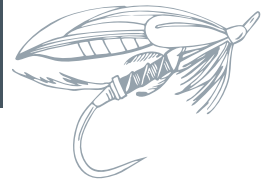


# TROUT LINE

WINTER  
2013



Newsletter from the Montana Council of Trout Unlimited

## 2013 Legislature: Still much to be done

by Staff

March 1 was the halfway point for the 2013 Montana Legislature. As expected, bills that present challenges for trout conservation and angling have far outnumbered measures that advance protection and restoration of Montana's rivers and streams. Montana Trout Unlimited continues to reach out to all legislators who want to help us improve or kill bad bills as well as help pass good measures. Here's a nutshell from the first half:

### Water

We helped kill **HB 561** (Fitzpatrick-R, Great Falls), an awful bill that codified loopholes allowing developers to use unlimited "exempt wells" for subdivisions or fish ponds, without having to account for how these depletions might affect connected trout streams or senior water rights. On the other hand, **SB 19** (Hamlett-D, Cascade) lives on. It is only slightly better, but it still embraces wide-open groundwater development. It passed the Senate 26-24. Killing it or amending it in the House remains a priority. **SB 346** (Vincent-R, Libby) recognizes that exempt wells can have huge impacts to surface waters and it limits their use when it can be shown they are depleting surface water. This bill is sailing through. As introduced, **SB 347** (Vincent-R, Libby) would have allowed mining companies, such as those contemplating large new operations along the lower Clark Fork or in the Smith River drainage, to dewater large groundwater sources, without regard for

the impacts it could have on connected trout streams. It passed the Senate, but with amendments that we think improve it. The sponsor tells us the bill needs more work and has committed to work with us to further improve the measure before it passes the House and reaches the governor's desk. **SB 337** (Hamlett-D, Cascade) also passed the Senate. It prevents TU from having standing to object to bogus and exaggerated water right claims during the state Water Court's adjudication of water rights – significantly diminishing a hard-fought right we won in a Montana Supreme Court decision two years ago.

### Land use planning

A bevy of harmful bills weakening land use planning and zoning remain in play, posing potential harm to water quality. Passing the Senate were **SB 23** (Rosendale-R, Glendive), **SB 24** (Rosendale), **SB 41** (Buttrey-R, Great Falls) and **SB 105** (Brown-R, Huntley). Thankfully, **SB 17** (Priest-R, Red Lodge), which would have placed a constitutional initiative on the general ballot, was tabled. By altering constitutional language, the initiative would have affected private property in a way that would have invited blizzards of lawsuits



Ditch bill hearing, 2011 Legislature

from landowners objecting to reasonable regulations that protect water, air, fish or wildlife. A similarly radical bill with the same objective, **SB 284** (Rosendale-R, Glendive) was also tabled. Also in the legislative morgue is **SB 169** (Brenden-R, Scobey), which would have placed impediments in the way of Montana Fish, Wildlife and Parks and its ability to purchase important habitat.

### Gravel Pits

The Senate shelved **SB 229** (Hamlett-D, Cascade) and **SB 234** (Peterson-R, Buffalo), which aimed to make it easier to build gravel pits, even if they were next to trout streams and private property. Some (See *LEGISLATURE*, page 3)

**MONTANA TU'S MISSION** is to conserve, protect and restore Montana's world-class coldwater fisheries and their watersheds.

Founded in 1964, Montana Trout Unlimited is a statewide grassroots organization comprised of 13 chapters and approximately 3,500 TU members.

[www.montanatu.org](http://www.montanatu.org)

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MICHAEL GIBSON  
& KATE GRANT

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Get Montana TU plates at your county motor vehicle office!



## FROM THE EXECUTIVE DIRECTOR

**D**oug Beighle told me when he was growing up in Deer Lodge in the 1940s he'd often hunt ducks along the Clark Fork River. He'd pedal home, mallards strapped to the fender, shotgun lashed across the handlebars. In summer, he and his brothers tramped to high lakes in the Flint Creek Range.

They'd catch piles of brook trout, and then distribute them to local widows in town. The descriptions invoked John Whittier Greenleaf's "Barefoot boy, with cheek of tan," or Norman Rockwell. Doug says it was a great time and place to be a kid. Who could argue with that?



