The trust fund will be administered by a board comprised of invited representatives from Flathead County, Glacier County, the U.S. Forest Service (USFS), the National Park Service (NPS), the Blackfeet Tribe, the Montana Department of Fish, Wildlife and Parks, (FWP), the Flathead Land Trust, BNRR, the National Wildlife Federation, the Montana Department of Highways, The Great Bear Foundation, and four citizen members residing in Flathead or Glacier Counties.

Proceeds of the trust fund can be used for, including but not limited to, the following program elements:

- a. Protection of critical grizzly bear habitat and movement corridors through the purchase of conservation easements or acquisition of fee title within the area and adjacent to the main transportation corridors, including the rail corridor and Highway 2.

- b. Placement of a qualified Grizzly Bear Management Biologist to serve as Coordinator for the area who, through implementation of a proactive management plan, would serve to educate the public and resolve bear management issues within the BNESA.

- c. Experimental research to determine the effectiveness of operational changes and new techniques in the prevention of grizzly bear mortalities.

- d. Provision of an NPS and/or USFS seasonal interpreter to travel on east and west bound AMTRAK trains (from East Glacier to Belton and return) to interpret the area as primary grizzly bear habitat and what the BNESA represents. Such services would only be provided from June 1 to October 1 of each year. The parties will cooperate to obtain Amtrak authorization for this seasonal interpreter

8. In furtherance of the BNESEA and its goals, BNRR agrees to sell and the Glacier Natural History Association (GNHA) agrees to buy both the Belton and East Glacier train depots for the sum of \$1.00. The market value of both stations will be considered in establishing the total value of this agreement. The property upon which the depots are constructed will be leased by GNHA and maintained as required by BNRR and Amtrak.

The Belton train depot will be used by GNHA for administrative and educational purposes and for such other purposes as they may deem appropriate and fit. The East Glacier Park train depot will be administered by GNHA for educational purposes and in cooperation with other entities such as the Blackfeet Nation, Blackfeet Community College, town of East Glacier and agencies and parties to this agreement. GNHA shall, unless otherwise authorized by Amtrak, agree to maintain space for AMTRAK ticket sales and service in both stations through normal methods of leasing and permitting as a condition of the sale.

9. The parties recognize that there is active litigation concerning the grizzly bear issue at Maria Pass. The parties have attempted to initiate mitigation measures before the court process began. Should the court order mitigation inconsistent with the agreements contained herein, the parties will adjust the agreement accordingly.

Dennis G. Anderson 10/7/91
DENNIS G. ANDERSON Date
Division General Manager
Burlington Northern Railroad

H. Gilbert Lusk 9/24/91
H. GILBERT LUSK Date
Superintendent Glacier National Park
National Park Service

Joel Holtrop 10/1/91
JOEL HOLTROP Date
Supervisor Flathead National Forest
U.S. Forest Service

Dan Vincent 10/2/91
DAN VINCENT Date
Supervisor
Montana Fish, Wildlife, and Parks

J. Dale Gorman 10/1/91
J. DALE GORMAN Date
Supervisor Lewis & Clark National Forest
U.S. Forest Service

THE FURMAN GROUP

January 28, 1993

The Honorable Eleanor Vaughn
Chairman
State Administration Committee
Montana State Senate
Helena, Montana

SENATE STATE ADMIN.
EXHIBIT NO. 705
DATE 2-1-93
BILL NO. SR3

Dear Madam Chairman:

It is my understanding that John Etchart has been nominated to serve on the Northwest Power Planning Council and that your committee will be considering his nomination in the near future.

I have known John for over a decade and have the highest regard for him personally and professionally. He possesses the highest possible standards of integrity. During President Reagan's first administration, I served as Deputy Assistant Secretary of the Interior for Water and Science. In that capacity I worked with and directly supervised Mr. Etchart's work at the Bureau of Reclamation. He was pragmatic, open-minded and willing to listen to every legitimate interest that approached our office. I admired and continue to admire John's ability to balance competing interests. While at Interior he worked well with farmers, environmentalists and project sponsors and was responsible for developing a sensitive project cost-sharing agreement with the Army Corps of Engineers.

I know that John will be a credit to Montana on the NWPPC and I hope that you will support his nomination.

Thank you for considering these views.

