

HOUSE JOINT RESOLUTION NO. 9

INTRODUCED BY MERCER, HARDING, B. BROWN, HARP, PETERSON,
PINSONEAULT, VAUGHN, CONNELLY, BOHARSKI, SMITH, LEE,
R. NELSON, OWENS, AAFEDT, HAYNE, COHEN

IN THE HOUSE

JANUARY 17, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
JANUARY 18, 1989	FIRST READING.
JANUARY 19, 1989	ON MOTION BY CHIEF SPONSOR, REPRESENTATIVES R. NELSON, OWENS, AAFEDT, HAYNE, AND COHEN ADDED AS SPONSORS.
FEBRUARY 14, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 15, 1989	PRINTING REPORT.
FEBRUARY 18, 1989	SECOND READING, DO PASS.
FEBRUARY 20, 1989	ENGROSSING REPORT.
FEBRUARY 21, 1989	THIRD READING, PASSED. AYES, 93; NOES, 3.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 28, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
	FIRST READING.
MARCH 14, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 15, 1989	SECOND READING, CONCURRED IN.
MARCH 17, 1989	THIRD READING, CONCURRED IN. AYES, 47; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 18, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

House JOINT RESOLUTION NO. *9*

INTRODUCED BY *Marco Hardin Bob Brown HART Peterson*
Finsewerth Vaughn Connolly Wm E Boharst

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 REPRESENTATIVES OF THE STATE OF MONTANA AFFIRMING THE
 FINDINGS OF THE FLATHEAD BASIN COMMISSION IN OPPOSITION TO
 THE PROPOSED CABIN CREEK COAL MINE IN THE PROVINCE OF
 BRITISH COLUMBIA.

WHEREAS, the Legislature established the Flathead Basin
 Commission in 1983 to protect the existing high quality of
 Flathead Lake's aquatic environment and the waters that flow
 into and out of or are tributary to the lake; and

WHEREAS, the Legislature charged the Commission with
 promoting cooperation between Montana and British Columbia
 on resource development in the Flathead Basin; and

WHEREAS, the Legislature recognized that activities in
 the Canadian portion of the Flathead's drainage can have a
 significant effect on the quality of the Flathead River
 system, including Flathead Lake; and

WHEREAS, the proposed development of a major coal mine
 that would have substantial negative impacts on the quality
 of the Flathead River system was referred to the
 International Joint Commission, which studied the effects of
 the proposed mine in a cooperative effort, resulting in the

investigative board's report; and

WHEREAS, on September 15, 1988, after analysis and
 discussion, the Flathead Basin Commission voted to oppose
 the proposed Cabin Creek Coal Mine in a hearing before the
 International Joint Commission; and

WHEREAS, the Flathead Basin Commission strongly urged
 members of the International Joint Commission to recommend
 to their respective governments that the Cabin Creek Coal
 Mine not be built and that assessment of alternatives to
 constructing the mine begin immediately, including, if
 necessary, helping facilitate location of an alternative
 source of coal in a less environmentally sensitive area; and

WHEREAS, the Flathead Basin Commission also urged the
 International Joint Commission to begin discussion regarding
 a bilateral agreement on what type of industrial development
 is and what type is not consistent with the environmental
 and aesthetic characteristics of the Waterton-Glacier area.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the Legislature affirm the findings and
 recommendations of the Flathead Basin Commission in
 opposition to the proposed Cabin Creek Coal Mine in the
 Province of British Columbia.

(2) That the Secretary of State send copies of this

LC 0563/01

1 resolution to each member of the Montana Congressional
2 Delegation and to each member of the International Joint
3 Commission.

-End-

APPROVED BY COMM. ON
NATURAL RESOURCES

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FINDINGS OF THE FLATHEAD BASIN COMMISSION IN OPPOSITION TO
THE PROPOSED CABIN CREEK COAL MINE IN THE PROVINCE OF
BRITISH COLUMBIA; RECOGNIZING THE FINDINGS OF ADVERSE
IMPACTS CONTAINED IN TECHNICAL REPORTS PREPARED FOR THE
INTERNATIONAL JOINT COMMISSION; ANTICIPATING THOSE FINDINGS
WILL BE SUSTAINED IN RECOMMENDATIONS OF THE INTERNATIONAL
JOINT COMMISSION; AND ENDORSING THE CONCEPT OF COOPERATIVE,
LONG-TERM RESOURCE MANAGEMENT AMONG THE GOVERNMENTS OF
MONTANA, BRITISH COLUMBIA, THE UNITED STATES, AND CANADA FOR
THE NORTH FORK OF THE FLATHEAD RIVER DRAINAGE IN MONTANA AND
THE FLATHEAD RIVER DRAINAGE IN BRITISH COLUMBIA.

WHEREAS, the Legislature established the Flathead Basin
Commission in 1983 to protect the existing high quality of
Flathead Lake's aquatic environment and the waters that flow
into and out of or are tributary to the lake; and

WHEREAS, the Legislature charged the Commission with
promoting cooperation between Montana and British Columbia

on resource development in the Flathead Basin; and

WHEREAS, the Legislature recognized that activities in
the Canadian portion of the Flathead's drainage can have a
significant effect on the quality of the Flathead River
system, including Flathead Lake; and

WHEREAS, the proposed development of a major coal mine
that would have substantial negative impacts on the quality
of the Flathead River system was referred to the
International Joint Commission, which studied the effects of
the proposed mine in a cooperative effort, resulting in the
investigative board's report; and

WHEREAS, on September 15, 1988, after analysis and
discussion, the Flathead Basin Commission voted to oppose
the proposed Cabin Creek Coal Mine in a hearing before the
International Joint Commission; and