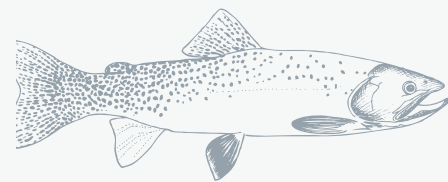
Doug Beighle

Doug died February 12 at the age of 80 while traveling in Myanmar. He had a life as full as could be imagined. A successful attorney, who graduated with honors from UM's Law School, he shifted mid-career and entered the corporate world, serving in many upper level capacities with the Boeing Company, eventually as its general counsel then senior vice president. He retired as the company's chief administrative officer. After retirement, he served on many corporate boards, and most notably as a stalwart in Washington State, especially in Seattle, doing public service and community work. The record of his charitable work is remarkable. In his later years he tackled the cause of reducing global poverty and enfranchising land-less peoples. True to his character, Doug was in Myanmar on behalf of Partners Asia, a nonprofit organization that links local communities with global aid.

But through this remarkable life, he always remained a kid from Deer Lodge. He was a life-long angler, and a great supporter of conservation. He was a longstanding supporter of Montana TU. Mainly, he was a friend. Like my former colleague John Wilson, who introduced Doug to Montana TU, I fished with

Doug every summer when he'd visit his home state. He fished internationally and in Alaska, where he and his family had a cabin on Kodiak Island, but he loved to fish Montana. Even when it was slow. Doug touched many lives and organizations. All of us are much better for knowing him.

Bruce



### Employee Contributions

**Does your company match employee contributions to nonprofits? Many businesses will match charitable donations made by their employees and retirees. Some even double the money. It's an excellent way to stretch your conservation dollars with a gift to Montana TU.**

For more information on how you can make a gift to Montana TU, please contact us.

111 N. Higgins, Ste. 500  
Missoula, MT 59802

Toll free: 888-504-0054 or [tim@montanatu.org](mailto:tim@montanatu.org)



### LEGISLATURE (from page 1)

of the ideas they included, however, live on in **SB 332** (Tutvedt-R, Kalispell). Rural counties, especially those in the Bakken region are agitating to have easier access to gravel. The problem is the ideas in these bills can be harmful to populous areas and nearby streams.

### Funding

Appropriation bills are in a holding pattern or slowly working their way through committees. Montana TU remains concerned over the fate of the popular Future Fisheries Improvement Program, which has funded millions of dollars of great habitat restoration over the last 17 years. We will continue working to ensure this program is adequately funded. We are also prime architects and supporters of a proposal that improves the effectiveness of – and increases funding for – programs that address aquatic invasive species. Threats to trout waters from AIS are bound to get more acute.

Montana TU supports introduction of legislation that ratifies a draft water rights compact that would settle forever

the long-held reserved water rights of the the Confederated Salish and Kootenai Tribes. The compact results from years of negotiation among the tribes, State of Montana and federal government. Importantly, the accord includes legal tools for protecting instream flows on the sprawling Flathead Indian Reservation and at Milltown on the Clark Fork River. Legislation has been on hold because some reservation irrigators have gone to court to halt the deal, claiming it harms agricultural interests. In reality, the compact is a very good deal for irrigators, most who are nontribal members, because it includes money for investment in irrigation infrastructure, permanently settles tribal claims and assures certainty for future water development on the reservation.

Much could happen quickly during the last few weeks of the session. Please keep checking our regularly updated Hotlist at [www.montanatu.org](http://www.montanatu.org). And don't hesitate to contact us at 406-543-0054, or, [michael@montanatu.org](mailto:michael@montanatu.org). We might be calling on you for help.



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# 2012 Annual Report

## Water

In the face of climate change and one of the hottest summers in recent history, Montana Trout Unlimited is protecting and improving stream flows and water quality for today and tomorrow. Our 2012 achievements include:

- Working with the Confederated Salish and Kootenai Tribes to proactively protect water and fish in the Clark Fork, Kootenai, Jocko and Swan River drainages, through the Tribes' water agreement with the State of Montana.
- Fighting proposals for water development that would harm the Madison River and East Rosebud Creek.
- Advocating before a key legislative committee for stricter limits on groundwater wells that deplete connected surface waters.
- Opposing a proposed copper mine on a crucial spawning tributary of the Smith River.
- Organizing support for a permanent clean up of historical mining pollution in the headwaters of the Blackfoot River.



- Partnering and providing key leadership for collaborative forest and habitat restoration projects on national forest lands in Southwest Montana.
- Successfully arguing for stronger state and federal rules to protect trout streams from oil and gas development.

