

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Rep. Dick Knox, Chairman, on January 20, 1995,
at 3:00 p.m.

ROLL CALL

Members Present:

Rep. Dick Knox, Chairman (R)
Rep. Bill Tash, Vice Chairman (Majority) (R)
Rep. Bob Raney, Vice Chairman (Minority) (D)
Rep. Aubyn A. Curtiss (R)
Rep. Jon Ellingson (D)
Rep. David Ewer (D)
Rep. Daniel C. Fuchs (R)
Rep. Hal Harper (D)
Rep. Karl Ohs (R)
Rep. Scott J. Orr (R)
Rep. Paul Sliter (R)
Rep. Robert R. Story, Jr. (R)
Rep. Jay Stovall (R)
Rep. Emily Swanson (D)
Rep. Lila V. Taylor (R)
Rep. Cliff Trexler (R)
Rep. Carley Tuss (D)
Rep. Douglas T. Wagner (R)

Members Excused: None

Members Absent: None

Staff Present: Michael Kakuk, Environmental Quality Council
Alyce Rice, Committee Secretary

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

Committee Business Summary:

Hearing: HB 215, HB 201, SJR 2
Executive Action: SJR 2 Be Concurred In

Tape 1, Side A

HEARING ON HB 215Opening Statement by Sponsor:

REP. VICKI COCCHIARELLA, House District 64, Missoula, said HB 215 is the result of an Environmental Quality Council Subcommittee study on hazardous wastes. The intention of the legislation is that a company's clearly defined pattern of compliance or noncompliance should be a factor considered in the decision to issue a permit for a hazardous waste management facility. Copies of the final report of the hazardous waste management study were distributed to the committee. **EXHIBIT 1** Amendments to HB 215 were also distributed. **REP. COCCHIARELLA** encouraged the committee to keep an open mind during the hearing.

Informational Testimony:

Don Vidrine, Department of Health and Environmental Sciences (DHES) said the department is neither a proponent or opponent of HB 215 but at the request of **REP. COCCHIARELLA** it would share information from the department's prospective as to the applicability of the provisions of the bill. The bill's provisions would affect those facilities that are required to receive a hazardous waste management facility permit from DHES. Generators of hazardous waste may accumulate hazardous waste on their sites within accumulation time limits without having permits. Currently there are only 12 facilities in the state that are subject to permitting requirements. The facilities that require permits are those that treat their own hazardous waste on site. HB 215 only affects those facilities that are subject to permitting requirements. **Mr. Vidrine** said the amendments that the department asked to have introduced into the bill are intended to address the conditions of the permit. The bill would impact new applications. The amendments would include permits that are to be re-issued or are renewed. Permits that are already in affect are often modified. Most of the modifications are minor.

Proponents' Testimony:

Ted Lang, Northern Plains Resource Council (NPRC), said NPRC supported HB 215 because it is a very important legislation that provides strong protection of the law.

J. V. Bennett, Montana Public Information Research Group, supported HB 215 and urged the committee to give it a Do Pass vote.

Paul Johnson, Montanans for a Healthy Future (MFHF), said MFHF believes when a company applies for a permit to treat or dispose of the most hazardous substances produced by mankind it is important that the Department of Health and Environmental Sciences has discretion to consider the company's regard for and record of compliance with laws that are designed to protect citizens'

health. A company with a poor history for compliance with laws can reasonably be expected to cause problems in the future that increase the burden on regulatory agencies and increase the costs to taxpayers. Mr. Johnson urged the committee to support HB 215.

Bill Allen, Montana Audubon Legislative Fund supported HB 215.

Tape 1, Side B

Ann Hedges, Montana Environmental Information Center, said hazardous waste is a danger to public health because it is ignitable, re-active, explosive or toxic. It is crucial for permit reviewers and writers to have information on hand regarding a company's past compliance history so repetitive violations can be dealt with prior to issuing a permit. It would save taxpayers and industry money.

Opponents' Testimony:

Gail Abercrombie, Executive Director, Montana Petroleum Association said the bill implies that any violation is a willful disregard of environmental protection laws which is most often not the case. It does not acknowledge an applicant's improvement in response to past violations. The bill does not take large corporations into consideration.

David Owen, Montana Chamber of Commerce said one of the great frustrations a business community faces and one of the biggest threats to environmental protection is the failure to distinguish between misdemeanors and felonies. The vast majority of things people pay fines for are mechanical errors on monitoring equipment and inaccurate paperwork. Those things don't lead to actual spills and actual threats. Until a distinction can be made between minor and major discrepancies people's sensitivities are going to be blunted to real environmental threats. The type of provisions that are in the bill are going to give people the grounds to become hysterical over things like monitoring equipment. The way the bill was put together lends itself to a hysterical debate rather than a focused debate.

Jim Mockler, Montana Coal Council, said it appears that coal mining is not covered by the bill. The coal industry in certain instances has to have large generator permits in order to overhaul drag lines. Drag lines contain a vast amount of motor oils. The bill leaves the mining industry up in the air and very concerned about the research it would take to generate the type of information it asks for.

Ken Williams, Montana Power Company and Entech, said not to let the provisions of the bill, if adopted, evolve into something like the applicant violator system that surface mining companies have to comply with, which is having to submit every violation no matter how minor when applying for a permit.

Questions From Committee Members and Responses:

REP. ROBERT STORY asked Mr. Vidrine about the concern of some of the opponents regarding the amount of paperwork that may be required. Mr. Vidrine said only penalty violations are required to be reported and it would be difficult to anticipate how much paperwork that would be until it actually starts coming into the office.

REP. DAVID EWER told Mr. Vidrine the bill requires all penalties to be reported. Mr. Vidrine conceded that he was mistaken. REP. EWER said he felt the opponents of the bill had a legitimate concern about the amount of paperwork.

REP. JON ELLINGSON asked Mr. Vidrine if the oil refineries in Billings require a permit for hazardous waste management. Mr. Vidrine said Exxon and Conoco Oil Refineries treat their own hazardous wastes and although they didn't need a permit to generate hazardous waste they elected to do on-sight treatment of that waste which triggers a need for a permit.

Tape 2, Side A

Closing by Sponsor:

REP. COCCHIARELLA said the provisions of the bill will make it easier when it is time to consider what to do with the hazardous waste that is generated in Montana.

HEARING ON HB 201**Opening Statement by Sponsor:**

REP. ALVIN ELLIS, House District 23, Red Lodge, said he sponsored HB 201 because it is a win-win proposal for Montana's public school districts and the Montana economy. When Montana was granted statehood in 1889 it was given about 6,000,000 acres of land to be held in trust for the benefit of public education and specific institutions. The Enabling Act and the Montana Constitution clearly spelled out the intent to manage these lands for the benefit of public education and other worthy objects of the state as implemented by the other institutions granted land. The public school system is the designated beneficiary of approximately two-thirds of that trust land. Montana State University's College of Agriculture is the second largest beneficiary which is why it is known as a land grant institution. Other institutions with specific tracts of land include the School for the Deaf and Blind in Great Falls, the Pine Hills School for Boys in Miles City, Montana School of Mines and the Capitol Building's trust.

REP. ELLIS said the issue over grazing and recreation fees on state lands is supposedly geared around maximizing revenue of

school trust but meanwhile timber production has been far less than the sustained yield levels resulting in millions of dollars lost each year. The Board of Land Commissioners is responsible for the management of state lands but the legislature is responsible to the legal beneficiaries of trust lands. If the Board of Land Commissioners were successfully sued for gross negligence and financial damages were awarded trust beneficiaries, the legislature would have to come up with the money. HB 201 directs the Board of Land Commissioners and the Department of State Lands to manage trust lands to produce saleable timber and revenues each year forever. The committee's responsibility is to determine where Montana's best interests lie.

Proponents' Testimony:

George Bailey, President, Montana Association of School Superintendents, said he supported the bill because it requires the Department of State Lands to manage the school trust in a responsible manner. Students currently are in desperate need of teachers, text books and especially technology. If the trust continues to be managed as it currently is, the next mammal that reaches the Endangered Species Act will be a Montana student that possesses a quality education.