Sincerely,


HAROLD W. FURMAN II

HWF/aks

cc: John Etchart

**MONTANA
STATE
UNIVERSITY**

1893 • CENTENNIAL • 1993

Office of the President

103 Montana Hall
Montana State University
Bozeman, Montana 59717

Telephone 406-994-2341
FAX 406-994-1893

January 28, 1993

Senator Eleanor Vaughn
Capitol Station
Helena, MT 59620

Dear Senator Vaughn:

Mr. John Etchart has asked me to write you a letter in support of his nomination to the Northwest Power Planning Council. This I am pleased to do.

I have known John for many years and hold him in highest regard. He served for many years on the Board of Directors of the MSU Foundation.

He is a very intelligent and fair-minded man, a very good "people person", and is very cooperative. I consider him a model citizen and a fine executive. I believe he would be an ideal member of the council.

Thank you for your consideration.

Sincerely,



Michael Malone
President

MM/si

metchart 127

SENATE STATE ADMIN.

EXHIBIT NO. 6

DATE 2-1-93

BILL NO. SR3

Jan. 21, 1988

TOWNS
THIS guy is NOT FIT for the Job!

Letters to the editor

SENATE STATE ADMIN.
EXHIBIT NO. 7
DATE 2-1-93
BILL NO. SR3

Stoltze supports wilderness

To the editor:

A few months ago our company embarked on a program aimed at building good relations throughout Beaverhead County. This was to be done through a series of newsletters explaining many of the issues surrounding forest management.

Through the newsletters we hoped to kindle an interest in sound forest management, providing for multiple uses of the forest. It is evident from a letter by Jack Kirkley in your paper that there are those who think our newsletters are only so much propaganda.

Well, each of you will have to decide for yourselves about the message we are portraying. However, there are a few points in Mr. Kirkley's letter that need responding to.

Regardless of what might be said about changing conversion factors, or an adequate timber supply, the facts remain clear. The Beaverhead National Forest by their management plan to sell a maximum average annual amount of timber of only 17.3 mmbf. Stoltze uses 26 mmbf annually.

There are also mills in Darby, Deer Lodge, Belgrade, Livingston, and even St. Anthony, Idaho, that purchase timber from the Beaverhead. The resultant demand for timber is easily more than double what the forest plans to offer.

As early as 1897 Congress made its wishes known that the forests of America should be managed to provide sufficient amounts of timber to ensure community stability for dependent communities. This was done through the Organic Act which created the Forest Reserves (today's National Forests).

During the ensuing 90 years Congress has reaffirmed their beliefs about timber production through many additional laws. Stoltze's desire to achieve a higher timber harvest comes from a commitment to our employees, their families and all the many others in the community who want to be able to stay here and enjoy the splendor of the Beaverhead.

We are not suggesting to cut every acre of

the forest. But we do believe each acre should be managed to achieve its true potential.

The Beaverhead Forest Plan classified 102,590 acres of the most productive timber producing ground on the forest as unsuitable for timber management. If these additional acres were to be managed for timber we would not be so worried about our timber supply.

The Stoltze position on wilderness is neither new nor earth shaking. We have always been supportive of wilderness designation for some areas and have gone on record, including Congressional testimony, supporting various wilderness proposals.

We are not proposing only leftovers for wilderness. In fact, we fully support the Beaverhead Forest's recommendations for wilderness, including 55,000 acres in the West Big Hole.

Even our Congressional delegation has not proposed the West Big Hole for wilderness. Instead Congress has proposed a watershed study for the West Big Hole.

We believe their proposal is limited in scope and would unnecessarily delay management activities in the area. Stoltze has proposed a compromise study for the West Big Hole that is broader in scope and would allow the forest service to continue with planned management activities during the life of the study.

Contrary to the headline on the front page article in this paper on Dec. 22, Stoltze has not and is not threatening a mill closure. However, we do believe we have a responsibility to the community to inform them of our situation.

We are hopeful that with the support of the people of Beaverhead County we can be successful in our efforts to secure an adequate supply of timber.

We plan to continue with our monthly newsletters and hope you enjoy receiving them. But as I said earlier, each of you will have to decide for yourselves.

Mark Simonich
F.H. Stoltze Land and Lumber Co.

PRIVATE STATE ADMIN.

