

## **MINUTES**

### **MONTANA SENATE 53rd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By Chair Bianchi, on March 8, 1993, at 3:15 p.m.

#### **ROLL CALL**

##### **Members Present:**

Sen. Don Bianchi, Chair (D)  
Sen. Bob Hockett, Vice Chair (D)  
Sen. Sue Bartlett (D)  
Sen. Steve Doherty (D)  
Sen. Tom Keating (R)  
Sen. Ed Kennedy (D)  
Sen. Bernie Swift (R)  
Sen. Chuck Swysgood (R)  
Sen. Henry McClernan (D)  
Sen. Larry Tveit (R)  
Sen. Jeff Weldon (D)

**Members Excused:** Sen. Lorents Grosfield (R)  
Sen. Cecil Weeding (D)

**Members Absent:** None.

**Staff Present:** Paul Sihler, Environmental Quality Council  
Leanne Kurtz, Committee Secretary

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

##### **Committee Business Summary:**

Hearing: HB 30, HB 150, HB 417  
Executive Action: None.

#### **HEARING ON HB 30**

##### **Opening Statement by Sponsor:**

Representative Jerry Driscoll, HD 92, said HB 30 is the result of the 1991 session's study resolution requesting the Environmental Quality Council (EQC) to examine lakeshore development. He handed out copies of newspaper clippings, press releases and memoranda discussing the public hearings and the study (Exhibits #1 and #2). Rep. Driscoll stated that currently a permit is needed to build within 20 feet of the high water mark. New Section 9 of HB 30 changes the 20 foot restriction to 50 feet. He said building could still occur in the area, but it must be "feasible with the lake." Rep. Driscoll stated HB 30 creates a

lakeshore advisory committee and makes violation of the regulations a civil penalty. He discussed causes of lakeshore pollution and said in some cases the 50 foot limit is needed, while 30 feet may be enough in other areas. Rep. Driscoll stated local governments should be given the latitude to regulate as they see necessary.

The final EQC report on the lakeshore development study was given to the Committee members (Exhibit #3).

**Proponents' Testimony:**

Jack Stanford, director of the Flathead Lake Biological Station, submitted written testimony and discussed the graphs attached to his testimony (Exhibit #4).

Jerry Sorenson, Lake County Planner and member of the Flathead Basin Commission, read from written testimony (Exhibit #5), and said HB 30 would allow local governments to work with landowners.

Stan Bradshaw, Montana Trout Unlimited, said the 50 foot restriction will allow the natural lakeshore vegetation to act as a more effective filter to protect water quality. He stated 50 feet may not be enough in some cases, and thinks it is a fairly conservative change from current law.

Dick Wollin, president, Flathead Lakers Board of Directors, read from written testimony and discussed the attachments addressing lake stewardship (Exhibit #6).

Sanna Kiesling, Helena resident, said her family has owned property on Lindbergh Lake for about 35 years. She said she does not believe HB 30 would violate any property rights, and thinks property owners should have the chance to work with local governments to ensure construction does not damage the lake.

Janet Ellis, Montana Audubon Legislative Fund, said her organization preferred HB 30 in its original form, before the House amended it. She stated in most Pacific Northwest states, 50 feet is a minimum buffer strip to protect water quality.

Brian McNitt, Montana Environmental Information Center (MEIC), said MEIC also preferred HB 30 in its original form. He said the lakes and resources associated with them belong to everyone in the state.

Joseph Bibey, Flathead Lake resident and former University of Montana biology instructor, discussed the effects of population growth and development around the lake. He mentioned lake protection programs in other states.

**Opponents' Testimony:**

Ron Clark, Flathead Lake property owner, said when HB 30 was introduced in the House, he helped gather letters and signatures from approximately 450 people in the Flathead Lake area opposing the bill. Mr. Clark discussed his land and home on Flathead Lake, noting he does not think the water quality has deteriorated in the 9 years he has been there. He said the 46 pages of Flathead County regulations are too long and complicated. He said water quality in the lake is important to everyone, but local governments are difficult to deal with.

Representative Bill Wiseman, Great Falls, said he is a property owner on Flathead Lake. He said the 20 foot limit has been a major obstacle. He commented on HJR 17, the bill that directed the study, and stated the study itself contains no scientific data. Rep. Wiseman said EQC simply sent surveys to 220 people asking how they feel about water quality in Montana lakes. He said the 1975 law directs every county to set up control zones around all the lakes in Montana, and only Flathead and Lake Counties have complied because it is too expensive. He distributed the Flathead Basin Commission report (Exhibit #7) and directed the Committee to the highlighted material on pages 46 through 48 and the conclusions on page 61. Representative Wiseman said increasing the control zone from 20 to 50 feet is "loading on to the counties the job of enforcing the rules and regulations around Flathead Lake." He said page 10 of HJR 17 states that from 25% to 33% of the cost of administering the 20 foot zone is collected from fees, the rest comes from Flathead and Lake county taxpayers. He recommended the Committee strike the statement of intent as well as anything addressing allowing a local government to raise setback fees.

Senator John Brenden, SD 10, said he has been a seasonal resident at Ashley Lake since 1949. He discussed efforts by residents of Ashley Lake to govern and regulate themselves through the Ashley Lake Homeowners Association. Senator Brenden said he does not want local governments controlling the property owners.

Russell Ritter, Flathead County property owner, said he agrees that Flathead Lake belongs to everyone, but contends that land owners take better care of the lake than the general public.

Roger Somerville, landowner on Flathead Lake, said he opposes the setback from 20 feet to 50 feet, as 20 feet is adequate to protect the lake. He added the water quality of the lake is being degraded by pollutants in rivers and streams that feed into the lake, as well as uncontrolled septic and sewage systems. He said HB 30 will place an undue hardship on the landowners, and create more governmental red tape.

Tom Hopgood, Montana Association of Realtors, stated HB 30 as amended is better than the original bill. He suggested the Committee add language stating that "the local regulations

enacted pursuant to this statute shall allow variances..."

Nancy Griffin, Montana Building Industry Association, said HB 30 encroaches on the rights of property owners and would render several narrow lots "unbuildable".

**Questions From Committee Members and Responses:**

Senator Doherty asked Dr. Stanford if there is valid scientific reason for local governments to enforce the 50 foot limit. Dr. Stanford said the shoreline is not the major source of pollution in the lake, but added there are numerous areas of septic breakout at specific points along the shore. He stated he can demonstrate quantitative impact on localized areas where the water is shallow. Dr. Stanford stated that shoreline residents have been responsible in correcting problems.

Senator Kennedy asked if present regulations control new construction of sewage systems. Jerry Sorenson said HB 30 would not affect that, as every new system is reviewed and controlled. Senator Kennedy asked how HB 30 will correct sewage-related problems. Dr. Stanford said the intent of HB 30 is to develop a management zone so all activities around the lake can be examined. He said it is important that vegetation and soil be left in place to filter the harmful nutrients and prevent them from getting to the lake. Senator Kennedy and Dr. Stanford discussed Ashley Creek, which has been the source of about 20% of the problem in Flathead Lake. He commended the efforts of Kalispell citizens in their efforts to correct the problems with Ashley Creek.

Senator McClernan said the setback distance should depend on the geology of the specific sites. Dr. Stanford agreed that the type of soil and degree of slope is variable.

Senator Hockett asked if sewage and septic systems presented more of a problem than the setback distance. Dr. Stanford stated he has explored the possibility of "sewerage" the entire lake and treating it, but that would create the possibility of urban development all around the lake. He stated it is better to work locally to try to maintain space on the shoreline.

Senator Hockett asked how the setback will help stop algal growth which can lead to swimmers itch. Dr. Stanford stated HB 30 would enhance the management within the setback zone.

**Closing by Sponsor:**

Representative Driscoll said HB 30 does not restrict color of paint or reflective material on a house. He said that is a subdivision issue, and concerned people should contact their local planner. He said new developments cannot be located within

50 feet an existing house, and added that existing structures will not have to be moved or torn down. In response to Representative Wiseman's criticism of the EQC study, Representative Driscoll stated numerous science-based water quality studies had already been conducted.

#### HEARING ON HB 150

##### Opening Statement by Sponsor:

Representative Tim Sayles, HD 61, said HB 150 was introduced at the request of the Department of State Lands. He said there have been problems with "checkerboarding" of various fire protection districts. He stated HB 150 is an attempt to allow districts to annex in or resolve from neighboring districts. He said DSL administration of the fire protection districts would be improved and simplified.

##### Proponents' Testimony:

Jim Green, DSL Fire Program Manager for central Montana, said the 1991 Legislature asked DSL to introduce legislation allowing dissolution of forest fire districts in the same manner that they are formed, and to allow annexing into existing districts. Mr. Green said HB 150 would give landowners another option to get forest fire protection.

##### Opponents' Testimony:

None.

##### Questions From Committee Members and Responses:

Senator Bianchi asked Rep. Sayles what the opponent's problem was in the House. Rep. Sayles stated the opponent's concern related to Subsection (b), and that has been addressed.

##### Closing by Sponsor:

Representative Sayles stated HB 150 is a housekeeping bill and urged the Committee to concur.

#### HEARING ON HB 417

##### Opening Statement by Sponsor:

Representative Rolph Tunby, said SB 417 provides for penalties

for underground storage tank violations, freeing the Department of Health and Environmental Sciences (DHES) from having to go to court to correct the violations. He described a violation that occurred in his district in which a service station owner resisted placing a leak detector on his tank. DHES wrote several letters to the owner informing him of the violation, but he did not respond and the tank leaked. Rep. Tunby said DHES does not have the money or the full time employees (FTEs) to ensure that every violation is remedied. He said HB 417 would allow DHES to apply more pressure to underground storage tank owners. Rep. Tunby stated HB 417 would not place an undue burden on tank owners, and those who comply with the regulations may receive a return on part of the administrative penalty that had been assessed by DHES.

#### Proponents' Testimony:

Cassandra Noble, DHES attorney, said DHES's underground storage tank (UST) program is responsible for regulation of over 21,000 UST systems. She said gasoline contains 1% benzene, a known carcinogen and one gallon of gasoline will contaminate one million gallons of water. Ms. Noble stated between 20% and 25% of Montana's UST facilities (4,200 to 5,300 tanks) are not in compliance with the current regulations. She said state rules require that existing UST systems implement leak detection monitors by no later than December 1993. Ms. Noble said additional requirements will increase the level of noncompliance because of the financial and operational burdens. She added petroleum moves in the ground and cleanup of spills costs is expensive to the state of Montana. Ms. Noble said noncompliant tank owners "are not criminals" and DHES does not want to put them out of business. She added most noncompliant owners will come around "if they are nudged into compliance by some kind of reasonable enforcement measures". Ms. Noble said DHES's existing enforcement mechanisms are not realistic because they are slow and labor intensive. The Department's UST administrative orders have no penalties attached to them. The UST program currently can seek a lawsuit in district court, but they are costly to the department and usually result in a large penalty being assessed to the tank owner. Ms. Noble added the penalty associated with HB 417 would be relatively low, an owner would be given time to correct the problem, and may not have to pay the full amount. She said nobody would be cited without warning and advice on how to rectify the problem, adding that broad compliance, not collecting penalty money, is the department's goal.