Cary Hegreberg, Montana Wood Products Association. Written testimony. **EXHIBIT 2**

Tape 2, Side B

Dennis Kinsey, Superintendent, Beaverhead County High School. Written testimony. **EXHIBIT 3**

Lorna Frank, Montana Farm Bureau. Written testimony. **EXHIBIT 4**

Sharon Dale, Superintendent, Bonner Elementary School District 14 supported HB 201.

Verne Beffert, Superintendent of Schools, Livingston said HB 201 presents an opportunity for the legislature to be able to increase funding for schools and it will have little affect on local and state taxpayers.

John Hebnes, Superintendent, Seeley Lake Elementary School District 34 supported HB 201.

Jim Foster, Montana Rural Education Association supported HB 201.

Peggy Trenk, Western Environmental Trade Association said HB 201 does not open the gates for over-harvesting of timber lands. All applicable laws still have to be complied with. It does not take away from environmental protection. **Ms. Trenk** urged the committee to pass HB 201.

David Owen, Montana Chamber of Commerce supported HB 201.

Ramona Stout, Supertendent, Huntley Project Schools. Written testimony. **EXHIBIT 5**

Dave Peters, Superintendent, Whitefish School District 44. Written testimony. **EXHIBIT 6**

Joel Voytoski, Superintendent, Chester Public Schools. Written testimony. **EXHIBIT 7**

Ryan D. Taylor, Superintendent, School District 6, Columbia Falls. Written testimony. **EXHIBIT 8**

Opponents' Testimony:

Stan Frazier, Montana Wildlife Federation, objected to the part of the bill that sets the annual sustained yield of timber to be harvested at 50 million board feet before the planned study of the annual sustainable yield has been completed. **Mr. Frazier** said the Forest Service has been trying to come up with the mythical sustained yield figure for years and hasn't been able to get it right yet. The purpose of the school trust fund is not a jobs program or a work program for the timber industry; it is to provide money for the school trust. If the legislature really wants to get the most money for the school trust fund it should raise the grazing fee to \$7 per a.u.m.

REP. BOB REAM, House District 69, Missoula, said HB 201 is a workable bill but suggested striking lines 19 and 20 which establishes a 50 million board feet limit and at the same time the previous paragraph proposes an independent study to determine the annual sustainable yield on forested state lands. It is not good policy to put a board feet figure into the statutes. **REP. REAM** said he was not sure that 50 million board feet could be harvested on state lands. His other concerns were that there is no appropriation for the proposed study and if timber harvesting is increased there would be a need for more personnel to prepare the sales for harvest.

REP. DON LARSON, House District 58, Seeley Lake opposed HB 201 for the same reasons that **REP. REAM** opposed it. He suggested that the committee table HB 201.

Steve Kelly and Arlene Montgomery, Friends of the Wild Swan, Swan Lake. Written testimony. **EXHIBITS 9 and 10**

Tape 3, Side A

Janet Ellis, Montana Audubon Legislative Fund, opposed HB 201 because the requirement of meeting an annual 50 million board feet harvest prior to doing a study would break environmental laws.

George Ochenski, Trout Unlimited, said an environmental impact statement exists on state lands so another study would be redundant and a waste of money.

Tony Schoonen, Coalition for Appropriate Management of State Lands, agreed with previous opponents to HB 201 and also pointed out that wildlife would be forced out of the harvested areas because they would no longer have protection from the trees.

Jim Jensen, Executive Director, Montana Environmental Information Center, said it is often misunderstood that the revenue from school forest lands goes into the school trust fund and that is not the case. The revenue goes into the state equalization fund. There is no guarantee that schools would receive a cent more with the passage of HB 201 than they receive now.

Jennifer Ferenstein, Alliance for the Wild Rockies. Written testimony. **EXHIBIT 11**

Robert Ament, Resource Specialist, American Wildlands. Written testimony. **EXHIBIT 12**

Questions From Committee Members and Responses:

REP. RANEY asked **George Bailey** if he supported the annual 50 million board feet timber harvest requirement in the bill before a study is completed. **Mr. Bailey** said he supported the annual 50 million board feet timber harvest requirement because timber has been under-harvested for a period of years.

Tape 3, Side B

REP. SWANSON referred to the Department of State Land's annual report and asked **Bud Clinch, Commissioner, Department of State Lands (DSL)** if the department's 1985 estimate of 50 million board feet per year was the most recent study. **Mr. Clinch** said in 1989 the department completely re-measured all the timber growth plots and the compilation of that data indicates the biological sustained yield to be 55 million board feet.

REP. RANEY asked **Mr. Clinch** how many more FTE would be required to increase the timber harvest yield. **Mr. Clinch** said an additional 12 FTE would be required.

REP. AUBYN CURTISS asked **Mr. Clinch** to estimate how much of the timber harvest would be dead timber. **Mr. Clinch** said the department's annual timber mortality figure is approximately 28.7 million board feet.

REP. JON ELLINGSON asked **Mr. Clinch** if he agreed that there is no requirement in the Constitution or the statutes that would require the maximization of return on state lands through timber harvesting alone but to maximize the yield to the school trust fund. **Mr. Clinch** agreed and said that is why the department

examines a wide range of alternatives for providing for the trust fund. The department feels that timber harvest is the most beneficial way in which to accumulate those revenues.

Tape 4, Side A

REP. BILL TASH asked Mr. Clinch asked if he could estimate the amount of marketable timber lost due to bug infestation, fire and blow-down. Mr. Clinch said the department's inventory that projects the sustainable timber yield also indicates that the mortality due to natural conditions is about 28 million board feet. REP. TASH asked Mr. Clinch for recent approximate cost figures for fire suppression on state lands. Mr. Clinch said this year was the all-time record for fire activity in Montana both in terms of the number of fires started and in dollars expended. The department expended approximately \$20 million on fire suppression.

REP. HARPER asked George Schunk, Assistant Attorney General, who should make the final decision on how school trust land is best used. Mr. Schunk said that has never been resolved. By statute the legislature has stated that the land board is the trustee for the management control of school trust lands. Case law doesn't squarely address the issue.

REP. DANIEL FUCHS asked REP. ELLIS if he would be agreeable to eliminating the word "requirement" and replacing it with "goal" in reference to the annual sustainable yield of 50 million board feet. REP. ELLIS said he would work with the committee on that if it felt it was absolutely necessary.

REP. ROBERT STORY asked Mr. Clinch when the independent study called for in the bill would be completed. Mr. Clinch said he anticipated that the study would occur within a 12 month period.

CHAIRMAN DICK KNOX asked Mr. Clinch to respond to an opponent's statement that the aggressive increased timber harvest would result in a monoculture in those areas. Mr. Clinch said the term monoculture relates to the development of stands of timber that are all of a like age and species. There will be some increase in that strategy applied but there will continue to be an emphasis on uneven age management with multi-age classifications and multi-species.

Tape 4, Side B

Closing by Sponsor:

REP. ELLIS thanked the committee for a good hearing and urged the committee to support HB 201.

HEARING ON SJR 2Opening Statement by Sponsor:

REP. JON ELLINGSON, House District 65, Missoula, said SEN. MIKE HALLIGAN, House District 34, Missoula, sponsor of SJR 2, had another commitment so he would give opening statements for him. REP. ELLINGSON said SJR 2 would place the House of Representatives and Senate on record in favor of the State of Montana supporting the establishment and operation of a National Forest Service Museum to be located at Missoula, Montana. This would be the only comprehensive Forest Service museum in the country. The northern region of the Forest Service has designated the museum as being an authorized federal repository for federal property, including archives, artifacts and other historical items. The establishment of the museum in Missoula has been supported by the Chief of the Forest Service. The museum will be established and operated by a private, nonprofit corporation and will be a \$12 million endeavor. Missoula is the appropriate place for the museum because it is at the heart of the Forest Service's northern region which encompasses fifteen national forests, four national grasslands and 28 million acres of forest. The Forest Service northern region hosts 13 million visitor days annually, including more than 1.6 million people who annually pass through Missoula en route between Glacier and Yellowstone national parks. The 36 acre site for the proposed museum is located on federal land northwest of the Missoula International Airport. The museum would be a boon to the State of Montana. REP. ELLINGSON urged the committee to favor SJR 2.