EXHIBIT NO. 8
 DATE 2-1-93
 FILE NO. 523

Wilderness isn't a good idea

Last week's guest commentary in the Dillon Tribune-Examiner suggested that wilderness is a good idea. Well, I disagree. In the article, Mr. Kirkley (a professor at WMC) quoted a Wall Street analyst who suggests Montanans would gain the most, economically by emphasizing hunting, fishing and ecology.

This is just the opposite of a recent study done by the University of Montana. The U.M. research shows that there will be little expansion of the outdoor recreation market for Montana residents during the next decade. Other research shows that the actual use of wilderness is decreasing.

It is absolutely ludicrous that anyone would suggest we would be better off to gear economy toward only recreation/amenity based employment. Montana has survived for the past 100 years because of its basic industries, ranching, mining and timber. To even suggest this all could be hanged leaves a lot of explaining to be done.

Mr. Kirkley also quoted a Montana Standard article which said that young, well educated people are attracted to the areas offering an unspoiled quality of life reflected by local attitudes toward wilderness.

Beaverhead County has an unspoiled quality of life. In fact, a person would have to look real hard to find a nicer place to live. But frankly, there isn't much in the way of employment opportunities to attract the young, well educated people that Mr. Kirkley is talking about. There will be even less if local sawmills and mines are forced to close their doors.

In this new recreation economy where would the money come from to support our city and county

governments, our public schools, hospitals and even our colleges? Most of the jobs in the recreation sector would be lowpaying seasonal work. These may be agreeable to some people but would be awfully hard to accept for the people currently working year round in the mills earning an average of \$10 an hour.

Not only will Beaverhead County not grow from new wilderness designation but many residents will have to leave to find work to support their families. The Beaverhead Forest can and is being protected through sound forest management. Now it is time to protect the residents of the Beaverhead.

The wilderness legislation currently before Congress would "protect" somewhere around two million acres while supposedly released another four million acres of roadless land to be managed for multiple use. The truth is of the four million acres released only about one million acres are planned for development statewide.

With the wave of appeals on any forest service decision development of these million acres is doubtful. Any area not developed within the next decade will again be reviewed for possible inclusion in the wilderness system at that time.

No single industry or fragment of it alone can provide for the healthy economy of Beaverhead County and Montana. We need the land base to provide for the diverse needs and putting more land into wilderness detracts from those needs. More wilderness is only waste.

Waste not, want not.

Mark Simonich
 Forester, F.H. Stoltze
 Land and Lumber Co.

Letter to the editor

Time to practice true conservation

To the editor:

With all of the hoopla in recent weeks over wilderness I feel it is important to clear up some misconceptions being spread by wilderness proponents. In particular I would like to address the issue of timber supply.

First of all the timber supply shortage is very real on the Beaverhead Forest. Contrary to beliefs espoused by George Wuerthner in a recent letter in this paper, the timber industry is not hurting because of a lack of demand for our products.

We are actually experiencing greater demand for our products than at almost any time in the history of our state. This is evidenced by the record setting levels of lumber production in the state of Montana last year.

The problem the timber industry does face is that virtually every national forest in the state of Montana has recently published, or will soon complete, plans to reduce their allowable timber sale program.

The Beaverhead Forest plans to reduce their average annual timber sale program from 24.3 million board feet to 17.3 million board feet. This is a reduction of nearly 30 percent of their annual pro-

gram.

Our mill cannot begin to fulfill its need for timber for today's level of production with only 17.3 mmbf being offered for sale.

Pat Williams' wilderness bill (H.R. 2090), or any other wilderness bill for that matter, will probably not be directly responsible for the immediate closure of any sawmill or loss of jobs. However, Williams' bill combined with the current timber shortage will ultimately lead to the closure of sawmills and loss of hundreds of jobs.

As an example let me point out that on the Beaverhead Forest in areas proposed for wilderness, national recreation area and watershed study Williams has included over 260,000 acres of commercial timberland within his boundaries. This land, if managed for timber, could produce in excess of 20 million board feet per year forever.

Wilderness is not pro-wildlife, pro-land or pro-business as Mr. Wuerthner claims. Wildlife need a diversity of habitat. This can be best achieved through vegetative management which is not allowed in wilderness.

Wilderness does not provide toward the year round support of local businesses as do public lands managed for multiple use.

Wilderness does not promote business. Tourism is a legitimate industry in our state but it does not survive on wilderness. Tourism survives because of all the activities available in developed areas.

