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Hosts & Sponsors

The Yellowstone River Symposium was hosted by Montana Aquatic Resources Services and Trout Unlimited Montana Water Project.

Restore, enhance and preserve Montana’s wetlands, streams, rivers and riparian corridors.

**Montana Aquatic Resources Services** (MARS) is a 501(c)3 non-profit organization formed in 2011 out of concern for the rapid degradation of aquatic resources within Montana. We work collaboratively with public agencies, landowners, land trusts, and watershed organizations to create innovative advocacy, protection and education programs to protect our precious water resources.

Conserve, protect and restore North America’s coldwater fisheries and their watersheds.

**Trout Unlimited** (TU) is a national coldwater conservation organization with more than 150,000 members organized into about 400 chapters from Maine to Montana to Alaska. This dedicated grassroots army is matched by a respected staff of lawyers, policy experts and scientists, who work out of more than 30 offices nationwide. TU’s Montana Water and Habitat program and the Joe Brooks Chapter work locally to protect, restore and reconnect the Yellowstone River and its tributaries.

Sponsors of the Yellowstone River Symposium included: Kendeda Fund, Arthur Blank Family Foundation, Department of Natural Resources Conservation (DNRC), Soil and Water Conservation Districts of Montana (SWCDM), MSU Park County Extension, and Simms.
Why The Symposium?

In August of 2016, 183 miles of the Yellowstone River were closed to all water based activities by Montana Fish, Wildlife and Parks (FWP) due to a parasite outbreak that causes Proliferative Kidney Disease (PKD) in trout. Near record lows and warm water temperatures combined with the parasite to kill thousands of mountain whitefish. The unprecedented whitefish kill dealt a significant blow to the economic engine relying on the river. The entire community felt the impacts of this closure, both economically and ecologically.

Montana Aquatic Resources Services (MARS) and Trout Unlimited (TU) recognized the opportunity to engage the community and various stakeholders that rely and care about the river for recreation, business, irrigation, ecological services, and a myriad of other uses, around the heightened river awareness by holding a Yellowstone River Symposium.

About The Symposium

The symposium discussed the state of the river, recent challenges, expected trends, and strategies and resources to support the sustained health of the river. The goal was to initiate an inclusive, collaborative game plan, identify strategies and unify efforts to respond to and communicate issues for the Yellowstone River.

On Thursday, April 27, 2017 there were three educational panels featuring business owners, ranchers, biologists and local experts providing a holistic overview of the river’s health and how their communities were impacted by last summer’s whitefish kill. Panelists and speakers shared existing data and information from the kill, highlighted case studies of local solutions and efforts, and outlined models for future actions that could help to protect and preserve the river. The day ended with an interactive community engagement session, facilitated by Jennifer Boyer, which gave participants the opportunity to share their own experiences and ideas around how to protect and preserve the vitality of the river moving forward.

On Friday, April 28, 2017 output from Thursday’s community engagement session was used as a foundation for the day’s Collaborative working session. This session was facilitated by Whitney Tilt, open to all, with the end goal of mapping out a framework for a grassroots effort to protect the Upper Yellowstone River.

View the Yellowstone River Symposium agenda [here](#).
SESSION 1 PANEL: A cross-industry overview of the economic, social and ecological impacts of the 2016 whitefish kill and subsequent closure of the Upper Yellowstone River.

**Travis Horton – Montana Fish, Wildlife, and Parks**
- Discussed the background information causing the closure resulting from fish kill, ongoing monitoring efforts, and what can be expected into the future

**Jeremy Sage & Norma Nickerson – Institute of Tourism University of Montana**
- Discussed how Montana’s tourism economy is largely one of outdoor recreation built on high quality natural amenities and how river closure stemming from fish kill affected Park County community and economy
- In the case of the two to three week closure of the Yellowstone River, nearly half a million dollars were lost from the Park County economy alone. Also discussed residents awareness of invasive species issues

**Druska Kinkie – E Bar P Ranch**
- Discussed how adapting is a critical part of agriculture, adapting to weather, water, and soil conditions, natural disasters, market conditions, and changes in our communities. Agriculture relies on the water rights guaranteed through the constitution as part of our private property rights. Agriculture provides open space in our communities that provide wildlife habitat and vistas we all enjoy. Making sure that all stakeholders within the Paradise Valley are viewed with respect on the issue of the Yellowstone River will be a challenge

**Matson Rogers – Owner of Angler’s West**
- Discussed economic impact to fishing/guiding business and importance of healthy river to community
SESSION 2 PANEL: An educational discussion of the ongoing efforts and existing data on the Upper Yellowstone Watershed, including YRCDC Cumulative Effects Analysis, drought resiliency, agricultural water demands, and the hydrology of the river.

- Discussed trends and projections from the NRCS Montana Snow Survey network and SNOwpack TELemetry (SNOTEL) sites in the Upper Yellowstone River basin for seasonal water supply forecasting on the many rivers that feed the Yellowstone above Billings
- Snowfall and water year precipitation in the Upper Yellowstone above Livingston was well above normal, resulting in above average streamflow prospects for this spring and summer

Lucas Zukiewicz – Natural Resource Conservation Service (NRCS)

- Shared perspectives from rancher and irrigator perspective on challenges and experiences with the river

Daryl Stutterheim – Park Conservation District

- Discussed how the Yellowstone Cumulative Effects Study was authorized by the Water Resource Development Act of 1999 in response to a lawsuit regarding bank armor permitting following the 1996/1997 Yellowstone River Floods
- The study was performed by the Federal Government (US Army Corps of Engineers) in partnership with the Yellowstone River Conservation District Council. The result is a ~400 page report with almost 2,000 pages of technical appendices that was completed in early 2016. The Montana State Library currently houses the GIS datasets and reports associated with the study

Karin Boyd – Applied Geomorphology

- Discussed the political, legal and practical constraints to maintaining stream flows in the Yellowstone and its tributaries including agricultural water demands, instream flow reservations, and appropriation on the river

Patrick Byorth – Trout Unlimited, Montana Water Project

- Discussed the hydrology and water budget of the Yellowstone River Water

Kerri Strasheim – Department of Natural Resources Conservation (DNRC)

- Discussed the various efforts to impound the Yellowstone River. Montana Fish Wildlife and Parks spent the 1970s fighting a massive plan to turn southeastern Montana and northeastern Wyoming into “The Boiler Room of the Nation.” The agency focused on the river and in 1978 was granted an in-stream flow reservation that precluded an aqueduct that proposed sending one-third of the Yellowstone’s average flow out to cool the national boiler room. The political will to take that action was the result of state and national public information campaigns that had a huge impact at the time (read Jim’s speaking notes in the Supplemental Information section).