Proponents' Testimony:

Gary Brown, President, National Forest Service Museum, Inc., said the purpose of the corporation is to create a national Forest Service museum which will be unique to the nation and will focus solely on the Forest Service. Mr. Brown distributed a brochure about the museum to the committee. Exhibit 13. Mr. Brown also distributed letters from Governor Marc Racicot and Jack Ward Thomas, Chief, U. S. Forest Service, supporting the museum. EXHIBITS 14 and 15

Cary Hegreberg, Montana Wood Products Association, supported SJR 2.

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses:

REP. DOUG WAGNER asked Mr. Brown if there was an educational intent for the museum. Mr. Brown replied yes.

Closing by Sponsor:

The sponsor waived closing remarks.

EXECUTIVE ACTION ON SJR 2

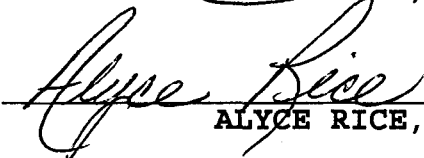
MOTION/Vote: REP. HAL HARPER MOVED SJR 2 BE CONCURRED IN. Voice vote was taken. Motion carried 16 to 2. REP. SCOTT ORR and REP. BILL TASH voted no.

ADJOURNMENT

Adjournment: 6:30 pm



REP. DICK KNOX, Chairman



ALYCE RICE, Secretary

DK/ar

HOUSE OF REPRESENTATIVES

Natural Resources

ROLL CALL

DATE 1-20-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Dick Knox, Chairman	✓		
Rep. Bill Tash, Vice Chairman, Majority	✓		
Rep. Bob Raney, Vice Chairman, Minority	✓		
Rep. Aubyn Curtiss	✓		
Rep. Jon Ellingson	✓		
Rep. David Ewer	✓		
Rep. Daniel Fuchs	✓		
Rep. Hal Harper	✓		
Rep. Karl Ohs	✓		
Rep. Scott Orr	✓		
Rep. Paul Sliter	✓		
Rep. Robert Story	✓		
Rep. Jay Stovall	✓		
Rep. Emily Swanson	✓		
Rep. Lila Taylor	✓		
Rep. Cliff Trexler	✓		
Rep. Carley Tuss	✓		
Rep. Doug Wagner	✓		

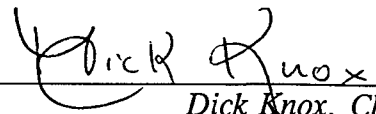


HOUSE STANDING COMMITTEE REPORT

January 23, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Natural Resources report that Senate Joint Resolution 2 (third reading copy -- blue) be concurred in.

Signed: 
Dick Knox, Chair

Carried by: Rep. Ellingson

1-23-95

mu

Committee Vote:

Yes *16*, No *2*.

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EXHIBIT

DATE

HB

1
1-20-95
215

SJR 34 HAZARDOUS WASTE MANAGEMENT STUDY

**Final Report to the 54th Legislature
of the State of Montana**



January 1995

Prepared by the Montana Environmental Quality Council

Testimony on HB 201
Montana Wood Products Association

EXHIBIT 2
DATE 1-20-95
HB 201

Mr. Chairman, members of the Committee, for the record my name is Cary Hegreberg, executive vice president of Montana Wood Products Association.

Last summer at our convention, we had a theme of "New Partnerships." What you see today is one of those new partnerships, and a rather unconventional one at that. But HB 201 is not about business as usual with the rhetoric of special interest bickering. It's about productively managing a valuable asset in the long-term best interest of public education ~~and public education~~, the beneficiaries of Montana's trust lands.

Yes, the companies I represent have a vested interest in this bill. We won't hide from that. You've read the newspapers: Crown Pacific in Superior, closed and auctioned. Tri Con Lumber in Drummond, closed and auctioned. The Stimson Lumber Co. stud mill in Libby, mothballed. And just last week, Brand-S Lumber in Livingston laid off 70 hard-working, tax-paying Montanans.

The reason is federal land managers have been unable, or unwilling, to run the gauntlet of laws, regulations and never-ending lawsuits aimed at stopping timber harvesting. We simply cannot allow that to happen on forested state trust lands.

We've provided a packet of information which provides a framework for this issue. The management directives to secure full, fair market value from trust lands are clearly defined. You will also note the numerous references from the attorney general and from state and federal courts ruling trust lands are to be managed exclusively on behalf of the legal beneficiaries.

Of particular interest are the two tabbed pages. The first is from the Dept. State Lands annual report showing that for every \$1 spent on administering **all** state lands, \$9 are returned to the trust in revenue. The second tab, from the Legislative Auditor's report in 1992, showed that **forested trust lands** were returning only \$3.22 for every dollar invested in management. While mineral and oil leases account for some of the disparity, it is plain to see that agricultural lands are held to a different standard than forested trust lands. In fact, the forgone revenue from forested lands actually exceeds the value of all state grazing leases by a substantial margin.

In closing, I'd like to note that "sustainable resource management" and "sustainable development" are buzz words of the '90s. This bill establishes sustainability as the objective. The Streamside Management Act still applies, as does the Endangered Species Act and State water quality standards. And DSL has an exemplary record of implementing the voluntary Best Management Practices. This bill is about good trust management and we urge ~~its passage~~. Thank you.

a do pass recommendation

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House BILL NO. 201

INTRODUCED BY Ellis Nash Artis Drake McCracken
Anderson Brainerd Denny Wagner ORR

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT ANNUAL SUSTAINABLE YIELD BE USED AS A FACTOR IN THE MANAGEMENT OF FORESTED STATE TRUST LANDS; DEFINING "ANNUAL SUSTAINABLE YIELD" AND ESTABLISHING ANNUAL SUSTAINABLE YIELD AS THE ANNUAL TIMBER SALE REQUIREMENT; AND PROVIDING FOR DECENNIAL REVIEW OF ANNUAL SUSTAINABLE YIELD."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Definition. As used in [sections 1 through 3], "annual sustainable yield" means the quantity of timber that can be harvested from forested state lands each year in accordance with all applicable state and federal laws, taking into account the ability of state forests to generate replacement tree growth.

NEW SECTION. Section 2. Determination of annual sustainable yield. (1) The department, under the direction of the board, shall commission a study by a qualified independent third party to determine, using scientific principles, the annual sustainable yield on forested state lands.

(2) Until the study required by subsection (1) is completed, the annual sustainable yield is considered to be 50 million board feet.

NEW SECTION. Section 3. Annual sustainable yield as timber sale requirement -- review. (1) The annual sustainable yield constitutes the annual timber sale requirement for the state timber sale program administered by the department.

(2) After it is determined under [section 2], the annual sustainable yield must be reviewed and redetermined by the department, under the direction of the board at least once every 10 years.

NEW SECTION. Section 4. Codification instruction. [Sections 1 through 3] are intended to be codified as an integral part of Title 77, chapter 5, part 2, and the provisions of Title 77, chapter 5, part 2, apply to [sections 1 through 3].

-END-

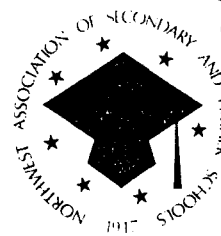
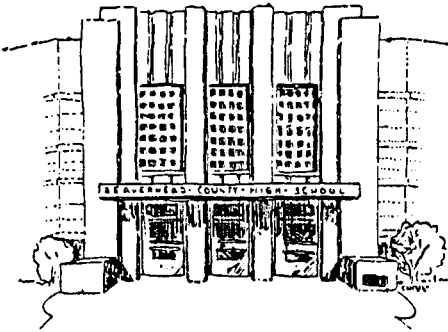


EXHIBIT 3
DATE 1-20-95
HB 201

BEAVERHEAD COUNTY HIGH SCHOOL

DILLON MONTANA

59725

104 NORTH PACIFIC

PHONE 406/683-2361

Natural Resources Committee
Dick Knox, Chairman
Bill Tash, Dillon, Vice-Chairman

Chairman Knox and Committee Members:

As superintendent of Beaverhead County High School, Dillon, I would like to go on record as supporting House Bill 201, ie., SUSTAINED YIELD FROM SCHOOL TRUST LANDS, if a certain percent of the monies are earmarked to support funding for technology education. Further, it is not the intent of this letter, nor the School Administrators of Montana, to endorse harvesting every available board foot of timber, but rather share in the sustained yield, IF fifty million (or whatever amount) board feet would be harvested per year.

Thank you for your time on this critical issue and for your continued support of public schools in Montana.