Mark Daspit, Montana Audubon Legislative Fund, expressed support of HB 417.

Elizabeth Heimlich, Montana Environmental Information Center, said HB 417 would protect the environment by allowing DHES to respond more efficiently to violations.

Sen. Doherty said the Montana Petroleum Marketer's Association wish to be on record in support of SB 417 as amended.

**Opponents' Testimony:**

Lorna Frank, Montana Farm Bureau, said DHES should provide informational and educational programs rather than prosecuting owners who are noncompliant. She said HB 417 as amended is an improvement over its original form. Ms. Frank said her organization was concerned with the high penalty fees in the original bill.

**Questions From Committee Members and Responses:**

Sen. Hockett asked John Geach, DHES UST program, if tanks must be registered before they can be filled, forcing compliance with regulations. Mr. Geach said that requirement has been an effective tool in compelling owners to comply with registration regulations, but some people have been paying the registration fee without following through with installing leak detection systems.

Sen. Bartlett asked if HB 417 establishes fees or if it is designed to allow DHES to determine a fee schedule. Ms. Noble stated HB 417 caps the administrative penalty at \$500. Sen. Bartlett asked if the intent of HB 417 will be accomplished if the penalty money goes into the state's general fund. Ms. Noble said DHES may use funds from an existing special revenue account to administer the program.

Sen. Weldon asked Ms. Noble if DHES intends to work with tank owners before assessing a penalty for a violation. Ms. Noble said DHES has always believed that it should explain to tank owners correct methods of operation. She said DHES would not administer penalties unless all other avenues had failed.

Sen. Hockett and Mr. Geach discussed different leak detection options.

**Closing by Sponsor:**

Rep. Tunby closed.


SENATE NATURAL RESOURCES COMMITTEE

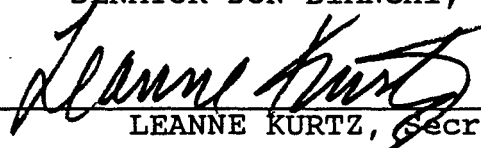
March 8, 1993

Page 8 of 8

ADJOURNMENT

Adjournment: 5:00 p.m.

  
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SENATOR DON BIANCHI, Chair

  
\_\_\_\_\_  
LEANNE KURTZ, Secretary

DB/lk



# ROLL CALL

SENATE COMMITTEE NATURAL RESOURCES DATE 3/8

NAME	PRESENT	ABSENT	EXCUSED
Sen. Bianchi	✓		
Sen. Hockett	✓		
Sen. Bartlett	✓		
Sen. Doherty	✓		
Sen. Grosfield			✓
Sen. Keating	✓		
Sen. Kennedy	✓		
Sen. Swift	✓		
Sen. Sunsgaard	✓		
Sen. McCernan	✓		
Sen. Treitz	✓		
Sen. Weeding			✓
Sen. Weldon	✓		

Jan 27-93

PAGE 2

# BIGFORK eagle

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## Setback bill good for Flathead Lake

*Spru*

The Montana House of Representatives did all of us who love Flathead Lake a favor Saturday by giving preliminary approval to a bill that would allow counties to regulate lakeshore development.

Currently counties may adopt regulations on lakeshore development within 20 feet of the lake. That's obviously not much protection. Many states have special regulations that require permits for any work within 200 feet of a lake, so 50 feet is really a moderate restriction.

The bill, House Bill 30, is a local option proposal that would enable counties to adopt regulations, which primarily would control excavating near the shoreline.

One of the bill's primary aims is to protect Flathead Lake, which has shown signs of eutrophication, or aging.

"We have one of the most priceless jewels in America — Flathead Lake," said Rep. Francis Bardanoue, D-Harlem, dean of the Montana Legislature.

Lake County residents, led by the Flathead Lakers and Lake County land use planner Jerry Sorensen, worked on and for the bill. The Flathead Basin Commission has endorsed the bill. The bill was submitted to the Legislature at the request of the Environment Quality Council.

We're proud to note that our local representative to the Montana House, Ray Brandewie, voted for the bill. Much of the opposition came from the misguided Flathead County delegation. Opponents said some property owners were fearful of new restrictions.

We understand the fear of increased government regulation. But our much greater fear is the further degradation of Flathead Lake by unencumbered development.

The bill does not prohibit development within 50 feet of the shoreline, it merely allows for regulation of what happens so close to the lake.

We hope the House and Senate both pass the bill, and that Gov. Marc Racicot signs it into law.

The law is needed to help protect Flathead Lake.

*Capit*

It's almost impossible to track of likely state the possible tax cost the hubbub of congressional pronouncements estimates.

The numbers a

SENATE NATURAL RESOURCES  
HIBIT NO. 1  
DATE 3/4  
LL NO. HB 30

# OPINION

## EDITORIAL

# Lake deserves top priority

The current session of the Montana Legislature may shape up to be as critical for Flathead Lake as it is for the state's economy.

Lawmakers took up their task just as a report on water quality monitoring documented what researchers have long contended: Flathead's pristine status is being eroded by eutrophication, the accumulation of polluting nutrients that can deplete the supply of dissolved oxygen. The trend has only been identified in the Big Arm area so far, but it's probably occurring elsewhere in the lake, too.

Flathead, the largest freshwater lake west of the Mississippi River, is also one of the clearest big lakes in the world. Its beauty draws hundreds of thousands of admirers each year. Many of them decide to stay here, making this area's annual growth rate about 10 times that of Montana overall.

Those who live around the lake may inadvertently contribute to its decline with septic systems, industrial activities and even ash from wood stoves. Growth isn't likely to slow down anytime soon, so steps must be taken now to preserve the lake for everyone to enjoy.

One step legislators can take right away is supporting House Bill 30, which expands lakeshore management areas. HB 30 more

than doubles the area which can be regulated from the current 20 feet back from the lake to 50 feet back. The bill has been amended to reflect differing needs through a local-option clause. It comes up for a House floor vote this week.

We'd also like to see state and local governments be creative in finding funding sources to help carry on critical water quality monitoring.

How about a boost in septic system permit fees, earmarking the new money for research? This could offset the gradual loss of funds from passage of I-105 several years ago. If Lake County starts contributing to the monitoring cause again, we hope the Tribe will follow suit, continuing past cooperative efforts.

The tourism industry should be tapped, too, through local-option taxes or redirecting some of the state's Glacier Country tourism promotion funding. It makes no sense to boost scenic attraction without involving everyone who treasures it in the preservation effort.

With the role Flathead Lake plays in Montana's economy, we think guarding its health should be a priority for anyone trying to solve the overall budget puzzle.

**Leader editorials represent a consensus among editors Kristi Niemeyer and Rich Stripp, publisher John Schnase, president Todd Mowbray and business manager Susan Bearse.**

# Tests show 'alarming' stagnation in Flathead Lake

**by DON SCHWEINENSEN**, biology editor of the Missoulian

**YELLOW BAY** — A troubling new symptom shadowed the outlook for Flathead Lake in 1992, as the lake's clean waters continued a gradual downward trend in quality.

Dissolved oxygen, which is always at peak or saturation in keep waters of clean lakes, was discovered to be depressed by one-third in the deepest part of Big Arm Bay, the western arm of the 186-square-mile lake.

The discovery of oxygen "stagnation" in the Ross Deep, 108 feet beneath the surface of Big

Arm Bay, was termed "alarming" by University of Montana Biological Station Director Jack Stanford and colleagues. The stagnation, and a continuing trend toward higher algae production, "appear to be early symptoms of declining water quality," they wrote in their just-released 1992 monitoring report.

For Flathead Lake, a similar, though much less severe, oxygen deficit was reported last year at the bottom of Swan Lake by another research associate at the station. The stagnation was the worst news about the lake for 1992, but it didn't even turn up during regular monitoring paid for by a

cooperative venture between state and tribal agencies. Instead, it came from water sampling done for the federal Environmental Protection Agency's Clean Lakes Program.

Support for the annual lake monitoring has been fading, however, although monitoring is the best way to watch for new problems and to measure the results of cleanup efforts. Lake County and the Confederated Salish and Kootenai Tribes have not contributed to the effort for the past two years, and the state Water Quality Bureau (the primary contributor) has hinted it may pull out next year.

The Flathead Basin

Commission is revising its 10-year-old basin monitoring plan, which formulates how agencies should contribute to the monitoring effort.

The commission also has started a citizen volunteer monitoring program that is being expanded.

**Oxygen depletions** in deep water are ominous because phosphorus, one of the key nutrients feeding algae production, tends to sink and accumulate on lake bottoms if it is not used immediately.

Lakes like Flathead get big charges of phosphorous during spring runoff, but most settles to

the bottom before algae can use it. It is chemically stored on the lake bottom, where darkness prevents algae growth, and it stays put as long as the deep water contains surplus oxygen.

But when human-generated pollutants add phosphorous year-round, algae production increases. And when the algae dies and decays, the decay process uses up oxygen dissolved in the water.

If all the oxygen is used up on the lake bottom, the chemical balance flip-flops and phosphorous stored there can escape back into the water, accelerating the algae production cycle and the water-

(See FLATHEAD, Page A-6)

## Flathead

(continued)

quality decline.

The report urges the Flathead Basin Commission to expand lake monitoring, by adding monitoring sites in bays where lake-wide problems may first appear.

Slower water circulation in Big Arm Bay could be a factor in the oxygen stagnation, Stanford said,

particularly if nutrients from spring runoff tend to get trapped in the bay.

The report also notes "significant sources of shoreline pollutants" such as homes and septic tanks around the bay.

Over the last 14 years, Ashley Creek (the Kalispell sewage treatment plant) has contributed 12 to 18 percent per year of the biologically active phosphorous reaching the lake.

Phosphorous from that source is "clearly declining" due to recent improvements to the sewage plant, the report said.

Air pollution contributes a surprising 23 to 38 percent of the biologically active phosphorous reaching the lake.

Particles from wood smoke "seem to contribute substantially," the report said, based on rain and snow samples collected at the Yellow Bay station.

Nutrients carried by wood smoke and domestic waste water "may maintain the lake near a critical threshold beyond which water quality may deteriorate suddenly," the report warned.



