

Montana House Conservation Hotlist Week 10: March 8, 2021

Please Oppose:

HB 170 - Revise laws to include renewable hydrogen, Rep. Tom Welch (R-Dillon), Second Reading, Oppose. HB 170 would dramatically lower the tax rate for any facility that uses "green hydrogen." Green hydrogen means that the hydrogen was formed using renewable energy technology. HB 170 gives the extremely low property tax rate of 1.5% of market value to any gas-fired power plant that uses as little as 8% hydrogen meaning that a plant that burns 92% gas would qualify for the 1.5% tax rate. *Contact Anne Hedges, MEIC, at 461-9546 or ahedges@meic.org*

HB 302 - Require county approval to relocate bison, Rep. Josh Kassmier (R-Fort Benton) Second Reading, Oppose. This bill would require approval by a board of county commissioners prior to wild bison or wild buffalo being released into any county. The bill allows the prohibition of bison in a county based on a county growth policy and would be the first time a growth policy has regulatory power. *Contact Amy Seaman, Montana Audubon, at 406-210-9449 or aseaman@mtaudubon.org*

HB 418 - Establish the public lands access act, Rep. Steve Gunderson (R-Libby), Second Reading, Oppose. Introduced at the request of Sen. Steve Daines, this bill would allow the state to take steps toward opening up roads on federal public land by designating historical rights-of-way as public "highways." These "hoax highways" are not roads in any real sense – they're overgrown cowpaths, forgotten two-tracks, and long-disused paths, some dating as far back as 1866. They don't lead to schools, hospitals, or workplaces, and they often run through Wilderness or other protected areas. These roads would also place a large financial burden on counties, and this bill could be used to force access through private lands. *Contact Noah Marion, MWA, at 406-624-9622 or nmarion@wildmontana.org*

HB 468 - Allowing hound hunting and chase seasons for black bears, Rep. Paul Fielder (R-Thompson Falls), Second Reading, Oppose. HB 468 would allow hound hunting and a chase season for black bears. This bill would result in about a month when black bears are out of hibernation when they're not hunted or harassed. We have a successful black bear hunting season and it's a bill for one small group of people who want a special season. *Contact Nick Gevock, MWF, at 533-9432, ngevock@mtwf.org; or Amy Seaman, Montana Audubon, at 406-210-9449 or aseaman@mtaudubon.org*

HB 505 - Revising laws re: issuance of elk licenses used on private lands, Rep. Wylie Galt (R-Martinsdale), House Fish Wildlife and Parks, Hearing 3/09, Oppose. This bill would create up to 10 landowner-sponsored elk licenses for people with at least a section of land, give six bonus points for limited elk permits and permanently write six month elk seasons into state law. It would severely damage hunter landowner relations. *Contact Nick Gevock, MWF, at 533-9432, ngevock@mtwf.org;*

SB 161 - Allow certain subdivisions to qualify for an expedited review, Senator John Esp (R-Big Timber) House Local Government, Hearing 2/09, Oppose. SB 161 would create an expedited subdivision review process that would allow a subdivider to bypass important environmental and public services review processes. It would exempt qualifying subdivisions from preparation of an environmental assessment, and exempts them from the primary review criteria which covers impacts to agriculture, wildlife and wildlife habitat, and local services and facilities making it difficult to mitigate impacts regardless of the number of lots contained in the proposed subdivision. *Contact Mayre Flowers, MT Smart Growth Coalition, 406-253-0872 or Anne Hedges, MEIC, at 461-9546 or ahedges@meic.org*

SB 164 - Revise non-degradation standards for nitrates, Senator Carl Glimm (R-Kila), House Natural Resources, Oppose. This bill would increase the standards for allowable pollution of nitrates to 10 milligrams per liter. Nitrates are commonly associated with sewage. This is the

maximum pollution allowed under the Clean Water Act, and will likely lead to violations of narrative water quality standards for fishable, swimmable, and drinkable rivers and streams. *Contact Derf Johnson, MEIC, at 406-581-4634 or djohnson@meic.org*

SB 165 - Generally revise laws related to the department of environmental quality, Senator Carl Glimm (R-Kila), House Natural Resources, Oppose. This bill would eliminate sanitation review for subdivisions of land that are greater than 500 feet from surface waters and exempt minor subdivisions of land from having to conduct a storm drainage review. It also appears to exempt expansions of systems designed for wastewater disposal, storm water, and solid waste disposal from review. *Contact Derf Johnson, MEIC, at 406-581-4634 or djohnson@meic.org*

SB 237 - Revise community renewable energy project requirements, Senator Doug Kary (R-Billings), House Energy, Oppose. SB 237 would eliminate the penalty imposed on NorthWestern Energy's shareholders to pay a \$2.5 million penalty to state and tribal low-income energy assistance programs. Montana Dakota Utility has complied with the CREPS requirement in the renewable energy standard law but NWE has not. *Contact Anne Hedges, MEIC, at 461-9546 or ahedges@meic.org*

SB 257 - Prevent local governments from imposing carbon penalties, fees, or taxes, Senator Jason Small (R-Busby), House Taxation, Hearing 3/11, Oppose. This vaguely written bill is intended to stop local governments from adopting carbon taxes, which none of them are trying to do. But the language is so broad that it could prevent local governments from adopting any regulation that even tangentially impacts carbon emissions including transportation plans, design standards, noise limitations, development patterns, etc. It is opposed by Missoula, Helena, and Bozeman who are developing clean energy plans. *Contact Anne Hedges, MEIC, at 461-9546 or ahedges@meic.org*

SB 260 - Generally revise related to property interests and transfer of businesses, Senator Steve Fitzpatrick (R-Great Falls), House Business and Labor, Oppose. SB 260 would require the state to compensate landowners whenever a regulation diminishes the value of private property by 25% regardless of the need for the regulation for public health, welfare or safety reasons. *Contact Anne Hedges, MEIC, at 461-9546 or ahedges@meic.org*

SB 267 - Authorize reimbursement for wolf trapping and hunting, Senator Bob Brown (R-Thompson Falls), House Fish, Wildlife, and Parks, Oppose. This bill allows wolf hunters and trappers to be reimbursed for costs incurred while hunting and trapping wolves. It allows the reimbursement of receipts for the costs and amounts to a bounty on wolves. No other wildlife harvest community expects or requests such fringe benefits. *Contact Nick Gevock, MWF, at 533-9432, ngevock@mtwf.org;*

SB 284 - Generally revise county gravel pit permitting, Senator Russ Tempel (R-Chester), House Natural Resources, Oppose. This bill would remove the requirement for mitigation through the state sage-grouse conservation program for gravel pits permitted by a county. Though the creation of gravel pits can have a number of long-term habitat impacts, this exemption chips away at a strong state conservation program that requires the participation of all stakeholders. *Contact Amy Seaman, Montana Audubon, at 406-210-9449 or aseaman@mtaudubon.org*

SB 306 - Revise structure of fish and game commission, Senator Mike Lang (R-Malta), Transmitted to House, Oppose. would require that four of the seven Fish and Wildlife Commissioners are landowners engaged in agricultural production. This bill makes it clear that sportsmen and sportswomen's concerns will be shut out in key decisions on wildlife management. *Contact Nick Gevock, MWF, at 533-9432, ngevock@mtwf.org*

SB 314 - Revise laws related to wolf harvest, Senator Bob Brown (R-Thompson Falls), Transmitted to House, Oppose. SB 314 would take extreme measures including baiting, night hunting and no bag limits in an extreme attempt to drive wolf numbers down to a bare minimum number. It's unneeded when we have a sound wolf season and already have the tools with the Fish and Wildlife Commission to manage the population. *Contact Nick Gevock, MWF, at 533-9432, ngevock@mtwf.org*

SB 328 - Revise coal bonding laws, Senator Duane Ankney (R-Colstrip), Transmitted to House, Oppose. SB 328 would change how the Montana Department of Environmental Quality releases bonds for reclaimed coal mines. The bill would allow for bonds to be released for partially reclaimed lands as well as for reclaimed mines which are still contributing to water quality problems. This will result in poor reclamation at coal mines and poses a risk for taxpayers having to pick up the costs associated with full reclamation. *Contact Anne Hedges, MEIC, at 461-9546 or ahedges@meic.org*

SB 337 - Revising laws related to grizzly bear relocation, Senator Mike Lang (R-Malta), Transmitted to House, Oppose. This bill states that bears found outside the established recovery zones cannot be translocated by the state, and therefore would be killed. It would raise major concerns with the U.S. Fish and Wildlife Service and preclude every delisting grizzly bears because of issues with adequate management protocols to ensure grizzly mortality isn't too high. *Contact Nick Gevock, MWF, at 533-9432 or ngevock@mtwf.org*

SB 352 - Clarify objections to water rights, Senator John Esp (R-Big Timber), Transmitted to House, Oppose. SB 352 would eliminate the ability for individuals and organizations to participate in the water rights adjudication process unless they are a water rights holder (and can demonstrate standing through adverse impact). This bill would result in the water rights adjudication process being limited to only issues concerning water users and would eliminate any consideration or evaluation of other issues, such as the public's interest in limiting impacts to the water quantity and quality of rivers and streams. *Contact Derf Johnson, MEIC, at 406-581-4634 or djohnson@meic.org.*

SB 358 - Repeal numeric nutrient standards for water quality, Senator John Esp (R-Big Timber), Transmitted to House, Oppose. This bill would eliminate numeric nutrient standards that are currently established and enforced by the Montana Department of Environmental Quality through administrative rules. This bill would result in more nutrients in our rivers and streams. Nutrient pollution has major impacts to human health and aquatic ecosystems. *Contact Derf Johnson, MEIC, at 406-581-4634 or djohnson@meic.org.*

The Weekly Hotlist is published as an educational service to lawmakers and citizens by the Conservation Working Group, composed of the organizations listed below. Contact Jake Brown, Montana Conservation Voters at 406-855-7821 or Whitner Chase, Montana Conservation Voters at 407-235-8203

** Clark Fork Coalition * Environment Montana * Montana Audubon * Montana Conservation Voters * Montana Environmental Information Center (MEIC) * Montana Public Interest Research Group (MontPIRG) * Montana Wilderness Association * Montana Wildlife Federation * Northern Plains Resource Council * Montana Smart Growth Coalition **