However, we do need to look to our economic survival and vitality. Inevitably in Montana this means looking to our natural resources. These natural resources of course include timber.

We must manage our roadless for multiple use instead of the single use characterized by wilderness. Through multiple use management of our natural resources we can provide for growth in the basic industries which have been the backbone of our economy in this state for many years.

Growth, not decline, is what will keep our economy strong and our state first class.

Montana has enough wilderness. It is now time to start practicing conservation on the remainder of our roadless lands.

Mark Simonich
 Forester
 F.H. Stoltze Land & Lumber Co.
 Columbia Falls

Letters to the Editor

Dillon Tribune-Examiner
July 5, 1988

Giving people something they don't want

STATE ADMIN

BY NO.

9

To the Editor:

2-1-93

NO.

503

Recent news articles report that our congressional delegation is struggling to put together a Montana Wilderness Bill. There seems to have been some kind of agreement among the three Democrats for 1.3 million acres of wilderness.

Pat Williams is crying foul because this would not include 700,000 acres of further study that he proposed. In return for giving up the study, Pat, now wants more wilderness.

After all what's another 100,000 acres here or there. Six months ago John Melcher was talking in terms of 1 million acres. Now it is 1.3 million. John says to get the bill this year they have to do it now. In order to get a bill, will John now go to 1.5 or 1.6 million? Where does it all stop.

I, for one, will not support a bill "at all costs". If you believe we must have a wilderness bill then write to John, Max and Pat and tell them. But if you do not think a bill is so important that we have to take anything to get it then for your own sake let our elected officials know.

Ron Marlenee does not believe we need a wilderness bill at any cost. He was thrown out of the process for being unwilling to compromise. Now that John, Pat and Max can't compromise it appears their effort will fail. They will fail not because of Ron Marlenee or any special interest group, but because they are trying to give the people of Montana something they don't want.

Mark A. Simonich,

P.O. Box 1775-

Whitefish, MT 59937.

862-2144

76,600 acres of Big Hole included in bill

To the Editor:

Wilderness advocates who say that the Melcher compromise wilderness bill is lopsided in favor of timber have their heads stuck in the sand as usual. A case in point is a recent letter by Jack Kirkley that called my comments about the Melcher bill "theatrics." Kirkley says that Stoltze Land & Lumber Co. "stands to profit most from Melcher's land releases in the Big Hole, so why bite the hand that feeds them." Well Jack, if we had been fed, we wouldn't be biting. Let's look at the facts.

Melcher's compromise bill releases a portion of the West Pioneers. According to the forest plan this will add 22,000 acres to the suitable timber base and increase the average annual timber sale program by 800 mbf. Even with this increase in the Allowable Sale Quantity there will not be enough timber available for sale to allow our sawmill in Dillon to continue to operate. This small increase is like giving a starving man a cracker to eat.

Kirkley says Melcher sided with timber lobbyists by releasing much larger areas for roads and logging than was released by either Rep. Williams or Sen. Baucus, including 43,400 acres in the West Big Hole. The truth is that Williams' and Baucus' bills would have created a 120,000 acre, 5-year watershed study in the West Big Hole.

Under their proposals any planned road building or timber sales could have possibly been

done after the five year study. Melcher's compromise bill proposes a solid 76,600 acres wilderness are in the West Big Hole with no study.

What Melcher locks up now is locked forever, including at least some portion of a 7.5 million board foot timber sale that is currently planned in the West Big Hole.

Contrary to what Kirkley says, Stoltze Lumber will not profit from John Melcher's bill. In fact, if major changes aren't made in any or all of the various wilderness bills, Stoltze can be assured that there is no long term future for a sawmill in Dillon and an entire community will have to adjust accordingly.

All members of the Congressional Delegation have continually told us that they do not want to take any action that would force closure of the mill in Dillon. We have received assurances they are working to secure adequate supplies of timber for all the mills that are facing an immediate threat of closure. But, all we have gotten are three wilderness proposals that are certain to prevent the survival of the very mills they have vowed to help.

I sincerely urge all Montanans to look at the facts in the wilderness debate. If they do I am certain these bills will scare them as much as they scare me.

Mark Simonich, Forester

F.H. Stoltze Land & Lumber Co.

Columbia Falls

G.P. 200

mention the extent your business wanted to
keep the bubble as a 2 year estimate
and to be allowed to hunt them.
Probably 70% of the people asked in
Mont. wanted to be able to hunt
bubble.