Keynote from Jim Posewitz: Conservation Ethics
SESSION 3 PANEL: An educational panel among cross-industry subject matter experts discussing tools and resources to address impacts, adaptation models, and methods.

Jamie McEvoy – Montana State University (MSU)
- Discussed nature based solutions, green infrastructure, natural water storage options and potential responses to drought
- Examples included Big Hole River Drought Management Plan and Beaverhead Watershed Drought Resiliency Plan
- Discussed importance of reconnecting stream with floodplain to allow for groundwater recharge & late-summer flows

Patrick Byorth – Trout Unlimited, Montana Water Project
- Discussed tools for maintaining instream flow in the Yellowstone and its tributaries, including water leasing and instream flow projects, and how they have been successful and how failed

Wendy Weaver – Montana Aquatic Resources Services (MARS)
- Discussed the riparian corridor wetland and stream restoration opportunities, why protecting these areas is important to the overall health of the river, and how the Channel Migration Easement Program is one potential solution to protect the river’s channel migration zone

Sara Meloy – Department of Natural Resources Conservation (DNRC)
- Provided an overview of Montana’s history of dealing with drought reactively, starting with the Dust Bowl in the 1930s
- Discussed the National Drought Resilience Partnership’s (NDRP) Montana Demonstration project in the Upper Missouri River Headwaters and how delivering resources to watershed leaders in 9 different watersheds to proactively build community drought resilience from the ground up
- Shared how DNRC through the NDRP project is crafting guidelines to help support community drought planning efforts in Montana
- The resources will outline ways to:
  - Engage your community
  - Understand water, climate and drought in your community
  - Identify drought impacts and vulnerabilities
  - Develop drought response plans (reactive)
  - Develop drought mitigation actions (proactive)
  - Monitor water supply conditions
  - Communicate with and educate your community
SESSION 4 PANEL: Facilitated Community Engagement session discussing on-the-ground efforts, including a group break out session that was moderated by Jennifer Boyer. The following were participants in the initial panel discussion:

Steve Caldwell (Park County Commissioner), Jacquie Nelson (Upper Yellowstone Watershed Basin), Max Hjortsberg (Park County Environmental Council), and Brant Oswald (Fishing Outfitters Association of Montana).

The group break out session following the panel discussed several questions. These questions and their respective responses are outlined below:

### What opportunities could benefit our community?

- Engaging the community and finding common ground between all groups for the benefit of the resource
- Establishing and clearly communicating a community pre-disaster plan for the resources, including drought management planning and long term sustainability planning
- Increasing data analysis and collection along the Yellowstone River, including fish surveys, water quality, climate impact, snowpack and then more effectively and efficiently communicating data to community as a resource for decision making

### What information does our community need?

- Greater understanding and more available resources about water usage rights, water laws and water usage data
- Fish impact studies, water quality and quantity studies, thresholds for capacity and usage
- Greater understanding of what monitoring and research tools are out there and available for public review, along with more physical posting of impacts and issues along waterways for water users knowledge

### Who needs to be at the table to address future concerns?

- The collective community:
  - **Community representatives**: Agricultural, ranching, business, development, outfitters, recreational, and water right holders
  - **Agency representatives**: Park County, National Parks, YRCDC, DNRC, NRCS, FWP, City of Livingston, Gateway Business Coalition and Conservation Districts
  - **Youth**: millennials, college students and younger demographic

### How can we manage a crisis situation better?

- Being better prepared for crisis - establishing a proactive plan
- Creating a community collaboratively driven drought, water quality and pre-disaster plan
- Creating more organized and holistic response to crisis and clearly communicating problem with supportive data
HALF-DAY COLLABORATIVE WORKING SESSION: This was open to all Symposium attendees looking to contribute and participate in the creation of a community driven framework to protect the Upper Yellowstone River. Facilitated by Whitney Tilt, Mountain Sky Ranch

During this working session, available models and other watershed efforts and models for developing cohesive and action oriented grassroots efforts were discussed. Jennifer Boyer moderated the collaborative working session, where the following questions were discussed. Some answers included:

**What structure/framework fits our community?**

- Neutrally facilitated, leaderless (at the start), new community organization composed of diverse steering committee and stakeholders
- Communication should be open and transparent to stakeholders and public and shared
- Advisory committee composed of non-voting agency and tech personnel with supportive data

**What is, or how do we define our geography?**

- Use government established ecosystem line such as watershed boundary
- Park County boundary
- Tributaries- ridge to ridge

**How are we inclusive? Who is involved? How do we connect up & down stream?**

- Establishing diverse board including community, agriculture, recreationists, business, conservation, agency and youth representatives to discuss the variety of river needs and visions
- We meet people where they are -go to them and share a meal, work to build relationships and establish trust

**Diagnosing the problem & creating a vision - what are we for? Keys for success?**

- River threats include: those identified in the Yellowstone River Conservation District Council Cumulative Effects Analysis, drought resiliency and drought planning, water quality and quantity monitoring and planning and usage impacts, monitoring and planning
- We are for: identifying impacts and threats to the river through science and reliable data collection
- Keys for success include: creating a sustainable, grassroots diverse community effort built on inclusivity, reputable science and open dialogue
Keynote Speaker

Jim Posewitz spent 32 years with the Montana Department of Fish, Wildlife and Parks, leading the agency’s ecological program for 15 years. His division within the MDFWP engaged in a decade long campaign in the 1970s to reserve in-stream flows in the Yellowstone River. This effort was successful and precluded the North Central Power Plan and Montana Wyoming Aqueduct proposal. Those projects would have turned NE Wyoming and SE Montana into the “Boiler Room of the Nation” and required one-third of the Yellowstone River for cooling and slurry purposes.

Jim was also a founding board member of the Cinnabar Foundation and served as its executive director for 25 years. He also founded Orion the Hunter’s Institute, a nonprofit dedicated to the preservation of ethical hunting and wild resources essential to that purpose, serving as its executive director for 15 years. In 2015 the National Wildlife Federation named him “Conservationist of the Year” adding to a rich collection of recognitions.