STATE OF MONTANA  
**ENVIRONMENTAL QUALITY COUNCIL**

STATE CAPITOL  
HELENA, MONTANA 59620  
(406) 444-3742

Deborah B. Schmidt, Executive Director

**GOV. STAN STEPHENS**  
Designated Representative  
Art Wittich

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Mona Jamison  
Helen Waller

January 13, 1993

To: Representative Jerry Driscoll, Chairman  
From: Paul Sihler, EQC Staff *PS*  
RE: Public Participation in HJR 17 Study

This memo is in response to your request for a summary of how the public contributed to and participated in the Environmental Quality Council's HJR 17 Lakeshore Development study. The study, mandated by the 1991 Legislature through House Joint Resolution 17, requested that the EQC examine "the need for and the nature of uniform state standards regarding the protection and appropriate development of lakeshores." In doing so, the EQC was to consult with "federal, state, tribal and local government officials; industries; citizens; and other persons or groups with expertise in the regulation and development of lakeshores."

<u>DATE</u>	<u>ACTIVITY</u>
Aug. 1991	Staff travels to Flathead area to meet with Board of Directors of Flathead Lakers, Lake and Flathead County planners, owner of Holland Lake Lodge, Seeley Lake Ranger District (USFS), Rep. Don Larson, and Salish and Kootenai Tribe.
Sept. 13, 1991	EQC meeting in Helena. Lakeshore study plan adopted that calls for public hearings and surveys. Meeting agenda sent to 289 people on EQC mailing list. Public testimony solicited.

SENATE NATURAL RESOURCES  
EXHIBIT NO. 2  
DATE 3/8  
BILL NO. HB 30

**DATE****ACTIVITY**

Oct. 1991 Local governing body survey mailed to each county in the state to determine which counties have adopted lakeshore regulations and management issues and problems that confront them. 35 counties respond.

Nov. 1, 1991 EQC meeting in Helena. Lakeshore panel with Dick Wollin, President of Flathead Lakers; Scott Hollinger, RE/MAX of Bigfork; Forrest Sanderson, Lake Co. Planner; and Loren Bahls, DHES. Meeting agenda sent to 289 people on EQC mailing list. Public testimony solicited.

Nov. 1991 Citizen survey mailed to 220 individuals in Northwestern Montana to identify concerns about lakeshores. Survey list included realtors, chambers of commerce, conservation districts, legislators, and members of the Flathead Lakers.

Feb. 18, 1992 EQC meeting in Helena. Meeting agenda sent to 289 people on EQC mailing list. Public testimony solicited.

Apr. 1, 1992 Lakeshore subcommittee conducts public hearing at 7:30 p.m. in Kalispell. Attended by 70 people. Announcements sent to 400 people on EQC and lakeshore mailing lists. Press releases sent to: Lake County Leader, Whitefish Pilot, Kalispell News, Bigfork Eagle, Hungry Horse News, Char-Koosta News, Daily Interlake, and KOFI and KJRR radio.

Apr. 2, 1992 Lakeshore subcommittee meets in Polson with Mayor of Polson; representatives from Lake County Commission, Polson City Council, and Salish and Kootenai Tribe; Rep. John Mercer; and interested citizens.

Apr. 2, 1992 Lakeshore subcommittee conducts public hearing at 7:30 p.m. in Helena. Attended by a dozen people.

Apr. 3, 1992 EQC meeting in Helena. Meeting agenda sent to 289 people on EQC mailing list. Public testimony solicited.

May 4, 1992 Informational mailing on status of study sent to 160 people on lakeshore study mailing list.

<u>DATE</u>	<u>ACTIVITY</u>
May 14, 1992	EQC tours Lindbergh Lake and meets with representatives of homeowners group.
May 15, 1992	EQC meeting in Bigfork. Focus of meeting is lakeshore study. Meeting agenda sent to 289 people on EQC mailing list and Flathead area newspapers. Public testimony solicited.
Aug. 25, 1992	EQC meeting in Helena. Meeting agenda sent to 289 people on EQC mailing list. Public testimony solicited.
Sept. 1, 1992	EQC mails out summary of draft HJR 17 study recommendations to 160 people on the lakeshore study mailing list for review and comment. 31 responses received.
Sept. 11, 1992	Staff meets with Fish, Wildlife, and Park Comm.
Sept. 23, 1992	Staff meets with subcommittee of Flathead Basin Commission in Kalispell.
Oct. 6, 1992	EQC meeting in Helena. Meeting agenda sent to 289 people on EQC mailing list. Press release sent to: Lake County Leader, Whitefish Pilot, Kalispell News, Bigfork Eagle, Hungry Horse News, Char-Koosta News, Daily Interlake, and KOFI and KJRR radio. EQC reviews and considers responses from September 1st mailing. Public testimony solicited.
Nov. 18-19, 1992	EQC meeting in Helena. Meeting agenda sent to 289 people on EQC mailing list. EQC finalizes HJR 17 lakeshore study recommendations. Public testimony solicited.

In addition, articles on the study periodically have appeared in newspapers around the state, primarily in the Flathead area. Copies of several stories are attached.

Also, the Flathead Lakers newsletter, the Flathead Lake Monitor, carried stories on the status of the HJR 17 study in four out of the five issues published since January 1992. The newsletter has a circulation of 700 people. Copies of two articles are attached.



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Bill Yellowtail

**PUBLIC MEMBERS**  
Doug Crandall  
John Fitzpatrick  
Mona Jamison  
Helen Waller

**FOR IMMEDIATE RELEASE**  
**MARCH 17, 1992**

**CONTACT: PAUL SIHLER**  
**444-3742**

Montana citizens will have an opportunity to express their views to several members of the Environmental Quality Council on how to appropriately protect and develop Montana's lakeshores during public hearings in Kalispell and Helena. The Kalispell hearing will be on Wednesday, April 1, 7:30 p.m., at the Courthouse East conference room #1, 725 Fifth Avenue East. The hearing in Helena will be on Thursday, April 2, 7:30 p.m., in room 104 of the State Capitol Building.

The purpose of the hearings is to solicit public comment on whether current lakeshore regulations achieve a balance between the protection of private property rights and the need to maintain water quality and other attributes of Montana's lakes. The hearings are part of a one and one-half year Environmental Quality Council study of lakeshore development. The Council will present its findings and recommendations to the legislature in January, 1993.

Thirteen Montana citizens make up the bipartisan Environmental Quality Council, a committee of the state legislature. Four are state senators; four are state representatives; four are members of the public; and one, a non-voting member, represents the governor.

### END ###





STATE OF MONTANA  
**ENVIRONMENTAL QUALITY COUNCIL**

STATE CAPITOL  
HELENA, MONTANA 59620  
(406) 444-3742

EXHIBIT #2  
DATE 3-8-93  
FILE HB-30

Deborah B. Schmidt, Executive Director

GOV. STAN STEPHENS  
Designated Representative  
Art Wittich

HOUSE MEMBERS  
Jerry Driscoll, Chairman  
Ed Grady  
David Hoffman  
Bob Raney

SENATE MEMBERS  
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Steve Doherty  
Dave Rye  
Bill Yellowtail

PUBLIC MEMBERS  
Doug Crandall  
John Fitzpatrick  
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Helen Waller

March 17, 1992

Dear Interested Person:

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If you would like additional information about the public hearings or have any questions about the EQC's lakeshore development study, please contact Paul Sihler at 444-3742.



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Designated Representative  
Art Wittich

**HOUSE MEMBERS**  
Jerry Driscoll, Chairman  
Ed Grady  
David Hoffman  
Bob Raney

**SENATE MEMBERS**  
Jerry Noble, Vice Chairman  
Steve Doherty  
Dave Rye  
Bill Yellowtail

**PUBLIC MEMBERS**  
Doug Crandall  
John Fitzpatrick  
Mona Jamison  
Helen Waller

**FOR IMMEDIATE RELEASE**  
**SEPTEMBER 28, 1992**

**CONTACT: PAUL SIHLER**  
**444-3742**

**EQC Lakeshore Development Study Continues --** The Montana Environmental Quality Council will be meeting on Tuesday, October 6, 1992 in Room 317 of the State Capitol, Helena. The EQC will be considering public comments that have been received on the Council's draft lakeshore legislation, including a proposal to expand the width of the lakeshore protection zone from 20 feet to 50 feet. The EQC will also review comments received on draft options for the abatement of noise from motorboats and jet skis.

The draft legislation and draft noise abatement options are components of a one and one-half year Environmental Quality Council study of lakeshore development. The Council's findings and recommendations will be presented to the legislature in January, 1993.

Thirteen Montana citizens make up the bipartisan Environmental Quality Council, a committee of the state legislature. Four are state senators; four are state representatives; four are members of the public; and one, a non-voting member, represents the governor.

### END ###

MAR 27 1992

SUPERIOR CLIPPING SERVICE  
Billings, MT 59105-0789EQC To Hear  
Local Views

Flathead area residents will have an opportunity to express their views to several members of the Environmental Quality Council on how to appropriately protect and develop Montana's lakeshores during a public hearing in Kalispell. The hearing will be on Wednesday, April 1, 7:30 p.m., at the Courthouse East conference room #1, 725 Fifth Avenue East.

The purpose of the hearing is to solicit public comment on whether current lakeshore regulations achieve a balance between the protection of private property rights and the need to maintain water quality and other attributes of Montana's lakes. The hearing is part of a one and one-half year Environmental Quality Council study of lakeshore development. The council will present its findings and recommendations to the legislature in January, 1993.

Thirteen Montana citizens make up the bipartisan Environmental Quality Council, a committee of the state legislature. Four are state senators; four are state representatives; four are members of the public; and one, a non-voting member, represents the governor.

BIG FORK EAGLE

Big Fork, MT 59911

(Wed. 1,950)

MAR 25 1992

SUPERIOR CLIPPING SERVICE  
BILLINGS, MT 59105-0789

MAR 26 1992

SUPERIOR CLIPPING SERVICE  
Billings, MT 59105-0789Lakeshore  
hearing set

KALISPELL - Flathead residents will have an opportunity to express their views to several members of the Environmental Quality Council on how to appropriately protect and develop Montana's lakeshores at a scheduled public hearing in Kalispell. The hearing will be on Wednesday, April 1, at 7:30 p.m., at the Courthouse East conference room #1, 725 Fifth Avenue East.

The hearing is being held to solicit public comment on whether current lakeshore regulations achieve a balance between the protection of private property rights and the need to maintain water quality and other attributes of Montana's lakes. The hearing is part of a one and one-half year Environmental Quality Council study of lakeshore development. The Council will present its findings and recommendations to the legislature next January.

HUNGRY HORSE NEWS  
Columbia Falls, MT 59912  
(Thursday 7,400)

MAR 26 1992

SUPERIOR CLIPPING SERVICE  
Billings, MT 59105-0789

## Lakeshore meeting slated April 1

The public will have an opportunity to state its views to several members of the Environmental Quality Council on how to appropriately protect and develop Montana's lakeshores during a public hearing in Kalispell.

The Kalispell hearing will be on Wednesday, April 1 7:30 p.m., at the Courthouse East conference room #1, 725 Fifth Avenue East.