Continued best wishes via the remaining Legislative session.

Sincerely yours,

Dennis Kimzey, Supt.
Beaverhead County High School
104 North Pacific
Dillon, Montana 59725

Friday, January 20, 1995

cc: Natural Resources Committee members

**MONTANA FARM BUREAU FEDERATION**502 South 19th • Bozeman, Montana 59715
Phone: (406) 587-3153

Chairman Knox, members of the committee. The Montana Farm Bureau would like to go on record as supporting HB 201. Although this legislation has been tabbed a "Clearcut for Kids", bill by opponents, we feel that scientific and regulatory safeguards in developing sustainable yields is built into the bill.

At a time when our public schools are in dire need of funding due to rapid growth, we are leaving from 40-60% of the sustainable yield standing on the hills. This equates to approximately \$6 million dollars annually. You could liken this, if you were a farmer to leaving 1/2 of your crop standing in the field, or if you were a businessman to taking 1/2 of your inventory and putting it in the backroom. When you go to harvest the remainder of that crop, or sell that inventory, you must realize that it may have been destroyed by insects, or burned by fire.

A key point is that these are trees, a renewable resource, if we don't use them we lose them. The bill acknowledges the fact that quantities harvested must be in accordance with all state and federal laws. These laws and the science of developing sustainable yield will provide the protection of wildlife, and water quality that are vital to us all.

This bill would seem to be a win situation for the schools, forestry industry, the environment, and all of Montana. and I urge your support. Thank you.

Lorna Frank
Lobbyist, Montana Farm Bureau

DATE 1-20-95

HUNTLEY PROJECT SCHOOLS HB 201

DISTRICT OFFICE

Ramona Stout - Superintendent
Mona Sisk - Business Manager

PRINCIPALS

Leonard H. Sargent - High School
Ed Zahrocki - Jr. High / A.D.
Ron Scherry - Elementary

January 20, 1995

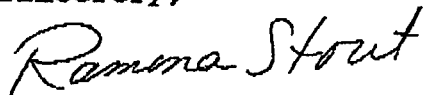
Representative Dick Knox, Chairman
House Natural Resources Committee
State Capitol
Helena, MT 59620

Dear Chairman Knox,

I am writing on behalf of Huntley Project School District #24 in support of HB 201. Public schools have had funding cuts in HB667 from the last session and these funds are not being made up. I am aware that the governor is recommending funds to be allocated to take care of the increased K-12 student population in the State but this does not address funding for increased teachers salaries and increased costs for utilities, equipment, books and supplies.

The additional money generated to through the provision of HB201 would provide for some additional funding for schools. Montana's K-12 education program is nationally recognized for its excellence. Help us keep and continue to improve on that excellence by supporting the passage of HB201. Thank you for your consideration.

Sincerely,



Ramona Stout
Superintendent

**WHITEFISH SCHOOL DISTRICT 44**

600 EAST SECOND STREET, WHITEFISH, MT 59937

District Office • (406) 862-8640

January 20, 1995

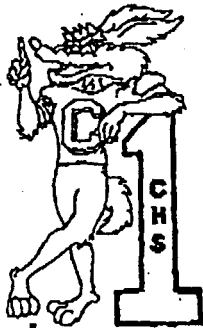
Rm. 431

TO: **Representative Alyce Rice, Secretary**
FR: **Dave Peters, Superintendent**
RE: **House Bill 201 - Sustained Yield from School Trust Lands**

I am writing on behalf of the trustees of the Whitefish School District to urge your support of HB 201 requiring the State Department of Lands to harvest sustained yield from school trust lands. It appears to be a simple, effective, efficient way to make more funds available to Montana schools, and costs the State little or nothing in doing so. I can attest that our schools are struggling financially at this time, and that the future looks bleak for the children of Montana. Any way that the state can find to more adequately fund education without impacting other programs seems a positive step to me.

Your consideration and support of this bill would be appreciated.





CHESTER PUBLIC SCHOOLS

BOX 550
CHESTER, MONTANA 59522

EXHIBIT 7

DATE 1-20-95

HB 201

(406) 759-5108
High School

(406) 759-5477
Elementary

(406) 759-5867
FAX

TO: House Natural Resource Committee

FROM: Joel Voytoski, Chester School Superintendent *JV*

RE: HB 201

DATE: January 19, 1995

I am writing this memo in support of House Bill 201. Schools across the State of Montana need additional funding.

State support for Montana Public Schools has been cut by nearly \$50 million in the past two years. General fund per pupil expenditures continue to decline. At the local level, we were forced to cut our high school budget by 5.4% (approximately \$38,000) for the 1994-95 year. Our elementary budget was frozen at 1993-94 levels.

I'm afraid that the perception of some of the members of the legislature is that despite all of the funding cuts the schools in Montana are doing fine. We are not! Our costs continue to rise. For example: we are currently paying a monthly premium of \$573.00 for family health insurance. Our health insurance costs are up more than 60% over the past two years. Basic utilities costs continue to rise. We are to the point of denying instructional supplies to keep the lights and heat on. We have run out of "miracles", there is nothing more to cut!

Except for step and lane increases, our teacher salaries for 1994-95 were frozen at 1993-94 levels. In the four years I have been with the district, our classified staff has yet to receive an annual increase that kept pace with inflation. Staff morale is not good!

Your Montana Schools are not doing fine. Don't wait until the educational opportunity and achievement of our youth declines to do something about it! If you wait much longer, we are all going to be forced with rebuilding an educational system that was once one of the best in the nation. The number of students who will suffer during the "rebuilding process" is frightening.

HB 201 would be the first step in correcting the vicious cycle. Now that the economy is healthy and there is a budget surplus, do what is right. Continuing to cut education or maintaining current funding levels without an inflationary adjustment (in effect a cut) may be politically appealing, however, it is not right! Don't find out the hard way. Please support HB 201.

Home of the Chester Fighting Coyotes

DNE

EXHIBIT 8

DATE 1-20-95

HB 201

SCHOOL DISTRICT NUMBER SIX

P.O. BOX 1259
COLUMBIA FALLS, MONTANA 59913

DATE: January 20, 1995

TO: Members of the House
Natural Resource Committee

RE: Hearing on House Bill 201

FROM: Ryan D. Taylor, Superintendent *RDT*

The intent of this letter is to support the concepts espoused in H.B. 201.

This legislation is timely. It is definitely needed. It clarifies once and for all the designated role that forested state trust lands are to play in our State's economic and fiscal programs.

Thank you for the opportunity to comment on this most important piece of legislation. Please feel free to contact me if I can be of any assistance.

EXHIBIT 9
DATE 1-20-95
HB 201

Friends of the Wild Swan
P.O. Box 5103
Swan Lake, Montana 59911

Montana House Representative Dick Knox, Chairman
House Natural Resources Committee
State Capitol
Helena, Montana

January 20, 1995

Dear Chairman Knox:

On behalf of Friends of the Wild Swan, a non-profit conservation group based in Swan Lake, please accept the following comments on House Bill 201. H.B. 201 can not possibly benefit the long-term health of our state forests or the state's educational system. If H.B. 201 is inacted by the legislature, the citizens of Montana, especially our youth, will be poorer.

H.B. 201 is a thinly-veiled attempt to give huge multi-national lumber and pulp producers public resources at taxpayer expense. These are **our** state forests, and this bill is bad public policy that sets a dangerous precedent in this legislative body. H.B. 201 also sends a strong message to all Montanans: "We (the 1995 legislature) are squandering our children's inheritance — Montana's priceless landscape — for short-term corporate profit."

This is no way to manage the public's forests. Shame on Representative Alvin Ellis, the author of this bill. Shame on all of you who would cash-in Montana's priceless, god-given environmental capital that took thousand of years to accumulate.

Section 2(2) establishes a 50 million board feet annual cut that becomes a "requirement" (Section 3(1)) prior to a completed state-wide forest inventory and study. The long-term productive capability of forests managed by Montana Department of State Lands (DSL) will be impaired. This cart-before-the-horse approach simply promotes short-term corporate welfare that will continue to produce net annual losses to the School Trust. (See Exhibit A)

A state-wide forest inventory, and Environmental Impact Statement (EIS) must be completed before a sustainable timber harvest target can be reasonably determined. Without a scientifically-based forest management plan, annual timber harvest targets will be sustainable only by accident. The courts have consistently found this kind of target-driven management "arbitrary and capricious".