WHEREAS, the Flathead Basin Commission strongly urged
members of the International Joint Commission to recommend
to their respective governments that the Cabin Creek Coal
Mine not be built and that assessment of alternatives to
constructing the mine begin immediately, including, if
necessary, helping facilitate location of an alternative
source of coal in a less environmentally sensitive area; and

WHEREAS, the Flathead Basin Commission also urged the
International Joint Commission to begin discussion regarding
a bilateral agreement on what type of industrial development

1 is and what type is not consistent with the environmental
2 and aesthetic characteristics of the Waterton-Glacier area;

3 AND

4 WHEREAS, IN RESPONSE TO TESTIMONY BY THE STATE OF
5 MONTANA, THE FLATHEAD BASIN COMMISSION, AND OTHERS AND IN
6 CONSIDERATION OF TECHNICAL FINDINGS REVEALING THAT THE COAL
7 MINE WOULD POSE AN UNACCEPTABLE RISK OF ENVIRONMENTAL
8 DEGRADATION, IT IS ANTICIPATED THE INTERNATIONAL JOINT
9 COMMISSION WILL SUSTAIN THE TESTIMONY AND FINDINGS THROUGH A
10 RECOMMENDATION AGAINST DEVELOPMENT OF THE MINE; AND

11 WHEREAS, INFORMATION DEVELOPED THROUGH THE
12 INTERNATIONAL REFERENCE ON THE MINE PROPOSAL HAS
13 DEMONSTRATED THE NEED TO ADDRESS LAND MANAGEMENT ISSUES IN
14 THE NORTH FORK OF THE FLATHEAD RIVER DRAINAGE IN MONTANA AND
15 THE FLATHEAD RIVER DRAINAGE IN BRITISH COLUMBIA IN THE
16 CONTEXT OF THE LONG-TERM CONSERVATION OF RESOURCE VALUES;

17 AND

18 WHEREAS, THE INTERNATIONAL JOINT COMMISSION IS IN
19 RECEIPT OF A PROPOSAL BY THE STATE OF MONTANA THAT THE
20 GOVERNMENTS OF MONTANA, BRITISH COLUMBIA, THE UNITED STATES,
21 AND CANADA ESTABLISH A COOPERATIVE STRUCTURE TO ACHIEVE
22 CONSERVATION GOALS IN THE DRAINAGE WHILE MAINTAINING
23 APPROPRIATE RESOURCE DEVELOPMENT OPTIONS.

24
25 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE

1 OF REPRESENTATIVES OF THE STATE OF MONTANA:

2 (1) That the Legislature RECOGNIZE THE FINDINGS OF
3 ADVERSE IMPACTS CONTAINED IN TECHNICAL REPORTS PREPARED FOR
4 THE INTERNATIONAL JOINT COMMISSION AND affirm the findings
5 and recommendations of the Flathead Basin Commission in
6 opposition to the proposed Cabin Creek Coal Mine in the
7 Province of British Columbia.

8 (2) THAT THE LEGISLATURE, ANTICIPATING THAT THOSE
9 FINDINGS WILL BE SUSTAINED IN THE RECOMMENDATIONS OF THE
10 INTERNATIONAL JOINT COMMISSION, ENDORSE THE CONCEPT OF
11 COOPERATIVE, LONG-TERM RESOURCE MANAGEMENT AMONG THE
12 GOVERNMENTS OF MONTANA, THE UNITED STATES, BRITISH COLUMBIA,
13 AND CANADA FOR THE NORTH FORK OF THE FLATHEAD RIVER DRAINAGE
14 IN MONTANA AND THE FLATHEAD RIVER DRAINAGE IN BRITISH
15 COLUMBIA.

16 (2)(3) That the Secretary of State send copies of this
17 resolution to each member of the Montana Congressional
18 Delegation and to each member of the International Joint
19 Commission.

-End-

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18 THE FLATHEAD RIVER DRAINAGE IN BRITISH COLUMBIA.
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20 WHEREAS, the Legislature established the Flathead Basin
21 Commission in 1983 to protect the existing high quality of
22 Flathead Lake's aquatic environment and the waters that flow
23 into and out of or are tributary to the lake; and

24 WHEREAS, the Legislature charged the Commission with
25 promoting cooperation between Montana and British Columbia

1 on resource development in the Flathead Basin; and

2 WHEREAS, the Legislature recognized that activities in
3 the Canadian portion of the Flathead's drainage can have a
4 significant effect on the quality of the Flathead River
5 system, including Flathead Lake; and

6 WHEREAS, the proposed development of a major coal mine
7 that would have substantial negative impacts on the quality
8 of the Flathead River system was referred to the
9 International Joint Commission, which studied the effects of
10 the proposed mine in a cooperative effort, resulting in the
11 investigative board's report; and

12 WHEREAS, on September 15, 1988, after analysis and
13 discussion, the Flathead Basin Commission voted to oppose
14 the proposed Cabin Creek Coal Mine in a hearing before the
15 International Joint Commission; and

16 WHEREAS, the Flathead Basin Commission strongly urged
17 members of the International Joint Commission to recommend
18 to their respective governments that the Cabin Creek Coal
19 Mine not be built and that assessment of alternatives to
20 constructing the mine begin immediately, including, if
21 necessary, helping facilitate location of an alternative
22 source of coal in a less environmentally sensitive area; and

23 WHEREAS, the Flathead Basin Commission also urged the
24 International Joint Commission to begin discussion regarding
25 a bilateral agreement on what type of industrial development

1 is and what type is not consistent with the environmental
2 and aesthetic characteristics of the Waterton-Glacier area;
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4 WHEREAS, IN RESPONSE TO TESTIMONY BY THE STATE OF
5 MONTANA, THE FLATHEAD BASIN COMMISSION, AND OTHERS AND IN
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