The purpose of the hearing is to

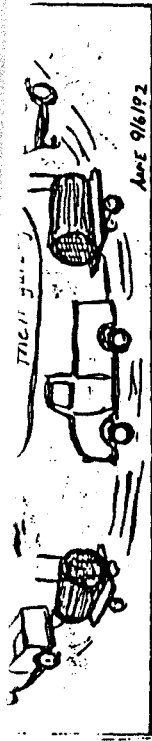
solicit public comment on whether current lakeshore regulations achieve a balance between the protection of private property rights and the need to maintain water quality and other attributes of Montana's lakes.

The hearing is part of a one and one-half year Environmental Quality Council study of lakeshore development.

The Council will present its findings and recommendations to the legislature in January 1993.

## Water meeting Wednesday in Kalispell

KALISPELL - A meeting next Wednesday in the Courthouse East conference room 1. The purpose is to offer the public a chance to comment on whether current lakeshore regulations are adequate. The forum is an Environmental Quality Council meeting at 7:30 p.m. the need to maintain water quality



From previous FW&P releases, we've learned that mountain lions, also called "cougars," weigh between 80 and 180 pounds, depending on sex and age, but are able to take down prey as much as five times their size. "It is not unusual for an adult cougar to take down a mature elk weighing 500 pounds or more," they say.

For the record, we plan to co-exist along with a black bear and a cinnamon colored bear that we've seen in our driveway in the past couple weeks. After all, they were here first. We do hope they share the same thoughts.

—Gary Noland

## Public comments sought on watercraft noise law

by H.D. 65 Representative  
Don Larson

propelled water craft and close certain waters to those craft; (2) to provide special regulations for the operation of personal watercraft (jet skis); and (3) to provide for local options for noise abatement measures on the configuration of the local water body.

The Environmental Quality Control (EQC) Commission is currently reviewing recommendations for the 1993 Legislature for changes in state law to control noise from watercraft operating on Montana's lakes. If you are concerned about noise from boats and other watercraft, or if you believe additional regulation is unwarranted to control noise, the EQC needs to hear from you.

The options under consideration by the EQC are three: (1) to clarify the authority of the Fish, Wildlife and Parks Commission to both regulate motor-

"If local people wish to comment they can get detailed copies of the three options being considered by the EQC from me," Larson said. If they wish to comment directly, they may write to the Environmental Quality Control, Capitol Station, Helena, MT 59620. They may also comment by telephone to Paul Sihler, EQC staff person, at 444-3747 during regular office hours. Deadline for comment is September 23.

## High School Scenes

## Public supports hot lunch

by Addriene Marx

Also, the school board has voiced strong commitment to the hot lunch program at Seeley Swan. As chairperson Karen Ward stated, "We all know the program at Seeley is one of the best in the state and that it is a source of pride for our school system." With a lot of \$80/day in this high school, it is unlikely that MCHS support would continue if all avenues of budget trimming were not pursued at the building level. The hot lunch budget

Monday, September 14th was the annual school board meeting held in Seeley Lake. Over 80 people turned out to show their support of the hot lunch program and concern that activities and bus transportation were not changing. Concerns over any changes that would come from the study of 7th period, an activity period and checking



Gary Noland, Editor

Millie Jette, Advertising

## PUBLISHER'S NOTICE

1988

Seeley Swan Pathfinder (USPS 000-919) is published every Thursday by Pathfinder Press, Inc., Chamber of Commerce Building, Highway 53, Seeley Lake, MT 59668 (Ph. 406/677-2022). Area served is Seeley Lake and neighboring communities. Distribution is by mail subscription (\$18 per year in Missoula, Lake or Powell County; \$18 per year elsewhere in U.S.) and by newsstand sales. Ad deadline is 4:00 p.m. on Friday prior to publication. News deadline is noon Monday prior to publication. Second-class postage paid at Seeley Lake, MT. Postmaster: Send address changes to: Seeley Swan Pathfinder, P.O. Box 702, Seeley Lake, MT 59668-0702.

## COMMUNITY CALENDAR

Community members are invited to submit dates, times and locations of events, meetings and other happenings. Submission deadline: Friday, 5 p.m.; call 677-2022.

### EVENTS:

St. Jude Bike-a-Thon, 9/19

### PUBLIC MEETINGS:

S.L. GRU 3rd Wed, 7:30pm, fire hall  
Condon Comm. Club, 3rd Thur, 8pm  
S.L. Chamber of Commerce, 3rd Thur, 7am, Filling Station  
Swan Valley Comm. Club, 4th Mon, 7:30pm, Comm. Hall  
S.L. Water Bd, 4th Wed, 7pm, REA Bldg.  
S.L. Refuse Bd, 4th Tues, 7pm, Filling Station  
Lions Club, 4th Wed, S.L. Comm. Hall  
S.L. Sewer Dist, 4th Tues, 7pm, REA Bldg.  
Winterfest mtg, 9/23, noon, D.F. Chicken, Everyone welcome

### WEEKLY MEETINGS:

Alcoholics Anonymous (help for those with a suspected drinking problem)  
• Condon: Every Thurs, Swan Valley School, 7:30pm.  
• Seeley Lake: Every Sun, & Wed 7-8pm; 449 Grizzly Rd, Seeley Lake. For info: 677-2258 or 677-2902 1st & 3rd Sat each month-candlelight mtgs. at 9pm  
• Polomac: 244-5204  
Alateen (help for teenagers of alcoholic families) Hotline 677-2536  
• Alatan (help for family or friends of an alcoholic)  
• Seeley Lake: every Monday 8-9:30 pm, 449 Grizzly Drive. For info: 677-2817 or 677-2892, in Polomac, call 244-5458.

Missoula County Commissioners  
Public Mtg. every Weds, Courthouse Annex, Room 201, Missoula, 1:30pm-2:30pm  
Seeley Lake Women's Club - Mtg. every Tues, S.L. Comm. Hall, 1:30pm  
I.O.P.S. Mtg, every Thurs, Duck Inn office, Seeley Lake, 10am  
Knitting Group, Wed 1pm, weekly, Sela Sencil Bldg.  
Cards, Mon, weekly, 1pm, Sela Sencil Bldg.

### REUSE DISPOSAL SITE:

Summer hours - Wed, Sat & Sun: 9am-5pm

### LIBRARIES:

Seeley Lake Public Library  
(Seeley-Swan High School)  
Monday-Friday, 10-3 pm (Lunch 11:30-12:00)  
Wednesdays 10-8 p.m.  
Saturdays 10-3 p.m.  
Swan Lake Library (Swan Lake)  
Weds: 10am-6pm; Sat: 10am-3pm  
Swan Valley Library (Condon)  
Weds: 10am-6pm; Fri 10am-3pm.  
Blood Pressure clinic, 2nd Wed, 2-4, open to everyone

Genealogy Library LDS Church Wed: 10am-7pm, Public welcome

### EMERGENCY: Dial 911

If you live in Seeley Lake, Condon, Greenough or Ovando, Swan Lake residents, 906-2324 (Fire, GRU or Sea) & 906-2324 (Fire, GRU or Sea) &

## EQC Studying Lakeshore Development

### President's Corner

*Continued from page 1*

Is there a role for the Lakers to play in monitoring lake waters? Most certainly. Supporting research and education through a "Futures Fund" is one idea.

#### Key words:

Flathead  
Ecosystem

Are Montana's lakes being appropriately protected and developed? Is the high quality of our water being maintained? Are current laws that regulate lakeshores consistent from one administrative jurisdiction to another? Are they effective? The 1991 Legislature charged the Montana Environmental Quality Council (EQC) with the responsibility of studying these and other issues related to lakeshore development and management. The Council will make its recommendations for any policy or legislative changes to the Legislature in January, 1993.

Thirteen Montana citizens make up the bipartisan EQC. Four are state senators; four are state representatives; four are members of the public; and one, a non-voting member, represents the governor.

The Flathead Lakers have been actively following and involved in the EQC study. The Board met with an EQC staff member to express its concerns about lakeshore development, and President Dick Wollin later represented the Flathead Lakers on a panel discussion at an EQC meeting.

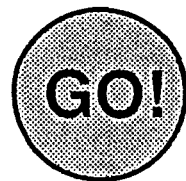
### Survey: Water Quality Perceived to be a Problem

To determine what concerns the public has with lakeshore management and regulation, the EQC recently completed a survey of 124 people, residing primarily in northwestern Montana. The results indicate that respondents believe water quality is the biggest issue facing Montana's lakes. Eighty-eight percent of the respondents said water quality was a problem, and nearly 60% thought water quality in the lakes they use most frequently had declined over the last five years. Sewer and septic disposal was mentioned most frequently as the issue the Council should address in its study. Other issues of concern identified include noise from motor boats and jet skis, land use controls, rate of development, and erosion.

Survey respondents also expressed dissatisfaction with current lakeshore management and regulation. When asked if Montana's lakeshores are being properly developed and managed, 60% responded "no." Slightly more than half of all respondents believe that current statutes and regulations inadequately regulate development (in contrast, only 6% think development is overregulated).

### EQC Seeks Public Input

The EQC will be holding two public hearings—one in Kalispell and the other in Helena—to solicit public involvement in its lakeshore study. The EQC wants to know what you think should be done to improve the management and regulation of Montana's lakes and lakeshores. The Kalispell hearing will be held on Wednesday, April 1 at 7:30 p.m. in Courthouse East, conference room #1. The Helena hearing will be held on Thursday, April 2 at 7:30 p.m. in the Capitol Building, room 104. Please mark your calendars!



To have your name placed on the EQC's lakeshore mailing list, for copies of the survey results, or for additional information on the public hearings, please contact Paul Sihler, Environmental Quality Council, State Capitol, Helena, MT 59620, or call 444-3742.

Maintaining our emphasis on the need to focus on the Flathead ecosystem is crucial—we are part of an interdependent ecosystem where changes in one part of the system affect other parts in unexpected ways. Supporting the development of other lake associations and monitoring programs in the basin and on a state-wide basis would be appropriate. And whether or not the Lakers adopt a structured program, perhaps an Adopt a Beach or Lakewatch, all of us have a role to play in using best management practices in daily use of the lake and the land around it.

The Lakers board acts as a policy making body, governing the organization on behalf of its members and serves as an advocate in your behalf. The Board has the responsibility (keeping in mind it is a citizen board) of providing information to help you understand your stewardship roles in protecting the lake. At the same time, we need to know your ideas and concerns. Let us hear from you. And mark the weekend of July 11 on your calendar—the date of the Laker annual meeting!