Commercially-sustainable yields of wood fiber should be based on site suitability standards utilizing the following criteria:

- minimum annual cubic feet per acre yield standards
- long-term economic benefit/cost analysis that includes non-cash value costs
- threshold standards for native fish and wildlife habitat
- soil and nutrient capability
- water quality standards
- minimum old-growth habitat retention standard
- regeneration capability

Currently, DSL operates its timber program with no state-side standards and guidelines. In 1991, and again in 1994, DSL promised two separate Montana District Court Judges that a state-wide, programmatic forest management plan, with state-wide standards and guidelines, will be produced. Today, no plan exists.

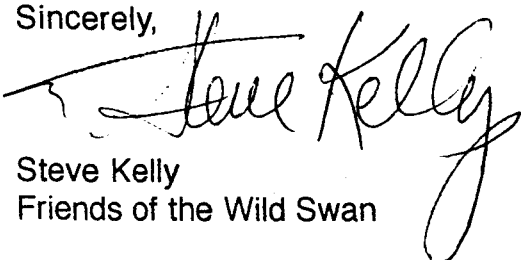
Economic efficiency must be studied or losses to the School Trust are likely to persist. (See Exhibit A) It is wrong to assume higher harvest volumes will generate a net revenue increase from DSL's timber program.

In recent years, DSL's annual cut has ranged between 18 and 30 million board feet per year. A 50 million board fee annual target requirement will lead to overcutting. Overcutting causes detrimental environmental effects that ultimately produce real costs to the State of Montana. Clean-up and habitat restoration costs can often exceed the revenue generated by cutting down wild forests. Prevention is the best, most cost efficient environmental policy.

In its current form, H.B. 201 represents a bill that cannot comply ... "with all existing state and federal laws". (Section 1). It is fiscally unsound and environmentally destructive. Friends of the Wild Swan supports the study (Section 2(1)) provision. We oppose, in the strongest terms, the mandatory annual cut level of 50 million board feet (Section 2(2)) before a proper study has provided the data and analysis necessary to determine a biologically-based, annual sustainable harvest level.

Thank you for the opportunity to comment on H.B.201.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Kelly", with a stylized flourish extending from the bottom right.

Steve Kelly
Friends of the Wild Swan

Exhibit A — H.B. 201

FY 94 Economic Data

Income Earned — FY 94

Distributable Timber Sales	3,769,170
Non-distributable Timber Sales	1,938,947
	<hr/>
Total Timber Sale Income	5,708,117

Forestry Program Costs	9,550,612
	<hr/>

Net Loss	-3,842,495
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Source: Governor's Executive Budget, Pages 17 & 23

Five-Year Comparison of Distributable and Nondistributable Income Earned on State Lands

Distributable Income

	<u>FY90</u>	<u>FY 91</u>	<u>FY92</u>	<u>FY93</u>	<u>FY94</u>
Grazing Rentals	4,133,290	4,397,372	4,341,521	4,178,056	4,264,030
Agricultural Rentals	7,350,754	7,561,710	8,703,800	7,660,483	9,486,264
Oil and Gas Lease Rentals	1,561,866	1,255,508	974,390	882,720	1,086,708
Oil and Gas Lease Penalties	712,388	520,859	390,309	242,082	218,941
Oil and Gas Lease Bonuses	225,303	298,907	57,518	123,212	498,875
Timber Sales *			2,422,419	3,074,174	3,769,170
Interest on Certificates of Purchase Issued by the Department of Public Instruction	16,551 12,881	11,281 11,881	10,574 12,884	7,892 7,888	5,450 8,488
Trust & Legacy Interest	23,423,134	25,837,210	26,683,372	30,154,986	25,212,411
Other Revenues	291,723	388,731	535,202	780,375	880,018
Transaction Fees	<u>174,195</u>	<u>140,223</u>	<u>135,605</u>	<u>170,426</u>	<u>178,308</u>
Total Distributable Income	\$37,889,204	\$40,411,801	\$44,254,690	\$47,274,406	\$45,600,175

Nondistributable Income

	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>	<u>FY93</u>	<u>FY94</u>
Installments on Land Sales	52,481	46,052	33,434	39,664	17,542
5% of Annual School Interest Income	1,826,685	1,887,657	2,085,059	2,193,351	2,154,925
Timber Sales	6,642,118	4,080,226	4,038,261	1,488,558	1,938,947
Right-of-Ways	105,350	111,059	100,704	96,002	87,021
Oil Royalties	2,597,544	3,027,647	2,556,997	2,251,402	1,669,113
Gas Royalties	1,115,172	864,965	832,843	841,818	754,417
Coal Royalties	2,302,504	1,576,105	1,489,909	1,726,767	3,632,514
Sand & Gravel Royalties	108,725	165,334	164,465	99,470	157,564
Miscellaneous	<u>39,659</u>	<u>52,596</u>	<u>122,959</u>	<u>140,765</u>	<u>168,213</u>
Total Nondistributable Income	\$14,790,238	\$11,811,641	\$11,424,631	\$8,877,797	\$10,580,256

* Timber Sales for the Common School Trust from 1/1/92 - 6/30/94 were distributed to the Office of Public Instruction.

DSL Annual Report

32

July 1, 1993 to June 30, 1994

LANDS

Department of State Lands

	FY94 Base	Fiscal Year 1996			Fiscal Year 1997		
		Base Adjust	New Proposals	TOTAL	Base Adjust	New Proposals	TOTAL
Full Time Equivalent Employees	356.27	-5.91	2.00	352.36	-5.91	2.00	352.36
Personal Services	10,529,642	805,801	-266,328	11,069,115	852,341	-269,130	11,112,853
Operating Expenses	8,003,865	5,253,617	347,875	13,605,357	1,495,701	225,375	9,724,941
Equipment	703,398	388,632	104,000	1,196,030	180,932	5,000	889,330
Capital Outlay	2,989	2,011	0	5,000	2,011	0	5,000
Grants	265,000	0	0	265,000	0	0	265,000
Transfers	123,323	208,677	168,000	500,000	208,677	45,500	377,500
Total Agency Costs	19,628,217	\$6,658,738	\$353,547	\$26,640,502	\$2,739,662	\$6,745	\$22,374,624
General Fund	8,175,664	1,137,681	-121,057	9,192,288	1,052,519	-307,482	8,920,701
State Special Revenue Fund	5,497,731	3,938,811	193,059	9,629,601	206,640	159,662	8,864,033
Federal Special Revenue Fund	5,595,631	1,375,454	141,875	7,112,960	1,263,893	137,652	6,997,176
Proprietary Fund	359,191	208,792	139,670	706,653	216,610	16,913	592,714
Total Funding Costs	19,628,217	\$6,658,738	\$353,547	\$26,640,502	\$2,739,662	\$6,745	\$22,374,624
Central Management Program	1,935,813	308,494	307,670	2,551,977	278,329	62,413	2,276,556
Reclamation Program	6,901,449	4,048,257	-74,246	10,875,460	382,601	-80,811	7,183,239
Land Administration Pgm	1,240,343	281,538	-65,033	1,456,848	273,552	-65,416	1,448,480
Forestry	* 9,550,612	2,020,449	185,156	11,756,217	1,825,180	90,558	11,466,350
Total Program Costs	19,628,217	\$6,658,738	\$353,547	\$26,640,502	\$2,739,662	\$6,745	\$22,374,624

MISSION STATEMENT: To serve the people of Montana by providing State Trust Land Management, Mining Regulation and Reclamation, Forest Practices Regulation, Wildfire Protection and promotion of Forest Stewardship in a professional, open and fiscally responsible manner.

Forest Products Sales Funding - The 1993 Legislature passed HB662 (coded at 77-1-612, MCA) which provided for the deduction of \$312,000 received from the sale of timber from the trust lands to support the forest products sales program. The act sunsets June 30, 1995. This proposal continues the program into the 1997 biennium and is dependent upon passage and approval of legislation to remove the sunset language. The proposal would continue the \$312,000 appropriation and the 6.00 FTE.