Opening Remarks Speaker

Dan Vermillion was raised on the banks of Yellowstone River in Montana. After spending years guiding some of the world’s most exotic and famed fisheries, Dan formed Sweetwater Travel with his brothers, Jeff and Pat Vermillion. Sweetwater Travel is based in Livingston, Montana and owns and operates fishing camps in Mongolia, Brazil, Alaska, British Columbia, and Montana.

In 2007, Dan was appointed to Montana’s Fish, Wildlife, & Parks Commission; in 2011, he was appointed to a second term by Governor Brian Schweitzer. In 2013, Dan was appointed Chairman of Montana’s Fish & Wildlife Commission by Governor Steve Bullock, who re-appointed Dan to a third term as a Commissioner in 2015.
Dan is the Commissioner for southwestern Montana dealing with issues of endangered species management, fisheries management, and wildlife management. Highlights of Dan’s time on the Commission include negotiating comprehensive access agreements between landowners and sportsmen in the Madison valley, working to limit elk numbers in areas with significant landowner conflicts, and active involvement with the closure of the Yellowstone in 2016 due to Proliferative Kidney Disease.

Whitney Tilt serves as Director, Land and Wildlife Conservation for The Arthur M. Blank Family Foundation working with the Mountain Sky Guest Ranch, in Emigrant, Montana and engaging in larger natural resource issues in the Paradise Valley, including the Yellowstone River. Throughout his career Whitney has focused on conservation, working on a wide range of natural resource issues from Colorado River water allocations to evaluation of federal fisheries programs.

The August 2016 closure of 183 miles of the Yellowstone River has been characterized in countless terms, from disastrous to wake-up call; what is has not been called is an opportunity. The presentation calls for a “Upper Yellowstone River Partnership” to work collaboratively with neighbors, landowners, and fellow river users to achieve positive outcomes for the river, its fish and wildlife, and the economies tied to a healthy river system. A potential organizational framework is presented based on lessons learned from around the country, and re-focused on the Upper Yellowstone Watershed.
Survey Results

Yellowstone River Symposium attendees were sent a follow-up survey on May 16, 2017, with 44 responses. Some of the survey results are highlighted below.

What sector did you represent at the conference?

- Non-Profit Conservation Professional: 21%
- Other*: 21%
- Government Agency (state): 19%
- Fishing guide/outfitter: 9%
- Farmer/Rancher (farming or ranching provides a majority of income): 7%
- Government Agency (local): 7%
- Recreationist: 7%
- Interested Citizen (you have no professional interest in water but are interested on a community level): 5%
- Business: 5%
- Government Agency (federal): 0%

*Other Categories Include:
- Academic
- Landowner
- Environmental Consultant
- Retired National Resources Conservation Service employee
- River restoration consultant

Do you think all sectors were adequately represented?

- No: 60%
- Yes: 40%

“…I know that MARS tried to have everyone adequately represented, but I still wish there was more, and more equal, representation at the table. More ranchers and farmers in particular.”
Please rank the following (1=highest) topics that should be the highest priority to address regarding the Yellowstone River.

- **Floodplain isolation** 5.39
- **Drought management and mitigation** 4.70
- **Addressing water quality (instream flows and temperatures)** 4.16
- **Conflicts between user groups and interests** 3.26
- **Impacts from growth, development and recreational use** 3.54
- **Ecological health of watershed (including riparian & aquatic habitat)** 3.09
- **Lack of communication & coordinated effort for river** 3.81

**Additional topics that should be addressed regarding the Yellowstone River:**

- How stress affects fish physically
- Effects of climate change on the river
- Need for zoning, smart growth policies
- Coordination with feds & long-term funding sources
- How do we prevent houses being built in view of the boater, prevent pollution from septic tanks and ag return, and prevent reworking the shoreline on private property with riprap?
- How do we ensure that all the current user groups will be able to do what they do, for years to come?
- A review of current laws, science, and existing monitoring data/reports
- How to get users on both sides of the issue (irrigators, outfitters) to identify common goals and common visions instead of focusing on the differences
- How to build trust to prevent an “us versus them” mentality
What’s Next?

The Symposium was important because it catalyzed a larger conversation about potential threats and issues facing the Yellowstone River. It was clear one thing shared by all is a passion for the river and all of the livelihoods it supports and a desire to keep the momentum going through continued partnership and collaboration amongst the community and key stakeholders.

Next steps include:

• 1st Ad-Hoc Steering Committee Meeting - June 6th 1-3pm at MSU Park County Extension Office
• 2nd Ad-Hoc Steering Committee Meeting - June 27th 1–12pm at MSU Park County Extension Office
• Formalize Coordinated Effort on Upper Yellowstone River and solidify Ad-Hoc Steering Committee
• Information will be shared and posted on MARS website until effort formalizes

The next meeting to convene the Ad-Hoc Steering Committee meeting will be held on: **Tuesday, June 27th from 10am-12pm** at the MSU Park County Extension Office, located at 119 South 3rd Street in Livingston.

Visit [www.montanaaquaticresources.org/events](http://www.montanaaquaticresources.org/events) to sign up to receive updates and information.
First, a **definition.**

THE “CONSERVATION ETHIC” – WHAT DOES THAT MEAN; WHAT DOES THAT LOOK LIKE?

To start with. What exactly will I be thinking and talking about when using the term “conservation ethic”? An ethic is often described as how you behave or what you decide when you are alone, when no one is watching. In the fish and wildlife world it is often best defined by stories. Let me give you a couple of examples:

**ANTELOPE IN THE MISSOURI RIVER**

Driving along the Missouri River a hunter going out to hunt ducks spotted an antelope that had fallen off edge ice into the river. The individual put off his duck hunt to lasso and rescue the antelope. He then dried the antelope, loaded it into his truck and released it into the custody of a nearby group of antelope he, the hunter, was familiar with. This random act of kindness was an individual expressing the *conservation ethic* that was part of him.