*Nearly 4,000  
years ago in  
China,  
Emperor Ta-Yu  
recognized the  
importance of  
a conservation  
practice that  
modern  
scientists  
call the "top-  
down" or  
watershed  
approach.  
To protect  
your rivers, the  
emperor said,*

*first  
protect  
your  
mountains.*

Northwest Energy  
News

May/June 1992

## Rocky Mountain Environmental Directory

Need to know the name of the secretary of the Clark Fork-Pend Oreille Coalition? Whether people from other states can join a river-using club in Wyoming? How long the Flathead Lakers has been organized? The Lakers office now has a copy of the *Rocky Mountain Environmental Directory*. This directory contains listings of citizen groups, government agencies and others concerned with environmental education and environmental action in the states of Colorado, Idaho, Utah, Wyoming and Montana. Each listing contains the organization's name and address, a description of its purpose and activities, the year when it was formed, whether its focus is local, regional or national, its sources of funding, whether it offers memberships and their rates, the number of paid staff, the name and frequency of publication of newsletters, etc. When you have an opportunity to use any information from this directory, call Robin Steinkraus at 982-3577. Yes, of course the Flathead Lakers is included in this very complete directory.



## EQC Recommendations—Amendments Needed

Montana Environmental Quality Council spent the last two years engaged in a study of existing lakeshore statutes, to check their adequacy in action and propose corrective legislation if necessary. Lakers were involved in several levels of the study. Results have just been published and are available from the EQC office in Helena. Call Paul Sihler at 444-3742 or write EQC, State Capitol, Helena, MT 59620. Ask for EQC HJR 17 Lakeshore Study Final Report.

Here is a partial summary of the recommendations:

### Lakeshore Development Statute

Provide a local option for extending lakeshore regulations to reservoirs and constructed impoundments.

Amend the lakeshore statute to provide authority for a local governing body to establish a lake-specific advisory committee for the purpose of assisting with the administration of the lakeshore statute.

Clarify that restoration may be required for unauthorized work on a lakeshore

Motorized Watercraft No change should be made to current regulations for motorboat noise abatement unless the change is initiated by legislators

from northwest Montana.

Water Quality The width of the lakeshore protection zone should be expanded from 20 feet to 50 feet.

Federal funding should be sought for the US Bureau of Reclamation to install a selective water withdrawal device at Hungry Horse Dam.

The Water Quality Bureau's request for Resource Indemnity Trust funding to establish a statewide lakes management and volunteer monitoring program should receive thorough consideration by the Legislature.

A process should be convened to develop a strategic, comprehensive statewide monitoring plan that identifies monitoring priorities, data gaps, and mechanisms for administrative coordination for water quality and water quantity monitoring of Montana's lakes, streams and groundwater. The process should involve federal and state agencies, Montana's University system, FBC and others, and take place during the 1993-95 interim.

Shoreline Erosion To successfully carry out their responsibilities for erosion prevention and abatement, conservation districts may require more \$\$.

EQC recommended a search for additional mechanisms to fund these responsibilities.



# EQC hears an earful about boat noise

By DON SCHWENNESEN  
of the Missoulian

5/19

**BIGFORK** — The Montana Environmental Quality Council waded into lake-shore regulation issues on Friday, eying potential recommendations that could affect boat noise, shoreline construction, jet-boat tours on rivers and shoreline erosion.

Meeting in Bigfork, on the edge of Flathead Lake, the council heard calls for tougher laws from residents still fuming over noise from jet skis and a recent proposal for jet-boat tours on the upper Flathead River.

New boat-noise limits went into effect last summer on Flathead, Echo and Swan lakes, but some said the limits are needed on other lakes, too.

Fish, Wildlife and Parks Warden Capt. Ed Kelly of Kalispell said compliance with the new noise rules was good last year, and most boat-ers were eager to comply once the rules were explained.

But Ken Reick of the Echo Lake Home Owners said more needs to be done to advise boaters and jet skiers about the new rules, under which violators can be charged with disorderly conduct for creating a public nuisance.

Reick said vacationers renting homes on Echo Lake had demanded refunds and left because of the noise.

"This is not a public nuisance," he said. "When your home is no longer a sanctuary" due to shoreline noise, "this is assault with a capital A."

But later, reviewing criminal penalties for violations of the state stream protection law, the council's staff suggested civil or administrative penalties instead.

State Sen. Steve Doherty, D-Great Falls, said he had successfully defended two accused stream violators because the prosecution couldn't prove criminal intent.

Bonnie Ellis, a Yellow Bay resident who helped lead the campaign for noise limits, said home owners from Georgetown, Inez, Seeley and other lakes were angry at not being included in the 1991 noise legislation.

## Council seeks funds for dam upgrade

By DON SCHWENNESEN  
of the Missoulian

**BIGFORK** — The state Environmental Quality Council voted on Friday to ask for congressional help in restoring funding to upgrade Hungry Horse Dam so its operators can control the temperature of water spilled from the dam.

Newer Libby Dam was built with that capability, and the Kootenai River below it is now producing world-class record trout.

Hungry Horse, two decades older than Libby, was built without "selective withdrawal," which allows dam operators to draw water from different depths of the reservoir and match temperatures to those needed for the downstream fishery.

A Kalispell regional fisheries official reported last week that \$12.5 million budgeted for selective withdrawal at Hungry Horse by the U.S. Bureau of Reclamation this year was scratched at bureau

headquarters due to lack of support.

Many Flathead residents were unaware that the budget process had begun for the dam modification.

Brian Marotz, fisheries program officer for the Department of Fish, Wildlife and Parks' Kalispell region, told a public meeting on Hungry Horse operations last week that the Flathead River fishery below the dam means roughly \$1.4 million annually to the Flathead economy.

Selective withdrawal could boost the fishery two to five times, he said.

The council voted on Friday to direct its staff to look into the situation and send letters to the congressional delegation asking for their help in securing funding for the dam work.

Dick Wollin, president of the Flathead Lakers, said later that he understood Sen. Conrad Burns, R-Mont., had already indicated willingness to take the lead.

Rep. Jerry Driscoll, D-Billings, council chairman, directed the staff to draft recommendations for extending boat-noise limits and operating rules to rivers and other lakes; providing options for local regulation; and limiting motor sizes or boat speeds on small lakes or close to shore.

The EQC was also favorable toward extending local lake-shore development jurisdiction to 50 feet from shore, instead of the current 20 feet.

In another matter, Doug Averill of Flathead Lake Lodge recommended boat motor modifications to prevent fuel spillage from vent valves, and he asked the council to examine new federal rules requiring bulk fuel tanks at marinas to be buried on shore, where underground leaks would go undetected.

"It makes absolutely no sense to me," he said.

**Columbia Falls** resident Loren Kreck urged noise limits on rivers as well, including the upper Flathead, where a jet-boat tour service proposed earlier this year drew protests over potential noise, bank erosion and wildlife disturbance.

"It's going to be the only protection we have on these rivers," he said.

Hank and Sue Schlueter, Sunset Bay residents on Flathead Lake, urged a no-wake speed zone around the entire lake, within 100 to 200 feet of the shore, to protect swimmers and nesting waterfowl.

"It's not safe to go out swimming in front of our place because these boats come so close to shore," she said.

Though stopping short of ordering draft legislation, the EQC asked for detailed staff proposals that could lead to a bill or bills in several areas.

# Residents spill lake concerns

By DON SCHWENNESEN  
of the Missoulian 4/2

**KALISPELL** — Shoreline erosion, jet boats, noise pollution, boaters who harass waterfowl and parks without bathrooms are among threats to Montana lakes and rivers, Flathead Valley residents told a legislative panel Wednesday night.

Several said state laws should be broadened to protect the shorelines of reservoirs and rivers along with lakes.

More than 50 people, including six state legislators, attended one of two hearings held by the state Environmental Quality Council and conducted by a panel of three legislators.

The EQC is reviewing how state lake pro-

tection laws are working and will make recommendations to the next legislature.

Whitefish Lake resident Jim Stack said a new noise-control law for Flathead, Swan and Echo lakes isn't working and should be replaced by requirements that fast or noisy boats maintain minimum distance from shore.

Real estate broker Elsa Putzier described jet skiers racing through Flathead River waterfowl nesting areas, and she warned of further damage from planned commercial jet boat tours on the river.

"It appears nobody is in a position to say no to this jet boat," she said. "There must be some way we can put someone in control of the Flathead River shores."

Similar warnings came from a resident

who said a jet ski recently came dangerously close while he and his wife were kayaking, and the operator declared there was no law against it. "I'm for development," he said. "(But) the very reason I'm here will be lost within a very few years unless it's controlled."

"I've been impressed by the intelligence of the people in this state," said a former Pittsburgh woman married to a Montanan. "I can't believe the people in this room aren't intelligent enough to protect the things they care about."

But Foy's Lake resident and Kalispell businessman Frank Thomas said more law won't help if existing ones aren't enforced. He complained about sanitation problems at a county park on Foy's Lake that has no bathrooms in spite of the large crowds it draws.



APR 02 1992

SUPERIOR CLIPPING SERVICE  
Billings, MT 59105-0789EXHIBIT #2  
DATE 3-8-93

HB-30

Environmental  
Protection

# Opponents aim to torpedo jet boat plan

By LYNNETTE HINTZE  
Staff Writer

A wave of protest over proposed jet boat tours on the Flathead River was expected at a state Environmental Quality Council meeting called Wednesday night in Kalispell to discuss lakeshore development.

Meanwhile, the Oregon man who wants to operate the 12-passenger excursion boat is miffed at the growing opposition against his venture.

"I can't understand the amount of concern over such a small proposal," said Tim Arntzen, a 31-year-old lawyer from Wedderburn, Ore., who has already purchased the boat and is working toward approval from governing agencies.

"My intention has never been to run roughshod over the people," Arntzen said.

Local opponents cite potential noise pollution, soil erosion and disturbance to waterfowl breeding grounds as their main objections to the jet boat.

"What about the noise impact?" questioned Dr. Loren Kreck, who lives along Flathead River in Columbia Falls. "There should be limitations on how much noise people should have to put up with."

Arntzen said his boat will operate below state noise regulations, which allow up to 90 decibels when the boat motor is measured at an idle. "I presume I could come around 85 (decibels) quite easily," he said.

lakeshore development.

"I have a hard time differentiating between issues of lakes and issues of rivers," Sihler said.

Putzier worries about how the jet boat will affect birds that nest along the Flathead River. A Department of Fish, Wildlife and Parks biologist believes, however, that impact to waterfowl would be minimal.

FWP inventory of wildlife along the stretch of river in question shows a "fairly low" density of Canadian geese, said biologist Dan Casey, and nesting is over by early May.

"Generally, if they're not flushed off the nest, it's not a problem," Casey said.

Casey is concerned about a bald eagle nest in the proposed boating area. Eagles would be susceptible to the disturbance a jet boat could cause, and they nest until the first week in July.

Arntzen said while he was boating on the Flathead River last October, he was able to come within 20 to 30 feet of an eagle.

Arntzen plans to run one excursion a day round-trip from Spruce Park at Evergreen to Badrock Canyon near Hungry Horse during the off-season months, and twice daily during the summer tourist season. He wants to find a place to stop at Columbia Falls during the four-hour tour, to allow passengers a snack and restroom break.