The Fund for Animals took the
shooting of bubble to court and
lost in the 9th circuit court of appeals
in San Francisco. Bubble can be shot
in part to protect cattle from the spread of
the virus.

Allocation of any percent for
landmarks -

There were some bubble cases that
spoke when the water shot them
and again this past year.

The hunt can be structured to
allow ~~the~~ harvesting of bubble
basically the same as
season

Montana

Senator's aide tapped for DNR

By Iwanski Associated Press Writer

Butte — Gov. Marc Racicot on Wednesday nominated U.S. Sen. Conrad Burns to be director of the Department of Natural Resources and Conservation.

Rejection of criticism that his appointments related to jobs have been dominated by political, rather than professional, considerations.

Named Mark Simonich to head the state resource agency, Simonich will leave his job as legislative assistant for natural resource issues.

Worked for Burns in Washington for four years. Also named John Etchart, a former vice president for Burlington Northern Railroad, to serve on the Natural Resources Planning Council.

Grace, elected chairman of the federal panel on the state's second.

member. Etchart, of the Montana Environmental Information Center, was on hand at Racicot's news conference to announce the governor's appointments to resource-related jobs, including the directors-designate of the Agricultural Lands and Natural Resources department.

Etchart said that those selections were largely political.

cal, while appointees in other areas have had more relevant professional qualifications.

"Why single out natural resources for political appointments?" Jensen asked Racicot. Jensen charged that Etchart in the past had been "pretty hostile" toward environmental protection and that Simonich "is in that same category."

Racicot rejected the premise that the appointments were predominantly political and said that his nominees were highly qualified.

"They have the kind of experience that is necessary to bring balance to this whole operation," the governor said of Simonich and Etchart. "I have a high degree of confidence that you'll find them good people to work with."

Etchart, in a telephone interview from Fort Worth, Texas, said he couldn't recall any particular disagreement that might have prompted Jensen's comments.

"I'm sure they didn't approve of everything Burlington Northern did," he said. "But if there's something particular in mind, I don't know what it is."

Etchart said he looked forward to talking to Jensen and his group "to hear their concerns in a constructive way."

Etchart's position on the regional power council will pay him \$57,892.

Simonich will earn \$54,306 a year as the state's natural resources director.

Simonich, in a telephone interview from Washington, D.C., said that he has "never been hostile to environmental protection."

"I have worked throughout my career to protect the environment and that's certainly what I intend to do in this job," Simonich said.

Like Etchart, he said that he and Jensen may have been on opposite sides of various issues.

"He may think I worked against environmental protection, but that is not the case," said Simonich, who will earn \$54,306 a year as the state's natural resources director.

Racicot also named Charmaine Murphy, a US West employee in Helena, as state lottery director at a salary of \$48,874 a year.

Glenn Marx was designated as the governor's natural resources policy adviser at a salary of \$54,306. A similar position in the administration of his predecessor, Stan Stephens.

And Racicot named New York Times reporter columnist Andrew H. Malcolm as executive director for policy and communications. Malcolm will be \$33,891 yearly.

The two men first became acquainted about a year ago when Racicot, then head of the state just department's county prosecutor services bureau, interviewed by Malcolm about legalized gaming in Montana. Malcolm owns "property" near Troy, a western Montana town.

Racicot has one remaining Cabinet post to fill: director of the Department of Commerce. "It's been a matter of too much to do and too little time," he replied when asked why the Commerce selection had taken so long.

About the new appointees

NA (ADP) — Here are brief biographical sketches of the cabinet and state lottery director and other new appointees.

Gov.-elect Marc Racicot — Present, forester-public relations, F.H. Stoltz Land and Lumber Co., 1986-89; timber manager, Brand S Corp., 1982-86; forester, Edward Hines Lumber Co., St. Anthony, Idaho, 1979-82; forester, St. Regis Paper Co., 1977-79; logger, B&W Logging, Logan, Utah, 1976-77; sawyer, Triangle Forest Products, Rand, Colo., 1976.

Mark Simonich — Department of Natural Resources and Conservation, Nov. 22, 1985.

John Etchart — Home: Washington, D.C. Occupation: Legislative assistant, U.S. Sen. Conrad Burns, R-Mont., 1977-79; sawyer, Triangle Forest Products, Sandra Ann Helvik, Melissa, Daniel.