**U. S. MARINES AT TIKRIT (Sadam Hussein’s gazelles)**

The United States Marines were camped near Tikrit, Iraq as part of the conquering force that had taken the country. The airfield where Marine Wing Support Squadron 271 set up base was on the edge of Sadam Hussein’s private hunting preserve, a grassland stocked with gazelle. It wasn’t long before the Marines were supplementing their official ‘meals ready to eat’ with gazelles. What was unusual about this conquering force was what they did next. They imposed a bag-limit on themselves to make sure the herd wasn’t depleted. It was quite probably the first time in the five millennia history of that place that a conquering force came with an understanding of wildlife management and a *conservation ethic*. It was the people’s *conservation ethic*, held and expressed by the troops; it did not come as a directive from the Pentagon.
LION CUBS AND BUTTE RAILROAD MAINTAINANCE
Perhaps my favorite example of the spontaneous expression of our individual conservation ethic occurred in November of 2003. A mountain lion and her three cubs had waded through a stream that ran parallel to the mainline railroad near Butte, Montana. When the wet cubs scrambled over the frigid rails their hair froze to the cold steel. The first person upon this scene was a track inspector from the local railroad shops. Rather than simply jerking them loose the inspector tried to heat the rail with coffee from his thermos. Lacking sufficient hot liquid, he then stopped all the trains; summoned a game warden with buckets of hot water; and together they freed the lion cubs. When the inspector returned to the shop his co-workers gave him a title; they called him the “Lion King.” It was their way of showing approval and pride in his action - his conservation ethic. They may have wanted to give him a big hug, but then Butte, Montana is a blue-collar place – it is not Broke-back Mountain.

Thus, to begin with let us take a look at how that conservation ethic, so broadly held by the Montana and American people emerged and found expression in our New World democracy.

AMERICA’S FOUNDING DOCUMENTS
• Declaration of Independence
• Constitution
• Bill of Rights

All fail to mention fish, wildlife, water or other natural resource use. Our young democracy was left to find its own way.

ALEXIS de TOCQUEVILLE
We were just beyond our first half century of this wonderful journey when Alexis de Tocqueville, visited America in the 1830’s and writing in Democracy in America (1835) observed:

“I confess that in America I saw more than America; I sought the image of democracy itself, with its inclinations, its character, its prejudices, and its passions, in order to learn what we have to fear or hope from its progress.” (emphasis added)

“(The American people) may be said not to perceive the mighty forests that surround them till they fall beneath the hatchet.” Alexis de Tocqueville, 1832.

“In Europe people talk a great deal of the wilds of America, but the Americans themselves never think about them; they are insensible to the

1 From: A Nation’s Natural Resource Legacy, USDA, Forest Service, April 1999, FS-630. (p12)
Perhaps the nobleman de Tocqueville perceived a flaw in the democratic notions fueling the engines of the young country recently born of revolution. At the time there was little indication that America would find a conservation ethic big enough to create an American commons out of which: national forests, a wilderness system, parks, national monuments, wildlife refuges, game ranges, a wild and scenic river system, and hunting and fishing for every American with the desire might evolve.

**MARTIN vs WADELL**

1842

Sixty-six years after our Declaration of Independence, and 7 years after de Tocqueville’s publication there was an interesting U.S. Supreme Court decision argued in 1842, now 175 years ago, over who could fish oysters out of the estuary of the Raritan River.

A landowner traced the title to his property back to a land grant made by the king of England to his brother the duke of York. This grant included the “… fishings, hunttings and fowlings” it was the traditional European Model of wildlife’s niche alongside society. **The oysterman felt otherwise.**

In **1842** the U.S. Supreme Court began deciding that what were the ‘king’s deer’ in Europe would be the people’s fish and game in the New World democracy. Their decision noted that due to the Declaration of Independence that the people had declared themselves sovereign.

In time and with subsequent decisions the public interest in fish, wildlife and water would find the path to the conservation ethic that saved those mountain lion cubs in Butte, Montana, the antelope near Great Falls and at least temporarily the gazelles in Sadam Hussein’s private hunting ground.

**THE TIME PERSPECTIVE**

(‘TR 10/27/1858 – 1/6/1919)

The 1842 court decision also gives us a chance to put ourselves into perspective relative to the cultural and social phenomena that would emerge in America. Sixteen years after that seminal court decision, Theodore Roosevelt was born. Sixteen years after TR died in 1919, I (now at age 82) was born. This relationship of fish, wildlife and the people in a democracy is still very much a work in progress – perhaps ‘still experimental.’ It is in all ways a train in motion

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AMERICA SEARCHES FOR A CONSERVATION ETHIC

While de Tocqueville was observing and commenting on our democracy and its relationship with nature there were some among us doing serious thinking. Emerson (1803 – 1882 Nature) -- Thoreau (1817 – 1862 Walden) -- The Concord transcendentalists Marsh (1801 – 1882) -- Mount Tom Ambassador to Turkey (1863 – publishes Man and Nature - Gifford Pinchot would call the book “epoch making”)

All the above, live, think, and plead for a more sensitive relationship with nature, a “conservation ethic” - and die, before an adventure seeking patrician shoots a buffalo – on Little Cannonball Creek -- in Southeast Montana Territory.

The last commercial slaughter of buffalo on the Northern Plains occurred in August of 1883. The agony of ‘83 made it a very interesting year. In September of that same year a 24 year-old New York State Legislator got off the train in Little Missouri North Dakota, intent on killing a buffalo. He borrowed a rifle big enough to kill a buffalo, hired a local, Joe Ferris, to guide him and launched his quest. After more than a week of hunting he found himself on Little Cannonball Creek - a tributary of the Little Missouri River just inside the Montana Territory. He also found a wandering lone buffalo bull -- and shot it. In his excitement the young hunter did a “war dance” around the fallen buffalo and gave his guide Joe Ferris $100.

The hunter was a young Theodore Roosevelt, a man destined to be the greatest conservation president any nation has ever had. Two years later TR would write of a ranchman who, in a journey of 1,000 miles across northern Montana, “was never out of sight of a dead buffalo and never insight of a live one.”

Montana was literally a bone yard of the abundance chronicled by Lewis and Clark and described as “… an aggregation of wildlife … that for number and variety exceeded anything the eye of man had ever looked upon.”

A brief summary of TR’s contribution reveals that in time -- he would as president:

- Address conservation in his very first message to Congress,
- set aside over 230 million acres for conservation that included,
- doubling the number of national parks from 5 to 10,
- expand the national forests from 40 million to 150 million acres,
- proclaim the first 18 national monuments,

3 Clay Jenkinson, Theodore Roosevelt in the Dakota Badlands, Dickenson State University, Dickenson, ND 2006.
• create the national wildlife refuge system simply by declaration,
• create our first game ranges including one in Montana, and
• in 1908 convene the first White House Governors Conference on Conservation.  

TR then took a break and went off to Africa to hunt. When his successor William H. Taft began compromising his reforms, he returned to protect them by running as the Bull Moose candidate for president in 1912. TR’s campaign manager for this third party challenge was Joe Dixon, U.S. Senator from Montana and later our governor.

THE MONTANA PIECE OF THE STORY

Since all Montana stories need to include a salute to Lewis and Clark we would be remiss if we did not also give our salute to these adventurous explorers. On the Lewis and Clark Expedition’s return in 1806, as Captain Lewis was nearing the Great Falls of the Missouri River, his journal entry for July 11, tells us what they experienced:

“The buffalo are in such numbers, that on a moderate computation, there could not have been fewer than ten thousand within a circuit of two miles. At this season, they are bellowing in every direction, so as to form an almost continual roar, which at first alarmed our horses, who being from west of the mountains, are unused to the noise and appearance of these animals…”  

78 years later (1884) they were gone – all of them. The wild symphony heard over Montana’s high plains since the Late Pleistocene fell silent. Gone:

• the roar of battling bulls,
• the contented grunting of the feeding herd,
• The beat of pony hoofs in sacred chase.

It only took a half century for the potential for a conservation ethic, among the European immigrants, to ride into Montana over Monida Pass. In many ways, the recorded Montana Conservation Heritage begins with brothers James and Granville Stuart (1834-1918). The Stuarts, pioneer Montana ranchers, miners and statesmen enter Montana in 1857. On our chronological time-line, this was 51 Years after Captains Lewis and Clark, and one year before Theodore Roosevelt was born.

THE STUARTS MAKE A VALIANT, ETHICAL EFFORT TO PROMOTE CONSERVATION.
They have the ethic and try.
On the 4th of July 1863 pioneer miners, ranchers, statesmen – conservationists James and Granville Stuart celebrated the national day with a fish dinner caught from the Clark Fork River. Granville’s diary noted:

“James and Clabber, our Indian horse herder, caught twenty-five large trout and we celebrated the national day by having a fine dinner with trout as the principal dish. July 6, 1863 I caught thirty-five trout using grasshoppers for bait.”

James Stuart introduced and won passage of conservation legislation in Montana’s First (1864-5) Territorial Legislature. It had to do with protecting fish by restricting harvest to hook and line fishing. At that time Stuart wrote:

“If the legislature does not enact some laws in regard to game and fish, there will not be in a few years so much as a minnow or a deer left alive in all the territory.”

This first piece of conservation legislation was passed by the Montana Territorial Legislature 12 years before Colonel Custer bit the dust on the Little Big Horn in 1876.

By 1876, Montana was a very busy place. In that year:

- Custer died on the hills above the Little Big Horn,
- our Nation celebrated its first centennial,
- Theodore Roosevelt was in the Freshman class at Harvard; and
- buffalo hide shipments down the Missouri from Fort Benton alone peaked at 80,000.

Eight years later, by 1884, those hide shipments would fade to zero!

THE MONTANA CONSERVATION ETHIC

“Eventually, all things merge into one, and a river runs through it.” Those words of Norman Maclean fit the time and importance of the Montana Aquatic Resources Services (MARS). As a non-government coordinating council this organization presents a creative blend of citizen and government conservation to advance an ethic deeply embedded in Montana. It is a conservation ethic that, with each victory, grows stronger and broader by the generation.

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7 Ibid.
8 Picton and Picton Saga of the Sun, Montana Department of Fish and Game, 1975.
Montana history has and continues to be defined by the rivers that run through us and the environmental drama that is played out from lofty snow-fields to waterways heading for three oceans. It is a history that includes:

- Restricting fishing to hook and line in 1864;
- Protecting physical stream channels in 1963 (99+) & 1965 (101+);
- Resisting major dams on the Missouri in the 1960s;
- Preventing the depletion of the Yellowstone in the 1970s;
- Sending the Clark Fork River into a toxic tomb for a century and then starting to clean it up in the late 1960s;
- Preventing an open pit mine in the headwaters of the Blackfoot in the 1970s;
- Preventing oil and gas exploration in the headwaters of the Sun, Teton and Dearborn Rivers in the 1980s; and,
- Through all these decades, building a collection of unused cornerstones designed for impoundments - never built. (Sun Butte, Castle Reef, High Cow Creek. Fort Benton, Allenspur, Glacier View, Riechle, Spruce Park ….)

This history delivers the basic water resource to present day Montana. Today, the MARS (you) bring both the technical expertise and the Montana conservation ethic streamside to make it all work. It cannot work without the technical knowledge assembled in this room.

I will make an additional argument that we must also give our time and attention to the human side of each contest. We must pay attention to -- and nurture -- the values, preferences and emotional connections that bind human beings to nature and can be freely expressed in this democracy we call America.

There is no better place to do that than on the banks of the Yellowstone River.

____________________________________________

THE RESTORATION TRAIL
Wildlife restoration launched by people like Granville Stuart, TR, and their associates has been a long trail and at times a hard ride. History tells us, however, that our wildlife conservation ethic was strongest when the times were toughest.

THE WORST HARD TIMES

Our country found its way through a period that historians remember as America’s worst hard times – a period of time when our economy collapsed into the Great Depression and our parched landscape blew across an entire continent to the sea. They were the Dust Bowl years still remembered as the Dirty-Thirties. That period turned out to be a time when natural resource conservation took some of its greatest leaps forward.
SETTING THE STAGE FOR A DIRTY DECADE

We set the stage for some significant environmental disasters as we passed through America’s formative years. What de Tochville witnessed in the eastern states in the 1830s was quite like our approach to the Great Plains in the early 1900s. In the early 1900’s we had a couple of Homestead Acts, programs driven by the notion that we had to populate and manipulate a landscape at rest. “In 1914, the peak year for homesteads in the twentieth century – 53,000 claims were taken throughout the Great Plains. …”

“In 1916 the Federal Bureau of Soils boldly proclaimed, ‘Soil is the one indestructible, immutable asset our nation possesses … It is the one resource that cannot be exhausted.’” IT WAS A MYTH.

“Places like Choteau County, Montana, lost half their population between 1910 and 1930 …” The land simply ripped open and abandoned. Then we did it again in 1915 -1920 luring farmers onto the southern plains to grow wheat to satisfy manipulated global markets. In 1919 alone, 75 million acres were put into production.

The result was dramatic, it included a few fat years followed by a dry spell. Then: “Around noon on January 21, 1932, a cloud ten thousand feet high from ground to top appeared just outside Amarillo. … Nobody knew what to call it. … It was thick like coarse animal hair; it was alive. … the weather bureau people in Amarillo were fascinated by the cloud precisely because it defied explanation.”

On another occasion: “…a storm in May 1934 carried the windblown shards of the Great Plains over much of a nation. In Chicago, twelve million tons of dust fell. New York, Washington – even ships at sea, three hundred miles off the Atlantic Coast – were blanketed in brown.”

At the time this duster blew eastward, George Bird Grinnell (1849-1938) was living in an apartment in New York City. With a only a little imagination my mind’s eye sees him breathing the same dust he stirred when he hunted buffalo with the Pawnee out on the Great Plains in the 1870s.

One more story. “A Sunday in Mid-April 1935… The air crackled with electricity. Snap. Snap. Snap. Birds screeched and dashed for cover. As the black wall approached, car radios clicked off, overwhelmed by the static. Ignitions shorted out. Waves of sand, like ocean water rising over a ship’s prow, swept over roads. Cars went into ditches. A train derailed. … That was Black Sunday, April 14, 1935, day of the worst duster of them all.” “More than 300,000 tons of Great Plains Topsoil was airborne that day.”
On that day I was one-month and eight days old living on the west shore of Lake Michigan. I most likely breathed those pieces of the great plains when I wailed for milk or a clean set of drawers!

The good news was that there was another President Roosevelt, this time it was Franklin D. Roosevelt (FDR).

FDR ASKED HIS APPOINTEES FOR AN HONEST VERDICT AS TO WHAT HAD GONE WRONG. The Great Plains Drought Committee delivered their report on August 27, 1936. Here are some of its findings:

- **There is no reason to believe that the primary factors of climate, temperature, precipitation and winds in the Great Plains region have undergone any fundamental change, … The problem of the Great Plains is not the product of a single act of nature, of a single year or even a series of exceptionally bad years.**

- **Mistaken public polices have been largely responsible for the situation, … a mistaken homestead policy, the stimulate of war time demands …and encouragement of a system of agriculture which could not be both permanent and prosperous.**

- **The Homestead Act of 1862, … was on the western plains almost an obligatory act of poverty.**

The dust bowl was rated the number one weather event of the 20th century. The federal government had promoted busting up the most fragile lands and encouraged dry land farming. Hugh Bennett, a soil scientist working for the Franklin Roosevelt administration observed: “**Of all the countries in the world, we Americans have been the greatest destroyers of land of any race of people barbaric or civilized.**” He went on to say it was all a symptom of “our stupendous ignorance.”

FDR and associates added the third leg of a conservation triangle – Soils - to the wildlife conservation ethic and forest stewardship concepts previously seeded in our culture by Theodore Roosevelt, George Bird Grinnell and Gifford Pinchot.

The Civilian Conservation Corps (CCC) was mobilized and sent west to help the farmers and ranchers put the lid back on the prairie – the lesson was harsh, and it was learned.

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In the middle of our nation’s toughest times, the first North American Wildlife Conference took place in the nation’s capital. It occurred on February 3, 1936. Seven Montana sportsmen attended that event, helped form the National Wildlife Federation and brought the idea home.

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Three months later, on May 15, 1936, Montana Governor Elmer Holt welcomed 50-some hunters and anglers to Helena’s Placer Hotel and the organizational meeting of the Montana Wildlife Federation.

Governor Holt encouraged them to organize to enable Montana sportsmen to speak with one voice. He also said: “Throughout the whole state of Montana there are real sportsmen, even in eastern Montana, where wild life has largely disappeared.”

Governor Holt spoke a tragic truth.

The North American conservation ethic is also displayed when citizens form non-government conservation associations – not unlike what Montana Aquatic Resource Services has done. This citizen involvement is consistent with groups like the Audubon Society and Boone and Crockett Club forming late in the 19th century; Ducks Unlimited, the Wilderness Society, and Wildlife Federations in the Dirty Thirties; and a great proliferation of conservation non-government organizations in the wake of the Earth Day years of the 1970s.

You now assemble to contemplate and discuss management of public and private natural resources at the watershed level. Clearly your boots are and will be on the ground where things will indeed happen. These watershed resources have come to our custody and the challenge is to pass them to the next generations undiminished and perhaps improved.

LOCAL EXAMPLES
STREAM PRESERVATION

Specific local examples include the first stream preservation act passed in the nation to prevent destruction and modification of physical stream channels. That became Montana law in 1963 – a half century and three years ago; and, 99 years after the Stuarts restricted fishing to a hook and line.

THE YELLOWSTONE RIVER

We meet at this moment but a few city blocks away from the Yellowstone River. It is today the net effect of a monumental struggle that preoccupied Montana for a decade, -- four decades ago. A water allocation struggle that was unprecedented in the American West. Most if not all of these conservation milestones were the first of their kind – they were uncommon ideas, and they were aimed at preserving something ‘we the people’ valued.

We proved that Montana people: - like the Stuart brothers, private landowners and ranchers, hunters, anglers and a broadening spectrum of conservationists of today – know how to restore fish, wildlife, water and soil. Whenever we found the will, we found the way.

CONCLUSION

We meet today a short walk from a river that runs free over six hundred miles out of the high country along the continental divide and then meanders out across the semi-arid Northern Great Plains. In the late 1960s Montana was on the cusp of a decade that would be characterized as an unprecedented period of natural resource demand – particularly coal. At the time:

- Montana mine land reclamation was voluntary;
- If a developer chose to reclaim a mine -- a tax credit was offered;
- The water quality laws were unenforceable;
- Water use law was simply use it or loose it; and
- Using it required a point of diversion – taking it out of the stream.
- The Organization of Arab Oil Exporting Countries placed an oil embargo on what they would provide the U.S.

In response the U.S. Government working with our nation’s power producing companies rolled out the:

- North Central Power Study calling for 42 coal fired power plants in North East Wyoming and South East Montana;
- The Montana Wyoming Aqueduct Study called for one-third of the Yellowstone River to cool it all; and,
- We were assured that if we resisted we would all “freeze in the dark.”

A significant contest testing the Montana Conservation Ethic was thus launched and when the dust settled this time:

* Montana had a whole cluster of mine land reclamation acts;
* Coal mine reclamation was: mandatory, required shaping spoils, saving topsoil, using native plants, and included selective denial of ecologically critical areas;
* The water quality act was strengthened and enforceable;
* The water use act was first amended to allow an in-stream claim in Blue Ribbon Trout Streams and later rewritten to allow for reservations of in-stream flows statewide;
* Five and a half million acre feet of water was reserved in the Yellowstone for fish, wildlife and water quality purposes; and
* Montana people had a brand new constitution and a right to a clean and healthful environment.
THE CHALLENGE OF THAT PARTICULAR ERA WAS MET BY THE CONSERVATION ETHIC THAT HAD GROWN STRONG IN THE MONTANA PEOPLE.

THIS WAS POSSIBLE BECAUSE WE DID NOT NEGLECT TO KEEP NOURISHING THAT ETHIC AMONG THE PEOPLE WHILE THESE RATHER DRAMATIC EVENTS WERE UNFOLDING.

Our public outreach included:

• dedicating an entire issue of Montana Outdoors to the topic;
• production of the movie Yellowstone Concerto;
• speeches and slide shows to anyone who would listen;
• additional articles in agency publications; and
• then we hit ‘em with a Sunday punch - whiskey -- Yellowstone Mellow Mash!

As the Montana Board of Natural Resources was contemplating reserving in-stream flows and our field people were being cross-examined by corporate lawyers in a contested hearing process. A call came in from Tom Pero of Trout Unlimited, a non-government conservation group that was an ally in the effort. Tom had noted that Glenmore Distillers, a Kentucky whisky company was planning to introduce a new product and introduce that product by sponsoring a tennis tournament. The product was Yellowstone Mellow Mash Whiskey.

Tom’s idea was to suggest to Glenmore that their promotional investment be redirected to saving the Yellowstone River. Given the demographic coincident that fly fisherman and whiskey drinkers was pretty close to identical Glenmore quickly agreed. The outcome was the hiring of Rand Public Relations in New York to organize a national press tour on behalf of the Yellowstone River. My counsel to them was to hold the tour right after fall-equinox so that we would have the cottonwood leaves golden and fresh snow on the Absarokee Mountains. Paradise Valley would be looking her best --- and she was!

GRANTED WE INVESTED HEAVILY IN THE SCIENCE OF NATURAL RESOURCE MANAGEMENT; BUT DID NOT NEGLECT TO NURTURE THE HUMAN SIDE – TO ASSURE THE PEOPLE THAT THEIR BASIC EMOTIONAL ATTACHMENT TO THE LAND AND WATERS AT STAKE WAS BOTH VALID AND VALUABLE.

When Theodore Roosevelt concluded the section of his autobiography that addressed the conservation achievement of his time he told us why he gave it so much of his energy.
“The things accomplished … were of immediate consequences to the economic well-being of our people. In addition certain things were done of which the economic bearing was remote, but which bore directly upon our welfare, because they add to the beauty of living and therefore to the joy of life.”

Theodore Roosevelt, 1913

THE FREE FLOWING YELLOWSTONE RIVER SURELY ADDS TO THE BEAUTY OF LIVING AND THE JOY OF LIFE IN MONTANA

OR AS NORMAN MACLEAN SAID AT THE START
“Eventually, all things merge into one, and a river runs through it. … I am haunted by waters.”

Norman Maclean
The August 2016 closure of 183 miles of the Yellowstone River and its tributaries to all water-based recreation has been characterized in countless terms, from disastrous to wake-up call.

What has not been called: an opportunity.

The Upper Yellowstone River is:

1. Loved by everyone, from rancher to tourist, river guide to school kid.
2. Vital to the local economy of the Paradise Valley.
3. Facing increasing demand for ever-scarce water, recreation, and environmental services.
4. Showing signs of ecological stress and loss of resilience.
5. Poorly and irregularly monitored resulting in a lack of water quality and quantity data.
6. Lacking a champion.
Hundreds of watershed-based efforts have had various degrees of success. Such grassroots efforts include the Big Hole Watershed Committee, Blackfoot Challenge, Gallatin River Taskforce, Henry’s Fork Foundation, and Madison River Foundation. All have iconic rivers at their core.

Is it Yellowstone’s turn?

A “Upper Yellowstone River Partnership could:

- Provide a “voice for the river” in the public arena, advocating inclusive public and regulatory policies based on sound science.

- Foster and promote a sense of community involvement in the care and stewardship of the river, and acts as a hub for communications and engagement.

- Collect data on a cooperative and routine basis to assess and track the health of the river.

- Provide “boots in the gravel” for a variety of conservation-oriented projects.
Such a Partnership could be dedicated to:

1. Protecting and respecting private property rights, including the beneficial uses of water.
2. Preserving working lands and open space.
3. Ensuring sufficient flows in the river and its tributaries.
4. Seeking innovative solutions inside the watershed.
5. Monitoring the river and its tributaries.
6. Respect and value all stakeholders input.
7. Remembering downstream users count on the wisdom and care of upstream neighbors.

The challenges facing the Yellowstone River are too often couched in today’s narrative of impending doom. One corner rallies their troops to “Save the Yellowstone”; another warns of the river’s “imperiled fishery;” yet another calls for “shared sacrifice.”

This catastrophe narrative stands in the way of actually addressing the problems. This is particularly damaging in efforts to better coordinate and prioritize needed activities within the Upper Yellowstone watershed, and to attract and effectively disseminate needed funding.
Drawing on the collective experience of more than 125 collaborative projects, a number of lessons are instructive:

1. Build a common vision for the River -- built on passion for place and a community of purpose.

2. Create an open, inclusive, and transparent process.

3. Develop a common factual base.

4. Ensure Flexibility, Adaptability, and Fun.

5. Achieve and communicate results.

6. Create a stable institutional foundation (need to house and feed the creation)

A key ingredient for any collaborative effort is the realization that other approaches to resolution have been exhausted; that traditional forums for redress have fallen short. To be successful, all of us with a stake in the Upper Yellowstone River must be motivated to work together. We must respect property rights and be willing to consider sharing power in the search to develop alternatives to the status quo. Unfortunately, it’s not enough to be told that a collaborative approach makes sense, it must become the collective desire of the river community.

“We’d gotten awfully good at knowing what we were against, and decided it was time to figure out what we were for.”

—Bill McDonald, Malpai Borderlands
Attendees:

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### Yellowstone Basin Regional Partnership Conversations

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### Top Needs/Concerns

- Addressing water quality in-stream flows & temp
- Flow management
  - Intake diversion/Paddle Sturgeon
  - Floodplain isolation
  - Growth & Development
  - Drought Plan
- Reliable/restrictive funding
- Coordination
- Addressing needs of producers

### Challenges

- Developing standards - i.e. nutrients
- Fish habitat - passage & side-channel restoration
- Tributary connectivity/watershed health
- Pollution from livestock confinement
- Restoring natural stream processes
- Invasive species - Russian Olive, Salt Cedar
- Pipeline crossings

### Other Issues

- Floodplain development
- Climate change
- Political power
- Railroads - BNSF, MRL
- Recreation
- Wetland & riparian enhancement
- Public education
- YRRP’s from CEA
- Utilizing tools
- Aging Infrastructure
Top needs/ concerns identified:

- Addressing water quality including instream flows and temperature (III)
- Flow management
- Intake Diversion Dam/Pallid Sturgeon
- Floodplain Isolation (I)
- Growth and Development
- Drought Plan (lack of) (I)
- Reliable and less restrictive funding sources (I)
- Coordination between different organizations and agencies (III)
- Addressing needs of agricultural producers (I)
- Addressing needs of recreationalists
- Developing baseline standards for nutrients, temperatures, sediment, etc.
- Fish habitat - passage and side channel restoration
- Tributary connectivity/overall watershed health
- Pollution from livestock due to confinement (CAFOs), erosion, etc.
- Restoring natural stream processes
- Invasive species, especially Russian olive, salt cedar, and aquatic invasive species (AIS)
- Oil pipeline crossings
- Climate change
- Distribution of political power
- Impacts from railroads - BNSF and MRL
- Wetland and riparian enhancement
- Public education
- Utilizing the tools and Yellowstone River Recommended Practices from the Cumulative
Effects Analysis
- Aging infrastructure
- Conjunctive management of water quality and quantity

Consolidated (Top 3) Concerns:
- Flow management
- Coordination
- Water quality

Solutions/Opportunities

Improved Coordination
Need for better basin-wide, landscape-scale coordination and a directory of the main contacts in the basin for all types of groups.

Form a working group - could either be associated with the Yellowstone River Conservation District Council or not, but all-inclusive.
- This group could coordinate efforts of various organization and agencies to get funding for planning and implementation of on-the-ground projects.

YRCDC is looking to form working groups – perhaps first focused on irrigation management and efficiency. Good opportunities to partner with the council as they’ll need partnerships to implement the Yellowstone River Recommended Practices.

Improved Outreach
There is a need for an unbiased source of scientific information (beyond the State Library Yellowstone River Clearinghouse) - something more “user-friendly.” Perhaps a resource person that people can call to find exactly the information they’re looking for (CD employee, agency personnel, Big Sky Watershed Corps member?).

Create a Yellowstone River Source Book
- Funded through a 223 grant, multiple partners?
- This would be a “BMP”-type resource available to the public to attain information about the Yellowstone River Basin. Made for landowners, recreationists, regulators, etc. This could include information on water rights, water use restrictions, access laws, etc.
- There is a Gallatin River Source Book that could be used as a model.

Yellowstone Basin Directory
- Contact information for all organizations and agencies working on the Yellowstone.
- This could be part of the sourcebook.
- MWCC would be a good place to start gathering information for this.
- 223 Grants can fund projects like this.

Other Funding Sources
Funding from the Department of Justice’s Natural Resources Damage Program (NRDP)
- $12 million has been committed for Yellowstone River restoration and conservation projects through a settlement with ExxonMobil Pipeline Company related to the 2011 oil spill.
- Opportunities for collaboration around implementing these projects.


Contact: Alicia Stickney, Natural Resource Damage Program, Helena, MT, 406-444-1346

FEMA Pre-Disaster Mitigation Funding [https://www.fema.gov/pre-disaster-mitigation-grant-program](https://www.fema.gov/pre-disaster-mitigation-grant-program)

Funds drought and flooding mitigation projects that must be in cooperation with County Disaster and Emergency Services and fit into the county’s Pre-Disaster Mitigation Plan. Many of these plans are currently being updated.

Nov. 7, 2008 Water Resources and Development Act (WRDA) Section 3110

YELLOWSTONE RIVER SYMPOSIUM

Additional Resources
Proposed Water Resource Development on the Yellowstone River

Proposed Water Resource Development on the Yellowstone River is a web portal that has information and links to the 1970’s historical Yellowstone River series of information online including:

- The Yellowstone Concerto movie, a Montana Fish and Game Commission Documentary and Supplementary information, that Jim Posewitz helped write
- Printed collection of articles about the film from Montana Outdoors
- Yellowstone Impact Study Technical Report by DNRC

A link to all of the above can be found [here](#).

Yellowstone River Clearinghouse

Yellowstone River Clearinghouse is a single point of access to the Yellowstone River data and publications. It includes information associated with the river such as maps, NRCS Water Supply Outlook projections, GIS data, the US Army Corps/YRCDC Cumulative Effects Analysis Report, Recommended Practices and Position Statements, an Interactive Online Map Viewer, and a myriad of other information.

Visit the Yellowstone River Clearinghouse site [here](#).

NRCS Water Supply Updates

- Real-Time Current Conditions Maps
- Montana Water Supply Outlook Report
- Montana Snow Survey Homepage

Socioeconomic Reports & Surveys

- Socioeconomic Report, 2015
- Yellowstone River Cultural Inventory, 2006 (Page 8 covers key concerns and implications from primary interest groups collected from the Socioeconomic survey in 2006, including agriculturalists, recreationalists, local civic leaders, residentialists, and native americans)
The DNRC drought management site provides access to:

- Details of the MT Drought Management Plan update (2016+)
- Current drought status in Montana
- Recorded meetings of the Governor’s Drought and Water Supply Advisory Committee
- Basin-specific water supply reports
- A variety of “resources links” to help people monitor drought conditions, find funding, and look at sample drought plans in Montana