Arntzen said he has been in contact with Polson developer C.D. Peterson, who plans to build a 150-unit recreational vehicle park along Flathead River at Columbia Falls, and has discussed the possibility of stopping there.

"My goal is scenic, relaxing tours for my customers," Arntzen said. "If I go speeding up the river, my tours won't be successful."

The average speed of his boat will be 15 to 18 miles per hour, Arntzen said. The 22-foot boat would also be painted neutral colors to blend in with the environment.

Elza Putzier, a local Realtor who lives along the river said she wants to find out who is in charge of protecting the river shores and waterfowl breeding grounds. She spearheaded an effort to get area residents to voice their concerns at last night's EQC meeting.

"This is not a war," Putzier stressed. "It's more protection and concern. I feel we need awareness and laws."

EQC Resource Scientist Paul Sihler said residents' comments would be taken into consideration as relevant concerns for a study the state agency is doing on

**Please see Page 11**

boats allow us to come in fairly close to wildlife," he said.

Arntzen, who grew up in the resort business, works summers for a commercial excursion boat tour company on the Rogue River in Oregon, similar to what he's proposing for the Flathead River.

"I work every day with canoeists, rafters, drifters," said Arntzen, adding he believes all can coexist on the river. "And I've operated with a perfect record. I can verify that."

Soil erosion is another issue surrounding the project. The Flathead Conservation District recently denied Arntzen's plan for a 140-foot dock at Spruce Park and told him he'll need a modified design. Farmers, particularly south of Kalispell near Flathead Lake, say their river banks are already washing away, and such a boat would make matters worse. The jet boat would travel to Flathead Lake to obtain fuel.

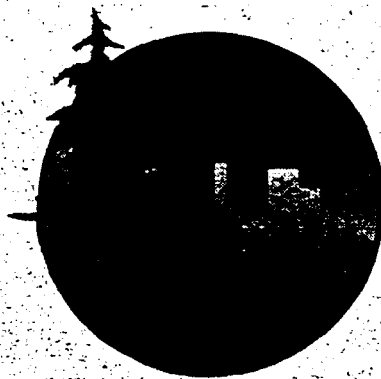
"A lot of people don't realize what the wake is doing," said farmer Harry Woll.

Arntzen considers the approximate two-foot high wake

# HJR 17 INTERIM STUDY ON LAKESHORE DEVELOPMENT

**Final Report to the 53rd  
Montana State Legislature**

The original is stored at the Historical Society at 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.



SENATE NATURAL RESOURCES

EXHIBIT NO. 3

DATE 3/6

BILL NO. HB 30

**Prepared by the Environmental Quality Council  
December 1992**

**Testimony of Jack A. Stanford - 8 March 1993**

**I am here today on my own time to urge you to support HB 30, which is prudent legislation to help protect and enhance water quality of Montana lakes.**

**I work at the Flathead Lake Biological Station where I am Bierman Professor of Ecology and Director. I have conducted scientific research on Flathead and other Montana Lakes for over 20 years.**

**Flathead Lake is one of the most important economic assets we have in the state. The high value we place on this lake is due mostly to its clean, clear water. Unfortunately, water quality in Flathead Lake is declining as a consequence of 1) increasing levels of incoming plant growth nutrients from human sources, 2) regulation of water levels by Kerr and Hungry Horse Dams and 3) introduction of an exotic shrimp. Research at the Biological Station has shown that control of nutrient (nitrogen and phosphorus) inputs to the lake is the most pressing problem.**

**Since 1977 I have documented a steady increase in the lake's propensity to produce algae (Figure 1), as a combined result of these threats to water quality. Indeed, in Big Arm Bay last summer I documented an unprecedented stagnation of the bottom layers of the lake (Figure 2) which is a sure sign that the lake is on a threshold of change for the worst. We must do everything we can not to cross this threshold, because experience elsewhere has shown that lakes resist change up to a critical point then deteriorate very quickly. The cost of restoration is staggering.**

**Surface and ground water runoff from roads, yards, building sites, and faulty septic systems from the shoreline is a known source of nutrient pollution reaching the lake. Given the desire of people to fully develop the shoreline of lakes like Flathead as home sites, the cumulative effect of these sources clearly is contributing in a major way to lakewide degradation of water quality.**

**These sources of pollution can be curtailed by allowing the local option mandate of HB 30 to create a larger (50 foot) management zone on the shoreline. Vegetation and undisturbed soils are very effective filters of nutrients carried toward the lake with runoff. A larger legal management zone will allow the filter effect to be maintained in areas not yet disturbed and will foster responsible efforts to alleviate problems in developed areas through runoff controls and revegetation.**

**I expect that this legislation, if passed, will be as effective as the local option ban on sale of phosphorus containing detergents has been.**

**I urge you to support HB 30...for the sake of the lake!!**

STATE NATURAL RESOURCES

EXHIBIT NO. 4

DATE 3/8

4230

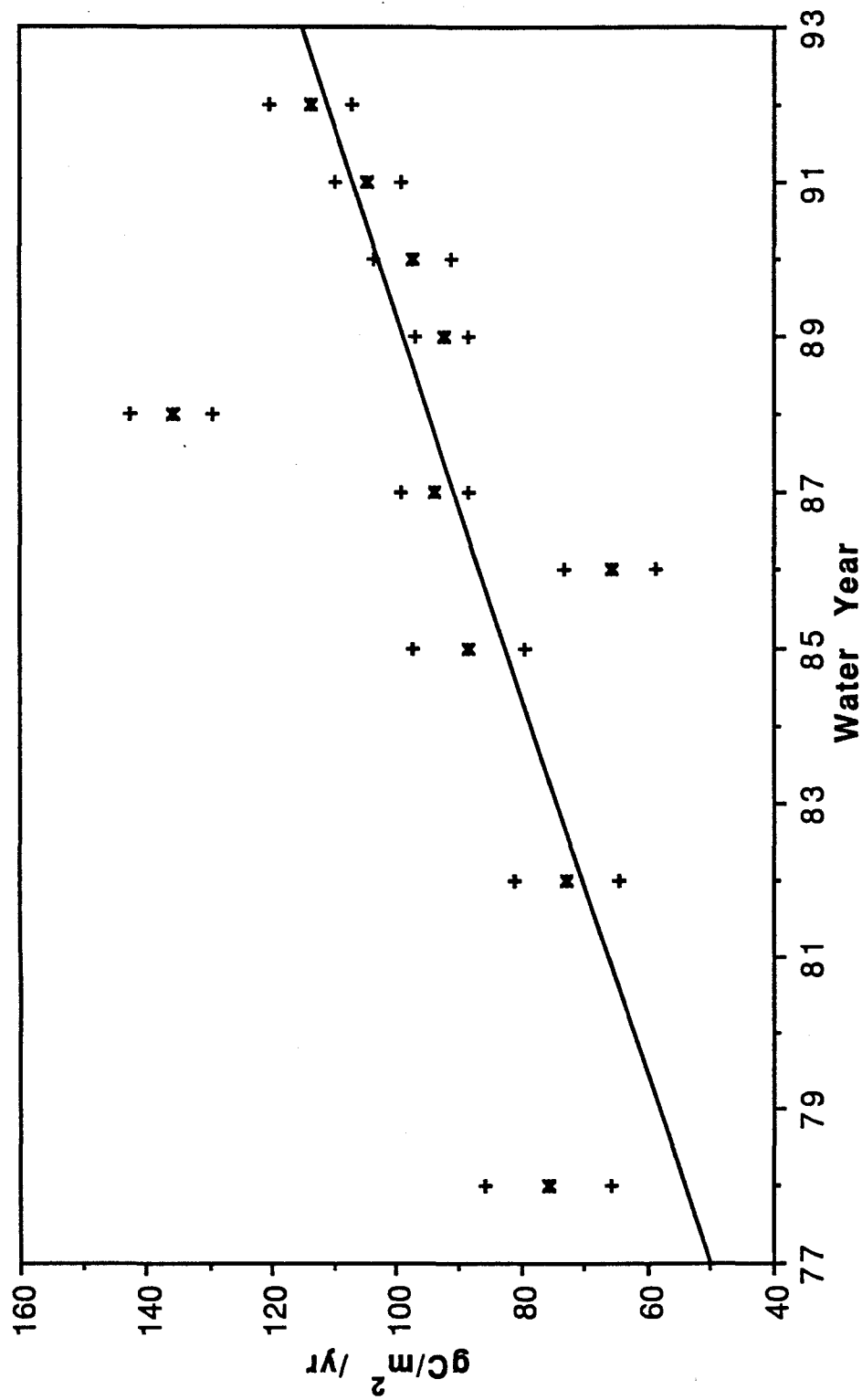


Figure 1. Long-term trend for annual primary productivity, or the rate of algae growth (gC/m<sup>2</sup>/yr), in Flathead Lake. The data show a significant deterioration of water quality. For more explanation please contact the Flathead Lake Biological Station, Polson, MT (406-982-3301) to obtain a copy of the report from which this figure was taken.

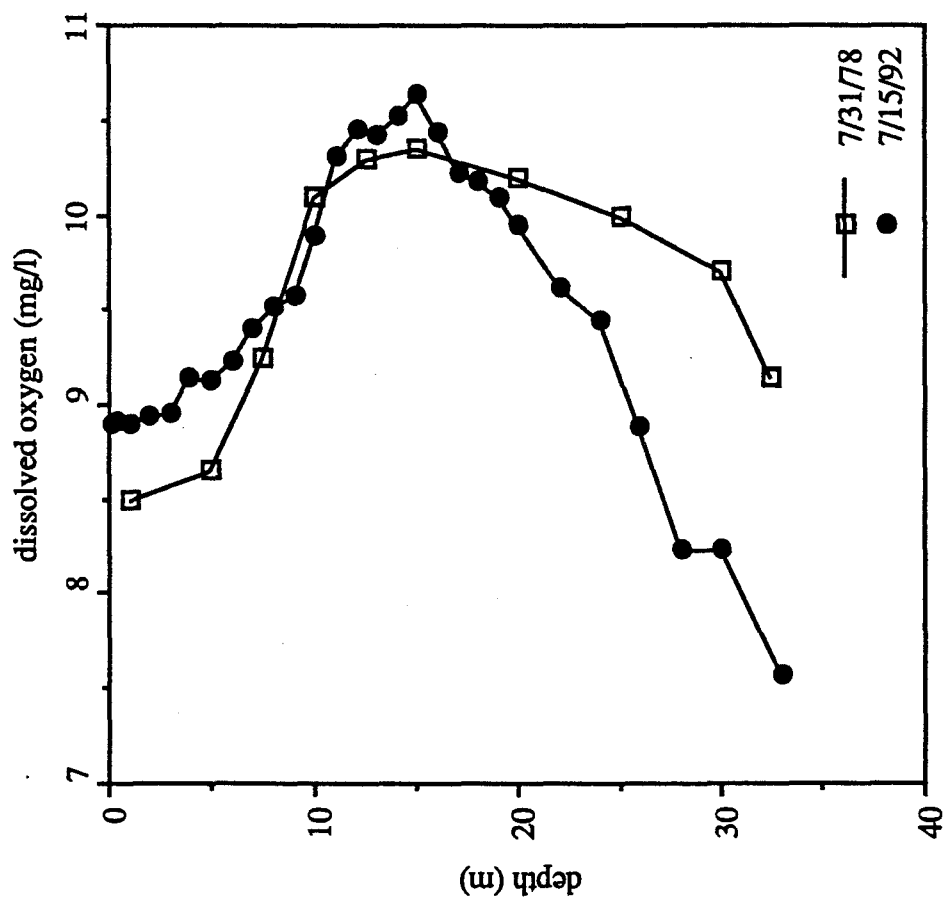


Figure 2. Comparisons of the depth distribution of dissolved oxygen (mg/l) in Big Arm Bay of Flathead Lake on different dates. These data show oxygen stagnation on the bottom of the lake in summer of 1992 for the first time in the period of record, a very serious deterioration of water quality.

