

Email

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Sponsoring Entity:

Montana Association of Conservation Districts, Valley Conservation District, Northern Plains Region NACD (TBD)

Resolution title

Resolution on Providing Critical habitat through the Milk River system for Pallid Sturgeon

Background Information Describing the Issue and Providing Context - PLEASE TRY TO LIMIT ENTRY TO 100-200 WORDS*

The Pallid Sturgeon is one of the rarest fishes in North America (Kallemeyn, 1983) and was federally listed as endangered in 1990 decline by isolating pallid sturgeon populations, altering flow regimes, and reducing habitat; The Pallid Sturgeon is known only to occur in the Missouri River, the Mississippi River downstream of the Missouri River, and the lower Yellowstone River;

The Milk River is ecologically important to the Missouri River downstream of Fort Peck Dam as it contributes flows, sediment, and warmer water temperatures necessary for the recovery of the Pallid Sturgeon (USFWS, 2013);

The Fort Peck Adaptive Management Framework (U.S. ACE, 2018) lists temperature enhancement using Milk River and spillway flows as an adaptive management strategy to manage flows from Fort Peck Dam in order to address pallid sturgeon;

Environmental groups have filed suit against the U.S. Army Corps of Engineers, the Bureau of Reclamation and the Fish and Wildlife Service for operating dams on the Yellowstone and Missouri Rivers in such a way that endangers the pallid sturgeon. Lawsuits that impact the operation of the Missouri River Mainstem Reservoir System will have a direct impact on irrigation operations, municipal water systems and citizens that rely on managed water flow in the entire Missouri River Mainstem;

The St. Mary Canal was constructed in 1917 and is used to divert water through a series of siphons from the St. Mary River to the Milk River which can contribute up to 80 percent of the flows in an average year;

The St. Mary Canal is over 100 years old and in need of overhaul to continue to provide a reliable source of water for the Milk River which supports municipal water supplies, irrigation, habitat and recreation along Montana's Hi-Line;

In May 2020 Drop 5 of the St. Mary Canal suffered a catastrophic failure and as a result no water was diverted into the Milk River until it was fixed, resulting in temporary water shortages for Canada and Montana's Hi Line;

The current cost share agreement between project beneficiaries (irrigators) and the federal government is cost prohibitive for the irrigators to afford the \$200,000,000 estimated cost of design and replacement of the St. Mary Canal now.

Resolution Text to be Included in NACD Policy Book if Adopted *

NACD will advocate on behalf of the water users, including community water users, recreation, sportsmen, wildlife and habitat for the Pallid Sturgeon in and on the Milk River. This will include advocating for rapid response from the Administration to allocate funds and resources to rehabilitate the St. Mary Canal. NACD will lobby the Administration and Congress to adjust the current cost allocation formula which currently assesses irrigators and other water users 74% of all maintenance, repairs, and rehabilitation to instead assess based on 'ability to pay.'

Sponsor(s) Actions on this Issue to Date

MACD worked to support Montana's senators in securing \$100 million dollars in funding for the Milk River project. MACD garnered the support of the National Association of Conservation Districts to submit letters to the Senate Committee on Energy and Natural Resources. MACD and NACD worked together with Montana's two senators to support the \$100 million funding package.

Valley County Conservation District (VCCD) and MACD lobbied to support HJ7, a 'joint resolution regarding the St. Mary and Milk River Project.' (<https://leg.mt.gov/bills/2021/billpdf/HJ0007.pdf>)

The Milk River Watershed Alliance (MRWA) (an alliance of five Montana Conservation Districts) worked with NRCS, Farmers Conservation Alliance, and the Joint Board of Control to write a watershed plan to access PL-566 funding.

Impact on Existing NACD Policy*

This resolution aligns with the following section of NACD policy:

"6. FEDERAL AGRICULTURAL PROGRAMS

L. Cost-sharing Programs

[...]

*8. NACD supports additional federal funding for irrigation infrastructure. (17)
A02017/TBR2022 "*

"10. FISH AND WILDLIFE

E. Endangered Species Act (ESA)

1. NACD supports protection measures for threatened and endangered species, which must consider the social and economic values of private enterprise, respect for private property rights, and work in harmony with other environmental laws. (93)”

Potential Financial Impact on NACD*

Staff time for directly lobbying Congress and the Administration, as well as NACD staff support and coordination for local and regional groups meeting with members of congress and agency leadership regarding the Milk River, Pallid Sturgeon, and the broader watershed.

If Applicable, Potential Fiscal Impact on the Federal Budget:

Additional funds should be allocated to the Milk River Project as well as a change in the cost-share agreement to reflect ‘ability to pay’ rather than a set percentage from irrigators and water users.

Meeting and Date Adopted by Sponsoring Entity:

Business Meeting at MACD Annual Convention on November 18th, 2020.

Authorized Signatures and Titles*

Dean Rogge, MACD Board President;
Steve Hedstrom, MACD Representative to NACD;
Rebecca Boslough-King, MACD Executive Director