Aviation Support Equipment - The purpose of this FY96 \$93,000 new proposal is to meet increased safety standards and improve efficiency of water handling, cargo transport, and fire fighter transport by upgrading fire fighting helicopters. Upgrades would be made to the three H model helicopters. The proposal would be funded 66% general fund and 34% state special revenue.

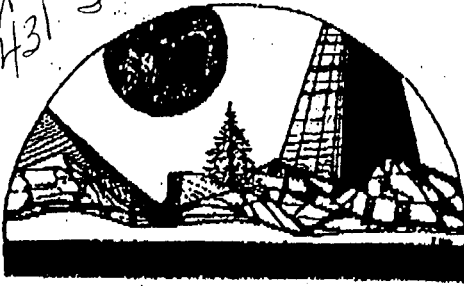
BA1098 Inter-Agency Fire Operation - The department participates in a cooperative agreement for combined fire dispatch centers with the U. S. Forest Service (USFS). The USFS funds received will be deposited in a federal special revenue account and expended through the requested authority. The agency will then be in compliance with an Office of Legislative Auditor recommendation. Additional appropriation authority was provided the agency through the budget amendment process for FY94 and FY95. With the approval of this proposal, the appropriation authority will become part of the base.

Funding

The program is supported 57% general fund, 34% state special revenue and 9% federal special revenue.

EXHIBIT 10DATE 1-20-95HB 201

FRIENDS OF THE WILD SWAN
P.O. BOX 103
SWAN LAKE, MONTANA 59911



January 19, 1995

House Natural Resources Committee
Attn: Rep. Knox, Chairman
Montana State Capitol
Capitol Station
Helena, MT 59620

Dear Representative Knox:

We are concerned with the present content of House Bill 201 entitled, "An act requiring that annual sustainable yield be used as a factor in the management of forested state trust lands" which has a hearing scheduled in your committee on January 20 at 3:00 p.m.

Our concerns date back to a lawsuit in 1989 where Department of State Lands (DSL) committed to formulating state-wide standards for forest resources in lieu of updating the programmatic Environmental Impact Statement for the Swan River State Forest. Again in January, 1994 they promised the court that these standards would be completed and be ready to present to the legislature in 1995. To date there is not even a draft ready.

We find it very disturbing that DSL would have to undertake another major study on sustained yield in the absence of scientifically credible statewide standards. Even more disturbing is that this bill would mandate a 50 million board feet per year cut while this study was being done. This is double the volume that DSL has cut in recent years, which was between 18 and 30 million board feet per year. It would be totally irresponsible to mandate a cut that has not proved to be sustainable in any form.

Several other factors must also be taken into consideration such as DSL has no standard for commercially viable timberlands and has not identified suitable timber sites, or sites that actually do grow a biologically sustainable crop of trees over the long-term. There are many areas where DSL is cutting and has cut trees that are simply not regenerating.

Also, DSL has an incomplete inventory of the volume of trees actually growing on state lands. Until there is an inventory of volume and sites, it would be reckless of the legislature to mandate a cut that could deplete the school trust's resources, damage Montana's wildlife heritage and preclude other options to provide future revenue to the school trust. The courts have found that protection of wildlife is consistent with DSL's statutory requirement to manage the trust to obtain other worthy objects for the benefit of the citizens of this state.

We ask that our concerns be entered into the legislative record. If you would like to discuss this matter further you may contact me at 406-886-2011. Thank you.

Sincerely,

Arlene Montgomery
Arlene Montgomery

EXHIBIT 11 002
DATE 1-20-95
HB 201

Idaho Montana Wyoming Oregon Washington Alberta British Columbia

Alliance for the Wild Rockies

Box 8731 Missoula, Montana 59807 • 406-721-5420



10 January 1995

Montana Land Board Commissioners
Capitol Station
Helena, MT

Dear Land Board Commissioners:

The Alliance for the Wild Rockies is a grass roots environmental organization composed of over 6,000 individual members and 500 business organizations. We are committed to protecting and restoring wildlands and ecologically sensitive public lands throughout the Northern Rockies Region. The Alliance for the Wild Rockies has several concerns we would like to see addressed concerning lands managed by the Department of State Lands (DSL). The Alliance along with our member group Friends of the Wild Swan (FOWS) request that the DSL honor its promises and legal responsibilities to develop scientifically tenable standards and guidelines for the following: old growth and old-growth dependent species, grizzly bear, threatened and endangered species, bull trout and other native fish species, and big game.

In 1989, FOWS filed a lawsuit against DSL seeking a revision of the outdated Swan River State Forest EIS (Friends of the Wild Swan v. Department of State Lands, No. DV-89-074(A)). At that time the DSL promised to develop state-wide standards for forest resources. In 1993, the Middle Soup Timber Sale was proposed by DSL despite the fact that no statewide standards and guidelines had been developed. The court found that DSL's current policy of conducting timber activities without appropriate old-growth standards will result in an irretrievable loss of resources on state lands (Friends of the Wild Swan v. Department of State Lands, No. DV-93-361-(B)). Although state-wide standards and guidelines were promised for the 1995 legislature the DSL has not fulfilled its promises and timber sales continue to be planned without comprehensive guidelines.

The Alliance requests that the DSL place a moratorium on timber sales in old-growth forests until DSL completes state-wide standards and these standards undergo scientific and public review. We request that you discuss this issue at your upcoming Land Board meeting. We appreciate your consideration of this matter and look forward to hearing from you. We would be happy to meet with the Land Board.

In other issues related to the management of state lands, we at the Alliance are concerned about several imminent state legislative proposals. We are opposed to any legislation that would further weaken the DSL's commitment to manage their lands in an ecologically responsible manner. We are aware of three such proposal that threaten the integrity of state owned lands.

The first proposal would require the Land Board to study the "biological sustained yield" of state forests. An interim goal of 50 mmbf would be implemented until an acceptable definition was developed. We see this approach as unacceptable since no biologically defensible definition is likely to be developed in the near future.

The second item is a bill to effectively limit public participation in land management decisions. We are opposed to the proposal to require citizens to post a bond to compensate for potential losses by the state or contractor.

The third proposal would exempt certain DSL timber sales aimed at cutting trees damaged by fire, disease, or insects from some requirements of the MEPA. Salvage sales are often ecologically damaging and require rigorous review. To exempt certain sales would be an immense disservice to the land, the wildlife, and the people that rely on the state to act as responsible stewards.

We appreciate your consideration of these issues.

Sincerely,



Jennifer Ferenstein
Ecosystem Defense

cc: Governor Marc Racicot
Michael Cooney
Nancy Keenan
Mark O'Keefe
Joseph Mazurek



American Wildlands

*Working Together To Conserve
Wild America*

EXHIBIT 12

DATE 1-20-95

HB 201

Representative Dick Knox
Chairman
House Natural Resources Committee
Helena, MT

19 January, 1995

RE: House Bill 201

Dear Rep. Knox:

American Wildlands (AWL) is a regional conservation organization with approximately 2500 members focusing on issues in the Interior West, including Montana state lands. Our office is located in Bozeman and our staff and many of our members are Montana voters. The membership is dedicated to the protection and stewardship of America's public lands: preserving and restoring biodiversity and promoting sustainable management.

We would like to provide comments on H 201, a bill introduced by Alvin Ellis (R-Red Lodge) which proposes to mandate 50 million board feet per year of timber harvest on State Trust Lands (Section 1 of H 201) before a study is completed that assesses what the annual sustainable yield is capable of producing (Section 2).

American Wildlands' members feel that this logic in responsible natural resource management is flawed. Only after there is a determination of the sustainable yield should any direction be given the DSL as to harvest activity. Overlogging today would abdicate responsibility for future generations of Montanans.

There is no current definition of suitable timber lands for the DSL, sites that are certifiably productive forested sites need to be delineated so that assurances can be made that they will flourish again after harvest activities. For example, on National Forest lands, where suitability has been determined, many acres that are covered with trees are not in the timber base because of the recognition that the soils are too fragile, reforestation is impossible, tree growth is too low or other factors make logging these portions of the forest unsustainable. Until this type of assessment is completed for DSL forested lands, it is imprudent to set such high harvest levels.

Compounding the lack of knowledge of suitability is the fact that DSL has an incomplete inventory of the timber volume that currently is on there timber base. The proposed 50 million board feet minimum cut that H 201 would require is almost twice the volume that has been cut on state lands in recent years. Long-term sustainability is unknown as well as the current volume. The current Bill is pushing forward harvest levels that cannot assure compliance with long-term maintenance of our forested resource.

Its effect on other natural resources could also prove to be damaging. The DSL has no state-wide standards for old growth, wildlife, threatened and endangered species or fisheries habitat. These were promised the Courts in 1991 and again in 1994 because of lawsuits over previous timber harvest.

At this time DSL has not been presented to the legislature any standards, so it is our estimation that it is untimely to introduce legislation, such as this, before assurances can be made on the quantity of timber that can be sustainably harvested or the effects that the logging will have on other important public lands resources.

In section three of the bill, it is stated that the annual sustainable yield is the required harvest level. We think that the wording should read that it is the "allowable maximum". Setting a hard target regardless of demand in response to market conditions is a recipe for losing taxpayer money. The DSL's forestry program lost \$3.8 million in Fiscal Year 1994. We feel that logging should be financially responsible and setting targets regardless of the economics of timber supply or DSL efficiency is poor fiscal management.

We would like to go on the record as officially opposing H 201 in its entirety. Thank you.

Sincerely,



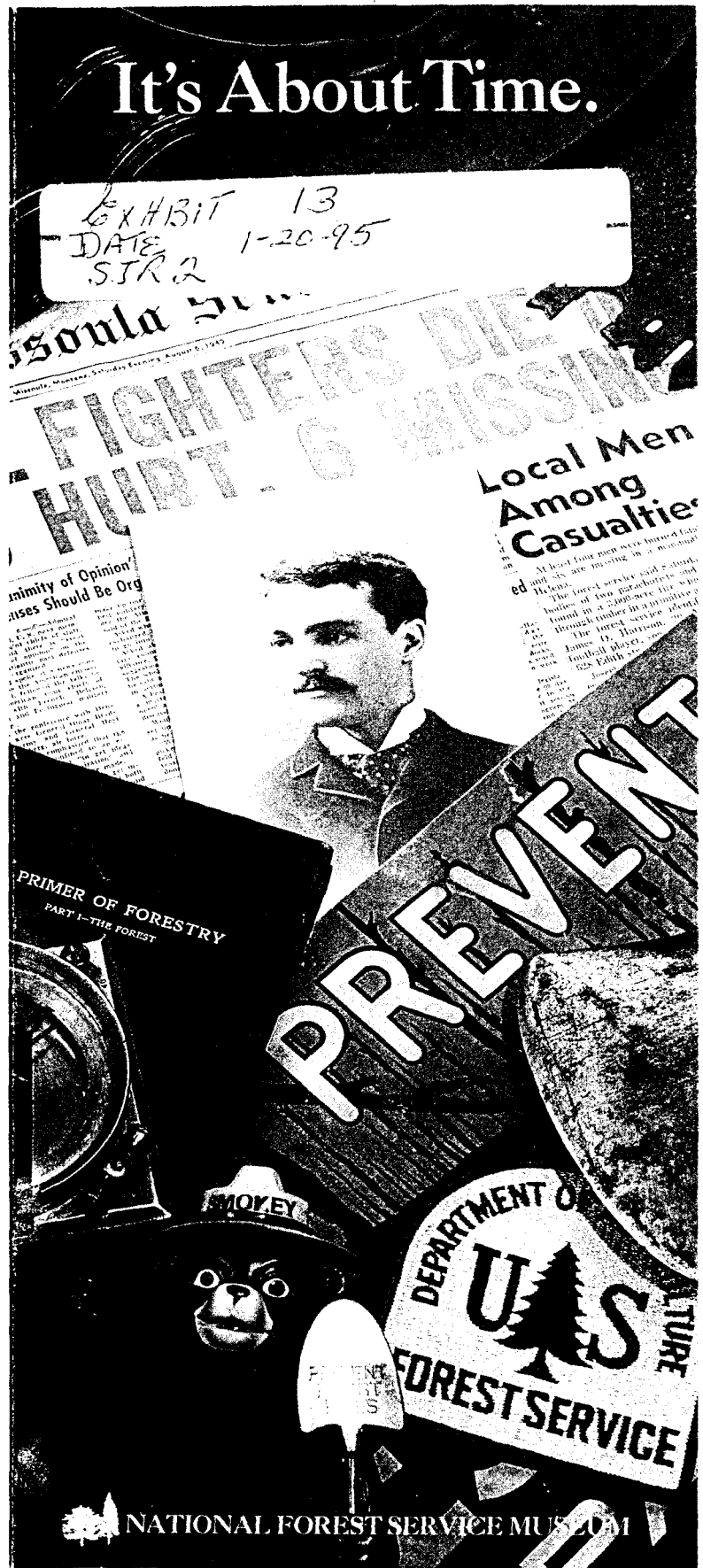
Robert Ament, Resource Specialist

EXHIBIT 13
1-20-95
SSR 2

P.O. BOX 2772 MISSOULA, MONTANA 59806-2772



NATIONAL
FOREST SERVICE
MUSEUM





From the time the Forest Reserves were set aside in 1891, our nation's forests and range lands have had a rich, colorful history. This museum endeavor captures and interprets this history for future generations. It is planned that the U.S. Forest Service will provide most of the archives and artifacts that will make up the bulk of the collection. Financing for construction and

operation of the museum will come from a mixture of private, local, state and federal government sources. The museum will be both national class and national scope — comparable to the Smithsonian Institution. The entire history of the Forest Service, including Forestry Research, Cooperative Forestry, International Forestry and the National Forest System will be presented.

credits: Cover design: Robert Zingmark; Photograph: James Kautz; Architectural rendering: Barry Nance; Illustration: Nancy Thomas
the National Forest Service Museum is a non-profit corporation dedicated to our American heritage

1890

1900

1910

1920

1930

1940

Individuals in Time

Gifford Pinchot, the first chief of the Forest Service, set an agency on its feet that would eventually manage over 191 million acres of land. His directions dictated early timber harvesting policies, established fire management practices and set the framework for land stewardship for nearly 100 years. The work of Gifford Pinchot, his Forest Service legacy, will not be cast by the wayside.

Ed Pulaski knew a good thing when he saw one, especially when it came to the tool that would eventually become his namesake. Pulaski invented this now important fire fighting tool. He also kept a personal diary, which among other things, has daily accounts of the 1910 fires. Ed Pulaski surely holds a vital place in the history of the national forests.

Joe Ely knew that ground fire fighting could be more

effective if airplanes could help extinguish flames. Using Forest Service researchers' ideas, Ely established the first operational fleet of air tankers that would fight forest fires from the air, a tremendous innovation that would change dramatically the way forest fires were fought. Though perhaps not widely known, Joe Ely will be remembered for his great contribution to preserving our nation's forests.

A Museum About Time

There are hundreds of others whose contributions to the Forest Service are every bit as important as those of Pinchot, Pulaski, and Ely. The national Forest Service museum will

seek to collect and preserve all available documents and artifacts pertaining to the past 100 years in the Forest Service history. The museum will preserve the work of the great pioneers in American forestry.

Additionally, the museum will become a center of ongoing study in order that the past may continually shed light on the present and give direction toward the future. The national Forest Service museum will house the official archives for Forest Service historical research and be a center for historical interpretation for foresters, students and the public.

Visitors of all ages will be attracted to the museum. They'll travel through the early days

of forestry conservation day forest they pass t hits and i Visitors wi Forest Ser leader in ir helping ma manage th A musei provide ro house a ge The displ aspects of federal pro



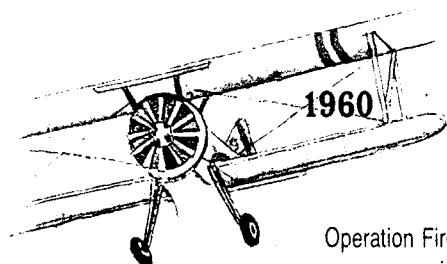
Our nation's National Forests serve people of all ages, creeds, and ethnic origins. Recreational opportunities — hiking, camping, skiing, animal watching and more — have always abounded in our National Forests.



The Clarke-McNary Act of 1924 began the collaboration between federal, state and private landowners to coordinate reforestation across the United States, a practice that has greatly expanded today. Reforestation was a major program of the 1930's Civilian Conservation Corps, which also built roads, trails, and campgrounds in addition to forest firefighting.



Five years after forestry professionals collaborated to create Smokey Bear, a 4-year-old Judy Bell, the daughter of a game warden, nursed a badly burned cub to health. Her cub, which had been injured in a Mexico forest fire, became the live Smokey Bear we know today.



Operation Firestop, an early 1950's interagency fire suppression research project, led to the work of Joe Ely, a northern California Forest Service employee. In 1956, Ely launched a fleet of seven Stearman N3N's, which grew to more than 100 aircraft by 1959. The Forest Service has since dropped billions of gallons of fire retardant on forest fires across the nation.

forestry and
servation to modern
forest practices as
pass through the ex-
is and interpretive displays.

itors will discover how the
est Service has become a
ler in international forestry,
ping many nations of the world
nage their forest resources.

A museum building will house exhibits,
vide room for historical research and
use a general assembly, multi-media room.
e displays will be balanced to include all
jects of forestry including state, private and
eral programs.



try professionals and the Ad-
eate Smokey Bear in 1945,
daughter of a New Mexico
adly burned bear cub back
had been caught in a New
e the living symbol of the
day.

1970

1980

1990

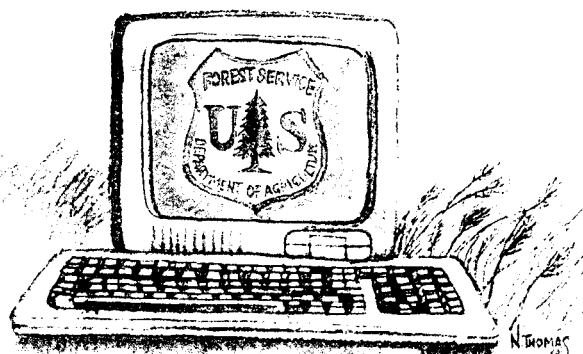
2000



The Forest Service has been an international leader in forestry since the 1960's, when it began technical exchanges with Canada, Mexico, Australia and the former Soviet Union, among others.

Rocky Mountain Time

The future home of the museum will be in Missoula, Montana, the heart of the Rockies and home of the Forest Service Northern Region Headquarters. The museum will coordinate its exhibits with the world famous Aerial Fire Depot, the Historical Museum at Fort Missoula, the University of Montana, the Montana Society of American Foresters History Project and the Rocky Mountain Elk Foundation.



The Forest Service of the future, utilizing tremendous advances in communication systems and other technologies, will focus on our global ecosystems to make the best use of our nation's forest resources while ensuring that future generations can enjoy the forest's extraordinary features.

OFFICE OF THE GOVERNOR
STATE OF MONTANA

EXHIBIT 14
DATE 1-20-95
STR 2

MARC RACICOT
GOVERNOR



STATE CAPITOL
HELENA, MONTANA 59620-0801

January 3, 1995

Gary G. Brown
520 Dearborn
Missoula, Montana 59801-8031

Dear Gary:

I am delighted with your efforts to establish the National Forest Service Museum in Missoula. It is fitting that this commemorative and educational facility be located in Montana where timber and the U. S. Forest Service are such important parts of our heritage and future.

I know that successful conclusion of the Preserve the Heritage Capital Fund Raising Campaign will insure construction and operation of the museum which will provide for the collection, preservation, display, and interpretation of the history of the U.S. Forest Service. This understanding of the history of forest management will be a vital link to developing our future practices and preserving our forests for both their economic value and recreational enjoyment.

I wish you well with the capital campaign and look forward to enjoying the offerings of the museum.

Sincerely,

A handwritten signature in cursive script that reads "Marc Racicot".

MARC RACICOT
Governor



United States
Department of
Agriculture

Forest
Service

Washington
Office

14th & Independence SW
P.O. Box 96090
Washington, DC 20090-6090

EXHIBIT 14

DATE 1-20-95

Date: August 18, 1994 SJR 2

Mr. Gary G. Brown
National Forest Service Museum, Inc.
PO Box 2772
Missoula, MT 59803-2772

Dear Mr. Brown:

This letter is to assure you of the strong and continuing support of this office for your efforts, as expressed in former Chief Robertson's letter to you of December 14, 1988.

I am pleased at the solid progress you have made since your 1988 beginning. Many of my Forest Service associates have spoken to me about your good work with volunteers and contributed funds. I am pleased with your growing national membership.

The April 1994 signing of the special use permit issued by the Northern Region for your proposed museum site near the Missoula International Airport was a major step in your effort. This site is a most appropriate location in the Missoula area.

Missoula is also a most appropriate location for a national Forest Service museum. Missoula has a variety and proximity of Forest Service activities which are unique in the nation, and it also is a center for forest industry which preceded the arrival of the Forest Service in the early 1900's. Missoula also provides the opportunity for working closely with the Montana State Forester and the School of Forestry at the University of Montana. All of this is in sight of U.S. Interstate 90.

As we move into the second century of America's National Forest System, it is well that you and your board of directors are making this important effort to preserve and document the rich heritage and contributions made by the Forest Service.

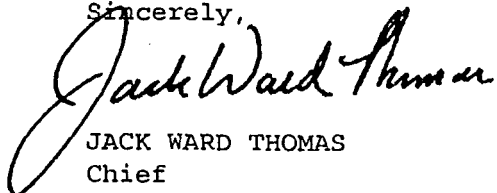
I support the board's plans for a nonprofit corporation which is building a nationwide partnership, including many private and public organizations critical to the success of your project. I also support your view that the museum is to be national in scope, presenting all of the activities in the National Forest System, including Research, State and Private forestry, International Forestry, and other special activities. We have good reason to take pride in the achievements of the Forest Service across the years.



While I strongly endorse this important national Forest Service museum and will encourage our Regional Foresters and Directors to do so, my endorsement is not an obligation or commitment of Forest Service funding. My staff is available to provide information and to assist in such specific tasks as architectural review and other comparable activities as you proceed.

Good luck in your efforts.

Sincerely,

A handwritten signature in cursive script that reads "Jack Ward Thomas". The signature is written in dark ink and is positioned above the typed name and title.

JACK WARD THOMAS
Chief

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Natural Resources COMMITTEE BILL NO. HB 215
 DATE 1-20-95 SPONSOR(S) Rep. Cocchiarella

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Paul Johnson 18 Big Dipper Clancy, MT 59634	Montanans For A Healthy Future, Inc	215		X
J.V. Bennett 1202 Stuart Helena, MT 59601	Mont PIRC	215		✓
MELISSA CASE	Montanans Against Toxic Burning / Montanans Healthy Future	215		✓
Bill Allen	MT Audubon			✓
LARRY BROWN	Self			
Gail Muncrombie	MT Petroleum Assoc		P	
Ted Lange	NPRC	215		X
Anne Hedges	MEIC	215		X
Jim Mackler	MT Coal Council	215		
Tom Ebzery	EXXON		X	
Ken Williams	MPC/Entech	215	✓	
David Owen	mt chamber	215	✓	

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HOUSE OF REPRESENTATIVES

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Natural Resources COMMITTEE BILL NO. HB 201
 DATE 1-20-95 SPONSOR(S) Rep. Ellis

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Steve Kelly 40 E. Main, #3, Bozeman	Friends of the Wild Swan	201	X	
Tim Foster	MREA			X
Janet Ellis	MT Audubon		X	
Stan Fraser	MWF		X	
Cary Hegreberg	MT Wood Prod.			X
LARRY BROWN	Self	201		X
Jim Jensen	MEIC	201	X	
Peggy Trenk	WETA	201		X
Tony Schooner	State Lands Com/ity	201	X	
BILL HOLDORF	SKYLINE SPORTSMEN	201	X	
Lorna Frank	MT. Farm Bureau	201		X
Georg Bailey		201		X
Demetrius Ramsey	Bud Co HS, Dillon	201		X
Don Ellis	Not wood Prod. by	201		X

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Venne Beffert, Livingston	Livingston School Dist.	201		X
Sharon Dale Box 1004	Somerset Sch Dist #14			X
John Hegnas Seeley Lake	Seeley Lake Elem #34			X
David Owen	MT Chamber	201		✓

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Gary G. Brown 520 Dearborn, msl	National Forest Service Museum			✓
Cary Hegreberg	MT Wood Prod. Assoc.			✓

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