John Etchart — Graduate of Montana State University, 1978. Degree in forest management.

Charmaine D. Murphy — State Lottery Director. Age: 28; Born: Butte Feb 28, 1962; Home: Clancy. Occupation: Customer information

and employee communications manager, US West Communications, Helena; Spouse: Todd; Children: None.

Education: Graduated Whitehall High School; graduated Montana State University, 1987, bachelor's degree in public relations; graduated University of Colorado, 1990, master's degree in finance.

Employment: Customer information and employee communications manager, US West Communications, Helena, 1992-present; financial-budget analyst, US West Advanced Technologies, Boulder, Colo., 1991-92; financial analyst, MCI Telecommunications Corp., Denver, 1990-91; public relations representative, RNL Facilities Corp., Denver, 1988-89; manager, "Ask Us" Information Center, Montana State University 1986-87; public relations manager, Up With People, 1983-84.

Area

Mumma predicts timber cutbacks

BOZEMAN (AP) — Former Regional Forester John Mumma says the timber industry has had its way for years with the national forests, but those days are coming to an end.

Mumma, the former supervisor of 16 national forests and 4,000 employees in Montana and northern Idaho, lost his job in a dispute over use of the forests.

He later testified before Congress

CARD OF THANKS

that he was ousted because of political pressure to increase timber harvests, despite the constraints of environmental laws.

Mumma's comments, in an interview with the Bozeman Daily Chronicle, were published here Friday. He was in Bozeman to address the Cinnabar Symposium at Montana State University Saturday.

He described his tenure at regional headquarters in Missoula as one that left him constantly caught between the demands to protect natural resources and the demands of the timber industry and the Republican lawmakers who served it.

He said the "meddling" of Republicans — especially former Rep. Ron Marlenee and Sen. Conrad Burns — even extended to their insistence on transfers of district rangers, land specialists and other relatively low-ranking people just

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because they had disputes with the timber industry. Mumma said he never complied with those demands.

The Republican lawmakers have denied trying to use improper influence.

Mumma said Democratic Sen. Max Baucus also tried to interfere with agency decisions, but backed off when the law was explained to him. Not so with the Republicans, he said.

The former regional forester said he sees a new direction coming with the Clinton administration, but not a "180-degree turnaround."

He said he hopes to see less political meddling with Forest Service decisions and more emphasis on values other than timber in the national forests.

"The timber industry has had it their way for a long time," Mumma said. "If you talk to the industry they'll say they haven't. But I think the record's pretty clear. You look at profits and harvests and acreages worked over, and they've had a good show. I think that's going to change."

He used harsh terms to describe the aftermath of logging in northwestern Montana.

"Atrocious," he called it. "It makes me sick."

"We've learned ... you just can't cut as much timber and still meet these other environmental standards: water quality, wildlife habitat, so much old growth," he said.

Mumma said somewhere around 2 million of Montana's remaining roadless national forest acres probably should be protected as wilderness.

But much of the rest of it should be protected with some type of designation that might allow snowmobiles and trail bikes but would ban logging, mining and road building, he said.

He said he liked the 1988 wilderness bill that President Reagan killed at the request of Marlenee, and sees some good points in a multistate wilderness proposal to designate 13 million acres of wilderness in five states, including Montana. However, he said the multistate plan was "way ahead of its time" politically.

Mumma also predicted a return of the so-called "Vision" document, a multiagency plan for managing the Yellowstone National Park region that called for increasing emphasis on "naturalness."

The document was intensely opposed by commodity groups, and environmental groups said the final version was so watered down that it was worthless. The dispute over the plan was among the reasons cited for Mumma's ouster.

"Naturalness was all of a sudden a dirty word," Mumma recalled. "I think the Vision document will come back. What we had in that document is exactly what ought to be in there."

DATE 2-1-93

SENATE COMMITTEE ON State Administration

BILLS BEING HEARD TODAY: SR 3, SB 186

Name Representing Bill No. Check One Support Oppose

Name	Representing	Bill No.	Support	Oppose
Tony Schoonen	Stylian Sportsmen ^{Butte}	S-B.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tony Schoonen	Bezverheid Concerned	SB.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Jensen	METE Citizens	SR 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Anderson	P-X	SB 186	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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VISITOR REGISTER

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