# LAKE COUNTY LAND SERVICES

## PLANNING AND SANITATION

106 Fourth Avenue East  
Polson, Montana 59860-2175  
Telephone (406) 883-6211

March 8, 1993

Senator Don Bianchi, Chairman  
Senate Natural Resources  
Capitol Station  
Helena, Montana 59620

SENATE NATURAL RESOURCES

EXHIBIT NO. 5

DATE 3/4

BILL NO. HB 30

Re: H.B. 30

Dear Senator Bianchi:

My name is Jerry Sorensen, and I have worked as a planner for Lake County for the last 14 years. I have also been a member of the Flathead Basin Commission for the last 9 years.

House Bill 30 is a general revision to the Lakeshore Protection Act. It has been prepared as a result of the study required by HJR 17 which passed in the 1991 regular session. I fully support the revisions.

The original lakeshore statute was passed in 1975 to protect and conserve the lakes in Montana because they are important to the continued value of lakeshore property as well as to the state's residents and visitors who use and enjoy the lakes. Lake County was the first local government to adopt regulations pursuant to the law, and in my time with the county I have overseen approximately 2000 permits, mostly on Flathead Lake.

To an extent, the law has worked well and met its objectives. However, a major feature of the law is to protect water quality. Within the context of the existing definition of lakeshore being 20 horizontal feet from high water it is not meeting this objective. An increasing problem with water quality in Flathead Lake is the increase in run-off from residential development. The proposed change in H.B. 30 allows local government to define the lakeshore as the land within 50 feet of highwater. This provides a much more functional area to manage erosion and run-off near the lake. The change is not a prohibition of construction within the lakeshore but will give local government the ability to ensure that work done within 50 feet of a lake is accomplished in a manner that will not impact water quality.

Since the bill passed the House, we have met with the Flathead County staff to consider how we might coordinate our efforts in pursuing the local option on Flathead Lake. We have agreed to work cooperatively on holding hearings on the local option and to

propose similar regulations. We may request that the Flathead Basin Commission be used as the forum for public discussion on the local option. This will give us an opportunity to hear and address landowner's concerns in both counties prior to making a decision on the option and possible regulations.

As regards regulations, we agreed that certain provisions need to be included to protect property rights. These are:

- Existing homes within the lakeshore be allowed to be remodeled and expanded.
- In the event an existing home within the lakeshore is destroyed by fire or other natural disaster, it can be rebuilt in its present location.
- In the event an existing undeveloped lot is such that a home could not be located 50 feet away from the lake due to land constraints, a simple variance procedure could be followed to allow the structure to be closer.
- Routine maintenance work such as painting, re-roofing, re-siding, and the like would be exempt from regulations. The present regulations currently exempt these types of maintenance.

It is important to know that current regulations do not prohibit use or development in the lakeshore. Many permits are issued for structures such as boat houses, storage sheds, walkways, decks, boat ramps, docks, and gazebos in the lakeshore. These types of lake related structures would certainly be allowed in an expanded lakeshore area.

In closing, this legislation is part of an effort to develop a comprehensive approach to lake management. The causes of lake degradation are many. Construction activities done near a lake have the potential to cause water quality problems due to soil disturbance and erosion. This was the rationale for the Legislature in 1991 to establish a 50 foot management zone for logging near a lake or stream. Residential construction can have similar impacts to logging in respect to soil disturbance, vegetation removal, and alteration of drainage. This bill is certainly not a cure-all for water quality problems but is a responsible step in the right direction.

Sincerely,



Jerry Sorensen  
Planning Director



P.O. Box 290 • Polson, MT 59860

March 7, 1993

The Honorable Don Bianchi, Chairman  
Senate Committee on Natural Resources  
Montana State Capitol  
Helena, MT 59620

Re: House Bill 30

Dear Chairman Bianchi,

SENATE NATURAL RESOURCES

EXHIBIT NO. 6

DATE 3/8/93

BILL NO. HB 30

My name is Dick Wollin. I live and own property on Finley Point. As president of the Board of Directors of the Flathead Lakers I speak on their behalf in support of House Bill 30 as amended. (A copy of the mission statement for the Lakers is attached.)

A 1975 Laker newsletter noted, "...the new Shoreline Protection Law will help to protect indiscriminate destruction of the Lakeshore and we feel that control at the local level is much better than control at the State or Federal level. Our efforts were directed toward this local control".

Our reasons for continued endorsement of this policy are several:

Of the 300 largest lakes in the world, **Flathead Lake still ranks in the top 10% in terms of water quality.** Our singular goal should be to "keep it clean" rather than to "clean it up".

However, **scientific research has clearly demonstrated that Flathead Lake is changing and has approached a threshold** where increased nutrient inputs from culturally related sources around the lake and in the upper basin could result in a rapid deterioration in the lake's water quality. Lake level regulation and shoreline development have also played their roles.

The sources of pollution are many and cumulative. **The primary objective should be to prevent further deterioration of lake water by protecting the lakeshore as one part of an integrated, basinwide land use and water quality plan.** An ecosystem or watershed approach to protection of water quality is needed. It reflects an understanding that what we do on land and in the water affects the lake. It centers on thoughtful consideration of the intricate lake ecosystem and the interdependence between the lake and its surrounding watershed. Degradation from shorelines, whatever the cause, cannot be ignored.

Noting publications and research dealing with lake ecology, **lakeshore protection regulations have shown to be a necessary part of lake management** - as undesirable as it may be. Management plans consistently point to the need for buffer zones. Western Montana has been discovered and with resultant changes will come increased pressure on water resources. Flathead Lake already has one of the highest density ratios of any lake in the west,



including Lake Tahoe and Lake Washington. If you ask the question - "what should lakes, especially Flathead Lake, be like in 5, 10, 25 years?" - the need for HB 30 becomes increasingly important and is why **we support the revised definition of a lakeshore.**


HB 30 is enabling legislation, as was the phosphorus ban bill and look what that has accomplished. Water problems are people problems, caused by people, affecting people and only involved people can solve them. Therefore, **we support the amendments that provide for thorough public participation in the process of determining lakeshore regulations at the local level.**

**The provision for lake advisory committees provides for continued public input on the condition of a lake and should encourage citizen involvement in finding solutions to identified problems. It should also encourage the development and expansion of needed volunteer monitoring programs.**

The lakeshore regulations for Flathead Lake adopted cooperatively by Lake and Flathead Counties and the Confederated Salish and Kootenai Tribes are basically the same. **We would continue to urge that these political bodies work together in effecting changes to the regulations if the proposed amendments are passed and to develop a comprehensive lake and/or watershed mangement plan, preferably under the auspices of the Flathead Basin Commission.** Water does not recognize political boundaries and we all live downstream.

House Bill 30 is not a cure all for all problems. It can serve to help curb one of many problems affecting water quality - degradation from shorelines with its possible economic ramifications for the region, the State and generations to follow.

Sincerely,

  
Dick Wollin  
President



## What Can You Do To Take Care Of Your Lake?

"Taking care of" your lake may require lake stewardship, lake management, lake restoration, or a combination of all three. These three terms — stewardship, management and restoration — are related but not interchangeable.

### 1. Lake Stewardship: An Attitude

Lake stewardship really is an attitude — and it is the first important step in protecting a lake. Stewardship reflects an understanding that what we do on land and in the water affects the lake.

Stewardship centers on thoughtful consideration of the intricate lake ecosystem and the interdependence between the lake and its surrounding watershed. It takes into account the need to better balance our lives and lifestyles with the needs of our lakes.

In short, it is a recognition that lakes are vulnerable — that in order to make them thrive, we, both individually and collectively, must assume responsibility for their care.

### 2. Lake Management: A Process

Lake management is a process, and the second major step in lake protection. It reflects a willingness to study a lake, to assess its status and its needs, and to determine how best to maximize its potential as a thriving ecosystem.

Lake management can be as simple as fostering the practices of stewardship among lake homeowners and other interested individuals. Or it can include taking an active role in altering certain ecological relationships within the lake and its watershed to make a lake

healthy and keep it healthy. Lake management can also include protecting the health of a lake ecosystem through a plan of preventive action.

Lake management, to be effective, requires the coordinated efforts of a group of individuals in the form of a lake association, sportsmen's or conservation club, or some other organization.

### 3. Lake Restoration: Corrective Action

Lake restoration is an action directed toward a lake to "make it better." It is one example of a lake management technique. The complexity and expense of this activity requires an organization with some authority over the lake and its watershed, such as a lake improvement district or watershed district. ~~~~~



## Lake Stewardship: What Can An Individual Do?

Good stewardship by the individual, whether a lake homeowner or simply a lake user, can do much to enhance the lake environment and serve as a beginning for sound lake management. Although most of the following comments are directed to lake homeowners, many also apply to those who live anywhere within a lake's watershed. One of the most important things an individual can do is to get involved with other concerned citizens. Your collective efforts will yield the greatest dividends for you and the lake.

Here's what you can do to protect and improve a lake by minimizing polluted runoff into the lake. Many of these suggestions are based on shoreland management laws.

### 1. Siting the House and Other Facilities

- Don't let your house intrude upon the lake. Locate a new house and any future additions to meet horizontal setbacks and vertical elevation requirements and to avoid damage if the lake rises dramatically in the future. Preserve as much natural vegetation as possible between the house and the lake to filter sediments and nutrients out of surface runoff.
- You'll also need to consider other facilities, particularly wells and septic systems, when siting your house. The septic system should receive priority since adequate soil conditions are necessary for its proper functioning. Site evaluators and many sewage system installers can conduct soil borings and percolation tests and consult soil maps and data to determine the best location on your lot. Wells should be located upslope from sewage systems and be deep and

cased whenever possible. A site sketch of your lot, drawn to scale, will help you decide the best locations for all facilities and is often required when obtaining permits.