- Persuading the State of Montana to protect key sections of the Smith River from leasing for energy development.
- Working with others to permanently acquire and protect from development the trout-sensitive confluence of Rock Creek and the Clark Fork River.
- Significantly influencing a restoration plan for the upper Clark Fork watershed, to steer tens of millions of dollars of a state trust fund that will improve and protect trout fisheries.
- Providing leadership, coordination, and expertise to substantial habitat improvement projects in the Bitterroot and Rock Creek watersheds.

## Fish

Montana's wild trout populations are world-renowned, and protecting them is what we do. In 2012 Montana Trout Unlimited improved the future for wild and native trout by:

- Organizing public support for Montana's continued reliance on wild fish instead of hatchery fish as the cornerstone for trout

## Habitat

Fish thrive in healthy habitat. This year we witnessed wild trout moving into and occupying stream habitats that we helped to restore. In 2012 our efforts to protect and restore critical habitat included several highlights:

- Organizing public support for Senator Tester's Forest Jobs and Recreation Act, which will protect over a million acres of crucial

headwaters habitat and trigger restoration of damaged native fish habitat on public lands in Montana.

- Working with other state TU organizations and groups to boost populations of native cutthroat and grayling in Yellowstone National Park, focusing on restoring the world famous cutthroat population of Yellowstone Lake.
- Furthering recovery of native bull trout in the Swan Lake and River system as the lead private conservation partner in efforts to remove invasive lake trout.
- Providing critical leadership to a statewide collaborative group that is developing policy, programs and funding to combat harmful aquatic invasive species such as zebra mussels or Eurasian milfoil.

## People

We can't protect fish without people. Our success is directly related to our public outreach and the ability of Montana anglers to access rivers and streams for recreation. In 2012 we strengthened the link between people and fish by:

- Working with TU volunteers to sponsor an annual youth fly fishing and trout conservation camp in Western Montana.
- Appearing before the Montana Supreme Court to challenge new attempts to unravel our successful stream and bridge access laws.
- Defending Montana's claims to ownership of riverbeds for key waters such as the Clark Fork and Madison before the U.S. Supreme Court.
- Engaging hundreds of students, business people, conservationists, agency staff and others across Montana in numerous presentations focusing on the importance of coldwater habitat conservation.

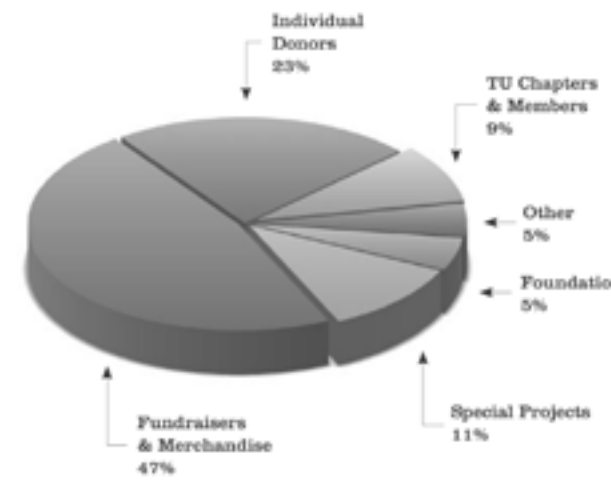
# 2012 Financial Report

Montana TU's Fiscal Year: Oct. 1, 2011 - Sept. 30, 2012

Montana TU is financially independent of TU National and is governed by directors from each of the state's TU chapters. All contributions to Montana TU support conservation, protection and restoration efforts in Montana.

## Source of Funds\*

Total: \$333,022



## Use of Funds

Total: \$333,022



\* These financial numbers do not reflect one-time bequests dedicated to reserves.

## How you can contribute

Montana TU gratefully accepts cash, checks and securities. Credit card donations can be made on line at [www.montanatu.org](http://www.montanatu.org), or by calling Kate Grant toll-free at 888-504-0054. Gifts can be sent to Montana TU at P.O. Box 7186, Missoula, MT 59807.

Planned gifts can create an enduring legacy benefitting Montana's trout waters now and after you're gone. Options include bequests, gift annuities, charitable remainder trusts and contributions to Montana TU's permanent endowment. Please keep us in mind when you create or update your estate plan.

Your tax-deductible donation funds conservation work and professional advocacy on the ground in Montana. If you wish to direct your gift to a specific area, such as restoration projects, education or advocacy, you can do so using one of our established funds. Please contact Kate Grant or Bruce Farling toll free at 888-504-0054.

Montana TU's financial statements are reviewed annually by Boyle, Deveny & Meyer PC, an independent CPA firm in Missoula.

Please send your gift to Montana TU, P.O. Box 7186, Missoula, MT 59807. Or, call Kate Grant toll free at 888-504-0054.

Montana TU's Tax ID # is 23-7355289.

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**Thank you.** Montana TU is grateful to those who supported us this past year, including member chapters, individual donors, foundations, businesses and dedicated volunteers.

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Big Hole Lodge  
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West Slope TU Chapter  
Western Conservation Foundation

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Roger Barngrover  
Thomas Vernon Church  
A.C. 'Arlo' Ellison  
Tom Harman  
Larry Hurt  
Robert A. Jones  
Wells F. 'Bud' Morris, Jr.

**Above Donations Received 10/1/11 - 9/30/12**

**Montana TU Conservation and Fly Fishing School July 14-18, 2013**



Montana TU is accepting applications from kids ages 11-14 at our 2013 Kid's Camp, where they'll learn about fly fishing, fly tying, stream restoration, watershed management and trout biology. The \$300 camp fee includes all meals and lodging at Camp Watanopa, on the banks of Georgetown Lake. Details and applications available at [www.montanatu.org](http://www.montanatu.org). Participants do not need to know how to fish! There is plenty of free time for volunteers, who can stay at the camp or provide their own lodging.

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# TROUT LINE

# UPCOMING EVENTS

[www.montanatu.org](http://www.montanatu.org)

**3/24/13**

### **Pint Night at Bitter Root Brewing**

4-8 p.m. at 101 Marcus St., Hamilton. A portion of beer sales benefits the Bitterroot Chapter of TU. Contact Doug at 363-2137.

**4/27/13**

### **George Grant TU Chapter Banquet**

6-9 p.m. at Star Lanes Event Center, 4601 Harrison Ave., Butte. Silent & live auctions, raffles, dining and fun! For tickets, call Gary at 494-1531.

**4/5/13**

### **TU Western Regional Meeting**

In Spokane, Washington, at the Red Lion Inn, 303 W. North River Dr. Two days of workshops, seminars and activities for building and strengthening effective TU chapters and councils. Details and registration at [www.tu.org](http://www.tu.org).

**4/27/13**

### **Pat Barnes Missouri River TU Banquet**

6-9:30 p.m. at the Gateway Center, 1710 National Ave., Helena. Event includes raffle tables, live and silent auctions and excellent food. Contact Garrett at [patbarnestu@gmail.com](mailto:patbarnestu@gmail.com).

**4/13/13**

### **Yellowstone River Cleanup**

8 a.m. - 5 p.m. with the Joe Brooks & Madison-Gallatin TU Chapters. Food provided; kids welcome. Sign-in starts 8 a.m. at the Livingston Civic Center, 229 River Dr. Contact Kerry at 579-7734.

**5/4/13**

### **Free Fly Casting Clinic**

9 a.m. - 5 p.m. at East Helena Middle School, 400 Kalispell Ave. North. Annual event sponsored by TU's Pat Barnes-Missouri River Chapter. [www.patbarnestu.org](http://www.patbarnestu.org).

**4/19/13**

### **Down the Hatch Fishing Festival**

2-7 p.m. in Missoula. An Orvis endorsed event with live music, product demos & giveaways in Caras Park. Local food and beer will be available for purchase. 7-9 p.m. fly fishing films at The Wilma Theatre, 131 S. Higgins Ave. \$10 admission for films, with admission proceeds to Montana TU. For more information see [www.montanatu.org](http://www.montanatu.org).

**5/11/13**

### **Fly Casting Clinic with Bruce Richards**

Kiwanis Park from 10 a.m.-4-30 p.m.. Hosted by TU's Westslope Chapter. Classes for all skill levels. Watch for details at [www.westslopetu.org](http://www.westslopetu.org).

**5/18/13**

### **Flathead TU Chapter Banquet**

6-9 p.m. at Grouse Mountain Lodge. [www.flatheadtu.org](http://www.flatheadtu.org)

**WANT OVER 3,000 MONTANA TU MEMBERS TO HEAR ABOUT YOUR EVENT?**

Please contact the Missoula office at 888-504-0054 or [kate@montanatu.org](mailto:kate@montanatu.org) to get the word out in Trout Line



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