

## City lobbies to protect Haskill watershed

By **RICHARD HANNERS** Whitefish Pilot | Posted: Thursday, May 6, 2010 12:00 am

The city of Whitefish would like to see the federal government withdraw future mining, oil and gas drilling and geothermal development on the west slopes of Big Mountain to protect the watershed for the city's reservoir.

An opportunity to protect the Second and Third creek tributaries to Haskill Creek, which are diverted into the city reservoir, arose as the U.S. and British Columbia continued their joint efforts to stop mining and energy development in the North Fork drainage.

Senate Bill 3075, the North Fork Watershed Protection Act of 2010, introduced by Sens. Max Baucus and Jon Tester on March 4, would prohibit future mining and energy development on federal lands in the North Fork drainage, east of the Whitefish Range. It does not address current mining and energy development leases, and it does not address watersheds outside the North Fork.

City councilor John Muhlfeld brought up the legislation at the April 5 Whitefish City Council meeting. The councilors agreed to ask Baucus and Tester to consider expanding the scope of SB 3075 to include Flathead National Forest lands in the Haskill Creek drainage.

Several councilors asked if the measure would impact private lands, including those owned by Stoltze Land & Lumber Co. and Winter Sports Inc., which owns and operates Whitefish Mountain Resort. Muhlfeld said SB 3075 only applies to federally-owned lands.

Winter Sports Inc. president Dan Graves gave his support for SB 3075 in a March 20 letter to Baucus and Tester, asking that the bill be expanded to include Big Mountain and Haskill Basin.

"Winter Sports Inc. does not think oil, gas or mineral development on its lease area would be an appropriate use," Graves wrote.

The idea of including Haskill Basin in the bill was also supported by Mike Koopal, executive director of the Whitefish Lake Institute.

"It makes sense to protect the watersheds adjacent to the North Fork of the Flathead to ensure that a seamless buffer exists for water quality and to the connectivity of terrestrial wildlife habitat," Koopal said in an April 5 letter to Baucus and Tester.

The city's April 16 letter to Baucus and Tester was signed by Muhlfeld, mayor Mike Jenson and city manager Chuck Stearns.

The letter noted that Whitefish's 7,000 residents rely on surface-water diversions in the Haskill Creek watershed for drinking water. Withdrawing future mining and energy development in the headwaters of Haskill Creek would "further safeguard our community's water supply for existing

and future generations of Montanans," the letter said.

Retiring existing mining and oil leases in the North Fork drainage and on this side of the Whitefish Range divide is not a part of SB 3075, but a court ruling from the mid-1980s made the value of many existing leases uncertain.

Finding that the Bureau of Land Management had not properly issued the leases, the court suspended surface drilling in the affected area. An environmental impact study is required before further development is allowed, and no leaseholders have taken that step since the court ruling.

Recognizing that their leases in the North Fork were at a standstill, and responding to a request by Baucus and Tester to protect the drainage, energy giant ConocoPhillips agreed last week to voluntarily relinquish its primary interest in oil and gas leases on 170,000 acres of federal land in the North Fork.

The Houston-based company has owned the leases since 1982 and believes it could have developed the sites in an environmentally responsible way, but the company agreed to retire the leases even though it will not be compensated.

The energy company's announcement came during an April 28 hearing on SB 3075. ConocoPhillips fully owns 50 oil and gas leases and partially owns 58 leases, which together account for about 71 percent of the leased area.

Baucus and Tester said SB 3075 has a good chance of passing. The bill has the support of numerous conservation and outdoor sports organizations.

Former Whitefish mayor Cris Coughlin, part owner of Montana Raft Co., in West Glacier, said she visited several congressional offices last week while in Washington, D.C., on behalf of the National Parks Conservation Association.

Coughlin said her primary purpose for the visit was to support increased funding for the National Park Service when she met with staff at the offices of Rep. Denny Rehberg and Sen. John Barrasso, R-Wyoming. Local NPCA representative Will Hammerquist accompanied her on both issues.

Coughlin also met with Tester and one of his top aides, Stephenne Harding, who was born and raised in Whitefish and once worked for Coughlin as a raft guide. Montana Raft Co. provides 7,000 to 8,000 user-days per year on the North and Middle forks of the Flathead River, Coughlin said.

"It's pretty exciting," she said about SB 3075 and ConocoPhillips' announcement. "This will protect water quality in the North Fork, something we've all wanted for a long time. I hope it gets extended to the Middle Fork."