- Contact your county zoning officer to determine what permits will be needed and what standards must be met. Take a personal interest in meeting the regulations. Don't leave the arrangements entirely to your contractors.
- If a standard septic tank and drainfield system is unsuited for your lot, you may have to use an approved alternative system such as a mound system. On some lots a holding tank may be the only feasible system.
- Make sure your contractors know which trees you want to save. Fence off areas to protect trees and roots from construction damage.

- Don't put a road or wide path down to the lake. Curve any path you do build to the lake. Consider a wooden stairway rather than a road if you need access along a steep slope.

## 2. Altering the Waterfront

- If you want a sandy beach for swimming, try to buy a lot with a natural beach. Sand dumped on the shore to create a beach can seriously affect the habitat of fish, birds, frogs and aquatic insects.
- Make waterfront equipment such as docks and boat houses as unobtrusive as possible. Avoid structures that require much tree clearing, excavating or filling.

## 3. Modifying Yard Care

- Think twice before putting in a lawn — you may not need one in a lake setting. Maintain as wide a buffer zone of natural vegetation as possible between the lawn and the water's edge.
- Minimize the use of pesticides, herbicides and fertilizers, which can harm the lake.
- Don't burn brush or leaves on a slope from which ashes can wash into the lake.

## 4. Taking Care of Your Septic System

- Don't let your septic system pollute the lake. Have your septic tank checked every other year and pumped when necessary.
- Use nonphosphate detergents, wash only full loads of clothes, and use water-saving showers and toilets to avoid stressing your septic system. (In Minnesota, phosphates in household laundry detergents have been banned since 1977.)
- Do not use a garbage disposal, and keep solvents, plastics, paper diapers and other similar products out of your septic system. ~~~~~



## Lake Management: What Is It?

Lake management requires a general knowledge of lake ecology, the causes of natural and cultural water quality problems, the techniques for restoring and protecting the lake, the legal and financial realities to be considered, and the administrative and technical resources available to concerned citizens.

Lake management begins with ecological awareness. Just as the art of the landscape painter begins with an understanding of the relationship between elements in the landscape, so must a lake be seen as part of an interdependent system of surface and subsurface flowing water and of plant and animal habitats that relate to, and rely on, each other.

### Two Areas of Concern

Every lake is ecologically unique. Every management group will have a unique set of management objectives and a unique strategy for attaining them.

Lake management planners seeking the most effective way to arrest or reverse eutrophication face two general areas of concern:

The first addresses biological symptoms that arise in the lake — primarily from activities in the lake's watershed. "Nutrient-rich" lakes can be made less "productive" through the use of **watershed management practices**. The cost depends on the extent of the problem.

In the second area of concern, the lake has reached a critical level. Nutrients accumulated in the lake continue to maintain excess productivity even with watershed management. The restoration of such a lake may require **in-lake treatment** as well as watershed management. The cost may be high.

### Two Philosophies of Lake Management

Lake management approaches can be divided into two categories. One is the "quick-fix" approach. The other is long-term environmental management.

#### The "Quick-Fix" Approach

The "quick fix" in lake management is a short-term "solution," such as the application of aquatic herbicides to quickly kill unwanted algae. Such chemical applications

can go on year after year, becoming increasingly less effective if the underlying causes of the algal growth are ignored.

The "quick fix" treats the biological symptoms of a lake problem, but plant and fish productivity are directly dependent on the chemical and physical processes going on in and around the lake as well. These underlying factors must be the principal consideration in any plan to change the biology of a lake.

### Long-Term Lake Management

Long-term lake management considers all of the environmental, cultural and biological factors affecting the lake and sets a higher priority on finding lasting solutions than on pursuing quick, cosmetic treatment of symptoms.

A high quality, financially efficient environmental project takes time and begins with long-range planning. If immediate in-lake rehabilitation techniques are necessary, the community will need to be sure that such immediate rehabilitation efforts are followed by appropriate long-term management techniques. ~~~~~



## Lake Management: What Can Be Done?

EXHIBIT #6

DATE 3-8-93

HB-30

Lake management often begins with concern for a particular lake. The lake no longer lives up to someone's expectations, whatever they might be.

Deteriorated lakes can be restored, but the task is difficult. Understanding of lake ecosystems is incomplete, and, even when technical answers are available, they may be expensive to apply. Further, the results of a lake restoration project may not be apparent for years.

For these reasons, **preventive action** should be the first priority of most lake communities. If the lake is a valuable recreational asset, the primary objective should be to prevent further deterioration. Lake deterioration can be prevented by managing the watershed and by protecting the shoreline.

Action to protect and restore a lake may be taken by individual lake property owners and by lake associations, usually with the assistance of one or more government units.

When concern over a lake's condition leads to a meeting of concerned citizens, the first step has been taken: formation of a lake association. The association may already exist as a local conservation club, a rod-and-gun club, the chamber of commerce, or another concerned group. An effective lake association includes not only lakeshore property owners but also people who have various

other interests in the lake. If lake management is initiated by a municipality or other government unit, it is a good idea to form an advisory group of interested citizens by seeking volunteers from the association or other concerned civic groups.

### Four Initial Steps

#### 1. Set Goals

Where does a lake association begin? The first order of business is to set goals. The goals of a lake management program are set according to what the members of the association expect the lake to be. These goals are usually based on social judgments and definitions of values. Throughout the planning process, these expectations require continual review and modification as information is gathered and as environmental, technical, institutional and financial realities become more clear.

#### 2. Assess Levels of Commitment

Know what financial and time commitments the group is willing and able to make. It is easy to overlook these factors in an initial eagerness to get results, but realistic assessments of available time and finances are critical to success.

#### 3. Acquire Background Knowledge

Get acquainted with the principles of lakes. Understand the direct and critical re-

lationship between a lake and its surrounding shoreline. The better you understand the relationship of a lake to its watershed, the more likely you'll be to make effective management choices. You can find help with this in your local community. A high school or community college science teacher may be able to help residents better understand the lake. The county planning and zoning office can provide information on present and future land use in the watershed. The soil and water conservation district can provide information on soils and assist in mapping the area draining into the lake. The Freshwater Society and the Gray Freshwater Biological Institute can help you better understand the interdependence of land use practices and lake protection.

#### 4. Determine the Current Status of the Lake

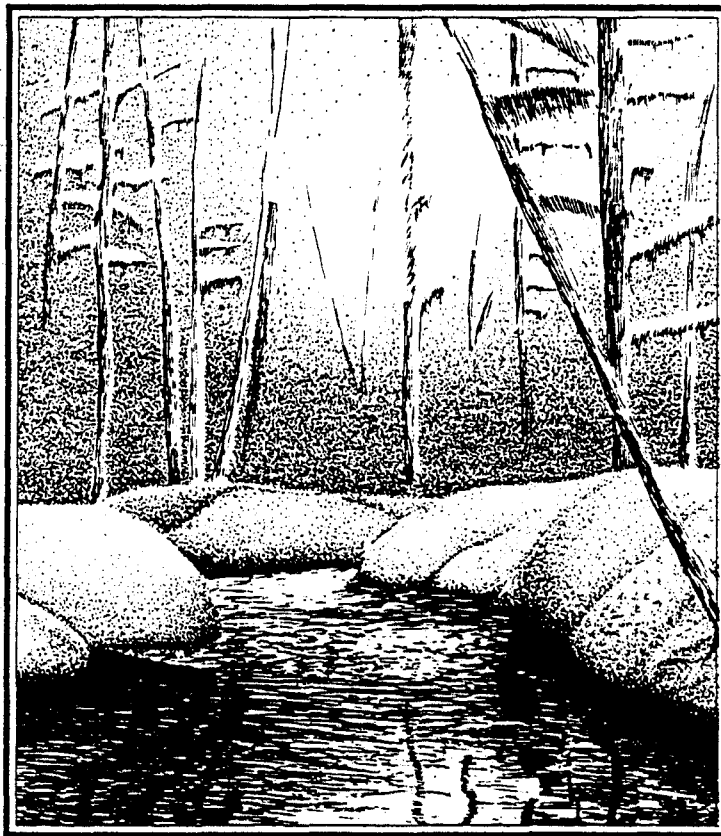
It is important to determine the current water quality or trophic status of the lake. This will provide a baseline for assessing changes in water quality over time and determining the effectiveness of management practices. This may be as simple as getting involved in the **Citizen Lake-Monitoring Program**. Or, if major management choices are to be made, a complete water quality study of the lake and its watershed may be necessary.

# Flathead Basin Commission

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## 1991-1992 Biennial Report

The original is stored at the Historical Society at 225 North Roberts, Helena, MT 59620-1201. The phone number is 444-2694.



SENATE NATURAL RESOURCES

EXHIBIT NO. 7

DATE 3/6/93

BILL NO. HB 30

DATE 3/8  
 SENATE COMMITTEE ON Natural Resources  
 BILLS BEING HEARD TODAY: HB 30, HB 150, HB 417

Name	Representing	Bill No.	Check One	
			Support	Oppose
JOSEPH BIBB	SELF	HB 30	✓	
<i>Mark of report</i>	Montana Audubon Leg. Fund	HB 417	X	
ROGER J. SOMERVILLE	SELF	HB 30		X
Dick Wollin	Flathead Lakers	HB 30	✓	
Tom Hopgood	Mt. Assoc. Realtors	HB 30		✓
Bill Wiseman	SELF	HB 30		✓
John Geach	DHES	HB 417	X	
CASSANDRA NOBLE	DHES	HB 417	✓	
Jack Stanford	SELF	HB 30	X	
FORREST SANDERSON	SELF	HB 30	X	
Ron Clark	Self	HB 30		X
Jerry Sorensen	Lake County	HB 30	✓	
Janet Ellis	MT Audubon	HB 30	✓	
Tim Scales	H.D. #61	HB 150	✓	
Jim Greene	State Lands	HB 150	✓	
John North	" "	"	✓	

## VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE

3/6/93

SENATE COMMITTEE ON

Natural Resources

BILLS BEING HEARD TODAY:

HB 30, HB 150, HB 417

Name

Representing

Bill  
No.

Check One

Support Oppose

Nancy Griffin	Montana Building Industry Association	HB 30		✓
Carol Brenden	Self	HB 30		✓
Brian McNitt	MEIC	HB 30 HB 417	X	
Stan Bradshaw	MT T.U.	HB 30	✓	
Sanna Kiesling	self	HB 30	✓	
Sen John A. Brenden	self	HB 30		✓
PAUL SLITER	Self	HB 30		✓
Genna Alexander	MT Petroleum Marketers	HB 417	X	
Lorna Frank	MT Farm Bureau	HB 417		✓
Elizabeth Heimlich	MEIC	HB 417	X	

## VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY